

Minutes of Planning & Zoning Commission Meeting  
January 14, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
JANUARY 14, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on January 14, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	Absent
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	
Bob Lydia	Commissioner	Absent

Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to approve the minutes of the meeting of December 10, 2012. The vote was 4 for, with Vice-Chairman Towns and Commissioner Lydia absent.

A preliminary and final plat was submitted by Maurice Leon Miller, for the M. L. Miller Addition, more commonly known as 418-444 North Main Street. Commissioner Ferrante made a motion, seconded by Commissioner Harris, to approve the plat as submitted. The vote was 4 for, with Vice-Chairman Towns and Commissioner Lydia absent.

A public hearing was held at the request of Robert Ramoz, representing Templo Bautista Nueva Jerusalem, to renew the existing Special Use Permit "SUP" zoning that allows a Religious Institution (Church) on Lot 2A, Block 3, Woodhaven Addition, more commonly known as 1408 North Main Street.

No one spoke in favor of the request. Speaking in opposition of the request was James Hubener, 1615 W. Lakeview Circle, Duncanville, Texas.

Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to close the public hearing. The vote was 4 for, with Vice-Chairman Towns and Commissioner Lydia absent.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to recommend to the City Council that the request of Robert Ramoz, representing Templo Bautista Nueva Jerusalem, to renew the existing Special Use Permit "SUP" zoning that allows a Religious Institution (Church) on Lot 2A, Block 3, Woodhaven Addition, more commonly known as 1408 North Main Street, be approved.

The vote was 1 for and 3 against, with Vice-Chairman Towns and Commissioner Lydia absent. Voting for was Commissioner Harris. Voting against was Chairman Durant, Commissioner Beard, Jr., and Commissioner Ferrante. The motion failed.

A public hearing was held at the request of Victor Bell, representing Poppa's Place Daycare, tenant, to include a Special Use Permit "SUP" to allow a religious Institution (Church) on the Kindercare Addition, more commonly known as 707 Center Ridge Drive.

Speaking in favor of the request was Victor Bell, 707 Center Ridge Drive, Duncanville, and E. G. Roberts, 707 Center Ridge Drive, Duncanville. Speaking in opposition of the request was Ann Hubener, 402 Willowbrook Drive, Duncanville, Texas.

Commissioner Ferrante made a motion, seconded by Commissioner Harris, to close the public hearing. The vote was 4 for, with Vice-Chairman Towns and Commissioner Lydia absent.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Harris, to recommend to the City Council that the request of Victor Bell, representing Poppa's Place Daycare, tenant, to include a Special Use Permit "SUP" to allow a religious Institution (Church) on the Kindercare Addition, more commonly known as 707 Center Ridge Drive, be approved subject to the following amendments:

1. Property shall be developed in accordance with the site plan and be incorporated into the ordinance.
2. Property shall meet all city, state and federal regulations for accessibility standards, building code, and fire code.
3. Install monitored alarm system for the entire structure, lighted exit signs, and other life safety appurtenances as required by the Fire Marshal.
4. No parking shall be allowed on public right-of-ways.
5. A minimum of thirty (30) off-street parking spaces are required for church-related public assemblies (i.e., church services, weddings, dinners, classes, etc.). The required thirty (30) parking spaces shall consist of the existing nineteen (19) spaces on the property and a minimum of eleven (11) additional off-property parking spaces.

6. The church shall be responsible for obtaining written permission for off-property parking from the property owner. Church parking times shall explicitly state the allowable hours for church parking, and those hours shall not conflict with regular business hours of the property owner. All off-property parking shall be on paved surfaces as per the current City ordinances concerning off-street parking.
7. Allowable days and hours of operation for church-related public assemblies (i.e., church services, weddings, dinners, classes, etc.) are limited to times covered by an off-property parking agreement between the church and another property owner. Public assemblies held by the church (i.e., church services, weddings, dinners, classes, etc.) shall not coincide with the hours of operation for the existing daycare.

The vote was 2 for and 2 against, with Vice-Chairman Towns and Commissioner Lydia absent. Voting for was Chairman Durant and Commissioner Beard, Jr. Voting against was Commissioner Ferrante and Commissioner Harris. The motion failed.  
The meeting adjourned at 7:35 p.m.



Mike Brownlee, Secretary



Todd Durant, Chairman

Minutes of Planning & Zoning Commission Meeting  
January 28, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
JANUARY 28, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on January 28, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	Absent
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	Absent
Bob Lydia	Commissioner	

Commissioner Lydia made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of January 14, 2013. The vote was 4 for, with Vice-Chairman Towns and Commissioner Harris absent.

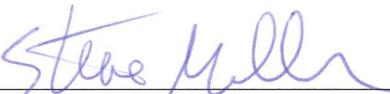
A public hearing was held at the request of Ed Hicks, Jr., representing Duncanville L, LLC., to replat Lot 5R, Block 1, of the Central Business Area, Third Section, more commonly known as 613 East IH-20.

No one spoke in favor of the request, and no one spoke in opposition of the request.

Commissioner J. C. Beard, Jr., made a motion, seconded by Commissioner Lydia, to close the public hearing. The vote was 4 for, with Vice-Chairman Towns and Commissioner Harris absent.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to approve the replat as submitted. The vote was 4 for, with Vice-Chairman Towns and Commissioner Harris absent.

The meeting adjourned at 7:08 p.m.

  
Steve Miller, Secretary

  
Todd Durant, Chairman

**PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
APRIL 1, 2013 @ 7:00 P.M.**

A special meeting of the Planning and Zoning Commission was held on April 1, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	Absent
Travis Towns	Vice-Chairman	
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	
Bob Lydia	Commissioner	

Commissioner Lydia made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of January 28, 2013. The vote was 5 for, with Chairman Durant absent.

A public hearing was held at the request of Randy Gaubert of Barclay Construction Group, representing Cross Creek Land & Cattle Co., Ltd., owner, to amend the existing "PD" Planned Development zoning to "PD" Planned Development (Office) zoning on approximately 1.246 acres of land situated at the northeast corner of West Danieldale Road and Cedar Hill Road, consisting of Tract 62.1, James Anderson Survey, Abstract No. 17, more commonly known as 407 West Danieldale Road.

Speaking in favor of the request was Randy Gaubert, PO Box 1208, Cedar Hill, TX; Jessie Makil, 443 Oak Leaf Drive, Duncanville, TX; and James Hubener, 1615 W. Lakeview Circle, Duncanville, TX. No one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Commissioner Harris, to close the public hearing. The vote was 5 for, with Chairman Durant absent.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to recommend to the City Council that the request of Randy Gaubert of Barclay Construction Group, representing Cross Creek Land & Cattle Co., Ltd., owner, to amend the existing "PD" Planned Development zoning to "PD" Planned Development (Office) zoning on approximately 1.246 acres of land situated at the northeast corner of West Danieldale Road and Cedar Hill Road, consisting of Tract 62.1, James Anderson Survey, Abstract No. 17, more commonly known as 407 West Danieldale Road, be approved subject to the following conditions:

1. The development and use of the property shall be in accordance with the attached site plan.
2. The development and use of the property shall meet or exceed all Federal and State requirements, City ordinances, and the most current codes adopted by the City of Duncanville.
3. Medical office construction shall be in general accordance with the attached site plan and building elevations, including the building footprint dimensions and materials of construction.
4. Plat property to include an access easement extending across the property from Cedar Hill Road to the eastern property boundary for cross access to future development, as shown on the site plan.
5. Provide landscaping and an automatic sprinkler system with landscape buffers, as shown on the site plan.
6. Construct six (6) foot minimum height double split face block masonry screening wall, per the site plan.
7. Minimum side yard setback to Cedar Hill Road shall be thirty (30) feet.
8. Minimum rear setback shall be ten (10) feet.

9. Provide a minimum of twenty-seven (27) off-street parking spaces, as shown in the site plan, for Phase I construction. Future development of the property shall provide additional off-street parking to maintain a minimum of one (1) parking space per 200 square feet of total medical office development for the entire property.
10. Developer shall maintain the entire parking area in good condition and shall be required to replace any portions of parking lot damaged from normal use, maintenance or construction activities on the property.
11. The development and use of the property shall comply with Chapter 12, Article XVII, Tree Preservation.

The vote was 4 for and 1 against, with Chairman Durant absent. Voting for was Vice-Chairman Towns, Commissioner Beard, Jr., Commissioner Ferrante, and Commissioner Harris. Voting against was Commissioner Lydia. The motion passed.

The meeting adjourned into executive session in compliance with Texas Government Code, Section 551.071, to receive legal advice relating to pending zoning cases. The City Attorney was not available for consultation.

A public hearing was held at the request of Rotimi Olatunde, representing The Redeemed Christian Church of God North America, tenant, to amend the existing "GO" General Office zoning to include an "SUP" Special Use Permit to allow a Religious Institution (Church) on a portion of Block E, Duncanville Industrial District, 4<sup>th</sup> Installment, more commonly known as 619 Mercury Avenue, Suites 106 and 108.

Speaking in favor of the request was Pastor Olatunde, 619 Mercury Drive, Duncanville, TX. No one spoke in opposition of the request.

Commissioner Beard, Jr., made a motion, seconded by Commissioner Ferrante, to close the public hearing. The vote was 5 for, with Chairman Durant absent.

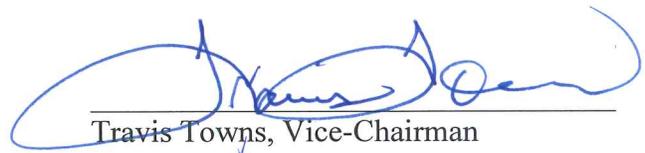
Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to table discussion on the public hearing until the City Attorney could be in attendance. The vote was 5 for, with Chairman Durant absent.

Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to table discussion on the workshop to discuss possible amendments to Appendix A, Article XIII, Special Uses, of the Comprehensive Zoning Ordinance until the City Attorney could be in attendance. The vote was 5 for, with Chairman Durant absent.

The meeting adjourned at 8:00 p.m.



Mike Brownlee, Secretary



Travis Towns, Vice-Chairman

Minutes of Planning & Zoning Commission Meeting  
April 22, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
APRIL 22, 2013 @ 6:30 P.M.**

A regular meeting of the Planning and Zoning Commission was held on April 22, 2013, at 6:30 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	
J. C. Beard, Jr.	Commissioner	Arrived @ 6:55 p.m.
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	
Bob Lydia	Commissioner	

Commissioner Lydia made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of April 1, 2013. The vote was 5 for, with Commissioner Beard, Jr., absent.

A request for site plan approval was submitted by Twice the Ice to place a water purification dispensing and ice dispensing system on Lot 2A, Greenbriar Square Shopping Center, more commonly known as 1520 South Clark Road. Vice-Chairman Towns made a motion, seconded by Commissioner Lydia, to approve the site plan as submitted. The vote was 5 for, with Commissioner Beard, Jr., absent. The motion passed.

A public hearing was held at the request of Callaway Architecture to replat Lot 1A, Cockrell Hill Crossing Addition, more commonly known as 800 South Cockrell Hill Road.

Mark Daniels, 8340 Meadow Drive, Dallas, Texas, spoke in favor of the request. No one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Vice-Chairman Towns, to close the public hearing. The vote was 5 for, with Commissioner Beard, Jr., absent.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Ferrante, to approve the replat as submitted. The vote was 5 for, with Commissioner Beard, Jr., absent.

The meeting recessed into Executive Session at 6:55 p.m., in compliance with Texas Government Code, Section 551.071, to consult with the City Attorney to receive legal advice related to pending zoning cases. The meeting was reconvened into regular session at 7:43 p.m.

Discussion was held concerning a recommendation for public hearing (2013-07) held at the request of Rotimi Olatunde, representing the Redeemed Christian Church of God North America, tenant, to amend the existing "GO" General Office zoning to include an "SUP" Special Use permit to allow a Religious Institution (Church) on a portion of Block E, Duncanville Industrial District, 4<sup>th</sup> Installation, more commonly known as 619 Mercury Avenue, Suites 106 and 108.

Commissioner Ferrante made a motion, seconded by Vice-Chairman Towns, to recommend to the City Council that the request of Rotimi Olatunde, representing the Redeemed Christian Church of God North America, tenant, to amend the existing "GO" General Office zoning to include an "SUP" Special Use permit to allow a Religious Institution (Church) on a portion of Block E, Duncanville Industrial District, 4<sup>th</sup> Installation, more commonly known as 619 Mercury Avenue, Suites 106 and 108, be approved subject to the following conditions:

1. Property shall be developed in accordance with the site plan, and be incorporated into the ordinance.
2. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.
3. The existing parking lot shall be striped for a minimum of twenty-five (25) spaces in accordance with the attached parking plan, including a designated dumpster area and handicapped parking.
4. All seating shall be in accordance with the requirements of the Fire Marshal for aisle widths and exiting.
5. The maximum occupancy for the church shall be limited by the available parking of twenty-two (22) spaces, or sixty-six (66) persons, according to Appendix A, Article XIV-D, Off-Street Parking and Loading Requirements (in this case, one space per three persons).
6. Public assemblies shall be limited to Wednesday evenings and Sunday mornings. The church shall be designated for office use during normal weekday business hours.
7. No time limit.

The vote was unanimous, 6 for. The motion passed.

A public hearing was held at the request of Nathan Donohoe, tenant, representing Brothers Unlimited Inv., LLC., owner, to amend the existing "C-2" Heavy Commercial zoning to include an "SU" Specific Use Permit to allow an Indoor Sports Complex (Batting Facility) on Lot 3, Block 2, Woodhaven Addition, more commonly known as 410 East Red Bird Lane.

Speaking in favor of the request was Nathan Donohoe, 410 East Red Bird Lane, Duncanville; D. A. Cooper, 915 Cambridge Drive, Duncanville; and Jerry Lee Keeton, 418 Silver Creek Drive, Duncanville. No one spoke in opposition of the request.

Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to close the public hearing. The vote was unanimous, 6 for.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Ferrante, to recommend to the City Council that the request of Nathan Donohoe, tenant, representing Brothers Unlimited Inv., LLC., owner, to amend the existing "C-2" Heavy Commercial zoning to include an "SU" Specific Use Permit to allow an Indoor Sports Complex (Batting Facility) on Lot 3, Block 2, Woodhaven Addition, more commonly known as 410 East Red Bird Lane, be approved subject to the following conditions:

1. The development and use of the property shall be in accordance with the attached site plan.
2. The development and use of the property shall meet or exceed all Federal and State requirements, City ordinances, and the most current codes adopted by the City of Duncanville.
3. Provide landscaping as shown on the site plan.
4. Provide a minimum of thirty-three (33) parking spaces, as shown in the site plan.
5. Developer shall maintain the entire parking area in good condition and shall be required to replace any portions of parking lot damaged from normal use, maintenance or construction activities on the property.
6. Any food preparation shall be in accordance with all state and city requirements.
7. No time limit.

The vote was unanimous, 6 for. The motion passed.

A workshop was held to discuss possible amendments to Appendix A, Article XIII, Special Uses, of the Comprehensive Zoning Ordinance.

The meeting adjourned at 8:20 p.m.



Mike Brownlee, Secretary



Todd Durant, Chairman

Minutes of Planning & Zoning Commission Meeting  
May 13, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
MAY 13, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on May 13, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman
Travis Towns	Vice-Chairman
J. C. Beard, Jr.	Commissioner
Joseph Ferrante	Commissioner
Deborah Harris	Commissioner
Bob Lydia	Commissioner

Commissioner Beard, Jr., made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of April 22, 2013. The vote was unanimous, 6 for.

A public hearing was held at the request of the City of Duncanville to consider possible revisions to Appendix A, Article XIII, Special Uses, of the Comprehensive Zoning Ordinance. No one spoke in favor of the request. No one spoke in opposition of the request.

Commissioner Ferrante made a motion, seconded by Vice-Chairman Towns, to close the public hearing. The vote was unanimous, 6 for.

Discussion followed. Vice-Chairman Towns made a motion, seconded by Commissioner Ferrante, to recommend to the City Council that the request of the City of Duncanville to consider possible revisions to Appendix A, Article XIII, Comprehensive Zoning Ordinance, Special Uses, be approved. The vote was unanimous, 6 for.

The meeting adjourned at 7:12 p.m.

Mike Brownlee, Secretary

Todd Durant, Chairman

"R-1.8" Residential-1.8 (Church) on Lot 9C, Block 5, Woodhaven Addition, more commonly known as 1203 North Cockrell Hill Road, be approved subject to the following condition:

1. The development and use of the property shall be in accordance with all city, state, and federal laws; city ordinances and regulations for the zoning district; the most recently adopted codes by the City of Duncanville including all applicable building codes and fire codes; and all accessibility standards as required by the Texas Accessibility Standards (TAS).

The vote was unanimous, 6 for.

The meeting adjourned at 7:20 p.m.

  
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 Mike Brownlee, Secretary

  
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 Todd Durant, Chairman

**PLANNING AND ZONING COMMISSION  
 REGULAR MEETING  
 COUNCIL CHAMBERS, CITY HALL  
 203 E. WHEATLAND ROAD  
 JULY 22, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on July 22, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman
Travis Towns	Vice-Chairman
J. C. Beard, Jr.	Commissioner
Joseph Ferrante	Commissioner
Deborah Harris	Commissioner (Late)
Bob Lydia	Commissioner

Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to approve the minutes of the meeting of June 10, 2013. The vote was 5 for, with Commissioner Harris absent.

A public hearing was held at the request of Pamela Foto-DaSabe, representing La Soiree DFW, owner, to renew and amend the existing "SU" Specific Use permit that allows an Indoor Party and Rental Facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive. Speaking in favor of the request was Mo DaSabe and Pamela Foto-DaSabe, 608 Crestside Drive, Duncanville, and Joseph Fuentes, 206 North Merrill Avenue, Duncanville. No one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Commissioner Beard, Jr., to close the public hearing. The vote was 5 for, with Commissioner Harris absent.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Lydia, to recommend to the City Council that the request of Pamela Foto-DaSabe, representing La Soiree DFW, owner, to renew and amend the existing "SU" Specific Use permit that allows an Indoor Party and Rental Facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive, be approved subject to the following conditions:

1. Property shall be developed and used in accordance with the Site Plan and be incorporated into the Ordinance.
2. The project shall meet all City and state regulations for building, fire codes and accessibility.

Minutes of Planning & Zoning Commission Meeting  
June 10, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
JUNE 10, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on June 10, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman
Travis Towns	Vice-Chairman
J. C. Beard, Jr.	Commissioner
Joseph Ferrante	Commissioner
Deborah Harris	Commissioner
Bob Lydia	Commissioner

Commissioner Lydia made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of May 13, 2013. The vote was unanimous, 6 for.

A public hearing was held at the request of Bishop Jesse Fudge, representing Heavens Embassy Church, owner, to change the existing "C-1" Light Commercial zoning to "R-1.8" Residential-1.8 (Church) on Lot 9C, Block 5, Woodhaven Addition, more commonly known as 1203 North Cockrell Hill Road. Speaking in favor of the request was Bishop Jesse Fudge, 1203 North Cockrell Hill Road, Duncanville. No one spoke in opposition of the request.

Commissioner Harris made a motion, seconded by Commissioner Beard, Jr., to close the public hearing. The vote was unanimous, 6 for.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Harris, to recommend to the City Council that the request of Bishop Jesse Fudge, representing Heavens Embassy Church, owner, to change the existing "C-1" Light Commercial zoning to

"R-1.8" Residential-1.8 (Church) on Lot 9C, Block 5, Woodhaven Addition, more commonly known as 1203 North Cockrell Hill Road, be approved subject to the following condition:

1. The development and use of the property shall be in accordance with all city, state, and federal laws; city ordinances and regulations for the zoning district; the most recently adopted codes by the City of Duncanville including all applicable building codes and fire codes; and all accessibility standards as required by the Texas Accessibility Standards (TAS).

The vote was unanimous, 6 for.

The meeting adjourned at 7:20 p.m.

  
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Mike Brownlee, Secretary

  
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Todd Durant, Chairman

Minutes of Planning & Zoning Commission Meeting  
July 22, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
JULY 22, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on July 22, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman
Travis Towns	Vice-Chairman
J. C. Beard, Jr.	Commissioner
Joseph Ferrante	Commissioner
Deborah Harris	Commissioner (Late)
Bob Lydia	Commissioner

Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to approve the minutes of the meeting of June 10, 2013. The vote was 5 for, with Commissioner Harris absent.

A public hearing was held at the request of Pamela Foto-DaSabe, representing La Soiree DFW, owner, to renew and amend the existing "SU" Specific Use permit that allows an Indoor Party and Rental Facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive. Speaking in favor of the request was Mo DaSabe and Pamela Foto-DaSabe, 608 Crestside Drive, Duncanville, and Joseph Fuentes, 206 North Merrill Avenue, Duncanville. No one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Commissioner Beard, Jr., to close the public hearing. The vote was 5 for, with Commissioner Harris absent.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Lydia, to recommend to the City Council that the request of Pamela Foto-DaSabe, representing La Soiree DFW, owner, to renew and amend the existing "SU" Specific Use permit that allows an Indoor Party and Rental Facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive, be approved subject to the following conditions:

1. Property shall be developed and used in accordance with the Site Plan and be incorporated into the Ordinance.
2. The project shall meet all City and state regulations for building, fire codes and accessibility.

3. The number of required on-site parking spaces dedicated to this use shall be 64 and the maximum occupancy shall be 250 persons provided a valid off-site parking agreement is in effect for an additional 20 off-site parking spaces. Overflow parking shall not be permitted on the public street right-of-way. In the absence of a valid off-site parking agreement, the maximum occupancy shall be 192 persons.
4. Landscaping of the site shall be in accordance with the Site Plan.
5. Alcohol must be consumed inside the building and subject to regulations of TABC and City regulations.
6. A minimum dress code of business casual is required for all events. Persons with gang symbols, gang colors or gang affiliations shall be removed from the event at the discretion of event security or Duncanville police.
7. Owner will be responsible for providing staff during events to ensure compliance with all rules and regulations.
8. One professional security officer will be required to be on site for parties of 100 or less. One professional security officer and one off-duty police officer will be required to be on site for parties of 100 or more.
9. Hours of operation shall be from 5:00 p.m. to 2:00 a.m. Special morning or afternoon events accepted by appointment only.
10. Owner's staff and security personnel shall prevent clientele outside the business or within the parking lot from causing disturbance to the peace and security of the adjacent neighborhood for various activities including loud noise, consumption of alcohol, loitering, and large gatherings. The Specific Use Permit may be revoked should three (3) or more complaints of violations of this Specific Use Permit be received by staff during a one (1) year period
11. Catering services for utilizing the existing kitchen shall be allowed as an accessory use in addition to the primary use as an event center.
12. The Specific Use Permit shall be granted for an initial five (5) year period with three subsequent five (5) year renewals.

The vote was 5 for and 1 against. Voting for was Chairman Durant, Commissioner Lydia, Commissioner Beard, Jr., Commissioner Ferrante, and Commissioner Harris. Voting against was Vice-Chairman Towns. The motion passed.

A public hearing was held at the request of Freedom Dodge Chrysler Jeep to amend the existing "SUP" Special Use Permit that allows Auto Dealers, New Car Sales with Incidental Used Car Sales, on Lot 1A, Block 1, Central Business Area 2 Replat, more commonly known as 815 East Camp Wisdom Road. Speaking in favor of the request was Lonnie Bennett, 615 North Cockrell Hill Road, Duncanville. No one spoke in opposition of the request.

Commissioner Ferrante made a motion, seconded by Commissioner Harris, to close the public hearing. The vote was unanimous, 6 for.

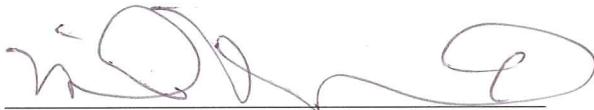
Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to recommend to the City Council that the request of Freedom Dodge Chrysler Jeep to amend the existing "SUP" Special Use Permit that allows Auto Dealers, New Car Sales with Incidental Used Car Sales, on Lot 1A, Block 1, Central Business Area 2 Replat, more commonly known as 815 East Camp Wisdom Road, be approved subject to the following conditions:

1. The project shall meet all federal, state, and city regulations for building codes, fire codes, and accessibility.
2. Property shall be developed and used in accordance with the approved site plan.

3. Auto repair, auto service, auto parts, auto detailing and car wash functions shall be permitted on the property only for customers of the dealership and preparing cars for sale at the dealership.
4. Subletting of any portion, space or area of the property to any company, business or outside party is strictly prohibited.
5. Body or paint shop functions shall be strictly prohibited from being performed on any and all portions, spaces or areas of the property.
6. Auto action functions shall be strictly prohibited from being performed on any portion, space or area of the property.
7. Sale of light or heavy equipment is strictly prohibited from being on any and all portions, spaces or areas of the property.
8. No time limit.

The vote was unanimous, 6 for. The motion passed.

The meeting adjourned at 8:20 p.m.



Mike Brownlee, Secretary



Todd Durant, Chairman

Minutes of Planning & Zoning Commission Meeting  
August 26, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
AUGUST 26, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on August 26, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	Absent
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	
Bob Lydia	Commissioner	

Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to approve the minutes of the meeting of July 22, 2013. The vote was 5 for, with Vice-Chairman Towns absent.

A public hearing was held at the request of Rick Machak representing Duncanville Cedar Square, L.P., to replat Lots 1A, 2A, and 3A, Cedar Ridge Shopping Center, more commonly known as 618-626 South Cedar Ridge Drive.

No one spoke in favor of the request, and no one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Commissioner Ferrante, to close the public hearing. The vote was 5 for, with Vice-Chairman Towns absent.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Ferrante, to approve the replat as submitted. The vote was 5 for, with Vice-Chairman Towns absent.

A public hearing was held at the request of Luis Torres, representing Torres Taxidermy, to replat Lots 9 and 10, Woodland Hills Addition, and a one-acre tract of land out of A. Slayback Survey, Abstract No. 1299, more commonly known as 608 East Highway 67.

No one spoke in favor of the request, and no one spoke in opposition of the request.

Commissioner Harris made a motion, seconded by Commissioner Beard, Jr., to close the public hearing. The vote was 5 for, with Vice-Chairman Towns absent.

Discussion followed. Commissioner Beard, Jr., made a motion, seconded by Commissioner Lydia, to approve the replat as submitted. The vote was 5 for, with Vice-Chairman Towns absent.

The meeting adjourned at 7:10 p.m.



Mike Brownlee, Secretary

  
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Todd Durant, Chairman

Minutes of Planning & Zoning Commission Meeting  
September 23, 2013

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
SEPTEMBER 23, 2013 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on September 23, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	Absent
Bob Lydia	Commissioner	

Commissioner Beard, Jr., made a motion, seconded by Commissioner Ferrante, to approve the minutes of the meeting of August 26, 2013. The vote was 5 for, with Commissioner Harris absent.

A public hearing was held at the request of La Shanda Marshall-Willins, Marshall Arts Entertainment Group, tenant, to amend the existing "DD" Downtown Duncanville zoning to include an "SU" Specific Use permit (Indoor Party and Rental Facility) on AMG Merrill Abstract 884, Page 075, Tract 40, more commonly known as 106 East Freeman Street.

Speaking in favor of the request was La Shanda Marshall-Willins, 106 East Freeman Street, Duncanville, Texas. No one spoke in opposition of the request.

Commissioner Lydia made a motion, seconded by Commissioner Towns, to close the public hearing. The vote was 5 for, with Commissioner Harris absent.

Discussion followed. Commissioner Ferrante made a motion, seconded by Commissioner Lydia, to recommend to the City Council that the request of La Shanda Marshall-Willins, Marshall Arts Entertainment Group, tenant, to amend the existing "DD" Downtown Duncanville zoning to include an "SU" Specific Use permit (Indoor Party and Rental Facility) on AMG Merrill Abstract 884, Page 075, Tract 40, more commonly known as 106 East Freeman Street, be approved subject to the following conditions:

1. Property shall be developed in accordance with the site plan and be incorporated in the ordinance.

2. The project shall meet all city and state regulation for building, fire codes, and accessibility.
3. A walkway must be installed from the back door of the facility to meet fire code requirements for exiting per the Fire Marshal.
4. A fire alarm system must be installed and approved by the Fire Marshal prior to issuance of a conditional certificate of occupancy. The conditional certificate of occupancy shall not exceed eighteen months beyond the date of issuance and shall expire in eighteen months with no extension or exceptions.
5. A permanent certificate of occupancy shall not be issued until a fire sprinkler system has been installed in the facility and accepted by the Fire Marshal.
6. The number of required parking spaces dedicated to this use shall be thirty-three (33) and the maximum occupancy load shall be ninety-nine (99) persons during the conditional occupancy period. Overflow parking shall not be permitted on the public street right-of-way.
7. The number of required parking spaces dedicated to this use shall be fifty (50) and the maximum occupancy shall be one hundred and forty-eight (148) persons once the fire sprinkler system is installed and a permanent certificate of occupancy is obtained. Overflow parking shall not be permitted on the public street right-of-way.
8. A valid off-site parking agreement must be maintained providing twenty-seven (27) spaces during conditional and forty-four (44) spaces during permanent occupancy.
9. Alcohol must be consumed inside the building and subject to regulations of TABC and City regulations.
10. Owner will be responsible for providing staff during events to ensure compliance with all rules and regulations.
11. One uniformed security officer will be required to be on-site for parties of 100 or less. Two uniformed security officers will be required to be on-site for parties of 100 or more.
12. Hours of operation shall be seven days per week until 1:00 a.m.
13. No Time limit.

The vote was 5 for, with Commissioner Harris absent.

The meeting adjourned at 7:25 p.m.

  
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Mike Brownlee, Secretary

  
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Todd Durant, Chairman

**PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
DECEMBER 16, 2013 @ 7:00 P.M.**

A special meeting of the Planning and Zoning Commission was held on December 16, 2013, at 7:00 p.m., with a quorum present to wit:

Todd Durant	Chairman	
Travis Towns	Vice-Chairman	
J. C. Beard, Jr.	Commissioner	
Joseph Ferrante	Commissioner	
Deborah Harris	Commissioner	
Bob Lydia	Commissioner	(Arrived Late)

Commissioner Ferrante made a motion, seconded by Commissioner Beard, Jr., to approve the minutes of the meeting of September 23, 2013. The vote was 5 for, with Commissioner Lydia absent.

A preliminary and final plat was submitted by 84 Lumber Company, for the 84 Lumber Company Addition, more commonly known as 1340 North Duncanville Road. Commissioner Ferrante made a motion, seconded by Vice-Chairman Towns, to approve the plat as submitted. The vote was 5 for, with Commissioner Lydia absent.

A preliminary plat was submitted by Oak Leaf Medical Plaza, for the Oak Leaf Medical Offices Addition, more commonly known as 407 West Daniieldale Road. Commissioner Harris made a motion, seconded by Vice-Chairman Towns, to approve the plat as submitted. The vote was 5 for, with Commissioner Lydia absent.

A public hearing was held at the request of Krisha Morris, representing Assured Self Storage, owner, to change the existing "GR" General Retail zoning to "PD" Planned Development zoning on approximately 5.8443 acres of land consisting of Tract 18.1, Anderson Slayback Survey, Abstract No. 1299, Dallas County, Texas, more commonly known as 730 East Wheatland Road.

Speaking in favor of the request was Krisha Morris, 931 West Pleasant Run Road, DeSoto, Texas. No one spoke in opposition of the request.

Commissioner Harris made a motion, seconded by Vice-Chairman Towns, to close the public hearing. The vote was 5 for, with Commissioner Lydia absent.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Beard, Jr., to recommend to the City Council that the request of Krisha Morris, representing Assured Self Storage, owner, to change the existing "GR" General Retail zoning to "PD" Planned Development zoning on approximately 5.8443 acres of land consisting of Tract 18.1, Anderson Slayback Survey, Abstract No. 1299, Dallas County, Texas, more commonly known as 730 East Wheatland Road, be approved subject to the following conditions:

1. The development and use of the property shall be in accordance with the attached site plan.
2. The development and use of the property shall meet or exceed all Federal and State requirements, City ordinances, and the most current codes adopted by the City of Duncanville.
3. Construction shall be in general accordance with the attached site plan and building elevations, including the building footprint dimensions and materials of construction.
4. Plat property to include easements for water, drainage and other utilities.
5. Provide landscaping and an automatic sprinkler system with landscape buffers, as shown on the site plan.
6. Construct a six-foot (6') minimum height block masonry screening wall to match the building exterior wall, as shown on the attached elevation. All areas that are visible from the street shall be required to have a solid masonry screening wall.
7. Provide a minimum of fourteen (14) off-street parking spaces.
8. Developer shall maintain the entire parking area in good condition and shall be required to replace any portions of parking lot damaged from normal use, maintenance, or construction activities on the property.
9. The development and use of the property shall comply with Chapter 12, Article XVII, Tree Preservation.

The vote was 4 for and 1 against, with Commissioner Lydia absent. Voting for was Chairman Durant, Commissioner Beard, Jr., Commissioner Ferrante, Commissioner Harris. Voting against was Vice-Chairman Towns.

A public hearing was held at the request of Pamela Foto-DaSabe, LaSoiree DFW, owner, to amend the existing "SU" Specific Use permit that allows an indoor party and rental facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive.

Speaking in favor of the request was Doyce Smith, 1022 Dove Creek, Duncanville, Texas, and Mo DaSabe, 608 Crestside Drive, Duncanville, Texas. No one spoke in opposition of the request.

Commissioner Harris made a motion, seconded by Vice-Chairman Towns, to close the public hearing. The vote was unanimous, 6 for.

Discussion followed. Commissioner Harris made a motion, seconded by Commissioner Lydia, to recommend to the City Council that the request of Pamela Foto-DaSabe, LaSoiree DFW, owner, to amend the existing "SU" Specific Use permit that allows an indoor party and rental facility on Lot 16A, Block C, Crestview Addition, more commonly known as 608 Crestside Drive, be approved subject to the following conditions:

1. Property shall be developed and used in accordance with the Site Plan and be incorporated into the Ordinance.
2. The project shall meet all City and state regulations for building, fire codes and accessibility.
3. The number of required on-site parking spaces dedicated to this use shall be 64 and the maximum occupancy shall be 250 persons.
4. An off-site parking agreement between the Indoor Party and Rental Facility and another property owner must be maintained to provide off-site parking of at least twenty (20) spaces in addition to the sixty-four (64) on-site parking spaces. The additional off-site parking spaces must be on an approved parking surface. Overflow parking shall not be permitted on the public street right-of-way.
5. Landscaping of the site shall be in accordance with the Site Plan.
6. Allow use of the existing kitchen as an accessory use in addition to the primary use as an event center.
7. Alcohol must be consumed inside the building and subject to regulations of TABC and City regulations.
8. Owner will be responsible for providing on site staff during events to ensure compliance with all rules and regulations.
9. One professional security officer will be required to be on site for parties of 100 or less. One professional security officer and one off-duty police officer will be required to be on site for parties of 100 or more.
10. Hours of operation for the general public shall be from 9:00 a.m. to 4:00 a.m. Special early morning meetings and events are also allowed by appointment.
11. Owner's staff and security personnel shall prevent clientele outside the business from causing disturbance to the peace and security of the adjacent neighborhood for various activities including loud noise, consumption of alcohol, loitering, and large gatherings.
12. This Specific Use Permit shall be granted for a five (5) year period with three subsequent five (5) year renewals.
13. The Specific Use Permit may be revoked should three (3) or more complaints of violations of this Specific Use Permit be received and validated by staff during any one (1) year period.

The vote was 5 for and 1 against. Voting for was Chairman Durant, Commissioner Beard, Jr., Commissioner Ferrante, Commissioner Harris, and Commissioner Lydia. Voting against was Vice-Chairman Towns.

A public hearing was held at the request of Gabriel Ekpo, owner, to amend the existing "PD" Planned Development (Single-Family Residential) zoning on Lots 1 to 11, Block A, Anthem Addition, 2.488 acres, located on the southern cul-de-sac of Royal Avenue, being a replat of a portion of Tract 5, Block C, Daniieldale Acres Addition.

Speaking in favor of the request was Sidney Hays, 422 Azalea Lane, and Alvin Ricketson, 406 Azalea Lane, both of Duncanville, Texas, and Gabriel Ekpo, 609 Vanilla Court, DeSoto, Texas. No one spoke in opposition of the request.

Commissioner Harris made a motion, seconded by Commissioner Ferrante, to close the public hearing. The vote was unanimous, 6 for.

Discussion followed. Vice-Chairman Towns made a motion, seconded by Commissioner Ferrante, to recommend to the City Council that the request of Gabriel Ekpo, owner, to amend the existing "PD" Planned Development (Single-Family Residential) zoning on Lots 1 to 11, Block A, Anthem Addition, 2.488 acres, located on the southern cul-de-sac of Royal Avenue, being a replat of a portion of Tract 5, Block C, Daniieldale Acres Addition, be approved subject to the following conditions:

1. Property shall be developed in accordance with the final plat attached hereto as Exhibit "B" and made a part hereof for all purposes, unless in conflict with the provisions of the ordinance, in which case, the ordinance shall apply.
2. Property shall be developed in accordance with the PD Development Regulations attached hereto as Exhibit "C" and made a part hereof for all purposes, unless in conflict with the provisions of the ordinance, in which case, the ordinance shall apply.
3. The Property, the development thereof, and all buildings constructed thereon, shall meet all City, federal, state and local building, accessibility, and fire codes.
4. The development of the Property shall comply with the following requirements:

Maximum number of lots:	10
Maximum number of dwelling units:	10
Minimum lot size (square feet):	5,078
Minimum lot frontage (feet):	39
Minimum lot depth (feet):	77
Minimum front yard setback (feet):	20
Minimum side yard setback, each side (feet):	5
Minimum rear yard setback (feet):	Dwelling 15
	Garage 20
Minimum dwelling unit size (square feet):	1,400
Maximum dwelling height:	Feet 35

5. All dwelling units shall have a minimum of two (2) covered parking spaces and shall have alley access.
6. All streets shall be a minimum of 27 feet wide back-of-curb to back-of-curb concrete with curb and gutter.
7. Sidewalks of at least 4 feet in width shall be constructed and installed across all lots and common ground/areas with barrier-free ramps at intersections.
8. At least two 3-inch diameter trees shall be planted on each residential lot. The diameter shall be measured at a level of 4 feet above natural grade. The development of the Property shall be in compliance with Chapter 12, Article XVII, Tree Preservation. In the event of a conflict between a provision contained in Chapter 12, Article XVII, and the ordinance, the provisions of the ordinance shall apply.
9. Unless specified to the contrary, all development, use and structures shall be in accordance with the regulations set forth in the "R-1.4" Single-Family Residential District zoning.
10. No wood roof shingles shall be allowed or permitted.
11. A mandatory and perpetual property owners or homeowners association shall be created and established by recorded covenants, conditions and restrictions. All common areas and common structures shall be maintained by the property owners or homeowners association. The covenants, conditions, and restrictions shall be approved by the City and the City Attorney and shall be duly recorded prior to the sale and development of any lots or dwelling units.
12. The City shall be granted a permanent blanket easement through the common area for a future trail connection at no expense to the property owners or homeowners association.

The vote was unanimous, 6 for.

The public hearings were adjourned at 8:02 p.m. and the meeting reopened in the Briefing Room at 8:05 p.m. to conduct a workshop.

A workshop was held to discuss possible amendments to Appendix A, Article XII-E, Comprehensive Zoning Ordinance, "GR" General Retail.

The meeting adjourned at 8:25 p.m.

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Mike Brownlee, Secretary

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Todd Durant, Chairman