



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
SEPTEMBER 9, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Commissioners Bill Moser, Shawn Connor, Warren Landrum, Eric Hedin, Cheryl Smith, Max Coleman.

COMMISSIONERS ABSENT: Clayton Fisher and Eduardo Carranza

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Ted Helm, Planner, Nyliah Acosta, Planning, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order in the Council Chambers in the City Hall Building at 6:30 p.m. Commissioner Moser gave the invocation, Chairperson Spare led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #19- Z190302/CP190302 - Zoning Change/Concept Plan – Kalterra Mixed Use Development, Highway 161 & Forum Drive (City Council District 2). Senior Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a horizontal mixed use development on 55.5 acres, including Commercial, Retail, Multi-Family, and Single Family Townhouse uses, and allowing for two restaurants with drive-through, two hotels, and a bank with a drive-through by right. Tract 7, William Reed Survey, Abstract No. 1193, and Tract 1.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-331, within the SH-161 Overlay District, and generally located on the northwest corner of S Forum Dr. and SH-161. The applicant is Clint Nolen and the owner is Sunny Sheu.

Ms. Ware stated the purpose of the request is to create a planned development for single family townhouse, multi-family, and commercial uses in the SH-161 Corridor Overlay District. At its May 6, 2019 meeting, the Planning and Zoning Commission voted 8-0 to deny Case Number Z190302/CP190302. The applicant appealed the Planning and Zoning Commission's decision to deny, requesting that the case be forwarded to City Council. The applicant made the following changes to the concept plan: shifted the location of uses in Zone B so that multi-family uses framed the ceremonial drive, eliminated an alternative that would allow a portion of Zone C to be developed for commercial use, and reduced the number of fast food restaurants allowed by right from two to one. At its May 21, 2019 meeting, City Council remanded the case back to the Planning and Zoning Commission due to the scope of changes made by the applicant. On July 22, 2019, the applicant submitted a Traffic Impact Analysis to the Transportation Department for

review. In response to Transportation Department's comments, the applicant eliminated two of the drives off of SH-161 and added decel lanes for the remaining three drives. The Concept Plan depicts a horizontal mixed use development.

Ms. Ware stated Mixed Use development should include a mixture of retail, high density residential, personal service and some limited office uses in a pedestrian oriented development. The proposal is consistent with the FLUM and following goals, policies, and objectives in the 2010 Comprehensive Plans. The applicant is proposing a base zoning district of General Retail-One. Allowable uses will be those provided for in the Unified Development Code for General Retail-One Districts with the changes; the applicant is proposing to prohibit Convenience Stores with Gasoline Sales in this zone. The UDC allows Convenience Stores with Gasoline Sales with City Council approval of a Specific Use Permit; and the applicant is also proposing to allow one Restaurant with a Drive-Through by right. The UDC allows Restaurants with a Drive-Through with City Council approval of a Specific Use Permit. The applicant is proposing base zoning districts of Multi-Family Three and General Retail-One. Commercial development will be subject to the proposed General Retail-One Standards. Allowable uses will be those provided for in the Unified Development Code for General Retail-One Districts with the changes listed below.

- The applicant is proposing to prohibit Convenience Stores with Gasoline Sales in this zone. The UDC allows Convenience Stores with Gasoline Sales with City Council approval of a Specific Use Permit.
- The applicant is proposing to allow two Hotels by right. A hotel requires City Council approval of a Specific Use Permit when located within 300 feet of a residential zoning district, within a designated overlay district, or within 900 feet of a similar use.

Ms. Ware stated Multi-family development will be subject to standards for Multi-Family Three District with some modifications. The applicant is proposing a parking ratio of 1.3 parking spaces per unit and that garages account for 10% of the required parking spaces. The applicant is proposing to develop Zone C for townhomes or hybrid housing and a child care facility allowed by right. Townhouse development would be subject to development standards for Single Family Townhouse District with some modifications. The applicant is proposing that attached garages account for 25% of required parking spaces. Appendix W of the UDC requires two garage spaces for each unit with two or more bedrooms and one garage space for each unit with one bedroom. Hybrid housing development would be subject to the development standards for Multi-Family One District with some modifications. The applicant is proposing that attached garages account for a minimum of 20% of required parking spaces and carports account for a minimum of 30% of required parking spaces. The applicant is proposing to allow a child care facility by right. The UDC requires a Specific Use Permit in all zoning districts.

Ms. Ware stated staff is supportive of a horizontal mixed use development at this location and is comfortable with the proposed mix of uses. However, an appropriate mix of uses is not the only element needed to create a successful mixed use development. A strong vision ensures that all elements (including the integration, mix, and placement of uses) are designed around the pedestrian. A well thought-out, master planned approach prioritizes the vision throughout the design and construction of all phases. This approach ensures that the orientation of buildings,

spacing of driveways, and location of parking areas support the vision instead of accommodating a single lot or use. Staff recommends approval with no variances and the following conditions:

1. Development must meet the requirements and intent of Appendix F and Appendix W;
2. Both sides of the promenade must be built together or with a park on one side;
3. The developer shall establish an HOA for the townhomes and the HOA shall be responsible for maintaining the entire exterior including landscaping and residences;
4. Hybrid Homes shall have the same appearance on all four sides;
5. Parallel parking shall be the only parking along the north-south drive and promenade; and
6. Buildings shall maintain a consistent build-to line.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

ShaQuandi Eaves, 2007 Paducah Lane, Grand Prairie, TX spoke in opposition to this request. The townhomes and the hotels would be too close to her neighborhood and would become an eyesore at this location there is a lot of multi-family coming into the area. Traffic is already a major concern at this location.

Commissioner Smith asked if the developer has spoken to the community regarding this development. Mrs. Eaves replied no.

Clint Nolan, 3710 Rawlins Street, Ste 1310, Dallas, TX stated they have been working with staff for several months this case should not have been presented back in May it was not ready the owner purchased this property with the intent to construct a furniture retail store. He said the can remove some of the variances.

Commissioner Moser stated he does not see any changed from the last time this case came before the commission or the original proposal that was denied, he has an issue with the number of variances that are being requested.

Commissioner Connor stated his concern is the best use of the land there are enough apartments and tiny homes being approved in the area.

Commissioner Coleman stated he does not have a problem moving forward with staff's recommendations.

Chairperson Spare stated he has a problem rezoning land for more apartments, but has to think about what is the best use for this property and the area.

Commissioner Smith agrees with Mr. Connor and Mr. Spare, we already have a number of apartment complexes coming into this area.

Commissioner Hedin stated by adding big boxes would this be any better than what is being proposed, because development will happen.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z190302/CP190302. The action and vote being recorded as follows:

Motion: Smith

Second: Landrum

Ayes: Connor, Landrum, Moser, Smith, Spare

Nays: Coleman, Hedin

Denied: 5-2

Motion: **carried.**