



**REGULAR PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
NOVEMBER 7, 2016**

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

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Bill Crolley, Executive Director, Jim Hinderaker, Chief City Planner, Denice Thomas, Senior Planner, Charles Lee, Senior Planner, Savannah Ware, Planner, Steve Alcorn, Assistant City Attorney, Daon Stephens, Transportation Planner, Walter Shumac, Transportation Director, and Chris Hartmann, Executive Assistant.

Chairperson Motley called the meeting to order in the Council Chambers in the City Hall Building at 6:40 p.m.

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

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following Consent agenda Items – P161201, Final Plat, Beltline Road & IH 30 Addition, Lots 3 & 4, Block A, P161202 – Preliminary Plat, Victory at Lakeridge, Lots 1, 4-6, Block 1, RP161201 – Replat, Lake Crest Unit 2, Lot 5R, Block 4, and RP161202 – Replat, William H. Thomas Addition, Lot 9R, Block B.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of October 3, 2016.

PUBLIC HEARING CONSENT AGENDA: Item #3–P161101 - Final Plat - Jessie M. Addition, Lot 1, Block 1 (City Council District 6). Approval of a Final Plat creating one (1) residential lot on 0.43 acres. The property is zoned Single-Family Five (SF-5). The property, addressed as 1606 Matthew Road, is generally located north of Ranch Road and east of Matthew Road. The property is also located within the Matthew Road Mobile Home Estates.

Item #4- P161102 - Final Plat - Cruz Circle Addition (City Council District 1). Approval of a Final Plat creating two (2) residential lots on 0.95 acres. The property, addressed as 352 Gilbert Circle, is located north of Gilbert Circle and east of Rose Lee Seaton Road.

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Item #5- RP161102 - Replat - Wildlife Commerce Park Addition, Lot 1R1 & 1R2, Block 2 (City Council District 1). Consider a request to divide Lot 1, Block 2, of the Wildlife Commerce Park Addition into two non-residential lots. The 47.38/-acre property, located at 715 Commerce Park Drive, is zoned Planned Development-217C (PD-217C) District.

Item #6-RP161105 - Replat - Sharpston Heights Addition No. 1, Lots 6R-A1 & 6R-B1, Block 1 (City Council District 2). Consider a request for approval of a Replat of Lots 6R-A and 6R-B, Block 1 of Sharpston Heights Addition No. 1 establishing a mutual access easement. The 2.904-acre property, located at 510 and 520 W. Pioneer Parkway, is zoned Planned Development 56 (PD-56) District.

Item #8-SU140901A - Specific Use Permit Renewal - Avera (City Council District 5). Consider a request for the indefinite renewal of Specific Use Permit No. 942 (Ordinance No. 9758-2014) permitted outdoor storage uses associated with newly constructed industrial warehouse. The 18.82 acre property, addressed as 2010 January Lane, is generally located north of January Lane and west of SH 161. The property is zoned Planned Development 347 (PD-347) for industrial warehouse uses. The property is also located within the SH 161 Corridor Overlay District. The applicant is Rick Kight, Avera Companies.

Item #9-SU150503A - Specific Use Permit Renewal - 2441 Houston Street (City Council District 1). Consider a request for the indefinite renewal of Specific Use Permit No. 957 (Ordinance No. 9864-2015) permitting the operation of a Truck Repair facility. The 0.4348 acre property, addressed 2441 Houston Street, is generally located south of Houston Street and east of NW 25th Street. The property is zoned Light Industrial (LI) District. The property is also located within Central Business District No. 1 (CBD-1). The applicant is Richard Messina, RNL Commercial Prop LLC.

Item #10-SU150602A - Specific Use Permit Renewal - 2305 Fort Worth Street (City Council District 1). Consider a request for the indefinite renewal of Specific Use Permit No. 970 (Ordinance No. 9889-2015) permitting the operation of a Plumbing Contractor facility. The 0.703 acre property, addressed 2305 Fort Worth Street, is located at the southwest corner of Fort Worth Street and NW 23rd Street. The property is zoned Light Industrial (LI) District. The property is also located within Central Business District No. 1 (CBD-1). The applicant is Charles Burton.

Item #11-SU150604A - Specific Use Permit Renewal - 2422 NW Dallas Street (City Council District 1). Consider a request for the indefinite renewal of Specific Use Permit No. 968 (Ordinance No. 9876-2015) permitting the operation of a Contractor's Shop with Limited Outdoor Storage. The 0.35 acre property, addressed as 2422 NW Dallas Street, is generally located north of NW Dallas Street and west of NW 24th St. The subject property is zoned Light Industrial (LI) District. The property is also located in Central Business District No. 1 (CBD-1). The applicant is Paul Upchurch.

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Item #13-SU151005A - Specific Use Permit Renewal - 3318 E Jefferson Street (City Council District 5). Consider a request for the indefinite renewal of Specific Use Permit No. 977 (Ordinance No. 9955-2015) permitting the operation of a Used Auto Sales lot. The 0.34 acre property, addressed as 3318 E. Jefferson, is generally located west of Camden Drive and on the north side of E. Jefferson Street. The property is zoned Light Industrial (LI) District. The property is also located within Central Business District No. 4 (CBD-4). The applicant is Juan Rodriguez.

Item #15-S161102 - Site Plan - Family Dollar at 2010 S Belt Line Road (City Council District 2). Consider a request to approve a Site Plan authorizing the construction of an 8,320 square foot retail store on 1.52 acres. The subject property is currently zoned Single Family-Two (SF-2) District. A request to rezone the property to allow commercial uses is under concurrent review. The property is located at 2010 S. Belt Line Road. The applicant is John Flippo, Max Alley Real Estate Services, LLC and the owner is Benny Emmons, Emmons & Emmons LP.

Item #16-S161103 - Site Plan - Wildlife Commerce Park Building #6 (City Council District 1). Consider a request to approve a site plan to construct a 555,160-square-foot speculative warehouse building. The 29.80-acre property, located at 715 Commerce Park Drive, is zoned Planned Development-217C (PD-217C) District. The applicant is Richard Nordyke, O'Brien Architecture and the owner is Drew Tappan, Crow Holdings.

Item #17-TA161001 – Text Amendment - Consider a request for approval of a Text Amendment amending portions of Article 6: Density and Dimensional requirements of the Unified Development Code, said amendments provide for: 1) an Administrative Review of carports and garage conversions that are routinely approved by the Zoning Board of Adjustment and Appeals (ZBA) or are located within an existing mobile home park or single family detached condominium development, 2) enhanced ZBA discretion granting relief for larger and/or uniquely shaped carports or garage conversions, and 3) repealing the requirement for a minimum 6 foot building separation between primary and accessory structures. The owner is The City of Grand Prairie.

Item #18-TA161002 – Text Amendment - Amending portions of Section 22.2.13, Section 22.2.14, and Section 22.2.17 of Article 22: Fee Schedule of the Unified Development Code, and further amending (typo correction) Section 14.5.11 of Article 14: Drainage of the Unified Development Code; said amendments will increase inspection fees assessed for inspections of multi-family structures, new commercial construction, commercial finish out, and commercial remodels. The owner is The City of Grand Prairie

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item#19- SU151004B - Specific Use Permit Renewal - 309 SE 14th Street, Item #20- SU151006A - Specific Use Permit Renewal - Import Auto Center, Item #21- SU141103B - Specific Use Permit Renewal - 301 N Belt Line Road, and Item #22- SU161101/S161104 - Specific Use Permit - Pollo Regio on S Carrier Pkwy.

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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 P161201, P161202, RP161201, and RP161202, and approve the minutes of October 3, 2016, approve public hearing consent agenda items, P161101, P161102, RP161102, RP161105, SU140901A, SU150503A, SU150602A, SU150604A, SU151005A, S161102, S161103, TA161001, and TA161002, and remove cases SU140203A, SU151001A, and S161101 to be placed under the public hearing for consideration, and table case SU151004B, SU151006A, SU141103B, and SU161101/S161104. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

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

Nays: None

Approved: 9-0

Motion: **carried.**

### Item #7-SU140203A - Specific Use Permit Renewal - Stripe-A-Zone (City Council District 1).

Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation to renewal of Specific Use Permit No. 927 (Ordinance No. 9671-2014) permitting the operation of a Pavement Striping Contractor Shop with Heavy Equipment, Outside Storage and Manufacturing uses. The 7.1 acre property is located at the southwest corner E. Abram Street/W. Jefferson Avenue and Cox Drive. The property is zoned Commercial Office (CO) District. The property is also located within Central Business District No. 1 (CBD-1). The applicant is David Sargent, Strip-A-Zone.

Mr. Hinderaker stated staff recommends approval of the renewal of Ordinance No. 9876-2015 for a period of one (1) following the issuance of the final Certificate of Occupancy for Phase One.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case SU161002/S161002 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Lopez

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

Nays: None

Approved: **9-0**

Motion: **carried.**

Chief City Planner Jim Hinderaker presented the following case reports and gave a Power Point presentation on cases SU151001A and S161101.

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES, NOVEMBER 7, 2016**

Item #12-SU151001A - Specific Use Permit Renewal - Auto Care Central (City Council District 2). Chief City Planner Jim Hinderaker presented the following case reports and gave a Power Point presentation to renewal of Specific Use Permit No. 829B (Ordinance No. 9953-2015) permitting the operation of a Used Auto Sales lot. The 1.23 acre property, addressed as 520 W. Pioneer, is generally located on the north side of Pioneer Pkwy and east of S. Carrier Pkwy. The property is zoned Planned Development 56 (PD-56) District. The agent is Rick Sala and the applicant is Nader Farokhrouz, Scope Enterprises, Inc. DBA/Auto Care Central.

Mr. Hinderaker stated Auto Care Central is an existing general automotive repair facility on 1.3 acres. The facility has 6 overhead doors on the west and east sides of the building. All repairs are done indoors. The applicant is requesting permission to add Used Auto Sales to their certificate of occupancy. No major operational changes will occur with the addition of Used Auto Sales. The parking area will expand and parking spaces will be designated for inventory and display vehicles. They will not be doing major repair work to the vehicles that will be for sale, only minor repair. Auto Related Businesses are required 1 space per 400sqft of building area. Auto sales businesses require 1 space per 400sqft of building as designated customer parking spaces. The proposed site plan will expand the parking area to the north side of the property. The applicant is required to have 18 parking spaces. The applicant is providing 37 parking spaces and 43 inventory and display vehicle parking spaces.

Mr. Hinderaker stated the Unified Development Code requires a Type 1 masonry screening wall to be placed on property lines adjacent to residential property; however, the site plan, approved in 2009, allowed for a living screen along the west property line. Staff has no objection to the continuation of a living screen and shrubs approved previously. The proposed site plan shows adequate landscaping. Staff will need to review and approved a final landscape design with details prior to approval of any building permit or certificate of occupancy.

Mr. Hinderaker stated the Development Review Committee recommends for the indefinite renewal of Ordinance No. 9953-2015.

Item #14-S161101 - Site Plan - Shopping Center at 510 W Pioneer Pkwy (City Council District 2). Consider a request to approve a Site Plan authorizing the construction of a 15,206 square foot retail strip center on 1.68 acres. The subject property is zoned Planned Development 56 (PD-56) District and located at 510 W. Pioneer Parkway. The applicant is Edward Arshouk, MA Engineering and the owner is Scope Enterprises Inc.

Mr. Hinderaker stated the applicant is proposing to construct a 15,206 square foot retail strip center on 1.68 acres. The subject property is zoned Planned Development 56 (PD-56) District. City Council approval of a Site Plan is required for new development in a planned development district. The site will be accessed by an existing drive on W Pioneer Parkway. One parking space is required for every 275 square feet; the 15,206-square-foot building requires 56 parking spaces. The applicant is providing 56 and meets the parking requirement. The proposed development meets the landscape and screening requirements.

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Mr. Hinderaker stated the Development Review Committee recommends approval subject to the conditions noted in the staff report.

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

Property owner Nadar Faroukhrouz was present representing the case and to respond to questions from the Commission. Mr. Faroukhrouz stated they are requesting an appeal to the masonry requirements for back of the property, which would not be visible from the street. He noted other businesses along Pioneer Parkway that are not 100% masonry.

Commissioner Moser asked if the Auto Care Center was 100% masonry.

Mr. Faroukhrouz replied yes.

Commissioner Spare asked if the applicant would be willing to increase the landscaping and add additional trees on the rear of the property.

Mr. Faroukhrouz replied yes he would be willing to add the additional landscaping.

There being no further discussion on the case SU151001A, Commissioner Spare moved to close the public hearing and approve case SU151001A as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Spare

Second: Moser

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

Nays: None

Approved: **9-0**

Motion: **carried.**

There being no further discussion on the case S161001, Commissioner Spare moved to close the public hearing and approve case S161001 granting the applicants appeal to the masonry requirements and require the applicant to increase the landscaping and tree requirements by 20%, motion seconded by Commissioner Womack.

Commissioner Conner stated by granting the applicant's appeal to the masonry requirements, we could be setting precedence for future development.

Commissioner Womack asked if this case could be tabled in order for staff to work with the applicant. Commissioner Womack moved to table case S161001 to the December 5<sup>th</sup> P&Z meeting, seconded by Commissioner Moser. The action and vote being recorded as follows:

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Motion: Womack

Second: Moser

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

Nays: None

Approved: **9-0**

Motion: **carried.**

Commissioner Kurt Johnson recused himself from case S160904, due to a conflict of interest.

PUBLIC HEARING AGENDA Item #23 – S160904 - Site Plan - New Harmony Elementary School (City Council District 6). Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation to approve a site plan to construct and operate a school. The 8.98-acre property, located at 4603, 4607, and 4611 S. Carrier Parkway, is zoned PD-136C. The applicant is Joyce Stanton, DiSciullo-Terry, Stanton & Associates and the owner is Hakan Yagci, Charter School Solutions.

Mr. Hinderaker stated the subject site is zoned PD-136C for single family detached uses with a base zoning of Single Family-6 District. The proposal meets all applicable minimum dimension requirements for the Planned Development district ordinance and the Unified Development Code. School, Public/Private/Parochial/(K-12), is defined by the UDC as “a school under the sponsorship of a public, private or parochial agency, having a curriculum generally equivalent to public elementary or secondary schools, but not including trade, vocational or commercial schools.”. Schools are permissible by-right in the PD-136C District; however new development in Planned Development Districts require a site plan approved by the City Council.

Mr. Hinderaker stated the required parking for this use has been analyzed and the required parking meets the requirements of the UDC. A traffic impact analysis has been prepared which analyzes the impact of traffic generated by this use on existing roadways. The traffic impact analysis also provides an analysis and recommendations to address the necessary queuing of vehicles for the school. The Executive Summary from the Traffic Impact Analysis, included as an attachment to the staff report, provides an overview of the report. The PD-136C ordinance requires 85% of the building façades, excluding windows and doors, to be brick or stone. The proposed building, excluding windows and doors, is 100% masonry. The subject site is within the Westchester area. Many of the non-residential projects in the Westchester area have dark red brick. The landscape plan is consistent with the requirements set forth in Article 8 of the UDC and the PD-136C ordinance. The maximum height permissible at this location is 25 feet. A portion of the building is 27 feet. The applicant is requesting an exception to the requirement to allow the building to be constructed as proposed. Staff does not object to this appeal.

Mr. Hinderaker stated the Development Review Committee found that the proposal meets the minimum requirements of the UDC and PD-136C, subject to the conditions presented in the case report.

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Commissioner Lopez asked where the primary drop-off would be located.

Mr. Hinderaker replied the main school entrance would be located along Polo Road, but would have an access on S. Carrier Parkway. The entrance off Polo Road would follow a clockwise direction where the children would be dropped off and picked up.

Commissioner Dr. Perez asked if there has been any mitigation between the Police Department and the school regarding the traffic. Dr. Perez said he appreciates the time and dedication given by staff on this case.

Mr. Hinderaker replied yes, staff's position is to make sure the school meets all of the site plan technical requirements of the UDC.

Commissioner Connor asked who would enforce the no parking and no standing of vehicles signs.

Mr. Hinderaker replied the no parking signs would be enforced by the Police Department.

Commissioner Smith asked why Harmony would want to come to an established neighborhood.

Commissioner Spare noted this is his district as a Commissioner and traffic is already a problem coming from Interstate 20 and Camp Wisdom and asked if these locations were a part of the TIA study, did the City consider other locations.

Mr. Hinderaker replied no.

Commissioner Moser asked Transportation Director Walter Shumac, did he review the traffic study and is in agreement with the TIA study being presented.

Mr. Shumac replied yes, he is in agreement with the study that was conducted.

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

Erin Wolf with Harmony School was present representing the case and to respond to questions from the Commission. Erin stated she has worked in public schools for over ten years. Harmony has thirteen locations in the DFW area and 48 campuses in Texas they are a high performance Charter School and would be an asset to this community.

Commissioner Spare stated Harmony does not have support from this community, why was this location chosen to locate their school.



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Erin said this property was the best piece of land for the price and a great location. Harmony would be splitting their Dallas location, the Nature Center Campus, and relocating some of their students to this location.

Commissioner Spare what is their plans to make sure the children are not being dropped off and walking through the neighborhood.

Erin stated they are optimistic their ingress and egress would work out and would be glad to meet with the community if these types of problems arise.

Commissioner Smith said with so much opposition from the community what would, they do to assure the community/neighborhood is comfortable with this development.

Erin replied they would make sure to follow through with all of the Cities regulations and would be glad to allow the HOA/PID to use their facility when needed. She grew up in the Westchester neighborhood and her parents live in Westchester and she is confident this school would be a good asset to the students and community they are doing right by kids.

Commissioner Dr. Perez asked what percentage of students would come from other cities, and did she attend any of the neighborhood meetings.

Erin stated it is hard to say, but they do have some students that come a long way to attend their schools. She did attend some of the neighborhood meetings.

Commissioner Connor asked if they have experienced traffic issues at their other facilities.

Erin replied no, nothing more than normal traffic for schools.

Commissioner Lopez asked if the campus located in north Grand Prairie would remain open, and would they provide cross guards at this location.

Erin stated the north campus would remain open and yes they would be providing school cross guards.

James Dolphin with Charter School Solutions, 600 Travis, Suite 4200, Houston, TX stepped forward in support of this case. Mr. Dolphin stated they do have children that come from other places, but they would also have students from the surrounding community attending this school. They would be transferring about 300 students to Grand Prairie, but 50% of the students would come from Grand Prairie.

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Joyce Stanton Civil Engineer/Surveyor with Disciple-Terry, Stanton & Associates 1905 Ivy Green Court, Pantego, TX stated staff has been wonderful to work with they did meet with the HOA at City Hall. Joyce gave a presentation to the Commission, noting all of the requirements have been met for this project, she asked this site plan be approved.

Crystal and Phrett McAnalley, 4921 S. Carrier Parkway, Grand Prairie, TX stepped forward in support of this request. Mrs. McAnalley said she has works for the school district, and schools do bring a lot of traffic, but they work with the community and Police Department to come up with a plan to make the traffic work. Phrett stated he attends Harmony and he has nothing but good things to say about his school it's a great school that has helped him reach a lot higher than he could ever have, because of the teachers. He said Harmony is an excellent school.

Christine Grudecki, 2837 Ingram Drive, Grand Prairie, TX stepped forward in support of this request. She has lived in Grand Prairie for twenty-five years in the Westchester neighborhood and they chose Harmony as their school, parents will drive a long way to come to this school, because of their teachers and drives through this traffic every day and does not understand what the problems is. Harmony holds them-selves very highly and has helped her son, who is HDHD, when no other school would work with him Harmony help him achieve.

David Etzold, Harmony School Consultant, 310 N. Masa, Suite 824, El Paso, TX stepped forward in support of this request. He said staff has worked very hard on this case along with his staff and both have done a great job. This site is not in the HOA boundaries, but they are in agreement and would be paying into the Westchester PID.

Chairperson Motley noted several speaker cards submitted in support, but did not wish to speak.

Nitu Tha, 10106 Tehcnology Boulevard, Dallas, TX 75220  
David Bingham, Grand Prairie, TX  
Ernie (?) Kasaalp, 525 Westchester Pkwy Apt 115, Grand Prairie, TX  
Jami Wittman, 322 Blueberry Ln, Grand Prairie, TX  
Michael King, 628 Creekwood Ln, Grand Prairie, TX  
Ashley Hahn, 1710 Norman Cir, Arlington, TX  
Joanna Sewell, 5840 Hayes Rd, Midlothian, TX  
Alyssa McNeely, 205 N 5<sup>th</sup> St Apt A, Midlothian, TX  
Maksat Altiyen, 2175 N SH 360 Apt 810, Grand Prairie, TX  
Ashley Rodriguez, 342 Spring Branch Ln, Kennedale, TX  
Christine Ibarra, 7450 Emory Oak, Dallas, TX  
Fernando Ibarra, 7450 Emory Oak, Dallas, TX  
Fatii, 2114 Orchard Tr, Garland, TX  
Alicia Stratton, 2303 Lindblad Ct, Grand Prairie, TX  
Paula Andega, 3235 Pamplona, Grand Prairie, TX  
Aydogan Altun, 6729 Morningcrest Ct, Arlington, TX  
Muhammet Pakdil, 5349 Amesbury Dr Apt 803, Dallas, TX

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Jesus Sanchez, 5727 Mountain Hollow Dr, Grand Prairie, TX  
Mayra Alanis, 5727 Mountain Hollow Dr, Grand Prairie, TX  
Holly McDonald, 5616 Paladium Dr, Grand Prairie, TX  
Veronica Guerrero, 3626 San Remo Dr, Grand Prairie, TX  
Belinda Withers, 129 Crane Dr, Grand Prairie, TX  
Deborah Cannon, 606 Turner Blvd, Grand Prairie, TX

Chairperson Motley noted several speakers in opposition to this request.

Rosemary Reed, 277 Donnie Lane, Grand Prairie, TX stepped forward in opposition to this request. Mrs. Reed presented staff with a petition in opposition to this development. She said their schools in Westchester are rated as one of the best schools in the nation. Harmony tried to come in without letting the neighborhood know, and have cause the neighborhood concerns with the traffic this school would bring to their neighborhood and therefore this school coming into their neighborhood is not support by the community. They do not want to see an empty school in the future especially one that is not needed in this community.

Alfonso Ramirez with Castleridge HOA, 4552 Knights Crossing, Grand Prairie, TX said he is a strong support for higher education, but they already have high quality schools in the neighborhood and they do not want to see any additional schools come into their community. Traffic is already a concern this development would disrupt their quality of life and asked the Commissioner to consider their concerns.

Mark Myers, 4544 Knights Crossing, Grand Prairie, TX said we are here with concerns, because of the small intersection and traffic issues this school would bring to the community. He is asking this case be tabled the school has not embraced their community. This TIA study was only based on Carrier and Polo and the TIA should be looked at for the entire Westchester area. Losing the trees in this area would disrupt their neighborhood character along with Friendship Park, which only has one entrance off Polo Road. He said this school would not embrace their community, and sked that he landscaping meet their requirements and match what is currently being used in Westchester.

At 9:00 p.m. the Commissioner took a 10 minutes break.

Darell Floyd, 537 Abbey Court, Grand Prairie, TX stepped forward in opposition to this request. Mr. Floyd spoke on behalf of the Castleridge community and presented the Commission with pictures of the traffic issues. Having your children attend a public school is one of best things for the community their schools are exemplary this charter school needs to move to another location where schools have room for improvements. The roads are already congested and believes the TIA study is not accurate they should include the new neighborhood being constructed, along with the Ikea, Panera Bread, and Starbucks which would add additional traffic in the area. He said because of the congested traffic issues the Fire Department and Police would have a problem in case of an emergency. He asked the Commission not to approve this case.

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Gloria Carrillo, 4536 Friars Lane, Grand Prairie, TX has lived in Grand Prairie since 1975, and is a school advocate, all of her children attended Grand Prairie schools. Westchester HOA, The Hills of Westchester, and Catleridge are premier neighborhoods and take good care of their neighborhoods and investments. She said information submitted tonight by a member of her community shows alarming examples of how Harmony schools are not a good neighbor and asked what would be best for their neighborhood and schools. Grand Prairie already has a Harmony School, and if the public schools lose 100 students this would create a short fall in funding and could cause a loss of teachers for GPID, which has gotten approval for a 9 million bond for new schools. This school is not needed in Grand Prairie.

Rodney Durr, Vice-President of the Westchester PID, 5027 Lost Creek Grand Prairie, TX was present in opposition to this case.

Skye Pryor, GPID School Board Member, 4540 Friars Lane, Grand Prairie, TX stated the school board has never looked into purchasing this property.

LaSandra Stroman, 4544 Mountain Laurel Drive, Grand Prairie, TX said her concern is the traffic, her neighborhood Westchester Grove has only one exit and it is onto Carrier Parkway.

Danika Leeks, 4403 Westchester Glen Drive, Grand Prairie, TX said she is trying to understand how this is happening in her neighborhood the traffic is already an issue she has a child that attends Gardener Academy and traffic is a major concern.

Carla Carlson, 617 New Castle Lane, Grand Prairie, TX said this development would cause more traffic concerns for the neighbor, she call the Police Department this week because of the traffic at Regan Middle School. She is opposed to this development.

Michelle Madden, 4599 Mountain Laurel Drive, Grand Prairie, TX stated this property is adjacent to her home, they only have one exit onto Carrier Parkway, the school might be a good school, but this is the wrong location.

Joe Picardo with Century 21, Judge Fite, 4519 Wescott Drive, Grand Prairie, TX works at the Albertson's shopping center and sees the traffic issues along Carrier Parkway. The businesses in the area survive, because of the Westchester community. He asked if there has been any concern from Fire Station 9 not being able to go down these streets because of the traffic. His concern is the amount of traffic on Carrier Parkway and Polo Road.

Christina Salazar, 513 Cartgate Lane, Grand Prairie, TX stated they moved to this area because of the good schools, this neighborhood is not in need of charter school.

Mark Myers presented staff with a petition of over 300 signatures in opposition to this request.

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Chairperson Motley noted several speaker cards submitted in opposition, but did not wish to speak.

Gary McGahey, 4552 Rugby Lane, Grand Prairie, TX  
Robert De Los Santos, 335 E Sandra Ln, Grand Prairie, TX  
Jerusha Lancaster, 5040 Stagecoach Way, Grand Prairie, TX  
Janice Harris, 676 E Sandra Ln, Grand Prairie, TX  
William Harris, 676 E Sandra Ln, Grand Prairie, TX  
Sarah Entwistle, 4592 Mountain Laurel Dr, Grand Prairie, TX  
Mary Simmons, 4552 Durrand Dr, Grand Prairie, TX  
Chad Bates, 4531 Bowie Ln, Grand Prairie, TX  
Chere M Leonard, 4573 Rugby Ln, Grand Prairie, TX  
Rosalia Diaz, 7127 Long Canyon Trl, Dallas, TX  
Victor Morales, 7127 Long Canyon Trl, Dallas, TX  
Michael Murphy, Grand Prairie, TX  
Alisa Allen Thomas, 4556 Rugby Ln, Grand Prairie, TX  
John McGahey, 554 Mercer St, Grand Prairie, TX  
Kisha Morris, 335 Suffolk Dr, Grand Prairie, TX  
Eduardo Aleman, 542 Newberry St, Grand Prairie, TX  
Jz Fields, 4923 Autumn Hill, Grand Prairie, TX  
Marva McGahey, 554 Mercer St, Grand Prairie, TX  
Kathryn Monette, 1814 Abilene Ct, Grand Prairie, TX  
Darren Sheriff, 5171 Clydesdale Dr, Grand Prairie, TX  
Jeffery Chavers, 334 Tokara Ct, Grand Prairie, TX  
Toyette Dowdell, 640 Boer Ct, Grand Prairie, TX  
Tandi Smith, 511 Suffolk Dr, Grand Prairie, TX  
Andrea Chapa, 503 Lusino Ct, Grand Prairie, TX  
Lawrence Chapa, 503 Lusino Ct, Grand Prairie, TX

Joyce Stanton Civil Engineer/Surveyor for Harmony School stepped forward for a rebuttal wanting to move forward with this request.

Chairperson Motley stated we have heard a lot of input on this case, and asked staff if they have heard any rational to change their views on this case. Mr. Motley asked if the TIA Study meet all of our requirements.

Mr. Hinderaker replied no, but he understands the neighborhoods concerns, and they are very sincere, but the site plan approval criteria have been met. Mr. Shumac stated the TIA study does meet all of the requirements.

Chairperson Motley stated he grew up in Grand Prairie and went to Grand Prairie schools, he then left to the University of Texas, but came back to make this his home he has served on the school board, but times have changed we now have Charter Schools we cannot say if they are

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good or bad, they have been given that choice by the parents of students that attend those schools and by our legislator this school has a right to come in. Schools will always bring traffic and he does not believe the TIA study is inaccurate, the only compelling reason he has heard tonight was from Phrett McAnalley education is about children and their parents.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case S160904 as presented by staff, the ordinance to include that Harmony will pay into the Westchester PID, incorporate in the landscaping requirements the tree spacing, and meet the Westchester tree standards, and the gym be constructed according to the ordinance of 25 feet.

Commissioner Spare stated he understands the needs of the community this is a very important case, he does not have a problem with Charter schools, but he cannot support this case as a Commissioner representing this district.

Commissioner Smith stated she is not in agreement with this decision and cannot support this request.

The action and vote being recorded as follows:

Motion: Moser

Second: Womack

Ayes: Moser, Motley, Womack

Nays: Connor, Lopez, Dr. Perez, Smith, Spare

Abstain: Johnson

Motion Failed to Approved: **3-5**

Motion: **carried.**

At 10:21 p.m. the Commission took a 10 minute break.

PUBLIC HEARING AGENDA Item #24 – SU161002/S161002 - Specific Use Permit/Site Plan - Murphy Oil (City Council District 2). Senior Planner Denice Thomas presented the case report and gave a Power Point presentation to approve a specific use permit and site plan to construct and operate a convenience store with gasoline sales. The 1.04-acre property located at the southeast corner of the Arkansas Lane/State Highway-161 (SH-161) intersection, is zoned Planned Development 283 (PD-283) District for General Retail and Commercial uses and is within the SH-161 Corridor Overlay District. The agent is Lew Richey, Lew Richey & Associates, Inc.

Mrs. Thomas stated the 1.04-acre property is undeveloped. Two access points have been provided, one to Arkansas Lane and one to the S.H. 161 service drive, which links to a mutual access easement through the property to the east. The site will be developed with a 1,200-square-

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foot convenience store, gasoline pumps, and associated parking. Article 10 indicates the parking requirement for a service station is one space per 400 square feet with a minimum of six spaces. The statement of operation indicates the service station will operate 24-hours per day, seven days per week selling fuel for automobiles and light trucks; as well as, limited convenience items, including bagged ice and small propane tank exchange. A convenience store with gasoline sales is a permissible use, subject to approval of a specific use permit, within the General Retail District.

Mrs. Thomas noted the subject site is zoned PD-273A for General Retail and Commercial uses. The more restrictive zoning designation is GR. The applicant provided an analysis of the proposal's compliance with the GR District provisions. The proposal meets all applicable minimum dimension requirements outlined in UDC. All of the minimum requirements have been met. The elevations as proposed are consistent with the UDC requirements. The UDC requires façades to be 100% masonry, excluding doors and windows. The project is within the SH-161 Corridor Overlay District and is subject to the provisions contained in Appendix F of the UDC. While, the UDC requires 100% masonry, the Appendix F allows 80% primary masonry and 20% secondary masonry. The applicant is proposing a brick and stone façade. Based on the information submitted by the applicant, the proposal meets the minimum requirements.

Mrs. Thomas noted staff suggests that the proposed convenience store, while compliant with the minimum development standards required for approval, may not be the highest and best use of the property. While the proposal meets the technical requirements of the Unified Development Code, staff are concerned that the potential proliferation of convenience stores with gasoline sales along the S.H. 161 corridor it is not in keeping with the city's vision of establishing a premier retail corridor and destination center (Central Park/EPIC water park & rec. center) that are intended to attract visitors from throughout the Metro-Plex and beyond. Staff further contends that this particular proposal is less desirable, due to its small retail footprint, than many of the modern convenience stores, such as the two noted convenience stores w/gasoline sales that book-end this segment of the S.H. 161 corridor. Modern convenience stores are typically two to three times larger than what is being proposed. They also offer considerable more product selection, including made to order food products, for customers to choose from. In effect, these modern convenience stores, in addition to providing fuel sales to a passing through motorist, serve as a local neighborhood market to nearby residents.

Mrs. Thomas stated the Development Review Committee recommends the following:

1. The site plan shall be consistent with all regulations in the UDC as amended.
2. Construction of the building and the canopy shall comply with the approved site plan package approved by the City Council.
3. All operations shall conform to the site plan and operational plan as approved by City Council under case number SU161002/S161002.
4. Operations must be in compliance with the TDSHS – Texas Food Establishment Rules and local ordinances regarding foot service.

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

William Lotz, 1420 W. Peachtree Street, Atlanta, GA 30328 was present representing the case and to respond to questions from the Commission.

Commissioner Moser asked if Murphy Oil owned the land.

Mr. Lotz replied no the land would be leased from the property owner.

Commissioner Spare stated this development would not be the best use for this property.

Chairperson Motley stated what is the best use for this site this, this is a premier site along Hwy 161 and he does not feel a Murphy Oil would be best suited for this location.

There being no further discussion on the case, Commissioner Womack moved to close the public hearing and deny case SU161002/S161002. The action and vote being recorded as follows:

Motion: Womack

Second: Moser

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

Nays: Connor, Smith

Approved: 7-2

Motion: **carried.**

PUBLIC HEARING AGENDA Item #25– SU161102 - Specific Use Permit - G&B Bumper Tech (City Council District 5). Senior Planner Charles Lee presented the case report and gave a Power Point presentation for approval of a specific use permit to allow for outside storage in conjunction with an auto parts retail business. The 0.582-acre property, located at 143 S. E. 16<sup>th</sup> Street, is zoned Light Industrial (LI) District and is within the Central Business District (CBD Corridor Overlay District, Section 3. The applicant is Enrique Gomez and the owner is Blanca Barbosa.

Mr. Lee stated G&B Bumper has been operating at this location since the mid-1990s. In fact; SUP-685 was approved by City Council in April 1999 allowing for reclamation/recycling and storage uses associated with the business. SUP-685 specifically restricts any outside storage uses along with other conditions.

- Extend existing metal building to the west property line, in accordance with city codes, with a fire wall.
- The building will be the same type of metal structure as the main building.
- The building will be three-sided, with racks built in accordance with the fire codes.



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- No additional parking required.
- Provide and minimum 8' X 8' loading area.
- Fire lanes and parking spaces shall be clearly marked.
- Install screening fence on S.E. 16<sup>th</sup> Street.
- 25 foot setback, landscape, sidewalk requirements along S.E. 16<sup>th</sup> St. shall be waived.
- The specific use permit is for interior reclamation/recycling, manufacturing and storage of automobile bumpers only and no other auto components.
- No outside storage will be allowed.
- Applicant must install a paint booth in accordance with Environmental & Fire Codes.

Mr. Lee stated to date, the business has continued to operate over time and continues to store various automobile parts outside, including automobile bumpers. During this time the business has since changed ownership and modified operations somewhat limiting their business primarily to auto bumpers rather than miscellaneous auto parts. The 5,500 square foot, single tenant facility is set up for inside and outside storage of primarily automobile bumpers, with approximately (½) one-half being exterior storage of the bumpers in steel racks. The racks are located to the rear of the property (western boundary) with the majority being 32'X4'X9'. Inventory is sold to customers as-is or minor repairs to bumpers offered for a fee. The facility will employ the owner/operator and will include 2 employees. The expected hours of operation will be Monday through Friday between 10:00 AM and 7:00 PM and 10:00 AM to 4:00 PM on Saturday.

Mr. Lee noted the applicant is requesting an area used for outside storage remain unpaved. This area represents approximately 1/3 of the ½ acre site to remain a substandard surface of gravel/pavers surrounded by an R-panel fence to remain as-is.

Mr. Lee stated the Development Review Committee recommends approval of the request, but is not supportive of the requested appeals.

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

Eric Gomez, 143 SE 16<sup>th</sup> Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mr. Gomez stated they just purchased the property and are working with Code Enforcement to correct the problems. He said they do not have the resources to pave the property at this time.

Chairperson Motley asked if the Commission grants them a time limit on paving, would they be in agreement to the paving.

Mr. Gomez stated they would only be leasing the property and paving would costly.

There being no further discussion on the case, Commissioner Spare moved to close the public

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hearing and approve case SU161102 as presented by staff granting the applicant's appeals. The action and vote being recorded as follows:

Motion: Spare

Second: Connor

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #26– Z161101 - Zoning Change - General Retail at SEC of Belt Line and Marshall (City Council District 2). Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation for approval to rezone 4.98 acres from Single Family-Two (SF-2) District to a Planned Development District for General Retail uses. The subject property is generally located at the SEC of Marshall Drive and Belt Line Road and addressed as 2010 and 2038 S. Belt Line Road. The applicant is John Flippo, Max Alley Real Estate Services, LLC and the owners are Benny Emmons and Jimmy Emmons, Emmons & Emmons LP.

Mr. Hinderaker stated the applicant is proposing to rezone 4.98 acres from Single Family-Two (SF-2) District to a Planned Development District for General Retail uses and development standards allowing for the construction of a Family Dollar on 1.52 acre portion of the property. The Site Plan for Family Dollar is under concurrent review. The base zoning for the proposed Planned Development District is General Retail (GR) District. Unless otherwise noted, all zoning requirements will defer to the Unified Development Code as amended.

Mr. Hinderaker stated the Development Review Committee recommends approval of the request.

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

John Flippo with Max Alley Real Estate Services, LLD, 3930 Galleria Oaks, Texarkana, TX 75503 was present representing the case and to respond to questions from the Commission.

Joel and Courtney Johnson, 910 Doy Drive, Grand Prairie, TX stepped forward in opposition to this request. Mr. Johnson said lives adjacent to this zoning request, he was born and raised in Grand Prairie and has lived in this home for 42 years, he has seen Grand Prairie change, if this site is zoned general retail his concern is the trash this development could bring to his neighborhood. He asked there be a barrier/buffer between his property and the proposed development and the drainage ditch maintain.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z161101 from Single Family-Two District to a Planned Development

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District for General Retail uses, the applicant must meet with staff and the adjacent property owner Mr. Johnson regarding the landscaping and screen wall on the eastside of the property. The action and vote being recorded as follows:

Motion: Moser

Second: Lopez

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

Nays: None

Approved: **9-0**

Motion: **carried.**

Citizen Comments: None

Commissioner Moser moved to adjourn the meeting of November 7, 2016. The meeting adjourned at 11:15 p.m.

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Lynn Motley, Chairperson

ATTEST:

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Joshua Spare, Secretary

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