

**PLANNING AND ZONING COMMISSION
REGULAR MEETING
COUNCIL CHAMBERS, CITY HALL
203 E. WHEATLAND ROAD
AUGUST 14, 2017 @ 7:00 P.M.**

A regular meeting of the Planning and Zoning Commission was held on Monday, August 14, 2017, at 7:00 p.m., with a quorum present to wit:

Felecia Davis	Chairman	
George Turner	Vice-Chairman	
Greg Zylka	Commissioner	
Bernard Maga	Commissioner	
Kathy McKee	Commissioner	Absent
David A. Ross	Commissioner	
James Breedlove	Commissioner	

Commissioner Ross made a motion, seconded by Commissioner Breedlove, to approve the minutes of the regular meeting of June 12, 2017. The vote was unanimous, 6 for, with Commissioner McKee absent. Vice-Chairman Turner made a motion, seconded by Commissioner Maga, to approve the minutes of the regular meeting of July 10, 2017. The vote was 5 for, with Commissioner Ross abstaining and Commissioner McKee absent.

A public hearing was held at the request of J. Scott Cole, representing Martha Johnson, owner, to replat a portion of Lot 12, Block 2, Woodhaven Addition and 0.1148-acre of Barton Lane Abandonment, City of Duncanville, Dallas County, Texas (Lot 12R, Block 2, Woodhaven Addition Replat), more commonly known as 522 Red Bird Lane and 0.1148-Acre of Barton Lane Abandonment, respectively. No one spoke in favor of or in opposition to the request. Discussion followed.

Commissioner Ross made a motion, seconded by Commissioner Maga, to approve the Woodhaven Addition Replat (Lot 12R, Block 2) as submitted. The vote was 6 for, with Commissioner McKee absent.

A public hearing was held at the request of Cannon R. Henry, representing Jose Luis Martinez, owner, to replat a portion of Lot 2, Block F, Unit 1, Winona Gardens Addition, City of Duncanville, Dallas County, Texas (Lot 2R, Block F, Unit 1, Winona Gardens Addition Replat), more commonly known as 619 North Casa Grande Circle.

Speaking in favor of the request was Cannon Henry, applicant, 1940 Loma Linda Court, Fort Worth, Texas. No one spoke in opposition to the request. Discussion followed.

Commissioner Ross made a motion, seconded by Vice-Chairman Turner, to approve the Winona Gardens Addition Replat (Lot 2R, Block F, Unit 1) as submitted and grant a variance to allow an 85-foot wide lot, less than the standard 90-foot width required for the zoning district. The vote was 6 for, with Commissioner McKee absent.

Mr. Kavanagh, representing Real Lenn LLC, owner, requested the hearing to amend the existing "LR-2" Local Retail-2 zoning to include an "SU" Specific Use permit to allow a Wireless Telecommunications Tower (Cellular Tower) on John H. Spruce Abstract 1297, Page 870, Tract 6 S-2, 1.899 acres, more commonly known as 306 West Camp Wisdom Road, be postponed to August 28, 2017.

Commissioner Ross made a motion, seconded by Vice-Chairman Turner, to postpone the request of Peter Kavanagh, representing Real Lenn LLC, owner, to amend the existing "LR-2" Local Retail-2 zoning to include an "SU" Specific Use permit to allow a Wireless Telecommunications Tower (Cellular Tower) on John H. Spruce Abstract 1297, Page 870, Tract 6 S-2, 1.899 acres, more commonly known as 306 West Camp Wisdom Road, until the August 28, 2017, meeting. The vote was 6 for, with Commissioner McKee absent.

A public hearing was held at the request of Aborigine Solution, LLC, applicant, dba AS Busy as a Bee Adult Learning Center, representing 411 E Hwy 67 Partners Ltd., owner, to amend the "LR-2" Local Retail-2 zoning to include an "SU" Specific Use permit to allow an Adult Life Skills Center, on Tract 0.3, approximately 0.424 acres, Victorian Village Replat, more commonly known as 210-B South Cedar Ridge Drive, Suite 100.

Barbara Grayson, 1008 Meadowbrook, Cedar Hill, Texas, Texas, applicant, spoke in favor of the request. She conferred with the SU permit conditions as recommended by staff with the exception of the level of need assessment set at a Level 0. Ms. Grayson stated the assessment is done differently by Health & Human Services (HHS) and the Texas Department of Aging and Disability Services (DADS). The condition was modified to remove that statement. Speaking in favor of the request was Cliff Boyd, 1019 Quail Run, Duncanville, Texas; Dalton Lott, 1700 Cedar Hill Road, Duncanville, Texas; and Marva Coaston 200 Jellison Boulevard, Duncanville, Texas. No one spoke in opposition of the request. Discussion followed.

Commissioner Ross made a motion, seconded by Vice-Chairman Turner, to recommend to the City Council that the request of Aborigine Solution, LLC, applicant, dba AS Busy as a Bee Adult Learning Center, representing 411 E Hwy 67 Partners Ltd., owner, to amend the "LR-2" Local Retail-2 zoning to include an "SU" Specific Use permit to allow an Adult Life Skills Center, on Tract 0.3, approximately 0.424 acres, Victorian Village Replat, more commonly known as 210-B South Cedar Ridge Drive, Suite 100, be approved subject to the following conditions:

1. Property shall be developed in accordance with the site plan and floor 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 shall remain and be available for use for the subject property.
4. All construction will be permitted and inspected by city inspection staff.
5. The following additional life safety measures are required:

- All clients attending the facility shall be admitted to the program after being assessed for the Level of Need as required by Texas Department of Aging and Disability Services and/or Health and Human Services for the purpose of determining the client's ability to exit the facility without verbal or physical assistance during an emergency situation.
- Clients assessed at a Level of Need requiring assistance during emergency situations shall not be admitted into the program.
- State of Texas HHS Forms 2060 and 2060-B, or other current State of Texas DADS authorized forms, shall be used for the assessment. Assessment documents shall be available upon request by City of Duncanville officials to verify current client capabilities.
- All clients shall be capable of recognizing and responding to an emergency such as a fire, alarm, intruder etc., without assistance or guidance and shall be capable of self-evacuating the facility and assembling at a designated area for accountability (head count) without physical or verbal assistance.
- A written affidavit, provided by the owner/operator/manager, shall be submitted confirming clients can self-evacuate without assistance every sixty (60) days and/or whenever new clients are added to the facility.
- The facility shall conduct regular staff safety training (no less than quarterly) and every time a new employee is hired. All staff on all shifts shall have training in the minimum following areas: evacuation (rosters and accountability); fire extinguishers; fire drills; and location of facility emergency contact information, including how to report an incident to the State of Texas HHS.
- Annual or more frequent fire inspections will be conducted. Clients will be asked during inspections to communicate and demonstrate how they would respond to a fire. Clients unable to communicate an appropriate response or demonstrate how to exit the building and meet at the designated meeting place will be considered below the assessed level of need and a violation notice will be issued to the owner of the business. Clients will not be asked to discuss their diagnosis or any other medical conditions.
- Center stairway shall not allow clients to access upper floor.
- Should the program manager or staff fail to provide verification of a client's Level of Need, or if it is determined that clients may have been admitted into the program who are not capable of self-evacuation, a notice of violation will be issued.

- Violations of the terms described in these conditions may result in the revocation of the Certificate of Occupancy if corrective action is not taken within the time period stated in the notice of violation.
6. Two (2) full-time staff members must be onsite whenever clients are on the premises.
 7. The Specific Use permit shall be granted for an initial one-year period with one five-year automatic renewal.

The vote was unanimous, 6 for, with Commissioner McKee absent.

The meeting adjourned at 7:40 p.m.

Chasidy Allen Benson, Secretary

Felecia Davis, Chairman