

**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 12, 2011**

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

ALSO PRESENT: Alternate Robert Kittrell (voting member)

ABSENT: Alternates Carl Pankratz, Charles Alexander

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

A. CALL TO ORDER

Chairman Rick Sheffield called the meeting to order at 7:01 p.m.

B. CONSENT AGENDA

1. Minutes of the Regular Meeting of March 22, 2011
2. Minutes of the Special Meeting of March 29, 2011
3. Consider and take appropriate action on a final plat application. The subject property is located 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, further described as Lake Valley Estates Phase II. (FP11-505)

Commissioner Chris Cigainero made a motion to approve the Consent Agenda. Commissioner Greg Peebles seconded the motion. Motion carried with a 7-0 vote.

C. PUBLIC HEARINGS

1. Conduct a public hearing to consider and take appropriate action on a Conditional Use Permit (CUP) application to allow for the operation 1,518± square foot restaurant with drive-thru in the General Commercial/Retail (C-2) zoning district. The subject property is located at 8214 Lakeview Parkway, being an unplatted 0.6887-acre portion of Tract 29.1, Page 030 from the James Saunders Abstract 1424. (Case Number CUP11-506).

Marc Kurbansade, Senior Planner, came forward to present the case. Mr. Kurbansade stated that this is an existing business and a change in ownership prompted the need for a new Conditional Use Permit. He presented photos showing the existing drive-thru and frontage of the building along SH 66. Mr. Kurbansade noted that the property is located in C-2 zoning and a restaurant with drive-thru requires a CUP. He stated that all criteria set forth in the Rowlett Development Code had been met and staff would recommend approval. He presented that of the eight notices sent out; two were returned in favor of the request. Chairman Rick Sheffield opened the public hearing and recognized Jonathan Molina, 5206 Natchez Dr, Rowlett, TX 75088, as representative for the applicant to answer any questions the Commission may have. With no questions or other speakers, the public hearing was closed and Alternate Robert Kittrell made a

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motion to approve the request. Commissioner Karl Crawley seconded the motion. The motion passed with a 7-0 vote.

2. **Conduct a Public Hearing and take appropriate action on a Conditional Use Permit for a Spa Establishment with Massage and Permanent Cosmetics uses within a General Commercial/Retail (C-2) zoning district. The subject property is located at 5700 Rowlett Road, Suite 150, being a portion of the Concord Healthcare Addition. The subject property is further described as a 3,211 square foot lease space in the Rowlett Professional Plaza. (CUP11-508).**

Erin Jones, Planning Manager, came forward to present the case. She presented a location map and stated that the property is zoned C-2. Mrs. Jones noted that the applicant currently owns a salon/spa in the City of Rowlett and has been in operation for at least the last four years and wants to expand her business to the subject property. She stated that in C-2 zoning a spa with massage and permanent cosmetics requires a Conditional Use Permit and that all criteria set forth in the Rowlett Development Code had been met and staff would recommend approval. Commissioner Greg Peebles asked if there were any plans for the building that the applicant currently occupies and Mrs. Jones replied that the applicant was only one tenant in the multi-tenant building. Commissioner Karl Crawley inquired the requirements if tattoos were going to be done at the location and was answered with the CUP would still be required. Chairman Rick Sheffield opened the public hearing at 7:08 pm and seeing no speakers closed the public hearing. Commissioner Greg Peebles made a motion to approve the request. Alternate Robert Kittrell seconded the motion. The motion passed with a 6-1 vote with Commissioner Chris Cigainero casting the opposing vote.

3. **Continue a public hearing tabled from the March 22, 2011 meeting and take appropriate action on a request to replat Lots 1-5, and open space area 3 and 4, Block A; Lots 1-8, Block B; Lots 1-8 Block C; Lots 1-13, Block D; and open space area 1 and 2, Block E of the Falcon Ridge Addition. The subject property is located on the west side of Scenic Drive approximately 200 feet north of Nottingham Court and approximately 125 feet south of Fairmont Circle, being 12.90± acres, in the W. Crabtree Survey, Abstract 60, Rockwall County. (RP11-501).**

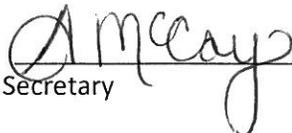
Vice-Chairman Greg Landry made a motion to remove the item from table. Commissioner Greg Peebles seconded the motion. Motion passed with a 7-0 vote. Erin Jones, Planning Manager, came forward to present the case. She stated that the property was originally platted in 2005 and in September of 2010, City Council approved a Planned Development allowing a small reduction in lot sizes resulting in the replat request. Mrs. Jones also noted that the Board of Adjustments approved a variance on April 4, 2011 for reduced amounts of landscaping allowing for a dedicated left turn lane and a deceleration lane. Chairman Sheffield opened the public hearing at 7:10 pm and seeing no speakers closed the public hearing. Commissioner Cigainero inquired about the enforcement of no parking in the fire lanes and whether or not a fire truck would be able to maneuver the streets and alleys. Mrs. Jones stated that they were designated fire lanes and no parking signs would be posted and according to the Fire Marshal, fire trucks would have no difficulties with the streets or alleys. Commissioner Peebles stated that the Fire Marshal does patrol the City and will help to enforce the no parking in the fire lanes. Chairman Sheffield made a note that of the feedback received from the surrounding area, that there was concern about losing the open space used as a park area and noted that on the replat, there were pedestrian easements allowing walking access through the development to the park. Commissioner Karl Crawley made a motion to approve. Alternate Robert Kittrell seconded the motion. The motion passed with a 7-0 vote.

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D. ADJOURNMENT

Chairman Rick Sheffield adjourned the meeting at 7:13 p.m.


Chairman


Secretary