



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
JULY 6, 2015**

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

COMMISSIONERS ABSENT: None

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

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 consent agenda Items: P150801 – Final Plat – QT 946 Addition Lot 1, RP150801 – Kingswood Center Addition, Lot 1R, Block 1, RP150802 – Replat – Lake Ridge Section 20, Lot 2527-R, Block P, RP150803 – Replat – Grand Prairie Memory Care, Lots 2A and 2B, Block A, and RP150804 – Replat – Sargent Addition.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of June 1, 2015.

PUBLIC HEARING CONSENT AGENDA:

Item #4 - RP150702 - Replat - Hayman Addition, Lot 1R, Block 1 (City Council District 4). Consider a request to approve a Replat creating a one (1) lot residential subdivision totaling 17.49 acres. The property, zoned Planned Development 343 (PD-343) for multi-family residential uses and addressed as 3261 S. H. 360, is located at the northeast corner of Outlet Parkway and the S. H. 360 frontage road. The applicant is David West, Ventures Development Group and the owner is George Watson, Twenty Three Sixty, LTD.

Item #5 - TA150701 - Text Amendment - Article 2: Authority. Consider a request for the approval of a Text Amendment to Section 2.4.1 and Section 2.5.1 of Article 2, "Authority" of

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the Unified Development Code amending, as originally approved by action of the Council on August 2, 2011 and codified in Ordinance No. 9637-2011, the term duration of a Planning and Zoning Commission member and a Zoning Board of Adjustments and Appeals member from a two (2) year term to no more than two (2) consecutive three (3) year terms, not more than six (6) consecutive years, unless the City Council by a three-fourths vote of all Council members shall waive this limitation for a specific appointment. The owner/applicant is Jim Hinderaker, City of Grand Prairie, Planning Division.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #6- Z150703/CP150702 - Zoning Change/Concept Plan - Polo Residential (City Council District 3) and Item #7- Z150702/CP150701 - Zoning Change/Concept Plan - Lake Ridge Mixed-Use Development (City Council District 6)

(The above items are not public hearing items).

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 P150801, RP150801, RP150802, RP150803, and RP150804, approve the minutes of June 1, 2015, and approve consent agenda cases RP150702, TA150701, and place case P150701 under the public hearing to be heard concurrently with case Z150701, and postponed cases Z150703/CP150703 and Z150702/CP150701. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moser

Second: Philipp

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #8- S150701 - Site Plan - Aldi's (City Council District 4). Senior Planner Doug Howard presented the case report and a Power Point presentation for approval of a site plan for the purpose of constructing an Aldi's Grocery Store on 2.23 acres. The property is zoned Planned Development 45 (PD-45) within the IH 20 Corridor Overlay District and is generally located at the southwest corner of Great Southwest Pkwy. and Bardin Rd.; currently addressed as 4100 S Great Southwest Pkwy. The agent is Bryan Burger, Burger Engineering, LLC, the applicant is Steve Bowman, Aldi, Inc., and the owner is Bill Milam, Racetrac Petroleum, Inc.

Mr. Howard stated Aldi will construct a 17,000sqft grocery store at the corner of Barden Rd and Great Southwest Pkwy. The site is located within PD-45 and is appropriate for retail sales. This site is also located within the I.H. 20 Corridor Overlay District and will be required to meet the standards of Appendix F of the Unified Development Code.

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Mr. Howard stated this development meets the parking and access standards of the UDC. This site will have access from Bardin Rd, to the north, and from Great South Parkway, to the east. A 30ft wide access easement was provided with the plat along the western and southern property lines and will also function as a fire line. A retail use is required by the UDC to provide 1 space for every 275sqft of the building. This development will require 64 parking spaces; including 3 handicapped accessible spaces. The applicant is providing 82 spaces, including 4 handicapped accessible spaces.

Mr. Howard stated the applicant will be providing landscaping for 19% of the property. This development will be in conformance with landscaping requirements of the UDC. The submitted plans for the building elevations are in substantial compliance with the requirements of the Overlay District; Appendix F of the UDC. Staff reviewed the plans using the North and East Elevations as Primary Facades. The primary facades will contain about 50% glazing as required by the Overlay district. Each street-side façade will have awnings covering the cart storage areas and the stores primary entrance. The covered walkway are required to extend at least 50% of the façade's length; the applicant is only providing about 35%. The building comprises of about 92% brick and stone. Over 25%, as required, of the elevations will contain of limestone, located at the base of each elevation. Loading Dock will be screened by vegetation on the north side of the property and meets the screening requirements of the UDC. Ground equipment on the east side of the building will be screened by vegetation as required by the UDC. All roof top equipment will be screened as required. Aldi will also have their cart storage next to the entrance on the north and east sides of the building. Aldi has proposed a half-wall that will screen the carts from view.

Mr. Howard stated the proposed dumpster enclosure will meet all the design requirements of the UDC concerning outdoor refuse screening; a minimum 12ft x 12ft area enclosed by a solid, non-transparent, masonry wall, 6ft in height, with a screening gate that is concealed from public view from all areas of the public street right-of-way.

Mr. Howard noted staff finds this proposal is in substantial compliance with the development requirements of the city. Staff recommends approval of this site plan.

Chairman Garrett asked if the entrance would be facing Bardin Road.

Mr. Howard stated the entrance would face Bardin Road and Great Southwest Parkway.

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

Bryan Burger, 17130 Preston Road, Suite 180N, Dallas, TX was present representing the case and to respond to questions from the Commission.

Commissioner Gray asked how many employees would be employ at this location.

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Mr. Burger replied this location would have eight employees.

Commissioner Moser asked if this store would be similar to the store located along Pioneer Parkway.

Mr. Burger stated this store would be 1,000 square foot larger and would be a different prototype compared to the store on Pioneer Parkway.

Commissioner Spare asked if the store would have any lighting on the back side of the building that could affect the neighborhood.

Mr. Burger replied no, the store would be setback 300 ft. from the neighborhood.

Michael Wright, 4120 Cardigan Drive, Grand Prairie, TX stepped forward in support of this request. Mr. Wright asked if the remainder of the lot would remain vacant.

Cana Baldridge, 4106 Briton Court, Grand Prairie, TX stepped forward with some traffic concerns, and asked if the ingress and egress would be moved away from the intersections far enough from the intersections.

Transportation Planner Daon Stephens replied yes, there would be a new median opening on Great Southwest and the opening along Bardin Road would be moved far back from the intersection.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case S150702 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Gary

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #9- SU970701D - Specific Use Permit Renewal - Excavation (City Council District 5). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation for approval to renew and amend Specific Use Permit 671A (SUP-671A) for sand and gravel mining and land reclamation for approximately 63 acres. This site is currently zoned Light Industrial (LI) District and is generally located east of MacArthur Boulevard and south of east bound Interstate Highway 30. The owner/applicant is James Cornelius, South IH 30 LTD.

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Mr. Hinderaker stated the applicant is requesting to extend the operational time frame of Specific Use Permit No. 671A for a, sand and gravel mining operation originally approved. The original operation approved in 1997 included a gross area of 439 acres that were predominately situated within a flood plain. The mining area, where the actual extraction of material occurs, was limited to about 134 acres. Since 1997, approximately 200 acres of the gross site have been reclaimed from the flood plain for use as an industrial park - largely from soil material taken from the adjacent mining areas. Other soil materials were sold to contractors for use in off-site construction projects. Amended SUP 671A reduced the area of the mining operation from 439 acres to 63.10 acres.

Mr. Hinderaker stated the applicant is now requesting a three-year extension to the operational time frame with an option for two separate three year extensions with a mandatory review period occurring every three years. The extension periods may be administratively approved by staff if all mining and extraction operations are performed in compliance with SUP ordinance requirements, and all other relevant codes and ordinances of the City of Grand Prairie. However, staff could exercise the option of requiring City Council approvals for the extension periods should recorded violations occur within the previous operational period.

Mr. Hinderaker stated in addition to the requirements set forth in the SUP Ordinance, this operation will also be subject to all requirements established in Chapter 7, Article VIII, "Gravel Pits" of the Code of Ordinance of the City of Grand Prairie. This article requires permits for the excavation of material, and a 404 permit from the US Army Corps of Engineers for disturbance of flood plain area. The applicant has complied with these requirements for the existing operation. Once they have secured approval of this amended SUP request, the applicant will seek renewal of these permits as necessary from the Engineering Department and the Corps. In accordance with Code requirements, the Engineering Department will review a reclamation plan as a part of their permit review. The renewal of these required permits are necessary before any further mining operations occur into the extended operational period.

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

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

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and renew case SU970701D as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

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

Nays: None

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Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #10- SU150602/S150604 - Specific Use Permit/Site Plan - 2305 Fort Worth Street (City Council District 1). Senior Planner Doug Howard presented the case report and a Power Point presentation for approval of a specific use permit and site plan for the purposed of developing 0.7 acres for a plumbing contractor site. The site's current addresses are 2305 Fort Worth St. and 2304 Doreen St. The properties are zoned Light Industrial (LI) and General Retail (GR) Districts within Central Business District 1 (CBD 1). The owner is Charles Burton and the surveyor is Steve Keeton, Keeton Surveying.

Mr. Howard stated Burton's Mechanical, Inc. is proposing to use 2305 Fort Worth St as its base of operations. The existing 5,200sqft building will have a 2,600sqft expansion for to install new offices for 7 to 9 full time employees. The office will be used for account receivables, payroll, estimating, scheduling, and for project management of outside employees in the field. The exterior materials of the new addition will match the materials of the existing building, which complies with the requirements of the UDC. The existing 5200sqft area of the building will be used for storage of tools and material and will employee 2 full time shop employees. The southern portion of the property will be used to store trucks, trailers, and earth moving equipment; such as a mini excavators and skid steers. This area will also be used for parking staff as well. This business will be required to have 14 parking spaces for the office and warehouse storage uses. The applicant is proposing 24 parking spaces for employees, vehicle equipment storage and 2 handicapped spaces. The applicant's proposal meets the requirements of the UDC. This site currently has 9 drive accesses around the property. Due to drive access spacing issues, the Transportation Department has required that the majority of these drive accesses be closed. Staff is supportive of leaving the 2 drive accesses on Fort Worth St, 1 drive access along N.W. 23rd St, and 1 drive access on Doreen St. The proposed closures and drive access can be seen on the submitted site plan.

Mr. Howard stated when outside storage is within 40 ft of the ROW, the UDC requires a "Type 1", masonry, screening wall. No required fence is permitted to be placed inside a required front yard setback, which is 25ft on this property to the south, and an effective 10ft build line along the east property line. The applicant is proposing a wrought iron style fence with wood slats to screen and secure the vehicles. This fence is proposed to be located on the 10ft setback to the east and the applicant is requesting a 15ft setback along the southern property line, adjacent to Doreen St. A standard "Type 3" fence, wood fence with metal posts, will be constructed and the east property line. The dumpster will comply with the minimum standards of the UDC.

Mr. Howard stated the applicant's original request was for outside storage of materials. Staff notified the applicant that the Central Business District 1 Overlay does not authorize outside storage and would not support the approval of outside storage. The applicant adjusted their operational plan to only include the outside storage of their vehicles and to clarify that they will store all materials and tools inside. Staff does not object to the limited vehicle storage. The

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vehicle storage will be limited by the amount of parking spaces the yard will hold. The applicant is requesting an exception to the screening fence requirement of the UDC: All outside storage shall require a screening fence in accordance with the following provisions.

- A. *All outside storage shall be required to be screened with a "Type 1" fence on property lines adjacent to any property which is zoned for single family detached, single family attached, two-family, and multi-family residential uses or for any outside storage area within 40 feet of street right-of-way line. All screening fences for outside storage must be setback a minimum of 25 feet from any street right-of-way line.*
- B. All outside storage shall be required to be screened with a "Type 3" fence on property lines adjacent to any other use except as provided in paragraph "A" above

The applicant stated within the submitted operational plan that they feel the proposed wrought iron style fence with wood slats provides a higher standard of fencing than the rest of the area. They desire to have more space to park vehicles and requests the fence be able to be located with a 15ft setback along Doreen St and a 10ft setback along NW 23rd St. Staff has no objections to this request.

Mr. Howard stated staff cannot fully support the applicant's request due to the appeals and exception listed above, however, should the Planning and Zoning Commission approve the appeals and exceptions, Staff recommends the following conditions:

1. Outside storage shall be limited to the occupying business's vehicles, only. All vehicles must be parked within clearly marked parking stall, as shown on the approved site plan.
2. All vehicles must be screened by at least a Type 3 Fence, as defined by the UDC. A wrought iron style fence with wood slats may be used in lieu of the Type 3 Fence. Design standards must be approved by the Building Official.
3. The exterior materials on the building addition must match the materials of the original building.
4. Use of the rights-of-way for business operations shall be prohibited.
5. Site Plan mylar must be submitted to the planning department for review and approval. Future changes to the parking or expansions to this facility will require the submittal of a revised site plan for review and approval to the Planning Department.
6. All operations must conform to the approved site plan.
7. All operations shall maintain compliance with all federal, state, and local environmental regulations.
8. Must practice all best management practices listed in its storm water pollution prevention plan.
9. Must satisfy any other unresolved comment from the Development Review Committee, found in the city case file.

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

Charles Burton, 303 Juniper Drive, Arlington, 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 approve case SU150602/S150604 as presented and recommended by staff, with the addition that the proposed entrances to be closed be curbed and guttered and included in the ordinance, and the required fence be 8 ft. tall. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #11- Z150701 - Zoning Change - Meadow Park Addition (City Council District 2). Senior Planner Doug Howard presented the case report and a Power Point presentation for approval of a zone change from Single Family-Two (SF-2) to a Planned Development for single family residential development. The property is located in the SH 161 Corridor Overlay District at the southwest corner of Robinson Rd and W Warrior Trail, currently address as 3102 Robinson Rd. The agent is E.D. Hill, the applicant is Hal Thorne, Hillstone Construction, LLC, and the owners are Ronald Hopkins, N.D. Hopkins Estate and Veronica Hopkins, N.D. Hopkins Estate.

Item #3 - P150701 - Preliminary Plat - Meadow Park Addition (City Council District 2). Consider a request to approve a preliminary plat consisting of 12 lots on 2.18 acres. The property is currently zoned Single Family-Two (SF-2) within the SH 161 Corridor Overlay District and is also under consideration for a zone change for a Planned Development for single family residential development; see Zoning Case# Z150701. The property is located at the southwest corner of Robinson Rd and W Warrior Trail, currently address as 3102 Robinson Rd. The agent is E.D. Hill, the applicant is Hal Thorne, Hillstone Construction, LLC, and the owners are Ronald Hopkins, N.D. Hopkins Estate and veronica Hopkins, N.D. Hopkins Estate.

Mr. Howard stated the applicant is proposing to change the zoning of 2.18 acres at the corner of Warrior Trl and Robinson from Single Family-Two (SF-2) to a Planned Development for Zero Lot Line homes. The property is located within a community that is already zoned for zero lot line homes; PD-144, which was approved in 1983. The applicant is requesting to mirror the development standards of PD-144.

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Mr. Howard stated the UDC requires a subdivision fence along W. Warrior Trl. A Home Owner's Association will be required to be established in order to maintain all common areas and the subdivision fence. The concept plan should show a fence detail and the location of the subdivision fence. A note on the concept plan stating that the fence will meet the Type 1 fence standards of the UDC will be sufficient if a fence detail is not available. The applicant does not wish to put up this wall. The applicant does not wish to construct a Type 1 masonry wall or create a Home Owners Association to maintain such wall.

Mr. Howard stated staff is supportive of the zone change and recommends approval with the following conditions:

1. Development standards for lots 1-11 as proposed in the preliminary plat, City file number P150701, follow the standards prescribed by Section II of Planned Development 144; Ordinance 3518.
2. Lot 12 as proposed in the preliminary plat, City file number P150701, will retain the standards of the SF-2 District
3. A Type 1 screening wall must be constructed on along Warrior Trail and maintained by a Home Owners Association.
4. Applicant must satisfy any unresolved comments from the Development Review Committee, found in City File number Z150701.

Commissioner Philipp asked if the entrance would only be from Meadows Drive.

Mr. Howard replied yes, there would be no entrances off Warrior Trail.

Commissioner Spare asked if the existing neighborhood to the south has an existing HOA or PID.

Mr. Howard replied no.

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

Hal Thorne, 3550 Gifco Road, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mr. Thorne stated these lots are deeper therefore the homes would be larger than the existing homes. He stated setting up an HOA to maintain the fence would be difficult and cost effective for eleven homes, and asked that the screen wall requirement be waived.

Commissioner Spare asked how much the screening wall would cost.

Mr. Thorne replied about \$75 to \$100 a square foot, not including an irrigation system and landscaping.

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Commissioner Womack asked if each homeowner was responsible for maintaining the area behind the fence, and if the homeowners did not maintain the area would this be a code violation.

Mr. Hinderaker replied yes.

Mr. Crolley stated if each homeowner was responsible for maintain their portion, the city might have a very difficult time making sure the area is maintained, that would mean each property owner would have to travel around the neighborhood around the wall to mow their small portion.

Commissioner Philipp stated his neighborhood has a PID and a portion of their screening wall has fallen and it has been very expensive to repair therefore there should be a way to maintain this fence.

Commissioner Moser asked if there is a landscape requirement for this development.

Mr. Hinderaker replied no, but the area would need to be irrigated and grassed.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z150701 as presented and recommended by staff, and a Home Owner's Association be established in order to maintain all common areas and the subdivision fence. The action and vote being recorded as follows:

Motion: Moser

Second: Philipp

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

Nays: Garrett

Approved: **8-1**

Motion: **carried.**

Citizen Comments: None

Commissioner Gray moved to adjourn the meeting of July 6, 2015. The meeting adjourned at 8:00 p.m.

Tommy Garrett, Chairman

ATTEST:

Ed Gray, Secretary

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