

**MINUTES OF THE 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. May 12, 2015**

PRESENT: Chairman Karl Crawley, Vice-Chairman Michael Lucas, Commissioners, James Moseley, Thomas Finney, Chris Kilgore, Alternate Gabriela Borcoman

ABSENT: Commissioner Clayton Farrow, Jonas Tune and Alternate Lisa Estevez

STAFF PRESENT: Principal Planner Garrett Langford, Senior Planner Erin Jones, Development Services Coordinator Lola Isom

OTHERS PRESENT: N/A

A. CALL TO ORDER

Chairman Karl Crawley called the Meeting to order at 7:00 p.m.

1. Update Report from Director of Development Services

Principal Planner, Garrett Langford, provided the update. He stated that all the propositions included in the bond package, as well as the local option for packaged liquor sales were approved in the election held on Saturday May 9, 2015.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting from March 24, 2015 and April 6, 2015

Commissioner James Moseley made a motion to approve the Consent Agenda. Vice-Chairman Michael Lucas seconded the motion. The Consent Agenda was approved with a 5-0-1 vote, with Alternate Gabriela Borcoman abstaining.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

- 1. Conduct a public hearing and take action on a Final Replat for QT 990 Addition, located at 5001 Lakeview Parkway further described as being a tract of land located in the Thomas Lumley Survey, Abstract No. 789, being part of a 4.2840 acre tract of land described in deed to NEC Liberty Grove/66, Ltd. as recorded in Volume 2003184, Page 8883, Deed Records,**

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Dallas County, a portion of said tract being all of Lot 1, Block 1 Chacon Autos Ltd. Addition, an addition to the City of Rowlett, Dallas County, Texas (FP14-754).

Mr. Langford approached the podium and stated that this is a public hearing because it is a replat and that he was prepared to make a brief presentation should the Commission so desire. There was a general consensus to move forward without a presentation. Chairman Crawly opened the public hearing and seeing no speakers closed the public hearing. Vice-Chairman Lucas made a motion to approve the item and Commissioner Chris Kilgore seconded the motion. The item was approved with a 6-0 vote.

- 2. Conduct a public hearing and make a recommendation on a Major Warrant in order to allow a monument sign for a civic building in the Form Based Urban Village District. The subject property is located at 8601 Liberty Grove Road, further described as Lot 1, Block A of the River Church Addition, Dallas County, TX, being 3.5 + acres (MW15-784).**

Erin Jones, Senior Planner, came forward to present the item. She provided a vicinity map to orient the commissioners to the site, provided a brief history of the property including the substantial building façade improvements that Lake Cities Community Church has made within the last two years since taking ownership of the property, and provided an overview of the Major Warrant process and its intent. She stated that as part of the site upgrades the church is requesting a Major Warrant for a monument sign. She stated that based on the use of the site for a civic building (a church), the vehicular nature of Liberty Grove Road and the existing character of the area including several existing monument signs, Staff does not have concerns that the district will be compromised by allowing Lake Cities Community Church to build a monument sign. She provided an excerpt from the site plan showing the proposed location of the sign at the corner of Liberty Grove Road and Princeton Road and stated that a detailed review of the location will be conducted when the sign permit is submitted; however, based on the initial review Staff does not have concerns about the location. In addition she provided a rendering of the proposed monument sign and stated that the sign will meet the following criteria, which is in keeping with the UDO's recommendation and other recently approved monument signs in the same area:

- One monument sign located at the corner of Liberty Grove Road and Princeton Road.
- The proposed sign is 5' 6" in height including the base, and the sign face is 35 square feet.

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- The sign materials will complement the building façade and the base will be landscaped.

She concluded her presentation by stating that this item is a public hearing, it was noticed in accordance with State Law and the Rowlett Development Code, and that one response was received in favor and zero in opposition. She recommended approval of the item and requested that the Commission recommend approval to the City Council.

Vice-Chairman Lucas stated that it was his understanding that churches are typically allowed monument signs regardless of the zoning requirements and asked Mrs. Jones if that is accurate. She conveyed that although churches do receive some protections through federal laws, Staff typically works with them to meet the zoning requirements to the greatest extent possible. With no other questions Chairman Crawley opened the public hearing and seeing no speakers closed the public hearing. He asked if there was any additional discussion needed and if not he would entertain a motion. Commissioner Moseley made a motion to recommend approval the item to the City Council and Alternate Borcoman seconded the motion. The motion passed with a 6-0 vote.

- 3. Conduct a public hearing and make a recommendation on a Planned Development rezoning request with a base zoning district of Limited Office (O-1) with an allowance for multi-family senior housing. The subject property is located at 5500 Rowlett Road, being a 5.50 + acre portion of a 12.79 acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas (PD15-783).**

Mrs. Jones came forward to present the item. She provided a vicinity map to orient the commissioners to the site and stated that the current zoning of the site is Limited Office (O-1). The applicant is requesting to keep O-1 as the base district while allowing senior multi-family housing as an additional use with the Planned Development (PD). She stated that the applicant, Churchill Residential, has been pursuing a location in Rowlett since at least 2011 in conjunction with the Texas Department of Housing and Community Affairs' (TDHCA) tax credit program and that most recently, they have applied to the State for funding for 5500 Rowlett Road. The State process is competitive and requires zoning to be established as part of the evaluation. If the project is not selected, then the City Council has the option to rescind the zoning at that time. She went on to explain that in addition to establishing zoning, applicants achieve maximum points in the following ways:

1. A municipality providing support in form of a resolution solely for one applicant.

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2. The adoption of a Community Revitalization Plan.
3. A funding commitment resolution by City Council.

Mrs. Jones stated that the City Council previously approved all of the above mentioned items, thus providing the maximum number of points for the project. While this is not a guarantee for funding it does help increase the chances of approval. She stated that if approved this project will be 100% income and age restricted.

She provided a chart outlining the differences between the base Rowlett Development Code Standards (RDC) for the O-1 district and Multi-Family Developments versus the applicant's PD standards. She summarized several of the deviations including the carports, parking, masonry, and landscape standards specifically in reference to the applicant's desire to erect a wooden privacy fence in lieu of the standard trees and shrubs required in a compatibility buffer.

She concluded her presentation by stating that this item is a public hearing, it was noticed in accordance with State Law and the RDC, and that two responses were received in favor and one in opposition within the 200 foot buffer range. She stated that the response in opposition indicated concern with the frequency of emergency responder traffic due to the age of the residents. She recommended approval of the item and requested that the Commission recommend approval to the City Council.

Chairman Crawley asked if there were any questions for Mrs. Jones before opening the public hearing. Commissioner Kilgore asked if the six foot privacy fence is the code [RDC] standard as an option in lieu of trees. Mrs. Jones explained that the compatibility buffer standard does not really offer an alternative; the standard is a tree and shrub buffer. Fences are not prohibited, but they are not specifically offered as an alternative. If it was an incompatibility buffer standard then typically a masonry wall or tubular steel fence with living screen would be required. She stated that Staff does not oppose the wooden fence and that in some ways it is going above and beyond the base compatibility buffer standard. Chairman Crawley clarified that they are required to have a compatibility buffer, not an incompatibility buffer and that they are requesting to provide the fence with landscaping at their option. Mrs. Jones confirmed that he was correct. He requested that Mrs. Jones indicate on the map where the compatibility buffer would be on the site. He asked what the property to the east is zoned and Mrs. Jones said it is a City Park. He asked if trees would be required next to the park and she said yes, they would be required. Alternate Borcoman wanted to know how it would fit in with the surrounding area and be maintained over time. Chairman Crawley stated that on the

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other side of the park you had homes that faced the subject property with wood fences. Commissioner Moseley asked if the trees shown on the concept plan were an indication of what they would plant. Mrs. Jones stated that it is not a direct representation of what would be planted as this is a conceptual plan and they are requesting within the PD regulations to plant at their discretion. Commissioner Thomas Finney asked if the Commission approves the request as presented if that means they are approving all the building material variations too. Mrs. Jones stated yes, they would be recommending approval of the entire PD package including all the exhibits. Chairman Crawley opened the public hearing and asked the applicant to come forward and speak first.

Speakers:

1. Tony Sisk, Churchill Residential
5605 N. McArthur Ave.
Irving, TX 75038

Mr. Sisk provided an overview of Churchill Residential and what they hoped to accomplish in Rowlett through the TDHCA process. In addition, he addressed some of the concerns brought up by the Commission in their questions to Staff. He stated that they use cementitious siding on their buildings because they do not want them to look too institutional and it helps break up the brick and stone for a better look. He stated that it is very important to Churchill and their residents to have a secure community, which is why they request the wooden privacy fence. He said they have not worked out a full landscape plan yet, but are willing to meet the City requirements. Commissioner Moseley asked about the age restrictions and Mr. Sisk answered that residents are permitted to have guests, but that no one under 55 would be permitted to live there on a prolonged basis. In addition, he provided an overview of the type of amenities that could be expected and a timeline for construction should the State approve their funding.

Commission Kilgore pointed out that if given the option some developers do not follow through on planting trees when it is left open ended as optional in the PD requirements, so he would like to see a standard established or as approved by Staff. Mrs. Jones stated that she would prefer that the Commission recommend a set standard rather than leaving it completely to Staff discretion since that is so subjective. The applicant stated that he is willing to plant trees every 50 feet in addition to the privacy fence and commit to that in the PD language. Staff and the Commission generally concurred with that standard.

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2. Andy Strick
3414 Tulip Lane
Rowlett, TX

Mr. Strick stated that he is generally concerned with the four story building height, density, and increased traffic on Old Rowlett Road, and has concerns about additional drainage in the area.

At the conclusion of Mr. Strick's comments Chairman Crawley invited Mr. Sisk back to the podium to address some of the concerns raised. Mr. Sisk stated that they would probably be required to provide a full traffic impact analysis in the future, but preliminary findings as well as their experience in other cities is that these development have much less impact on the surrounding areas than the base zoning district, in this case office uses, would generate. Commissioner Finney asked what the requirement for an incompatibly buffer would be. Mrs. Jones stated that incompatibility buffers require either a six foot masonry screening wall with plantings or a tubular steel fence with living screen. Commissioner Finney clarified that this project is not required to have an incompatibility buffer, but since they are asking for a fence why wouldn't the Commission want it to meet a similar standard and eliminate the long term maintenance concern. Mrs. Jones clarified that there are other commercial businesses in Rowlett that have chosen to erect a wooden fence and that there are no specific prohibitions in the code for wooden fences when fencing is not required. However, she noted that it is to the Commission's discretion to recommend that a more stringent fencing standard be included in the PD. Chairman Crawley asked what height O-1 allows by right and Mrs. Jones answered three stories. He made the point that in theory there could be three story buildings by right surrounding this property, so in reality there is only one story difference in what could be allowed by right. He stated that he personally does not have concerns about density and would not consider this a high density project. He recapped the traffic concerns and stated with the average age of 75 years old these residents were not going to significantly add to rush hour traffic. He asked what the next steps would be if Council approves the PD. Mrs. Jones stated that they will be required to do a preliminary plat, development plans (site, landscape, façade, photometric), civil engineering plans, which is when the traffic and drainage will be reviewed in detail and then a final plat. The final plat is the only plan that will come back before the Commission for approval. The rest will be administratively approved. Alternate Borcoman asked for confirmation if this is the last time that the four story concept would be discussed. Mrs.

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Jones and Chairman Crawley confirmed that with the exception of the upcoming City Council meeting that this is the last time it will be discussed.

Seeing no additional speakers, Chairman Crawley closed the public hearing and requested any additional discussion or comments. Commissioner Finney stated that he has similar concerns to those that he has voiced in previous meetings about deviating from the base code standards, especially as it relates to the masonry requirement. In summary, he expressed that if the code standards need to be changed then he would support having that global discussion, but while the standards are in place, then it is his opinion that they should be adhered to and not continually deviated from on a case by case basis simply to create a different aesthetic than allowed by the base code standards. Chairman Crawley pointed out that in many cities cementitious fiber board siding is an approved material by right and even in Rowlett it has become more widely accepted and is allowed by right within several of the Form Based Code districts. Mrs. Jones confirmed that it has been on Staff's radar for quite some time the need to forward an amendment to the RDC to consider allowing cementitious fiber board by right, but it has yet to come to fruition. Commissioner Finney stated that he understood that, but again does not support deviating from the code on a whim and would like to see the standards adhered to while they are in place. Alternate Borcoman stated that she still has concerns about the four story buildings and that the applicant stated that they use cementitious fiber board siding to prevent the complex from looking institutional or like a hospital, but based on the location and size of the building she thinks that is exactly what it will look like because nothing in the area is so high or compact.

Chairman Crawley asked if there were any additional comments and if not he would entertain a motion. Commissioner Kilgore made a motion to recommend approval of the item as presented with the condition that the compatibility buffer will include landscaping in addition to the wooden privacy fence similar to what is required in the right-of-way buffer [canopy trees every 50 linear feet]. Commissioner Moseley seconded the motion. The motion passed with a 6-0 vote.

D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 7:47 p.m.


Chairman


Secretary