

PLANNING AND ZONING COMMISSION DRAFT MINUTES AUGUST 3, 2015

PUBLIC HEARING AGENDA Item #9 - SU150803 - Specific Use Permit - 3223 E Main Street (City Council District 5). Senior Planner Doug Howard presented the case report and a Power Point presentation for approval of a Specific Use Permit for Truck/Heavy Equipment Parking. The property is zoned Light Industrial (LI) within Central Business District 4 (CBD 4) and is addressed 3223 E Main St. The applicant is Steve Keeton, Keeton Surveying and the owner is Gerardo Rodriguez.

Mr. Howard stated this site is 8 acres and located in a Light Industrial zoning district within CBD 4. The eastern portion of this lot is gravel and the western portion of the lot is asphalt. There will be 25 truck parking spaces and will be leased out to drivers to park and store their trucks. The trucks will be parking on asphalt as shown in the submitted site plan. Staff has required a fence to be installed in order to prevent any trucks from traversing onto the gravel. The UDC requires specific paving for drive areas and parking stalls that the current site does not meet. The current site has asphalt. As with other properties nearby, staff has no objection to the use of the existing asphalt; however, if needed, as determined by Code Enforcement or the Building Official, any paving replacement would need to conform to current paving standards. The UDC offers several paving options, within Article 10, for the applicant to choose from.

Mr. Howard stated the Fire Marshall has determined that a fire hydrant must be installed on the south side of E Main St, near the property. The applicant will work with the fire department and other city departments to obtain the proper permits for installing the fire hydrant. The applicant has submitted the following operational plan: "This site is being provided as a parking site only for semi-trucks and trailers. All drivers will be given a strict set of rules and regulations to follow if they want to use the site to park their vehicles.

Mr. Howard stated all drivers will have to agree and sign a parking agreement to use the site to park their vehicles. The following are rules that they must follow:

- Absolutely no maintenance will take place on site. No repairs, tune-ups, oil changes or any other type of work will be permitted on trucks or trailers while using this facility.
- No overnight sleeping in trucks will be permitted while using this facility. This site is not a rest stop. It is a park and go site.
- Drivers will maintain all assigned parking spots clean and free of trash. Trash will be put in the provided dumpster that will be on site.
- No parking or driving on any unpaved part of the site.
- Parking spots will be leased on monthly basis only. Any unauthorized parking will result in the vehicle being towed at owner's expense. No exceptions!
- When exiting the property, only right turns will be allowed when leaving the site. This is to relieve any traffic build up in the close by residential area.
- No inoperable vehicles will be permitted on site. Unauthorized parking will result in the vehicle being towed at owner's expense. No exceptions!

Mr. Howard stated all drivers must follow all regulations at all times. All violators will be evicted and will no longer be able to use this facility. Daily checks will be performed at least

once a day to ensure this site is in a clean and neat state. These checks will be made to ensure there is no maintenance is taking place on site and to ensure everyone is in their assigned spot. Also, checks will be made to ensure there are no unauthorized vehicles on site and to check there are no drivers sleeping in their trucks. These are the rules and regulations drivers must follow. That combined with the enforcement measures will result in this site being clean and well maintained for customers to use.

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

1. A chain link fence or better shall be installed to prevent drivers from maneuvering their vehicles on the gravel. All vehicles shall be parked on city approved surfaces, and completely within clearly marked parking spaces. As shown on the approved site plan, truck parking spaces shall measure 20ft by 62ft and passenger vehicle parking spaces shall measure 9ft by 18ft;
2. The use of the public rights-of-way for parking, loading, or unloading shall be prohibited;
3. Adequate lighting shall be required. Lighting plans shall be approved by the Chief Planner;
4. Must install a fire hydrant for access to this site, as approved by the Fire Marshall;
5. Paving replacement, as determined by the Building Official or Chief Planner, shall conform to the current standards of the Unified Development Code.
6. As outlined within the Operational Plan contained within the Specific Use Permit Application File No. SU150803, and as more specifically stated and codified herein, the development shall adhere to the following operational standards:
 - a. There shall be no onsite vehicle maintenance or repairs of any kind;
 - b. This site is a commercial parking and shall not be used as a truck stop. There shall be no persons sleeping in their vehicles;
 - c. All trash and debris shall be deposited within the provided dumpster. The dumpster shall be located within an enclosure which meets the standards of the Unified Development Code.
 - d. This site shall be required to meet the property maintenance standards of the Automotive Related Business Regulations, ordinance #7408;
 - e. There shall be no inoperable vehicles parked onsite;
 - f. Must practice all best management practices listed in its storm water pollution prevention plan; and
7. 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;
8. Must comply with any outstanding Development Review Committee comments for the Specific Use Permit found in File No. SU150803;
9. This property shall meet the typical 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 Commercial Parking Lot for Trucks; 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.

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

Gerardo Rodriguez, 1510 E. Main Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Maria Pericaz, 3501 E. Main Street, Grand Prairie, TX stepped forward in opposition to this request. Mrs. Pericaz stated she would not be in opposition if the property was paved with concrete, they have a used car lot adjacent to this property and with the gravel/asphalt parking lot they creating a lot of dust and dirt which makes it hard for them to keep their vehicles clean.

Mr. Hinderaker noted the parking lot is asphalt, the applicant would not be allowed to maneuver on the gravel area there would be a barrier put in to keep them from going onto the gravel site.

There being no further discussion on the case, Commissioner Philipp moved to close the public hearing and approve case SU150803 as presented and recommended by staff, with the condition that the dirt be removed from the site. The action and vote being recorded as follows:

Motion: Philipp

Second: Johnson

Ayes: Garrett, Johnson, Lopez, Philipp, Spare, and Womack

Nays: None

Approved: **6-0**
Motion: **carried.**