

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

MASTER PLAT PRELIMINARY PLAT FINAL PLAT REPLAT

AMENDING OR MINOR PLAT PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

ZONING CHANGE SPECIFIC USE PERMIT PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL

VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD	CITY COUNCIL READING #2
PLANNING AND ZONING COMMISSION	CONDITIONS OF APPROVAL
CITY COUNCIL READING #1	NOTES



City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

STAFF U	LY -	
PLANNING	& ZONING	CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

PLEASE CHECK THE A	PPROPRIATE BOX BELOW TO INDICATE	THE TYPE OF D	EVELOPMENT REG	UEST [SELECT ONLY O	NE BOX]:
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Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



PROJECT: JEAN PAUL AUBE'III 509 MUNSON ROCKWALL TEXAS 75187



MATERIAL LIST

- . Bermuda, St. Augustine, or PET lawn turf to be installed on an aggregate and decomposed granite base.
- Flex Base
- Decomposed Granite
- · Silica Sand on Top of Turf
- · Geofabric for Weed Barrier
- Enviro-fill

Lawn & Golf Turfs of DFW has been in business for over 20 years in the DFW area.

Please feel free to reach out to any member of our project team with questions about our services.

Cliff Lewis Project Manager & Sales Manager (972) 948-9396 | Cliff@GolfTurfsofDFW.com







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CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

FROM: Henry Lee, Senior Planner

DATE: November 28, 2023

SUBJECT: MIS2023-018; Exception Request for 509 Munson Street

The applicant, Jean-Paul Aube III, is requesting the approval of an exception to the landscape material requirements stipulated by Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) to allow the installation of synthetic plant materials (*i.e. artificial turf/grass*). The subject property is located on a 0.207-acre parcel of land (*i.e. Lot 12 of the Dawson Addition*), is zoned Single-Family 7 (SF-7) District, and is addressed as 509 Munson Street. The applicant's site plan indicates that the artificial turf will be installed in the front yard of the subject property (see Figure 1).



<u>FIGURE 1</u>: THE SITE PLAN PROVIDED BY THE APPLICANT INDICATING WHERE THE ARTIFICIAL TURF IS TO BE INSTALLED.

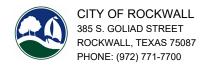
According to Section 04, Approved Landscape Materials, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC), "(a)rtificial or synthetic plant materials (e.g. artificial grass, turf, trees shrubs) shall be prohibited." In interpreting this section of the code. staff has allowed artificial grass/turf in the rear yards of properties. The reason for this interpretation is that these areas are not within the required yard (i.e. the front yard, which is what this section of the code is intended to regulate) and are not typically visible from adjacent properties or rightsof-way. Staff should also note that no other residential property in the City has been permitted to utilize artificial turf in the required yard. According to the applicant's letter, they are requesting the artificial turf due to issues with establishing grass in prior years. With this being said, staff requested that the City's Director of Parks and Recreation and Municipal Arborist inspect the property to determine if there was any impedance to establishing turf grass on the property. On November 15, 2023, the Municipal Arborist inspected the site and determined that there did not appear to be any site constraints that would warrant the installation of an artificial planting material. In reviewing this property, the Municipal Arborist also provided grass varieties that would be best suited to grow in the proposed location (see attached email).

It should also be pointed out that the subject property is located within the Old Town Rockwall (OTR) Historic District and is classified as a *Medium-Contributing* property. In most cases, the Historic Preservation Advisory Board (HPAB) would need to approve a Certificate of Appropriateness

(COA) before the Planning and Zoning Commission could review a request; however, Subsection 06.03, *Historic Overlay (HO) District*, Article 05, *District Development Standards*, of the Unified Development Code (UDC) states, "(a)ny addition or deletion of landscape materials or landscape design elements need not receive a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB)." Given this, the Planning and Zoning Commission is the sole regulatory board necessary to act on this case. With this being said, staff should note that the applicant's request to install artificial turf on the subject property appears to be *inconsistent* with the Old Town Rockwall (OTR) Historic District, and the surrounding neighborhood. Staff came to this conclusion based on the fact that no other properties have artificial turf installed in the front yard. With this being said, the approval of an exception to the landscape material requirements is a discretionary decision for the Planning and Zoning Commission.

Staff is obligated to note, that upon inspecting the subject property it was observed that asphalt or blacktop millings had been placed on the property and that a new concrete drive had been constructed. In researching these improvements staff determined that these improvements had been constructed between September 29, 2023 and November 14, 2023 without a building permit or the approval of a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB). Staff should note that while the concrete is permitted with a paving permit, the addition of the asphalt or blacktop millings is <u>not</u> permitted by the Unified Development Code (UDC) or the Engineering Department's <u>Standards of Design and Construction Manual</u>. Based on this, the applicant will be required to obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) and a building permit for the concrete driveway, and remove the asphalt or blacktop millings and replace them with an approved paving material. This will also require approval from the HPAB and a building permit. Should the Planning and Zoning Commission have any questions concerning the applicant's request, staff will be available at the meeting on <u>November 28, 2023</u>.

PROJECT COMMENTS



DATE: 11/20/2023

PROJECT NUMBER: MIS2023-018

PROJECT NAME: Variance Request for 509 Munson Street

SITE ADDRESS/LOCATIONS: 509 MUNSON ST

CASE CAPTION: Discuss and consider a request by Jean-Paul Aube III for the approval of a Miscellaneous Case for the approval of artificial or

synthetic plant materials on a 0.207-acre parcel of land identified as Lot 12 of the Dawson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall Historic (OTR) District, addressed as

509 Munson Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Madelyn Price	11/14/2023	Approved w/ Comments
11/14/2023: 1. Need to remove	e all asphalt millings from driveway and replace	with concrete after you receive a permit.	
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	11/16/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	11/17/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	11/14/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Henry Lee	11/20/2023	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	11/14/2023	Approved w/ Comments
11/14/2023: I have never seen	artificial turf in front lawn and this will look very	odd within the neighborhood.	
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Henry Lee	11/20/2023	Approved w/ Comments

- I.1 This is a request by Jean-Paul Aube III for the approval of a Miscellaneous Case for the approval of artificial or synthetic plant materials on a 0.207-acre parcel of land identified as Lot 12 of the Dawson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall Historic (OTR) District, addressed as 509 Munson Street.
- I.2 For questions or comments concerning this case please contact Henry Lee in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.
- I.3 According to Section 04, Approved Landscape Materials, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC), "(a)rtificial or synthetic plant materials (e.g. artificial grass, turf, trees shrubs) shall be prohibited." In this case, you are requesting approval of artificial turf, which requires review by the Planning and Zoning Commission.
- M.4 It has come to staff's attention that between September 29, 2023 and November 14, 2023 the gravel drive on the subject property had been removed. It was subsequently replaced with concrete and asphalt millings. This change not only required a building permit, it also required approval by the Historic Preservation Advisory Board (HPAB). To remedy the situation, you will need to apply for a Certificate of Appropriateness (COA), through the Planning and Zoning Department, before November 30, 2023. If the COA is not applied for before November 30, 2023 the Neighborhood Improvement Services Department will have to be involved.
- I.5 Please note the scheduled meeting for this case:
- 1) Planning & Zoning meeting will be held on November 28, 2023 at 6pm in the council chambers at City Hall.
- I.6 A representative is required to be present for the meetings as scheduled above to answer any questions the Commission or Council may have regarding your request. All meetings will be held in person, in the City's Council Chambers, and are scheduled to begin at 6:00 p.m.



City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

	No Comments - I	VI
STAFF (- Need to remove	

- Need to remove all asphalt millings from driveway and replace with PLANNI <u>NOTE:</u> T CITY UN SIGNED concrete after you receive a permit.

DIRECTO

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E-MAIL	spaube 2 o gmail.com	E-MAIL	
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SITE PLAN APPLICATION FEES: SITE PLAN (\$250.00 + \$20.00 ACRE) 1 AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)			PER ACRE AMOUNT. I	OR REQUESTS ON LESS THAN O	ACREAGE WHEN MULTIPLYING BY THE NE ACRE, ROUND UP TO ONE (1) ACRE. ATION FEE FOR ANY REQUEST THAT APLIANCE TO AN APPROVED BUILDING
PROPERTY INFO	RMATION [PLEASE PRINT]				
ADDRESS	509 muns	son			
SUBDIVISION				LOT	BLOCK
GENERAL LOCATION					
ZONING, SITE PLA	AN AND PLATTING INFORMAT	ION [PLEASE P	RINT]		
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PROPOSED ZONING			PROPOSED USE		
ACREAGE	LOT	S [CURRENT]		LOTS [PROPO	OSED]
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OWNER/APPLICA	NT/AGENT INFORMATION [PLE/	ASE PRINT/CHECK	THE PRIMARY CONT	ACT/ORIGINAL SIGNATURI	ES ARE REQUIRED]
D YOWNER	Jean-Paul Aube III	1000	☐ APPLICANT		
CONTACT PERSON	Same	CC	NTACT PERSON	+ Same	
ADDRESS	509 munson		ADDRESS	JAMA	
CITY, STATE & ZIP	Rockwall, TZ 75081	7 G	ITY, STATE & ZIP		
PHONE	214.762.0469		PHONE		
E-MAIL	paube 2 @ ginail. co	m	E-MAIL		
	<i>3</i> 1	LLY APPEARED _	Jen Paul P	Jube III 10	WNER] THE UNDERSIGNED, WHO
\$ 100 November INFORMATION CONTAINED	M THE OWNER FOR THE PURPOSE OF THIS AP TO COVER THE COST OF THIS AP 20 23 BY SIGNING THIS APPLIC WITHIN THIS APPLICATION TO THE PUBLIC. N WITH THIS APPLICATION, IF SUCH REPRODU	PLICATION, HAS BE CATION, I AGREE T THE CITY IS ALS	EEN PAID TO THE CITY THAT THE CITY OF ROC SO AUTHORIZED AND	OF ROCKWALL ON THIS THE CKWALL (I.E. "CITY") IS AUTH PERMITTER TO BERROOM	RRECT; AND THE APPLICATION FEE OF DAY OF ORIZED AND PERMITTED TO PROVIDE OF THE P
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	OWNER'S SIGNATURE	I for		The OF TELE	NOTARY ID: 13397492-0
NOTARY PUBLIC IN AND F	OR THE STATE OF TEXAS	Ellyn	- and The Later	MY COMMISSION E	EXPIRES 9/20/2026





City of Rockwall Planning & Zoning Department 385 S. Goliad Street

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Jean-Paul Aube III 509 Munson Rockwall, Tx. 75087

November 13, 2023

Rockwall Planning and Zoning

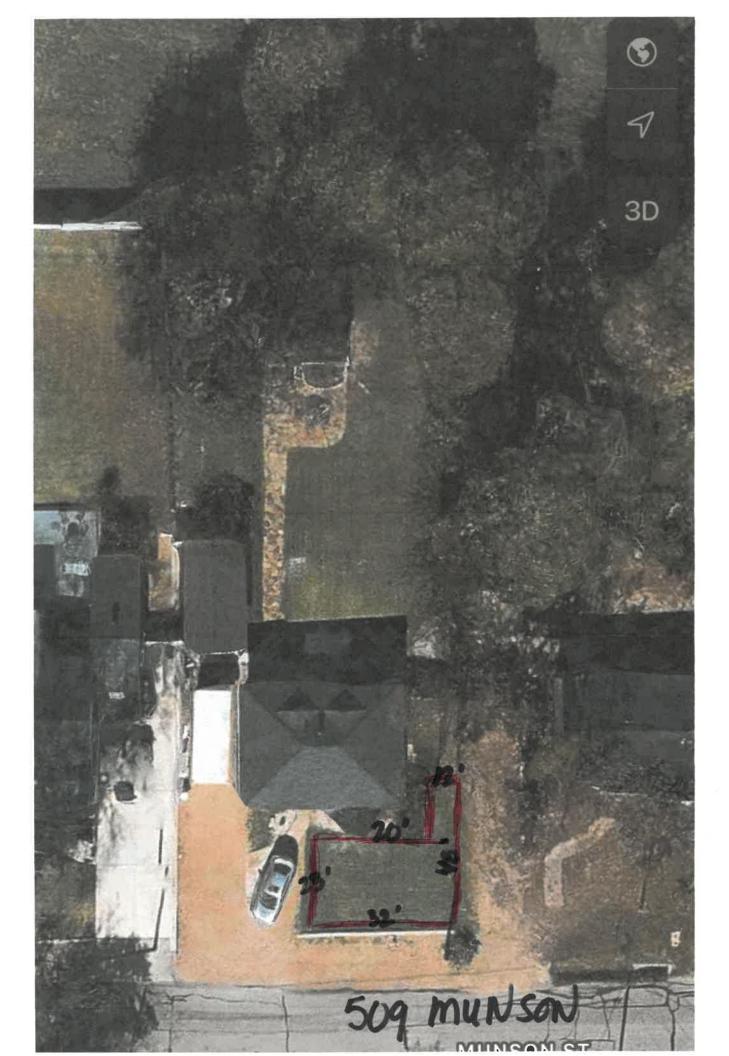
I have been working hard to improve this property. As part of that process, I would like to install high quality artificial turf in the front yard. I'm not sure if it is the quality of the soil or what, but I have had no luck growing real grass in that area even after sodding it a couple of years ago. High quality artificial turf installed by a professional like Lawn and Golf Turfs of DFW can greatly enhance the visual and drive up appeal of any residential property. I first had the idea of installing this after seeing a beautiful front yard with artificial Bermuda grass on a 2 million + new home in the Ridge in Heath. It stays green year round and you really cannot tell it is artificial until you reach down and grab it.

In any event, this would solve the problem of growing real grass in that area of my yard and would enhance the beauty and appeal of the neighborhood.

Thank you for your time and consideration.

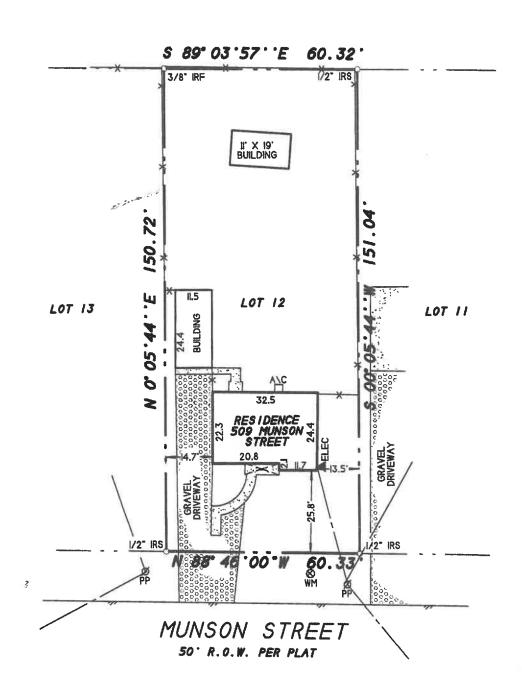
Sincerely,

Jean-Paul Aube III



PLAT OF SURVEY

LOT 16 CITY OF ROCKWALL PARK





City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

STAFF U	LY -	
PLANNING	& ZONING (CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

PLEASE CHECK THE A	PPROPRIATE BOX BELOW TO INDICATE	THE TYPE OF D	EVELOPMENT REG	UEST [SELECT ONLY O	NE BOX]:
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SUBDIVISION	NO.			LOT	BLOCK
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PROJECT: JEAN PAUL AUBE'III 509 MUNSON ROCKWALL TEXAS 75187



MATERIAL LIST

- . Bermuda, St. Augustine, or PET lawn turf to be installed on an aggregate and decomposed granite base.
- Flex Base
- Decomposed Granite
- · Silica Sand on Top of Turf
- · Geofabric for Weed Barrier
- Enviro-fill

Lawn & Golf Turfs of DFW has been in business for over 20 years in the DFW area.

Please feel free to reach out to any member of our project team with questions about our services.

Cliff Lewis Project Manager & Sales Manager (972) 948-9396 | Cliff@GolfTurfsofDFW.com





Lee, Henry

From: Sales, Travis

Sent: Wednesday, November 15, 2023 9:35 AM

To: Lee, Henry **Cc:** Miller, Ryan

Subject: 509 Munson Rockwall

Good morning,

Inspected on Wednesday, November 15, 2023 at 9:00am

Inspection

- Property appears to be normal North Texas soil with a sand mixture on the surface, full sun exposure.
- They are spotty weeds growing sporadically throughout the surface with an abundance of bare soil , which shows the soil can sustain vegetation.
- Unless there is something in the soil that cannot be seen without soil / chemical test, there should be no reason that turfgrass cannot be established.

Establishment methods

- Perennial Rye Seed (October through February)
- Bermudagrass Seed (May through September)
- Sod (January through December)

What method failed to grow turfgrass, it appears it would have been seeding?

Seed requires 30 days of very detailed methods for success

- Apply seed at 2# Bermudagrass or 10# Perennial Rye per 1,000 square feet
- Apply a 13-13-13 starter fertilizer
- Days 7 10 water 4 to 6 times per day, as the seed cannot dry out
- Day 10 germination has occurred
- Days 11- 20 water 1 to 2 times per day and mow for the first time at 2"
- Days 21- 30 reduce water to 2 to 3 times per week and begin routine mowing cycles of 1 to 3 times per week

If these steps are not followed closely, specially the watering it will result in the loss of the seed.

Hope this helps.

Master Certified Professional Turfgrass Manager Travis E. Sales, MCPTM Director of Parks Recreation and Animal Services City of Rockwall 108 E. Washington Street Rockwall, Texas, 75087 972-772-6467





January 11, 2024

TO: Jean-Paul Aube III

509 Munson Street Rockwall, TX 75087

FROM: Henry Lee, AICP

City of Rockwall Planning and Zoning Department

385 S. Goliad Street Rockwall, TX 75087

SUBJECT: MIS2023-018; Variance Request for 509 Munson Street

Jean-Paul Aube III:

This letter serves to notify you that the above referenced case (*i.e. Miscellaneous Case*) that you submitted for consideration by the City of Rockwall was <u>denied</u> by the Planning and Zoning Commission on November 28, 2023. The following is a record of all recommendations and voting records:

Planning and Zoning Commission

On November 28, 2023, the Planning and Zoning Commission approved a motion to deny the Miscellaneous Case by a vote of 7-0.

Please note that the reason this case was denied is due to the following exception(s) not being approved:

(1) <u>Landscape Materials</u>. According to Section 04, Approved Landscape Materials, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC), "(a)rtificial or synthetic plant materials (e.g. artificial grass, turf, trees shrubs) shall be prohibited."

According to Subsection 01.05, *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied with prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [1] an actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [2] the new request is more restrictive or less intense than the previous request." Please note that a failure to indicate a denial is with or without prejudice in making a motion to deny a request shall be considered a denial with prejudice. Should you have any questions or concerns regarding the denial, please feel free to contact me a (972) 771-7745.

Sincerely

Henry Lee, AICP, Senior Planner

City of Rockwall Planning and Zoning Department