



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, AUGUST 26, 2014**

The Planning and Zoning Commission will convene into a Regular Meeting at 7:00 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

1. Update Report from Director of Development Services.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of August 12, 2014.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take appropriate action on a preliminary plat. The subject property is located northwest of Rowlett Road and Lakeview Parkway, described as a 12.608-acre tract of land in the Reason Crist Survey, Abstract No. 225 and the V. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas. (PP14-727)

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 REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 7:00 P.M., AUGUST 12, 2014**

PRESENT: Chairman Karl Crawley, Vice-Chairman Greg Landry, Commissioners Jonas Tune, Chris Kilgore, Clayton Farrow, Alternate James Moseley

ABSENT: Commissioners Michael Lucas, Gregory Peebles, Alternate Gabriela Borcoman

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

A. CALL TO ORDER

Chairman Karl Crawley called the meeting to order at 7:00 p.m.

1. Update Report from Director of Development Services.

Marc Kurbansade, Director of Development Services, came forward and announced his appreciation for the attendance at the Boards & Commissions Volunteer Fair held on July 24, 2014. He also reminded the commission that the deadline for the Boards & Commission reapplication is August 15, 2014.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of July 22, 2014.

2. Consider and take action on a final plat request for a property located at 5100 Lakeview Parkway, being further described as a 0.86-acre tract of land in the Thomas Lumley Survey, Abstract No. 789, City of Rowlett, Dallas County, Texas. (FP14-728)

3. Consider and take action on a final replat request for a property located at 3600 Big A Road, being further described as Lots 1 & 2, Block 1 Grisham Business Park Addition, City of Rowlett, Dallas County, Texas. (FP14-726)

Vice-Chairman Greg Landry made a motion to approve the Consent Agenda. Commissioner Jonas Tune seconded the motion. The Consent Agenda passed 6-0.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider and take action on a Development Plan for the Rowlett Assisted Living located at 7000 Chiesa Road, further described as being 9.36 +/- acre tract of land in the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas. (DP14-715)

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Garrett Langford came forward to present the case. He presented a location map and gave a brief background on the case. Mr. Langford presented the Concept Plan and explained the current Planned Development (PD) restrictions. He further presented the Site Plan, Landscape Plan, Building Elevations, and Lighting Plan. He summarized the staff analysis and stated that staff recommends approval.

Commissioner Jonas Tune made a motion to approval the plan. Vice-Chairman Greg Landry seconded the motion. The item passed 6-0.

D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 7:09 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: 08/26/2014

AGENDA ITEM: C.1

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take appropriate action on a preliminary plat. The subject property is located northwest of Rowlett Road and Lakeview Parkway, described as a 12.608-acre tract of land in the Reason Crist Survey, Abstract No. 225 and the V. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas. (PP14-727)

STAFF REPRESENTATIVE

Garrett Langford, AICP – Principal Planner

BACKGROUND INFORMATION

The 12.608-acre subject property is located at 2801 Lakeview Parkway, to the northwest of Rowlett Road and Lakeview Parkway/SH66 (Attachment 1 – Location Map), and retains a zoning designation of General Commercial/Retail (C-2). The developer is proposing to divide the 12.608-acre tract into six lots for future developments (Attachment 2 – Preliminary Plat). At this time, the developer plans to initially develop Lot 1 and 2. Lot 1 will consist of a future 28,000 square-foot grocery store. Lot 2 will consist of a 7,500 square-foot multitenant retail building. The developer has not identified specific uses or tenants for the remainder lots.

The proposed development will affect the floodway and floodplain located on the southwest portion of Lot 1. Part of the parking lot will be located in the floodplain and an access drive will be constructed over the floodway providing a cross access to the existing lots to the west. The applicant is coordinating with the Development Services Engineering to secure the necessary floodplain permits and a possible Conditional Letter of Map Revision from FEMA.

The preliminary plat is the first step in the development process. Subsequently, the applicant will be required to submit development plans (site, landscape and façade plans), civil engineering plans, a final plat, and building plans prior to receiving a building permit. The development plan and the final plat will be brought before the Commission for consideration and approval.

DISCUSSION

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

“Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall

constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met.”

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

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

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

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

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

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

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

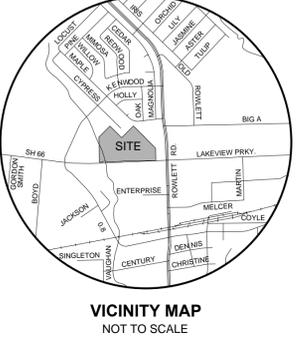
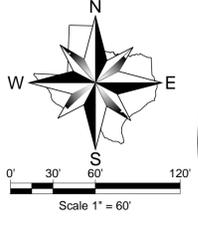
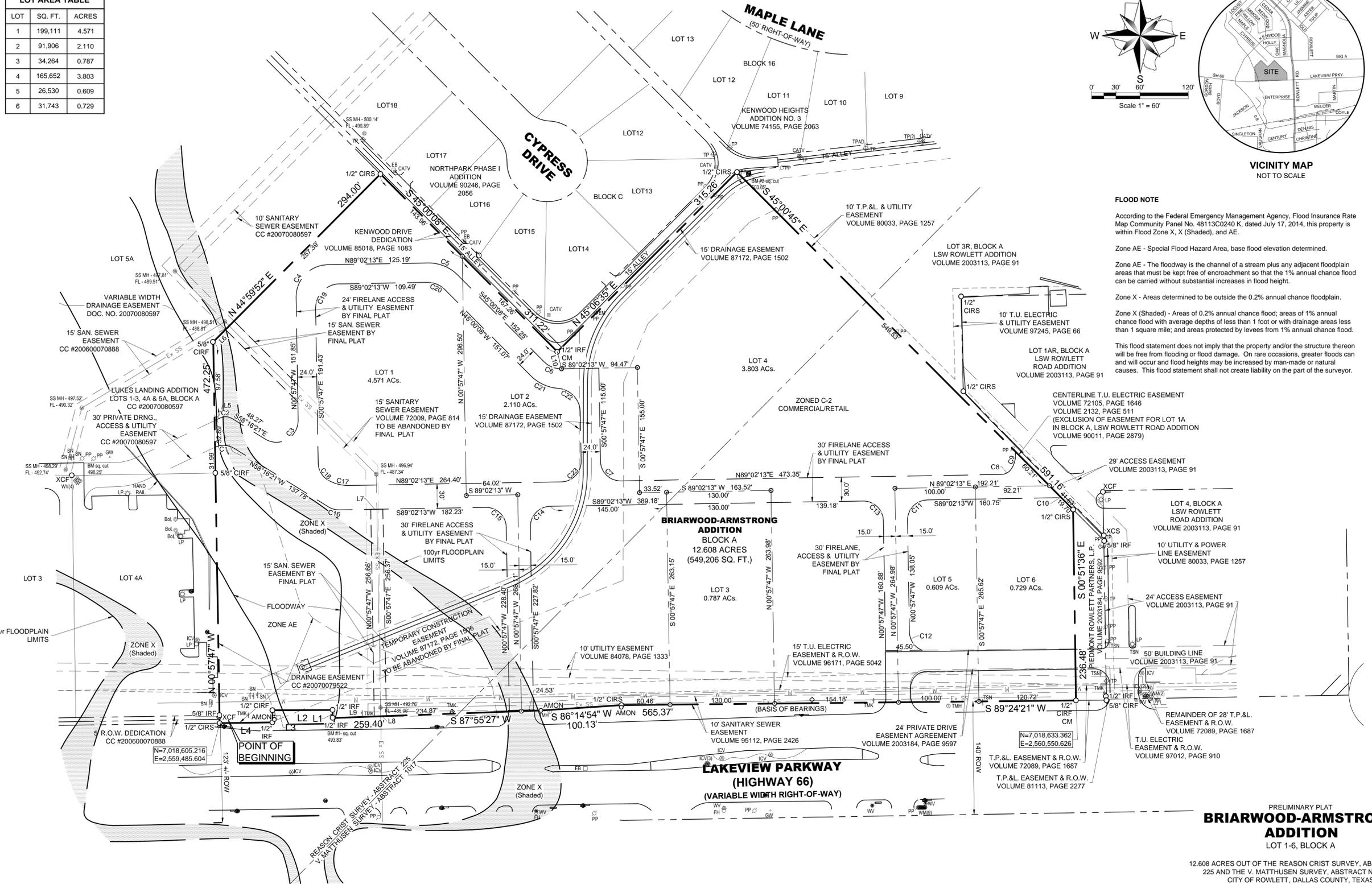
Staff recommends the Planning and Zoning Commission approve the proposed preliminary plat.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Preliminary Plat

LOT	SQ. FT.	ACRES
1	199,111	4.571
2	91,906	2.110
3	34,264	0.787
4	165,652	3.803
5	26,530	0.609
6	31,743	0.729



FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 4813C0240 K, dated July 17, 2014, this property is within Flood Zone X, X (Shaded), and AE.

Zone AE - Special Flood Hazard Area, base flood elevation determined.

Zone AE - The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain.

Zone X (Shaded) - Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

This flood statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

REVISION	DATE	APPROVAL



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

PRELIMINARY PLAT
BRIARWOOD-ARMSTRONG ADDITION
LOT 1-6, BLOCK A

Date: 08.18.14
Scale: 1" = 60'
File: 64003-PPLT
Project No.: 64003

SHEET 1 of 2

PRELIMINARY PLAT
BRIARWOOD-ARMSTRONG ADDITION
LOT 1-6, BLOCK A

12.608 ACRES OUT OF THE REASON CRIST SURVEY, ABSTRACT NO. 225 AND THE V. MATTHUSEN SURVEY, ABSTRACT NO. 1017, CITY OF ROWLETT, DALLAS COUNTY, TEXAS

Owner:
Schrade Properties, L.P.
P.O. Box 88
Rowlett, Texas 75030

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

Surveyor:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, Texas 75230
ph#: 214-490-7090

PROPERTY DESCRIPTION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, We, Briarwood Capital Corporation, are the sole owners of a tract of land situated in the REASON CRIST SURVEY, ABSTRACT NO. 225 and the U. MATTHUSEN SURVEY, ABSTRACT NO. 1017, in the City of Rowlett, Dallas County, Texas, being the remainder of a called 27.306 acre tract of land described in deed to Schrade Properties, LP, recorded in Volume 2005106, Page 9291, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner in the Northerly right-of-way of Lakeview Parkway (State Highway 66), a variable width right-of-way; said iron rod being South 00 deg 57 min 47 sec East, a distance of 9.79 feet from the Southeast corner of a called 14.615 acre tract of land described in deed to KMS Retail Huntsville, LP, recorded in County Clerk's Instrument No. 200503630001, Official Public Records, Dallas County, Texas, and the Southeast corner of Lot 4A, Block A, Lukes Landing Addition, an addition to the City of Rowlett, Dallas County, Texas, according to the Final Plat thereof recorded in County Clerk's Instrument No. 20070080597, Official Public Records, Dallas County, Texas;

THENCE North 00 deg 00 min 47 sec West, with the Easterly line of said Lukes Landing Addition, and the Easterly line of KMS Retail Huntsville, LP tract, a distance of 472.25 feet to a point for corner from which a 5/8-inch iron rod with plastic cap stamped "K.H." found bears South 88 deg 03 min 20 sec West, a distance of 0.51 feet;

THENCE North 44 deg 59 min 52 sec East, with the Easterly line of said Lukes Landing Addition, a distance of 294.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner in the Southwesterly right-of-way line of a 7.5 foot Kenwood Drive Dedication as recorded, by plat, in Volume 85108, Page 1083, Deed Records, Dallas County, Texas;

THENCE South 45 deg 00 min 08 sec East, with the southwesterly right-of-way line of said 7.5 foot dedication, a distance of 311.22 feet to a point for corner from which a 1/2-inch iron rod found bears South 57 deg 04 min 57 sec West, a distance of 0.32 feet;

THENCE North 45 deg 06 min 34 sec East, a distance of 315.26 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner with the southeasterly line of Northpark, Phase I Addition, as recorded in Volume 90246, Page 2056, Deed Records, Dallas County, Texas, a Southerly corner of Kenwood Heights Addition No. 3 Addition, as recorded in Volume 74155, Page 2063 Deed Records, Dallas County, Texas, and the Northwesterly corner of Lot 3R Block A, LSW Rowlett Road Addition, an addition to the City of Rowlett, Dallas County, Texas, according to the Plat thereof recorded in Volume 2003113, Page 91, Deed Records, Dallas County, Texas;

THENCE South 45 deg 00 min 45 sec East, with the Southwest line of said Lot 3R, a distance of 591.16 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner at Northwesterly corner of a tract of land described in deed to Piedmont Rowlett Partners, LP, recorded in Volume 2003184, Page 9592, Deed Records, Dallas County, Texas;

THENCE South 00 deg 51 min 36 sec East, departing the Southwesterly line of said Lot 3R, Block A and along the Westerly line of said Piedmont tract and an East line of said Schrade tract, a distance of 236.48 feet to a 1/2-inch iron rod with plastic cap found for corner in the North right-of-way line of said Lakeview Parkway;

THENCE along the Northerly right-of-way line of Lakeview Parkway and the Southerly line of said Schrade tract the following:

South 89 deg 24 min 21 sec West, a distance of 565.37 feet to an aluminum monument found for corner;

South 86 deg 14 min 54 sec West, a distance of 100.13 feet to an aluminum monument found for corner;

South 87 deg 55 min 27 sec West, a distance of 259.40 feet to a point for corner from which a 1/2-inch iron rod found bears North 31 deg 38 min 19 sec West, a distance of 0.33 feet;

North 00 deg 19 min 26 sec West, a distance of 10.00 feet to a 1/2-inch iron rod found for corner;

South 89 deg 40 min 34 sec West, a distance of 75.00 feet to a 1/2-inch iron rod found for corner;

South 00 deg 19 min 26 sec East, a distance of 15.00 feet to a 1/2-inch iron rod found for corner;

South 89 deg 12 min 12 sec West, a distance of 65.57 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 12.608 acres or 549,206 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 23rd day of June, 2014, utilizing G.P.S. measurement from the City of Rowlett Monuments Nos. C-1 and C-3.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Briarwood Capital Corporation, do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as BRIARWOOD-ARMSTRONG ADDITION, Lots 1-6, Block A, an addition to the City of Rowlett, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any 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 permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

WITNESS MY HAND, THIS THE _____ DAY OF _____, 2014.

BY: _____

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration thereof expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

This _____ day of _____, 2014.

Notary Public in and for State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS: That I, Leonard J. Lueker, do hereby certify, that I have prepared this plat from an actual on the ground survey of the land as 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.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration #5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Dr. #325
Dallas, Texas 75230
972/490-7090

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared LEONARD J. LUEKER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE This _____ day

of _____, 2014.

Notary Public in and for the State of Texas

My Commission Expires: _____

ACCESS EASEMENT

The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, 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, and regress 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 o obstruction, 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.

VISIBILITY AND MAINTENANCE EASEMENT

The area or areas shown on the plat as "VAM" (Visibility, Access, and Maintenance) easement(s) are hereby given and granted to the city, its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM easement. The city shall have the right, but not the obligation, to maintain any and all landscaping within the VAM easement. Should the city exercise this maintenance right, it shall be permitted to remove and dispose of any and all landscaping Improvements, including without limitation, any trees, shrubs, flowers, ground cover, and fixtures. The city may withdraw maintenance of the VAM easement at any time. The ultimate maintenance responsibility for the VAM easement shall rest with the owners. No building, fence, shrub, tree, or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over, or across the VAM easement. The city shall also have the right, but not the obligation, to add any landscape improvements to the VAM easement to erect any traffic control devices or signs on the VAM easement, and to remove any obstruction thereon. The city, is successors, assigns, or agents, shall have the right and privilege at all times to enter upon the VAM easement or any part thereof for the purposes and with all rights and privileges set forth herein.

Table with 6 columns: NO., DELTA, RADIUS, LENGTH, CH. L, CH. B. Rows C1 through C23.

Table with 3 columns: LINE #, BEARING, DISTANCE. Rows L1 through L10.

CITY APPROVAL CERTIFICATE
Preliminary Plat - For Inspection Purposes Only
Approved For Preparation of Final Plat

Chairman, City of Rowlett,
Planning and Zoning Commission Date

Director of Development Services Date

PRELIMINARY PLAT
BRIARWOOD-ARMSTRONG
ADDITION
LOT 1-6, BLOCK A

12.608 ACRES OUT OF THE REASON CRIST SURVEY, ABSTRACT NO. 225 AND THE V. MATTHUSEN SURVEY, ABSTRACT NO. 1017, CITY OF ROWLETT, DALLAS COUNTY, TEXAS

Owner:
Schrade Properties, I.p.
P.O. Box 88
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Applicant:
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2911 Turtle Creek Boulevard,
Suite 1240
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ph#: 214-522-7735

Surveyor:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, Texas 75230
ph#: 214-490-7090

SHEET
2 of 2

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

PRELIMINARY PLAT
BRIARWOOD-ARMSTRONG
ADDITION
LOT 1-6, BLOCK A

Date : 06.18.14
Scale : N/A
File : 64003-PPLT
Project No. : 64003

SHEET
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