

**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., JANUARY 24, 2012**

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

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

ABSENT: Alternate Sharon Starks

STAFF PRESENT: Planning Director 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 January 10, 2012

Commissioner Greg Peebles made a motion to approve the Consent Agenda. The motion was seconded by Vice-Chairman Greg Landry and passed with a 5-0-2 vote. Commissioners Karl Crawley and Rosalind Jeffers abstained from voting since they were not present at the January 10, 2012 meeting.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

- 1. Conduct a Public Hearing and consider making a recommendation on an Ordinance to rezone the subject property from an existing Planned Development (PD) zoning district with an underlying General Commercial Retail (C-2) base zoning district to a proposed Planned Development (PD) zoning district with an underlying Single-Family Residential 5/15 (SF-5) base zoning district. The subject property is located at the northern terminus of Gordon Smith Drive, north of Lakeview Parkway, being Lot 5, Block A of the Home Depot Addition. (PD11-559)**

Marc Kurbansade, Senior Planner came forward to present the case. He presented a location map showing the site to be behind the Home Depot and ancillary medical office building and sharing boundaries with Springfield Addition Phase 1, Dorsey Elementary, the undeveloped portion of the Wal-Mart site and Lakehill Addition Phase 3. He also presented the concept plan showing large open spaces, few lots facing each other front-to-front, connections through Gordon Smith Drive and Teresa Lane and a fire access from the northwest corner of the Home Depot lot. He noted the roll down curbs added along the entrance to allow fire access, couplet streets, 4 ½ acres open space, lot widths and setbacks. Mr. Kurbansade reviewed the approval criteria and noted that though it does not correct an error in zoning, it does address a changed condition, trend or fact and that it is consistent with the Comprehensive Plan. He stated that of the thirty-five notices sent five responses were received, three in favor and two opposed and Staff would recommend approval with the condition that the cross access easement for fire access from Home Depot be finalized prior to final approval. Commissioner Crawley inquired if the agreement with Home Depot could not be arranged, could the applicant

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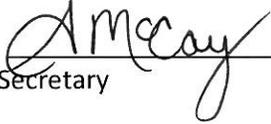
wait for completion of Lakehill Addition Phase 3 for access to Teresa Lane and meet the fire access requirements and Mr. Kurbansade responded that the Fire Marshal was requiring the access from Home Depot regardless of other entry points. Vice-Chairman Landry clarified that all three access points must be in place before any lots could be sold and Mr. Kurbansade stated that the applicant would be able to move forward with two access points as long as one of them was the fire access from Home Depot's site. Vice-Chairman Landry asked if all other requirements discussed in the Work Session were included in the exhibit documents in the packet and Mr. Kurbansade replied that they were with the possible addition of allowing structures in the open spaces. Chairman Sheffield opened the public hearing and recognized Jerry Sylo of JBI Partners, 16301 Quorum Dr #200B, Addison, Texas 75001 to give a presentation of the proposed project. He stated that he felt the project would be ideal for the space giving easy access to DART and President George Bush Turnpike and due to the fact that it was located behind big box retail and smaller strip centers, it was not well suited for commercial. He addressed some of the concerns voiced by the Commission in the Work Session including access streets and drainage along the western border and noted the open spaces at the entrance to the development and bordering Dorsey Elementary. He pointed out the couplet streets with open space in the middle and noted the benefits to having couplet streets. He reviewed the standards that would be imposed by the PD zoning and stated that they felt the standards to be stricter than those in the RDC to produce a quality product. He stated that it was the applicant understands that a screening wall of either masonry construction or living screen would need to be constructed along the southern border but they were requesting the allowance of a wall constructed of slip concrete panels so that the wall could be built without having to cross over onto Home Depot's site for the construction. Chairman Sheffield stated that he believed the alternate building materials for the screening wall would be a separate issue for a later time and Erin Jones, Planning Director stated that the Commission could include it in their recommendation as a zoning regulation for the PD and David Berman, City Attorney verified that it could be a condition of the Commission's recommendation. Chairman Sheffield closed the public hearing and Vice-Chairman Landry asked if the issue about the screening wall could be addressed when the final plan comes before the Commission and voiced concern about designing the project for the applicant and Mr. Kurbansade stated that it could be addressed at a later time but an inclusion of a condition with their recommendation would save time. Commissioner Peebles asked about the homes per acre in the Lakehill addition and Mr. Kurbansade stated that it was just over two units per acre. Commissioner Crawley revisited the Fire Marshal's requirement for fire access at Home Depot and Mr. Kurbansade reiterated that the fire access from the Home Depot site was required regardless of the Teresa Lane access. Commissioner Crawley stated that he felt the sidewalks should be in a public easement and he was not opposed to a slip wall as the screening wall along the southern border and inquired if the Commission should condition the specifications of the wall and Mrs. Jones stated that the Commission could require plans for the wall prior to City Council adoption or Staff could review plans when they are submitted for building permit and Mr. Kurbansade stated that all plans for masonry walls had to be signed and sealed by a structural engineer. Commissioner Peebles expressed concerns with allowing slip concrete panels for the screening wall and urged the Commission to not allow it. Commissioner Crawley stated that he felt there should be sidewalks along the open space near the elementary school. Vice-Chairman Landry made a motion to recommend approval with the conditions that the applicant secure cross access easement for the fire lane on the property with Home Depot to the south, with the provision that sidewalks are provided in the large open spaces and along the northwest corner separating the development from the school property and to allow slip concrete panels for the screening wall pending final approval by the Building Official. Commissioner Crawley seconded the motion and the motion failed to pass with a 3-4 vote. Commissioner Peebles made a motion to recommend approval with the conditions that sidewalks are provided in the large open spaces and along the northwest corner separating the development from the school property, the cross access easement for the fire lane on the property with Home Depot to the south is secured, and the screening wall be to code with no slip concrete panels allowed. Commissioner Alexander seconded the motion and it passed with a 6-1 vote with Commissioner Crawley casting the opposing vote.

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A. ADJOURNMENT

Chairman Rick Sheffield adjourned the meeting at 8:01 p.m.


Chairman


Secretary