

**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., JULY 27, 2010**

PRESENT: Chairman Rick Sheffield, Commissioners Joe Charles, Charles Alexander, Chris Cigainero, Greg Landry

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

Absent: Vice-Chairman Greg Peebles

STAFF PRESENT: Planning Manager Erin Jones, Planner II Marc Kurbansade, City Secretary Susie Quinn

**A. CALL TO ORDER**

---

Chairman Rick Sheffield called the meeting to order at 7:00 p.m.

**B. CONSENT AGENDA**

---

**1. Minutes of the Regular Meeting of July 13, 2010.**

Alternate Karl Crawley made a motion to approve the Minutes of the Regular Meeting of July 13, 2010. Commissioner Landry seconded the motion. Motion carried with a 6-0-1 vote with Commissioner Joe Charles abstaining from voting since he was not present at the July 13, 2010 meeting.

**C. REGULAR ITEMS**

---

**1. Conduct a public hearing and make a recommendation on a request from the City of Rowlett to amend previously approved Planned Development Ordinance 3-5-96D in order to clearly define outdoor incidental uses. The subject property is the Lakepoint Shopping Center Addition, being 18.65 ± acres of land out of the Josiah Hart Survey, Abstract No. 111, situated in Rowlett, Rockwall County, Texas, generally located on the northeast corner of Lakeview Parkway (SH 66) and Dalrock Rd.**

Erin Jones, Planning Manager came forward to present the case. She stated that Planned Development (PD) 3-5-96D for Lakepoint Shopping Center was approved on March 5, 1996 and is associated with the 1988 zoning code. She went on to state that in early 2010, staff was contacted by a representative for Redbox DVD vending machines. They inquired about the possibility of placing a Redbox DVD machine outside the Walgreens located at 8801 Lakeview Parkway. The Walgreens is located within the Lakepoint Shopping Center. The PD regulations clearly prohibit goods or materials, even those associated with a permitted use, from being outside. Ms. Jones went on to say that she visited the site and found several outdoor items for sale within the shopping center. She proceeded to show the Commission pictures of the items. These items included flowers, firewood, charcoal, Ready Ice, vending carts, and propane tanks. Ms. Jones stated that under a strict interpretation of the PD the items pictured should be prohibited, however, most have gone unnoticed for years as they are incidental in nature. Staff did not deem it appropriate to require Redbox to incur the expense to amend the PD, when so many other uses were non-compliant with the regulations. Based on that, City staff chose to initiate the proposed PD amendment in order to bring the existing outdoor uses into compliance, and facilitate the addition of vending machines, such as Redbox, as an allowed outdoor incidental use. Ms. Jones requested that the Planning and Zoning Commission recommend approval of an amendment to PD 3-5-96D in order to allow outdoor, incidental uses. She explained that for the purposes of the PD an outdoor, incidental use shall be defined as *“Any use different from the primary use but which complements and/or supplements the primary use. These uses shall not hinder pedestrian traffic, or create a visual nuisance. All outdoor incidental uses shall be ADA accessible. Examples*

**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., JULY 27, 2010**

*of outdoor, incidental uses include, but are not limited to, standard grilling propane tanks (20lbs of propane), bagged ice containers, vending machines and seasonal sales customarily associated with the primary use. Final determination of what constitutes an outdoor, incidental use shall be left to the discretion of the Planning Director or his/her designee."* With no questions for staff, Chairman Sheffield opened the public hearing. With no one wishing to speak the public hearing was closed. Commissioner Greg Landry made a motion to recommend approval to City Council as presented. Alternate Karl Crawley seconded the motion. The motion passed with a 7/0 vote.

**D. ADJOURNMENT**

---

**Chairman Rick Sheffield adjourned the meeting at 7:05 p.m.**

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Secretary