

**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., April 8, 2008**

PRESENT: Chairman Kevin Moore, Vice-Chairman Greg Peebles,
Commissioners Chris Kilgore, Charles Alexander, Chuck
Knickerbocker, Patrick Jackson

ALSO PRESENT: Alternate Chris Cigainero

ABSENT: Commissioner Jeff Thomas, Alternate Rick Sheffield

STAFF PRESENT: Development Services Director Keri Samford, Planner II Erin Jones,
Planner II, Amy Mathews, Sr. Administrative Assistant Kendra
Frederick

A. CALL TO ORDER

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

B. CONSENT AGENDA

1. Minutes of the regular meeting of March 25, 2008.
2. Corrected Minutes of the regular meeting of March 11, 2008.

Commissioner Peebles made a motion to table the March 11th and March 25th minutes. The motion was seconded by Commissioner Jackson. The motion passed with a 7-0 vote.

C. PUBLIC HEARINGS

1. **Conduct a public hearing and take appropriate action on a request to rezone property from General Commercial/Retail and Planned Development-General Manufacturing to a Planned Development (PD) District to allow development of a Service King Collision Center with modified development standards on 1.84± acres of land located on the south east corner of Rowlett Road and Big A Road. [ZAM08-354 Service King].**

Ms. Jones addressed the commissioners and presented the proposal for the Planned Development stating that the property is on the corner of Rowlett Rd. and Big A Rd. Ms. Jones stated that currently the property is five separate parcels. The two lots closest to Rowlett Rd. are zoned for C-2 and the three in the rear are zoned Planned Development for general manufacturing (Ord. 2-17-98A). The applicant is proposing to combine all five lots into one lot under a Planned Development Zoning District. The Planned Development that is proposed would be for C-2 uses stated in the *Rowlett Development Code* with light and heavy auto repair allowed by right. She stated that the proposed development regulations conform to the majority of the current development code with the following exceptions: The applicant is requesting a decreased set back along Rowlett Rd. and Big A Rd.

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The C-2 zoning requires 50 ft. and the applicant is requesting 25 ft. setback. The applicant is also requesting the garage bays face the public right-of-way along Big A Rd.

In the worksession, the applicant stated they would comply with the 100% masonry standards as required in the current code with the exception of a glazed, concrete masonry unit block to be used for a red accent stripe. In addition, the applicant stated during the worksession that they would be willing to comply with the 100% masonry screening requirement as required with the current code instead of their proposed alternative materials.

Ms. Jones stated that of the nineteen public hearing notices sent out, six were received back with five in favor of the zoning change and one in opposition.

Ms. Jones concluded that staff requests that if the Commission recommends approval of this item it be with the stipulation that the buildings would be 100% masonry with the exception of the CMU glazed block for the accent stripe and that all outside storage, mechanical equipment, and trash dumpsters must be screened with 100% masonry.

Chairman Moore asked if there were any questions for staff and with none he asked if the applicant would like to make a statement.

Jeff Carol with Carol Architects at 1770 Preston Rd., Dallas, TX 75252 came forward and introduced from Service King Jeff McFadden, Frank McDowell and Attorney Pat Rearington, Contractor Greg Murray, and Land Owner Mr. Conner Pamick Jr. Mr. Carol reiterated what the applicant was asking for in the Planned Development. Mr. Carol stated that Service King is family-owned company that wants to come to Rowlett. He explained that there are Service King's spread out in the metroplex and are also trying to expand in the Houston area. Mr. Carol discussed the standard of Service King and stated they are above industry standard. Mr. Carol explained the landscaping that would buffer the bay doors and that the bays would be made of glass similar to a retail look as to not detract from the surrounding area. Mr. Carol stated that the reduced setback would allow the footprint of the building to fit on the property. He stated in the worksession, the 100% masonry requirement would be followed but proposes that the glazed CMU be allowed as the accent material. Mr. Carol stated that the mechanical equipment and dumpsters will be behind a 6ft. high masonry screen wall.

Chairman Moore asked if there are any question's for the applicant. Commissioner Alexander asked if there will be a pole sign. Mr. Carol stated that the sign would be addressed at the site plan stage and that Rowlett's ordinance requires monument signs. He explained that the sign would, however, be at one of the entry locations. Commissioner Peebles asked about the landscaping on the north side of the masonry wall. The applicant stated they were showing on the concept plan what they anticipated the landscaping requirement to be. They were not proposing any additional landscaping other than what is required per code.

Chairman Moore asked if there are any additional questions and with none Chairman Moore opened the public hearing to any members of the audience.

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Dan Barnett, 5606 Greenway Dr., Rowlett, TX stated his concerns regarding the development of Service King which included potential barbed wire, noise due to honking of horns, reduction in vehicular visibility on Big A Rd., and lighting from signs. Chairman Moore stated barbed wire is not allowed, per code. Mr. Barnett was also interested to know how other locations have been received by surrounding communities and what precautions would be taken to prevent chemical leakage in the nearby creek.

Chairman Moore explained that the reduction in the setback would not create a visibility problem for traffic as they would still have to meet the required visibility triangle. He also stated that recent changes have been made to the lighting ordinance to protect concerns and that the applicant would be exceeding their parking standards so there would be no need for junk vehicles along Big A Rd. Chairman Moore then stated he would allow Service King Representatives to address the rest of the concerns.

Greg Murray came forward for Service King at 201 Shady Oaks Rd., Coppell, TX. Mr. Murray stated that Service King strives to be better than the standard. Noise and chemical pollution are taken into consideration. The glass overhead bay doors can be kept closed while working on vehicles so that noise is reduced. He also stated that honking is not a normal part of operating procedure. Mr. Murray stated that they are regulated by the state environmental organization.

Ms. Samford asked what the hours of operation are. Mr. Murray stated that Service King operates from 7:00 a.m. to 6:00 p.m. M-F and 9:00 a.m. to 3:00 p.m. on Saturday. Mr. Murray stated that heavy lighting in the evening isn't necessary and most signs on the building are not backlit.

Commissioner Kilgore asked if there would be a portico as shown on the design the applicant brought. Mr. Murray stated there is no room for a drive-thru portico which will be reflected on the Site Plan.

Commissioner Peebles asked if the employee's are HAZMAT certified. Mr. Murray stated that they were.

Don Mattox, 5906 Ambassador Ln., Rowlett, TX came forward and stated his concerns about the need for Big A Road repairs and was interested in knowing if there are any plans for improving that area. Ms. Samford stated that there are several miles of asphalt over lay proposed but she was not sure if Big A Road was on that list. Ms. Samford told the citizen if he left his name and address she would be happy to get back with him. Mr. Mattox asked if the road would be a City project or the developers and Ms. Samford stated it would be the City.

With no additional speakers, Chairman Moore closed the public hearing and asked for any further discussion from the Commissioners.

Commissioner Kilgore stated that he checked with individuals from other cities and that Service King has received favorable comments. He stated that as the Planning & Zoning Commission, they not only have to look at the applicant's request but how it fit's with the Comprehensive Plan for Rowlett. He also stated that this development is currently a prohibited use and voiced compatibility issues with surrounding properties which ultimately will be problematic for both the

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developer and the City. Commissioner Kilgore commends the applicant's willingness to work with staff but states he is opposed to the zoning change.

Commissioner Kilgore made a recommendation to the City Council to deny the rezoning request as submitted. The motion was seconded by Commissioner Knickerbocker. The motion failed with a 4-3 vote.

Commissioner Peebles made a motion to recommend approval to the City Council as presented with the following conditions, the planned development regulations will include 100% masonry requirement per code for screening and building materials with the exception to allow glazed concrete masonry units as accent material. The motion was seconded by Commissioner Cigainero. The motion passed with a 5-2 vote, with Commissioners Kilgore and Knickerbocker casting the opposing votes.

D. ITEM FOR INDIVIDUAL CONSIDERATION

- 1. Consider and take appropriate action on a Tree Survey/Preservation Plan for Luke's Landing on 9.179± acres of land located in Lot 5A, Block A of the Luke's Landing Addition, located East of Kenwood Drive and 421± North of Lakeview Parkway. [DP07-282 Luke's Landing]**

Ms. Mathews addressed the Commission and presented that a Tree Survey Preservation Plan is required since the applicant is proposing to remove more than three (3) protected trees. The applicant is required to provide mitigation for the trees that will be removed at a ratio of 1:1. Ms. Mathews states that according to the Tree Survey Preservation Plan the applicant is proposing to remove 305 ½ caliper inches of protected trees and preserve 161 caliper inches of protected trees which at a 2:1 ratio would be 322 caliper inches. Therefore, the applicant would not be required to do any other mitigation beyond preserving these trees located on site. In addition, the presentation plan for Luke's Landing conforms to the development standards of the code.

Chairman Moore asked if there were any questions for the applicant.

Steve Galloway with Kimley Horn and Associates at 12700 Park Central Dr., Dallas, TX , came forward representing the owner of this request. Commissioner Kilgore asked why the southwestern most tree, No. 5022, would be removed since it is healthy. Mr. Galloway stated that the grading plan presented is for flood plain reclamation essentially with the entire creek being in the flood plain area. He stated that the particular area where tree No. 5022 is located has to be raised so it can continue to drain to the creek so there is no pooling of water.

Commissioner Kilgore moved to approve the Tree Preservation Plan as submitted. The motion was seconded by Commissioner Alexander. The motion passed with a 7-0 vote.

Chairman Moore welcomed Kendra Frederick to the City of Rowlett.

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E. ADJOURNMENT

Chairman Moore adjourned the meeting at 7:47 p.m.

Chairman

Secretary