

**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., JUNE 27, 2017**

WORK SESSION

PRESENT: Vice Chairman James Moseley, Commissioners Lisa Estevez, Kevin Moore, Thomas Finney, Alternate Mark Engen.

ABSENT: Chairman Michael Lucas, Commissioners Jonas Tune, Stephen Ritchey, Alternates Wendy Bigony, Caleb Baucom.

STAFF PRESENT: Planning Manager Tony Felts, Assistant City Engineer Ty Thompson, Urban Design Manager Daniel Acevedo, Planner II Tara Bradley, Planner I Kameka Miller, Development Services Technician Sharron Terry.

i. Call to Order

Vice Chair James Moseley called the Work Session to order at 6:15 p.m.

ii. Discuss making appointments to the Comprehensive Plan Steering Committee and the Joint Planning and Zoning Commission/City Council Working Group.

Planning Manager Tony Felts discussed that the Joint Planning and Zoning Commission/City Council Work Group code updates is not to begin until after the new Council is seated. There was some discussion about the nomination process for the Steering Committee.

iii. Discuss items on the regular agenda

Planning Manager Tony Felts asked Vice Chairman Moseley to remind anyone wishing to speak to fill out and turn in a comment card. There was no further discussion or questions regarding any items on the regular agenda.

iv. Adjourn

Vice Chairman James Moseley adjourned the Work Session at 6:19 p.m.

REGULAR SESSION

PRESENT: Vice Chairman James Moseley, Commissioners Lisa Estevez, Kevin Moore, Thomas Finney, Alternate Mark Engen.

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A. CALL TO ORDER

Vice Chairman James Moseley called the Regular Meeting to order in the City Council Chambers at 6:31 p.m.

1. Update Report from Staff.

Planning Manager Tony Felts stated that City Council, at their last meeting, selected Freese and Nichols for the Comprehensive Plan Update. He also states that the July 11th Planning and Zoning Commission meeting will be held at the Annex Conference Room at 4004 Main Street, due to a the regular City Council Meeting being held in the Council Chambers at that time.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of June 13, 2017.

Commissioner Kevin Moore made a motion to approve the Consent Agenda. Commissioner Thomas Finney seconded the motion. The motion passed with a 4-0 vote. Alternate Mark Engen abstained.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on a request to rezone property from SF-8 Single-Family Residential to PD Planned Development with an underlying base zoning district of C-1 Limited Commercial Retail. The subject property is located at 8110 Miller Road, further described as being a 2.319 +/- acre tract of land out of the Charles D. Merrill Survey, Abstract #957, Page 585, City of Rowlett, Dallas County, Texas.

Planner II Tara Bradley came forward and provided background information regarding the request, presented a location map and a table comparing the differences from the existing zoning to the proposed zoning. She stated that public hearing notifications were sent. Staff believes

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this request is consistent with the Comprehensive Plan and staff recommends approval of the request.

The applicant came forward:

Mahbuba Kahn
70 Palms Memory Care
219 Brittany Dr
Coppell, Texas

Carmelita Dolores
70 Palms Memory Care
1329 Bremar Dr
Carrollton, Texas 75007

Ms. Kahn explained this will be a memory care facility and gave a detailed description of the layout and size. She also explained there would be a clubhouse on the property and presented photos of the property.

Vice Chairman Mosely asked for them to explain what the clubhouse would be used for.

Commissioner Kevin Moore asked about the phasing of each building and permits.

Ms. Dolores explained it will be used as a gathering space for the family members of residents. It will also be used for some physical therapy activities needed by Doctors and Therapist for patient care.

Discussion among Commission and Staff regarding the dumpsters, parking and other potential uses of this property with current zoning.

Vice Chairman Moseley opened the public hearing.

The following speaker came forward:

Jennifer Ledbetter

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8209 Portsmouth Dr.
Rowlett, TX

Ms. Ledbetter is concerned with parking, trees, dumpster placement, and does not want a physician's office added to the location.

David Engel
8301 Navigation Dr.
Rowlett, Texas 75088

Mr. Engel is concerned with the same issues as Ms. Ledbetter. He is also concerned this is not an appropriate proposed use of this land because it is too close to a day care facility.

Vice Chairman Moseley closed the public hearing.

There was discussion among Commission and Staff regarding the proposed palm trees and other type of trees proposed.

Commissioner Thomas Finney made a motion for approval with the following recommendation: That the clubhouse be limited to use of the residents only. Commissioner Kevin Moore seconded the motion. The motion passed with a 4-1 vote. Commissioner Lisa Estevez was opposed.

- 2. Conduct a public hearing and make a recommendation on a request to rezone property from C-1 Limited Commercial/Retail and SF-40 Single-Family Residential to PD Planned Development with MF-S base zoning. The subject property is located at 4509 Chiesa Road, further described as being a 14.086 +/- acre tract of land out of the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas.**

Planning Manager Tony Felts came forward and presented a location map and a site plan, and provided background information regarding the request. He explained about the current zoning and what modifications are being requested. He stated that public hearing notifications were sent. Staff recommends approval of this request.

The applicant came forward:

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Gary Lacey
Amtex Development
4101 McEwen Rd
Farmers Branch, Texas

Mr. Lacey provided a brief overview of his company and the proposed development. He explained the Tax Credit program and the relocation of the current tenants of the existing mobile home park.

Michael Clark
VAH Property Management
10670 N Central Expwy, Ste 500
Dallas, Texas 75231

Mr. Clark provided information regarding the applicant screening process and how the selected residents are determined. He explained this is an IRS program not HUD.

Sean Merrell
Brown & Gay Engineers
2595 Dallas Pkwy
Frisco, Texas 75034

Mr. Merrell provided the results from the Traffic Impact Analysis and gave his recommendations.

Chad Wakefield
Overland, Pacific & Cutler Inc.
2305 Mustang Dr.
Grapevine, TX

Mr. Wakefield provided a brief overview of his company and explained the relocation process.

Vice Chairman Moseley opened the public hearing.

The following speaker came forward:

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Asa Cascavilla
7113 Stone Meadow Cir
Rowlett, TX 75088

Mr. Cascavilla stated he owns and is very familiar with Tax Credit properties. He is concerned because most of them fail and feels this is not the right place for this development and is concerned it will fail.

David Engle
8301 Navigation Dr.
Rowlett, Texas 75088

Mr. Engle is concerned that property values will decrease, density, traffic and crime will increase.

Jeffrey Sheldon
7242 Liberty Grove
Rowlett, Texas

Mr. Sheldon is in favor of this development.

Laurie Ann Dyeowski
7242 Liberty Grove
Rowlett, Texas

Ms. Dyeowski is in favor of this development, she thinks there is a great need for this kind of housing in Rowlett.

Charles Barnaby
7510 Pennridge Cir
Rowlett, Texas

Mr. Barnaby is concerned the traffic study was not accurate because it was not done during school hours. He does not think this is a sensible development.

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Gary Alexander
7401 Atlantic Dr.
Rowlett, Texas

Mr. Alexander is in opposition of the rezoning. He would prefer to see single family homes built and thinks there is a better location for the requested development. He does not feel this property is in line with the Rowlett 2020 plan.

Jimmy Morris
7227 Stone Meadow Cir
Rowlett, Texas 75088

Mr. Morris is opposed to the requested development. He is concerned about the screening process and having a multi-family development in their neighborhood.

Cindy Viana
7217 Stone Meadow Cir
Rowlett, Texas 75088

Ms. Viana is opposed to this development because she lives alone and does not feel safe with this development.

Kelley Johnson
4701 Chiesa Rd.
Rowlett, Texas

Ms. Johnson is opposed to the rezoning because of the building height and unsafe access to the lake for children and the traffic impact.

Roxie Keys
4117 Stone Meadow Cir
Rowlett, Texas 75088

Mr. Keys is opposed to the proposed rezoning and development. He would prefer to see single family homes.

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Gerald Freeman
8701 Lakeside Dr.
Rowlett, Texas 75088

Mr. Freeman is concerned about the traffic study.

Jenni Velazquez
7709 Coral Way
Rowlett, Texas 75088

Ms. Velazquez is strongly opposed the rezoning due to traffic concerns. The traffic study was not done when school was in session.

Michael Wagner
4110 Waters Edge Ct.
Rowlett, Texas

Mr. Wagner is opposed to this request because he feels it will be bad for the community.

Janet Nantze
7906 Lindsey Dr.
Rowlett, Texas 75088

Ms. Nantze is concerned for traffic and the children walking to school due to no paved shoulders or sidewalks.

David Connell
7806 Catamaran Rd.
Rowlett, Texas

Mr. Connell is against the zoning change. He would rather see single family homes.

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Kristina Ray
7410 Harbor Dr.
Rowlett, Texas 75088

Ms. Ray is concerned the set backs are not sufficient for road widening, DART on call area is not sufficient for low income individuals, and thinks the proposal is not clear.

Nena Herrera
4501 Miramar Dr.
Rowlett, Texas

Ms. Herrera is opposed to having an apartment complex at this location and concerned about the traffic.

Alex Marquez
7906 Lindsey Dr.
Rowlett, Texas 75088

Mr. Marquez is opposed to having apartments developed at this location and concerned about traffic.

Kevin Jones
7404 Catamaran Rd.
Rowlett, Texas

Mr. Jones is concerned we do not have the infrastructure to support his project.

Judy Lamp
7402 Delta Dr.
Rowlett, Texas

Ms. Lamp is opposed to this request.

Vice Chairman Moseley closed the public hearing.

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There was discussion among Commission and Staff regarding the Legal Non-Confirming status of the existing mobile home park on the site, traffic studies on Chiesa Road, residents currently occupying the mobile home park and what the existing zoning (C-1) allows and difference in height limits.

Commissioner Kevin Moore made a motion to deny. Alternate Mark Engen seconded the motion. The motion to deny passed with a 4-1 vote. Commissioner Thomas Finney was opposed.

- 3. Conduct a public hearing and make a recommendation on a request to rezone property from RN-FB Rural Neighborhood Form Based District to UN-FB Urban Neighborhood Form Based District. The subject property is located at 9849 Merritt Road, further described as being Lot 1, Block B, Hughes Addition, City of Rowlett, Dallas County, Texas.**

Urban Design Manager Daniel Acevedo presented the rezoning request. He provided background information on the property. He presented a site map, location map, and proposed zoning map. He stated public hearing notifications were sent. Staff believes this proposal is in conformance with the Form-based code and staff does recommend approval.

Inga Hughes
Property Owner
3100 Independence Pkwy
Plano, Texas

Ms. Hughes is requesting this zoning change because she feels with the current zoning she is limited on selling her property due to the location of the cell tower and city infrastructure on the adjacent property.

There was discussion among Commission and Staff regarding the size of the tract and the difference and uses between the current zoning and the proposed zoning.

Vice Chairman Moseley opened the public hearing.

Ben McCarter
9748 Merritt Cir
Rowlett, Texas 75089

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Mr. McCarter is concerned with traffic flow problems, the flood plain area, and lack of sewer availability. He stated this was supposed to be a park and it is not suitable for homes.

David Engle
8301 Navigation Dr.
Rowlett, Texas 75088

Mr. Engle is opposed to this proposal. He stated every vote for density is a move toward changing the character of Rowlett.

Charity Fair
9521 Merritt Rd.
Rowlett, Texas 75089

Ms. Fair is opposed to this proposal because there is no sewer and she would prefer to see a park put there.

Vice Chairman Moseley closed the public hearing.

There was some discussion amongst the Commission about the zoning change and development. Thomas Finney spoke about growth in Rowlett.

Alternate Mark Engen made a motion to approve. Commissioner Lisa Estevez seconded the motion. The motion passed with a 5-0 vote.

4. Accept nominations and vote to recommend to City Council up to two Commissioners or Alternates to the Comprehensive Plan Steering Committee.

Thomas Finney made a motion to table Item 4 until the next meeting. Commissioner Lisa Estevez seconded the motion. The motion passed with a 5-0 vote.

5. Accept nominations and vote to appoint up to three Commissioners or Alternates to the Joint Planning and Zoning Commission/City Council Working Group.

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Thomas Finney made a motion to table Item 5 until the next meeting. Commissioner Lisa Estevez seconded the motion. The motion passed with a 5-0 vote.

D. ADJOURNMENT

Vice Chairman James Moseley adjourned the meeting at 9:34 p.m.



Chairman



Secretary