

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE CITY COUNCIL CHAMBERS
4000 MAIN STREET, AT 6:30 P.M., MARCH 28, 2017**

WORK SESSION

PRESENT: Vice Chairman James Moseley, Commissioners Stephen Ritchey, Lisa Estevez, Jonas Tune

ABSENT: Chairman Michael Lucas, Commissioner Thomas Finney

STAFF PRESENT: Planning Manager Tony Felts, Assistant City Engineer Ty Thompson, Urban Design Manager Daniel Acevedo, Planner II Tara Bradley, Senior Planner Patricia Gotilly-Roberts, Development Services Coordinator Susan Nix, Development Services Technician Sharron Terry

i. Call to Order

Vice Chairman James Moseley called the Work Session to order at 6:19 p.m.

ii. Discuss items on the regular agenda

Planning Manager Tony Felts reviewed the agenda for tonight's meeting. Two Major Warrants will be considered. Discussion regarding if the vote for the Major Warrants will be split; it was decided in this case not to split them out for voting. Discussion regarding voting on Major Warrants in the future and the potential need for splitting the vote(s).

Mr. Felts informally introduced the new Development Services Coordinator Susan Nix to the Commission.

Urban Design Manager Daniel Acevedo had an additional comment regarding item five on the agenda. Mr. Acevedo stated there is an update to the development standards in the staff report; it indicated a 40' rear building setback and has been updated to a 70' rear setback.

iii. Adjourn

Vice Chairman James Moseley adjourned the Work Session at 6:22 p.m. and stated the Commission would reconvene for the Regular Session at 6:30 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

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REGULAR SESSION

PRESENT: Vice Chairman James Moseley, Commissioners Stephen Ritchey, Lisa Estevez, Jonas Tune, Alternate Kevin Moore

ABSENT: Chairman Michael Lucas, Commissioner Thomas Finney

STAFF PRESENT: Planning Manager Tony Felts, Assistant City Engineer Ty Thompson, Urban Design Manager Daniel Acevedo, Planner II Tara Bradley, Senior Planner Patricia Gotilly-Roberts, Development Services Coordinator Susan Nix, Development Services Technician Sharron Terry

A. CALL TO ORDER

Vice Chairman James Moseley called the Regular Meeting to order in the City Council Chambers at 6:30 p.m.

1. Update Report from Staff.

Planning Manager Tony Felts stated the subdivision ordinance updates passed by City Council and were effective immediately. In addition, Staff is in the process of updating the Zoning and Development Handbook and the website has been updated accordingly. Regarding Staff updates Mr. Felts stated an offer has been made to a new planner that should start April 20, 2017, if the offer is accepted. Mr. Felts then introduced Development Services Coordinator Susan Nix to the Commission. P&Z Commissioner Chris Kilgore has resigned to take an appointment as an Associate Municipal Judge. Currently there are two alternates and one full-time position open on the Commission; the City Secretary's office has posted these open positions.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of March 14, 2017.

Commissioner Thomas Finney made a motion to approve the Consent Agenda. Commissioner Lisa Estevez seconded the motion. The motion passed with a 3-0 vote, with Commissioner Jonas Tune abstaining.

Alternate Kevin Moore arrived at 6:33 p.m.

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C. ITEMS FOR INDIVIDUAL CONSIDERATION

- 1. Consider and take action on an Alternative Landscape Plan for Crossroads Church expansion located at 7900 Chiesa Road, further described as being Lot 1R, Block 1, Crossroads Church Addition, being 15.147 +/- acres out of the James Saunders Survey Abstract No. 1424, City of Rowlett, Dallas County, Texas.**

Senior Planner Patricia Roberts came forward and presented a Location Map, Alternative Landscape Plan, Landscape and Architect Illustration. A temporary utility easement expires on December 31, 2018, on the property. The applicant proposes using landscaping in place of the required fence due to another fence already being in place resulting in two fences together. Security issues and debris getting caught between fences are some of the concerns. This request meets the purpose of the Alternative Landscape Code and Staff recommends approval.

Applicant will post a bond in the amount of 135% of the contract price, as per City Code.

Commissioner Moore had questions regarding the spacing between the two fences that would be left as open space and how the existing easements affect fence installation. Discussion among Staff and Commission regarding easements and property lines.

No further questions for Staff.

Commissioner Lisa Estevez motioned for a vote, Commissioner Jonas Tune seconded the motion. The motion passed with a 5-0 vote.

- 2. Consider and make a recommendation on a Tree Survey Preservation Plan and related Tree Removal Permit application for more than three trees. The subject property is located at 1901 Lakeview Parkway further described as being 6.854 +/- acres out of Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas.**

Ms. Roberts presented a Location Map and Tree Survey Preservation Plan. Applicant wants to remove 174.1 caliper inches, applicant is saving 9 caliper inches of protected trees, for a total of 165.1 total caliper inches mitigated. Applicant proposed to pay a tree mitigation fee of \$20,087.72. Fees are paid to Parks and Recreation Department and they will use these funds to plant trees throughout the City of Rowlett. Staff recommends approval.

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Vice Chairman Moseley stated this is one of the issues that should be revisited because if the plan meets our requirements there is no need to come before the Commission for review.

Commissioner Moore made a motion to approve, Commissioner Finney seconded the motion. The motion passed with a 5-0 vote.

- 3. Consider and take action on an Alternative Landscape Plan (ALP). The subject property is located at 1901 Lakeview Parkway further described as being 6.854 +/- acres out of Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas.**

Ms. Roberts presented a Location Map and Alternative Landscape Plan and indicated where new trees would be planted; this would not be in the right-of-way. This ALP also meets City requirements and Staff recommends approval.

There were no questions for Staff from the Commission.

Commissioner Tune made a motion to vote, Commissioner Estevez seconded the motion. The motion passed with a 5-0 vote.

- 4. Consider and make a recommendation on a request for Alternative Building Materials (ABM). The subject property located at 1901 Lakeview Parkway further described as being 6.854 +/- acres out of Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas.**

Ms. Roberts presented regarding proposed Alternative Building Materials (ABM) to allow metal louvers to screen the outdoor rooftop HVAC units instead of masonry screening wall due to manufacturing requirements for air movement around the units. She stated Staff recommends approval.

Discussion among Commission and Staff regarding the need for this request and the color of the louvers. They discussed this should be revised if these are manufacturer requirements.

Commissioner Lisa Estevez made a motion to approve. Commissioner Jonas Tune seconded the motion. The motion passed with a 5-0 vote.

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- 5. Conduct a public hearing and make a recommendation on a rezoning request from both Rural Neighborhood Form Based District (RN-FB) and Urban Neighborhood Form Based District (UN-FB) to New Neighborhood Form Based District (NN-FB). The subject properties are located at 3200 and 3600 Hickox Road, further described as being 62.89 +/- acres in the Reason Crist Survey, Abstract #225, City of Rowlett, Dallas County, Texas.**

Urban Design Manager Daniel Acevedo presented the rezoning request. This development is approximately 62 acres. Daniel discussed the steps involved in rezoning; this is the first step. Section 77-805.C states criteria for approval which was detailed in the Staff report. There is an adjustment to the report because the most updated plan was not in the packet. The biggest difference is a 70' rear building set back. Mr. Acevedo showed North Shore comprehensive plan and discussed that the developer has worked with community. Site Analysis discussed and Framework Plan showing open space (which may shift). Daniel also showed the Transition Zone where 70' setback would be located. He also discussed the Transition zone lot sizes. Thirty-four public notices were sent in the 200' area; two were received in opposition and nine in favor. Thirty-five courtesy notices were sent in the 500' area; five courtesy notice responses were received in opposition and seven in favor. Vice Chairman Moseley asked Daniel to reiterate the difference between what is on the books right now versus what this change proposes because Form based districts are still new. Daniel states what is being proposed offers a range of lot sizes. Discussion among Commission and Staff regarding the Transition zone and zoning.

**Contractor Bruce Brian
VP Meritage Homes**

Wants to stress they were directed by staff early on to meet with neighbors and this was done on two occasions and they have revised their plan to accommodate most of the concerns from the citizens. The lots are now wider and deeper with bigger setback. Staff has been supportive.

Vice Chairman Moseley opened the public hearing and asked those speaking to please limit their comments to three minutes

**Jerry Merrell
3101 Larkin Ln
Rowlett, TX 75089**

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Lives in the 200' area. Attended developer meetings and stated they are very accommodating. Requests approval.

**Dawn Free
7309 Kingston
Rowlett, TX 75089**

States 200' and 500' notices are not enough for neighborhood. Feels neighbors are not truly informed.

Vice Chairman Moseley closed the public hearing and opened up for Staff questions.

Discussion among Staff and Commission regarding legal requirements for notifications. The City is doing all that is legally required and more.

Vice Chairman Moseley gave kudos to the builder for reaching out to the neighborhood and is in support.

Commissioner Lisa Estevez motioned to approve. Commissioner Finney seconded the motion. The motion passed 5-0.

- 6. Conduct a public hearing and make a recommendation on two Major Warrants, to eliminate each of the minimum height requirements in "Sub Area 2" and "Sub Area 3" of the Signature Gateway (E1) District, in order to develop 484 multifamily residential units within the Firm Based Code Urban Village (UV-FB) district. The subject property is located at 7370 Chaha Road, further described as 33.88 acres +/- in the John D Alston Survey, Abstract 7, Page 071, City of Rowlett, Dallas County, Texas.**

Urban Design Manager Daniel Acevedo presented a Location Map and discussed existing zoning wherein the original intent was to take advantage of a high profile site at this location; however, the Bayside development has changed this vision somewhat. This request is to eliminate the height requirements for this multi-family development. Staff supports the request to go from a minimum height requirement of 13 stories to two stories.

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Three public notices were sent to property owners within 200'. Twelve courtesy notices were sent to property owners within 500'. One response was received in opposition, zero in favor. Eight courtesy notice responses were received in opposition, zero in favor. Mr. Acevedo stated he received numerous inquiries from citizens and their primary concerns were highlighted. A Traffic Impact Analysis will be completed and this will include TXDOT review. Daniel reiterated these Major Warrants only deal with the minimum height requirements. All other requirements are being met.

Discussion among Commission and Staff regarding the need to address these concerns now and how it relates to the Bayside Development. The building height is the only change involved here, everything else meets current zoning requirements. Daniel stated Staff recommends approval.

The developer came forward:

**James Hiles
3027 N. Hall
Dallas, Texas**

He discussed aspects of the development.

Vice Chairman Moseley opened the public hearing.

**Fred Coyer
2501 Harborview Blvd.
Rowlett, Texas**

Discussed the impact on the City. Feels notification is not sufficient and traffic will be too much. The City should take more time and decide on the impact of this development.

**Rick Rebenowitz
3110 Harborview Blvd
Rowlett, Texas**

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Twenty year resident of Rowlett. States he has seen many changes in the City. Feels notifications are not sufficient and the Traffic Impact Analysis should be done first and the City should take more time on this decision.

**Alex Long
4905 Petersburg Drive
Rowlett, Texas**

Concerned about the notifications. Feels this is being rushed. Worried about impact on home values. Crime and theft rates will be affected. Traffic and noise are a concern. Wants this decision postponed until more information is available.

**Cameron Green
5106 Southport Drive
Rowlett, Texas**

Wants to see a complete vision for the complete City. 500' notification is not functional in this case nor acceptable. Likes the heights being reduced but doesn't want this rushed. Concerned about the educational effects on the new community and school availability.

**Bill Wright
5202 Natchez Drive
Rowlett, Texas**

Has been through rezoning before in another state. Feels traffic will be the largest problem. Wants to know where all of the vehicles will be parked for the residents of this new development. States this is moving too fast.

**Paul Daniel
1710 Benedict Court
Rowlett, Texas**

Looks beautiful but we need to slow down. Not in agreement.

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**John Manzillo
4202 Shadybrook
Rowlett, Texas**

Just found out about this yesterday. His main concern is the traffic impact.

**Valerie Mack
2806 Lafayette
Rowlett, Texas**

Stated getting off the tollway and accessing the apartments will be very bad for traffic. Thinks notifications are not enough.

**Charley Briley
3201 Sunrise
Rowlett, Texas**

Has concerns about the traffic connections among the developments and the possible traffic among them.

**Tim Plunk
5114 Natchez
Rowlett, Texas**

Disappointed that the gateway to Rowlett will be apartments.

Vice Chairman Moseley closed the public hearing.

Discussion among Staff and Commission regarding the proposed impact of this development versus the impact of the current zoning. They also discussed the traffic impact analysis. Commissioner Estevez feels this product will bring good residents to Rowlett and set the tone for future developments in the area. Commissioner Tune stated with all things considered we are not voting on the project as a whole and that he is in favor. Vice Chairman Moseley stated we cannot control what developments come to the City. He stated the Commission makes

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recommendations to the City Council only and that if the Commission approves these Major Warrants tonight they are setting precedent; he is against these changes.

Commissioner Estevez made a motion to approve. Commissioner Stephen Ritchey seconded the motion. The motion passed with a 4-1 vote. Vice Chairman James Moseley voted in the negative.

D. ADJOURNMENT

Vice Chairman James Moseley adjourned the meeting at 8:21 p.m.

Chairman

Secretary