

**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., FEBRUARY 22, 2011**

PRESENT: Chairman Rick Sheffield, Vice-Chairman Greg Landry, Commissioners Greg Peebles, Chris Cigainero, Karl Crawley, Joe Charles, Charles Alexander

ALSO PRESENT: Alternates Carl Pankratz (non-voting member), Robert Kittrell (non-voting member)

ABSENT: None

STAFF PRESENT: Planning Manager Erin Jones, Planner II Marc Kurbansade, Development Services Technician Ashley McCoy

**A. CALL TO ORDER**

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

**B. CONSENT AGENDA**

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**1. Minutes of the Regular Meeting of January 25, 2011**

Commissioner Karl Crawley made a motion to approve the Consent Agenda. Commissioner Chris Cigainero seconded the motion. Motion carried with a 6-0-1 vote with Commissioner Greg Peebles abstaining since he was not present at the January 25, 2011 meeting.

**C. PUBLIC HEARINGS**

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**1. Conduct a public hearing and take appropriate action on a Temporary Use Permit (TUP) application for the use of a temporary modular building over a 60-day period during replacement of existing MRI equipment on-site. The subject property is located at 8405 Lakeview Parkway, Suite 220, within the Dalrock Sixty Six Subdivision, Lot 2, Block 1, Dallas County, Texas. (Case Number TUP11-497)**

Marc Kurbansade, Planner II, came forward to present the case. Mr. Kurbansade presented a location map and showed where the proposed temporary trailer would be located. He stated that the trailer is located approximately 190 feet from the closest residential property. Mr. Kurbansade then presented several photographs of the trailer located on the subject site. He then explained the purpose of the temporary trailer is to be used while the business updates their existing MRI equipment on-site. Mr. Kurbansade stated that staff reviewed the application in light of Chapter 10, Article XI of the Code of Ordinances and Section 77-304.C of the Rowlett Development Code, and the application is in general conformance with these requirements as detailed in the staff report. Mr. Kurbansade stated that the current request would have the Temporary Use Permit expire on April 8, 2011; however, the applicant requested earlier in the day for an extension beyond April 8, 2011. He then stated that this extension would require City Council approval. Mr. Kurbansade stated that the requested extension was due to the recent inclement weather. Mr. Kurbansade then concluded by stating the request meet Code requirements and staff is recommending approval.

Chairman Rick Sheffield opened the public hearing for this item. Seeing no one present to speak, Chairman Rick Sheffield then closed the public hearing.

Chairman Rick Sheffield asked for any questions for staff. Chairman Rick Sheffield, stated that the letter from the applicant included in the staff report stated that the trailer would only be there for approximately 30 days and a maximum of 60 days. Chairman Sheffield asked for confirmation as to why the applicant was asking for another

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60 days. Mr. Kurbansade referred to the extension letter submitted on February 22, 2011, and stated that the letter indicates that the applicant may need an extra 10 days due to the recent weather.

Commissioner Charles Alexander made a motion to approve the item. The motion was seconded by Commissioner Greg Landry. The motion passed with a 7-0 vote.

**D. ITEMS FOR INDIVIDUAL CONSIDERATION**

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- 1. Consider and make a recommendation for a Tree Survey / Preservation Plan and accompanying Tree Removal Permit associated with Lakehill Addition, a single-family residential development. The subject property is located on the east side of Dexham Road approximately 115 feet south of Foxwood Drive, being 71.445 +/- acres, in the Reason Crist Survey, Abstract 225, Dallas County. (Case Number DP10-494)**

Marc Kurbansade, Planner II, came forward to present the case. Mr. Kurbansade presented a location map of the property. He then provided a background of prior approvals of the Planned Development and Preliminary Plat as well as the upcoming request for the Tree Survey / Preservation Plan and Development Agreement that will be before City Council on March 1, 2011. Mr. Kurbansade presented an exhibit showing the protected trees to be removed as well as the protected trees to be saved. Mr. Kurbansade explained that the reason the majority of trees are being proposed for removal is due to the extensive grading that will need to be done on the site. Mr. Kurbansade discussed the proposal with regard to the guidelines in the Rowlett Development Code. Mr. Kurbansade discussed the number of trees and associated caliper inches being proposed for removal compared to the proposed mitigation trees and associated caliper inches. Mr. Kurbansade then explained that based on the existing Rowlett Development Code requirements, landscaping above and beyond what is required by Code can be counted toward mitigation. He stated that the applicant is requesting that a total of two of the four trees being proposed on each lot be counted toward the mitigation requirement. He stated that staff's interpretation of this Code requirement is consistent with the applicant's request. Mr. Kurbansade stated that staff is requesting approval based upon the two conditions as shown in the staff report. This concluded Mr. Kurbansade's presentation.

Chairman Rick Sheffield asked for any questions for staff. Chairman Sheffield asked staff for clarification on the condition of that two of the lot trees be counted toward the mitigation requirement. Mr. Kurbansade stated that this is consistent with both the Rowlett Development Code and the previously approved Planned Development. Commissioner Crawley asked a general question pertaining to the timeframe between trees being removed and them being replaced. He stated that our Code does not have an incentive or penalty associated with replacing the removed trees. Commissioner Peebles also expressed a concern about the time between the trees being removed and the time when they are replaced. Commissioner Peebles asked staff if there is a timeframe when the applicant will plant the mitigation trees around the development. Mr. Kurbansade stated that all of the Open Space landscaping is required to be in place prior to the first home being occupied in that particular phase of development. Commissioner Crawley asked for confirmation that this was only for the trees located in the Open Space and not the trees in the front yard. Mr. Kurbansade concurred with this statement. Chairman Rick Sheffield also expressed concern, as previously stated in the Work Session, that there is a time between removal and mitigation of trees. Commissioner Greg Landry inquired about how staff would determine the start date for monitoring that mitigation trees are maintained for a minimum of one year. Mr. Kurbansade stated the final building permit for each individual lot would serve as the start date, with numerous start dates having to be monitored throughout the development. Commissioner Crawley commented briefly regarding the multiple start dates for monitoring mitigation trees. Commissioner Landry asked for clarification if the lot trees counted toward

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mitigation would be placed in the front yard for ease of monitoring. It was shown to Commissioner Landry that this was in fact the case as shown in the proposed conditions of approval.

Commissioner Charles Alexander made a motion to recommend approval of the item to City Council with the two conditions as presented in the staff report. The motion was seconded by Commissioner Chris Cigainero. The motion passed with a 7-0 vote.

- 2. Consider and make a recommendation for a Tree Survey / Preservation Plan and accompanying Tree Removal Permit associated with Lake Valley Estates Phase II, a single-family residential development. The subject property is located approximately at the southwest Corner of Chiesa Road and Liberty Grove Road, being 23.7 ± acres situated in the in the H. Hamilton Survey, Abstract Number 548, Z. Motley Survey, Abstract Number 1010, and the F. Wood Survey, Abstract Number 1563, City of Rowlett, Dallas County, Texas. (DP10-495)**

Erin Jones, Planning Manager, came forward to present the case. Ms. Jones provided a brief background of the property and prior approvals received, including the Planned Development and Preliminary Plat. Ms. Jones then stated that Civil Engineering plans are also currently under review by Staff at this time. Ms. Jones provided a brief update to the Commission members based on updated plans recently received. These updated plans show that two additional trees, Tree # 69 and Tree #81, would need to be removed due to proposed grading on the site. Ms. Jones then provided a summary of the total number of trees and associated caliper inches of trees to be removed and the required mitigation. Ms. Jones then stated that the applicant's intent is to mitigate approximately 852 inches on-site, and then the applicant will need to decide if they are going to mitigate the remaining 227 inches off-site or provide a payment in-lieu of mitigation. Ms. Jones concluded her presentation.

Chairman Rick Sheffield asked for any questions for staff. Commissioner Crawley asked staff what the typical cost is per caliper inch for payment in lieu of mitigation. Ms. Jones stated that the current Code states that four estimates for four-inch trees are used to get an average price, then it is divided by four to get the cost per inch; and the most recent average she received was \$121 per caliper inch. Chairman Sheffield asked staff if they need anything from the Commission regarding the allocation of the additional mitigation trees. Ms. Jones stated that she will require the applicant to firm up their decision prior to City Council with regard to whether they will plant the remaining mitigation trees off-site or make a payment to the Tree Reforestation Fund. Chairman Sheffield expressed an interest to planting the mitigation trees on the single-family lots where possible.

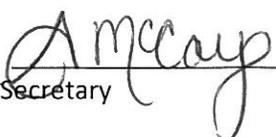
Commissioner Greg Landry made a motion to recommend approval of the item to City Council. The motion was seconded by Commissioner Charles Alexander. The motion passed with a 7-0 vote.

**E. ADJOURNMENT**

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**Chairman Rick Sheffield adjourned the meeting at 7:28 p.m.**

  
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Chairman

  
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Secretary