

**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., JUNE 23, 2009**

PRESENT: Chairman Kevin Moore, Vice-Chairman Greg Peebles,
Commissioners Joe Charles, Charles Alexander, Rick Sheffield, Greg
Landry

ALSO PRESENT: Alternate Robert Kittrell (voting member), Alternate Karl Crawley

ABSENT: Commissioner Chris Cigainero

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 7:12 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of June 9, 2009.

Vice-Chairman Greg Peebles made a motion to approve the minutes of the regular meeting of June 8, 2009. Commissioner Charles Alexander seconded the motion. Motion passed with a 5-0-2 vote with Commissioner Rick Sheffield and Alternate Robert Kittrell abstaining from voting since they were not seated at the dais at the June 9, 2009 meeting.

C. PUBLIC HEARINGS

1. Conduct a Public Hearing to consider and take appropriate action on a Planned Development (PD) application for general retail, office, and associated uses (PD09-425). The subject property is located at 1803 and 1917 Dalrock Road and is a part of the William Crabtree Abstract 346 page 805 Tracts 14 and 15.

Assistant Director of Development Services Alaina Ray came forward to present this case. She stated that the proposed site is on the southwest corner of Dalrock and Chiesa and consists of approximately 6.4 acres of property and is currently zoned C-1 limited commercial retail. The concept plan provided shows three lots which would be a phased development with lot 1 being developed first. Lot 1 is 1.8 acres and requires a 30 foot right of way dedication on Chiesa and a 5 foot utility easement dedication on Dalrock. Proposed uses on lot 1 include C-1 limited commercial retail with additional listed uses including a convenience store with fuel pumps. The building size will be between a 4,000 square feet minimum and a 10,000 square foot maximum with a maximum height of 30 feet or one story. Lot 2 is 0.75 acres on the south side of the property and requires a five foot utility easement dedicated along Dalrock. The proposed uses are C-1 limited retail with a 2,500 square feet minimum and 3,500 maximum building size and maximum building height of 30 feet or one story. Lot 3 is 3.6 acres and is on

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the west side of lots 1 and 2, and backs up to the railroad right of way. Access to this lot would be from Chiesa and would have cross access from lots 1 and 2. Proposed uses are C-1 limited retail with no user being identified; however, the applicant has indicated that this would be a medical complex with parking on the first and second floors. The building size would be a minimum of 40,000 square feet and a maximum of 130,000 square feet with a height of up to 5 stories or 90 feet. The projects would each have to prepare Development Plans, which include site plan, façade plan, and landscape plans.

Notification was sent to all property owners within 200 ft of the proposed project. Six notices from that 200 ft notification area were returned, three in favor and three against the proposed zoning change. In addition, staff received 49 notices outside of the 200 ft notification area that were all against the proposed project. Ms. Ray stated that though the project meets technical requirements of the Rowlett Development Code, additional factors should be considered by the Commission. Based on the guidelines in the RDC and the goals and policies outlined in the Comprehensive Plan, at a minimum staff recommends consideration of phasing of the project, if uses should be added or removed from the list of proposed uses, architectural elements to provide a cohesive look to a major gateway to the city, require additional landscaping along the thoroughfares and also specify minimum height limits for the office building in the back. Commissioner Rick Sheffield asked Ms. Ray about the current tree ordinance and the trees that will have to be replaced, given the current replacement ratios and the ordinance and the size of the lots and the setbacks; he asked if there was sufficient space to replace the trees on-site. Ms. Ray stated that it is anticipated that some of the trees would have to be located somewhere else in the city or funds would have to be submitted to the mitigation fund.

Chairman Moore pointed out that the data table states 70 feet or 5 stories and in the staff report it states the applicant is requesting 90 feet; Ms. Ray clarified that 90 feet is correct. Chairman Moore opened the public hearing.

Bertha Wallace at 1926 Chiesa Road came forward. Her concerns were for consideration of the residents that are surrounding the area. She states that there is concern at the edge of the property, with the area being so small, what would be done with this area.

Chris Pick at 3809 Castle Dr came forward to speak of being in favor of the project stating that the Rowlett area needs this type of addition and is a great gateway into the city.

Applicant Rick Poston at 5700 W. Plano Pkwy, Ste. 3200 in Dallas, TX came forward to speak for the property that he currently owns. He addressed Ms. Wallace's concern about the triangular edge of the property that is at the very back part of the property and stated that usually that type of property is used for landscaping and not development. Mr. Poston provided pictures of offices previously built in Plano that blended with the nearby residential properties which were built with brick, Austin Stone, and copper dormers and landscaped similar to the adjacent residential areas. He also provided an architectural rendering showing what he would like to do on this property, which is Mediterranean architecture as seen across the lake in Rockwall. He explained that the first two levels would be parking structures with proper ventilation and use of an Austin stone base with pillars on the façade down so the garage does not appear to be a parking garage. He is also proposing the use of balconies and windows to show the lake views. He stated that if the entire property were to be utilized for medical office

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buildings, the property would bring in substantially less property tax than if the frontage were used as retail pads. Mr. Peebles asked the applicant about the proposed driveway being put in through one of the residential lots and the applicant stated that he owned the property and demolished the home that had been on the site. Commissioner Greg Landry asked if the applicant had to have a five story building in order for the project to be profitable and the applicant said no and that it depends on what the bank will loan as to how much space will be allowed. Mr. Sheffield asked if the applicant had any control over the design consistency and continuity or if lots 1 and 2 will be off on their own. The applicant responded that each building will be consistent in the architectural aspects of the outward façade. Mr. Peebles asked what would be done if a business came in and wanted their property to be consistent with their company's looks and the applicant stated that typically businesses will alter their look in order to remain consistent to the development surrounding it. Mr. Moore stated that with this being a planned development, the city can dictate that each building on the three tracts look architecturally the same. With no one else to come forward, Mr. Sheffield made a motion to close the public hearing. Mr. Landry seconded the motion. Motion passed with a 7-0 vote.

Mr. Sheffield opened up discussion with the Commissioners to make sure that the architecture of the buildings stay consistent across all three lots. Keri Samford, Director of Development Services, stated that there are standards in the Rowlett Development Code and stated that the applicant has talked about several different materials and showed some renderings regarding his consistency in look that could assist the commission with their motion. Mr. Landry stated that if the first lot to be developed would be lot 1 which is retail, they would like to see the concept of each building being presented at the same time in order to make sure the look for lot 3 be held to those standards. Chairman Moore asked what plans would be submitted after the planned development and Ms. Samford stated that the development plans would be next which would include the façade plan, site plan, tree survey, and landscape plans. Ms. Samford also stated that to have façade plans turned in with the first application submitted there has to be a user for each lot. Chairman Moore stated that lot 3 will be the building held with the highest standards and the other two lots should be held to the same standards.

Mr. Sheffield stated there was concern about the loss of trees for the sites and asked what the options were as far as locating trees and Ms. Ray stated that she personally will work to see what trees can be located on the lot and work with the city to locate the trees where need be. Mr. Poston came forward and stated that they are looking further into acquiring the properties along Chiesa which would allow a setback in order to accommodate a 110 right-of-way which would be a landscape buffer as well but is not set in stone. With no further discussion, Mr. Sheffield recommended approval to City Council with the following provision additions:

1. The concept plan data table for lot 3 needs to be changed to 90 ft in lieu of the incorrect 70 ft.
2. The architectural rendering provided by the applicant to become part of the PD and record for the meeting.
3. All buildings on all lots have to be architecturally consistent.
4. Lot 3 has to be a minimum of 3 stories and a maximum of 5 stories.
5. Exhibit C Development Standards needs the following uses removed – athletic field, restaurant with a drive thru, and a convenience store.

Commissioner Joe Charles seconded the motion. Motion passed with a 5-2 vote.

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A. ADJOURNMENT

Chairman Moore adjourned the meeting at 8:11 p.m.



Chairman



Secretary