AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, OCTOBER 23, 2018

The Planning and Zoning Commission will convene into a Work Session at 6:45 p.m. in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

1. CALL TO ORDER
   
   1A Discuss items on the regular agenda.
   
   1B Adjourn.

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:

2. CALL TO ORDER
   
   2A Update Report from Staff.

3. CONSENT AGENDA
   
   3A Consider the Minutes of the Planning and Zoning Commission Meeting of October 9, 2018.

4. ITEMS FOR INDIVIDUAL CONSIDERATION
   
   4A Conduct a public hearing and make an recommendation on a request by Matt Moore, Claymoore Engineering, on the behalf of property owner Brian M. Wertz, for a Special use Permit (SUP) to allow a restaurant with a drive through facility on property zoned General Commercial/Retail (C-2). The 0.809 acre site is located at 3316 Lakeview Parkway, Block 1, Lot 3, in the Boyd and Kneegs Business Park Replat, City of Rowlett, Dallas County, Texas.

5. 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.

______________________________
Susan Nix, Community Development Coordinator
WORK SESSION

PRESENT: Chairman James Moseley, Interim Vice Chairman Kevin Moore, Commissioners Lisa Estevez, John Cote, Mark Engen, Michael Lucas, Stephen Winton, Alternates Kellie McKee, Robert Swift.

ABSENT: Alternate Quinn Segars.

STAFF PRESENT: Director of Community Development Munal Mauladad, Planning Manager Daniel Acevedo, Senior Planner Tara Bradley, Urban Designer Carlos Monsalve, Planner II Kameka Miller, Assistant City Engineer Jeff Cohen, Community Development Coordinator Susan Nix.

1 CALL TO ORDER

Chairman James Moseley called the meeting to order at 6:18 p.m.

1A Introduction of the newly appointed members and alternate members.

The newly appointed Members and Alternate Members were introduced to the Planning and Zoning Commission and staff.

1B Election of a Chair and Vice-Chair for the 2018-19 term.

Chairman Moseley opened the floor for nominations for a Chairman for the coming year.

Commissioner John Cote made a motion to nominate James Mosely for Chairman of the Planning and Zoning Commission. Mark Engen seconded the motion. The motion passed unanimously.

Chairman Moseley then opened the floor for nominations for a Vice Chairman for the coming year.

Commissioner Mark Engen made a motion to nominate Kevin Moore for Vice Chairman of the Planning and Zoning Commission. Commissioner John Cote seconded the motion. The motion passed unanimously.
MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE CITY COUNCIL CHAMBERS
4000 MAIN STREET, AT 7:00 P.M., OCTOBER 9, 2018

1C Discuss an amendment to Chapter 77-704 of the Rowlett Development Code (RDC) to enact Article 211.006(f) of the Texas Local Government Code, providing that the affirmative vote of at least three-fourths of City Council be required to overrule a recommendation of denial from the Planning and Zoning Commission.

Planning Manager, Daniel Acevedo, presented the information for this item. There was some discussion amongst the Commissioners and staff. A decision was made to move forward with this amendment.

1D Discuss an amendment to the Rowlett Development Code (RDC) Chapter 77-303.4 Solar Panels, to allow roof mounted solar panels to be visible from public view and mounted on any side of the roof with optimal solar orientation.

Planning Manager, Daniel Acevedo, presented the information for this item. There was extended discussion amongst the Commissioners and staff. The consensus was to bring this item back at a later meeting for further discussion.

1E Discuss items on the regular agenda.

There was no discussion of items for the regular agenda.

1F Adjourn.

Chairman James Moseley adjourned the Work Session at 6:58 p.m.

REGULAR SESSION

PRESENT: Chairman James Moseley, Vice Chairman Kevin Moore, Commissioners Lisa Estevez, John Cote, Mark Engen, Michael Lucas, Stephen Winton, Alternates Kellie McKee, Robert Swift.

ABSENT: Alternate Quinn Segars.

STAFF PRESENT: Director of Community Development Munal Mauladad, Planning Manager Daniel Acevedo, Senior Planner Tara Bradley, Urban Designer Carlos Monsalve, Planner II
Kameka Miller, Assistant City Engineer Jeff Cohen, Community Development Coordinator Susan Nix.

2  CALL TO ORDER

Chairman James Moseley called the meeting to order at 7:00 p.m.

2A  Update Report from Staff.

Daniel Acevedo, Planning Manager, came forward and thanked the returning members of the Commission for their service and welcomed the new members. He said staff looks forward to working with them over the next year.

3  CONSENT AGENDA

3A  Consider the Minutes of the Planning and Zoning Commission Meeting of September 25, 2018.

Commissioner John Cote made a motion to approve the Consent Agenda. Commissioner Lisa Estevez seconded the motion. The motion passed with a 6-0 vote. Vice Chairman Kevin Moore abstained from the vote.

4  ITEMS FOR INDIVIDUAL CONSIDERATION

4A  Conduct a public hearing and make a recommendation on a request by Dan Adhamy, Wedgewood Development, LLC, for a Planned Development (PD) Amendment of Ordinance 001-08 to allow for an 18,981 square foot, multi-tenant medical and professional office building. The 1.89 acre site is located at 6901 Rowlett Road, in the Reason Crist Survey, Abstract No. 225, Lot 2, Block 1 of the Springfield Plaza Addition, City of Rowlett, Dallas County, Texas.

Senior Planner, Tara Bradley, presented the information for this item. She stated that staff recommends approval.
There was no discussion amongst the Commission.

Dan Adhamy - Applicant, came forward and answered questions from the Commissioners regarding the facility and the PD Amendment.

The public hearing was opened and closed with 1 speaker.

Max Felber, 6802 Falcon Street, Rowlett; spoke regarding his concerns with parking.

There was discussion amongst Commissioners and staff regarding the landscape buffer, parking, and being in favor of this request.

Commissioner Michael Lucas made a motion to approve the request for this item. Commissioner Mark Engen seconded the motion. The motion for approval passed with a 7-0 vote.

4B Conduct a public hearing and make a recommendation on a request by Michael Holigan on behalf of the property owners, V.M.C. Mooney and Kathryn Marie Jerome, for a rezoning from Single Family Residential (SF-40) District to Form Based Urban Neighborhood (FB-UN) with a Major Warrant to allow front entry, front facing garages with the elimination of alleys. The 24.844 acre site is located at 3601 and 3802 Miller Road, in the William Crabtree Survey, Abstract No. 347, City of Rowlett, Dallas County, Texas.

Planning Manager, Daniel Acevedo, presented the information for this item. He stated that staff recommends approval.

Brent Murphree - Applicant, with Kimley-Horn & Associates, came forwarded and presented additional information regarding the item. He explained he was representing the developer and the property owner.

The public hearing was opened and closed with 22 speakers:

Terry Millican, 3802 Hidden Valley Circle, Rowlett; spoke in opposition of this item. Jeremy Perison, 3901 Hidden Valley Circle, Rowlett; spoke in opposition of this item.
David Thomas, 3803 Hidden Valley Circle, Rowlett; spoke in opposition of this item.
Richard Kull, 3801 Osage, Rowlett; spoke regarding adopting the comp plan first.
Dale Graves, 202 Suntide Drive, Sunnyvale; spoke in favor of this item.
Stanley Pollard, 3110 Sycamore Street, Rowlett; spoke in opposition of this item.
Irene Proce, 2906 Weems Way, Rowlett; spoke in opposition of this item.
Patty Said, 2902 Weems Way, Rowlett; spoke in opposition of this item.
Lisa Thompson, 3806 Miller Road, Rowlett; spoke in opposition of this item.
Jeff Lott, 3801 Hidden Valley Circle, Rowlett; spoke in opposition of this item.
Kathy Jerome (Property Owner), 3802 Miller Road, Rowlett; spoke in favor of this item.
Sandy Maltese (Owner’s Realtor), 3509 McFarland, University Park; spoke in favor of this item.
John Shewmaker, 3101 Weems Way, Rowlett; spoke in opposition of this item.
Susan Henchal, 3406 Birch Ct/4109 Scott Drive, Rowlett; spoke in opposition of this item.
Rick Sheffield, 3610 Delia Street, Rowlett; spoke in favor of this item.
Steve Knox, 3814 Amy Avenue, Rowlett; spoke in opposition of this item.
Cecelia Cox, 3609 Scott Drive, Rowlett; spoke regarding her concerns with this item.
Tara Seale, 3401 Scott Drive, Rowlett; spoke in opposition of this item.
Kathy Welch (Executor of Estate) 3601 Miller Road, Rowlett; spoke in favor of this item.
Paula Allen, 3902 Hidden Valley Circle, Rowlett; spoke in opposition of this item.
Jonathan Oriley, 3810 Hidden Valley Circle, Rowlett; spoke in opposition of this item.
Glenn Holloway, 3818 Amy Avenue, Rowlett; spoke in opposition of this item.

Michael Holigan - Developer, came forward and gave more information regarding the development. He also addressed traffic and flooding issues.

There was discussion amongst the Commissioners regarding whether this type of development is an appropriate use for this property. They also discussed flooding concerns, traffic, location and increased density.

Commissioner Michael Lucas made a motion to approve the request for this item. Commissioner John Cote seconded the motion. The motion for approval was denied with a 3-4 vote. Chairman Moseley, Vice Chairman Moore, Commissioners Winton and Engen voted against.
5 ADJOURNMENT

Chairman James Moseley adjourned the meeting at 9:35 p.m.

______________________________                    ______________________________
Chairman                                                                             Secretary
TITLE
Conduct a public hearing and make a recommendation on a request by Matt Moore, Claymoore Engineering, on behalf of property owner Brian M. Wertz, for a Special Use Permit (SUP) to allow a restaurant with a drive through facility on property zoned General Commercial/Retail (C-2). The 0.809 acre site is located at 3316 Lakeview Parkway, Block 1, Lot 3, in the Boyd and Kneggs Business Park Replat, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE
Daniel Acevedo, Planning Manager
Tara Bradley, Senior Planner

EXECUTIVE SUMMARY
Per the Rowlett Development Code (RDC), Section 77-301, Table 3.1-1, a Special Use Permit (SUP) is required for a restaurant with a drive through facility, when located in the General Commercial/Retail (C-2) zoning district. The applicant is requesting a Special Use Permit (SUP) to allow for a drive through facility, as part of a 7,644 square foot retail and restaurant building. The proposed retail and restaurant building will consist of 6,394 square feet dedicated to commercial use and 1,250 square feet dedicated to restaurant use with a drive through.

STRATEGIC PRIORITY AND GOAL(S)

<table>
<thead>
<tr>
<th>Strategic Priority</th>
<th>Strategic Goal</th>
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<tbody>
<tr>
<td>FOSTER ECONOMIC VITALITY</td>
<td>5.4 Attract specialty retail development. 5.6 Strengthen the City’s employment base.</td>
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BACKGROUND INFORMATION
The subject property is zoned General Commercial/Retail (C-2) with an existing Special Use Permit (SUP) for a childcare facility, which has been in use since 1987. The applicant proposes to demolish the existing facility, repeal the existing SUP, and erect a new building in compliance with the Rowlett Development Code (RDC) requirements. The existing SUP will be repealed by the proposed SUP ordinance, if adopted.
The subject property is currently developed and the surrounding land use pattern is described in the table below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Uses</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>Restaurant with drive-through</td>
<td>General Commercial/Retail (C-2)</td>
</tr>
<tr>
<td>West</td>
<td>Restaurant with drive-through</td>
<td>General Commercial/Retail (C-2)</td>
</tr>
<tr>
<td>South</td>
<td>Vacant Land</td>
<td>General Commercial/Retail (C-2)</td>
</tr>
<tr>
<td>North</td>
<td>Restaurant with drive-through</td>
<td>General Commercial/Retail (C-2)</td>
</tr>
</tbody>
</table>

The proposed SUP to allow a drive through restaurant, is consistent with the surrounding uses and existing zoning district. The applicant is proposing to develop a one-story building with a maximum building height of 22 feet. The development will have a total of 47 parking spaces with 12 parking spaces for restaurant use. The request will comply with the RDC requirements.

**DISCUSSION**

The approval criteria for an SUP are outlined in Section 77-206 of the RDC as stated below:

1. The proposed Special Use Permit is consistent with the Comprehensive Plan and other infrastructure-related plans, all applicable provisions of this Code, and applicable state and federal regulations;

   *While the subject property is not located within one of the 13 opportunity areas in the Realize Rowlett 2020 Comprehensive Plan, the request is consistent with the following Guiding Principle of the Comprehensive Plan: “Position Rowlett for an appropriate scale of investment and reinvestment”. Because the proposal is redeveloping a site that has a unoccupied facility, the request represents an appropriate reinvestment into the community.*

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

   *The proposed use is in alignment with the General Commercial/Retail (C-2) Zoning District, as it currently allows for restaurant uses. In addition, since the surrounding properties are zoned General Commercial/Retail (C-2) and have drive through facilities, the proposed SUP is consistent with the adjacent uses.*

3. Whether the proposed Special Use Permit meets the challenge of some changing condition, trend, or fact;
This request does “meet the challenge of some changing condition, trend, or fact;” The proposed drive-through will be in alignment with the context and character of the Lakeview Parkway Corridor, of allowing drive through facilities zoned C-2.

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

The requested SUP will not negatively affect the health, safety, morals or general welfare of the public.

5. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Adequate utilities, access roads and drainage facilities are being provided for the subject property. The SUP will not dramatically increase any demands on utilities, since the previous occupant was linked to that infrastructure.

6. Whether the proposed Special Use Permit is consistent with or will have significant adverse impacts on other property in the vicinity of the subject tract; and

The drive through will not have significant adverse impacts on other properties located within the vicinity of the subject tract, and is consistent with development in the surrounding zoning district.

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

The Special Use Permit request is consistent with the existing zoning and existing uses. Existing development, along Lakeview Parkway, have drive-throughs, which cater to this auto oriented corridor.

PUBLIC HEARING NOTICES
Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. 200ft notices (12) and courtesy 500ft notices (14) were mailed on October 8, 2018. As of Wednesday, October 17, 2018, staff has received the following:

- 200 ft. notification area: No notices were received.
- 500 ft. courtesy notification area: Two notices were received in favor.

These responses are included as Attachment 4.

FISCAL IMPACT
N/A

**RECOMMENDED ACTION**

Approval of the Special Use Permit (SUP) request and the associated conceptual/site plan.

**ATTACHMENTS**
Attachment 1 – Location Map
Attachment 2 – Zoning Map
Attachment 3 – Special Use Permit (SUP) Submittal
Attachment 4 – Public Hearing Notices
3316 Lakeview Parkway
Special Use Permit (SUP) Request
Location Map

Legend
- Subject Property
- Streets
- Parcels

Subject Property

ATTACHMENT 1
3316 Lakeview Parkway
Special Use Permit Request
Zoning Map

ATTACHMENT 2

October 11, 2018

GIS
City of Rowlett
EXHIBIT A
ZONING DESCRIPTION
LOT 3, BLOCK 1
REPLAT OF LOTS 2, 3 & 4, BLOCK 1
BOYD & KNEGGS BUSINESS PARK

BEING a 1.021-acre tract of land situated in the U. Matheron Survey, Abstract No. 1017 in the City of Rowlett, Dallas County, Texas, being of portion of Lot 3, Block 1, of the replat of Lots 2, 3 & 4, Block 1 of Boyd & Kneeggs Business Park, an Addition to the City of Rowlett as filed for record in Volume 55233, Page 3011, Plat Records, Dallas County, Texas, also being a portion of State Highway No. 66 (120 foot wide public right-of-way) and a portion of the 15 foot alley easement recorded in Volume 77203, Page 201 and Volume 81339, Page 1006 Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the common corner of said Lot 3, and Lot 2, Block 1 of said Boyd & Kneeggs Business Park, being in the south right-of-way line of said State Highway No. 66;

THENCE S 01° 2'-39" E, along the common line of said Lot 3, Block 1, and said Lot 2, Block 1, at a distance of 258.06 feet passing a 1/2-inch iron rod set for the common corner of said Lot 3, Block 1, and said Lot 2, Block 1, being in the north line of said 15 foot alley continuing for a total distance of 235.56 feet to the centerline of said alley;

THENCE S 88° 54'-03" W, along the centerline of said 15 foot alley, a distance of 136.58 feet to a point for corner;

THENCE N 01° 02'-56" W, at a distance of 7.50 feet passing washer set for corner, said point being the southeast corner of 25 feet wide Ingress & Egress easement adjacent and parallel to the west line of said Lot 3, Block 1, then at a distance of 265.67 feet passing washer set for corner continuing for a total distance of 265.67 feet to the centerline of said State Highway No. 66;

THENCE N 88° 57'-01" E, along the centerline of said State Highway No. 66, a distance of 136.56 feet to a point for corner;

THENCE S 01° 02'-59" E, a distance of 30.00 feet to the POINT OF BEGINNING and containing 44,466 square feet or 1.021 acres of land, more or less.

Candy Hone, RPLS 7/16/2018
Registered Professional Land Surveyor No. 5867
Votex Surveying Firm No. 10013600
September 20, 2018

Daniel Acevedo
City of Rowlett - Planning Department
3901 Main Street
Rowlett, Texas 75088

Re: Exhibit C – Statement of Intent and Purpose
Lakeview Plaza SUP Submittal
Lot 3, Block 1, Replat of Lots 2, 3, & 4, Block 1
Boyd & Kneggs Business Park

Dear Mr. Acevedo:

The proposed 7,549 SF building consists of approximately 1,200 square feet of food and beverage services (with drive thru) and 6,394 sf of commercial retail or potential food and beverage center. The facility will be sited on a 0.809 acre lot located approximately 1,050 feet west of the intersection of Lakeview Parkway and Rowlett Road. The proposed site is located on Lot 3, Block of the Boyd & Kneggs Business Park Replat. The property is currently zoned SUP.

A direct response to Items 1-7, as found in Section 77-206.D is outlined below:

1. Is the proposed special use permit consistent with the comprehensive plan and other infrastructure-related plans, all applicable provisions of this Code, and applicable state and federal regulations? **The requested Specific Use Permit (SUP) is consistent with the comprehensive plan, other infrastructure-related plans, all applicable provisions of the City Code, and applicable state and federal regulations.**

2. Is the proposed special use permit consistent with the purpose and intent of the zoning district in which it is located? **The proposed SUP is consistent with the purpose and intent of the zoning districts in which it is located; as all adjacent properties are zoned “C-2” with at least five nearby properties utilize drive-thru facilities.**

3. Does the special use permit meet the challenge of some changing condition, trend or fact? **The SUP meets the demand for commercial retail along the Lakeview Parkway Corridor and will enhance the general welfare of the public in a manner that is consistent with the City of Rowlett’s Comprehensive Plan.**

4. Will the proposed special use permit protect or enhance the health, safety, morals, or general welfare of the public? **The proposed SUP is not believed to have an adverse impact on the health, safety, morals or general welfare of the public.**

5. Will the municipality and other service providers be able to provide sufficient transportation and utility facilities and services to the subject
property, while maintaining sufficient levels of service to the existing development? **Sufficient transportation facilities are present as Lakeview Parkway, a major arterial roadway, is located along the property frontage. As well, a traffic control signal is located at the northwest corner of the property; at the intersection of Lakeview Parkway and Sprouts Drive. The property is fully developed today and is sufficiently served by all utility facilities.**

6. Is the special use permit consistent with or will it have significant adverse impacts on other property in the vicinity of the subject tract? **The proposed SUP will not have significant adverse impacts to other properties in the vicinity as it maintains the Lakeview Corridors commercial retail presence.**

7. Is the subject property suitable for the existing zoning and the proposed use sought by the special use permit? **The property is currently zoned as an SUP and this SUP submittal is necessary to revise the existing SUP to allow the proposed Restaurant and drive-thru facility.**

Should you have any questions, please feel free to contact me.

Sincerely,

Claymoore Engineering, Inc.

Matt Moore, P.E.
For more information, please contact Tara Bradley at 972.412.3906 or tbradley@rowlett.com; or, on October 19, 2018 visit www.cityofrowlett.com/public-meetings for the meeting agenda with staff’s analysis and associated exhibits.

Response Form
Project Number: RDC-Zone-000451-2018
Lakeview Plaza

In order for your opinion to be counted, please complete and mail this form to:

City of Rowlett Community Development Department
Attn: Tara Bradley, Project Manager
3901 Main St.
Rowlett, TX 75088

You may also email or fax a copy to tbradley@rowlett.com or (972) 412-6228.

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Project Number
RDC-Zone-000451-2018

Physical Address of Property within 200 Feet: 3300 Enterprise Dr.

Please Check One: □ In Favor of the Request
□ Opposed to the Request

Comments:

_________________________

Signature: 

Printed Name: Ross Smith

Street Address: 3300 Enterprise Dr.

City, State and Zip Code: Rowlett TX 75088

Phone Number: 214--755--7267

Email Address: ____________________________
Community Development Department
Planning Division
3901 Main St., Rowlett, TX 75088 • (972) 412-6100

For more information, please contact Tara Bradley at 972.412.3906 or tbradley@rowlett.com; or, on October 19, 2018 visit www.cityofrowlett.com/public-meetings for the meeting agenda with staff’s analysis and associated exhibits.

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Lakeview Plaza
In order for your opinion to be counted, please complete and mail this form to:
City of Rowlett Community Development Department
Attn: Tara Bradley, Project Manager
3901 Main St.
Rowlett, TX 75088

10-15-18
10:34 PM

You may also email or fax a copy to tbradley@rowlett.com or (972) 412-6228.

Project Number
RDC-Zone-000451-2018

Physical Address of Property within 200 Feet: 3320 - 3360 Lakeview Pl

Please Check One: □ In Favor of the Request □ Opposed to the Request

Comments:
These are a few drive through in the area welcome to Rowlett.

Signature: [Signature]

Printed Name: Ray Kneggs, Sr.

Street Address: 3605 Enterprise Dr.

City, State and Zip Code: Rowlett, TX 75088

Phone Number: 972.475-1517 or cell 214-233-1225

Email Address: AKneggs@tx.twc.com

www.cityofrowlett.com 972-412-6100