



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 1, 2014

Council District 5

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: Adjacent neighbor
Support: Multiple letters submitted

Continued Yes No
Case Manager Lynn Jordan
Surplus Yes No
Council Initiated Yes No

Owner / Applicant: **Tim Morton DVM, PLLC**

Site Location: 1501 Handley Drive Mapsco: 67Y

Proposed Use: **Veterinary Clinic with Outdoor Kennels**

Request: From: "FR" General Commercial Restricted
To: "PD/FR" Planned Development for all uses in "FR" General Commercial Restricted plus outdoor kennels; site plan waiver requested

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is not consistent. (Technical Inconsistency)**

Background:

The proposed site is located east of E. Loop 820/Handley Drive and south of Works Street. The applicant is proposing to change the zoning to "PD/FR" to allow for veterinary clinic with outdoor kennels. The kennels received a permit and have been constructed. Staff understood the areas to be exercise areas. They are exercise areas, but are designed for individual dogs and therefore are defined as kennels. The applicant explained that the dogs will not be outside at all times and will not be outside at night.

The supplemental standards for outdoor kennels refers to kennels being within 100 feet of a residential use, the measurement being in a straight line from the property line of the residential use to the nearest portion of the kennel or hospital.

The property is part of a Code Compliance case due to complaints from an adjacent neighbor. Opposition is expected from this neighbor. The applicant has received support from area neighborhood and business associations.

The case was continued from the February 12 Zoning Commission meeting to have the applicant work with the adjacent neighbor on their concerns. The applicant has tried to mitigate some of the issues with the adjacent neighbor by erecting a solid fence and applying acoustic/blok for sound abatement.

Site Information:

Owner: Tim Morton DVM

1501 Handley Drive
Fort Worth, Texas 76112

Acreage: 2.04 acres
Comprehensive Plan Sector: Eastside
Surrounding Zoning and Land Uses:
North "E" Neighborhood Commercial / commercial offices
East "E" Neighborhood Commercial / single-family
South "E" Neighborhood Commercial & "G" Intensive Commercial / vacant & drive-thru bank
West "FR" General Commercial Restricted / East Loop 820

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Handley Drive	Minor Arterial	Minor Arterial	No
Works Street	Two-way	Two-way	No

Public Notification:

The following organizations were notified:

Organizations Notified	
Brentwood-Oak Hills	Eastside Sector Alliance
Ryanwood	Ryanwood West COP
Harmony Hills *	Woodhaven Community Development Inc
Woodhaven	Southeast Fort Worth Inc
Neighborhoods of East Fort Worth	East Fort Worth Business Assoc
FWISD	

*Within this neighborhood organization

Development Impact Analysis:

1. Land Use Compatibility

The applicant is proposing a zoning change to "PD/FR" Planned Development for FR uses with a veterinary clinic/residential/outdoor kennels use. Surrounding land uses consist of commercial offices to the north, single-family to the east, vacant and drive-thru bank to the south, and East Loop 820 to the west.

Based on surrounding land uses, the proposed zoning for this site **is compatible** at this location.

2. Comprehensive Plan Consistency

The 2013 Comprehensive Plan designates the subject property as Neighborhood Commercial. Outdoor Kennels are first permitted by right in the I, J, and K zoning districts. Based on nonconformance with the future land use map and the policies stated above; the proposed zoning **is not consistent** with the Comprehensive Plan. (Technical Inconsistency).

However, the veterinary hospital is located near the intersection of IH 30 and Loop 820 east, both of which generate ambient noise. The requested zoning change is consistent with the following Comprehensive Plan policy:

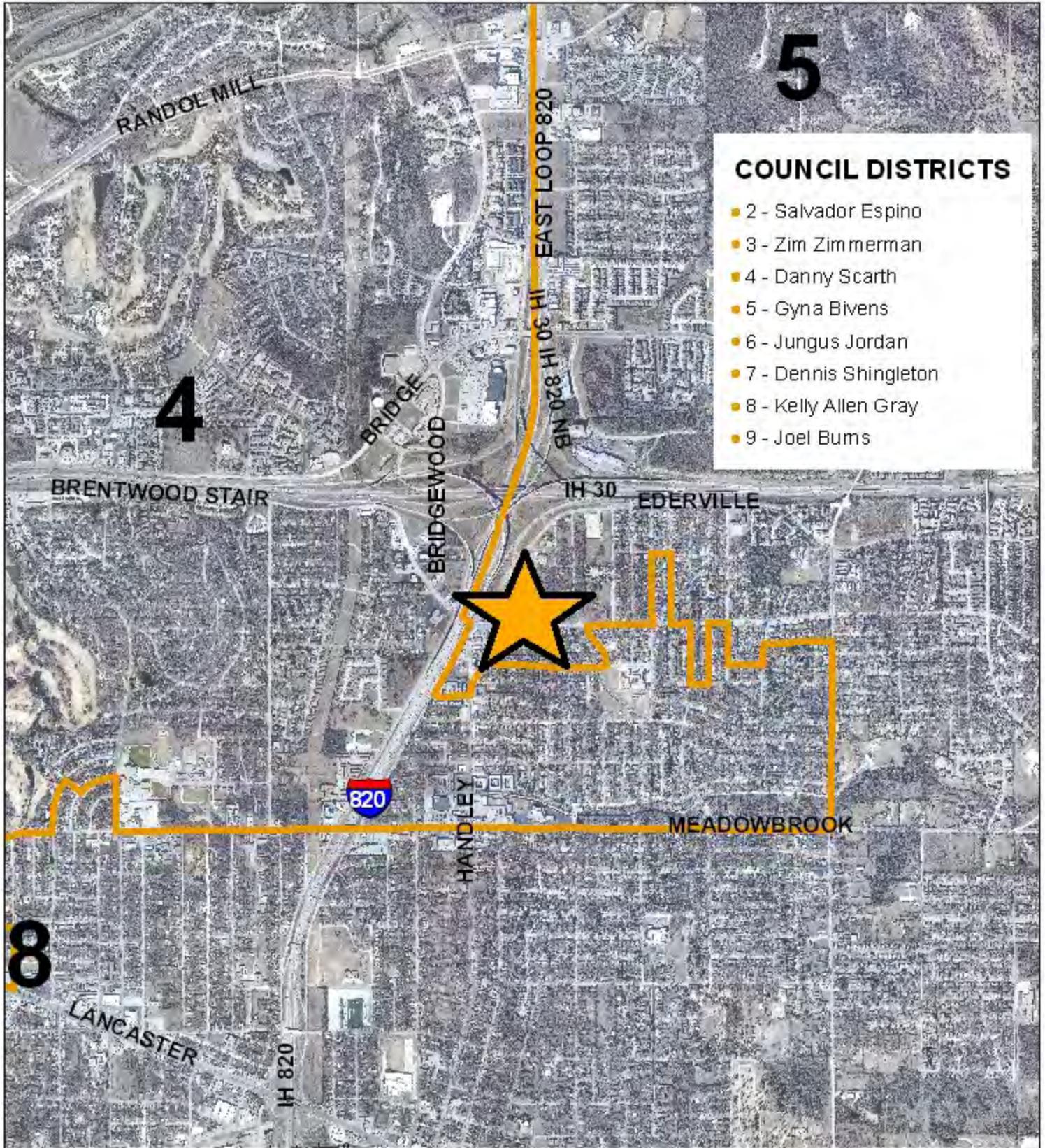
- Locate large commercial and institutional uses adjacent to arterial streets, preferably at the intersections of other arterials and highways.

Attachments:

- Location Map

- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Location Map



COUNCIL DISTRICTS

- 2 - Salvador Espino
- 3 - Zim Zimmerman
- 4 - Danny Scarth
- 5 - Gyna Bivens
- 6 - Jungus Jordan
- 7 - Dennis Shingleton
- 8 - Kelly Allen Gray
- 9 - Joel Bums



2,000 1,000 0 2,000 Feet

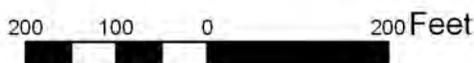


Area Zoning Map

Applicant: Tim Morton DVM, PLLC
 Address: 1501 Handley Drive
 Zoning From: FR
 Zoning To: PD for FR uses plus outdoor kennels
 Acres: 2.14339419
 Mapsco: 66W
 Sector/District: Eastside
 Commission Date: 2/12/2014
 Contact: 817-392-2495



300 Ft. Buffer

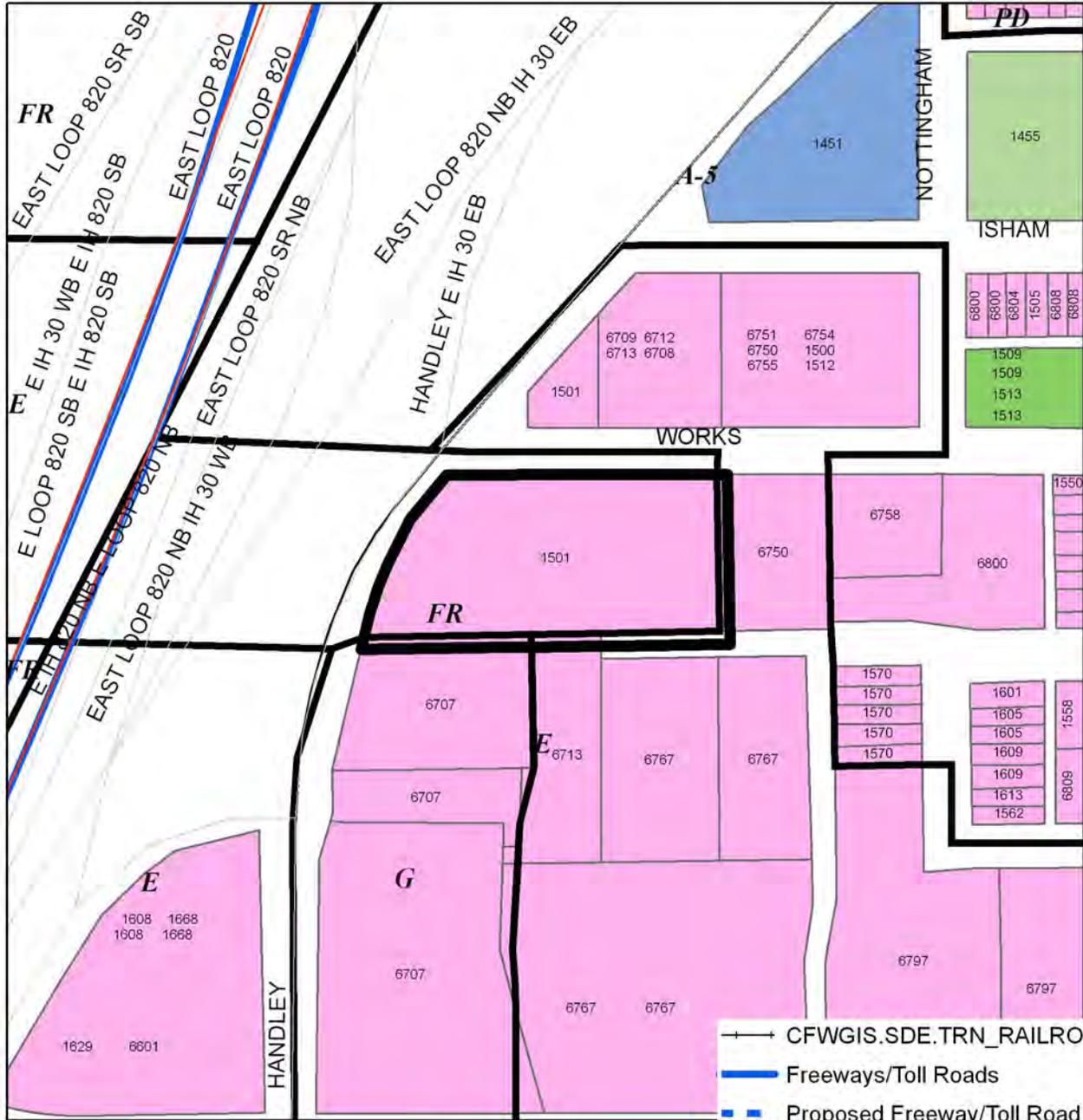




1501 Handley Drive

Future Land Use

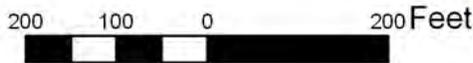
ZC-14-015



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed Use
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

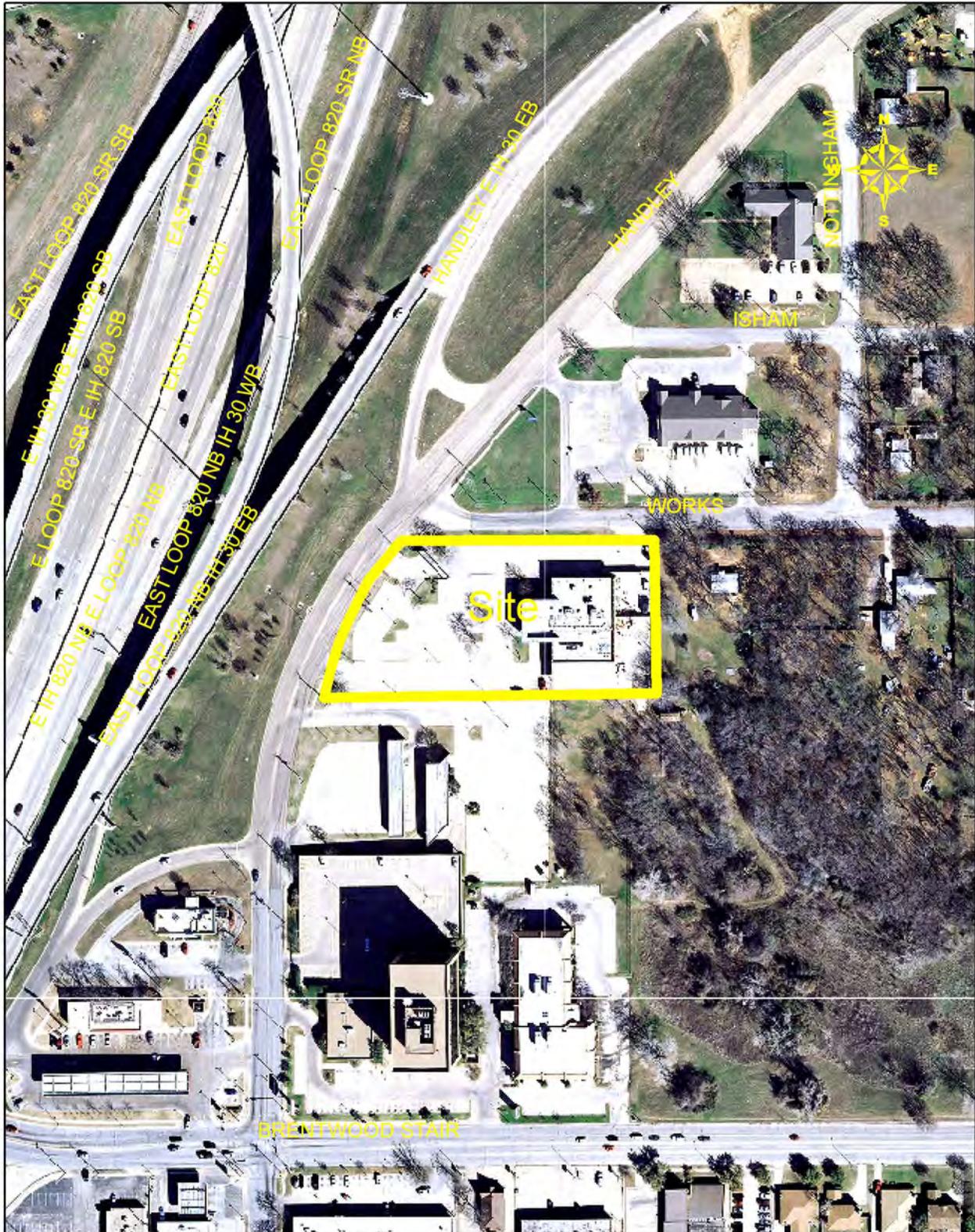
- CFWGIS.SDE.TRN_RAILROADS
 - Freeways/Toll Roads
 - Proposed Freeway/Toll Road
 - Principal Arterial
 - Proposed Principal Arterial
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
- FLD_ZONE**
- Floodplain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on March 5, 2013.



Aerial Photo Map



2. ZC-14-015 Tim Morton DVM PLLC (CD 5) – 1501 Handley Drive (Ederville Addition, Block 36, Lot A-1, 2.14 Acres): from “FR” General Commercial Restricted to “PD/FR” Planned Development for all uses in “FR” General Commercial Restricted plus outdoor kennels; site plan waiver requested

Tim Morton, 1501 Handley Drive, Fort Worth, Texas property owner explained to the Commissioners, there were four items the Commission asked him do since the case was continued from last month’s meeting. The first item was to address some type of noise abatement. Dr. Morton said they have spent somewhere between \$8,000 and \$10,000 erecting a fence and applying a black material called acoustic/blok which is being rebranded by the manufacturer as bark block.

Dr. Morton also mentioned he was asked to seek input from other neighbors and neighborhood associations. He has done that and submitted 18 letters of support; they range from neighbors, community leaders, and community organizations. He did note one was from the Handley NA and Greg Ricks former President of the Woodhaven NA. He said another letter of support was from Doug Jennings, 6737 Brentwood Stair, owner of the Stair building and Mr. McCoy who may have been a tenant who was in opposition last month. Dr. Morton said he spoke with Mr. McCoy who felt like he didn’t have all the information and has provided a letter of support.

Dr. Morton explained that another request made was to do some type of audio check; they weren’t able to do that before the meeting. He said the Code Compliance Officer has been at the site and said he would testify if needed on the noise levels. The last item was to try to work with the neighbor and come to some type of resolution. Dr. Morton said they were unable to work together. The neighbor mentioned in the last meeting if this case was approved that his property would be worthless and he wouldn’t be able to live there. Dr. Morton explained that he offered to buy his property at a 50% premium over what he paid for it and the market value. In summation he tried to address all the items he was asked to do.

Bob Gallant, 6912 Brentwood Stair Road, Fort Worth, Texas spoke in support. He lives approximately two blocks from this location. He went to Dr. Morton’s place of business to see the new fence and noted if you are standing on the other side of the fence you would have to yell to be heard. The main noise he heard was traffic coming from 820, and the building blocks some of that from the neighbor. He did say there was a strong light coming from the neighbor’s property onto Dr. Morton’s, which he thought was a nuisance.

James Connelly, the neighbor at 6750 Works Street, Fort Worth, Texas spoke in opposition. He submitted a letter to the Commissioners on behalf of his wife who couldn’t be here. Mr. Connelly mentioned the new fence built does not stop the noise. Mr. Connelly brought a video clip that was played for the Commissioners. Mr. Connelly said he tried to reach out to Dr. Morton several months ago. He mentioned he will have to move if he is allowed to keep the outdoor kennels. Mr. Connelly said the problem isn’t the dogs being out at night, the problem is the dogs being outside during the day and if the kennels remain, there will be a constant noise. Mr. Connelly said he looked at three other kennels that have outdoor runs and they are not in close proximity to a residence. He said his house is 150 feet from the kennels.

Mr. Flores stated it wasn't clear on the video where he was standing taking the noise levels in reference to the new fence with the acoustic blocking. Mr. Flores asked what day the video was taken. Mr. Connelly said he was filming videos up until two days ago. He said toward the end of the video, you can see the fence he built and you can still hear the dogs. Mr. Flores asked Mr. Connelly if the acoustic paneling was being installed at the time. Mr. Connelly said it was being installed and only goes up about 2/3 of the fence. The fence is eight feet tall and the noise goes right over the fence.

Ms. McDougall mentioned she didn't see any of the new fencing in the video. Ms. McDougall asked Mr. Connelly if he had any video of the new fence with the acoustic and measuring ambient noise. Mr. Connelly said it should be at the very end of the video. Ms. McDougall noted he was taking the videos right next to the fence and the dwelling is further back. Mr. Connelly said it is back about 150 feet. Ms. McDougall asked him if he took video from the yard, on the front or back porch. Mr. Connelly said yes but he had to limit the time on the video and pick and choose what he needed for his presentation.

Ms. McDougall said this seems to be a civil issue. She asked what he has tried to on his end. Mr. Connelly said Dr. Morton sent a letter offering to buy the house. He doesn't feel he can replace the house on what he is offering. If he could find a place that was over an acre, close to the highway for easy access to get back and forth to work he would move. Mr. Connelly said if this does get approved he will be moving. Ms. McDougall mentioned in the last meeting she asked him what would make things easier for the two of you to get along, or what could Dr. Morton do to rectify the situation. She quoted "Mr. Connelly said he could add additional sound proofing", Mr. Morton has done that what have you offered. Mr. Connelly said the sound proofing isn't adequate. The video clearly demonstrates the building and the new fence doesn't suppress the dog noise. The readings are taken when the dogs are inside. Mr. Connelly said he is not sure what he can do other than sound proof the metal building and not put up an inadequate fence.

Mr. Edmonds mentioned they are concerned about land use and it is fairly clear the veterinary clinic itself primary use is an appropriate use. It is surrounded by commercial properties on three sides and the highway, with the neighbor on the fourth side. He noted the applicant has put some mitigation in and also put foam insulation in the building. Mr. Edmonds said he visits the post office over there several times a week and has driven around to get familiar with the case. He has not heard a lot of dogs barking. He has been there at 7:30 in the morning and 7:30 at night. He said it could be a timing thing but he actually heard more dogs barking on the neighborhood. Mr. Edmonds mentioned the police reports and code compliance reports on noise complaints and they found no justification for the complaint. Mr. Edmonds asked Mr. Connelly if he noticed any less noise since the last public hearing. Mr. Connelly said yes after Code Compliance was out and told Dr. Morton he was not allowed to have dogs outside, the noise got significantly better and that the dog noise can still be heard over the fence. He does take dogs outside to exercise and he doesn't have a problem with this but that the problem is when they are left outside all day.

Mr. Edmonds said it was unfortunate we don't have anything from Mr. Connelly that shows the aftermath of his mitigation and effort. Mr. Edmonds said intuitively you would think that if there was an original fence and now a second fence higher than the original with special material applied to it that is designed to mitigate the noise from barking dogs, you would think that this would be a remedy. Mr. Connelly said you may think that but it's not the case. He said maybe if

he put the sound proof barrier on the inside or outside of the building maybe that would work. Mr. Edmonds mentioned they were not too concerned with the building; it is the addition of the pens that have been added on the outside. Mr. Edmonds asked if they were on the south end of the property and the depth of lot. Mr. Connelly said yes they are on the south end and his lot is about 170 feet deep with his house centered roughly in the middle of the property putting him about 120 to 130 feet from where the kennels would be.

Mr. Flores wanted to make a distinction between what was said at the last meeting and now. In prior testimonies it was have heard and suggested methods of noise mitigation those are two different things. By him acknowledging yes there was a lessening of the noise and he knows he showed the readings. With all do respect keep in mind that mitigation suppression has a distinction in meaning.

In rebuttal, Dr. Morton said he submitted multiple letters of support and has had numerous members of the community come at unannounced times and who have come to meetings that were held and ask that you look at the experience noted in their letters as to any noise. Dr. Morton also wanted to note he is not an expert in acoustics but it seemed like on his meter it was measuring background noise. It didn't appear to show spikes with any of the barking. He mentioned it is his understanding that Mr. Connelly does not live on the property at this time, and that they were asked by Code Compliance to no longer live in the motor home.

Mr. Genua asked Dr. Morton if he were to put an angled piece upward at the top would it help deflect some of the sound. Dr. Morton said he would look into that, but he is not sure anything they do would help the situation. Mr. Genua also asked is there a way he could schedule the dogs at certain hours so all the kennels aren't occupied at the same time. Dr. Morton said they don't do that because barking is an issue in any veterinary clinic hospital or boarding facility. He said never are there nine dogs outside at any given time. The animals are on a schedule and are taken out first thing in the morning.

Ms. McDougall wanted to mention she made three unannounced visits, and on two occasions the dogs were outdoors before the fencing was put up. She said she was in front of Mr. Connelly's property and did not experience a lot of barking. It may have been the timing also as Mr. Edmonds had mentioned. She did say there were specific guidelines she laid out for them as neighbors that they should do. Ms. McDougall thanked Dr. Morton for doing that and trying to work together. She wanted to note for the record she did make some personal site visits and experience it herself.

Motion: Following brief discussion, Ms. McDougall recommended Approval of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>				<i>ZC-14-015</i>	
Name	Address	In/Out 300 notification area	Position on case		Summary
Bob Gallant	6912 Brentwood Stair	Out	Support		Spoke at hearing
James and Stephanie Connelly	6750 Works	In		Opposition	Spoke at hearing/sent letter in

Judy Lander/ Handley NA	NA	Out	Support		Sent letter in
Greg Ricks/ Community Development Council	NA	Out	Support		Sent letter in
Doug Jennings	6737 Brentwood Stair	In	Support		Sent letter in
Chris McCoy	6737 Brentwood Stair	In	Support		Sent letter in
Norman Bermes/ East Fort Worth Code Blue	NA	Out	Support		Sent letter in
Jean McCheng	1744 Yolanda	Out	Support		Sent letter in
Paul Kenpoe	6717 Craig	Out	Support		Sent letter in
Jerry Barto	3512 Stone Creek Ln S	Out	Support		Sent letter in
Alex Jimenez	245 Willow Ridge	Out	Support		Sent letter in
Andre' McEwing	PO Box 24253	Out	Support		Sent letter in
Kara Chaney /East Fort Worth Inc	NA	Out	Support		Sent letter in
Charlotte Jones	6737 Brentwood Stair	In	Support		Sent letter in
Edward Sakerkra/ Michael Phipps	4451 Normandy	Out	Support		Sent letter in

IV. New Cases

3. ZC-14-020 Shope & Ryan Management Inc. (CD 9) – 3220 – 3248 S. University (PR Weatherford Addition, Block 3, Lots 12-17, and Bluebonnet Hills Addition, Block 4, Lots 1 & 2, 1.37 Acres): from “C” Medium Density Multifamily to “UR” Urban Residential

Barry Hudson, 550 Bailey, Suite 400, Fort Worth, Texas representing Shope & Ryan Management, Inc., explained to the Commissioners the request to change the zoning to UR. Mr. Hudson said the property is one block south of Berry Street, one block north of Bluebonnet Circle and within the Bluebonnet Hills Urban Village. Mr. Hudson noted the UR District was created specifically for this location and as part of the Urban Village planning process. It is referred to as MU light or mixed-use without the commercial element. He said that UR encourages a range of housing choices within walking distance of mixed-use urban villages, - it is one block from Berry St. and two blocks from TCU- and allows for four different building forms. Densities are controlled by building form and other development standards such as enhanced landscaping and streetscaping along South University Drive. The typical housing in this area is three stories, with 35 ft. maximum height. A mixture of housing types is present to provide architectural diversity while shallow front setbacks frame the pedestrian environment and engage building facades. Mr. Hudson said this is a perfect description of their project.

Mr. Hudson said the staff report is a good summary and mentions it is supportive of this case, compatible with surrounding land uses and consistent with the Comprehensive Plan, including the Urban Village Master Plan.

<i>Document received for written correspondence</i>				<i>ZC-14-014</i>	
Name	Address	In/Out 300 notification area	ft	Position on case	
				Summary	
Ron Shearer/ District 2 Alliance	NA			Opposition	Sent letter in

9. ZC-14-015 Tim Morton DVM PLLC (CD 5) – 1501 Handley Drive (Ederville Addition, Block 36, Lot A-1, 2.14 Acres): from “FR” General Commercial Restricted to “PD/FR” Planned Development for all uses in “FR” General Commercial Restricted plus outdoor kennels; site plan waiver requested

Tim Morton, 1501 Handley Drive, Fort Worth, Texas property owner explained to the Commissioners they purchased the property in 2000 in order to expand their facility that was on East Lancaster. He mentioned he had meet with staff to make sure the exercise yards would be appropriate in this zoning district, and was assured it was as long as they weren’t outdoor kennels for animals kept overnight. He mentioned they did receive a permit in 2012 and CO in 2013.

The issue at hand is the kennels and how they come out of the building. Mr. Morton said their location is at the southeast corner of the intersection of E. Loop 820 and I-30 which creates a lot of noise for the area. There is a multiwall gas drill site about 800 feet to the northeast of their property. There is a post office located to the north which has a considerable amount of traffic and also creates substantial noise. The eighteen wheelers bring in mailand they start about 3:00 in the am and have reverse signals for backing out. There is a Wells Fargo Bank to the south which is one of the busiest motor banks in the metroplex.

Mr. Morton noted they purchased the property to the south of them and use it for a dog park and to the south of that is a small human park. Mr. Morton went on to mentioned in late November he received a complaint from Code Compliance from his neighbor to the east directly behind him about not being in compliance with Zoning. The outdoor kennels are directly south of the building as indicated and are not currently being used for outdoor kennels at night, they would like to in the future. He mentioned the closest residence to the facility is his; he lives in the building. He said there has been an issue with dogs barking all the time but they do not allow the dogs to stay out if they continually bark. He does let his own dogs out directly behind the building to the east. He said he has letters of support from the East Fort Worth Business Association, their neighborhood association and a property owner to the east about three lots over.

Mr. Genua asked Dr. Morton to show the Commissioners all the property he owns. Mr. Morton outlined the area on the overhead aerial which is south and to the east down to Brentwood Stair.

Ms. Conlin asked him to show the Commissioners where the kennels are located. Mr. Morton said they are on the south side of the building attached.

Ms. Reed asked if the dogs have access to the kennels at night. Mr. Morton said no.

Ms. McDougall asked if the kennels were intended for boarding. Mr. Morton said they have indoor kennels and the issue is they expanded them for outside kennels. Ms. McDougall asked what kind of barrier is between his property and his neighbor to the east. Mr. Morton said it was a six foot wood fence. She also asked did the residence behind him come in after he purchased the property. Mr. Morton said yes they moved in 2001 and he believes the resident's father bought the property to the east in late 2004. Ms. McDougall asked how many runs are proposed. Mr. Morton said they have nine runs.

Nick Cierfella, 6705 Daffield Circle, North Richland Hills, Texas spoke in opposition. Mr. Cierfella said this noise happens seven days a week, sometimes till 10 or eleven at night. He moved because of the noise. Mr. Flores asked him to indicate where he did live. Mr. Cierfella pointed to the existing house.

Stephanie Connelly, 6750 Works Street, Fort Worth, Texas spoke in opposition. Ms. Connelly mentioned prior to the building of the kennels she had no problems with the vet clinic; they have two dogs of their own. She works from home and sometimes has to leave when doing conference calls or webinars because she can't hear. She mentioned after being exposed to constant barking she went to the doctor with severe anxiety and panic attacks.

Mr. Flores asked how many times did this get reported to Code Compliance. Ms. Connelly said the initial report was made in November; they have talked to the Code Officer and were told he had been cited. Mr. Flores asked if she has talked to Dr. Morton. Ms. Connelly said she has not spoken to him personally but her husband has.

A video clip was played for the Commissioners. Ms. McDougall asked how far away from the fence are they recording the video. Ms. Connelly said probably seventy five feet. She mentioned you can hear the dogs barking inside the building now that they have added the addition. .

James Connelly, 6750 Works Street, Fort Worth, Texas spoke in opposition. He mentioned he purchased his home about ten years ago. When Dr. Morton began building kennels and leaving dogs outside for long periods of time, he had several discussions with Dr. Morton asking him to limit the number of dogs and limit the amount of time they are left out. Mr. Connelly said he was willing to compromise and after he built the steel addition the noise level increased dramatically, even when the dogs are kept inside. He said dogs are left out seven days a week sometimes 12 to 13 hours a day. He noted both he and his wife had to seek help for stress disorder.

Mr. West asked Mr. Connelly when he purchased his property ten years ago if it was zoned residential. Mr. Connelly said it has always been residential even though it is zoned E. Mr. Connelly indicated on the map the areas where the dogs are let out all the time. Mr. West asked if these areas were fenced and are dogs kept overnight. Mr. Connelly said currently there are no dogs left out at night.

Mr. Genua mentioned that Mr. Connelly said he never had a problem or heard dogs when he was in the brick building. Mr. Genua asked him to draw on the aerial where he added on to the building. Mr. Connelly indicated they are on the south side of the building.

Ms. McDougall wanted to clarify the first complaint was in November. Mr. Connelly said yes and the problem kept escalating. Ms. McDougall asked when the metal building was built. Mr. Connelly said about a year and a half ago. Ms. McDougall stated the kennels have been there for about a year and a half and that he has tried to be civil in the meantime. Ms. McDougall asked Mr. Connelly if there was anything Dr. Morton could do to help make things easier on his end. Mr. Connelly said he could add additional sound proofing to the building and have fewer dogs outside.

Mr. Northern wanted to clarify what surrounds the building. Mr. Connelly said his house is to the east, the bank is to the south and post office to the north.

In rebuttal, Dr. Morton wanted to point out in the video it was the same dogs barking at the same intensity throughout what they called multiple days. Dr. Morton said there have been multiple complaints with animal control and the police and both verified there were no issues. Mr. Morton said his metal building has 6” of insulation when 3” of blown insulation was required by the building code. He mentioned there are dogs in the exercise area which is close to his property.

Ms. Conlin asked Dr. Morton if he would be willing to host a meeting at his kennel for other businesses in the area. Dr. Morton said he would be happy to. They do have community leaders there weekly sometimes and have had no complaints.

Mr. West needs clarification on the definition of kennel. Mr. West noted he expanded the building on the south side towards the bank, blew in insulation, and dogs come and go. Dr. Morton explained they are guillotine doors that can be open and closed. He also mentioned the dog park was built in late 2005 to early 2006. Dr. Morton said the issue is the nine pens that extend outside the building that can be used for overnight kenneling. He would be happy to say in the motion that dogs will not be kept outside at night.

Mr. Flores asked if he could give a detailed description of the partitions and how they are constructed. Dr. Morton said the outdoor areas are welded wire panels that separate each individual run. He said they are open air panels and no insulation. This will give them access to the dog park rather than walking them around. Mr. Flores mentioned the possibility of some type of baffling material to mitigate the sound. Dr. Morton said each kennel is associated with an indoor run.

Mr. Flores wanted to reflect a comment Dr. Morton made about amending his request for no outdoor housing of animals particularly dogs overnight. Dr. Morton said yes. Mr. Flores also asked about electronic devices being used to control barking. Dr. Morton said most of the animals come in for the weekend and he is not sure the owners would appreciate him trying to train them not to bark, nor would they have the time.

Mr. Northern asked if he has had any opposition from property owners that live in A-5 zoning to the east. Dr. Morton said no other than the one he spoke to in support.

Ms. Burghdoff wanted to clarify the outdoor kennel request for the nine runs on the southside of the building. Are there any outdoor runs proposed on the east side of the building. Dr. Morton said he has four little dogs that go out in his back yard in the northeast corner of the building which is why he put up a six foot fence that separates his backyard from Mr. Connelly’s

property. Ms. Burghdoff asked about the residence being in FR. Ms. Murphy said it was permitted as a security residence.

Motion: Following brief discussion, Mr. Flores recommended Approval of the request, seconded by Mr. Hollis. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					<i>ZC-14-015</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary
Nicholas Ciarfella	6705 Daffield Circle	Out		Opposition	Spoke at hearing
Stephanie and James Connelly	6750 Works	In		Opposition	Spoke at hearing
Doug Henderson/ EFWBA	NA			Support	Sent letter in
Ramiro Ramos	1550 Milam	Out		Support	Sent letter in
Kye Tatum/ Harmony Hills NA	NA			Support	Sent letter in
William C Jennings	6737 Brentwood Stair	Out		Opposition	Sent letter in
Pete Flores	6800 Works	In		Opposition	

10. SP-14-002 Ashmi LLC and Mithui LLC (CD 2) – 6105 Old Denton Road (Western Crossing Addition, Block 2, Lot 1-R, 1.73 Acres): to Amend “PD-788” site plan to increase the building size and location

Norman Patton, 413 Cedar Street, Cedar Hill, Texas representing Ashmi & Mithui LLC. explained to the Commissioners the owner had a previously approved site plan and wants to change the layout configuration of the hotel.

Mr. West asked Mr. Patton if he has had any contact with the neighborhood. Mr. Patton said no.

Mr. Flores asked the applicant why the change in the layout. Mr. Patton said the hotel business revolves around the different type hotel franchises available. The owner wants to use a different type of franchise that would be beneficial to him for the area. They are proposing a Hyatt Hotel. Mr. Flores mentioned District 2 Alliance did meet on this and sent a letter of support in.

Motion: Following brief discussion, Mr. Flores recommended approval of the request, seconded by Mr. West. The motion carried unanimously 7-0.

<i>Document received for written correspondence</i>					<i>SP-14-002</i>
Name	Address	In/Out 300 notification area	ft	Position on case	Summary