

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
FEBRUARY 25, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:00 PM. The Commissioners present at the meeting were Sedric Thomas, Annie Fishman, and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioners John Womble, Tracey Logan, and Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning Manager David Gonzales, Senior Planner Korey Brooks, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Johnston.

II. OPEN FORUM

Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this time.

Bob Wacker

Mr. Wacker came forward and gave a brief summary as to why he was in favor of the condominiums.

Chairman Chodun then asked if anybody else wished to come forward and speak and there being no one coming forward, Chairman Chodun closed the open forum.

III. APPOINTMENTS

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

A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the Architectural Review Board meeting.

IV. CONSENT AGENDA

2. Approval of Minutes for the February 11, 2020 Planning and Zoning Commission meeting.

3. P2020-007 (KOREY BROOKS)

Consider a request by John Arnold of BH Phase XI, LTD on behalf of the owners Cory Knowlton and Chuck Sinks for the approval of a Final Plat for Lots 1-4, Block A, Breezy Hill Lane Addition being a 23.13-acre tract of land identified as Tract 33-1 & 33-02 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated at the terminus of Breezy Hill Road, and take any action necessary.

4. P2020-008 (DAVID GONZALES)

Consider a request by Tom Martin of the Skoburg Co. on behalf of Tom Lynch of Pacesetter Homes, LLC for the approval of an Amending Plat for the Gideon Grove Subdivision consisting of 71 single-family residential lots on a 29.182-acre tract of land identified as Gideon Grove – North Addition, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

5. P2020-009 (DAVID GONZALES)

Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of John Hammerbeck and Tony Scalise of Rockway Partners, LLC for the approval of an Conveyance Plat for Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2 being a 9.941-acre tract of land identified as Lots 6, 7 & 20, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action necessary.

Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 4-0 with Commissioners Womble, Logan, and Moeller absent.

V. DISCUSSION ITEMS

6. Z2020-001 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief history in regards to the request and he advised the Commission that the applicant's contractor was present. In November, there was a permit issued for the construction of a car port. The car port needed a Specific Use Permit (SUP) since its size exceeded 500 square feet. A permit tech discussed this issue with the contractor, and to avoid the SUP process, the contractor revised the plans to show a smaller car port. However, when the revised site plans came through and were approved, an inspector went out and confirmed that the structure had already been constructed before the permit was approved. At the moment, there is a stop work order and the purpose of this application is to get the zoning in place, request a Specific Use Permit, and to make changes to the structure to where it'll be in compliance. Mr. Gonzales then advised the Commission that the applicant was present.

Chairman Chodun asked the applicant to come forward.

Chris Kehrer
410 Normandy Lane
Heath, TX 75032

The applicant came forward to provide a brief explanation in regards to the request. Mr. Kehrer explained that when they turned in permits on November 25, 2019, they were told that it would take a period of fifteen (15) days. He stated that they did start early with the foundation because they figured that if they got the foundation letter from the foundation engineer that they would sign off on that. Mr. Kehrer took responsibility for beginning the construction before the appropriate time. By the time they received the notice stating that they would need to go through the zoning process the project was already 90% complete. They did file another permit, which was approved, to bring the wall up on the building but decided against it when they noticed it would be too much air conditioning space.

Planning and Zoning Director Ryan Miller asked whether or not the building would have plumbing or not. The applicant stated that plumbing had been added to the back wall for one toilet or a shower. Mr. Miller then explained that it may come back as a secondary living quarters or guest quarters not as an accessory structure as there are multiple non-conformities with regards to the building.

The applicant's contractor, Mr. Kehrer, clarified that the intent for the building was for the applicant to be able to house his cars and other belongings to add value to the house. He also added that they would need to connect the structure to the house in order for them to be in compliance.

Commissioner Fishman asked for clarity in regards to the zoning on the property.

Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions, he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020. .

7. Z2020-002 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

Chairman Chodun asked whether or not the applicant was present.

Planning and Zoning Director Ryan Miller gave a brief overview as to why these cases were brought upon the Commission and why the applicants were requesting SUPs.

Reese Baez
1415 Open Bay Court
Rockwall, TX 75087

Mr. Baez came forward and added further information in regards to his request. He explained that the residence he was wanting to build was going to be a two story house with hardie board siding with stone wainscoting that goes around the perimeter of the building.

Chairman Chodun asked for clarification in regards to the being able to see the surrounding structures. He wanted to ensure that consistency with the surrounding houses was not going to be the deciding factor in each case. Planning and Zoning Director Ryan Miller assured him that they (The Commission) was given discretion with each request individually.

Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions, he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.

8. Z2020-003 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary.

Chairman Chodun asked whether Planning Manager David Gonzales or the applicant from the case before, Reese Baez, had anything to add since the properties being built on the lots were essentially the same. Neither one had any further comment.

Commissioner Fishman then asked whether there were other two story houses along the same street. Mr. Miller, Planning and Zoning Director, explained that there were other houses similar to the ones being built on the same street.

Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions, he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.

9. Z2020-004 (KOREY BROOKS)

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony, and take any action necessary.

Senior Planner Korey Brooks provided a brief history in regards to the request. He wanted to point out that the front garage on the elevations is more forward than the rest of the home. Typically, homes have to have the garage recessed twenty (20) feet from the front sides of the home whereas in this case the door is recessed behind and the garage is projected forward. Normally, that circumstance would require an exception to be approved in the Southside Overlay District but since an SUP has been requested then it has taken the place of the exception.

Chairman Chodun asked the applicant to step forward.

Ambrocio Ibarra
171 Crawford Lane
Royse City, TX 75189

The applicant came forward and wanted an explanation of the SUP process since it was his first time going through it. He also asked what the timeline would be for his project to take place.

Planning and Zoning Director Ryan Miller gave further clarification to Mr. Ibarra's questions.

Chairman Chodun brought the item back to the Commission for questions and discussion, there being no further questions, indicated the case will return to the Commission for action at the next scheduled meeting.

10. Z2020-005 (KOREY BROOKS)

177 Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for
178 the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-
179 family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas,
180 zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as
181 703 Peters Colony, and take any action necessary.

182
183 Chairman Chodun asked whether Senior Planner Korey Brooks or the applicant, Mr. Ibarra, had anything to add since the
184 properties being built on the lots were essentially the same. Neither one had any further comment.

185
186 Chairman Chodun then brought the item back to the Commission for questions and discussion.

187
188 Commissioner Thomas asked if there were any concerns pertaining to the garage setback. Senior Planner Korey Brooks
189 explained that it was a discretionary decision for the Commission as well as City Council. He also added that there were
190 similar nearby properties in the neighborhood so they do blend in with the surrounding homes.

191
192 Chairman Chodun had a question regarding any issues with water or runoff and whether or not that issue gets looked at.
193 Planning and Zoning Director Ryan Miller clarified that Building Inspections will review a building plan on a lot by lot basis.

194
195 Senior Planner Korey Brooks added that there a Final Plat that came through the middle of last year in front of the
196 Commission so they have seen the plans before. Commissioner Fishman asked if they would be able to see any variations
197 on the homes and Mr. Brooks explained that the homes requesting to be built would be identical.

198
199 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised
200 the applicant that the case will return to the Commission for action on March 10, 2020.

201
202 **11. Z2020-006 (KOREY BROOKS)**

203 Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for
204 an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B,
205 Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as
206 2308 Saddlebrook Lane, and take any action necessary.

207
208 Chairman Chodun asked Senior Planner Korey Brooks if the applicant was present and asked him to come forward.

209
210 Greg Givens
211 2308 Saddlebrook Lane
212 Rockwall, TX 75087

213
214 The applicant came forward and provided a brief explanation in regards to the request. He intends to build an oversize
215 detached garage with a driveway leading to the building. The reason for it being oversized is due to the size of his pickup
216 truck which will not fit in his current garage as well as his travel trailer. He wants it to be covered and secure to where nothing
217 is being laid out in the weather.

218
219 Chairman Chodun asked what the neighborhood looked like in regards to houses and structures. Senior Planner Korey
220 Brooks advised the Commission that there had been a similar case brought up to them prior and it had been denied. There
221 are other buildings in the neighborhood but they are brick and not metal buildings.

222
223 Commissioner Thomas remembered the prior case and asked the applicant what the reason was for not wanting to have a
224 brick building. The applicant, Mr. Givens, stated that it was mainly because of the cost of having to build a brick building.
225 Commissioner Thomas then advised Mr. Givens to be prepared to receive a number of people against the case due to the
226 results of the prior case named.

227
228 Chairman Chodun asked Planning and Zoning Director Ryan Miller if they could approve a case based on materials or if they
229 were simply approving the SUP. Mr. Miller explained that according to the City Attorney, material could be discussed or
230 conditioned through an SUP.

231
232 Vice- Chairman Welch asked what the necessary size was needed in order to approve the permit and Mr. Brooks explained
233 that the maximum square footage was 625 square feet.

234
235 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised
236 the applicant that the case will return to the Commission for action on March 10, 2020.

238
239 **12. Z2020-007 (RYAN MILLER)**

240 Hold a public hearing to discuss and consider a request for the approval of a Text Amendment to amend Article 08, Landscape and
241 Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family
242 and duplex properties, and take any action necessary.
243

244 Director Ryan Miller came forward and provided a brief explanation in regards to the case. Prior to the January 21, 2020 City
245 Council meeting, a work session had been held to review the fence standards that were approved. City Council directed Staff
246 to make the a few changes to the Unified Development Code (UDC). Specifically, the section containing the standards for the
247 Duplex and Infill Single Family Property fences such as fences in areas where they don't have Planned Development (PD)
248 controls or any that were built without Homeowners Association (HOA) controls. The changes are as follows: remove the
249 top rail and decorative cap requirement; remove the section about it being stained and sealed on both sides; remove the
250 framing being placed on the public side when adjacent to an alleyway but have it remain when adjacent to a street or an
251 adjoining property; remove the free of burrs and splinters requirement; and remove the ½ inch or greater fencing material
252 requirement. Staff put together a set of languages addressing City Council's direction and presented it to them. The only
253 change that was not made was the 1/2 inch or greater fencing material requirement due to the fact that there were only seven
254 (7) or eight (8) products (fence pickets) that were smaller and were of composite material which would require an exception
255 through the fence ordinance. City Council stated that these would be handled on a case by case basis. Mr. Miller advised the
256 Commission that any input or discussion could be had concerning the changes and, ultimately, will be taken and presented
257 to City Council. Mr. Miller then advised the Commission that he was available for questions.
258

259 Chairman Chodun asked if there were any other questions for Staff and, there being no further questions, indicated the case
260 will return to the Commission for action at the next scheduled meeting.
261

262 **13. Z2020-008 (KOREY BROOKS)**

263 Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne
264 Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales and Service of Heavy*
265 *Machinery and Equipment* in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block
266 A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-
267 30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary.
268

269 Senior Planner Korey Brooks advised the Commission that the applicant was present.

270
271 Chairman Chodun asked the applicant to come forward.

272
273 Tom Jones
274 5815 Meadow Crest
275 Dallas, TX 75230
276

277 Mr. Jones came forward and provided a brief explanation in regards to the request. Mr. Jones explained that he was
278 requesting the outdoor storage for the ten (10) parking spots that are shown at the south end of the building. The rental
279 equipment would be fully loaded on trailers and will be ready to be hooked up or connected to the rear of the vehicle.
280

281 Vice-Chairman Welch wanted to know what the difference between this case and a similar case brought before them some
282 time before. Senior Planner Korey Brooks explained that, at the time this application came forward, it was not permitted in a
283 Commercial (C) District. The Commission had previously looked at a text amendment that allowed this use in a Commercial
284 (C) District with an SUP. Essentially, the request presented was the SUP that followed that text amendment.
285

286 Commissioner Fishman inquired about what kind of equipment would be used and whether or not the applicant would be
287 doing this for all locations. Mr. Miller explained that they would be using Bobcats or small tract vehicles.
288

289 Chairman Chodun asked if there would be a cover provided or if the applicant had considered screening on the South side.
290 The applicant had not considered screening but does have an opportunity to do landscaping, trees, or visual screening as
291 suggested by the Planning and Zoning Commission. Mr. Miller then clarified that it is required by the ordinance to have a
292 screening for the building.
293

294 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated
295 the case will return to the Commission for action at the next scheduled meeting.
296
297

14. SP2020-003 (KOREY BROOKS)

Discuss and consider a request by Shannon Thomas of Rockwall Friendship Baptist Church for the approval of an Amending Site Plan for a church on a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary.

Senior Korey Brooks advised the Commission that the applicant was present.

Chairman Chodun asked the applicant to come forward.

Tom Jones (Engineer)/ Josh Heinbeck (Architect)
5815 Meadow Crest
Dallas, TX 75230

The applicant came forward and provided brief input in regards to the request. They are requesting the approval of an Amended Site Plan, which had been approved some time back. He explained that Architectural Review Board (ARB) had made recommendations regarding the site plan to which the applicant will be making changes to by the next week. Mr. Jones then advised the Commission that he was available to answer any questions they may have.

Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.

15. SP2019-049 (KOREY BROOKS)

Discuss and consider a request by Daniyal M. Awan of Plutus21 Development Fund 5, LLC on behalf of Water's Edge at Lake Ray Hubbard Condominiums Owner's Association, Inc. for the approval of a Site Plan for two (2) multi-family apartment buildings on a 6.5995-acre parcel of land identified as Lot 1, Block A, Villas De Portofino Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 22 (PD-22) for Marina, Retail, Office, and Apartment/Condominium land uses, addressed as 2000-2038 Portofino Circle, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Daniyal M. Awan
3417 Meadows Drive
Rockwall, TX 75087

The applicant came forward and provided further information in regards to the request. Mr. Awan is requesting the approval of a site plan for a development on the water for a condominium complex. This development was constructed back in 2004-2006. Out of the eighty-five (85) approved condominiums, only seventy-three (73) were built and building structure number two (2) was left unfinished and remains an empty piece of land. Since the building was originally set for eighty-five units, including 85 mail boxes, then the applicant is proposing to add two (2) new buildings with six (6) units on each. Mr. Awan went into further detail in regards to the different sizes and square footage of the units.

Vice- Chairman Welch asked whether this was a case that had been previously presented to the Commission. Senior Planner Korey Brooks advised that it was the same case but the applicant had failed to make the revisions needed which then caused the case to be denied. The applicant was then given another chance to resubmit his application with the revisions and request.

Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.

16. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER)

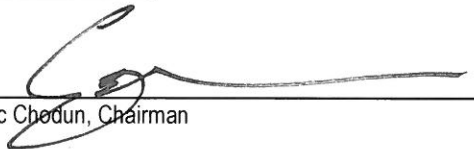
- P2020-006: Preliminary Plat of Saddle Star South Subdivision [APPROVED]
- MIS2020-001: Alternative Tree Mitigation Plan for 2930 Ridge Road [APPROVED]

Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.


VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:48 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____
_____ 10 _____ day of March _____, 2020.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator