

# REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

**TUESDAY, JANUARY 16, 2024** 

## ADDISON CONFERENCE CENTER - BUCKTHORN/SYCAMORE ROOM 15650 ADDISON ROAD, ADDISON, TX 75001

### 6:00 P.M. REGULAR MEETING

The Planning and Zoning Commission meeting and public hearing will be held at the Addison Conference Center Buckthorn/Sycamore Room, 15650 Addison Road, Addison, Texas 75001 on Tuesday, January 16, 2024 at 6:00 pm. For more information on the meeting location and ways to view and/or present comments, please contact Lesley Nyp prior to 3:00 pm on the day of the meeting at 972-450-2823 or by emailing <a href="mailto:zoninginput@addisontx.gov">zoninginput@addisontx.gov</a>. Members of the public are entitled to participate remotely via Dial-in Number: 346.248.7799; Meeting ID: 319 628 1637; Participant ID: #. For more detailed instructions on how to participate in this meeting, visit our Agenda Page. The meeting will be live streamed on Addison's website at <a href="https://www.addisontexas.net">www.addisontexas.net</a>.

Call Meeting to Order

Pledge of Allegiance

Consent Agenda: All items listed under the Consent Agenda are considered routine by the Planning and Zoning Commission and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

1. Consider Action on the Minutes from the October 17, 2023 Joint City Council and Planning and Zoning Commission Meeting, as amended.

2. Consider Action on the Minutes from the November 15, 2023 Planning and Zoning Commission Meeting.

# Regular Agenda:

- 3. Discuss and Consider Action on Election of a Chair and Vice Chair for the Planning and Zoning Commission.
- 4. Present, discuss, and consider action on a Final Plat for the Lacrosse Barn Addition, Lot 1, Block A, for an indoor recreation facility on 3.1046± acres located west of Inwood Road and approximately 650 feet north of Landmark Place, addressed as 14801 Inwood Road. Case R2023-09/Lacrosse Barn (14801 Inwood Road).

Citizen Comments: At this time citizens will be allowed to speak on any matter other than personnel matters under litigation, for a length of time not to exceed three minutes. No P&Z action or discussion may take place on any matter until such matter has been placed on an agenda and posted in accordance with law.

### 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.

POSTED BY:		
	Lesley Nyp, Planning & Development Manager	
DATE POSTED:		
TIME POSTED:		
DATE REMOVE	D FROM BULLETIN BOARD:	
REMOVED BY:		

# **Planning & Zoning Commission**

**Meeting Date: 01/16/2024** 

### **Agenda Caption:**

Consider Action on the Minutes from the October 17, 2023 Joint City Council and Planning and Zoning Commission Meeting, as amended.

## **Staff Report:**

The minutes from the October 17, 2023 Joint City Council and Planning and Zoning Commission Meeting have been prepared for consideration. Following approval by the City Council, Staff identified an error with the Planning & Zoning Commission members listed as "present" at the meeting. Staff is requesting approval with an amendment to correct this error.

### Recommendation:

Administration recommends approval, as amended.

### **Attachments**

Joint City Council & P&Z Meeting Minutes - October 17, 2023

1.

# OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

# &

# ADDISON PLANNING & ZONING COMMISSION

October 17, 2023

Addison Conference Centre 15650 Addison Road, Addison, TX 75001 7:00 p.m. Special Joint Meeting

<u>City Council Present</u> - Mayor Bruce Arfsten; Mayor Pro Tempore Eileen Resnik; Deputy Mayor Pro Tempore Guillermo Quintanilla; Council Member Nancy Craig; Council Member Darren Gardner; Council Member Dan Liscio; Council Member Marlin Willesen

<u>Planning & Zoning Commission Present</u> – Chair Chris DeFrancisco; Vice Chair Denise Fansler; Commissioner Jimmy Barker; Commissioner Robert Catalani; Commissioner Diane Chavez; Commissioner Zachary Faircloth; Commissioner John Meleky

### WORK SESSION

The Addison City Council and Planning & Zoning Commission will convene in the Council Chambers beginning at 7:00 PM.

- 1. Call Addison City Council and Planning & Zoning Commission Joint Meeting to Order and Announce that a Quorum is Present:
  - Mayor Bruce Arfsten Addison City Council
  - Chairman Chris DeFrancisco Addison Planning & Zoning Commission
- 2. **Pledge of Allegiance.** United States and Texas Flags

### **Work Session Reports**

3. Introduce and Discuss the Advance Addison Comprehensive Plan project and provide initial feedback on key themes to be addressed by the plan.

Verdunity, Incorporation's Project Manager Kevin Shepherd presented a review of the scope of

work and timeline as fully described in Resolution No. R23-069 adopted by the City Council at the August 22, 2023, Meeting.				
Adjourn Meeting.				
There being no further business the mee at 9:06 pm.	ting was adjourned by Mayor Arfsten and Chair DeFranciso			
TOWN	N OF ADDISON, TEXAS			
Chris DeFranciso, Chair	Bruce Arfsten, Mayor			
Planning & Zoning Commission	City Council			
ATTEST:				
Irma G. Parker, City Secretary				

# **Planning & Zoning Commission**

**Meeting Date:** 01/16/2024

# **Agenda Caption:**

Consider Action on the Minutes from the November 15, 2023 Planning and Zoning Commission Meeting.

## **Staff Report:**

The minutes from the November 15, 2023 Planning and Zoning Commission Meeting have been prepared for consideration.

### Recommendation:

Administration recommends approval.

### **Attachments**

Minutes of the November 15, 2023 Planning & Zoning Commission

2.

# DRAFT

# OFFICIAL ACTIONS OF THE ADDISON PLANNING AND ZONING COMMISSION

November 15, 2023 6:00 P.M. - Addison Conference Center 15650 Addison Road, Addison, TX 75001

Present: Chair Chris DeFrancisco; Vice Chair Denise Fansler; Commissioner Jimmy Barker;

Commissioner Robert Catalani; Commissioner Diane Chavez; Commissioner Zachary

Faircloth

Absent: Commissioner John Meleky

Call Meeting to Order

Chair DeFrancisco called the meeting to order.

Pledge of Allegiance

Chair DeFrancisco led the Pledge of Allegiance.

Consent Agenda: All items listed under the Consent Agenda are considered routine by the Planning and Zoning Commission and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

1. Consider Action on the Minutes from the October 17, 2023 Planning and Zoning Commission Meeting.

Motion: Recommend approval of the Consent Agenda, as presented.

Moved by Vice Chair Denise Fansler, Seconded by Commissioner Diane Chavez

AYE: Chair Chris DeFrancisco, Vice Chair Denise Fansler, Commissioner Jimmy Barker, Commissioner Robert Catalani, Commissioner Diane Chavez, Commissioner Zachary Faircloth

**Passed** 

### Regular Agenda:

2. Hold a public hearing, present, discuss, and consider action on a request for a Special Use Permit (SUP) for property located at 14665 Midway Road, Suite 155, that is currently zoned Local Retail (LR), to allow an educational institution. Case 1899-SUP/14665 Midway Road, Suite 155 (Career Discovery Academy).

Lesley Nyp, Planning and Development Manager, presented the request for a Special Use Permit (SUP) for property located at 14665 Midway Road, Suite 155, to allow an educational institution.

Career Discovery Academy is requesting a Special Use Permit (SUP) to allow a training program to provide employment skills and certification preparedness for healthcare professionals. The training offered includes Certified Nurse Aide (CNA), Phlebotomy Technician, and Medical Assistant. In addition to training, the facility will also offer testing by appointment. The academy will be operated by Ana Miranda and Bryan Oreamuno, who previously operated the school in Dallas prior to relocating to Addison.

The academy will be open during class hours, which includes weekdays from 9:00 AM – 8:00 PM. The maximum class size that may be accommodated on site is 12 students. Additional students may participate online. The program cycles last between 4-8 weeks, which include lectures and clinical training.

The zoning ordinance allows educational institutions through the approval of an SUP within any zoning district. The proposed use complies with the ordinance.

Staff recommends approval of the request.

Public Hearing: No comments received.

Motion: Recommend approval of SUP, Case 1899-SUP/14665 Midway Road, Suite 155 (Career Discovery Academy), as presented. 3. Hold a public hearing, present, discuss, and consider action on a request to amend Special Use Permit (SUP), Ordinance No. 097-044, for property located at 3795 Belt Line Road, that is currently zoned Planned Development (PD), to allow modifications to the development plan. Case 1902-SUP/3795 Belt Line Road (McDonald's).

Lesley Nyp, Planning and Development Manager, presented the request for a Special Use Permit (SUP) Amendment for property located at 3795 Belt Line Road, to allow modifications to the development plan.

The existing McDonald's restaurant has operated at the subject property since 1998 under SUP, Ordinance No. 097-044. The 5,423 square foot restaurant offers indoor dining, an indoor kid's play area, and a single-lane drive-through. The SUP amendment has been requested as a solution to address inefficiencies with the existing single-lane drive-through that creates circulation issues. The site improvements will include adding an additional drive-through lane, which requires modifications to the sites' parking and landscaping.

With this request, McDonald's is proposing the addition of a second drive-through lane, a second drive-through exit lane, new menu ordering stations, removal of 17 parking spaces, and new interior landscaping. The proposal does not include changes to the interior or gross floor area of the existing building. Staff recommends approval of the request.

Public Hearing: The following individual provided input during the public hearing.

# Applicant:

• Clay Cristy, 1903 Central Drive, Suite 406, Bedford, TX 76021

Motion: Recommend approval of SUP, Case 1902-SUP/3795 Belt Line Road (McDonald's), as presented.

Moved by Vice Chair Denise Fansler, Seconded by Commissioner Diane Chavez

AYE: Chair Chris DeFrancisco, Vice Chair Denise Fansler, Commissioner Jimmy Barker, Commissioner Robert Catalani, Commissioner Diane Chavez, Commissioner Zachary Faircloth

Passed

4. Hold a public hearing, present, discuss, and consider action on a request for a Special Use Permit (SUP) to allow a Religious Institution on 1.28± acres located at the northwest corner of Celestial Road and Winnwood Road (5555 Celestial Road), that is currently zoned Planned Development (PD), through Ordinance No. O91-038. Case 1901-SUP/5555 Celestial Road (White Rock Chapel).

Ken Schmidt, Director of Development Services, presented the request for approval of a Special Use Permit (SUP) for a religious institution. The subject property is located at 5555 Celestial Road and is comprised of 1.28± acres (inclusive of 0.13 acres of public right-of-way that bisects the property) located at the northwest corner of Celestial Road and Winnwood Road.

This property, coupled with a segment of land in the City of Dallas that is situated on the east side of White Rock Creek, has a long history of worship use and is recognized by the Texas Historical Commission for its rich legacy of African American history. Former slaves and their descendants established the original White Rock Chapel east of the creek in 1884, and after enduring flooding for years, moved the church to its current location in 1918, following the donation of land by a white landowner who frequently worshipped with their congregation. Following the loss of the original worship hall due to a storm and the establishment of a new congregation one mile to the south on Montfort Drive, a new worship hall was built in 1960, and shortly thereafter, was lost in a structure fire. Until a new worship hall was built in 1979, the congregation worshipped in the original 1918 parsonage. Following unsuccessful efforts to restore the parsonage in 2008, the parsonage was replaced with the current fellowship hall, which exists on the property today along with the 1979 worship hall. A summary of the historical significance of the property was provided in the 2013 Comprehensive Plan and in Addison Texas: A Pictorial History (Eads, 2001), and is attached to this report for reference.

Following years of declining use, the property was acquired by Dr. Donald Wesson and his family, in 2018. The Wesson's formed White Rock Chapel of Addison Inc. for the purpose of re-establishing a religious congregation at the site and to celebrate its unique contribution to African American history in north Texas. Following acquisition of the property in 2018, the new owners did not obtain a Certificate of Occupancy for their desired use and the property has largely been dormant in the years that followed.

The Town's Zoning Ordinance allows a religious institution through approval of an SUP in any zoning district. The past worship use on this property was established prior to the Town's incorporation and subsequent annexation and zoning of this property and the surrounding land. This property, as well as the surrounding Winnwood and Celestial Road properties, were annexed by the Town in 1980, following disannexation by the City of Dallas. In 1991, these properties were zoned Planned Development (PD), through PD Ordinance 91-038. That PD restricted the zoning of this property to single-family use and did not make the existing religious assembly use a legal use. Due to the recent ongoing dormancy of this property and the change in the nature of the use and site improvements proposed by the applicant, the Director of Development Services made an administrative determination at that time, that required the applicant to obtain an SUP to establish a new religious institution use on the property.

Since 2019, the applicant has engaged Town staff in various discussions on the future disposition of the property, with limited progression prior to 2022. In February, 2022, the applicant approached Town staff with a vision that reflected their desired use of the property. To pursue this use, the applicant submitted an SUP application for Town consideration in October, 2022. Leading up to and following the submittal of that application, the applicant engaged the surrounding neighborhood to share details about their plan and to address concerns shared by the community. This engagement process included four neighborhood meetings, seven small group meetings with concerned neighbors and their legal counsel, and many individual engagements with community stakeholders.

At the July 25, 2023 City Council meeting, that SUP application failed to gain Town approval, as the City Council vote only achieved five of the six vote supermajority required to approve the application. This supermajority vote was required due to receipt of written protest from the owners of more than 20 percent of the land immediately adjoining the subject property and extending 200 feet from the boundary of the property subject to the SUP request. Following that failed vote, the City Council did elect to waive the one year waiting period to resubmit a zoning application following Town denial.

Staff recommends approval of this SUP request, subject to the use and site development conditions presented by the applicant.

Public Hearing: The following individuals provided input during the

public hearing.

Applicant/Application Representatives:

- James Grossman, McDermott, Will, & Emery, 2501 N. Harwood Street, Suite 1900, Dallas, TX 75201 (Applicant)
- Jeremy Dys, First Liberty Institute, 2001 West Plano Parkway, Suite 1600, Plano, TX 75075 (Applicant Representative)

### For:

• David Dillard, 4357 Shirley Drive

### On:

• Elizabeth Jones, 14741 Celestial Place

### Against:

- Ed Copeland, 5600 Celestial Place
- Robert Kantner, 14853 Winnwood Road
- Russell Workman, 14694 Winnwood Road
- Kevin Pailet, 5560 Celestial Place
- Robert Goodfriend, 14725 Celestial Place
- Tim Nelson, 14714 Celestial Place
- Cheryl Samberg, 14714 Celestial Place
- Blake Clemens, 14754 Celestial Place
- Howard Freed, 14932 Winnwood Road
- Mitch Brown, 14811 Bellbrook Drive
- Bob Heckman, 14776 Maiden Court
- Jack Gerrits, 17118 Knots Landing
- Kevin Schepel, 14912 Havenshire Place
- Don Loewen, 15019 Bellbrook Drive
- John Price, 4114 Leadville Place
- Daniel Kondos, 5545 Celestial Road

Motion: Recommend approval of SUP, Case 1901-SUP/5555 Celestial Road (White Rock Chapel), as presented.

Moved by Commissioner Zachary Faircloth, Seconded by Commissioner Diane Chavez

AYE: Chair Chris DeFrancisco, Vice Chair Denise Fansler, Commissioner Robert Catalani, Commissioner Diane Chavez, Commissioner Zachary Faircloth

NAY: Commissioner Jimmy Barker

Passed

Citizen Comments: At this time citizens will be allowed to speak on any matter other than personnel matters under litigation, for a length of time not to exceed three minutes. No P&Z action or discussion may take place on any matter until such matter has been placed on an agenda and posted in accordance with law.

The following individual provided input during the Citizen Comment portion of the meeting:

• Elizabeth Jones, 14741 Celestial Place

# Adjourn Meeting

There being no further business before the Commission, the meeting was adjourned.

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.

**Meeting Date: 01/16/2024** 

# **Agenda Caption:**

Discuss and Consider Action on Election of a Chair and Vice Chair for the Planning and Zoning Commission.

### **Staff Report:**

Staff requests that the Commission discuss and take action to elect a Chair and Vice Chair of the Planning and Zoning Commission for the 2024 calendar year. In 2023, Commissioner DeFransico served as the Chair and Commissioner Fansler served as the Vice Chair.

### **Recommendation:**

Staff requests direction from the Commission.

**Meeting Date:** 01/16/2024

### **Agenda Caption:**

Present, discuss, and consider action on a Final Plat for the Lacrosse Barn Addition, Lot 1, Block A, for an indoor recreation facility on 3.1046± acres located west of Inwood Road and approximately 650 feet north of Landmark Place, addressed as 14801 Inwood Road. Case R2023-09/Lacrosse Barn (14801 Inwood Road).

## **Staff Report:**

The request has been reviewed by Town staff, and it has been determined that the plat complies with the Town's subdivision regulations and development standards.

### Recommendation:

Administration recommends approval.

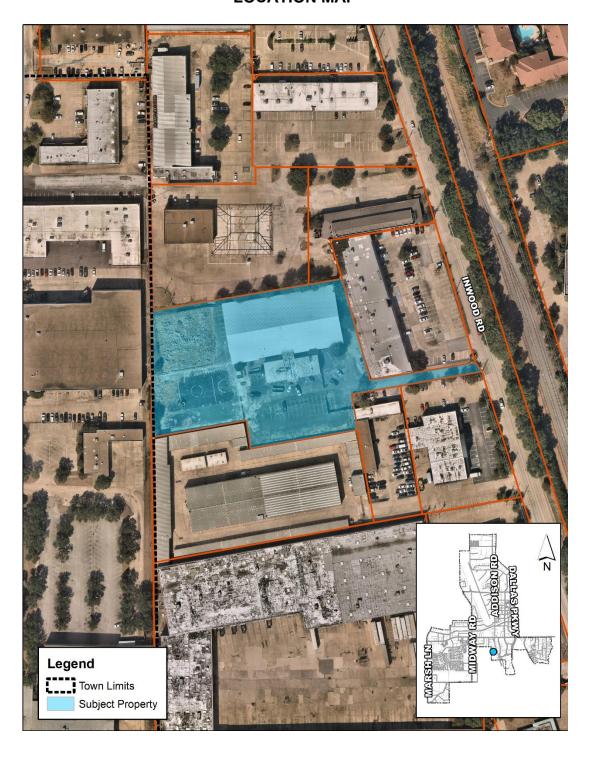
### **Attachments**

R2023-09 Staff Report R2023-09 Final Plat

# R2023-09

<u>Case R2023-09/Lacrosse Barn (14801 Inwood Road)</u>. Present, discuss, and consider action on a Final Plat for Lacrosse Barn Addition, Lot 1, Block A, for an indoor recreation facility on 3.1046± acres located west of Inwood Road and approximately 650 feet north of Landmark Place, addressed as 14801 Inwood Road.

### **LOCATION MAP**





January 16, 2024

#### STAFF REPORT

RE: Final Plat for Lacrosse Barn

LOCATION: 3.1046 acres located west of Inwood Road and

approximately 650 feet north of Landmark Place

REQUEST: Approval of a Final Plat (Application Date:

12/18/2023)

APPLICANT: Rene Salinas, Gracia Land Data, Inc. on behalf of

Fortress Investment Group

DISCUSSION:

<u>Background</u>. The subject property is generally located west of Inwood Road and approximately 650 feet north of Landmark Place, addressed as 14801 Inwood Road. At the June 20, 2023 meeting, the Planning & Zoning Commission approved a site plan to allow renovation of the existing building, construction of a new building, and extensive site improvements for an indoor lacrosse facility. The subject property was previously used as an indoor soccer facility.

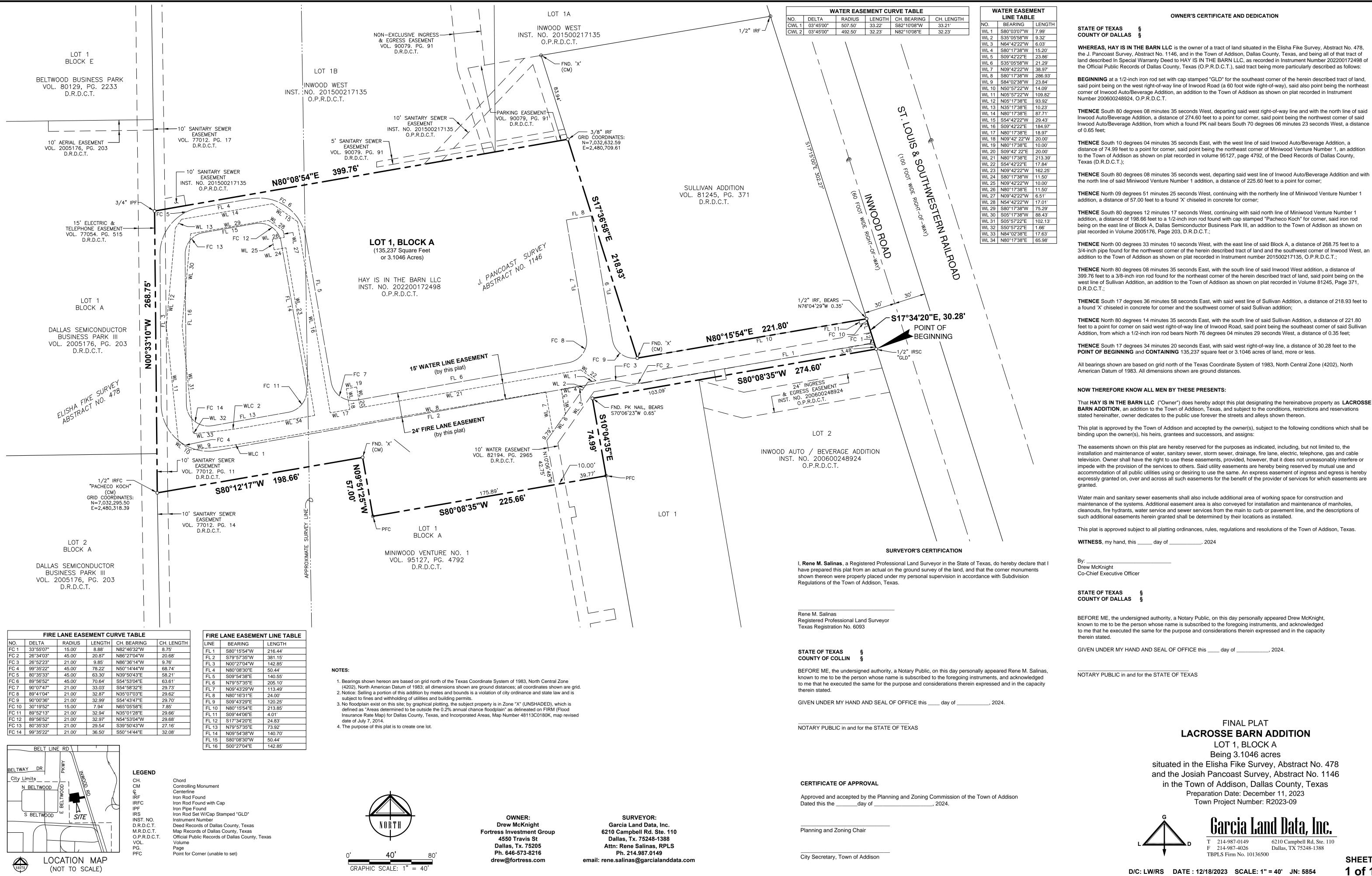
The subject property was initially developed in the early 1970's and was not platted at that time. Given the extensive building and site modifications proposed, the property owner is now required to plat the property and establish all necessary fire lane and utility easements.

This request does not create any new lots or modify any existing lot lines.

<u>Engineering Review</u>: The final plat has been reviewed by Town staff and it complies with the Town's subdivision regulations and development standards.

#### RECOMMENDATION:

Staff recommends approval of the final plat.



SHEET 1 of 1