



**AGENDA
TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
OCTOBER 24, 2011
7:00 P.M.**

THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS WILL CONDUCT A REGULAR MEETING ON OCTOBER 24, 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 SECTIONS 551.0411. ITEMS TO BE DISCUSSED:

- **CALL TOWN COUNCIL MEETING TO ORDER**
- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**

1. CONSENT AGENDA

(ALL ITEMS ON THE CONSENT AGENDA ARE ROUTINE ITEMS AND MAY BE APPROVED WITH ONE MOTION; SHOULD ANY MEMBER OF THE TOWN COUNCIL OR ANY INDIVIDUAL WISH TO DISCUSS ANY ITEM, SAID ITEM MAY BE REMOVED FROM THE CONSENT AGENDA BY MOTION OF THE TOWN COUNCIL)

A. APPROVAL OF MINUTES - REGULAR MEETING 10-10-11

• **PUBLIC FORUM**

(CITIZENS MAY SPEAK ON ANY MATTER OTHER THAN PERSONNEL MATTERS OR MATTERS UNDER LITIGATION. NO TOWN COUNCIL ACTIONS OR DISCUSSION WILL BE TAKEN UNTIL SUCH MATTER IS PLACED ON THE AGENDA AND POSTED IN ACCORDANCE WITH LAW.)

• **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 REPLAT

APPLICANT: DEAN ZIMMERMAN
AT OR ABOUT: 286 AND 284 N. COLLINS RD
REQUEST: TUCKER ESTATES

3. APPLICATION FOR PRELIMINARY AND FINAL PLAT

APPLICANT: WILLIAM SHEAHAN
AT OR ABOUT: 321 S. LARKIN
REQUEST: LOMAD ADDITION, LOTS 1 AND 2

• **ACTION/DISCUSSION**

4. CONSIDERATION OF ORDINANCE NO. 547: AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, EXTENDING THE SUSPENSION OF THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR PERMITS FOR DEVELOPMENT OR CONSTRUCTION OF HEAVY INDUSTRIAL USES IN THE GENERAL BUSINESS, HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE TOWN OF SUNNYVALE, TEXAS, AND OF REZONING APPLICATIONS FOR SUCH USES FOR A PERIOD OF 60 DAYS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A TERM; PROVIDING FOR EXEMPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

5. MAYOR/TOWN MANAGER UPDATE - FACILITATION OF SH190 ADVISORY COMMITTEE AND HOME RULE CHARTER COMMITTEE

- **COUNCIL REPORTS AND REQUESTS**
- **MAYOR REPORTS AND REQUESTS**
- **ADJOURN**

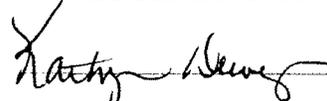
ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

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 21ST DAY OF OCTOBER 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 ITEM SUMMARY

TO: Town Council
FROM: Scott Campbell, Town Manager *SC*
RE: **ITEM 1:** Consent Items: Minutes
DATE: October 21, 2011

Consent Items include consideration of the following:

Item A: Minutes of 10/10/11



**MINUTES
TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
OCTOBER 10, 2011
7:00 P.M.**

THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS CONDUCTED A REGULAR MEETING ON OCTOBER 10, 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 SECTIONS 551.0411. THOSE PRESENT WERE:

MAYOR	JIM PHAUP
MAYOR PRO-TEM	KAREN HILL
COUNCILMEMBER	PAULA YATES
COUNCILMEMBER	SAJI GEORGE
COUNCILMEMBER	RONNIE HENDERSON, JR
COUNCILMEMBER	PAT WILEY

• **CALL TOWN COUNCIL MEETING TO ORDER**

Mayor Phaup called the meeting to order at 7:01 p.m.

• **INVOCATION**

Mayor Pro-Tem Hill gave the invocation.

• **PLEDGE OF ALLEGIANCE**

Mayor Phaup led the pledge of allegiance.

1. CONSENT AGENDA

(ALL ITEMS ON THE CONSENT AGENDA ARE ROUTINE ITEMS AND MAY BE APPROVED WITH ONE MOTION; SHOULD ANY MEMBER OF THE TOWN COUNCIL OR ANY INDIVIDUAL WISH TO DISCUSS ANY ITEM, SAID ITEM MAY BE REMOVED FROM THE CONSENT AGENDA BY MOTION OF THE TOWN COUNCIL)

A. APPROVAL OF MINUTES - REGULAR MEETING 09-26-11

B. RESOLUTION 11-18 - DALLAS COUNTY FOOD CONTRACT

C. RESOLUTION 11-19 - DALLAS COUNTY HEALTH CONTRACT

D. RESOLUTION 11-20 - DALLAS COUNTY HAZARDOUS WASTE CONTRACT

Mayor Phaup removed item A from the consent agenda.

Motion was made by Councilmember Wiley to approve Items B, C and D as presented. Motion seconded by Councilmember Henderson. Motion carried unanimously.

Mayor Phaup asked for a correction to page 6 of the minutes. Motion was made by Councilmember Hill to approve the minutes from Regular Meeting 09/26/11 as corrected. Motion seconded by Councilmember Wiley. Motion carried unanimously.

• **PUBLIC FORUM**

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No public comments.

2. PROCLAMATION DECLARING OCTOBER 16-22 AS FRIENDS OF LIBRARIES WEEK

Cindy Bornowski, representing Friends of the Sunnyvale Public Library gave an invitation to the events planned at the library during the upcoming week.

Motion was made by Councilmember Yates to proclaim the declaring of October 16-22 as Friends of The Library Week. Motion seconded by Councilmember George. Motion carried unanimously.

• **DISCUSSION/ACTION ITEM**

3. PRESENTATION ON BACKFLOW PREVENTION PROGRAM

Byron Hardin, representing Hardin & Associates Consulting LLC gave a presentation on back-flow prevention options.

Decision was made for the town staff to make recommendations on the Town's current policies and procedures regarding backflow prevention.

4. NOMINATION FOR MEMBER OF BOARD OF DIRECTORS FOR DCAD

Mayor Phaup asked if there were any nominations for the Board of Directors as the fourth member to the Dallas Central Appraisal District. Nominations due by October 17, 2011.

5. RESOLUTION 11-22 - REPUBLIC SERVICES DISPOSAL SOLID WASTE CONTRACT

Scott Campbell, Town Manager, explained the resolution which would renew and extend the current contract for solid waste collection with Republic Services for five years at the current residential and commercial rates.

Motion was made by Councilmember Hill to approve Resolution 11-22 as presented. Motion seconded by Councilmember Henderson. Motion carried unanimously.

6. DISCUSSION AND CALENDARING SESSION REGARDING SH190 ADVISORY COMMITTEE AND HOME RULE CHARTER COMMITTEE

Scott Campbell suggested SH190 Committee beginning week of October 31, 2011 and criteria for committee sessions. Councilmember George confirmed these meetings would be open public meetings.

Minutes
Town Council Meeting
October 10, 2011
Page 3

Discussion followed regarding a facilitator for the group. Decision was made to have Mr. Campbell present additional candidates for discussion at the next town council meeting.

Scott Campbell asked for consideration on the Home Rule Charter Committee meetings beginning on the week of November 7, 2011.

• **COUNCIL REPORTS AND REQUESTS**

Mayor Pro-Tem Hill asked for a follow-up on the public notice from the news on a “concrete plant”. Mr. Campbell explained this was a temporary site for the Dallas Water Utilities Plant construction.

Mayor Pro-Tem Hill asked for information on the traffic counter on Lyons Rd, DR Horton update and fiber optic construction at Collins/Barnes Bridge Rd. Scott Campbell advised information was being requested from Sherry Sefko, Town Planner, on the Lyons Rd/DR Horton question. Steve Gilbert, Building Official, advised the fiber optic construction was only replacement of existing services.

Councilmember George asked about having planning sessions posted to the website. Mayor Phaup agreed and advised a matrix would be included.

Councilmember Henderson asked for current water restrictions on the website.

Councilmember Yates asked that health services fee schedule be placed on the website. Consideration was also given for the tree lighting celebration to be scheduled for December 2, 2011.

• **MAYOR REPORTS AND REQUESTS**

Mayor Phaup advised a joint meeting with the Planning and Zoning Commission needed to be scheduled regarding Sunnyvale Center Planned Development.

Mayor Phaup stated he would be attending the upcoming TML session. He advised he had confirmed to Mr. Douglas there was very little interest on his proposed change to Stoney Creek PRO.

Mayor Phaup advised an election would be held at town hall on Nov. 8, 2011.

• **ADJOURN**

Mayor Phaup adjourned the meeting at 8:20 p.m.

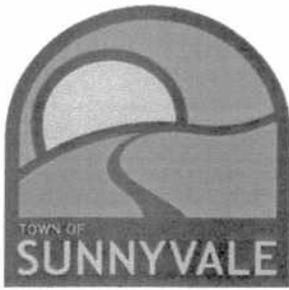
The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Kathryn Dewey, Town Secretary

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



STAFF REPORT

DATE: October 20, 2011
TO: Town Council
FROM: Community Development Department
SUBJECT: Tucker Estates, Lots 7R1 & 8R1, Block 1
File No. 1285
PAGES: 1

Dean & Connie Zimmerman has made application for a replat for the subject project. The project is located at 584 & 586 Collins Road and consists of two residential lots of 1.0 acres and 4.21 acres. The property falls within the SF-2 zoning district:

Three items to be resolved:

- Due to the reconfiguration of the lots, verify each lot's septic system does not affect or cross into the other lot's platted area.
- Verification that the required Town monuments have been set as indicated on the replat.
- Provide verification of ownership for existing Lot 8R. Records indicate property to be owned by the Estate of Juanita Gladys Lyons. If the Zimmerman's are authorized to sign for the estate, then additional signature block should be added along with notary block. Also, please add deed reference for Lot 8R to preamble of metes and bounds description. The deed reference shown is for Lot 7R.

There were thirteen (13) notices mailed and none returned as of the date above.

Plat was approved by Planning & Zoning Commission on October 17, 2011.

Based on staff's review, we are recommending approval of the replat subject to the above stated items being verified

Marc Bentley, P.E.
Town Engineer



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

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

FILE NO: 1285

PROPERTY INFORMATION

Addition Name: <u>Tucker Estates Revised</u>		Address/Location: <u>554 & 586 N Collins Rd</u>	
Lot(s): <u>8 R & 7 R</u>	Block: <u>1</u>	Current Zoning: <u>Residential</u>	
# of Acres: <u>2.7 & 2.7 acres</u>	# of Lots: <u>2</u>	# of Units:	

APPLICANT INFORMATION

Name: <u>Dean Zimmerman</u>		Company:	
Mailing Address: <u>586 N Collins Rd</u>			
City: <u>Sunnyvale</u>	State: <u>Tx</u>	Zip: <u>75182</u>	
Phone: <u>972-203-5864</u>	Fax: <u>972-203-5864</u>	Email: <u>deanzman@tx.tr.com</u>	

OWNER INFORMATION

Name: <u>Dean Zimmerman</u>		Company:	
Mailing Address: <u>586 N Collins Rd</u>			
City: <u>Sunnyvale</u>	State: <u>Tx</u>	Zip: <u>75182</u>	
Phone: <u>972-203-5864</u>	Fax: <u>972-203-5864</u>	Email: <u>deanzman@tx.tr.com</u>	

SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

(Check those that apply)

(See Fee Schedule for all Amounts)

- | | | |
|--|----------------------------|--------------------|
| <input type="checkbox"/> Preliminary Plat & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <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 checked="" type="checkbox"/> Replat & Checklist* | 24"x36", 4 copies (folded) | Fee: <u>250.00</u> |
| <input type="checkbox"/> Preliminary Site Plan & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Site Plan & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Landscape Plan & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Building Elevations | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Photometric/Lighting | 24"x36", 2 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Tree Survey & Checklist | 24"x36", 4 copies (folded) | Fee: _____ |
| <input type="checkbox"/> Civil Engineering Plans | 2 Sets (rolled) | Fee: _____ |

*pd 1-14-11
c/c*

OWNER AUTHORIZATION

Check one of the following:

- I will represent the application myself; or
- I authorize _____ (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.

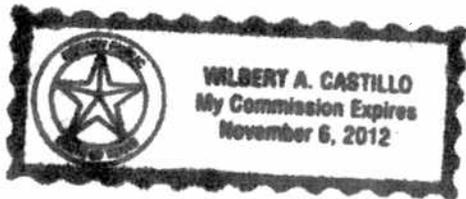
Owner's Signature:  Date: 7-14-2011 ~~7-13-2011~~ ^{DP} _W

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared Dean A. Zimmerman 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 14th day of July, 2011.




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


Chief Building Official



586 N. Collins
 Dallas Central
 Appraisal District
 www.dallascad.org

DISCLAIMER
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





Notice of Application for Re- Plat
Town of Sunnyvale

The Town of Sunnyvale has received a request by Dean Zimmerman for approval of the Re-Plat for Tucker Estates. The property being platted is located at 586 and 584 N. Collins Road and is shown on the attached exhibit.

Plat Description – ZIMMERMAN ADDITION LOTS 7R1 AND 8R1, BLOCK A, being a re-plat of lots 7R & 8R of Tucker Estates revised and being a 5.380 acre subdivision out of William Rowe survey abstract no. 1236, Town of Sunnyvale, Dallas County, Texas

The Planning and Zoning Commission will hear this application on October 17, 2011, and the Town Council will consider the application on October 24, 2011 or November 14, 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

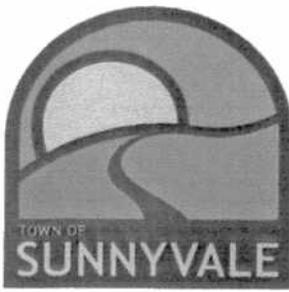
Explanation:

Signature:

Printed Name:

Address:

Date:



STAFF REPORT

DATE: October 20, 2011
TO: Town Council
FROM: Community Development Department
SUBJECT: Lomad Addition
File No. 1290
PAGES: 2

William Sheahan has made application for a preliminary and final plat for the subject project. The property is located at 321 S. Larkin Rd. and consists of two residential lots of 0.82 acres and 2.18 acres. The property falls within the SF-4 zoning district. Minimum lot size in the SF-4 zoning is 24,000 SF (0.55 acres):

PROPERTY HISTORY

This property has obtained variances from BOA and P&Z/Council in the past as follows:

BOA - November 2, 2009

Variances granted:

- 25 foot landscape buffer not required.
- Reduce side yard setback on Lot 2 to 18.9 feet
- Reduce side yard on east side of Lot 2 to 41 feet
- Reduce Lot width on Lot 2 to 190.39 feet.

P&Z/Council - December 2004

A variance for hose lay of 300 feet from fire hydrant to all parts of the structure was granted as part of a CUP request for accessory building. This variance was granted on the basis of both structures being on one lot under one ownership.

CURRENT PLATTING ISSUES

Items to be resolved or addressed:

- Variance for rear setback on Lot 1 from 60 feet to 40 feet.
- Verification that the required Town monuments have been set as indicated on the replat.
- Install separate 1" water service to serve Lot 2. Currently, building on Lot 2 is being served by the service to Lot 1.
- Due to the reconfiguration of the lots, verify each lot's septic system does not affect or cross into the other lot's platted area.
- Minor drafting revisions to the plats. Comments to be provided to applicant on October 17, 2011.

There were five (5) notices mailed and one (1) returned in favor as of the date above.

Plat was approved by Planning & Zoning Commission on October 17, 2011 subject to the following motion:

“Motion was made by Member Egan, clarified by Member McNeill, to approve the application for preliminary and final plat for William Sheahan at or about 321 S. Larkin for Lomad Addition Lots 1 and 2 subject to the town staff report letter dated October 13, 2011 including specifically the bold concern, Therefore, due to public health and safety issues, staff does not support the fire hydrant variance; however, we would ask the Town Council to consider in consultation with the town staff and town attorney if there is an alternate method to approve this that will protect both the property owners and the town from liability by providing some sort of legal notification to the future owners in the record that would allow this to be approved by the Council without the requirement of a new fire hydrant. Motion seconded by Member Wilson. Motion carried unanimously”

PLEASE NOTE:

Based on further review of the codes which include Code of Ordinances and Engineering Design Manual, we have determined that the code states the measurement for hose lay in from the street or dedicated fire lane not the fire hydrant. Therefore, the structure on Lot 2 meets this requirement and issue appears to be resolved. No fire hydrant is required.

Based on staff's review, we are recommending approval of the preliminary and final plat subject to the above stated items being addressed or resolved and engineering plans for the water service to be submitted for review.



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

FILE NO: 1290

PROPERTY INFORMATION

Addition Name: LOMAD ADDITION	Address/Location: 321 S. LARKIN
Lot(s): 1+2 Block: A	Current Zoning: SFA
# of Acres: 3.00	# of Lots: 2 # of Units: 2

APPLICANT INFORMATION

Name: William SHEAHAN	Company:
Mailing Address: 321 S. LARKIN	
City: SUNNYVALE	State: TX Zip: 75182
Phone: 214-808-8160	Fax:
	Email: Bill@BillSheahan.com Bill@bSheahan.com

OWNER INFORMATION

Name: William SHEAHAN	Company:
Mailing Address: 321 S. LARKIN	
City: SUNNYVALE	State: TX Zip: 75182
Phone: 214-808-8160	Fax:
	Email: Bill@BillSheahan.com Bill@BSheahan.com

SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

(Check those that apply)

(See Fee Schedule for all Amounts)

<input checked="" type="checkbox"/>	Preliminary Plat & Checklist	24"x36", 4 copies (folded)	Fee: 520
<input checked="" type="checkbox"/>	Final Plat & Checklist	24"x36", 4 copies (folded)	Fee: 510
<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 Plan & Checklist	24"x36", 4 copies (folded)	Fee: _____
<input type="checkbox"/>	Site Plan & Checklist	24"x36", 4 copies (folded)	Fee: _____
<input type="checkbox"/>	Landscape Plan & Checklist	24"x36", 4 copies (folded)	Fee: _____
<input type="checkbox"/>	Building Elevations	24"x36", 4 copies (folded)	Fee: _____
<input type="checkbox"/>	Photometric/Lighting	24"x36", 2 copies (folded)	Fee: _____
<input type="checkbox"/>	Tree Survey & Checklist	24"x36", 4 copies (folded)	Fee: _____
<input type="checkbox"/>	Civil Engineering Plans	2 Sets (rolled)	Fee: _____

*Use final plat checklist

OWNER AUTHORIZATION

Check one of the following:

I will represent the application myself; or

I authorize William Sheahan (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.

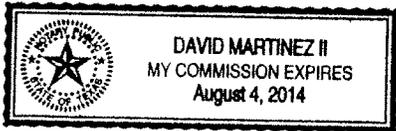
Owner's Signature: William Sheahan Date: 9-19-2011

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared William Sheahan 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 19 day of Sept., 20011

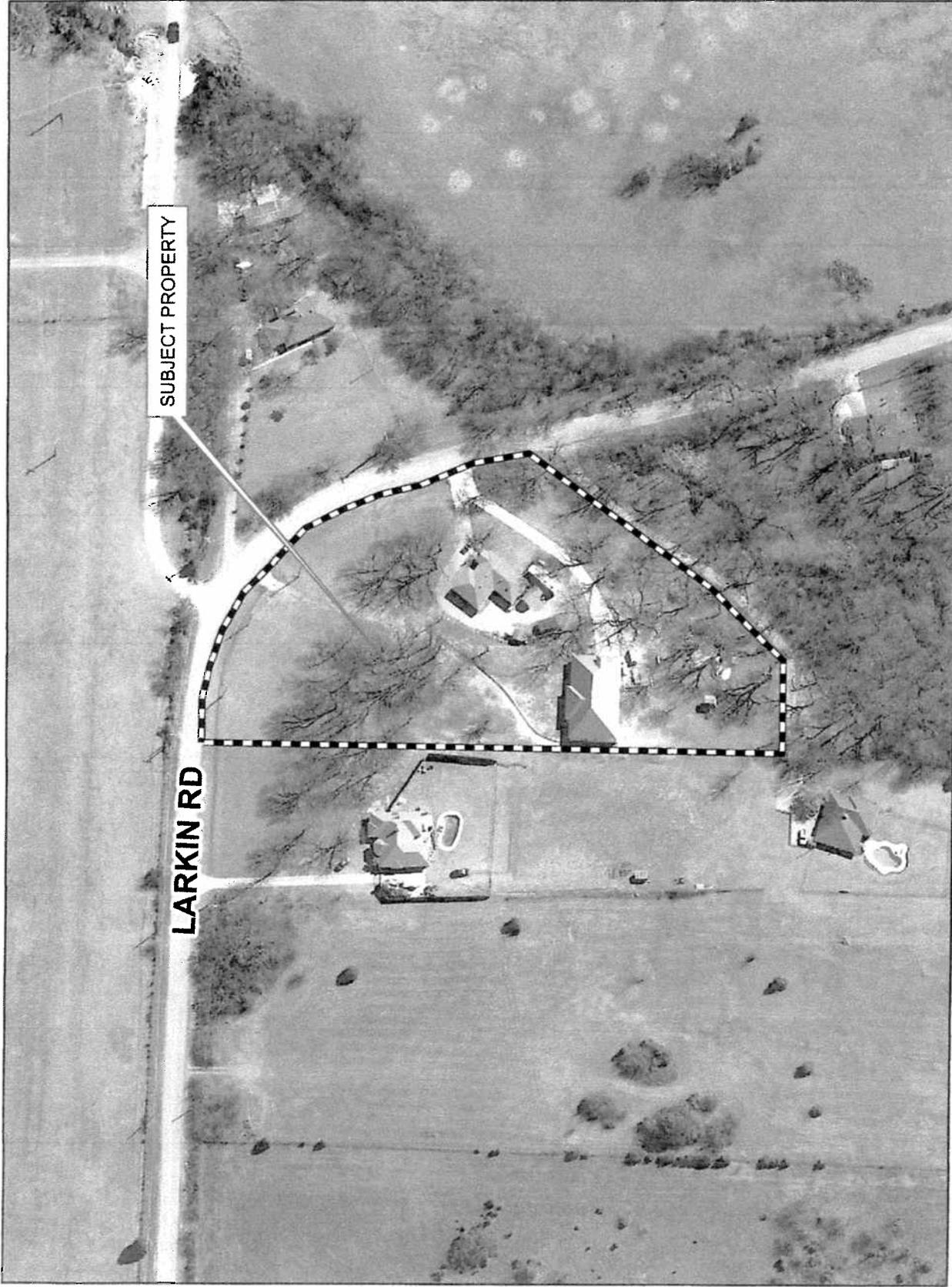


David Martinez II
Notary Public in and for the State of Texas

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

Town Engineer

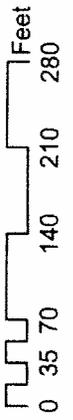
Chief Building Official



SUBJECT PROPERTY

LARKIN RD

321 S LARKIN ROAD





**Notice of Application for Preliminary Plat and Final plat
Town of Sunnyvale**

The Town of Sunnyvale has received a request by William Sheahan for approval of a Preliminary Plat for Lomad Addition. The property being platted is located at 321 S. Larkin Road and is shown on the attached exhibit.

Plat Description LOMAD ADDITION LOT 1 & LOT 2 BLOCK A James M. Bennett survey, abstract No. 85 Town Of Sunnyvale, Dallas County, Texas

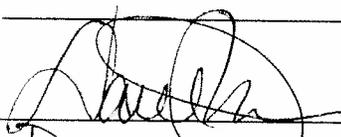
The Planning and Zoning Commission will hear this application on October 17, 2011 and the Town Council will consider the application on October 24, 2011 or November 14, 2011. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, 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: I JUST MAKES SENSE TO HAVE IT
PLATTED. I WISH THEM LUCK.

Signature: 
Printed Name: DARRELL JOHNSON
Address: 331 S LARKIN RD
Date: 10/6/11



**Notice of Application for Preliminary Plat and Final plat
Town of Sunnyvale**

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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:

Printed Name:

Address:

Date:



AGENDA ITEM SUMMARY

TO: Town Council

FROM: Scott Campbell, Town Manager *SC*

RE: **ITEM 4:** Consider Ordinance # 546: Extending the Suspension of Development Applications for Heavy Industrial Use

DATE: October 21, 2011

After recent discussions with our land use planner and land use attorney, staff is recommending an extension of the suspension of applications for heavy industrial uses by 90 days. We do anticipate the first report and draft recommendation to be delivered by the end of next week. However, these comprehensive changes require P&Z and council consideration, and may require more than one meeting for each body. Additionally, we are entering the holiday season, and staff believes the extended time is appropriate.

**TOWN OF SUNNYVALE, TEXAS
ORDINANCE NO. 547**

AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, EXTENDING THE SUSPENSION OF THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR PERMITS FOR DEVELOPMENT OR CONSTRUCTION OF HEAVY INDUSTRIAL USES IN THE GENERAL BUSINESS, HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE TOWN OF SUNNYVALE, TEXAS, AND OF REZONING APPLICATIONS FOR SUCH USES FOR A PERIOD OF 60 DAYS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A TERM; PROVIDING FOR EXEMPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Sunnyvale ("Sunnyvale") adopted Ord. No. 538 on July 25, 2011, which suspended the acceptance, processing and approval of applications for permits for heavy industrial uses, as defined in the ordinance, in the General Business ("GB") Districts, Highway Commercial ("HC") Districts, and in the Industrial ("I") Districts in the Town for a period of 120 days in order to allow the Town Council sufficient time to determine whether the allowed use and the allocation of such uses among the Districts furthered the public health, safety and general welfare of the community; and

WHEREAS, Ord. No. 538 also mandated that a study be prepared within 90 days under the direction of the Town Manager and the Town Planner to advise the Town Council concerning such heavy industrial uses; and

WHEREAS, during the time the suspension has been in effect the Town has received no development applications for such heavy industrial uses; and

WHEREAS, it appears to the Town Council that additional time is needed for the Town Manager and the Town Planner to make their recommendations concerning changes to the provisions in the zoning district regulations regarding heavy industrial uses; and

WHEREAS, it furthers the health, safety and general welfare of the Town to extend the suspension of applications for heavy industrial users for a period of 60 days from the effective date of this ordinance;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS:

SECTION 1: Findings Incorporated. The recitations contained in the whereas clauses prefacing this Ordinance hereby are incorporated by reference into the body of this Ordinance as findings of fact as if fully set forth herein.

SECTION 2: Extension of Suspension of Development Applications. The suspension of development applications for heavy industrial uses within the GB, HC and I zoning districts established by Ord. No. 538, Section 4, hereby is extended for an additional period of 90 days from the effective date of this Ordinance, which period shall establish the term of this Ordinance. The affected area, definitions, appeals provisions and exemptions set forth in Ord. No. 538 hereby are incorporated by reference as if fully set forth and shall become a part of this Ordinance thereby.

SECTION 3: Extension of Study Period. The Town Manager, in association with the Town Planner, shall complete the study to determine the proposed treatment of heavy industrial uses under the Town's Zoning Ordinance, as referenced in Section 7 of Ord. No. 538, and shall deliver his report and recommendations, including but not limited to proposed changes to the GB, HC or I District regulations and associated definitions and use tables, to the Town Council not later than 60 days after the effective date of this Ordinance.

SECTION 4. Conflicts. All Ordinances or provisions of Ordinances in conflict with this Ordinance are superseded to the extent of the conflict. Any remaining provisions of conflicting Ordinances shall remain in full force and effect.

SECTION 5: Severability. It is hereby declared to be the intention of the Town Council that if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or invalid by judgment or decree of a Court of competent jurisdiction, then such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance; and the Town Council hereby declares it would have passed the remaining portions even though it had known the affected parts would be held unconstitutional or invalid.

SECTION 6: Effective Date. The suspension of applications provided in section 4 takes effect immediately upon its passage.

DULY PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS on first reading this 24th day of October, 2011.

Jim Phaup, Mayor