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MINUTES OF RHOME SPECIAL PLANNING & ZONING COMMISSION MEETING

Meeting Date: MONDAY, SEPTEMBER 14, 2020

Meeting Location: VIA VIRTUAL MEETING

Meeting Start Time: 6:00pm

Call to Order and Establish a Quorum

Chair Knight called the meeting to order at 6:00pm and called roll to establish a quorum of Commissioners present.

Commissioners Present:

Chair Steve Knight

Vice Chair Ashley Majors

Commissioner Thomas Cannon

Commissioner Robert Coleman

Commissioner Christy Nerren

Alternate 1 Kristi King

Alternate 2 Jo Ann Wilson

City Staff Present:

City Administrator Cynthia Northrop

City Attorney James Donovan

City Secretary Shannon Montgomery

City Attorney Donovan stated that the City wanted to acknowledge there was a transposition of numbers within the zip code in the published Notice for agenda items D and E on tonight’s agenda. The Opinion of this Office is that the notice published was legally sufficient and these types of typos are not been held by course. Simple transposition of numbers is not going to affect the Notice and we will proceed with the case tonight.

Also, another question that was brought up today, concerning this same case was about Conflict of Interest in regard to members of the Planning & Zoning Commission that own property within 200 feet of the zoning change that also received notice. It is the Opinion of City Attorney Adkins that members of this Commission that fall within that 200-foot notice area do have a Conflict of Interest and it is the recommendation of the City Attorney’s Office that those members recuse themselves.

Public Presentations and Input

No Public Presentations were made.

Regular Agenda – Old Business

A. Discussion and any necessary action regarding the Minutes of August 10, 2020 Planning & Zoning Commission Special Session meeting

Motion made by Commissioner Cannon, seconded by Commissioner Nerren, to approve the Minutes of August 10, 2020 as presented.

Chair Knight asked for a roll-call vote:

Chair Knight:	Aye	Commissioner Coleman:	Aye
Vice Chair Majors:	Aye	Commissioner Nerren:	Aye
Commissioner Cannon:	Aye		

Motion carried unanimously.

Public Hearing

- B. Rhome Planning & Zoning Commission to conduct a Public Hearing to consider a rezoning request by property owner representative Shawn Shahihi of Legal Property located on Holly Parkway, Rhome, Texas, legally described as 3.467, Subd: BC RHOME ADDITION. This request is to change the current zoning of Retail to the proposed zoning of “Planned Development”**

Chair Knight opened the Public Hearing at 6:05pm.

City Secretary Montgomery read the responses that were received:

- M&H Food Mart – In Favor
- Cheyne-West-Cheyne LLC – In Favor

City Secretary Montgomery called on those that wished to speak:

- Deborah BeCraft, 360 West Second, Rhome, Texas - Opposed
- Patricia Mitchell, 389 South Old Mill Road, Rhome, Texas – Opposed
- Shirley Mize, 170 Russell Street, Rhome, Texas - Opposed

Montgomery introduced the applicant, Shawn Sahihi; Mr. Sahihi presented his conceptual plan to the Commissioners.

Chair Knight closed the Public Hearing at 6:14pm.

Regular Agenda – New Business

- C. Discussion and any necessary action considering a recommendation to Council regarding a rezoning request by property owner representative Shawn Shahihi of Legal Property located on Holly Parkway, Rhome, Texas, legally described as 3.467, Subd: BC RHOME ADDITION. This request is to change the current zoning of Retail to the proposed zoning of “Planned Development”**

Chair Knight deferred to City Administrator Northrop for the Engineering report and recommendations.

City Administrator Northrop stated the applicant has submitted a request to change the zoning of property legally described as Acres: 3.467, Subd: BC RHOME ADDITION, located on Holly Parkway, Rhome, Texas from return to Planned Development.

A Planned Development was designed to permit new or innovative concepts in land utilization not permitted by other zoning districts in Rhome’s Ordinance. While it promotes greater flexibility, the applicant must submit a conceptual plan and statement specifically describing the projected use. In this case the applicant has submitted a conceptual plan that consists of townhomes and retail (see conceptual plan).

While a detailed site plan will still be required, including a drainage study, Staff, including the Engineer, met with the applicant and reviewed, finding that the request is generally in alignment with the Comprehensive Development Plan in terms of providing diversity of housing (Goal H-2/page 47) and is compatible with nearby and abutting land use including existing MF and retail. Other items raised by staff that will be required to be addressed in the detailed site plan include (but are not limited to) fire truck lanes, increased pavement/radius to accommodate fire truck movements and utility easements.

Northrop continued by stating the applicant’s Statement of Purpose is to provide townhomes as well as retail to the City of Rhome. We would like to provide a mid-density option of living; a diverse housing option near the downtown district. This will be a good low-maintenance option for busy professionals and young families moving to the City of Rhome.

Ms. Northrop stated the Commission had three options:

1. Recommend approval to Council as presented,
2. Recommend denial to Council as presented, or
3. Recommend approval with changes

Mr. Sahihi addressed questions from Commissioners in relation to the concept plan. The Planning and Zoning Commission asked for changes to the concept plan to include less townhomes and more retail available space.

Motion made by Commissioner Coleman, seconded by Commissioner Cannon, to recommend approval of the concept plan with changes to include splitting the townhomes and retail space at the back end of the existing Dollar General, have all south east section of lot to be retail, allowing townhomes along the north and south of Holly Parkway, to the west of Dollar General.

Chair Knight asked for a roll-call vote:

Chair Knight:	Aye	Commissioner Coleman:	Aye
Vice Chair Majors:	Against	Commissioner Nerren:	Against
Commissioner Cannon:	Aye		

Motion carried 3-2-0 with Commissioners Knight, Cannon and Coleman voting for and Commissioners Majors and Nerren voting against.

Commissioner Cannon recused himself from Agenda Item D and Agenda Item E; Alternate #1, Kristie King would be sitting in his place.

Public Hearing

D. Rhome Planning & Zoning Commission to conduct a Public Hearing to consider amending the Comprehensive Zoning Ordinance, Section 33A, "OTR – OLD TOWN RHOME" by renaming Section 33A to "DOWNTOWN DISTRICT" and amending the boundaries of the proposed "Downtown District"

Chair Knight opened the Public Hearing at 7:01pm.

City Secretary Montgomery read the responses that were received:

- Jackson Robert & Jennifer Living Trust – In Favor
- Pamela Kemp – In Favor
- Michael & Sharon Casterline – Opposed
- Rhome Community Library – Opposed
- Louis & Ramah Burns Godfrey – Opposed
- Jennifer Christine Brewer Smith – Opposed
- Brenda Pellett – In Favor
- Cheyne-West-Cheyne LLC – In Favor
- RPB Catalyst, LLC – Opposed
- Ted Rother – Opposed
- Henri & Nell Fernandez – Opposed

City Secretary Montgomery called on those that wished to speak:

- Deborah BeCraft, 360 West Second, Rhome, Texas - Opposed
- Patricia Mitchell, 389 South Old Mill Road, Rhome, Texas – Opposed

- Gail Rother, 199 West Morris Street – Opposed
- Sam Eason, 1107 Mount Lane, Rhome, Texas – In Favor
- Shirley Mize, 170 Russell Street, Rhome, Texas – Opposed
- Josh Majors, 200 Dogwood Street, Rhome, Texas - Opposed

Chair Knight closed the Public Hearing at 7:22pm.

Regular Agenda – New Business

E. Discussion and any necessary action considering a recommendation to Council regarding an amendment of the Comprehensive Zoning Ordinance, Section 33A, “OTR – OLD TOWN RHOME” by renaming Section 33A to “DOWNTOWN DISTRICT” and amending the boundaries of the proposed “Downtown District”

Chair Knight started this item off by stating that parts of this agenda were first brought up by this Commission back in 2018 when we were tasked by the City Council to review the City’s Zoning Ordinance and recommend changes back to Council. We, as a Commission, decided to start with the OT, our Old Town Rhome Ordinance, Section 33 as a priority, and a good place to begin the process of looking at the City’s Zoning Ordinance.

We then decided to first go through the process of creating a new City of Rhome Comprehensive plan as this would be needed to guide the City and its future. This process would up taking over a year to complete. With this new plan, which includes ways for the citizens of Rhome to participate in, we identified some key projects, one of which was a downtown development plan. I feel that renaming this ordinance to downtown district with the new boundaries better coincide with the Comprehensive Plan. I also feel this term, Old Town Rhome, so many of us used to refer to the section of Rhome that includes our downtown district. It is still a very important term, just as Crown Point, Chisholm Trail and Ellis Homestead or in describing areas of Rhome, but does not best describe what we see in developing just the downtown area.

This town will always be Old Town Rhome even to someone, like me, who has not lived their whole live here, we are not changing the name of the town, we are strictly trying to work on this section of downtown and get it to what everyone’s been describing in their comments tonight, little boutique shops, good walkable space, and well lit, a wonderful place to meet neighbors, but in order to do that, through working with a comprehensive plan, we are referring to it as a downtown district, which makes more sense when you go to see and people that want to come in and set up their business here. Its easier to control, the other point, in fact, is the 2004 Ordinance that was created to include most of Rhome in its boundary, made absolutely no sense. It had no metes and bounds to it, there was not a good description of it, just a map with a dotted line.

We decided, as a Planning & Zoning Commission, way back in 2018, that we needed to shrink that area down to something that we could more define as downtown, in other words, down Main Street, and maybe a block off each way and working through that, the Commission came up with all kinds of ideas and have had all kinds of interruptions and we’ve finally got to this point were we are ready to try and make a recommendation to our City Council.

Chair Knight opened it up for Commissioners comments. Vice Chair Majors stated she was not in favor of making any changes and Commissioner Nerren stated she was in favor of making the changes.

Chair Knight turned the discussion over to City Administrator Northrop, who first reminded all that the Commission was discussing a zoning classification name change, not renaming Old Town Rhome.

Northrop provided visuals of both the 2004 Ordinance and the proposed map, which clearly defined the proposed boundaries and provided a brief background on this agenda item.

Ms. Northrop focused on the Adopted Comprehensive Plan that outlined a downtown district and compared the proposed zoning classification name and boundary change to show how that fit with the current Comprehensive Plan.

Discussion ensued among Commissioners.

Motion made by Commissioner King, seconded by Commissioner Nerren, to recommend renaming Old Town Rhome Overlay District to Downtown District and amend the district as shown in the proposed map.

Chair Knight asked for a roll-call vote:

Chair Knight:	Aye	Commissioner Coleman:	Against
Vice Chair Majors:	Against	Commissioner Nerren:	Aye
Commissioner King:	Aye		

Motion carried 3-2-0 with Commissioners Knight, King and Nerren voting for and Commissioners Majors and Coleman voting against.

Commissioner Cannon came back to the meeting, Alternate #1 Kristi King stepped down.

Future Agenda Items

Vice Chair Majors asked for an item discussing building signage and landscape requirements for the Old Town Rhome Overlay District.

Adjourn

Motion made by Commissioner Nerren, seconded by Commissioner Coleman to adjourn.

Chair Knight asked for a roll-call vote:

Chair Knight:	Aye	Commissioner Coleman:	Aye
Vice Chair Majors:	Aye	Commissioner Nerren:	Aye
Commissioner Cannon:	Aye		

Motion carried unanimously; meeting adjourned at 8:04pm.

Minutes approved the 5th day of October 2020.

 Steve Knight, Chair		 Shannon Montgomery, TRMC City Secretary
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