

PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
203 E. WHEATLAND ROAD  
AUGUST 13, 2018 @ 7:00 P.M.

A regular meeting of the Planning and Zoning Commission was held on Monday, August 13, 2018, at 7:00 p.m., with a quorum present to wit:

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

Commissioner Turner made a motion, seconded by Commissioner Breedlove to approve the minutes of the regular meeting of June 25, 2018. The vote was unanimous, 6 for, with Commissioner Ross absent

A public hearing was held at the request of Yazmin Rodriguez, applicant, representing KA Investments, Inc., owner, to amend the existing "LR-2" Local Retail 2 District zoning to include an "SU" Specific Use Permit for a Party/Event Facility (indoor only) on a portion of Lot 1, Calloway Addition, approximately 2.5249 acres, more commonly known as 723 South Cockrell Hill Road.

Yazmin Rodriguez, applicant, 7235 Baylor Drive, Glenn Heights, Texas, spoke in favor of the request.

Also speaking in favor of the request was Ashfaq Ahmed, of KA Investments, Inc., owner, 723 South Cockrell Hill, Duncanville, Texas.

Speaking in opposition to the request was Tammi Abney, 926 S. Cedar Ridge Road, Duncanville, Texas. In addition, one letter of opposition was received on August 13<sup>th</sup> by Peggy Ogden, 803 S. Cockrell Hill Road, Duncanville, Texas.

Discussion followed regarding the parking, shared access between properties, lighting, property fencing, hours when alcohol would be served, and impact on surrounding properties.

Commissioner Davis made a motion, seconded by Commissioner Turner, to close the public hearing. The vote was unanimous, 6 for, with Commissioner Ross absent. Commissioner Breedlove made a motion, seconded by Commissioner Davis, to recommend to the City Council that the request of Yazmin Rodriguez, applicant, be approved subject to the following conditions:

1. Property shall be developed in accordance with the site plan and floor plan, which are attached hereto as Attachment 3 and Attachment 4, respectively, and are incorporated herein as special conditions.
2. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility, including providing a required fire sprinkler system.
3. A minimum of 119 parking spaces dedicated to the event center/party facility use shall be provided. Final occupancy, as determined by the Building Official, will be determined through applicable permitting. The total required parking may vary if the occupancy rate changes. Overflow parking shall not be permitted on the public street right-of-way or adjacent properties, unless a shared parking agreement is established and evaluated by the City.
4. Alcohol beverages may be provided by customers or customers' caterers in connection with the rental of the facility. A Texas Alcoholic Beverage Commission (TABC)

licensed server shall be employed for any event where alcohol is present. The licensed server shall be responsible for ensuring an enforcement of TABC regulations thereof during any event.

5. Alcohol may only be served from 6:00 p.m. until closing Monday through Thursday and after 6:00 p.m. until closing on Friday through Sunday.
6. Alcohol may only be possessed and consumed inside the building and is subject to TABC and City regulations and in compliance with any applicable regulatory agency.
7. Applicant/Operator will be responsible for providing staff during events to ensure compliance with all rules and regulations.
8. At least one security officer will be required to be on site for parties beginning after 6:00 p.m.
9. Hours of operation for events shall be from 9:00 a.m. to 10:00 p.m. Monday through Thursday and 11:00 a.m. to 1:00 a.m. Friday through Sunday.
10. The Specific Use Permit shall be granted for a one (1) year time limit from the effective date, with three (3) one (1) year automatic renewals subject to automatic renewal provisions in the Zoning Ordinance.

The vote was 5 for and 1 opposed, with Commissioner Zylka in opposition and Commissioner Ross absent.

A public hearing was held at the request of Yvette Martinez, applicant, representing Roy K Cannon Living Trust, owner, to amend the existing "LR-2" Local Retail-2 zoning to include an "SU" Specific Use Permit to allow a Party/Event Facility (Indoor Only) on a portion of Duncanville Industrial District Sixth Installment, Block G, approximately 0.9822 acres, more commonly known as 928 South Cedar Ridge, Suite A.

Yvette Martinez, applicant, 7426 Elderberry Lane, Dallas, Texas, spoke in favor of the request.

Speaking in favor of the request were:

Roy Cannon, owner, 928 South Cedar Ridge Drive, Duncanville, Texas;  
Dave Galbraith, 203 Brookwood Drive, Duncanville, Texas;  
Jerry Martinez, 2520 Heather Brook Lane, Arlington, Texas;  
Mark Flores, 2402 NE 6<sup>th</sup> Street, Mineral Wells, Texas;  
Gilda Mendez-Flores, 2402 NE 6<sup>th</sup> Street, Mineral Wells, Texas;  
Ana Jimenez, 7302 Boisenberry Lane, Dallas, Texas;  
Brenda Valdez, 1260 Stevens Ridge, Dallas, Texas;  
Elizabeth Rodriguez, 2520 Heather Brook Lane, Arlington, Texas;  
Rosalina Valdez, 2920 W. Colorado, Dallas, Texas

Speaking in opposition to the request were Tammi Abney, 926 S. Cedar Ridge Road, Duncanville, Texas, and Sandra Elliott, 914 S Cedar Ridge Road, Duncanville, Texas.

Discussion followed regarding the use and hours of operation, the impact on surrounding businesses, parking limitations, trash, and security.

Commissioner Davis made a motion, seconded by Commissioner Turner, to close the public hearing. The vote was unanimous, 6 for, with Commissioner Ross absent. Commissioner Davis made a motion, seconded by Commissioner McKee, to recommend to the City Council that the request of Yvette Martinez, applicant, be approved subject to the following conditions:

1. Property shall be developed in accordance with the site plan and floor plan, which are attached hereto as Attachment 3 and Attachment 4, respectively, and are incorporated

herein as special conditions.

2. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.
3. The existing sixty-three (63) parking spaces shall satisfy the parking requirement for the party/event facility and all other current uses on the property. Final occupancy, as determined by the Building Official, will be determined through applicable permitting. The total required parking may vary if the occupancy rate changes. Overflow parking shall not be permitted on the public street right-of-way or adjacent properties, unless a shared parking agreement is established and evaluated by the City.
4. A parking attendant must be present at events to monitor parking and ensure all parking remains on the subject property.
5. Alcohol beverages may be provided by customers or customers' caterers in connection with the rental of the facility. A Texas Alcoholic Beverage Commission (TABC) licensed server shall be employed for any event where alcohol is present. The licensed server shall be responsible for ensuring an enforcement of TABC regulations thereof during any event.
6. Alcohol may only be possessed and consumed inside the building and is subject to TABC and City regulations and in compliance with any applicable regulatory agency.
7. Applicant/Operator will be responsible for providing staff during events to ensure compliance with all rules and regulations.
8. Hours of operation for events shall be noon to 10:00 p.m., Thursday through Sunday.
9. The Specific Use Permit shall be granted for a one (1) year time limit.

The vote was 6 for, with Commissioner Ross absent.

The meeting adjourned at 9:48 p.m.

  
Chasdy Allen Benson, Secretary

  
Gregory Zylka, Chairman