

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 7:00 P.M., OCTOBER 23, 2012**

PRESENT: Chairman Rick Sheffield; Vice-Chairman Greg Landry; Commissioners Michael Lucas, Greg Peebles, Joe Charles, Karl Crawley

ALSO PRESENT: Alternates Jonas Tune (voting member), Ronald Meyer (non-voting member), Tina Dorenbecker (non-voting member)

ABSENT: Commissioner Rosalind Jeffers

STAFF PRESENT: Planning Director Erin Jones, Senior Planner Arti Harchekar, Planner II Michele Berry, Development Services Technician Ashley McCoy

A. CALL TO ORDER

Chairman Rick Sheffield called the meeting to order at 7:03 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of September 25, 2012
2. Minutes of the Joint Meeting of October 4, 2012
3. Consider and take action on a Temporary Use Permit Request for a "Similar temporary use", specifically a mobile pet vaccination clinic, to be located at 3435 Lakeview Parkway and 8801 Lakeview Parkway on October 28, November 25, and December 30, 2012.

Commissioner Greg Peebles made a motion to approve the Consent Agenda. Commissioner Karl Crawley seconded the motion and it passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on amendments to the Comprehensive Plan specifically as it relates to the addition of subarea plans, supplemental information, and textual changes to the Woodside Living, Healthy Living, Signature Gateway, and Downtown (also referred to as Old Town) areas.
2. Conduct a public hearing and make a recommendation on amendments to the Rowlett Code of Ordinances to establish two new zone classifications to be known as the New Neighborhood District and Urban Village District, which shall be governed by the Form Based Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, street design, setback, parking, signage, landscaping and permitted uses.

Erin Jones, Planning Director came forward to present items C.1 and C.2. She gave a brief summary of the process to date and noted the process began in 2010 with the intention of updating the Comprehensive Plan to acknowledge the President George Bush Tollway, the new DART Rail Station and the significant shift in the economy. She stated that due to the fact that the City was substantially built out, a traditional Comprehensive

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Plan was not needed and this was an opportunity to examine the remaining land and try to balance the City's portfolio of assets to ensure all new development opportunities contributed to long term fiscal sustainability. The new Comprehensive Plan was adopted on September 20, 2011 and set the guiding principles for new and redeveloping sites. She noted that the number one guiding principle was the valuing of existing neighborhoods and the intent is not to replace or redefine but to enhance opportunities. Mrs. Jones explained that the City's chosen method for implementing the vision established in the comp plan is through Form Based Codes. She reviewed the four key areas targeted for the adoption of Form Based Codes and stated that Form Based Codes would allow for the creation of great places with value while minimizing bureaucracy and requires developers to invest in the aspects of the project that matter for long term sustainability while allowing flexibility and administrative approval on plans meeting the intent of the code to speed up the development plan process. She reviewed the different methods used to get input from the public, the committees and task force meetings and the meetings held with land owners in the target areas. Mrs. Jones presented the regulating and framework plans that would be adopted for each area. Anne Ricker, Ricker I Cunningham came forward to present the Downtown plan. She presented the study area and noted that it extended north of DART and east of PGBT. She discussed the transition from naming the area Old Town to Downtown and stated that it is important to remember that it is a downtown that happens to include a transit station, but must also function independently of the station. She reviewed the methodology used to formulate the downtown regulating plan and discussed the fiscal importance of having a healthy downtown. Mrs. Ricker noted the role of transit as an anchor and gave statistics for typical developments and demographics near rail stations. She presented the guiding principles that will govern the code for Downtown and the recommended priority strategies for the City and then specifically Downtown. She noted that the existing nonconformities codes have made some uses and buildings difficult to use and have encouraged very little maintenance of buildings and stated that the new code will allow those uses and buildings to become useful again until total redevelopment occurs. She presented maps of various statistical data, demographics and psychographics within the City's trade area as part of the conditions analysis of the downtown area. She analyzed the challenges that the Downtown Plan will face and presented case study results to demonstrate reasonable expectations and returns. She reviewed the development and design goals recommended by the Downtown Task Force and the plan principles and elements. Mrs. Ricker briefly reviewed the Downtown Regulating Plan and the zoning amendment intent statements. Mrs. Jones reviewed that the Commission would be recommending the amendments to the Comp Plan with the sub-area plans for each district along with the general text and the detailed Downtown strategic plan. She continued with the amendments to the Rowlett Development Code to include a Form Based category and establish the districts within the base category. She reviewed the characteristics of the New Neighborhood and Urban Village districts and presented the Form Based Code development process and major/minor warrants. Mrs. Jones reviewed the items that had changed since the Joint Meeting on October 9, 2012 or would be changed before proposed adoption on November 6, 2012 including a slight reduction in the required open space, tree mitigation requirements, the removal of a requirement for raised front stoops on mixed residential buildings in order to comply with the Fair Housing Act, a downgrade to the concrete street light poles to be more aspirational language instead of mandatory since the City has not been able to work through the franchise agreement and associated costs to make this requirement feasible, and a reduction of porch requirement in New Neighborhood from 40% to 20%. Chairman Sheffield clarified that the concrete light pole standards had not yet be rewritten but would be for the November 6th meeting and Mrs. Jones confirmed. Chairman Sheffield

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opened the public hearing for item C.1 and seeing no speakers closed the public hearing. Vice-Chairman Greg Landry made a motion to recommend approval to City Council of amendments to the Comprehensive Plan specifically as it relates to the addition of subarea plans, supplemental information, and textual changes to the Woodside Living, Healthy Living, Signature Gateway, and Downtown (also referred to as Old Town) areas. Commissioner Karl Crawley seconded the motion and it passed with a 7-0 vote.

Chairman Sheffield opened the public hearing for item C.2 and recognized Chris Kilgore, 5809 Ambassador Lane, Rowlett to speak against the reduction in open space requirement. Michael Lawrence, 9401 Barton Creek, Rowlett came forward to request clarification on the terms 'New Neighborhood' and 'Urban Village' and what types of products should be expected and Mrs. Jones gave a brief explanation with some examples. Richard Garcia, 7014 Barton Creek, Rowlett came forward to voice concerns about lack of notification and the possibility of multi-family. Mick Donnelly, 7810 Princeton Rd, Rowlett came forward to speak in favor of the plan and reference areas in other cities where he has recognized aspects of the plan that have been used. Jose Gonzalez, 8806 Brookhollow, Rowlett came forward to speak in opposition to the plan. Shannon Dewitt, 3501 Delia, Rowlett came forward to inquire about the occupancy rates for the similar project at the DART station in Garland. Anne Ricker responded that the retail was filling in more slowly and the residential was at approximately 93% occupied. Mrs. Ricker noted that in Rowlett's plan, the allowance of flex space at grade would permit the space to be used as residential until the office/retail could take over avoiding vacancies. Austin Lewis, 519 E I-30, Rockwall, Texas came forward to request that the New Neighborhood District in Healthy Living be designated as a modified Urban Village instead. Chairman Sheffield closed the public hearing and Commissioner Peebles suggested that the quality of open space should be the important factor and suggested the possibility of requiring amenities such as shade trees and structures to make open spaces usable. Chairman Sheffield stated that he would like to see as much open space as possible but realistic expectations should be maintained. Commissioner Crawley agreed with Commissioner Peebles. Commissioner Lucas noted that if a higher percentage were required a warrant could be used for anything less. Vice-Chairman Landry stated that the way the Form Based Codes are written to require that homes front on open space he felt more than fourteen percent open space would be achieved naturally without the additional requirement. Chairman Sheffield commented that he felt that the City's economic survival depends on this plan and the diversity it offers. Alternate Tune clarified that open space not meeting the fourteen percent minimum but exceeding ten percent could apply for a minor warrant and anything less than ten percent would require a major warrant and Mrs. Jones confirmed. Commissioner Crawley made a motion to recommend approval to City Council of amendments to the Rowlett Code of Ordinances to establish two new zone classifications to be known as the New Neighborhood District and Urban Village District, which shall be governed by the Form Based Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, street design, setback, parking, signage, landscaping and permitted uses as presented. Vice-Chairman Landry seconded the motion and it passed with a 7-0 vote.

3. **Conduct a public hearing and make a recommendation on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Woodside Living to the New Neighborhood District and the Urban Village District. The property is generally located north of Liberty Grove Road, west of Phase 2 of the Waterview Subdivision and is approximately 242 ± acres.**

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Erin Jones, Planning Director came forward to present the item. She presented the framework plan for the area and noted the transition zones that serve as buffers to the existing neighborhoods. Mrs. Jones addressed concerns about density lowering property values and stated that these types of developments actually create places of lasting value and raise property values. She presented the associated New Neighborhood streets and stated that notices were sent to 64 property owners within 200 feet of the proposed changes on October 5, 2012 and to date 2 have been returned in favor of the request and 2 have been returned opposed to the request. Mrs. Jones addressed concerns that the Urban Village designation will lower the value of C-1 zoned property and concerns about privacy, noise, traffic, and school overcrowding. Commissioner Crawley inquired if the currently permitted development that has not been completed would be hindered by the new zoning and Mrs. Jones replied that the nonconforming statutes would apply to all of the target areas for Form Based Codes and that improvements to the streetscape and landscaping would only be required if they were to add square footage at a later date. Chairman Sheffield noted that the school district is aware of the plan and Mrs. Jones confirmed that the school district has received all of the notices and has not expressed any specific concerns. Chairman Sheffield opened the public hearing and recognized Amjad Babaa, 2620 Baker St, Sachse, Texas to inquire why the Urban Village District would not be continued south of Liberty Grove Rd and Mrs. Jones responded that the tract of land he was in question about was under a current Planned Development with plans to build in the near future. Seeing no other speakers Chairman Sheffield closed the public hearing and Alternate Tune made a motion to recommend approval to City Council on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Woodside Living to the New Neighborhood District and the Urban Village District. Commissioner Crawley seconded the motion and it carried with a 6-0-1 vote; Commissioner Charles had stepped away from the dais.

- 4. Conduct a public hearing and make a recommendation on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Healthy Living to the New Neighborhood District and the Urban Village District. The property is generally located north and south of Lakeview Parkway at the eastern City limits being approximately 70 ± acres.**

Erin Jones, Planning Director came forward to present the item. She presented the regulating plan for the area and noted the majority of the area is designated for Urban Village with transition zones along the existing residential. She noted the required flex space at grade to allow for residential or commercial uses on the ground floor of buildings. Notices were sent to 158 property owners within 200 feet of the proposed changes on October 5, 2012 and to date 1 has been returned in favor of the request and 6 have been returned opposed to the request. Mrs. Jones addressed the concerns wanting zoning behind homes to stay the same allowing retail/restaurant and no more than two stories, opposition to apartments behind neighborhood and roadways going through properties. The property owner in the New Neighborhood District would prefer to be under the Urban Village District with a 2 and ½ story limitation to allow for a larger variety of uses and Mrs. Jones stated that Staff would have no objection. Commissioner Crawley inquired if there was an option for a designation incorporating both Urban Village and New Neighborhood and Mrs. Jones responded that the Commission could include the request in their recommendation and Staff could craft the language before the final adoption by Council. Vice-Chairman Landry noted that the Urban Village would not be that different from the existing C-1 zoning and the intent was to create a more positive development and Mrs. Jones noted that

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the Urban Village could potentially offer quite a bit more density outside of the transition areas. Chairman Sheffield stated that density done right could ease the strain of taxes on the homeowners and Mrs. Jones noted that developing from a form perspective allows buildings to have many different uses over time. Chairman Sheffield opened the public hearing and recognized David Johnson, 6313 Lancashire, Rowlett, Texas to speak regarding concerns about lack of notification to surrounding property owners and lack of screening from the hospital for the surrounding neighborhood. He also had general concerns with the Form Based Codes as it relates to possible future additions to the hospital. Richard Garcia, 7014 Barton Creek, Rowlett came forward to voice concerns about lack of notification and school overcrowding. Mrs. Jones stated that the types of developments typically do not attract large numbers of families with children so they should not place more burden on the schools. Michael Lawrence, 9401 Barton Creek, Rowlett came forward with concerns about school overcrowding and to speak against apartments. Robbie Pitt, 6406 Lancashire, Rowlett, Texas came forward to voice concern about lack of notification and screening issues around hospital. She also had general concerns about the area. Austin Lewis, 519 E I-30, Rockwall, Texas came forward as the owner of the land designated for New Neighborhoods to request that the designation be changed to Urban Village with a 2 and ½ story maximum to allow more possibilities for development and still maintain the buffer near the existing neighborhood. Chairman Sheffield closed the public hearing and spoke of the different methods used to notify the public about the Realize Rowlett 2020 plan and asked for recommendations of more or better methods. Commissioner Crawley spoke of the public input meetings, the process, and the benefits of the end result. Commissioner Crawley made a motion to recommend approval to City Council for a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Healthy Living to the New Neighborhood District and the Urban Village District with the change to the area designated as New Neighborhood to allow for multi-family uses with a 2 and ½ story maximum. Vice-Chairman Landry seconded the motion and it passed with a 7-0 vote.

5. **Conduct a public hearing and make a recommendation on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Signature Gateway to the New Neighborhood District and the Urban Village District. The property is generally located on the east side of the President George Bush Turnpike bounded by Lake Ray Hubbard at the southern City limits being approximately 81 ± acres.**

Erin Jones, Planning Director came forward to present the item. She presented the framework plan and noted the limited access to the site. She also noted the public input received and stated that with that input it was decided that the northern portion should not be Urban Village and was designated New Neighborhood to be more compatible with the existing homes and would allow for access through the adjacent neighborhood. Mrs. Jones stated that this was the one area in the City that the plan promotes a large multi-story building and noted that research was done to determine how high a building would need to be to have views of Downtown Dallas and how high the building would actually seem to surrounding neighborhood taking into account the topography of the site. She presented the sub-areas within the districts and the different regulations for each. Notices were sent to 70 property owners within 200 feet of the proposed changes on October 5, 2012 and to date 2 have been returned in favor of the request and 8 have been returned opposed to the request. Mrs. Jones addressed concerns of general discontentment about NTTA sound wall; access through the existing Harborside Neighborhood resulting in additional traffic, noise, crime, adequate emergency access, etc.;

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those who bought their home for the adjacent “greenbelt”; decreased home value; and the Southern property owner’s specific concerns of minimum twelve story height restriction, 1.6 acre remainder tract to the west side of PGBT, requests for a wider entry road, tree mitigation requirements, wants clear standards for staff review, the addition of park fees in the Urban Village district, and additional changes landscaping requirements and ceiling heights for residential at grade. Commissioner Peebles inquired if a PID or MMD would be something that could be done for the Southern property owner and Mrs. Jones responded that it would be a possibility but the park fees would need to be included in the code for those not wishing to use a PID or MMD. Chairman Sheffield opened the public hearing and recognized James Spencer, 2502 Harborview Blvd, Rowlett to speak regarding concerns that the existing neighborhood would not be able to handle the additional traffic for the New Neighborhood District proposed to be routed through Harborside Estates. Rajesh Zaveri, 2805 Sunrise Dr, Rowlett, Texas came forward to voice concerns about the additional traffic and stated he would like to see open space used as a buffer to separate the neighborhoods. Fred Cawyer, 2501 Harborview, Rowlett, Texas came forward to express concern that there are only three entrances to Harborside and the additional homes would create too much traffic for the roads to bear and would like to see no connection to the higher density and commercial except through pedestrian walkways. Chairman Sheffield closed the public hearing and Commissioner Peebles noted that when the development beside his neighborhood was built there were similar concerns about traffic and the only additional impact that has been noticed is a short period of time in the mornings and noted that traffic impact studies will be done. Kurt Shulte, Kimley Horn, addressed the access points and separation of the subareas. Commissioner Crawley noted that access could be possible to the New Neighborhood district through the Urban Village district if the City would allow it. Commissioner Crawley made a motion to recommend approval to City Council on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Signature Gateway to the New Neighborhood District and the Urban Village District with the condition that the possibility of access be allowed to the New Neighborhood District from the Urban Village District but that no commercial access be allowed in the existing residential neighborhoods. Vice-Chairman Landry seconded the motion and it passed with a 7-0 vote.

- 6. Conduct a public hearing and make a recommendation on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Downtown (also referred to as Old Town) to the New Neighborhood District and the Urban Village District. The property is generally located south of Lakeview Parkway, west of the President George Bush Turnpike, east of Rowlett Road, and extending as far south as Larry Street being approximately 240 ± acres.**

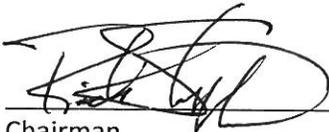
Erin Jones, Planning Director came forward to present the item. She presented the regulating plan and noted the majority of the open space lies on properties currently owned by the City. Notices were sent to 278 property owners within 200 feet of the subject area on October 5, 2012 and to date 12 have been returned in favor of the request and 17 have been returned opposed to the request. Mrs. Jones addressed concerns related to increased property values and not being able to afford the taxes, reduced property values due to high density development, misconceptions that homeowners will have to move immediately or that the City will take their property, concerns about traffic, safety, noise and light pollution etc., concerns that a two story minimum with special approval for one story is too restrictive and will make property hard to sell. Others were generally opposed to any changes in or around the neighborhood. Chairman Sheffield clarified that the

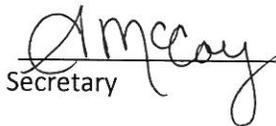
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current zoning would restrict upgrades to a home and Mrs. Jones confirmed that the new zoning would allow for improvements if improvements were also made to the streetscape. Chairman Sheffield opened the public hearing and recognized Marvin Lee, 4302 Aspen Dr, Rowlett, Texas to speak of concerns with traffic and to request that Aspen Dr and Southridge not be extended. Connie Ramos, 3606 Delia, Rowlett, Texas came forward to voice concerns with increased traffic, crime and taxes and a decrease in open space. Keith Reimer, 4210 Main St, Rowlett, Texas came forward to inquire about placement of future roadways and pedestrian walkways and expressed concern that the plan shows a road going through his property. Mrs. Jones responded that the placement of roads could shift at time of development and there is no intent to make any properties unusable. Chairman Sheffield closed the public hearing and Vice-Chairman Landry made a motion to recommend approval to City Council on a request to rezone the area identified in the Realize Rowlett 2020 Comprehensive Plan as Downtown (also referred to as Old Town) to the New Neighborhood District and the Urban Village District. Alternate Tune seconded the motion and it passed with a 7-0 vote.

D. ADJOURMENT

Chairman Rick Sheffield adjourned the meeting at 10:43 p.m.


Chairman


Secretary