



## **PLANNING AND ZONING COMMISSION WORK SESSION AGENDA**

**MONDAY, APRIL 19, 2021  
12:00 P.M.**

**ADDISON TOWN HALL  
5300 BELT LINE ROAD, DALLAS, TX 75254**

**Notice is hereby given that the Addison Planning & Zoning Commission will conduct its WORK SESSION at 12:00 pm on Monday, April 19, 2021, at the Addison Town Hall, 5300 Belt Line Road, Dallas, TX. The Town will utilize telephone or videoconference for public meetings to facilitate public participation to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Commission. Members of the public are entitled to participate remotely via Toll-Free Dial-in Number: 877-853-5247; Meeting ID: 409.327.0683#, Participant ID: #. The meeting will be live-streamed on Addison's website at [www.addisontexas.net](http://www.addisontexas.net).**

Call Meeting to Order

### **WORK SESSION**

1. Status update on recent Planning and Zoning Commission cases and planning policy items.
2. Discussion regarding items on the agenda for the April 20, 2021 Planning and Zoning Commission meeting, including:
  - March 16, 2021 Planning and Zoning Commission meeting minutes
  - Special Use Permit request at 5290 Belt Line Road, Suite 112B (Jeni's Splendid Ice Creams)

- Special Use Permit request at 4141 Spring Valley Road and 14101 Midway Road (Greenhill School Temporary Classrooms)
- Tree Mitigation and Replacement Plan for Case 1824-Z/TCA Middle School Addition
- Discuss future Planning and Zoning Commission meeting format

3. Discussion regarding process for updating the 2004 Planning and Zoning Commission Rules, Regulations, and Procedures.

### Adjourn Meeting

NOTE: The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES. PLEASE CALL (972) 450-7017 AT LEAST 48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

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POSTED BY: \_\_\_\_\_  
Irma G. Parker, City Secretary

DATE POSTED: 04/15/2021

TIME POSTED: 5:00 pm

DATE REMOVED FROM BULLETIN BOARD: \_\_\_\_\_

REMOVED BY: \_\_\_\_\_

**Planning & Zoning Commission - Work  
Session**

**2.**

**Meeting Date:** 04/19/2021

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**Agenda Caption:**

Status update on recent Planning and Zoning Commission cases and planning policy items.

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**Planning & Zoning Commission - Work Session**

**3.**

**Meeting Date:** 04/19/2021

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**Agenda Caption:**

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**Planning & Zoning Commission - Work  
Session**

**4.**

**Meeting Date:** 04/19/2021

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**Agenda Caption:**

Discussion regarding process for updating the 2004 Planning and Zoning Commission Rules, Regulations, and Procedures.

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**Attachments**

P&Z Commission Rules and Procedures

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TOWN OF ADDISON

RULES, REGULATIONS,  
AND PROCEDURES  
OF THE  
PLANNING AND ZONING  
COMMISSION

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Rules, Regulations, and Procedures  
of the  
Planning and Zoning Commission

## ARTICLE I - AUTHORITY AND POWERS OF THE COMMISSION

The authority and powers of the Addison Planning and Zoning Commission are contained in Appendix A, "Zoning," of the Code of Ordinances of the Town of Addison, Texas, the same being Ordinance No. 66 of the City.

## ARTICLE II - ORGANIZATION AND STRUCTURE OF THE COMMISSION

### A. Membership

The Planning and Zoning Commission consists of seven (7) members, each appointed by a majority of the City Council for a term of two (2) years and removable for cause by the City Council. Vacancies are filled by the appointment by the City Council of a suitable person to serve a term of two (2) years. Members may not be appointed to serve more than three consecutive terms. If any member misses three (3) consecutive meetings, the Commission may recommend to the City Council that a new Commissioner be appointed to the position in question. Such a recommendation shall require a majority vote of the Commission.

Members of the Commission shall be compensated (\$25.00) per bi-weekly pay period.

### B. Officers and Duties of Officers

The Commission shall hold an organizational meeting in January of each year and shall elect a Chair and Vice-Chair from among its members before proceeding to any other matters of business. The City Manager of the City shall assign a staff representative to perform as Secretary to the Commission. The Secretary may appoint an Assistant Secretary to serve in the absence of or on behalf of the Secretary.

The Chair, or in his absence or disability, the Vice-Chair, shall, as presiding officer, preside at all meetings and hearings of the Commission, and shall be entitled to vote on all matters coming before the Commission. In the absence or disability of both the Chair and Vice-Chair, an Acting Chair shall be selected by members present to preside at the meeting where elected.

The presiding officer shall decide all points of order and procedure, subject to these rules, unless otherwise directed by a majority of the members of the Commission present.

The Chair or Vice-Chair shall report at any meeting on any official business taking place that has not come to the attention of the Commission.

The Secretary shall be responsible for all routine correspondence and, subject to these rules and the direction of the Commission, all correspondence regarding zoning amendments, site plans, subdivision developments and other matters. The Secretary shall be responsible for all notices, attend all meetings or hearings of the Commission, keep the minutes, compile the records and maintain the files and indexes.

## C. Rules of Order

Roberts Rules of Order, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

## D. Suspension of Rules

Any provision of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds vote of all members of the Commission, which vote shall be entered upon the minutes.

# ARTICLE III - DUTIES OF THE COMMISSION

## A. Duties Invested by Council

The Planning and Zoning Commission is charged by ordinance with the following duties and invested with the authority to:

- (a) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the City.
- (b) Formulate and recommend to the City Council for its adoption a City Plan for the orderly growth and development of the City and its environs, and from time to time recommend such changes in the Plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety and general welfare of the citizens of the City.
- (c) Formulate a zoning plan as may be deemed best to carry out the goals of the City Plan; hold public hearings and make recommendations to the City Council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Chapter 211 of the Texas Local Government Code, as amended, authorizing cities and incorporated villages to pass regulations; all powers granted under said Act are specifically adopted and made a part hereof.
- (d) Exercise all the powers of a commission as to approval or disapproval of plans, plats or replats and vacations of plans, plats or replats, as set out in Chapter 211 of the Texas Local Government Code.
- (e) Study and recommend on the location, extension and planning of public rights-of-way, parks or other public places, and on the vacating or closing of same.
- (f) Study and recommend on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of art which are, or may become, the property of the city.
- (g) Initiate, in the name of the City, for consideration at public hearing all proposals: (1) for the original zoning of annexed areas; and (2) for the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the City.
- (h) Formulate and recommend to the City Council for its adoption policies and regulations consistent with the adopted City Plan governing the location and/or operation of utilities, public facilities and services owned or under the control of the City.
- (i) Keep itself informed with reference to the progress of city planning in the United States and other countries and recommend improvements in the adopted plans of the City.

(j) Submit each year a progress report to the City Council summarizing its activities, major accomplishments for the past year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of Commission officers.

## ARTICLE IV - MEETINGS

### A. Quorum

A quorum shall consist of four (4) members.

### B. Agenda

An agenda shall be prepared by the Secretary for each meeting of the Commission. There shall be attached to each agenda a report of matters pending further action by the Commission. A copy of the agenda shall be posted as required by law at least 72 hours before the scheduled time of the meeting, except as otherwise provided by law.

### C. Regular Meetings

Regular meetings shall be held on the fourth (4th) Thursday of each month in the Council Chambers of the City Hall, unless otherwise determined by the Commission.

### D. Special Meetings

Special meetings for any purpose may be held: (1) on the call of the Chair, or (2) on request of two or more members and by giving written notice to all members deposited in the mail at least 48 hours before the meeting, or (3) as may be scheduled by a majority of the Commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.

### E. Public Meetings

All meetings shall be held in full compliance with the provision of state law, ordinances of the City and these Rules of Procedure. Any party in interest may appear in his own behalf or be represented by counsel or agent.

### F. Planning Sessions

The Commission may be convened as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a planning session, provided that no official business shall be conducted thereafter and no quorum shall be required.

## ARTICLE V - OFFICIAL RECORDS

### A. Official Records - Definition

The official records shall be these rules and regulations and the minutes of the Commission together with all findings, decisions and other official records of the Commission.

### B. Recording of Vote

The minutes of the Commission's proceeding shall show the vote of each member, or if absent or failing to vote shall indicate that fact.

### C. Files - Retention

All matters coming before the Commission shall be filed in the City's records. Original papers of all requests and proposals shall be retained as a part of the permanent record.

### D. Public Record

The official records and citizen requests filed for Commission action shall be on file in the office of the Secretary to the Commission and shall be open to public inspection during customary working hours.

## ARTICLE VI - APPLICATION PROCEDURES

### A. Written Request Required

Every proposal submitted for Commission action shall be made in writing by the appropriate application forms which are provided by the City. The proposal shall be filed on said forms, shall be accompanied by all prescribed fees, and shall be complete in all respects before being accepted for filing.

### B. Schedules and Instructions

Every proposal or request for Commission action or recommendation shall be filed, processed and considered in accordance with specific schedules and instructions established by the Secretary.

### C. Submission of Supporting Information

Information supporting a request or recommendation to approve or disapprove any proposal before the Commission shall be submitted only through the Secretary in writing or to the Commission in public meeting.

### D. Withdrawal of Proposal

When any applicant desires to withdraw his proposal he may do so by filing a written request to that effect with the Secretary. Such request shall be effective upon the date of its official receipt, provided, however, that no such request shall be valid after notices have been mailed, except on action of the Commission. Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the City, and the case file thereon shall be closed.

## ARTICLE VII - HEARINGS AND DECISIONS

### A. Order of Business

The Chair shall call the Commission to order, and the members present and absent shall be recorded. The minutes of any preceding meeting shall be submitted for approval. The public shall be advised of the procedures to be followed in the meeting; The Secretary shall publicly advise the Commission of any communications received pertaining to any matter before the Commission.

The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing together with such other matters of business and the findings and considerations of the Commission shall be reported by the Commission or the Secretary.

## B. Presentation or Hearing of Proposals

1. The Commission shall call, or cause to be called by the Chair each proposal in such order as to be in accord, as near as practicable, with the hearing time specified in the notice of public hearing.
2. The Chair shall next call on the staff for a factual summary and presentation relative to the proposal and shall afford the staff an opportunity to call to the attention of the Commission any additional pertinent communications.
3. The Chair shall then call on persons present who wish to speak to the proposal and shall direct that they speak in the following order:
  - 1) The applicant or his representative
  - 2) Those persons in support
  - 3) Those persons in opposition

Whenever necessary the Chair shall direct that all remarks shall be germane to the proposal. No rebuttal shall be permitted by either side, but the Commission may direct questions to any speaker in order to clarify statements and facts presented.

4. The Chair shall then declare the public presentation or hearing closed, as to that proposal.

## C. Motions

A motion may be made by any member other than the presiding officer. Except as otherwise provided by law or these Rules, a motion to approve any matter before the Commission or to recommend approval of any request requiring Commission action shall require the majority of the votes of the members present.

## D. Disqualification from Voting

1. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the property that is the subject of the matter under consideration, or that he will be directly affected by the decision of the Commission.
2. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his application, other than in the public hearing, and the member determines that he cannot be independent and impartial in his decision.

# ARTICLE VIII - CERTIFICATION AND AMENDMENTS

## A. Copy Filed With City Secretary

A copy of these Rules of Procedure and of any amendments thereto shall be filed in the office of the City Secretary within ten days following their date of adoption.

## B. Repealing Clause

All previously adopted Rules of Procedure of the Commission shall be and the same are hereby expressly repealed.

## C. Amendments

Except as otherwise provided, amendments to these Rules of Procedure may be adopted by the Commission at any meeting upon the affirmative vote of a majority of the entire membership, provided such amendment is proposed at a preceding meeting and recorded in the minutes of such meeting. By unanimous vote of the entire Commission membership, amendments may be adopted at the meeting at which such amendments are introduced, but shall not become effective until the next regular meeting.

ADOPTED

This \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Chair

ATTESTED:

\_\_\_\_\_  
Commission Secretary

\* \* \* \* \*

Filed in the Office of the City Secretary this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Secretary

Town of Addison, Texas.