

PLANNING AND ZONING COMMISSION DRAFT MINUTES OF NOVEMBER 1, 2010

AGENDA PUBLIC HEARING ITEM: #5- SU100602/S100602 – Specific Use Permit/Site Plan – 3010 S. Carrier Parkway (City Council District 4).

Senior Planner Mary Elliott presented the case report and a Power Point presentation to the Commission for approval of a Specific Use Permit for a convenience store with gasoline sales on 2.187 acres. The site is currently zoned General Retail (GR) District and is located at the northwest corner of S. Carrier Parkway and W. Warrior Trail. The subject property is located within the S.H. 161 Overlay District. The owner is Barkat Daradza, the applicant is DDC, Inc., and the agent is Mohammad A. Habb.

Mrs. Elliott stated the proposed Convenience Store with Gasoline Sales will occupy a 12,058 square-foot masonry building on a 2.187 acre tract of land. Article 4 of the Unified Development Code (UDC) requires a Specific Use Permit for a Convenience Store with Gasoline Sales in a General Retail (GR) District. The operational plan states that the business will employ about 15 to 18 employees. The convenience store will be open 24 hours a day, seven days a week, and will not sell sexually oriented materials including, but not limited to, magazines.

A previous site plan was submitted for this site as case number SU071203/ S071201. The case was denied by City Council by a vote of 4 to 3. The applicant has made changes to the site plan based upon review of the Council minutes. The differences between the old submittal and the new submittal are as follows:

- 1) The original application was for six lots on 4.9 acres with a Specific Use Permit for a Convenience Store with Gasoline Sales on the northwest corner of Carrier Parkway and Warrior Trail. The other buildings were speculative retail and medical office uses.

The new application is for one lot (2.187 acres) with a Specific Use Permit for a Convenience Store with Gasoline Sales (and restaurant) on the northwest corner of Carrier Parkway and Warrior Trail. The other lots will remain un-platted. Site Plans will be required when those lots are ready for development.

- 2) The original application required a variance for the minimum stone requirement as required by the State Highway 161 (SH-161) Overlay District.

The new application is not requesting any variances.

- 3) The original application did not include a Concept Plan.

The new application includes a Concept Plan that encompasses the entire acreage under common ownership. A detailed drainage study will be required with the plat submittal.

- 4) The original application included eight gas pump islands. The new application includes five gas pump islands.

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- 5) The original application included a drive-through lane at the rear of the property, adjacent to residential zoning and uses. The new application does not include a drive-through lane.
- 6) The original application had the convenience store directly facing Carrier Parkway, which would allow light spillage from the overhead canopy in the pump areas to the residential area to the north.

The new application has the convenience store building oriented diagonally, facing the intersection of Carrier Parkway and Warrior Trail, which allows the building to act as a buffer between the lighting in the gas pump islands and the adjacent neighborhood.

- 7) The new application includes a condition in the ordinance that any lighting at the rear of the property will be directed toward the center of the site and shielded to eliminate any direct glare on adjoining residential development.

Mrs. Elliott stated the Site Plan meets the parking and landscape requirements. There will be 71 parking spaces including four handicap spaces, which meets the 44 space requirement. The required landscape area for the General Retail (GR) District is 5% of the total site area. The proposed landscape area is 40% of the total site area. The color scheme of the building is tan, beige and red earth tones. The exterior building materials will brick and stone with 10% stucco accent materials, similar to another convenience store that the company owns in Irving. The dumpster enclosure will be a six-foot tall masonry screening fence that is similar in material to the main structure and meets the requirements of UDC, Subsection 8.8.7.2.

Mrs. Elliott stated no appeals are being requested by the applicant. The Development Review Committee (DRC) recommends full approval of this case as it is in full compliance with all applicable requirements of the Unified Development Code.

Chairman Garrett noted there were no questions for staff, opened the public hearing, and asked for speakers.

The applicant Mohammad A. Habb, 2402 Arbuckle, Dallas, TX was present representing the case.

Chairman Garrett noted there were no questions and no other speaker cards submitted for this case.

There being no further discussion on the case, Commissioner Waggoner moved to close the public hearing and recommend approval of case SU100602/S100602 as presented by staff. The action and vote being recorded as follows:

Motion: Waggoner

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Second: Philipp

Ayes: Garrett, Adams, Moss, Koerth, Motley, Waggoner, and Philipp.

Nays: None

Approved: **7-0**

Motion: **carried.**