

**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., SEPTEMBER 9, 2008**

PRESENT: Chairman Kevin Moore, Vice-Chairman Greg Peebles,
Commissioners Charles Alexander, Chuck Knickerbocker, Jeff
Thomas, Chris Cigainero, Rick Sheffield

ALSO PRESENT: Alternate Greg Landry

STAFF PRESENT: Development Services Director Keri Samford, Assistant Director of
Development Services Alaina Ray, Amy Mathews Planner II, Sr.
Administrative Assistant Kendra Frederick

A. CALL TO ORDER

Chairman Moore called the meeting to order at 7:01 p.m.

B. CONSENT AGENDA

1. Minutes of the regular meeting of August 12, 2008.

Commissioner Chris Cigainero made a motion to approve the minutes of August 12, 2008 with a correction to add his name to the minutes. Commissioner Jeff Thomas seconded the motion. Motion approved 6-0-1 with Commissioner Jeff Thomas abstaining from voting since he was not at the August 12, 2008 meeting.

C. PUBLIC HEARINGS

1. Consider and take appropriate action on a Conditional Use Permit application for a 702± square foot accessory structure (detached garage) at 3409 Summer Solstice being Lot 16, Block F of the Magnolia Springs Phase 3A Subdivision. [CUP08-377]

Amy Mathews came forward to present this case. Ms. Mathews explained that the area is currently zoned for a Planned Development. The applicant is required to have a CUP because the accessory building is over 500 square feet. For the building materials, the applicant stated that the material will be 100% brick with the roof matching the house. Ms. Mathews stated that seventeen public hearing notices were sent out and four were received in favor with one in opposition. With no further questions, Vice-Chairman made a motion to close the public hearing. Mr. Thomas seconded the motion. Motion passed with a 7-0 vote.

The applicant, James Herrin, who resides at 3409 Summer Solstice, Rowlett came forward for questions. Commissioner Chris Cigainero asked the applicant if he was planning on having a hip roof on all four corners or gable it. The applicant responded saying that the structure will be gabled which matches part of the house. Commissioner Knickerbocker asked if there had to be an HOA approval and the applicant

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responded with why the president of the HOA had sent in a letter of opposition for this structure. Originally the applicant had not talked with the president of the HOA because he knew he had to have his CUP first. With no further discussion, Commissioner Rick Sheffield made a motion to approve CUP08-377 as submitted. Commissioner Cigainero seconded the motion. Motion approved with a 7-0 vote.

D. ITEM FOR INDIVIDUAL CONSIDERATION

- 1. Consider and take appropriate action on a request to waive Tree Preservation Survey and Mitigation requirements on 13.908 acres of land located at the south east corner of Lakeview Parkway and Kirby Road (future PGBT).**

Ms. Alaina Ray, Assistant Director of Development Services came forward to present this case. She stated that the property is located on the southeast corner of Lakeview Pkwy and Kirby Road which is the future PGBT. Currently about 7 acres of the land is developable due to the rear portion of the property being in flood plain. The applicant has received a request from NTTA to locate 200,000 cubic yards of fill on to the property as a result of dirt that will be removed for the PGBT construction. Ms. Ray stated that the applicant has to notify NTTA immediately as to whether they will be able to commit to taking the fill which will require the removal of all of the trees on the property. The property will be raised approximately 20 feet in some areas in which none of the trees would be saved. She stated that there are two options that the applicant can develop the site as. Option one allows for a larger development and option two shows the type of development if they are not able to raise the property out of the flood plain. Ms. Ray addressed that NTTA will also be putting in major drainage improvements on the property to accommodate the anticipated water for floods. Keri Samford, Development Services Manager, stated furthermore on the drainage issue that there is a depiction in the commissioner's packets that shows all of the tree clearing that will be taking place from that project, which is exempt from tree mitigation because it is in the right-of-way and/or easements. Chairman Moore asked with the raising of the site, if there will be retaining walls on the south and east side of the property. Ms. Ray stated that the very back of the property is the same elevation as the front portion of the property which would more than likely mean that there would not have to be retaining walls put in place. There might be a necessity to have retaining walls on the east side of the property which would go along with the drainage since the site with require detention onsite. Commissioner Sheffield asked if there was any development on the other side of the rail road tracks. Ms. Samford stated that the church owns part of the property in that area but currently there are no plans for development. With no further questions, Mr. Knickerbocker made a motion to approve item D.1 regarding the request to waive the Tree Preservation Survey and Mitigation requirements. Commissioner Charles Alexander seconded the motion. Motion passed with a 6-1 vote.

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E. ADJOURNMENT

Chairman Moore adjourned the meeting at 7:17 p.m.



Chairman



Secretary

