



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, FEBRUARY 23, 2016**

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 February 9, 2016.
2. Consider and take action on a Final Plat for the Evergreen at Rowlett Addition, located at 5500 Old Rowlett Road, further described as a 5.50 +/- acres of land located in the John M. Thomas Survey, Abstract No. 1478, City of Rowlett, Dallas County, Texas.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and consider text amendments to the City of Rowlett Form Based Code as it pertains to lighting standards, as specified in Articles 2.3, 2.4, 2.6, 2.7, and 4: Lighting, Mechanical, and Utilities.
2. Consider and take action on an Alternative Landscape Plan application for Panda Express located at 3209 Lakeview Parkway, further described as Lot 5, Block A, 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.

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

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., February 9, 2016**

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

STAFF PRESENT: Assistant City Manager Jim Proce, Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

WORK SESSION

i. Call to Order

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

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).

Chairman Lucas reviewed the discussion from the last meeting and asked if more was needed. It was agreed upon that all items were covered and no further comments were needed.

Director of Development Services Marc Kurbansade stated there would be a joint meeting with the City Council and Planning and Zoning Commission in May on the Comprehensive Plan and the Form Based Code.

iii. Discuss Long Term Recovery – Construction Sub-Committee.

Assistant City Manager Jim Proce gave an overview on the Long Term Recovery – Construction Sub-Committee. Mr. Proce reviewed the mission and purpose of the Long Term Recovery Committee and the Construction Sub-Committee. He also asked for a Commissioner to volunteer to be on the Construction Sub-Committee. Mr. Proce stated meetings will be on an as needed basis with most communications being handled by phone or email. After a discussion, it was the consensus of the Commission to select Commissioner Berry to serve on the committee with Commissioner Tune as a backup.

iv. Discuss items on the regular agenda.

No items were discussed.

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
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4000 MAIN STREET, AT 6:00 P.M., February 9, 2016**

v. Adjourn

Chairman Lucas adjourned the work session at 6:24 p.m. and stated that the Commission would reconvene in the Council Chambers for the Regular Session.

REGULAR MEETING

PRESENT: Chairman Michael Lucas, Vice-Chairman Jonas Tune, Commissioners James Moseley, Chris Kilgore, Lisa Estevez, Alternates Stephen Ritchey, Jason Berry

STAFF PRESENT: Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

A. CALL TO ORDER

Chairman Lucas called the Regular Meeting to order at 6:27 p.m.

1. Update Report from Staff.

Principal Planner, Garrett Langford, stated there would be a special City Council meeting tomorrow starting at 6:00 in Council Chambers to discuss the December 26th tornado. He also said there would be an Insurance Seminar on February 11, 2016, starting at 6:00 p.m. at the Rowlett Community Centre called "What You Need to Know about Insurance Claims."

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of January 26, 2016.

Commissioner Moseley made a motion to approve the minutes. Commissioner Kilgore seconded and the motion passed with a 7/0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take action on an Alternative Landscape Plan application for First Choice ER located at 3301 Lakeview Parkway, further described as Lot 6, Block A, Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
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Mr. Langford came forward to present the case. He stated that proposed Alternative Landscape Plan will plant two six-inch caliper canopy trees instead of four three-inch caliper trees and to locate one of the canopy trees in the side yard. Mr. Langford stated that the Alternative Landscape Plan is justified due to Oncor not allowing any trees above five feet in height within their easement. Therefore, staff recommended approval.

With no additional discussions, Commissioner Kilgore made a motion to approve the item. The motion was seconded by Commissioner Moseley and passed with a 7/0 vote.

2. Consider appointing a Commissioner to the Long Term Recovery – Construction Sub-Committee.

The Commission voted 7/0 to select Commissioner Berry to serve on the Long Term Recovery – Construction Sub-Committee with Commissioner Tune has his backup.

3. ADJOURNMENT

Chairman Lucas adjourned the meeting at 6:38 p.m.

Chairman

Secretary

AGENDA DATE: 02/23/2016

AGENDA ITEM: B2

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Final Plat for the Evergreen at Rowlett Addition, located at 5500 Old Rowlett Road, further described as a 5.50 +/- acres of land located in the John M. Thomas Survey, Abstract No. 1478, City of Rowlett, Dallas County, Texas (Case Number 89-2016).

STAFF REPRESENTATIVE

Garrett Langford, Principal Planner

SUMMARY

The Final Plat is one of the last steps in the development process when the proposed subdivision is approved upon meeting all applicable development requirements. This Final Plat involves creating one lot for an independent senior apartment complex (Attachment 1 – Final Plat).

BACKGROUND INFORMATION

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



The subject property was rezoned from Limited Office (O-1) to Planned Development 022-15 on June 2, 2015, (amended February 2, 2016) to allow for the senior apartment complex. Following the rezoning, the Planning and Zoning Commission approved the Preliminary Plat on September 22, 2015, and Development Plan (site, landscape, tree survey and façade plans) on October 27, 2015. Since that time the applicant has obtained or is in the process of obtaining administrative approvals for civil engineering plans and building plans prior to receiving a building permit.

DISCUSSION

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

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

City Staff has reviewed the Final Plat and determined that it is in compliance with the Rowlett Development Code.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval of this request.

ATTACHMENTS

Attachment 1 – Final Plat



LEGEND

N NORTH/NORTHING
S SOUTH
E EAST/EASTING
W WEST

• DEGREES
• MINUTES/FEET
• SECONDS/INCHES

D.R.D.C.T.
DEED RECORDS
DALLAS COUNTY, TEXAS

M.R.D.C.T.
MAP RECORDS
DALLAS COUNTY, TEXAS

EASEMENT STANDARD LANGUAGE NOTES:

ACCESS EASEMENT

The undersigned does covenant and agree that the access easement may be utilized by and person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use across, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Rowlett, its agents, employees, workmen, and representatives having ingress, egress in, along, upon, and across said premises.

FIRE LANE EASEMENT

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstructions, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for Fire Department and emergency use.

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF TARRANT §

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

PRELIMINARY

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

Michael Dan Davis DATE:
Registered Professional Land Surveyor No. 4838
BANNISTER ENGINEERING, LLC
T.B.P.L.S. REGISTRATION NO. 10193823
240 N. MITCHELL ROAD
MANSFIELD, TEXAS 76063
Office (817) 842-2094



STATE OF TEXAS §
COUNTY OF TARRANT §

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

Given under my hand and seal of office this _____ day of _____, 2016.

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

GENERAL NOTES:

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

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	47.12	30.00	90.00	N45° 11' 27"W	42.43
C2	47.12	30.00	90.00	S44° 48' 33"W	42.43
C3	47.12	30.00	90.00	N45° 11' 27"W	42.43
C4	84.82	54.00	90.00	N45° 11' 27"W	76.37
C5	47.12	30.00	90.00	N44° 48' 33"E	42.43
C6	84.82	54.00	90.00	N44° 48' 33"E	76.37
C7	47.12	30.00	90.00	S45° 11' 27"E	42.43
C8	47.12	30.00	90.00	N44° 48' 33"E	42.43
C9	22.64	54.00	24.03	S78° 10' 39"E	22.48
C10	12.58	30.00	24.03	N78° 10' 39"W	12.49
C11	31.60	19.59	92.45	S45° 00' 00"E	28.28
C12	11.92	15.75	43.36	S21° 19' 56"W	11.64
C13	17.87	24.00	42.66	N21° 19' 56"E	17.46
C14	24.75	16.00	88.63	S44° 18' 46"W	22.35
C15	23.62	21.38	63.31	N58° 31' 13"W	22.44
C16	27.44	16.00	98.25	N40° 52' 27"E	24.20

Parcel Line Table

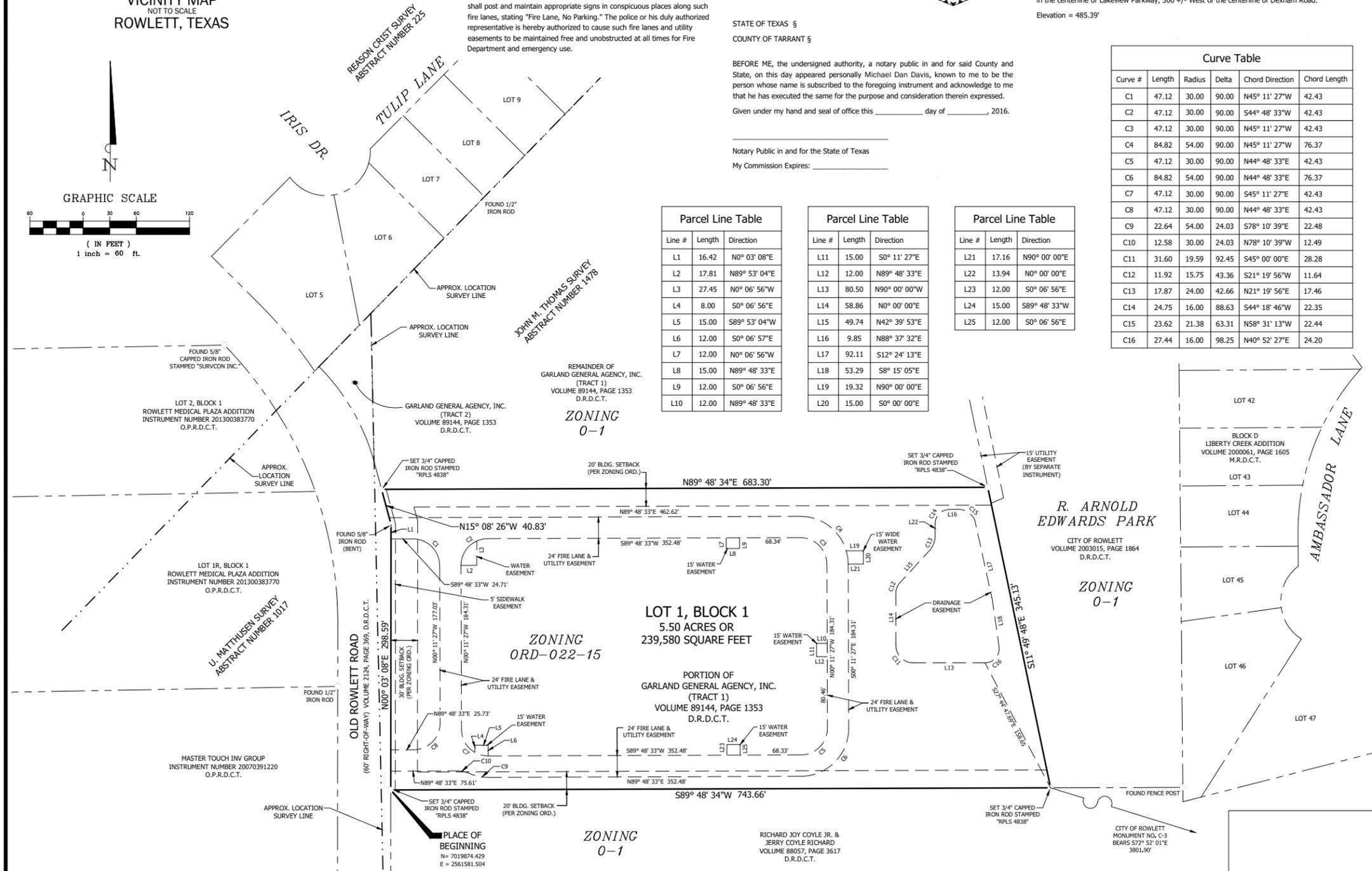
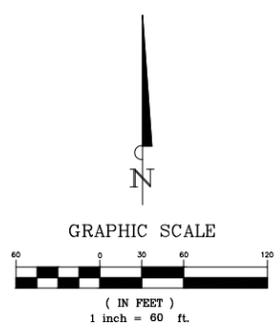
Line #	Length	Direction
L1	16.42	N0° 03' 08"E
L2	17.81	N89° 53' 04"E
L3	27.45	N0° 06' 56"W
L4	8.00	S0° 06' 56"E
L5	15.00	S89° 53' 04"W
L6	12.00	S0° 06' 57"E
L7	12.00	N0° 06' 56"W
L8	15.00	N89° 48' 33"E
L9	12.00	S0° 06' 56"E
L10	12.00	N89° 48' 33"E

Parcel Line Table

Line #	Length	Direction
L11	15.00	S0° 11' 27"E
L12	12.00	N89° 48' 33"E
L13	80.50	N90° 00' 00"W
L14	58.86	N0° 00' 00"E
L15	49.74	N42° 39' 53"E
L16	9.85	N88° 37' 32"E
L17	92.11	S12° 24' 13"E
L18	53.29	S8° 15' 05"E
L19	19.32	N90° 00' 00"E
L20	15.00	S0° 00' 00"E

Parcel Line Table

Line #	Length	Direction
L21	17.16	N90° 00' 00"E
L22	13.94	N0° 00' 00"E
L23	12.00	S0° 06' 56"E
L24	15.00	S89° 48' 33"W
L25	12.00	S0° 06' 56"E



OWNER'S CERTIFICATE:

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Garland General Agency, Inc. is the sole owner of a 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, Inc. (hereinafter referred to as Garland tract), as recorded in Volume 89144, Page 1353, Deed Records, Dallas County, Texas (D.R.D.C.T.), said 5.50 acres (239,580 square feet) of land being more particularly describe, by metes and bounds, as follows:

BEGINNING at a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southwest corner of said Garland tract, same being the Northwest corner of that certain tract of land described in a deed to Joy Coyle Richards and Jerry Coyle Richards (hereinafter referred to as Richards tract), as recorded in Volume 88057, Page 3617, D.R.D.C.T., same being in the existing East right-of-way line of Old Rowlett Road (60' Right-of-way), according to the deed thereof recorded in Volume 2124, page 369, D.R.D.C.T.;

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

THENCE North 15 degrees 08 minutes 26 seconds West, continuing with the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road, a distance of 40.83 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner;

THENCE North 89 degrees 48 minutes 34 seconds East, departing the common line between said Garland tract and the existing East right-of-way line of said Old Rowlett Road and crossing said Garland tract, a distance of 683.30 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the West line of that certain tract of land described in a deed to the City of Rowlett (known as R. Arnold Park) according to the deed thereof, as recorded in Volume 2003015, Page 1864, D.R.D.C.T.;

THENCE South 11 degrees 49 minutes 48 seconds East with the common line between said Garland tract and said City of Rowlett tract, a distance of 345.13 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southwest corner of said City of Rowlett tract, same being in the North line of the aforesaid Richards tract;

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

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I/we, Garland General Agency, Owners, do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as "EVERGREEN AT ROWLETT", an addition to the City of Rowlett, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

OWNER(S)
GARLAND GENERAL AGENCY, INC.

PRINTED NAME: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a notary public in and for said County and State, on this day appeared personally _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he has executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2016.

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

CITY APPROVAL CERTIFICATE

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

Chairman, Planning and Zoning Commission _____ Date _____

ATTEST: _____

Signature _____ Date _____

Name & Title _____

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

Director of Development Services _____ Date _____

ATTEST: _____

Signature _____ Date _____

Name & Title _____

FINAL PLAT OF EVERGREEN AT ROWLETT ADDITION LOT 1, BLOCK 1

Being 5.50 acres or (239,580 square feet) out of the John M. Thomas Survey, Abstract Number 1478 City of Rowlett, Dallas County, Texas

Date Prepared February 17th, 2016
Case Number 89-2016

SHEET 1 OF 1

PROJECT NO. 055-103

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

OWNER:
GARLAND GENERAL AGENCY, INC.
819 MAIN STREET
GARLAND, TEXAS 75040
(972) 276-5673

DEVELOPER:
CHURCHILL RESIDENTIAL, INC.
5605 N. MACARTHUR BLVD., SUITE 580
IRVING, TEXAS 75038
ATTN: BRAD FORSLUND, PRESIDENT
(972) 550-7800

ENGINEER/SURVEYOR:
BANNISTER ENGINEERING, LLC
240 N. MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: TRAVIS ATTANASIO, P.E.
817-842-2094
Travis@bannister-engineering.com



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 02/23/16

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and consider text amendments to the City of Rowlett Form Based Code as it pertains to lighting standards, as specified in Articles 2.3, 2.4, 2.6, 2.7, and 4: Lighting, Mechanical, and Utilities.

STAFF REPRESENTATIVE

Daniel Acevedo, CNU-A, Urban Design Manager

SUMMARY

Staff is bringing forward an amendment to the Form Based Code (FBC) for formal consideration, as it pertains to lighting standards, as specified in Articles 2.3, 2.4, 2.6, 2.7, and 4: Lighting, Mechanical, and Utilities (Attachment 1). The impetus for this amendment is the practical application of implementing the lighting standards over the course of the last three years for developments including the Village of Rowlett, Homestead at Liberty Grove, Harmony Hill, Terra Lago, and several more. During this period of implementation, standards were further tested and vetted, and Major Warrants were granted to address and support the results of those studies. As a follow-up to those items, it is staff's desire to amend the code to reflect those findings.

BACKGROUND INFORMATION

The City of Rowlett FBC, adopted in 2012, emphasizes the public realm by providing a high quality, walkable, pedestrian network throughout the district. Specific to this amendment, lighting requirements in the FBC are in place to provide adequate levels for safe pedestrian activity and are intended to create an "ideal urban condition."

As was conveyed at the time of adoption, the FBC has always been intended to be a living document that will be amended as needed based on changing trends or updated information. As the Commission is aware, there is a difference in theoretical application and practical application. As projects have progressed since the time of adoption, we have been able to see the practical application of the standards and re-evaluate as necessary. In addition, based on additional research and case studies, staff found that the current standard is above necessary lighting levels to achieve the desired result of a safe environment. Amending these standards will insure that adequate lighting will be achieved in order to meet the full intent of creating a pedestrian-oriented, safe neighborhood.

DISCUSSION

In working through the development review, Staff has found that it is difficult to reasonably achieve the lighting standards based on the lighting equipment available through the City's franchised utility company (Oncor). In addition, based on additional research conducted and case studies examined, staff found that the current standard is above necessary lighting levels to achieve the desired result of a safe environment. Staff's goal with this amendment is to insure that adequate lighting will be achieved in order to meet the full intent of creating a pedestrian-oriented, safe neighborhood, without requiring an excessive amount of foot candles.

Low to Moderate Density Residential Districts (New Neighborhood and Rural Neighborhood)

Currently, in the residential districts throughout the FBC, there is a two foot candle minimum average. After research was done at specific locations that originally informed the FBC, staff found that this average was a bit off. More specifically, the two foot candle requirement was originally based off of miss-information provided for Capella Park in Dallas, which actually has a half candle average. After reevaluating Capella Park, Hometown North Richland Hills, Mueller in Austin and other well-lit residential districts in the Metroplex, staff is confident that the proposed standard (0.5 foot candle for residential areas, and 1 foot candle for public, commercial and retail) is now in keeping with the goals of the City of Rowlett FBC and Comprehensive Plan.

Moderate to High Density Districts (Urban Neighborhood, Urban Village, and Commercial Center)

Staff has recently studied local examples of this type of density (Firewheel Town Center at Garland, Addison Circle, Downtown Rowlett, Downtown Plano) that have comparable development standards to what are included in the FBC. Those case studies revealed that the retail areas have an average of two foot candles throughout and slightly less than one foot candle in the residential areas. It is also reasonable and most appropriate to determine minimum average light levels directly from the street and sidewalk lighting. The quality and intensity of the light from the businesses themselves add to those levels, but (due to incremental growth and change) are not necessary in establishing an adequate base for pedestrian level lighting.

The subject studies were conducted with a light meter that reads foot candles with averaging taken at the sidewalks, streets, and parking lots at each site. It is staff's professional opinion from these findings, that the proposed standard (1 foot candle for residential and 2 foot candles for public, commercial and retail) is adequate and consistent with the intent of lighting requirements throughout the denser districts.

A series of images from that study, shown in Attachment 2, display typical spacing and lighting levels that are consistent with the proposed standard further detailed in Attachment 1.

Per Article 1.1.3 of the FBC, "This chapter may be amended after notice and public hearing in accordance with the RDC". Per Section 77-804.C of the Rowlett Development Code, text amendments should be considered based on the following criteria. Staff has added additional comments in bold italics.

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

This amendment addresses the need to correct an oversight within the Lighting Requirements of the FBC that exceed the intent of creating a safe night time pedestrian environment and are not in keeping with the precedent used to inform those metrics. As previously stated, after implementation of the first round of projects within the FBC Districts as well as conducting detailed research, it is staff's desire to correct the lighting section of the code to reflect a more appropriate requirement for lighting.

2. Whether the proposed amendment is consistent with the comprehensive plan and the stated purposes of this Code;

Staff believes that the proposed amendment is consistent with the comprehensive plan and its guiding principles. This standard also meets the intent of Article 4 in the FBC, which is to provide a level and consistency of lighting that supports pedestrian activity and promotes safety, as well as FBC intent statements 1.2.4.b and 1.2.4.d, as noted below:

1.2.4.b: "That buildings, streetscaping and landscaping contribute to the physical definition of thoroughfares as civic places."

1.2.4.d: "That the design of streets and buildings reinforce safe environments and preserve accessibility."

3. Whether the proposed amendment will protect the health, safety, morals, and general welfare of the public;

The proposed amendment directly affects the health, safety, and general welfare of the public by providing a lighting level requirement consistent with the best practices of lighting in urban environments. More specifically, it encourages health through walkability, enabling a well-lit environment at night, and is a factor in promoting alternative, less auto-dominated modes of transportation. The proposed lighting also contributes to the safety and general welfare of the neighborhoods they are in, by illuminating public places to a minimum standard that has proven to lower crime and increase property values due to the light provided. The proposed standards remain well above the average requirements found in conventional developments.

4. Whether the proposed amendment will result in significant mitigation of adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation; and

The proposed amendment will have no effect or adverse impact on the natural environment.

5. Whether the proposed amendment will advance the goals of the city council.

Based on the Realize Rowlett 2020 Comprehensive Plan and previous discussions had with the City Council during Major Warrant hearings regarding lighting

standards for specific projects, staff believes the proposed changes will advance City Council's goals.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission recommend approval of the proposed amendment to the City Council.

ATTACHMENTS

Attachment 1 – Articles 2.3, 2.4, 2.6, 2.7, and 4 (Strikethrough and Underline)

Attachment 2 – Precedent Images

2.3 NEW NEIGHBORHOOD (NN) STANDARDS

...

2.3.3 Street Trees and Plant Material

a. Right-of-way Landscaping Requirements

...

- 3. **Street Lighting.** Pedestrian level street lighting will be provided in the streetscape parkway to attain, in combination with residential porch lighting, an average of ~~0.52~~ foot candles along the sidewalk. (See *Article 4 Lighting, Mechanical and Utilities.*)

2.4 URBAN VILLAGE (UV) STANDARDS

...

2.4.2 General

...

h. Lighting

...

- 2. Average light levels will be a minimum average of 1 foot-candles for residential at grade, or ~~23~~ foot-candles for commercial, along the sidewalk. This may be achieved through a combination of both pedestrian-level street lights and building-mounted lighting that is controlled by a timer or solar switch.

2.6 URBAN NEIGHBORHOOD (UN) STANDARDS

...

2.6.4 Street Trees and Plant Material

...

a. Right-of-way Landscaping Requirements

...

- 3. **Street Lighting.**

- i. Adjacent to residential Building Types pedestrian level street lighting will be provided in the streetscape parkway to attain, in combination with residential entry lighting, an average of ~~12~~-foot candles along the sidewalk. (See Article 4 Lighting, Mechanical and Utilities.)
- ii. Adjacent to commercial and mixed-use Building Types pedestrian level lighting will be provided in the streetscape parkway to attain, in combination with building lighting, an average of ~~23~~-foot candles along the sidewalk. (See Article 4 Lighting, Mechanical and Utilities.)

2.7 COMMERCIAL CENTER (CC) STANDARDS

...

2.7.2 General

...

h. Lighting

...

- 2. Average light levels will be a minimum average of ~~12~~ foot-candles for residential at grade, or ~~23~~ foot-candles for commercial, along the sidewalk. This may be achieved through a combination of both pedestrian-level streetlights and building-mounted lighting that is controlled by a timer or solar switch.

...

ARTICLE 4 LIGHTING, MECHANICAL AND UTILITIES

4.1 INTENT

4.1.1 Intent

It is the intent of this Article to provide a level and consistency of lighting that supports pedestrian activity and promotes safety, and to reduce the visual impact of mechanical equipment on the public realm.

4.2 STANDARDS

4.2.1 Lighting

- a. Average Lighting levels within public rights-of-way and pedestrian areas will meet the following averages —

Table 3 Lighting Levels

Table with 2 columns: Land Use and Average Lighting Level. Rows include Residential, Commercial/Retail, Institutional and Public Uses, Parking Areas, Public Open Space, and UN, UV, and CC Land Use.

Annotations on the right side of the page, including 'Formatted: Indent: Left: 0.24", Hanging: 0.06"', 'Formatted Table', 'Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.06" + Indent at: 0.31"', 'Formatted: No bullets or numbering', 'Formatted Table', 'Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.06" + Indent at: 0.31"', 'Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.06" + Indent at: 0.31"', and 'Formatted Table'.

j. Parking Areas	1 fc
je. Street Intersection	2 fc
k. Street Centerline	1 fc

1. Average light levels along the sidewalk may be achieved through a combination of both pedestrian-level lights and building-mounted lighting.
2. Alley lighting will be located on garage walls facing the alley and will be limited to a maximum of two carriage light fixtures mounted at about 7 feet in elevation, and not exceeding the equivalent of 100 watts each. These lights will be controlled by automatic timers.

b. Lighting Elements

1. The following lighting elements will be permitted: incandescent, color-corrected LED (3000 – 4000 Kelvin), metal halide or halogen. The following lighting elements will not be permitted: flood, cobra head, HID – mercury vapor and sodium vapor, HPS and fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures).
2. Street lights will be approved by the City and may contain an exposed color-corrected lighting source and a horizontal or downward focus. Acorn, lantern, clear LED fixtures, etc. will be used to prevent glare.
3. Neon, as a lighting source, may be permitted with a Minor Warrant in Urban Village FB Districts.

c. Screened Lighting Source. All lighting will be focused downward or narrowly focused on its intended target such as signs, parking and pedestrian walkways. Glare from any lighting source will not be directly visible from public view or from a residential unit.

4.2.2 Screening of Equipment.

- a. Mechanical, communications and service equipment including satellite dishes and vent pipes will be screened from public view by parapets, walls, fences, dense evergreen foliage or other approved means.
- b. No air conditioning units or meters will be visible from a public street or Open Space.



Form Based Code - Lighting Amendment Precedent Research



Capella Park – 0.5 Foot Candle Average



Capella Park – 0.5 Foot Candle Average



Capella Park Street Light Spacing– 0.5 Foot Candle Average

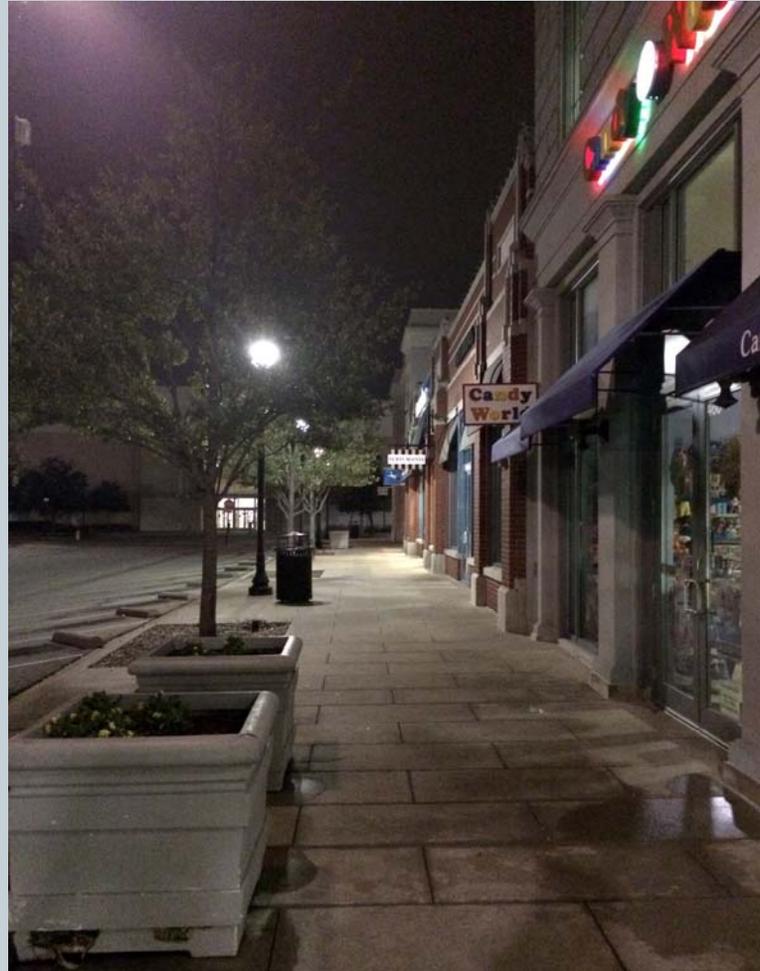


Hometown at North Richland Hills



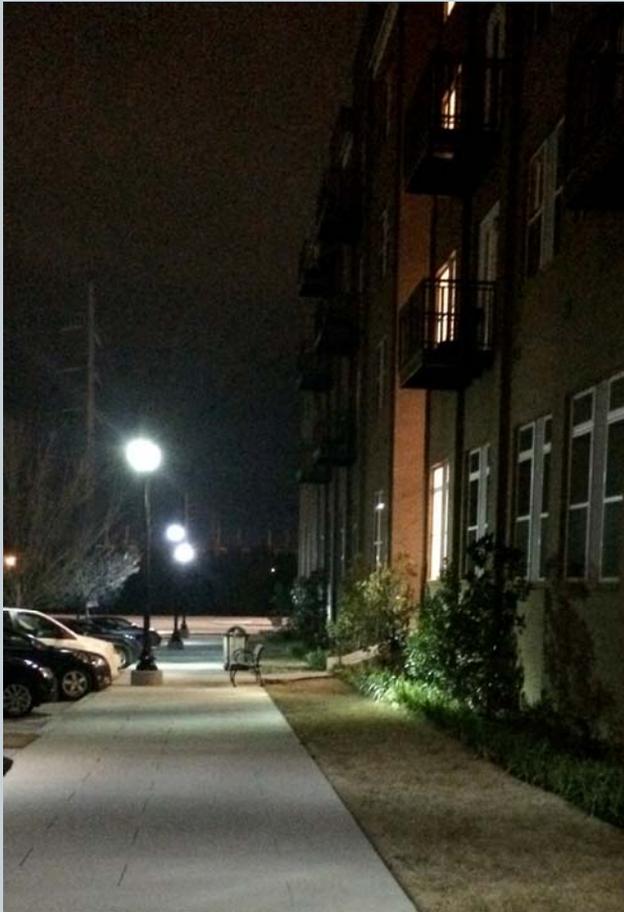
Homestead at Carrollton

Form Based Code - Lighting Amendment Precedent Research



2ft Candle Average – Firewheel in Garland, Retail Streets

Form Based Code - Lighting Amendment Precedent Research



1ft Candle Average – Firewheel in Garland, Residential Streets



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 02/23/2016

AGENDA ITEM: C2

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take action on an Alternative Landscape Plan application for Panda Express located at 3309 Lakeview Parkway, further described as Lot 5, Block A, Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

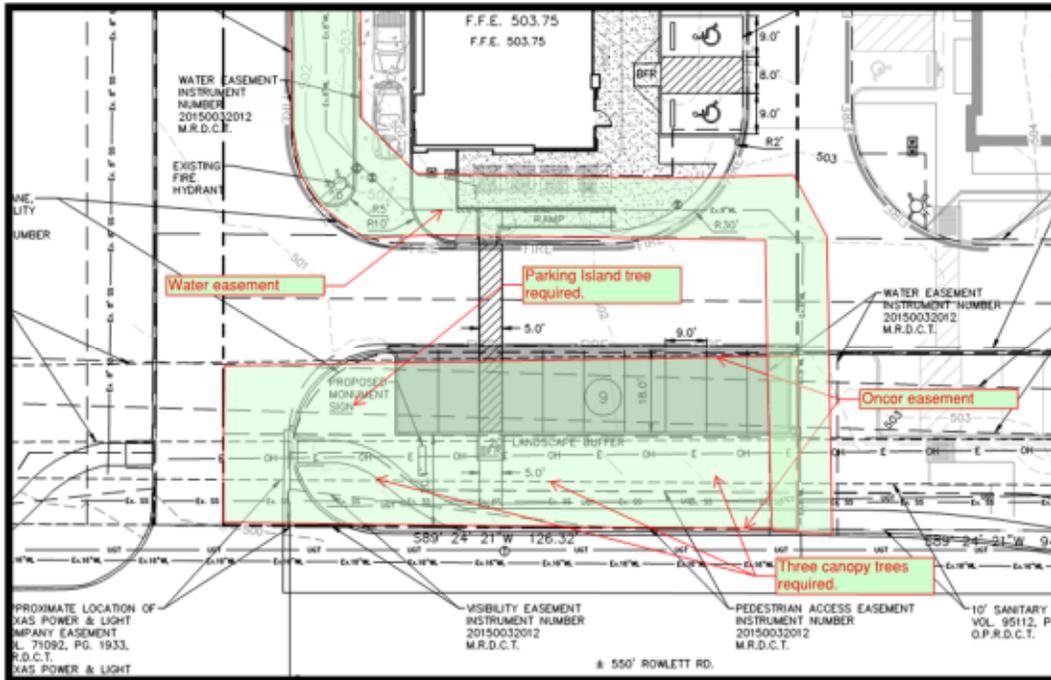
The applicant is requesting an Alternative Landscape Plan (ALP) in order to relocate four canopy trees in the rear yard. This request is for the proposed Panda Express development located on Lot 5 of the Briarwood Armstrong Addition (Attachment 1).

BACKGROUND INFORMATION

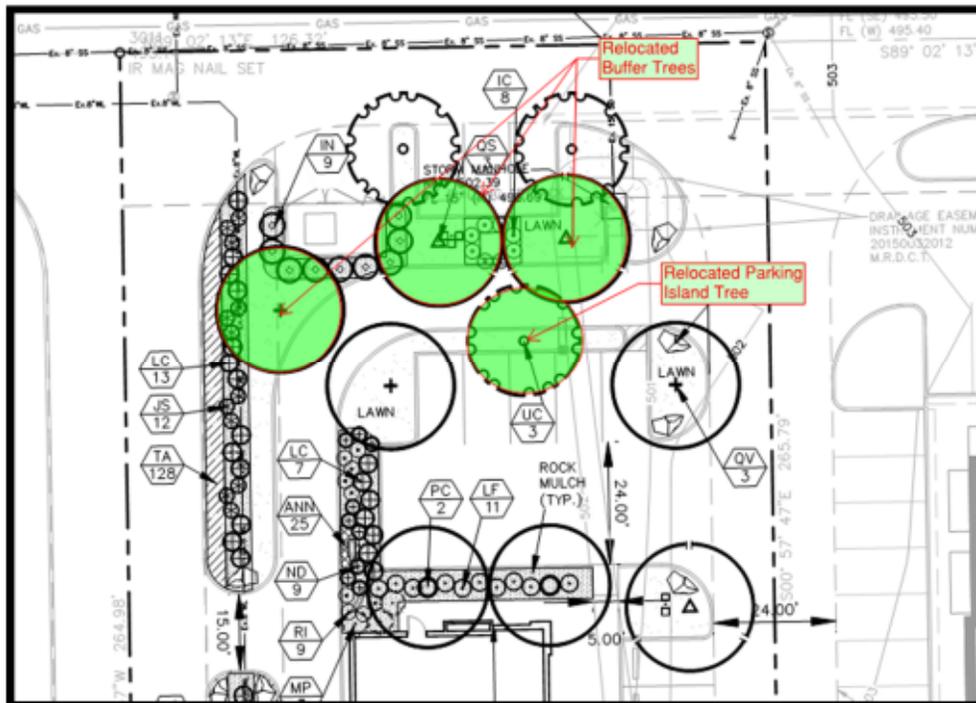
The subject property is zoned General Commercial/Retail (C-2) and is located at 3209 Lakeview Parkway fronting on the north side of Lakeview Parkway. The proposed development consists of a 2,570 square-foot building that will be occupied by a restaurant with a drive-through. The subject property is 0.77 acres in size with 126.32 feet of frontage along Lakeview Parkway. Due to the size of the development plan, the plans are eligible for administrative approval. However, the applicant is requesting modifications to the requirements of the City's landscaping provisions by relocating required trees in the rear yard. The Rowlett Development Code (RDC) allows for approval of an ALP by the Planning and Zoning Commission, provided the subject property is less than one gross acre and the total right-of-way frontage is less than 250 feet.

During the review of the Development Plan, Oncor informed the developer that they would not allow the any vegetation above five feet in height within their easement located along the frontage of the subject property. Oncor's easement is located over the same area that the RDC requires three canopy trees in the right-of-way landscape buffer and one parking island tree. Additionally, there is a water utility easement which contains an eight-inch water line located to the west and to front of the building which further limits where trees can be placed on the site. See image below.

[Remainder of the page intentionally blank]



City Council adopted an amendment to the RDC on July 7, 2015, to allow administrative approval for relocation of required landscaping due to a utility easement as long as it is within the same yard (front, side(s), or rear) of the required location. The applicant was not able to identify locations for the required trees in front of the building due the existing water easement. This water easement contains an 8" water line that is four feet deep. As a result, the trees will not be permitted within the easement. The applicant is proposing to plant four canopy trees on the north side of the site (Attachment 3). See the image below.



DISCUSSION

Section 77-504.1.4 of the RDC outlines approval criteria of ALPs. Staff recommends that the Planning and Zoning Commission consider the request based on these approval criteria as detailed below. Staff comments are provided in bold italics.

1. There are unique characteristics of the property site design or use that warrant special consideration to modify or deviate from the requirements of this section and that these characteristics are not self-created

The location of Oncor's easement along the frontage of the subject property constricts the applicant's ability to comply with the RDC's tree requirements. The existing water line further constricts the applicant's ability to relocate the required trees within the front setback of the property.

2. The ALP meets or exceeds the minimum requirements of this section while recognizing the unusual site design or use restraints on the property

The ALP meets the minimum requirements for trees as it relates to the total number of trees for the site as a whole. However, due to Oncor easement and water line it does not meet the requirement for the placement of trees in the front yard.

3. Approval of the ALP will provide for both increased consistency and compatibility with adjacent projects located in the general vicinity of the property

The requested ALP is the result of a change in Oncor's policy to no longer allow any tree plantings with a mature height of five feet or more within their easements for their high-voltage transmission lines.

4. The ALP conforms to the requirements of this section and no modifications are requested except those explicitly provided in Section 77-504.1.2(b)

The standards proposed for modification with this plan are the tree buffer standards. Section 77-504.1.2.(b) specifically allows for modifications to landscape buffer requirements for trees.

In summary, the proposed ALP is justified given Oncor's refusal to allow trees within their easement and the further site constraints due to the existing water line. The proposed ALP meets all other landscaping and buffering requirements.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

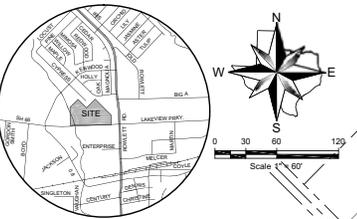
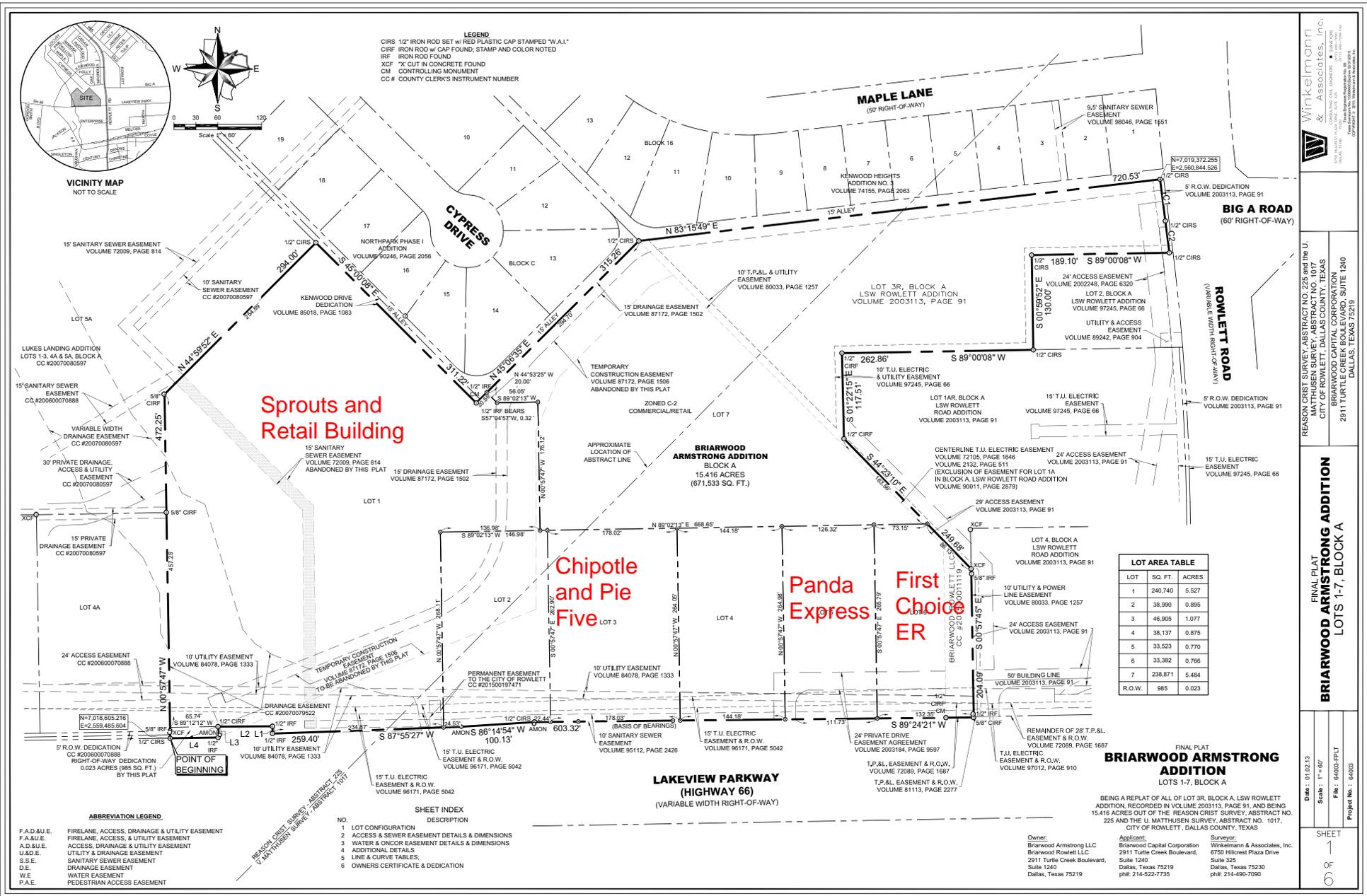
RECOMMENDED ACTION

Staff recommends approval of the request.

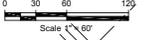
ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Alternative Landscape Plan



LEGEND
 CIRS 1/2" IRON ROD SET W/ RED PLASTIC CAP STAMPED "W.A.I."
 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	45,905	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

**LAKEVIEW PARKWAY
(HIGHWAY 66)**
(VARIABLE WIDTH RIGHT-OF-WAY)

**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. MATTHEWS 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

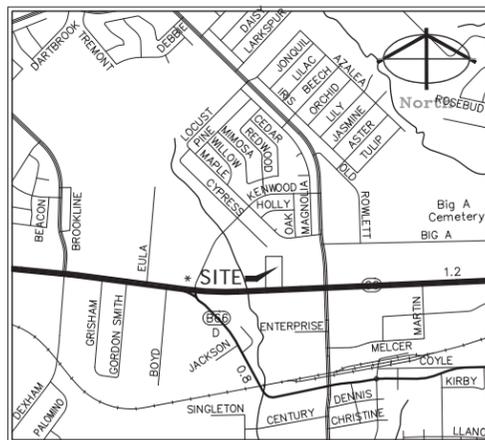
Winkelmänn & Associates, Inc.
 SURVEYOR
 6750 HILLCREST PLAZA DRIVE
 SUITE 325
 DALLAS, TEXAS 75230
 PH# 214-460-7090
 LICENSE NO. 10001

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

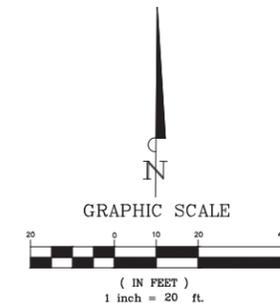
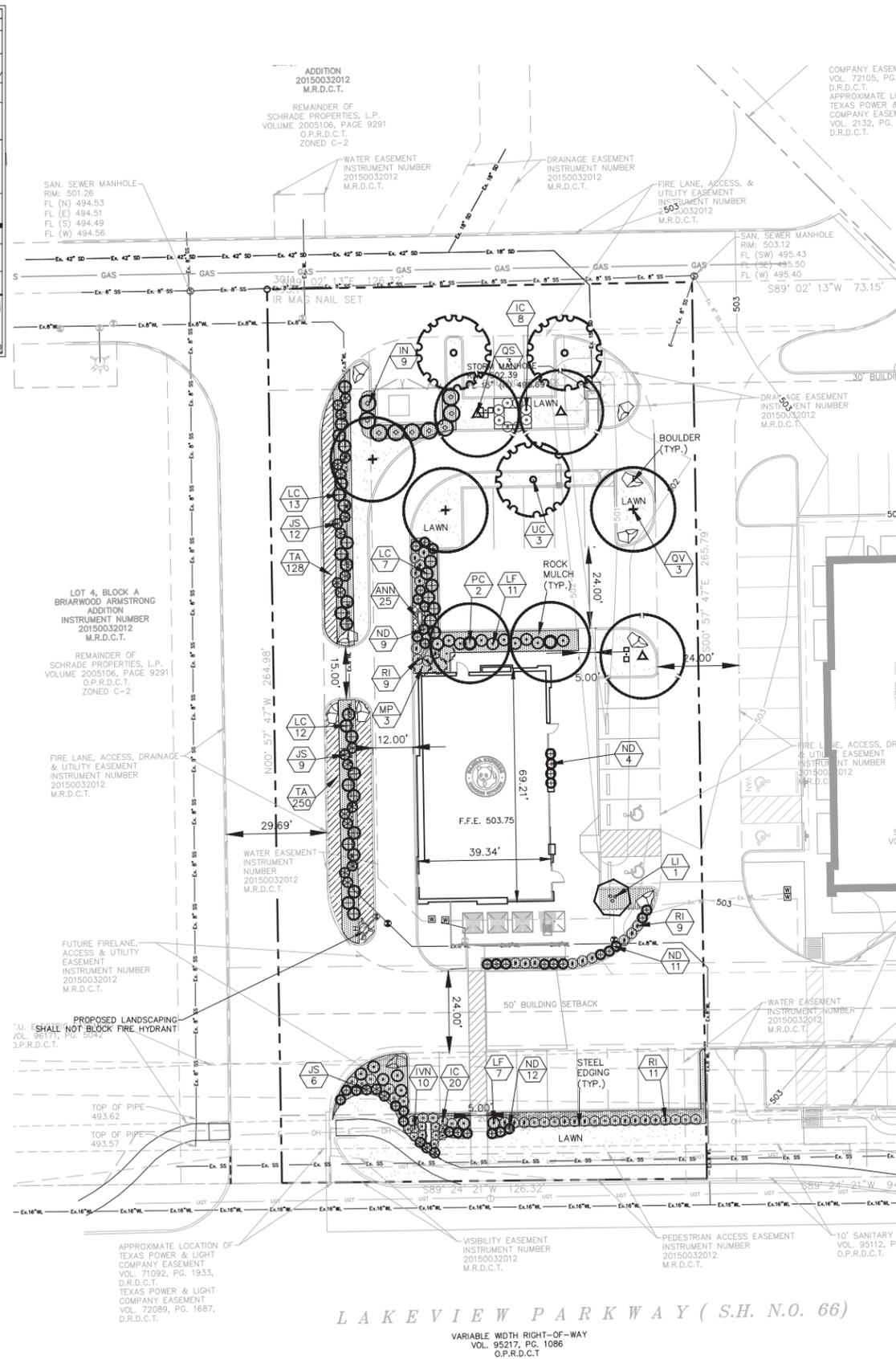
**FINAL PLAT
BRIARWOOD ARMSTRONG ADDITION
LOTS 1-7, BLOCK A**

Date: 01/02/13
 Scale: 1" = 60'
 Plat #: 60002-FPLT
 Project No.: 64003

SHEET
 1
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 0



VICINITY MAP
N.T.S.



LANDSCAPE TABULATIONS:

TOTAL LOT AREA:	33,520.35 SF (0.77 AC)
LANDSCAPE AREA REQUIRED: 15% LOT	5,028 SF
LANDSCAPE AREA PROVIDED:	7,395 SF (22%)
PARKING LOT AREA:	16,737 SF
LANDSCAPE AREA REQUIRED (5%):	837 SF
LANDSCAPE AREA PROVIDED:	7,395 SF
PARKING INTERIOR TREES REQUIRED:	2 TREES
PARKING INTERIOR TREES PROVIDED:	2 TREES (PC)
LAKEVIEW LANDSCAPING REQUIRED:	
1 TREE / 35 LF R.O.W. (99 LF):	3 TREES (QV)
PROVIDED:	3 TREES (QV)
10 SHRUBS / 30 LF R.O.W. (99 LF):	33 SHRUBS
PROVIDED:	33 SHRUBS
PARKING ISLAND TREES REQUIRED:	7 TREES
PARKING ISLAND TREES PROVIDED:	6 SHADE TREES ((3)JC,(2)QV, (1)OS) 1 ORNAMENTAL TREE (LI)
TOTAL LANDSCAPING PROVIDED:	11 SHADE TREES 1 ORNAMENTAL TREE 100 SHRUBS

PLANT LIST AND SPECIFICATIONS:

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPECIFICATION
TREES					
QV	3	Quercus virginiana	LIVE OAK	45 GAL.	3" CAL., 12' HT. MIN., FULL MATCHING, SYMMETRICAL
OS	3	Quercus shumardii	TEXAS RED OAK	45 GAL.	3" CAL., 12' HT. MIN., FULL MATCHING, SYMMETRICAL
PC	2	Pistachia chinensis	CHINESE PISTACHE	45 GAL.	3" CAL., 12' HT. MIN., FULL MATCHING, SYMMETRICAL
UC	3	Ulmus crassifolia	CEDAR ELM	45 GAL.	3" CAL., 12' HT. MIN., FULL MATCHING, SYMMETRICAL
LI	1	Lagerstroemia indica	GRAPE MYRTLE	30 GAL.	8" HT. MIN., 3" CAL., 3 CANES MIN., FULL MATCHED, SYMMETRICAL
SHRUBS					
LF	18	Leucophyllum candidans 'Silver Cloud'	TEXAS SAGE 'SILVER CLOUD'	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
ND	32	Nandina domestica 'Firepower'	NANDINA 'FIREPOWER'	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
LC	32	Loropetalum chinensis 'Purple Diamond'	LOROPETALUM	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
RI	29	Rhaphiolepis indica 'Clara'	INDIAN HAWTHORN 'CLARA'	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
IN	9	Ilex x 'Nellie R. Stevens'	NELLIE R. STEVENS HOLLY	7 GAL.	7 GAL., 36" HT.
IC	28	Ilex cornuta 'Dwarf Burford'	DWARF BURFORD HOLLY	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
MP	3	Myrica pusilla	DWARF WAX MYRTLE	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
IVN	10	Ilex vomitoria 'Nana'	DWARF YAUPON HOLLY	3 GAL.	18" HT., 30" O.C., TRIANGULAR SPACING
JS	24	Juniperus sabina var. tamariscifolia 'New Blue'	NEW BLUE TAMARIX JUNIPER	5 GAL.	24" HT., 30" O.C., TRIANGULAR SPACING
GROUND COVER					
ANN	25		SEASONAL ANNUALS	4" POTS	10" O.C., TRIANGULAR SPACING
TA	378	Trachelospermum asiaticum	ASIAN JASMINE	4" POTS	18" O.C., TRIANGULAR SPACING, 12"-18" RUNNERS
LAWN	PER PLAN	Cynodon transvaalensis x C. dactylon	TIFWAY 419		SOD OR SEED PER PLAN
STEEL EDGING	PER PLAN		STEEL EDGING		4" STEEL EDGING TO BE BURIED 3" DEEP. CONTRACTOR TO INSTALL STEEL STAKES AT THE END OF EACH SECTION.
BOULDER	PER PLAN				3-4" DIA., BURIED IN SOIL TO PREVENT MOVEMENT
ROCK MULCH	PER PLAN				2-4" TAN ROCK, WITH PERMEABLE WEED MATTING PER PANDA STANDARDS

All required landscape areas shall be provided with an automatic underground irrigation system with rain and freeze sensors and said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator.

ALTERNATE LANDSCAPE PLAN
for
Panda Express
33,254 s.f. of Lot 5, Block A
Briarwood Armstrong Addition
U. Matthusen Survey, Abstract No. 1017
City of Rowlett
Dallas County, Texas
1 of 2

BANNISTER ENGINEERING
240 N. Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
REGISTRATION # F-10599 (TEXAS)

ENGINEER / SURVEY:
BANNISTER ENGINEERING, LLC
240 N. MITCHELL ROAD
MANSFIELD, TX 76063
(817) 842-2094
CONTACT: DAVID GREER

DEVELOPER:
PANDA RESTAURANT GROUP, INC.
CONTACT: AMBERLEE SALES
1683 WALNUT GROVE AVE.
ROSEMEAD, CA 91770
(626) 799-9898



No.	Date	Revision Description