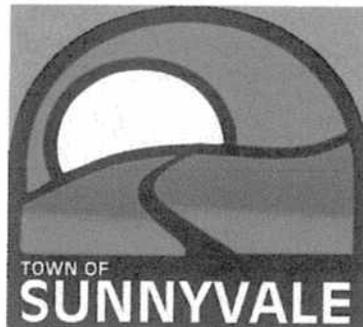


TOWN OF SUNNYVALE

PLANNING AND ZONING MEETING



MAY 16, 2011

7:00 PM

Specially Called Meeting

6:30 PM



**AGENDA
PLANNING AND ZONING COMMISSION
SPECIALLY CALLED MEETING
MAY 16, 2011
6:30 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE TEXAS WILL MEET ON MAY 16, 2011 AT 6:30 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. GOVERNMENT CODE SECTION 551.041. ITEMS TO BE DISCUSSED AND ACTED UPON ARE:

- **CALL MEETING TO ORDER**
- **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 - LITIGATION EXECUTIVE SESSION AGENDA:**
 1. **DEWS VS TOWN OF SUNNYVALE**
- **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**
- **ADJOURN**

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.

THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 13TH DAY OF MAY 2011 IN THE FOLLOWING LOCATIONS:

**TOWN HALL AT 127 N. COLLINS ROAD SUNNYVALE ISD 417 E. TRIPP ROAD
SUNNYVALE LIBRARY AT 402 TOWER PLACE**



KATHRYN DEWEY, TOWN SECRETARY



**AGENDA
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MAY 16, 2011
7:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE, TEXAS WILL CONDUCT A REGULAR MEETING ON MAY 16, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041 AND GOVERNMENT CODE SECTION 551.071. ITEMS TO BE DISCUSSED:

• **CALL MEETING TO ORDER**

• **1. APPROVAL OF MINUTES**

- A. REGULAR MEETING - 03-21-11
- B. SPECIAL CALLED MEETING - 04-11-11
- C. SPECIAL CALLED MEETING - 04-18-11
- D. REGULAR MEETING - 04-18-11
- E. SPECIAL CALLED MEETING - 04-25-11
- F. JOINT MEETING WITH COUNCIL - 04-25-11

• **PUBLIC HEARING**

OPEN OR CONTINUE PUBLIC HEARING, CONSIDER TESTIMONY AND OTHER INFORMATION PROVIDED, CLOSE PUBLIC HEARING, AND TAKE NECESSARY ACTION WITH RESPECT TO THE FOLLOWING:

2. TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING CONDITIONAL CHANGES TO THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM URBAN DENSITY RESIDENTIAL (UDR) TO COMMERCIAL (C) AND INDUSTRIAL (I) AND THE TOWN'S OFFICIAL ZONING MAP FROM ATTACHED HOUSING COMMERCIAL (AHC) TO HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE TRINITY COLWELL SURVEY, ABSTRACT NO 335, CONSISTING OF 17.25 ACRES MORE OR LESS, IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE WEST SIDE OF PLANTERS ROAD, APPROXIMATELY 1,000 FEET SOUTH OF U.S. HIGHWAY 80, (A MORE DETAILED DESCRIPTION TO INCLUDE METES AND BOUNDS BEING AVAILABLE AT SUNNYVALE TOWN HALL).

3. TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING CHANGES TO THE TOWN'S OFFICIAL ZONING MAP FROM AGRICULTURAL RESIDENTIAL (AR) TO SINGLE FAMILY -2 (SF-2) ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE WILLIAM ROWE SURVEY, ABSTRACT NO 1236 CONSISTING OF 6.000 ACRES IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE EAST SIDE OF COLLINS ROAD APPROXIMATELY 2646 FEET FROM THE INTERSECTION CENTERLINE OF COLLINS ROAD AND THE CENTERLINE OF BARNES BRIDGE

APPLICANT: EUGENE FISHER
AT OR ABOUT: 514 N. COLLINS RD
REQUEST: ZONING CHANGE

4. APPLICATION FOR FINAL PLAT

APPLICANT: TOMMY SATTERFIELD
AT OR ABOUT: 618 US HWY 80 E
REQUEST: O'CAMPO PLAZA

5. APPLICATION FOR PRELIMINARY PLAT AND SITE PLAN

APPLICANT: SETH KELLY
AT OR ABOUT: 330 TOWN EAST BLVD
REQUEST: ROBERTSON MEDICAL

• **ADJOURN**

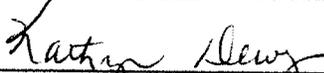
ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.

THE SUNNYVALE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 13TH DAY OF MAY 2011 IN THE FOLLOWING LOCATIONS

**TOWN HALL AT 127 N. COLLINS ROAD SUNNYVALE ISD 417 E. TRIPP ROAD
SUNNYVALE LIBRARY AT 402 TOWER PLACE**



KATHRYN DEWEY, TOWN SECRETARY



**MINUTES
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MARCH 21, 2011
7:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE, TEXAS CONDUCTED A REGULAR MEETING ON MARCH 21, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041 AND GOVERNMENT CODE SECTION 551.071. THOSE PRESENT WERE:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
	ALTERNATE MEMBER	JOS JOSEPH
ABSENT	ALTERNATE MEMBER	KEN WILSON

• **CALL MEETING TO ORDER**

Chairperson Egan called the meeting to order at 7:00 p.m.

• **1. APPROVAL OF MINUTES**

A. REGULAR MEETING - FEBRUARY 21, 2011

Motion made by Member Lockhart to approve the minutes from February 21, 2011. Motion seconded by Member Kirkland. Motion carried unanimously.

• **PUBLIC HEARING**

OPEN OR CONTINUE PUBLIC HEARING, CONSIDER TESTIMONY AND OTHER INFORMATION PROVIDED, CLOSE PUBLIC HEARING, AND TAKE NECESSARY ACTION WITH RESPECT TO THE FOLLOWING:

2. APPLICATION FOR SITE PLAN

APPLICANT: PAT WILEY

AT OR ABOUT: 100 CLAY RD

REQUEST: EXPANSION OF MOTORVATION, AN AUTO BODY BUSINESS

Steve Gilbert, Building Official, explained the project was for a site plan at 100 Clay Rd. The applicant was Pat Wiley. Mr. Gilbert stated the application was essentially the same as the site plan previously approved in 2007. He said the applicant had been unable to build before the approval expired due to current economic conditions. The applicant was not present.

Chairperson Egan opened the public hearing.

Public Comments:

1) **Jim Wade**, 299 E. Tripp Rd, asked for information on what was being requested since nothing had been made available to the residents. Chairperson Egan explained pictures submitted with the application.

2) **Cheryl Giacomazzi**, 217 Brazos Way, asked if this was the property with the For Sale signs.

Chairperson Egan closed the public hearing. He asked for consideration of the project as a new submittal since the original application had exceeded the authorized time frame allowed by zoning. Discussion followed regarding the variances which had also expired.

Motion was made by Member Turner to continue the application until the next regularly scheduled meeting of the Planning and Zoning Commission. Motion seconded by Member Graham. Motion carried 6/1 with Member Kirkland voting opposed.

3. APPLICATION FOR ZONING CHANGE

APPLICANT: RKS TEXAS INVESTMENTS, LP
AT OR ABOUT: SW CORNER OF HWY 80 AND COLLINS RD
REQUEST: MASTER PLANNED DEVELOPMENT (MPD)

No action taken.

4. APPLICATION FOR PRELIMINARY PLAT

APPLICANT: RKS TEXAS INVESTMENTS, LP
AT OR ABOUT: SW CORNER OF HWY 80 AND COLLINS RD
REQUEST: SUNNYVALE CENTRE PHASE 1

Steve Gilbert advised an application for preliminary plat had been received from RKS Texas Investments, LP.

Mike Clark, representing RKS, was present to answer any questions. Mr. Clark advised he had no issues with the town engineer's staff report.

Chairperson Egan opened the public hearing. There were no public comments. Chairperson Egan closed the public hearing.

Motion was made by Member Hoffman to approve the preliminary plat for RKS Texas Investments, LP at or about the southwest corner of Hwy 80 and Collins Road for Sunnyvale Centre Phase 1 as presented subject to the town staff letter dated March 17, 2011. Motion seconded by Member Graham. Motion carried unanimously.

• **ADJOURN**

Chairperson Egan adjourned the meeting at 8:00 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Minutes
Planning and Zoning Commission
March 21, 2011
Page 3

Chairperson Mark Egan

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE
MINUTES ARE CONDENSED THEREFROM



**MINUTES
PLANNING AND ZONING COMMISSION
APRIL 11, 2011
5:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE TEXAS MET ON APRIL 11, 2011 AT 5:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. GOVERNMENT CODE SECTION 551.041. THOSE PRESENT WERE:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
ABSENT	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
ABSENT	ALTERNATE MEMBER	JOS JOSEPH
	ALTERNATE MEMBER	KEN WILSON

- **CALL MEETING TO ORDER**

Chairperson Egan called the meeting to order at 5:02 p.m.

- **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 - LITIGATION
EXECUTIVE SESSION AGENDA:**

- 1. **DEWS VS TOWN OF SUNNYVALE**

Chairperson Egan adjourned into executive session at 5:02 p.m.

Chairperson Egan reconvened into regular session at 5:45 p.m.

- **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**

No action taken.

- **ADJOURN**

Chairperson Egan adjourned the meeting at 5:45 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Mark Egan

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE MINUTES ARE CONDENSED THEREFROM



**MINUTES
PLANNING AND ZONING COMMISSION
APRIL 18, 2011
5:30 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE TEXAS MET ON APRIL 18, 2011 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. GOVERNMENT CODE SECTION 551.041. THOSE PRESENT WERE:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
ABSENT	ALTERNATE MEMBER	JOS JOSEPH
	ALTERNATE MEMBER	KEN WILSON

• **CALL MEETING TO ORDER**

Chairperson Egan called the meeting to order at 5:30 p.m.

• **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 - LITIGATION EXECUTIVE SESSION AGENDA:**

1. DEWS VS TOWN OF SUNNYVALE

Chairperson Egan adjourned into executive session at 5:30 p.m.

Chairperson Egan reconvened into regular session at 5:49 p.m.

• **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**

No action taken.

• **ADJOURN**

Chairperson Egan adjourned the meeting at 5:49 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Mark Egan

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE MINUTES ARE CONDENSED THEREFROM



**MINUTES
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
APRIL 18, 2011
7:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE, TEXAS CONDUCTED A JOINT PUBLIC HEARING AND MEETING WITH THE TOWN COUNCIL ON APRIL 18, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. THOSE PRESENT WERE:

PLANNING AND ZONING COMMISSION MEMBERS:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
ABSENT	ALTERNATE MEMBER	JOS JOSEPH
	ALTERNATE MEMBER	KEN WILSON

TOWN COUNCIL MEMBERS:

	MAYOR	DAVID BYRD
	MAYOR PRO-TEM	KAREN HILL
	COUNCILMEMBER	PAULA YATES
ABSENT	COUNCILMEMBER	SAJI GEORGE
	COUNCILMEMBER	RONNIE HENDERSON, JR
	COUNCILMEMBER	PAT WILEY

• CALL MEETING TO ORDER

Chairperson Egan called the planning and zoning commission meeting to order at 7:00 p.m.

Mayor Byrd called the special called meeting of the town council to order at 7:00 p.m.

ITEM 1: CONVENE JOINT PUBLIC HEARING OF COMMISSION REGARDING THE FOLLOWING ITEMS:

- A. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN FROM INDUSTRIAL AND COMMERCIAL LAND USE CATEGORIES TO URBAN DENSITY RESIDENTIAL LAND USE CATEGORY.**

- B. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT OF OFFICIAL ZONING MAP FROM INDUSTRIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS TO ATTACHED HOUSING COMMERCIAL DISTRICT, APPROVAL OF CONCEPT PLAN FOR DISTRICT, APPROVAL OF WAIVERS AND INCENTIVES AND INCLUSION OF DEVELOPMENT STANDARDS FOR DISTRICT.**

Mayor Byrd read Items A and B into the record.

Terry Morgan, Town Attorney, advised this was the first application the town had received for AHC zoning. He said the district was created in 2007 as a response to the settlement stipulation in the Dews case. The stipulation required the town to provide target units with target rents. Under the AHC zoning target units and target rents were required. Mr. Morgan explained target units were affordable housing units with at or below the target rents. The VCZ application presented a complete and concrete proposal to develop the target units in contrast with another application and proposal filed by ICP, the plaintiff in the Dews case. That proposal was incomplete as a zoning submittal and it was not considered at a joint public hearing.

The district has very special features to it in order to realize the affordable housing objectives. One of those features is that the developer can ask, as part of the submittal, to waive performance standards that are contained in the district regulations and in fact, VCZ had done so. Developers can also request financial incentives because AHC is an affordable housing district. Those incentives must be considered by the town as part of the application. Mr. Morgan said the applicant would explain those requests during this meeting. Any proposal for the target units required a grant of tax credits from the Texas Department of Housing and Community Affairs. Also, there was potentially a time between the approval of the district and the time a tax credit application could be made. He stated that would be the case with VCZs application. Mr. Morgan explained the items required for the ordinance and the security of guaranteed participation agreement. Under the agreement, the developer will make application for tax credit in order to realize the development and the town will either offer incentives or grant waivers and establish a relationship with the developer until the units are developed. Mr. Morgan said these items apply to any AHC district application and that all of them are present in this particular application.

Sherry Sefko, Town Planner, said during the course of her review, the concept plan materials submitted with the application to be very compliant with the AHC district as currently established on the town's books. She explained the proposal was for 96 multi-sized units in a maximum of 2-story construction.

The concept plan complied with AHC regulations. The applicant had also included a great deal of amenities for leisure opportunities such as a network of walking and jogging trails, barbeque/picnic areas and play areas, etc. For open space, the developer was attempting to purchase an area that well exceeded the town's minimum of 15% of usable open space. She said there would be quite a bit of area on the site for recreation and leisure. She stated she believed all aspects on the concept plan were in compliance with the AHC district and had no issues with approval subject to some waivers to include 2-hour fire walls in the sprinkled buildings, solid waste container screening constructed from treated wood, masonry exterior for alternative cemetitious siding and relief from covered parking in lieu of other amenities.

Mrs. Sefko stated a question had arisen regarding security fencing and gates. Upon further analysis of the AHC district, she did not feel that particular aspect applied to a development of this sort due to the town home construction of the units as reflected in the definition of town house as given in the town's zoning district. The units for consideration are single-family attached units, joined side by side with no stacking and limited to 4 units in a building. The south side of the property was fully screened with a very tall fence adjacent to a property user on the south side. The north side had some fencing next to the town's water facility. The backside of the property is abutted Samuell Farm Park. Mrs. Sefko said the development was good with the fencing and no additional requirements applied. Developer asked to be allowed to do a general survey of trees and keep the existing tree lines as much as possible with the approval of the town.

Paul Holden, representing VCZ Development LLC, gave a presentation of the 96 unit town home project showing the location of the site. The town homes consisted of 1-bedroom, 2-bedroom and 3-bedroom offerings with leisure amenities including playgrounds, park area, a swimming pool, clubhouse, and ball fields. Two parking spaces were planned for each unit. Mr. Holden spoke concerning saving as many existing trees as possible on the site. He gave a history of the VCZ Development company portfolio. He said the bulk of their business was in housing communities. Mr. Holden explained grants being requested. He said they were asking for building permits, meter fees, impact fees, a development loan and housing tax credit incentives.

Mayor Byrd opened the public hearings.

Public Comments:

- 1) **Dale Graves**, 202 Suntime, spoke opposed due to two locations in Sunnyvale.
- 2) **Steve Pettit**, 360 S. Larkin, asked for additional information.
- 3) **Cindy Bornowski**, 106 Big Bend Circle, suggested having the 4B Corporation help with the project.
- 4) **Jerry Wheeler**, 129 East Fork Rd, asked for more information before making decisions.
- 5) **Trevor Bert**, 287 Duxbury, spoke opposed.

ITEM 2: CLOSE OR CONTINUE PUBLIC HEARING

Motion was made by Member Hoffman to continue the public hearing until April 25, 2011. Motion seconded by Member Graham. Motion approved by the planning and zoning commission unanimously.

Motion was made by Councilmember Henderson to continue the public hearing until April 25, 2011. Motion seconded by Councilmember Hill. Motion approved by the town council unanimously.

ITEM 3: DELIBERATE AND FORMULATE A REPORT TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.
No action.

ITEM 4: DELIVER REPORT AND RECOMMENDATION TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.
No action.

• **ADJOURN**

Chairperson Egan adjourned the planning and zoning commission at 8:08 p.m.
Mayor Byrd adjourned the town council meeting at 8:08 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Mark Egan

Mayor David Byrd

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE MINUTES ARE CONDENSED THEREFROM



**MINUTES
PLANNING AND ZONING COMMISSION
SPECIALLY CALLED MEETING
APRIL 25, 2011
5:30 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE TEXAS MET ON APRIL 25, 2011 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. GOVERNMENT CODE SECTION 551.041. THOSE PRESENT WERE:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
ABSENT	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
	ALTERNATE MEMBER	JOS JOSEPH
ABSENT	ALTERNATE MEMBER	KEN WILSON

- **CALL MEETING TO ORDER**

Chairperson Egan called the meeting to order at 5:30 p.m.

- **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 – LITIGATION**

EXECUTIVE SESSION AGENDA:

1. DEWS VS TOWN OF SUNNYVALE

Chairperson Egan adjourned into executive session at 5:31 p.m.

Chairperson Egan reconvened into regular session at 5:56 p.m.

- **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**

No action taken.

- **ADJOURN**

Chairperson Egan adjourned the meeting at 5:56 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Mark Egan

Minutes
Planning and Zoning Commission
April 25, 2011
Page 2

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE
MINUTES ARE CONDENSED THEREFROM



**MINUTES
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
SPECIALLY CALLED MEETING
APRIL 25, 2011
7:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE, TEXAS CONDUCTED A JOINT PUBLIC HEARING AND MEETING WITH THE TOWN COUNCIL ON APRIL 25, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041. THOSE PRESENT WERE:

PLANNING AND ZONING COMMISSION MEMBERS:

	CHAIRPERSON	MARK EGAN
	CO-CHAIRPERSON	RICKEY HOFFMAN
	MEMBER	PERRY GRAHAM
	MEMBER	CHARLES LOCKHART
ABSENT	MEMBER	CHRIS MCNEILL
	MEMBER	DIANE TURNER
	MEMBER	JACK KIRKLAND
	ALTERNATE MEMBER	JOS JOSEPH
ABSENT	ALTERNATE MEMBER	KEN WILSON

TOWN COUNCIL MEMBERS:

	MAYOR	DAVID BYRD
	MAYOR PRO-TEM	KAREN HILL
	COUNCILMEMBER	PAULA YATES
	COUNCILMEMBER	SAJI GEORGE
	COUNCILMEMBER	RONNIE HENDERSON, JR
ABSENT	COUNCILMEMBER	PAT WILEY

• CALL MEETING TO ORDER

Chairperson Egan called the meeting to order at 7:05 p.m.

Mayor Byrd called the town council meeting to order at 7:05 p.m.

ITEM 1: CONTINUATION OF JOINT PUBLIC HEARING OF COMMISSION REGARDING

A. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN FROM INDUSTRIAL AND COMMERCIAL LAND USE CATEGORIES TO URBAN DENSITY RESIDENTIAL LAND USE CATEGORY.

B. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT OF OFFICIAL ZONING MAP FROM INDUSTRIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS TO ATTACHED HOUSING COMMERCIAL DISTRICT, APPROVAL OF CONCEPT PLAN FOR DISTRICT, APPROVAL OF WAIVERS AND INCENTIVES AND INCLUSION OF DEVELOPMENT STANDARDS FOR DISTRICT.

Mayor Byrd reopened the public hearing continued by the town council at the previous meeting.

Chairperson Egan reopened the public hearing continued by the planning and zoning commission from the previous meeting.

Terry Morgan, Town Attorney, explained the ordinance under consideration once the public hearings were closed on the 17.25 acre tract submitted by VCZ Development LLC. Mr. Morgan answered questions raised at the previous meeting.

He said the developer had requested:

- 1) Relief on development regulations
- 2) Waiver of impact fees currently calculated at approximately \$150,000-\$160,000.
- 3) Waiver of water tap fees and meters calculated at approximately \$10,000-\$11,000.
- 4) Waiver of building permits fees calculated at approximately \$30,000-\$40,000.
- 5) Construction loan for \$180,000 payable over 5 years at applicable federal interest rate
- 6) Grant of approximately \$60,000 if developer is unsuccessful obtaining tax credits.

Public Comments:

1) **Bill Metzger**, 414 Ranchero, spoke in favor.

ITEM 2: CLOSE OR CONTINUE PUBLIC HEARING

Mayor Byrd closed the public hearing for the town council at 7:25 p.m.

Chairperson Egan closed the public hearing for the planning and zoning commission at 7:25 p.m.

ITEM 3: DELIBERATE AND FORMULATE A REPORT TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.

Motion was made by Member Hoffman to approve Item A), amendment to land use diagram of comprehensive plan; and (Item B) official zoning map amendment, approval of concept plan, waivers and incentives, and incorporation of development standards. Motion seconded by Member Graham.

Motion carried unanimously.

ITEM 4: DELIVER REPORT AND RECOMMENDATION TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT

Minutes
Planning and Zoning Commission
April 25, 2011
Page 3

PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS

Chairperson Egan gave a report and recommendation of approval to the town council at 7:27 p.m.

• **ADJOURN**

Chairperson Egan adjourned the meeting at 7:28 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Mark Egan

ATTEST:

Kathryn Dewey, Town Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE MINUTES ARE CONDENSED THEREFROM

Town of Sunnyvale

To: Planning and Zoning Commission

From: Scott Campbell, Town Manager

CC:

Date: May 12, 2011

Re: Agenda Item Summary

The agenda for Monday includes the following item:

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING CONDITIONAL CHANGES TO THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM URBAN DENSITY RESIDENTIAL (UDR) TO COMMERCIAL (C) AND INDUSTRIAL (I) AND THE TOWN'S OFFICIAL ZONING MAP FROM ATTACHED HOUSING COMMERCIAL (AHC) TO HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE TRINITY COHWELL SURVEY, ABSTRACT NO 335, CONSISTING OF 17.25 ACRES MORE OR LESS, IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE WEST SIDE OF PLANTERS ROAD, APPROXIMATELY 1,000 FEET SOUTH OF U.S. HIGHWAY 80, (A MORE DETAILED DESCRIPTION TO INCLUDE METES AND BOUNDS BEING AVAILABLE AT SUNNYVALE TOWN HALL).

This item is related to the rezoning that was approved at your last meeting for the quad-home development on Planters Road. The purpose is to consider a recommendation to **conditionally** rezone the property back to the original land use category and zoning classifications. The recommendation is for the property to revert back to the original zoning and land use category on August 31, 2013, unless the developer is awarded tax credits by the state. If the developer is awarded tax credits before August 31, 2013, the current zoning would remain and the developer could move forward with their project.

We will discuss this in more detail Monday night.



Planning and Zoning Commission

Meeting date 5-16-11 @ 7:00 PM

Applicant/ property

Eugene Fisher – 514 N. Collins

Request

- **TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING CHANGES TO THE TOWN'S OFFICIAL ZONING MAP FROM AGRICULTURAL RESIDENTIAL (AR) TO SINGLE FAMILY -2 (SF-2) ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE WILLIAM ROWE SURVEY, ABSRTACT NO 1236 CONSISTING OF 6.000 ACRES IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE EAST SIDE OF COLLINS ROAD APPROXIMATLEY 2646 FEET FROM THE INTERSECTION CENTERLINE OF COLLINS ROAD AND THE CENTERLINE OF BARNES BRIDGE**

Staff Comment

This property is the only property within the Town that currently has the AR zoning. The applicant obtained the AR zoning to operate a pecan orchard. The property will remain a working orchard, the intent of the zoning change is to separate the property into three equal parts for Mr. Fisher's three children to live there and continue to operate the family farm.

SF-2 is the zoning that surrounds the property. The subdivision of the property will meet all zoning requirements of the SF-2 zoning. An application for preliminary and final has been submitted pending the approval of this application.

There were 11 notices mailed

Steve Gilbert,
Director of Community Development
Building Official

CHAPTER 6 - SINGLE FAMILY RESIDENTIAL - 2

6.1 PURPOSE

The Single Family Residential 2 (SF-2) District is intended as an area for low density residential use in a semi-rural to rural environment. The principal purpose of this district is large-lot single family residential development; small lot or residential subdivision development is discouraged. This district is appropriate for selected locations where rural characteristics are desired, or where terrain or public service capacities necessitate low densities. Limited public services may be extended to this district based upon proximity to existing services. The Single Family Residential 2 District corresponds to and implements the Estate Residential (ER) land use category on the Land Use Diagram of the Comprehensive Plan. This district may be combined with a Planned Residential Overlay (PRO) District.

6.2 USES PERMITTED

- A. Single family detached dwelling unit, accessory buildings pursuant to Section 19.1, and accessory uses normally incidental to single family residences pursuant to Section 19.5.
- B. Home occupations as provided in Section 19.6.
- C. Public parks, playgrounds, or neighborhood recreation centers.
- D. Church or rectory.
- E. Any installation of a public utility either privately or publicly owned, fire station, public museums, public libraries, water supply reservoir, water pumping plant, water tower, artesian wells or sewage lift station.
- F. Gas and electrical public utility regulating stations.
- G. Schools - public kindergarten, elementary school, middle school or high school.
- H. Satellite dish antennas and amateur radio antennas up to forty (40) feet in height measured from the ground elevation at the base of antenna.
- I. Private swimming pools and private tennis courts.

6.3 USES PERMITTED AS CONDITIONAL USES

- A. Community or regional parks in excess of ten (10) acres.
- ~~B. Any building to be erected or used by the Town, county, state or federal government.~~
- C. A group day-care home or registered family home pursuant to Section 19.2.
- D. Radio broadcasting towers and stations, television towers and television transmitting stations.

- E. Hospitals, community homes, and group homes pursuant to Section 19.3.
- F. Railway right-of-way and tracks, but not including railroad yards, team tracks or storage yards.
- G. Signature golf course, but not including miniature golf course, driving range, or any forms of commercial amusement, except as otherwise is incidental to the signature golf course.
- H. Private schools, kindergartens and nurseries teaching the same subjects as public elementary and high schools pursuant to Section 19.4.
- I. Accessory dwelling units or accessory buildings conditionally permitted pursuant to Section 19.1

Above paragraph revised by Ordinance 473, October 22, 2007

6.4 USES PERMITTED IN PLANNED RESIDENTIAL DEVELOPMENTS

Any use permitted of right, or as a conditional use in the SF-2 District may be included in a proposed planned residential development, when approved as a Planned Residential Overlay District in accordance with Chapter 10. Such uses are subject to performance standards set forth in this section.

6.5 DEVELOPMENT AND PERFORMANCE STANDARDS

A. Single-Family Dwelling Unit Standards for SF-2 District.

1. The maximum base density for a single-family development is 0.8 dwelling units per acre.
2. Minimum lot size for a single family dwelling unit is 43,560 sq ft.
3. All single-family dwelling units must meet the minimum standards for lot width, front yard setback, side yard setback and rear yard setback, as set forth in Chart 3.2, which is incorporated herein by reference, except as may be further modified by the Special Regulations in Chapter 19 and the Design Standards in Chapter 20.
4. All single-family dwelling units must meet the standards for lot depth, height, lot coverage and dwelling unit size set forth in Chart 6.1, which is incorporated herein by reference, except as may be further modified by the Special Regulations in Chapter 19 and the Design Standards in Chapter 20.

**Chart 6.1
Development Standards
SF-2 ZONING DISTRICT**

DEVELOPMENT STANDARDS	SF-2 DISTRICT
Minimum Lot Depth	greater than width
Maximum Height	2½ stories
Maximum Lot Coverage	30% of lot
Minimum Dwelling Unit Size ¹	2,200 sq ft

1. See Section 19.12.1 - Fire Control.

B. Performance Standards for Planned Residential Developments.

Single-family dwelling units included in a planned residential development, which is approved for incentive density as a Planned Residential Overlay District in accordance with Chapter 10, must meet the minimum standards for density, project size, open space, lot size and buffer requirements set forth in Chart 6.2, which is incorporated herein by reference.

**Chart 6.2
Planned Residential Development Standards
SF-2 ZONING DISTRICT**

DEVELOPMENT STANDARDS	SF-2 DISTRICT
Maximum Permitted Density	0.9 D.U./Acre
Minimum Project Size	1,000 acres
Minimum Open Space (Percent of Gross Usable Acreage)	15 %
Minimum Lot Size	34,000 sq ft
Buffer Requirements	Screen

Above chart revised by Ordinance 473, October 22, 2007

C. Standards for Nonresidential Uses.

Development standards for nonresidential uses within the district shall be those specified for the Local Retail (LR) District, as may be further modified by the Special Regulations in Chapter 19 and the Design Standards in Chapter 20, or by approval as a conditional use.

D. Supplemental Standards.

The supplemental standards set forth in Chapters 19 (special regulations) and 20 (design standards) shall apply to all uses authorized in this district, as particularly stated therein.



APPLICATION FOR ZONING CHANGE
TOWN OF SUNNYVALE, TEXAS

FILE NO: 1268

DATE: April 11, 2011

APPLICANT: Eugene Fisher

MAILING ADDRESS: 514 W. Collins

CITY: Sunnyvale STATE: TX ZIP: 75182

DAYTIME TELEPHONE NO.: 972 226 1273 FAX NO.: NA

STATUS OF APPLICANT: [X] OWNER [] TENANT [] PROSPECTIVE BUYER

LEGAL DESCRIPTION OF PROPERTY IS ATTACHED AS EXHIBIT "A" OR AS FOLLOWS:

Six Acres on Collins Rd Williams Rowe ABST 1236 Pg 390

GENERAL LOCATION: East of Collins Rd between Barnes Bridge & Town East.

PRESENT ZONING DISTRICT: AR

PROPOSED ZONING DISTRICT: SF-2

REASON FOR CHANGE: To plat into three - 2 acre lots. My son is preparing to build on a plat and assist with pecan orchard.

ARE THERE DEED RESTRICTIONS PERTAINING TO INTENDED USE OF THE PROPERTY? No

IF YES, PLEASE EXPLAIN:

FEES

Zoning Change Filing Fee \$ 250.00 Flat Fee = \$ 250.00
Notices - \$ 3.00 Per Property Owner Within 400 ft. Notices = \$ Later

TOTAL FILING FEE \$ 250.00

Applicant agrees to pay fees charged by the Town of Sunnyvale Engineering Firm to review the zoning change. You will be notified if these fees will exceed \$500.00

pd 4-13-11

REQUIRED SUBMITTAL DOCUMENTS:

The applicant shall indicate whether the following documents have been included with the application:

- | <u>Yes</u> | <u>No</u> | <u>Description</u> |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 15 copies prints of the Zoning Application for the Planning and Zoning Commission and 15 copies for the Town Council that shows the following:
1. Legal description
2. Drawing showing tract dimensions. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 set of electronic versions of the above documents on a CD in Adobe Acrobat format in 11" x 17" format and 600 dpi resolution. |

Failure to submit the applicable documents described above with the application will result in an automatic staff recommendation for denial.

I acknowledge that I have read and understand the application and fees.

Applicant: (If tenant or purchaser, Owner's signature also is required.)

EUGENE FISHER
Applicant's Printed Name

Eugen Fisher
Applicant's Signature

Owner:

EUGENE FISHER
Owner's Printed Name

Eugen Fisher
Owner's Signature

Town of Sunnyvale:

Acknowledged By: [Signature]

Date: 4-13-11

SURVEY PLAT

SURVEY FOR:

HOOTON & ASSC

Patrick Allison TWO TURTLE CREEK VLG
521 6271

J. H. Foster
12-15-72

2646.15' to C
BARNES BRIDGE

BEG. PT.

N89°51'08"E
183.0

N69°51'08"E
60.0

30.0

N89°51'08"E 453.7

hedge row

1.6

1.662 AC.

1600

R.D.

Δ = 08°36'33"

110.04

292.15

Δ = 15°00'00"
R = 1115.92
T = 146.91

S89°51'08"W 448.27

6.000 Ac.

WILLIAM

ROWE

SUR.

ABST.

1236

4.338 AC.

S00°01'14"E 634.9

COLLINS

227.61

N74°58'30"E

N15°01'30"W 227.61

30

77.12

Δ = 03°45'28"
R = 1175.92
T = 38.58

S78°43'58"W

S89°58'46"W 339.21

contour

440



Wm. S. Hooton, Tr.
12-20-72

F I E L D N O T E S

BEING a survey of a tract of 6.000 Acres of land in the WILLIAM ROWE SURVEY ABST. NO. 1236, Dallas County, Texas; and being part of a certain 35.25 Acre tract as described in deed to W. H. Adams, dated 6 10 58, filed 6 20 58 and recorded in Vol. 4915, page 113 in the Deed Records of Dallas County, Texas; and said 6.000 Acre tract being more particularly described as follows:

BEGINNING at a point in the East line of Collins Road that is S 00°01'30" E, 2646.15 ft. and N 89°51'08" E, 30.0 ft. from the point of intersection of the centerline of Collins Road with the centerline of Barnes Bridge Road; said beginning point also being a point in the North line of said Adams tract that is N 89°51'08" E, 243.0 ft. from the Northwest corner of same;
THENCE N 89°51'08" E, along the North line of said Adams tract, a hedge row, 453.7 ft. to the Northeast corner of same;
THENCE S 00°01'14" E, 634.9 ft.;
THENCE S 89°58'46" W, 339.21 ft. to a point in the East line of Collins Road;
THENCE Northerly along the East line of Collins Road, as follows:
1st. Northwesterly around a curve to the left that has a Central Angle of 03°45'08", a Radius of 1175.92 ft. (Radial bearing at this point being S 78°43'58" W), a Tangent of 38.58 ft. for a distance of 77.12 ft.;
2nd. N 15°01'30" W, 227.61 ft. to the beginning of a curve to the right that has a Central Angle of 15°00'00", a Radius of 1115.92 ft. (Radial bearing at this point being N 74°58'30" E), and a Tangent of 146.91 ft.;
3rd. Northerly around said curve to the right, 292.15 ft.;
4th. N 00°01'30" W, 50.13 ft. to the POINT OF BEGINNING and containing 6.000 Acres of Land.

This is to certify that, under my personal supervision this date, a careful and accurate survey was made on the ground and that the Plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements if shown, and that the distance from the nearest intersecting street, or road, is as shown on said plat. This survey is subject to any easements not visible on the ground.

Date: 10 13 76
Scale: 1"=100'



Robert H. West
ROBT. H. WEST

COUNTY SURVEYOR
Licensed State Land Surveyor
Registered Public Surveyor No. 682

REPRESENTING "WEST" SURVEYORS IN DALLAS COUNTY SINCE 1845

County Court House

6 7 77

1.662 ACRES

BEING a tract of 1.662 Acres of land in the WILLIAM ROWE SURVEY ABST. NO. 1236 Dallas County, Texas; and being part of a 6.000 Acre tract as described in deed to Eugene Fisher filed 10-19-76 DRDCT; and said 1.662 Acre tract being more particularly described as follows:

BEGINNING at a point in the East line of Collins Road that is S 00° 01' 30" E - 2646.15 ft and N 89° 51' 08" E - 30.0 ft from the point of intersection of the centerline of Collins Road with the centerline of Barnes Bridge Road; said beginning point also being 243.0 ft N 89° 51' 08" E from the Northwest corner of the W. H. Adams tract as described in deed in Vol. 4915 Pg. 113 DRDCT

THENCE N 89° 51' 08" E, along the North line of said Fisher tract, a hedge row, 453.7 ft to its Northeast corner

THENCE S 00° 01' 14" E, along a fence line on the East line of said Fisher tract, 160.0 ft

THENCE S 89° 51' 08" W - 448.27 ft to a point in the East line of Collins Road

THENCE in a Northwesterly direction, along the East line of Collins Road, as follows:

- 1st. Northwesterly, around a curve to the right that has a central Angle of 05° 38' 59", a Radius of 1115.92 ft, for a distance of 110.04 ft
- 2nd. N 00° 01' 30" W - 50.13 ft to the point of beginning and containing 1.662 Acres of land Net.



Notice of Application for Zoning Change
Town of Sunnyvale

The Town of Sunnyvale has received a request by Eugene Fisher for a change of zoning for their property located at 514 N. Collins Rd. shown on the attached exhibit.

The applicant is requesting to change the zoning of the six acre tract from Agricultural Residential to single family -2 (SF-2) which would match the surrounding properties zoned SF-2

The Planning and Zoning Commission will hear this application on May 16 2011, and the Town Council will consider the application on May 23 2011 or June 13 2011. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The Zoning Change application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

I am in favor of the zoning change

I am opposed to the zoning change

Explanation:

Signature:

Printed Name:

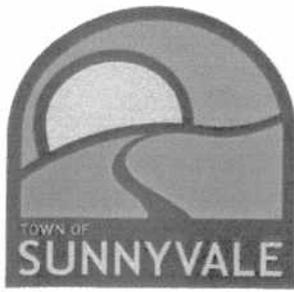
Address:

Date:



Dallas Central Appraisal District
www.dallascad.org

DISCLAIMER
 The Dallas Central Appraisal District does not control or guarantee the accuracy, relevancy, timeliness or completeness of this data. DCAD assumes no legal responsibilities for the information represented on this map. Users should independently verify the data on this map before making any conclusions based on this data.



STAFF REPORT

DATE: May 12, 2011
TO: Planning & Zoning Commission
FROM: Community Development Department
SUBJECT: Ocampo Plaza, Lot 1, Block 1
File No. 1269
PAGES: 1

Ocampo Brothers, Ltd. has made application for final plat for the subject project. The project which is a restaurant called Bull's Pen Café is located at 618 E Hwy 80, south side near East Fork overpass. The final plat consist of a one lot 1.98 acres in size. The preliminary plat was approved by Town Council on November 9, 2009. All public infrastructure has been installed, inspected and accepted by the Town. The only item that remains to be completed is installation of two Town required corner monuments.

Based on staff's review, the final plat conforms to the platting requirements of the Town. Staff is recommending approval of the final plat with the owner's understanding that the plat will not be filed of record nor Certificate of Occupancy issued until the two corner monuments are set.

Marc Bentley, P.E.
Town Engineer

P42 = 2-10-11
Council = 5-23-11



TOWN OF SUNNYVALE
127 N Collins Road
Sunnyvale, Texas 75182
(972) 203-4188

DEVELOPMENT APPLICATION

- | | |
|--|--|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Replat |
| <input checked="" type="checkbox"/> Final Plat | <input type="checkbox"/> Amending Plat |
| <input type="checkbox"/> Preliminary Site/Concept Plan | |
| <input type="checkbox"/> Landscape | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Tree survey | <input type="checkbox"/> Building Elevations |

FILE NO: 1269

PROPERTY INFORMATION

Addition Name: <u>Ocampo Plaza</u>	Address/Location: <u>618 E. Hwy 80</u>
Lot(s): <u>1</u> Block: <u>1</u>	Current Zoning: <u>HC - Highway Commercial</u>
# of Acres: <u>1.979 Acre.</u>	# of Lots: _____ # of Units: _____

APPLICANT INFORMATION

Name: <u>Tommy Satterfield</u>	Company: <u>Jackson Hunter Inc.</u>
Mailing Address: <u>503 Stonebridge Dr.</u>	
City: <u>Rockwall</u> State: <u>TX</u>	Zip: <u>75087</u>
Phone: <u>972-226-7489</u> Fax: <u>972-226-0419</u>	Email: <u>prk@jehonestx@yahoo.com</u>

OWNER INFORMATION

Name: <u>Tino Martinez</u>	Company: <u>Ocampo Brothers Ltd</u>
Mailing Address: <u>619 Creech Bend Cr.</u>	
City: <u>Mesquite</u> State: <u>TX</u>	Zip: <u>75149-4054</u>
Phone: <u>972-511-1387</u> Fax: _____	Email: _____

SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

(Check those that apply)

- | | |
|--|----------------------------|
| <input type="checkbox"/> Preliminary Plat & Checklist | 24"x36", 4 copies (folded) |
| <input checked="" type="checkbox"/> Final Plat & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Amended Plat & Checklist* | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Minor Plat & Checklist* | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Replat & Checklist* | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Preliminary Site/Concept Plan & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Site Plan & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Landscape Plan & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Building Elevations | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Photometric/Lighting | 24"x36", 2 copies (folded) |
| <input type="checkbox"/> Tree Survey & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Civil Engineering Plans | 2 Sets (rolled) |

*Use final plat checklist

(See Fee Schedule for all Amounts)

- | |
|--------------------|
| Fee: _____ |
| Fee: <u>505.00</u> |
| Fee: _____ |

pd 5-20-11

OWNER AUTHORIZATION

Check one of the following:

- I will represent the application myself; or
- I authorize Tommy Satterfield (name of applicant) to represent this application on my behalf. The named applicant shall be the principal person for responding to all requests and to attend all meetings.

I waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

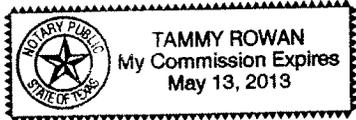
Owner's Signature: Fausto Martinez Date: 4-20-11

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared _____ the above signed, who, under oath, stated the following: "I hereby certify that I am the owner or authorized corporate representative for the purposes of this application; that all information submitted herein is true and accurate."

Subscribed and sworn to before me this 20 day of April, 2011.



Tammy Rowan
Notary Public in and for the State of Texas

This application is not considered accepted by the Town until the Town Engineer or Chief Building Official has signed below.

M.O. [Signature]
Town Engineer

Chief Building Official



Notice of Application for Final Plat
Town of Sunnyvale

The Town of Sunnyvale has received a request by Tommy Saterfield for approval of the Final Plat for Ocampo Plaza. The property being platted is located at 618 E. Highway 80 and is shown on the attached exhibit.

Plat Description - - Ocampo Plaza 1.979 acres located in the THOMAS D. COATS SURVEY, ABSRACT NO. 330 TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

The Planning and Zoning Commission will hear this application on May 16 2011, and the Town Council will consider the application on May 23, 2011 or June 13 2011. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The Final Plat application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the Final Plat
- I am opposed to the Final Plat

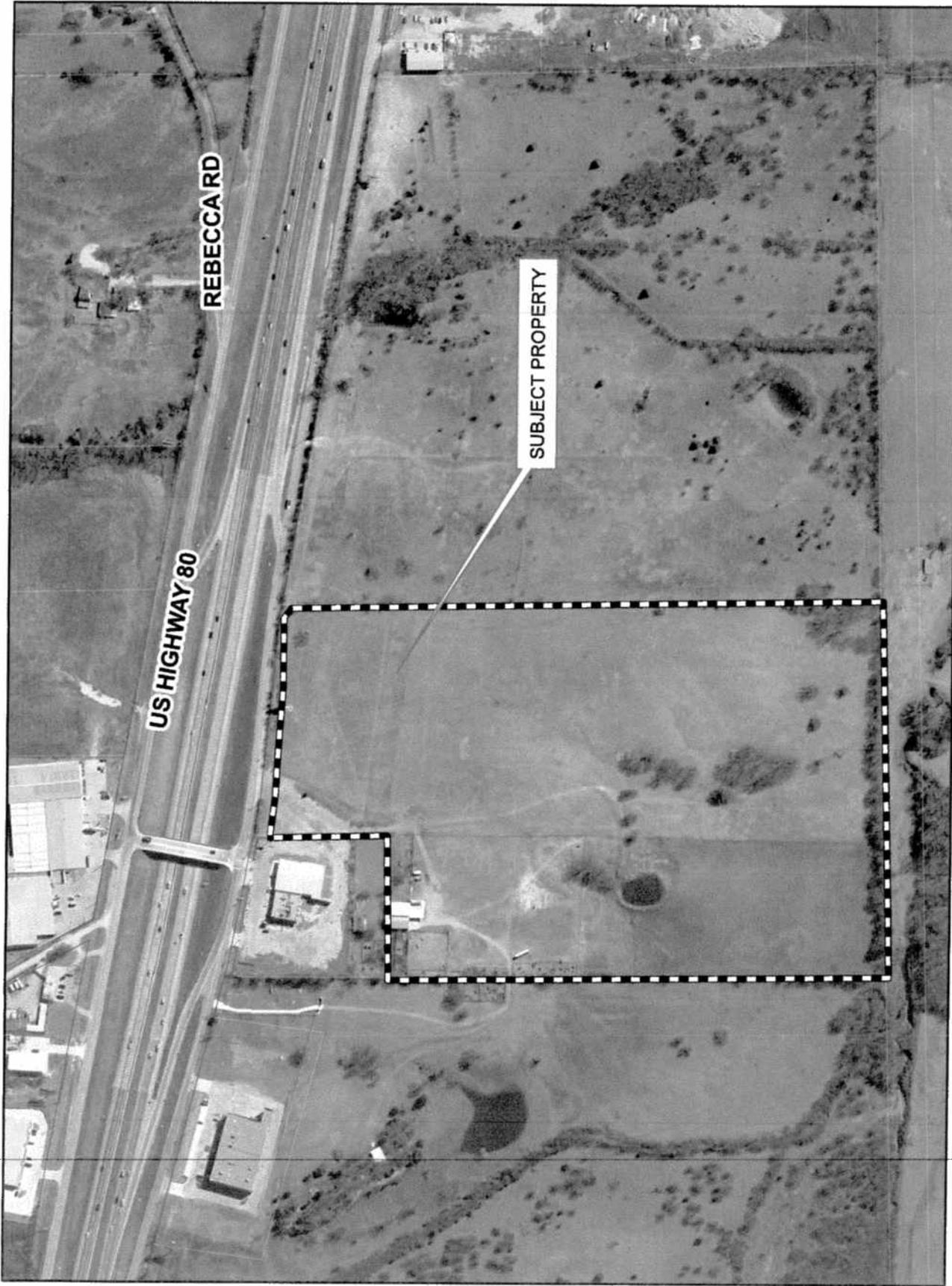
Explanation:

Signature:

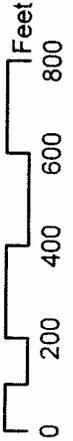
Printed Name:

Address:

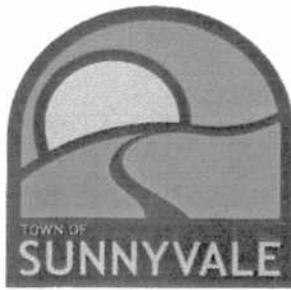
Date:



618 U.S. HIGHWAY 80



1 inch equals 400 feet



STAFF REPORT

DATE: May 12, 2011
TO: Planning & Zoning Commission
FROM: Community Development Department
SUBJECT: Robertson Medical Office, Block A, Lot 1
File No. 1270
PAGES: 1

Abdullah Adham has made application for preliminary plat and site plan for the subject project. The property is located at 330 Town East Blvd. approximately 430 feet east of Glenwick Drive. The project is a proposed 3,960 square foot medical office building within the LR zoning district.

On May 2, 2011, Board of Adjustment granted the following variances:

- Reduction in rear setback from 25 feet to 15 feet

There were twenty-nine (29) notices mailed and three (3) returned as of May 12, 2011. One notice was in favor, one in opposition and one returned by post office.

Staff has worked with the applicant to arrive at plats and plans that conform to Town regulations. The following are staff comments based on the drawings you have in front of you:

SITE PLAN

- Revise rear setback to 15 feet
- Add note to state BOA variance granting rear setback approval & date.

We are recommending approval of the of the preliminary plat, site plan, landscape plan and building elevations subject to the above items being satisfactorily completed and final approval of the engineering plans.

Marc Bentley, P.E.
Town Engineer



TOWN OF SUNNYVALE
 127 N Collins Road
 Sunnyvale, Texas 75182
 (972) 203-4188

DEVELOPMENT APPLICATION

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Amending Plat |
| <input type="checkbox"/> Preliminary Site/Concept Plan | |
| <input checked="" type="checkbox"/> Landscape | <input checked="" type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> Tree survey | <input checked="" type="checkbox"/> Building Elevations |

FILE NO: 1270

PROPERTY INFORMATION

Addition Name: Robertson Medical Office		Address/Location: 330 Town East Blvd	
Lot(s): 1	Block: A	Current Zoning: Local Retail District	
# of Acres: 0.66	# of Lots: 1	# of Units:	

APPLICANT INFORMATION

Name: Seth Kelly		Company: RLK Engineering	
Mailing Address: 111 W Main St			
City: Allen	State: TX	Zip: 75013	
Phone: 972-359-1733	Fax: -1833	Email: seth@rlkengineering.com	

OWNER INFORMATION

Name: Abdullah Adham		Company:	
Mailing Address: 3946 South Buckner Suite 100			
City: Dallas	State: TX	Zip: 75227	
Phone: 214-417-5494	Fax:	Email:	

SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

(Check those that apply)

- | | | |
|--|----------------------------|--------------|
| <input checked="" type="checkbox"/> Preliminary Plat & Checklist | 24"x36", 4 copies (folded) | Fee: \$510 |
| <input type="checkbox"/> Final Plat & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Amended Plat & Checklist* | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Minor Plat & Checklist* | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Replat & Checklist* | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Preliminary Site/Concept Plan & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input checked="" type="checkbox"/> Site Plan & Checklist | 24"x36", 4 copies (folded) | Fee: \$505 |
| <input checked="" type="checkbox"/> Landscape Plan & Checklist | 24"x36", 4 copies (folded) | Fee: \$200 |
| <input checked="" type="checkbox"/> Building Elevations | 24"x36", 4 copies (folded) | |
| <input checked="" type="checkbox"/> Photometric/Lighting | 24"x36", 2 copies (folded) | Fee: \$200 |
| <input checked="" type="checkbox"/> Tree Survey & Checklist | 24"x36", 4 copies (folded) | Fee: \$1,000 |
| <input checked="" type="checkbox"/> Civil Engineering Plans | 2 Sets (rolled) | |
- *Use final plat checklist

(See Fee Schedule for all Amounts)

Total \$2,415

pdh
4-20-11

OWNER AUTHORIZATION

Check one of the following:

- I will represent the application myself; or
- I authorize Seth Kelly - RLK Engineering (name of applicant) to represent this application on my behalf. The named applicant shall be the principal person for responding to all requests and to attend all meetings.

I waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

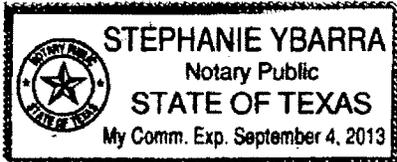
Owner's Signature: Abdallah Adham Date: 4/20/11

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared Abdallah N. Adham the above signed, who, under oath, stated the following: "I hereby certify that I am the owner or authorized corporate representative for the purposes of this application; that all information submitted herein is true and accurate."

Subscribed and sworn to before me this 20th day of April, 2011.



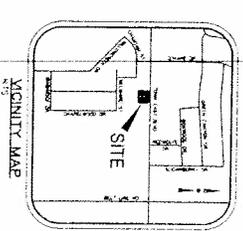
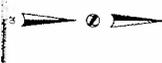
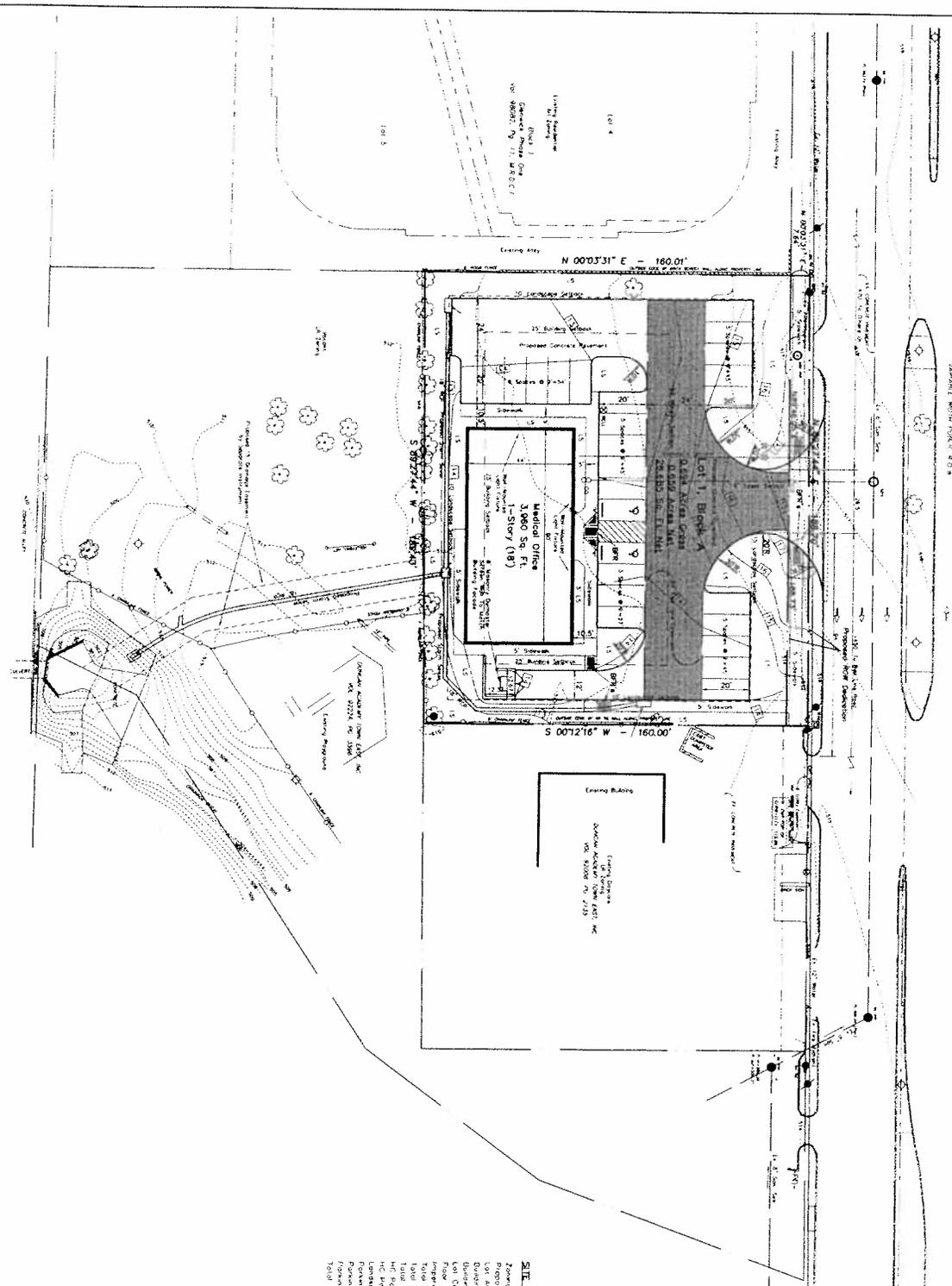
[Signature]
Notary Public in and for the State of Texas

This application is not considered accepted by the Town until the Town Engineer or Chief Building Official has signed below.

Town Engineer

[Signature]
Chief Building Official

TOWN EAST BOULEVARD
 VARIANTE WITH PLAT # 208



SITE DATA SUMMARY

Zone	UR
Proposed Use	Medical Office
Building Area	6,060 Sq. Ft. (28,665 SF)
Building Height	1-Story (15')
Lot Coverage	15%
Proposed Lot Area	40,113 SF
Proposed Impervious Area	6,060 SF
Total Impervious Area	20,388 SF
Liquid Parking Required	26 Spaces
HC Parking Provided	2 Spaces
Landscaping Buffer Area Provided	1,260 SF
Paving Lot Area	10,059 SF
Paving for Landscape Area Provided	3,200 SF
Total Landscape Area	9,290 SF

SITE PLAN

**ROBERTSON
 MEDICAL OFFICE**

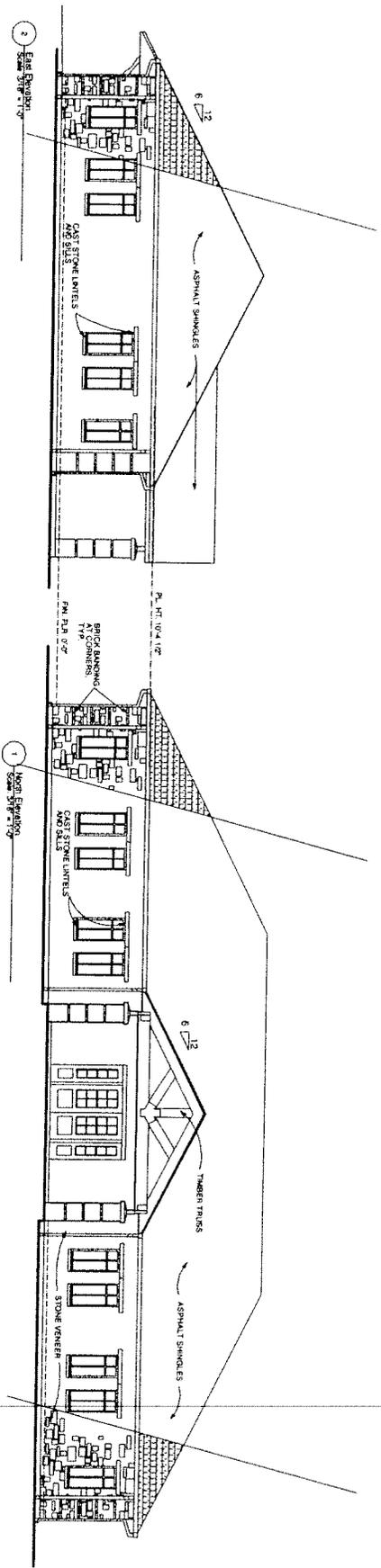
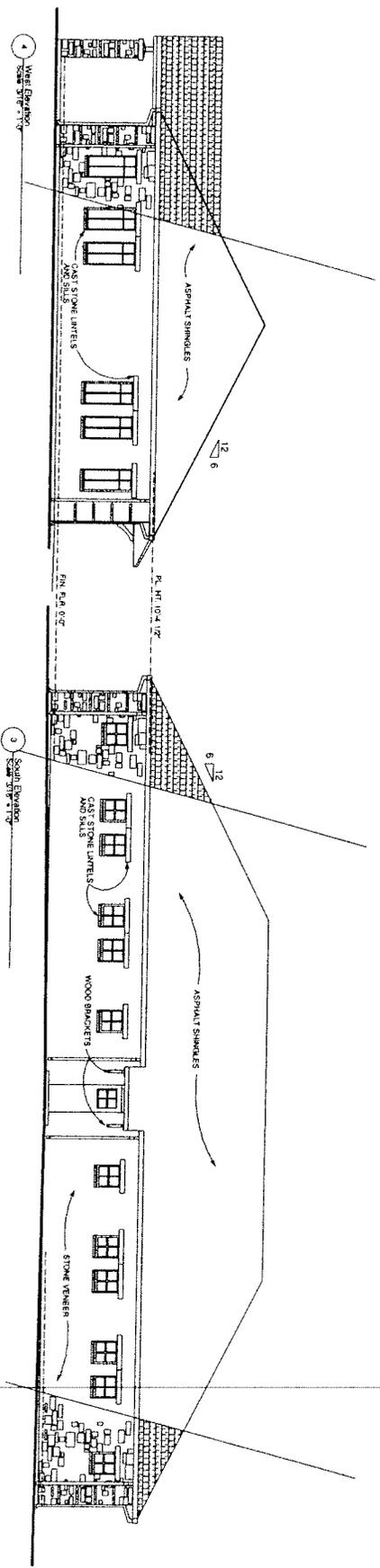
Lot 1, Block A

0.694 Acres Situated in The
 S.A. & M.G.R. SURVEY ~ ABST. 1400
 SUNNYVALE, DALLAS COUNTY, TEXAS

AGENT
 Robertson
 3946 South Business Site 100
 Dallas, Texas 75227
 Telephone 214-417-2444

CLIENT
 RUF Enterprises, Inc.
 111 West Main Street
 Dallas, Texas 75202
 Telephone 972-359-1733

ENGINEER
 Pugh & Corbin, LLC
 8000 Dallas Loop, Suite 229
 Dallas, Texas 75243
 Telephone 214-328-2000
 April 12, 2011





**Notice of Application for Preliminary Plat and site plan
Town of Sunnyvale**

The Town of Sunnyvale has received a request by RLK Engineering for approval of a Preliminary Plat for Robertson Medical Office. The property being platted is located at 330 Town East Blvd and is shown on the attached exhibit.

Plat Description- Robertson Medical Office Lot 1, Block A, 0.694 acres situated in the S.A. & M.G.R.R. SURVEY ABSTRACT 1400 SUNNYVALE, DALLAS COUNTY, TEXAS

The Planning and Zoning Commission will hear this application on May 16, 2011 and the Town Council will consider the application on May 23, 2011 or June 13, 2011. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The Preliminary Plat application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the Preliminary Plat
 I am opposed to the Preliminary Plat

Explanation:

Signature:

David Mills

Printed Name:

DAVID MILLS, BEREN BAPTIST CHURCH

Address:

302 N. TOWN EAST BLVD.

Date:

5/9/11



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- I am in favor of the Preliminary Plat
 I am opposed to the Preliminary Plat

Explanation:

I am opposed, If the 183.7 width is correct. The plat shows to be 183.7 x 160, which would put this business into the Glenwick Estates Neighborhood. I hope this is an error. I'm in favor of this business, but not the lot size.

Signature:

Stan W. McDonald

Printed Name:

Stan W. McDonald

Address:

341 Chatham St

Date:

5-7-11



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- I am opposed to the Preliminary Plat

Explanation:

Signature:

Printed Name:

Address:

Date:



**Dallas Central
Appraisal District**
www.dallascad.org

DISCLAIMER
The Dallas Central Appraisal District does not control or guarantee the accuracy, relevancy, timeliness or completeness of this data. DCAD assumes no legal responsibilities for the information represented on this map. Users should independently verify the data on this map before making any conclusions based on this data.