



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, FEBRUARY 24, 2015**

The Planning and Zoning Commission will convene into a Regular Meeting at 7:00 PM 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 February 10, 2015.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on a rezoning of a 0.1676-acre tract of land from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of a 9.1971-acre tract of land to amend the development standards in Planned Development Ordinance #017-13. The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676-acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971-acre of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas. (PD15-768)
2. 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 QuikTrip. The subject property is located at 5001 Lakeview Parkway, further described further described as being a 3.7582-acre tract of land located in the Thomas Lumley Survey, Abstract No. 789, a portion of said tract being all of Lot 1, Block 1 Chancon Autos Ltd. Addition, an addition to the 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 MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., FEBRUARY 10, 2015**

PRESENT: Chairman Karl Crawley, Vice-Chairman Michael Lucas, Commissioners Jonas Tune, James Moseley, Thomas Finney, Chris Kilgore, Alternates Lisa Cain, Gabriela Borcoman

ABSENT: Commissioner Clayton Farrow

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Development Services Technician Lorie Strickland

WORK SESSION

i. Call to Order

Chairman Karl Crawley called the Work Session to order at 6:30 p.m.

ii. Discuss proposed Downtown/Central Rowlett Community Revitalization Plan

Director of Development Services Marc Kurbansade gave a presentation of the Community Revitalization Plan. A brief discussion was held on Evergreen senior housing, financial incentives, and city participation.

Chairman Karl Crawley stated that no action is required.

iii. Discuss items on the regular agenda

Principal Planner Garrett Langford stated that the Regular Meeting is scheduled to start at the conclusion of the Work Session. No additional discussion was held.

iv. Adjourn

Chairman Karl Crawley adjourned the Work Session at 6:56 p.m.

**MINUTES OF THE MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., FEBRUARY 10, 2015**

REGULAR MEETING

A. CALL TO ORDER

Chairman Karl Crawley called the Regular Meeting to order at 6:56 p.m.

1. Update Report from Director of Development Services

An update was given to the Commissioners during the Work Session.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of January 27, 2015

Chairman Karl Crawley stated that a correction needed to be made on one of the addresses listed within the minutes and asked for a motion to approve the minutes with the correction. Vice-Chairman Michael Lucas made a motion to approve the minutes with the correction. Commissioner James Moseley seconded the motion. The Consent Agenda passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and take action on a Preliminary Replat for the Bullitt Multisport Addition, located at 8700 Princeton Road further described as being 9.0 ± acres in the James M. Hamilton Survey, Abstract No. 544, and being a replat of Lot 1, Block B and Part of Lot 2, Block A of the River Church Addition, Rowlett, Dallas County, Texas (PP15-762).

Principal Planner Garrett Langford came forward to present the case. He presented a location map of the property. Mr. Langford gave a brief background on the case. Mr. Langford summarized the staff analysis and stated that staff recommends approval.

There was discussion amongst the Commission regarding the original alignment of Princeton Road and who was going to build the road.

**MINUTES OF THE MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., FEBRUARY 10, 2015**

Chairman Crawley opened the public hearing.

No speakers came forward.

Chairman Crawley closed the public hearing.

Vice-Chairman Michael Lucas made a motion to approve the proposed Preliminary Plat. Alternate Lisa Cain seconded the motion. The motion passed with a 7-0 vote.

D. ADJOURNMENT

Chairman Karl Crawley adjourned the meeting at 7:04 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: 02/24/2015

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a rezoning of a 0.1676-acre tract of land from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of a 9.1971-acre tract of land to amend the development standards in Planned Development Ordinance #017-13. The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676-acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971-acre of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas. (PD15-768)

STAFF REPRESENTATIVE

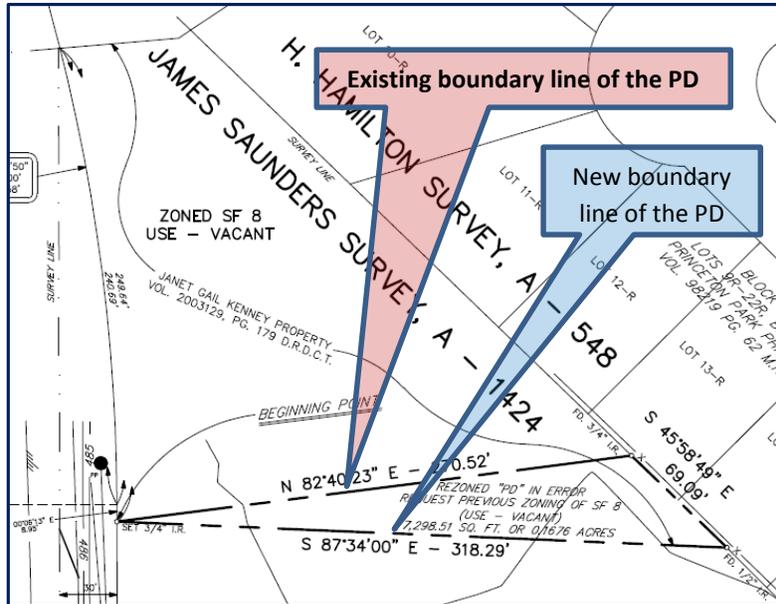
Garrett Langford, Principal Planner

SUMMARY

The reasons for this this rezoning request are twofold. One, the request would rezone 0.1676 acres of land back to Single Family 8 that was mistakenly included in Planned Development (PD) Ordinance #017-13. Second, the request would also amend the development standards in PD Ordinance #017-13 to increase the allowable lot coverage and remove the south screening wall from the service area.

BACKGROUND INFORMATION

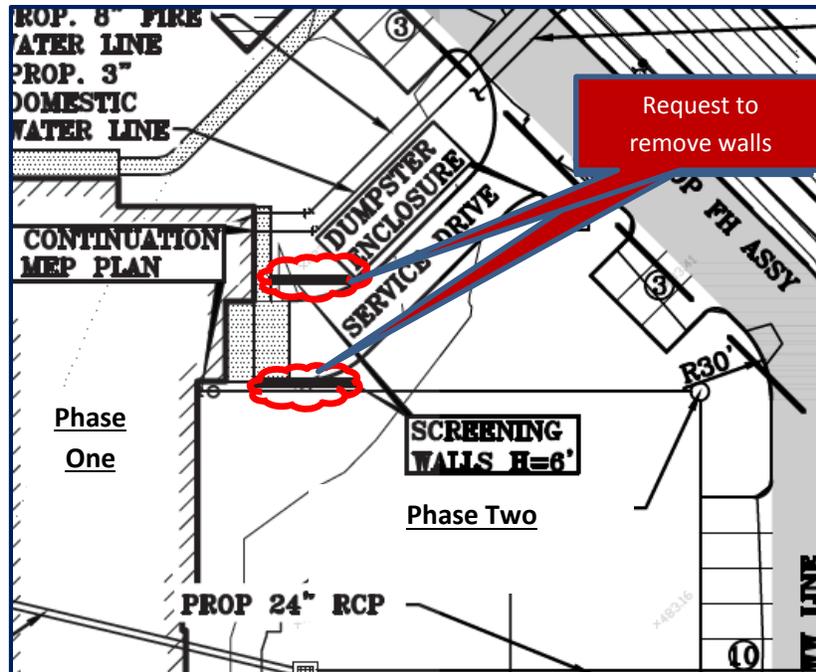
On June 6, 2013, City Council approved PD Ordinance #017-13 to allow a 93-bed assisted living facility located at 7000 Chiesa Road (Attachment 1 – Location Map). The PD Ordinance #017-13 identified the boundaries of the PD and specified the development standards for a proposed assisted living facility (Attachment 2 – PD Ordinance #017-13). Subsequently during the development review process, it came to the attention of the developer that the boundary description provided by their surveyor incorrectly included a portion of the adjacent property immediately to the north of their property (Attachment 3 – Rezoning to SF 8). This portion of land represented 0.1676 acres of land owned by Janet Kenney (see image below). The developer, Ms. Kenney and the surveyor have confirmed the correct location of the boundary line between the two properties. With Ms. Kenney's consent, the developer is requesting to rezone the 0.1676 acres back to its initial rezoning which was Single Family 8.



As part of this request, the developer is also seeking modifications to the development standards regarding lot coverage and service area screening. Phase one of the assisted living facility will consist of 63 beds within a 57,679 square-foot building. The applicant initially sought a two-phase development plan with a maximum of 93 beds as it was proposed within the PD #017-13. However, the approval of Development Plan was limited to phase one and did not include phase two. The development standards listed in Exhibit D of the adopted PD stipulated the maximum lot coverage at 35 percent. Lot coverage includes all impervious surfaces including the building and pavement. However, the concept plan attached to the PD as Exhibit E shows a 35 percent maximum coverage based on the building and not total impervious coverage. When there is a conflict between requirements within an ordinance, the provisions that are more restrictive or that impose higher standards or requirements shall govern.

In the process of preparing the detailed site plan, it became apparent that the total impervious coverage at full build-out with phase one and phase two would exceed the 35 percent maximum lot coverage. Therefore, the applicant chose to pursue a Development Plan limited to phase one in order to comply with the more restrictive requirements of the PD and to move the project forward. The proposed amendment is to correct the conflicting the lot coverage requirements between what is stated in the development standards listed in Exhibit D and what is shown on the concept plan in Exhibit E. The proposed amendment will correct Exhibit D by increasing the maximum lot coverage to 45% (Attachment 4 – Exhibit D Strikethrough) and will update the concept plan (Attachment 5 – Concept Plan) in Exhibit E.

The applicant is also requesting a modification to the development standards regarding screening for the service area. The PD required a 6-ft masonry screening wall to provide screening to the service area which is the loading area for the proposed facility. The approved development plan for phase one showed a screening wall on the north side and south side of the loading area (see image below).



The applicant would like to avoid erecting the screening wall from both sides of the service area. The south screening wall would eventually be replaced by phase two. To the south of the subject property is a place of worship zoned single family residential. While it is understood that phase two would render the south screening wall moot, staff also has to consider that the phase two may not come to fruition, which is why the wall was required initially. The loading area will consist of a standard door for deliveries and will not consist of a rollup door or a loading bay. To the north of the subject property is a single family residential subdivision. The north side service lines will continue to be screened by a landscape buffer and berm along the north and east property lines.

This request does not change the overall scale of the proposed facility. As it originally proposed the facility will have a maximum of 93 beds. The proposed amendment will make the following changes to the exhibits in PD Ord. #017-13:

- Exhibit A – Correct the legal description
- Exhibit B – Update the boundary survey
- Exhibit D – Modify the development standards by increasing the maximum lot coverage from 35% to 45% and removing the requirement for the screening wall for the service area.
- Exhibit E – Update the concept plan

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 including Planned Developments. These criteria are listed below:

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

The proposed amendment to the Planned Development Ordinance #017-13 is needed to correct the boundary of the PD and to correct the conflicting the lot coverage requirements between what is stated in the development standards listed in Exhibit D and what is shown on the concept plan in Exhibit E.

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 not located within one of the 13 opportunity areas identified in the Realize Rowlett 2020 Comprehensive Plan. As such, the guiding principles and existing zoning should inform development and rezoning decisions. As it was stated in the staff report for rezoning for the PD in 2013, an assisted living facility meets the intent of Guiding Principle 3 which is to “Make Rowlett a community that is attractive to people at all stages of their lives” which includes those aging and those in need of living assistance. The proposed PD amended does not alter this assessment.

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

The proposed amendments to the PD are not expected to negatively impact the health, safety, morals, or general welfare of the public. The amendment to increase the lot coverage from 35% to 45% will not negatively impact the general welfare. Lot coverage of 45% is no more than the 45% allowed by right in single family residential districts.

Removing the screening wall from the service area (loading area) is not expected to have an impact on the general welfare. The loading area does not consist of an overhead door or a loading bay. South of the service area will not be necessary with the expansion of phase two. North of the service area will have screening from the landscape buffer and berm along the property lines.

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;

Adequate utilities, access roads, and drainage facilities exist for the subject property and are sufficient for accommodating the demands associated with the request.

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

It is unlikely that the proposed amendments to the PD will have significant adverse impacts on the natural environment. However, whenever a greenfield site is developed some impacts on the natural environment can be expected. These will be mitigated to the extent practical by the regulations on storm water retention/detention, landscaping and tree preservation ordinances.

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

As it as indicated in the staff report for the initial rezoning in 2013, an assisted living facility is not expected to have an adverse impact on other properties in the surrounding areas. The proposed amendments to the PD do not alter that assessment.

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

The proposed PD amendment does not change the zoning classification or change the proposed use of the property. Allowing an assisted-living facility will be suitable for the subject property.

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

The proposed PD amendment does not involve a change in allowable uses of the subject property. This criterion is not applicable to this request. However, the staff report for the initial rezoning clearly indicated the need for assisted living facility within the City. That assessment continues today.

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 is compatible with surrounding uses and is in scale with other properties in the area. Increasing the lot coverage to 45 percent will not place the proposed development out of scale with the surrounding properties. The overall scale of the project is the same as it was before.

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.

The proposed PD amendment to correct the north boundary line, lot coverage and remove the south screening wall for the service area will not impact the supply of land. This criterion is not applicable to this request.

In summary, the proposed amendment to the PD to correct the boundary line, increase the lot coverage and remove the screening walls from the service area will have not have an adverse impact on adjacent properties. The proposed PD amendment meets the before mentioned criteria for a rezoning and is consistent with the Realize Rowlett 2020 Comprehensive Plan. The PD amendments will allow the proposed development with phase two has it was intended.

Public Notice

On February 6, 2015, a total of 43 notices were sent to property owners within 200 feet and a total of 76 courtesy notices were sent to property owners within 500 feet. As of Friday, February 20, 2015, no responses have been received in favor of the request while two have been received in opposition (Attachment 6 – Public Notice Responses). One response from the courtesy notices was received in favor of the request while two were received in opposition (Attachment 7 – Courtesy Notice Response).

A Legal Notice was published in the Rowlett Lakeshore Times on February 5, 2015, pursuant to the requirements set forth in the Rowlett Development Code. A zoning sign was placed on the subject property on February 13, 2015, in accordance with the Rowlett Development Code and remains on the site today.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission make a favorable recommendation to amend PD Ordinance #017-13.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Planned Development Ordinance #017-13

Attachment 3 – Rezoning to SF-8

Attachment 4 – PD Exhibit D Amendments Strike-through underline

Attachment 5 – Revised Concept Plan

Attachment 6 – Public Notice Responses

Attachment 7 – Courtesy Notice Responses



City of Rowlett

Official Copy

Ordinance: ORD-017-13

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

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF ROWLETT, TEXAS, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING FROM "SF-10" SINGLE FAMILY – 10 RESIDENTIAL ZONING AND "SF-8" SINGLE FAMILY – 8 RESIDENTIAL ZONING TO "PD" PLANNED DEVELOPMENT FOR A 9.36 +/- ACRE TRACT OF REAL PROPERTY GENERALLY LOCATED AT 7000 CHIESA 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 (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR 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, Plan 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 "SF-10" Single Family 10 and "SF-8" Single Family 8 zoning to "PD" Planned Development overlay for a 9.36 +/- acre tract of real property generally located at 7000 Chiesa 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" and Exhibit "E", 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 (\$2,000.00) Dollars 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 4, 2013 this Ordinance be adopted. The motion carried by the following vote:

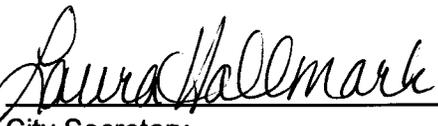
Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Gallops, Councilmember Dana-Bashian, Councilmember Pankratz, Councilmember Bobbitt and Councilmember Kilgore

Approved by 
Mayor

Date June 4, 2013

Approved to form by 
City Attorney

Date June 4, 2013

Certified by 
City Secretary

Date June 4, 2013

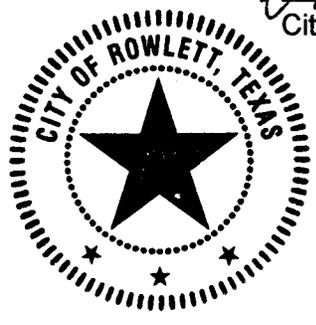


EXHIBIT "A"

PROPERTY DESCRIPTION

BEING all of that certain lot, tract or parcel of land situated in the JAMES SAUNDERS SURVEY, A-1424, City of Rowlett, Dallas County, Texas, and being a part of Chiesa Road (a variable width R.O.W.) and all of that same tract of land described in deed to Castle Ridge Homes, Inc., recorded in Volume 2000033, Page 2493 of the Deed Records of Dallas County, Texas, and said composite tract being more particularly described as follows:

COMMENCING at the present intersection of the southeast R.O.W. line of Bellaire Lane (a 50' R.O.W.) with the east line of Chiesa Road; said point beginning a curve to the right having a central angle of $18^{\circ}52'50''$ and a radius of 985.00', bearing $S 71^{\circ}00'57'' W$; Thence southerly around said curve and along the east line of Chiesa Road, a distance of 324.58' to a point; Thence $S 00^{\circ}06'13'' E$, 8.95' along the east line of Chiesa Road to a $3/4''$ iron rod set at the southwest corner of that same tract of land described in deed to Janet Gail Kenney, recorded in Volume 2003129, Page 179 of the Deed Records of Dallas County, Texas, and the POINT OF BEGINNING;

THENCE $N 82^{\circ}40'23'' E$, 270.52' along the south line of said Kenney property to a $3/4''$ iron rod found for corner in the southwest line of Block 17 of Lots 9R-22R, Block 17, Princeton Park Phase III-A, an addition to the City of Rowlett, Texas, recorded in Volume 98219, Page 62 of the Map Records of Dallas County, Texas;

THENCE $S 45^{\circ}58'49'' E$, 69.09' along the southwest line of said Block 17 to a $1/2''$ iron rod found for corner;

THENCE $S 44^{\circ}56'06'' E$, 889.50' along said Block 17 to a $3/4''$ iron rod found at the northeast corner of that same tract of land described in deed to Crossroads Baptist Church, recorded in Volume 99225, Page 1978 of the Deed Records of Dallas County, Texas;

THENCE $S 89^{\circ}53'47'' W$ along the north line of said Crossroads Baptist Church property, at 139.16' passing the northeast corner of Lot 1, Block 1 of Crossroads Church, an addition to the City of Rowlett, Texas, recorded in Volume 98245, Page 11 of the Map Records of Dallas County, Texas, and continuing along the north line of said Lot 1 for a total distance of 975.10' to a point for corner in the center of Chiesa Road;

THENCE $N 00^{\circ}06'13'' W$, 641.11' along the center of Chiesa Road to a point for corner;

THENCE $N 82^{\circ}40'23'' E$, 30.24' to the point of beginning and containing 427,214.70 square feet or 9.8075 acres of land.

Scott Davis

SCOTT DAVIS RPLS 5111



DAVIS LAND SURVEYING CO., INC.
9777 FERGUSON ROAD, SUITE 105
DALLAS, TEXAS 75228 214-321-0569

DATE: 1/26/13

JOB NO. 13011

City of Rowlett
Standard Zoning Request
Exhibit C-Statement of Intent and Purpose

The intent of the proposed zoning change is to accommodate the construction and operation of a Senior Assisted Living facility. The existing zoning at the site is SF-8 & SF-10. The land is currently not in use. The proposed zoning change would designate the land as Planned Development.

The principal owners, Mr. Pat Gerald and Mr. Richard Bosworth both have extensive business histories in North Texas.

Pat Gerald

Attended Texas A&M University-Commerce
US Army 1970-1971
Loan Officer –Farmers Home Administration 1972-1984
Owner Professional Land Title Co., Sulphur Springs TX 1984-2007
Owner Franklin County Abstract, 1984-2007

Richard Bosworth

Attended Texas Tech University and East Texas State University
1980-1984 L.H. Daniel Oil Co. Greenville, Tx Sales
1984-1998 Swatsell, Inc. Sulphur Springs, TX General Manager
1998-2004 Swatsell, Inc. Sulphur Springs, TX General Manager, Partner
2004-2011 Flying L Cellular LLC, Commerce, Tx General Manager, Partner

The Assisted Living Facility will contain 64 dwelling units. Industry norms show that between 85%-90% of the units will house one resident with the balance of units housing 2 residents.

The Assisted Living Facility's business seeks to provide seniors with an alternative to the facilities of normal independent retirement living communities where care is typically not included or available, or traditional nursing homes. Our assisted living facility will provide the ideal solution for seniors who value their independence but require some help with daily activities. Our focus will be on resident health, both physical and mental, while encouraging continued independence through customized wellness plans. The plans will be carried out by our team of specially trained, designated care managers who get to know our resident's individual needs and preferences. Management will only hire nurses and assisted living aides that truly seek to improve the quality of life for all of the residents.

Amenities and services will include but not be limited to:

- A choice of suites with full baths which residents may furnish to their own taste and liking
- Three delicious, professionally prepared, nutritionally proper meals per day along with snacks through the day

- Weekly housekeeping services, laundry assistance, and trash removal daily
- Medication assistance
- Continence management
- Social activities and programs designed to promote wellness seven days per week all day including cards, dominoes, Wii bowling, and board games
- Comfortable and well-appointed common areas and beautifully landscaped grounds for visiting with family and friends
- Facilities for visiting physicians use
- Around the clock trained staff
- Emergency call response and fire safety systems in each suite

Additionally, the business will have a number of specialty health professionals on retainer so that each of the Company's clients receives the highest level of medical service should the need arise. Management intends to have several specialty allied health professionals on retainer. These professionals include:

- Pharmacy Consultants
- Psychologists
- Physical Therapists
- Speech Pathologists
- Physician Consultant
- Occupational Therapy Consultants

In short, assisted living facilities provide an alternative for Senior citizens who wish to maintain a measure of independence, a sense of security, and are not ready for a full nursing home environment.

With regards to the approval criteria in Section 77-805.C.:

1. As the "Baby Boomer" segment of the US population continues to age at the rate of 4.4 million per year entering senior status there is a tremendous need in the US for various senior oriented living concepts. Demographic data obtained from an independent market study conducted by senior living research firm HCMA-Portland in 2012 determined that there is currently a shortfall in the Rowlett market area of approximately 90 private pay assisted living beds. As the baby

boomer generation continues to age this shortfall will increase dramatically. This means that there are currently senior Rowlett residents who must make a lifestyle change because they need assisted living services who are forced to leave the city for lack of services, or there are Rowlett resident families who would like to move their senior parents into the city to have them in close proximity but cannot. Both situations are very disruptive to a strong family unit. The planned development will meet the challenge of this underserved market.

2. This project is very compatible with the City's comprehensive plan. The site is very close to the southern border of the "B-2 Woodside Living" area as described in the "Realize Rowlett 2020" plan. The following paragraph is taken from the "Market" description under the "Framework for the Future" section of the "Realize Rowlett 2020" plan.

While the larger Trade Area maintains a solid base of middle and upper-middle class demographics which encompasses a broad diversity of psychographic / lifestyle groups, Rowlett's demographics reflect an affluent (\$82,415 median household income in the City compared to \$64,157 in the Trade Area) and highly-educated (35% with a college degree in the City, 33% in the Trade Area) population. Both City and Trade Area residents prefer to "age in place", as evidenced by projected growth in the 55+ age group. This results in a relatively stable community environment, with residents preferring to move within the community as lifestyle forces dictate. This stability is further reinforced by a higher than average share of family-oriented households and high homeownership figures, indicating increased an level of "investment" in the community.

Additionally, under the "Realize Rowlett 2020" plan for the B-2 development zone the strongest supported guiding principle for that area is number 3 which reads "Make Rowlett a community that is attractive to people at all stages of their lives." Our facility strongly advances this goal.

3. The proposed rezoning will definitely enhance the health, safety, and general welfare of the public by providing the means to deliver crucial services to an underserved segment of the city's population.
4. Current information indicates that the city and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property while maintain sufficient levels of service to existing development.
5. This proposed rezoning is not likely to have significant adverse impacts on the natural environment. Any impact on the natural environment will be positive through the eventual landscaping that will result from the proposed facility on what is now undeveloped land with little to no foliage.
6. The proposed rezoning will not have significant adverse impacts on other property in the vicinity. Existing nearby residential property values will remain unchanged. The property to the immediate south is the home of Crossroads Church. In a meeting with church founder Mr. Kelby Mullins and church Pastor Kent Cox both said they were happy to hear of the proposed change and believed it was an excellent location for an upscale assisted living facility and would be an asset to the neighborhood and community.
7. The subject piece of property is not suitable to the existing zoning classification of single family residential due to odd shape of the tract. However, with regards to an assisted living facility the negative aspects of the shape of the property are negated and due to natural drainage slopes are conducive to this type of development.
8. There being no other assisted living facility within the vicinity of the subject tract and only one other facility in the entire city there does not, according to demographic data, appear to be an excessive proliferation of the use or similar uses.

9. As evidenced by the existing church facility to the immediate south of the subject property and the church leadership's expressed feeling of compatibility with the proposed project the proposed rezoning will ensure that future use will be compatible in scale with uses on other properties in the vicinity.
10. As per the City of Rowlett Planning and Zoning Department there is not currently a tract of land within the City of Rowlett large enough for the construction of an assisted living facility. As such, the planned development of a tract is required before any such project can continue.

EXHIBIT D - PLANNED DEVELOPMENT STANDARDS

Rowlett Assisted Living Facility

A tract of land situated in the James Saunders Survey, A - 1424, City of Rowlett, Dallas County, Texas

OWNER:

CASTLE RIDGE HOMES, INC.
PO BOX 359
ROWLETT, TEXAS 75030
(972)-412-1330

APPLICANT:

RICHARD A. BOSWORTH &
PAT GERALD, etux
740 I.H. 30 EAST
SULPHUR SPRINGS, TEXAS 75482
(903)-439-8526

SURVEYOR:

DAVIS LAND SURVEYING CO., INC.
9777 FERGUSON ROAD, SUITE 105
DALLAS, TEXAS 75228
(214)-321-0569

This planned development shall follow all standards of Rowlett Development Code and Single Family 10 Zoning District unless specifically listed below:

Additional Uses Permitted

1. Beside the permitted uses allowed in the SF-10 zoning district, the only additional permitted uses shall be retirement home, nursing home, continuing care facility or assisted living facility.
2. The facility is initially intended to have 64 beds but may be expanded in the future to 93 beds provided that all standards of this Planned Development are met.
3. Accessory structures for the Assisted Living or Similar facility may be permitted provided they comply with the same architectural standards as the primary building and do not encroach into any required landscape buffers.

Dimensional Standards for an Assisted Living Facility or Similar Use

1. Front setback – 120 foot minimum
2. Side Setback – 45 foot minimum
3. Rear Setback – 100 foot minimum
4. Building Height – 1 story or 36 feet height maximum
5. Lot coverage – 35 percent maximum lot coverage
6. Density – There shall be no maximum density
7. The building shall be oriented to face Chiesa Road

Landscaping Standards for an Assisted Living Facility or Similar Use

All landscaping shall follow the Rowlett Development Code unless specified below:

1. A minimum of 15 percent of the site shall be landscaped.
2. A 15 foot Right of Way buffer will be required along Chiesa Road this shall include
 - a. Trees every 30 feet on center and cluster of trees not to exceed 40 feet on center.
 - b. 10 shrubs per 30 lineal feet.
3. A 15 foot incompatibility buffer will be place along the north property line and a living screen shall be provided along the north property line. This shall include:
 - a. An undulating berm with a minimum side slope of four to one and a minimum crown width of one and half feet.
 - b. Large evergreen shrubs planted in staggered rows to provide a solid screen in one year of planting in a minimum five foot wide bed. Minimum of 10 shrubs per 30 lineal feet.
4. On the East property line the existing tree line will serve as the required Landscape Incompatibility Buffer except that where existing trees are spaced greater than 40 feet on center additional trees shall be added so that trees are never spaced farther apart than 35 feet on center. In addition, large evergreen canopy trees shall be planted every 50 feet to ensure screening from the adjacent neighborhood.
5. On the South property line a six foot buffer shall be provided and will consist of turf grasses.
6. Parking lot Landscaping shall include:
 - a. Five percent of the parking lot area shall be landscaped.
 - b. Landscape islands of nine by eighteen feet shall be located every 12 spaces or less.
 - c. A canopy tree will be required on every landscape island and additional trees will be required for every additional 400 square feet of landscape area.
 - d. Shrub rows with shrubs planted 3 feet on center will place in front of all parking areas to provide screening from headlights.
7. Service area screening shall be comprised of a 6 foot tall masonry wall. The masonry should match the primary structure and the plans shall be sealed by an engineer.

Architectural Standards for an Assisted Living Facility or Similar Use

Architecture for the assisted living facility shall follow the standards in the Rowlett Development Code for commercial or institutional buildings unless noted below.

1. All buildings shall be 100 percent stone, brick, or ¾ inch cement based stucco exclusive of roofs, doors, windows, and dormers.
2. A minimum of 20 percent accent material shall be provided per elevation.

3. Two or more methods of articulation shall be provided every 25 feet on walls exceeding 50 feet in length. Methods include:
 - a. Changes in color, graphical patterning, changes in texture, or changes in material
 - b. Projections, recesses, reveals, expressing structural bays or other aspects of the architectures with a minimum change of plane of 12 inches
 - c. Windows and fenestrations
 - d. Horizontal or vertical breaks and
 - e. Other similar techniques
4. Entries shall be distinguished using three or more of the methods below:
 - a. Canopies or porticos
 - b. Overhangs
 - c. Recesses or projections
 - d. Arcades
 - e. Arches
 - f. Peaked roof forms
 - g. Outdoors patios
 - h. Display windows
 - i. Architectural tiles or moldings
 - j. Integrated planters or wing walls that incorporate landscaped areas or seating

Lighting for an Assisted Living Facility or Similar Use

1. Light fixtures shall be mounted no higher than 15 feet above grade.
2. No more than 1 foot candle of illumination may leave the property at the property line.

PROPERTY DESCRIPTION

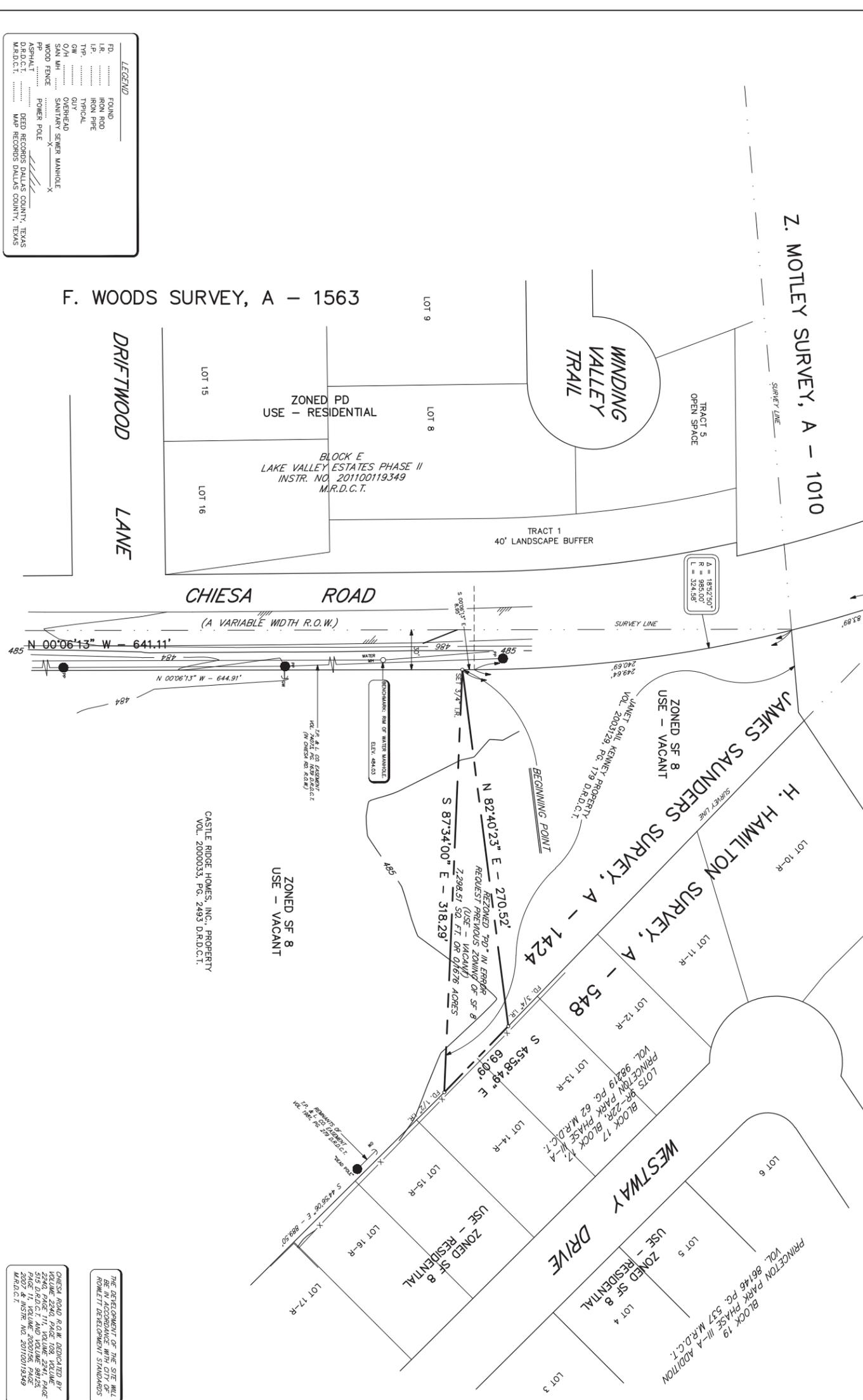
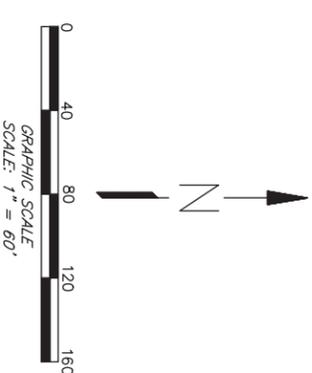
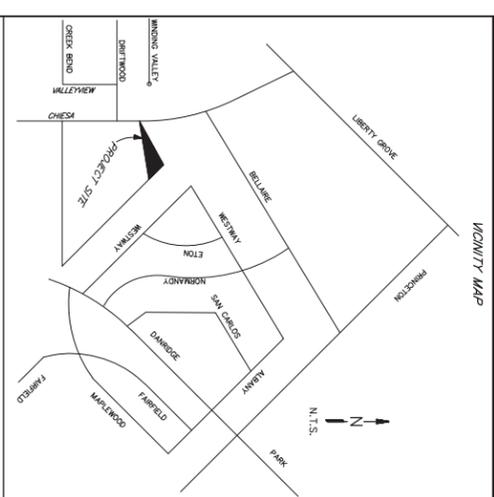
BEING all of that certain lot, tract or parcel of land situated in the JAMES SAUNDERS SURVEY, A-1424, City of Rowlett, Dallas County, Texas, and being part of that same tract of land described in deed to Janet Gail Kenney, recorded in Volume 2003129, Page 179 of the Deed Records of Dallas County, Texas, and said tract being more particularly described as follows:

COMMENCING at the present intersection of the southeast R.O.W. line of Bellaire Lane (a 50' R.O.W.) with the east line of Chiesa Road (a variable width R.O.W.); said point beginning a curve to the right having a central angle of 185°25'0" and a radius of 985.00', bearing S 71°00'57" W; Thence southerly around said curve and along the east line of Chiesa Road, a distance of 324.58' to a point; Thence S 00°06'13" E, 8.95' along the east line of Chiesa Road to a 3/4" iron rod found at the southwest corner of said Kenney property and the POINT OF BEGINNING;

THENCE N 82°40'23" E, 270.52' over and across said Kenney property to a 3/4" iron rod found for corner in the southeast line of Block 17 of Lots 9R-22R, Block 17, Princeton Park Phase II-A, an addition to the City of Rowlett, Texas, recorded in Volume 986216, Page 02 of the Map Records of Dallas County, Texas;

THENCE S 45°58'49" E, 69.09' along the southwest line of said Block 17 to a 1/2" iron rod found at the southeast corner of said Kenney property;

THENCE N 87°34'00" W, 318.29' along the south line of said Kenney property to the point of beginning and containing 7,298.51 square feet or 0.1676 acres of land.



As of the date of this survey, this property does not lie within any known designated flood plain or flood hazard area. This property lies within Zone A, as shown on Flood Insurance Rate Map No. 4811500245 J, dated 8/23/01.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 51111



Seth Davis

EXHIBIT "B" - ZONING EXHIBIT
 OF A TRACT OF LAND SITUATED IN THE
 JAMES SAUNDERS SURVEY, A - 1424, CITY
 OF ROWLETT, DALLAS COUNTY, TEXAS.

OWNER/APPLICANT
 JANET GAIL KENNEY
 1735 MERIDIAN WAY
 GARLAND, TEXAS 75040-5383
 (469)-358-2600

DAVIS LAND SURVEYING CO., INC.
 9777 FERGUSON ROAD, SUITE 105
 DALLAS, TEXAS 75228
 DATE: 11/9/14
 JOB NO. 13011F

THE DEVELOPMENT OF THE SITE WILL BE IN ACCORDANCE WITH CITY OF ROWLETT DEVELOPMENT STANDARDS

CHIESA ROAD ROW REGULATED BY VOLUME 2340, PAGE 109; VOLUME 2340, PAGE 111; VOLUME 2341, PAGE 53; D.E.C.T. AND VOLUME 98125, 2007 & MSTR. NO. 2010019349 M.R.D.C.T.

CASTLE RIDGE HOMES, INC., PROPERTY
 VOL. 2000033, PG. 2493 D.R.D.C.T.

ZONED SF 8
 USE - VACANT

ZONED PD
 USE - RESIDENTIAL

ZONED SF 8
 USE - VACANT

LEGEND

FD	FOUND
LR	IRON ROD
LP	IRON PIPE
TP	TYPICAL
GW	GUY
O/H	OVERHEAD
SM WH	SANITARY SEWER MANHOLE
WOOD FENCE	WOOD FENCE
ASPHALT	ASPHALT
M.R.D.C.T.	MAP RECORDS DALLAS COUNTY, TEXAS

F. WOODS SURVEY, A - 1563

DRIFTWOOD LANE

EXHIBIT D – PLANNED DEVELOPMENT STANDARDS

Rowlett Assisted Living Facility

A tract of land situated in the James Saunders Survey, A - 1424, City of Rowlett, Dallas County, Texas

OWNER:

CASTLE RIDGE HOMES, INC.
PO BOX 359
ROWLETT, TEXAS 75030
(972)-412-1330

APPLICANT:

RICHARD A. BOSWORTH &
PAT GERALD, et ux
740 I.H. 30 EAST
SULPHUR SPRINGS, TEXAS 75482
(903)-439-8526

SURVEYOR:

DAVIS LAND SURVEYING CO., INC.
9777 FERGUSON ROAD, SUITE 105
DALLAS, TEXAS 75228
(214)-321-0569

This planned development shall follow all standards of Rowlett Development Code and Single Family 10 Zoning District unless specifically listed below:

Additional Uses Permitted

1. Beside the permitted uses allowed in the SF-10 zoning district, the only additional permitted uses shall be retirement home, nursing home, continuing care facility or assisted living facility.
2. The facility is initially intended to have 64 beds but may be expanded in the future to 93 beds provided that all standards of this Planned Development are met.
3. Accessory structures for the Assisted Living or Similar facility may be permitted provided they comply with the same architectural standards as the primary building and do not encroach into any required landscape buffers.

Dimensional Standards for an Assisted Living Facility or Similar Use

1. Front setback – 120 foot minimum
2. Side Setback – 45 foot minimum
3. Rear Setback – 100 foot minimum
4. Building Height – 1 story or 36 feet height maximum
5. Lot coverage – ~~35 percent maximum lot coverage~~ 45 percent maximum lot coverage
6. Density – There shall be no maximum density
7. The building shall be oriented to face Chiesa Road

Landscaping Standards for an Assisted Living Facility or Similar Use

All landscaping shall follow the Rowlett Development Code unless specified below:

1. A minimum of 15 percent of the site shall be landscaped.
2. A 15 foot Right of Way buffer will be required along Chiesa Road this shall include
 - a. Trees every 30 feet on center and cluster of trees not to exceed 40 feet on center.
 - b. 10 shrubs per 30 lineal feet.
3. A 15 foot incompatibility buffer will be place along the north property line. This shall include:
 - a. An undulating berm with a minimum side slope of four to one and a minimum crown width of one and half feet.
 - b. Large evergreen shrubs planted in staggered rows to provide a solid screen in one year of planting in a minimum five foot wide bed. Minimum of 10 shrubs per 30 lineal feet.
4. On the East property line the existing tree line will serve as the required Landscape Incompatibility Buffer except that where existing trees are spaced greater than 40 feet on center additional trees shall be added so that trees are never spaced farther apart than 35 feet on center.
5. On the South property line a six foot buffer shall be provided and will consist of turf grasses.
6. Parking lot Landscaping shall include:
 - a. Five percent of the parking lot area shall be landscaped.
 - b. Landscape islands of nine by eighteen feet shall be located every 12 spaces or less.
 - c. A canopy tree will be required on every landscape island and additional trees will be required for every additional 400 square feet of landscape area.
 - d. Shrub rows with shrubs planted 3 feet on center will place in front of all parking areas to provide screening from headlights.
7. ~~Service area screening shall be comprised of a 6 foot tall masonry wall. The masonry should match the primary structure and the plans shall be sealed by an engineer.~~ Service area screening shall not be required.

Architectural Standards for an Assisted Living Facility or Similar Use

Architecture for the assisted living facility shall follow the standards in the Rowlett Development Code for commercial or institutional buildings unless noted below.

1. All buildings shall be 100 percent stone, brick, or ¾ inch cement based stucco exclusive of roofs, doors, windows, and dormers.
2. A minimum of 20 percent accent material shall be provided per elevation.
3. Two or more methods of articulation shall be provided every 25 feet on walls exceeding 50 feet in length. Methods include:

- a. Changes in color, graphical patterning, changes in texture, or changes in material
 - b. Projections, recesses, reveals, expressing structural bays or other aspects of the architectures with a minimum change of plane of 12 inches
 - c. Windows and fenestrations
 - d. Horizontal or vertical breaks and
 - e. Other similar techniques
4. Entries shall be distinguished using three or more of the methods below:
- a. Canopies or porticos
 - b. Overhangs
 - c. Recesses or projections
 - d. Arcades
 - e. Arches
 - f. Peaked roof forms
 - g. Outdoors patios
 - h. Display windows
 - i. Architectural tiles or moldings
 - j. Integrated planters or wing walls that incorporate landscaped areas or seating

Lighting for an Assisted Living Facility or Similar Use

1. Light fixtures shall be mounted no higher than 15 feet above grade.
2. No more than 1 foot candle of illumination may leave the property at the property line.



105 South Highway 183
 Leander, TX 78641
 Voice 512.259.4175
 Fax 512.259.4604
 eMail wdawes@dfdarch.com

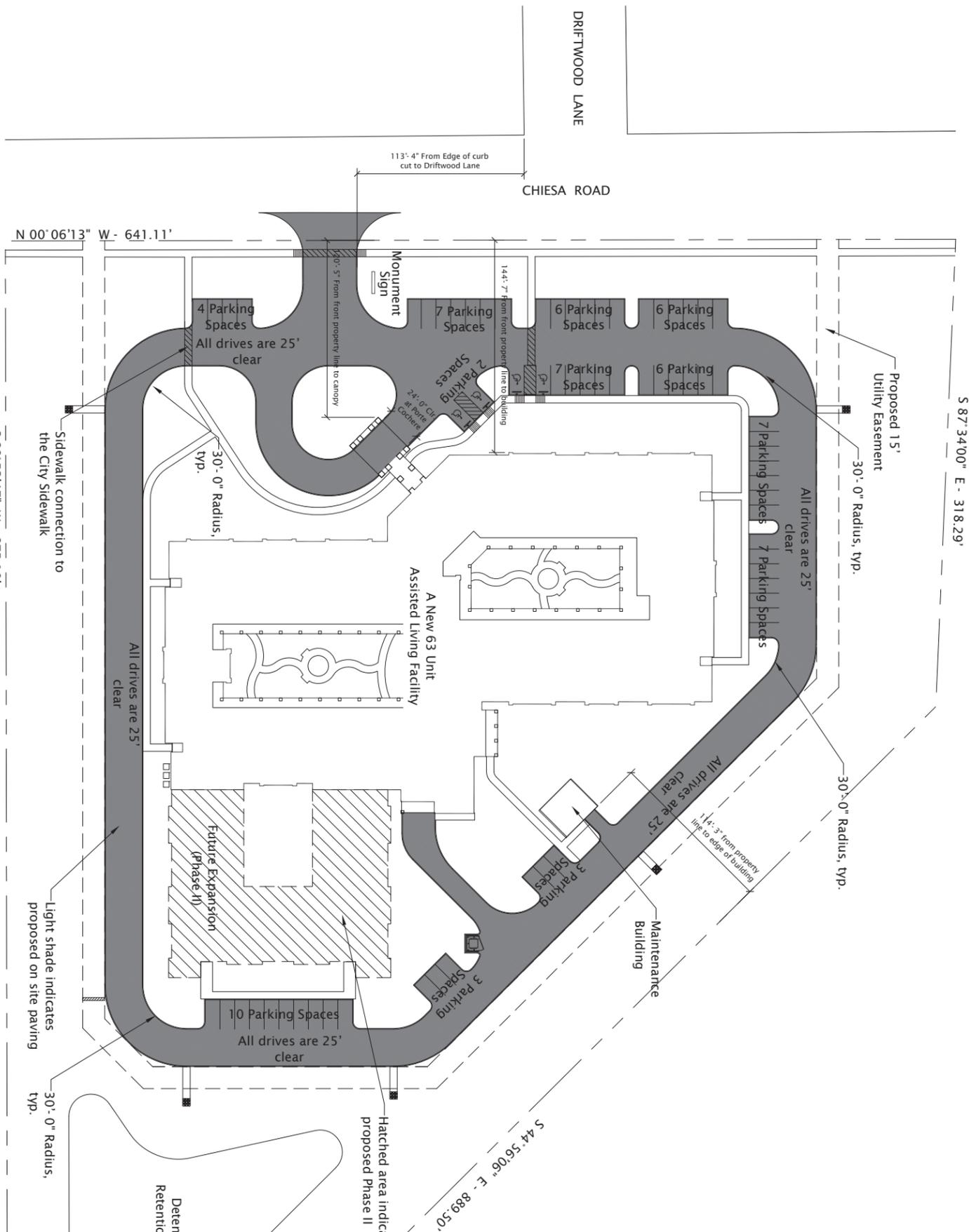
Project Number: 000000
 © DFD Architects, Inc.



02.18.15

Property Development Regulations	
General	
Case Number	PD15-678
Name of Project/Development	Rowlett Assisted Living
Proposed Use	Large Type "B" Assisted Living as regulated by the Texas Department of Aging and Disability Services (ODDS)
Future Land Use Designation	SF-10 and SF-8
Proposed Future Land Use Designation	SF-10
Existing Zoning District	SF 8/SF-10
Proposed Zoning District	Planned Development for Assisted Living
Applicable Overlays	PD ORD # 017-13
Appraisal District/Account Numbers and County	Commercial Act #655142403510010100, Dallas County
Overall Site	
Gross Site Area	399,014 sf
Site Footprint	644 Feet
Site Depth	644 Feet (Varies)
Impervious Surface Area	152,804 sf (38.2%)
Open Space Use %	246,210 sf
Accessory Use %	1%
Open Space (ac & %)	5.0 ac / 55%
Detention/Retention (ac & %)	0.5 ac / 5%
Recreation (ac & %)	TBD
Preserve (ac & %)	N/A
Civic (ac & %)	N/A
Other (ac & %)	N/A
Building	
Total Gross Intensity (FAR)	0.14 (0.18 with Phase II)
Total Square Footage (Commercial)	57,679 sf (72,569 sf with Phase II)
Property Development Regulations	
Maximum Impervious Coverage (Permitted/Proposed)	45% / 38.2%
Minimum Lot Area	406,312 sf
Minimum Lot Width	644 feet at Chiesa and then tapers to a point
Minimum Lot Depth	270 feet
Setbacks (Required/Proposed)	120 ft / 120 ft
Front Setback	45 ft / 106 ft
Side Interior Setback	N/A
Rear Setback	100 ft / 108 ft
Structure Height (Permitted/Proposed)	36' max / 25'-1" proposed
No. of Stories (Permitted/Proposed)	1 / 1
Improvements	
Maximum # of Resident Units	63 Resident Units (93 Resident Units for Phase II)
Parking & Access	
# Handicap Parking	68 total parking spaces
# Loading Spaces	4
# Access Points	1 (8 with Phase II)

Note: No portion of the 100 year flood plain exists on this site.



All current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations.

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)

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 the Planning, will require an amendment to the Zoning Concept Plan and, as necessary, the development regulations.

1 Architectural Site Plan



OWNER
 CASTLE RIDGE HOMES, INC.
 PO BOX 359
 ROWLETT, TEXAS 75030
 (972)-412-1330

APPLICANT
 RICHARD A. BOSWORTH &
 PAT GERALD, dux
 740 LH, 30 EAST
 SULPHUR SPRINGS, TEXAS 75482
 (903)-439-8526

SURVEYOR
 DAVIS LAND SURVEYING CO., INC.
 9777 FERROUSON ROAD, SUITE 105
 DALLAS, TEXAS 75228
 (214)-321-0569

EXHIBIT "E" - ZONING CONCEPT PLAN
 OF A TRACT OF LAND SITUATED IN THE
 JAMES SAUNDERS SURVEY, A - 1424, CITY
 OF ROWLETT, DALLAS COUNTY, TEXAS.

**Pat & Lanell Gerald
 and Rick Bosworth**
 740 I-30 East
 Sulphur Springs, Texas 75482

**A New 63 Unit
 (83 Unit Max)
 Assisted Living Facility
 Rowlett, Texas**

Submission Date:
 February 18, 2015

SITE 1



Department of Development Services

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Rezoning and Planned Development Amendment

LOCATION: The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676 acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971 acres of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a rezoning of the 0.1676-acre tract from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of the 9.1971-acre tract to amend the development standards in Planned Development Ordinance #017-13 related to a future expansion of an assisted living facility. (Case Number PD15-768)

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: DON'T WANT COMMERCIAL ZONE NEXT TO MY RESIDENCE OR PROPERTY VALUE LOWERED OR NOISE + TRAFFIC

PROPERTY OWNER

NAME (printed): DANIEL JAMEZ

SIGNATURE: Daniel Jamez

ADDRESS: 7113 WESTWAY DR ROWLETT TX 75089

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 7:00 p.m. on the 24th day of February, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 17th day of March, 2015. 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, February 18, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, March 11, 2015, to be included in the City Council packet. All responses received by March 11th 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

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Rezoning and Planned Development Amendment
LOCATION: The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676 acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971 acres of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant requests a rezoning of the 0.1676-acre tract from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of the 9.1971-acre tract to amend the development standards in Planned Development Ordinance #017-13 related to a future expansion of an assisted living facility. (Case Number PD15-768)

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

COMMENTS: CHIESA IS ALREADY OVER CROWDED AND THE CITY OF ROWLETT HAS SHOWN TO BE REACTIVE RATHER THAN PROACTIVE TO TRAFFIC ISSUES.
PROPERTY OWNER NAME (printed): TERRY LINDA KNIGHT
SIGNATURE: [Signature]
ADDRESS: 6704 DRIFTWOOD LANE

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 7:00 p.m. on the 24th day of February, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 17th day of March, 2015. 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, February 18, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, March 11, 2015, to be included in the City Council packet. All responses received by March 11th 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

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Rezoning and Planned Development Amendment

LOCATION: The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676 acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971 acres of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas.

EXPLANATION OF REQUEST: The applicant requests a rezoning of the 0.1676-acre tract from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of the 9.1971-acre tract to amend the development standards in Planned Development Ordinance #017-13 related to a future expansion of an assisted living facility. (Case Number PD15-768)

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

COMMENTS:

PROPERTY OWNER

NAME (printed): SALIAMMA & RAG DANIEL

SIGNATURE: *[Handwritten Signature]*

ADDRESS: 6708 WINDING VALLEY TRL. ROWLETT TX 75089

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 7:00 p.m. on the 24th day of February, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 17th day of March, 2015. 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, February 18, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, March 11, 2015, to be included in the City Council packet. All responses received by March 11th 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

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Rezoning and Planned Development Amendment
LOCATION: The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676 acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971 acres of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant requests a rezoning of the 0.1676-acre tract from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of the 9.1971-acre tract to amend the development standards in Planned Development Ordinance #017-13 related to a future expansion of an assisted living facility. (Case Number PD15-768)

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

COMMENTS: NOT in favor of an assisted living facility being built directly behind my home. when this was first proposed in 2013 meetings were scheduled however, there was NEVER anyone present @ said meetings. This will further reduce the value of my already decaying home value.
PROPERTY OWNER NAME (printed): Monetta Ingram
SIGNATURE: [Signature]
ADDRESS: 7117 Fairfield Dr. Rowlett TX 75089

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 7:00 p.m. on the 24th day of February, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 17th day of March, 2015. 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, February 18, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, March 11, 2015, to be included in the City Council packet. All responses received by March 11th 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.

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



Department of Development Services

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for a Rezoning and Planned Development Amendment
LOCATION: The subject properties are located at 8110 Chiesa Road, further described as being a 0.1676 acre portion of Tract 3 in the James Saunders Survey, Abstract No. 1424 and 7000 Chiesa Road, further described as being all of a 9.1971 acres of Tract 3 the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas.
EXPLANATION OF REQUEST: The applicant requests a rezoning of the 0.1676-acre tract from Planned Development Ordinance #017-13 to Single Family-8 and a rezoning of the 9.1971-acre tract to amend the development standards in Planned Development Ordinance #017-13 related to a future expansion of an assisted living facility. (Case Number PD15-768)

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

COMMENTS: Traffic, property values, this does not conform to the neighborhood.

PROPERTY OWNER
NAME (printed): Lisa Parker
SIGNATURE: Lisa Parker
ADDRESS: 6714 Creek Bnd, Rowlett, TX 75089

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 7:00 p.m. on the 24th day of February, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 17th day of March, 2015. 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, February 18, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, March 11, 2015, to be included in the City Council packet. All responses received by March 11th 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.

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

02-20-15P02:10 RCVD

02-20-15P02:10 RCVD



City of Rowlett

Staff Report

Planning & Zoning Commission

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

AGENDA DATE: 2/24/2015

AGENDA ITEM: C2

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 QuikTrip. The subject property is located at 5001 Lakeview Parkway, further described further described as being a 3.7582-acre tract of land located in the Thomas Lumley Survey, Abstract No. 789, a portion of said tract being all of Lot 1, Block 1 Chancon Autos Ltd. Addition, an addition to the City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

This is a request to remove more than three protected trees from a 3.7582-acre tract of land located at 5001 Lakeview Parkway. (Attachment 1 Location Map). The applicant is proposing to remove 5 protected trees totaling in 58 caliper inches (Attachment 2 – Tree Survey and Preservation Plan). The applicant is proposing to mitigate 58 caliper inches by paying a fee in lieu of planting in the amount of \$7,056.86.

BACKGROUND INFORMATION

The subject property is located at northeast corner of Lakeview Parkway and the PGBT service road. A portion of the property was rezoned to a Planned Development in November 2014 to allow a QuikTrip service station. A preliminary plat for subdividing the subject property into two lots was approved by the Planning and Zoning Commission on January 13, 2015. Approval of the Development Plan (which includes site plan, landscape plan, façade plan and photometric plan) cannot be approved until the tree mitigation plan is approved by City Council.

Four of the protected trees are located in the existing parking lot and will be removed when the former auto dealership is demolished to make way for the proposed service station. The fifth tree (#74476) located to the north of the new cross access drive will be removed as a result of the significant grading in that area. Approximately 2 to 3 feet of fill will be needed in this area for grading for drainage purposes. Additionally, the tree #74476 will be less than three feet from the curb of the new cross access drive which would severely impact the health of the tree.

The applicant will install new landscaping and trees as required by the RDC with the new service station. The applicant is proposing to pay a fee in lieu of planting an additional 58 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. Chapter 77, Section 504, Subsection 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 **\$7,056.86**. This is calculated using the \$121.67 per replacement inch as adopted by the Master Fee Schedule.

DISCUSSION

Per section 77-508. 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. Staff recommends approval of the fee in lieu to mitigate the removal of five protected trees totaling 58 calipers inches. The collected funds will be dedicated to the City's reforestation fund.

FISCAL IMPACT

There will be a fiscal impact as \$7,056.86 will be contributed to the City's reforestation fund.

RECOMMENDED ACTION

Staff requests that the Planning and Zoning Commission make a favorable recommendation to the Council regarding the request to mitigate the removal of 58 caliper inches by paying the tree mitigation fee.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Tree Survey and Preservation Plan

