

**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., AUGUST 28, 2012**

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

**ALSO PRESENT:**

**ABSENT:** Commissioner Rosalind Jeffers; Alternates Ronald Meyer, Jonas Tune

**STAFF PRESENT:** Senior Planner Arti Harchekar, Planner II Michele Berry, Development Services Technician Ashley McCoy

**A. CALL TO ORDER**

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Chairman Rick Sheffield called the meeting to order at 7:05 p.m.

**B. CONSENT AGENDA**

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1. **Minutes of the Regular Meeting of August 14, 2012**
2. **Consider and take appropriate action on a final plat application. The subject property is located at 2799 Singleton Street, being a 1.04 acre unplatted portion of the S A & M G RR Survey, Abstract 1407, Tract 4.4, Page 720, Dallas County, Texas (PP12-611).**

Commissioner Karl Crawley made a motion to approve the Consent Agenda. Vice-Chairman Greg Landry seconded the motion and it passed with a 5-0-1 vote. Commissioner Alexander abstained from voting since he was not present at the August 14, 2012 meeting.

**C. ITEMS FOR INDIVIDUAL CONSIDERATION**

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1. **Consider and make a recommendation to City Council on a development plan application in conjunction with an alternative building materials request and an alternative landscaping request for a property located at 3801 and 3809 Miller Road, being further described as a 6.087 acre portion of the William Crabtree Abstract No 347, Tract 12, Page 607, Dallas County, Texas (DP12-608).**

Michele Berry, Planner II came forward to present the case. She presented a location map and noted the zoning on the property is SF-40 and a church would be an allowed use. She stated that the applicants were requesting alternative building materials and an alternative landscape plan to allow for intended growth in the future. The applicants have proposed a three phase build out but the current plans address only phase one. Phase one would include a 16,000 square foot building with the current single family home on the property to remain and a landscape buffer along Miller Road and the east side of the property. The northern façade of the building would be metal to allow ease of expansion. Ms. Berry briefly reviewed phases two and three and noted that upon completion of phase three, the building would be one hundred percent masonry and all required landscaping would be in place. She presented the proposed site plan and façade plans and stated that Staff would recommend approval. Vice-Chairman Landry inquired about the type of roof proposed and

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noted that some types of roofing materials may not be an approved material for this type of building and zoning and Ms. Berry responded that the Building Official had reviewed the plans but she would verify with him that the roof complies with the code. Commissioner Alexander made a motion to recommend approval to City Council on a development plan application in conjunction with an alternative building materials request and an alternative landscaping request for a property located at 3801 and 3809 Miller Road. Commissioner Crawley seconded the motion and the motion passed with a 6-0 vote.

- 2. Conduct a public hearing and take appropriate action on a conditional use permit and make a recommendation regarding alternative building materials for an accessory structure in the Institutional Urban (IU) zoning district. The subject property is located at 4309 Main Street being a 4.664 acre portion of Tract 12 of the Thomas Payne Abstract 1165, Page 360, Dallas County Texas (CUP12-605).**

Michele Berry, Planner II came forward to present the case. She presented a site location map and photos of the property with the proposed location of the structure. She stated that the applicants wished to use a shipping container as storage for the youth group supplies and per the RDC the structure would be considered an accessory building. She noted that the structure would be set on the concrete at the corner of the parking lot and stated that Staff would recommend approval. Commissioner Crawley inquired if the Commission could impose a time limit on the CUP approval to allow further review in the future and Julie Pandya, acting City Attorney responded that as long as the limit was a reasonable length of time, it could be imposed. Commissioner Peebles asked if the applicants had considered placing the structure behind the main building out of view from the street and Ms. Berry responded that alternate locations were discussed and the applicants felt that this was the best location to minimize interference with parking. Chairman Sheffield opened the public hearing and recognized Norman Blake, 4918 Clay, Rowlett, TX to come forward as a representative for the applicants. Mr. Blake asked whether the entire CUP process would have to be repeated once the time limit expired and noted that the church has purchased property with the intention of moving in the future but that date has not yet been determined. He spoke of the durability and cost effectiveness of the structure and reviewed the reasons for not selecting another placement option. Commissioner Peebles inquired about the color selection and Mr. Blake stated that the color had not been decided. Commissioner Peebles stated his preference of a neutral color and Vice-Chairman Landry asked what types of items would be stored in the structure. Mr. Blake responded that the storage would be for items used by the youth and children's groups for their special events. Vice-Chairman Landry stated a preference for a more discreet location and inquired if the applicants would be willing to screen the structure. Mr. Blake replied that there wouldn't be any opposition to screening the structure but the installation of any type of screen may be difficult for the location. Chairman Sheffield closed the public hearing and Commissioner Crawley commented that he would approve of the use and location with a neutral color exterior but would like a time limit to allow future review and the stipulation of no signage on the structure. Commissioner Peebles made a motion to approve the CUP with an expiration of five years with the condition that the structure be maintained in a neutral color consistent with the existing building. Commissioner Crawley made a friendly amendment to the motion to include the condition that no signage be allowed on the structure. The friendly amendment was accepted and Commissioner Alexander seconded the motion. The motion passed with a 4-2 vote with Chairman Sheffield and Vice-Chairman Landry casting the opposing votes.

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- 3. Conduct a public hearing and take appropriate action on a Conditional Use Permit (CUP) application for constructing a detached garage exceeding 500 square-feet in area in conjunction with proposing to utilize exterior building materials that are not similar in type and composition to those of the primary structure. The subject property is approximately 0.26 acres located at 8210 Paul Place being Lot 2, Block 2 of the Lakecrest 3 and 4 Additions to the City of Rowlett, Texas (CUP12-584).**

Michele Berry, Planner II came forward to present the case. She presented a location map and stated that the applicants were proposing to install an accessory building on a lot zoned residential and the CUP is required to allow the building exceeding 500 square feet to be constructed of materials not similar in type to the home. She presented photos of the property and a proposed site plan indicating the location of the building. Ms. Berry noted that the building would be a metal structure with a concrete masonry veneer façade and shingled roof. She stated that Staff would recommend approval and Commissioner Crawley inquired what would happen to the existing attached garage and Ms. Berry responded that the accessory structure is intended for storage. Chairman Sheffield opened the public hearing and recognized Mario Ortiz, 8210 Paul Place, Rowlett, TX to state that he had show vehicles and a boat that he would like to store in the building. Vice-Chairman Landry verified with the applicant that he would construct a slab suitable for the burden of the storage building with concrete façade and that it would not be painted but would be a natural brick color. Commissioner Peebles voiced a concern from a notice response that the building would be used for a commercial use and Mr. Ortiz responded that it would not be used for that purpose. Ms. Gladys Sanders accompanied Ms. Leola Turner, 1913 Chiesa, Rowlett, TX to speak as the property owner along the rear of the subject property. Ms. Turner wished to inquire if approval of the CUP would affect the zoning of her property and Commissioner Peebles responded that the accessory building would be on the subject property and would not directly affect surrounding zoning. Chairman Sheffield closed the public hearing and Vice-Chairman Landry made a motion to approve a Conditional Use Permit (CUP) application for constructing a detached garage exceeding 500 square-feet in area in conjunction with proposing to utilize exterior building materials that are not similar in type and composition to those of the primary structure as presented. Commissioner Crawley seconded the motion and the motion passed with a 6-0 vote.

- 4. Conduct a public hearing and make a recommendation on a Planned Development request for a property located at 4623-4629 Commerce Street, further described as 0.26 acre property being Lots 25-32 of the Original Town of Rowlett (PD12-602).**

Michele Berry, Planner II came forward to present the case. She stated that the proposal of the Planned Development would allow the use of an existing building built in 1959 and vacant since 2006. She noted that it was in the Downtown district and that applicants were not proposing a deviation from use as a church is an allowed use in the zoning. The PD would allow the building that has been vacant for longer than six months to be used without being brought up to current code standards. The deviations would include setback requirements, landscaping, parking requirements, building heights and materials. The applicants propose to remove the front portion of the building and occupy the remaining portion, install a stone veneer, and reconfigure the parking lot to allow ease of entry and exit. Ms. Berry reviewed the deviations proposed in the PD against the current code requirements and noted that the lot would provide twelve of the required twenty parking spaces and the applicants were proposing to utilize surrounding public parking along Main Street for

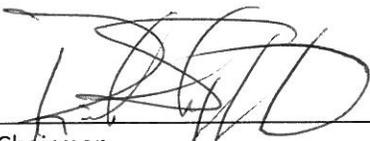
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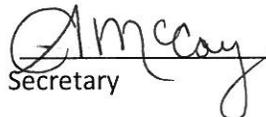
any necessary overflow. She stated that Staff would recommend approval. Commissioner Peebles requested Ms. Berry approximate a 300 foot radius around the property to show the alcohol measurement. Vice-Chairman Landry inquired what changes would require the compatibility buffer and Ms. Berry replied that the anticipated zoning change in the Downtown area would incorporate a more urban feel and compatibility buffers would not be required. Chairman Sheffield voiced concerns about not meeting the current or future setback requirements and Commissioner Crawley inquired if the current setback requirement of zero feet was a maximum. Ms. Berry stated that the current code regulations required the building to be sited on the front and side property lines. Chairman Sheffield opened the public hearing and recognized Charles Voigt, 1200 W State St, Garland, TX to speak as a representative for the engineer and architect on the project and request approval. Chairman Sheffield closed the public hearing and Vice-Chairman Landry commented that with the Realize Rowlett 2020 program coming to a close and the adoption of Form Based Codes in the near future he didn't feel that allowing the proposed changes to the building was in the best interest of the plan. Commissioners Peebles agreed and Commissioner Crawley stated that he agreed with the use but would rather see the building conform to the vision. Commissioner Peebles stated that the City needed to follow the vision and made a motion to recommend denial to City Council on a Planned Development request for a property located at 4623-4629 Commerce Street. Vice-Chairman Landry seconded the motion and the motion passed with a 6-0 vote.

**D. ADJOURNMENT**

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**Chairman Rick Sheffield adjourned the meeting at 7:58 p.m.**

  
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Chairman

  
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Secretary