MINUTES CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS

FEBRUARY 25, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

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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.

PLANNING AND ZONING COMMISSION WORK SESSION MEETING

11. **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 Skorburg 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 <u>Zoning Change</u> 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 <u>Specific Use Permit (SUP)</u> 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.

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

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 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 <u>Specific Use Permit (SUP)</u> 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 <u>Specific Use Permit (SUP)</u> 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)

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for 177 the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-178 family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, 179 zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 180 181 703 Peters Colony, and take any action necessary. 182 Chairman Chodun asked whether Senior Planner Korey Brooks or the applicant, Mr. Ibarra, had anything to add since the 183 properties being built on the lots were essentially the same. Neither one had any further comment. 184 185 Chairman Chodun then brought the item back to the Commission for questions and discussion. 186 187 Commissioner Thomas asked if there were any concerns pertaining to the garage setback. Senior Planner Korey Brooks 188 explained that it was a discretionary decision for the Commission as well as City Council. He also added that there were 189 similar nearby properties in the neighborhood so they do blend in with the surrounding homes. 190 191 Chairman Chodun had a question regarding any issues with water or runoff and whether or not that issue gets looked at. 192 Planning and Zoning Director Ryan Miller clarified that Building Inspections will review a building plan on a lot by lot basis. 193 194 Senior Planner Korey Brooks added that there a Final Plat that came through the middle of last year in front of the 195 Commission so they have seen the plans before. Commissioner Fishman asked if they would be able to see any variations 196 on the homes and Mr. Brooks explained that the homes requesting to be built would be identical. 197 198 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised 199 the applicant that the case will return to the Commission for action on March 10, 2020. 200 201 11. Z2020-006 (KOREY BROOKS) 202 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 203 an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, 204 Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 205 206 2308 Saddlebrook Lane, and take any action necessary. 207 Chairman Chodun asked Senior Planner Korey Brooks if the applicant was present and asked him to come forward. 208 209 210 **Greg Givens** 2308 Saddlebrook Lane 211 212 Rockwall, TX 75087 213 The applicant came forward and provided a brief explanation in regards to the request. He intends to build an oversize 214 detached garage with a driveway leading to the building. The reason for it being oversized is due to the size of his pickup 215 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 216 is being laid out in the weather. 217 218 Chairman Chodun asked what the neighborhood looked like in regards to houses and structures. Senior Planner Korey 219 Brooks advised the Commission that there had been a similar case brought up to them prior and it had been denied. There 220 are other buildings in the neighborhood but they are brick and not metal buildings. 221 222 Commissioner Thomas remembered the prior case and asked the applicant what the reason was for not wanting to have a 223 brick building. The applicant, Mr. Givens, stated that it was mainly because of the cost of having to build a brick building. 224 Commissioner Thomas then advised Mr. Givens to be prepared to receive a number of people against the case due to the 225 results of the prior case named. 226 227 Chairman Chodun asked Planning and Zoning Director Ryan Miller if they could approve a case based on materials or if they 228 were simply approving the SUP. Mr. Miller explained that according to the City Attorney, material could be discussed or 229 230 conditioned through an SUP. 231 Vice- Chairman Welch asked what the necessary size was needed in order to approve the permit and Mr. Brooks explained 232 that the maximum square footage was 625 square feet. 233 234 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised 235 the applicant that the case will return to the Commission for action on March 10, 2020. 236 237

12. Z2020-00	(RYAN MILLER)
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Hold a public hearing to discuss and consider a request for the approval of a <u>Text Amendment</u> to amend Article 08, Landscape and
 Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family
 and duplex properties, and take any action necessary.

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

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

13. Z2020-008 (KOREY BROOKS)

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

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

Chairman Chodun asked the applicant to come forward.

Tom Jones 5815 Meadow Crest Dallas, TX 75230

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

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

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

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

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.

14. SP2020-003 (KOREY BROOKS)

 Decuss and consider a request by Shanon Thomas of Rockwall Finandarb Basist Church for the approval of an Anandra State Pather (A) and Shane that of basin (Rockwall Court). Feass. coned Light Industrial (L) District, isulated within the SH-205 By-Pass Currely (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) BS15 Meadow Crest Dallar, TX 7520 The applicant came forward and provided brief input in regards to the request. They are requesting the approval of an Ananded Site Plan, which had been approved some time back. The explained that Architectural Review Board (ARE) had need recommendations regarding the site plan to which the applicant to the request. They are requesting the approval of an Ananded Site Plan, which had been approved some time back. The explained that Architectural Review Board (ARE) had need recommendations regarding the site plan to which the applicant the plan for the plan to the applicant diverse Board (ARE) had need recommendations regarding the any other questions for that applicant and, there being no further questions, indicated the Commission that he was available to answer any questions they may have. Chairman Chodun asked the applicant to come forward. Sep303-049 (FORTY ENCODE) Discuss and consider a request by Daviayd M. Awan of Pluks21 Development Fund S, LLC on behalf of Water's Edge at Lake Ray Hubbard Condominums Owner's Association, inc, for the approval of a <u>Site Plan</u> for two (2) multi-family approximate building to an 20, 580-580 ere pare of a land identified as 0.1, Biok A, Wilab De Potisfon Addition, City of Rockwall, City of Rockwall, TX 70697 Chairman Chodun asked the applicant to		
County, Taxes, zoned Light Industrial (L) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the interaction of Justin Road and John King Boulevard, and take any action necessary. Senior Koey Brooks advised the Commission that the applicant was present. Chairman Chodun asked the applicant to come forward. Tom Jones (Engineer) Josh Heinbeck (Architect) SB15 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 Anended Site Plan, which had been approved some time back. He explained that Architectural Review Board (ARB) had and recommendations regarding the site plan to which the explained that Architectural Review Board (ARB) had and re commendations regarding the site plan to which the explained that Architectural Review Board (ARB) had and recommendations regarding the site plan to which the explained that Architectural Review Board (ARB) had and recommendations regarding the site plan to which the explained that Architectural Review Board (ARB) had and recommendations regarding the site plan to which the explained that Architectural Review Board (ARB) had The applicant came forward and provided ther on the next scheduled meeting on March 10, 2020. Senter Records) 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 astep Plan for two (2) methanily apartment buildings on a 6, 5954-are parcel of land identified as Lut, 18, Disck A, Villas De Fontolino Addition. City of Rockwall County. Toxas, zoned 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
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) SB15 Macdow Crest Dallas, TX 7520 The applicant came forward and provided brief input in regards to the request. They are requesting the approval of an Anended 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 the advised the Commission for the was available to answer any questions flaw mp 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, 8220. Stp 2019-049 Incorter Second. Datas at Incorter Second. Incorter Second. Stp 2019-049 Incorter Second. Datas at Incorter Second. Incorter Second. Datas at Incorter Second. Incorter Second. Datas at Incorter Second.		County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east
Senior Korey Brooks advised the Commission that the applicant was present. Chairman Chodun asked the applicant to come forward. Tom Jones (Engineer)/ Josh Heinback (Architect) S815 Meadow Crest Dallas, TX 75330 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 and, there being no further questions, indicated the case will return to the Commission for a conton which 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 (FOREPT BRCOKE) 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 Condonitums Owner's Association. Inc. for the approval of size Plan for two (2) multi-family apartime buildings on a 6,5958-arce parcel of land identified as Lat I, Block A, Villas De Fontino Addition, City of Rockwall, Rockwall County, Texas, zoned Planed Development District 22 (PO2) 210 Markin, Reala, Office, and Apartment/Condoninium and uses, addressed as 2000-2038 Portifino Circle, and take any action necessary. Chairman Chodun asked the applicant to come forward. Daniyal M. Awan 3417 Meadows Drive Sate Plane Development District 22 (PO2) 210 Markin, State Battion, State the Unithing was originally set for eighty-five ULLS. Vale- Chairman Chodun asked the applicant to come forward. </td <td></td> <td>of the intersection of Justin Road and John King Boulevard, and take any action necessary.</td>		of the intersection of Justin Road and John King Boulevard, and take any action necessary.
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