



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 28, 2014**

The Planning and Zoning Commission will convene into a Regular Meeting at 7:00 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

B. CONSENT AGENDA

1. Minutes of the Regular Meetings of January 14, 2014.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Remove the item from the table, continue a public hearing and make a recommendation to City Council regarding a request for a Special Use Permit for a retail vehicle filling station in the General Commercial/Retail (C-2) zoning district. The subject property is located at 8800 Lakeview Parkway, further described as Super 1 Food Addition to the City of Rowlett, Rockwall County, Texas. (SUP13-693)

D. ADJOURNMENT

NOTE: THE PLANNING AND ZONING COMMISSION MAY RETIRE AND CONVENE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER INFORMATION.

Erin L. Jones

Erin L. Jones, Director of Development Services

**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., January 14, 2014**

PRESENT: Chairman Rick Sheffield, Vice-Chairman Greg Landry, Commissioners Karl Crawley, Michael Lucas, Clayton Farrow, Gregory Peebles

ALSO PRESENT: Alternate James Moseley

ABSENT: Commissioner Jonas Tune, Alternate Thomas Newsom

STAFF PRESENT: Director of Development Services Erin Jones, Principal Planner Garrett Langford, Development Services Technician Lola Isom

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 Meetings of November 12, 2013, and December 19, 2013.**
2. **Consider and take appropriate action on a preliminary plat application. The subject property is located at the northern terminus of Princeton Road, north of Liberty Grove Road, being 35.25 + acres out of the James M. Hamilton Survey, Abstract Number 544 (PP13-692).**

Commissioner Michael Lucas made a motion to approve the consent agenda. Commissioner Karl Crawley seconded the motion. The agenda passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. **Conduct a public hearing and make a recommendation to City Council regarding a request for a Special Use Permit for a retail vehicle filling station other than associated with a convenience store in the General Commercial/Retail (C-2) zoning district. The subject property is located at 8800 Lakeview Parkway, further described as Super 1 Food Addition to the City of Rowlett, Rockwall County, Texas. (SUP13-693)**

Garrett Langford, Principal Planner, came forward to present the case. He explained that a special use permit was being requested for a Wal-Mart Neighborhood Market filling station to occupy the subject property. He stated that the applicant has requested that this item be tabled until the January 28, 2014 meeting.

Chairman Rick Sheffield opened the public hearing.

Commissioner Karl Crawley made a motion to table the item to the January 28, 2014 meeting. Alternate James Moseley seconded the motion. The item passed with a 7-0 vote.

**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., January 14, 2014**

2. **Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with the Barrett Motors. The subject property is 4.43 acres of land located along the south side of Century Drive, 500± feet west of Rowlett Road. (DP13-690).**

Garrett Langford, Principal Planner, came forward to present the case. He explained that the applicant, Barrett Motors, is proposing an auto service and storage facility, to be located on the subject property. Mr. Langford stated that the City of Rowlett has a Tree Preservation Ordinance which requires that the applicant submit a tree survey in order to determine whether or not the specific tree is protected. He further described the ordinance. He stated that the applicant identified 11 protected trees that they plan to remove. He stated that the applicant has identified that they are preserving 14 protected trees, receiving a tree mitigation credit. Mr. Langford indicated that the applicant will also be planting landscaping trees as required by the Rowlett Development Code. He stated that staff supports the request. He said that he would be happy to answer any questions and indicated that the applicant was also present for any questioning.

Commissioner Karl Crawley inquired as to why this particular request requires City Council approval, since they have adequate credits to account for the trees they are removing. Erin Jones, Director of Development Services, stated that his comments have been noted and, if the commission is in agreement, then the item could be brought forward for a recommendation to change the current ordinance in the future. She stated that the Tree Mitigation Ordinance has been brought before City Council within the last two years and it was decided to keep the provisions as they are; requiring the removal of three or more trees to be approved by Council.

Commissioner Karl Crawley made a motion to approve the item. Vice-Chairman Greg Landry seconded the motion. The item passed with at 7-0 vote.

D. ADJOURNMENT

Chairman Rick Sheffield adjourned the meeting at 7:10 p.m.

Chairman

Secretary



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 01/28/2014

AGENDA ITEM: C.1

AGENDA LOCATION:

Individual Consideration

TITLE

Remove the item from the table, continue a public hearing and make a recommendation to City Council regarding a request for a Special Use Permit for a retail vehicle filling station in the General Commercial/Retail (C-2) zoning district. The subject property is located at 8800 Lakeview Parkway, further described as Super 1 Food Addition to the City of Rowlett, Rockwall County, Texas. (SUP13-693)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

This is a request to allow a gas station with a proposed Walmart Neighborhood Market at 8800 Lakeview Parkway. The subject property is the site of the former Super One grocery store that was last occupied by Rainbow Foods in 2002. The subject property is zoned under General Commercial (C-2). (Attachment 1 – Location Map, Attachment 2 – Site Photos).

The applicant, Walmart, is proposing to demolish the existing structure and build a new 41,839 square-foot Neighborhood Market grocery store. This proposal does not include a super center. As part of their proposal, the applicant is seeking a Special Use Permit to allow a six-pump fueling station that will be located in front the proposed Neighborhood Market as shown on Exhibit D. The Neighborhood Market (grocery store) is allowed by right in C-2 zoning. The fueling station requires a Special Use Permit to locate in C-2 zoning.

BACKGROUND

The subject property is located at 8800 Lakeview Parkway and is currently zoned General Commercial C-2. The subject property was first developed in 1994 with a 62,000 square-foot freestanding retail building first occupied by Super 1 grocery store. Rainbow Foods would later occupy the building for approximately a year. The building has remained unoccupied since Rainbow Foods vacated the premise. The subject property is non-conforming as it does not meet a number of the current development standards in the Rowlett Development Code (RDC). This includes insufficient landscaping and the building exterior does not comply with the RDC's architectural standards for commercial buildings. The RDC requires non-conforming properties to be brought into compliance with the current development standards before a non-conforming property can be occupied.

Over the past few years, Staff has held predevelopment meetings with a number of different prospects to reoccupy the subject property. While there are significant non-conforming items to be corrected for the subject property, Staff provided the information upfront and provided information on how to request alternative building and landscape improvements in order to reoccupy the property.

The proposed development will involve a significant redevelopment of the subject property that will bring the site into full compliance with the current development standards. The existing 62,000 square-foot building will be demolished and replaced with a 41,839 square-foot standalone retail building. In addition, the majority of the existing parking will be reconfigured and replaced with new pavement. The number of the existing parking spaces will be reduced from 315 parking spaces to 168 parking spaces. The existing landscaping plantings will be updated with additional landscaping.

The proposed development includes a fueling station that will be located in front and east of the new grocery store along Lakeview Parkway as shown on the concept plan (Exhibit D). The fueling station will include 6 fuel pumps that can accommodate 12 fueling positions. The fueling station will also include a 740 square-foot building for a small walk-in store. The station will also include an approximately 5,300 square-foot canopy to cover all of the fueling positions.

Surrounding land uses and zoning include the following. To the east of the subject property is a vacant 4 acre tract that is zoned as part of the Healthy Living form based code district - Urban Village. To the east and to the south is a single family residential subdivision zoned Planned Development single family residential. To the west is a vacant 4.5 acre-tract zoned C-2 along with a Whataburger fast-food restaurant and a CVS retail store. To the north of the subject property across Lakeview Parkway are some retail and fast-food establishments along with a fuel center and grocery store zoned as Planned Development.

The proposed development will require approval of Special Use Permit by City Council and approval of a Development Plan from the Planning and Zoning Commission. Currently, the Development Plan is under review by City Staff. Section 77-206.D of the Rowlett Code of Ordinances lists the criteria for approval of Special Use Permits. The proposed grocery store is permitted by right in C-2 zoning. The request for the Special Use Permit pertains specifically to the retail fueling station. The following section lists the criteria for a Special Use Permit followed by Staff's comments.

DISCUSSION/POLICY EXPLANATION

Section 77-206.D of the Rowlett code of Ordinances lists the criteria for approval of Special Use Permits. Recommendations and decisions on special use permits shall be based on consideration of the criteria below. Staff has added additional comments in bold italics where applicable.

1. The proposed special use permit is consistent with the comprehensive plan and other infrastructure-related plans, all applicable provisions of this Code, and applicable state and federal regulations;

The subject property is located in the D-2 opportunity area in the Realize Rowlett 2020 Comprehensive Plan. The D-2 opportunity area states that the following:

“Business Beltway and the adjacent Southshore subareas, while a linear corridor, will also be a business park and employment address in the City. Largely informed by Lake Pointe Hospital, which anchors the eastern edge of this subarea, uses will support the needs of visitors and employees of the hospital including: medical office buildings (2-3 stories in scale), dining establishments for daytime and nighttime populations, and a variety of housing options. The natural environment that exists on the corridor today will be protected and enhanced. A tree canopy will be introduced and sign standards strictly enforced (monument signs). Like Healthy Living, multiple modes of transportation will be encouraged - primarily walking and a trolley or shuttle service originating from the DART station.

Essential elements that will have to be in place in order for this investment scenario to be realized include: uniform design and sign standards tailored to this area; public participation in enhancing and maintaining the public realm; and, zoning that will balance the amount of commercial retail space.”

The Realize Rowlett 2020 Comprehensive Plan also states that the following uses would be appropriate for this area:

- ***Neighborhood-Serving Commercial (Retrofit)***
- ***Mixed-Use***
- ***Higher Density Residential***
- ***Limited Entertainment Uses***

Furthermore, the Comprehensive Plan identifies several guiding principles for Area D-2. The most important of which is “Principle 11: Position Rowlett for an appropriate scale of investment and reinvestment supported by market trends.”

The proposed 6-pump fueling station with the small convenience store and associate grocery store is compatible with the Comprehensive Plan and the guiding principles for area D-2. The proposed use is a neighborhood-serving commercial use. The proposed redevelopment of the subject property would represent a major reinvestment for a property that been unused for a number of years. In addition, as

previously mentioned, the grocery store could be built by right based on the current zoning district. The SUP is only required for the fuel pump component.

2. The proposed special use permit is consistent with the purpose and intent of the zoning district in which it is located;

The existing zoning is C-2 and allows for a larger scale shopping center. Per Section 77-203.B.4 of the RDC,

The C-2 district is intended for the conduct of retail sales-type uses, with only a subordinate percentage of a development associated with other retail and office uses. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery. The C-2 district is intended to be applied primarily to areas of high traffic volume and along areas accessing high-volume streets.

Based on the intent of the C-2 zoning district, a fueling station business associated with a grocery user would be a compatible use.

3. Whether the proposed special use permit meets the challenge of some changing condition, trend, or fact;

Grocery stores with associated fueling stations are a common business practice for this industry. This type of use exists in other similar shopping centers in Rowlett and in surrounding Cities.

4. Whether the proposed special use permit will protect or enhance the health, safety, morals, or general welfare of the public;

The proposed use should not negatively affect the health, safety, morals, or general welfare of the public.

5. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

The property has access to Lakeview Parkway (SH 66) a Type A+ thoroughfare based on the Master Thoroughfare Plan. In addition water and sewer services are already available for the subject property.

6. Whether the proposed special use permit is consistent with or will have significant adverse impacts on other property in the vicinity of the subject tract; and

The property should not have any adverse impacts on other property within the vicinity. The nearby intersection of Dalrock Road and Lakeview Parkway contain shopping centers with numerous personal service and retail establishments including fueling stations. The fueling station will not impact the residential subdivisions to the south and southeast. The proposed development will follow the buffering and screening requirements outlined in the RDC.

7. The suitability of the subject property for the existing zoning and the proposed use sought by the special use permit.

The subject property is already developed as a shopping center with general retail. The proposed fueling station would complement the proposed grocery store and provide neighborhood based services oriented to local customers. This meets the intent of the C-2 zoning district and the Comprehensive Plan.

Public Notice

On December 23, 2013, a total of 37 notices were sent to property owners within 200 feet. As of Wednesday January 23, 2014, 8 responses were received. Four of the responses were in favor of the request and three were in opposition to the request. Two of the responses opposing request for the Special Use Permit cited concerns with noise and traffic. The other response opposing the request wanted to see a more environment friendly store. One response did not indicate an opinion on the request other to state that the screening wall at the rear of the property should be raised. It should be noted that the existing wall does meet the minimum height of 6 feet. Copies of the responses are in Attachment 3.

FISCAL IMPACT

While the true fiscal impact to the City is unknown at this time, it is Staff's professional opinion that an activated commercial center generates more value to the community than a long standing vacant building.

STAFF RECOMMENDATION

Based on compatibility with the shopping center and meeting the criteria in the RDC, staff recommends the Planning and Zoning Commission make a favorable recommendation to City Council with the following stipulation:

1. The fueling station shall be limited to 6 fueling pumps (12 fueling positions).
2. The fueling station shall be operated by the user of the adjacent 41,839 square-foot building shown on Exhibit D.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Site Photos

Attachment 3 – Property Owner Responses

Exhibit A – Legal description

Exhibit B – Zoning Boundary

Exhibit C – Statement of Intent and Purpose

Exhibit D – Concept Plan



Walmart Neighborhood Market
 Fueling Station
 Map Created: December 20, 2013



SPECIAL USE PERMIT
 CASE # SUP 13-693
 LOCATION MAP











Department of Public Works/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 8800 Lakeview Parkway being further described as Super 1 Foods Addition in the City of Rowlett, Texas.
EXPLANATION OF REQUEST: The applicant requests a Special Use Permit to allow a retail vehicle filling station at 8800 Lakeview Parkway.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: This is great! :)

SIGNATURE: Mandy Steinbuegge
ADDRESS: 9006 Shipman St.

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas. Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded.

If you have any questions concerning this request, please contact the Planning/Public Works Division Phone 972-412-6166 FAX 972-412-6228 glangford@rowlett.com
RETURN BY FAX OR MAIL City of Rowlett Planning/Public Works Division PO Box 99 Rowlett, TX 75030-0099



RECEIVED

JAN 06 2014

CITY OF ROWLETT
UTILITIES

Department of Public
Works/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Special Use Permit

LOCATION: The subject property is located at 8800 Lakeview Parkway being further described as Super 1 Foods Addition in the City of Rowlett, Texas. A map is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a Special Use Permit to allow a retail vehicle filling station at 8800 Lakeview Parkway. The applicant is proposing to construct a new grocery store that would include a vehicle filling station. Per the Rowlett Development Code a vehicle filling station requires a special use permit in the General Commercial (C-2) Zoning District. (Case Number SUP13-693).

01-03-14P05:57 RCVD

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *The property has been vacant and un-used for too long. I welcome someone moving into it.*

SIGNATURE: *Marking Schull*

ADDRESS: *9204 Willard St, Rowlett TX*

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the **14th day of January, 2014**, at the Municipal Center, 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. Your response must be received in the Planning Department by 5 pm on Wednesday, January 8, 2014, for your comments to be included in the Planning and Zoning Commission packet. All responses received by January 25th will be forwarded to the Council as well; it is not necessary to respond twice. Responses received after the times noted above shall not be counted in the record of response.

<p>If you have any questions concerning this request, please contact the Planning/Public Works Division</p> <p>Phone 972-412-6166 FAX 972-412-6228 glangford@rowlett.com</p>	<p>RETURN BY FAX OR MAIL</p> <p>City of Rowlett Planning/Public Works Division PO Box 99 Rowlett, TX 75030-0099</p>
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Department of Public Works/Planning Division

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: UNUSED PROPERTY IS AN EYE SORE AND KIDS HAVE BEEN BREAKING INTO IT FOR YEARS

SIGNATURE: [Signature]
ADDRESS: 9201 SHIPMAN ST

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas. Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded.

Table with 2 columns: Contact information for Planning/Public Works Division and Return by Fax or Mail instructions.



Department of Public Works/Planning Division

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: WE ARE ALL FOR THIS!!

SIGNATURE: H.M. O'CONNOR 8913 SHIPMAN
ADDRESS: H.M. O'CONNOR

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas. Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded.

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Department of Public Works/Planning Division

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[] I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

[X] I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: We live directly behind the old Super 1 Foods and don't like the loud noises from the trucks docking behind us.

SIGNATURE: [Signature]
ADDRESS: 9009 Shipman Street

It's very disturbing

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas. Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded.

Table with 2 columns: Contact information for questions (Planning/Public Works Division) and Return by Fax or Mail (City of Rowlett, Planning/Public Works Division).



Department of Public Works/Planning Division

NOTICE OF PUBLIC HEARING

RECEIVED

JAN 15 2014

CITY OF ROWLETT UTILITIES

TO: Property Owner
RE: Application for a Special Use Permit
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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: No more big chains, specifically Wal-marts. Consider more environmentally friendly/organic companies.

SIGNATURE: [Signature] i.e. Farmers Markets Central Market

ADDRESS: 9201 Willard St.

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If you have any questions concerning this request, please contact the Planning/Public Works Division Phone 972-412-6166 FAX 972-412-6228 glangford@rowlett.com RETURN BY FAX OR MAIL City of Rowlett Planning/Public Works Division PO Box 99 Rowlett, TX 75030-0099



Department of Public Works/Planning Division

NOTICE OF PUBLIC HEARING

TO: From: Property Owner
RE: Application for a Special Use Permit

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EXPLANATION OF REQUEST: The applicant requests a Special Use Permit to allow a retail vehicle filling station at 8800 Lakeview Parkway. The applicant is proposing to construct a new grocery store that would include a vehicle filling station. Per the Rowlett Development Code a vehicle filling station requires a special use permit in the General Commercial (C-2) Zoning District. (Case Number SUP13-693).

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: There are already 3 fuel centers on the intersection. A mid block fuel operation will cause potential traffic problems.

SIGNATURE: David P. Hardin, Real Estate Director

ADDRESS: Randall's Food & Drugs, LP, 3663 Briarpark, Houston, TX 77042

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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plangford@rowlett.com

RETURN BY FAX OR MAIL
City of Rowlett
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Rowlett, TX 75080-0099



Department of Public Works/Planning Division



NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Need taller wall behind
grove store for noise control.

SIGNATURE: Lynda Bowen 9101 Shipman St
ADDRESS: Rowlett 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Public Works / Planning Division located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 14th day of January, 2014, at the Municipal Center, 4000 Main Street, Rowlett, Texas. Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded.

If you have any questions concerning this request, please contact the Planning/Public Works Division Phone 972-412-6166 FAX 972-412-6228 zlangford@rowlett.com
RETURN BY FAX OR MAIL City of Rowlett Planning/Public Works Division PO Box 99 Rowlett, TX 75080-0099

EXHIBIT "A"

BEING a tract of land situated in the J. Hart Survey, Abstract No. 111, City of Rowlett, Rockwall County, Texas and being all of a tract of Super 1 Foods Addition, an Addition to the City of Rowlett, Texas, according to the Final Plat thereof recorded in Cabinet A, Slide 220, Plat Records of Rockwall County, Texas, same being all of a called 5.677 acre tract of land, conveyed to Lakeview Parkway Crossing LLC, as evidenced in a Special Warranty Deed, recorded in Volume 6329. Page 45, Real Property Records of Rockwall County, Texas, and being a portion of Lakeview Parkway (State Highway 66), and being more particularly described as follows:

BEGINNING at a 5/8 inch capped iron rod found stamped "5111" found at the northwest corner of said Super 1 Foods Addition, common to the northeast corner of Lot 1, Block A, Dalrock crossing Phase 1 Addition, according to the plat thereof recorded in Cabinet H, Slide 150, said Plat records of Rockwall County, Texas, and in the southerly right-of-way line of Lakeview Parkway (State Highway 66), and from which a 5/8 inch capped iron rod found stamped "5111" bears South 59°28'11" West, a distance of 150.00 feet;

THENCE North 29°59'37" West, departing the common north corner of said Lot 1, Block A and said Super 1 Foods Addition, the southerly right-of-way line of Lakeview Parkway (State Highway 66) and crossing said Lakeview Parkway (State Highway 66), a distance of 73.42 to the apparent centerline of said Lakeview Parkway (State Highway 66);

THENCE North 59°41'24" East, along the apparent centerline of said Lakeview Parkway (State Highway 66), a distance of 404.99 feet to a corner;

THENCE South 29° 59' 36" East, departing from said centerline of Lakeview Parkway (State Highway 66), passing at a distance of 71.86 feet, the northeast corner of said Super 1 Foods Addition, continuing along the easterly line of said Super 1 Foods Addition, passing at a distance of 365.51 feet, the most northerly, northwest corner of a 15' wide alley, located in Block L, as created in Highland Meadows North No. 2, an Addition to the City of Rowlett, according to the Final Plat thereof recorded in Cabinet A, Slide 356, said Plat records of Rockwall County, Texas, continuing along the common line of said Super 1 Foods Addition and said alley for a total distance of 680.51 feet to an "X" cut found for the southeast corner of said Super 1 Foods Addition, and also being a re-entrant corner of a 15' wide alley as created in said Highland Meadows North No. 2;

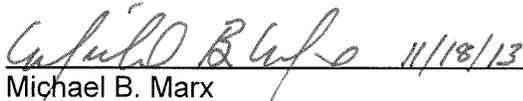
THENCE South 60° 03' 10" West, along the southerly line of said Super 1 Foods Addition and along a northerly line of said 15' wide alley, a distance of 414.98 feet to a 5/8 inch capped iron rod found stamped "5111" for the southwest corner of said Super 1 Foods Addition, same being at the southeast corner of Lot 2, Block 1, CVS Dalrock Addition, Lots 1R and 2, Block 1, as recorded in Cabinet H, Slide 213, said Plat Records of Rockwall county, Texas;

THENCE North 29° 59' 37" West, departing said north line of said 15' wide alley, along the common line of said Super 1 Foods Addition and said Lot 2, a distance of 170.25 feet to a 5/8 inch iron rod found for a corner;

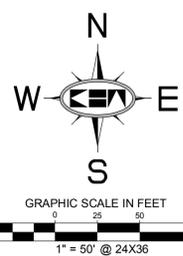
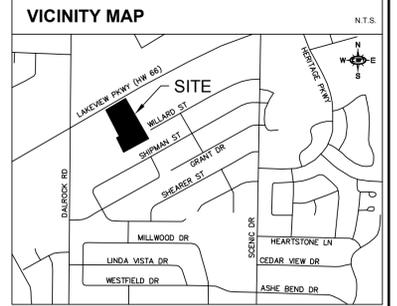
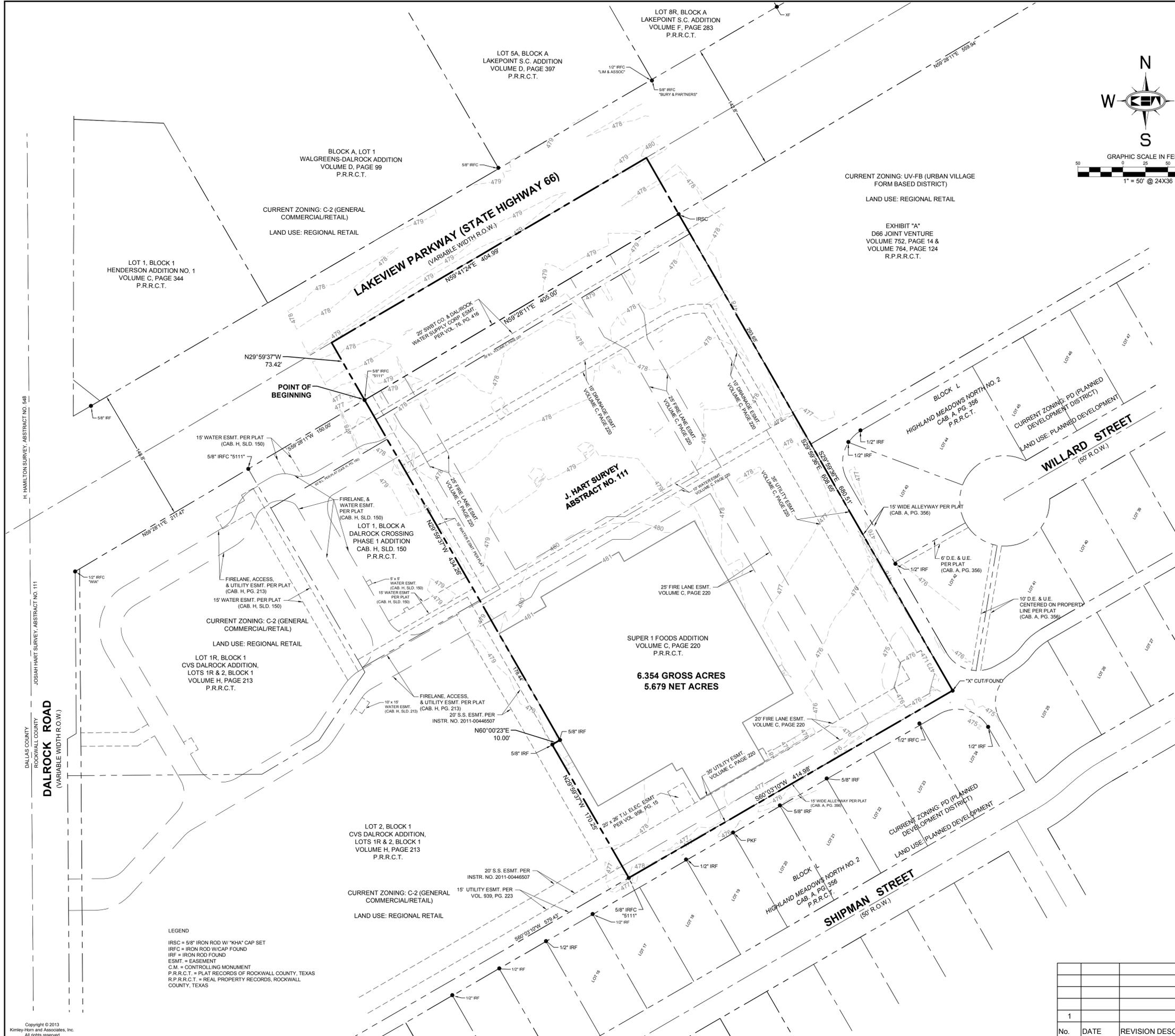
THENCE North 60° 00' 23" East, continuing along the common line of said Super 1 Foods Addition and said Lot 2, a distance of 10.00 feet to a 5/8 inch iron rod found for corner;

THENCE North 29° 59' 37" West, continuing along the common line of said Super 1 Foods Addition and said Lot 2, passing at a distance of 178.44 feet, the southeast corner of aforesaid Lot 1, Block A of Dalrock Crossing Phase 1 Addition, continuing along the common line of said Super 1 Foods Addition and said Lot 1 for a total distance of 434.26 feet (called 434.36 feet) to the POINT OF BEGINNING and containing 6.354 acres of land, more or less.

Bearings are expressed as grid bearings (Texas State Plane Coordinate System of 1983, North Central Zone 4202, NAD 83 Datum), as determined by GPS observations, using City of Rowlett Geodetic Control Stations A-5, C-5, D-4 and C-3.


Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
5750 Genesis Court, Suite 200
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com
TBPLS Firm No. 10193822





CURRENT ZONING: UV-FB (URBAN VILLAGE FORM BASED DISTRICT)
 LAND USE: REGIONAL RETAIL

EXHIBIT "A"
 D68 JOINT VENTURE
 VOLUME 752, PAGE 14 &
 VOLUME 764, PAGE 124
 P.R.R.C.T.

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the J. Hart Survey, Abstract No. 111, City of Rowlett, Rockwall County, Texas and being all of a tract of Super 1 Foods Addition, an Addition to the City of Rowlett, Texas, according to the Final Plat thereof recorded in Cabinet A, Slide 220, Plat Records of Rockwall County, Texas, same being all of a called 5.677 acre tract of land, conveyed to Lakeview Parkway Crossing LLC, as evidenced in a Special Warranty Deed, recorded in Volume 6329, Page 45, Real Property Records of Rockwall County, Texas, and being a portion of Lakeview Parkway (State Highway 66), and being more particularly described as follows:

BEGINNING at a 5/8 inch capped iron rod found stamped "5111" found at the northwest corner of said Super 1 Foods Addition, common to the northeast corner of Lot 1, Block A, Dalrock crossing Phase 1 Addition, according to the plat thereof recorded in Cabinet H, Slide 150, said Plat records of Rockwall County, Texas, and in the southerly right-of-way line of Lakeview Parkway (State Highway 66), and from which a 5/8 inch capped iron rod found stamped "5111" bears South 59°28'11" West, a distance of 150.00 feet;

THENCE North 29°59'37" West, departing the common north corner of said Lot 1, Block A and said Super 1 Foods Addition, common to the northeast corner of Lot 1, Block A, Dalrock crossing Phase 1 Addition, according to the plat thereof recorded in Cabinet H, Slide 150, said Plat records of Rockwall County, Texas, and in the southerly right-of-way line of Lakeview Parkway (State Highway 66), a distance of 73.42 to the apparent centerline of said Lakeview Parkway (State Highway 66);

THENCE North 59°41'24" East, along the apparent centerline of said Lakeview Parkway (State Highway 66), a distance of 404.99 feet to a corner;

THENCE South 29°59'36" East, departing from said centerline of Lakeview Parkway (State Highway 66), passing at a distance of 71.86 feet, the northeast corner of said Super 1 Foods Addition, continuing along the easterly line of said Super 1 Foods Addition, passing at a distance of 365.51 feet, the most northerly, northwest corner of a 15' wide alley, located in Block L, as created in Highland Meadows North No. 2, an Addition to the City of Rowlett, according to the Final Plat thereof recorded in Cabinet A, Slide 356, said Plat records of Rockwall County, Texas, continuing along the common line of said Super 1 Foods Addition and said alley for a total distance of 680.51 feet to an "X" cut found for the southeast corner of said Super 1 Foods Addition, and also being a re-entrant corner of a 15' wide alley as created in said Highland Meadows North No. 2;

THENCE South 60°03'10" West, along the southerly line of said Super 1 Foods Addition and along a northerly line of said 15' wide alley, a distance of 414.98 feet to a 5/8 inch capped iron rod found stamped "5111" for the southwest corner of said Super 1 Foods Addition, same being at the southeast corner of Lot 2, Block 1, CVS Dalrock Addition, Lots 1R and 2, Block 1, as recorded in Cabinet H, Slide 213, said Plat Records of Rockwall county, Texas;

THENCE North 29°59'37" West, departing said north line of said 15' wide alley, along the common line of said Super 1 Foods Addition and said Lot 2, a distance of 170.25 feet to a 5/8 inch iron rod found for a corner;

THENCE North 60°00'23" East, continuing along the common line of said Super 1 Foods Addition and said Lot 2, a distance of 10.00 feet to a 5/8 inch iron rod found for corner;

THENCE North 29°59'37" West, continuing along the common line of said Super 1 Foods Addition and said Lot 2, passing at a distance of 178.44 feet, the southeast corner of aforesaid Lot 1, Block A of Dalrock Crossing Phase 1 Addition, continuing along the common line of said Super 1 Foods Addition and said Lot 1 for a total distance of 434.26 feet (called 434.36 feet) to the POINT OF BEGINNING and containing 6.354 acres of land, more or less.

NOTES:

- According to Map No. 48397C0020 L, dated September 26, 2008 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Rockwall County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, a portion of this property is located in Zone X (unshaded) and is not within a special flood hazard area. This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor. The floodplain shown is an approximate location as depicted from the maps listed, and is not the result of a flood study performed by the surveyor or KHA.
- Bearings are expressed as grid bearings (Texas State Plane Coordinate System of 1983, North Central Zone 4202, NAD 83 Datum), as determined by GPS observations, using City of Rowlett Geodetic Control Stations A-5, C-5, D-4 and C-3. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.999956485.
- The development of the site will be in accordance with the City of Rowlett development standards.

EXHIBIT B - ZONING EXHIBIT
 6.354 ACRES
 SUPER 1 FOODS ADDITION
 J. HART SURVEY, ABSTRACT NO. 111
 CITY OF ROWLETT,
 ROCKWALL COUNTY, TEXAS

SURVEYOR:
 Kimley-Horn and Associates, Inc.
 5750 Genesis Court, Suite 200
 Frisco, Texas 75034
 Tel. No. 972-335-3580
 Contact : Michael B. Marx, R.P.L.S.

APPLICANT:
 Kimley-Horn and Associates, Inc.
 5750 Genesis Court, Suite 200
 Frisco, Texas 75034
 Tel. No. 972-335-3580
 Contact : Kris Holeyfield, P.E.

OWNER:
 Lakeview Parkway Crossing LLC
 1101 King Mark Drive
 Lewisville, Texas 75056
 Tel. No. 214-228-2455
 Contact : Amin Mawani

LEGEND
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRFC = IRON ROD W/CAP FOUND
 IRF = IRON ROD FOUND
 ESMT = EASEMENT
 C.M. = CONTROLLING MONUMENT
 P.R.R.C.T. = PLAT RECORDS OF ROCKWALL COUNTY, TEXAS
 R.P.R.C.T. = REAL PROPERTY RECORDS, ROCKWALL COUNTY, TEXAS

No.	DATE	REVISION DESCRIPTION
1		

Kimley-Horn and Associates, Inc.
 5750 Genesis Court, Suite 200
 Frisco, Texas 75034
 FIRM # 10193822
 Tel. No. (972) 335-3580
 Fax No. (972) 335-3779

Scale: 1" = 50'
 Drawn by: JEG/MBM
 Checked by: KHA
 Date: 11/13/2013
 Project No.: 063362456
 Sheet No.: 1 OF 1



November 19, 2013

SUP Exhibit C – Statement of Intent and Purpose

■
Suite 200
5750 Genesis Court
Frisco, Texas
75034

The proposed development, located at the Southeast corner of Lakeview Parkway and Dalrock Road, consists of a 41,839 square foot Walmart Neighborhood Market grocery store and a six pump fuel station. The existing site is zoned C-2 General Commercial/Retail and is currently a vacant grocery store. No change is proposed to the existing zoning.

Approval Criteria per Section 77-807.C:

1. The proposed use is consistent with the comprehensive plan and other infrastructure-related plans, all applicable provisions of the Zoning and Development Code, and applicable state and federal regulations.
Response: The proposed use is consistent with all applicable provisions of the Zoning and Development Code for zoning district C-2 General Commercial/Retail and meets all applicable state and federal regulations.
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located.
Response: The proposed use is consistent with the purpose and intent of the C-2 General Commercial/Retail zoning district as set forth in the Zoning and Development code.
3. The proposed use is consistent with any applicable use-specific standards as set forth in subchapter 77-303.
Response: The Neighborhood Market grocery store is listed as an allowed use in Table 3.1-1 for the C-2 General Commercial/Retail zoning district. The fuel station is considered a special use for this zoning district and will meet any applicable use-specific standards.
4. The proposed use is compatible with adjacent uses in terms of scale, site design and operating characteristics.
Response: The proposed use is compatible with adjacent uses which consist of restaurant and retail establishments.
5. The proposed use is compatible with city council goals related to the corridor upon which it is proposed, as applicable.
Response: The proposed grocery store is smaller than the existing grocery store and existing access points will be utilized. Therefore no improvements are expected for Lakeview Parkway (U.S. Highway 66).

6. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable.

Response: No significant adverse impacts are anticipated.

7. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

Response: The proposed site will have adequate access to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

PARKING TABLE				
9.5'X20' 90° PROVIDED				
	GLA	TOTAL SF	# OF SPACES	RATIO
PROVIDED	41,117	41,839	168	4.00/ 1000 S.F.
WALMART	41,117	41,839	168	4.0*/ 1,000 S.F.
CITY	41,117	41,839	140	3.33*/ 1,000 S.F.
CITY	41,117	41,839	175	CITY MAX

* PARKING RATIO EXCLUDES SPACES OCCUPIED BY CART CORRALS. PARKING RATIO IS BASED ON TOTAL BUILDING SQUARE FOOTAGE.

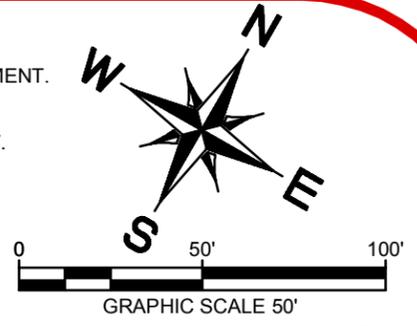
** CITY REQUIRED PARKING IS 1 SPACE PER 300 SQUARE FEET (3.33 RATIO). CITY MAX ALLOWED PARKING IS 125% OF REQUIRED.



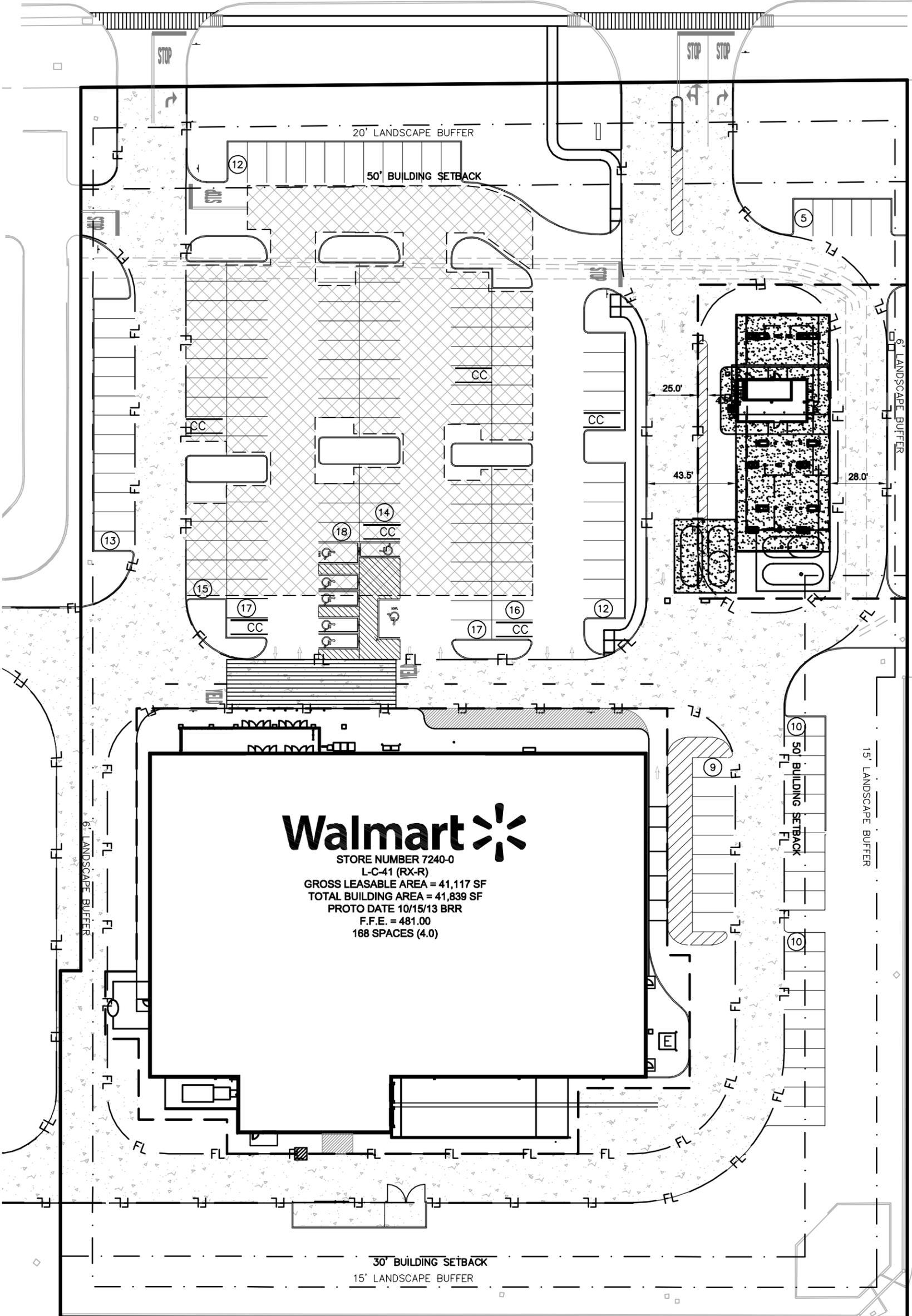
STANDARD DUTY PAVEMENT.

HEAVY DUTY PAVEMENT.

EX. CONCRETE PAVEMENT TO REMAIN



**LAKEVIEW PARKWAY
(U.S. HIGHWAY 66)**
(VARIABLE WIDTH R.O.W.)



Walmart

STORE NUMBER 7240-0
L-C-41 (RX-R)
GROSS LEASABLE AREA = 41,117 SF
TOTAL BUILDING AREA = 41,839 SF
PROTO DATE 10/15/13 BRR
F.F.E. = 481.00
168 SPACES (4.0)



**Kimley-Horn
and Associates, Inc.**