The Plan Commission of the City of Garland met in regular session on Monday, July 22, 2013, at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commissioner Chester Johnson
Wayne Dalton
John O'Hara
Commissioner Truett Welborn
Commissioner Robert Vera
Chairperson Scott Roberts
Commissioner Christopher Ott

### STAFF PRESENT

Deputy City Attorney
Staff
Staff
Staff
Secretary

Mark Dempsey
Chasidy Allen
Josue De La Vega
Tracy Allmendinger

### **CALL TO ORDER**

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

### **MINUTES**

## Approval of Minutes for the regular meeting of July 8, 2013.

**Motion** was made by Commissioner Vera, seconded by Commissioner Welborn to **approve** the minutes of the July 8, 2013 meeting. **Motion carried: 7** Ayes, 0 Nays.

### **PLATS**

# Preliminary Plat - Cypress Cove Phase 2

Representing the applicant, Vanessa McElroy, 16301 Quorum Drive, Ste. 200B, Addison, TX 75001. Applicant was available for questions. There were no questions of this applicant

**Motion** was made by Commissioner Dalton, seconded by Commissioner Johnson to **approve** the plat as it meets all technical requirements. **Motion carried: 7** Ayes, 0 Nays

### Final Plat - Broadway-Centerville Addition

Representing the applicant, Kevin Patel, 1503 Astoria Drive, Allen, TX 75013. Applicant was available for questions. There were no questions of this applicant.

**Motion** was made by Commissioner Welborn, seconded by Commissioner O'Hara to **approve** the plat per staff recommendation. **Motion carried: 7** Ayes, 0 Nays

#### **VARIANCE**

Consideration of the application of Chris Gartman, requesting approval of a variance to Section 10-311 of the Comprehensive Zoning Ordinance regarding the use of metal as a building façade material on property zoned Agriculture (AG) District. The property is located at 5705 Murphy Road. (File MO 13-01)

Representing the applicant, Chris Gartman, 5705 Murphy Road, Garland, TX 75048. There were no questions of this applicant.

Also representing the applicant, Barry Patrick 5705 Murphy Road, Garland, TX 75048. Mr. Barry explained the request for the metal building. Applicant was available for questions. There were no questions of this applicant.

**Motion** was made by Commissioner Johnson, seconded by Commissioner Dalton to close the Public Hearing and **approve** the request as recommended by staff. **Motion carried: 7** Ayes, 0 Nays.

### **ZONING**

Consideration of the application of Stella Aluko, requesting approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Planned Development (PD) District 69-31 and in the IH 635 Overlay. The property is located at 1430 Northwest Highway. (File 13-24)

Representing the applicant Ola Aluk, 1430 Northwest Highway Garland, TX 75041. Mr. Aluk addressed concerns regarding compliance with safety issues and the sale of alcohol from a neighboring convenience store.

The applicant, Stella Aluko, 1430 Northwest Highway, Garland, TX 75041 was available for questions.

**Motion** was made by Commissioner Welborn, seconded by Commissioner Johnson to close the Public Hearing and **approve** the request with the provision of 3-4' foot tall concrete pipe bollards installed around the perimeter of the play area. **Motion carried: 7** Ayes, 0 Nays.

Consideration of the application of Cosmo Foundation, requesting approval of 1) a Specific Use Permit for a Charter School on property zoned Single Family (SF-7) District and in the SH 190 Overlay, 2) variances to Sections 34.18(B)(1), 34.18(B)(2), and 34.18(B)(4) of the SH 190 Development Standards regarding exterior walls, and 3) a variance to Section 10-311 of the Comprehensive Zoning Ordinance regarding metal buildings. The property is located at 2302 Firewheel Parkway. (File 13-29)

Representing the applicant, Taylor Jackson, 5717 Legacy Drive, Ste. 240, Plano, TX 75024 stated that if the metal building request is denied the applicant would consider an alternative, but it would be a burden to the

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school. Mr. Jackson also addressed the target date for removal of the portable buildings being 2016/2017 school year and the fire suppression concerns.

Representing the applicant, Christy Drekaj, 123 Wembley Way, Rockwall, TX 75032, explained that the applicant plans on removing the portable buildings within 3 years.

Residents that spoke in opposition were:

Christian Stevens, 1937 Woodside Knoll Parkway, Garland, TX 75040 Herbert Logan, 2321 Country Hollow Lane, Garland, TX 75040

Their concerns were in regards to the aesthetics of the portable buildings, parking, irrigation for new plantings, security concerns, SH I90 standards being upheld and the capital investment is not to the same standard as in Dallas.

Commissioners expressed opposition due to the loss of landscaping, and the location of the subject property being a prime entryway to the city and Firewheel Town Center. Commissioners further expressed opposition that with portable buildings the need for a fire suppression system is circumvented.

**Motion** was made by Commissioner Dalton, seconded by Commissioner O'Hara to close the Public Hearing and **deny** the request of 1) a Specific Use Permit for a Charter School on property zoned Single Family (SF-7) District and in the SH 190 Overlay, 2) variances to Sections 34.18(B)(1), 34.18(B)(2), and 34.18(B)(4) of the SH 190 Development Standards regarding exterior walls, and 3) a variance to Section 10-311 of the Comprehensive Zoning Ordinance regarding metal buildings. **Motion carried:** 6 Ayes, 1 Nay from Commissioner Johnson.

### **ADJOURNMENT**

With no further business to come before the Plan Commission, the meeting was adjourned at 7:45 p.m.

The City of Garland, Texas
Approved:
Scott RobertsChairman
Attested:
Tracy Allmendinger Secretary