

Garland, Texas
January 15, 2013

The Plan Commission of the City of Garland met in regular session on Monday, January 14, 2013, at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commissioner	Stan Luckie
Commissioner	Nettie Malcolm
Commissioner	Wayne Dalton
Commissioner	John O'Hara
Chairperson	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	Chasidy Allen
Staff	Josue De La Vega

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 December 10, 2012.

Motion was made by Commissioner Dalton, seconded by Commissioner LeMay to **approve** the Minutes of the December 10, 2012 meeting. **Motion carried: 5 Ayes, 0 Nays, with Commissioners Luckie, Malcolm and Vera abstaining due to absence from the last meeting.**

PLATS

Replat – Cresthaven Reserved Phase II Addition

Motion was made by Commissioner Malcolm, seconded by Commissioner Dalton to **approve** the plat and pedestrian waiver per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**

Replat – Firewheel Hotel Addition

Motion was made by Commissioner Luckie, seconded by Commissioner O'Hara to **approve** the plat per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**

Plat – Verizon Vehicle Maintenance Facility Addition

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

VARIANCE

Consideration of the application of Daniel Carport, requesting approval of variances to sections 7.1 and 9.4 of the Screening and Landscape Standards regarding the landscape buffer and the screening and landscape of parking areas on property zoned Industrial (I-1) District. The property is located at 225 East Buckingham Road. (File LS 13-01)

Presenting information regarding the request was Jerry Daniel, 5050 Dexham Road, Rowlett. Also available for questions was Michael Grubbs, 225 E Buckingham Road, Garland.

Motion was made by Commissioner Ott, seconded by Commissioner Vera to **approve** the variance request as submitted except requiring the landscape buffer and plantings proposed by staff for the west side of the driveway entrance. **Motion carried: 8 Ayes, 0 Nays.**

Consideration of the application of Woodland Graphics, requesting approval of a variance to Section 30.109(2) of the City of Garland Sign Ordinance regarding setback requirements for a freestanding sign on property zoned Multi Family (MF-18) District. The property is located at 515 Flook Street. (File SV 13-01)

Jackie Green with Woodland Graphics, 3630 Marquis, Garland was available for questions.

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

ZONING

Consideration of the application of Joe Pokawa, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Planned Development (PD) District 84-116 for Industrial Uses. The property is located at 2734 West Kingsley Road, Suite J2. (File 12-53)

This applicant has requested a postponement until the January 28, 2013 Plan Commission meeting.

Motion was made by Commissioner LeMay, seconded by Commissioner Vera to **approve** the request for postponement to the January 28, 2013 meeting. **Motion carried: 8 Ayes, 0 Nays.**

Consideration of the application of The Charter School Fund, LLC, requesting approval of 1) a Specific Use Permit for a Charter School on property zoned Shopping Center (SC) District and 2) a variance to Section 24-600 of Comprehensive Zoning Ordinance 4647 regarding building height. The property is located north of Belt Line Road and west of North Shiloh Road. (File 12-55)

Brian Huffaker, 855 Broad Street, Suite 300, Boise, Idaho spoke on behalf of the applicant. A presentation was given showing the site plan, traffic flow for pickup and drop off of the students, elevations and the reasons for the variance request regarding height, days and hours of operation, maximum number of students(1296) and grade levels receiving instruction (Kindergarten thru Eighth Grade).

Representing Brighter Horizons Academy was Stacey Ahmed, 3145 Medical Plaza Drive, Garland. The academy is in support of the school but is very concerned with the traffic during student arrival in the morning. They already experience backups on Belt Line each morning. Their school only has one entrance and would like access to Shiloh.

Joyce Richards, 2430 Centaurus Drive, Garland spoke in opposition to the school. Her home is adjacent to the proposed site and she expressed many concerns which included; lights on baseball field, height of screening, current drainage issues worsening, environmental concerns because of previous land use, increased traffic on Shiloh and Belt Line, property values, height of buildings and the possible loitering of students after school each day.

Rosanna Sandlin, 2419 Centaurus, Garland also expressed her concerns with the increase in traffic and how that would be handled.

Abdullah Khatib, 2851 Ursa Circle, Garland says he is in favor of the school, but also has concerns regarding the traffic south bound on Shiloh and west bound on Belt Line. There are already issues since Quik Trip opened.

Sherwood Blount, 16475 Dallas Parkway, Ste. 360, Addison representing the property owner spoke about the history of the property and the Phase 1 Environmental Study that was done at the time they purchased the property.

Brian Huffaker returned to the podium to address some of the concerns mentioned. An extensive traffic impact study was done and the circulation plan was developed in response to the recommendations from that. The on-site traffic circulation, staggered scheduling for different grade levels, and an inclement weather plan were all designed to minimize the impact on the surrounding area.

The following people registered their position as "For" without testifying:

Jason Kotter, 855 Broad St, Boise, ID
Julia C Xeros, 2862 Capella Circle, Garland
Bussy Perez, 1130 Caldwell, Garland
Kevin Byrna, 3236 Portecle Lane, Plano
Robert Conger, 2085 Garden Crest, Rockwall
Rebecca Conger, 2085 Garden Crest, Rockwall
Eddie Conger, 2085 Garden Crest, Rockwall
Sarah McCroan, 2202 Brookside, Rowlett
Jamie Leonie, 4617 Lakepointe, Rowlett
Nora Berry, 1006 Bucknell Drive, Arlington
Lauren McCreight, 2006 Broadleaf Drive, Arlington

Jerry McCreight, 2006 Broadleaf Drive, Arlington
Tom Sanchez, 228 Hollis Road, Waxahachie

Motion was made by Commissioner LeMay, seconded by Commissioner Vera to **approve** the Specific Use Permit for a Charter School for a period of 30 years tied to The Charter School Fund LLC and the requested variance regarding building height as recommended by staff. **Motion carried: 7 Ayes, 0 Nays.** Commissioner Dalton recused himself from hearing this case.

Consideration of the application of Taco Bell, requesting approval of 1) amendments to Planned Development (PD) 08-09 for Freeway Use, 2) a Concept Plan with conditions, 3) a Detail Plan with conditions, 4) variances to sections 34.21(C)(3)(a)(i)(a) and 34.21(C)(3)(a)(i)(b) of the SH 190 Development Standards regarding freestanding signs, and 5) a Specific Use Permit for Restaurant with Drive-Through. The property is located at the 5300 Block of North Garland Avenue. (File 13-02)

Representing the applicant was David Gregory, 250 W Southlake Blvd., Ste. 117, Southlake. He presented material supporting the detail plan and variances requested.

The main discussion and questions were regarding the size of the menu board requested and alternatives that would be permitted by the ordinance.

Motion was made by Commissioner Luckie, seconded by Commissioner Malcolm to **approve** the Detail Plan and Concept Plan with conditions, the Specific Use Permit for a Restaurant with Drive-Through for a period of 25 years tied to Taco Bell and the variance regarding a monument sign as recommended by staff. The variance request regarding the menu board sign was also approved. **Motion carried: 8 Ayes, 0 Nays.**

MISCELLANEOUS

Consider cancelling the May 27th and December 23rd meetings.

Motion was made by Commissioner Luckie, seconded by Commissioner Dalton to **approve** the cancellation of the 2 meetings as recommended by staff. **Motion carried: 8 Ayes, 0 Nays.**

ADJOURNMENT

With no further business to come before the Plan Commission, the meeting was adjourned at 9:07 p.m.

The City of Garland, Texas

Approved:

Scott Roberts
Chairman

Attested:

Brenda Owens
Secretary