



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, SEPTEMBER 8, 2015**

The Planning and Zoning Commission will convene into a Regular Meeting at 6:30 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 and Kids Kingdom Playground Committee.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of August 11, 2015.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take 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. (TUP30-2015).

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 MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:00 P.M., AUGUST 11, 2015**

PRESENT: Chairman Karl Crawley, Commissioners Jonas Tune, James Moseley, Chris Kilgore, Alternates Lisa Estevez, Gabriela Borcoman

ABSENT: Vice-Chairman Michael Lucas, Commissioners Clayton Farrow, Thomas Finney

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

WORK SESSION

i. Call to Order.

Chairman Karl Crawley called the Work Session to order at 6:02 p.m.

ii. Discuss the Form-Based Code Zoning Process

Director of Development Services Marc Kurbansade gave an overview of the Form-Based Code rezoning process.

iii. Discuss items on the regular agenda.

The Regular Agenda items were not discussed during this Work Session.

iv. Adjourn.

Chairman Karl Crawley adjourned the Work Session at 6:15 p.m.

REGULAR MEETING

PRESENT: Chairman Karl Crawley, Commissioners Jonas Tune, James Moseley, Chris Kilgore, Alternates Lisa Estevez, Gabriela Borcoman

ABSENT: Vice-Chairman Michael Lucas, Commissioners Clayton Farrow, Thomas Finney

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

**MINUTES OF THE MEETING
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A. CALL TO ORDER

Chairman Karl Crawley called the Regular Meeting to order at 6:20 p.m.

1. Update Report from Director of Development Services.

Principal Planner Garrett Langford announced that the deadline to apply to serve another term on the Commission is on August 14, 2015.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of July 14, 2015.

2. Consider and take action on a Final Plat for Homestead at Liberty Grove located at the northern terminus of Chiesa Road, north of Liberty Grove Road, being 35.315 +/- acres out of the James M. Hamilton Survey, Abstract Number 544 (FP16-15).

Commission Chris Kilgore made a motion to approve the Consent Agenda. Commissioner James Moseley seconded and the motion passed with a 6-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take action on a Development Plan for Dalrock Crossing located at 6300 Dalrock Road, further described as being Lot 2, Block 1 of the CVS Dalrock Addition, City of Rowlett, Rockwall County, Texas (DP15-781).

Principal Planner Garrett Langford gave a presentation on Dalrock Crossing. Mr. Langford explained the new development meets all requirement of the City except for the driveway requirements. The developer received a variance from the Board of Adjustments for the new driveway on July 27, 2015. Staff recommended approval of the request.

Commissioner James Moseley made a motion to approve the Development Plan for Dalrock Crossing. Alternate Gabriela Borcoman seconded and the motion passed with a 6-0 vote.

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2. **Consider and make a recommendation to City Council regarding a request to allow an alternative building material at 8120 Lakeview Parkway, further described as Lot 1, Block A, Primo Plaza Addition, City of Rowlett, Dallas County, Texas.**

Mr. Kurbansade presented an overview of the alternate building materials request. He presented a location map, site pictures and provided background on the case. Mr. Kurbansade stated that staff is recommending denial of the request due to it not meeting the code requirements.

After a brief discussion, Chairman Karl Crawley stated he will not support staff's recommendation to deny alternate building material request.

Commissioner James Moseley made a motion to recommend denial of the request to City Council. The motion died as there was no second.

Commissioner Jonas Tune made a motion to recommend approval of the request to City Council. Alternate Lisa Estevez seconded and the motion passed with a 5-1 vote with Commissioner James Moseley dissenting.

D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 6:32 p.m.



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 09/08/2015

AGENDA ITEM: C.1

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take 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. (TUP30-2015)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

On September 9, 2014, the Planning and Zoning Commission granted a temporary use permit extension to allow Lake Pointe Medical Center 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 a new 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. City Council approved Major Warrant related to the hospital expansion on December 2, 2014. The first phase of the expansion will involve parking lot improvements which is expected to begin in October of 2015. The applicant intends to submit the Development Plan for the hospital expansion in the coming month.

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, but based on demand two labs are needed. The applicant would like to maintain the second lab in the modular building for up to 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. The Commission granted a one year extension on September 9, 2014.

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 temporary building is 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 has not have any adverse impacts on adjacent land uses and aesthetics as viewed from thoroughfares. The temporary building is out of general view from adjacent thoroughfares. Staff has not received any complaints regarding the temporary building.

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 secured all the necessary permits with the City prior to locating the modular building on site.

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 continued use of the 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 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.

Staff finds that the request meets the requirements for the continued use of a temporary building. Allowing the temporary building another 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 one year 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 some concerns that the use will become permanent in nature, particularly, if the

applicant is unable to pursue their expansions plans for their facilities. However, staff recognizes that an expansion of a major medical facility can take a considerable amount of time to complete. Allowing the continued use of the temporary building will assist the applicant in carrying out needed medical services while they're making progress on their expansion plans. Staff expects the applicant to submit the necessary permits for the hospital expansion in the coming months in order to start construction.

Staff recommends extension of the temporary building for one year. Prior to the expiration of the one year extension, 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.

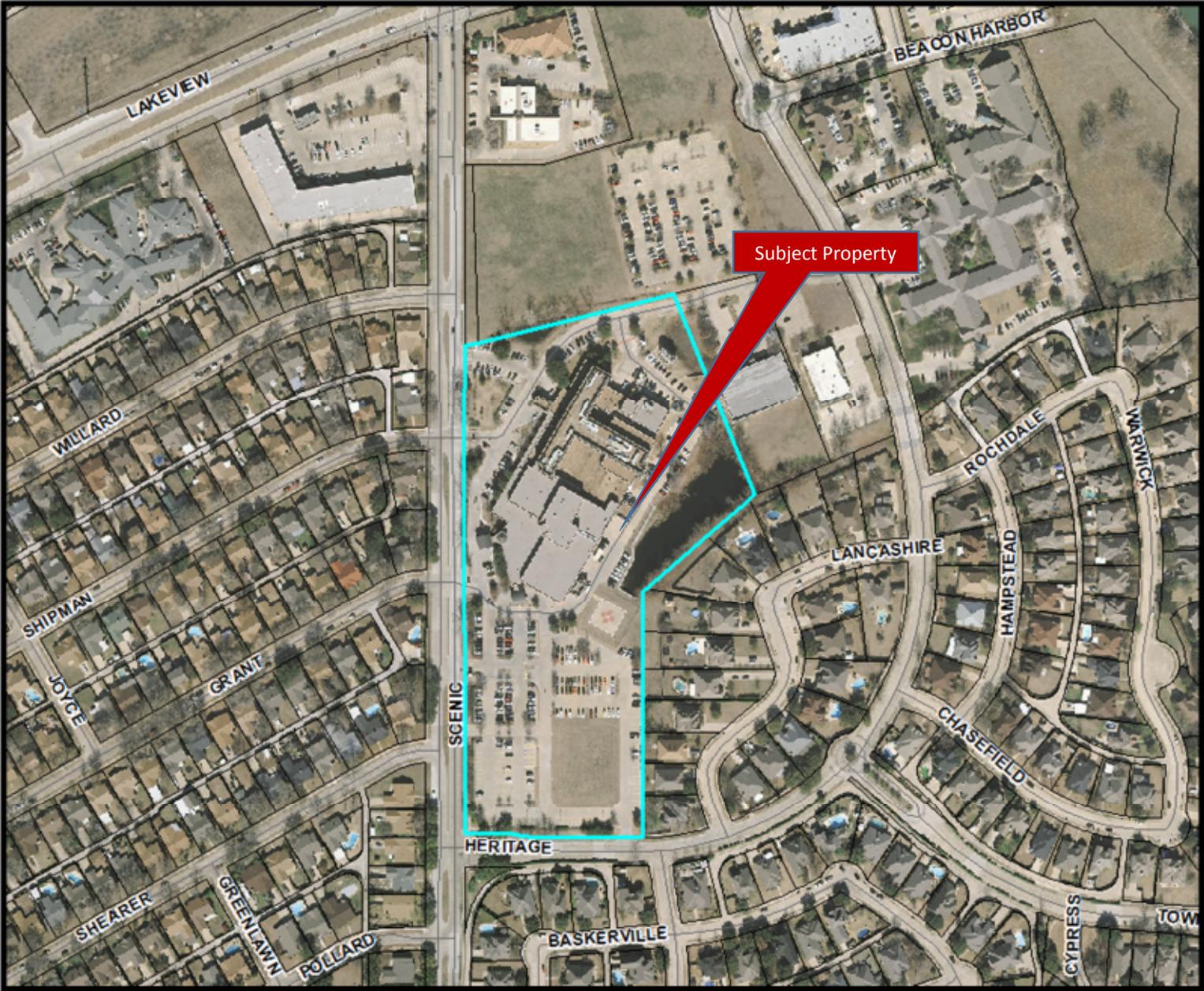
1. The temporary use permit shall expire within one year from the date of the Planning and Zoning Commission approval.
2. A request for extension must be filed with the Planning Division 30 days prior to the expiration of this extension.

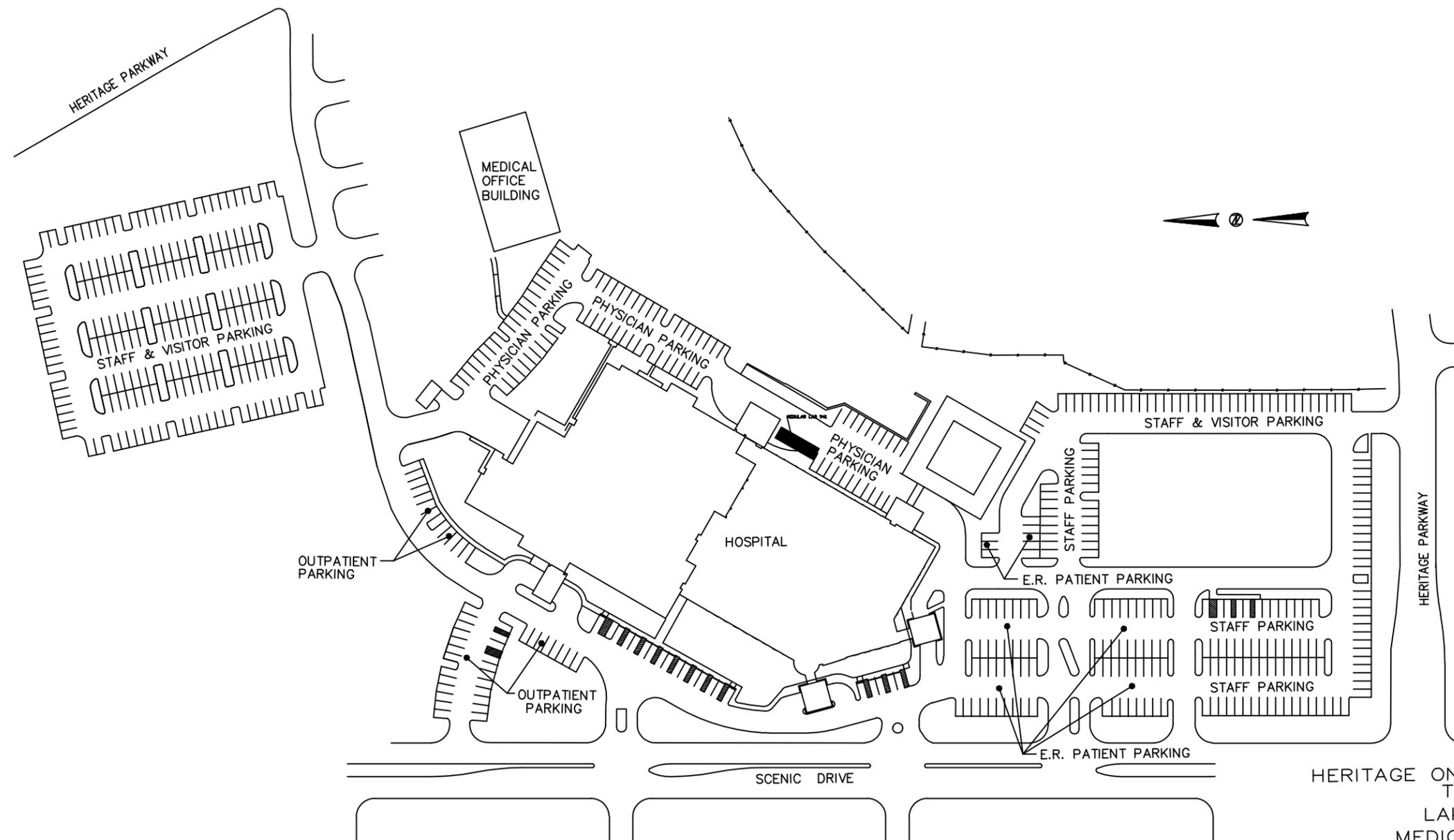
ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Site Plan

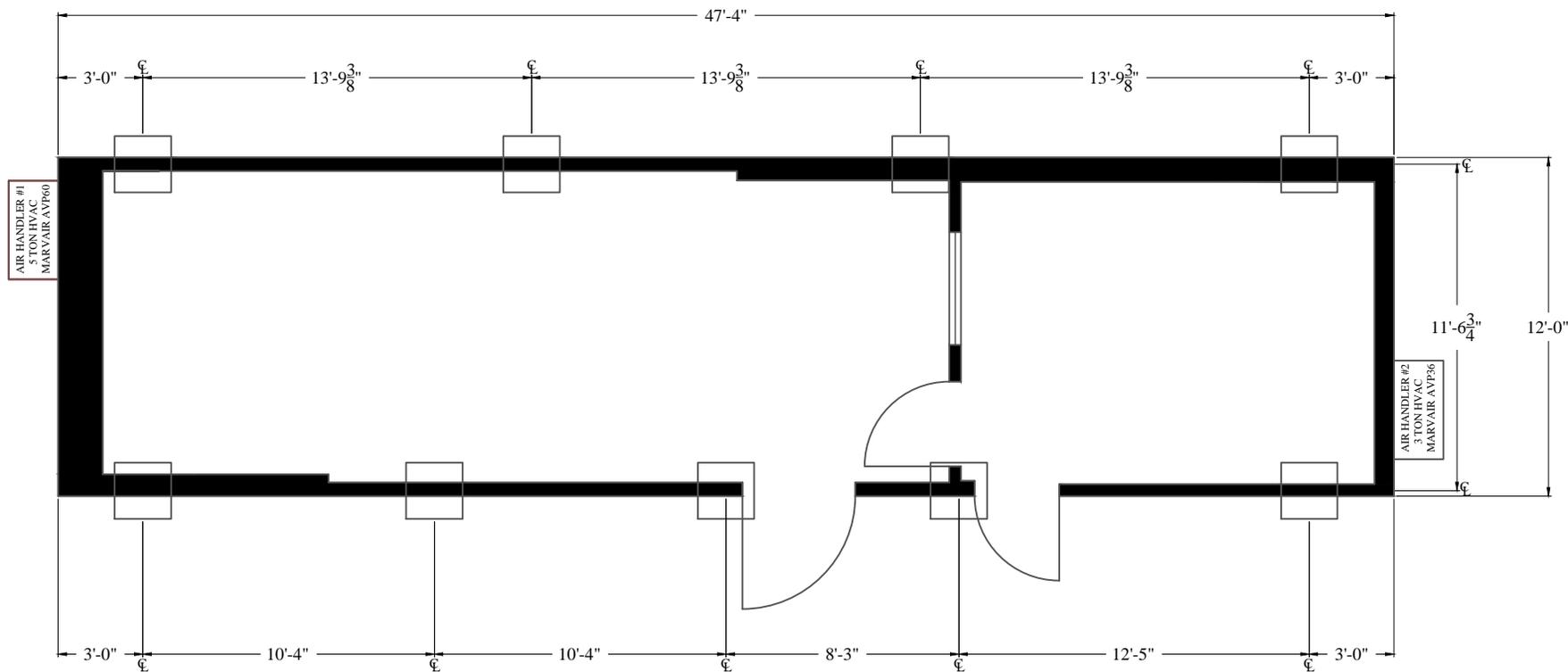
Attachment 3 – Site Pictures





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

