



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
AUGUST 31, 2015**

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

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Denice Thomas, AICP, Senior 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: P151001 – Preliminary Plat - 360 Green Oaks Addition, P151002 – Preliminary Plat - Victory @ Lake Ridge Addition, P151003 – Final Plat - Meadow Park Addition Phase 1, P151004 – Final Plat - Zac’s Ridge Conference Center Addition, P151005 – Final Plat - Mize Addition, Lot 1, Block A, RP151001 – Replat – Lake Ridge 20, Lot 2598-R, Block R, RP151002 – Replat – Miss M.A. Moore’s Addition Revised, Lot 4R, Block A, RP151003 – Replat- Dalworth Hills, Lot 27R, Block 5, and RP151004 – Replat – Enterprise Commercial Park, Lot 4-R, Block A.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of August 3, 2015.

PUBLIC HEARING CONSENT AGENDA: Item #3 – P150901 - Preliminary Plat - Remington 30 Addition (City Council District 1). Consider a request to approve a preliminary plat to create a three-lot-non-residential subdivision. The 59.24-acre property, zoned Planned Development 39 (PD-29) District, is located at 2701 Beltline Road, 601 E. Wildlife Parkway, and 701 E. Wildlife Parkway. The agent is Bob Rice, Ironwood Interests, LLC, the applicant is Benjamin McGahey, Halff Associates, Inc., and the owner is Stan Graff.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Item #4 - P150902 - Final Plat - Remmington 30 Addition (City Council District 1). Consider a request to approve a preliminary plat to create a three-lot-non-residential subdivision. The 59.11-acre property, zoned Planned Development 39 (PD-29) District, is located at 2701 Beltline Road, 601 E. Wildlife Parkway, and 701 E. Wildlife Parkway. The agent is Bob Rice, Ironwood Interests, LLC, the applicant is Benjamin McGahey, Halff Associates, Inc., and the owner is Stan Graff.

Item #5 - P150903 - Preliminary Plat - Bardin Road Addition (City Council District 6). Consider approval for a preliminary plat of 28.4 acres of the M. Hunt Survey Abstract, creating four (4) non-residential lots. The subject property is located within multiple non-residential zoning districts; PD-250, PD-55, PD-30, and is within the I.H. 20 Corridor Overlay District. The property is generally located south of I.H. 20. and west of Matthew Rd. The owner is Gary Horn, Mohr Acquisitions LLC.

Item #6 - P150904 - Final Plat - Bardin Road Addition (City Council District 6). Consider approval of a Final Plat creating one (1) non-residential lot on 22.069 acres out of the M. Hunt Survey Abstract. The subject property is located within two non-residential zoning districts: PD-55 and PD-30, and is within the I.H. 20 Corridor Overlay District. The property is generally located south of I- 20 and west of Matthew Rd. The agent is Vanessa McElroy, RLG Engineering Inc. and the owner is Gary Horn, Mohr Acquisitions LLC.

Item #7 - P150906 – Preliminary Plat - Dominguez Addition (City Council District 3). Consider approval for a Preliminary Plat of 4.75 acres of the Mercer Fain Abstract, creating one (1) residential lot. This property is addressed 1510 S. Belt Line Rd and is zoned Single Family-Four (SF-4) Residential District. The agent is Lubula Kanyinda, 3251 Matlock Rd. and the owner is Arnold Reyes.

Item #8 - P150907 - Final Plat - Grand Lakes Business Park, Phase 4 (City Council District 5). Consider approval for a Final Plat of 15.08 acres of the James McLaughlin Survey Abstract, creating one (1) nonresidential lot. The property is generally located south of I.H. 30 and east of Grand Lakes Blvd and is zoned Light Industrial (LI) District within the I.H. 30 Corridor Overlay District. The applicant is Bruce Thacker, The Wallace Group, Inc. and the owner is Tim Forst, Transform Real Estate LLC.

Item #9 - S150901 - Site Plan - Grand Lakes, Phase 4 (City Council District 5). Consider approval of a site plan for a 15 acre warehouse/office development. The property is generally located south of I.H. 30 and east of Grand Lakes Blvd and is zoned Light Industrial (LI) District within the I.H. 30 Corridor Overlay District. The applicant is Bruce Thacker, The Wallace Group, Inc. and the owner is Tim Forst, Transform Real Estate LLC.

Item #10 - S150902 - Site Plan - Graff Building 1 (City Council District 1). Consider a request to approve a site plan to construct a 243,230-square-foot industrial building. The 13.66-acre property, located at 701 E. Wildlife Pkwy., is zoned Planned Development-39 (PD-39) for retail,

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

office, service, light industrial, special amusement and entertainment uses. The agent is Bob Rice, Ironwood Interests, LLC, the applicant is Chris Bruck, Alliance Architects, Inc., and the owner is Stan Graff.

Item #11 - S150904A - Site Plan Amendment - 702 N. Belt Line Rd (City Council District 5). Consider a request to approve a site plan amendment to change building materials and partially remodel an existing convenience store. The 16.00-acre property, located at 702 N. Beltline Rd., is zoned Planned Development No. 217 (PD-217) District, and is within the Interstate Highway 30 (IH 30) and Beltline Corridor Overlay Districts. The agent is David Bond, Spiars Engineering, the applicant is Adam Caracci, RaceTrac Petroleum, and the owner is Brian Thornton, Mountainprize Inc.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #12- SU141002/S141003 - Specific Use Permit/Site Plan - 4125 E Jefferson Street (City Council District 5).

(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 P151001, P151002, P151003, P151004, P151005, RP151001, RP151002, RP151003 and RP151004, approve the minutes of August 3, 2015, and approve consent agenda cases P150901, P150902, P150903, P150904, P150906, P150907, S150901, S150902, and S150904A and postponed case SU141002/S141003. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moser

Second: Spare

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #13 - SU141101/S141101 - Specific Use Permit/Site Plan - 1629 E Main Street (City Council District 5). Senior Planner Doug Howard presented the case report and gave a Power Point presentation for a Specific Use Permit for an Automotive Re-Builder and Inoperable Auto Holding Yard uses and to codify existing non-conforming Automotive Related Business uses. The subject site is located at 1629 E Main St and is zoned Light Industrial (LI) District within Central Business District No. 3 (CBD 3). This property is generally located on the south side of E. Main St and east of S.E. 16th St. The agent is Danny Moussavi and the owner is Hamid Moussavi.

Mr. Howard stated HDA obtained their most recent certificate of occupancy in March of 2007 for used auto sales and auto repair/body shop with the following conditions:

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

- Must Comply with “Auto Related Business” Ordinance #7408
- All Work Must be Performed Inside the Building
- No Painting Outside of Booth and/ or Auto Salvaging Allowed
- No Outside Storage of Parts and/ or Other Miscellaneous Items Allowed
- No More than Two (2) Inoperable Vehicles Stored Outside of Shop
- Return C.O. to Code Enforcement Upon Dissolution of Business

Mr. Howard noted a list of code enforcement violations since 2008 and a list of inspection history from Environmental Services since 2000. The report shows several violations including outside storage of parts, salvaging, excessive inoperable vehicle storage, and outdoor repair. The applicant, in order to run the business as desired, would need to be allowed to perform the activities listed as prohibited on the certificate of occupancy. In order to rectify the situation, code enforcement referred the applicant to the Planning and Zoning Department. Planning staff informed the applicant that an inoperable vehicle holding yard required a Specific Use Permit. Article 30 of the UDC defines an Inoperable Auto Hold Yard. As part of the applicant’s desired operations, the rebuilding of inoperable vehicles would also be performed. This may include simple repairs to vehicles or rebuilds of severely damaged vehicles. The UDC allows for an Automotive Re-builder use as defined with approval of a Specific Use Permit.

Mr. Howard noted the applicant has submitted a detailed operational plan, outlining the how HDA Auto wishes to operate. This site has an existing non-conforming used auto sales use. As part of this request, staff will incorporate the auto sales use into the specific use permit. As required by the UDC in Article 4, “If a primary, conforming use is proposed on a lot or tract occupied by a primary non-conforming use, the primary non-conforming use must cease whenever the primary conforming use begins.” Staff will recommend this SUP authorize used auto sales in order to bring the property into conformance. The north parking lot will be used for the auto sales inventory of 20 cars. The north building, labeled A, is used as an office for the site, which is roughly 1200sqft. The rear building, about 2300sqft, is used for all the vehicle repairs. Repairs include auto rebuilding, major auto repairs, body and paint shop. The major auto repair, body and paint shop uses are existing non-conforming uses. The UDC today requires a specific use permit. If the auto rebuilder use is to be approved, this would include these uses.

Mr. Howard stated HDA auto buys damaged vehicles and repairs them in the 5-bay garage, labeled “B” on the site plan, for the purposes of resale. They also repair vehicles from the public. Their operations plan states that “H.D.A. is not in the business of selling used or salvaged parts of any kind. Any and all parts located on premises are strictly used in the repair or restoration of company inventory or auto body repair related to client vehicles.” Through discussion with the applicant, they have historically bought cars for the purposes of using its parts to repair other cars. The City of Grand Prairie views this activity as salvaging and staff does not support salvaging of any type within a Light Industrial district. The ARB ordinance defines salvaging as “disassembling automobiles, trucks, pickups, or any other motor vehicles for the purpose of resale or reuse of any part thereof.” The site is currently screened by an 8ft metal fence. The rear of the lot has several parking spaces specifically for the storage of vehicles

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

awaiting repair or pickup, antique and damaged vehicles, inoperable and operable, or for vehicles being held for sale (inventory overflow). This area is also being requested to be used for the storage of body parts including but not limited to front or rear body clips, purchased for auto repair purposes. Currently, the canopies are being used to cover parts being stored outside. Staff does not support the storage of car parts, as this may lead to salvaging of parts.

Mr. Howard stated the proposed site changes will occur in 2 phases. The first phase will include demolishing part of the existing north building to make room for the required fire lane on the east side of the property. The fire lane will be constructed according to the standards of the UDC. Because of the demolishing of the building, the applicants will build a new canopy behind the main office. The rear parking areas will remain gravel. The applicants did not propose a time frame for the second phase. In this phase the parking areas will be paved and the main access will be moved further east, as shown on the submitted site plan. The area to be paved is about 33,000sqft.

Mr. Howard stated staff does not support any manner of salvaging in a Light Industrial district. Below is an outline of conditions for approval that staff could support for a Specific Use Permit for an Automotive Re-Builder with an Inoperable Vehicle Holding Yard and Used Auto Sales:

1. The applicant must submit a site plan, specifically designating the use of each parking space. The Chief Planner may approve the parking plan;
2. Paving off all parking areas shall be completed within 2 years of the date of approval of this Specific Use Permit.
3. The development shall adhere to the following operational standards:
 - a. All vehicles must be parked within clearly marked parking spaces, as shown on the approved site plan. There shall be no parking within drive aisles or fire lanes. The use of the public rights-of-way for parking, loading, or unloading shall be prohibited;
 - b. No salvaging activities shall take place onsite;
 - c. No vehicle parts may be stored outside;
 - d. All repairs or maintenance to vehicles must be performed indoors;
 - e. A ledger shall be kept on-site and maintained by the business operator and shall be presented upon request by the Police Department and Code Enforcement during inspections or investigations. The ledger shall maintain information and documentation for each vehicle receiving repairs or services. Items maintained and contained in this ledger shall include:
 - i. Date the vehicle entered the site for services, repairs, or storage;
 - ii. Customer Name;
 - iii. Vehicle Identification Number, Make, Model and Year;
 - iv. Type of services or repairs needed and/or performed;
 - v. Estimated time of completion;
 - vi. Date the vehicle was removed from site; and

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

- f. All operations shall maintain compliance with all federal, state, and local environmental regulations;
 - g. All operations shall maintain compliance with City Ordinance No. 7408, Automotive Related Business (ARB) regulations;
 - h. Must practice all best management practices listed in its storm water pollution prevention plan; and
- 4. A Site Plan Mylar must be submitted to the planning department for review and approval. Future changes to the parking or expansions to this facility, regarding this Specific Use Permit, will require the submittal of a revised site plan for review and approval to the Planning Department;
- 5. Must comply with any outstanding Development Review Committee comments for the Specific Use Permit found in File No. SU141101/S141101.
- 6. This property shall meet the standard Specific Use Permit compliance standards; as follows:
 - a. The City Council shall conduct a public hearing one (1) year after City Council approval of the Site Plan 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 with other applicable regulatory requirements administered and/or enforced by the state and federal government;
 - b. This Specific Use Permit shall automatically terminate if a Certificate of Occupancy is not issued for an Automotive Re-builder with an Inoperable Vehicle Holding Yard and Used Auto Sales; within one (1) year after City Council adoption of this Ordinance, or upon cessation of the use for a period of six (6) months or more.
 - c. The operation of this site shall be in strict compliance with 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 with other applicable regulatory requirements administered and/or enforced by the state and federal government.
 - d. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Grand Prairie. Violation of this provision may be punishable in accordance with Section 1-8 of the Code of Ordinances of the City.
 - e. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy
 - f. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its SUP number and title.

Commissioner Womack asked what the property could be used for if this request is denied.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Mr. Howard stated the applicant could conduct auto used sales, an auto body shop, and auto repair, except for auto salvaging.

Commissioner Spare noted salvaging is not permitted and the applicant is currently in violation of the ordinance.

Mr. Howard replied yes they are in violation of the ordinance.

Commissioner Philipp asked what zoning district allows this type of salvaging.

Mr. Howard replied an inoperable auto holding yard would be allowed with a specific use permit in a heavy industrial zoning district.

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

Danny Moussavi, 1629 E. Main Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mr. Moussavi noted the vehicles shown in the presentation would no longer be used on site they would be removed and sent to a scrap metal facility. He said in 1998 they started their business as an auto rebuilder facility, and they do not sell their parts, but do keep them in a storage area, but this is what Code Enforcement considers auto salvaging.

Chairperson Garrett stated when a vehicle is bought and you take parts from that vehicle to use on another vehicle, this is considered salvaging. Mr. Garrett asked when phase 2 of their request would be completed, the parking areas will be paved and the main access will be moved further east.

Hamid Moussavi, 1629 E. Main Street, Grand Prairie, TX stated they are not conducting an auto salvage yard at their business. Phase 2 will begin as soon as they obtain City Council approval.

Danny Moussavi said they do not want to do away with perfectly good parts therefore they will keep them in storage.

Commissioner Moser stated he appreciates the applicant conducting his business in Grand Prairie, but looking at his business past history he has been in violation for the past fifteen years, it's great that they are trying to keep in compliance, but they have had fifteen years to comply and they have not done so. Mr. Moser stated he would support the one year review of this case and the two year time limit to complete phase 2 of this project, but if they obtain anymore code violations he would be the first to revoke the SUP and shut them down.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Danny Moussavi stated there have been too many changes within the City staff, Code Officers, and ordinances changing. They have been conducting this type of work in the past, but today Code considers what they are doing salvaging when they are a rebuilder of vehicles.

Commissioner Motley stated their business is allowed in heavy industrial zoning district, he should relocate in order to comply with the city ordinances and be able to conduct his business.

Danny Moussavi replied they have been at this address since 1998.

Commissioner Motley stated he understands they are trying to run a business, but this type of business is not allowed in the current zoning district, therefore they need to relocate to the appropriate district.

Danny Moussavi replied they have invested a lot of money at this location if given the opportunity they would come into compliance.

Commissioner Moser said he understands and agrees with Mr. Motley's concerns and feels the applicant should relocate his business to the appropriate zoning district.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case SU141101/S141101 as presented and recommended by staff, with a one year review after City Council approval of the Site Plan and Paving of all parking areas shall be completed within 2 years of the date of approval of this Specific Use Permit. The action and vote being recorded as follows:

Motion: Moser

Second: Perez

Ayes: Garrett, Johnson, Lopez, Dr. Perez, Philipp, Moser, and Motley

Nays: Spare, Womack

Approved: **7-2**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #14 - Z150702/CP150701 - Zoning Change/Concept Plan - Lake Ridge Mixed-Use Development (City Council District 6). Senior Planner Denise Thomas presented the case report and gave a Power Point presentation for a request to amend the Planned Development-297A (PD-297A) District concept plan. The 16.57-acre property, located at 7500 Lake Ridge Parkway, is zoned PD-297A and is within the Lake Ridge Corridor Overlay District. The agent is Rob Baldwin, Baldwin Associates and the applicant is Richard LeBlanc, Mozley Acquisition & Development.

Mrs. Thomas stated the applicant is requesting approval to amend the zoning on 16.57 acres of PD-297A to allow a revised concept plan that includes multi-family and retail uses. The

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

proposal also includes requests to deviate from the adopted Multi-Family-3 District requirements. The base zoning for the PD will be MF-3 with the exception of the following:

- The minimum living area, as proposed, will be 650 square feet. The UDC requires a minimum living area of 690 square feet.
- The building materials used will be a combination of masonry (brick/stone) and stucco. The UDC requires 100% masonry. Staff is supportive of the deviation provided the elevations approved with the site plan are in substantial conformance with the illustrative elevations contained in the Site Plan Exhibit.
- Roof pitch throughout the development is 4:12. The UDC requires minimum roof pitch mixture of 6:12 and 10:12 slope.
- The proposed development would have a net density of 30 dwelling units per acre (du/ac). The UDC limits net density to 24 du/ac.
- The front yard setback, as proposed, will be 30 feet. The UDC requires a 40-foot setback for single-story buildings, 60 feet for two-story buildings, and 100 feet for three-story buildings. The proposed buildings will be four stories. The UDC requires a 100-foot setback for the multi-family component of the development.
- The maximum building height, as proposed, will be 65 feet. The UDC limits the maximum height to 35 feet in the MF-3 District.
- The interior side yard setback, as proposed, will be 15 feet. The exterior side yard setback, as proposed will be 30 feet. The side yard setback for buildings that side onto an arterial are required to have 40-foot wide side yard setbacks for single story buildings, 60-foot wide side yard setbacks for two-story buildings, and 100-foot wide side yard setbacks per the UDC. The buildings proposed are four stories; a 100-foot wide side yard setback is required.
- The rear yard setback, as proposed, will be 15 feet. The UDC rear yard setbacks are based on the height of the building. Single story apartment buildings are required to have 25 feet or two times the roof height, whichever is greater; two story apartment buildings are required to have 50 feet or two times the roof height, whichever is greater; three story apartment buildings are required to have 75 feet or two times the roof height, whichever is greater. The buildings proposed are four stories with height ranging between 48 feet and 56 feet. The UDC requires rear yard setback between 96 feet and 112 feet.

Mrs. Thomas stated staff recommendation is to approve the design that includes a mixture of stucco, brick, and stone building materials and barrel tile roof material; this design meets the intent of the Lakeridge Overlay District. While the proposed amendment defers to existing UDC regulations, the applicant is requesting deviations to the regulation as part of this proposal.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Therefore, Staff cannot recommend full support; however, if it is the desire of the P & Z Commission to recommend approval of this proposal the Development Review Committee recommends the following:

1. Development will occur in substantial conformance with the UDC provisions, except where specifically mentioned in the PD ordinance.
2. That, unless explicitly indicated in the PD ordinance, all development will be subject to the UDC requirements.
3. That, unless explicitly indicated in the PD ordinance, in the event that conflicts occur between the PD and the UDC, the more restrictive shall apply.
4. That, the definition of masonry remain as defined by the UDC as amended.
5. That front yard setbacks shall comply with the UDC as amended.
6. That parking requirements for the subject site comply with the UDC as amended.
7. That roof materials for the amended PD area shall consist of barrel tiles.

Commissioner Spare asked if this development would be part of the Grand Peninsula PID.

Mrs. Thomas replied yes.

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

Rob Baldwin, 3804 Elm, #B, Dallas, TX was present representing the case and to respond to questions from the Commission.

Dick LaBlanc, Hanover Property President, 3001 Knox Street, Dallas, TX asked that they be given the flexibility to have an all stucco building if they have a tile roof. He said they would be maintaining a high standard for the Grand Peninsula area.

Chairperson Garrett noted Max Coleman, 9 Heritage Court, Grand Prairie, TX and Jerry Lowrey, 7139 Shook Avenue, Dallas, TX in support of this request.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z150702/CP150701 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

PUBLIC HEARING AGENDA Item #15 - SU150901 - Specific Use Permit - Foster Acres Stable (City Council District 6). Bill Crolley presented the case report and a Power Point presentation for a Specific Use Permit for a Private Stable on 10.8 acres. The subject property is generally located east of S Caminos Lagos and south of S Grand Peninsula Dr. The property is zoned Agricultural and is within the Lake Ridge Corridor Overlay District. The owner is Richard Eldridge.

Mr. Crolley stated the applicant is seeking specific use permit approval to construct and operate a 1,440 sq. ft. private stable on 10.8 acres. In accordance with Section 14, "Use Charts" of the Article 4 of the Unified Development Code, a specific use permit is required to operate a Private Stable as a primary use. In addition, the development must meet the minimum development standards prescribed in the UDC for the Agriculture zone district, the property's underlying zoning district classification. However, due to the private agricultural use, the overlay standards of Appendix F, "Corridor Overlay District Standards" of the UDC are not applicable. Staff has classified the proposed use as a "Private Stable Primary Use" as the property has neither a home nor another principal use yet established. Based on the submitted Operational Plan and conversations with the applicant/property owner, Richard Eldredge, staff understands the Mr. Eldredge intends to develop the 10.8 acre tract as his family's residence, but that he initially wants to build the stable to house his four personal horses prior to constructing his family's residence. Mr. Eldredge anticipates that the home will be built on the property sometime within next two years. Once the home is built and occupied, staff will reclassify the "Private Stable Primary Use" to "Stables Accessory Use", which is a permitted use by right in the AG District.

Mr. Crolley stated according to the Grand Prairie Municipal Code, equine animals or horses are defined as livestock and are subject to the rules and regulations governing livestock as generally found in Chapter 5 of the Municipal Code. Of specific regulatory importance, Section 5.26 of the Municipal Code states that the keeping of livestock is prohibited in any pen, stable, shed, or enclosure at a distance less than one hundred feet from any residence, business or commercial establishment or office, (other than the owner's), grocery stores, restaurants, schools, hospitals and nursing homes. Section 5.26 of the Municipal Code further states that a minimum of 5,000 square feet of land area is required for each animal. As proposed, the above noted standards have been met. However, to ensure compliance, these standards will be included as a condition within the SUP ordinance. Section 5.29 of the Municipal Code further requires that the owner keeping or harboring any livestock, fowl or animal shall keep all yards, pens, stables, sheds, coops or other enclosures in which such animals are confined in such a manner so as not to give off odors offensive to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes, or other noxious insects or rodents, or in any manner to endanger the public health, safety or welfare, or create a public nuisance. The applicant intends to allow the four horses to roam the entire 10.8 acre subject property and therefore staff does not anticipate any issues offensive odors or pests. As proposed, staff finds that the above noted standards have been met. However, should offensive odors or problems with pest arise; it is the responsibility of the Mr. Eldredge to adequately address the problem. To ensure compliance, these standards will be included as a condition within the SUP ordinance.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Mr. Crolley stated the subject 10.8 acre property is located on the “Peninsula” in south Grand Prairie. The property directly abuts S. Grand Peninsula Drive on its north side and Seeton Road on its south side. The property is undeveloped save a couple of dilapidated outbuildings and an approximately 2 acre pond and two earthen levee bridges crossing the pond. Of the property’s 10.8 acres, which was recently platted as Lot 2, Block 1 of the Foster Acres Addition, only 2.55 acres is actually developable as the balance of the property is located within the flood plain and not developable as is. The floodplain bifurcates the developable area of the property into two sections, 0.699 acres on the north side and 1.85 acres the south side, respectfully. The horse stable is proposed to be located on the smaller buildable pad site. Access from the subject property to the public road system is from an existing driveway along Seeton Road. Access from the main building pad site to the smaller buildable pad site is via one of the two internal levees located on the property or along the west fence property line when the ground is dry. There is not currently an access from the subject property, nor is one proposed, along on S. Grand Peninsula, which is in keeping with the Development Review Committee comments. As contained in the DRC comments, Transportation Services provided comments that state: 1) no new median opening will be allowed on South Grand Peninsula and, 2) a residential drive is not allowed onto South Grand Peninsula.

Mr. Crolley stated the proposed private stable is a 36’ x 40’ wood frame structure with a traditional “monitor” roof design that consists of a taller center structure w/ 4:12 gable roof and two attached wings sections with opposite facing 4:12 shed roofs. The three roofs are proposed to be covered with 240 lb. fiberglass shingles. The exterior of the stable is proposed to be clad brick or stone and painted to match the surrounding residential homes. The building includes two large doors located on each end of the building that are large enough to accommodate a passenger vehicle or tractor. The building also includes one service door and several windows and the option for additional side entry service doors. There is an existing wood rail fence that encompasses the entire property. No other fencing is proposed at this time. As this is a private stable for no more than four personal horses of the property owner, no additional landscaping is proposed or required at this time. Please note that the subject property

Mr. Crolley stated the Development Review Committee recommends approval of this case.

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

Richard Eldridge, 1246 E. Seeton Drive, Grand Prairie, 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 SU150901 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Philipp

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #16 - SU150902/S150903 - Specific Use Permit/Site Plan - 1617 W Shady Grove Rd. (City Council District 1). Senior Planner Doug Howard presented the case report and a Power Point presentation for a specific use permit and a site plan for a landscaping company, Peterman & Associates, with outside storage on 2.74 acres. The property is addressed as 1617 W. Shady Grove Rd and is zoned Light Industrial (LI) District within the SH 161 Corridor Overlay District. The property is generally located north of Trinity Blvd. and East of Roy Orr Blvd. The agent is Walter Nelson and the owner is Jon Mitchella.

Mr. Howard stated Peterman & Associates would like to use this existing 1700sqft building on 1617 W Shady Grove Rd, currently being used as a home, for an office of their landscaping business. The rear of the property will be used for storage of materials and equipment. No retail sales are performed onsite. Typically, crews start loading equipment at 6:30am and return around 3:30pm, Monday through Friday, and occasionally on Saturday. The office personnel would work Monday through Friday from 9am to 5pm. The company employs 13 employees.

Mr. Howard stated landscape equipment would be stored onsite, such as lawn mowers, edgers, blowers, shovels, etc. These would be stored in the garage. Larger pieces of equipment such as a skid steer, box trucks, and trailers would be stored behind a screening fence. Materials for the project are delivered to the job site. Small amounts of overstock will be kept behind the fence and these materials could be incorporated in the next job. An irrigated nursery will be located behind the fence. Totals site is about 2.7 acres. The company plans to use about 1 acre, but may expand operations in the future. All vehicles will be parked on paved surfaces. The site requires 7 spaces and will provide for 13 total spaces and will meet the requirements of the UDC. The UDC also requires paving for any areas that vehicles will traverse. The applicant is not proposing any additional paving, outside the parking area. Outside storage will be screen by a Type 3 fence, wood fence with metal posts, on the north end of the property, as shown on the site plan. The other sides of the property have an existing fence that does not meet the screening requirements for outside storage. This fence is transparent, but vegetative screening exists on some parts of the fence. Pictures will be provided during staff's presentation.

Mr. Howard stated Staff cannot fully support the applicant's request due to the appeals and exception; however, staff recommends approval with the following conditions:

1. Any areas of vehicular travel, as approved by the Chief City Planner, must meet the minimum paving requirements of the Unified Development Code. Changes or additions to paving must be shown on an amended site plan, which may be approved by the Chief City Planner.
2. Outside storage must be screen by a Type 3 fence, as defined by the Unified Development Code, as shown on the approved site plan. Future expansions of the outside

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

storage areas will require an amended site plan and may be approved by the Chief City Planner.

3. Outside storage is limited to materials and equipment typically used by a landscaping company.
4. Trailers, box trucks, and other vehicular equipment must be parked and stored behind the screening fence on paving meeting the minimum requirements of the Unified Development Code during non-business hours.
5. Use of the rights-of-way for business operations shall be prohibited.
6. The dumpster shall not require a masonry enclosure. The location of the dumpster must conform to the approved site plan.
7. Site Plan mylar must be submitted to the planning department for review and approval. Future changes to the parking or expansions to this facility or outside storage areas will require the submittal of a revised site plan for review and approval to the Planning Department.
8. All operations shall maintain compliance with all federal, state, and local environmental regulations.
9. Must practice all best management practices listed in its storm water pollution prevention plan.
10. Must comply with any other unresolved comment from the Development Review Committee, found in the city case file SU150902/S150903.
11. This property shall meet the standard Specific Use Permit compliance standards; as follows:
 - a. The City Council shall conduct a public hearing one (1) year after City Council approval of the Site Plan 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 with other applicable regulatory requirements administered and/or enforced by the state and federal government;
 - b. This Specific Use Permit shall automatically terminate if a Certificate of Occupancy is not issued for a Landscape Contractor with Outside Storage; within one (1) year after City Council adoption of this Ordinance, or upon cessation of the use for a period of six (6) months or more.
 - c. The operation of this site shall be in strict compliance with 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 with other applicable regulatory requirements administered and/or enforced by the state and federal government.
 - d. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Grand Prairie. Violation of this provision may be punishable in accordance with Section 1-8 of the Code of Ordinances of the City.

- e. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy
- f. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its SUP number and title.

Commissioner Womack asked if the dumpster is not going to be visible from the street why are we requiring it to be screened.

Mr. Howard replied the dumpster screening is a code requirement.

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

Walter Nelson, 3012 Hobble Court, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Commissioner Moser asked what a type 3 fence consist of.

Mr. Nelson replied the fence would consist of 4 X 4 wrought iron post with cedar planks and decorative cap.

Chairperson Garrett noted one speaker card submitted in support of this request, Max Coleman, 9 Heritage Court, Grand Prairie, TX.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case SU150902/S150903 as presented and recommended by staff, with the exception of a continuation of a type 3 screening fence on the east side for 50 ft. and the west side to match the east side, and with the exception that staff approval can be given once a site plan is submitted by the applicant for any future paving in regards to the tree farm, and the type 3 fence recommended is sufficient for screen the dumpster. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

PUBLIC HEARING AGENDA Item #17 - Z150603 - Zoning Change - River Park 1100 (City Council District 1). Bill Crolley presented the case report and a Power Point presentation for a Zone Change to establish the Light Industrial (LI) District as the initial zone district classification to a 4.66- acre tract of land being added to the corporate limits of the City of Grand Prairie as a result of a boundary line adjustment between Grand Prairie and the City of Fort Worth. The subject property is generally located west of Roy Orr Blvd. and south of Trinity Blvd. The agent is Robert Gossett, Halff Associates Applicant: Steve Allen, Huntington Industrial and the owner is Oaksbranch LP.

Mr. Crolley stated the applicant, Huntington Industrial Partners-Texas, seeks to move forward with plans to build a 130,400 sq. ft. industrial warehouse on the subject property. However, the proposed building straddles the current city limit line between Grand Prairie and Fort Worth. Due to the fact that Grand Prairie is able to provide all services (street access, water, sewer, etc.) to the property, the property owners have requested to dis-annex a 6.17 acre portion of their property from Fort Worth and move the property into the corporate limits of Grand Prairie. Fort Worth is proceeding with the boundary line adjustment. The boundary line adjustment is scheduled to be heard by the Grand Prairie City Council on September 15, 2015. As a result, the 6.17 acre tract now requires a zoning designation in the City of Grand Prairie.

Mr. Crolley stated having heard no protest from neighboring properties; the Development Review Committee is recommending approval of the requested zoning change.

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

Robert Gossett, 1201 North Bowser Road, Richardson, 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 Z150603 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Lopez

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

Nays: None

Approved: **9-0**

Motion: **carried.**

The Commission took a 5 minute recess at 8:30.

Chairperson Garrett noted item #20 would be next on the agenda.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

PUBLIC HEARING AGENDA Item #20- Z150903 - Zoning Change - Bob Smith Property (City Council District 2). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the amendment to Planned Development-29 (PD-29), Planned Development 231A (PD-231A) and Planned Development-265 (PD-265) Districts to transfer multi-family residential density from PD-265 to PD-29 and PD-231A. The 105-acre property, generally located north of Sara Jane Parkway, south of Forum Drive, and west of Bob Smith Parkway, is split-zoned PD-29, PD-231A, and PD-265 and is within the State Highway 161 (SH-161) and Interstate Highway 20 (I-20) Corridor Overlay Districts. The applicant is Jimmy Fechter, Adams Engineering and the owner is Sally Smith Mashburn, Bob Smith Management Company, LTD.

Mrs. Thomas stated the applicant is requesting approval to amend the zoning on 105 acres of PD-29, PD-231A, and PD-265 reduce the multi-family residential density from 600 dwelling units to 264 multi-family dwelling units. No other changes are proposed for the subject site as part of this request.

Mrs. Thomas stated the text amendment would reduce the number of multi-family dwelling units permitted on the property. On August 20, 2015, the Development Review Committee met with the applicant to discuss the proposal. The DRC recommended approval with conditions.

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

Jimmy Fechter, 910 S. Kimball, Southlake, TX was present representing the case and to respond to questions from the Commission.

Chairperson Garrett noted one speaker card submitted in support of this request, Max Coleman, 9 Heritage Court, Grand Prairie, TX

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z150903 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #18 - Z150901/CP150901 - Zoning Change/Concept Plan - Winding Creek Apartments (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation to amend the concept plan and uses for Planned Development-29 (PD-29) and Planned Development 231A (PD-231A) Districts to allow multi-

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

family uses. The 22.98-acre property, generally located north of Sara Jane Parkway and west of Bob Smith Parkway, is split-zoned PD-29, PD-231A, and PD-265 and is within the State Highway 161 (SH-161) and Interstate Highway 20 (I-20) Corridor Overlay Districts. The applicant is Bryan Moore, DBA Architects and the owner is Sally Smith, Bob Smith Mgmt.

Mrs. Thomas stated the applicant is requesting approval to amend the zoning on 22.98 acres of PD-29 and PD-231A to allow for a maximum of 336 multi-family dwelling units, to adopt a zoning exhibit allowing for General Retail, Office, and Multi-Family Uses, an illustrative plan which graphically depicts a concept plan for multi-family development, and development standards that include deviations to the Unified Development Code.

- The minimum living area, as proposed, will be 650 square feet for one-bedroom units, 800 square feet for two-bedroom units, and 1,000 square feet for three-bedroom units. The UDC requires a minimum living area of 690 square feet for one –bedroom units, 980 square feet for two-bedroom units, and 1,100 square feet for three-bedroom units.
- As proposed, façades facing Sara Jane Parkway will be 100% masonry. All other façades, as proposed, will be 80% masonry and 20% comprised of fiber cement board siding. The UDC requires all primary façades, as defined by Appendix F, to be 100% primary masonry (e.g.: brick or stone).
- Roof pitch throughout the development is 4:12 to 8:12. The UDC requires minimum roof pitch mixture of 6:12 and 10:12 slope.
- Balconies will be provided on the floors above the ground floor as proposed. The UDC requires patios on the ground level and balconies on all other levels. Staff's recommendation is that the proposal complies with the UDC provisions.
- The proposed development calculates density based on gross acreage. The UDC and the adopted PD ordinance calculates density based on net acreage; acre excluding roads, drainage area, and floodplain. The subject site may have floodplain. Calculating based on gross acreage would yield more units than what would be permissible and a higher density than the UDC permits. Staff is not supportive of this request.
- The front yard setback, as proposed, will be 20 feet. The UDC requires a 40-foot setback for single-story buildings, 60 feet for two-story buildings, and 100 feet for three-story buildings. The proposed buildings will be three stories. The UDC requires a 100-foot setback for the multi-family component of the development.
- The interior side yard setback, as proposed, will be 20 feet. The exterior side yard setback, as proposed will be 30 feet. The side yard setback for buildings that side onto an arterial are required to have 40-foot wide side yard setbacks for single story buildings, 60-foot wide side yard setbacks for two-story buildings, and 100-foot wide side yard setbacks per the UDC. The buildings proposed are three stories; a 100-foot wide side

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

yard setback is required.

- The rear yard setback, as proposed, will be 10 feet. The UDC rear yard setbacks are based on the height of the building. Single story apartment buildings are required to have 25 feet or two times the roof height, whichever is greater; two story apartment buildings are required to have 50 feet or two times the roof height, whichever is greater; three story apartment buildings are required to have 75 feet or two times the roof height, whichever is greater. It is unclear how tall the buildings will be, however, a minimum of 75 feet is required for rear yard setbacks by the UDC.
- As proposed, the PD would allow 2" caliper trees to be planted. The UDC requires a minimum of 3" caliper trees to be planted throughout the City of Grand Prairie. Staff is not supportive of this amendment.

Mrs. Thomas stated while the proposed amendment defers to existing UDC regulations, the applicant is requesting deviations to the regulation as part of this proposal. Therefore, Staff cannot recommend full support; however, if it is the desire of the P & Z Commission to recommend approval of this proposal the Development Review Committee recommends the following:

1. Development will occur in substantial conformance with the UDC provisions, except where specifically mentioned in the PD ordinance.
2. That, unless explicitly indicated in the PD ordinance, all development will be subject to the UDC requirements.
3. That, unless explicitly indicated in the PD ordinance, in the event that conflicts occur between the PD and the UDC, the more restrictive shall apply.
4. That, the definition of masonry remain as defined by the UDC as amended.
5. That front yard setbacks shall comply with the UDC as amended.
6. That parking requirements for the subject site comply with the UDC as amended.

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

Bryan Moore, DBA Architects, LLC, 111 S. Kentucky, Ste 210, McKinney, TX was present representing the case and to respond to questions from the Commission. Mr. Moore noted they are asking for a 20 feet front yard setback and a breeze way between the complex and the parking garages, because of the properties topo/grading and drainage creek and their setback requirements.

Commissioner Motley noted the drawing submitted is just a concept plan and not the actual site plan therefore he would ask that this case be tabled for more clarification and an actual site plan has been submitted.

Chairperson Garrett noted two speaker cards submitted for this request, Christopher Sheffield,

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

2435 Rio Grande Drive, in opposition of this request, and Max Coleman, 9 Heritage Court, Grand Prairie, TX in support of the request.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and tabled case Z150901/CP150901 for further clarification of the site plan. The action and vote being recorded as follows:

Motion: Moser

Second: Motley

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

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #19 - Z150902 - Zoning Change - Beacon and Barnett Tracts (City Council District 6). Senior Planner Denise Thomas presented the case report and a Power Point presentation to rezone 19.32 acres from Agriculture (A) District to Single Family-4 (SF-4) District. The 19.32-acre property, located at 1231 and 701 E. Seeton Rd., is zoned Agriculture District and is within the Lakeridge Parkway Overlay District. The applicant is Bob Rice, Ironwood Interests, LLC and J. Waymon Levell, First Southwest Properties Management Co. and the owner is Mike Martinez, Edge Barnett, LLC and Rodney Mellott, Beacon E&P Company, LLC.

Mrs. Thomas stated the applicant is proposing to change the zoning on 19.32 acres in the Agriculture District to Single Family-4 District to permit single family residential uses. The property is developed with a single family residence and is approved for gas well production. The applicant has submitted documentation which indicates the gas well operation and gas well buffer easements have been abandoned. Prior to approval of a preliminary plat all processes necessary to officially abandon the well will be completed. Residential subdivisions in the City are reviewed against the provisions of Resolution 3924 in addition to other applicable provisions of the Code of Ordinances. Subsequent preliminary and final plats will be required to address the provisions contained in the resolution.

Mrs. Thomas stated on August 20, 2015, the Development Review Committee recommended approval of the zone change for this property subject to conditions.

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

J. Waymon Levell with First Southwest Properties Management Co., 2331 Gus Thomason, Dallas, TX was present representing the case and to respond to questions from the Commission.

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

Brad Page, 1227 East Seeton Road, Grand Prairie, TX adjacent property owner said the surveyor markers have been placed onto his property therefor the property needs to be resurveyed.

Chairperson Garrett noted two speaker card submitted in support of this request, Max Coleman, 9 Heritage Court, Grand Prairie, TX and David Schaubush, 1525 Viceroy Drive, Dallas, TX.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z150902 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Lopez

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

Nays: None

Approved: **9-0**

Motion: **carried.**

Citizen Comments: None

Commissioner Moser moved to adjourn the meeting of August 31, 2015. The meeting adjourned at 9:20 p.m.

Tommy Garrett, Chairman

ATTEST:

Secretary

PLANNING AND ZONING COMMISSION DRAFT MINUTES, AUGUST 31, 2015

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