

**MINUTES
CITY OF MELISSA CITY COUNCIL
REGULAR MEETING
Tuesday, October 23, 2007
7:00 p.m.**

CALL TO ORDER

Mayor David Dorman called the meeting to order at 7:00 p.m.

Council members present were: Sharon Weideman, Randy Kaiser, Dan Trott, Bill Reynolds and Stan Mercer.

Prayer was given by John Burchett.

All in attendance gave pledge of allegiance.

CONSENT AGENDA

Motion was made by Stan Mercer and seconded by Sharon Weideman to approve the consent agenda items.

Vote: 5/0/0

REGULAR AGENDA

ITEM #1

Mayor Dorman opened a public hearing at 7:04 p.m., to hear comments, for or against, the modification to the Villages of Melissa Planned Development Ordinance No. 04-12.

Tract E1 – 309.35 acres, being all that tract of land in the City of Melissa, Collin County, Texas, a part of the D.E.W. Babb Survey, Abstract No. 33, a part of the Jacob Gragg Survey Abstract No. 339, being a survey of part of the 49.503 acre tract described in a deed from Almah Carroll White to James F. Mason, Trustee, dated January 29, 1985 and recorded in Volume 2060, Page 760; a survey of the 86.161 Acre “TRACT ONE” and 9.061 Acre “TRACT TWO” described in a deed from Jim Bob Graves to James F. Mason, Trustee, dated June 2, 1999, recorded in Volume 4429, Page 4060, a survey of the 109.899 Acre Tract described in a deed from James F. mason, Trustee, to Country Ridge Development Company, Inc., dated April 4, 2000, recorded in Volume 4655, Page 1975, a survey of the 77.406 Acre Tract described in a deed from Douglas Ray Graves to James F. Mason, Trustee, dated June 2, 1999, recorded in Volume 4429, Page 4038, Collin County Deed Records, all of Lot 1, Block 1, Country Ridge Well Site No. 3 as recorded in Volume M, Page 23 of the Collin County Plat Records, all of Lot 2-A, Block 1, Melissa School Subdivision, as recorded in Cabinet P, Page 178, Collin County Plat Records.

Tract E1-A – Being a 3.745 acre tract of land situated in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas and Being all of a 3.745 acre tract of land conveyed to Connor Ranch, L.P. by deed recorded in Volume

5482, Page 161, Land Records, Collin County, Texas, said 3.745 acre tract, with reference bearing of North 01 degrees 43 minutes 17 seconds east being the monumented east line of a 262.078 acre tract of land conveyed to Melissa Land Partners, L.P. by deed recorded in Volume 5708, Page 3982, Land Records, Collin County, Texas and the common west line of said Connor Ranch, L.P. Tract.

Tract E1-B – Being a 1.038 acre tract of land situated in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas and being all of a called 0.703 acre tract of land conveyed to the City of Melissa, Texas by deed recorded in Volume 5924, Page 4750, Land Records, Collin County, Texas and being part of Collin County Road No. 365 (a variable width right-of-way). Said 1.567 acre tract, with reference bearing of north 02 degrees 01 minutes 22 seconds east, being a east line of a called 262.078 acre tract of land conveyed to Melissa Land Partners, L.P. by deed recorded in Volume 5708, Page 3982, Land Records, Collin County, Texas

Tract E1-C – Being a 0.341 acre tract of land situated in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas and being all of tract of land conveyed to Pottsboro Boat Storage recorded in Volume 6073, Page 3989, Land Records, Collin County, Texas. Said 0.341 acre tract, with reference bearing of south 88 degrees 01 minutes 04 seconds east, being a south line of a called 262.078 acre tract of land conveyed to Melissa Land Partners, L.P. by deed recorded in Volume 5708, page 3982, Land Records, Collin County, Texas.

Tract E1-D – Being a 2.2417 acre tract of land situated in the D.E.W. Babb Abstract No. 33, City of Melissa, Collin County, Texas and being all of Lot 1, Block A, of Country Ridge Water Co. Well Site #1 Addition, an addition to City of Melissa, according to the Plat recorded in Cabinet M, Page 29, Plat Records, Collin County, Texas, said 2.2417 acre tract, with reference bearing of north 89 degrees 20 minutes 12 seconds east being a monumented interior south line of a 262.078 acre tract of land conveyed to Melissa Land Partners, L.P. by deed recorded in Volume 5708, Page 3982, Land Records, Collin County, Texas and the common north line of said Lot 1, Block A.

Tract E1-E – Being a 1.567 acre tract of land situated in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas and being all of Lot 3, Lot 4, Lot 5 and Lot 6 of the McLain Subdivision, an addition to Collin County, Texas. Said 1.567 acre tract, with reference bearing of south 89 degrees 25 minutes 00 seconds east being the north line of said McLain Subdivision.

Tract E1-F – Being a 1.543 acre tract of land situated in the D.E.W. Babb Survey, Abstract No. 33, Collin County, Texas and being all of Lot 7 and Lot 8 and being the north half of Lot 9 of the McLain Subdivision, an addition to Collin County, Texas. Said 1.543 acre tract, with reference bearing of south 89 degrees 25 minutes 00 seconds east being the north line of said McLain Subdivision.

Generally located from approximately north of Fannin Road from Palo Pinto Drive to Cardinal Drive to west and adjacent to State Highway 5 near the intersection of CR 365 and State Highway 5.

The following people spoke at the Public Hearing:

Melissa Withers
1101 Chambers Ln.
Melissa, TX 75454

Nick Bowers
1101 Johnson Drive
Melissa, TX 75454

James Fusco
3102 Spanish Oak Tr.
Melissa, TX 75454

Ross Grier
1930 Thornberry Dr.
Melissa, TX 75454

Reed Greer
17 Meadowcreek Dr.
Melissa, TX 75454

John Burchett
7385 County Road 365
Melissa, TX 75454

Charles Schandelmeir
3201 Van Zandt
Melissa, TX 75454

Each resident spoke against the modification of the Villages of Melissa Planned Development Ordinance #04-12. They stated that they did not want any multi family housing in the sub division and felt that they had been misled from the beginning, by the developer.

ITEM #2

The following item failed for lack of motion: Consider and act upon recommendation from Planning and Zoning regarding approval/denial of the modification to the Villages of Melissa Planned Development Ordinance No. 04-12.

ITEM#3

Councilman Kaiser stated that the Exhibit C of the original concept plan is different from the one in their packet. He stated that he felt the original concept plan should be used, as it would create less problems in the future. His desire is to see less parking in front of the retail establishments as it would create a more pedestrian friendly environment. He asked that Mr. Creel be more sensitive when developing these areas, to make it more pedestrian friendly and to keep the historic feel of the area.

Councilman Trott agreed with Mr. Kaiser's comments, as well as stating that he doesn't want the town center area to have a strip mall feel.

Motion was made by Stan Mercer and seconded by Dan Trott to grant the request for variance from Melissa Land Partners, LP. – The Villages of Melissa, Final Plat..

Mr. Kaiser asked City Engineer Bob Helmberger to clarify that the intention of this request was to replace some of the originally planned single family housing with retail and office space. Mr. Helmberger stated that this was correct.

Vote: 5/0/0

ITEM #4

Motion was made by Randy Kaiser and seconded by Bill Reynolds to act on the recommendation from Planning and Zoning to approve the Preliminary Plat request as submitted for 121 Storage Addition: 121 Storage Addition, Lots 1 & 2, Block A, 5.002 acres, more or less in the Andrew Thomas Survey, Abstract 894, City of Melissa, Collin County, Texas, generally located on the south and east side of State Highway 121 and approximately 200' feet north and east of the intersection of County Road 338 and State Highway 121.

Vote: 5/0/0

ITEM #5

Motion was made by Dan Trott and seconded by Randy Kaiser to act on the recommendation of Planning and Zoning and grant the Final Plat Request for 121 Storage Addition: 121 Storage Addition, Lots 1 & 2, Block A, 5.002 acres, more or less in the Andrew Thomas survey, Abstract 894, City of Melissa, Collin County, Texas, generally located on the south and east side of State Highway 121 and approximately 200' feet north and east of the intersection of County Road 338 and State Highway 121.

Vote: 5/0/0

ITEM #6

Citizen Comments

Nick Bowers, asked if the residents of the Villages of Melissa would be notified if the request for a modification of the planned development ordinance came back to council. He was assured by staff that residents would be notified by mail if another request was presented.

ITEM #7

Motion was made by Dan Trott and seconded by Bill Reynolds to adjourn at 7:31 p.m.

Vote: 5/0/0

David E. Dorman, Mayor

ATTEST:

Linda P. Bannister, City Secretary