

**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., SEPTEMBER 23, 2008**

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

ALSO PRESENT: Alternate Greg Landry

ABSENT: Commissioner Chuck Knickerbocker

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

A. CALL TO ORDER

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

B. CONSENT AGENDA

1. Minutes of the regular meeting of September 9, 2008.

Commissioner Jeff Thomas made a motion to approve the minutes of the regular meeting of September 9, 2008. Commissioner Chris Cigainero seconded the motion. Motion passed 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 for a Shopping Center under 20,000 square feet in General Commercial (C-2) zoning. The subject property is located at 8100 Lakeview Parkway. [CUP08-372]

Amy Mathews came forward to present this case. The applicant is requesting a Conditional Use Permit for Primo Plaza. Ms. Mathews stated that there were twenty seven public hearing notices mailed out and none were returned to the office. Chairman Moore stated that this was a public hearing and anyone who wishes to testify can come forward. With no one wishing to testify, Vice-Chairman Greg Peebles made a motion to close the public hearing. Commissioner Thomas seconded the motion. Motion carried with a 7-0 vote.

Commissioner Charles Alexander made a motion to approve the Conditional Use Permit application for a shopping center less than 20,000 square feet. Commissioner Rick Sheffield seconded the motion. Motion passed with a 7-0 vote.

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D. ITEM FOR INDIVIDUAL CONSIDERATION

- 1. Consider and take appropriate action on a request to extend the approval period by one year from the date of expiration for a preliminary plat originally approved on October 8, 2007, for property known as Liberty Cypress Business Park, lots 1 through 4, Block A, located on the northeast corner of Toler Road and Liberty Grove Road being 22.16± acres of land in the R. Crist Survey, Abstract 225, B.O.C. Pounds Survey, Abstract 1169, and the M. Coyle Survey, Abstract 349. [PP07-236]**

Erin Jones came forward to present this case. She stated that originally the plat was approved on October 8th, 2007 and the Rowlett Development Code states that plats will expire within one year of the approval date if the Planning and Zoning Commission does not extend the approval. The applicant is not requesting to make any changes to the plat, just extend it as it was originally approved. If this preliminary plat is extended, when the applicant submits the final plat it will be reviewed under the Development Code in effect as of October 8, 2007.

Chairman Moore read an excerpt from the Rowlett Development Code, Chapter 77, Section 806 for the record. It states that the effective period of approval, approval of a preliminary plat shall be effective for one year unless reviewed by the Planning and Zoning Commission and the light of new or significant information that would necessitate the revision of the preliminary plat. If no development or change in requirements has occurred that would affect the proposed plat at the end of the year of an effective approval, the Planning and Zoning Commission may, at the request of the applicant, extend its approval another year without the submission of a new preliminary plat by reapproving the original preliminary plat, a filing fee equal to one-third of the original application fee is required for such reapproval.

Commissioner Jeff Thomas asked what the reason was for asking for an extension on the preliminary plat. Tommy Mann at 5400 Renaissance Tower, Dallas, who is representing the applicant, came forward to speak. He stated that the applicant, Barbara Edmondson, was diagnosed with cancer in early 2008 and is currently still undergoing several surgeries and chemotherapy that has halted her development plans for the property. Chairman Moore stated that there has not been a lot of activity on this plat within the past year and asked if there were any plans for progression in the next few months. Mr. Mann stated that he was not sure if the applicant would be moving forward in the next few months but anticipates action within the next year.

Commissioner Rick Sheffield made a motion to approve the preliminary plat extension. Mr. Thomas seconded the motion. Motion passed with a 7-0 vote.

- 2. Consider and take appropriate action on the Tree Survey/Preservation Plan for a single-family residential lot containing 1.5± acres of land, being Lot 1, Block A of the KC Addition, abstract number 957. [DP08-359]**

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Ms. Jones came forward to present this case. She stated that the applicant requests to remove six trees (116 caliper inches) to accommodate the layout of the property. The Rowlett Development Code states that if there are three or more trees that need to be removed the Planning and Zoning Commission must approve the Tree Preservation Plan. The applicant is proposing to save 302 caliper inches of protected trees and since this plan was submitted under the old code requirements, the ratio of two credits per one caliper inch saved is in effect. The applicant is saving 604 caliper inches, indicating that no mitigation is required. Commissioner Thomas made a motion to approve the Tree Preservation Plan as submitted. Commissioner Chris Cigainero seconded the motion. Motion passed with a 7-0 vote.

E. ADJOURNMENT

Chairman Moore adjourned the meeting at 7:12 p.m.



Chairman



Secretary