

**MINUTES OF THE WORK SESSION AND REGULAR MEETING  
OF THE PLANNING & ZONING COMMISSION  
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER  
4000 MAIN STREET, AT 6:00 P.M., January 26, 2016**

**PRESENT:** Chairman Michael Lucas, Vice-Chairman Jonas Tune, Commissioners James Moseley, Thomas Finney, Chris Kilgore, Lisa Estevez, Alternates Stephen Ritchey, Kim Clark

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

**WORK SESSION**

**i. Call to Order**

Chairman Michael Lucas called the Work Session to order at 6:00 p.m.

**ii. Discuss the Planning and Zoning Commission's response to City Council's charge to prepare information for Council's consideration with respect to the Commissions function(s).**

Chairman Lucas provided an overview of the discussion that occurred at the December 1, 2015, City Council meeting between the City Council and various board and commission chairs. He explained that Council requested that the chairs go back to their individual board or commission and brainstorm performance measures by which the Council can evaluate them by, as well as any needs the individual board or commission may have that the Council can provide assistance with in order to help the board or commission be more effective. Council indicated that boards and commissions should provide information regarding any changes to function or purpose of the boards and commission.

After discussing those topics the following items were agreed upon by the Commission as important items to convey to the City Council:

- A yearly training would be helpful for both the Commission and Council in order to receive a review of the comp plan, zoning codes, new urbanist principles, and the City's overarching goals for development. This is especially important when new members are appointed/elected. In addition to a detailed training, it is important to revisit on an annual or bi-annual basis with City Council on where we've been as a City, where we're going and what may need to be amended in the comp plan and/or zoning codes to meet the City's development goals.
- It would be helpful for the Council to be more engaged in understanding the Commission's recommendations, especially when items are continuous and draw significant public opposition. This could be accomplished by reinstating a Council Member as a P&Z Liaison. The liaison would attend P&Z Meetings and be

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responsible for conveying information directly to the Council regarding P&Z matters as appropriate.

At the end of the discussion staff conveyed that they would discuss internally and begin putting together a training schedule for discussion at a future meeting. Chairman Lucas requested staff to include another discussion item regarding this topic on the February 9, 2016, Work Session Agenda to allow the Commission to continue the conversation if they so desire.

**iii. Discuss Items on the Regular Agenda**

No items were discussed.

**iv. Adjourn**

Chairman Lucas adjourned the work session at 6:28 p.m. and stated that the Commission would reconvene in the Council Chambers for the Regular Session at 6:30 p.m.

**REGULAR MEETING**

**PRESENT:** Chairman Michael Lucas, Vice-Chairman Jonas Tune, Commissioners James Moseley, Thomas Finney, Chris Kilgore, Lisa Estevez, Alternates Stephen Ritchey (voting member), Kim Clark

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

**A. CALL TO ORDER**

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Chairman Lucas called the Regular Meeting to order at 6:33 p.m.

**1. Update Report from Staff.**

Principal Planner, Garrett Langford, stated that he did not have an update at this time.

**B. CONSENT AGENDA**

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**1. Minutes of the Planning and Zoning Commission Meeting of January 12, 2016.**

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Commissioner James Moseley made a motion to approve the minutes with the condition that the spelling of his name be corrected. Commissioner Lisa Estevez seconded the motion. The motion passed with a 7/0 vote.

**C. ITEMS FOR INDIVIDUAL CONSIDERATION**

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- 1. Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow an accessory building that does not meet the requirements in Section 77-303 of the Rowlett Development Code. The subject property is located at 3801 Castle Drive further described as being Lot 4, Block 1 of the Castle Park Estates, City of Rowlett, Dallas County, Texas.**

Mr. Langford came forward to present the case. He provided a location map to help orient the Commissioners to the subject property. He explained that the proposed accessory structure is already substantially under construction. The structure was brought to staff's attention when it was discovered that the property owner was building it without a permit. He stated that due to the fact that the structure does not meet the base zoning requirements because of the size and building materials an SUP is required. He provided a map showing oversized accessory structures in the area ranging from 720 square feet to 1,200 square feet in size and pointed out that this kind of structure is not out of character with the area. He provided an overview of the public hearing notice responses. Ultimately he recommended denial based on the fact that at 1,500 sq. ft. the accessory structure is more than half of the size of the 2,467 square-foot house. As such it is questionable if it can be considered an accessory use since by definition an accessory structure should clearly be subordinate to the primary use.

Chairman Lucas opened the public hearing and seeing no speakers closed it. He then asked for discussion from the Commission. Commissioner Chris Kilgore stated that the proposal is consistent with the neighborhood and does not have an issue with it. Commissioner Thomas Finney asked what the property directly behind the subject property is zoned. Mr. Langford commented that he didn't remember the exact zoning district, but knew it was part of the North Shore Master Plan. Commissioner Kilgore stated that based on the public hearing responses in the packet there were concerns about the building being used as a commercial business and asked if there were any reassurances staff could provide about that concern. Mr. Langford confirmed that the applicant has a pool company and it would be the City's home occupation regulations. Commissioner Finney stated that he did not object to the structure, but did object to the building materials and would like to see a higher quality building material used. Chairman Lucas asked if Commissioner Finney

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would like to include an alternative material as a condition in a motion and he stated that he did not think he wanted to dictate materials, but would make a motion. With that, Commissioner Finney made a motion to recommend denial of the item. The motion was seconded by Commissioner Moseley and passed with a 5/2 vote with Commissioners Kilgore and Estevez casting the opposing votes.

2. **Conduct a public hearing and make a recommendation to City Council regarding a request for a rezoning from a Single Family-8 Zoning District to a Planned Development District with an underlying base district of Multi-Family Attached Residential Townhouse (MF-TH) for the purpose of constructing 12 townhomes. The subject property is located at 10206 Liberty Grove Road further described as being 3.149 +/- acres in the Harrison Blevins Survey, Abstract No. 94 and the Hanse Hamilton Survey, Abstract No. 858, City of Rowlett, Dallas County, Texas.**

Mr. Langford came forward to present the case. He provided a location map to help orient the Commissioners to the subject property. He stated that this item had been tabled from the December 8, 2015 meeting to allow the applicant to meet with the adjacent property owners and work to address their concerns. He stated that that the case had been re-noticed to provide the opportunity for another public hearing at this time. He provided an overview of the case and focused on the changes that the applicant had made since the last hearing in December. In summary, the applicant reduced the number of townhomes from 14 to 12 in order to expand the buffer between their proposed street and the adjacent property from 5 to 15 feet. In addition, the applicant identified a more detailed trail network throughout the property. Mr. Langford reiterated staff's position that was conveyed at the December 8, 2015, meeting indicating that while the applicant had made a concerted effort to work with the adjacent property owner, staff was still recommending denial of the proposal based on the fact that the proposal does not meet the overall intent of the Realize Rowlett 2020 Comprehensive Plan because it is an isolated development that is not designed in context with the surrounding area. He provided an overview of the public hearing notice responses and concluded his presentation.

Chairman Lucas asked if there were any questions for staff at that time and being none he opened the public hearing. Seeing no speakers he closed the public hearing and called for discussion from the Commission. Commissioner Kilgore indicated that he does not have any problems with the proposal and that the developer is a victim of circumstance. Due to the location and existing development in the area it has to be a piecemealed and isolated project. He pointed out that with the landscaping in the area the project will not be very visible. He indicated that he did not find staff's objections compelling, specifically in regards to connectivity, architectural elements,

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and the configuration of the open space. Lastly, since the adjacent property owner will be the most effected by the project and is now accepting of the proposal, then he applauded the developer for their efforts in modifying the plan. Commissioner Moseley stated that he is not supporting the item because he thinks it will ultimately look like an island since there is no coordination with the adjacent properties. He indicated that he thinks this is the wrong project in the wrong place. Commissioner Finney stated concerns about the compatibility of the proposed project with the surrounding area and why he did not deem it appropriate for this area. Vice-Chairman Jonas Tune stated that townhomes may have been vilified in the past as not being compatible with other adjacent residential properties, but in this case there are unique challenges. Based on the applicant's efforts to incorporate open space and work with the adjacent property owners he stated that he is in support of the proposal. With no additional discussion Commissioner Finney made a motion to recommended denial of the proposal. The motion was seconded by Commissioner Moseley. The motion failed with a 2/5 vote. Commissioner Kilgore made a motion to recommend approval of the item. The motion was seconded by Vice-Chairman Tune and passed with a 5/2 vote with Commissioners Finney and Moseley casting the opposition votes.

- 3. Conduct a public hearing and make a recommendation on a request to amend previously approved Planned Development Ordinance 022-15 specifically as it pertains to exterior building materials. 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.**

Erin Jones, Senior Planner, came forward to present the case. She provided a location map to help orient the Commissioners to the subject property. She provided a history of the project stating that the City Council approved the original Planned Development in June 2015. Since that time the applicant has been working through the development process. Recently they brought it to staff's attention that due to current construction costs they were not going to be able to move forward with the exterior building materials as previously approved, which 70% brick/stone and 30% cementitious siding. She went on to explain that they are requesting the following:

- The clubhouse, which is considered the main focal point of the building will remain 70% brick/stone and 30% cementitious siding.
- All other facades visible from the street will be changed to 60% brick/stone and 40% cementitious siding.

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- All courtyard facades visible to residents only will be changed to 40% brick/stone and 60% cementitious siding.

She provided a façade plan to visually show the proposed materials. She then provided an overview of the base Rowlett Development Code requirements stating that it requires 100% brick, stone or stucco, but allows for the consideration of alternative building materials that meet the intent of the code. In summary, durable materials that encourage visual variety. She stated that since that section of code was adopted in 2006 cementitious siding products have become more widely accepted in Rowlett and are rarely denied as they are seen a quality products. Based on that she recommended approval of the request. She provided an overview of the public hearing responses and concluded her presentation. Chairman Lucas asked if there was any questions or discussion at this time. Commissioner Moseley requested clarification on the request in relation to the base zoning requirement and stated that he had concerns about the large reduction in brick and stone and that they were varying so far from the base 100% requirement. With no other comments at that time Chairman Lucas opened the public hearing.

Tony Sisk, Churchill Residential, 5605 N. MacArthur Blvd, Irving, TX came forward to speak. He stated that he is the applicant for the project and does not make a habit of coming back to cities to request reductions based on finances, but due to construction price gouging the cost is going a million dollars over their budget as it is currently approved today. He stated that in all his years they have never done a product they are not proud of and provided the commission with architectural examples of projects that use the siding materials they are proposing in Rowlett. He reiterated that when many cities put masonry standards in place the siding products are not what they are today and that now they are largely accepted as a durable material with a long term warranty. Chairman Lucas asked what kind of long term warranty they offer. Mr. Sisk replied that typically it is a 30 year warranty. With no additional speakers Chairman Lucas closed the public hearing and asked for discussion from the Commission. Commissioner Kilgore stated that he did not have a problem with it and it is accepted in the Form Based Code as a quality product. The original requirement of brick and stone was intended to help ensure the long term maintenance of buildings, but the new siding products are meeting that goal these days too. Commissioner Estevez stated that it is a good looking building and as someone with elderly parents who may be relocating to the area, she hopes it gets built. With no other comments Commissioner Kilgore moved to recommend approval of the item. Commissioner Estevez seconded the motion. The motion passed with a 7/0 vote.

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4. Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with the Briarwood Armstrong Addition. The subject property is located at 3001 Lakeview Parkway, further described as Lots 1-4 and 7, Block A of Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

Mr. Langford came forward to present the case. He provided a location map to help orient the Commissioners to the subject property. He stated that this is a revised mitigation plan in relation to the Sprouts development that was approved in 2014. At that time there was only a site plan for the Sprouts development, whereas now there are out parcels to be taken into consideration. This request relates to Lot 3, Chipotle and Pie Five and there are seven more protected trees to be removed, being an additional 110 caliper inches. This is due to the placement of the building and the parking lot. This brings the grand total to 293 inches to be removed and 236 inches saved, so mitigation will be required. There is not additional room on site to plan additional trees, so the applicant is requesting to pay the fee in lieu of planting. With that he concluded his presentation. Chairman Lucas asked for questions from the Commission. Commissioner Kilgore asked Mr. Langford to pull up the plan again and clearly point out which trees will be preserved and which will be removed. Commissioner Kilgore pointed out that these are fairly substantial trees as there are a lot of inches in a relatively small amount of trees. With no additional discussion Commissioner Moseley made a recommendation to approve the item. The Motion was seconded by Commissioner Finney and passed with a 7/0 vote.

**D. ADJOURNMENT**

Chairman Lucas adjourned the meeting at 7:24 p.m.

  
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Chairman

  
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Secretary

