



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 26, 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 the Planning and Zoning Commission's response to City Council's charge to prepare information for Council's consideration with respect to the Commissions function(s).
- iii. Discuss items on the regular agenda.
- iv. 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.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of January 12, 2016.

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 3801 Castle Drive further described as being Lot 4, Block 1 of the Castle Park Estates, City of Rowlett, Dallas County, Texas.
2. 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 12 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.

3. Conduct a public hearing and make a recommendation on a request to amend previously approved Planned Development Ordinance 022-15 specifically as it pertains to exterior building materials. The subject property is located at 5500 Rowlett Road, being a 5.50 +/- acre portion of a 12.79 +/- acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas.
4. Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with the Briarwood Armstrong Addition. The subject property is located at 3001 Lakeview Parkway, further described as Lots 1-4 and 7, Block A of Briarwood Armstrong Addition, 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., January 12, 2016**

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

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Urban Design Manager Daniel Acevedo, Development Services Coordinator Lola Isom

WORK SESSION

i. Call to Order

Vice Chairman Michael Lucas called the Work Session to order at 6:00 p.m.

ii. Discuss items on the regular agenda

Vice Chairman Lucas asked that staff provide a short overview of each item on the regular agenda.

Garrett Langford, Principal Planner, provided the update from staff. He reminded the Commissioners of the upcoming North Texas Planning Symposium training to be held on Friday, January 15, 2016, at the Garland Event Center and asked those that signed up to pick up their tickets from him after the meeting.

Mr. Langford then gave the Commission the opportunity to discuss the election of Chairman and Vice-Chairman. The Commission chose to defer that discussion to the regular meeting.

Mr. Langford then begin providing an overview of each item on the agenda. There was no discussion for item B.2, the Final Plat for Munoz Addition.

He provided a brief summary of item C.1, a Special Use Permit (SUP) request for an accessory building located at 2905 Weems Way. He stated that this request is unique in that there are additional deed restrictions in place for this neighborhood. While the City does not inforce deed restrictions, staff did inform the applicant that he needed to talk to his neighbors regarding the deed restrictions. The applicant chose to proceed with a design option that does not meet the deed restrictions and as such staff is recommending denial. In addition, he clarified that two of the public hearing responses included in the packet that were marked "in favor" were changed as of the day of the meeting when the

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property owners visited city offices to revised their responses by marking “in opposition” to the request. Mr. Langford then asked if the Commission wanted to have any additional discussion this time. Commissioner Lisa Estevez asked which standards take precedence between lot coverage and the maximum accessory building size since in this case there is plenty of lot coverage to accommodate the request, but the proposal is significantly larger than the base accessory structure standard. Mr. Langford explained that one does not carry more weight than the other and in order to be approved it would have to meet both requirements and the SUP process allows the Commission and Council to factor in circumstances such as lot size. Vice-Chairman Lucas reiterated that the applicant had produced a plan that would be in conformance with the deed restrictions, but is choosing to proceed with the one that is not. Commission James Moseley stated that based on the staff report it was his understanding that staff would consider changing their recommendation to approval if the plan meeting the deed restrictions moved forward. Mr. Langford confirmed that those comments were accurate. Marc Kurbansade, Director of Development Services, interjected that based on the number of responses received from the neighbors this will be a case that staff monitors to determine if a super majority vote will be required at City Council. There were no additional questions or discussions on this item.

Mr. Kurbansade provided the overview for item C.2, the North Shore South rezoning case. He stated that the subject property falls within the Northshore area in the Comprehensive Plan and then more specifically within the North Shore South Zoning District. He stated that the proposed rezoning is in line with the Comprehensive Plan as it calls for low to moderate density single family homes in this area. He said that when evaluating the proposal, staff focused on what the important items were at the time of the North Shore South rezoning, which included: buffering the existing homes on Larkin Lane from the shift in density that would take place to the north. This was accomplished through adopting a Rural Neighborhood zoning district adjacent to Larkin Lane and then transitioning directly to the Urban Neighborhood District to the north at the time of the North Shore South adoption in 2014. Mr. Kurbansade stated that in reviewing this from a different perspective it would seem that the jump from Rural to Urban Neighborhood left out an obvious transitional zone in that the New Neighborhood District is more dense than Rural, but less dense than Urban Neighborhood. He stated that both scenarios meet the intent of the Comprehensive Plan as both are considered low to moderate density residential product types. He then discussed the market demand for Rural Residential lots stating that there is an estimated absorption rate of one to two homes every two to three months. He stated that developers who have shown interest in this area have conveyed that in order to develop under the current zoning they would have to consider the Rural

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Residential lots “throw away lots” and focus on developing the Urban Neighborhood lots due to market conditions, which ultimately does not create a neighborhood atmosphere as is the intent of the comprehensive plan. Those discussions with developers and the property owner lead staff to contemplate how the intent of the code can be met, while providing adequate buffers for the adjacent neighbors on Larkin Lane, and meeting current market demands. The New Neighborhood District with a heavily landscaped 40 foot buffer is a viable option to achieve all three of those objectives. He provided an overview of the warrant request to go from 49 foot lots to 50 foot lots in the Cottage Category and allowing larger homes to be built than the base standards.

Commissioner Mosley asked for clarification about density. Mr. Kurbansade said that the New Neighborhood District is in essence the average of the Rural and Urban Neighborhood Districts, but will end up being slightly less dense than the current zoning because Urban Neighborhood is such a dense district. Commissioner Thomas Finney asked what the surrounding zoning was. Mr. Kurbansade answered that it is SF-40 to the south and then Urban Neighborhood leading up to Commercial Center to the north towards Merritt Road and PGBT. This is the only Rural Neighborhood area in the North Shore South District. Commissioner Finney stated that as he sees it, the current zoning does not truly provide a transition to the denser zoning district to the north, but rather provides a progression from low density to low density to high density. Whereas the New neighborhood proposal will allow for a transition from low density to medium density to high density.

iii. Adjourn

With no further discussion Vice-Chairman Lucas adjourned the work session at 6:25 p.m. and stated that the Commission would reconvene in the Council Chambers at 6:30 for the Regular Session.

REGULAR MEETING

PRESENT: Chairman Michael Lucas, Vice-Chairman Jonas Tune, Commissioners James Moseley, Thomas Finney, Chris Kilgore, Lisa Estevez, Alternates Stephen Ritchey, Kim Clark (voting member)

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STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Urban Design Manager Daniel Acevedo, Development Services Coordinator Lola Isom

A. CALL TO ORDER

Vice-Chairman Lucas called the Regular Meeting to order at 6:30 p.m.

1. Update Report from Staff.

Mr. Langford reiterated his reminder about the North Texas Planning Symposium that was mentioned in the work session.

2. Elect a Chairman and a Vice-Chairman.

Vice-Chairman Lucas opened up the floor for nominations. Commissioner Mosely nominated Michael Lucas for Chairman and Commissioner Estevez seconded the nomination. The nomination was approved unanimously with a 7/0 vote. Commissioner Mosely then nominated Jonas Tune for Vice-Chairman and Commissioner Chris Kilgore seconded the nomination. The nomination was approved unanimously with a 7/0 vote.

B. CONSENT AGENDA

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

Commissioner Estevez made a motion to approve the minutes as presented and Commissioner Mosely seconded it. The motion carried with a 7/0 vote.

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.

Commissioner Estevez made a motion to approve the item and Vice-Chairman Tune seconded it. The motion carried with a 7/0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

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- 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.**

Mr. Langford presented the item to the Commission. He stated that the reason for the SUP is for an accessory building that exceeds the maximum size requirement that can be allowed by right by the Rowlett Development Code. He provided a location map to orient the Commissioners to the site. He provided an overview of the setback and lot coverage requirements. He explained that this request is unique in that there are additional deed restrictions in place for this neighborhood that are more restrictive than the City's zoning requirements. While the City does not enforce deed restrictions, staff has informed the applicant that they cannot support a design that is in direct conflict with the deed restrictions. The applicant was informed of the deed restrictions and encouraged to reach out to his neighbors to discuss the implications of the restrictions on his proposed accessory building. Mr. Langford stated that the applicant has worked through an alternative design that would meet the deed restrictions, but has chosen not to pursue it at this time due to cost concerns. As such, staff is recommending denial of the request. He provided an overview of the public hearing responses and concluded his presentation.

Chairman Lucas opened the public hearing. The following people spoke in opposition of the item:

Jennifer Glick
3010 Weems Way
Rowlett, TX

Pattie Sade
2902 Weems Way
Rowlett, TX

Irene Proce
2906 Weems Way
Rowlett, TX

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John Shoemaker
3101 Weems Way
Rowlett, TX

A summary of their concerns are as follows: the proposal will lower property values, the proposal violates the deeds restrictions that they complied with at the time of building their homes and/or accessory buildings, concerned about the size of the building and that it might be used as a commercial business instead of just a personal garage.

The following people spoke in favor of the item:

Randy Hoedebeck

Stated that he lives in Rowlett, but no address was given. He went on to say that he is the general contractor working with the homeowner and that he has built numerous homes in Rowlett over the years and does quality work. He stated that the homeowner is willing to consider the second option if that is what is needed to get the building constructed.

Elizabeth Horsman
2905 Weems Way
Rowlett, TX

She stated that she is the homeowner and is aware of several accessory buildings in the area that do not meet the deed restrictions. Furthermore, her husband owns six cars and if the garage is built, then they will not be on the street. She stated that they have tried to provide a proposal that is aesthetically pleasing and will fit well with the neighborhood and asked the Commission to consider that when making their decision.

With no additional comments, Chairman Lucas closed the public hearing and requested comments from the Commission. Commissioner Kilgore stated that in a general sense he is not concerned with the actual accessory building and does not think it would detract from the neighborhood; however, he is not inclined to discount the deed restrictions that are in place and for that reason he is opposed. Commissioner Finney echoed Commissioner Kilgore's thoughts and added that he would encourage the property owner to work towards a consensus with the neighbors instead of trying to fight the deed restrictions. Chairman Lucas stated that he agreed with the other Commissioners and couldn't support the proposal in light of the current deed restrictions.

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Commissioner Kilgore made a motion to recommend denial of the item and Commissioner Finney seconded the motion. The motion carried with a 7/0 vote.

- 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.**

Mr. Kurbansade came forward to present the request. He provided a location map to help orient the Commissioners to the subject property. He provided an overview of the intent of the North Shore Area from the perspective of the Comprehensive Plan and the subsequent North Shore South Zoning District that was approved in April 2014. More specifically, he stated that single family homes in this area were to be limited and used as a transition from the existing homes along Larkin Lane and Toler Road to more dense commercial development to the north. He stated that the zoning that was approved previously accomplished that transition through the use of the Rural Neighborhood and Urban Neighborhood Districts. He stated that as staff started receiving interest in this area for different product types than what would be allowed under the current zoning, the main objective was to evaluate them in light of the intent of the comprehensive plan and if they provide as good of, if not better, buffer than the current zoning. He stated that in his opinion, this proposal utilizing the New Neighborhood District accomplishes both of those objectives. He provided a detailed overview of the proposed buffer. He provided an overview of the development process and highlighted the fact that since this is proposed as a Form Based District the zoning will be the only step in the process where the Commission and City Council will have discretionary approval. All other approvals with the exception of plats, which are ministerial in nature, will be administrative. He stated that he was not going to go through all the rezoning criteria individually in the presentation since it was provided in detail in the staff report, but did highlight the buffer, open space and road network shown on the framework plan and the three major warrant requests pertaining to lot size and housing size. He then presented the public hearing responses stating that within the 200 foot buffer area staff received three in opposition and zero in favor. With that he stated that staff recommends approval and concluded his presentation.

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Chairman Lucas asked if there was any discussion or questions from the Commission at this time. Commissioner Finney asked why the major warrants were considered major and not minor. Mr. Kurbansade explained that this is an area where staff has a level of discretion and if the request had only been for a limited number of lots, then it likely would have been considered minor because the request in and of itself is minor. However, since the applicant is requesting a blanket approval for the entire subdivision staff deemed it worthy of a major warrant and public discussion. Commissioner Finney then asked if there was any concern with an approval like this setting precedence to which Mr. Kurbansade replied no. He explained that staff typically likes to address warrants later in the process with the development plan when more details are know; however, in this case these warrants were minor enough that he deemed it appropriate to present with the zoning case. With no additional questions or comments Chairman Lucas opened the public hearing.

The following people spoke in favor of the item:

Christopher Jackson
600 N. Pearl St., Ste. 650
Dallas, TX 75201

Mr. Jackson came forward and stated that he is the applicant in this case. He provided a list of past developments that his company has worked on and stated that they strive to promote quality in all their developments and cater to a move up buyer. He went on to emphasize that they have put forward a major effort to understand the intent of Realize Rowlett 2020 and the vision for the area. He highlighted the areas of the plan such as open space, drainage, trails, housing selection, design requirements etc. that meet the City's vision for the area. He spent the majority of his time highlighting the buffer feature and explaining how they were using it as a transition element from Larkin Lane. He provided his perspective on the major warrant requests. He concluded stating that his company is known for building neighborhoods and that is what they want to do on this property because they believe in Rowlett's vision.

Mr. Kurbansade returned to the podium to reiterate that only one warrant was included in the packet. The other two were late additions and pertain to the housing sizes.

The following people spoke in opposition to the item:

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Jim McDougal
3205 Larkin Lane
Rowlett, TX

Leon Hooseman
3201 Larkin Lane
Rowlett, TX

A summary of their concerns are as follows: proposed lot sizes, the proposal will lower property values, inadequate buffer because there is no fence or true barrier between their backyard and the trail system, lack of full warrant list on the notices, previous zoning was discussed at length and agreed to by the homeowners because there were to be like sized lots backing up to their lots and this proposal is nowhere close to what was agreed to.

With no additional speakers, Chairman Lucas closed the public meeting and called for more discussion or a motion. Commissioner Kilgore made a motion to recommend approval of the item as presented and Commissioner Finney seconded the motion. The motion passed with a 5-2 vote with Commissioner Mosley and Alternate Kim Clark casting the opposing votes.

Mr. McDougal spoke from the audience and said that he had not seen the breakdown of the votes and asked for a show of hands again. Chairman Lucas honored the request and the Commissioners indicated their vote by a show of hands.

D. ADJOURNMENT

Chairman Lucas adjourned the meeting at 7:43 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: 01/26/2016

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 3801 Castle Drive further described as being Lot 4, Block 1 of the Castle Park Estates, City of Rowlett, Dallas County, Texas. (SUP69-2015)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The property owners are requesting a Special Use Permit (SUP) to allow them keep a 1,500 square-foot metal accessory building on their property at 3801 Castle Drive (Attachment 1 – Location Map). An SUP is needed as the accessory building does not meet the material and size requirements in Section 77-303 of the Rowlett Development Code (RDC).

BACKGROUND INFORMATION

The subject property at 3801 Castle Drive is a 0.895 acre lot zoned Single Family 40 with a 2,467 square-foot single-family home located in the Castle Park Estates subdivision located north of Merritt Road. The accessory building was built without a building permit and the applicant was ordered to stop working on the building until they obtain a building permit. A building permit will not be granted unless an SUP is approved by City Council. If the SUP is not granted, then the applicant will be required to remove the structure or modify it by bringing it in compliance with the RDC requirements. The applicant indicated that the purpose of the accessory building is to store their boat, tractor and tools.

The incomplete accessory building totals 2,000 square feet in size when including the canopy that is attached along the front of the building. The case was advertised as a 1,500 square-foot building based on the dimensional drawing provided by the applicant (Attachment 2 – Site Plan). Staff did not learn of the true size of the building until visiting the site and measuring the building including the attached canopy. The applicant was informed that they could revise their application for a 2,000 square-foot building and reschedule the public hearings. The applicant chose to move forward with the request for a 1,500 square feet accessory and will remove the attached 500 square-foot canopy. Should the SUP be approved, then applicant will enclose the structure on all sides and add trim work to the edges of the building. The accessory building is located seven feet

from the side property line to the north and 16 feet from the rear property line to the west. The exterior of the accessory building consists of white metal r-panel (Attachment 3 – Building Pictures). The structure is 18 feet in height and does not exceed the height of the house.

DISCUSSION

The RDC permits an accessory building that does not meet the size and material 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.

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.” Some of the properties within the Castle Park Estates subdivision according to Dallas Central Appraisal District have existing oversized accessory buildings ranging from 720 square feet to 1,200 square feet in size. Site visit confirm that a few of the oversized accessory buildings have metal exteriors. A request for an oversized metal accessory building in this subdivision is not out of context with the surrounding properties.

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 accessory building meets the setback 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>1,500 square feet</i>
<i>Max height</i>	<i>35 feet</i>	<i>18 feet</i>
<i>Min. side yard setback</i>	<i>3 feet</i>	<i>7 feet</i>
<i>Max Lot Coverage</i>	<i>45%</i>	<i>17%</i>
<i>Max Rear Yard Coverage</i>	<i>35%</i>	<i>10%</i>

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.

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

Oversized metal accessory buildings are common in larger lot subdivisions such as Castle Park Estates. The aesthetics of the building should be improved when it is completed and by adding trim work to the edges of the building.

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

The size of the structure raise some concerns that it may be out of proportion with the size of house and the size of the subject property which is a little under an acre. The 1,500 square-foot accessory building is more than half of the size of the 2,467 square-foot house. It is Staff's opinion, the size of the accessory building in relation to size of the home and the property is out of proportion and therefore is not suitable for the subject property.

It is staff's opinion that the request for a 1,500 square-foot accessory building is not appropriate and does not recommend approval. The Planning and Zoning Commission has the option to recommend approval of a smaller oversized accessory building than what is being request.

Public Notice

On January 8, 2016, a total of 12 notices were mailed to property owners within 200 feet and a total of 10 courtesy notices were mailed to property owners within 500 feet. As of January 22,

2016, two public notice was received in favor of the request (including one from the applicant) while one was received in opposition. No responses were received from the 500-ft courtesy notices. The responses are available in Attachment 4 – Returned Public Notices.

Staff published the Legal Notice in the Dallas Morning News on January 15, 2016, and placed a zoning sign on the subject property on January 7, 2016, in accordance with the Rowlett Development Code.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff does not recommend approval of the request. Should the Planning and Zoning Commission recommend approval of the request, Staff suggests adding a stipulation requiring at least a six inch trim on all edges of the accessory building.

ATTACHMENTS

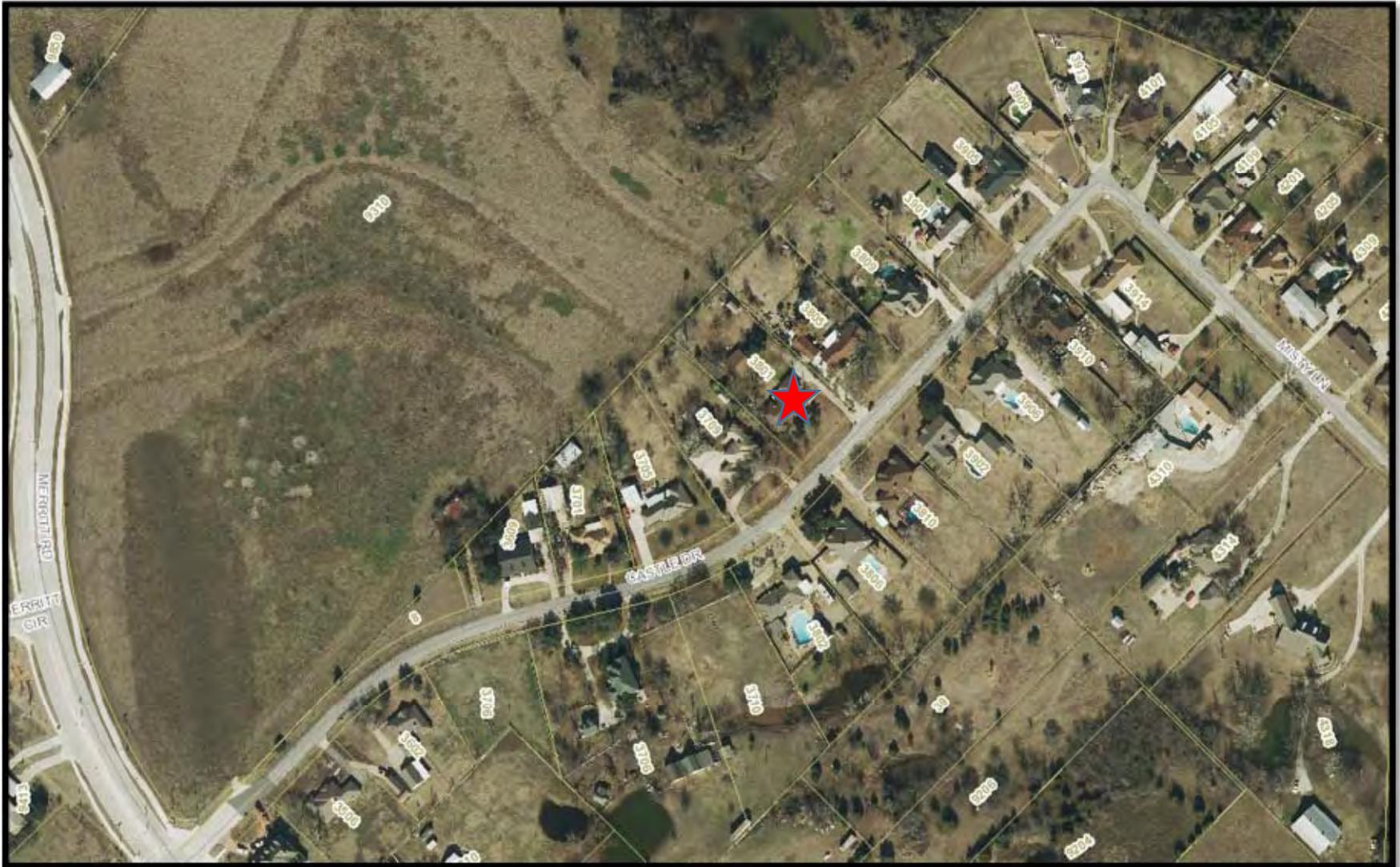
Attachment 1 – Location Map

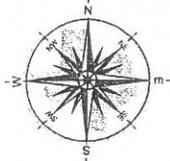
Attachment 2 – Site Plan

Attachment 3 – Building Pictures

Attachment 4 – Returned Public Notices

Location Map: 3801 Castle Drive





C.B.G. Surveying, Inc.



NORTH AMERICAN TITLE COMPANY
Like Clockwork®

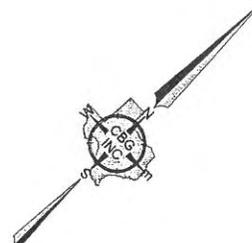
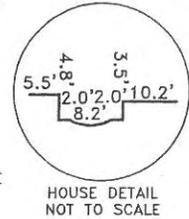
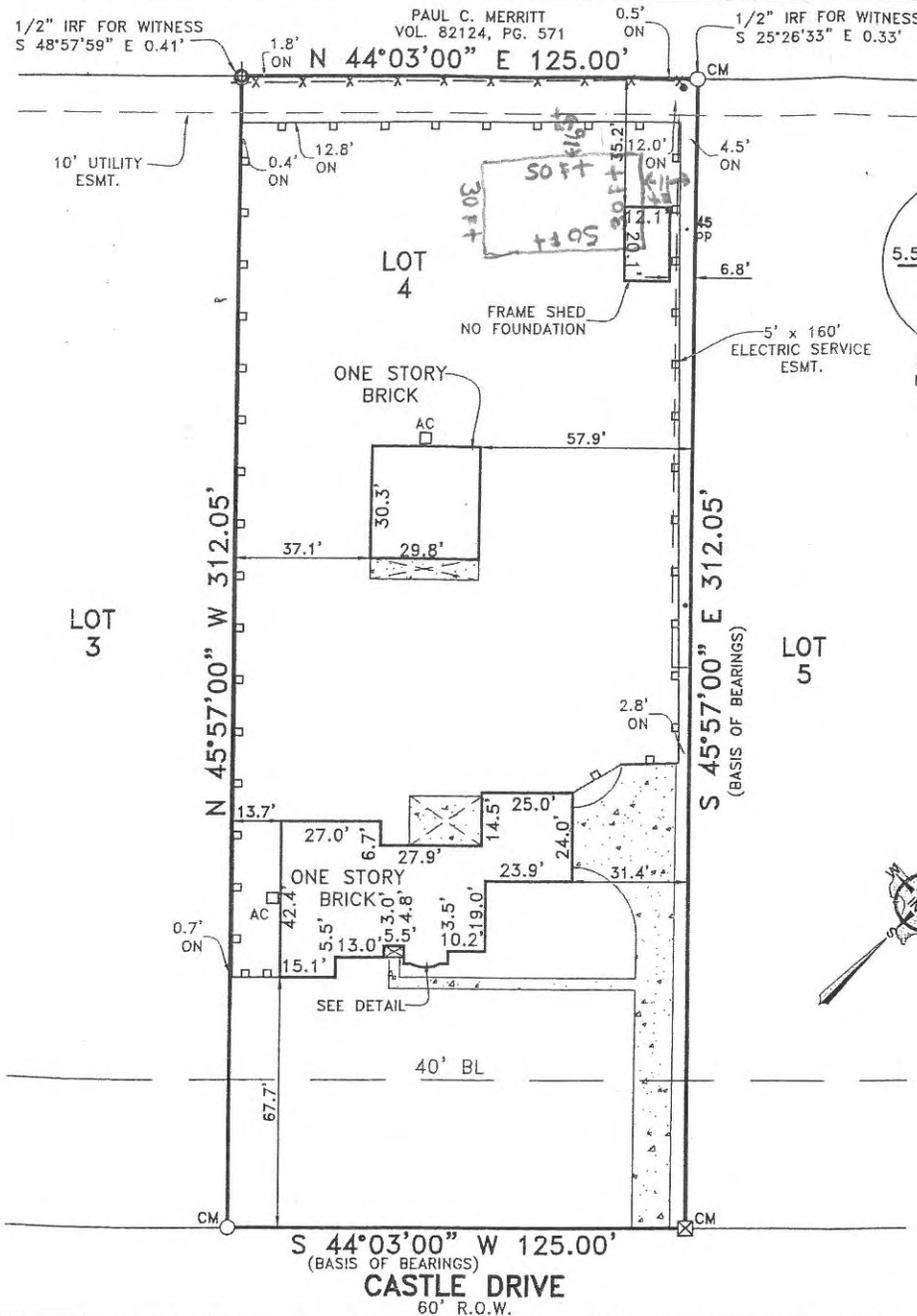
LEGEND

- | | |
|---------------------------------|-------------------------|
| ○ 1/2" ROD FOUND | □ FENCE POST FOR CORNER |
| ⊗ 1/2" ROD SET | CM CONTROLLING MONUMENT |
| ○ 1" PIPE FOUND | AC AIR CONDITIONER |
| ⊗ "X" FOUND/SET | PE POOL EQUIPMENT |
| ⊕ POINT FOR CORNER | ● POWER POLE |
| T TRANSFORMER PAD | △ OVERHEAD ELECTRIC |
| ■ COLUMN | — — IRON FENCE |
| ▲ UNDERGROUND ELECTRIC | —X— BARBED WIRE |
| —OHP— OVERHEAD ELECTRIC POWER | — — EDGE OF ASPHALT |
| —OES— OVERHEAD ELECTRIC SERVICE | — — EDGE OF GRAVEL |
| —○— CHAIN LINK | ▭ CONCRETE |
| ▭ WOOD FENCE 0.5' WIDE TYPICAL | ▭ COVERED AREA |

EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENT RECORDED IN VOL. 77015, PG. 743, VOL. 77022, PG. 351

EASEMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY
VOL. 5723, PG. 541



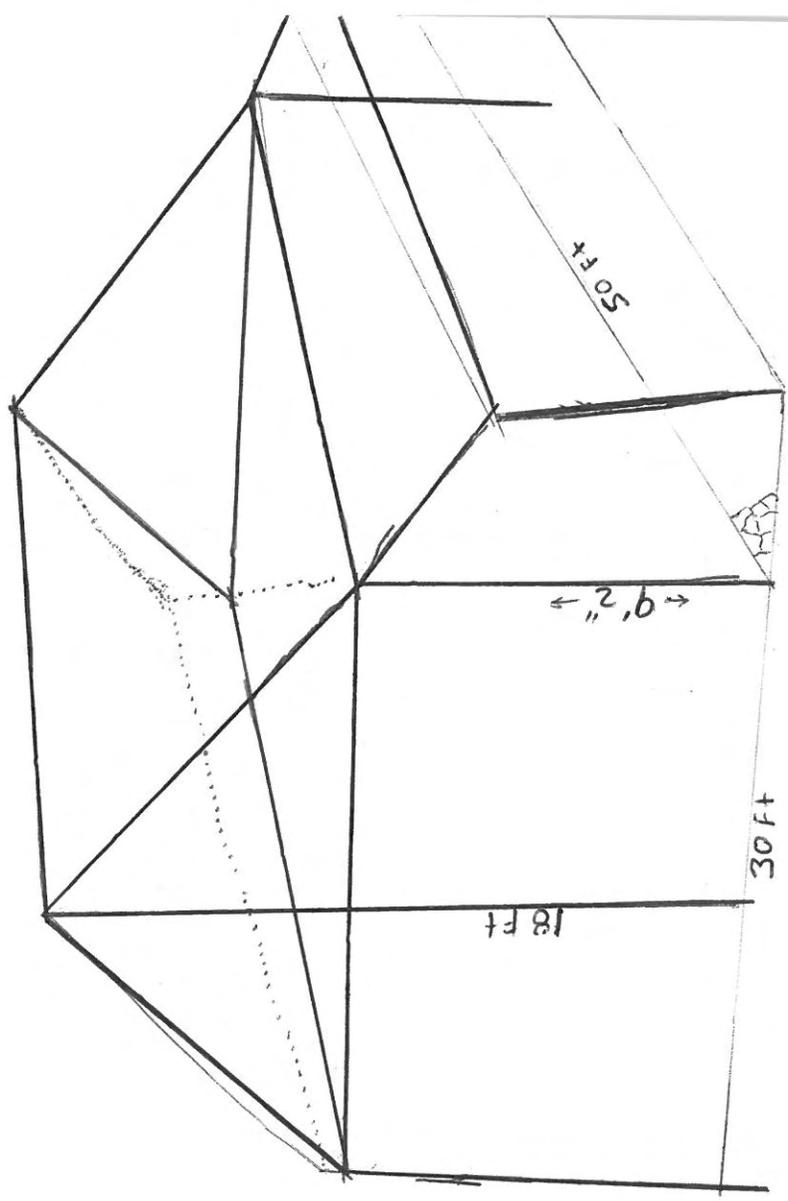
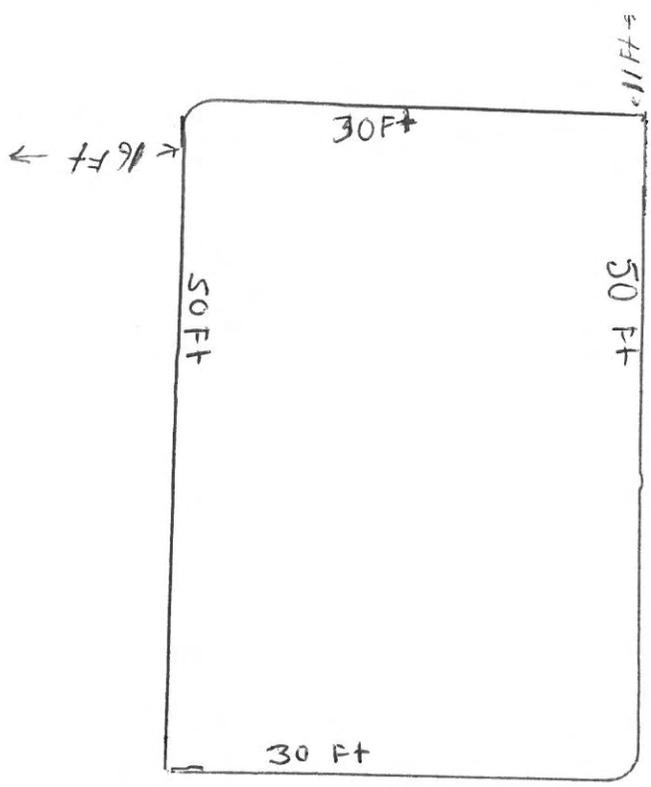
3801 Castle Drive
Being Lot 4, Block 1, Castle Park
Texas, according to the map/patent
Dallas County, Texas.

NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
FLOOD NOTE: According to the F.I.R.M. No. 48113C0230 J, this property does lie in Zone X and does not lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by North American Title Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Date: 6-26-14
Accepted by: [Signature]
Purchaser

Drawn By: BM
Scale: 1" = 40'
Date: 06/03/14
GF NO.: 14702-14-003890



3801 Castle Drive



3801 Castle Drive



3801 Castle Drive





Department of Development Services

Please note that the public hearing for the Planning and Zoning Commission on January 12th has been rescheduled for January 26th. Previously submitted written comments will be included in the upcoming public hearing. It is not necessary to resubmit.

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Special Use Permit

LOCATION: The subject property is located at 3801 Castle Drive further described as being Lot 4, Block 1 of the Castle Park Estates, 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: To allow a 1,500 square-foot metal accessory building located at 3801 Castle Drive. A Special Use Permit is needed as the applicant's proposal does not meet size and material requirements in Section 77-303 of Rowlett Development Code. (SUP69-2015)

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

THE BUILDING IS ALREADY IN PLACE.

PROPERTY OWNER NAME

(print):

DAN EVANS

SIGNATURE:

[Handwritten Signature]

ADDRESS:

3902 CASTLE DR.

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 **26th of January, 2016**, and that the City Council will hold a public hearing at 7:30 p.m. on the **2nd day of February, 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. Your response must be received in the Development Service Department by 5 pm on January 21, 2016, for your comments to be included in the Planning and Zoning Commission packet and/or by January 27, 2016, to be included in the City Council packet. All responses received by January 27th will be forwarded to the Council as well; it is not necessary to respond twice. Responses received after the times noted above shall not be counted in the record of response. 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 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 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

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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: Would prefer not to be situated close to a business which may create early morning noise, waking and/or disturbing our family.

PROPERTY OWNER NAME
(print):

SIGNATURE:

Lauren Doan

3709 Castle Drive Rowlett, TX 75089

ADDRESS:

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glangford@rowlett.com

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 City of Rowlett
 Development Services
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 Rowlett, TX 75030-0099



Department of Development
Services RCVD

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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 need extra storage to put my Boat, Tractor & Tools in.

Annette Alaniz

PROPERTY OWNER NAME

(print):

Annette A

SIGNATURE:

3801 Castle Dr. Rowlett, Tx. 75089

ADDRESS:

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 26th of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 2nd day of February, 2016. Both hearings will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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City of Rowlett

Development Services

PO Box 99

Rowlett, TX 75030-0099



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 01/26/2016

AGENDA ITEM: C2

AGENDA LOCATION:

Individual Consideration

TITLE

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 12 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)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The applicants are requesting to rezone 3.149 +/- gross acres (2.57 +/- net acres) located at 10206 Liberty Grove Road (Attachment 1 – Location Map) from a Single Family-8 Zoning District (SF-8) to a Planned Development District in order to build a 12-unit townhome development. The purpose of this item is to present the request to the Planning and Zoning Commission for their recommendation to the City Council.

This case was tabled from the Planning and Zoning Commission meeting on December 8, 2015, to allow the applicant to discuss the proposal with Staff and the adjacent property owners. The applicants modified the proposed concept plan by decreasing the number of townhome lots from 14 to 12, increasing the lot widths to 30 feet, identifying an internal trail network and increasing the buffer from the south property line from 5 feet to 15 feet. The public hearing was closed on December 8th meeting; however, staff re-advertised this case to have public hearings at the January 26th Planning and Zoning Commission meeting and February 16th City Council meeting.

BACKGROUND INFORMATION

The subject property is located in the “Lakeside Living Sub-Area,” which is one of the 13 opportunity areas identified in City’s Comprehensive Plan, *Realize Rowlett 2020* (Attachment 2). When the plan was initially adopted in 2011, it was understood that the City would take an active role in rezoning several of the priority opportunity areas. This was accomplished through the adoption of the Form Based Code (FBC) and subsequent rezoning of Downtown, Signature Gateway, Healthy Living, Woodside Living and The North Shore. It was determined that the

remaining eight opportunity areas, including Lakeside Living, would be addressed as development opportunities arose.

Shortly after adopting *Realize Rowlett 2020*, it was acknowledged that the vision for the Lakeside Living Sub-Area would not be fully realized due to the fact that the Water's Edge Subdivision located along the lake was previously zoned for a conventional single family development and the property owners intended to follow through with the previously approved plan. The Water's Edge Subdivision has since been constructed and is in the final phase of buildout. With that said, the City Council chose to keep the Lakeside Living Sub-Area in the comprehensive plan in order to address the remaining available area, including the subject property. The image below shows the Lakeside Living Sub-Area in yellow with the subject property noted with the red star and Water's Edge noted in the red dashed outlined.



The main way that the City Council has chosen to implement the vision and guiding principles outlined in the comprehensive plan has been through the adoption of the *Form Based Code (FBC)* and subsequent rezonings to Form Based Districts. This has been deemed the best way to implement the development regulations necessary to ensure efficient development patterns

and high quality design elements in these key areas. This process involves master planning a sufficiently sized area to determine the proper location for connection points, open spaces, utilization of natural features, block structures and transitions with existing uses. This master planning process has been utilized in the adoptions of previous FBC districts such as the North Shore, Woodside Living, Signature Gateway, Healthy Living and Downtown. The area outlined in blue, which is approximately 25 acres, on the image below is sufficiently sized to master plan for a future Form Based District.



Master planning this area across multiple properties with different property owners presents a number of challenges. However, it is Staff's opinion that this will be necessary to ensure the best possible development pattern that carries out the vision for Lakeside Living and the goals of the Comprehensive Plan. City Council could direct staff to pursue a master planning process for the area outlined in blue in the above image similar to the other City initiated master planning processes previously mentioned or they could direct staff to revisit whether this area should be included as one of the opportunity areas in the Comprehensive Plan. However, in the absence of those directives, staff's recommendation for this case is based on the adopted vision for Lakeside Living as described in the Comprehensive Plan.

One of the main objectives outlined for the “Lakeside Living Sub-Area” is to create a destination for people seeking a “*unique low maintenance living environment.*” There was an emphasis placed on pedestrian connectivity and the integration of several residential product types including “*attached ownership townhomes and brownstones, detached ownership products including patio and zero lot line homes, and some rental units.*” While townhomes are listed as one of several envisioned product types for the area, *Realize Rowlett 2020* is clear that product types should be integrated and “*provide a range of options to people at all ages and stages of their life*” (Guiding Principle #3). In addition, there is a strong emphasis on Guiding Principle #9, “*balancing growth through efficient development patterns.*” The best way to create an efficient development pattern is through the master planning process similar to what has been done in the other opportunity areas mentioned previously in this report. Staff’s main concern is that the proposal lacks the advantages of determining how the development might fit with future developments on the surrounding properties in a holistic way. If it is deemed acceptable to approve this rezoning without the consideration of a holistic plan, then it leads to the question whether it would be acceptable to rezone the next two acres to the south for a separate development and so on and so forth, which would not lend itself to creating efficient and sustainable development pattern.

The applicants have made modifications to their concept plan to try and appease the concerns of the adjacent property owners to the east and to the south. The applicants modified the proposed concept plan by decreasing the number of townhome lots from 14 to 12, increasing the lot widths to 30 feet, identifying an internal trail network and increasing the buffer from the south property line from 5 feet to 15 feet. The applicant has provided email exchanges between them and the property owner, Mike Lancaster, to the south as evidence of their coordination with the immediate neighbors. Staff verified with Mike Lancaster the accuracy of the email exchanges before including in as Attachment 8. Staff recognizes the positive changes that have been made by the applicant to try and address the compatibility concerns with the adjacent property owners. However, as detailed below, it is staff’s professional opinion that the proposed rezoning request does not meet the overall intent of the district or the overarching guiding principles outlined in *Realize Rowlett 2020*. As such, staff recommends denial of the request.

DISCUSSION

Section 77-805 of the *Rowlett Development Code (RDC)* states that the Planning and Zoning Commission shall consider the following when making their recommendation to the City Council as it pertains to rezoning requests. These criteria are listed below:

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

According to the applicants’ Statement of Intent and Purpose, they are attempting to meet the needs of individuals and couples desiring a low-maintenance, individually-owned dwelling. Realize Rowlett 2020 identified housing diversity as a key objective in achieving sustainability. However, it is staff’s opinion that the

proposed rezoning does not fully meet this changing condition taking into consideration not just the product type, but how the product type is integrated and designed for long-term sustainability within the market.

Offering a recommended housing product is only of a part of the equation to meet the challenges facing Rowlett as they were identified in Realize Rowlett 2020. What is equally, if not more important to creating a sustainable development is the design and the layout of the development in context with the surrounding properties. All of these elements must be considered in a rezoning and not just the land use. It is staff's opinion that the proposed Planned Development does not meet the overall intent of Realize Rowlett 2020 as it does not include the design elements, such as the integration of product types, connectivity to surrounding properties, quality open space, and architectural elements, that were discuss during Realize Rowlett 2020 and which were adopted in Rowlett's FBC. While it may be appropriate at times to establish zoning through alternative regulatory tools such as Planned Developments, the same principles outlined in the comprehensive plan and further refined in the FBC should be incorporated in order to meet the intent of the district in order to ensure that developments are planned in a holistic matter and not in an isolated piece meal fashion.

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 within one of the 13 opportunity areas identified in Realize Rowlett 2020 designated as "Lakeside Living: Area C-1." The recommended product types included: Neighborhood-Serving Commercial, Limited Entertainment Use, Moderate and Higher Density Residential, Active and Passive Public. As it was indicated previously in this report, townhomes are a recommended product type for Lakeside Living. However, it is staff's opinion that the proposed Planned Development does not achieve the overall intent and the "Guiding Principles" outlined in Realize Rowlett 2020. The proposal is for a conventional townhome development that does not utilize sustainable development principles, such as those outlined in the City's FBC that promotes places with lasting value and distinctive character.

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

In staff's opinion, the proposed development does not meet the overall intent of Realize Rowlett 2020 which was adopted to enhance the health, safety, morals or general welfare of the public. However, beyond that staff does not anticipate any threat to the health or safety of the public based on the proposal.

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). Both water and sewer service is provided by the City; staff has confirmed that both are available to the site. Prior to the approval of the Preliminary Plat, Staff will ensure adequate capacity for utilities is provided as required by City ordinances.

A traffic impact analysis (TIA) will not be required for this development. Adding 14 townhomes will not affect the level of services for Liberty Grove Road. A TIA is required when a development is expected to generate more than 100 vehicle trips at peak hour. Based on the Institute for Traffic Engineers (ITE) 9th Edition of Trip Generation, a 12 townhome development will only generate six vehicles at peak hour.

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;

The applicant modified the concept plan by proposing an internal trail system throughout the common spaces within the existing tree canopies. In order to achieve a higher quality open space staff would recommend that the common space be reconfigured to be more centralized and fronted by the townhomes instead of the units backing to the open space as shown on the concept plan. Centralized and fronted open space is a fundamental component of creating places of lasting value and character.

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

The proposed concept plan has been modified by increasing the buffer between the proposed street and the property line of an existing single family to the south of the subject property. The applicant has indicated that the existing trees will be preserved and maintained to provide a visual barrier.

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

As outlined previously in this report, the proposed zoning designation is inconsistent with the overall vision for Lakeside Living, and therefore is not suitable for this property.

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

Realize Rowlett 2020 list townhomes as a recommended product type and it would not be excessive proliferation of the use.

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;

The proposed rezoning will result in a density that differs from the existing single family lots located within the vicinity of the subject property. While a shift in density was contemplated in Realize Rowlett 2020 it was intended to be reviewed in the context of a holistic master plan and not a piecemealed development.

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.

There was not a market study provided that substantiated this claim; therefore, it is difficult for staff to comment on this criterion. While the proposed rezoning will allow for a recommended product type, it does not meet the full intent of Realize Rowlett 2020 of creating a sustainable development.

In conclusion, Staff is recommending denial of the proposed Planned Development. It is staff's opinion that the proposed Planned Development does not meet the overall intent of *Realize Rowlett 2020*. The proposal includes a residential product type recommended by *Realize Rowlett 2020*; however, that is only part of the consideration. Creating a unique and sustainable development is more dependent on the design elements than land use alone. The proposed Planned Development is an isolated conventional townhome development that is not designed in context with its surroundings. The existing surrounding properties east of Dalrock Road and Liberty Grove Road contain large residential tracts in a rural setting. If this area is to become denser, then it is important to review it in a more holistic matter to create a development that provides connectivity and open spaces, that is pedestrian oriented and is designed in context with its natural environment.

Public Notice

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Twenty-five notices were mailed to property owners within 200 feet of the subject property on January 11, 2016, and as of Friday, January 22, 2016, Staff has received three responses in opposition and none in favor. In addition, 43 courtesy notices were mailed to property owners within 500 feet, of which five responses were returned in opposition and none in favor. The responses to the public notices and courtesy notices including responses from the previous notices are included Attachments 7.

A Legal Notice was published in the Rowlett Lakeshore Times on January 15, 2016, pursuant to the requirements set forth in the RDC. Applicant placed rezoning signs on the subject property on November 25, 2015, in accordance with the RDC and remains on the site today.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission recommend denial of this item to the City Council.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – *Realize Rowlett 2020* “Active Living”
- Attachment 3 – Statement of Intent and Purpose
- Attachment 4 – Revised Concept Plan
- Attachment 5 – Development Standards
- Attachment 6 – Development Schedule
- Attachment 7 – Public Hearing Notice Responses
- Attachment 8 – Email Exchange



LAKESIDE LIVING | AREA C-1



DEVELOPABLE ACRES: * 153

PRODUCT TYPES:

Neighborhood-Serving Commercial
 Limited Entertainment Uses
 Moderate and Higher Density Residential
 Active and Passive Public Spaces

SUPPORTABLE PSYCHOGRAPHICS

Blue Blood Estates
 Winners Circle
 Money & Brains
 New Beginnings

** Net floodplain and parcels less likely to redevelop in the near-term (five to 10 years).*

VISION

Lakeside Living will be a destination master planned community, for singles and couples throughout Rowlett and the Metroplex seeking a unique low maintenance living environment (a successful model is The Villages, Orlando, Florida). The primary mode of transportation in Lakeside Living will be golf carts (to all sorts of destinations, not just the golf course); the second mode will be your feet – with abundant non-vehicular pathways. Residential products will include attached ownership townhomes and brownstones, detached ownership products including patio and zero lot line homes, and some rental units. Commercial products will be largely internal to Lakeside Living, neighborhood-serving and modest in scale. Additional commercial products will be located along the water's edge and accessible via boat (the third major mode of transportation) and trails. Lakeside Living will be unlike any other low maintenance community in the Metroplex or State, addressing local and regional, pent-up demand for maintenance free living – whether by choice or need.

Essential elements that will have to be in place in order for this investment scenario to be realized include: the right master developer – one who understands this market opportunity and shares the City's vision; regulations that preclude / discourage development of single family housing units; and, public access to the waterfront.





- MARKET**
- A growing number of Rowlett and Trade Area residents are aging in place (10.8% 55+ in 2000, 16.4% in 2010, 20.3% in 2015). Lifestyle choices and needs will dictate alternative living options, with lower maintenance housing products accessible to existing and planned public and natural recreational offerings. Lakeside Livings's central location to wooded and water amenities, and proximity to the hospital and other services, will make this area particularly attractive for empty nesters. Also attracted by the low maintenance environment envisioned here will be the X and Y generations, 41.9% of the City of Rowlett population in 2010.

LAKESIDE LIVING | AREA C-1

GUIDING PRINCIPLES

C-1 LAKESIDE LIVING	GUIDING PRINCIPLE	
	1	Value existing neighborhoods
**	2	Grow the City's economy through diversification of job and business opportunities
****	3	Make Rowlett a community that is attractive to people at all stages of their lives
***	4	Invest in places of lasting value and distinctive character
***	5	Maximize the benefits of major public infrastructure investments (existing, planned)
****	6	Use Lake Ray Hubbard and Rowlett's natural assets to create a distinctive identity...
*	7	Diversify mobility options within the City and connect activity areas
	8	Create centers with a mix of activities at key locations in Rowlett
***	9	Balance growth through efficient development patterns
	10	Support quality educational resources to meet the needs of Rowlett residents...
***	11	Position Rowlett for an appropriate scale of investment and reinvestment...
	12	Fund public investment that leverages desired private investment
	13	Ensure that <i>Realize Rowlett 2020</i> is a statement of the City's policy for future...
		Bold principles relate to citywide concerns and are not specific to any individual geographic area
		<i>Key:</i>
		Strongest Support of Principle
****		Moderate Support of Principle
***		Some Support of Principle
**		Incidental Support of Principle
*		



IMPLICATIONS

Physical	Mixed development site surrounded by single-family parcels in a traditional greenfield pattern dominates the area.
	Significant frontage on Lake Ray Hubbard provides valuable views from many locations within the area.
	Floodplain areas provide opportunities to connect to surrounding community with both hard and soft trails.
	Presence of floodplains will also accommodate natural amenity.
Infrastructure	Utilities are currently in place to support the level and types of development envisioned.
	Access will be provided along Liberty Grove and Dalrock Roads. Both roads will need substantial improvements (major public investment potential) to support the levels of development envisioned for the area.
Access	Opportunity exists for private boats and water taxis to access the area, as well as to connect it to other areas.
	Trail access could link the area retail centers for pedestrians, bicyclists and golf carts.
	Rowlett and the Trade Area exhibit significant numbers of residents "aging in place." Considering this trend and comparing it to supply suggests significant levels of pent-up demand for low-maintenance housing options.
Market	There will likely be development pressure to improve this area in a "traditional single-family" development format.
	Education of existing residents will be a necessity as new investment is infilled adjacent to existing low-density neighborhoods.
	There is no evidence that existing developers in the area have the experience to advance the proposed concept described here.
	Public pathways (bicycle, pedestrian and golf cart) may need to be acquired and set aside to ensure this amenity for businesses and residents.
Regulatory	Current zoning for the area will not accommodate some of the envisioned uses.

LAKESIDE LIVING | AREA C-1

IMPLEMENTATION

TIMING	<i>The specific strategy (action) to be taken</i>
<i>Priority, medium-term, long-term, future or on-going</i>	
Priority	Build on the citywide neighborhood outreach program (meeting with HOA leaders and their membership) that serves to educate residents about the proposed development concept and why "traditional single family housing" is being excluded from the program.
Priority	Prepare an urban design framework that identifies transition zones to surrounding uses and other details which will be addressed in a future plat (submitted by the developer).
Mid-Term	Complete improvements along Liberty Grove and Dalrock Road to support the levels of development envisioned for the area.
Short - to Mid-Term	Explore access and connection to existing neighborhoods, particular to Healthy Living which will be the host environment for healthy retail and healthcare services.
Short-Term	Complete a school capacity analysis in order to understand if the proposed program for this area (empty nester and smaller families) will negatively impact district facility plans.
On-Going	Consider waiving fees for developers that advance the desired vision for this subarea.
Short-Term	Identify a developer who shares the vision for the area and who has the capacity to advance it.

Exhibit 'C'**Statement of Intent and Purpose**

Description of Project Uses: The proposed 2.57-acre development will consist of 14 townhomes and two common areas, accessed from Liberty Grove Road through a dedicated public street.

Existing & Proposed Zoning and Land Use: The property is currently zoned SF-8. The proposed land use according to the City's Comprehensive Plan is Lakeside Living. The proposed zoning is PD for townhome construction.

Potential Residential Density: The PD zoning for townhomes will allow construction of 14 townhomes and will result in a density of 5.45 units per acre.

Construction: The homes will be approximately 2,600 square feet, being wood-framed with masonry and stone facades. Each townhome will have a private rear yard and a two-car, front entry garage.

Landscaping: The proposed development will utilize approximately 1.5 acres of the property for common areas that will be judiciously enhanced for personal enjoyment. The intent is to leave the common areas significantly untouched. Enhanced landscaping, accent and security lighting, and walking paths will be installed with as little disturbance to the existing trees and foliage as possible.

An existing drainage path that lies within the proposed common area will be utilized to provide storm water detention during heavy rain events. This area is free-draining through an existing pipe culver under Dalrock Road and will not typically hold water. The common areas will be maintained under a contract with a grounds maintenance company.

Potential Neighborhood Interconnectivity: The common areas are situated along the periphery of the project. This provides the opportunity for interconnection of this project's walking paths with those of neighboring developments.

Discussion of the Project With Respect to the City's Approval Criteria:

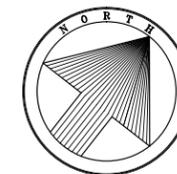
1. The proposed rezoning meets the needs of individuals and couples desiring a low-maintenance, individually-owned dwelling with an urban community feel.
2. The project site lies within the area called Lakeside Living (Area C1) in the City's Comprehensive Plan. On page 96 of the final report, various development products are tabulated and identified as being "Market-Supported", "Community-Desired" and/or "Recommended". In this area, townhomes are listed as being both "Market-Supported" and "Recommended". Subchapter 77-103 of the Development Code lists numerous provisions which reflect the City's intent in enacting the Code. Considering the recommendations of the Comprehensive Plan and the intent of the Development Code together, projects of this type help satisfy the intent of both. A few are listed below:

Exhibit C
Statement of Intent and Purpose
Water Spring Townhomes
Page 2

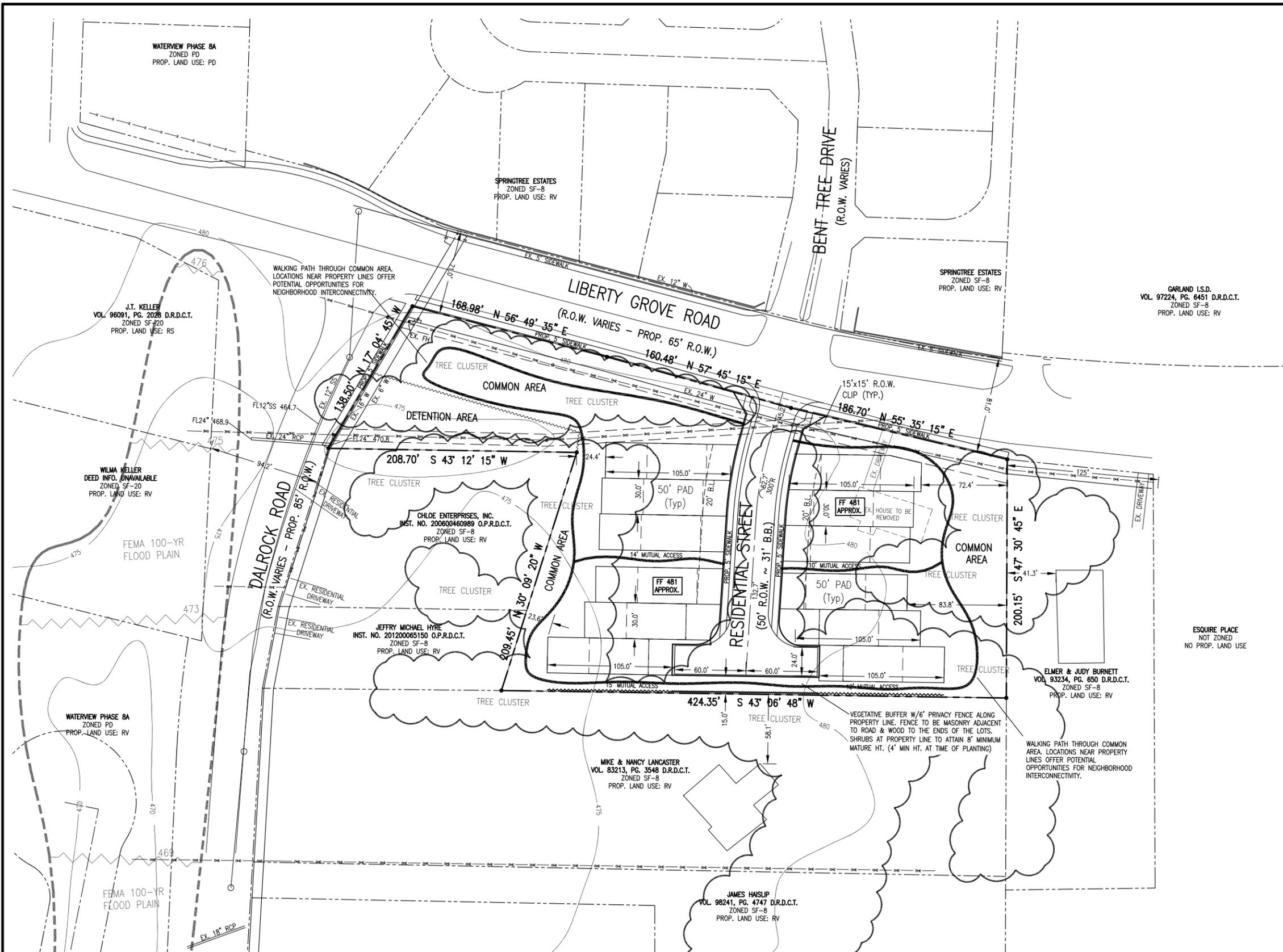
- G. “Promote a balanced, diverse supply of affordable, quality housing located in safe and livable neighborhoods;”
 - H. “Ensure that the appearance, visual scale, and orientation of developments are compatible with that of the comprehensive plan and/or goals and objectives of the city council;”
 - L. “Conserve the value of buildings and land;”
 - M. “Preserve and protect existing trees and vegetation, floodplains, stream corridors, scenic views, and other areas of scenic and environmental significance from adverse impacts of land development;”
 - N. “Encourage development of a sustainable and accessible system of recreational facilities, parks, trails, and open space that meets year-round neighborhood and community-wide needs;”
3. The neighborhood in the vicinity of the proposed development is predominantly single-family. This project is being developed as single-family attached. These townhomes are intended for individual ownership by people seeking a comfortable living environment with minimal exterior maintenance.
 4. The proposed development will have negligible effect on public services due to its limited size.
 5. The property is located at the southeast corner of Dalrock and Liberty Grove Roads. The area adjacent to Dalrock Road is wooded and lies approximately 8 feet below the roadway. This situation significantly limits the ability to develop that portion of the property. The proposed development will allow efficient use of the site while maintaining most of its natural features.
 6. The proposed development will be constructed to the high standards listed below and will not have an adverse effect on neighboring properties. The proposed homes will be marketed at \$240,000 and higher, which compares favorably with the taxable values in Waterview on the west and northwest (\$200-275,000), Waters Edge to the south (\$330,000+) and Springtree on the north (\$140-210,000).
 7. Due to the property’s location at the intersection of two primary roadways, the proposed development will provide the opportunity to create new homes while maintaining a natural buffer from the noise and congestion at this corner.
 8. The physical limitations of the subject property that make it a highly suitable location for the proposed townhome development make it an undesirable location for any other use. This use might be anticipated on other similarly physically-challenged sites, but is not likely to result in excessive proliferation of this product.

Exhibit C
Statement of Intent and Purpose
Water Spring Townhomes
Page 3

9. The proposed rezoning is consistent in scale with nearby single-family homes. The 2,300-2,600 square foot product is comparable in size to the larger homes in Springtree.
10. Many of the undeveloped tracts in the area appear to be larger and better suited for a single-family detached subdivision. The size and location of this tract make it ideally suited to satisfy the recommendations of the Comprehensive Plan.



LOCATION MAP
N.T.S.



PROJECT SITE DATA:

GENERAL:

Case Number: PD41-2015
 Name of Project: Water Spring Townhomes
 Proposed Use: Townhomes
 Future Land Use Designation: LAKESIDE LIVING
 Proposed Future Land Use Designation: PD
 Existing Zoning District: SF-8
 Proposed Zoning District: PD
 Appraisal District Acct. No. 65009469110120000
 County: Dallas

OVERALL SITE:

Gross Site Area: 2.58 Acres
 Site Frontage: 654.28 feet
 Site Width: 516.14 feet / 424.51 feet
 Site Depth: 200.86 feet
 Impervious Surface Area: 37,200 sq.ft. 33%
 Pervious Surface Area: 74,750 sq.ft. 67%
 Public Open Space (excl. Detention): 45,100 sq.ft. 40%
 Detention Area: 10,000 sq.ft. 9%

HOUSING:

Total Gross Density: 5.43 u/a
 Total Number of Dwelling Units: 12 Townhomes
 Typical Lot Size / Count: 3150 sq.ft. / 12
 Min. Dwelling Size: 2300 sq.ft.

PROPERTY DEVELOPMENT REGULATIONS:

Regulation	Permitted	Proposed
Maximum Lot Coverage	90%	50%
Minimum Lot Area	None	2500 sq.ft.
Minimum Lot Width	30 feet	30 feet
Minimum Lot Depth	100 feet	100 feet
Setbacks (Front)	5 feet	20 feet
Setbacks (Side)	0 feet	0 feet
Setbacks (Rear)	5 feet	15 feet
Max. Structure Height	4 Stories	2 Stories

- GENERAL NOTES:**
- Deviations from current development standards/regulations not specifically addressed/listed for approval as part of Planned Development Regulations may require a hearing/approval by the Board of Adjustment (BOA).
 - All current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations.
 - This Zoning Concept Plan is for illustrative purposes only and subject to change. This Zoning Concept Plan, along with the development regulations, is intended to describe the intent of the Planned Development. Significant deviations from this Zoning Concept Plan, as determined by the Director of Planning, will require an amendment to the Zoning Concept Plan and, as necessary, the development regulations.

OWNER/APPLICANT:
 ANGELA N. LI
 7705 MYRTLE SPRINGS DR.
 PLANO, TEXAS 75025
 (972) 658-7292

ENGINEER:
 MACATEE ENGINEERING, LLC
 3519 MILES ST.
 DALLAS, TEXAS 75209
 (214) 373-1180

EXHIBIT E – ZONING CONCEPT PLAN
WATER SPRING TOWNHOMES
 HARRISON BLEVINS SURVEY, A-94
 & HANSE HAMILTON SURVEY, A-858
 CITY OF ROWLETT, DALLAS COUNTY, TEXAS
 OCTOBER 2015

Exhibit 'D'**Planned Development Standards**

Building Materials: The townhomes will have wood-frame construction with a 100% brick and stone façade. The roofs will be 30-year composition shingles.

Landscaping: Landscaping will be in accordance with City ordinances. At a minimum, each townhome will have a minimum 4-inch caliper large canopy tree in the front yard. In addition, additional shrubs and vegetation will be planted to provide continuity in landscaping throughout the project.

Sidewalks & Pedestrian Paths: The common areas will be left in their natural, wooded state. Pedestrian paths will be constructed within the common areas to provide opportunities for enjoyment by the residents. The pedestrian paths will be connected to the streetside sidewalks several mutual access points. These will provide ample opportunity for residents to enjoy their natural environment while remaining close to home.

Streetside sidewalks will be four feet wide and constructed of reinforced concrete.

Pedestrian paths will be four feet wide and have an all-weather walking surface of either decomposed granite, crushed rock or concrete. The alignment of these paths will be established when a detailed tree survey is performed.

Parking Requirements: Each townhome will have a two-car garage as well as space for two guests to park in their driveway.

Exhibit 'F'

Development Schedule

Development is anticipated to commence as soon as all City approvals are obtained. We project this to be in early 2016, with townhomes being offered for sale in late 2016 or early 2017.



Department of Development Services

Please note that the public hearing held at the December 8th Planning and Zoning Commission meeting was tabled to the January 26th and the public hearing for City Council has been rescheduled to February 16th. Previously submitted written comments will be included in the upcoming public hearings and it is not necessary to resubmit.

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Zoning Change
LOCATION: The subject property is located at 10206 Liberty Grove Road further described as being a 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. A map is attached for reference.

EXPLANATION OF REQUEST: Request for a rezoning from the existing Single Family-8 Zoning District to a Planned Development District with the purpose of constructing 12 townhomes. (Concept plan is attached.)

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 NEED EXTRA TRAFFIC, THIS WOULD BRING, BE IN THE SCHOOL ZONE ON LIBERTY GROVE!
 PERRY BROWN

PROPERTY OWNER NAME

(print):

PERRY BROWN

SIGNATURE:

Perry Brown

ADDRESS:

10018 BENT TREE DR.

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 26th day of January, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 16th day of February, 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. Your response must be received in the Development Service Department by 5 pm on Wednesday, January 20, 2016, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, February 10, 2016, to be included in the City Council packet. All responses received by February 10th will be forwarded to the Council as well; it is not necessary to respond twice. Responses received after the times noted above shall not be counted in the record of response.

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

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

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

COMMENTS: Increased traffic at intersection DeLoach-Liberty grove, multiple family / apt style will affect neighborhood, preserve feel + identity

PROPERTY OWNER NAME

(print):

Lee Pyler

SIGNATURE:

[Signature]

ADDRESS:

8001 Feguire Ln, Rowlett, 75089

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EXPLANATION OF REQUEST: The applicant requests a rezoning from the existing Single Family-8 Zoning District to a Planned Development District with the purpose of constructing 16 townhomes. (41-2015)

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: I DO NOT WANT THIS PROPERTY TO END UP LOOKING LIKE TRASHY APARTMENTS. AT PRESENT THE PROPERTY NEEDS TO BE CLEANED UP

PROPERTY OWNER NAME

(print):

MAXINE MANN

SIGNATURE:

Maxine Mann

ADDRESS:

10102 BENT TREE DR.

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Rowlett, TX 75030-0099



Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING

01-04-16A09:44 RCVD

TO: Property Owner
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EXPLANATION OF REQUEST: The applicant requests a rezoning from the existing Single Family-8 Zoning District to a Planned Development District with the purpose of constructing 16 townhomes. (41-2015)

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

COMMENTS: ① Traffic is already crowded and that includes a school zone. ② Area drainage is poor.

PROPERTY OWNER NAME (print): Deborah F + Larry J Bickel
SIGNATURE: [Signature]
ADDRESS: 8000 Esquire Ln, Rowlett, TX 75089
 Debbie Bickel

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EXPLANATION OF REQUEST: The applicant requests a rezoning from the existing Single Family-8 Zoning District to a Planned Development District with the purpose of constructing 16 townhomes. (41-2015)

My property will just become another lease to own prop. if approved

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

*1. Congestion of traffic @ school zone + high accident area
 2. Exposure from backyard - value of home*

diminished already BACKING up to increasingly busy ROAD

PROPERTY OWNER NAME

(print):

Amos H. ZAIN

SIGNATURE:

[Signature]

ADDRESS:

10013 EVERGREEN DR. Rowlett 75089

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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 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.

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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: *Have discussed with developer & builder and have no issues.*

James Vertz

PROPERTY OWNER NAME

(print):

SIGNATURE:

10318 Bent Tree Dr.

ADDRESS:

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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: Increased road traffic, already single family neighborhood for 30+ years, why change rules on existing residents.

PROPERTY OWNER NAME (print): Darrell Haney resident for 30 years
SIGNATURE: 4009 Scott Dr.

ADDRESS:

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Garrett Langford

From: Mike Lancaster <mlancaster@aol.com>
Sent: Thursday, January 21, 2016 9:23 AM
To: Garrett Langford; lancasternan@aol.com
Subject: Re: Water Spring Townhomes - REVISED

Garrett,

It is accurate. What I didn't mention in my reply to Dayton is we will be out of town next Tuesday so couldn't make the P&Z meeting regardless. Our objection seems to be pretty selfish, and since Earl seems to be reconciled to the fact that development will happen on this property eventually, (and with the adjustments presented by Dayton this is probably as good as it will get) we aren't going to fight it.

Hopefully, they do make every effort to save as many trees as possible, and do actually work with Earl and us to position new screening effectively.

Mike Lancaster

-----Original Message-----

From: Garrett Langford <glangford@rowlett.com>
To: mlancaster <mlancaster@aol.com>
Sent: Thu, Jan 21, 2016 8:18 am
Subject: FW: Water Spring Townhomes - REVISED



Good Morning,

I want to confirm with you that email exchanges below are accurate before including them in the Planning and Zoning Commission packet for next week.

Thank you,

Garrett Langford
City of Rowlett
972-412-6166

From: Dayton [<mailto:daytonm@macatee-engineering.com>]
Sent: Tuesday, January 19, 2016 5:38 PM
To: Garrett Langford <glangford@rowlett.com>
Cc: jjo166@grandecom.net
Subject: FW: Water Spring Townhomes - REVISED

Garrett,

James and I met with Earl and Judy Burnett last week, and we sent updated plans to Mike Lancaster. They have spoken with each other. Please see the email from Mike Lancaster below.

Will you please provide a copy of this to the P&Z members? All things considered, we believe this is a reasonable and acceptable response.

Thank you,
Dayton

From: Mike Lancaster [<mailto:mike.lancaster@advancedradsolutions.com>]
Sent: Friday, January 15, 2016 12:29 PM
To: 'Dayton' <daytonm@macatee-engineering.com>
Cc: lancasternan@aol.com
Subject: RE: Water Spring Townhomes - REVISED

Dayton,

Thank you for the reply and your indication that you will attempt to utilize existing trees to provide the maximum privacy for all parties. We discussed the project with Earl Burnett and a couple of the other neighbors, and while we are all opposed to any development on the property, we realize this is probably as good as we can ever expect.

So, our existing objections based on the reduction in privacy stand, but Nancy and I will not be speaking in opposition at the P&Z Commission meeting. Assuming the project goes forward, we would appreciate any opportunity to speak directly regarding any privacy matters, such as the location and height of a fence, when the time comes.

Mike Lancaster

From: Dayton [<mailto:daytonm@macatee-engineering.com>]
Sent: Wednesday, January 13, 2016 5:03 PM
To: 'Mike Lancaster'
Cc: jjo166@grandecom.net; lancasternan@aol.com
Subject: RE: Water Spring Townhomes - REVISED

Mike,

My underlying intent was to revise our layout to meet the City's Townhouse ordinance with no variance requests. The lots are now at the minimum width of 30 feet. The area gained by reconfiguring the lot lines and reducing the lot count allows us to provide better pedestrian access internally, and to increase the width of the two common access areas adjacent to your property line by 2' on one side and 5' on the other. More importantly, the end of the drive is now 15 feet from your property line, an increase in 10 feet from the previous design.

I agree completely with your comments related to the fence and wall. We have not performed a detailed tree survey yet, so we don't know what trees exactly we need to avoid. With a separation of 15 feet between the end of paving and the property line I think we can construct our wall/fence and avoid the existing vegetation wherever possible. Our goal is to create a buffer that results in our project impacting your home as little as possible.

Thank you for your input.

~ Dayton

From: Mike Lancaster [<mailto:mike.lancaster@advancedradsolutions.com>]
Sent: Wednesday, January 13, 2016 4:24 PM
To: 'Dayton' <daytonm@macatee-engineering.com>
Cc: jjo166@grandecom.net; lancasternan@aol.com
Subject: RE: Water Spring Townhomes - REVISED

Dayton,

Thank you for the drawing. I was hoping that when you said you could reduce the unit count to 12 from 14 that most of that space would end up being between the units and our property line, so I'm disappointed that didn't happen. However, I have to say that overall it's obvious you made an effort to minimize the impact on us and the Burnetts.

I do have a question regarding the fence/wall location. The property line has a lot of trees. It looks to me like placing a fence on the line will require removal or substantial trimming. I know you want to minimize the mitigation cost, so what is the plan for this? My primary concern obviously isn't your cost, but the possibility of less screening if tall trees are removed to make room for a 6' fence. Have you considered possibly placing the fence away from the line to reduce this impact? I do like the idea of a fence as I believe it will reduce the light from car headlights.

If you have time to reply before meeting with Judy and Earl tomorrow, I don't believe we need to meet with you.

Thank you.

Mike

From: Dayton [<mailto:daytonm@macatee-engineering.com>]
Sent: Tuesday, January 12, 2016 12:43 PM
To: mike.lancaster@advancedradsolutions.com
Cc: jjo166@grandecom.net
Subject: Water Spring Townhomes - REVISED

Mike,

Please find attached the revised concept plan for our project. With respect to your house, we added a wall and fences for permanent screening, and we made the lots wider thereby reducing the lot count. In addition, I added the dimension between your house and the property line (58 feet).

We are meeting with Mr. & Mrs. Burnett on Thursday morning and will be happy to visit with you in person as well.

Let me know if you have any comments.

Thank you,
Dayton Macatee

Macatee Engineering LLC
3519 Miles Street
Dallas, Texas 75209
(214) 373-1180



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 01/26/2016

AGENDA ITEM: C3

AGENDA LOCATION

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a request to amend previously approved Planned Development Ordinance 022-15 specifically as it pertains to exterior building materials. The subject property is located at 5500 Rowlett Road, being a 5.50 +/- acre portion of a 12.79 +/- acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Erin Jones, Senior Planner

SUMMARY

The applicant, Churchill Residential, owns and operates 12 Evergreen Independent Senior Living Communities in Texas, 11 of which are located in the Dallas-Fort Worth Metroplex. They have been pursuing a location in Rowlett since 2011 in conjunction with the Texas Department of Housing and Community Affairs' (TDHCA) tax credit program. On June 2, 2015, the Rowlett City Council approved Planned Development (PD) Ordinance 022-15 (Attachment 1) to allow for a multi-family senior housing complex on the subject property (Attachment 2- Location Map). Following the zoning approval, Churchill received approval through TDHCA. Since that time they have been working through the development process. While finalizing their building plans they discovered that construction costs will prevent them from moving forward with the exterior building materials as originally proposed (70% Brick/Stone and 30% Cementitious Siding). As a result, they have requested this PD amendment to allow for the reduction of brick/stone material and increase of cementitious siding material (the alternative percentages are described in detail below). 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 request.

BACKGROUND INFORMATION

A sampling of Churchill's properties, including the Evergreen in Mesquite, Rockwall, and Plano, can be viewed at the following link: <http://www.churchillresidential.com/locations.aspx>. Evergreen at Rowlett is proposed to be a 138 unit, age-restricted (55+), subsidized, independent senior housing community. The proposed complex will be 100% income restricted and funded through the TDHCA 2015 funding cycle.

As previously mentioned, the City Council approved the zoning for the project in June 2015. However, prior to approving the zoning they also approved three key resolutions in February 2015

indicating support of the project for the competitive TDHCA funding process. The approved resolutions are as follows:

1. Offering support for one sole TDHCA applicant: Resolution 005-15 (Attachment 3)
2. The adoption of a Community Revitalization Plan: Resolution 024-15 (Attachment 4).
3. A funding commitment resolution: Resolution 019-15 (Attachment 5).

Following approval from TDHCA in July 2015, Churchill has been working through the development process. While finalizing their building plans, they discovered that construction costs will prevent them from moving forward with the exterior building materials as originally proposed: 70% brick/stone and 30% cementitious siding. To that end, they have requested this PD amendment to allow for the consideration of an alternative percentage. All other provisions in the original PD will remain in place.

DISCUSSION

As previously mentioned, should the requested PD amendment be approved all the development standards outlined in PD Ordinance 022-15 will remain in full force with the exception of the masonry standards. Therefore, this portion of the report will focus solely on the masonry standards and will not reiterate the previously approved development regulations.

The base standard in the *Rowlett Development Code* (RDC) for the underlying Limited Office (O-1) zoning district is 100% masonry, which is defined as brick, stone and/or stucco. The previously approved PD allowed for 70% masonry and 30% cementitious siding. The proposed amendment (Attachment 6) shifts the percentages as follows:

- The clubhouse, which is considered the main focal point of the building will remain 70% brick/stone and 30% cementitious siding.
- All other facades visible from the street will be changed to 60% brick/stone and 40% cementitious siding.
- All courtyard facades visible to residents only will be changed to 40% brick/stone and 60% cementitious siding.

The applicant's reasoning behind the originally proposed percentage was primarily aesthetics. It was their desire to create a more residential character for the building, rather than an institutional feel. However, upon calculating current market rates for construction materials they have deemed it necessary to reduce project costs. This is one area where costs can be substantially reduced without affecting the overall quality of the project. Many of the cementitious board products on the market today, such as Hardie board, carry 30 to 50 year warranties and are considered durable products.

The "*public/institutional and commercial structures*" building material requirements are outlined in Section 77-507.C of the RDC and clearly states that "*other exterior material may be allowed by recommendation of the planning and zoning commission and approval of the city council.*"

The purpose of the building material section is outlined in 77-507.A. of the RDC which states:

“This section is intended to promote high-quality non-residential building design, encourage visual variety in non-residential areas of the city, foster a more human scale and attractive street fronts, project a positive image to encourage economic development in the city, and protect property values of both the subject property and surrounding areas. In addition, this section intends to create a distinct image for important or highly visible areas of the city in order to enhance the public image of the city and encourage high quality economic development.”

Since the original drafting of this section of code in 2006, cementitious board products have become more widely accepted throughout the City of Rowlett for residential product types including single and multi-family. These materials are currently allowed by right in limited percentages within the Form Based Code areas. While allowing cementitious siding in non-FBC areas still requires an alternative material request and approval from the City Council, the vast majority of these types of requests have been approved in recent years. From staff’s perspective cementitious siding is a proven durable material that helps promote visual variety in a way that using masonry materials alone does not always achieve. For those reasons, staff is not opposed to the applicant’s request and finds it to be in line with the intent outlined in the RDC.

Public Hearing Notices:

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Thirteen (13) notices were mailed to property owners within 200 feet of the subject property on Monday January 11, 2016, and as of Friday January 22, 2016, no responses have been returned in opposition and three have been returned in favor (Attachment 7). In addition, fifty-five (55) courtesy notices were mailed to property owners within 500 feet. One was returned in favor and zero in opposition (Attachment 8).

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends that the Commission recommend approval of this item to the City Council.

ATTACHMENTS

- Attachment 1- PD Ordinance 022-15
- Attachment 2- Location Map
- Attachment 3- Resolution 005-15
- Attachment 4- Resolution 024-15
- Attachment 5- Resolution 019-15
- Attachment 6- Proposed Façade Plan
- Attachment 7- 200 ft. Public Hearing Notice Responses
- Attachment 8- 500 ft. Courtesy Public Hearing Notice Responses



City of Rowlett

Official Copy

Ordinance: ORD-022-15

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, MAP AND PLAN OF THE CITY OF ROWLETT, TEXAS, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING FROM "O-1" LIMITED OFFICE ZONING TO "PD" PLANNED DEVELOPMENT FOR A 5.50 +/- ACRE PORTION OF A 12.79 +/- ACRE PARCEL LOCATED IN TRACT 14 OF THE JOHN M. THOMAS SURVEY, ABSTRACT 1478, PAGE 460, GENERALLY LOCATED AT 5500 ROWLETT ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", IN THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS; PROVIDING DEVELOPMENT AND USE STANDARDS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of Rowlett is of the opinion that said zoning ordinance and map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Rowlett, Texas, heretofore duly passed by the governing body of the City of Rowlett, as heretofore amended, be and the same are hereby amended to grant a change in underlying zoning from "O-1" Limited Office Zoning to "PD" Planned Development for a 5.50 +/- acre portion of a 12.79 acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, generally located at 5500 Rowlett Road in the City of Rowlett, Dallas County, Texas, and being more particularly described in Exhibit "A" and Exhibit "B", attached hereto and incorporated herein (hereinafter the "Property").

Section 2. That the development standards and regulations set forth in Exhibit "D", attached hereto and made a part hereof, shall be applicable to all land uses, structures, the use and occupancy of all structures, and the development, construction, operation and maintenance of all improvements on the Property described herein.

Section 3. That the Property shall be used only in the manner and for the purposes provided herein and by the ordinances of the City of Rowlett, Texas, as heretofore amended, and as amended herein. The development, use and occupancy of the Property shall conform to the standards and regulations set forth in Exhibit "D" and Exhibit "E", the provisions of the Rowlett Development Code (Chapter 77 of the Code of Ordinances of the City of Rowlett, Texas), and the Code of Ordinances of the City of Rowlett, Texas, as amended. In the event of any conflict or inconsistency between the provisions of this ordinance and the provisions contained in any other provision of the Rowlett Development Code or other codes or ordinances of the City, the provisions of this ordinance shall control. In the event that this ordinance does not include a standard or regulation that is otherwise required for similar or comparable development or uses by the Rowlett Development Code or Code of Ordinances, then the standard or regulation required by the Development Code or other ordinance shall be applied to development and use of the Property.

Section 4. That all provisions of the ordinances of the City of Rowlett in conflict with the provisions of this ordinance as applicable to the Property be and the same are hereby repealed and all other provisions of the ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the comprehensive zoning ordinance as a whole.

Section 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 8. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

At a meeting of the City Council on June 2, 2015 this Ordinance be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Gottel, Mayor Pro Tem Gallops, Councilmember van Bloemendaal, Councilmember Dana-Bashian, Councilmember Bobbitt and Councilmember Sheffield

Abstain: 1 Deputy Mayor Pro Tem Pankratz

The remainder of this page was intentionally left blank.



Approved by _____
Mayor

Date June 2, 2015

Approved to form by _____
City Attorney

Date June 2, 2015

Certified by _____
City Secretary

Date June 2, 2015



EXHIBIT A - LEGAL DESCRIPTION

BEING 5.50 acres (239,580 square feet) of land located in the John M. Thomas Survey, Abstract Number 1478, City of Rowlett, Dallas County, Texas and being a portion of that certain tract of land described in a deed to Garland General Agency (hereinafter referred to as Garland tract), as recorded in Volume 89144, Page 1353, Deed Records, Dallas County, Texas (D.R.D.C.T.), said 5.50 acres (239,580 square feet) of land being more particularly describe, by metes and bounds, as follows:

BEGINNING at the Southwest corner of said Garland tract, same being the Northwest corner of that certain tract of land described in a deed to Joy Coyle Richards and Jerry Coyle Richards (hereinafter referred to as Richards tract), as recorded in Volume 88057, Page 3617, D.R.D.C.T., same being in the existing East right-of-way line of Old Rowlett Road (60' Right-of-way), according to the deed thereof recorded in Volume 2124, page 369, D.R.D.C.T.;

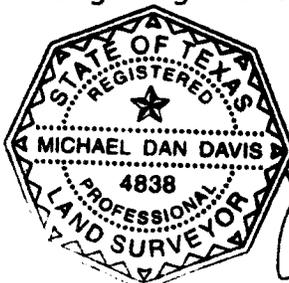
THENCE North 00 degrees 03 minutes 08 seconds East with the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road, a distance of 298.59 feet to a five-eighths inch iron rod found for an angle point:

THENCE North 15 degrees 08 minutes 26 seconds West, continuing with the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road, a distance of 40.83 feet to a point for corner;

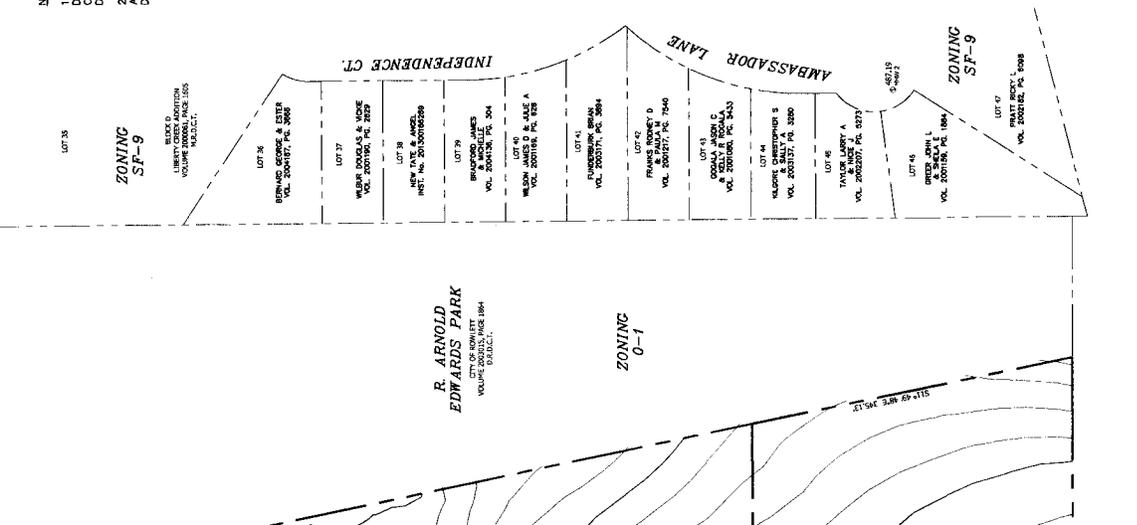
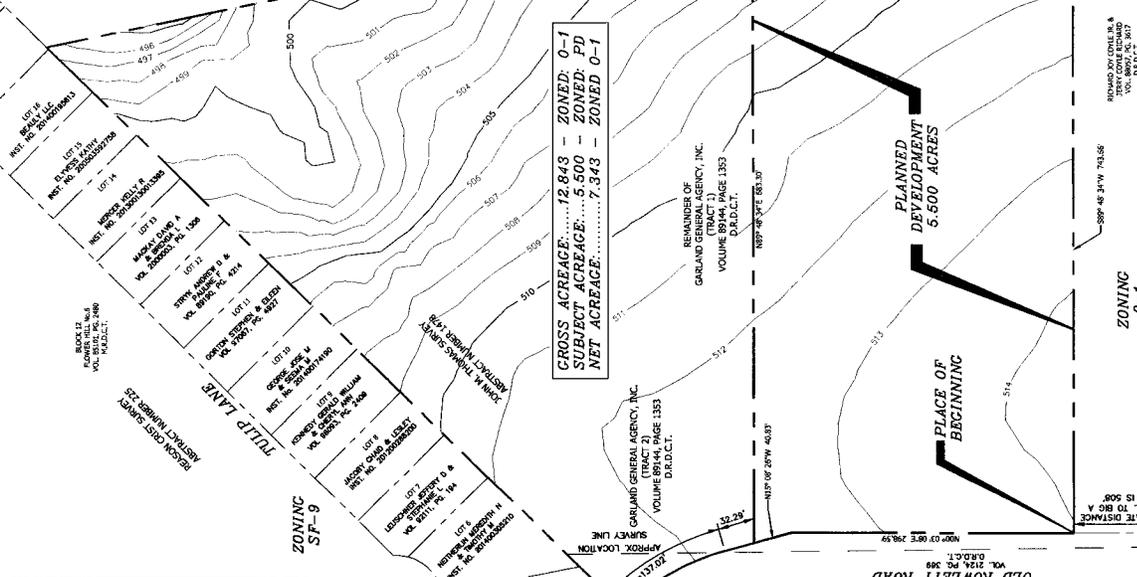
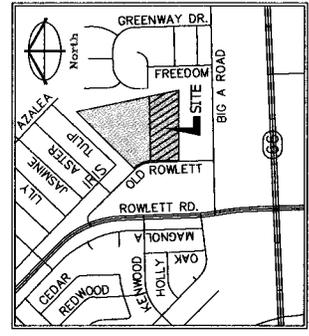
THENCE North 89 degrees 48 minutes 34 seconds East, departing the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road and crossing said Garland tract, a distance of 683.30 feet to the West line of that certain tract of land described in a deed to the City of Rowlett (known as R. Arnold Park) according to the deed thereof, as recorded in Volume 2003015, Page 1864, D.R.D.C.T.;

THENCE South 11 degrees 49 minutes 48 seconds East with the common line between said Garland tract and said City of Rowlett tract, a distance of 345.13 feet to the Southwest corner of said City of Rowlett tract, same being in the North line of the aforesaid Richards tract;

THENCE South 89 degrees 48 minutes 34 seconds West with the common line between said Garland tract and said Richards tract, a distance of 743.66 feet to the Place of Beginning and containing a calculated area of 5.50 acres (239,580 square feet) of land.



MD 02/13/15



NOTES:

1. THIS LOT IS NOT IN A SPECIAL FLOOD AREA AS DEFINED BY FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48113C02A0K AS REVISED DATED JULY 7, 2014.
2. THE DEVELOPMENT OF THIS SITE WILL BE IN ACCORDANCE WITH THE CITY OF ROWLETT DEVELOPMENT STANDARDS.

GRAPHIC SCALE
1" = 40' 0"

ZONING EXHIBIT B

for

EVERGREEN AT ROWLETT

Being a Tract of land located in the John M. Thomas Survey, Abstract No. 1478 and the U. Matthusen Survey, Abstract No. 1017, City of Rowlett Dallas County, Texas February 13, 2015

REVISION NO.	SUBMITTAL DATE
1ST. REVISION	
2ND. REVISION	
3RD. REVISION	

APPLICANT: RESIDENTIAL, INC.
3900 N. MADANTHAR BLVD. SUITE 580
DALLAS, TX 75205
(972) 249-7500
CONTACT: BRAD FORSLUND

ENGINEER/ARCHITECT: BANNISTER ENGINEERING, LLC
1089 COUNTRY CLUB DR.
MANFORD, TX 76063
(817) 274-3714
CONTACT: TRAVIS ATTANASIO, P.E.

OWNER: CENTRAL AGENCY, INC.
819 MAIN STREET
GARLAND, TX 75040
(972) 274-3714

PREPARED BY: JERRY COLE, P.E.
1089 COUNTRY CLUB DR.
MANFORD, TX 76063
(817) 274-3714

APPROXIMATE DISTANCE
FROM 158 508 A
ROAD TO 819 C
ROAD IS 819 A

APPROXIMATE DISTANCE
FROM 158 508 A
ROAD TO 819 C
ROAD IS 819 A

BANNISTER ENGINEERING
1089 COUNTRY CLUB DR.
MANFORD, TX 76063 | 817.274.3714 | 817.274.3705 FAX
REGISTRATION # F-12591 (TEXAS)

Evergreen at Rowlett Senior Community**Planned Development Zoning Change****Exhibit C****STATEMENT OF INTENT AND PURPOSE****Description of Project Use.**

Evergreen at Rowlett will be a 138 unit age restricted senior independent living community. The concept and development standards will be similar to Evergreen at Richardson and Evergreen at Arbor Hills in Carrollton. The website for the 12 existing Evergreen Communities is www.evergreenseniorcommunities.com.

Existing and proposed zoning use.

The existing zoning is O-1 Limited Office and the applicant is requesting Planned Development with some of the Multifamily zoning attributes and requirements. The PD will leave the existing zoning rights, and add age restricted senior housing as an additional permitted use.

Proposed Residential Density.

26 units per acre 138 units on 5.5 acres.

Approval Criteria for Section 77 of the Rowlett Code

1. The proposed zoning allows a product that has not been developed in Rowlett. There are no independent senior living communities in Rowlett. Many of the Evergreen buildings have been developed on commercially zoned land that had limited demand for commercial uses.
2. We believe the site is appropriate for this use. The city studies have shown the need for senior housing in Rowlett.
3. This use will better the general welfare of Rowlett residents and their families.
4. The city services will be adequate for this community. Churchill provides scheduled transportation, and the site is near existing public transportation. Traffic impact from this use is about the lowest traffic generator of any land use, substantially less than retail, commercial and single family. We have not had to submit a TIA on any Evergreen site to date for this reason; however we will do so if requested by the City of Rowlett.
5. We don't believe the development will have any negative impact on the environment. We have submitted our Phase I that was performed in February. Our financing requires us to do

one of the most extensive environmental reports we have seen. This report will be done after receiving a financing commitment in August.

6. The proposed use will not have any negative impact on surrounding uses. We believe senior housing is a good buffer from single family.
7. The PD will continue to allow the existing uses of O-1 and add senior housing to the permitted uses, which we believe is suitable to the site and situation.
8. There are no independent senior living communities in Rowlett, and it will be very difficult to access capital for this price point product in the future.
9. This use is compatible with future uses of land in the area, which is commercial.
10. There is very little land that is available at a price and location that will be suitable for the financing on this proposed development. This coupled with the strong possibility of obtaining the necessary financing makes this a rare and opportune time to develop this project.

Evergreen at Rowlett Senior Community

Planned Development Zoning Change

Exhibit D

PLANNED DEVELOPMENT STANDARDS

General Standards

1. Development shall take place in accordance with the attached Zoning Exhibit (Exhibit E).
2. Development shall take place in accordance with 0-1 as outlined in the City of Rowlett Development Code, except as indicated below.

Use Regulations

1. Age Restricted Senior Living Development shall be a permitted use. The property shall be deed restricted as to the potential development and use of a senior independent living community on the land. Specifically, each unit shall be solely occupied by individuals fifty five (55) of age or older. A copy of the deed restriction for the property shall be submitted to the City Attorney for review and approval prior to the issuance of any replat or building permits for the construction of a senior living community. The deed restrictions must be filed of record with the plat. Any termination or amendment of the deed restrictions shall require the review of the City Attorney and the approval of the City Council of the City of Rowlett prior to recordation.
2. Refuse Facilities shall be provided as shown on the Zoning Exhibit (Exhibit E).
3. Garages and Carports are permitted and shall be limited to eight (8) parking spaces per structure, and shall not require a Conditional Use Permit.
4. All on-site carports are permitted to be constructed per the regulations located in the Rowlett Development Code, Section 77-303.C.7(c) for rear yard carports, which allows for carports to be constructed of pre-engineered metal-based systems.

Dimensional Requirements

1. The minimum Front Setback shall be 30 feet.
2. The minimum Side Setback shall be 20 feet.
3. There will be 3 to 4 connected residential buildings with an integrated club.

Development & Design Standards

1. Required Off-Street Parking Spaces shall be 166 total, or 1.2 spaces per dwelling unit. The following Evergreen developments have 1.2 spaces per dwelling unit.

Evergreen at Lewisville
Evergreen at Keller
Evergreen at Arbor Hills
Evergreen at Rockwall

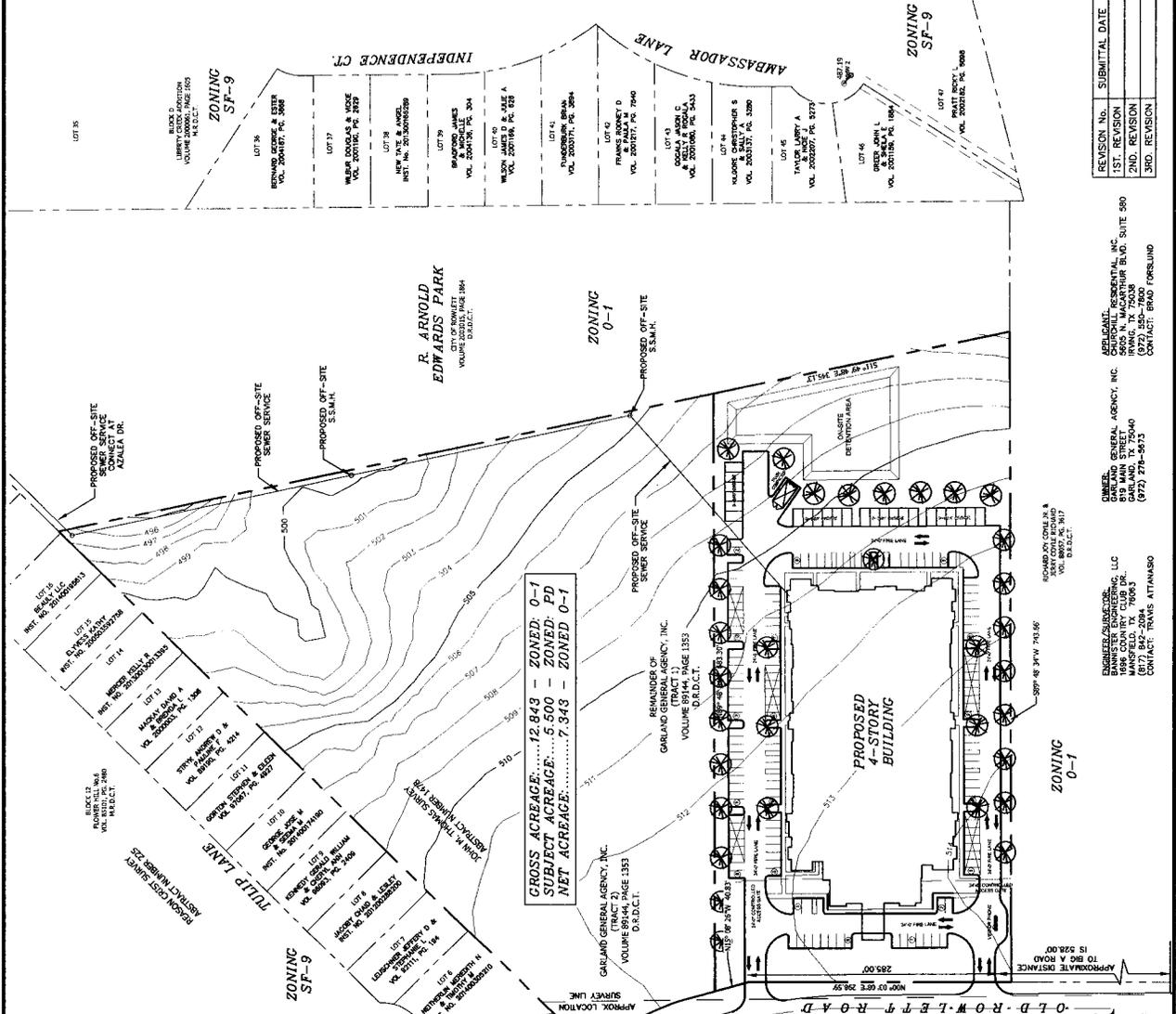
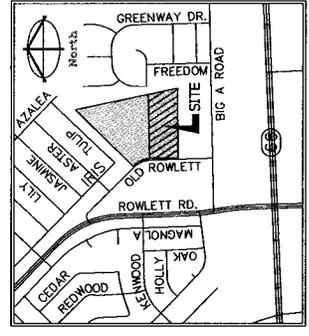
Evergreen at Plano
Evergreen at Vista Ridge
Evergreen Farmers Branch

106 Open Spaces
 36 Carports
24 Garages
 166 Total Parking

2. Parking Areas may be separated from buildings by an area of variable width, at least 5 feet wide to allow for sidewalks and landscaping. If no sidewalk is needed along the parking area, then the minimum separation shall be 3 feet.
3. Building Materials shall be minimum 70% brick and/or stone masonry and 30% Cementitious board, exclusive of roofs, doors, windows, dormers, and gables.
4. Maximum Building Length shall be 490 feet.
5. The buildings will be 4 story with the exception of the Club.
6. Rooflines longer than 100 feet shall contain at least one vertical elevation change of at least 3 feet.
7. Each façade greater than 50 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least five percent (5%) of the length of the façade, and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 50 horizontal feet.

Landscape Standards

1. The ROW Buffer shall be 15 feet minimum in width, contain 1 tree per 50 lineal feet, and contain 10 evergreen shrubs per 30 lineal feet. Our landscape architect recommends 50 lineal feet for the trees to give the canopy of the trees more room; better tree growth and increased visibility. Canopy and Ornamental Trees may be used to fulfill the tree requirement. Tree Clusters shall be spaced no more than 50 feet on center.
2. The compatibility buffer located around the perimeter of the property shall be primarily composed of a 6 foot wooden privacy fence. A 6 foot tubular steel fence with masonry columns may be substituted for a portion of the fence at the developer's discretion in order to provide for an aesthetic accent. Trees shall be planted every 50 ft. in addition to the privacy fence.
3. Landscape Islands shall be located no farther apart than every 12 parking spaces. Such islands shall contain at least one tree, except a tree will not be required if an existing or proposed utility easement is present or needed. Landscape islands shall have a minimum size of 10 feet x 18 feet (standard parking space).
4. Onsite detention will be required and the details of the system will be determined at the time of civil engineering plan review.



GROSS ACREAGE:.....12.843 - ZONED: 0-1
 SUBJECT ACREAGE:.....5.500 - ZONED: PD
 NET ACREAGE:.....7.343 - ZONED: 0-1

- NOTES:
1. THIS LOT IS NOT IN A SPECIAL FLOOD AREA AS DEFINED BY FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48113A00240K AS REVISED DATED JULY 7, 2014.
 2. DEVIATION FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF THE PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE BOARD OF ADJUSTMENTS (BOA).
 3. ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE BY THE BOARD OF ADJUSTMENTS ZONING DISTRICT DEVELOPMENT REGULATIONS.
 4. THE ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE GENERAL INTENT OF THE ZONING CONCEPT PLAN AS DETERMINED BY THE DIRECTOR OF PLANNING WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.

SITE SUMMARY TABLE	
GENERAL SITE DATA:	
EXISTING ZONING	0-1
PROPOSED ZONING	PD
LAND USE	RETIREMENT COMMUNITY
LOT AREA	29,580 S.F. (0.50 ACRE)
TOTAL BUILDING AREA (SQUARE FEET)	149,744 S.F.
BUILDING HEIGHT (STORIES)	TOP OF RIDGE 60'-0" - 4 STORY
LOT COVERAGE	70.00%
IMPERVIOUS SURFACE AREA	76,832 SQ. FT.
PERVIOUS SURFACE AREA	163,238 SQ. FT.
PARKING:	
PARKING RATIO REQUIRED	0.75 PER UNIT
REQUIRED PARKING	138 UNITS (0.75) = 104
PROVIDED PARKING	166 SPACES

ZONING EXHIBIT E

for
EVERGREEN AT ROWLETT
 Being a Tract of land located in the John A. MacArthur
 M. Thomas Survey, Abstract No. 1478
 and the U. Matthusen Survey, Abstract
 No. 1017, City of Rowlett
 Dallas County, Texas
 February 13, 2015

REVISION NO.	SUBMITTAL DATE
1ST. REVISION	
2ND. REVISION	
3RD. REVISION	

APPLICANT: EVERGREEN AT ROWLETT, INC.
 5800 N. MACARTHUR BLVD. SUITE 580
 IRVING, TX 75038
 CONTACT: BRAD FORSLUND

CITY OF ROWLETT, TEXAS
 819 MAIN STREET
 GARLAND, TX 75040
 (972) 270-5075

ENGINEER/SURVEYOR: BANNISTER ENGINEERING, LLC
 1808 COUNTRY CLUB DR.
 MANSFIELD, TX 76063
 CONTACT: TRAVIS ATANASO

BANNISTER
 ENGINEERING
 1808 COUNTRY CLUB DR.
 MANSFIELD, TX 76063
 TEL: 817.462.2064 | 817.462.2064 | 817.462.2065
 REGISTRATION # 14399 (TEXAS)

Evergreen at Rowlett Senior Community

Planned Development Zoning Change

Exhibit F

DEVELOPMENT SCHEDULE

Requested zoning approval from City Council on or before June 30.

We hope to receive our financing commitment in August.

We would plan to have a building permit by December 2015, and start construction January 2016.

The construction time is estimated at 13-15 months and we would plan to be finished construction by March 31, 2017. First occupancy would be November 2016. The property would be fully occupied by the end of 2017 at the latest.



200' Notification Area

Subject Property



Evergreen Senior Living Planned Development
Map Created: April 27, 2015

200 FT NOTIFICATION AREA



City of Rowlett

Official Copy

Resolution: RES-005-15

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS EXPRESSING SUPPORT FOR THE EVERGREEN ROWLETT SENIOR COMMUNITY, L.P., PROJECT; AUTHORIZING THE MAYOR TO CERTIFY THIS RESOLUTION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS Evergreen Rowlett Senior Community, L.P. has proposed a development for affordable rental housing for active adults aged 55 and older located at the 5500 block of Old Rowlett Road, named Evergreen at Rowlett in the City of Rowlett, Dallas County, Texas;

WHEREAS Evergreen Rowlett Senior Community, L.P., has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2015 Competitive nine percent (9%) Housing Tax Credits and HOME Funds for Evergreen Rowlett Senior Community, L.P.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1. That the City Council of the City of Rowlett, Texas, hereby confirms that it supports the proposed Evergreen Rowlett Senior Community, L.P., proposed project located in the 5500 Block of Old Rowlett Road, Rowlett, Dallas County, Texas and its application to the TDHCA, **TDHCA #15020**, and that this formal action has been taken to put on record the opinion expressed by the City of Rowlett on the 20th day of January, 2015 and

Section 2. That the City of Rowlett, acting through its governing body, hereby confirms that the proposed Evergreen Rowlett Senior Community, L.P., **TDHCA #15020**, located in the 5500 block of Old Rowlett Road, Rowlett, Dallas County, Texas most significantly contributes to the concerted revitalization efforts of the City of Rowlett, and

Section 3. That for and on behalf of the City Council, the Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Section 4. That this resolution shall become effective immediately upon its passage.

At a meeting of the City Council on January 20, 2015 this Resolution be adopted. The motion carried by the following vote:

Ayes: 5 Mayor Gottel, Mayor Pro Tem Gallops, Councilmember van Bloemendaal, Councilmember Dana-Bashian and Councilmember Bobbitt

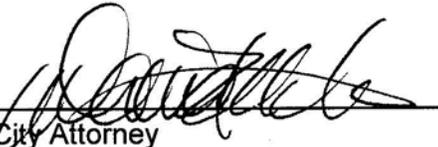
Abstain: 1 Deputy Mayor Pro Tem Pankratz

Absent: 1 Councilmember Sheffield

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Approved by 
Mayor

Date January 20, 2015

Approved to form by 
City Attorney

Date January 20, 2015

Certified by 
City Secretary

Date January 20, 2015





City of Rowlett

Official Copy

Resolution: RES-024-15

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AND ADOPTING THE CENTRAL ROWLETT COMMUNITY REVITALIZATION PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is in the public interest for the City to formalize a vision, contained within a plan, to assist and manage orderly and sustainable development within the City; and,

WHEREAS, the City has commenced investing funding and activity, directly or through cooperation with other governmental entities, for public improvements with a total budget or projected economic value of \$11.5M for the target area generally bounded by Rowlett Road to the west, Llano Street to the south, President George Bush Turnpike to the east, and Carters Branch (stream) to the north, to be known as the "Central Rowlett" area; and

WHEREAS, the City of Rowlett expects that the proposed Central Rowlett Community Revitalization Plan will revitalize the neighborhood and address in a substantive and meaningful way the following five material factors: (a) adverse environmental factors (b) presence of blight, (c) presence of inadequate transportation or infrastructure, (d) lack of local business providing employment opportunities, and (e) efforts to promote diversity; and

WHEREAS, the City Council posted notices and conducted a public hearing regarding the Central Rowlett Community Revitalization Plan; and

WHEREAS, the City Council has determined that it is in the interest of the public health, safety and welfare to approve and adopt the Central Rowlett Community Revitalization Plan, attached hereto as Exhibit "A";

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2: That the governing body of the City of Rowlett (the City Council) hereby approves and adopts the Central Rowlett Community Revitalization Plan attached hereto as Exhibit "A" (the "Plan").

Section 3: That the City Council hereby certifies: (a) the Plan was duly adopted with the required public comment processes followed, (b) the funding and activity under the Plan has already commenced; (c) there is no reason to believe that the

overall funding for the full and timely implementation of the Plan will be unavailable.

Section 4: That the City Council hereby confirms that the Evergreen Rowlett Senior Community, L.P. proposed project located in the 5500 block of Old Rowlett Road, Rowlett, Dallas County, Texas will contribute most significantly to the concerted revitalization efforts of the City of Rowlett.

Section 5: This resolution shall become effective immediately upon its passage.

At a meeting of the City Council on February 17, 2015 this Resolution be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Gottel, Mayor Pro Tem Gallops, Councilmember van Bloemendaal, Councilmember Dana-Bashian, Councilmember Bobbitt and Councilmember Sheffield

Abstain: 1 Deputy Mayor Pro Tem Pankratz

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ATTACHMENT 4

Approved by [Signature]
Mayor

Date February 17, 2015

Approved to form by [Signature]
City Attorney

Date February 17, 2015

Laura Hallmark
City Secretary

The seal of the City of Abilene, Texas, is circular with a five-pointed star in the center. The words "CITY OF ABILENE, TEXAS" are written around the perimeter of the seal.

Date February 17, 2015

Mayor ~ Todd Gottel
Mayor Pro Tem ~ Michael Gallops
Deputy Mayor Pro
Tem ~ Carl Pankratz
City Council ~
Rick Sheffield
Tammy Dana-Bashian
Debby Bobbitt
Robbert van Bloemendaal
City Manager ~ Brian Funderburk



*A unique community where families
enjoy life and feel at home*

February 18, 2015

Texas Department of Housing and Community Affairs
Ms. Jean Latsha, Director of Multifamily Finance
221 East 11th Street
Austin, TX 78701

**RE: Central Rowlett Community Revitalization Plan,
Evergreen at Rowlett Senior Community (TDHCA #15020)**

Dear Ms. Latsha:

Please accept this letter as confirmation that the Central Rowlett Community Revitalization Plan (CRP) is in place prior to the TDHCA's Full Application Final Delivery Date (February 27, 2015) pursuant to §11.2 of the Qualified Allocation Plan (QAP) and meets §11.9(d)(7) of the QAP referencing the Community Revitalization Plan. The City endorses Evergreen at Rowlett Senior Community (TDHCA #15020) for the maximum six (6) points under this scoring criterion – four (4) points since the Development is in the target area of the CRP, whose total budget or projected economic value exceeds \$6,000,000 and two (2) points since the City has explicitly identified Evergreen at Rowlett Senior Community, in a resolution, as contributing most significantly to the concerted revitalization efforts of the City.

The proposed Evergreen at Rowlett Senior Community Project is within the city limits of the City of Rowlett, and I am the appropriate local official to assert the following. The City certifies that the CRP was duly adopted by the City Council with Resolution No. 024-15 and the CRP adoption process followed the required public comment processes of the City; the funding and activity under the CRP has already commenced; and the adopting municipality, the City of Rowlett, has no reason to believe that overall funding for the full and timely implementation of the CRP will be unavailable. The CRP has a total budget or projected economic value that exceeds \$12,000,000.

As stated above and evidenced in the separate Resolution No. 024-15, the City explicitly identified the proposed Evergreen at Rowlett Senior Community as contributing most significantly to the City's concerted revitalization efforts. The CRP will revitalize the target area in a substantive and meaningful way by means of the following 5 factors

- (a) Adverse environmental factors
- (b) Presence of blight
- (c) Presence of inadequate transportation or infrastructure
- (d) Lack of local business providing employment opportunities
- (e) Efforts to promote diversity

CENTRAL ROWLETT COMMUNITY REVITALIZATION PLAN (CRP)

City of Rowlett



FEBRUARY 2015

Prepared By:

Kimley»»Horn

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**ATTACHMENT 4
EXHIBIT A**

OVERVIEW

INTRODUCTION

The **Central Rowlett Community Revitalization Plan ("CRP")** serves as a guiding document that articulates the City's currently planned vision within the designated Downtown/Central Rowlett CRP area in the City of Rowlett, Texas. The Plan also: (1) provides a framework for designation as a Community Revitalization Plan (CRP) under the Texas Department of Housing and Community Affairs (TDHCA) 2015 Qualified Allocation Plan (QAP); (2) identifies support for the allocation of public resources; and (3) recognizes the opportunities for further development and revitalization within the area.

The City of Rowlett has made on-going efforts to maintain a strong community character, facilitate the development of quality housing options, and provide local economic opportunities in the Central Rowlett CRP target area. City-wide long-range planning efforts that have influenced the development of this area have occurred since 1986, with the City's first Comprehensive Plan. Since then, the City of Rowlett has reassessed community-wide issues and established development goals through additional planning efforts, most recently in 2012 with the adoption of the Realize Rowlett 2020 Comprehensive Plan. As part of this plan update, the City began an evaluation process of targeted opportunity subareas, including the city's downtown. This Downtown Strategic Plan was adopted in the Fall of 2012. In addition, the City adopted an updated Parks, Recreation & Open-Space Master Plan in October 2011 which identifies future recreational and aesthetic amenities for the area. This CRP acts as a summary of those planning efforts that strategically leverage public resources to revitalize this part of the city and stimulate new private investment.

On **February 17, 2015** the City of Rowlett City Council, after having held a public hearing on the matter, authorized and approved the Community Revitalization Plan for the **Central Rowlett CRP** area, formalizing the community effort and acknowledging recent-past investment in the CRP and the City's vision for future investment.

CRP AREA PROFILE

AREA CHARACTERISTICS

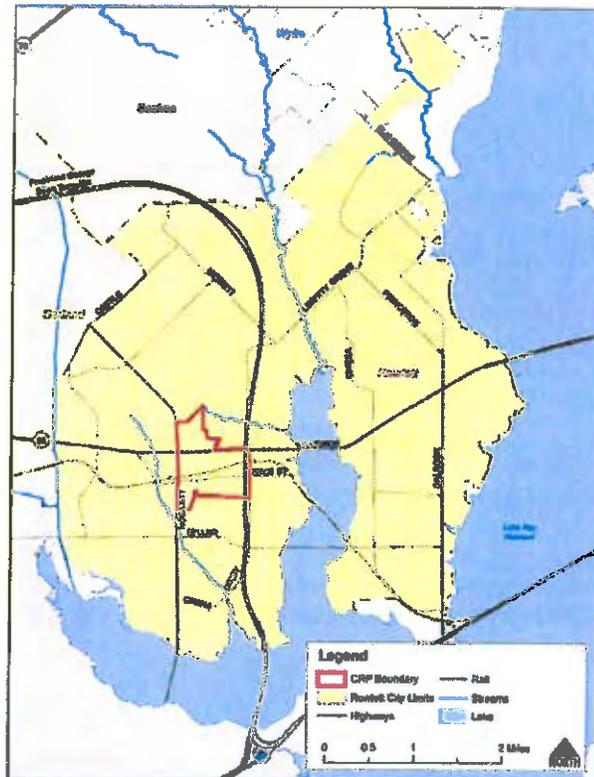
The Central Rowlett CRP target area is generally bounded by Rowlett Road to the west, Llano Street to the south, the President George Bush Turnpike to the east, and Lakeview Parkway (SH 66) and the Carters Branch creek to the north. This area incorporates the Downtown Strategic Plan area defined during Realize Rowlett 2020 Phase II, as well as the developing land north of SH 66 (Lakeview Pkwy). The boundary was selected for this CRP to reflect both the City's targeted redevelopment efforts within the downtown study area, as well as the potential for continued commercial and residential growth in the greater central district of Rowlett. As public investment and private development occurs under the guidance of the Downtown regulating plan, these improvements will likely have influence on the success and economic value of the surrounding community. In particular, the investments as a result of the Downtown plan are likely to act as a catalyst for further development to the north. An area map identifying the CRP boundary in relation to the overall city is included in Figure 1. A more detailed CRP boundary map is shown in Figure 2.

SOUTH OF LAKEVIEW PARKWAY

The Downtown development district, as identified in the Downtown Strategic Plan, is truly defined as a regional destination by its connections to the Dallas-Fort Worth area, served by the President George Bush Turnpike and the Dallas Area Rapid Transit (DART) rail system. Both of these key infrastructure projects were completed within the last 5 years. In addition, important thoroughfares such as SH 66 (Lakeview Parkway), Rowlett Road, and Main Street enhance the area's connectivity and economic development opportunities.

Main Street through the heart of downtown is characterized by smaller scale retail and office development, older residential structures, pedestrian-friendly streetscaping, and numerous civic uses. City Hall, a public library, and two parks (Veteran's Park and Herfurth Park) are located in this area. Coyle Middle School is also located within the Downtown boundary, just south of Main Street.

North of Main Street and the DART rail line, development is characterized more by light industrial uses, with numerous vacant parcels offering development opportunities. Along the major thoroughfares, Rowlett Road and Lakeview Parkway, the land use pattern transitions to strip commercial development.



NORTH OF LAKEVIEW PARKWAY

The CRP area north of Lakeview Parkway (SH 66) is similar in development pattern to the northern edge of the downtown area – with strip centers and general retail along the thoroughfares, and some light industrial uses. However, large areas of undeveloped land exists along the internal roads, Big A Road and Old Rowlett Road. This area is anticipated to continue to develop in the same manner, with parcels zoned General Commercial/Retail and Limited Office.

The northern edge of the CRP boundary includes city-owned land identified as future R. Arnold Edwards Park. This park backs onto the Carters Branch creekway and the floodplain.



Figure 2: CRP Boundary Map

DEMOGRAPHIC SNAPSHOT

The Central Rowlett CRP is located within the U.S. Census tracts 181.33 and 181.40 in Dallas County. The following is a demographic summary of the area based on 2010 Census data.

Table 1. Demographic Summary

	Census Tract 181.33	Census Tract 181.40
Population	3,457	5,377
Ethnicity		
Hispanic/Latino	768	955
Black	266	921
White	2,251	2,994
American Indian	23	21
Asian	91	367
Native Hawaiian/Pacific Islander	1	0
Other	57	119
Housing Tenure		
Owner-occupied Housing Units	1,143	1,313
Renter-occupied Housing Units	146	458
Median Household Income	\$63,424	\$85,540
Housing Units		
Single-Family	1,293	1,421
Multi-Family	13	392
Other	-	-

Source: U.S. Census Bureau, 2010 Census and 2009-2013 American Community Survey

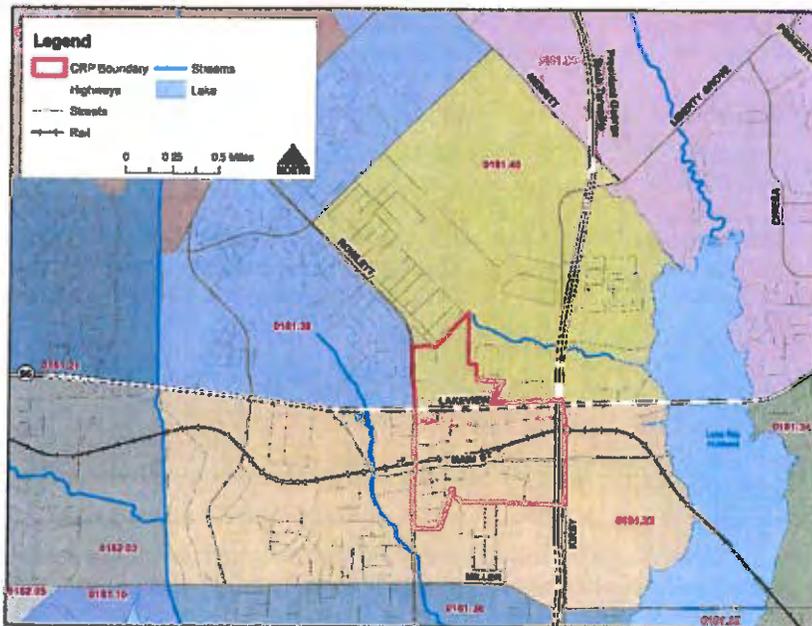


Figure 3: CRP Census Tracts

CRP TARGET AREA EXISTING CONDITIONS ANALYSIS

The following analysis summarizes neighborhood Strengths, Weaknesses, Opportunities and Threats (SWOT) based on general observations of existing community assets, land use patterns, transportation and connectivity, and economic conditions. This analysis is also influenced by public input received from downtown area residents and stakeholders during the development of the Realize Rowlett Downtown Plan, which evaluated existing physical and economic conditions of the area.

Strengths

- Proximity and connectivity to President George Bush Turnpike and SH 66
- DART Rail Transit Station
- Quality schools
- Existing parks/open space
- Signature Main Street character
- Regional growth pressure

Weaknesses

- Insufficient daytime and nighttime population to support concentrated retail development
- Need for diversity of housing types
- Lack of non-vehicular connectivity throughout area

Opportunities

- Growing the commercial/business base
- Prevalence of vacant lots for new housing and development
- Future R. Arnold Edwards Park
- Expanding cultural and civic uses
- Increased transit service connecting the City to Downtown and DART rail

Threats

- Industrial uses that conflict with the desired mixed-use urban environment
- Economic and housing competition from neighboring communities
- Traffic and safety on major thoroughfares
- Possible parking supply issues as more intense development continues



Figure 4: Existing DART Rail Service



Figure 5: Main Street streetscaping improvements



Figure 6: Major east-west thoroughfare – SH 66 (Lakeview Parkway)

CRP REVITALIZATION STRATEGY

PAST PLANNING EFFORTS

The following section summarizes the recent planning initiatives that the City has completed in order to develop goals in collaboration with the local community and proactively guide the growth of the City's downtown and surrounding area.

REALIZE ROWLETT 2020 PHASE I: STRATEGIC OPPORTUNITIES (2011)

The first phase of the Realize Rowlett 2020 Plan establishes a high level vision and development goals for targeted redevelopment areas across the City and guides decisions to make these goals a reality. This plan provides an update to the City's previous comprehensive plan document, which was developed in 2001. The 2011 update reevaluated city-wide goals and objectives, but primarily focused on specific catalyst areas that were targeted as important redevelopment locations. Through this process, which involved engaging residents, business owners, and other stakeholders, a Downtown subarea was identified as a key development opportunity for the City. As a result, the City determined a preferred direction to revitalize land uses and guide decisions on economic development and capital investments Downtown.

Guiding Principles from this plan that influence the development in Downtown and surrounding central Rowlett include:

- Grow the City's economy through diversification of job and business opportunities
- Make Rowlett a community that is attractive to people at all stages of their lives
- Invest in places of lasting value and distinctive character
- Create centers with a mix of activities at key locations in Rowlett
- Diversify mobility options within the City and connect activity areas
- Fund public investment that leverages desired private investment

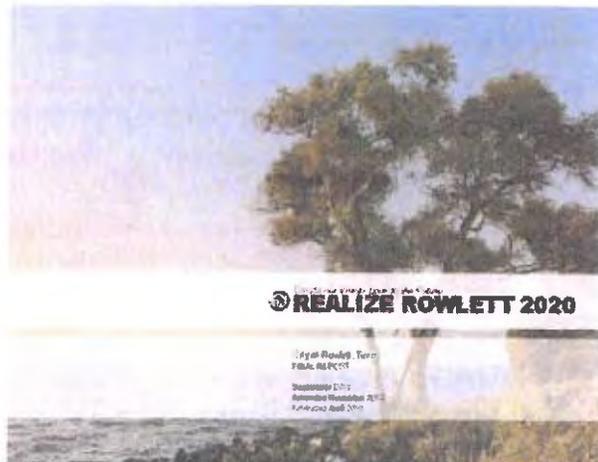


Figure 7: Realize Rowlett 2020 Comprehensive Plan

REALIZE ROWLETT 2020 PHASE II: DOWNTOWN STRATEGIC PLAN (2012)

Phase II of Realize Rowlett 2020 began a more focused evaluation of some of the priority planning areas identified in the Comprehensive Plan, which included a detailed study of the Downtown subarea. This plan phase included an economic analysis, the creation of development standards, and conceptual land use plans. Public outreach and stakeholder input were an important part of this process, and guided the priorities and vision established in the plan. Specific development opportunities were identified and a long-term implementation strategy outlined the steps necessary to generate the desired change throughout the area.

ATTACHMENT 4 EXHIBIT A

Development and Design Goals identified for this subarea include:

- High quality development
- Pedestrian-friendly
- Higher density (compared to existing)
- Strategic distribution of urban open spaces
- Destination land uses
- Sustainable buildings and landscaping
- Improved physical environment
- Transit-supportive development pattern
- Greater variety of land uses
- Unified district (north and south tracks)
- Downtown development pattern (versus suburban)
- Locally-serving land uses, as well as region-serving
- Distinctly different districts

As a result of these goals, the City adopted a regulating plan and form-based code for Downtown. This type of development code focuses on the building type, interaction of the building with the street, and the consideration of neighborhood context. The anticipated result will be quality architecture, increased density, and a wider range of uses and housing types.



Figure 8: Urban mixed-use and transit-oriented development examples

CRP REVITALIZATION FACTORS

The planning efforts previously identified provide action items to address CRP-specific objectives within the Central Rowlett Community Revitalization Plan target area, specifically in support of Texas Department of Housing and Community Affairs (TDHCA) 2015 Qualified Allocation Plan (QAP) Revitalization Factors. Those factors to be addressed are identified as follows:

1. Adverse environmental conditions, natural or manmade, that are material in nature and are inconsistent with the general quality of life in typical average income neighborhoods. By way of example, such conditions might include significant and recurring flooding, presence of hazardous waste sites or ongoing localized emissions not under appropriate remediation, nearby heavy industrial uses, or uses presenting significant safety or noise concerns such as major thoroughfares, nearby active railways (other than commuter trains), or landing strips; significant and widespread (e.g. not localized to a small number of businesses or other buildings) rodent or vermin infestation acknowledged to present health risks requiring a concerted effort; or fire hazards;
2. Presence of blight, which may include excessive vacancy, obsolete land use, significant decline in property value, or other similar conditions that impede growth;
3. Presence of inadequate transportation or infrastructure;
4. The lack of local business providing employment opportunities; and
5. Efforts to promote diversity, including multigenerational diversity, economic diversity, etcetera, where it has been identified in the planning process as lacking.

CRP ACTION OBJECTIVES

The following action objective initiatives may be used to address the CRP Revitalization Factors. An implementation plan of all CRP projects, including partnership initiatives, is listed in Table 2.

Environmental Conditions

The City seeks to improve pedestrian connectivity while also maintaining convenient vehicular access. Per the Downtown Strategic Plan analysis, traffic congestion and speeds, especially through the residential neighborhoods, were cited by Downtown Plan participants as a potential safety hazard and impediment to pedestrian and bicycle access to Downtown. Adjacent to Lakeview Parkway, traffic volumes, speeds, and expansive curb cuts jeopardize pedestrian safety. As this area develops, it is the City's intent to encourage pedestrian safety improvements such as complete sidewalks, lighting and bike lanes. One strategy in particular is the use of a "browsing lane" (see Figure 10), an interconnected two-way drive that would provide slow, continuous vehicular access and parking for development along the major, auto-oriented corridors.

Presence of Vacancy and Obsolete Land Uses

The City has reviewed zoning and design standards to foster redevelopment and development opportunities. Improving development standards, particularly for adjacent, unharmonious uses can increase the quality of life for residents and the sustainability of the neighborhood.

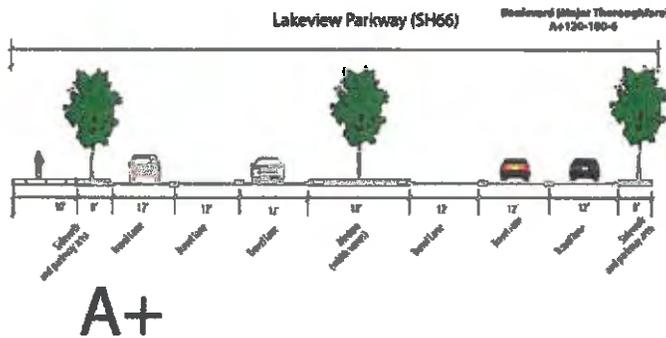


Figure 10: Lakeview Parkway Cross Section

Inadequate Transportation or Infrastructure

One of the primary city strategies involves the targeting of public resources to improve the physical condition of area streets and infrastructure. Types of completed and planned public infrastructure projects within the CRP include (1) street, sidewalk, curb and gutter improvements, (2) water and wastewater, (3) streetscape improvements and pedestrian amenities including street benches, trees, lighting and sidewalks, and (4) gateway improvements and unique design features to create a distinctive downtown feel.

Providing transportation options/enhancements to better connect this part of the city to other areas of Rowlett and to the rest of the region has also been a priority. Opportunities for bike and pedestrian linkages for residents of all incomes and ages have also been considered with both the Downtown Plan and Parks, Recreation and Open Space Plan. These improvements are vital to creating a desirable place to live.

Lack of Employment Opportunities

As a result of the Downtown Plan implementation strategies, the City anticipates that central Rowlett, particularly near the DART rail station, will be able to capture a significant share of the region's business growth. Primary development opportunities include highway-oriented commercial, specialty retail (mixed-use or free-standing), entertainment, and office space.

Efforts to Promote Diversity

With a focus on introducing a variety of land uses and housing types in the Downtown area, the City has made it a goal to diversify and enhance Rowlett's economy and image. As stated in the Downtown Plan:

"a variety of housing types and sizes will be encouraged to complement the large percentage of medium-sized single family lots located outside this Area. New residential types will include housing for smaller household sizes, thus attracting singles, young professionals, and empty nesters."

ROLE OF AFFORDABLE HOUSING IN THE PLAN

The Guiding Principles of the Realize Rowlett 2020 Comprehensive Plan create the foundation to promote affordable housing as a critical element of the Central Rowlett CRP. As a community, it is acknowledged that in order to have sustainable success, there is a myriad of housing types and income types necessary in any area to support the community as a whole. Specifically, the principle supporting housing diversity states:

Make Rowlett a community that is attractive to people at all stages of their lives

The Evergreen at Rowlett Senior Community, which is anticipated to be submitted in 2015 to TDHCA, is an appropriate type of development to achieve the desired outcome of this goal.

The Department of Housing and Community Affairs follows certain principles to guide determination of allocations of local, state and federal resources to assist with affordable housing development. These guiding principles seek to:

- Promote affordable home ownership, quality rental housing and sustainable mixed communities;
- Balance affordable and market-rate housing; and
- Link housing with other public/private investments, including transit-oriented development.

The Central Rowlett CRP seeks to leverage all available tools and resources to promote and follow these same guiding principles, developing a healthy community within the CRP. The Low Income Housing Tax Credit Program is a critical resource to help the City of Rowlett deliver high-quality rental housing in the CRP and throughout the City.

COMMUNITY INPUT & PLAN ADOPTION SCHEDULE

Table 2 outlines the public input opportunities and adoption schedule to develop the community goals and infrastructure improvement plan identified in this CRP.

Table 2. Community Input & Plan Adoption Schedule

Public Involvement	Meeting Type	Date
Parks, Recreation & Open Space Plan	Public Forum	October 12, 2010
Realize Rowlett 2020 Comprehensive Plan	Community Open House	April 25, 2011
	Community Charrette	May 21, 2011
	Adoption	September 20, 2011
Realize Rowlett 2020: Downtown Strategic Plan	Public Information Meeting #1	April 5, 2012
	Public Information Meeting #2	June 25, 2012
	Adoption	November 6, 2012
2014-2015 Annual Budget	Public Hearing	August 19, 2014
Central Rowlett Community Revitalization Plan	Public Hearing	February 17, 2015

CRP AREA IMPROVEMENT PROJECTS

Since 2011, the City of Rowlett has made concerted efforts to revitalize and improve the CRP target area. These investments reflect the City's commitment to addressing the needs of the area based on the public's input on community issues throughout the development process of the Comprehensive Plan, Downtown Strategic Plan, and Parks Master Plan.

Many area improvements in recent years are intended to be catalysts for quality redevelopment and new development within the target area. These projects total over \$6,000,000 in community investment and include:

- Transit-oriented development infrastructure
- Roadway improvements
- Water and wastewater improvements
- Park enhancements
- Village of Rowlett development funding contributions

These projects are only the beginning of planned on-going investment of public funds in the CRP target area. Based on the most recent adopted CIP and plan implementation schedules, additional infrastructure, community services, and downtown area amenities are expected to continue to enhance the area. These planned investments as well as the previously completed and on-going projects are outlined in Table 3.

Table 3. CRP Area Project Funding

Project	QAP Revitalization Factors Addressed ¹	Allocation ²	Status
Downtown TOD Projects	1, 2, 3, 4, 5	\$2,377,817	On-going
Martin Drive Reconstruction	3, 4	\$2,202,330	Completed
Village of Rowlett	1, 2, 3, 4, 5	\$6,018,449	On-going
Main Street 16" Waterline	3	\$491,400	Planned
Veteran's Park Improvements	1, 3	\$30,000	Planned
Future Library Relocation	2, 3, 4	\$400,000	Planned
	Total	\$11,519,996	

1) QAP Revitalization Factors:

1. Environmental factors
2. Presence of blight
3. Presence of inadequate transportation or infrastructure
4. Employment and economic opportunities
5. Efforts to promote diversity

2) Funding Source: City of Rowlett

In addition to the city-funded projects identified in Table 3, roadway infrastructure, rail transit, and other Downtown area improvements have been partially or wholly funded by TxDOT, Dallas Area Rapid Transit (DART) and private investment.

A map identifying the CRP area improvements is provided in Figure 11.

CRP AREA IMPROVEMENT PROJECTS

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A map identifying the CRP area improvements is provided in Figure 11.

**ATTACHMENT 4
EXHIBIT A**



Figure 11: CRP Area Improvement Projects



City of Rowlett

Official Copy

Resolution: RES-019-15

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AUTHORIZING AN ECONOMIC DEVELOPMENT LOAN TO EVERGREEN ROWLETT SENIOR COMMUNITY, L.P. IN THE AMOUNT OF \$1,200,000, UNDER SPECIFIED CONDITIONS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, 10 Texas Administrative Code Section 11.9(d)(2), setting forth certain regulations of the Texas Department of Housing and Community Affairs (the "TDHCA") governing the Competitive Housing Tax Credit Program (the "TDHCA Rules"), provide for an applicant to be awarded up to fourteen (14) points for a resolution from a unit of local government confirming its commitment of qualifying funding; and

WHEREAS, the City of Rowlett, Texas (the "City") has adopted a policy for economic development incentives, and is authorized under Chapter 380, Texas Local Government Code, to provide economic development grants and loans to promote economic development and to stimulate business and commercial activity; and

WHEREAS, Evergreen Rowlett Senior Community, L.P. has advised that it can receive fourteen (14) points under Texas Government Code Section 2306.6710(b)(1)(E) Commitment of Funding by Local Political Subdivision, also detailed in Section 11.9(d)(2) of the 2015 Qualified Allocation Plan, for a development loan from the City of Rowlett for use in the development of Evergreen Rowlett Senior Community, L.P.; and

WHEREAS, the City Council finds and determines that the Project (as hereinafter defined) satisfies the Criteria established by the Policy, will further the objectives of the City, will benefit the City and the residents of the City, and will promote economic development and stimulate business and commercial activity through the creation of jobs and expansion of the City's tax base.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the recitals contained hereinabove are true and correct.

Section 2: That the City of Rowlett, Texas (the "City") desires and is willing to make a loan to Evergreen Rowlett Senior Community, L.P. (the "Borrower"), in the amount of \$1,200,000 (the "Loan") to pay for costs associated with the development of the Evergreen at Rowlett Senior Community located in the 5500 block of Old Rowlett Road within the City, a development of not to exceed 150 units (the "**Project**").

Section 3: That it is understood that Borrower intends to apply a commitment of Tax Credits from the TDHCA pursuant to its 2015 Qualified Allocation Plan (the "QAP"). The City understands that this Loan allows Borrower to qualify for certain points under its Tax Credit application, and Borrower and City intend for this Loan to comply with the QAP.

Section 4: That the Loan will be evidenced by a Promissory Note (the "Note"), which will have a term of at least fifteen years and shall bear interest at a rate equal to three percent (3%) per annum with a 30-year amortization.

Section 5: That this Resolution constitutes the firm commitment of the City to make the Loan to Borrower on the terms and conditions described above (this "Loan Commitment"). This Loan Commitment is conditioned upon: (1) the City's receipt and approval of loan documents in final form; (2) no material adverse change in Borrower or the Project or the circumstances surrounding Borrower's development of the Project that would, in the City's reasonable judgment, make the Loan unacceptable to the City; (3) approval by the City's legal counsel of the documents evidencing the Loan; (4) Borrower's receipt of a commitment of Tax Credits for the Project from the TDHCA; (5) availability to the City of funding sources in an amount sufficient to fund the Loan at the time of closing; and (6) execution and delivery of an incentive agreement between the City and the Borrower setting forth the economic development criteria required for the Loan. In order to provide funding for the Loan, the City at its discretion may create or use an instrumentality of the City that meets the requirements of 10 TAC Section 11.9(d)(3) of the TDHCA Rules

Section 6: That this Loan Commitment expires upon the Borrower's failure to satisfy any one of the numbered conditions described above. Neither the City, its governing body, or any employee or representative of the City makes any representation with respect to whether this Loan Commitment qualifies the Borrower for the award of certain points by the TDHCA in connection with an application for a commitment of Tax Credits under any requirement, rule, policy or guideline of the TDHCA, including but not limited to the QAP.

Section 7: Neither the Borrower nor anyone related to the Borrower has provided City with funds to fund the Loan and the City is not a Related Party, as defined in Section 2306.6702, Texas Government Code, to the Borrower.

Section 8: This resolution shall become effective immediately upon its passage.

At a meeting of the City Council on February 17, 2015 this Resolution be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Gottel, Mayor Pro Tem Gallops, Councilmember van Bloemendaal, Councilmember Dana-Bashian, Councilmember Bobbitt and Councilmember Sheffield

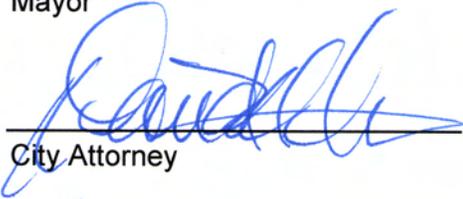
Abstain: 1 Deputy Mayor Pro Tem Pankratz

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Approved by 
Mayor

Date February 17, 2015

Approved to form by 
City Attorney

Date February 17, 2015

Certified by 
Secretary

Date February 17, 2015





Department of Development
Services

NOTICE OF PUBLIC HEARING

Planning and Zoning Commission and City Council

TO: Property Owner

RE: Application for a Planned Development Amendment

LOCATION: The subject property is located at 5500 Rowlett Road, being a 5.50 ± acre portion of a 12.79 acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code. A location map is included with this notice.

EXPLANATION OF REQUEST: The applicant requests an amendment to a previously approved Planned Development Ordinance (Ord. 022-15) to allow for a modification to the masonry standards for a multi-family senior housing development.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *WE ARE FINE WITH THE REQUEST.*

SIGNATURE:

*GALLARD GENERAL AGENCY, INC.
Marie Edwards*

ADDRESS:

819 MAIN STREET, GALLARD, TX 75040

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 **26th 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**. Meetings are 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. The protest must be received by the Planning Division by 5 pm on Wednesday, January 20, 2016, to be included in the Planning and Zoning Commission's packet and January 27, 2016, to be included in the City Council packet. Responses received by January 27th will also be forwarded to City Council. Responses received after January 27th shall not be counted in the record of response. The protest shall object to the zoning change, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property (this notification is sufficient). 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 972-412-6114
FAX 972-412-6228

ejones@rowlett.com

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



Department of Development Services

NOTICE OF PUBLIC HEARING

Planning and Zoning Commission and City Council

TO: Property Owner
RE: Application for a Planned Development Amendment
LOCATION: The subject property is located at 5500 Rowlett Road, being a 5.50 ± acre portion of a 12.79 acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code. A location map is included with this notice.
EXPLANATION OF REQUEST: The applicant requests an amendment to a previously approved Planned Development Ordinance (Ord. 022-15) to allow for a modification to the masonry standards for a multi-family senior housing development.

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

COMMENTS: *WE SEE NO PROBLEM WITH REQUEST.*

SIGNATURE: *Garland General Agency By Marie Edwards, President*
ADDRESS: *819 Main St. Garland, TX 75040*

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 **26th 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**. Meetings are held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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<p>If you have any questions concerning this request, please contact: Phone 972-412-6114 FAX 972-412-6228 ejones@rowlett.com</p>	<p>RETURN by Mail City of Rowlett Planning Division 3901 Main Street Rowlett, TX 75088</p>
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01-21-16P05:34 RCVD



Department of Development Services

NOTICE OF PUBLIC HEARING

500 Foot Courtesy Notice

Planning and Zoning Commission and City Council

TO: Property Owner
RE: Application for a Planned Development
LOCATION: The subject property is located at 5500 Rowlett Road, being a 5.50 +/- acre portion of a 12.79 acre parcel located in Tract 14 of the John M. Thomas Survey, Abstract 1478, Page 460, City of Rowlett, Dallas County, Texas. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code. A location map is included with this notice.
EXPLANATION OF REQUEST: The applicant requests an amendment to a previously approved Planned Development Ordinance (Ord. 022-15) to allow for a modification to the masonry standards for a multi-family senior housing development.

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

COMMENTS:

SIGNATURE: [Handwritten Signature]
ADDRESS: 5713 Freedom 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 26th 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. Meetings are 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. Comments must be received by the Planning Division by 5 pm on Wednesday, January 20, 2016, to be included in the Planning and Zoning Commission's packet and January 27, 2016, to be included in the City Council packet.

If you have any questions concerning this request, please contact:
Phone 972-412-6114
FAX 972-412-6228
ejones@rowlett.com

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



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 01/26/2016

AGENDA ITEM: C4

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with the Briarwood Armstrong Addition. The subject property is located at 3001 Lakeview Parkway, further described as Lots 1-4 and 7, Block A of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

This is a request to revise a tree mitigation plan for the Sprouts development located at 3001 Lakeview Parkway (Attachment 1 Location Map) that was previously approved by City Council on November 11, 2014. The previously approved mitigation plan allowed for the removal of 15 protected totaling in 183 caliper inches while preserving 22 protected trees totaling in 316 caliper inches in tree mitigation credit. The developer is now proposing to remove seven additional protected trees from Lot 3 totaling in 110 caliper inches which increases the total caliper inches being removed to 293 caliper inches. The revised plan will preserve 15 protected trees totaling in 236 caliper inches in tree mitigation credit. Removing the seven additional protected will result in a deficit of 57 caliper inches requiring mitigation. The applicant is proposing to mitigate 57 caliper inches by paying a fee in lieu of in the amount of \$6,935.19.

BACKGROUND INFORMATION

The revised tree preservation plan is a result of the proposed development of Lot 3 for a 7,320 square foot building that will include Chipotle and Pie Five. Before the proposed Development Plan can be considered for approval by staff, the tree mitigation plan must be approved by City Council. Tree mitigation and preservation plan for Lot 5 and Lot 6 will be done under separate applications as these lots are being developed by separate parties. Trees on Lot 5 and 6 were not included in the previous tree mitigation and preservation plan.

The previously approved mitigation plan allow for the removal of 15 protected totaling in 183 caliper inches while preserving 22 protected trees totaling in 316 caliper inches in tree mitigation credit. The applicant is proposing to remove a total of seven protected trees from Lot 3 which increases the number of protected trees being removed to 22 trees for a total 293 caliper inches. The revised preservation plan will preserve 15 protected trees totaling in 236 caliper inches in credit. The seven protected trees are being removed to make way for the proposed building and parking spaces.

As required by the Rowlett Development Code, the applicant will install new landscaping and trees with the new building. The applicant is proposing to pay a fee in lieu of planting additional 57 caliper inches required as there are no remaining areas in their proposed development for additional trees. Staff concurs that for the sake of healthy plant growth, additional trees are not advisable beyond the proposed landscaping on site. Section 77-504.H of the Rowlett Development Code does allow two additional options to be used at the Council's discretion in lieu of mitigating on site:

1. Replacement trees may be planted off site in areas or locations approved by the City Council upon recommendation from the Planning and Zoning Commission and may be planted:
 - a. Within a specified city-designated park or other city-owned property or facility;
 - b. Within a specified private open space (i.e. private park, preserve, or similar property that is open for public use); or
 - c. Within a specified public right-of-way median.
2. In lieu of planting replacement trees, the City Council, upon recommendation from the Planning and Zoning Commission, may approve a request to pay tree mitigation fees. The City Council has the authority to waive or reduce mitigation fees as they see fit.

In this case the total mitigation fees would be approximately **\$6,935.19**. This is calculated using the \$121.67 per replacement inch as adopted by the Master Fee Schedule.

Section 77-504.H of the Rowlett Code of Ordinances states the purpose of tree preservation and lists the criteria for approval of a tree removal. The following section lists the criteria for a tree removal permit followed by Staff's recommendation.

DISCUSSION

Per section 77-504. H of the Rowlett Development Code, "Tree preservation". The purpose of tree preservation is as follows:

1. Purpose. The purpose of this section is to encourage the preservation of long-established trees of sizes that, once removed, can be replaced only after many generations of tree growth; to preserve protected trees during construction; and to control the removal of protected trees. It is the intent of this section to achieve the following:
 - (a) Prohibit the indiscriminate clearing of trees from property;
 - (b) To the greatest extent possible, preserve and maintain protected trees so as to enhance the quality of development;
 - (c) Protect and increase the value of residential and commercial properties within the city by maintaining the city's current tree inventory;
 - (d) Maintain and enhance a positive image for the attraction of new business enterprises to the city;
 - (e) Protect healthy quality trees and promote the natural ecological environmental and aesthetic qualities of the city; and

- (f) Help provide needed shaded areas in order to provide relief from the heat by reducing the ambient temperature.

The City Council shall deny a tree removal permit and associated tree survey and preservation plan if it is determined that:

1. Removal of the tree is not reasonably required in order to conduct anticipated activities;
2. A reasonable accommodation can be made to preserve the tree; or
3. The purpose and intent of this subchapter is not being met by the applicant.

The proposed tree removal is needed in order to conduct anticipated activities on the site and no reasonable accommodation could be made. To deny the removal will require the developer to substantially re-configure their proposed development. The applicant has identified 15 protected trees totaling in 236 caliper inches for tree replacement credits to partially offset the 293 inches to be removed result in a deficit of 57 caliper inches. The applicant is proposing to mitigate 57 caliper inches by a paying a fee in lieu of planting trees on site.

FISCAL IMPACT

There will be fiscal impact, as \$6,935.19 will be contributed to the City's reforestation fund.

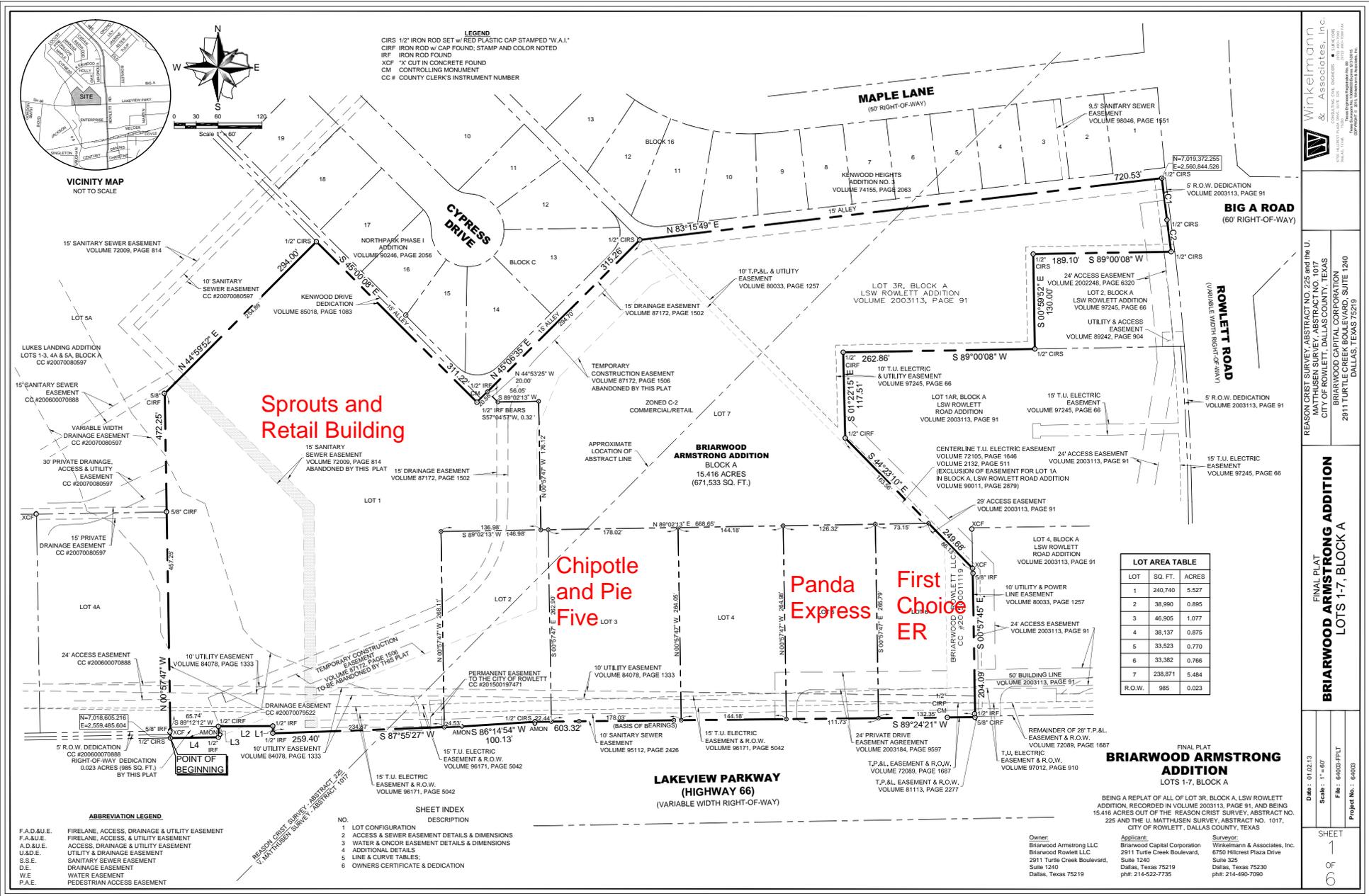
RECOMMENDED ACTION

Staff requests approval of the request to mitigate the removal of 57 caliper inches by paying the tree mitigation fee in the amount of \$6,935.19.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Revised Tree Survey and Preservation Plan



LEGEND
 CIR# 1/2" IRON ROD SET W/ RED PLASTIC CAP STAMPED "W.A.L."
 CIRF IRON ROD W/ CAP FOUND, STAMP AND COLOR NOTED
 IRF IRON ROD FOUND
 XCF "X" CUT IN CONCRETE FOUND
 CM CONTROLLING MONUMENT
 CC # COUNTY CLERK'S INSTRUMENT NUMBER

VICINITY MAP
 NOT TO SCALE

Sprouts and Retail Building

Chipotle and Pie Five

Panda Express

First Choice ER

LOT AREA TABLE		
LOT	SQ. FT.	ACRES
1	240,740	5.527
2	38,990	0.895
3	46,905	1.077
4	38,137	0.875
5	33,523	0.770
6	33,382	0.766
7	238,871	5.484
R.O.W.	985	0.023

FINAL PLAT
BRIARWOOD ARMSTRONG ADDITION
 LOTS 1-7, BLOCK A

BEING A REPLAT OF ALL OF LOT 3R, BLOCK A, LSW ROWLETT ADDITION, RECORDED IN VOLUME 2003113, PAGE 91, AND BEING 15.416 ACRES OUT OF THE REASON CRIST SURVEY, ABSTRACT NO. 225 AND THE U. MATTHUSEN SURVEY, ABSTRACT NO. 1017, CITY OF ROWLETT, DALLAS COUNTY, TEXAS.

Owner: Briarwood Armstrong LLC
 Briarwood Rowlett LLC
 Suite 1240
 Dallas, Texas 75230
 Dallas, Texas 75219

Applicant: Briarwood Capital Corporation
 2911 Turtle Creek Boulevard,
 Suite 1240
 Dallas, Texas 75219
 ph# 214-522-7735

Surveyor: Winkelmänn & Associates, Inc.
 6750 Hillcrest Plaza Drive
 Suite 325
 Dallas, Texas 75230
 ph# 214-460-7090

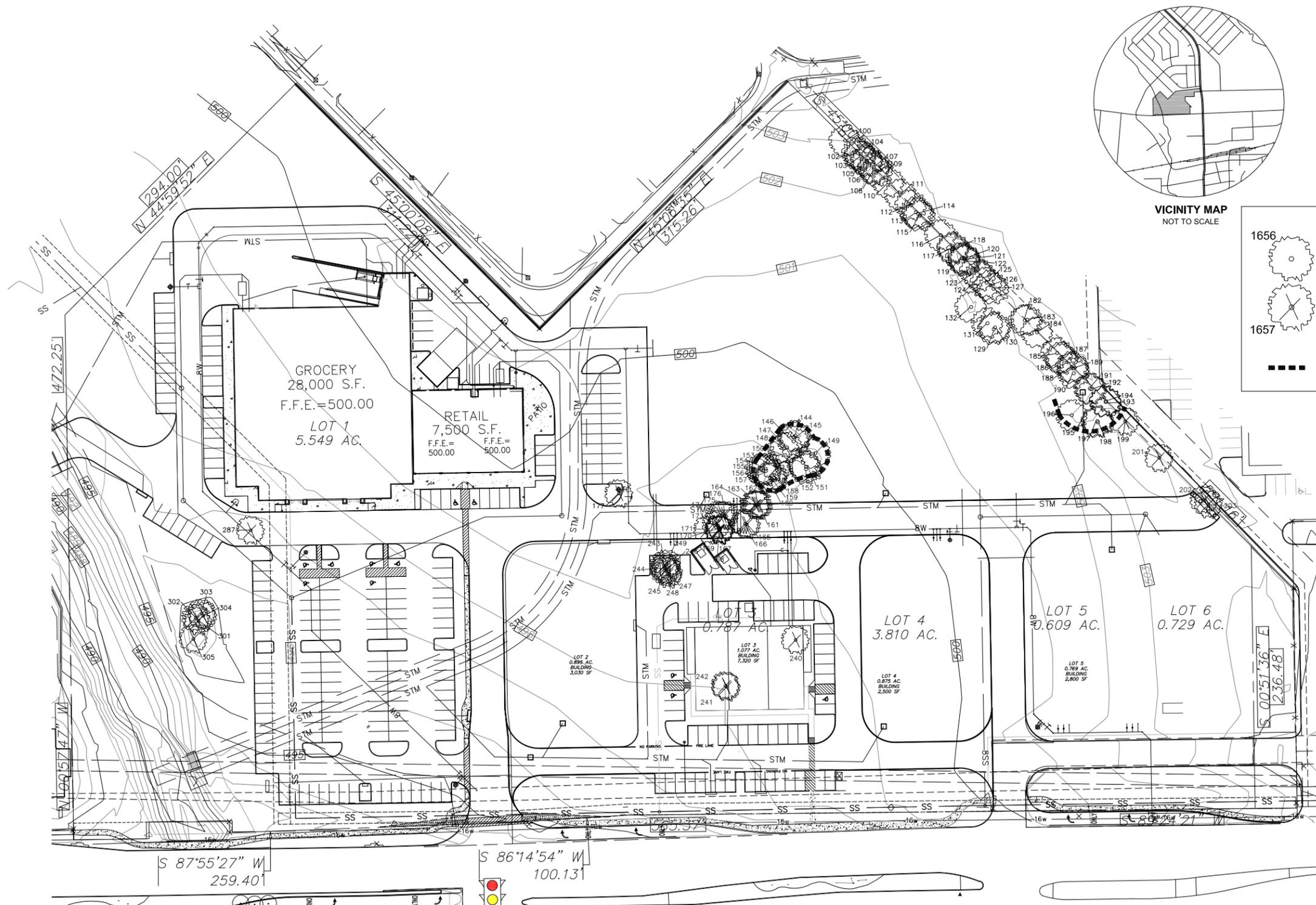


REASON CRIST SURVEY, ABSTRACT NO. 225 and the U. MATTHUSEN SURVEY, ABSTRACT NO. 1017, CITY OF ROWLETT, DALLAS COUNTY, TEXAS
 BRIARWOOD CAPITAL CORPORATION
 2911 TURTLE CREEK BOULEVARD, SUITE 1240
 DALLAS, TEXAS 75219

FINAL PLAT
BRIARWOOD ARMSTRONG ADDITION
 LOTS 1-7, BLOCK A

Date: 01.02.13
 Scale: 1"=60'
 Plat #: 60032-FPLT
 Project No.: 64003

SHEET
 1



LEGEND

- 1656 DENOTES TREE TO BE PRESERVED
- 1657 DENOTES TREE TO BE REMOVED
- LOCATION OF PROTECTIVE FENCE

NOTE: THREE (3) EXISTING VITEX TREES IN THE MEDIAN TO BE RELOCAED TO THE ROWLETT CITY WATER PARK. THE OAK TREE CAN BE REMOVED WITHOUT RELOCATING. WHEN WORK STARTS ON THE LEFT TURN LANE, THE CONTRACTOR WILL NEED TO COORDINATE WITH ROWLETT PARKS DEPARTMENT ON RELOCATING THE VITEX TREES. PARKS DEPARTMENT CONTACTS ARE AL KRAJC OR KEITH FLOURNOY ("AL KRAJC" <AKRAJC@ROWLETT.COM>, "KEITH FLOURNOY" <KFLOURNOY@ROWLETT.COM>)

- TREE REMOVAL DESCRIPTION**
- 301 - 305 REMOVED FOR CHANNEL AREA
 - 287 REMOVED FOR DRIVE AISLE
 - 177 REMOVED FOR GRADING AND FIRE HYDRANT
 - 161 - 176 REMOVED FOR FIRE LANE
 - 201 - 204 REMOVED FOR FIRE LANE
 - 240 - 242 REMOVED IN BUILDING FOOTPRINT
 - 243 - 249 REMOVED FOR PARKING

REF LEGEND SHEET L2

DFL Group, LLC
 PARKS + OPEN SPACE PLANNING · LANDSCAPE ARCHITECTURE
 8236 MID CITIES BLVD, NORTH RICHLAND HILLS TX 76180 817-479-0700



THIS ELECTRONIC DRAWING FILE IS RELEASED UNDER THE AUTHORITY OF JOHN R. FAIN, LANDSCAPE ARCHITECT REGISTRATION NUMBER 1012016, WHO MAINTAINS THE ORIGINAL FILE. THIS ELECTRONIC DRAWING FILE MAY BE USED AS A BACKGROUND DRAWING, PURSUANT TO RULE 1.101(F) OF THE RULES AND REGULATIONS OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. THE USER OF THIS ELECTRONIC DRAWING FILE AGREES TO ASSUME ALL RESPONSIBILITY FOR ANY MODIFICATION TO OR USE OF THIS DRAWING FILE THAT IS INCONSISTENT WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS. NO PERSON MAY MAKE MODIFICATIONS TO THIS ELECTRONIC DRAWING FILE WITHOUT THE LANDSCAPE ARCHITECT'S EXPRESS WRITTEN PERMISSION.

NO.	DATE	REVISION	APPROV.

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS ■ SURVEYORS
 8750 HILLCREST PLAZA BRWC, SUITE 325 (817) 492-7999 FAX (817) 492-7998
 Texas Engineers Registration No. 89 Texas Surveyors Registration No. 100666-00
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STATE OF TEXAS
 LICENSED PROFESSIONAL ENGINEER

TREE SURVEY
 LAKEVIEW PKWY & ROWLETT RD.
 ROWLETT, TEXAS

SHEET L-1
 OF 2

TREE SURVEY

