

**CITY OF RICHARDSON**  
**CITY PLAN COMMISSION MINUTES – JANUARY 18, 2011**

The Richardson City Plan Commission met January 18, 2011, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** David Gantt, Chairman  
Bill Hammond, Vice Chair  
Gerald Bright, Commissioner  
Janet DePuy, Commissioner  
Marilyn Frederick, Commissioner  
Barry Hand, Commissioner  
Jim Henderson, Commissioner  
Thomas Maxwell, Alternate  
Don Bouvier, Alternate

**CITY STAFF PRESENT:** Sam Chavez, Asst. Director of Dev. Svcs. – Planning  
Susan Smith, Asst. Director of Dev. Svcs – Dev. & Engr.  
E.A. Hoppe, Assistant to the City Manager  
Dan Tracy, Development Engineer  
Jim Dulac, Senior Project Engineer  
Israel Roberts, Development Review Manager  
Chris Shacklett, Planner  
Kathy Welp, Executive Secretary

**BRIEFING SESSION**

Prior to the regular business meeting, the Plan Commission met with staff to receive a briefing on:

**A. Agenda Items**

Mr. Roberts and Mr. Shacklett briefed the Commission on the agenda items. No action was taken.

**B. Drainage Presentation**

Mr. Tracy and Mr. Dulac briefed the Commission on the City's drainage system. No action was taken.

**C. Staff Reports**

Mr. Chavez briefed the Commission on upcoming development items. No action was taken.

## **MINUTES**

### **1. Approval of the minutes of the regular meeting of December 21, 2010.**

Commissioner DePuy requested two changes to the minutes: first, on page 17, seventh paragraph, seventh line, add the letter “n” to the third word; and second, on page 18, third paragraph, first line, change the word “developed” to “development.”

**Motion:** Commissioner DePuy made a motion to approve the minutes as corrected; second by Vice Chair Hammond. Motion passed 7-0.

## **CONSENT AGENDA**

All items listed under the Consent Agenda are considered to be routine by the City Plan Commission and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless desired, in which case any item(s) may be removed from the Consent Agenda for separate consideration.

### **2. Preliminary Plat of Lots 1 and 2, Block 1 of the Creekdale Estates Addition No. 2, Fourth Section, and Lot 9A, Block 7 of the Creekdale Estates Addition No. 2, Third Section:** A request for approval of a preliminary plat for a 0.89-acre tract of unplatted land into two (2) lots and to accurately reflect the ownership boundary of Lot 9A. The site is located at 300 and 2218 Sutton Place. Applicant: Ben Caldwell, representing Shaddock Caldwell Builders and Developers, LLC.

Prior to the vote, Commissioner Frederick recused herself and temporarily left the Council Chambers. Chairman Gantt asked Commissioner Maxwell to vote in lieu of Ms. Frederick.

**Motion:** Commissioner Bright made a motion to approve the Consent Agenda as presented; second by Commissioner DePuy. Motion passed 7-0.

After the vote was taken, Commissioner Frederick returned to the Chambers.

## **PUBLIC HEARING**

### **3. Zoning File 11-01:** A request by City of Richardson for amendments to Article I, Section 2, Definitions, of Appendix A of the Code of Ordinances (the Comprehensive Zoning Ordinance) by adding the definition of rainwater harvesting system and by adding rainwater harvesting system to the Use Regulations of Article IV, R-1500-M Residential, Article IV-A R-2000-M Residential, Article IV-B R-1800-M Residential, Article VI R-1250-M Residential, Article VII R-1100-M Residential, Article VIII R-1000-M Residential, Article IX R-950-M Residential, Article XI R-850-F Residential, Article XII R-850-M Residential, Article XII-B RP-1500-M Patio Home, Article XIII D-1400-M Duplex, Article XIII-1 D-

2400-M Duplex and Article XIII-2 D-3000-M Duplex of Appendix A of the Code of Ordinances.

Mr. Shacklett advised that the first proposed amendment would amend Article I of the Comprehensive Zoning Ordinance (CZO) to add the definition of a rainwater harvesting system; and, the second amendment would add that the use was permitted in all "R" Residential Districts, "RP" Patio Home Districts, and "D" Duplex Districts.

Mr. Shacklett stated that the proposed definition would be as follows:

*"Rainwater harvesting system means any system used for the capture, storage, and distribution of untreated rainwater from a rooftop catchment surface or from precipitation captured directly from the sky to be used for outdoor landscape irrigation."*

Shacklett indicated the Environmental Advisory Commission, as well as the City Council, had been briefed regarding further regulations that would be covered in Chapter 6 of the *Code of Ordinances* and would include additional definitions, licensing requirements, inspections, fees, construction, and maintenance requirements. Additionally, the regulations would include restrictions and limitations on the use of the system, locations, system components, screening, special exceptions, and Special Permits.

Mr. Shacklett pointed out that special exceptions would be heard by the Zoning Board of Adjustments (height, screening and setbacks), and if an applicant requested to use the rainwater harvesting system in a manner other than for outdoor irrigation, a Special Permit would come before the Commission for their recommendation prior to going to City Council.

Commissioner Hand remarked that a request for a Special Permit for a rainwater harvesting system had been before the Commission in 2010 and complimented the staff on the speed at which they brought the proposed amendments to the Commission. He added that the amendments would be in keeping with the progressive image the City wanted to have and was a positive move.

Commissioner Bright concurred with Mr. Hand and asked how the screening requirements in the proposed regulations compared to those in the Special Permit case from 2010.

Mr. Shacklett said the Commission recommended a fence to screen the whole unit in the 2010 case, whereas the Council required a living screen on the corners of the system. However, if that same system was submitted under the proposed regulations, it would be required to be screened on all sides to the height of the tank.

Commissioner Henderson asked if the zoning districts listed in the staff report included townhomes, and were there any provisions for PD Planned Development Districts.

Mr. Shacklett replied the amendments did not include townhomes, and PD districts would fall under the Special Permit process.

Commissioner Bouvier asked if the opening on the rainwater harvesting systems would have seals to prevent mosquitoes from getting in.

Mr. Shacklett replied that the downspout would feed into a 12" diameter hole with a screen to act as a debris excluder and would be sealed so there would be no open area between the downspout and the tank.

Mr. Bouvier noted that most citizens use a 55-gallon drum to collect rainwater, and if a permit was not required, would a citizen still have to abide by the screening standard.

Mr. Shacklett replied that the City would not require a permit if a rainwater harvesting system was less than 250 gallons, either by one tank or the combined capacity of multiple tanks; however, the screening standard would have to be maintained either way.

With no further comments or questions, Chairman Gantt opened the public hearing.

Ms. Maitri Smithhisler, 2201 Victoria Lane, Richardson, Texas, acknowledged that she had a rain barrel system at her home and said she appreciated that this item was one of the green initiatives the City was recommending. She asked if the 250-gallon limit could be increased to 350 gallons citing a conversation with a water conservation specialist from Texas A&M Extension program who suggested a higher limit. Smithhisler also wanted to know what the cost would be if a permit was required.

Chairman Gantt thanked Ms. Smithhisler for her comments and stated it was his understanding that a permit was not required for systems that held up to 250 gallons and asked staff if a permit fee had been set for systems above that threshold.

Mr. Hoppe replied that the fee would be \$25, or if there was a larger capacity system that required mechanical or electrical inspection, the fee would be one percent of the cost of the system.

No other comments were made in favor or opposition and Chairman Gantt closed the public hearing.

Mr. Hoppe reminded the Commission that the item they would be voting on was an amendment to the CZO and not the Chapter 6 regulations. He added that the 250-gallon threshold would be reviewed by the City Council at the February 14<sup>th</sup> meeting.

Commissioner Henderson asked about the definition of opaque as listed on page 5 of the regulations, and would a wooden rain barrel have to be lined.

Mr. Hoppe replied that opaque meant not clear and therefore would not allow sunlight to enter. Mr. Gantt added that an opaque container would help prevent the growth of algae.

Regarding a wooden rain barrel, Hoppe said it would have to be used per the manufacturer's specifications.

Chairman Gantt said it might be nice if the City offered for purchase, or included with a paid permit, one or more of the labels or signs that were required: "Rainwater – Do not Drink," "Non-potable Water – Do not Drink."

**Motion:** Commissioner Henderson made a motion to recommend approval of Zoning File 11-01 as presented; second by Commissioner Hand.

Chairman Gantt asked if the motion should include the two suggested Comprehensive Zoning Ordinance amendments listed in the staff report.

Mr. Henderson replied that it should and so amended his motion. Mr. Hand concurred with the amendment.

Motion passed 7-0.

Chairman Gantt noted that after the adjournment of the regular business meeting, the Commission would move back to the East Conference room and re-open the briefing session to complete the drainage presentation listed on the agenda.

### **ADJOURN**

With no further business before the Commission, Chairman Gantt adjourned the regular business meeting at 7:29 p.m.



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David Gantt, Chairman  
City Plan Commission