

**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., NOVEMBER 8, 2011**

PRESENT: Chairman Rick Sheffield; Vice-Chairman Greg Landry; Commissioners Charles Alexander, Rosalind Jeffers, Greg Peebles, Joe Charles

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

ABSENT: Commissioner Karl Crawley; Alternate Sharon Starks

STAFF PRESENT: Planning Manager Erin Jones, Senior Planner Marc Kurbansade, Planner I Michele Berry, Development Services Technician Ashley McCoy

A. CALL TO ORDER

Chairman Rick Sheffield called the meeting to order at 7:00 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of October 11, 2011

Commissioner Charles Alexander made a motion to approve the Minutes of the Regular Meeting of October 11, 2011. The motion was seconded by Commissioner Rosalind Jeffers and passed with a 4-0-3 vote. Vice-Chairman Greg Landry and Commissioners Greg Peebles and Joseph Charles abstained from voting.

2. Minutes of the Joint Meeting with City Council of October 25, 2011.

Alternate Jonas Tune made a motion to approve the Minutes of the Joint Meeting with City Council of October 25, 2011. The motion was seconded by Commissioner Charles and passed with a 5-0-2 vote. Vice-Chairman Landry and Commissioner Peebles abstained from voting.

3. Consider and take appropriate action on a preliminary plat application. The subject property is approximately 6.621 acres and is generally located at the southeast corner of Dalrock Road and Lakeview Parkway (SH 66), City of Rowlett, Rockwall County Texas, further described as a proposed replat of Lot 1, Block 1, Southland Dalrock Addition and a portion of Dalrock Crossing Joint Venture as recorded in Volume 5577, Page 162, Deed Records of Rockwall County, Texas. (Case Number PP11-544)

Vice-Chairman Greg Landry made a motion to approve the preliminary plat application. The motion was seconded by Commissioner Alexander and passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and take appropriate action on a replat application in a residential zoning district. The subject properties are located at 3905 Hickox Road and 9113 Merritt Road, being a total of 29.077 +/- acres, further described as proposed Lot 1R-1, Block 1 and Lot 2, Block 1 of the Sacred Heart Roman Catholic Church Addition, situated in the Jesse W Jones Abstract No. 1666, City of Rowlett, Dallas County. (Case Number RP11-551)

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Michele Berry, Planner I came forward to present the case. She stated that the subject properties are located at 3905 Hickox Road and 9113 Merritt Road in the Single Family Residential – 40 (SF-40) zoning district. 9113 Merrit Road is currently occupied by a barn and livestock and on October 4, 2011 the City Council approved an alternative building material request for a proposed single family home to be constructed on that lot in the future. 3905 Hickox Road is currently occupied by a church and the replat is intended to provide direct access to the church property from Merritt Road while maintaining two developable lots. The boundaries for the land swap were negotiated and agreed upon by the property owners, Kevin Farrell and Ronald Eugene Rhodes. Ms. Berry reviewed the approval criteria and noted that the replat did meet all criteria and Staff would be recommending approval. She stated that eighteen public notices were mailed and notice was posted in City Hall and on the City website. Notice was also sent to the paper for publication and three of the mailed notices have been returned in favor of the request, including one from each of the two property owners, and two opposed to the request. Chairman Sheffield opened the public hearing and recognized Susie Rios, 8823 Merrit Road, Rowlett, Texas 75088 to speak. Mrs. Rios voiced concerns about potential privacy issues, declining property values, rising crime rates, noise and flooding if the church were allowed to construct a driveway next to her lot at 8911 Merrit Road. She also stated that she was concerned that when she decided to develop her lot adjacent to the proposed future driveway, she would not be permitted to have a driveway due to driveway spacing requirements. Mr. Nolan Williams, 9000 Merrit Road, Rowlett, Texas 75088 came forward to inquire if a traffic signal was proposed to help the flow of traffic and it was noted that a driveway was not being proposed at this time, only the replat for the land for the possibility of a future proposal. Mr. Joe Helmberger, 1525 Bozman Road, Wylie, Texas 75098 spoke as the civil engineer for the Church regarding his request for approval of the replat and noted that the shape of the proposed land swap was designed to allow enough room for driveway spacing requirements. Mr. John Irvine, 10517 Waterview Parkway, Rowlett, Texas 75088 stated that when the Church decides to move forward with a driveway proposal, cross access to surrounding lots will be provided where needed. In regards to Mrs. Rios' concern about crime and safety, Mr. Irvine stated that he felt a driveway would give access to law enforcement and fire safety personnel and requested the Commission approve the replat. Mr. Ronald Rhodes, 214 East Fork, Sunnyvale, Texas 75182, came forward to speak as the second property owner in the land swap agreement and stated that he felt the agreement would benefit both parties to allow access for the Church and a better location on his property for a future home for his daughter. Chairman Sheffield closed the public hearing and Vice-Chairman Landry stated he felt the access for the fire department would be beneficial for the Church and surrounding properties and felt privacy would not be any more of an issue and that future development would need to be addressed if and when the proposal was brought forth. He noted that it was discussed in the Work Session that Mrs. Rios' property could not be landlocked and she would be entitled to access if she decided to develop her lot. Chairman Sheffield inquired about the timeline for the Merrit Road expansion and Mrs. Jones stated that the project was funded and ROW acquisitions were being concluded. Chairman Sheffield asked if incompatibility buffers would apply for a driveway and Mrs. Jones responded that when a driveway proposal came forward, the applicant would be required to comply with standards in place at that time. Chairman Sheffield noted the adjacent lot could not be landlocked and stated that any development would be subject to engineering approval to ensure flooding would not be an issue. Mrs. Jones commented that drainage plans would be required at the time of submittal. Commissioner Peebles noted that at the time of development submittal surrounding properties would be considered and Chairman Sheffield stated that if development is proposed in the future further concerns can be addressed but the Commission can only make a decision on the replat before them at this time. Mrs. Jones clarified that the cross access mentioned would only apply if the surrounding lot were developed as commercial and Mrs. Rios would have the option to request cross access if she developed as residential but would be entitled to separate access if she chose. Commissioner Charles Alexander made a motion to approve the replat application and Commissioner Peebles seconded the motion. The motion passed with a 7-0 vote.

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A. ADJOURMENT

Chairman Rick Sheffield adjourned the meeting at 7:34 p.m.



Chairman



Secretary