

**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 10, 2008**

PRESENT: Chairman Kevin Moore, Vice-Chairman Greg Peebles,  
Commissioners Charles Alexander, Chris Cigainero, Rick Sheffield

ALSO PRESENT: Alternate Greg Landry

ABSENT: Commissioner Chuck Knickerbocker and Jeff Thomas

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

**A. SWEARING IN OF NEW COMMISSIONERS**

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**B. CALL TO ORDER**

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**Chairman Moore called the meeting to order at 7:15 p.m.**

**C. CONSENT AGENDA**

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**1. Minutes of the regular meeting of April 22, 2008.**

Commissioner Charles Alexander made a motion to approve the minutes of the regular meeting of April 22, 2008. Commissioner Rick Sheffield seconded the motion. Motion passed with a 5-0-1 vote with Alternate Greg Landry abstaining.

**D. PUBLIC HEARINGS**

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**1. Conduct a Public Hearing to consider and take appropriate action on a Conditional Use Permit (CUP) application for a 1,000± square foot medical office. The subject property is located at 5215 Rowlett Road being a portion of 2.96 ± acres located in the U MATTHUSEN ABST 1017 PG 470. (Case Number CUP08-364)**

Erin Jones stated that this location is an existing lease space within the 1<sup>st</sup> Rowlett Shopping Center. She stated Dr. Ahn is proposing to do a medical office within C-2 zoning which does require a Conditional Use Permit. Ms. Jones stated that 19 public hearing notices were sent out on May 14, 2008 and as of June 4, the department had received 10 responses all in favor of the request. Ms. Jones stated that staff did not require a concept plan because it was an existing space. A medical office would require 4 parking spaces for the 1,000 square foot building and staff feels there is sufficient parking at the existing shopping center. Chairman Kevin Moore asked if there were any questions for staff.

Commissioner Greg Peebles made a motion to approve the Conditional Use Permit (Case Number CUP08-364) as presented. Commissioner Cigainero seconded the motion. Motion passed 6-0.

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**E. ITEM FOR INDIVIDUAL CONSIDERATION**

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- 1. Consider and take appropriate action on a request for exceptions to the Rowlett Code of Ordinances for a Landscape Plan for Zaxby's Chicken. The subject property is located at 4406 Lakeview Parkway being Lot 1, Block 1 of the Green Commercial Subdivision (Case Number DP08-361)**

Ms. Jones stated that Zaxby's came forward for a Conditional Use Permit in March 2008 because they are a restaurant with a drive-thru. Currently the land is a used car lot and when Zaxby's goes in, they will demolish the existing car lot and build their building. When the applicant started working on the development plans, some issues surfaced such as not being able to fit the foot print of the building on the site so now the applicant is requesting that the landscape buffer, which is typically required to be 20 ft along Lakeview Pkwy, be reduced to 15 ft. Also, the applicant is requesting that along the east property line, a change be made in order to abide by the Rowlett Development Code Landscape Requirements. Ms. Jones stated that the current Rowlett Development Code Landscape Ordinance estates that trees are not allowed to be planted within 5 feet of an impermeable surface. Due to the existing building on the east side of this property, there is not a feasible way for the applicant to fit their landscaping in the required 6 ft buffer without encroaching within 5ft of an impermeable surface. Ms. Jones stated that as it was discussed in the work session before the regular meeting, staff recommended planting Youpon Hollies or smaller hollies instead of the trees as shown.

John Henderson with Weir & Associates at 701 Highlander Blvd, Arlington, TX came forward. Mr. Henderson stated that he is assisting the applicant, Carter Engineering, on this application. Vice Chairman Peebles asked if the applicant would be willing to do something else besides the trees like the hollies or possibly donate the trees that will not be put in. Mr. Moore stated that in the work session, the applicant shows 3 trees on the east side that are in the landscape buffer. Mr. Moore stated again the recommendation by Staff is to plant 4 smaller holly plants or not require any trees along the east property line and request the applicant donate the 3 trees. Mr. Henderson agreed to having smaller plants and having the trees on the original design donated, if this was the recommendation by staff. Commissioner Peebles stated that the commissioner's concern was that a full size tree would not survive in such a tight spot. Chairman Moore asked if there was any discussion. Commissioner Cigainero asked that the suggested four hollies along the east side of the building be considered by the commission. Commissioner Cigainero made a motion to approve the landscape plan with the following Conditional: add four Youpon Hollies on the east side of the building, 10 – 12 feet apart and remove the trees as currently shown. Mr. Sheffield seconded the motion. Keri Samford, Director of Planning and Community Development clarified that Commissioner Cigainero was also including the permitting of a 15 ft front landscape buffer in his motion. Commissioner Cigainero stated that he was. Chairman Moore stated that the motion had been amended to include the 15 ft. landscape buffer provision and asked Commissioner Sheffield if he still seconded the motion. Commissioner Sheffield stated that he did. Motion passed 6-0.

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**F. ADJOURNMENT**

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Chairman Moore adjourned the meeting at 7:29 p.m.



Chairman



Secretary