

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
APRIL 11, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES: [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT [HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases), AND [2] TO PROVIDE INPUT ON A ZONING OR SPECIFIC USE PERMIT CASE PLEASE [CLICK HERE](#) OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

I. CALL TO ORDER

Chairman Thomas Called the meeting to order at 6:01PM. Commissioners present were Brian Llewelyn, Derek Deckard, Ross Hustings, Jerry Welch and Jean Conway. Absent from the meeting was Commissioner John Womble. Staff members present were Director of Planning and Zoning Ryan Miller, Planners Bethany Ross and Henry Lee, Planning Technician Angelica Guevara, Planning Coordinator Melanie Zavala, City Engineer Amy Williams and Civil Engineer Sara Johnston. Absent from the meeting was Assistant City Engineer Jonathan Browning.

II. APPOINTMENTS

1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

Director of Planning and Zoning Ryan Miller advised that the case manager would go over the case when they presented it.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Thomas explained how open forum is conducted and asked if anyone wished to speak to come forward at this time; there being no one indicating such, Chairman Thomas closed the open forum.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of minutes for the March 28, 2023 Planning and Zoning Commission meeting.

3. P2023-006 (BETHANY ROSS)

Discuss and consider a request by Matthew Deyermond on behalf of Donald Wallace for the approval of a Final Plat for Lots 1-3, Block A, Wallace Addition being a 8.17-acre tract of land being identified as all of Tracts 45-02 & 45-07 and a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80 of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, generally located on the northside of Wallace Lane, and take any action necessary.

4. P2023-007 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LCC for the approval of a Final Plat for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144-acre tract of land being identified as a portion of Tract 4 & 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

5. SP2023-010 (BETHANY ROSS)

Discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Howard Barrett for the approval of a Site Plan to convert two (2) single-family homes to office buildings on a 1.60-acre tract of land identified as Lots 1 & 2 of the Greenvalley Addition and Tract 32 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1203 & 1205 S. Goliad Street [SH-205], and take any action necessary.

6. SP2023-012 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LCC for the approval of a Site Plan for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144-acre tract of land being identified as a portion of Tract 4 & 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

Vice-Chairman Deckard made a motion to pass the consent agenda. Commissioner Conway seconded the motion which passed by a vote of 6-0.

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67 *This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please*
68 *submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning*
69 *Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments*
70 *to three (3) minutes out of respect for the time of other citizens.*
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72 **7. Z2023-014 (ANGELICA GUEVARA)**

73 Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a *Specific Use Permit (SUP)* for Residential Infill in an Established
74 Subdivision on a 1.0620-acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7)
75 District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.
76

77 **Planning Technician Angelica Guevara provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP)**
78 **to construct a single-family home. The proposal does meet all of the density and dimensional requirements for the home within the Single-Family 7**
79 **(SF-7) District with the exception of the garage orientation. Staff would like to note that since the home is in the Southside Residential Neighborhood**
80 **Overly District, the applicant does qualify for a grant up to a thousand dollars (\$1,000.00). Staff did mail forty-seven (47) notices to property owners**
81 **and occupants within 500-feet of subject property and, at this time, staff had only received one (1) notice in favor of the proposal.**
82

83 **Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating**
84 **such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.**
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86 **Commissioner Welch made a motion to approve Z2023-014 with staff recommendations. Commissioner Hustings seconded the motion which passed**
87 **by a vote of 6-0.**
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89 **Chairman Thomas advised that this item will go before City Council on April 17, 2023.**
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91 **8. Z2023-015 (ANGELICA GUEVARA)**

92 Hold a public hearing to discuss and consider a request by Martha Balleza and Ana Quezada for the approval of a *Specific Use Permit (SUP)* for Residential
93 Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 1290 of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall
94 County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 223 Russell Drive, and take any action
95 necessary.
96

97 **Planning Technician Angelica Guevara provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP)**
98 **to construct a single-family home on the property. The proposed home does meet all the density and dimensional requirements for a home in Planned**
99 **Development District 75 (PD-75) with the exception of the garage orientation. Staff also mailed out 147 notices to property owners and occupants**
100 **within five hundred feet of the subject property. At this time, Staff had only received one (1) notice in favor for the request.**
101

102 **Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating**
103 **such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.**
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105 **Commissioner Llewelyn made a motion to approve Z2023-015. Commissioner Conway seconded the motion which passed by a vote of 6-0.**
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107 **Chairman Thomas advised that this item will go before City Council on April 17, 2023.**
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109 **9. Z2023-016 (HENRY LEE)**

110 Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a *Specific Use Permit (SUP)*
111 allowing a *Bail Bond Service* on a 0.423-acre parcel of land identified as Lot 1, Block 1, Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall
112 County, Texas, zoned Commercial.(C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and take
113 any action necessary.
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115 **Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP) for a bail bond service**
116 **on the subject property. According to the applicant's letter, they currently will have four (4) employees who will work in the location and will operate**
117 **seven days a week from 8AM-8PM with phone lines staying open for 24 hours a day. The purpose for the SUP is to allow discretionary consideration**
118 **for specific uses to determine whether they're appropriate in all parts of a zoning district. Staff should note that there is another bail bond service**
119 **on the lot to the north east of the subject property. With that being said, this is still a discretionary decision for the Planning & Zoning Commission.**
120 **On March 21st, staff mailed out 34 notices to property owners and occupants within 500-feet of the subject property and notified the Waterstone**
121 **Homeowners Association. At this time, staff had received four (4) notices in opposition and one (1) notice in favor of the applicant's request. Planner**
122 **lee noted that the four (4) notices in opposition were from the adjacent commercial owners.**
123

124 **Johnathan Martinez**
125 **Dallas, TX**
126

127 **Mr. Martinez came forward and provided additional details in regards to his request.**
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129 **Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating**
130 **such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.**

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Vice-Chairman Deckard asked what zoning allows a bail bond service.
Commissioner Conway wanted clarification on the location of the other bail bond service.
Commissioner Hustings asked where the other bail bond offices were located.

Commissioner Conway made the motion to deny Z2023-016. Vice-Chairman Deckard seconded the motion which passed by a vote of 6-0.

Chairman Thomas advised that this item will go before City Council on April 17, 2023.

10. Z2023-017 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16-acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP) for the construction of a single-family home within an established subdivision. The applicant's request does meet all the density and dimensional requirements for a home located in the Single-Family 7 (SF-7) District with the exception of the garage orientation. Planner Lee advised that approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning & Zoning Commission finding that the proposed house does not have a negative impact to the existing subdivision. On March 21st, staff sent out 115 notices to property owners and occupants within 500-feet of subject property. At this time, staff had only received two (2) notices from one (1) property owner in favor of the applicant's request.

Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Conway made the motion to approve Z2023-017. Vice-Chairman Deckard seconded the motion which passed by a vote of 6-0.

Chairman Thomas advised that this item will go before City Council on April 17, 2023.

11. Z2023-019 (RYAN MILLER)

Hold a public hearing to discuss and consider a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) to create a Credit Access Business land use, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards the the request. The Texas Finance Code defines a Credit Access Business as a credit service organization that obtains for a consumer or assists the consumer in obtaining an extension of consumer credit in a form of payment transaction or motor vehicle title loan. Examples of this type of business would be pay day lending or auto title loans. Staff ants to make sure that they are able to address the land use before it comes in. The other concern for wanting to have regulations in place is this type of business tend to proliferate in high visibility intersections within shopping centers. Staff prepared an ordinance where it has taken a credit access business and allowed it in all the same districts where we currently allow a financial institution without a drive-through. Staff also added conditional land use standards where they cannot be within 1,000 ft of any like business or credit access business to prevent the proliferation in a shopping center or a major intersection. Also, a requirement was added that they cannot be within 500-feet of a residentially zoned property, public school or existing daycare.

Commissioner Welch asked if there's a difference between cash and check places verses a credit repair.

Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.

Vice-Chairman Deckard made the motion to approve Z2023-019. Commissioner Welch seconded the motion which passed by a vote of 6-0.

Chairman Thomas advised that this item will go before City Council on April 17, 2023.

12. Z2023-020 (RYAN MILLER)

Hold a public hearing to discuss and consider an Amendment to the Comprehensive Plan for the purpose of adopting changes to the Master Thoroughfare Plan contained in Appendix 'C', Maps, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards the request. In January, 2022. Staff began the process of looking over the Master Thoroughfare Plan and engaged with Freese & Nichols who is our preferred professional services engineer for this work. Due to some constraints with the COG's model, the project ended up getting delayed. However, recently the consultant did finish the report and provided several recommendations to the City which were taken to City Council who directed us to move forward with the Comprehensive Plan amendment process. This being a Comprehensive Plan amendment, Staff is required to take it to public hearings at both Planning & Zoning Commission and City Council. It is the role of the Planning & Zoning Commission to provide a recommendation to City Council concerning the proposed changes. Director Miller stated that staff did send out proper notices and advertisements for the case and advised that Staff is available for any questions.

Chairman Thomas opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating such, Chairman Thomas closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Welch made a motion to approve Z2023-020. Commissioner Conway seconded the motion which passed by a vote of 6-0.

199 Chairman Thomas advised that this item will go before City Council on April 17, 2023.

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201 VI. ACTION ITEMS

202
203 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
204 *exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*
205

206 13. SP2023-011 (BETHANY ROSS)

207 Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of Campfire Shops, LLC for the approval of a Site Plan for a Carwash and
208 Commercial/Retail Shopping Center on a 2.003-acre parcel of land identified Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County,
209 Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated along the east side of White Hills Drive south of Suncrest
210 Drive, and take any action necessary.

211
212 **Planner Bethany Ross provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for the development**
213 **of a car wash and commercial retail shopping center. The applicant's site plan does meet all of the Commercial District standards and Overlay District**
214 **standards with the exception of the roof pitch standard. Planner Ross added that the Architectural Review Board (ARB) did approve the building**
215 **elevations unanimously. She also explained that the applicant also provided an extra 5-inch canopy tree and additional shrubbery around the vacuum**
216 **base as a compensatory measure for that variance. Planner Ross then advised that Staff and the applicant were available for any questions.**
217

218 **Chairman Thomas asked if there were any other variances associated with the request.**

219
220 **Paul Cragun**
221 **2080 North Hwy 360**
222 **Grand Prairie, TX 75050**
223

224 **Mr. Cragun came forward and provided additional details in regards to the request.**

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226 **Chairman Thomas made a motion to approve SP2023-011 with staff recommendations. Commissioner Conway seconded the motion which passed**
227 **by a vote of 6-0.**
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229 VII. DISCUSSION ITEMS

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231 14. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
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- 234 • P2023-005: Replat for Lots 8-10, Block A, Sky Ridge Addition [APPROVED]
 - 235 • Z2023-009: Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit and Detached Garage at 504 Nash Street [APPROVED; 2ND READING]
 - 236 • Z2023-010: Zoning Change (AG to LI) for 1760 Airport Road [APPROVED; 2ND READING]
 - 237 • Z2023-011: SUP for a Residential Infill in an Established Subdivision for 104 Glenn Avenue [APPROVED; 2ND READING]
 - 238 • Z2023-012: Specific Use Permit (SUP) for a Detached Garage at 2333 Saddlebrook Lane [APPROVED; 2ND READING]
 - 239 • Z2023-013: Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for 118 Blanche Drive [APPROVED; 2ND READING]
 - 240 • Subdivision Ordinance [APPROVED; 2ND READING]


241 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the city council meeting.**
242

243 VIII. ADJOURNMENT

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245 **Chairman Thomas adjourned the meeting at 6:36 pm.**
246

247 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25th day of April
248 _____, 2023.

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251
252 Attest: 
253 _____
254 Melanie Zavala, Planning Coordinator



Sedric Thomas, Chairman