



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, SEPTEMBER 9, 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

1. Update Report from Director of Development Services.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of August 26, 2014.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take appropriate action on a request for an extension to allow a temporary use located at 6800 Scenic Drive further described as Lot 5R, Block 4 of the Heritage on the Lake Tract N Addition, City of Rowlett, Rockwall County, Texas. (TUP14-733)

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.

A handwritten signature in black ink, appearing to read "Garrett Langford".

Garrett Langford, Principal Planner

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 7:00 P.M., AUGUST 26, 2014**

PRESENT: Chairman Karl Crawley, Vice-Chairman Greg Landry, Commissioners Michael Lucas, Jonas Tune, Chris Kilgore, Clayton Farrow, Alternates Gabriela Borcoman, James Moseley

ABSENT: Commissioner Gregory Peebles

STAFF PRESENT: Principal Planner Garrett Langford, Development Services Engineer Samantha Renz, Development Services Coordinator Lola Isom

A. CALL TO ORDER

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

1. Update Report from Director of Development Services.

Garrett Langford, Principal Planner, came forward and announced that the Boards and Commissions interviews with City Council are coming up. He stated that these will be coordinated through the City Secretaries' Office.

Mr. Langford mentioned that the Texas Chapter of the American Planning Association (APA) recognized the City of Rowlett for the 2014 Planning Excellence Award.

He also stated that City Council will recognize October to be "National Community Planning Month" at their October 7, 2014, regular meeting and encouraged attendance.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of August 12, 2014.

Commissioner Lucas made a motion to approve the Consent Agenda. Vice-Chairman Landry seconded the motion. The Consent Agenda passed 6-0-1. Alternate Borcoman abstained from the vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

- 1. Consider and take appropriate action on a preliminary plat. The subject property is located northwest of Rowlett Road and Lakeview Parkway, described as a 12.608-acre tract of land in the Reason Crist Survey, Abstract No. 225 and the V. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas. (PP14-727)**

**MINUTES OF THE REGULAR MEETING
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Garrett Langford came forward to present the case. He presented a location map and gave a brief background on the case. Mr. Langford presented the Proposed Plat. He summarized the staff analysis and stated that staff recommends approval.

Vice-Chairman Landry made a motion to approve the plat. Commissioner Tune seconded the motion. The item passed 7-0.

D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 7:06 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: 09/09/2014

AGENDA ITEM: C.1

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take appropriate action on a request for an extension to allow a temporary use located at 6800 Scenic Drive further described as Lot 5R, Block 4 of the Heritage on the Lake Tract N Addition, City of Rowlett, Rockwall County, Texas. (TUP14-733)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

On August 21, 2014, Lake Pointe Medical Center applied for a temporary use permit to locate a modular building for a temporary catheterization laboratory on their premise at 6800 Scenic Drive. Section 77-304 of the Rowlett Development Code allows temporary buildings for medical uses for 30 days by administrative approval from staff while requests for more than 30 days require action from the Planning and Zoning Commission. The applicant is requesting an extension to allow the continued use of a temporary building on their premise for up to two years.

BACKGROUND INFORMATION

For the last few years, the applicant, Lake Pointe Medical Center, has been planning to expand their facility located at 6800 Scenic Drive (Attachment 1 – Location Map). Over the past year, the applicant and City staff have met to discuss to the future hospital expansion and a future medical office building. The applicant intends to develop the medical office building before expanding the hospital. The hospital expansion is in the process of securing the necessary permits from the Department of Health and Human Services.

The application for the temporary use is to allow a modular building to provide access to patients requiring emergency interventional cardiac catheterization to treat acute heart attacks. The hospital has one catheterization laboratory inside their facility. According to the applicant, the Texas Health Code requires the hospital to provide a secondary catheterization laboratory in order to treat a patient should the primary catheterization laboratory be in use. The applicant would like to maintain the modular building on site for up two years until the hospital expansion is completed. The hospital expansion will allow another catheterization laboratory to be constructed inside the hospital.

The Planning Division approved a temporary use permit for a 30 day period on August 22, 2014. Staff level approval was done in accordance with Section 77-304 Table 3.4-1 1(a) of the Rowlett Development Code. Following staff approval, the modular building was subsequently placed adjacent to the eastern façade of the existing main building on August 23, 2014. A site plan showing the location of the modular building and photos of the building are included as Attachment 2 and Attachment 3, respectively.

Section 77-304 of the Rowlett Development Code (RDC) allows temporary uses for health facilities for a 30-day period subject to approval by the Planning Director. An extension may be granted for 120 days subject to approval by the Planning and Zoning Commission. However, Section 77-810 of the RDC, authorizes the Commission to grant a temporary use permit for those temporary uses not specifically listed in Section 77-304 or uses requesting a duration not allowed in Section 77-304. Therefore, the Commission has the authority to grant a temporary use permit beyond the 120-day limited specify in Section 77-304.

DISCUSSION

Temporary Use Permits are regulated by Section 77-304 and Section 77-810 of the Rowlett Development Code (RDC). Section 77-810.C.2.(b). of the RDC states

For those temporary uses not specifically listed in section 77-304 or uses requesting a duration not allowed in section 77-304, application shall be made to the Planning and Zoning Commission. The commission shall consider such factors as nature of the use; time period allowed for the use; parking; cleanup requirements; and signage. The commission may grant or deny the application and, if granted, the commission may impose such conditions, regulations or restrictions as deemed necessary.

The requirements and approval criteria are detailed below including staff commentary in italics beneath each point of consideration where applicable. Staff recommends that the Planning and Zoning Commission consider the request based on the criteria as detailed below.

1. The temporary use or structure shall not be detrimental to property, or improvements in the surrounding area or to the public health, safety, or general welfare.

The proposed temporary building will be located so as not to be detrimental to property or improvements in the surrounding area nor to the public health, safety, or general welfare.

2. The temporary use or structure shall not have adverse impacts on adjacent land uses and aesthetics as viewed from thoroughfares as determined by the planning director.

Based upon a review from the Planning Staff, this temporary use will not have any adverse impacts on adjacent land uses and aesthetics as viewed from thoroughfares. The temporary building will be out of general view from adjacent thoroughfares.

3. Permanent alterations to the site are prohibited. At the conclusion of the temporary use or at the expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.

There are no permanent alterations to the site being proposed for the temporary building.

4. All temporary signs associated with the temporary use or structure shall be removed when the activity ends or when the permit expires, whichever occurs first.

The applicant is not proposing any temporary signs associated with the temporary use.

5. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site, including parking and setback requirements.

The temporary use does not violate any applicable conditions of approval that apply to the principal use of a hospital/medical center.

6. The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as building permits or health department permits.

The property owner is currently coordinating with the City of Rowlett to ensure all necessary permits are in place; however, it should be noted that health department permits are not specifically required for this temporary use.

7. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic circulation that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, stream protection setbacks, wetlands, areas of slope greater than 20 percent, and required landscaping.

The subject property is developed, therefore, this requirement is not applicable.

8. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.

The proposed modular building is located in an area that is complementary to the existing principal building and serves to support the facility's function in a temporary capacity. Furthermore, the proposed modular building is not detrimental nor does it create a negative impact on the above-mentioned criteria.

9. Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and shall have a fire rating approved by the fire marshal and the building official.

The modular building does not interfere with the normal operations of any permanent use. The entry into the modular building includes a ramp covered by a tent. The tent is anchored to the pavement. The modular building, ramp and the canopy have been inspected by the Fire Marshal and the Building Official to ensure compliance.

10. No temporary use shall be established if such will require installation by cranes or other such heavy equipment on a public street unless first approved by the city. Such installation may require that an amount be placed in escrow to cover the costs of repairs to such streets or portions thereof.

The applicant obtained a moving permit prior installing the modular building onsite. Before the Planning Division issued the moving permit, the moving company obtained a surety bond and provided proof of insurance.

11. Floodplains. Applications for temporary structures to be located in the 100-year floodplain shall be required to submit a plan to the public works department for the removal of such structure(s) in the event of a flood notification. The plan shall include the following information:
 - (a) The name, address, and phone number of the individual responsible for the removal of the temporary structures and the property owner;
 - (b) The time frame prior to the event at which a structure will be removed; and
 - (c) A plan to remove the temporary use earlier than the scheduled removal date, if required

The subject site is not located in the 100-year floodplain; therefore, the provisions of this section are not applicable.

In conclusion, staff finds that the request meets the requirements for a temporary building. Allowing the temporary building a 120-day extension will not interfere with landscaping, parking, fire lanes or the principal use of the property. The extension of the temporary building will not require any permanent site improvements. In addition, it is not anticipated that the cleanup from removing the temporary building will negatively impact the subject property or the surrounding uses. In staff's opinion, the request meets the criteria and requirements for a temporary building for a 120-day extension.

The purpose of the regulations for a temporary use permit is to ensure that the temporary use remains temporary and does not become permanent. A request for a temporary use up to two years raises concerns that the use will become permanent in nature, particularly, if the applicant

is unable to pursue their expansions plans for their facilities. While the applicant has not filed a permit for the expansion of the hospital, the applicant has begun the process towards expansion. The applicant has had several meetings with the Urban Design Manager to discuss ensure the future expansion. Additionally, the hospital has applied for a permit as high Medicaid facility under the Affordable Care Act with the Department of Health Human Services (HHS).

Staff recommends extension of the temporary building for 180 days. Prior to the 180 day period, the applicant, may choose to reapply to the Planning and Zoning Commission for another extension. This will allow for review of the condition of the modular building and to confirm the status of the expansion plans for the hospital.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval to extend the temporary use permit with the following conditions.

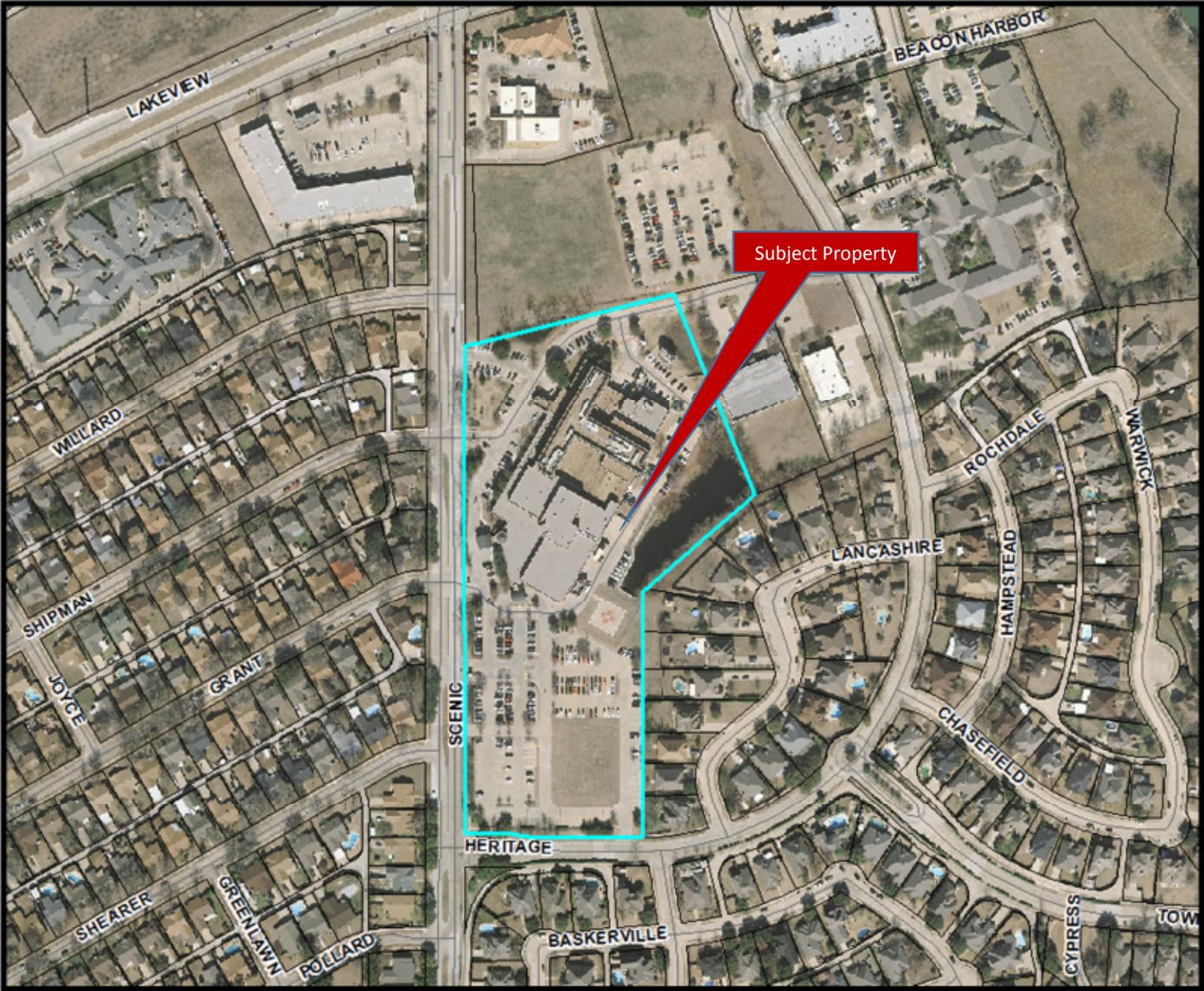
1. The temporary use permit shall expire within 180 days from the date of the Planning and Zoning Commission approval.
2. A request for extension must be filed with the Planning Division 30 days prior to the expiration of this extension.

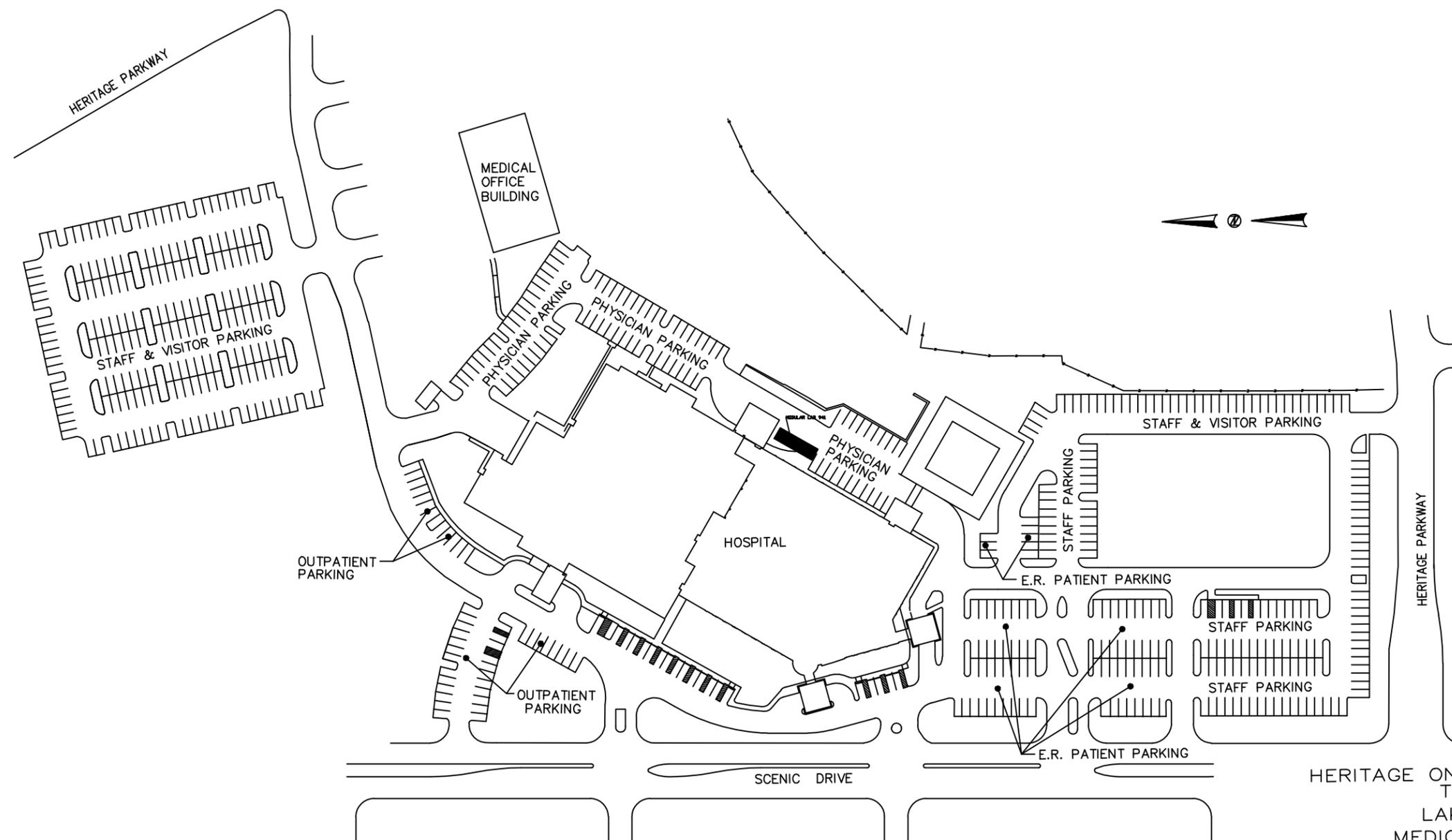
ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Site Plan

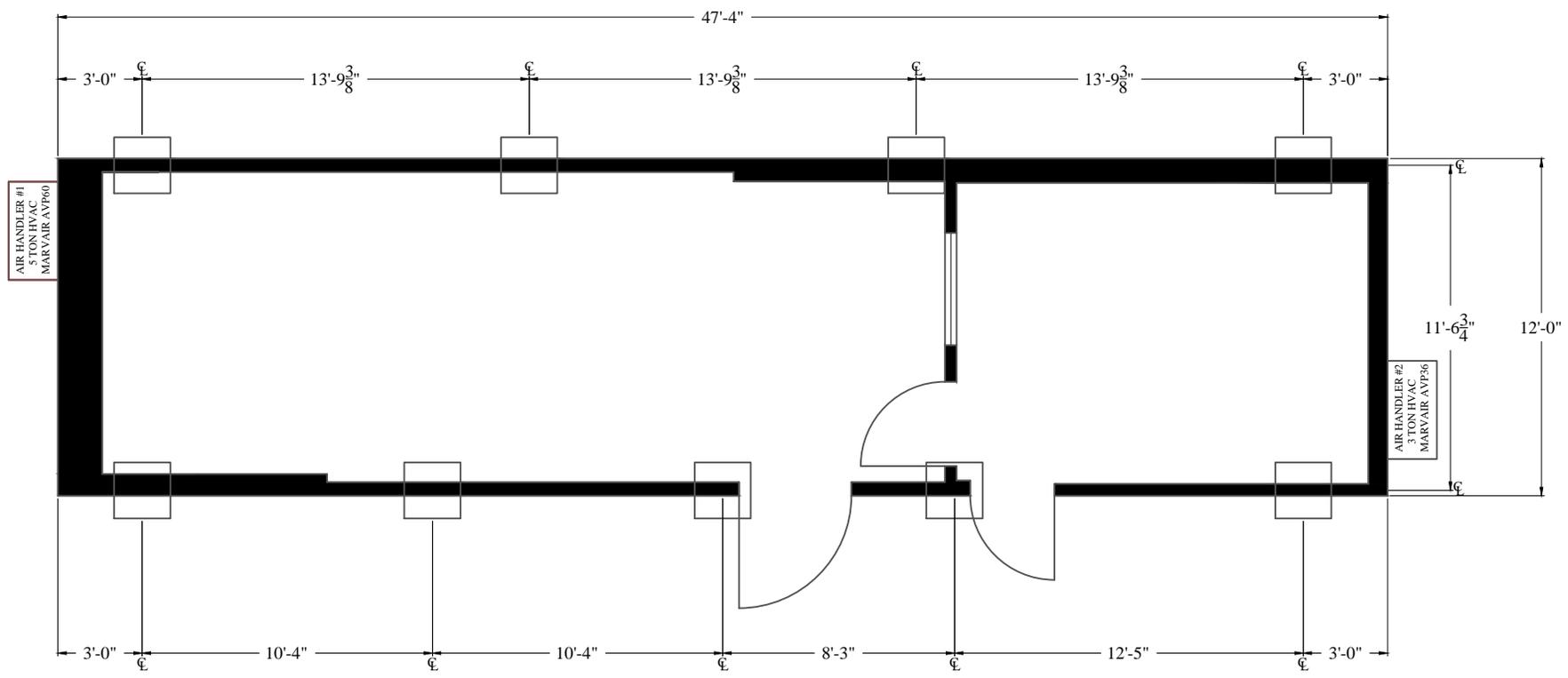
Attachment 3 – Site Pictures





HERITAGE ON THE LAKE
TRACT N
LAKEPOINTE
MEDICAL CENTER

Owner
Lakepointe Medical Center, Ltd.
6800 Scenic Drive
Rockwall, Texas 75088
Telephone 972 412-2273



- NOTES:
1. ALL WEIGHT SHOWN IS IN LBS.
 2. LAB WEIGHT: 40,000 LBS.
 3. ALL PIERS ARE 2' x 2' AT THE SAME ELEVATION & SHOULD BE SIZED ACCORDING TO SITE CONDITIONS.
 4. IT WILL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR TO VERIFY THE SOIL BEARING CONDITIONS FOR PIER PLACEMENT.

 Modular Devices Inc. <small>MDI :: MOBILE VASCULAR LAB SOLUTIONS</small>		
SCALE: N.T.S.	APPR'VD BY: M. LEHNEN	DRN BY: B. BOOTH
DATE: 10/21/10		CHK'D BY: M. LEHNEN
TITLE: Pier Layout		
MODEL: Modular Lab 105	DWG NO. MD105-02	

Lake Pointe Medical Cath Lab Site Photos



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