



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
DECEMBER 1, 2014**

COMMISSIONERS PRESENT: Chairperson Tommy Garrett, Vice-Chairperson Bill Moser, Secretary Ed Gray, Commissioners Joshua Spare, Kurt Johnson, Lynn Motley, Phil Philipp, and Charlie Womack.

COMMISSIONERS ABSENT: Joe Arredondo

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Jim Hinderaker, Chief City Planner, Denice Thomas, AICP, Senior Planner, Doug Howard, Senior Planner, Daon Stephens, Transportation Planner, Steve Alcorn, Assistant City Attorney, and Chris Hartmann, Executive Assistant.

Chairperson Tommy Garrett called the meeting to order in the Council Chambers in the City Hall Building at 7:00 p.m.

Commissioner Motley gave the invocation.

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following agenda Items: P150101 – Westchester Crossing Addition, P150102 – Foster Acres, Lot 2, Block 1, P150103 – Donald D. Sherman Addition and RP150101 – Seventh-Day Adventist Church.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of November 3, 2014.

PUBLIC HEARING CONSENT AGENDA: Item #3-P141201 - Final Plat - SWBC Timberview Ranch, Lot 1, Block A (City Council District 4). Consider a request to approve a final plat to create a one-lot subdivision. The 17.84-acre property is generally located south of S.H. 360 and west of Mirabella Boulevard (S.L. Ferrell Survey, Abstract 516 Tracts 2C02, 2A05, and 2A04A), is zoned PD-346 and is within the S.H. 360 Overlay District. The agent is Brian Rumsey, Cross Architects and the owner is Spencer Byington, SWBC Timberview Ranch Apartments.

Item #4-P141202 - Final Plat - Park 161 Distribution Center, Lot 1, Block A (City Council District 1). Consider a request to approve a Final Plat creating a one (1) lot industrial subdivision on 18.82 acres. The subject properties (Joseph C Reed Abst 1729 TR 4.3, 4.5 and TR 4.6, P H Ford AbstT 1711 TR 3 and TR 3.5) are located on the northwest corner of N Highway 161 and January Ln and within the SH-161 Overlay District. The applicant is Rick Kight, Park 161,

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LLC, the owners are David O'Connor, Series Trust, Durward Moore, Grand Prairie Seriest Trust 2003-1, Lauren Butler, Pooled Funds Trust, Durward Moore, 19th Street Trust, and C.M. Edwards, Daisy Field Trust.

Item #5-RP141201 - Replat - Airport Industrial Park No. 2, Lot 3-R-1B, Block 2 (City Council District 4). Consider a request for a replat of 5.25 acres; subdividing 2 lots into 3 lots in a Light Industrial (LI) District. The subject site is generally located on the north side of Alouette Dr and east of Forum Dr. The agent is Ron Coombs, Coombs Land Surveying and the owner is Troy Ratterree, Judge Capital, LLC.

Item #6-RP141203 - Replat - Westchester Commercial Ph 1, Lots 2RA and 2RB, Block 5 (City Council District 1). Consider a request to approve a Final Plat creating a two (2) lot commercial subdivision on 5.291 acres. The property, addressed as 4126 S. Carrier and zoned PD-173, is generally located west of S. Carrier Pkwy and south of I-20. The agent is Chad Suitonu, PMRG, the applicant is Josh Millsap, Bury, Inc. and the owner is Travis Molis, Albertson's, LLC.

Item #7-RP141204 - Replat - The Quadrangles on I-Twenty, Lot 1R, Block 2R (City Council District 4). Consider a request to approve a replat of 13.9 acres, zoned Planned Development District 140B (PD-140B). The subject site is located at 2755 W. Interstate Highway 20 and located within the I.H. 20 Corridor Overlay District. The agent is Ross Frankfurt, the applicant is Eric Frankfurt, Grand Prairie 20, LP, and the owner is Eric Frankfurt, E.S. Frankfurt Management Inc.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #9 - SU141101/S141101 - Specific Use Permit/Site Plan - 1629 E Main Street and Item #10 - S141103 - Site Plan - Stripe-A-Zone.

(The above items are not public hearing items).

Motion was made to approve the consent agenda item regarding the Disapproval of Plats without Prejudice for cases P150101, P150102, P150103 and RP150101, approve the minutes of November 3, 2014 as amended, and approve consent agenda cases P14201, P14202, RP141201, RP141203, RP141204, and remove case SU120402B to be heard under the public hearing, and postponed cases SU41101/S141101 and S141103. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moser

Second: Motley

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried.**

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PUBLIC HEARING AGENDA Item #8-SU120402B - Specific Use Permit Renewal - 3018 E. Main Street (City Council District 5). Consider a request for approval of a Specific Use Permit Renewal for a used car sales dealer with general automotive repair, auto body shop and paint booth, and major component replacement with outside storage on 1.3 acres. The subject property is zoned Commercial (C) District and is located at the northwest corner of the intersection of E. Main Street and N.E. 31st Street. The subject property is located within the Central Business District-Four (CBD-4) Corridor Overlay District. The owner/applicant is Shahrukh and Shahzeb Inc.

Mr. Hinderaker stated as required by Ordinance 9574-2013 for Specific Use Permit 881A, the City Council shall conduct a public hearing one year after City Council adoption of this Ordinance to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of this SUP Ordinance, the Unified Development Code, The City of Grand Prairie Code of Ordinances, City adopted building codes, city adopted fire codes and other applicable regulatory requirements and/or enforced by the state and federal government.

Mr. Hinderaker stated as required, staff requested inspections of the property and operations by the Code Enforcement Division and the Environmental Services Department. The inspections revealed that the applicant has yet to begin operations based on the original SUP approval.

Mr. Hinderaker stated staff is recommending one year renewal of the Specific Use Permit.

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

Diamond Virami with Shahrukh and Shahzeb, Inc., 3002 E. Main Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett stated according to the SUP ordinance the applicant only has six months to sell vehicles. He noted the applicant is currently storing vehicles inside the building.

Mr. Virami noted all of the electrical wiring was stolen from inside the building therefore he has been working on getting the building back to code and has applied for an electrical permit, but needs more time to complete the work.

Commissioner Moser asked if they are currently doing any repair work on vehicles on this site.

Mr. Virami replied no, they have a car lot down the street, but did move several vehicles inside this building temporarily they would need an additional three to four months to complete the electrical repairs to the building before the building is ready to be used.

Chairman Garrett noted the building is currently being used for storage.

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Mr. Virami replied yes.

Mr. Crolley stated Mr. Virami would need to come to the City to apply for a Certificate of Occupancy.

Commissioner Gray replied Mr. Virami cannot sell vehicles on this site for another five months or until June therefore the SUP would need to be extended.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case S141201 per staff's recommendations with an additional six months extension on the Specific Use Permit. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #11- S141201 - Site Plan - Timberview Ranch Apartments (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the approval of a site plan to construct and operate a multi-family residential development. The 17.84-acre property is generally located south of S.H. 360 and west of Mirabella Boulevard (S.L. Ferrell Survey, Abstract 516 Tracts 2C02, 2A05, and 2A04A), is zoned Planned Development 346 (PD-346) and is within the S.H. 360 Overlay District. The agent is Brian Rumsey, Cross Architects and the owner is Spencer Byington, SWBC Timberview Ranch Apartments.

Mrs. Thomas stated the proposed Planned Development District is based on MF-3 District provisions adopted in the Unified Development Code with some modifications. The proposed PD also includes conceptual site plan, conceptual elevations, and conceptual landscape plan.

Mrs. Thomas stated the proposal meets all applicable minimum dimension requirements for the MF-3 zoning district. The subject site is part Area 3 of the S.H. 360 Overlay District. The Corridor Plan provides the vision for the manner land adjacent to S.H. 161 are planned and developed. The recommended architectural style for the S.H. 360 Overlay District is termed Prairie Modern. The architectural style and features proposed differ from the Overlay District recommendation. The landscape plan that was submitted with this site plan application does not meet the minimum requirements of the UDC and Appendix F. Staff is recommending a condition that the landscape plan meet all of the minimum City requirements prior to submission of the mylars for approval by the Planning Director or his designee. The elevations depict six three-

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story building types and one two-story building type with stucco and simulated stone. The elevations are consistent with the masonry composition, form, and roof pitch approved by City Council as part of PD-346.

Mrs. Thomas stated a total of 450 parking spaces are required for this development; 611 have been provided. Of the required spaces 135 are required to be direct access; 135 have been provided. In addition to direct access parking the project is required to include 90 covered parking spaces, 45 guest parking spaces, and 180 surface parking spaces. The proposal includes 90 covered parking spaces, 45 guest parking spaces, and 218 surface spaces, respectively. The quantity of parking required is met by this proposal. The PD ordinance allowed the project to be developed with 9-foot-wide garage doors instead of 10-foot-wide doors. The proposal meets the requirements of the PD.

Mrs. Thomas noted the PD ordinance allows the property to develop with 69.4% of the complex as one-bedroom units. The proposal is consistent with the PD ordinance.

Mrs. Thomas stated the site plan and the building elevations are consistent with the PD ordinance, the UDC, and Appendix F. The landscape plan as submitted is not. Staff is recommending approval of the proposal subject to the following conditions:

1. All DRC conditions shall be met.
2. Prior to approval of the mylars by the Planning Director or their designee, the applicant shall submit a site plan that addresses the outstanding issues provided in the DRC comments letter forwarded to them on October 31, 2014.
3. Prior to approval of the mylars by the Planning Director or their designee, the applicant shall submit a landscape plan that addresses the outstanding issues provided in the DRC comments letter forwarded to them on October 31, 2014.
4. Prior to approval of the mylars by the Planning Director or their designee, the applicant shall submit a landscape plan that complies with all of the applicable regulations contained in the PD-346 ordinance, the Unified Development Code, and Appendix F of the Unified Development Code.

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

Brain Rumsey with Cross Architects, 1255 W. 15th Street, Suite 125, Plano, TX was present representing the case and to respond to questions from the Commission.

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There being no further discussion on the case, Commissioner Philipp moved to close the public hearing and recommend approval of case S141201 per staff's recommendations. The action and vote being recorded as follows:

Motion: Philipp

Second: Gray

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #12- S141202 - Site Plan - 4126 S Carrier Pkwy (City Council District 3). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation for the approval of a Site Plan to construct a 6,537 sf emergency clinic. The subject property, addressed as 4126 S. Carrier Pkwy and zoned PD-173, is general located west of S. Carrier and south of I-20. The agent is Chad Suito, PMRG, the applicant is Josh Millsap, Bury, Inc., and the owner is Travis Molis, Albertson's, LLC.

Mr. Hinderaker stated the purpose of the site plan approval is to ensure full compliance with the regulations and standards of the Unified Development Code and Planned Development. The clinic, First Choice Emergency Clinic is a freestanding emergency room facility that delivers major and minor emergency medical services for adult and pediatric emergencies. The facility will be open 24/7 365 days per year, but does not receive incoming ambulance traffic. The facility will have fully equipped emergency rooms with state of the art diagnostic technology and on-site labs. The clinic will be staffed with board-certified emergency physicians and emergency trained registered nurses. In addition, as provided by the applicant, the clinic is an out-patient facility only and will not have any overnight patients. The proposed use is a permissible use within the PD-173.

Mr. Hinderaker stated the proposed clinic is to be sited at the southeast corner of the existing Albertsons parking lot located within the Westchester Market. 33 parking spaces and access drives aisles and easements a dumpster enclosure, landscape islands and landscaping. While the clinic structure itself meets the minimum setback standards, a canopy structure is proposed to be attached to the building and will be within eight feet of the front property line. An appeal of this standard is necessary. All other dimensional standards are met.

Mr. Hinderaker stated the clinic building is proposed to be an approximately 23-foot tall, single-story structure that incorporates many modern angular design elements, including a flat roof and a 36-foot tall angular tower element that accents the front entrance. The structure also includes a 20-foot front canopy and a 12-foot rear canopy. The geometric exterior facades, less windows and doors, are constructed primarily of masonry materials. The building also includes two aluminum composite architectural panel elements running from grade to approximately two-feet

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above the parapet wall. The back elevation includes 8% stucco. Due to the use of the 18% non-masonry materials, an appeal of the 100% masonry requirement is necessary. The proposed clinic needs 33 parking spaces based on a one parking space per 200 square feet calculation. With the addition of the clinic's required parking spaces, the total number of parking spaces needed for Westchester Market is 664 parking spaces. The Westchester Market, with the inclusion of the clinic, will have a total 691 parking spaces, which exceeds the minimum parking standard. A Landscape Plan was submitted that meets the UDC requirements.

Mr. Hinderaker stated the applicant is requesting a reduction of the front setback of 25 feet to 8 feet to accommodate the proposed front canopy and is requesting a masonry reduction from 100% to 82% to allow for 10% metal accent on the front of the building and 8% stucco on the back of the building

Mr. Hinderaker stated since the applicant is requesting the above noted appeals, the Development Review Committee is not able to recommend full approval of this case.

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

Chad Suitonu with PMRG, 2828 Routh Street, Dallas, TX was present representing 1st Choice Emergency Room and to respond to questions from the Commission. Mr. Suitonu stated the facility is not like an urgent care, they are an emergency room in a free standing building, if someone comes to their facility and needs acute care they would be transported further to a hospital. According to the areas demographics this type of facility is needed for this area, their facility would see an average of 7 to 15 patients per day and would bring about 10 jobs. He stated they currently have 55 other facilities in Texas Albertsons owns the land and would be leasing the property to 1st Choice.

Commissioner Motley asked how many ambulances would come to this facility.

Mr. Suitonu stated the only time an ambulance would come to their facility is if someone needs to be transported other than that there would not be an ambulances on site.

Commissioner Womack stated Albertson's parking lot would become congested and the Westchester HOA has worked hard on a unified look for this area, and asked have they met with the WHOA, or have they considered moving across the street in the theater parking lot.

Mr. Suitonu stated Albertsons would never allow them to cause any problems to their store, the parking is open parking and they do not plan on having more than 7 to 15 patients per day, therefore the parking should be adequate. Mr. Suitonu stated this is a very expensive facility and was under the impression that they were meeting all of the architectural requirements.

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Commissioner Gray stated Albertsons is the property owner, what is their wait time to see a doctor, and why did they choose this location.

Mr. Suitonu replied yes Albertsons owns the property and 1st Choice would be leasing from them, their wait time would be 15 minutes. Mr. Suitonu noted there is a growing trend with medical facilities in residential neighborhoods, they have conducted a demographic study and this area is in demand for one of these types of facilities, they specifically chose this area.

Commissioner Johnson noted they have 55 sites, how many have been built in a pad site similar to this site, in a parking lot.

Mr. Suitonu replied none, but do have several facilities in shopping centers.

Commissioner Johnson asked if they have considered the Care Now site next to the Target across Interstate 20, and why not locate to a lower income area.

Mr. Suitonu replied no, he is not familiar with the site and they do not accept Medicate or Medicare.

Commissioner Johnson asked if they have met with any of the Westchester's HOA or PID for this area, because they are in opposition to this request.

Mr. Suitonu replied no, they were not aware of any opposition.

Commissioner Moser asked if they have a prototype footprint.

Mr. Suitonu replied yes they have been in business for two years.

Mark Meyer, 4544 Knights Crossing, Grand Prairie, TX stepped forward in support of this request. He lives in Castleridge, they have worked hard to keep the red brick look for this area, the parking lot was designed for the entire shopping center and taking some the parking for a facility causes concerns. Mr. Meyer asked that they make sure they understand the economic hit this might make on the other tenants in the shopping center.

Mr. Suitonu noted they would be glad to meet with the WHOA.

Commissioner Spare asked if they are willing to provide 100% masonry on their building.

Mr. Sutonu replied yes, except for the canopy.

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There being no further discussion on the case, Commissioner Moser moved to close the public hearing and table case S141202 to allow the applicant time to meet with the Westchester HOA and PID. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

Ayes: Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: Garrett, Gray

Approved: **6-2**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #13- S141203 - Site Plan - The Quadrangles on Interstate 20 (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the approval of a site plan to construct and operate a multi-family residential development. The 13.89-acre property, located at 2755 W. IH-20, is zoned Planned Development District 140-B (PD140-B) and is within the IH-20 Overlay District. The agent is Ross Frankfurt, the applicant is Eric Frankfurt, Grand Prairie 20, LP, and the owner is Eric Frankfurt, E.S. Frankfurt Management Inc.

Mrs. Thomas stated the base zoning for the PD is MF-2. The following provisions have been met by the applicant, Site Design, Landscaping, Building Design, Parking and Dimensional Requirements.

Mrs. Thomas stated the applicant is requesting permission to exceed the maximum height by 4.5 inches. Staff does not oppose this request. The applicant meets or exceeds almost all of the applicable regulations. The DRC recommended approval of the proposal.

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

Eric and Ross Frankfurt with Grand Prairie 20 LP, 5950 Sherry Lane, Suite 205, Dallas, TX was present representing the case and to respond to questions from the Commission.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case S141203 per staff's recommendations. The action and vote being recorded as follows:

Motion: Moser

Second: Philipp

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: **8-0**

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Motion: **carried.**

PUBLIC HEARING AGENDA Item #14- S141204 - Site Plan - Avera (City Council District 1). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation for the approval of a Site Plan for a 345,150 square-foot industrial warehouse distribution center. The subject properties (Joseph C Reed Abst 1729 TR 4.3, 4.5 and TR 4.6, P H Ford ABST 1711 TR 3 and TR 3.5) are located on the northwest corner of N Highway 161 and January Ln and within the SH-161 Overlay District. The applicant is Rick Kight, Park 161, LLC and the owners are David O'Connor, Series Trust, Durward Moore, Grand Prairie Series Trust 2003-1, Lauren Butler, Pooled Funds Trust, Durward Moore, 19th Street Trust, and C.M. Edwards, Daisy Field Trust.

Mr. Hinderaker stated the applicant, AVERA Companies, intends to develop the 18.82 acre tract of land located at the northwest corner of January Lane and the S.H. 161 as speculative industrial warehouse facility as allowed by PD-347. The applicant hopes to lease the proposed 345,150 square foot warehouse to a single tenant, but has submitted a site plan design that is capable of housing two tenants. The PD allows for a third tenant provided a third office suit and entrance feature is added to the building. Outdoor storage is limited to truck and trailer parking. To accommodate the potential for multi-tenant use, the warehouse façade will accommodate up to two tenants with 54 dock bays. The warehouse is to be constructed of concrete tilt wall, glass, stone and metal accent panels in keeping with both the approved PD-347 & Concept Plan and in substantial conformance with the design standards of the S.H. 161 Corridor Overlay District. To mitigate against any potential noise issues with the neighboring residential developments to the west and north and to meet the flat wall articulation standards of the overlay district, the applicant will construct wing walls on the west and east sides of the building to buffer the any noise produced by the trucks in the loading areas. However, the applicant is seeking some relief of the overlay articulation standards that requires the width of the articulation zone to be 3x the height of the building. The applicant is proposing a width that is 2x the height. In addition, the applicant is seeking full relief of the stone/masonry requirement that a minimum of 15% of the articulation zone be finished in stone/masonry. An appeal of this standard is necessary.

Mr. Hinderaker stated two access points are proposed from January Lane and a third from S.H. 161 Frontage Road. However, according to the applicant, the S.H. 161 Frontage Road access will likely be limited to passenger vehicles due to the steep grade of the access. Therefore, primary truck traffic will enter and exit the facility via January Lane and travel to and from the facility using S.H. 161. Trucks are prevented from traveling west bound on January Lane from the site as January Lane is posted as a no truck route. In addition, per approved PD-347, the applicant is required to post signs at the exits of the facility alerting truck drivers entering January Lane that no west bound truck movement is permissible. As submitted, the site plan includes this provision. The facility will have 34 trailer parking spaces located at the south side of the building running parallel with January Lane. The proposal also includes 170 passenger vehicle parking spaces along the east and west sides of the building. The parking and access

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standards are met or exceeded. The property is proposed to be fully enclosed with a perimeter fence and security gates at all access points. On-site security guards may be provided depending on the needs of future tenants. A "Type-1" masonry fence is provided along all residential adjacency lot lines, specifically along the west property line and the western most 400-feet of the north property line. Additional, a 15-foot landscape buffer is provided along same west and the north property lines abutting the residentially zoned properties. A 30-foot landscape buffer is provided between the parking lots and drive areas along January Lane and S.H. 161 Frontage Road. Perimeter parking lot screening is provided and offset every six feet per linear sixty feet of length, as required adjacent to ROW.

Mr. Hinderaker stated the applicant is providing a total landscaping area of over 19% of the property, which far exceeds the required 4%. The proposed landscaping plantings (trees, shrubs, and turf, etc. is in compliance with Article 8 of the UDC). As stipulated within PD-237, the applicant has indicated it is their intent to fully comply with the minimum landscaping standards of the UDC and S.H. 161 Corridor Overlay. A double sized dumpster screening enclosure is provided at the northwest corner of the property. However, the enclosure is within the 50-foot setback buffer required of all non-residential uses abutting a residentially zoned property. An appeal of this standard is necessary.

Mr. Hinderaker stated the applicant is requesting a reduction of articulation zone width from 3x the building height to 2x the building height. In addition the applicant is seeking full relief of the stone/masonry requirement that a minimum of 15% of the articulation zone be finished in stone/masonry, and the applicant is requesting relief of the 50-foot setback buffer required of all non-residential uses abutting a residentially zoned property to allow the dumpster enclosure to be placed approximately 35 feet from the western property line.

Mr. Hinderaker stated since the applicant is requesting the above noted appeals the Development Review Committee is not able to recommend full approval of this case.

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

Rick Kight and Peter Billipp with Park 161, LLC, 7880 San Felipe, #250, Houston, TX was present representing the case and to respond to questions from the Commission.

Max Coleman, 9n Heritage Court, Grand Prairie, TX was present in support of this request.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case S141204 per staff's recommendations. The action and vote being recorded as follows:

Motion: Moser

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Second: Spare

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #15- Z141201 - Zoning Change - 130 and 138 Lakeview Drive (City Council District 5). Senior Planner Doug Howard presented the case report and a Power Point presentation for the approval to rezone property from Planned Development (PD-332) District for Neighborhood Service (NS) District uses with a Mini-Warehouse Use, and a Specific Use Permit (SUP) for a Mini-Warehouse Facility to a Planned Development District to allow for Neighborhood Service (NS) District uses, contractor shop uses with no outside storage, and other specified service uses. The 0.87-acre property, located at 130 and 138 Lakeview Drive. The agent is Chuck Precopia and the owner is Phil Boriack, Boriack Interiors, Inc.

Mr. Howard stated the Zone Change request applies to properties located at 130 and 138 Lakeview Dr. 130 Lakeview Dr. is about 0.22 acres of undeveloped property. 138 Lakeview Dr. is about 0.66 of developed land with 2 buildings; the western building measures about 8,500sqft and the eastern building measures about 4500sqft. Kennedy Middle School lies to the north of the subject area. This school enrolls about 700 students and employees about 50 teachers. To the west there is a 1,500sqft single family home. Storm Lawn & Garden stands to the east of the subject area and is also located within a Neighborhood Services District and Planned Development District 256 allowing for General Retail uses and Outside Storage and Displays. The outside storage and display areas are limited to about 9,500sqft of this district.

Mr. Howard stated within the 300ft property owner notification area there are also 2 churches; to the east at the corner of Acosta St. and Lakeview Dr., and to the west at the corner of SE 4th St. and Lakeview Dr. There is a second single family home within the property owner notification area to the west, just north of the church. Staff supports the uses in the table marked "Approve". For those uses marked "Not in Support," staff contends these uses are incompatible for property adjacent or near schools, churches, residential homes or residentially zoned areas and are more suited for Commercial, Heavy Commercial, and Industrial districts. Ordinance 9198 (PD-332) included approval of an SUP for a mini-warehouse use. Per the conditions of the approved ordinance, the time given to receive a Certificate of Occupancy for a min-warehouse use has expired and; therefore, has become null and void.

Mr. Howard stated the Dimensional Requirements will remain the same, adhering to the Neighborhood Services District standards, as may be amended from time to time.

Mr. Howard stated the Development Review Committee recommends approval of the requested zone change subject to following conditions:

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1. Contractor Office, Warehouse, Auto Parts, and Lawnmower Sales uses shall not be permitted.
2. "Self-Service Laundry" shall continue to require City Council approval of a Specific Use Permit.
3. A Mini-warehouse use shall be allowed with City Council approval of a Specific Use Permit.
4. Outside storage shall not be permitted.

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

Chuck Precopia, Real Estate Broker/Developer, 2770 Bardin Road, Suite 13109, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mr. Precopia stated he has been marketing this property for the past 19 months all of the interested businesses wanting to lease the property would require a specific zoning, he has been working with staff and has spoken to the surrounding property owners in order to come up with some uses that would fit and not disturb the surrounding neighborhood.

Commissioner Motley asked Mr. Precopia if he was in agreement with staff's recommended uses.

Mr. Precopia replied no, he would like of the uses listed in the case memo to be allowed.

Commissioner Motley asked what would be the difference in repairing a bike and/or plumbing.

Mr. Precopia stated a bike shop would conduct repairs onsite and a plumbing contractor shop would either sell merchandise or go out to do the work.

Ronald L. Storm owner of Storm Lawn and Garden, 202, 210, 212, & 214 Lakeview Drive, Grand Prairie, TX stepped forward in support of this request. Mr. Storm said the only objection to this request is the to the self-service laundry use. He said Neighborhood Service might not be the best zoning for this area.

There being no further discussion on the case, Commissioner Spare moved to close the public hearing and recommend approval of case Z141201 per staff's recommendations and to allow Warehouse, Contactor Office, Sales with Indoor Storage, Plumber, Electrical, Multimedia Contractors, Auto Parts and Accessories Sales, and Lawnmower Sales and Repair by Specific Use Permit, and the Self-Service Laundry shall continue to require a Specific Use Permit, but not be allowed to operate 24 hour a day. The action and vote being recorded as follows:

Motion: Spare

Second: Gray

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Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: **8-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #16- SU141103 - Specific Use Permit - 301 N. Belt Line Road (City Council District 5). Senior Planner Doug Howard presented the case report and a Power Point presentation for the approval of a Specific Use Permit for Quick Lube and Tune services and Tire Sales and Installation with Outside Display within a General Retail (GR) District. The subject site is located at 301 N. Belt Line Rd at the northwest corner of Small Hill St. and N. Belt Line Road. The agent is Joel Downs, Texas Horse Stalls and the owner is Mohammad Ghanim, Belal Investment, Inc.

Mr. Howard stated the applicant is proposing to expand non-conforming use of Auto Tire Sales and Installation. By receiving a Specific Use Permit, the property will be in a legal conforming status. The applicant is also proposing, as part of the expansion, to add Quick Lube and Tune Services, comprising of oil changes with minor auto repair. The current 2185 sqft building has 3 vehicle bays. The proposed new building will add 2400sqft and with another 3 vehicle bays. The applicant will be adding new concrete and expanding the parking areas and adding landscaping to comply with current zoning regulations.

Mr. Howard stated Car Zone is open Monday through Saturday from 8AM to 6PM and employee at least 3 full time employees. The business will provide several automotive services; oil changes, auto tire sales and installation, and minor auto repair. The site will have 6 vehicle bays; 2 bays for oil changes, 2 bays for tire installation, and 2 bays for minor auto repair. A detailed operational plan is attached to this report. The operational plan mentions old tires being stored on a trailer and routinely transported to a tire disposal site once a week; however, accessory outside storage is prohibited within a General Retail District and would not be permitted.

Mr. Howard stated the proposed development will meet the parking requirements in the UDC. The proposed site plan meets all the minimum density and development standards of the UDC, except for one item; the required front setback along Belt Line Rd. The site has an existing canopy that extends further than is allowed by today's standards. The posts of the canopy meet the required set. The landscape plan is consistent with the landscape requirements of Article 8 of the Unified Development Code. The applicant is proposing a dumpster enclosure, consistent with the design requirements of the Unified Development Code; a 12ftx12ft pad site with masonry walls at least 6ft in height, and a screening gate.

Mr. Howard stated the Development Review Committee does not support outside tire displays nor the storing of old tires on a trailer outside; however staff does not oppose the other requests from the applicant. Staff has concerns about the multiple code violations on this property throughout the years. Attached to this report is a summary of code violations document since the

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approval of the Automotive Related Business (ARB) ordinance in 2007. The history of non-compliance raises concerns, but staff does recognize that this request was made to help the property come into compliance with local ordinances. Staff recommends approval of a Specific Use Permit for Auto Tire Sales and Installation and Quick Lube and Tune Services with the conditions listed below:

1. The development shall conform to the City Council approved Site Plan: Exhibit B - Site Plan/Dimensional Control Plan, Exhibit C – Building Elevations, and Exhibit D – Site/Parking Areas & Landscape Plan.
2. As outlined within the submitted Operational Plan contained within the Specific Use Permit Application File No. SU141103, and as more specifically stated and codified herein, the development shall adhere to the following operational standards:
 - a. All operations shall be conducted entirely on-site. The public right-of-way shall not be used for maneuvering of customer vehicles;
3. All operations must maintain compliance with all federal, state and local regulations;
4. All operations shall maintain compliance with City Ordinance No. 7408 Automotive Related Business (ARB) regulations;
5. All operations must practice all best management practices listed in its storm water pollution prevention plan;
6. A Texas Commission of Environmental Quality (TCEQ) closure report for removal of underground storage tanks are required and must be submitted to Environmental Services before approval of any building permit;
7. Before any permit is issued, an official plat must be filed with the county;
8. Future expansions to this facility will require the submittal of a revised site plan for review and approval to the Planning Department.
9. The Specific Use Permit shall only be valid with the completion of the construction of the “Proposed Building”, as indicated on the approved site plan (Exhibit “B”). The proposed building must pass all inspections as determined by the Building Inspections Division of the Planning and Development Department. Oil changes shall not occur until such time.

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

Joel Downs with Texas Horse Stalls, 521 Bakers Branch Road, Waxahachie, TX was present representing the owners and to respond to questions from the Commission.

Chairman Garrett noted there have been several code violations on this property and asked what is being done to prevent these violations from recurring.

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Abddin Hamed, 301 N. Belt Line Road, Grand Prairie, TX stated he has operated this business for the past 9 years. He said they are working on cleaning up the property, by adding an additional building all vehicles would be kept inside this is need for safety reasons and to comply with city codes. He said they only have a small tire display outside at this time.

Commissioner Moser asked if the entire property would be concrete, and would the existing building and canopy be redone.

Mr. Hamed replied yes, they want to have one unified look for the entire property.

Commissioner Motley asked what assurance can be giving to make sure code violations do not occur.

Amer Bami Mustafa, 3519 Willowood Circle, Suite 2009, Arlington, TX, replied by adding concrete paving for additional parking, and an additional building should keep them from having outside storage.

Mr. Alcorn noted a speaker cards submitted in support of this request.

Mohammed Ghanim, 301 N. Belt Line Road, Grand Prairie, TX

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU141103 pre staff's recommendations and a one year review of the Specific Use Permit. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, and Spare

Nays: Womack

Approved: **7-1**

Motion: **carried.**

Citizen Comments: None

Commissioner Moser moved to adjourn the meeting of December 1, 2014. The meeting adjourned at 9:20 p.m.

Tommy Garrett, Chairman

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ATTEST:

Ed Gray, Secretary

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