



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
AUGUST 4, 2014**

COMMISSIONERS PRESENT: Chairman Tommy Garrett, Commissioners, Ed Gray, Phil Philipp, Lynn Motley, Bill Moser, Joe Arredondo, Joshua Spare, Kurt Johnson, and Charlie Womack.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Jim Hinderaker, Chief City Planner, Denice Thomas, 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.

Chairperson Motley gave the invocation.

CONSENT AGENDA ITEMS: disapproval of plats without prejudice for the following agenda-items: #1- P131002A – Amending Plat – Lot 1R & 2R, Block 1, Mirabella Commercial Addition, P140901 – Final Plat – Lot 1 & Lot 2, Block 1, Victron 161 Addition, and P140902 – Final Plat – Lot 1, Block A, QT 953 Addition.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of July 7, 2014.

PUBLIC HEARING CONSENT AGENDA: Item #3- P140802 - Final Plat - Equestrian Crossing Block 3 (City Council District 6). Consider a request for a Final Plat creating three (3) lots on 8.016 acres. The subject property, zoned PD-114A and within the S.H. 360 Corridor Overlay, is generally located east of S.H. 360 and south of Equestrian Lane. The owner/agent is Chase Debaun, AeroFirma Corp.

Item #4 - P121002A – Final Plat Amendment - Mira Lagos D-1 at SE corner of England Parkway and Grand Peninsula Drive. Consider a request for approval of Final Plat Amendment renaming one of the streets contained within the Mira Lagos D-1 Addition from Marea to Sendero. The subject property is zoned Planned Development 271A (PD-271A) District and is located on the southeast corner of England Parkway and S. Grand Peninsula Drive. The property

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is located in the Lake Ridge Parkway Overlay District. The owner is First Texas Homes and the applicant/agent is JBI Partners Inc.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #5- SU140201/S140201 - Specific Use Permit/Site Plan - 4412 E Jefferson St (City Council District 5).

(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 P131002A, P140901, and P140902, approve the minutes of July 7, 2014, approve consent agenda cases P140802 and P121002A and postponed case SU140201/S140201. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moser

Second: Gray

Ayes: Arredondo, Garrett, Gray, Johnson, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: 9-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #6- SU120404A - Specific Use Permit Renewal - 2502 Central Avenue (City Council District 5). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation to approve a Specific Use Permit Renewal for an auto body shop with general auto repair on 1.026 acres. The subject property, zoned Commercial (C) District, is located at the northeast corner of Central Avenue and N.E. 25th Street. The subject property is located within the Central Business District-Four (CBD-4) Corridor Overlay District. The agent is Steve Keeton, Keeton Surveying and the owner is Vincente Duan.

Mr. Hinderaker stated as required by Ordinance No. 9358-2012 for Specific Use Permit 886 the City Council shall conduct a public hearing two (2) years 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 conducted indicated that all operations on the site appear to be currently in conformance with required conditions of the Specific Use Permit as approved by City Council; however, due to the number of violations leading up to the two year review, staff recommends that an additional SUP renewal be conducted in one year to ensure continued compliance with the SUP conditions of approval.

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Mr. Hinderaker stated due to the number of violations leading up to the two year review, staff recommends that an additional SUP renewal be conducted in one year to ensure continued compliance with the SUP conditions of approval.

Commissioner Motley said if the Commission grants this renewal how would we know the applicant would not be in compliance in the future, and how many times would he have to be in violation before they SUP renewal can be denied.

Mr. Hinderaker stated Mr. Duan has made improvements to the property, but Code Enforcement and Environmental Services would need to go periodically to make sure there are no reoccurring violations on the premises. He stated Mr. Duan would need to provide a paint booth before he can conduct any type of auto body shop on the property and come into compliance with the City's ordinance staff would work with the applicant in providing him an extension to give him time provide a paint booth.

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

Vincent Duan, 2812 Montell Court, Plano, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett asked Mr. Duan if he would be providing a paint booth.

Mr. Duan replied yes.

Mr. Motley stated the property has had numerous violations, and asked why an SUP renewal should be granted.

Mr. Duan stated he has a new tenant on the property, and according to the lease they would have to be in compliance with the ordinance, he said the previous tenant was not in compliance.

Commissioner Arredondo asked when he plans on purchasing the paint booth.

Mr. Duan replied within the next two weeks he would apply for the paint booth permit.

Commissioner Moser asked at what point, could the SUP, be revoked.

Mr. Hinderaker replied if the applicant continues to be in violation, staff would have to bring this case forward to the Commission and Council for a revocation of the SUP.

Commissioner Moser said as the owner of the property Mr. Duan is responsible, he needs to make sure his tenants are in full compliance with the City's ordinance, yes he has made

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improvements on the property, but would asked that he only be provided with a six month review, not a one year renewal.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU120404A per staff's recommendations that the applicant provide a paint booth in order to conduct an auto body shop, with a six months review of the Specific Use Permit Renewal. The action and vote being recorded as follows:

Motion: Moser

Second: Gray

Ayes: Arredondo, Garrett, Gray, Johnson, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: **9-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #7- SU110503B - Specific Use Permit Revocation - 1210 Avenue J East (City Council District 1). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation to revoke Specific Use Permit No. 872 for a metal reclamation and shipping company with outside storage on 4.586 acres. The subject property is zoned Light Industrial (LI) District and is located east of N. Great Southwest Parkway on the south side of Avenue J East. The owner is CunYun Ye.

Mr. Hinderaker stated the purpose of this request is to revoke SUP No. 872, as established by Ordinance No. 9208-2011; and to also revoke SUP No. 872A, as established by Ordinance No. 9363-2012, which is the renewal documentation of the initial SUP approval.

Mr. Hinderaker stated Cun Yen Ye, the owner of the subject property, 1210 Avenue J East, was granted a SUP on May 11, 2011 to operate a Metal Reclamation and Shipping Company with Outside Storage on the subject property. The SUP was renewed indefinitely on May 15, 2012. However, as part of the initial SUP approval and SUP renewal, a number of conditions were established by Ordinance No. 9208-2011 and restated in Ordinance No. 9363-2012. The owner has failed to comply with the conditions of approval.

Mr. Hinderaker stated the Grand Prairie Environmental Services has exhausted all efforts to work with the business to ensure compliance. As a result, Staff requests that this Special Use Permit be revoked.

Commissioner Spare noted the applicant has been in constant violations of city ordinances, and has paid thousands of dollars in violations.

Mr. Hinderaker replied yes.

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Commissioner Gray noted the applicant has paid over \$19,000 in fines.

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

Chris Cleveland, 1763 Hidden Creek Drive, Grand Prairie, TX stepped forward in support of the revocation of the SUP. Mr. Cleveland said there have been numerous nights with no sleep due to idling of trucks waiting for the property to open. He thanks the Environmental staff for working with them to resolve the issues.

Commissioner Motley stated the applicant is looking into relocation to Dallas and has asked staff to provide them with some time to go through the approval process with the City of Dallas, and asked if he believes the applicant would comply with the City's ordinances during this grace period.

Mr. Cleveland said he is not confident the applicant would comply.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval to Revote Specific Use Permit 872, case SU110503B immediately. The action and vote being recorded as follows:

Motion: Moser

Second: Motley

Ayes: Arredondo, Garrett, Gray, Johnson, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: **9-0**

Motion: **carried.**

At this time Chairman Garrett introduce the newest members of the Commission, Charlie Womack and Kurt Johnson. Mr. Johnson dismissed himself from the Commission at 7:31 p.m.

PUBLIC HEARING AGENDA Item #8- SU140702 - Specific Use Permit - 521 W. Marshall Drive (City Council District 2). Senior Planner Doug Howard presented the case report and a Power Point presentation for a Specific Use Permit for Automotive Uses; Tire Sales (New and Used), Car Wash and Detailing, Quick Lube & Tune Services (Oil Change), and Minor Auto Repair. The subject property is located at 521 W. Marshall Dr. and zoned General Retail District (GR). The owner/applicant is Pastor Gomez.

Mr. Howard stated in GR zoning, a State Inspection use is allowed by right. The site is being planned for two phases. The initial phase will encompass improvements to the parking areas and the removal of the existing fuel island canopy on the west side of the property. Phase two, which

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is planned to start a year or two after opening, will bring about slight changes to the parking areas and the addition of a small storage building, which will be used for tire storage.

Mr. Howard stated the applicant has provided staff with a detailed operational plan. The site will have three primary uses; Tire Sales and Installation, State Inspections, Oil Changes with Minor Auto Repair. The building on site once had three vehicle bays. Two of the bays were replaced by large windows, but will be converted back to vehicle bays. Detailed operation can be viewed in the operational plan. Staff has provided a summary of the uses below:

Bay 1 will facilitate the tire sales and installation. New and used tires will be stored indoors, between Bays 1 and 2. Damaged tires will be stored in the back of Bay 1. Damaged tires will be picked up at the end of each day. There will be no outside storage or display of tires. To reduce noise caused by tire installation equipment, the applicant is proposing that the door to Bay 1 will be closed. After the completion of Phase 2, the damaged tires will be store in the storage building on the south end of the property.

Bay 2 will service the vehicle state inspections.

Bay 3 will be used for oil changes and replacements of spark plugs, filters, and other related minor auto repairs.

Mr. Howard stated according to the site plan, the applicant is proposing to have all the parking towards the interior of the lot. No parking spaces will be directly adjacent to the street rights-of-way. The applicant will meet the required parking

Mr. Howard stated the applicants are requesting two appeals: 1) Relief from the dumpster enclosure requirement; 2) Relief from the landscape requirements for Phase 2.

Mr. Howard stated staff does not feel this location is a good fit for the nature of these automotive uses. Staff is concerned with noise generated from the site as well as the potential visual clutter of vehicles waiting to be served on site. Due to the property's adjacency to residential homes and the appeals, mentioned above, the Development Review Committee is not in support of the proposed uses and does not recommend approval of the request specific use permit.

Commissioner Moser noted the applicant is before the Commission because of the tire sales, installation, lube center, and minor auto repairs.

Mr. Howard replied yes, he noted the state inspection is permitted by right in a general retail district.

Chairman Garrett stated the applicant is asking for an appeal to the dumpster requirements, and asking permission to enroll in the commercial hand pick-up or to be able to utilize the Inglewood Baptist Church dumpster, but staff has indicated the commercial hand pick-up is not an option, along with the Church dumpster which is located at a far distance.

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

Simry Ramirez, 204 Memory Drive, Fort Worth, TX was present representing the case and to respond to questions from the Commission. Mr. Ramirez noted the property has been vacant and boarded up for seven years, this use would benefit the neighborhood the bay doors would remain closed during working hours in order to prevent noise. He stated they would be providing a dumpster in closer in the future during phase 2 of the project.

Commissioner Moser asked if the property has already been purchased.

Mr. Ramirez replied yes.

Mr. Garrett noted several speaker cards submitted in support of this request.

Pastor Gomez, 1637 Ash Street, Grand Prairie, TX
Janette Espegel, 938 Pangburn Street, Grand Prairie, TX
Fernando Ramirez, 3431 Racquet Club, Grand Prairie, TX

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend denial of case SU140702 per staff's recommendations. The action and vote being recorded as follows:

Motion: Arredondo

Second: Moser

Ayes: Arredondo, Garrett, Gray, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: **8-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #9- SU140801/S140801 - Specific Use Permit/Site Plan - Home 2 - Suites by Hilton (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation to approve a site plan to construct a four-story-63,225-square-foot-63-room hotel. The 2.30-acre property, located at 2123 W. IH-20, zoned Planned Development 30 (PD-30) for commercial, retail, and residential uses, is within the Interstate 20 Highway (I-20) Overlay District. The agent is Amir Safvat, Mayse and Associates, Inc. and the owner is Daryl Snadon, I-20 and Matthew Road Partners, LLC.

Mrs. Thomas stated the applicant is proposing construction of a 72,958-square-foot, four-story, 96-unit hotel on a 2.30-acre platted lot in PD-30. The subject site is currently zoned PD-30 for commercial uses and is within the I-20 Corridor Overlay District. The project will be review against Commercial District standards in conjunction with PD-30, Appendix F, and Appendix S.

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Mrs. Thomas stated the landscape plan does comply with the landscape requirements contained in Article 10 of the UDC.

Mrs. Thomas noted the applicant is request relief from numerous requirements, they are as follows:

- An exception to allow an increase in floor area ratio – The UDC limits the floor area ratio (FAR) for this property to 0.5:1; however, the applicant is requesting an FAR of 0.73:1. Essentially, the UDC limits the area of building allowed on the subject site to approximately 50,094 square feet. The applicant's proposal is to construct a 72,958 square foot building; 22,864 square feet in excess of what the code permits.
- An exception to allow additional height – The UDC limits the height of buildings in this zoning district to 25 feet; however, the applicant is requesting permission to construct a building with a maximum height of 64 feet 5 inches.
- Overlay District Design Guidelines Relief – The applicant is requesting relief from the following Appendix F requirements:
 - Horizontal and Vertical Roofline – Offsets are required for all primary façades no less than 60 feet apart bumped out a distance determined by the height of the building. The applicant is required to provide 8-foot 4-inch deep offsets for each façade; because they are all primary. The applicant is requesting relief from these requirements to allow the hotels elevations presented in the staff report.
 - Cornice Treatment around Roof Perimeter – The applicant is required to provide a cornice treatment along the perimeter of the roof with an 18-inch depth from the wall. The applicant is requesting relief from this requirement to allow construction of the hotel in a manner consistent with the elevations depicted in the elevation plan.
 - Covered Walkways on Primary Façades – The primary façade is required to have a covered walkway that covers not less than 50% of the linear frontage. The applicant is requesting relief from this requirement to allow less than 50% of the primary façades to be cover by a walkway.
 - Glazing on Primary Façades – Twenty-five percent of primary façades are required to be glazed (doors and windows). The applicant is requesting relief from this requirement to allow less than 25% of the primary façades to have glazing.
 - Roof Elements – The roof profile is required to include elements such as: curvilinear features, domes, or arched formations. The applicant is requesting relief from this requirement to allow construction of the hotel as depicted in the elevations.
 - Roof Planes – The roof planes must have at least two sloped elements with a 5:12 pitch. The applicant is requesting relief from this provision to allow construction of the hotel as depicted in the elevations.

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Mrs. Thomas stated staff is unable to recommend full support due the numerous appeals/exceptions request. However, if it is the intent of the Planning and Zoning Commission to recommend approval Staff recommends the conditions recommended by the Development Review Committee be part of the approval.

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

Ronald K. Smith with AIA, Home 2 - Hilton, 14850 Quorum Drive, Suite 201, Dallas, TX was present representing the case and to respond to questions from the Commission. Mr. Smith said they are excited to come to Grand Prairie with their new modern design they currently have one located in Frisco, TX. Mr. Smith noted this design has been enhanced with lime stone and three different types of brick colors this would be a nice higher end hotel.

Commissioner Gray asked how many hotels they operate in Grand Prairie and how many employees would they employ.

Mr. Smith replied they operate the La Quinta Inn next door to this property and would have anywhere between fifteen to twenty employees.

Lydall Jones, adjacent property owner, 1817 W. I-20, Grand Prairie, TX spoke in support of this request.

Chairman Garrett noted two speaker cards submitted in support of this request.

Ramiro Cano, 514 Clayton, Grand Prairie, TX

Parish Patel, 2131 W. I-20 Service Road, Grand Prairie, TX

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approve case SU140801/S140801 as presented by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

Ayes: Arredondo, Garrett, Gray, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: **8-0**

Motion: **carried.**

Citizen Comments: None

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Commissioner Motley moved to adjourn the meeting of August 4, 2014. The meeting adjourned at 8:10 p.m.

Tommy Garrett, Chairman

ATTEST:

Secretary

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