Plan Commission Minutes - September 26, 2011

The Plan Commission of the City of Garland met in regular session on Monday, September 26, 2011, at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commissioner Stan Luckie Commissioner Louis Moore Commissioner Wavne Dalton Paul Hoffman Commissioner Commissioner Truett Welborn Chairman **Scott Roberts** Commissioner Robert Vera Commissioner Christopher Ott

STAFF PRESENT

Asst. City Attorney Mark Dempsey
Asst. Director Anita Russelmann
Secretary Brenda Owens
Staff Maxwell Fisher
Staff Chasidy Allen

CALL TO ORDER

Chairman Roberts called the meeting to order and Commissioner Vera gave the Invocation and led the Pledge of Allegiance to the United States Flag.

MINUTES

Approval of the Minutes for the regular meeting of September 12, 2011

Motion was made by Commissioner Moore, seconded by Commissioner Hoffman to **approve** the Minutes of the September 12, 2011 meeting. **Motion carried: 8** Ayes, 0 Nays.

MISCELLANEOUS

Election of Officers

Motion was made by Commissioner Dalton, seconded by Commissioner Luckie to re-elect the current slate of officers which are: Chairperson - Scott Roberts, Vice-Chairperson - Scott LeMay, and 2nd Vice-Chairperson - Louis Moore. **Motion carried: 8** Ayes, 0 Nays.

ZONING

Consideration of the application of Linnie Ford & Joyce Whitaker, requesting approval of

a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on property zoned Planned Development (PD) District 00-41 for General Business Uses. The property is located at 4702 Saturn Road. (File 11-25)

One of the applicants, Linnie Ford, 4218 St. Francis, Dallas, Texas was available for questions.

There were no questions.

Motion was made by Commissioner Welborn, seconded by Commissioner Vera to **approve** the request per staff recommendation. **Motion carried: 8** Ayes, 0 Nays.

Consideration of the application of FMB Sports Inc, requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses to allow Vehicle Sales, Service and Repair as an ancillary use, 2) a Detail Plan with conditions, and 3) a variance to Section 34.20(C)(6)(c) of the IH30 Development Standards (Ord. 5565) regarding screening requirements of a proposed outdoor storage area. The property is located at 354 East I-30 Freeway. (File 11-26)

Representing the applicant was Fred Barthold, 1650 John King Blvd, Ste 4107, Rockwall. He stated they would like the ability to display up to 4 boats in front during business hours which would be 8:30am to 5:30pm on Monday thru Friday and 8:30am to 2:00pm on Saturday. He was available for questions.

Also available for questions was the property owner, Jack Birdsong, 2914 Industrial, Garland.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to **approve** the request per staff recommendation with the addition of allowing a maximum of 4 boats to be displayed in front during business hours with the addition of 30 minutes for set up before and after each business day. **Motion carried: 8** Ayes, 0 Nays.

Consideration of the application of 714 N. Watson LLC, requesting approval of 1) a change in zoning from Planned Development (PD) District 98-50 for Care of Psychiatric Patients, Residential to a Planned Development (PD) District for Multi-Family (Assisted Living Facility), 2) a Specific Use Permit for Assisted Living, 3) a Detail Plan, and 4) variances to the Senior Living Standards including Section 34.51.B.3 regarding personal and common storage space, Section 34.51.E.2 regarding covered/enclosed parking, and Section 34.52.B regarding perimeter fencing and screening. The property is located east of Colonel Drive and 350' north of Broadway Boulevard. (File 11-27)

Representing the applicant was David Krukel, 1625 N Stemmons, Dallas, Texas, giving a presentation regarding the Detail Plan for the development and the requested variances.

Discussion centered on the details of the screening variances and the length of the Specific Use Permit requested.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to approve the

request per staff recommendation for the change of zoning, the Detail Plan and the Specific Use Permit for a period of 50 years tied to Avalon Residential Care Homes. The motion also included approval of the variance requests regarding storage and covered parking. The variance requests regarding screening were approved as follows: Install screening as recommended by staff on the north next to Colonel Drive and partial screening as outlined by the applicant on the east next to the adjacent assisted living facility during Phase 1 of the construction, install required screening on the south side next to the residential property in Phase 2 and the partial screening on the west side by the shopping center as outlined by the applicant in Phase 3.

Motion carried: 8 Ayes, 0 Nays.

Consideration of the application of Golden Corral, requesting approval of a change of zoning from Planned Development (PD) District 06-37 and 07-52 for Freeway Uses to a Planned Development (PD) District for Freeway Uses, 2) an amended Concept Plan 3) a Detail Plan for a Restaurant, 4) variances to the Interstate Highway 635 Development Standards (Ord. 5565) regarding the following Sections: (4.1) Section 34.18(B)(4) building elevation off-set, (4.2) Section 34.20(B)(1) landscape buffers, (4.3) Section 34.21(C)(3)(i)(a) number of freestanding signs, and 5) a variance to Section 31.424 of the Comprehensive Zoning Ordinance 4647 regarding building setbacks from a public street. The property is located at the northwest corner of Eastgate Drive and Saturn Road. (File 11-28)

Representing Golden Corral was Paul Padilla of Wilson & Company, 3950 Fossil Creek Blvd, Fort Worth, TX 76137.

A presentation was made showing renderings of the building and site plan with proposed landscaping and signage.

Motion was made by Commissioner Welborn, seconded by Commissioner Moore to **approve** the requests as recommended by staff with the exception of allowing one additional monument sign as requested by the applicant. **Motion carried: 8** Ayes, 0 Nays.

Consideration of the application of SMR Construction Inc, requesting approval of a change of zoning from Single Family-7 (SF/7/G/3) District and Planned Development (PD) District 03-40/41 for Commercial Uses to a Planned Development (PD) District for Health Services to allow a parking lot associated with a Medical Office/Clinic, 2) a Detail Plan with conditions, 3) a variance to Section 6.0 of the Screening and Landscaping Standards regarding screening and landscaping of non-residential yards from residential districts, and 4) a variance to Section 9.4.2 of the Screening and Landscaping Standards regarding screening of parking lots adjacent to residential districts. The property is located on the south side of Hopkins, east of First Street. (File 11-29)

Joshua Pettijohn, 2821 W Seventh, Fort Worth, Texas, Civil Engineer representing the applicant was available for questions. Questions centered on the recommended screening.

Motion was made by Commissioner Moore, seconded by Commissioner Luckie to **approve** the requests per staff recommendation including denial of the variance regarding screening of parking lots adjacent to residential districts. A requirement for the 6-foot screening proposed by

staff was included in the motion. Motion carried: $\bf 8$ Ayes, $\bf 0$ Nays.

ADJOURNMENT

Secretary

With no further business to come before the Plan Commission, the meeting was adjourned at $8:10~\mathrm{p.m.}$
The City of Garland, Texas
Approved:
Scott Roberts Chairman
Attest:
Brenda Owens