

**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., JULY 13, 2010**

PRESENT: Chairman Rick Sheffield, Vice-Chairman Greg Peebles, Commissioners Charles Alexander, Chris Cigainero, Greg Landry

ALSO PRESENT: Alternate Karl Crawley (voting member), Robert Kittrell (voting member)

Absent: Commissioner Joe Charles

STAFF PRESENT: Planning Manager Erin Jones, Planner II Marc Kurbansade, City Attorney David Berman, City Secretary Susie Quinn

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 June 22, 2010.

Vice-Chairman Greg Peebles made a motion to approve the Minutes of the Regular Meeting of June 22, 2010. Commissioner Alexander seconded the motion. Motion carried with a 6-0-1 vote with Alternative Karl Crawley abstaining from voting since he was not a voting member at the June 22, 2010 meeting.

C. REGULAR ITEMS

1. Conduct a Public Hearing to consider and take appropriate action on a Conditional Use Permit (CUP) application for a 1,100± square foot tenant space for a dog grooming use with ancillary retail. The subject property is located at 3534 Lakeview Parkway, located in the Timberlake Shopping Center Subdivision, Lot 1.2, Block 1. (Case Number CUP10-463)

Marc Kurbansade, Planner II, came forward to present the case. He began the presentation by providing a location of the property and lease space and photos of the lease space for the subject site. He stated that the property is a vacant lease space in the Timberlake Shopping Center. He further stated that the Rowlett Development Code does not have a dog grooming use defined in the Use Regulations; therefore, a determination was made from the Planning Manager. This determination stated that the use was a combination between a General Personal Service Establishment and a Kennel or Veterinarian Office. Both of these uses would require a CUP within the General Commercial (C-2) zoning district, which is the zoning district this property is located. He also stated that there is sufficient parking in the shopping center to accommodate this use and that since there are no proposed alterations to the building, Development Plans are not required to be submitted. Mr. Kurbansade outlined all of the Code requirements for a Conditional Use Permit per Section 77-807.D of the Rowlett Development Code. He presented a brief summary of how the proposed use conforms to the requirements of Section 77-807.D of the Rowlett Development Code. Commissioner Cigainero inquired as to the plans for cleanup of dog waste in front of the lease space. The applicant, Ms. Jade Haggard, 630 Garrett Road, Rockwall, Texas came forward to address the question. She stated that waste removal is of utmost importance; Employee Handbook for business will stress importance of waste removal; will go out to parking lot three times daily to check parking lot; will have waste bags and pooper scooper available; and will have a placard placed at the front desk asking customers to notify them if they notice waste. Chairman Sheffield opened the public hearing. Olga Vasilenko, 1802 Dartbrook Drive, Rowlett, Texas, questioned how City would handle complaints due to pet

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waste. The applicant, Jade Haggard stated that their lease agreement will fine them if there are complaints with pet waste. Mr. Kurbansade added that any complaints would be handled through the Code Enforcement process. Chairman Sheffield closed the public hearing. Commissioner Crawley made a motion to approve the CUP as presented by staff. Commissioner Cigainero seconded the motion. The motion passed with a 7/0 vote.

- 2. Conduct a Public Hearing and take appropriate action on a plat application. The subject properties are located at 1947 and 2011 Chiesa Road, being a total of 1.15 ± acres, further described as proposed Lot 1, and Lot 2, Block A of the Gonzales Addition, situated in the Merrel Survey, A-957, City of Rowlett, Dallas County (RP10-549)**

Erin Jones, Planning Manager, came forward to present this case. She began the presentation by providing a location map of the property. She stated that a BOA variance was granted on July 12, 2010 by the Board of Adjustment to allow the reconstruction of a non-conforming driveway related to the property. Ms. Jones stated that residential replats require a public hearing, property owner notification, and approval by the Planning and Zoning Commission. She outlined the approval criteria for a replat as stated in Section 77-806 of the Rowlett Development Code. Ms. Jones went on to state that the proposed replat was reviewed by Planning, Engineering, and Fire Department staff and all agree that the plat meets all approval criteria. Chairman Sheffield opened the public hearing. With no one wishing to speak the public hearing was closed. Commissioner Landry made a motion to approve the item as presented. Commissioner Alexander seconded the motion. The motion passed with a 7/0 vote.

- 3. Conduct a Public Hearing and make a recommendation on an application for rezoning. The applicant requests an amendment to a previously approved Planned Development (Ord. 2005-525) for a single-family residential development consisting of 166 residential lots. The property is located on the east side of Dexham Road approximately 115 feet south of Foxwood Drive, being 71.445 ± acres, in the Reason Crist Survey, Abstract 225, Dallas County. (PD10-460)**

Marc Kurbansade, Planner II, came forward to present the case. He began the presentation by providing background information—the original PD was approved in September 2005 and the Preliminary Plat was approved in June 2007; the Plat has since expired. After the approval of the Planned Development Ordinance, the Dorsey Elementary School Improvements were satisfied, including the improvements of Covington Drive and the required land conveyances. He stated that the zoning application was submitted on June 8, 2010 and a Work Session was held before Planning & Zoning Commission on June 22, 2010. He stated that the main reason for the application being submitted is in response to the changed residential market conditions from when the application was originally approved in 2005. He further stated that the most apparent difference between the original PD Ordinance and the proposed PD Ordinance is density; the original PD Ordinance allowed for 120 dwelling units or 1.7 dwelling units per acre and the proposed PD Ordinance allows for 166 dwelling units or 2.3 dwelling units per acre. Mr. Kurbansade stated that the applicant performed an analysis to compare the proposed density of the subject site to the density of the surrounding neighborhoods. The analysis showed that the average density of the surrounding neighborhood is 4.9 dwelling units per acre, with the minimum density being 3.4 dwelling units per acre and the maximum density being just over 7 dwelling units per acre. He also mentioned the Open Space component and that it would be approximately 17.3 acres; the area is being proposed to be improved by the developer with the paving portion of the trail to be dedicated to the City. He further stated that just over 15 acres of the Open Space is made up of a wetlands. The wetlands are part of a separate approval being sought by the applicant through the Army Corps of Engineers. Mr. Kurbansade provided a Location Map showing the proximity of the site to existing development and thoroughfares. He then presented a copy of the

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applicant's Concept Plan and showed the vehicular points of access to existing thoroughfares as well as a potential stub-out street. He further presented a copy of the developer's proposed phasing plan for the property; but stated that the phases are conceptual and subject to change during the platting process. He did state that if the developer pursued the phasing plan as depicted, that the City would ask that Phase I include the lots on the northern boundary in order to connect to Madison Avenue. He then discussed the density of the subject site with respect to the surrounding subdivisions. He also compared the proposed density to the allowable density in standard City zoning districts. Mr. Kurbansade presented the approval criteria in Section 77-805 of the Rowlett Development Code. He stated that in response to criterion #1, the application is in response to a changed market condition. He stated that criterion #2 addresses the Goals of the Comprehensive Plan, and provided examples of applicable Goals. He continued to discuss criterion #3 and that the proposed development would not detract from the health, safety, morals and general welfare of the public. Criterion #4 was discussed as it pertains to transportation issues; he highlighted points of vehicular access as well as connections from neighborhood streets to major thoroughfare facilities. He stated that some of the alleys adjacent to the subject site are used as thoroughfares. Also, with respect to criterion #4, Mr. Kurbansade discussed the issue of water pressure in the surrounding neighborhood and presented the readings that were taken. He further stated that the issue of water pressure is part of an additional study being done by the City of Rowlett. Criterion #5 was discussed by Mr. Kurbansade as it pertains to the relocation of the FEMA floodplain and the wetlands permits. He stated that the City would condition the approval so that building permits could not be issued for homesites in the current floodplain. Criterion #6 was presented and he presented how the proposed development would be consistent with the surrounding area. Criterion #7 was discussed by Mr. Kurbansade to illustrate the suitability for the subject property for the proposed zoning designation. Criterion #8 was discussed and whether or not there is an excessive proliferation of the proposed use; Mr. Kurbansade stated that a formal market study was not prepared or submitted as part of this application. Mr. Kurbansade then discussed Criterion #9 and how the proposed rezoning would be compatible in scale with uses on other properties in the vicinity. Criterion #10 was then presented to discuss the supply of land in the economically relevant area. He stated that SF-9 zoning makes up 17.1% of all residential zoning land in the City; but also stressed that that number did not include PD zoning designations. Mr. Kurbansade continued his presentation by providing a comparison of the existing PD regulations versus the proposed PD regulations. He highlighted the differences between the existing PD and the proposed PD. He continued to provide some examples of typical housing product provided by Standard Pacific that would potentially be built on the subject property. Mr. Kurbansade provided a slide showing the existing floodplain line and the where the proposed floodplain would be after the applicant completed the Letter of Map Revision with FEMA. He explained how drainage issues would be addressed during the development process. He provided photos of the existing wetlands and explained the applicant would need to pursue required US Army Corps of Engineers permits for wetlands issues. He provided an illustration of the proposed Open Space component of the development and how the hike & bike trail would go through the property. He also explained that an Economic Development Incentive Agreement would be sought as a separate process from the zoning process, and that the considerations being asked by the developer were provided for the sake of transparency. He stated that the Economic Development Incentive Agreement would go to City Council for ultimate approval. Mr. Kurbansade then presented the Notes and Waiver Requests as shown on the face of the Zoning Concept Plan. He also presented the differences from the Staff Report conditions and what was being proposed by the applicant. These included Accessory Buildings to be regulated by current Rowlett Development Code as amended; if Phase I is proposed as presented that it include a connection to Madison Avenue; and until the LOMR is approved by FEMA, building permits shall not be issued for those lots in the floodplain. Mr. Kurbansade concluded his presentation by providing a summary of the issues and concerns tallied from the Notices of Public Hearing received back.

Chairman Sheffield recognized the applicant, Jay Volk, 204 Crape Myrtle Lane, Murphy, Texas, 75094, on behalf of

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Standard Pacific homes. Mr. Volk expanded upon the wetlands requirements. He stated that a wetlands biologist has been working on this approval process since the onset. He stated that the previous plan impacted 8 acres of wetlands and the proposed plan impacts 6.5 acres of wetlands. He further stated that the wetlands are essentially man-made due to the construction of Dexham Road and the historic inadequate drainage of this area through the existing culvert. He mentioned that the wetlands are approximately 20 years old and are a low-quality wetland from a Corps of Engineers perspective because it lacks the diversity and quality of a more mature wetlands. He stated that they would be required to enhance the wetlands. He continued to state the Army Corps of Engineers has a requirement of compensatory mitigation; that whatever impacts the wetlands needs to be offset. Mr. Volk also commented on the floodplain issues; he stated that as part of the LOMR process with FEMA, development cannot increase flooding issues for adjacent properties. Mr. Volk then commented on the existing alleys and stated that current plan would allow access to alleys and an increase in alley traffic. He also stated that the proposed plan would alleviate the need for using the alleys as a means of thoroughfares. Finally, Mr. Volk commented on the earlier photos presented of the housing product and that they are representative of what would be built on this property.

Chairman Sheffield opened the public hearing.

Mr. Randy Whitfield, 5101 Livingstone Road, Rowlett, Texas stated that he was the builder of the original Lakes of Springfield development. He stated that the proposed development acts as a subdivision within a subdivision. Mr. Whitfield commented regarding the board-on-board fencing and how the fencing would block the view they currently have. Mr. Whitfield highlighted the points of access from Springfield Phase 2, Phase 5A and Phase 4, and that these had a minimum of two points of access for each phase out of the development. He then stated that the proposed development only has one main point of access—that being Covington Drive to Dexham Road. Mr. Whitfield had a question regarding lot coverage. Mr. Whitfield stated the front-entry housing product proposed differs from the existing alley-entry homes surrounding the proposed development. Finally, Mr. Whitfield commented on the current drainage from Springfield Phase 4.

Ms. Maggie Gillespie, 1726 Dartbrook Drive, Rowlett, Texas, came forward to speak. Ms. Gillespie commented on the density increase—from original proposal of 80 lots, then amended to 120 lot, then proposed for 166 lots. Ms. Gillespie commented about the alley behind Dartbrook being used as a thoroughfare to access Hickox Road. She inquired about the density calculations and if these calculations included the wetlands. Mr. Kurbansade added that the 2.3 dwelling units per acres density does include the wetlands and if the wetlands area is subtracted the density is approximately 2.9 dwelling units per acre. Ms. Gillespie continued and inquired about the density for each associated phase of development. She also commented about proposed development in the City of Garland at the intersection of Castle Drive and Firewheel Parkway and the potential traffic increase from this development. Ms. Gillespie stated that she has concerns about the wetlands. She concluded by asking that the City consider the overall impact and costs of this proposed development.

Ms. Cynthia Johnston, 6521 Sturbridge, Rowlett, Texas, came forward to speak. Ms. Johnston stated her concerns of the proposed development. She discussed her concerns of the wetlands, and the natural water seepage adjacent to the alley north of Teresa Lane. Ms. Johnston concluded by stating her concerns over the size of the development.

Ms. Teresa Blount, 6501 Livingstone, Rowlett, Texas, came forward to speak. Ms. Blount spoke about her concerns over the increased density. She concluded by commenting that her Notice of Public Hearing was postmarked June 29, 2010, and felt that she did not have adequate time to respond with concerns.

Ms. Vicki Nelson, 7113 Tremont, Rowlett, Texas, came forward to speak. Ms. Nelson stated that she didn't

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believe this development does not benefit the City of Rowlett nor this neighborhood. She further stated that on Tremont Lane, there are liability and traffic concerns due to proximity to school. Ms. Nelson also stated her concerns with view of the property being blocked by fencing proposed. She concluded by stating that she would have liked a longer timeframe to voice concerns over proposed development.

Ms. Leslie Fox, 1618 Dartbrook, Rowlett, Texas, came forward to speak. Ms. Fox stated her number one concern is floodplain issue, mainly how the construction on the subject site will affect the flow of water. Ms. Fox commented that she wanted to make sure Standard Pacific received an elevation certificate for properties in floodplain. She further stated that she has concerns over the effect this will have on the existing neighborhood.

Ms. Olga Vasilenko, 1802 Dartbrook, Rowlett, Texas, came forward to speak. Ms. Vasilenko stated that she felt the Notice of Public Hearing was not clear. She also stated that the timing was unfortunate and residents did not have adequate time to respond. Ms. Vasilenko stated that there are vacant and rental properties that were not able to respond. She asked if the residents could create a petition of the concerned residents to make sure their voices are heard. Ms. Vasilenko is concerned about traffic generated around school, particularly Covington Drive. She stated that she is less upset about fence, and more concerned with upkeep of fences by residents. She further stated concerns about increased density to 166 dwelling units. Ms. Vasilenko commented on water pressure issues and at what time water pressure samples were taken. She also commented on wetlands and natural springs, and water damage to alleys from springs. Ms. Vasilenko then commented on protected trees, and how protected trees are determined. She concluded by asking the Commission how the residents can better voice their concerns.

Mr. David Oluctbany (last name inaudible), 6610 Livingstone, Rowlett, Texas, came forward to speak. He spoke about the fact that out of the 17 responses from Notice of Public Hearing, 14 responded against and only 3 in favor. He was concerned about the traffic, especially during peak hours on Livingstone. He further stated his concerns over the water pressure in this area. He continued and stated that new development needs to be considerate of existing development. He then stated that proposed housing product with front and side entry garages is not compatible with rear-entry garages in surrounding neighborhood.

Ms. Jessie Cangonji, 7009 Tremont, Rowlett, Texas, came forward to speak. Ms. Cangonji stated that the Notice of Public Hearing was not clear. She stated her concerns of increased traffic on Tremont Lane. She also stated that she thought development was adverse to Comprehensive Plan since there is not a mix of land uses. She then stated that she had concerns over wetlands and diversity of trees and animals. She concluded by stating her concerns over the general well-being of her community.

Mr. Steven Fisher, 1622 Dartbrook, Rowlett, Texas, came forward to speak. Mr. Fisher stated a concern over the fenceline. He continued by stating his concern over financial deficit based on demand for homes. He continued by stating his concern over traffic; most traffic goes to Hickox and alleys are used as main point of access to Hickox. He stated that the proposed development would use the alleys to get to Hickox. He further stated his concerns over increased density creating increased traffic. Mr. Fisher continued by commenting on damage to alleys from natural flows of water on subject site. He also stated his concerns over water pressure in surrounding neighborhood and how additional homes will affect water pressure. Mr. Fisher commented on his blocked views of greenery on subject site. He concluded by voicing concerns over law enforcement and general security of neighborhood; and how this development will impact this, particularly from a visibility standpoint.

Mr. Jason Day, 6905 Tremont, Rowlett, Texas, came forward to speak. Mr. Day's first concern is over traffic, particularly traffic along alleys going to Hickox during morning rush hour. Mr. Day stated his concerns over access to subject site being blocked by privacy fence.

Chairman Sheffield closed the public hearing. Mr. Kurbansade addressed questions brought up during public

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hearing portion. Mr. Kurbansade addressed Mr. Whitfield's question pertaining to lot coverage and stated that the proposed lot coverage is 45%. Mr. Kurbansade then addressed concern by Vickie Nelson for additional opportunity to find out more information on proposed development, by asking Ms. Nelson to contact applicant to coordinate another meeting with residents. Dennis Abraham, City Engineer, addressed issues pertaining to water pressure. He stated that the City is in the process of correcting water pressure issues in this area and this is part of the Capital Improvement Plan. Ms. Erin Jones, Planning Manager, explained to Ms. Vasilenko how protected trees are defined in Rowlett Development Code and what the proposed mitigation proposed by the applicant is.

Chairman Sheffield asked Commissioners for questions of staff and the applicant.

Commissioner Crawley asked staff about Summary of Conditions of Approval and liability issues associated with private versus public aspect of hike & bike trail. Mr. Volk, applicant, commented that Parks & Open Space were originally proposed as public, but the City had concerns over maintenance cost aspect. Mr. Volk stated that the trail will be public and navigate through private open space. Commissioner Crawley asked if the trail would be open to public. Mr. Kurbansade stated that trail would be open to public. Commissioner Crawley asked Ms. Erin Jones how tree mitigation would be calculated. Commissioner Crawley asked the applicant about the wetlands permit process and how the elevation certificate fits in. Mr. Volk provided an explanation of the permits being sought through Army Corps of Engineers and the associated process. Mr. Volk also stated that elevation certificates would be part of the LOMR process. Commissioner Crawley asked if the School District has been notified of the proposed increase in density. Mr. Volk stated that he has not had discussions with School District. Mr. Volk stated that the increased traffic from the proposed increase is nominal at best based on a peak-hour flow examination. Commissioner Crawley asked if cedar fences would be placed on previously approved plan. Mr. Volk stated that previous plan would have included fencing in a similar manner as the proposed plan. Mr. Volk continued to clarify that proposed board-on-board cedar fence is an upgrade to what Code currently requires. Mr. Volk stated that there is no difference in views from previous plan versus proposed plan. Commissioner Crawley commented on traffic and asked if proposed plan would put less traffic on adjacent alleys. Mr. Volk confirmed this statement.

Commissioner Alexander had no questions of applicant or staff.

Commissioner Peebles stated that the application mentioned that request is based on changed market conditions and questioned why the applicant is still asking to build houses if market conditions are bad. Commissioner Peebles asked if an outside analysis has been performed. Chris Matzke, 2717 Reading, Plano, Texas, from Standard Pacific Homes came forward to speak about market demand. Mr. Matzke stated that he consulted a marketing group and determined that putting financial considerations in the home versus the lot would improve the situation. Mr. Matzke stated that approximately \$800,000 - \$1,000,000 has been spent on improvements related to road improvements for school. Mr. Matzke stated that the current PD is all one phase, but proposed PD is through three phases; he stated that three phases will allow better quality homes to be built. Commissioner Peebles asked Mr. Volk why Army Corps of Engineers wetlands permits were not sought prior to get zoning approval. Mr. Volk answered that the wetlands permits are just one step in the overall development permitting process. Mr. Volk stated the development permitting process is a multi-step process and zoning approval is typically sought prior to wetlands permitting. Commissioner Peebles asked Dennis Abraham about natural springs. Mr. Abraham explained about natural springs and how construction methods ensure that natural springs do not adversely impact construction. Commissioner Peebles asked applicant if soil samples had been taken. Mr. Volk explained that a detailed geotechnical investigation has been done and 60-70 borings were taken at 20-foot depths throughout the property to determine impact on foundations and other construction. Commissioner Peebles then asked staff about existing Planned Development Zoning designations in the City, as it pertains to the analysis presented by staff showing the percentage different residential zoning designations in the City. Mr.

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Kurbansade responded that Waterview would be an example of a Planned Development zoning designation in the City.

Commissioner Cigainero first commented on times needed for water pressure testing should be early in the morning. In order to properly evaluate this area we will have to test a wider area at different times. Commissioner Cigainero asked Dennis Abraham if there are plans to test at different times. Mr. Abraham responded by saying that samples can be taken at different times. Commissioner Cigainero restated his concerns over water pressure and asked what the City's plans are to address water pressure. Mr. Abraham responded that the City is planning \$7.2 million in improvements, which includes the raising of the Kirby Water Tank and improving associated pipelines. Mr. Abraham stated that goal is to have 58-60 psi of water pressure. Mr. Abraham stated that the timeframe for the improvements is within one to one and a half years and that there is money available to fund these improvements provided City Council approves the funding. Commissioner Cigainero stated that there needs to be a comprehensive traffic study to evaluate how much traffic we have and see if we have a problem now before the subdivision is built. Commissioner Cigainero further inquired about Garland's plans for widening Castle Road and impact of traffic from proposed development at Castle and Firewheel in City of Garland. Mr. Abraham stated that his assumption is that the road would potentially be widened with the proposed development at Castle and Firewheel, and that the City classifies Castle Road as a 4-lane undivided on the Master Thoroughfare Plan. Commissioner Cigainero finally inquired about the man-made wetlands on the property and if the drainage was improved at the culvert, and the wetlands drained would the wetlands be gone. Mr. Kurbansade added that there are other factors to classify a wetlands other than presence of water. Commissioner Cigainero inquired about the potential cost to the City to have the area remain a wetlands. Mr. Kurbansade stated that the wetlands are regulated by the US Army Corps of Engineers and would be required to be preserved per their standards; and that the City will not have maintenance responsibilities for maintaining the wetlands.

Commissioner Landry stated that there have been many concerns over plans going from 120 lots to 166 lots being presented. Commissioner Landry stated concerns over lot size distribution changes from Work Session to plan being presented as well as the decrease in side lot setbacks. Mr. Volk stepped forward to clarify the changes in lot size distribution. Mr. Volk stated that the Concept Plan has not changed since the Work Session and stated that the change in distribution was to accommodate minor changes in lot sizes that might be on the border of one of the categories. Commissioner Landry asked Mr. Volk to clarify the reduction in the side setback. Mr. Volk stated that the change was product-driven and will allow the lot to accommodate the split 2/1 garages being proposed. Commissioner Landry asked Mr. Volk to clarify about the privacy fence backing up to the alleys and about the fences backing up to public/private open space areas and if these would be wrought iron. Mr. Volk stated that areas backing up to Open Space would be wrought iron and rest of yard fencing would be board-on-board cedar. Mr. Kurbansade clarified that the wrought iron fencing would only be for the residential lots on the subject site that back up to the wetlands, and that there would not be wrought iron fencing around the perimeter of the wetlands. Commissioner Cigainero asked if there would be fencing along the alley behind Foxwood. Mr. Kurbansade stated that there would not be fencing in this location. Commissioner Landry asked about the lots where Madison and Livingstone extend. Mr. Volk clarified that some of the lots would front on Madison and Livingstone and some of the lots would side on these streets. Mr. Kurbansade stated that the lots that sided along Madison and Livingstone would have side setbacks equal to the front setbacks of the existing adjacent lots to maintain the streetscape. Commissioner Landry asked about the water tables and how this would affect the foundations. Mr. Volk stated that Standard Pacific has a rigorous foundation design policy to ensure foundation. Commissioner Landry asked if economy has gotten so bad that the project needs to double the amount of lots to make this project work from its bottom line. Mr. Volk stated that this project was approved in 2005, during the strongest housing market in our nation's history and many projects approved in 2005 would fail in 2010. Mr. Volk

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stated that they are trying to do a project that takes into account a realistic market. Commissioner Landry asked staff that during tonight's meeting if we are lacking enough raw data to make a decision or if we should table this to get more information. Chairman Sheffield stated that these are all options.

Commissioner Kittrell asked the applicant about the timeframe for the three phases. Mr. Volk stated that they anticipate it to be about a five-year process. Commissioner Kittrell asked the applicant if they considered anything other than the board fence, maybe shrubbery or greenery. Mr. Volk stated that board-on-board fencing would only be on individual homeowner lot and that people want privacy fences based on other projects.

Commissioner Crawley asked staff about the adjacent Home Depot Addition lot and what it is zoned. Mr. Kurbansade stated that it is zoned PD with a base C-2. Commissioner Crawley asked if the proposed development works without the connection to the Home Depot Addition lot. Mr. Kurbansade stated that the reason for the connection is to leave the option open for future connection to Gordon Smith, and for interconnectivity in neighborhood. Commissioner Crawley asked staff if the proposed development works without this connection. Staff confirmed that the development would work without the connection.

Chairman Sheffield asked about water pressure and stated that Council received a briefing about water pressure two weeks ago. Chairman Sheffield asked about the timeframe of the water pressure project being about 18 months, 24 months on the outside. Mr. Abraham confirmed this timeframe. Chairman Sheffield stated that there are approximately 6 months for applicant to get through permits, and asked if water pressure would then essentially be a non-issue. Mr. Abraham confirmed.

Chairman Sheffield entertained a motion. Commissioner Cigainero commented that there were unanswered questions and made a motion to table. Commissioner Landry seconded the motion. Chairman Sheffield clarified that the motion to table was to a date uncertain. Commissioner Cigainero confirmed. Commissioner Cigainero clarified his four unanswered questions: traffic, water pressure analysis, City of Garland timeframe for widening Castle Road, and US Army Corps of Engineers response to second permit. Ms. Erin Jones stated that the City would not be able to do a detailed traffic study in two weeks but could show some traffic counts we have available at this time. Ms. Erin Jones stated that based on the information provided by Mr. Abraham she has every reason to believe that the water pressure issue will be satisfied in the next year or two. Ms. Jones stated that it would be difficult to get a detailed analysis from the City of Garland about the widening of Castle Road. Ms. Jones further stated that as Chairman Sheffield stated earlier it would be virtually impossible to get an answer from the Army Corps in a short time. Commissioner Cigainero asked about rescinding motion to table. City Attorney David Berman stated that there was a motion on the floor and would need to be voted on. The motion failed by a 3/4 vote.

Commissioner Crawley made a motion to approve the request per recommendations as presented by Staff. Motion failed due to a lack of a second.

Commissioner Peebles made a motion to deny the request. Commissioner Cigainero seconded the motion. The motion passed with a 5/2 vote.

D. ADJOURNMENT

Chairman Rick Sheffield adjourned the meeting at 9:58 p.m.


Chairman


Secretary