



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 12, 2016**

The Planning and Zoning Commission will convene into a Work Session at 6:00 p.m. in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

- i. Call to Order
- ii. Discuss items on the regular agenda
- iii. Adjourn

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 Staff.
2. Elect a Chairman and a Vice-Chairman.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of December 8, 2015.
2. Consider and take appropriate action on a Final Plat for Munoz Addition located at 2525 Fuqua Road further described as being 0.2577 acres out of the Charles D. Merrell Survey, Abstract 957, City of Rowlett, Dallas County, Texas.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow an accessory building that does not meet the requirements in Section 77-303 of the Rowlett Development Code. The subject property is located at 2905 Weems Way being further described as being Lot 11, Block 1, Toler Ridge Addition, City of Rowlett, Dallas County, Texas. (SUP47-2015)
2. Conduct a public hearing and make a recommendation on a rezoning request from Rural Neighborhood and Urban Neighborhood Form Based Districts to the New Neighborhood Form

Based Zoning District for the purposes of building a pedestrian-oriented, single family neighborhood. The subject property is located in the North Shore South District as identified in the Realize Rowlett 2020 Comprehensive Plan, being 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas.

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.



Garrett Langford, Principal Planner

**MINUTES OF THE WORK SESSION AND REGULAR 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., DECEMBER 8, 2015**

PRESENT: Chairman Karl Crawley, Vice-Chairman Michael Lucas, Commissioners Jonas Tune, James Moseley, Thomas Finney, Chris Kilgore, Lisa Estevez, Alternates Jason Berry, Stephen Ritchey, Kim Clark

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Coordinator Lola Isom

WORK SESSION

i. Call to Order

Chairman Karl Crawley called the Work Session to order at 6:00 p.m.

ii. Discuss items on the regular agenda

Garrett Langford, Principal Planner, provided the update from staff. He stated that there would be no Planning and Zoning Commission meeting held on December 22, 2015 and that January 12, 2015, would be the next meeting. Mr. Langford announced an upcoming training opportunity for the Commissioners that would be at the Garland Event Center on January 15, 2015. He asked the Commission to let him know if they were interested in attending.

Vice-Chairman Michael Lucas provided an update regarding a recent City Council meeting that was held for the Chairs of the Rowlett Boards and Commissions. Vice-Chairman Michael Lucas said that City Council will arrange to meet with each Board and Commission in the near future with the goal to enhance the relationship between City Council and all Boards and Commissions as well as to set some expectations. He stated that the Planning and Zoning Commission was tasked with reviewing their definition.

Mr. Langford provided background on Regular Meeting Item C.1. in regards to the Water Spring Townhomes. He summarized the rezoning request, explained the standards, stated that staff was recommending denial, and said that the proposal was lacking design elements.

There was discussion amongst the Commission regarding the lacking design elements, public realm, the staff recommendation, current zoning, public responses, developable area, tree mitigation, lot requirements, and minimum house size.

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Mr. Langford summarized Items C.2. and C.3. on the Regular Meeting Agenda; the Special Use Permit and Alternate Building Material requests for Panda Express requests. He stated that staff was recommending approval of both requests. Vice-Chairman Michael Lucas stated that he would recuse himself from both items due to a conflict of interest.

Mr. Langford summarized the Alternate Building Material request for Item C.4. on the Regular Meeting Agenda and stated that staff recommended approval.

Mr. Langford summarized the Alternate Building Material request for Item C.5. on the Regular Meeting Agenda and stated that staff recommended approval. He passed around a sample of the building material. There was discussion amongst the Commission regarding the location not being a part of a Homeowner's Association.

iii. Adjourn.

Chairman Karl Crawley adjourned the Work Session at 6:33 p.m.

REGULAR MEETING

PRESENT: Chairman Karl Crawley, Vice-Chairman Michael Lucas, Commissioners Jonas Tune, James Moseley, Thomas Finney, Chris Kilgore, Lisa Estevez, Alternates Jason Berry, Stephen Ritchey, Kim Clark

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Coordinator Lola Isom

A. CALL TO ORDER

Chairman Karl Crawley called the Regular Meeting to order at 6:37 p.m.

1. Update Report from Staff.

No update was provided. The update was given during the Work Session.

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B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of November 17, 2015.

Commissioner Lisa Estevez made a motion to approve the Consent Agenda. The motion carried with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

There was a motion made by Commissioner James Moseley to reorganize the agenda items so Items C.2. and C.3. would be discussed first due to Vice-Chairman Michael Lucas' conflict of interest with those two items. Commissioner Jonas Tune seconded the motion. The motion carried with at 7-0 vote.

Vice-Chairman Michael Lucas recused himself from the meeting.

2. Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow a restaurant with a drive-through located at 2801 Lakeview Parkway further described as being 0.77 acres of land in the U. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas. (SUP45-2015)

Mr. Langford came forward to present. He presented a location map and summarized both the Special Use Permit and Alternate Building Material requests. He presented the Concept plan, explained that the request meets the minimum parking requirements, said that a Traffic Impact Analysis (TIA) had been performed for the entire development, presented elevations, and provided detail on Item C.3. in regards to the Alternate Building Material request for the same property. Mr. Langford explained the staff analysis and stated that staff recommends approval of both Item C.2. and Item C.3. He stated that public hearing notices were sent out. One was received in favor for the 200' public notifications. One was received in favor and one in opposition for the 500' courtesy notifications.

Chairman Karl Crawley opened the public hearing.

No speakers came forward.

Chairman Karl Crawley closed the public hearing.

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Commissioner James Moseley made a motion to recommend approval of the request. Commissioner Thomas Finney seconded and the motion. The motion passed with a 6-0 vote.

- 3. Consider and take action on a request to allow an alternative building material for Panda Express located at 2801 Lakeview Parkway further described as being 0.77 acres of land in the U. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas (ABM67-2015).**

Commissioner Lisa Estevez made a motion to approve the request. Commissioner Jonas Tune seconded the motion. The motion passed with a 6-0 vote.

- 1. Conduct a public hearing and make a recommendation to City Council regarding a request for a rezoning from a Single Family-8 Zoning District to a Planned Development District with an underlying base district of Multi-Family Attached Residential Townhouse (MF-TH) for the purpose of constructing 14 townhomes. The subject property is located at 10206 Liberty Grove Road further described as being 3.149 +/- acres in the Harrison Blevins Survey, Abstract No. 94 and the Hanse Hamilton Survey, Abstract No. 858, City of Rowlett, Dallas County, Texas. (PD41-2015)**

Vice-Chairman Michael Lucas returned to the dais.

Mr. Langford presented a location map and summarized the rezoning request with modified development standards. He presented the Concept Plan, proposed development standards, and a Realize Rowlett 2020 Lakeside Living Subarea C-1 map. He explained that staff recommended denial because it does not meet the intent of the Comprehensive Plan. He said that public hearing notifications were sent. Three were received in opposition for the 200' notification area and eight were received in opposition for the 500' courtesy notification area. Mr. Langford presented a Public Hearing Notification Area map.

There was discussion amongst the Commission regarding design elements, isolation of development, townhome use, and the intent of the Comprehensive Plan.

Chairman Karl Crawley invited the applicants to speak.

The applicants came forward.

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**James Johnston
21 Tranquil Pond
Frisco, Texas 75034
Developer**

**Dayton Macatee
Macatee Engineering
3519 Miles Street
Dallas, Texas 75209
Engineer**

Mr. Johnston explained the marketing strategy, stated that the development would add value/increase the tax base, and stated that he had spoken with the community and representatives of the Homeowner's Association (HOA) and said that they are supportive of the rezoning request.

Mr. Macatee stated that he appreciated Mr. Langford's alternative, but wanted to avoid removing trees. He said that the development would have a lot of common area and would have a dry area detention pond.

There was discussion amongst the Commission and the applicant regarding HOA support, the value of the proposed development, meeting with the surrounding homeowners, common area, and connectivity.

Chairman Karl Crawley opened the public hearing.

The following speaker came forward:

**Jennifer Hanks
9510 Pinehurst
Rowlett, Texas
Nearby Homeowner**

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Ms. Hanks stated that she was opposed to multi-family units. She was unaware of the future development. She expressed concern in regards to the height of the structures, the possibility of a change in the feel of the neighborhood, traffic increases, and said that the development would not bring value to the community.

Chairman Karl Crawley clarified the potential height, said that the development was not multi-family, and said that the City of Rowlett is unable to dictate rental property restrictions.

The following speaker came forward:

Earl Burnett
10214 Liberty Grove
Rowlett, Texas 75089
Nearby Homeowner

Mr. Burnett expressed his opposition towards living next to townhomes. He expressed concern in regards to crime and a potential increase in traffic.

The following speaker came forward:

Mike Lancaster
9916 Dalrock Road
Rowlett, Texas
Nearby Homeowner

Mr. Lancaster expressed his opposition towards the proposed development due to concerns with privacy and decreasing property value. He stated that he had spoken to other nearby homeowners who were also in opposition of the development.

No additional speakers came forward.

Chairman Karl Crawley closed the public hearing.

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There was discussion amongst the Commission regarding compatibility, context, staff's recommendation, connectivity, green space, landscape buffering, meeting with nearby homeowners, eventual land development of proposed property, the potential of the development, and the idea of tabling the item to a future date to ensure the Commission was making an informed decision.

Commissioner James Moseley made a motion to table Item C.1 to the January 26, 2016, Planning and Zoning Commission meeting. Vice-Chairman Michael Lucas seconded the motion. The motion passed with a 6-1 vote. Commissioner Thomas Finney voted in opposition.

- 4. Consider and make a recommendation to City Council regarding a request for alternative building materials for a proposed single-family home located at 6117 New Forest, further described as Lot 27, Block A of the Point Royal Estates III Addition to the City of Rowlett, Rockwall County, Texas (ABM66-2015).**

No presentation was given on this item.

Commissioner Thomas Finney made a motion to recommend approval of the request. Commissioner Jonas Tune seconded the motion. The motion passed with a 7-0 vote.

- 5. Consider and make a recommendation to City Council regarding a request for alternative building materials for a proposed single-family home located at 6500 Garner Road, further described as being 0.4635 acres of land in the Charles D Merrell Abstract, No. 957, Rowlett, Dallas County, Texas (ABM77-2015).**

No presentation was given on this item.

Commissioner Chris Kilgore made a motion to recommend approval of the request. Commissioner Thomas Finney seconded the motion. The motion passed with a 7-0 vote.

Chairman Karl Crawley stated that he was resigning from the Planning and Zoning Commission effective at the conclusion of this meeting. He expressed gratitude for his time for his many years on the Commission.

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D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 7:47 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: 01/12/2016

AGENDA ITEM: B2

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take appropriate action on a Final Plat for Munoz Addition located at 2525 Fuqua Road further described as being 0.2577 acres out of the Charles D. Merrell Survey, Abstract 957, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, Principal Planner

SUMMARY

The Final Plat is where the proposed subdivision is approved upon meeting all applicable development requirements. This Final Plat involves one lot for a future signal family home (Attachment 1 – Final Plat).

BACKGROUND INFORMATION

The subject property is zoned Single Family 8 (SF-8) or single family with a minimum lots size of 8,000 square feet. It is located on the west side Fuqua Road, approximately 210 feet south of Garner Road (Attachment 1 – Location Map). The property owner desires to build a single family home on the subject property. The proposed plat conforms to all dimensional requirements of the SF-8 zoning district.

DISCUSSION

Chapter 77-806 of the *Rowlett Development Code (RDC)* states that the Planning and Zoning Commission may only approve a final plat when the following criteria are met.

- (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 has reviewed the Final Plat and determined that it is in compliance with the Rowlett Development Code. Staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

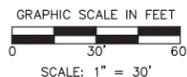
RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission approve the proposed Final Plat.

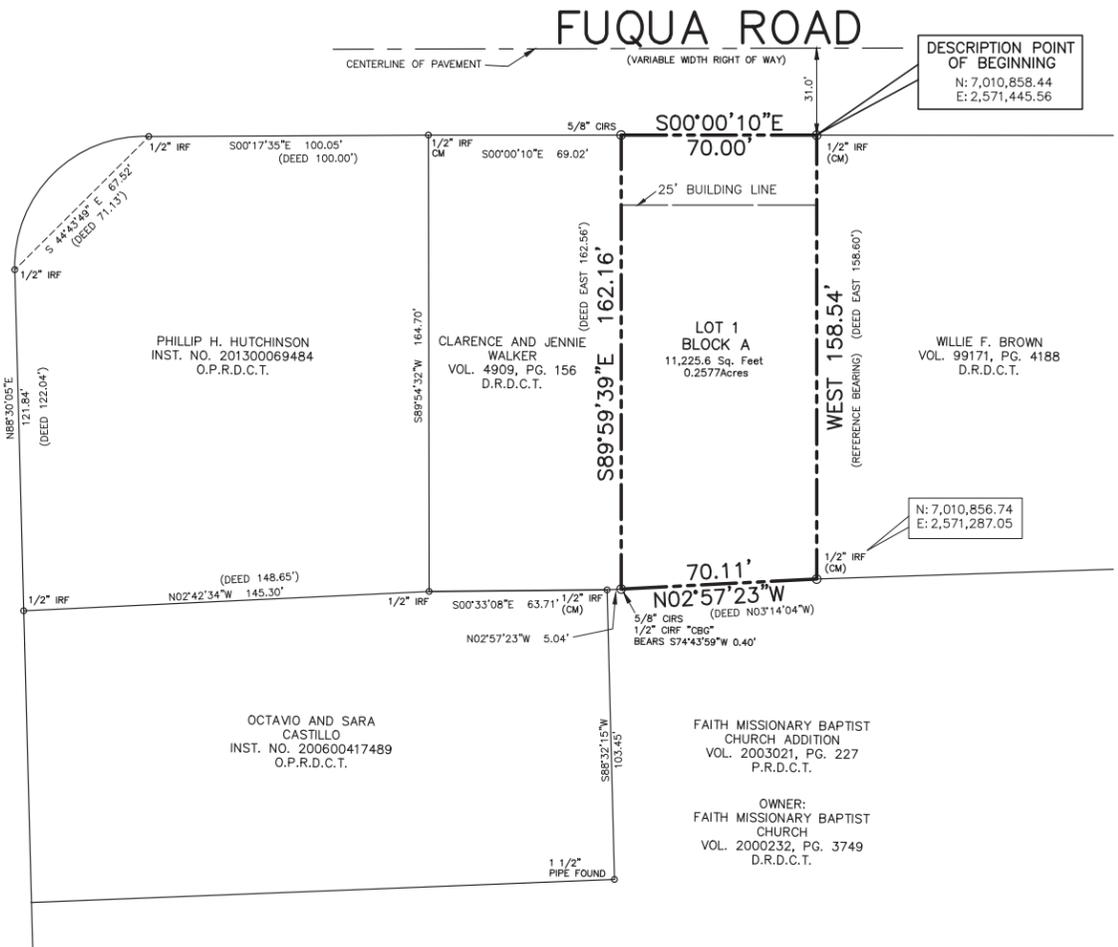
ATTACHMENTS

Attachment 1 – Proposed Final Plat

Attachment 2 – Location Map



GARNER ROAD
(PUBLIC RIGHT-OF-WAY)



LEGEND

- CIRS 5/8 INCH IRON ROD SET WITH CAP MARKED "JDJR"
- CIRF 5/8 INCH IRON ROD FOUND WITH CAP MARKED "JDJR" UNLESS OTHERWISE SHOWN
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- PKF PK NAIL FOUND
- PKS PK NAIL SET WITH WASHER STAMPED "JDJR"
- 60d 60d NAIL
- RRSF RAILROAD SPIKE FOUND
- AMON ALUMINUM MONUMENT FOUND
- BMON BRASS MONUMENT FOUND
- CMON CONCRETE MONUMENT FOUND
- WMON WOOD MONUMENT FOUND
- P.F.C. POINT FOR CORNER
- (CM) CONTROLLING MONUMENT
- (XXX.XX) RECORD BEARING/DISTANCE FOUND
- CAB. CABINET
- INST. INSTRUMENT NUMBER
- D.R....C.T. DEED RECORDS, COUNTY, TEXAS
- P.R....C.T. PLAT RECORDS, COUNTY, TEXAS
- M.R....C.T. MAP RECORDS, COUNTY, TEXAS
- 555— CONTOUR



GENERAL NOTES

1. The bearings shown hereon are based on the found monumentation of the deed to Salvador Mazariegos and Marcela Mazariegos as recorded in Instrument Number 201400186231, Official Public Records, Dallas County, Texas
2. The subject property appears to be located in Zone X (defined as areas outside the 0.2% annual chance floodplain), according to the Flood Insurance Rate Map No. 4813C0245 K, with an effective date of July 7, 2014, for Dallas County, Texas and incorporated areas. If this site is not within an identified 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. This flood statement shall not create liability on the part of the surveyor.
3. All corners are monumented with a 5/8 inch iron rod set with a cap stamped "JDJR", unless otherwise shown hereon.
4. The coordinates shown hereon are based on the Texas State Plane Coordinates System, NAD 83, North Central Zone in reference to City of Rowlett Geodetic Control monuments C-5 and A-5.
5. Bench Marks: City of Rowlett Geodetic Control monuments C-5 (Elevation 477.10) and A-5 (Elevation 459.73).

OWNERS CERTIFICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS We, **CARLOS MUNOZ GROUP CORPORATION**, are the owners of a tract of land situated in the CHARLES D. MERRELL SURVEY, ABSTRACT 957, in the City of Rowlett, Dallas County, Texas and being the same tract of land as described in deed to Carlos Munoz Group Corporation recorded in Instrument Number 201500227631, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the southeast corner of said Carlos Munoz tract, same being the northeast corner of the land described in deed to Willie F. Brown recorded in Volume 99171, Page 4188, Deed Records, Dallas County, Texas, said point being in the west line of Fuqua Road (public right-of-way);

THENCE West, along the common south line of said Carlos Munoz tract and north line of said Brown tract, a distance of 158.54 feet to a 1/2" iron rod found for corner in the east line of Faith Missionary Baptist Church Addition, an Addition to the City of Rowlett, according to the plat thereof recorded in Volume 2003021, Page 227, Plat Records, Dallas County, Texas;

THENCE North 02 degrees 57 minutes 23 seconds West, along the common west line of said Carlos Munoz tract and said east line of Faith Missionary Baptist Church Addition, a distance of 70.11 feet to a 5/8" iron rod set with yellow plastic cap stamped "JDJR" set at the southeast corner of a tract of land as described in deed to Clarence Walker and Jennie V. Walker recorded in Volume 4909, Page 156, Deed Records, Dallas County, Texas;

THENCE South 89 degrees 59 minutes 39 Seconds East, along the common north line of said Carlos Munoz Tract tract and south line of said Walker tract, a distance of 162.16 feet a 5/8" iron rod set with yellow plastic cap stamped "JDJR" set in the said west line of Fuqua Road;

THENCE South 00 degrees 00 minutes 10 seconds East, along said west line of Fuqua Road, a distance of 70.00 feet to the Point of Beginning and containing a computed area of 0.2577 Acres or 11,225.5 square feet of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT we, **CARLOS MUNOZ GROUP CORPORATION**, Owners, do hereby bind ourselves and thier heirs, assignees and successors of title this plat designating the hereinabove described property as **MUNOZ ADDITION**, an Addition to the City of Rowlett, Dallas County, Texas, and do hereby dedicate to the public use and benefit forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

WITNESS at my hand, this the _____ day of _____, 2016.

Owner

CARLOS MUNOZ

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____ that he/she was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the ____ day of _____, 2016.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

THAT I, Geary Bailey, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual survey on the ground of the land described and that the corner monuments shown thereon were placed under my personal supervision, and in accordance with platting rules and regulations of the City of Rowlett, Texas.

PRELIMINARY — THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Geary Bailey — RPLS 4573

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and said State on this date personally appeared **GEARY BAILEY**, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the _____ day of _____, 2016.

Notary Public in and for the State of Texas

CITY APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Rowlett, Texas.

Chairman, Planning and Zoning Commission _____ Date _____

ATTEST:

Signature _____ Date _____

Name & Title _____

The Director of Development Services of the City of Rowlett, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Rowlett, Texas as to which his/her approval is required.

Director of Development Services _____ Date _____

ATTEST:

Signature _____ Date _____

Name & Title _____

FINAL PLAT
MUNOZ ADDITION
C.D. MERRILL SURVEY, ABSTRACT NO. 957
CITY OF ROWLETT, DALLAS COUNTY, TEXAS

1 LOT — 0.26 ACRES
ZONED — SF-8

OWNER:
CARLOS MUNOZ GROUP CORPORATION
9001 LINDA VISTA DRIVE
ROWLETT, TEXAS 75088
PHONE NUMBER _____

JDJR	PREPARED BY: ENGINEERS AND CONSULTANTS, INC. TBPLS Firm No. 100356-00	
	ENGINEERS • LAND PLANNERS • SURVEYORS 2500 Texas Drive Suite 100 Irving, Texas 75062 Tel 972-252-6367 Fax 972-252-8868	
DATE: DEC. 14, 2015	DRAWN BY: SM	JDJR PROJECT NO. 648-04-15
SCALE: 1" = 30'	CHECKED BY: GB	© COPYRIGHT 2015





City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 01/12/2016

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow an accessory building that does not meet the requirements in Section 77-303 of the Rowlett Development Code. The subject property is located at 2905 Weems Way being further described as being Lot 11, Block 1, Toler Ridge Addition, City of Rowlett, Dallas County, Texas. (SUP47-2015)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The property owner, Jeffery Horsman, is requesting a Special Use Permit (SUP) to construct a 1,276 square-foot accessory building on his property at 2905 Weems Way (Attachment 1 – Location Map). An SUP is needed as the applicants' proposal will not meet the size requirement in Section 77-303 of the Rowlett Development Code (RDC).

BACKGROUND INFORMATION

The subject property at 2905 Weems Way is a 1.06 acre lot zoned Single Family 40 with a 3,840 square-foot single-family home. The applicant is proposing to construct an accessory building that he will use to store and work on his vehicle collection. (Attachment 2 – Applicant's Statement).

The applicant is proposing to build an L-shaped accessory building totaling in 1,276 square feet in size that will be located eight feet from the side property line to the south and 42 feet from the front property line (Attachment 3 – Site Plan). The exterior of the proposed building will consist of brick and cementitious fiberboard that will match the color that is on the house. Additionally, the building will have a pitched roof with shingles matching the house. The structure will not exceed the height of the house. The accessory building will have two overhead doors. The larger door (8' by 18') will face the south property line and the smaller overhead door (10' by 10') will face the east property line towards the street (Attachment 4 – Building Exterior).

This case was initially scheduled for the Planning and Zoning Commission on December 8, 2015, and City Council on January 5, 2016. The responses from the public notices for these meeting dates informed Staff that the subject property is located in a subdivision that has deed restrictions (Attachment 5 – Deed Restrictions). These restrictions are more restrictive than City's

requirements into two ways. The table below shows requirements from the Deed Restrictions versus the accessory building requirements from the RDC.

<i>Use standard</i>	<i>Deed Restrictions</i>	<i>RDC Requirements</i>
<i>Max. size</i>	<i>N/A</i>	<i>500 square feet</i>
<i>Max height</i>	<i>N/A</i>	<i>No taller than the house</i>
<i>Min. side yard setback</i>	<i>15 feet</i>	<i>3 feet</i>
<i>Max Lot Coverage</i>	<i>N/A</i>	<i>45%</i>
<i>Max Rear Yard Coverage</i>	<i>N/A</i>	<i>35%</i>
<i>Building Materials</i>	<i>75% Brick/Stone</i>	<i>Nonmetal materials</i>

Additionally, the Deed Restrictions specify that no garage shall be opened to the front of the lot. The RDC states that garage doors on residential building shall not face the street unless it is approved by the Planning and Zoning Commission. The RDC's requirements for accessory buildings are silent on whether a garage door on an accessory building can face street or not.

The Deed Restrictions for Toler Ridge Addition were recorded in 1978 and there is a 30 year limit but the restrictions state that they are automatically renewed every 10 years thereafter unless 75% of the property owners agree to terminate the restrictions and record it with the county. Staff did not find any record of the restrictions being terminated and are still active. Staff informed the applicant that the City does not have authority to interfere to void or to enforce Deed Restrictions. The enforcement or termination of the Deed Restriction is a matter between the property owners within the Toler Ridge subdivision. However, in considering an SUP, the City Council may consider the existence of Deed Restrictions but isn't bound by them.

Staff further advised the applicant to reschedule the Planning and Zoning Commission and City Council meetings to allow time to discuss the proposed accessory building with his neighbors in light of the Deed Restrictions. The applicant prepared an alternative plan (Attachment 6 – Alternative Design) that would meet the Deed Restrictions' side yard setback and orientation of the garage door. However due to cost of constructing the building under the revised plan, the applicant chose to pursue the initial plan that they submitted as depicted in Attachment 3. Staff advised the applicant that Staff would not recommend approval of a request that violates the Deed Restrictions.

DISCUSSION

The RDC permits an accessory building that does not meet the before mentioned requirements with the approval of a Special Use Permit. The approval criteria for an SUP are outlined in Section 77-206 of the RDC. The Planning and Zoning Commission should consider the request based on these approval criteria as detailed below. Staff has added additional commentary in bold italics beneath each point of consideration where applicable. The commentary is limited to criteria specify below and does not involve evaluating the request against the Deed Restrictions.

Section 77-206.D. Approval Criteria. Recommendations and decisions on Special Use Permits shall be based on consideration of the following criteria:

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 not located within one of the 13 opportunity areas in the Realize Rowlett 2020 Comprehensive Plan. However, the Guiding Principles in the Plan should be considered in decisions about zoning. The most relevant principle to this zoning request is the principle of “value existing neighborhoods.” The applicant is proposing to build a quality structure with high quality materials that match of the house making it consistent with the subject property.

2. The proposed Special Use Permit is consistent with the purpose and intent of the zoning district in which it is located;

Accessory buildings are allowed in residential zoning districts provided they meet the requirements previously mentioned. The table below shows what is required versus what is being proposed. The proposed structure meets the setback, material and lot coverage requirements, but it will exceed the maximum size of 500 square feet. The lot coverage was calculated by including all existing structures and impervious surfaces with the proposed structure.

<i>Use standard</i>	<i>Regulation</i>	<i>Proposed Structure</i>
<i>Max. size</i>	<i>500 square feet</i>	<i>1,276 square feet</i>
<i>Max height</i>	<i>35 feet</i>	<i>20 feet</i>
<i>Min. side yard setback</i>	<i>3 feet</i>	<i>8 feet</i>
<i>Max Lot Coverage</i>	<i>45%</i>	<i>15.5%</i>
<i>Max Rear Yard Coverage</i>	<i>35%</i>	<i>7%</i>

The proposed structure does not meet size requirement. While the proposed structure exceeds the size requirements, it does not come close to exceeding the lot coverage requirements. The property is slightly larger than one acre making it appropriate for a 1,276 square-foot accessory building.

3. Whether the proposed Special Use Permit meets the challenge of some changing condition, trend, or fact;

The applicants are requesting a Special Use Permit to construct an accessory structure that does not meet the before mentioned requirements.

4. Whether the proposed Special Use Permit will protect or enhance the health, safety, morals, or general welfare of the public;

The proposal should not negatively affect the health, safety, morals or general welfare of the public. Additionally, the exterior materials and color of the proposed structure will match that of the existing the home.

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;

Adequate utilities, access roads and drainage facilities are being provided for the subject property. This SUP will not increase any demands on utilities.

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 proposed structure will be constructed with materials that are consistent and compatible with the house on the property. The size of structure is not out of proportion with the size of the property which is over an acre. The design, color and quality of the proposed structure will match that of the existing house making it less intrusive.

7. The suitability of the subject property for the existing zoning and the proposed use sought by the Special Use Permit;

An accessory building is a permitted use in Single Family 40. In Staff's opinion, the proposed design and compatibility of the proposed structure with the house make the request suitable for this property.

It is staff's opinion that the request is appropriate when reviewing it against the criteria for a Special Use Permit to allow an oversized accessory building. However, as it was indicated previously in this report, the proposed accessory building does not meet the Deed Restrictions and therefore, staff will not recommend approval of the request.

Public Notice

On December 22, 2015, a total of 18 notices were mailed to property owners within 200 feet and a total of 42 courtesy notices were mailed to property owners within 500 feet. As of January 7, 2016, four public notice was received in favor of the request while three were received in opposition. One response to the public notice was marked in favor and in opposition to the request. One response from the 500-ft courtesy notices was received in favor of the request while six were received in opposition. The responses are available in Attachment 7 – Returned Public Notices.

The objections to the request cited concerns with violating the Deed Restrictions and City's requirements, size of the building, orientation of the garage door towards the street, and the use of the building.

Staff published the Legal Notice in the Dallas Morning News on December 28, 2015, and placed a zoning sign on the subject property on November 24, 2015, in accordance with the Rowlett Development Code.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

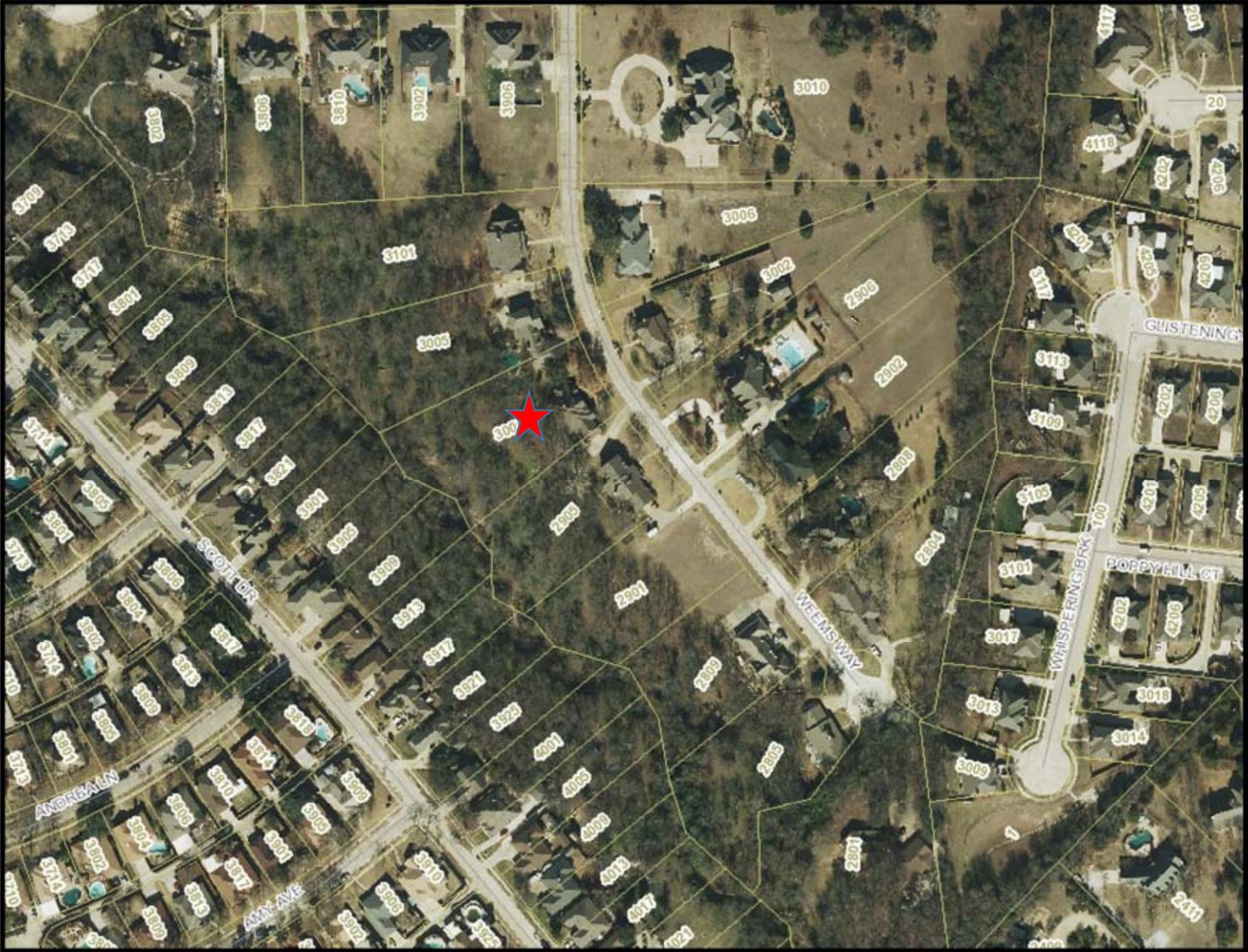
RECOMMENDED ACTION

Staff cannot support the applicant's preferred request in light of the requirements of the Deed Restrictions. However, should the applicant be willing to reconsider his secondary option, then staff could support that layout.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Applicant's Statement
- Attachment 3 – Site Plan
- Attachment 4 – Building Elevations
- Attachment 5 – Deed Restrictions
- Attachment 6 – Alternative Design
- Attachment 7 – Returned Public Notices

Location Map: 2905 Weems Way



Jeff Horsman
2905 Weems Way
Rowlett, TX 75088

October 20, 2015

City of Rowlett
4000 Main Street
Rowlett, TX 75088

Dear Sir or Madam:

My contractor, Randy Hoedebeck, is requesting for a Minor Special Use Permit for an outbuilding at my house. The purpose of this building will be to store my collector cars.

Should you have any questions, please contact either me or Randy.

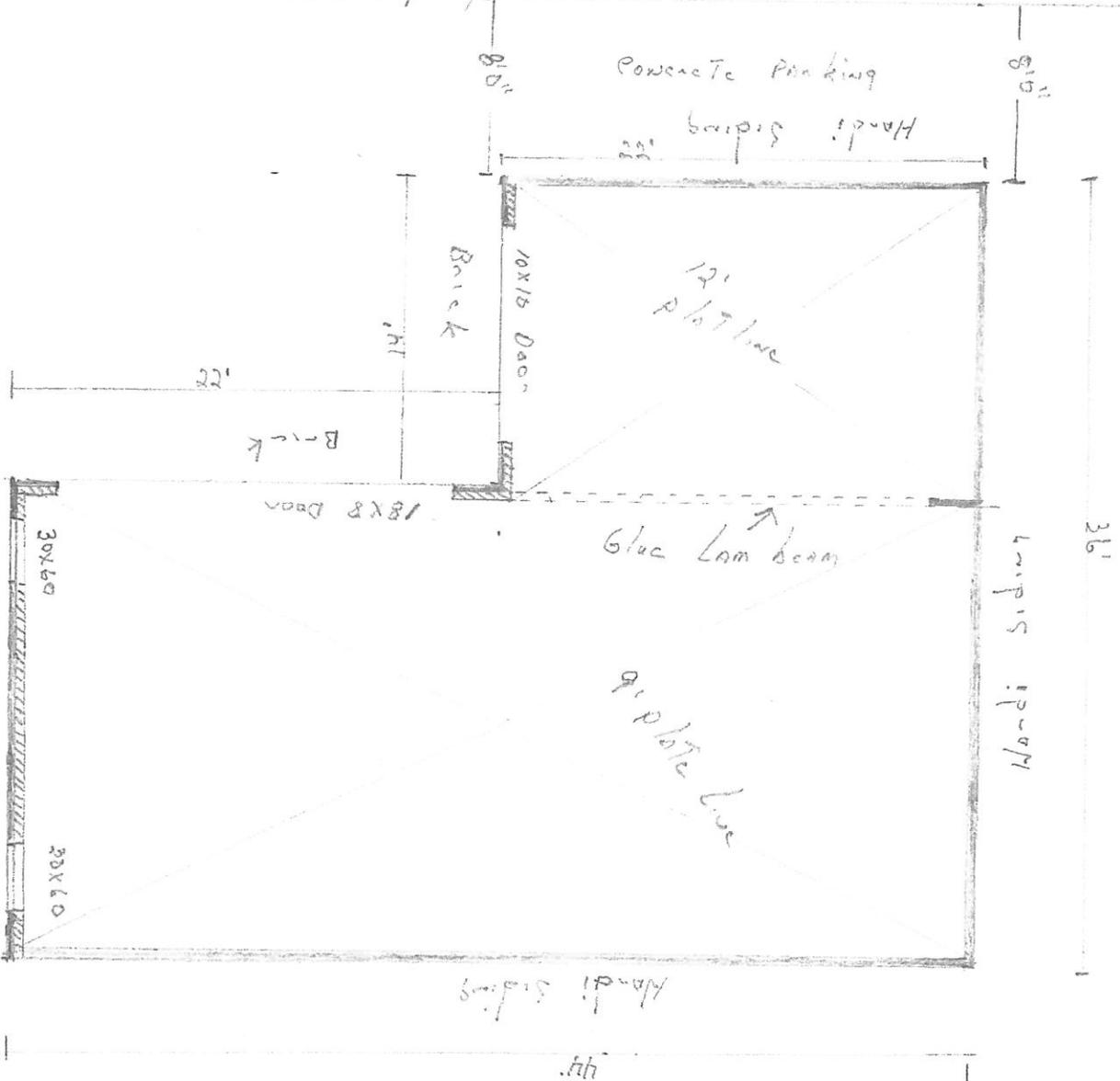
Regards,



Jeff Horsman

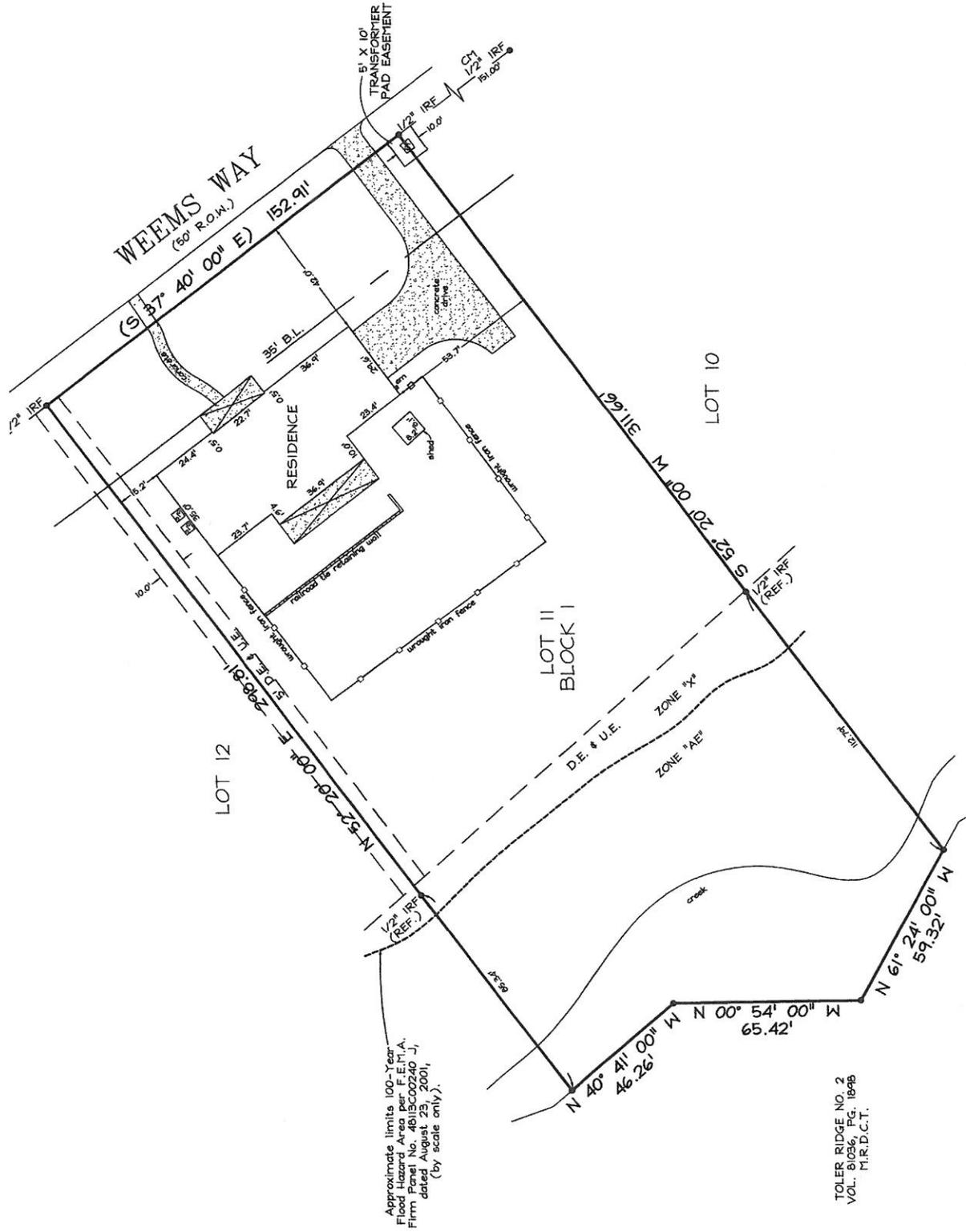
ATTACHMENT 3

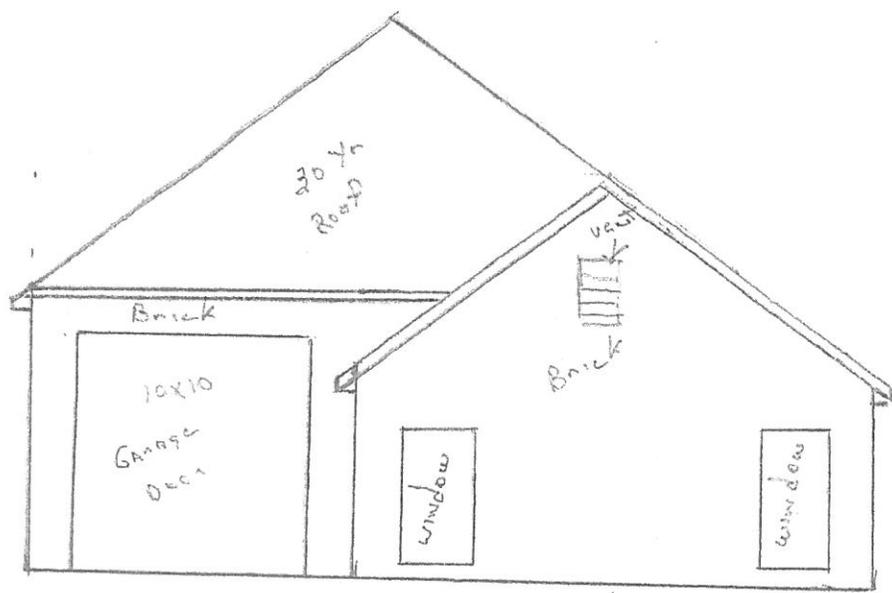
Property Line



Lot 11 B/L 1
 2905 Wiggins way
 Rowlett TX 75088
 Tolon Ridge # 2

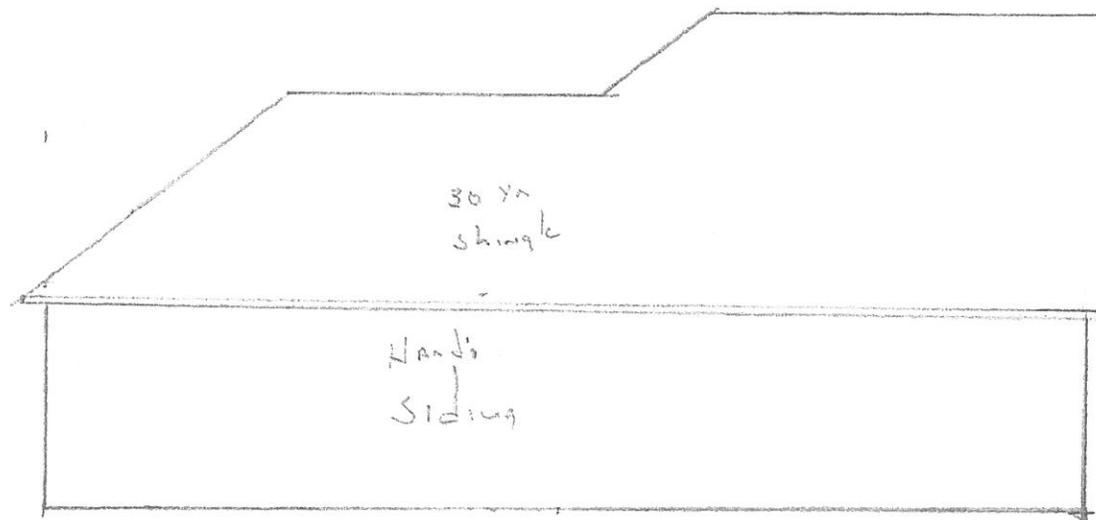
TOTAL 59 Footage 1276





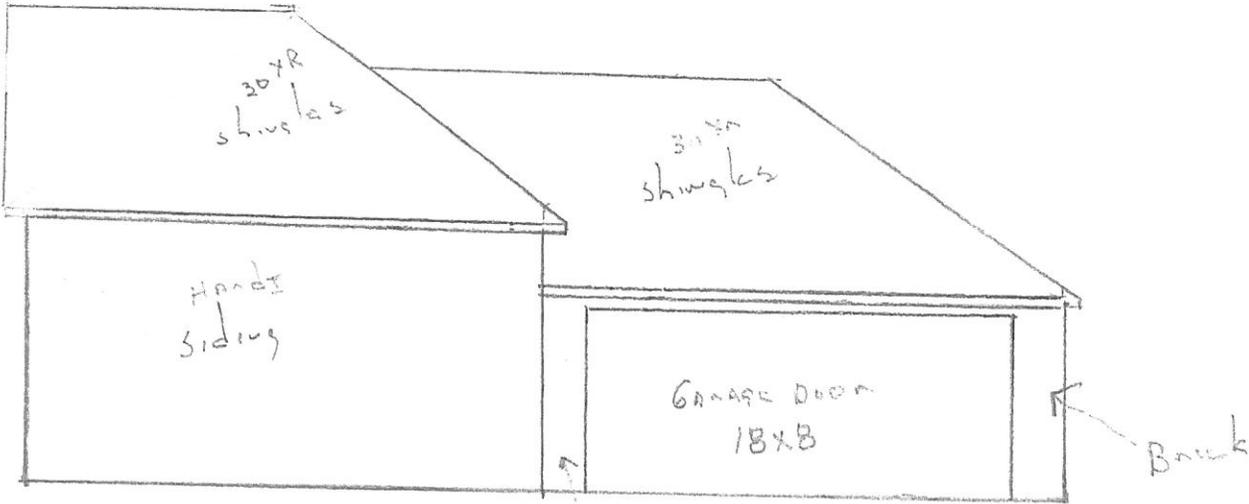
Front
Elevation

2905 Weems Way
Rowlett Tx



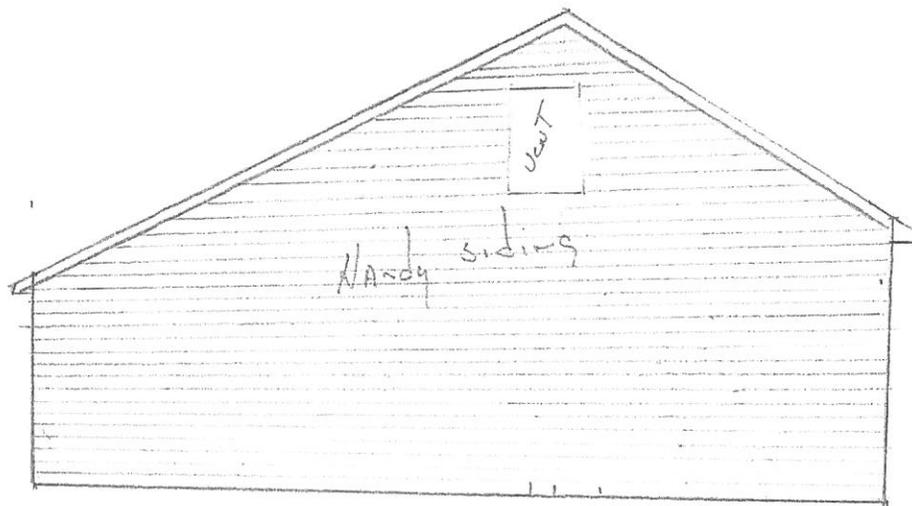
Right Elevation

2905 Weems Way
Rowlett TX 75088



LEFT side
Elevation

2905 Weems way
Rowlett Tx 75088



Back Elevation

2905 Weems Way

Rowlett Tx 75088

RESTRICTIONS**TOLER RIDGE****DEED RECORD****DEED RESTRICTIONS**

STATE OF TEXAS X
 COUNTY OF DALLAS X

KNOW ALL MEN BY THESE PRESENTS:

THAT SALTAN, INC., the owner and developer of TOLER RIDGE an addition to Rowlett, Dallas County, Texas, does hereby establish the following protective covenants for said addition which are to run with the land and shall be binding upon the purchaser or purchasers of said lots, their heirs, assigns, successors, or administrators.

I. USE OF PREMISES

All lots in the Sub-Division shall be known and described as residential lots. No structures shall be erected, altered, placed or be permitted to remain on any residential building plot other than a single-family dwelling not to exceed two stories in height, a minimum of a double garage, which shall be either attached, semi-attached or detached, and a structure for the shelter of animals. Not more than one residential structure to accommodate one family shall ever be erected on one platted lot, provided however that a servant's house shall be used and occupied only by a bona fide servant or employee of those residing in the main dwelling structure and no such servants house shall ever be rented.

No lot shall at any time be re-subdivided into smaller lots, but it is not intended to preclude the joining of two or more lots into lots larger than those shown upon the plat hereof.

No obnoxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

II. BUILDING CONSTRUCTION

All dwellings, garages, and all animal shelters must be architecturally harmonious and be of substantial first quality construction. All dwellings shall have an area of not less than 2,000 square feet of air-conditioned living space. All garages must be at least two car garage and no garage shall be opened to the front of the lot. All dwellings and garages shall be of 75% brick or stone on each exterior wall, and all shall have wood shingle roofs. Roof pitches must be a minimum of 5 inches in 12 inches. All animal shelters shall be of masonry or wood construction. Outside wood walls must have at least two coats of paint. All driveways must be made of concrete and extend all the way to the street.

Each habitable structure on the premises shall be equipped with sanitary plumbing and toilet facilities connected to a septic system of sufficient size and capacity to meet all requirements of the Dallas County Health Department, and approved by the architectural control committee, as provided for hereinbelow.

III. BUILDING SETBACKS

Buildings which may be erected on the above described property shall not be nearer to the front lot line than the front building line as shown on the Final Plat of Toler Ridge, Rowlett, Texas, filed in Volume 78002, Page 1943 of the Deed Records of Dallas County, Texas. Buildings may not be nearer than 15 feet to the side lot line or the rear lot line. Buildings on street corner lots may not be nearer than 20 feet to the side street lot line.

IV. FENCING

No fence will be allowed to be built between the front building line and the street. Any fencing other than wood or chain link must be approved by the architectural control committee.

V. GARBAGE AND REFUSE DISPOSAL

No lot shall be used or maintained as dumping ground for rubbish. Trash, garbage, or other waste, shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

VI. ARCHITECTURAL CONTROL

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure on the property have been approved by the Architectural Control Committee hereinafter provided as to the quality of the workmanship and materials, harmony of exterior design with existing structures, and as to locations with respect to topography and finish grade elevation. Approval in all cases shall be as provided for by the Architectural Control Committee. The Architectural Control Committee is composed of James L. Toler, Mrs. James L. Toler and Jesse E. Eggleston, Jr. The Committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining member(s) shall have full authority to designate a successor. The Committee's approval or disapproval of submitted plans as required by these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove said plans within thirty (30) days after the plans and specifications have been submitted to it, it shall be deemed that such plans and specifications have been approved.

VII. INVALIDATION AND ENFORCEMENT

Invalidation of any one of these covenants by judgement or court order shall not affect any of the other provisions which shall remain in full force and effect. Enforcement shall be by proceedings at law or in equity against any person or persons, violating or attempting to violate any covenant either to restrain violation or to recover damages.

VIII. TERMINATION, AMEND OR CHANGE SAID COVENANTS

These covenants are to run with the land and shall be binding upon all parties and persons claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years, not to exceed a total time of 50 years, unless at the expiration of said 30 years an instrument in writing signed by at least 75% of the then owners of the lots has been recorded agreeing to terminate, alter, amend or change said covenants in whole or in part.

The developer, Saltan, Inc., reserves the right, so long as they are the owners of any residential lot in the Addition to amend, revise, or abolish any one or more of the foregoing restrictions and to revise the plat of such Addition by instrument duly executed and acknowledged by the developer in the Deed Records of Dallas County, Texas.

EXECUTED this the 19th day of April, 1978.

SALTAN, INC.

VOL. 1000 PAGE
78092 0655

BY: 
JESSE EGGLESTON
PRESIDENT

STATE OF TEXAS X

COUNTY OF DALLAS X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Jesse Eggleston known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said SALTAN, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of April, A.D., 1978.

Louise Hammond
NOTARY PUBLIC, DALLAS COUNTY, TEXAS

DATE: 11/11/78

78 MAY 11 AM 9:49

FILED
L. E. Murdoch
COUNTY CLERK
DALLAS COUNTY

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this instrument was
filed on the date and time stamped herein
by me and was duly recorded in the volume
and page of the named records of Dallas
County, Texas as stamped herein by me.

MAY 12 1978



L. E. Murdoch

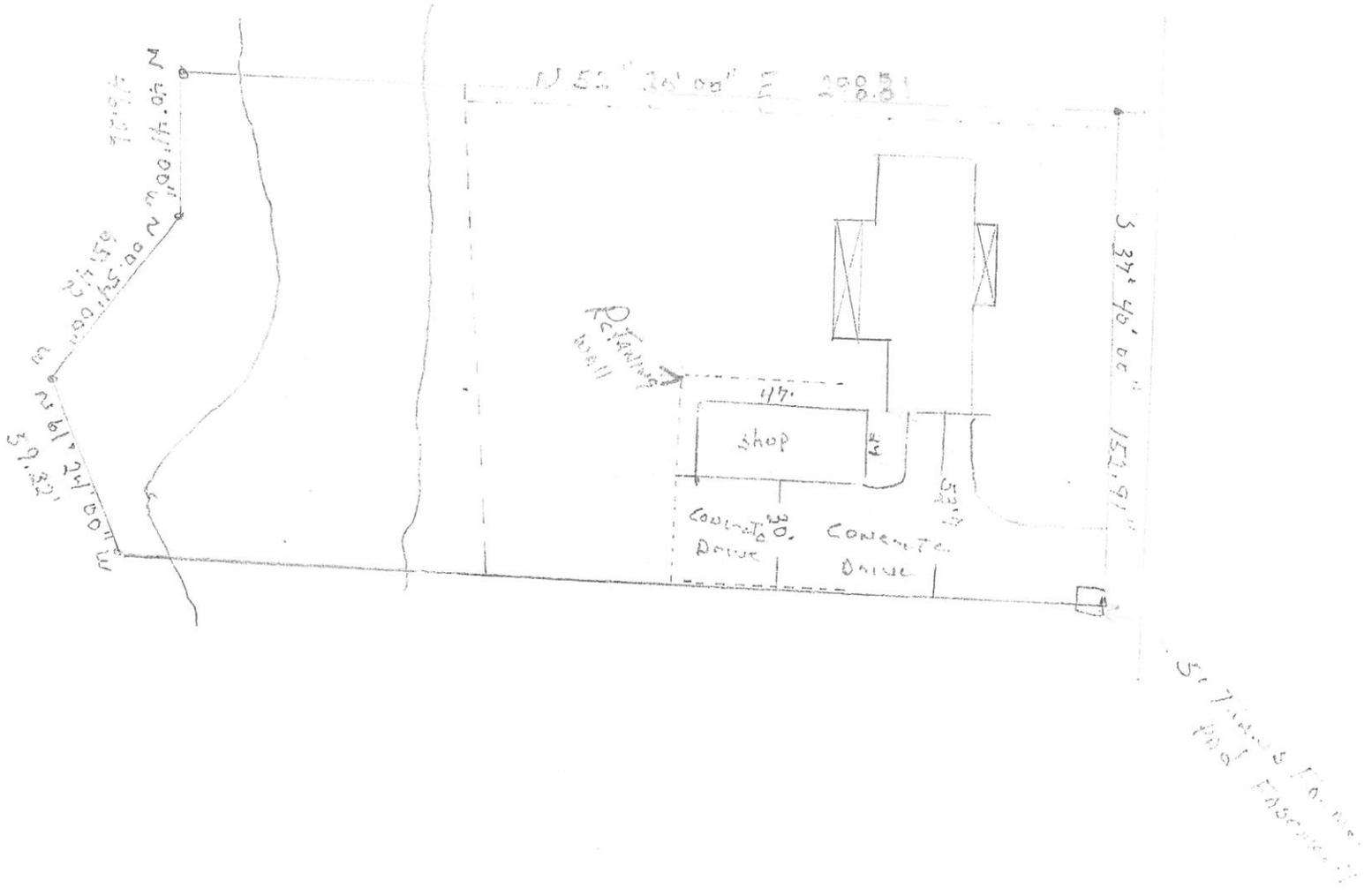
COUNTY CLERK, Dallas County, Texas

VOL. 26987 PAGE
78902 0657

Salten, Inc.
307 Garland Bank Bldg.
Garland, Texas 75040

RETURN TO:

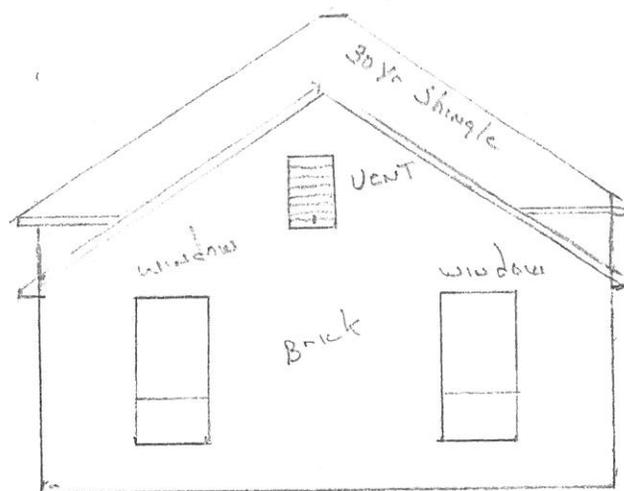
1



Lot 11 Block 1
Tolan Ridge, w/o 2
2905 Weems way
Rowlett Tx 75088

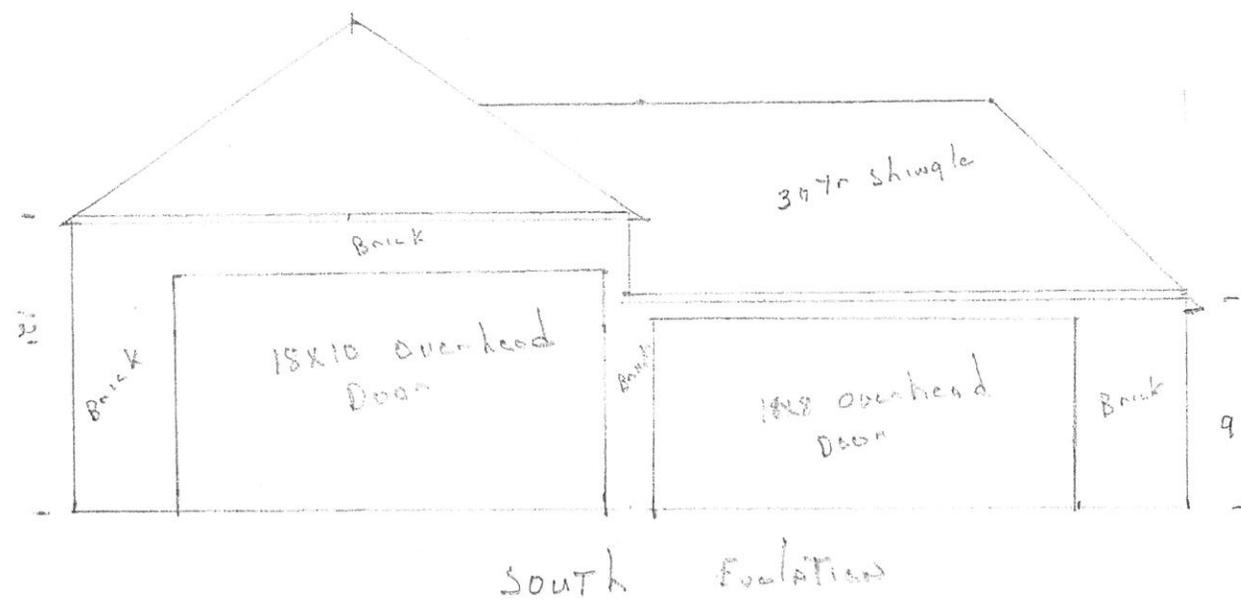


1128 Sq. Ft.
Elizabeth + Jeff Horseman
2905 Weems Way
Rowlett TX 75088
Lot 11 Block 1 Tolen Ridge No 2

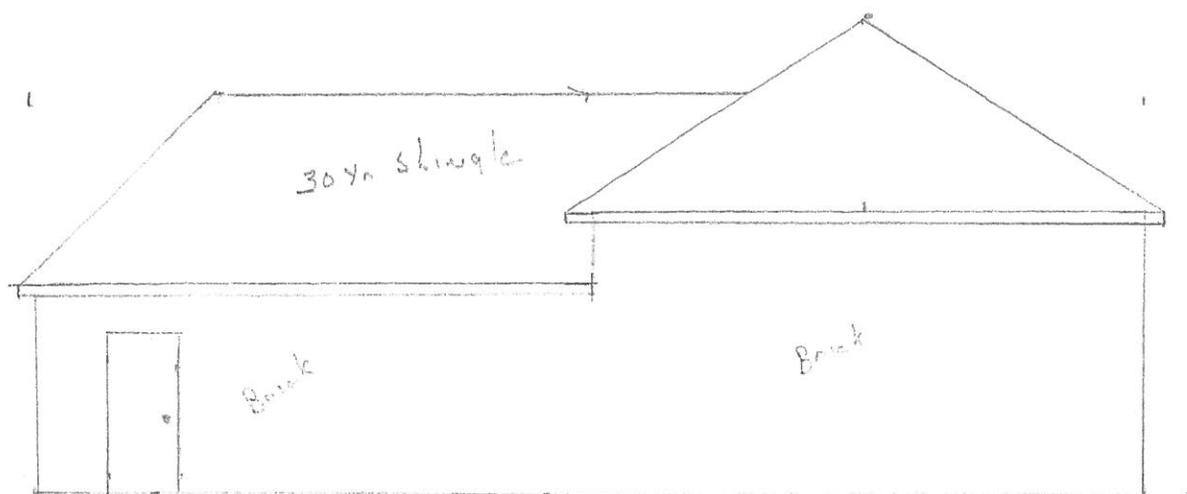


EAST
FRONT ELEVATIONS

LOT 11 Block 1
Tolan Ridge No 2
2405 Wrens Way
N. L. T.

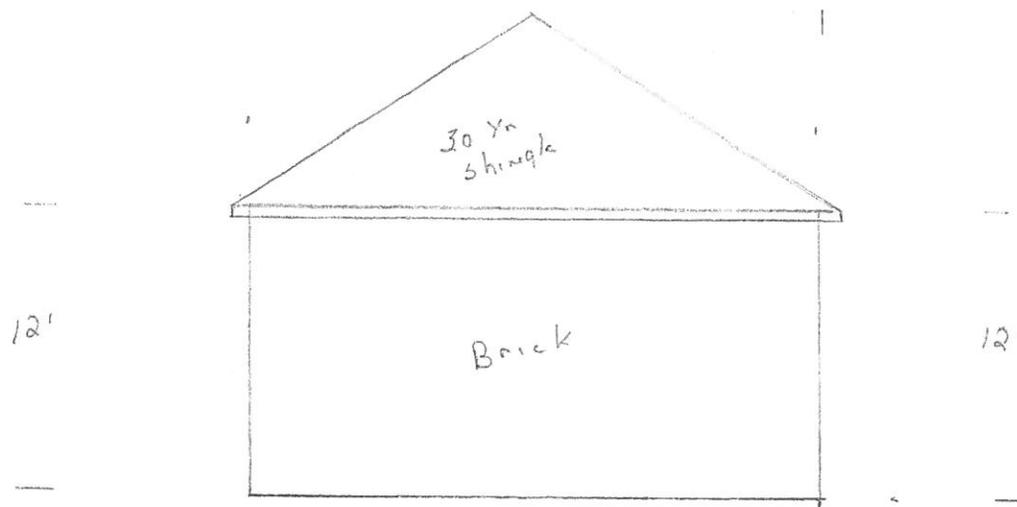


Rawlett TX
Lot 11 Block 1
Tolan Ridge No 2



North Elevation

Lot 11 Block 1
Tolar Ridge 1002
2900 Waerns Way
Rowlett Tx



Rear or west elevation

Lot 11 Block 1
Toler Ridge no 2
2905 Weems Way
Rowlett Tx



Department of Development Services

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.

EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way. A Special Use Permit is needed as the applicant's proposal does not meet the accessory structure requirements in Section 77-303 of Rowlett Development Code. (SUP47-2015)

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

COMMENTS:

PROPERTY OWNER NAME

(print):

SIGNATURE:

ADDRESS:

Handwritten signatures: Steven Schrade, Diana Schrade
Handwritten address: 3006 Weems Way Rowlett

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 8th of December, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 5th day of January, 2016.

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 Development Service Department by 5 pm on Wednesday, December 2, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Monday, December 23, 2015, to be included in the City Council packet.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Development Services within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Department of Development Services

Phone 972-412-6166
FAX 972-412-6228

glangford@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



Department of Development Services

NOTICE OF PUBLIC HEARING

The public hearings for this case have been rescheduled. Previously submitted written comments will be included in the upcoming public hearings. It is not necessary to resubmit.

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way.

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

COMMENTS: no concerns

PROPERTY OWNER NAME (print): Ryan Martin Roxanne Martin
SIGNATURE: [Signatures]
ADDRESS: 3002 Weems Way, Rowlett TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 19th day of January, 2016.

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 Development Service Department by 5 pm on Wednesday, January 6, 2016, for your comments to be included in the Planning and Zoning Commission packet and/or by Monday, January 13, 2013, to be included in the City Council packet.

If you have any questions concerning this request, please contact the Department of Development Services
Phone 972-412-6166
FAX 972-412-6228
glangford@rowlett.com

RETURN BY FAX OR MAIL
City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



Department of Development Services

NOTICE OF PUBLIC HEARING 12-07-15P04:29 RCVD

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way.

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

COMMENTS:

PROPERTY OWNER NAME

(print):

SIGNATURE:

ADDRESS:

Cindy Salmeron
Cindy Salmeron
2901 weems way Rowlett TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 8th of December, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 5th day of January, 2016.

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 Development Service Department by 5 pm on Wednesday, December 2, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Monday, December 23, 2015, to be included in the City Council packet.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Development Services within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Department of Development Services

Phone 972-412-6166
FAX 972-412-6228

glangford@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



Department of Development Services 01-08-16P02:53 RCVD

NOTICE OF PUBLIC HEARING

The public hearings for this case have been rescheduled. Previously submitted written comments will be included in the upcoming public hearings. It is not necessary to resubmit.

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way.

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

COMMENTS: NO FRONT ENTRY NEEDS TO MATCH ARCHITECTURELY w/ EX. HOME CARS AND MACHINERY NEEDS TO BE STORED INSIDE.

PROPERTY OWNER NAME (print): GAYLE + JOE COVINGTON
SIGNATURE: Joe Covington - Gayle Covington
ADDRESS: 2808 WEEMS WAY ROWLETT, TX. 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 19th day of January, 2016. Both hearings will be held 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 and return instructions by fax or mail.



Department of Development Services

01-08-16P02:54 RCVD

NOTICE OF PUBLIC HEARING

The public hearings for this case have been rescheduled. Previously submitted written comments will be included in the upcoming public hearings. It is not necessary to resubmit.

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way.

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

COMMENTS:

PROPERTY OWNER NAME

(print):

BILL CARPENTER

SIGNATURE:

Bill Carpenter

ADDRESS:

3001 WEEMS WAY, ROWLETT, TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 19th day of January, 2016.

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 Development Service Department by 5 pm on Wednesday, January 6, 2016, for your comments to be included in the Planning and Zoning Commission packet and/or by Monday, January 13, 2013, to be included in the City Council packet.

If you have any questions concerning this request, please contact the Department of Development Services

Phone 972-412-6166
FAX 972-412-6228

glangford@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099

Bill Carpenter

**3001 Weems Way
Rowlett, TX 75088**

**(972) 977-4114
billccarp@aol.com**

January 3, 2016

Planning & Zoning Commission
City of Rowlett
P. O. Box 99
Rowlett, TX 75030-0099

01-03-16P02:54 RCVD

Application for a Special Use Permit
2905 Weems Way, Rowlett, Texas

Dear Sirs:

I would like to express my support for the requested special use permit for the property located at 2905 Weems Way in Rowlett, Texas. The application will allow the construction of a 1,276 square-foot accessory structure on the property.

Based on my understanding of the proposed structure, from personal conversations with Jeff Horseman, the property owner and my next-door neighbor, I take no exception to the issuance of the special use permit. While I understand the structure would require some minor exceptions to the deed restrictions in our subdivision, I believe the structure will fit nicely within the aesthetics of our neighborhood.

Further, Mr. Horseman, has met with all neighbors and, based on feedback from several neighbors, he has updated the construction plans of the proposed structure to eliminate objections. Based on Mr. Horseman's actions and willingness to work with his neighbors, I urge the Commission to approve the application for a special use permit.

Please feel free to contact me at the above address with any follow-up questions.

Sincerely,





Department of Development Services

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way.

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

COMMENTS: Building would block view of green belt
Building is too large

PROPERTY OWNER NAME (print): HENRY SCOTT
SIGNATURE: [Handwritten Signature]
ADDRESS: 3005 Weems Way

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 8th of December, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 5th day of January, 2016.

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 Development Service Department by 5 pm on Wednesday, December 2, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Monday, December 23, 2015, to be included in the City Council packet.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Development Services within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

Table with 2 columns: Contact information for questions and Return by Fax or Mail address.

Rowlett
TEXAS

He has approached 2 neighbors w/ trying to fix or service. (Jeff) (Glicks) Department of Development Services
TELL ME he is not going to run a business

NOTICE OF PUBLIC HEARING

The public hearings for this case have been rescheduled. Previously submitted written comments will be included in the upcoming public hearings. It is not necessary to resubmit.

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, 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 is proposing to construct a 1,276 square-foot accessory structure at 2905 Weems Way. A Special Use Permit is needed as the applicant's proposal does not meet the accessory structure requirements in Section 77-303 of Rowlett Development Code. (SUP47-2015)

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

COMMENTS: The proposal does not meet the accessory structure requirements in Sec. 77-303 of Rowlett Dev. code. Also, does not meet the deed restrictions - which states no door may face the front on a garage or shop. (Towards street) see attached

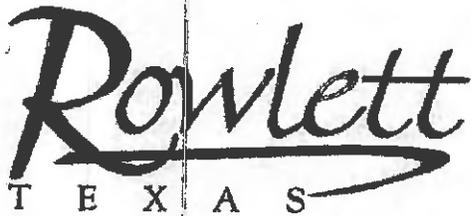
PROPERTY OWNER NAME (print): Irene & James PROCE
SIGNATURE: Irene & James PROCE
ADDRESS: 2906 Weems Way

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 19th day of January, 2016. Both hearings will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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If you have any questions concerning this request, please contact the Department of Development Services
Phone 972-412-6166
FAX 972-412-6228
glangford@rowlett.com

RETURN BY FAX OR MAIL
City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



ATTACHMENT 7
Ejones@rowlett.com

Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING

The public hearings for this case have been rescheduled. Previously submitted written comments will be included in the upcoming public hearings. It is not necessary to resubmit your comments.

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: I am across the street from the property and do not want to look at a garage door. I am opposed.

PROPERTY OWNER NAME (print): Patty Said
SIGNATURE: P. Said
ADDRESS: 2902 Weems Way, Rowlett, TX

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Erin Jones

From: Patty Said <patty.said@gmail.com>
Sent: Monday, December 28, 2015 2:00 PM
To: Erin Jones
Subject: special use permit 2905 Weems Way
Attachments: permit.pdf

I am opposed to the current application since there is a proposed front entry garage. I live right across the street and don't want to look at a garage door. It is also not in keeping with the neighborhood and I believe it would bring property values down. Please see attached.

--

Patty Delcambre Said

"My religion consists of a humble admiration of the illimitable superior spirit who reveals himself in the slight details we are able to perceive with our frail and feeble mind." Einstein



Before printing this email, can you please assess if it is really needed.



Department of Development
Services

COURTESY 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: We know this property owner and confident that the structure will be done in taste and fit in community

PROPERTY OWNER NAME (print): DOUGLAS BACKES and LISA BACKES

SIGNATURE: Doug Backes Lisa Backes

ADDRESS:

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Department of Development Services

COURTESY 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: What will the structure be used for? Not enough info on the building to make an informed decision
PROPERTY OWNER NAME (print): Weldon Ray Morgan
SIGNATURE: [Signature]
ADDRESS: 3818 Andrea Lane Rowlett TX 75088

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City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



Department of Development Services

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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 need to see better elevation drawings of what bldg. will look like from street. We don't want garage to open to street.

PROPERTY OWNER NAME (print): Paul & Pamela Luster
SIGNATURE: [Signature]
ADDRESS: 2801 Weems Way, Rowlett TX 75088

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FAX 972-412-6228
glangford@rowlett.com

RETURN BY FAX OR MAIL
City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75080-0099



CORRECTED NOTICE

Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING

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: I AM OPPOSED IF THE GARAGE DOORS FACE WEEMS WAY.

PROPERTY OWNER NAME (print): JENNIFER GLICK

SIGNATURE: Jennifer Glick

ADDRESS: 3010 WEEMS WAY, ROWLETT, TX 75088

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CORRECTED NOTICE

Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING 2-22-15A11:32 RCV

TO: Property Owner
RE: Application for a Special Use Permit
LOCATION: The subject property is located at 2905 Weems Way further described as being Lot 11, Block 1 of the Toler Ridge Addition, City of Rowlett, Dallas County, Texas. A map is attached for reference.
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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: NOT ENOUGH DETAILS ON STRUCTURE OR PURPOSE TO MAKE A INFORMED DECISION

PROPERTY OWNER NAME (print): Weldon Morgan
SIGNATURE: [Signature]
ADDRESS: 3818 Avenida Lane 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 8th of December, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 5th day of January, 2016. Both hearings will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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CORRECTED NOTICE

ATTACHMENT 7
01-06-16A09:09 RCVD

Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING

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: Makes the neighborhood look bad.

PROPERTY OWNER NAME (print):

Edwin N. Buckner

SIGNATURE:

Edwin N. Buckner

ADDRESS:

3813 Scott Dr, Rowlett 75088

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Phone 972-412-6166
FAX 972-412-6228

glangford@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099



Department of Development Services

01-06-16P05:45 RCVD

COURTESY NOTICE OF PUBLIC HEARING

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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: Proposed structure violates at least three (3) deed restrictions on its face. Building is way too large for a nice residential subdivision of relatively expensive (for Rowlett) single-family homes. A building like this will lower property values & make the neighborhood much less desirable. Et. Al.
PROPERTY OWNER NAME (print): John T. Sheu/Maker
SIGNATURE: [Signature]
ADDRESS: 3101 Weems Way

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Table with 2 columns: Contact information for questions and return by fax or mail details.



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 1/12/2016

AGENDA ITEM: C2

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a rezoning request from Rural Neighborhood and Urban Neighborhood Form Based Districts to the New Neighborhood Form Based Zoning District for the purposes of building a pedestrian-oriented, single family neighborhood. The subject property is located in the North Shore South District as identified in the Realize Rowlett 2020 Comprehensive Plan, being 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Marc Kurbansade, AICP, Director of Development Services
Daniel Acevedo, Urban Designer

SUMMARY

The subject property, referred to as the North Shore South Tract throughout the remainder of this report, is currently zoned Rural Neighborhood and Urban Neighborhood and is regulated by the Form Based Code (FBC). A location map is included as Attachment 1 and the existing North Shore Framework Plan, adopted in 2014 as part of the City's North Shore Planning Initiative is included as Attachment 2. The applicant is requesting to rezone the property to the New Neighborhood Form Based District (NN-FB) in order to build a pedestrian-oriented, single family neighborhood that is in alignment with the vision for the area as outlined in the City's Realize Rowlett 2020 Comprehensive Plan (Attachment 3 – Statement of Intent). The purpose of this item is for the Planning and Zoning Commission to conduct a public hearing and make a recommendation to the City Council regarding the proposed zoning change.

BACKGROUND INFORMATION

Prior to the City initiated rezoning of the North Shore Area in 2014, the subject property was zoned Mixed Use North Shore, which did not allow any residential product types. Based on the research, market studies and citizen input collected throughout the North Shore Planning Initiative it was determined that in order to have a vibrant commercial center a mix of housing types would be needed within the North Shore Area.

The primary objectives for the subject property were as follows:

1. Use the subject property to provide an adequate transition between the low density homes to the southwest and the high density Commercial Center District to be located northeast along Merritt Road.

2. Provide an adequate buffer for the homes directly southwest of the subject property.
3. Limit direct access to the existing homes along Larkin Lane.

The way the City chose to meet these objectives was through rezoning the subject property to the Rural Neighborhood District and Urban Neighborhood District, ultimately transitioning to the Commercial Center District along Merritt Road. However, throughout the planning process it was acknowledged that there were many ways to accomplish an appropriate transition and buffer using a range of housing types. In addition, it was acknowledged that the market studies completed as part of the City's North Shore Planning Initiative were high level in nature and contemplated a long-term vision. Thus it is important to note that there is likely a legitimate demand for both what the City adopted in 2014 and what the applicant is proposing today. The main difference in the proposals how they address the buffering treatment and transitions to the north.

Ultimately, the three main objectives mentioned above remain the same regardless of the product types. As outlined in detail below, it is staff's professional opinion that the proposed rezoning adequately addresses these objectives and meets the rezoning criteria outlined in the Rowlett Development Code.

DISCUSSION

Section 77-805 of the *RDC* states that the City Council shall consider the following when making decisions on rezoning requests. Staff's commentary is bold italics beneath each criterion.

1. Whether the proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;

Prior to the City initiated rezoning in 2014, the subject property was zoned Mixed Use North Shore, which did not allow any residential product types. Based on the research, market studies and citizen input collected throughout the North Shore Planning initiative the prohibition of residential uses in this area was deemed to be an error in need of correcting. It was acknowledged that in order to have a vibrant commercial center a mix of housing types would be needed within the North Shore Area. It was also deemed of utmost importance to provide an adequate buffer between the existing single family homes on Larkin Lane and Toler Road and future commercial development to the North. The way that transition was accomplished was through the Rural Neighborhood District and Urban Neighborhood District, ultimately leading to the Commercial Center District along Merritt Road. However, throughout the planning process it was acknowledged that there were many ways to accomplish an appropriate transition using a range of housing types. To that end, while the applicant's proposal may not directly correct an error, it is in keeping with the goals established through the North Shore Planning initiative, in that it provides an appropriate transition from the existing homes located on Larkin Lane to the denser Commercial Center District to the North and puts a strong emphasis on buffers.

2. Whether the proposed rezoning is consistent with the comprehensive plan and the purposes of this code stated in subchapter 77-103, Purpose of this Code;

The subject property is located in the North Shore South District. Adopting the NN-FB District for the subject property will ensure that future development will meet the portion of the Guiding Principles that apply to this site as outlined in the Comprehensive Plan. The intent of the FBC is based on the Comprehensive Plan and the Guiding Principles. Listed below are the Guiding Principles specifically identified for the North Shore South District that will be reinforced with the proposed rezoning.

- ***Guiding Principle #4: Invest in places of lasting value and distinctive character.***
- ***Guiding Principle #7 Diversify mobility options within the City and connect activity areas***
- ***Guiding Principle #8: Create centers with a mix of activities at key locations in Rowlett.***
- ***Guiding Principle #9: Balance growth through efficient development patterns.***
- ***Guiding Principle #11: Position Rowlett for an appropriate scale of investment and reinvestment supported by market trends.***

3. Whether the proposed rezoning will protect or enhance the health, safety, morals, or general welfare of the public;

Staff does not anticipate the proposed rezoning to impact negatively the health, safety, morals, or general welfare of the public. If approved, the proposed development will be required to comply with all applicable development standards in the FBC as well those standards in the RDC including drainage, traffic, and utility requirements. Furthermore, the applicant is providing a trail network that would enhance the perimeter of the site as it transitions at its boundary.

4. 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 proposed rezoning has been reviewed from the standpoint of providing sufficient transportation access and utilities (e.g., water, sanitary sewer, stormwater drainage). Prior to the approval of the Regulating Plan, Staff will ensure adequate capacity for utilities is provided as required by City ordinances. A traffic impact analysis (TIA) will be required when the Regulating Plan is submitted to further determine impact on Hickox Road.

5. Whether the proposed rezoning is likely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;

It is unlikely that the proposed rezoning will have significant adverse impacts on the natural environment. The proposed NN-FB, will ensure that the natural features are utilized as an asset not only for the proposed development, but for the larger community. The intent of the FBC is to enhance the site's natural conditions by way of neighborhood design, which happens at the Regulating Plan phase of the FBC development review process. The applicant has indicated an extensive park and trail system as shown on the Framework Plan, which is publically accessible to the adjacent community and provides an attractive natural buffer beyond what was originally proposed as a transitional element.

6. Whether the proposed rezoning will have significant adverse impacts on other property in the vicinity of the subject tract;

Staff does not anticipate that the proposed rezoning will have significant adverse impacts on other properties in the vicinity including the existing single family subdivision directly to the south. The proposed layout seeks to address the transition to the south by ensuring a vegetative parkway and trail system as a buffer and screening element. In addition the houses will not back to the adjacent property, ensuring service functions are not located within sight.

7. The suitability of the subject property for the existing zoning classification and proposed zoning classification;

As mentioned in detail in item #1 above, it is staff's opinion that the proposed zoning is as suitable for the subject property as is the current zoning. Both provide an appropriate buffer from the adjacent single family homes and provide an appropriate transition to the Commercial Center District along Merritt Road. All of the elements of the FBC, which demand a high standard of quality place-making will still be in place ensuring development that is in line with the intent of the Comprehensive Plan. The applicant is simply providing an alternative based on their interpretation of current market conditions, whereas the City initiated zoning was based on a long-term market demand.

8. Whether there is determined to be an excessive proliferation of the use or similar uses;

The NN-FB standards require a range of building types to be constructed within a development. The FBC identifies three Building Categories that must be included in New Neighborhood development. A minimum of 20 percent from each of the three Building Type Categories will be allocated within the development. It is Staff's view that the proposed rezoning will not result in an excessive proliferation of a particular housing type and instead diversify the housing stock in this district.

9. Whether the proposed rezoning will ensure that future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract; and;

A key consideration outlined in the Comprehensive Plan for the North Shore South District is to provide a transition from the existing low-density development to the south to a much denser Commercial Center product to the North towards Merritt Road. In this instance, New Neighborhood is an appropriate transition from a less dense residential district, as it provides a denser product type that allows for transition to other compatible uses to the north.

10. The supply of land in the economically relevant area that is in the use district to be applied by the rezoning or in similar use districts, in relation to the demand for that land.

As it was determined through Realize Rowlett 2020, the City is saturated with inventory from housing products within a very narrow size and price band. The FBC has been deemed to be the most effective way to achieve the goal of increasing a variety of housing types within the City of Rowlett. Since the NN-FB District is a fairly new district and has only been applied to key areas of the City, there is not an oversupply of land that retains the NN-FB designation.

Major Warrant

At this time, the applicant has requested the following Major Warrant with this submittal:

1. *Allow for an increase in the maximum lot width of Type 2 and 3 (Cottage) lots from 49 to 50 feet.*

At the time of implementation of the Form Based Code, it was determined that the particular lot sizes in New Neighborhood, as seen in Attachment 4, would be limited as a tool to create a diversity of housing stock. However, there are other requirements within the code that helps to achieve that mix in density (including the limitations within each category of square footages). Although the intent of the code requirement for the subject lots are in place for the purpose of a true mix in lot types, the difference between a 49ft to a 50ft lot is negligible. For a true product mix, the other requirements within the subject categories will ensure the mix is evident. For that reason staff is supportive of this request.

Site Analysis

Prior to formulating the Framework Plan, the applicant prepared a Site Analysis as required by the FBC. The purpose of a Site Analysis is to evaluate the existing conditions of a property as it relates to both the natural and built environments. To this end, the Site Analysis (Attachment 5) incorporates elements such as view corridors, sun patterns, drainage, vegetation masses, topography, existing utilities, landmarks, etc. The Site Analysis is utilized to determine the approximate location of major elements/infrastructure associated with this development. This Site Analysis is a working document that will continue to be used as a reference as further detail is applied to the development.

Framework Plan

The Framework Plan (Attachment 6) incorporates the development regulations and the spatial exhibit showing high-level features including thoroughfare assemblies. Below are the key elements of the Framework Plan:

Open Space: The NN-FB requires 14 percent of the developable area to be comprised of public Open Space. Up to half of that requirement can be met utilizing a natural feature. In this case, the developer proposes to enhance the creek with a publically accessible, multi-modal trail system in close proximity to the proposed homes. The remaining seven percent of the open space will be provided internally within the development through a series of centralized open spaces for active and passive recreation.

Street Typologies: The Framework Plan includes street typologies that were previously adopted in the FBC districts. The applicant is proposing a range street typologies for this development.

Housing Mix: A minimum of 20 percent from each of the three Building Type Categories will be allocated within the development. The housing mix will include at least 20 percent of the total units constructed will be comprised of NN-Type 1, 2 or 3 residences.

In summary, the proposed NN-FB consists of a 61.96+/- acre pedestrian-oriented, single family neighborhood to be governed under the City's FBC is consistent with the vision set forth in the Realize Rowlett 2020 Comprehensive Plan. It is staff's opinion that the proposed rezoning meets the above criteria for a rezoning. Utilizing the FBC will ensure that the proposed development achieves many of the Guiding Principles and the vision outlined in the Comprehensive Plan by ensuring a neighborhood design that emphasizes the following:

- Open Spaces
- Variety of building types
- Pedestrian facilities

Public Hearing Notices:

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Thirty-six 200ft notices and forty courtesy 500ft notices were mailed on December 21, 2015, and as of Friday January 7, 2016, Staff has received the following:

- 200 ft. notification area: Zero in favor and Three in opposition.
- 500 ft. courtesy notification area: Zero in favor and Five in opposition

These responses are included as Attachment 7.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff believes the proposed rezoning adequately addresses the objectives and meets the rezoning criteria outlined in the Rowlett Development Code and Comprehensive Master Plan. For that reason, staff recommends approval of this item.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – North Shore South Framework Plan (Adopted 2014)

Attachment 3 – Statement of Intent

Attachment 4 – New Neighborhood Zoning Exhibit

Attachment 5 – Site Analysis

Attachment 6 – Framework Plan

Attachment 7 – Public Hearing Notices



Subject Property

200' Notification Area



NORTH SHORE SOUTH TRACT
3200 HICKOX RD & 3600 HICKOX RD
 Map Created: December 17, 2015

200 FT NOTIFICATION AREA

North Shore South

Overview

Unless otherwise noted below, all standards in the City of Rowlett Form Based Code will govern. The Framework Plan is based on the Realize Rowlett 2020 Comprehensive Plan and will provide guidance and direction for the application of design standards and principles in approving final Phased Development Plans, Development Plans and permits.

Intent. It is intended that North Shore be the City of Rowlett’s major employment hub. This is achieved by permitting an integrated mix of uses and building types in order to facilitate and support an employment base. High quality standards, design parameters and preservation of natural features provide an amenity package and adjacency predictability for entities developing within North Shore. In the future, a more detailed amenity package will be defined for this area to truly create a live, work and play environment. (See Realize Rowlett 2020 Comprehensive Plan.)

Districts

North Shore South is comprised of four Form Based Districts (“FB Districts”) – Rural Neighborhood, Urban Neighborhood, Urban Village and Commercial Center. – as set out in the attached Framework Plan. These FB Districts are modified as set out below.

General

Non-Conformity. Within North Shore, the following Structure Non-Conformity standard will not be applicable:

FBC 1.6.3.a.3. Any expansion of the building footprint must also be accompanied with an upgrade to the street tree and sidewalk standards in effect at the time under this Chapter. Where this is not possible or deemed a hardship, then the street tree and sidewalk improvements will be escrowed to the City to be installed by the City at a later date.

Landmarks/Amenities. Landmark buildings and amenities within the North Shore South area are absolutely essential in promoting this area as a live, work and play environment. Elements such as retail and restaurants, personal and business services, a junior college campus or satellite school, and a limited amount of housing in the area, are key to attracting employers and work force.

Natural Features. Preservation of green belts and water bodies are important to attracting employers. These natural assets are desired amenities when siting Commercial, Live-Work and Flex Employment buildings.

Streets. A network of Primary and Secondary Streets has been designated on the Framework Plan: Special Requirements. It is intended that along Primary Streets a higher building frontage percentage be met. And further, that along Secondary Streets a lower building frontage percentage is permitted in order to allow for service circulation, alleys, etc. Secondary streets have been delineated on the Framework Plan with the intent that they may be reconfigured as development occurs provided that the layout meets the standards of the FBC (i.e. block face standards). Within the Commercial Center FB District, standards within the FBC allow for the ability to combine blocks (superblock) to aid in accommodating larger employment users.

Rural Neighborhood

General Boundaries. The Rural Neighborhood FB District is bounded by the extension of Hickox Road to the west, and the to the New Neighborhood FB District to the north. (See Framework Plan.)

Building Types. All Rural Neighborhood Building Types in the Form Based Code are allowed in this area.

Building Height. The maximum building height will be 2 ½ stories.

Transition with Rural Neighborhood. It is intended that the Rural Estate Building Type will occur along areas designated “Transition with Rural Neighborhood” as designated on the Framework Plan: Special Requirements. This 200-foot wide transition designation sets the following parameters for lots that immediately abut areas zoned Single Family under the RDC (SF-5 thru SF-40), which exist prior to adoption of the Form Based Code.

- The maximum principal building height will be 3 stories.
- The maximum accessory building height will be 2 stories.
- The rear setback will be 25 feet.

Streets. The street system is intended to facilitate circulation for pedestrians, bicycles, vehicles and emergency services. Streets should be rural in character with swales rather than rolled curbs, and may employ a clustering of trees rather that a formal street tree line .

Open Space. It is intended that existing tree masses and ponds will be preserved in parks and greenways.

Urban Neighborhood

General Boundaries. The Urban Neighborhood FB District is bounded by natural features to the east and south, Hickox Road to the north, and the Rural Residential FB District to the west.

Building Types. All Urban Neighborhood Building Types in the Form Based Code are allowed in this area.

Building Height. The maximum building height will be 4 stories.

Streets. The street system is intended to facilitate circulation for pedestrians, bicycles, vehicles and emergency services. Streets are fully interconnected, not gated and designed with a formal tree line for shade, wide sidewalks and curbs.

Open Space. It is intended that centralized open space be employed to generate a sense of identity, image and value creation within New Neighborhood developments. These open spaces will be improved for use as neighborhood gatherings and recreation.

Urban Village

General Boundaries. The Urban Village FB District is bounded by President George Bush Turnpike on the east, the Commercial Center FB District to the north, and natural features to the south. (See Framework Plan.)

Building Types.

Within Overlay A, the following Urban Village Building Types in the Form Based Code are allowed: Commercial, Mixed-Use, Shopfront and Mixed Residential.

The following provision will be applicable within the Urban Village FB District: Mixed Residential units will be evaluated as part of a larger mixed-use development, and may only occupy 25 percent (excluding parks and streets) of the land area or building square footage in a Regulating Plan/Phased Development Plan or Development Plan. A request to deliver more than 25 percent Mixed Residential will require approval by Major Warrant.

Building Height. Within Overlay A, the minimum building height will be 3 stories and there will be no maximum height. One-story and two-story buildings may be allowed under certain conditions, but will require approval of a Minor Warrant.

Streets. The street system is intended to facilitate circulation for pedestrians, bicycles, vehicles and emergency services. Streets are fully interconnected, not gated and designed with a formal tree line for shade, wide sidewalks and curbs. Within Urban Village developments, tree grates and wells are preferred in order to generate a “main street” atmosphere.

Open Space. North Shore South is planned to contain centralized open space throughout to provide important foci for urban communities. These open spaces will be improved for more intense use than the residential neighborhoods with plazas, water features or other amenities. All of these areas will be connected with shaded sidewalks and trails.

Commercial Center

General Boundaries. The Commercial Center FB District is bounded by President George Bush Turnpike to the East, Hickox Road to the north, and both Urban Neighborhood and existing single-family residential neighborhoods to the west. (See Framework Plan.)

Building Types.

Within Overlay B, the following Commercial Center Building Types in the Form Based Code are allowed: Commercial, Flex Employment, Mixed-Use, Shopfront and Mixed Residential.

Where Overlay B is not designated, all Commercial Center Building Types in the Form Based Code are allowed.

Building Height. Within Overlay B, the minimum building height will be 3 stories and there will be no maximum height. One-story and two-story buildings may be allowed under certain conditions, but will require approval of a Minor Warrant.

Where Overlay B is not designated, the maximum building height will be six stories (6).

Transition with Buffer. It is intended that a “Transition with Buffer” will occur along areas designated on the Framework Plan: Special Requirements. This 100-foot wide transition sets the following parameters for lots that immediately abut areas zoned Single Family under the RDC (SF-5 thru SF-40), which exist prior to adoption of the Form Based Code.

- The maximum principal building height will be 2 1/2 stories.
- The maximum accessory building height will be 2 stories.
- The rear setback will be 20 feet. A landscape buffer containing street trees planted an average of 25 feet on center and a 40-inch metal picket fence with low shrubs will be provided within the rear setback, adjacent to the rear property line.

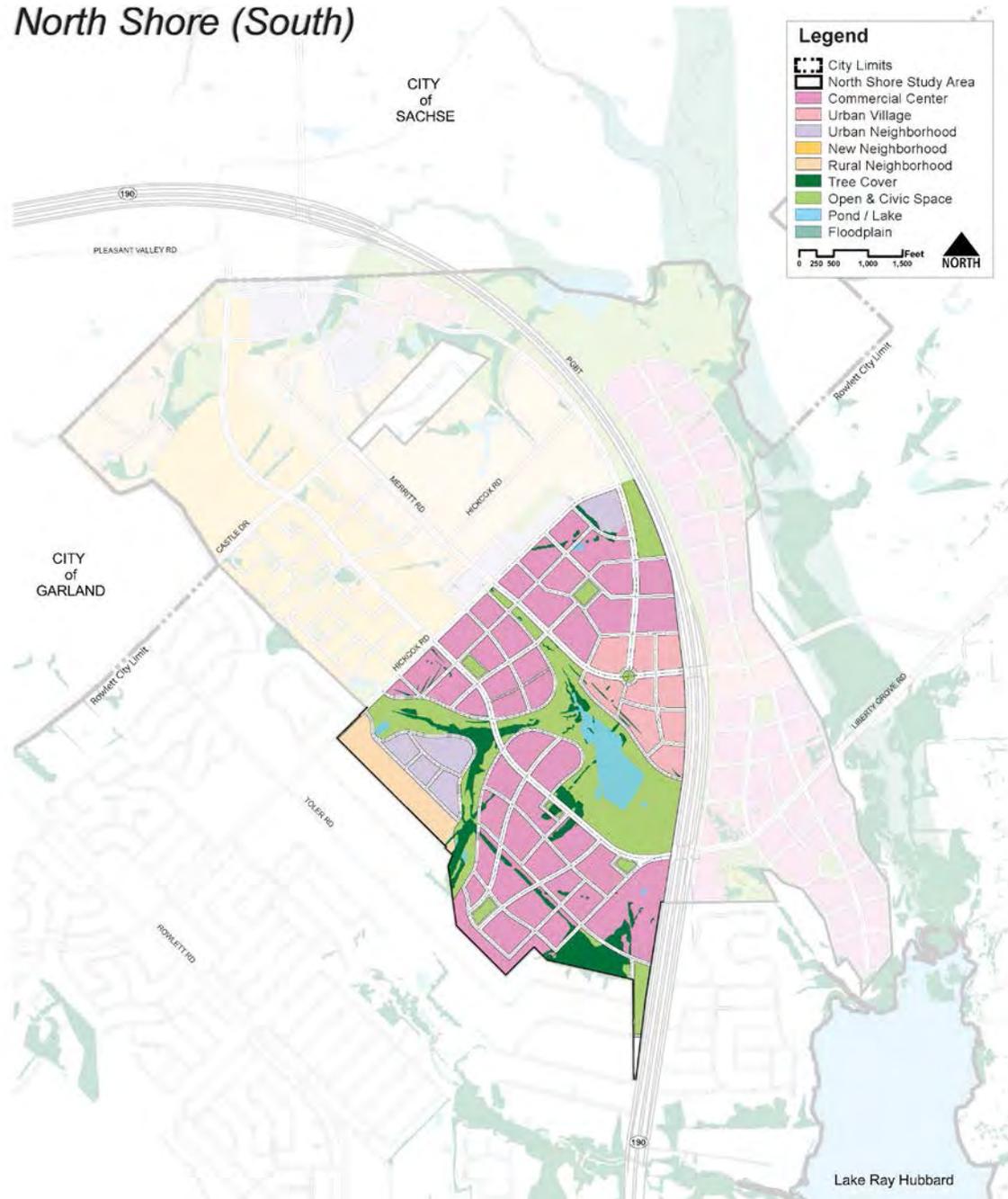
Streets. The street system is intended to facilitate circulation for pedestrians, bicycles, vehicles and emergency services. Streets are fully interconnected, not gated and designed with a formal tree line for shade, wide sidewalks and rolled curbs. Within Commercial Center developments, planter strips are preferred in order to generate a lush, well-shaded public realm.

Open Space. North Shore South is planned to contain centralized open space throughout in order to provide important foci for the urban communities being created. All of these areas will be connected with shaded sidewalks and trails.

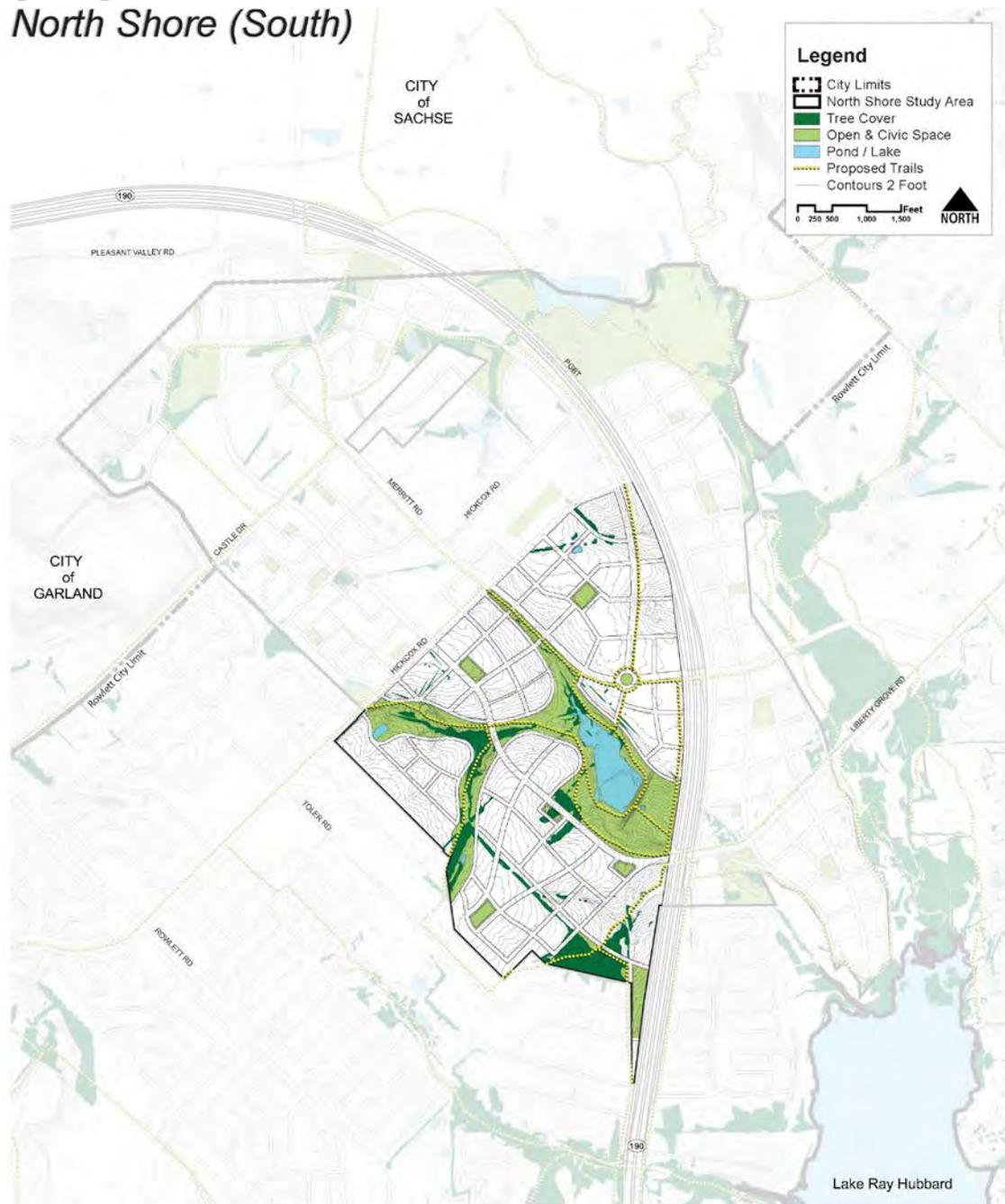
Attachments

1. Framework Plan – the Framework Plan is comprised of the following five (5) diagrams.
 - a. Form Based District Allocation
 - b. Open Space and Trails
 - c. Special Requirements
 - d. Street Classifications
 - e. Zoning Exhibit
2. Street Cross Sections
3. Transition Sections

Form Based District Allocation North Shore (South)



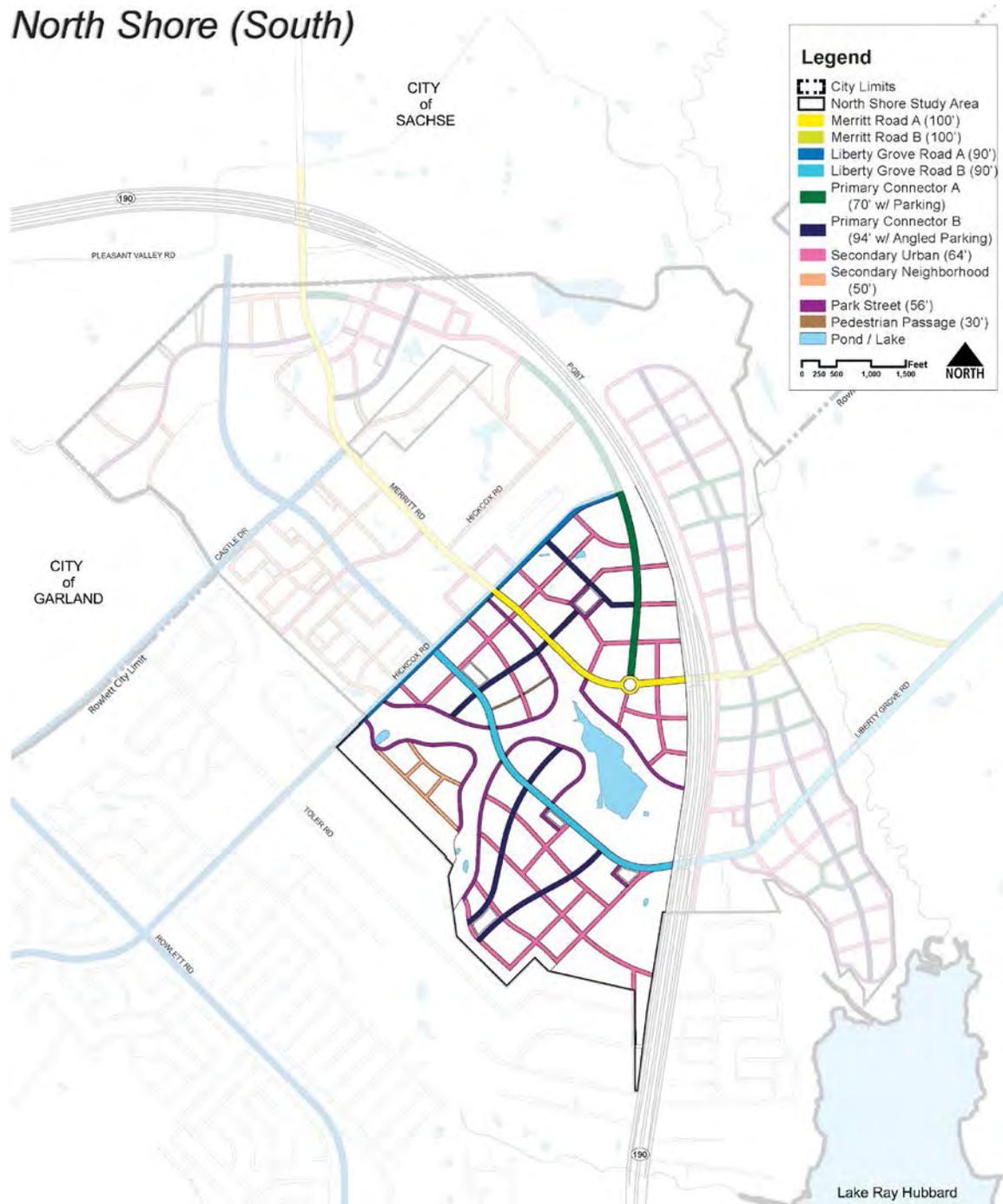
Open Space and Trails North Shore (South)



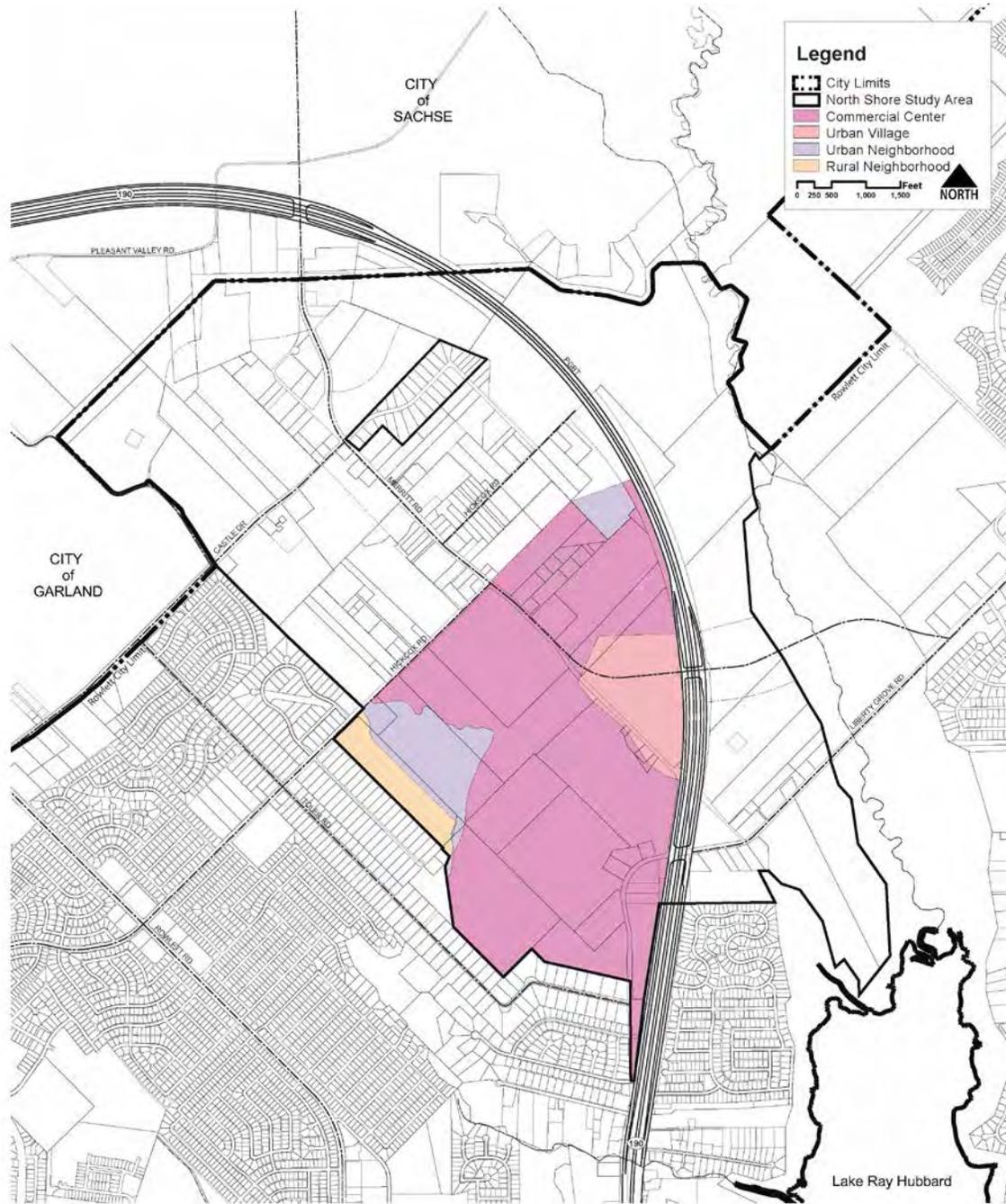
Special Requirements
North Shore (South)



Street Classifications North Shore (South)



Zoning Exhibit

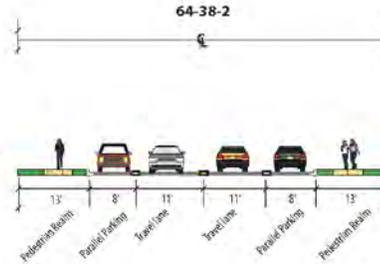


Street Cross Sections

North Shore Streets (South)

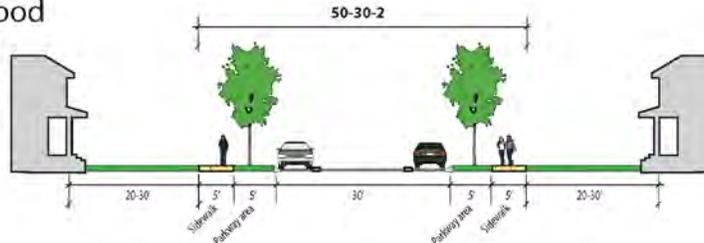
Secondary Urban

*May be interchanged with Urban Local A and Urban Local B.

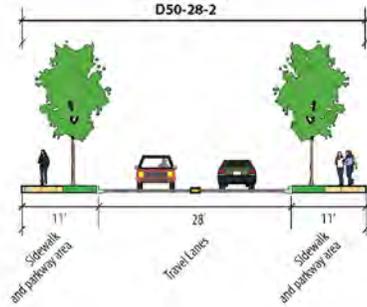


Secondary Neighborhood

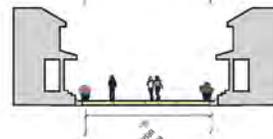
*May be interchanged with neighborhood streets appropriate for Urban Neighborhood, New Neighborhood and Rural Residential



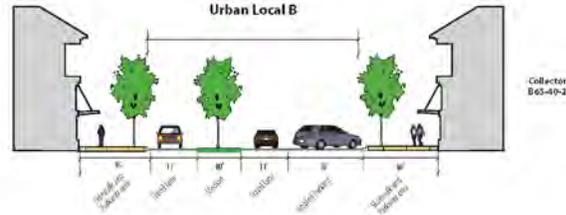
Urban Local A D50-28-2



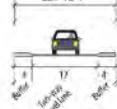
Pedestrian Passage 30-30-0



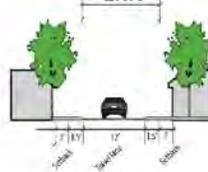
Urban Local B



MEWS E20-12-1

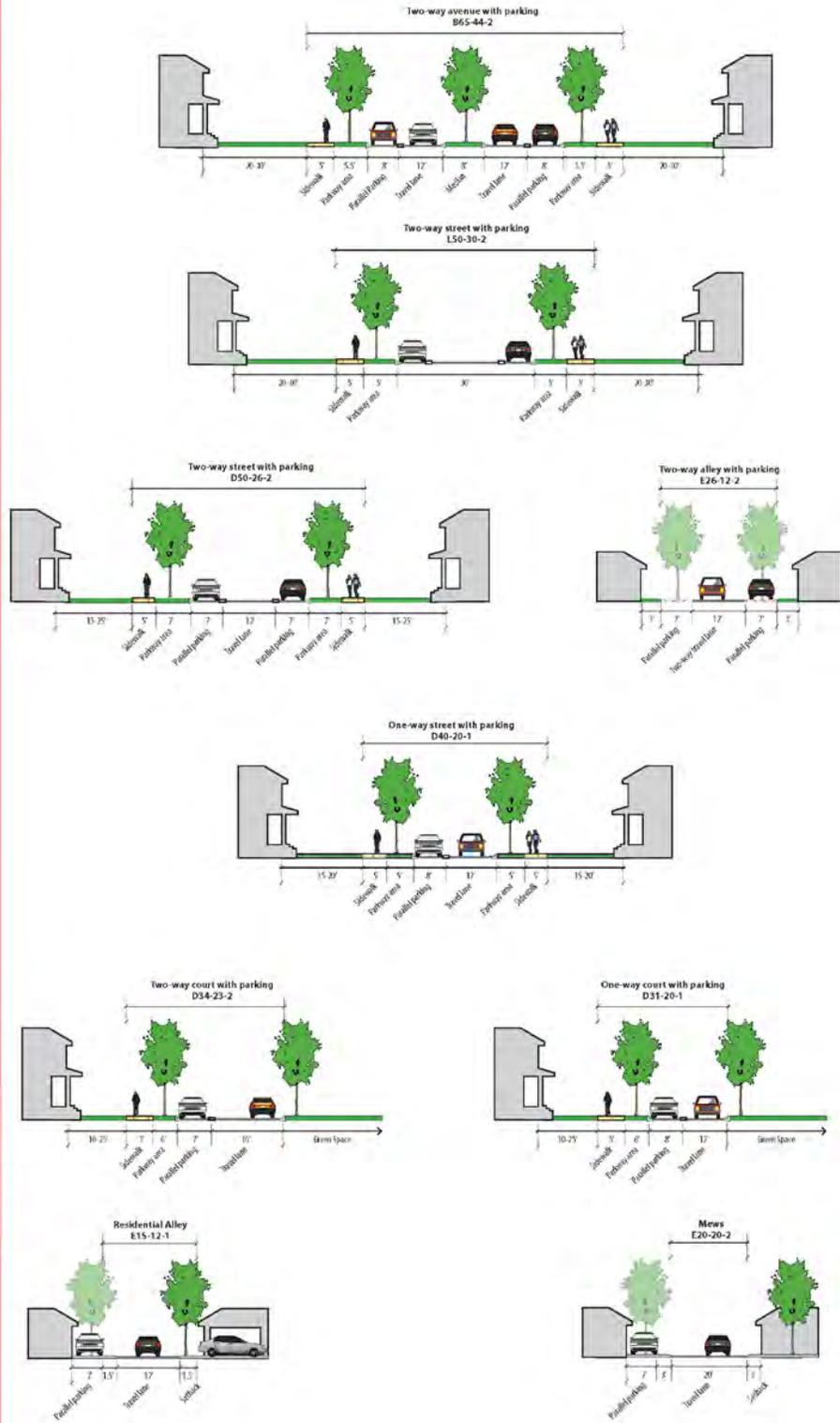


Mews E20-20-2

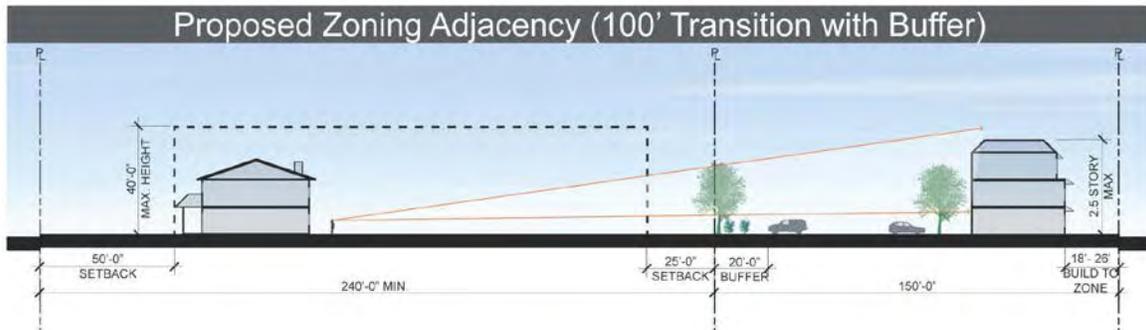
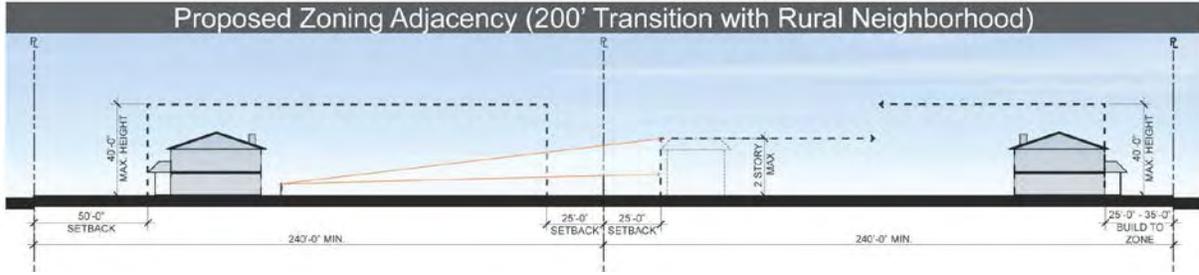


Street Cross Sections

**North Shore Streets (Urban Neighborhood, New Neighborhood, & Rural Neighborhood)
 (South)**



Transitional Sections



North Shore South Tract Exhibit C – Statement of Intent and Purpose

The goal of this project is create a vibrant, walkable community to live in. The intent is not just to create houses; rather the intent is to make a community of homes, neighbors and friends. Neighbors will know each other from seeing them on the trail system or by talking to them as they sit on their porch in the evenings. Kids will make life long bonds in this community by playing together in the open spaces and riding their bikes on the trails together.

This project is a zoning change, but is a better fit to transition from a rural neighborhood to a high density urban neighborhood. This project intends to work with the natural features of the land by preserving the creek area and the trees in it, as well as providing a large landscape buffer to the existing neighborhood to be a good neighbor. The landscape buffer to the existing neighborhood will serves as trail corridor connecting trails throughout the neighborhood, allowing residents to enjoy the outdoors, while also enhance the health of the residents through physical activity. This community will be buffered from the undeveloped land to the north by a creek, creating a natural buffer to transition to much higher, urban uses.

This project is located strategically on a major road in the City which allows excellent access to Merritt road. The Merritt corridor and new road has been planned in the future to be a major destination for retail, office and commercial. The high quality community that is proposed will be able to walk to this corridor and help foster the growth of this corridor.

This project is projected to have average home prices in excess of the existing neighborhoods.

NEW NEIGHBORHOOD		COMMON NAMES	LOT WIDTHS (MIN - MAX) ⁽¹¹⁾	LOT DEPTH (MIN)	SIDE YARD (MIN) ⁽¹⁾	BUILD-TO ZONE FRONT STREET ⁽²⁾	BUILD-TO ZONE SIDE STREET ⁽²⁾
	CATEGORY 1	Manor	70'+	120'	5' or 3' / 7' split	25' – 30'	10' min.
		Estate	60' – 69'	110'	5' or 3' / 7' split	20' – 30'	10' min.
		Village	50' – 59'	110'	5' or 3' / 7' split	15' – 25'	10' min.
	CATEGORY 2	Cottage	40' – 49'	100'	5' or 3' / 7' split	10' – 25'	10' min.
		Casita	25' – 39'	90'	5' or 3' / 7' split	5' – 10'	10' min.
	CATEGORY 3	Cottage on Mews, Court or "Zero" Lot Line	40' – 49'	90'	3' / 7' split	5' – 15'	10' min.
		Casita on Mews, Court or "Zero" Lot Line	25' – 39'	80'	3' / 7' split	5' – 10'	10' min.
		Multi-Unit House ⁽⁷⁾	60' – 100'	110' / 100' on mews	10'	25' – 30'	10'-15'
		Townhome I	25' – 35'	90' / 80' on mews	0' / 5' split	4' – 10'	10'-15'

(1) Side yard 5' unless a 3' / 7' ("zero" lot line) split. The total between buildings shall be 10 ft., except 15 ft. of Multi-Unit Homes.

(2) Build-To Zone is measured from the front property line in the New Neighborhood District.

(3) An enclosed garage shall be constructed of the same material as the main residential structure, and setback 7-9 feet, or 17 or more feet, from the rear property line. Rear loaded garages may be attached at the side property line.

(4) Front-loaded garages will be limited to lots which are at least 60-feet wide and will be located behind the front building corner by 20 feet, of the "drive-through" to the rear yard.

Covered breezeways connecting the garage and the house are allowed.

Garage Access Location. (R)= Rear, (F) = Front

(5) Porches, stoops, bay windows, balconies, masonry clad chimneys and sunrooms ("Gifts to the Street") may encroach beyond the set BTL no more than 10 feet for a given street, except the encroachment shall not exceed 5 feet on "side streets" and not encroach into the public ROW.

(6) The accessory units are permitted up to 600 square feet in Categories 2 and 3, and 800 sf. in Category 1. They may have a kitchen, bathroom and off-street parking space; but shall not require a separate water meter or electrical panel. Accessory unit area does

REAR LOADED GARAGE ⁽¹²⁾	OFF STREET PKG SPACES / DWELLING UNIT	MAX. HEIGHT IN STORIES	AREA (SF) / DWELLING UNIT (MIN - MAX) ⁽¹⁰⁾	GIFTS TO THE STREET ⁽⁵⁾	PORCH DEPTH (MIN)	ACCESSORY UNIT ⁽⁶⁾
R/F ⁽⁴⁾	2	3 ⁽⁸⁾	3800 – No Max	Permitted	7'	Permitted
R/F ⁽⁴⁾	2	3 ⁽⁸⁾	3000 – 4000	Permitted	7'	Permitted
R ⁽⁴⁾	2	2.5	2000 – 3200	Permitted	7'	Permitted
R ⁽⁴⁾	2 ⁽⁹⁾	2.5	1400 – 2800	Permitted	7'	Permitted
R ⁽⁴⁾	2 ⁽⁹⁾	2.5	850 – 1400	Permitted	7'	Permitted
R ⁽⁴⁾	2 ⁽⁹⁾	2.5	1400 – 2200	Permitted	7'	Permitted
R ⁽⁴⁾	2 ⁽⁹⁾	2.5	850 – 1400	Permitted	7'	Permitted
R ⁽⁴⁾	1.5	2.5 – 3 ⁽⁸⁾	850 – No Max	Permitted	7'	Permitted
R ⁽⁴⁾	2	2.5 – 3 ⁽⁸⁾	1000 – No Max	Permitted	7'	Permitted

not count against the maximum dwelling size.

(7) 2 to 6 units shall be allowed, however, one entry per street frontage shall be primary, so that the building has the image of a large single family dwelling. Other units may have entries directly from the outside, or from the interior.

(8) 3 Stories allowed only if the building is located next to a 2-story or taller building, or if the building's side yard is adjacent to an alley, pedestrian way or street, or if it pre-dates adjacent buildings.

(9) At least one off street parking space must be located in a garage.

(10) A Minor Warrant is required to increase the size of houses up to 15% larger

(11) The maximum lot width may be increased by 5 feet on corner lots to accommodate

wrap around porches, secondary entries and other approved features.

(12) An accessory unit must have 1 dedicated off-street parking space (enclosed or not enclosed) in addition to the primary unit's requirement

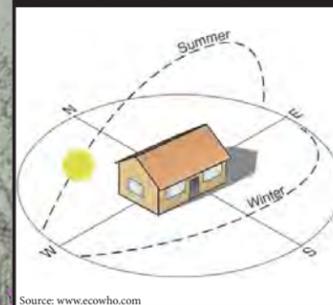
GENERAL NOTES:

- Contour Interval = two foot (2')
- According to FEMA Map No. 48113C0240K, dated July 7, 2014, and FEMA Map No. 48113C0245K, dated July 7, 2014 of the Federal Emergency Management Agency, National Flood Insurance Program Map, portions of this property lie within Flood Zone "A", (areas determined to be within the 100-year floodplain), which is a special flood hazard area.
- The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat.
- This Site Analysis is for illustrative purposes only.
- Other site natural features may be present, that are not currently known of and shown herein.

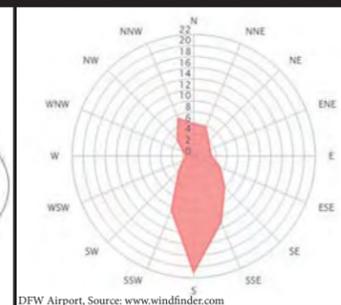
LEGEND:

SYMBOL	DESCRIPTION
	Project Boundary
	Ephemeral Stream/Tributary and Direction of Flow
	Direction of Water Flow
	Required Open Space

SOLAR ORIENTATION



ANNUAL WIND DIRECTION %



DEVELOPMENT TEAM

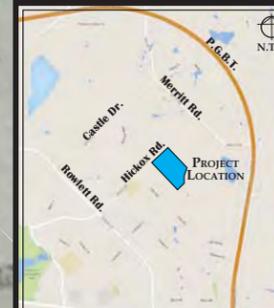
Owner:
Millfam, LTD
515 Pine Shadows Drive
Houston, Texas 77056

Applicant:
Wynne/Jackson, Inc.
600 N. Pearl
Suite 650, LB 149
Dallas, TX 75201
(214) 880-8659
Contact: Christopher Jackson

Land Planner / Designer:
James Knapp, LLC
5381 Moss Glen Dr.
Frisco, TX 75034
(512) 484-2999
Contact: James Knapp

Engineer / Surveyor:
JBI Partners
16301 Quorum Drive
Suite 200B
Addison, TX 75201
(972) 248-7676
Contact: Tom Juhn, PE

LOCATION MAP



ABSTRACT

In the City of Rowlett, Dallas County, Texas, 67.360 gross acres out of the Reason Crist Survey, Abstract No. 225

SUBMITTAL HISTORY

Date Issued: November 24, 2015
Revisions:
December 21, 2015

PROJECT

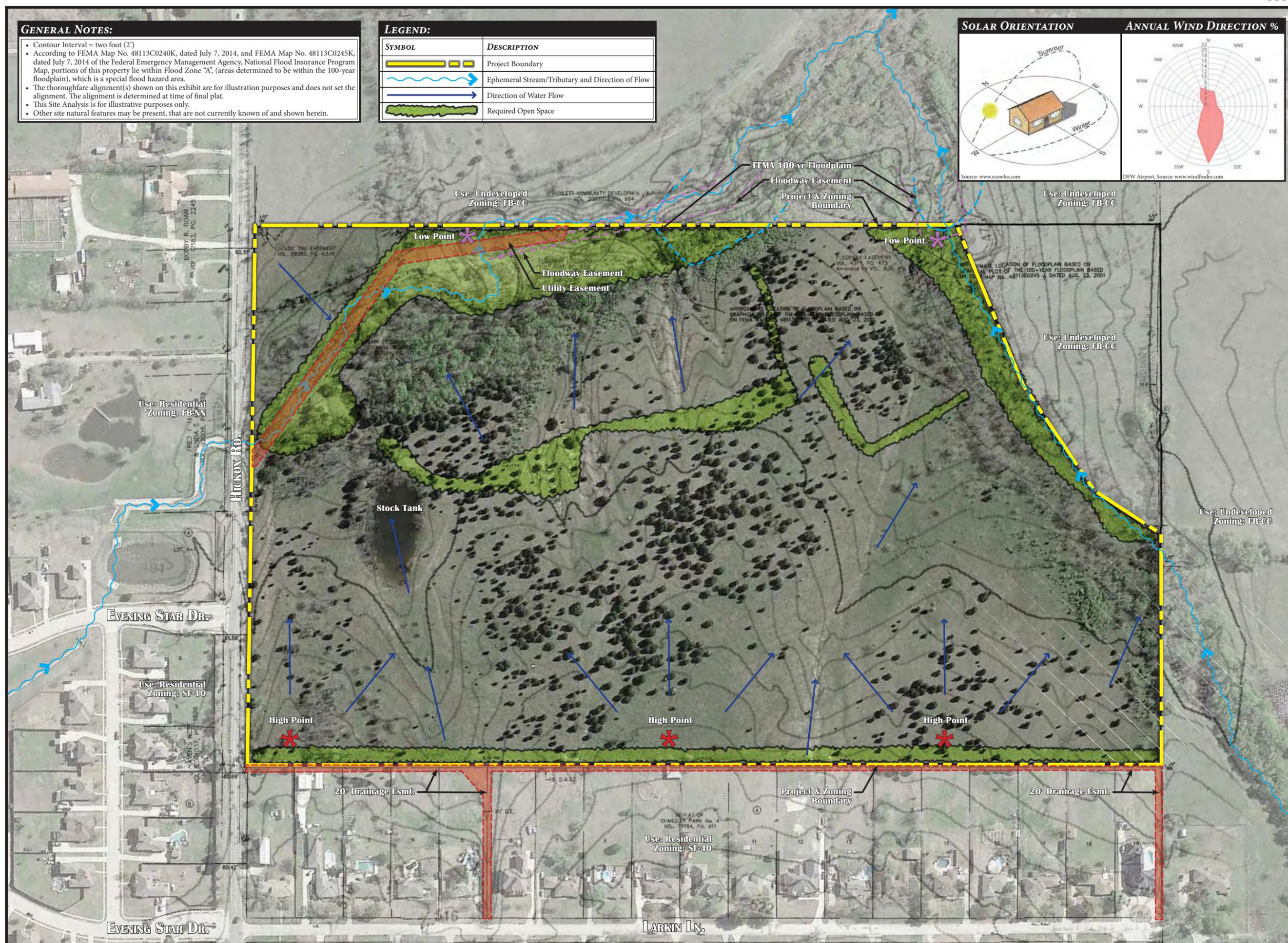
NORTH SHORE SOUTH TRACT

EXHIBIT D
SITE ANALYSIS (RG 15-)



Scale 1"=100'
0' 100' 200'

This drawing is a pictorial representation for presentation purposes only and is subject to change without notice. Additionally, no warranty is made to the accuracy, completeness, or of the information contained herein.



GENERAL NOTES:

- Contour Interval = two foot (2')
- According to FEMA Map No. 48113C0240K, dated July 7, 2014, and FEMA Map No. 48113C0245K, dated July 7, 2014 of the Federal Emergency Management Agency, National Flood Insurance Program Map, portions of this property lie within Flood Zone "A", (areas determined to be within the 100-year floodplain), which is a special flood hazard area.
- The development type boundaries shown on this exhibit are for illustration purposes and do not set the boundary. The boundary is determined at time of final plat.
- The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The alignment is determined at time of final plat.
- Major Warrants from current development intent statements and regulations not specifically listed for approval as part of this Framework Plan may require a hearing by the Planning and Zoning and approval by City Council during Regulating Plan or Development Plan review.
- This Framework Plan is for illustrative purposes only and subject to change. Significant deviations from this Framework Plan, as determined by the Director of Planning, will require an amendment to the Zoning.
- The exact location and design elements of all streets will be established during preliminary engineering.
- See Exhibit B for zoning boundary bearings, dimensions, total zoning acres, and legal description.

LEGEND:

SYMBOL	DESCRIPTION
	Project Boundary
	Secondary Thoroughfare, B+, 4-Divided, 85' R.O.W.
	NS-B+1 Thoroughfare, B+, 4-Divided, 90' R.O.W.
	Thoroughfare Connections (see Exhibit E1)
	First Priority Trail (12' in width)
	Third Priority Trail (12' in width)
	Required Open Space
	Forty Foot (40') Landscape Buffer and Trail Corridor

MAJOR WARRANTS:

- This submittal includes a major warrant variance for the Form Based Code, 2.1 Building Types, Category 3 maximum lot width identified. The maximum lot width would increase by one foot (1') to a maximum fifty foot (50') lot width for no more than forty five percent (45%) of the total units.

DEVELOPMENT TEAM

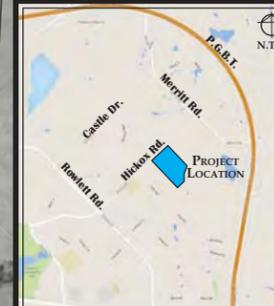
Owner:
Millfam, LTD
515 Pine Shadows Drive
Houston, Texas 77056

Applicant:
Wynne/Jackson, Inc.
600 N. Pearl
Suite 650, LB 149
Dallas, TX 75201
(214) 880-8659
Contact: Christopher Jackson

Land Planner / Designer:
James Knapp, LLC
5381 Moss Glen Dr.
Frisco, TX 75034
(512) 484-2999
Contact: James Knapp

Engineer / Surveyor:
JBI Partners
16301 Quorum Drive
Suite 200B
Addison, TX 75201
(972) 248-7676
Contact: Tom Juhn, PE

LOCATION MAP



ABSTRACT

In the City of Rowlett, Dallas County, Texas, 61.960 gross acres out of the Reason Crist Survey, Abstract No. 225

SUBMITTAL HISTORY

Date Issued: November 24, 2015
Revisions:
December 21, 2015

PROJECT

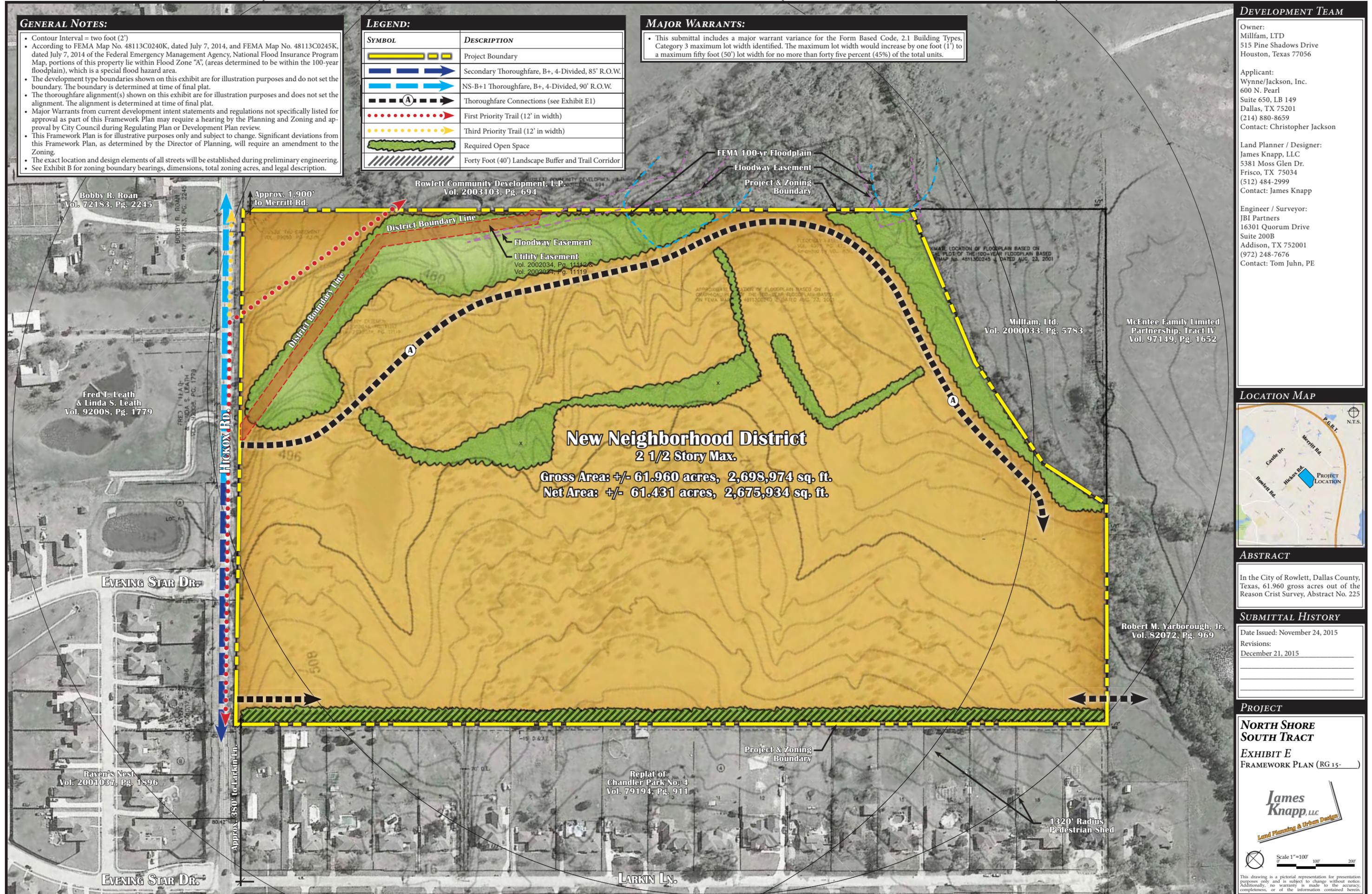
NORTH SHORE SOUTH TRACT

EXHIBIT E
FRAMEWORK PLAN (RG 15-)



Scale 1"=100'
0' 100' 200'

This drawing is a pictorial representation for presentation purposes only and is subject to change without notice. Additionally, no warranty is made to the accuracy, completeness, or of the information contained herein.



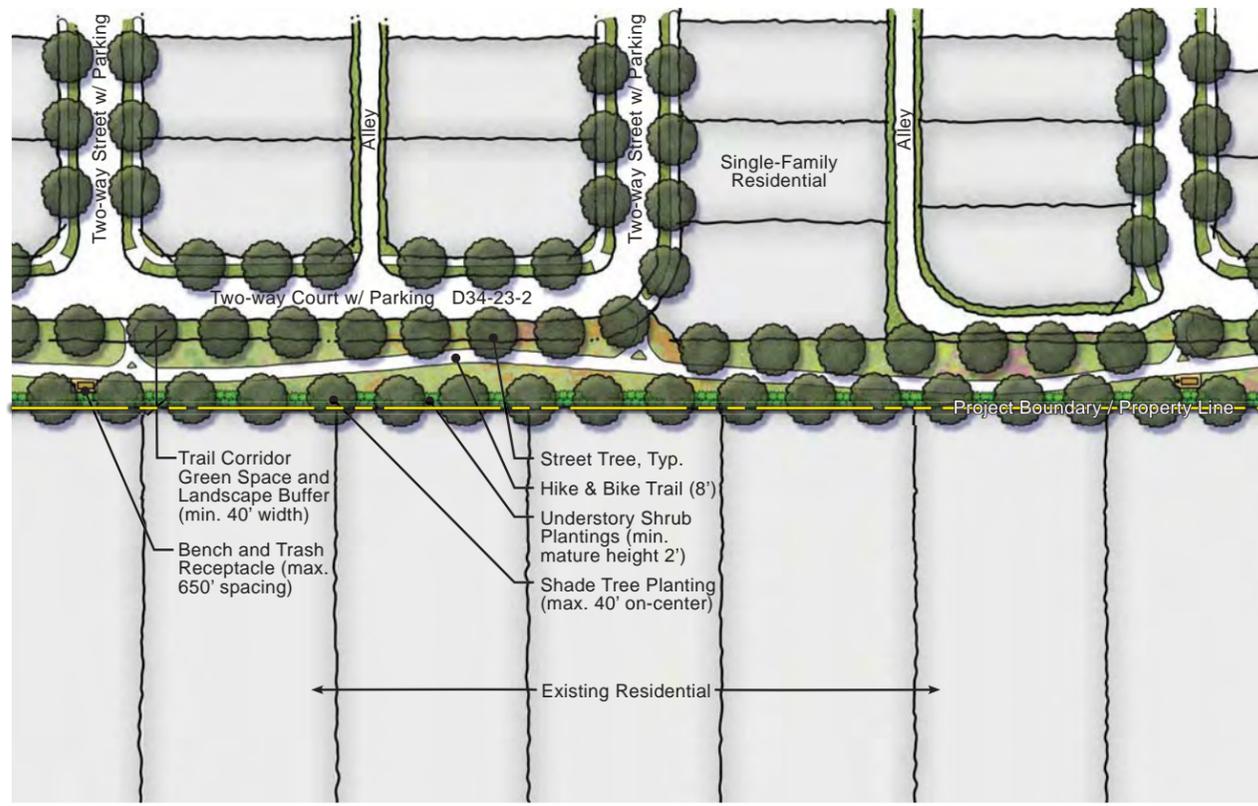
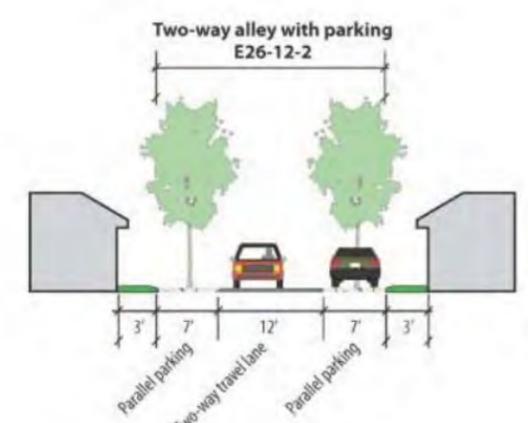
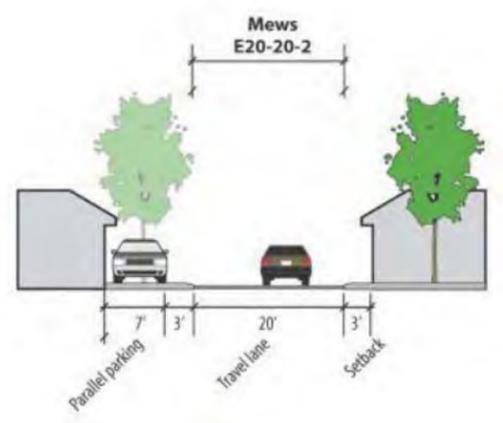
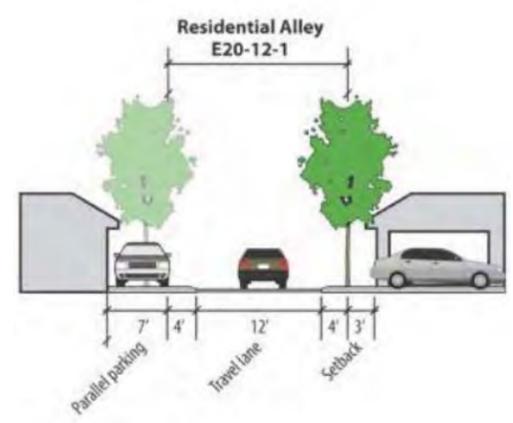
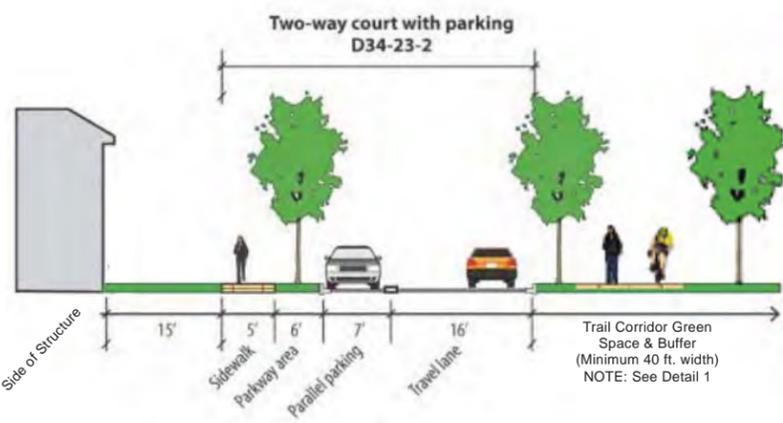
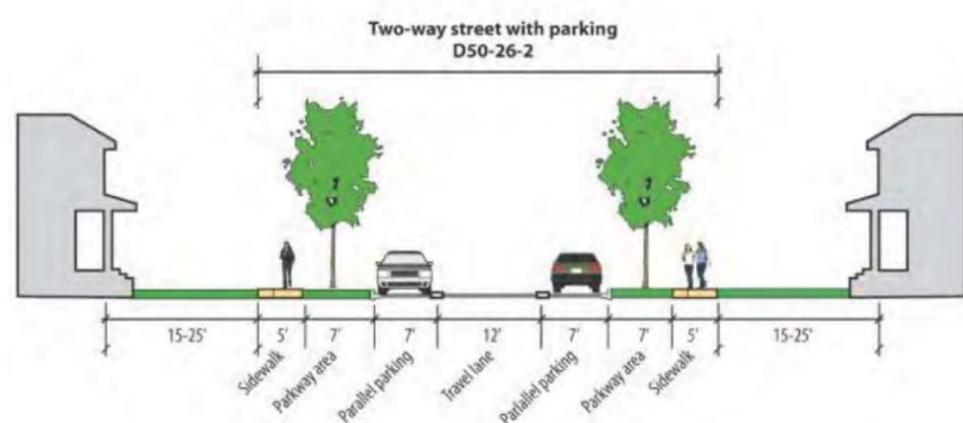
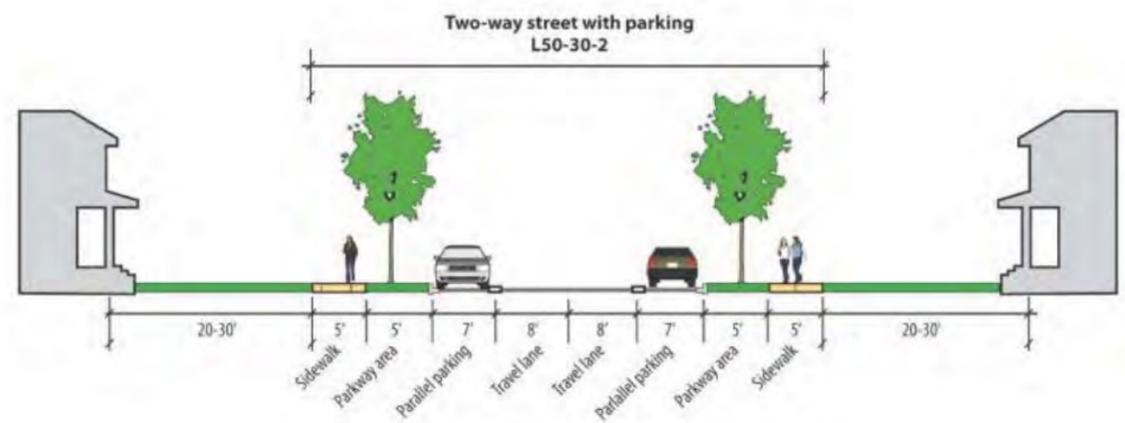
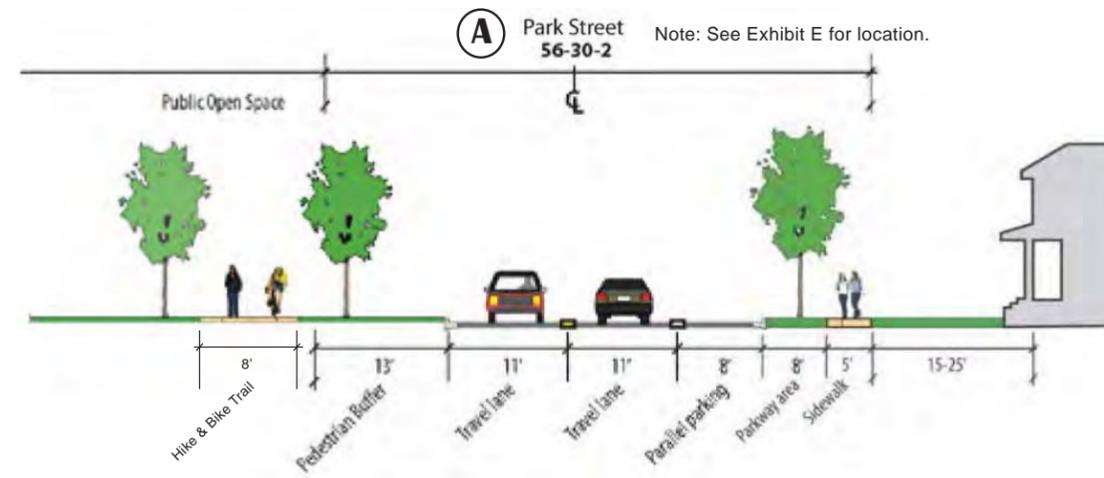
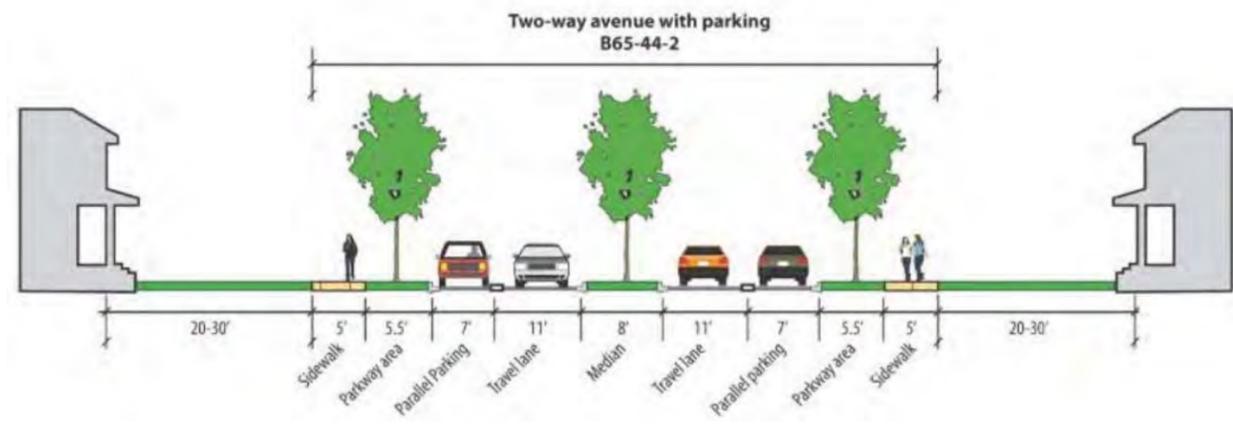
DEVELOPMENT TEAM

Owner:
Millfam, LTD
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Houston, Texas 77056

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Wynne/Jackson, Inc.
600 N. Pearl
Suite 650, LB 149
Dallas, TX 75201
(214) 880-8659
Contact: Christopher Jackson

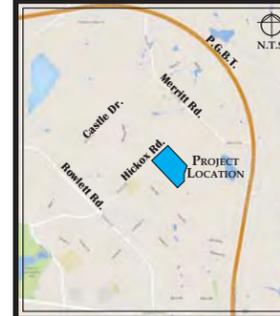
Land Planner / Designer:
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5381 Moss Glen Dr.
Frisco, TX 75034
(512) 484-2999
Contact: James Knapp

Engineer / Surveyor:
JBI Partners
16301 Quorum Drive
Suite 200B
Addison, TX 75201
(972) 248-7676
Contact: Tom Juhn, PE



1 Trail Corridor Green Space & Buffer Typical Cross Section

LOCATION MAP



ABSTRACT

In the City of Rowlett, Dallas County, Texas, 67.360 gross acres out of the Reason Crist Survey, Abstract No. 225

SUBMITTAL HISTORY

Date Issued:	November 24, 2015
Revisions:	December 21, 2015

PROJECT

NORTH SHORE SOUTH TRACT
EXHIBIT E1
FRAMEWORK PLAN
CROSS SECTIONS (RG 15-)



Street Cross Sections Not To Scale

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SCALE: 1" = 50'

**North Shore South Tract
Exhibit F – Development Schedule**

This project is contemplated to be built in two phases, with the first phase starting construction within a year of zoning approval and the second phase starting construction within two years of the first phase being built. Development will generally develop from the north to the south.



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Zoning Change and Major Warrant
LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area 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 subject properties are currently comprised of two form based zoning districts: Rural Neighborhood and Urban Neighborhood. The applicant requests a rezoning from the two previously mentioned districts to one unified New Neighborhood Form Based District for the purposes of building a pedestrian-oriented, single family neighborhood. In addition, the applicant is requesting a Major Warrant to allow an increase in the maximum lot width of Type 2 and 3 (Cottage) lots from 49 feet to 50 feet.

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

COMMENTS: We Do Not Feel The Zoning Change Meets The Goal Of Having A Gradual Transition From The Rural Neighborhood To A More Dense Neighborhood.

SIGNATURE: James D. Wilson III James D. Wilson III
ADDRESS: 3401 Larkin Lane

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both 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. The protest must be received by the Planning Division by 5 pm on Wednesday, January 6, 2016, to be included in the Planning and Zoning Commission packet and January 20, 2016, to be included in the City Council packet. Responses received by January 6th will also be forwarded to City Council. Responses received after January 20th shall not be counted in the record of response. Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Development Services within the time specified above. The protest shall object to the rezoning and/or Major Warrant, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, and the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact:
 Phone 972-463-3904
 FAX 972-412-6228
 dacevedo@rowlett.com

RETURN by Mail
 City of Rowlett Planning Division
 3901 Main Street
 Rowlett, TX 75088



Development Services
Department/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:

It was my understanding from a protest several years ago that the lots directly behind the Larkin properties would be the same width ^{10.5 ft} of 50 ft. That would put 2+ houses behind us per existing properties. I do not want houses 10 feet apart behind me!

SIGNATURE:

James A. Ware

ADDRESS:

3105 LARKIN LN.

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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 dacevedo@rowlett.com

RETURN by Mail
 City of Rowlett Planning Division
 3901 Main Street
 Rowlett, TX 75088

01-07-16A08:34 RCVD



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Zoning Change and Major Warrant
LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.
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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: leave it the way that it was zoned.

SIGNATURE: Dave Munerrey
ADDRESS: 3413 LARKIN Rowlett

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both at the Municipal Center, 4000 Main Street, Rowlett, Texas.
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01-08-16P12:57 RCVD



**Development Services
Department/Planning Division**

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Zoning Change and Major Warrant
LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 500-ft notification area is attached for reference.

EXPLANATION OF REQUEST: The subject properties are currently comprised of two form based zoning districts: Rural Neighborhood and Urban Neighborhood. The applicant requests a rezoning from the two ~~previously mentioned districts~~ to one unified New Neighborhood Form Based District for the purposes of building a pedestrian-oriented, single family neighborhood. In addition, the applicant is requesting a Major Warrant to allow an increase in the maximum lot width of Type 2 and 3 (Cottage) lots from 49 feet to 50 feet.

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

COMMENTS: SMALL HOUSES ON SMALL LOTS IS THE LAST THING I WOULD WANT.
TWO HOUSES PER ACRE, NO MORE THAN THREE PER ACRE.
2500 SQ. FT PER HOUSE MINIMUM.

SIGNATURE: David Shady 972-912-2802
ADDRESS: 3502 WARKIN LN

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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01-08-16P02:53 RCVD

**Development Services
Department/Planning Division**

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change and Major Warrant

LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 500-ft notification area is attached for reference.

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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 LOW INCOME HOUSING AND NO THROUGH STREET ON LARKIN

SIGNATURE:

ADDRESS:

3510 LARKIN LANE

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 dacevedo@rowlett.com

RETURN by Mail
 City of Rowlett Planning Division
 3901 Main Street
 Rowlett, TX 75088



Development Services ^{01-09-16 02:53 RCVD}
 Department/Planning Division

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
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LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 500-ft notification area is attached for reference.

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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 low income dwellings
No through street street on LARKIN

SIGNATURE: Dale & Rose Dilyard
ADDRESS: 3402 LARKIN LN Rowlett 75089

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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Development Services
Department/Planning Division

COURTESY NOTICE OF PUBLIC HEARING

07-08-16P02:53 RCVD

TO: Property Owner

RE: Application for a Zoning Change and Major Warrant

LOCATION: The subject properties are located at 3200 and 3600 Hickox Road, further described as 61.96 +/- acres of land situated in the Reason Crist Survey, Abstract No. 225, City of Rowlett, Dallas County, Texas. A location map depicting a 500-ft notification area is attached for reference.

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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 don't want a through street or low income housing near-by.

SIGNATURE: Robert Wallace
ADDRESS: 3505 Larkin Lane, Rowlett, Tx 75089

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 12th day of January, 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016, both at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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01-08-16P02:54 RCVD



Development Services
Department/Planning Division

COURTESY 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: No low INCOME HOUSING
No Thru STREET ON LARKIN LANE

SIGNATURE: Alan + Keele Hardy
ADDRESS: 3506 Larkin Lane

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