Plan Commission Minutes - March 28, 2011

The Plan Commission of the City of Garland met in regular session on Monday, March 28, 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	Wayne Dalton
Commissioner	Paul Hoffman
Commissioner	Truett Welborn
Chairman	Scott Roberts
Commissioner	Robert Vera
Commissioner	Scott LeMay
Commissioner	Christopher Ott

STAFF PRESENT

Deputy 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 Hoffman gave the Invocation and led the Pledge of Allegiance to the United States Flag.

MINUTES

Approval of the Minutes for the regular meeting of March 14, 2011

Motion was made by Commissioner Hoffman, seconded by Commissioner Moore to **approve** the Minutes of the March 14, 2011 meeting. **Motion carried: 7** Ayes, 0 Nays. Commissioners Roberts and Ott abstained due to absence from the March 14, 2011 meeting.

PLAT

Final Plat – Firewheel Center Addition

Motion was made by Commissioner Luckie, seconded by Commissioner LeMay to **approve** the plat per staff recommendation. **Motion carried: 9** Ayes, 0 Nays.

ZONING

Consideration of the application of Applebee's of Texas, requesting approval of 1) a Detail

Plan for a restaurant on property zoned Planned Development (PD) District 06-37 for Freeway Uses, variances to the IH 635 Development Standards including 2) Section 34.20.B.1 regarding landscape buffer and tree planting requirements and 3) Section 34.21.C.4.b regarding attached signage. The property is located at 1540 Eastgate Drive, north of Eastgate Drive and west of Saturn Road. (11-08) (Postponed from March 14, 2011.)

Speaking on behalf of Applebee's of Texas was Gary Brem, 4305 Lauren Way, Flower Mound, Texas.

He made a brief presentation, showing additional color pictures of the restaurant with the requested attached signage. Some discussion followed regarding the signage requested.

Don Howard, 1109 Bardfield, Garland, Texas also spoke in support of the applicant.

Motion was made by Commissioner Welborn, seconded by Commissioner Moore to **approve** 1) the detail plan for the restaurant, variances to the IH 635 Development Standards including 2) Sect. 34.20.B.1 regarding the landscape buffer and tree planting requirements, and 3) Sect. 34.21.C.4.b regarding attached signage. **Motion carried: 9** Ayes, 0 Nays.

Consideration of the application of Joseph L. Hanna, requesting approval of an amendment to Planned Development (PD) District 84-10 for Single Family Uses regarding the following conditions pertaining to a residential building expansion: 1) increase the maximum allowable lot coverage (buildable area), and 2) decrease the side and rear yard building setback requirements. The property is located at 6805 Clear Springs Circle. (File 11-10) (Postponed from March 14, 2011.)

The applicant Joe Hanna spoke briefly about the plans for expansion of his home and was available for questions.

Motion was made by Commissioner Luckie, seconded by Commissioner Moore to **approve** the requested amendments to the Planned Development 84-10 as recommended by staff. **Motion carried: 9** Ayes, 0 Nays.

Consideration of the application of Nexeo Solutions, requesting approval of a Specific Use Permit for a High Risk Use (Chemical Distributor) on property zoned Industrial-1 (I-1) District. The property is located at 3101 Wood Drive. (File 11-11)

Matthew Hogan, representing Ashland, 3101 Wood Drive, Garland was available for questions.

Operations of this company will continue as in the past. This is to accommodate a name change only.

Motion was made by Commissioner Welborn, seconded by Commissioner Moore to **approve** the Specific Use Permit for a High Risk Use tied to Nexeo Solutions for a period of 30 years as recommended by staff. **Motion carried: 9** Ayes, 0 Nays.

Consideration of the application of Masterplan, requesting approval of 1) a Concept Plan for Shopping Center Uses, 2) a Detail Plan for Retail Sales with Gasoline Pumps, 3) a Specific Use Permit for said Retail Sales with Gasoline Pumps (RaceTrac) on property zoned Planned Development (PD) District 08-52 for Shopping Center Uses, 4) variances to the IH635 Development Standards regarding the following: 4.1) Section 34.20(B)(1) regarding landscape buffers, 4.2) Section 34.20(B)(1)(a), regarding landscape buffer tree plantings; and 5) a waiver of Section 31.28(B) of the City of Garland Code of Ordinances regarding construction of a sidewalk along Shiloh Road. The property is located west of Garland Avenue and east of Shiloh Road. (File 11-04) (Postponed from the February 28, 2010 Agenda)

Speakers representing the applicant were:
Dallas Cothrum of Winkelmann & Associates, 900 Jackson, Ste 640, Dallas
Santost Martinez, 900 Jackson, Ste 640, Dallas
Eddie Liebman of Weitzman, 3102 Maple Ave, Dallas
Tom Pritchett, Landscape Architect, 1218 Camino Lago, Irving
Jennifer Royer, Phd., Historian, 9305 Moncrief St., Keller

All of the speakers representing the applicant put together a detailed presentation of the plans including extensive landscaping and some plans for historic markers to commemorate some of Garland's history.

Garland residents that spoke were:
Don E Howard III, 1109 Bardfield Ave, Garland, spoke in favor of the request.
Scott Beidelman, 916 Old Orchard, Garland, spoke in favor of the request.
Eula Axe, 904 Treasure Road, Garland, initially planned to speak in opposition, but now feels this is a good thing for Garland in light of the challenges to this site.
Betty Roberts, 901 Saturn Springs, Garland, liked the presentation, but feels it doesn't raise our sights very high and that we could do better to wait.

Dallas Cothrum came back up to offer rebuttal comments.

Motion was made by Commissioner Welborn, seconded by Commissioner Moore to close the public hearing and open it up for discussion amongst the Commissioners. **Motion carried: 9** Ayes, 0 Nays.

The Commissioners indicated they were impressed by the plans presented by RaceTrac and the effort made to accommodate their concerns and ideas presented at the public hearing held on February 28, 2011. Discussion took place regarding the Envision Garland Comprehensive Plan now under consideration by Council with respect to this request. This property is at the forefront of the South Garland Avenue Catalyst Area and any re-development would set the tone for future efforts.

Motion was made by Commissioner Welborn, seconded by Commissioner Luckie to **deny** the requests per staff recommendation. **Motion carried: 6** Ayes, 3 Nays by Commissioners Hoffman, Ott and Vera.

ADJOURNMENT

With no further business to come before the Plan Commission, the meeting was adjourned at 8:57 p.m.

The City of Garland, Texas

Approved:

Scott Roberts
Chairman

Attest:

Brenda Owens
Secretary