



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
NOVEMBER 3, 2014**

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

COMMISSIONERS ABSENT: Joe Arredondo

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

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

Commissioner Motley gave the invocation.

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following agenda Items: P141201 – SWBC Timberview Ranch, Lot 1, Block A, P141202 – Park 161 Distribution Center, Lot 1, Block A, RP141201 – Airport Industrial Park No. 2, Lot 3-R-1B, Block 2, RP141202 – Gloria Addition, Lot 1, Block 1, RP141203 – Westchester Commercial Phase 1, Lots 2RA, and 2RB, Block 5, and RP141204 – The Quadrangles on I-Twenty, Lot 1R, Block 2R.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of October 6, 2014.

PUBLIC HEARING CONSENT AGENDA: Item #3- P140101 - Final Plat - Mira Lagos No. D-2 (City Council District 6). Consider a request to approve a Final Plat to create a residential subdivision with 88 single family residential lots and one HOA lot. The 27.02-acre property, generally located south of England Parkway and east of S. Grand Peninsula Drive, is zoned Planned Development 271A (PD-271A) District and Planned Development 271B (PD-271B) District and is within the Lake Ridge Overlay District. The agent is Daniel Dewey, JBI Partners, Inc. and the owner is Keith Hardesty, First Texas Homes.

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Item #4-P141003 - Preliminary Plat - La Jolla (City Council District 6). Consider a request to approve a preliminary plat to create a 289-lot residential subdivision with 14 Homeowners Association lots. The 123.77-acre property, generally located at the southeast corner of the Arlington-Webb-Britton Rd./Grandway Dr. intersection, is zoned Planned Development 298 A (PD-298A) District and is within the Lake Ridge. The agent is Daniel Dewey, JBI Partners, Inc. and the owner/applicant is Keith Hardesty, First Texas Homes.

Item #5-P141102 - Final Plat - IL Texas GP Addition (City Council District 6). Consider a request to approve a final plat to create a one-lot non-residential subdivision. The 23.80-acre property, located at 2851 Ragland Road, is zoned Agriculture (A) District and is within the S.H. 360 Overlay District. The agent is Douglas Cooper, MMA, the applicant is Brian Huffaker, The Charter School Fund III, and the owner is Robert and Lola Elrich.

Item #6-RP141101 - Replat - Lake Ridge Section 20 (Lot 2570R, Block Q) (City Council District 6). Consider a request to approve a replat to combine two platted residential lots into one residential lot. The 1.25-acre property, located at 1112 and 1116 Prosperity Court, is zoned Planned Development 258 (PD-258) district for low density residential uses. The owner is James and Sandra Sommerfrucht.

Item #7-S080303A - Site Plan Amendment - 2337 W. Warrior Trail (City Council District 4). Consider approval of a site plan amendment. The subject site is located at 2337 W. Warrior Trail and is zoned Planned Development District 58 (PD-58). This property is generally located on the south side of W. Warrior Trail and east of Great Southwest Parkway. The owner/agent is Anna Blackwell, Carrillo Engineering.

Item #8-SU131103A - Specific Use Permit Renewal - 1818 Dalworth Street (City Council District 5). Consider a request for the renewal of a Specific Use Permit for a self-service coin operated laundry in an existing multi-tenant commercial building located on .957 acres. The property is located on the northeast corner of Dalworth Street and N.W. 19th Street, zoned General Retail (GR) District and within the State Highway 161 (SH-161) Overlay District. The owner is Christopher Dao.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #9-SU120402B - Specific Use Permit Renewal - 3018 E. Main Street, Item #10- SU141101/S141101 - Specific Use Permit/Site Plan - 1629 E. Main Street and Item #11-S141103 - Site Plan - Stripe-A-Zone.

(The above items are not public hearing items).

Motion was made to approve the consent agenda item regarding the Disapproval of Plats without Prejudice for cases P141201, P141202, RP141201, RP141202, and RP141203, approve the minutes of October 6, 2014, and approve consent agenda cases P140101, P141003, P141102, RP141101, S080303A, SU131103A, and remove case SU120402B from the consent agenda and

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postponed cases SU120402B, SU141101/S141101, and S141103. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moser

Second: Gray

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

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #12- S140501 - Site Plan - Mira Lagos East Phase 2 (City Council District 6). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the approval of a lot consolidation of two contiguous multi-family residential lots within the same development for the purpose of development review. The 12.44 acre property, located at 2629 S. Grand Peninsula Drive, is zoned Planned Development District 298-A (PD-298A) and is within the Lake Ridge Overlay District. The agent is Daniel Dewey, JBI Partners, Inc., the applicant is Ben McCaslin, Mira Lagos East Partners Ltd., and the owner is Walter Damon, Mira Lagos East Partners Ltd.

Mrs. Thomas stated the purpose of the request approval of a declaration of lot combination to allow the two platted lots, which contain one unified development, to be considered one lot for the purpose of site plan review. This is not a request to review the site plan for Phase II of the multi-family development. A subsequent site plan will have to be submitted to obtain Phase II site plan approval.

Mrs. Thomas stated the applicant submitted a site plan application to develop the subject site with a multi-family development in two phases platted into two separate lots. The City Council approved Phase I of the multi-family development and the Planning and Zoning Commission approved a final plat for both lots. Since approval, the applicant has opted to submit an application to have the project reviewed for compliance as a single development. With approval of a condition that requires the applicant to submit a Declaration of Lot Combination prior to City Council approval, this condition has been met.

Mrs. Thomas stated A Type 1 fence is required along the southern property boundary. The exhibit submitted with the applicant does not indicate a Type 1 fence will be constructed at this location. This requested appeal, along with others were presented to the City Council at the time of Site Plan approval. Staff is not supportive of deviations to the City Council approved fencing requirements.

Mrs. Thomas stated staff recommends approval of the Declaration of Lot Combination subject to recordation of the notarized Declaration of Lot Combination document in the land records, and provision of fencing in accordance with the City Council approval of S131004.

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

Dick Lablanc with Hanover Properties, 3001 Knox Street, Dallas, TX was present representing the case and to respond to questions from the Commission. Mr. Lablanc stated they are requesting a wooden fence on the southern property line in order to be consistent with the Mira Lagos development. He stated a masonry fence between two residential developments would not be economical.

Chairman Garrett stated Council approved a site plan that included a masonry fence on the southern property line.

Steve Barnes, 12720 Hillcrest Road, Suite 400, Dallas, TX stepped forward in support of this request.

There being no further discussion on the case, Commissioner Moser stated he is in support of multi-family developments, but Council approved a site plan that includes a masonry fence along the southern property line and moved to close the public hearing and recommend approval of case S140501 per staff's recommendations, denying the applicants requested appeal to the fence requirements. The action and vote being recorded as follows:

Motion: Moser

Second: Johnson

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

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #13- SU141102 - Specific Use Permit - 632 E. Pioneer Parkway (City Council District 3). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the approval of a specific use permit and site plan to operate a general automotive repair garage. The 0.86-acre property, zoned General Retail (GR) district, is located at 632 E. Pioneer Parkway. The applicant is Alaa Hufaila.

Mrs. Thomas stated the purpose of this request is to operate an automobile related business that performs state inspections and other minor automotive repair services; such as: oil changes, muffler repair and replacement, brake servicing, and tire sales. The request does not include any physical changes to the site. The existing specific use permit on the site permits vehicle inspections but it does not permit minor automobile repair or tire sales. The applicant wishes to amend the specific use permit to allow the additional uses.

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Mrs. Thomas stated access to the site is gained through on-site driveways to Pioneer Parkway and Lakeview Drive. There are 13 existing parking spaces, a trash enclosure, and an area fenced with chain link. The existing concrete masonry building is approximately 2,000 square feet and has two bay doors.

Mrs. Thomas stated the Development Review Committee recommended approval of the vehicle inspection, minor automotive repair garage, and tire sales uses subject to the recommendations of the Development Review Committee.

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

Bhavesh Patel, 1611 Ridgemont Drive, stepped forward in opposition to this request. Mr. Patel stated the city does not need another automotive repair shop in this area.

Commissioner Gray asked Mr. Patel, what he does for a living.

Mr. Patel stated he works for an automotive shop in the area his opposition to this request is not for competitive reasons.

Alaa Hufaila, property owner, 613 Atascosa, Fort Worth, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett asked if he would be leasing this property.

Mr. Hufaila replied no, he is in the process of purchasing the property.

Commissioner Moser asked if he is experienced in operating this type of business.

Mr. Hufaila replied yes, he currently operates a much larger garage in Euless, TX.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU141102 per staff's recommendations. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

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

Nays: None

Approved: 8-0

Motion: **carried.**

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PUBLIC HEARING AGENDA Item #14- SU141103 - Specific Use Permit - 301 N. Belt Line Road (City Council District 5). Senior Planner Doug Howard presented the case report and a Power Point presentation for the approval of a Specific Use Permit for Quick Lube and Tune services and Tire Sales and Installation with Outside Display within a General Retail (GR) District. The subject site is located at 301 N. Belt Line Rd at the northwest corner of Small Hill St. and N. Belt Line Road. The agent is Joel Downs, Texas Horse Stalls and the owner is Mohammad Ghanim, Belal Investment, Inc.

Mr. Howard stated the business is named Car Zone. The earliest Certificate of Occupancy for tire sales at this site was issued in 1984. Current zoning requires a Specific Use Permit to operate a tire sales use in a General Retail District. The business is growing and expansion is being proposed. The applicant is proposing to expand non-conforming use of Auto Tire Sales and Installation. By receiving a Specific Use Permit, the property will be in a legal conforming status. The applicant is also proposing, as part of the expansion, to add Quick Lube and Tune Services, comprising of oil changes with minor auto repair.

Mr. Howard stated the current 2185sqft building has 3 vehicle bays. The proposed new building will add 2400sqft and with another 3 vehicle bays. The applicant will be adding new concrete and expanding the parking areas and adding landscaping to comply with current zoning regulations.

Mr. Howard noted Car Zone is open Monday through Saturday from 8AM to 6PM and employee at least 3 full time employees. The business will provide several automotive services; oil changes, auto tire sales and installation, and minor auto repair. The site will have 6 vehicle bays; 2 bays for oil changes, 2 bays for tire installation, and 2 bays for minor auto repair. A detailed operational plan is attached to this report. The operational plan mentions old tires being stored on a trailer and routinely transported to a tire disposal site once a week; however, accessory outside storage is prohibited within a General Retail District and would not be permitted. The property fronts on both N. Belt Line Rd. and Small Hill St. Currently, the site has 3 access points along Small Hill St and 2 access points along Belt Line Rd. The applicant will be required to close the access point closest to the Belt Line Rd/Small St intersection. The applicant has also proposed to close the existing access point closest to the west property line along Small Hill St.

Mr. Howard stated the Development Review Committee does not support outside tire displays nor the storing of old tires on a trailer outside; however staff does not oppose the other requests from the applicant. Staff has concerns about the multiple code violations on this property throughout the years. The history of non-compliance raises concerns, but staff does recognize that this request was made to help the property come into compliance with local ordinances. Staff recommends approval of a Specific Use Permit for Auto Tire Sales and Installation and Quick Lube and Tune Services with the conditions listed below:

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1. The development shall conform to the City Council approved Site Plan: Exhibit B - Site Plan/Dimensional Control Plan, Exhibit C – Building Elevations, and Exhibit D – Site/Parking Areas & Landscape Plan.
2. As outlined within the submitted Operational Plan contained within the Specific Use Permit Application File No. SU141103, and as more specifically stated and codified herein, the development shall adhere to the following operational standards:
 - a. All operations shall be conducted entirely on-site. The public right-of-way shall not be used for maneuvering of customer vehicles;
 - b. The existing drive accesses nearest to the Belt Line Rd/Small Hill St intersection shall be closed as shown in the approved site plan, Exhibit B;
 - c. The existing drive access along Small Hill St, nearest to the west property line shall be closed as shown in the approved site plan, Exhibit B;
 - d. All vehicle work shall be done indoors;
 - e. There shall be no outside storage or displays;
 - f. All vehicle parking shall be parked on city approved surfaces.
 - g. Parking or storage of inoperable vehicles, as defined by the Unified Development Code (UDC), shall be prohibited.
3. All operations must maintain compliance with all federal, state and local regulations;
4. All operations shall maintain compliance with City Ordinance No. 7408 Automotive Related Business (ARB) regulations;
5. All operations must practice all best management practices listed in its storm water pollution prevention plan;
6. A Texas Commission of Environmental Quality (TCEQ) closure report for removal of underground storage tanks are required and must be submitted to Environmental Services before approval of any building permit;
7. Before any permit is issued, an official plat must be filed with the county;
8. Future expansions to this facility will require the submittal of a revised site plan for review and approval to the Planning Department.
9. The Specific Use Permit shall only be valid with the completion of the construction of the “Proposed Building”, as indicated on the approved site plan (Exhibit “B”). The proposed building must pass all inspections as determined by the Building Inspections Division of the Planning and Development Department. Oil changes shall not occur until such time.

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

Amer Bani Mustafa, 301 N. Belt Line Road, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett asked if Mr. Mustafa was the owner of the business, and would all of the outside storage of tires be moved inside the building, what about the trailer.

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Mr. Mustafa replied he is not the owner, but the project manager, but all of the tires would be moved inside the building and the trailer would be removed. He said they would comply with the city codes.

Commissioner Moser said he is not the owner of the property nor operates the business, but drew up the building plans. He stated the Commission was briefed on the case and there were a lot of code violations on the property that the Commission would like addressed by the owner or operator of the business. Mr. Moser stated he would like for the owner or operator of the business to be present at the meeting.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and table case SU141103 in order for the owner or the business operator to be present at the hearing. The action and vote being recorded as follows:

Motion: Moser

Second: Gray

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

Nays: None

Approved: None

Tabled: **8-0**

Motion: **carried.**

Citizen Comments: None

Commissioner Moser moved to adjourn the meeting of November 3, 2014. The meeting adjourned at 7:40 p.m.

Tommy Garrett, Chairman

ATTEST:

Ed Gray, Secretary

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