

Garland, Texas
April 11, 2012

The Plan Commission of the City of Garland met in regular session on Monday, April 9, 2012, 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	John O'Hara
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	Josue De La Vega

CALL TO ORDER

Chairman Roberts called the meeting to order and Commissioner Luckie 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 26, 2012.

Motion was made by Commissioner Moore, seconded by Commissioner LeMay to **approve** the Minutes of the March 26, 2012 meeting. **Motion carried: 8 Ayes, 0 Nays** with Commissioner Vera abstaining due to absence from the last meeting.

ZONING

Consideration of the application of Martin Eagle Oil Company, requesting approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Commercial 1 (C-1) District and PD (Planned Development) District 85-27 for Shopping Center Uses in the SH 190 Overlay. The property is located at 2902 Lavon Drive. (File 12-11)

Representing the applicant was Gary Martin, 2700 James St, Denton, TX. He stated a brief description of their request and was available for questions.

There were no questions.

Motion was made by Commissioner Luckie, seconded by Commissioner Moore to **approve** the Specific Use Permit for Retail Sales with Gas for a period of 25 years tied to Martin Eagle Oil Company as recommended by staff. **Motion carried: 9 Ayes, 0 Nays.**

Consideration of the application of Responsive Education Solutions, requesting approval of a Specific Use Permit for a Charter School on a property zoned PD (Planned Development) District 05-08 for Church Use in the SH 190 Overlay. The property is located at 1600 West Campbell Road. (File 12-14)

Representing the applicant and available for questions was William Chandler, 1301 Waters Ridge, Lewisville, TX.

There were no questions of this speaker.

Motion was made by Commissioner Luckie, seconded by Commissioner Moore to **approve** the request for a Specific Use Permit for a Charter School for a period of 20 years tied to Responsive Education Solutions as recommended by staff. **Motion carried: 9 Ayes, 0 Nays.**

Consideration of the application of Wes Parnell, requesting approval of 1) a change of zoning from Office 1 (O-1) District to General Business (GB) District and 2) a Specific Use Permit for Restaurant, Drive-Through. The property is located at 3300 Broadway Boulevard. (File 12-15)

The applicant, Wes Parnell, 5540 Ledgestone, Dallas, TX 75214, made a brief presentation and was available for questions.

He feels this is the perfect location with a double drive-thru (80% of business is handled in the drive-thru) and the economics of redeveloping a building rather than constructing a new building.

There were 3 nearby property owners that spoke in opposition to the request. They were:

Dr. Phillip Dunn, 1016 Stonewall St, Garland

Dr. Lisa Garner, 3310 Broadway, Garland

Denece Hodges, 2909 Anatole, Garland

The concerns included:

Lower property values

Trash from restaurant patrons

Increased crime due to increased nightly activity

Traffic congestion - traffic entrance/exit close to a very busy intersection will cause a lot of problems

Existing professional office area should be maintained

Alternative sites (vacant restaurants) exist

The applicant gave a response to these concerns. He stated that they will be open 7 days a week from 10:30am to 10:00pm and employees will be on site from 8:30am to midnight. They have more parking spaces planned than required and trash is cleared from the property early each day. He cited a traffic study that was performed by Buxton that found the site to have good access. The vacant restaurants do not meet their needs regarding size and drive-thru.

Motion was made by Commissioner Dalton, seconded by Commissioner Welborn to **deny** the request for 1) a change of zoning to General Business (GB) and 2) a Specific Use Permit for a Restaurant with Drive-Through. **Motion carried: 5 Ayes, 4 Nays** by Commissioners Moore, Vera, LeMay and Ott.

ADJOURNMENT

With no further business to come before the Plan Commission, the meeting was adjourned at 7:40 p.m.

The City of Garland, Texas

Approved:

Chairman

Attested:

Secretary