

**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 10, 2012**

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

ALSO PRESENT: Alternate Jonas Tune (non-voting member)

ABSENT: Alternate Ronald Meyer

STAFF PRESENT: Planning Director Erin Jones, Planner I Michele Berry, Development Services Technician Ashley McCoy

**A. CALL TO ORDER**

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

**B. CONSENT AGENDA**

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1. Minutes of the Regular Meeting of June 26, 2012
2. Consider and take appropriate action on a replat application. The subject property is located at 4616 Lakeview Parkway, being Lots 1 and 2, Block A of the Applebee's Addition to the City of Rowlett further described as a 3.04 +/- acre portion of the Thomas Payne Survey, Abstract No. 1165, in the City of Rowlett, Dallas County, Texas (RP12-595).

Commissioner Charles Alexander made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Rosalind Jeffers and passed with a 7-0 vote.

**C. ITEMS FOR INDIVIDUAL CONSIDERATION**

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1. Consider and make a recommendation to City Council regarding a request for alternative building materials for a commercial drive-in establishment located at 6601 Dalrock Road, being Lot 4A, Block 1 of the Dalrock Sixty Six Addition (DP12-596).

Michele Berry, Planner I came forward to present the case. She presented a location map and stated that the building currently has a metal canopy covering approximately two-thirds of the outdoor seating area and another canopy has become available that would cover the entire area. She noted that per the Rowlett Development Code, a building must be brick or stone masonry and commercial accessory uses shall comply. Ms. Berry stated that staff would recommend approval due to the fact that there is an existing canopy of the same material and that the canopy complies with the commercial image of the business. Commissioner Alexander made a motion to recommend approval of the request for alternative building materials for a commercial drive-in establishment located at 6601 Dalrock Road to City Council. Commissioner Greg Peebles seconded the motion and the motion passed with a 7-0 vote.

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2. **Conduct a public hearing and take appropriate action on a Conditional Use Permit Application for a contractor shop with outdoor storage in Planned Development 07-30-02B with a base zoning of Light Manufacturing (M-1) Zoning District. The subject property is located at 2799 Singleton Street, being is a 1.04 +/- acre unplatted portion of tract 4.4, in the S A & M G RR Survey, Abstract 1407, Page 720, Dallas County, Texas (CUP12-598).**

Michele Berry, Planner I came forward to present the case. She noted that the proposed use would be located in an industrial area with light traffic. She stated that applicant was a company that provided hardscaping services and would have outdoor storage of paver stones and sand used in the course of business. She noted that the existing PD on the property allowed for a contractor shop but that a CUP would still be required for the outdoor storage. Ms. Berry presented photos of the surrounding area and existing uses. She presented the concept plan and noted the fenced in outdoor storage in the rear and the proposed architectural concrete façade. Ms. Berry stated that the applicant was proposing to screen the outdoor storage using a fence with a canvas cloth and that staff would recommend approval. Commissioner Crawley inquired if the tree line along the back of the property was actually in the DART Right-Of-Way or if it was possible for the applicant to remove the trees in the future and Ms. Berry stated that the site plan that would be coming before the Commission at a later date would specify where the trees were in relation to the property and whether they could be removed. Vice-Chairman Landry asked if the Fire Marshal had given approval of the fire lane and the fence and Ms. Berry responded that the applicant was working through the different options with the Fire Marshal. Chairman Sheffield opened the public hearing and recognized Byron Wattie, 770 Fairway, Coppell, Texas to speak as the engineer on the project. He stated that the trees are in the DART Right-of-Way so would not be removed. He also stated that the applicants would not be opposed to upgrading the screening in the fence and noted that the site plan calls for a ten foot strip to be landscaped along the back fence. Seeing no other speakers, Chairman Sheffield closed the public hearing. Commissioner Rosalind Jeffers made a motion to approve the Conditional Use Permit Application for a contractor shop with outdoor storage in Planned Development 07-30-02B with a base zoning of Light Manufacturing (M-1) Zoning District. Vice-Chairman Greg Landry made a friendly amendment to the motion to include the requirement that the canvas screening in the fence be upgraded to vinyl or solar screen material. The friendly amendment was accepted and Commissioner Karl Crawley seconded the motion. The motion passed with a 7-0 vote.

3. **Conduct a public hearing and take appropriate action on a Conditional Use Permit Application for a Dental or Medical Clinic or Office in the General Commercial (C-2) Zoning District. The subject property is a 1,920 square foot existing lease space located at 8120 Lakeview Parkway, being Lot 1, Block A of the Primo Plaza Addition to the City of Rowlett, Dallas County, Texas (CUP12-597).**

Michele Berry, Planner I came forward to present the case. She presented a location map and stated that the applicant was proposing an out-patient physical therapy and rehabilitation center that would employ four people and see approximately thirty five patients per day from 7:00 a.m. to 7:00 p.m. She noted that there were currently no other tenants in the building although a Domino's Pizza was scheduled to open in one of the suites. She presented the site plan for the building and noted that parking on the site was slightly limited and the applicant would be required to have eight spaces. However the Domino's Pizza would be required to have more spaces than a strictly take-out restaurant would actually have a need for. Commissioner Peebles

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inquired about the breakdown of the total available spaces and expressed concerns that there would not be adequate parking on site for the location. Ms. Berry stated that the original parking was designed for retail spaces and that this particular suite to be used as a medical office would only require one additional space than a retail space of the same size. Erin Jones, Planning Director reminded the Commission of a parking reduction approved by the Commission in 2009. Chairman Sheffield opened the public hearing and seeing no speakers closed the public hearing. Vice-Chairman Landry made a motion to approve the Conditional Use Permit Application for a Dental or Medical Clinic or Office in the General Commercial (C-2) Zoning District. Commissioner Crawley seconded the motion and the motion passed with a 7-0 vote.

- 4. Conduct a public hearing and make a recommendation on a rezoning request. The 59.9087+/-acre subject property is generally located on the south side of Liberty Grove Road, approximately 204 feet east of the intersection of Liberty Grove Road and Merritt Road, being two unplatted tracts located in the Jessie S. Starkey Survey, Abstract Number 1333, City of Rowlett, Dallas County, Texas. The applicant requests to rezone the subject property from the Mixed-Use North Shore (MU-NS) zoning district to a Planned Development zoning district with an underlying zoning district of Single Family Residential 5/15 for single family and commercial uses. (PD11-550)**

Erin Jones, Planning Director came forward to present the case. She stated an earlier version of the request had been unanimously recommended for denial by the Commission on February 28, 2012 on the grounds that the property was deemed to be more appropriately zoned under current zoning than the proposed zoning change. When the request went before City Council, the applicant requested that the item be tabled indefinitely so that changes could be made that may better reflect the plan for the area. She stated that the changes made were significant enough that Staff felt another public hearing before the Commission was necessary. Mrs. Jones presented a location map and noted that the property was surrounded by floodplain, Take-Area, and a residential PD. She noted that the changes included the addition of neighborhood serving commercial along the north edge of the property and the use of the new Residential Standards and the inclusion of three different housing types. She stated that Staff did have some concern that the applicants were proposing to have no maximums on square footage of homes and that could possibly hinder the variation in housing types. Mrs. Jones reviewed the approval criteria and noted that Liberty Grove is currently a service level F and would remain so until the future Liberty Grove/ Merritt Road Connector were built in the future and also that Staff felt the current zoning was more appropriate and noted interest expressed in the site as commercial. She stated that within the next few years there were plans to study the North Shore District as a whole and the possibility was there that at that time a different use may be deemed more appropriate but at this time Staff would still recommend denial. She noted that of the notices mailed out, two were returned in favor and one opposed and in February one was returned in favor and two opposed. Chairman Sheffield opened the public hearing and recognized Michael Phillips, 7401 Liberty Grove Rd, to speak in opposition to the request. He stated he felt the roads needed improvements before development occurs and stated that he would like to see a master plan for the area before individual lots are constructed on. Ron Martin, 6610 Toscano Dr, came forward as a representative of the Mariner's Cove HOA to speak in favor of the request. They feel that a single family development would coincide better with their neighborhood than commercial. Jim Douglas, 2309 Ave K, Plano, TX came forward to speak as the applicant. He reviewed their vision of the area and the improvements they intended to make. He reviewed the changes to the original proposal and why he felt those changes were more in line with the City's vision. Commissioner Crawley inquired if the applicant would be willing to establish maximum home sizes for each lot and Mr. Douglas indicated that that would not be a problem. Chairman Sheffield asked if the applicant's meetings with the City's consultants was on the City's behalf or if he had contracted with them separately and Mr. Douglas

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responded that he had met with the consultants individually. Sharon Hester, 7809 Liberty Grove, came forward to state that she did not believe that the proposed plan would allow for the expansion of Liberty Grove Road in the future and expressed concerns that it may negatively affect property values for the surrounding lots. Mr. Douglas stated that the proposal included the dedication of additional Right-Of-Way. Seeing no other speakers, Chairman Sheffield closed the public hearing and Commissioner Crawley inquired where the new Liberty Grove /Merritt Road Connector would be in relation to the subject property and Mrs. Jones indicated that it would be north of the area and would not directly affect the subject property. Commissioner Crawley asked how much Right-Of-Way would be required from the surrounding lots for any expansion to Liberty Grove and Mrs. Jones stated that the applicants were proposing to dedicate two and one-half feet which would be mirrored onto the surrounding properties. Commissioner Peebles inquired of the probability of getting a developer to fund improvements to Liberty Grove and Mrs. Jones responded that any potential developments would be required to present the documentation of traffic impact and improvements necessary to sustain their proposed development. Commissioner Crawley noted that if a developer were to want to build a development consistent with the current zoning, the improvements could not be required and Mrs. Jones stated that Liberty Grove was on the current Mater Thoroughfare Plan but she was unsure of the timeline. Vice-Chairman Landry noted the possibility that the subject property and the lot to the north could be developed as one and still allow for access to the lake front. Chairman Sheffield stated that he thought it was a good plan but not the highest and best use for that particular lot. Commissioner Peebles made a motion to recommend denial of the request to rezone the subject property from the Mixed-Use North Shore (MU-NS) zoning district to a Planned Development zoning district with an underlying zoning district of Single Family Residential 5/15 for single family and commercial uses to City Council. Vice-Chairman Landry seconded the motion and the motion passed with a 6-1 vote with Commissioner Crawley casting the opposing vote.

**D. ADJOURMENT**

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Chairman Rick Sheffield adjourned the meeting at 7:53 p.m.

  
Chairman

  
Secretary