

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 7:00 P.M., FEBRUARY 25, 2014**

PRESENT: Chairman Rick Sheffield, Commissioners Michael Lucas, Jonas Tune, Gregory Peebles, Karl Crawley, Clayton Farrow

ALSO PRESENT: Alternates Gabriela Borcoman, James Moseley

ABSENT: Vice-Chairman Greg Landry, Alternate Thomas Newsom

STAFF PRESENT: City Attorney David Berman, Director of Development Services Erin Jones, Director of Economic Development Jim Grabenhorst, Principal Planner Garrett Langford, Urban Designer Daniel Acevedo, Development Services Technician Lola Isom

A. CALL TO ORDER

Chairman Rick Sheffield called the meeting to order at 7:10 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meetings of February 11, 2014.
2. Consider and take action on a replat application for a property located at 3840 and 3900 Main Street, further described as a being Replat of Lot 3, Block A, Municipal Complex Addition, Lots 42 & 43, Original Town of Rowlett and abandoning a portion of Ponder Street public right-of-way (FP14-702).

Commissioner Karl Crawley made a motion to approve the consent agenda. Commissioner Clayton Farrow seconded the motion. The consent agenda passed 7-0.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider an approval for Development Plans for a 41,839 square-foot grocery store building with a 6-pump fueling station. The subject property is located at 8800 Lakeview Parkway, further described as Super 1 Food Addition to the City of Rowlett, Rockwall County, Texas. (DP13-695)

Garrett Langford, Principal Planner, came forward to present the case. He presented a location map and gave a brief background regarding zoning of the subject property. He stated that staff reviewed the development plans and found that they conformed with the Rowlett Development Code and the recently adopted Special Use Permit. Mr. Langford said that staff recommends approval of the request.

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Commissioner Peebles asked if the design was going to be an "out of the box" prototype. Mr. Langford stated that the development had to be modified in a way to conform to the standards for the City of Rowlett.

Commissioner Crawley made a motion to approve the item. Commissioner Tune seconded the motion. The item passed 7-0.

2. Conduct a public hearing and make a recommendation to City Council regarding a request for a Major Warrant to increase the maximum allowable height from 2.5 stories to 4 stories to accommodate a proposed mixed residential development. The subject property is located at 10000 Beacon Harbor, being 2.61 +/- acres further described as Block 1, Lot 2 of the Homestead at Lakepointe Addition, Rowlett, Rockwall County, Texas.

Erin Jones, Director of Development Services, came forward to present the case. She presented a location map of the subject property and gave a brief history of the zoning. Ms. Jones presented the regulating plan. She briefly described the intent of a major warrant and how it differs from an actual zoning change. Ms. Jones described the zoning district of the property, New Neighborhood with mixed residential uses also permitted by right. She clarified that the major warrant request for this item was only to increase the height requirements of the property from 2 ½ stories to 4 stories and did not include any other changes regarding the development specifications. Ms. Jones provided a background on the height limitations as well as transition zones. She indicated that there is dramatic topography on the site with a downward slope which reduces the visual impact that the proposed development height would have on the property and the surrounding area. She provided some pictures of the site with the view looking south, southwest, west, and east. Ms. Jones presented the conceptual plan and emphasized the pedestrian promenade. She presented pictures of the project interior that would be similar to what the applicant is proposing. She presented a conceptual plan that further outlines the emphasis on the pedestrian realm of the proposed property. She provided renderings which displayed the step up approach in the height of the development which was constructed to offset the visual appearance. Ms. Jones provided a drawing to display the view from the nearest single-family neighborhood to help address the citizen's height concerns. She stated that the applicant did not intend to have balconies on the back side of the building in order to ensure the privacy of the homeowners in the single-family development. She provided an aerial rendering of the proposed development and outlined the courtyards as being for aesthetics as well as fire safety precaution. Ms. Jones provided a close up rendering of the buildings and their interaction with the pedestrian realm. She provided a view of the rear of the site and parking lot. She noted that ten public hearing notices were sent out; one property owner was in favor, five were in opposition, and two notices in opposition were received that fell outside the 200' area.

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Ms. Jones stated that the summary of concerns included: the property being too tall and too close to the surrounding homes, the property will generate too many cars, lights, and noise, the project will violate land covenants by blocking lake views, the project will lower property values, the project already attracts fishermen and people who congregate illegally and this will bring in more people and undesirable activities, and the project will be an unattractive gateway into our City.

Ms. Jones addressed each of concern in detail and provided corresponding exhibits for public view. She stated that staff recommends approval of the request.

Chairman Rick Sheffield clarified that if the proposed property development was zoned as Urban Village or was under the 2 ½ stories, it would have been approved administratively. Ms. Jones stated that his statement is accurate.

Chairman Rick Sheffield opened the public hearing. The following speakers came forward:

**Mark Tascheh
6602 Warwick Drive**

Mr. Tascheh explained that he was present for some of the Realize Rowlett 2020 meetings that occurred in 2012. He stated that the pedestrian walkway that has been referenced was never discussed. He stated that he is not in favor of the public/pedestrian areas and has witnessed undesirable activities in that area. He stated that the exhibits provided do not accurately depict the south side views of the subject property. He said that the subject property at the height proposed would be an eyesore regardless of construction design and materials. He is opposed to the request.

**Michael Capone
2828 N. Harwood Street, Ste. 1100
Dallas, TX 75201**

Mr. Capone stated that he was representing the adjacent senior rehab center and was concerned that the residents in the area wouldn't be able to utilize the pedestrian realm because they are confined to walkers/wheelchairs. He stated his concerns with taking away the lake view and the spirit of the senior residents in that area.

No other speakers came forward. Chairman Rick Sheffield closed the public hearing.

Commissioner Peebles expressed concern with the proposed height of the development.

Commissioner Farrow requested clarification from Ms. Jones that the height of the building would not be four stories across the entire structure. Ms. Jones stated that he is correct and that the intent of the development is that it will be stepped up to the four story maximum.

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She also reiterated that the section of the development that is proposed to be four stories is intended to be constructed on the lowest point on the site.

Commissioner Farrow also asked if the corridors between the buildings could be considered viewing corridors to help with the view blockage. Ms. Jones clarified that the corridors are breezeways, but cannot commit to describing them as view corridors. She stated that they were primarily intended for aesthetics as well as fire and safety access.

Commissioner Crawley reiterated that the major warrant request for the meeting was only regarding the height requirement. He stated that even at 2 ½ stories, as permitted by right, the view would be gone for the rehabilitation center and made note that no views are guaranteed. He stated that he feels that the four story request is appropriate in this case.

Chairman Sheffield expressed the importance of increasing the density in the City of Rowlett to diversify the housing product. He stated that he does not feel like the height would be an issue and that the proposed product could potentially be a rather impressive development.

Chairman Peebles asked if this was the first request for development on this site. Ms. Jones said that it was and that staff had been working through the process with the applicant for the past nine months. He opened up the idea that maybe Rowlett wait for another developer and not jump on the first request to develop the land to ensure that the City is getting the highest quality development for the site.

Chairman Crawley countered Commissioner Peebles' point by stating that we have denied certain developmental requests for zoning changes in the past so that we can give the Form Based Code development a chance, but that this is a project willing to meet all aspects of the code. He also reiterated that the major warrant request was merely for the height, not a zoning change, and he is in favor.

Alternate Borcoman asked Ms. Jones to redisplay the public hearing map for the public and asked what the intended development plan was for the area that will surround Lakeview Parkway. Ms. Jones said that long term the intent is to connect the trails from the Scenic Point Park development to the pedestrian promenade at the front of the subject property.

Alternate Borcoman asked what would be around the subject property that would be around the same height. Ms. Jones redisplayed the regulating plan. Ms. Jones stated that the hospital is considering a multi-story expansion. Ms. Jones also stated that, on the north side of Lakeview, the development would be a four story mixed-residential product as well.

Commissioner Crawley made a motion to recommend approval of the item. Commissioner Tune seconded the motion. The item passed 7-0.

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3. Conduct a public hearing and make a recommendation to City Council regarding a request for a Major Warrant related to the following Form Based Code standards in order to develop a civic building (Church): building orientation, block dimension, building height (The code requires a two story minimum; the applicant requests a one story maximum), and façade rhythm. The subject property is located at 8701 Liberty Grove Road, being 3 +/- acres in the James M. Hamilton Survey, Abstract 544, Page 560, Rowlett, Dallas County, Texas.

Erin Jones came forward to present the case. She presented a location map of the subject property and gave a brief history of the zoning. She presented the framework plan.

She explained the intent of adjacency predictability and reiterated the intent of a major warrant. Ms. Jones stated that the staff has tried to be very sensitive to the financial concerns of the church throughout the process when providing alternative design solutions. She explained the major warrant process and how unique circumstances, as well as civic uses, can necessitate special accommodations. She explained that the major warrant request includes: the fee to be waived in lieu of the public realm requirements being met, a reduction in the continuous building frontage standard from 80% to 43% along Princeton Road and 35% along Liberty Grove Road, to require the building to have functioning entries no greater than 60' apart, the reduction of transparency minimum of 30% to 13% along Princeton Road and 7% along Liberty Grove Road, the allowance of a monument sign along Princeton Road, and the building being able to be oriented toward the proposed surface parking. Ms. Jones described each section of the major warrant request in detail and provided corresponding exhibits. She stated that 13 public hearing notices were sent out; one was received that was in favor of the request, and one was received in opposition of the request. Ms. Jones stated that staff and the Urban Design Officer are generally supportive of the request, but agree that the concerns raised in the public hearing notice should be considered; specifically in relation to the need to add transparency along Liberty Grove Rd. and Princeton Rd. She offered two suggestions as to how the church could incorporate additional windows to their design to help mitigate this concern.

Commissioner Crawley stated that there was confusion with the packet because "Suggestion 1" and "Suggestion 2" were flip-flopped from what was being shown in the presentation. Ms. Jones said that was correct and that the items had been accidentally transposed.

Commissioner Crawley asked if the City of Rowlett would require that the power lines be buried to aid with landscaping. Ms. Jones clarified that there is a provision within the code that can require lines to be buried, but transmission lines are exempt from that specific provision. She stated that she would research and review his inquiry further.

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Commissioner Crawley asked Ms. Jones to redisplay the notification area map. He inquired as to where the person in opposition was on the map. Ms. Jones stated that Arcadia Realty was in opposition and clarified that parcels that they own on the map.

Chairman Rick Sheffield opened the public hearing. The following speakers came forward:

**Luke Patterson
8602 Liberty Grove Road
Rowlett, TX
Adjacent Property Owner**

Mr. Patterson stated that he is in opposition of the request. He believes it will be an eyesore for the surrounding property area. He also raised concern of property values decreasing and of having too many churches this in one area.

**Alex Thomas
510 Terry Lane
Heath, TX 75032
Project Manager/Member of East Dallas Church of God**

Mr. Thomas expressed thanks to the staff at the City of Rowlett, his architect, and said he was excited for the opportunity to be a part of the Rowlett Community. He provided a brief background on the East Dallas Church of God and the development concerns. He stated that he and his architect are there if there are any questions.

**Jose Annicattu
9705 Pinehurst Drive
Rowlett, TX
Member of East Dallas Church of God**

Mr. Annicattu expressed that he is happy to be a part of the Rowlett community and is in favor of the request.

**Joel Mathew
10010 River Bend Drive
Rowlett, TX 75089
Member of East Dallas Church of God**

Mr. Mathew expressed that he is happy to be a part of the Rowlett community and is in favor of the request.

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**Thomas Thomas
4305 Vista Creek Drive
Rowlett, TX 75088
Pastor, East Dallas Church of God**

Mr. Thomas expressed that he is happy to be a part of the Rowlett community and is in favor of the request.

**Susie Williams
8510 Liberty Grove Road
Rowlett, TX
Adjacent Property Owner**

Ms. Williams expressed concern with the request to waive the fees because that is what will help build the road connector. She expressed concern with the layout of the church and how the request faces the parking lot. She expressed concerns about the lack of tax base if this property is built as a church instead of a commercial use.

No other speakers came forward. Chairman Rick Sheffield closed the public hearing.

Commissioner Crawley asked the architect to come forward for questioning:

**Kelly McArthy
6604 Bradford Estates
Sachse, TX
Architect**

Commissioner Crawley asked Mr. McArthy what problems he may have with the proposed scenarios from staff to add transparency. Mr. McArthy expressed his appreciation for staff working with him and said that looking into alternative window applications would not be a problem. He explained that the issues with transparency are with the intent to eliminate as much distraction from the sanctuary as possible.

Chairman Sheffield and Commissioner Peebles expressed that they were in favor of the structural design with the additional porosity.

Commissioner Crawley made a motion to recommend approval of the item with window treatment as shown in Exhibit 1 from the public hearing and the stipulation that the monument sign be a static sign, no movement. Commissioner Peebles seconded the motion. The item passed 6-1. Commissioner Lucas voted in opposition.

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D. ADJOURNMENT

Chairman Sheffield adjourned the meeting at 8:32 p.m.



Chairman



Secretary