



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
FEBRUARY 6, 2017**

COMMISSIONERS PRESENT: Chairperson Lynn Motley, Vice-Chairperson Bill Moser, Commissioners Charlie Womack, Kurt Johnson, Dr. Juan Perez, Joshua Spare, John Lopez, Shawn Connor

COMMISSIONERS ABSENT: Cheryl Smith

CITY STAFF PRESENT: Bill Crolley, Executive Director, Charles Lee, Senior Planner, Savannah Ware, Planner, Colby Collins, Planner, Steve Alcorn, Assistant City Attorney, Daon Stephens, Transportation Planner, and Chris Hartmann, Executive Assistant

Chairperson Motley called the meeting to order in the Council Chambers in the City Hall Building at 6:44 p.m.

Chairperson Motley gave the invocation, and Commissioner Moser led the pledge of allegiance to the US Flag, and Commissioner Womack led the pledge of allegiance to the Texas Flag.

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following Consent agenda Items – P170301 – Final Plat – Victory @ Lakeridge Addition, Lot 5, Block 1, P170302 – Final Plat – GSW Bardin Addition, Lot 2, Block 1, RP170301 – Replat – Family Dollar – Belt Line GP, Lot 14A, Block A, RP170302 – Replat – Lake Ridge Section 10-11, Lot 497-R, Block 1, RP170303 – Replat – Lodge Realty Addition, No. 2, Lots 1B, 2B, and 3, Block 1, P170304 – Replat- RCCG Tower of the Love Addition, Lot 1, Block A.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of January 9, 2017.

PUBLIC HEARING CONSENT AGENDA: Item #3– P160602 - Final Plat - La Jolla Phase 2 (City Council District 4). A request to approve a final plat to create a 118-lot-residential subdivision. The 42.05-acre property, located at 7640 Arlington Webb Britton Rd. (northeast corner of Arlington Webb Britton and Charles England Parkway), is zoned Planned Development-298A (PD-298A) District and is within the Lakeridge Parkway Overlay District. The agent is Daniel Dewey, JBI Partners, Inc. and the owner is Keith Hardesty, First Texas Homes.

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Item# 4 -P160603 - Final Plat - La Jolla Phase 3 (City Council District 4). A request to approve a final plat to create an 82-lot-residential subdivision. The 21.26-acre property, located at 7640 Arlington Webb Britton Rd. (northeast corner of Arlington Webb Britton and Charles England Parkway), is zoned Planned Development-298A (PD-298A) District and is within the Lakeridge Parkway Overlay District. The agent is Daniel Dewey, JBI Partners, Inc. and the owner is Keith Hardesty, First Texas Homes.

Item #5-P170201 - Final Plat - Versailles Estates (City Council District 6). A request to approve a final plat to create a 38-lot-single family residential subdivision. The 10.00-acre property, located at 7701 Arlington Webb Britton Road, zoned Planned Development-354 (PD-354) District, is within the Lake Ridge Corridor Overlay District. The agent is A.N.A. Consultants LLC and the owner is Robert Shelton, Versailles Development.

Item #6-P170202 - Final Plat - Sneed's Place Development (City Council District 6). A request to approve a Final Plat creating a five lot subdivision in the City of Grand Prairie's extraterritorial jurisdiction. The 54.350-acre property is located at 5351 Buffalo Street. The owner is Edwardo Garcial, Mary Estrada, Lacy Garcia, Rosa Garcia, Tracy Taylor, NSA Op, LP, Larry Atchley, Freedom Community Church, and Don Sneed,

Item #7-RP170201 - Replat - Westchester East Addition, Lot 2R and 3R, Block A (City Council District 6). A request to approve a replat to Lots 2R and 3R, Block A, of the Westchester East Addition, to create lots within the existing non-residential subdivision. The 6.74-acre property, located at 510 Westchase Drive, is zoned Planned Development-173 (PD-173) District and is not located within an Overlay District. The agent is John Bezner, Civil Point Engineers and the owner is William McGuire, IP UTP Grand Prairie, LLC.

Item #8-RP170202 - Replat - Westover Place Revised, Lot 1-R, Block F (City Council District 5). A request to replat Lot 1-R, Block F, of Westover Place Revised, to create a single lot within the existing residential subdivision. The 0.287-acre property, located at 2625 Fairfax St. (zoned SF-4 - Single Family-4) and 2626 Summit View St. (zoned 2F - Two Family Residential District), is not located within an Overlay District. The agent is Luke Keeton, Keeton Surveying Co. and the owner is David Grice, Lighthouse Baptist Church.

Item #9-RP170203 - Replat - Forum Park Addition, Lot 1R, Block D (City Council District 2). A request for approval of a Replat creating one non-residential lot on 15.009 acres. The subject property is zoned Light Industrial (LI) District and located at 2710 Forum Drive. The agent is Alexander Camunez, Pacheco Koch.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item#10- Z170201/CP170203 - Zoning Change/Concept Plan – Hwy. 161 and January Ln.

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Motion was made to approve the consent agenda items regarding the Disapproval of Plats without Prejudice pending completion of the City's review process and submittal of corrections by the applicants for cases P170301, P170302, RP170301, RP170302, RP170303 and RP170304, and approve the minutes of January 9, 2017, and approve public hearing consent agenda items P160602, P160603, P170203, RP170201, RP170202, and RP170203, and table case Z170201/CP170203. The action and vote being recorded as follows:

Motion: Moser

Second: Connor

Ayes: Conner, Johnson, Lopez, Moser, Motley, Dr. Perez, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #11 - SU170104 - Specific Use Permit - Juan's Beer Barn (City Council District 5). Bill Crolley presented the case report and gave a Power Point presentation to approve a Specific Use Permit to operate a drive-through facility to operate a retail beer and wine facility for off-site consumption. The 0.678-acre property is zoned Central Area (CA) District, located within the Central Business(CBD) Overlay District, Section 2 and addressed as 507 E. Main Street, Suite 100. The applicant is Erik Jaimes and the owner is Blanca Barbosa.

Mr. Crolley stated the applicant is seeking a specific use permit to operate a retail beer and wine sales business with a drive-through. All retail establishments with a drive-through require the approval of a specific use permit in all zoning districts where they are permitted per Article 4, "Permissible Uses" of the Unified Development Code, Section 4.8.4., if they are located within 300 feet of any Agriculture, Single-Family, 2 Family, Multi-Family zoning district, or designated overlay district. Also, all nonresidential development located within a designated overlay district require site plan approval from the Planning and Zoning Commission and the City Council at a public hearing. The property is located in the Central Business District Two (CBD-2), which is considered an Overlay District. This application submittal is being made in substantial conformance to these requirements. La Cabana Beer Barn originally opened in September 2006. The establishment's Health & Alcohol permit was revoked in December 2009 by the City's Environmental Health Department. In March 2010, under a change of ownership La Nueva Cabana opened and operated the beer barn until December 2011 under new ownership. Research shows that the business closed voluntarily sometime in 2012. Since the drive-through facility had since lost its non-conforming status; an SUP shall be required per UDC stated above.

Mr. Crolley state the subject 0.678-acre property occupies a lease space attached to an existing restaurant located at Suite 100, 507 E. Main Street. The combined 4,800 square foot property is under single ownership. As was previously orientated, the applicant does not propose any new changes to the general layout of the drive through facility. The front entry consists of an overhead door allowing for patron to drive vehicles through the beer-barn design and make

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orders and exchange commerce in that fashion. The primary entry/approach off East Main Street and minimum vehicular stacking requirement conform to City standards as do the expected circulation patterns. The site meets the minimum parking requirement for restaurant/retail establishments. The applicant is volunteering to add conditions of approval to this request. The voluntary conditions are centered on the business's operation, advertisement, employee attire and interaction with patrons. As submitted in writing the applicant proposes:

- Employees shall be dressed in jeans and t-shirts given by the business owners. The shirt will be covered showing no less than the neck down and up to their elbow. Shirts will be navy blue with the name of the business.
- Employee shall take all orders from inside the business's property on a tablet or paper pad on a first come first serve basis. Orders shall be taken from patrons in vehicles only. Walk-in orders shall be prohibited.

Mr. Crolley stated the Development Review Committee recommends approval subject to TABC and all Federal Alcohol Regulations and adherence to self-imposed operational conditions.

Chairperson Motley asked there be a sign requirement stating "no consumption of alcohol shall be permitted on the premises", and asked if someone purchases a drink from the establishment and then parks in the parking lot to drink it would the applicant be responsible.

Mr. Crolley stated the applicant must adhere to all of the TABC requirements and sign posting regulations, but yes the owner/tenant would be responsible.

Mr. Alcorn stated the owner/tenant is responsible to make sure no alcohol is consumed on the premises this is also a TABC requirement.

Chairperson Motley asked why the previous TABC license was revoked.

Commissioner Spare asked if someone purchase alcohol then drives away and kills someone, would the City be liable under this SUP.

Mr. Alcorn replied no.

Commissioner Perez noted there is a restaurant attached to the building, can someone purchase some alcohol and then go into the restaurant to consume the alcohol.

Mr. Alcon stated if the restaurant sells alcohol you cannot bring in your own alcohol to consume, it must be purchased from the restaurant.

Chairperson Motley noted there were no more questions for staff, opened the public hearing, and asked for speakers.

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Erik Jaimes, 727 Circle Drive, Arlington, TX stepped forward representing the case and to answer questions from the Commission.

Chairperson Motley asked Mr. Jaimes if he was involved with this property back in 2006 when the TABC revoked their license.

Mr. Jaimes replied no, he is the new operator of the business not the owner of the property.

Commissioner Lopez asked how he would monitor any loud music on the property.

Mr. Jaimes stated he would walk the premises and would make sure his staff was aware that no loud music would be permitted onsite.

Commissioner Moser noted Manuel Barbosa is also part owner of the business along with Mr. Jaimes, who are leasing the building from Blanca Barbosa the owner, they are the ones instating the Operational Plan, if this case is approved, the Operational Plan would then be a part of the SUP requirements these requirements be written into the lease by Blanca Barbosa if they do not adhere to these requirements then the SUP would be revoked. Mr. Moser asked that the SUP have a one year review and signs stating “no consumption of alcohol is permitted onsite”.

Chairperson Motley asked if the attached restaurant sells alcohol.

Mr. Jaimes replied no, he is not aware of them selling alcohol.

There being no further discussion on the case Commissioner Moser moved to close the public hearing and approve case SU170104 as presented and recommended by staff, including the operational plan/conditions submitted by the applicant be included in the SUP ordinance adding to the ordinance that Blanca Barbosa, property owner, must note all of the requirements and conditions from the ordinance into the lease agreement and provide the city with a copy, and a one year renewal be required from the date of City Council approval.

Chairperson Motley stated the last type of business this City needs is a beer barn, he does not believe this type of business would add anything of value to this community, but with all of the conditions set by Mr. Moser’s motion he would vote on this case, but does not believe this is the best and highest use for Grand Prairie.

The action and vote being recorded as follows:

Motion: Moser

Second: Perez

Ayes: Conner, Johnson, Lopez, Moser, Motley, Dr. Perez, and Womack

Nays: Spare

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Approved: 7-1

Motion: **carried.**

Citizen Comments: None

Commissioner Moser moved to adjourn the meeting of February 6, 2017. The meeting adjourned at 7:15 p.m.

Lynn Motley, Chairperson

ATTEST:

Joshua Spare, Secretary

An audio recording of this meeting is available on request at 972-237-8255.