



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, SEPTEMBER 22, 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.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of September 8, 2015.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take action on a Preliminary Plat for the Evergreen at Rowlett Addition, located at 5500 Old Rowlett Road, further described as being 5.50 +/- acres of land located in the John M. Thomas Survey, Abstract No. 1478, City of Rowlett, Dallas County, Texas (Case # 2015-27).

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 6:30 P.M., SEPTEMBER 8, 2015**

PRESENT: Vice-Chairman Michael Lucas, Commissioners Jonas Tune, James Moseley, Chris Kilgore, Alternate Lisa Estevez

ABSENT: Chairman Karl Crawley, Commissioners Clayton Farrow, Thomas Finney, Alternate Gabriela Borcoman

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

A. CALL TO ORDER

Vice-Chairman Michael Lucas called the meeting to order at 6:30 p.m.

1. Update Report from Director of Development Services and Kids Kingdom Playground Committee.

Principal Planner Garrett Langford announced that National Night Out will be held on October 6, 2015. Due to that event, he stated that City Council would not have a meeting on that night. He stated that City Council will reschedule the October 6, 2015 meeting to October 13, 2015. Due to this change, if a Planning and Zoning Commission meeting is needed on October 13, 2015, the meeting will be relocated to the Annex Building at 4004 Main Street.

Mr. Langford stated that the Kid's Kingdom representative had not yet arrived and therefore no presentation would be given at this time.

B. CONSENT AGENDA

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

Commissioner James Moseley made a motion to approve the Consent Agenda. Alternate Lisa Estevez seconded the motion. The motion passed with a 5-0 vote.

**MINUTES OF THE MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., SEPTEMBER 8, 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).**

Mr. Langford came forward to present the case. He provided background on the case including the previous staff and Planning and Zoning Commission approvals. He summarized the extension request for the Temporary Use permit. Mr. Langford presented a location map, the Site Plan, and site photographs. He mentioned that no complaints had been received. He stated that staff recommends approval of the extension with the following two 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.*

There was discussion amongst the Commission regarding the length of the extension.

Commissioner Jonas Tune made a motion to approve the extension of the Temporary Use Permit with both proposed conditions. Commissioner Chris Kilgore seconded the motion. The motion passed with a 5-0 vote.

The Kid's Kingdom representative arrived following Item 1 and provided an update as follows:

**Bruce Hargrave
Parks & Recreation Board Member**

Mr. Hargrave provided an update on the rebuilding of the Kid's Kingdom playground. He stated that they had met with designers and that supplemental funding was granted through the 2015 May Bond Election. He stated that fundraising is going well, volunteer participation is good, and private sector partnerships are engaged in the project. He asked for the Planning and Zoning Commission members to spread the word in the community.

**MINUTES OF THE MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., SEPTEMBER 8, 2015**

He announced an excavation date range of November 20, 2015 through November 22, 2015, construction for November 30, 2015 through December 6, 2015, and dedication services to be held on December 6, 2015. He stated that there had been delays in the project due to the weather.

D. ADJOURNMENT

Vice-Chairman Michael Lucas adjourned the meeting at 6:40 p.m.

Chairman

Secretary

Staff Report

Planning & Zoning Commission

AGENDA DATE: 09/22/2015

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take action on a Preliminary Plat for the Evergreen at Rowlett Addition, located at 5500 Old Rowlett Road, further described as being 5.50 +/- acres of land located in the John M. Thomas Survey, Abstract No. 1478, City of Rowlett, Dallas County, Texas (Case # 2015-27).

STAFF REPRESENTATIVE

Garrett Langford, Principal Planner

SUMMARY

The preliminary plat is one of the first steps in the development process and provides an overview of the utility and lot layout for the site in its entirety. This preliminary plat involves creating a lot (Attachment 1 – Preliminary Plat) for an independent senior apartment complex.

BACKGROUND INFORMATION

The subject property is located east of Old Rowlett Road, north of Big A Road, west of R. Arnold Edwards Park and south of Tulip Lane as seen in the location map included below:



The subject property was rezoned from Limited Office (O-1) to Planned Development Ord. #022-15 on June 2, 2015, to allow a senior apartment complex. Following a rezoning, the next

step in the development process is the Preliminary Plat. Subsequently, the applicant will need approval of the Development Plan (includes site, landscape, tree survey and façade plans), Civil Engineering Plans, Final Plat, and building plans prior to receiving a building permit. Due to the size of the project, Staff will bring the Development Plan before the Commission for consideration and approval, as well as the Final Plat.

DISCUSSION

Section 77-806.C.2(d)(1) of the Rowlett Development Code (RDC) states,

“Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met.”

It is important to note that Section 77-806.C.2(d)(2) of the RDC additionally states,

“No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the final plat by the planning and zoning commission and the construction plans by the director of public works and/or director of utilities. The subdivider, at its sole and exclusive risk, may undertake certain ground excavations for grading and drainage purposes, install underground utilities, and install drainage, if the proper permits and approvals for such works are issued by the director of public works.”

Section 77-806.C.6 of the RDC further states,

“The Planning and Zoning Commission may approve a preliminary or final plat only if it finds that the plat:

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;
- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets;
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council.”

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal’s Office have reviewed the Preliminary Plat for compliance with the Rowlett Development Code. Based on the fact that this request meets the requirements set forth in the Rowlett Development Code, Staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval of the Preliminary Plat.

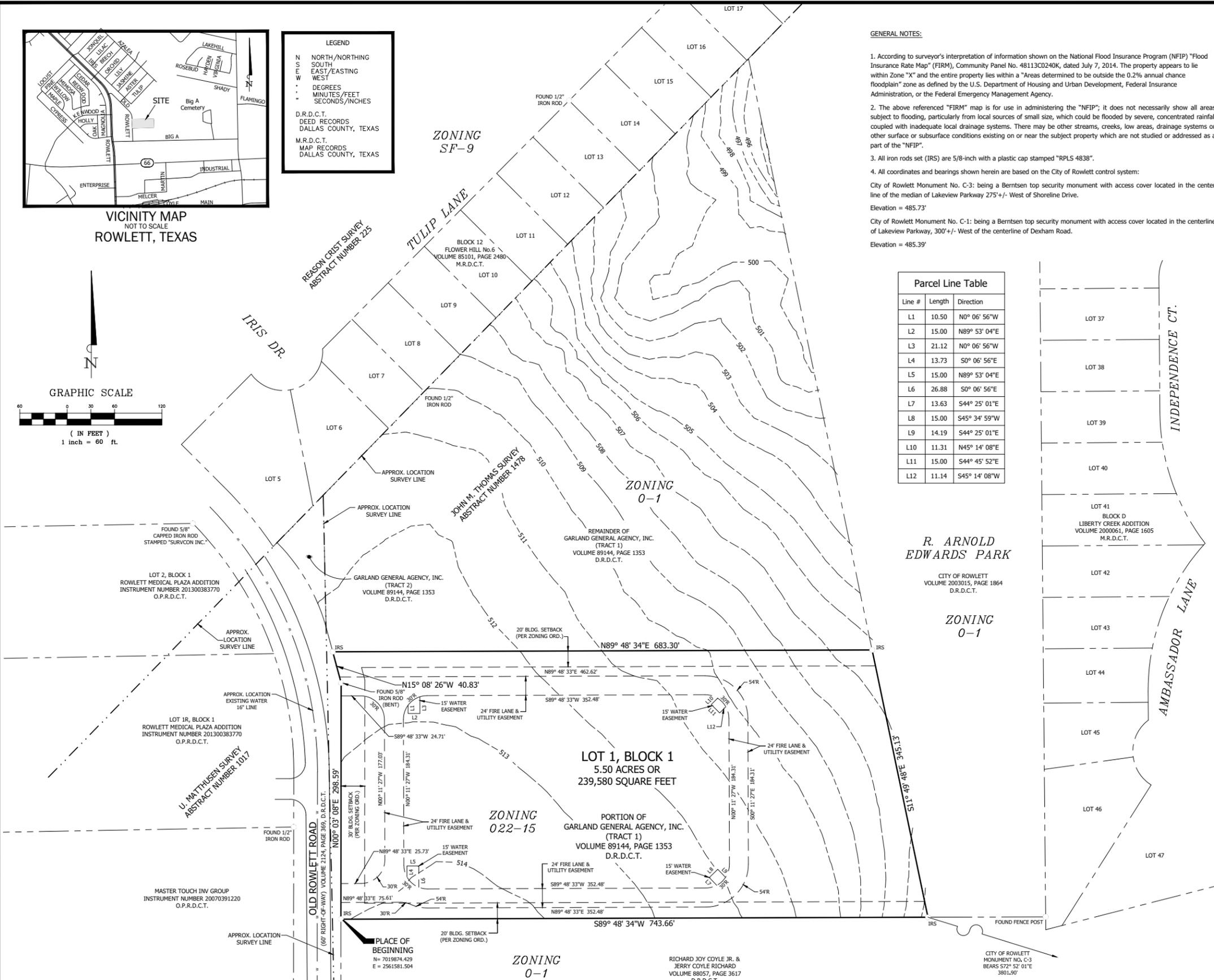
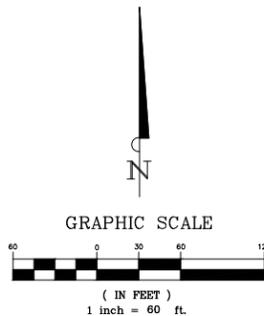
ATTACHMENTS

Attachment 1 – Proposed Preliminary Plat



VICINITY MAP
NOT TO SCALE
ROWLETT, TEXAS

LEGEND
 N NORTH/NORTHING
 S SOUTH
 E EAST/EASTING
 W WEST
 ° DEGREES
 ' MINUTES/FEET
 " SECONDS/INCHES
 D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS



GENERAL NOTES:

- According to surveyor's interpretation of information shown on the National Flood Insurance Program (NFIP) "Flood Insurance Rate Map" (FIRM), Community Panel No. 48113C0240K, dated July 7, 2014. The property appears to lie within Zone "X" and the entire property lies within a "Areas determined to be outside the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.
- The above referenced "FIRM" map is for use in administering the "NFIP"; it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP".
- All iron rods set (IRS) are 5/8-inch with a plastic cap stamped "RPLS 4838".
- All coordinates and bearings shown herein are based on the City of Rowlett control system:
 City of Rowlett Monument No. C-3: being a Berntsen top security monument with access cover located in the center line of the median of Lakeview Parkway 275'+/- West of Shoreline Drive.
 Elevation = 485.73'
 City of Rowlett Monument No. C-1: being a Berntsen top security monument with access cover located in the centerline of Lakeview Parkway, 300'+/- West of the centerline of Dexham Road.
 Elevation = 485.39'

Parcel Line Table

Line #	Length	Direction
L1	10.50	N0° 06' 56"W
L2	15.00	N89° 53' 04"E
L3	21.12	N0° 06' 56"W
L4	13.73	S0° 06' 56"E
L5	15.00	N89° 53' 04"E
L6	26.88	S0° 06' 56"E
L7	13.63	S44° 25' 01"E
L8	15.00	S45° 34' 59"W
L9	14.19	S44° 25' 01"E
L10	11.31	N45° 14' 08"E
L11	15.00	S44° 45' 52"E
L12	11.14	S45° 14' 08"W

R. ARNOLD EDWARDS PARK
 CITY OF ROWLETT
 VOLUME 2003015, PAGE 1864
 D.R.D.C.T.

ZONING 0-1

LEGAL LAND DESCRIPTION:

BEING 5.50 acres (239,580 square feet) of land located in the John M. Thomas Survey, Abstract Number 1478, City of Rowlett, Dallas County, Texas and being a portion of that certain tract of land described in a deed to Garland General Agency (hereinafter referred to as Garland tract), as recorded in Volume 89144, Page 1353, Deed Records, Dallas County, Texas (D.R.D.C.T.), said 5.50 acres (239,580 square feet) of land being more particularly describe, by metes and bounds, as follows:
BEGINNING at a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southwest corner of said Garland tract, same being the Northwest corner of that certain tract of land described in a deed to Joy Coyle Richards and Jerry Coyle Richards (hereinafter referred to as Richards tract), as recorded in Volume 88057, Page 3617, D.R.D.C.T., same being in the existing East right-of-way line of Old Rowlett Road (60' Right-of-way), according to the deed thereof recorded in Volume 2124, page 369, D.R.D.C.T.;
THENCE North 00 degrees 03 minutes 08 seconds East with the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road, a distance of 298.59 feet to a five-eighths inch iron rod found for an angle point;
THENCE North 15 degrees 08 minutes 26 seconds West, continuing with the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road, a distance of 40.83 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner;
THENCE North 89 degrees 48 minutes 34 seconds East, departing the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road and crossing said Garland tract, a distance of 683.30 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the West line of that certain tract of land described in a deed to the City of Rowlett (known as R. Arnold Park) according to the deed thereof, as recorded in Volume 2003015, Page 1864, D.R.D.C.T.;
THENCE South 11 degrees 49 minutes 48 seconds East with the common line between said Garland tract and said City of Rowlett tract, a distance of 345.13 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southwest corner of said City of Rowlett tract, same being in the North line of the aforesaid Richards tract;
THENCE South 89 degrees 48 minutes 34 seconds West with the common line between said Garland tract and said Richards tract, a distance of 743.66 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 5.50 acres (239,580 square feet) of land.

Preliminary Plat - For Inspection Purposes Only
 Approved for Preparation of Final Plat

Chairman, City of Rowlett _____ Date _____
 Planning and Zoning Commission

Director of Development Services _____ Date _____

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §
 COUNTY OF TARRANT §
 That I, Michael Dan Davis, Registered Professional Land Surveyor Number 4838 for the State of Texas, do hereby certify, that I prepared this plat, an actual survey on the ground survey of land described, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Rowlett Planning and Zoning Commission.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED AS A FINAL SURVEY DOCUMENT

Michael Dan Davis DATE: _____
 Registered Professional Land Surveyor No. 4838
 BANNISTER ENGINEERING, LLC
 T.B.P.L.S. REGISTRATION NO. 10193823
 1696 COUNTRY CLUB DRIVE
 MANSFIELD, TEXAS 76063
 Office (817) 842-2094



STATE OF TEXAS §
 COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a notary public in and for said County and State, on this day appeared personally Michael Dan Davis, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he has executed the same for the purpose and consideration therein expressed.
 Given under my hand and seal of office this _____ day of _____, 2015.

Notary Public in and for the State of Texas
 My Commission Expires: _____

PRELIMINARY PLAT OF EVERGREEN AT ROWLETT ADDITION LOT 1, BLOCK 1
 Being 5.50 acres or (239,580 square feet) out of the John M. Thomas Survey, Abstract Number 1478
 City of Rowlett, Dallas County, Texas

Date Prepared August 20th, 2015
 Case Number 27-2015
 SHEET 1 OF 1

BANNISTER ENGINEERING
 240 N. Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
 TBPLS REGISTRATION NO. 10193823

OWNER: GARLAND GENERAL AGENCY, INC. 819 MAIN STREET GARLAND, TEXAS 75040 (972) 276-5673
 DEVELOPER: CHURCHILL RESIDENTIAL, INC. 5605 N. MACARTHUR BLVD., SUITE 580 IRVING, TEXAS 75038 ATTN: BRAD FORSLUND, PRESIDENT (972) 550-7800
 ENGINEER/SURVEYOR: BANNISTER ENGINEERING, LLC 240 N. MITCHELL ROAD MANSFIELD, TEXAS 76063 CONTACT: TRAVIS ATTANASIO, P.E. 817-842-2094 Travis@bannister-engineering.com

This plat filed in Instrument No. _____ Date: _____ PROJECT NO. 055-15-01