



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
AUGUST 5, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Commissioners Bill Moser, Shawn Connor, Eduardo Carranza, Clayton Fisher, Warren Landrum, Eric Hedin.

COMMISSIONERS ABSENT: Cheryl Smith, Max Coleman

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Ted Helm, Planner, Raul Orozco, Planning Intern, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order in the Council Chambers in the City Hall Building at 6:35 p.m. Commissioner Moser gave the invocation, Chairperson Spare led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #13- S190801 - Site Plan - Lynn Creek Apartments (City Council District 4). Senior Planner Savannah Ware presented the case report and gave a Power Point presentation for a Site Plan for Lynn Creek Apartments, a 270-unit multi-family development on 15.6 acres. Tract 4, 5B, and 6C of Jerome C. Lynn Survey, Abstract No. 972, City of Grand Prairie, Tarrant County, Texas, zoned PD-255A, within the SH 360 Corridor Overlay District, addressed as 2500 Webb Lynn Rd, and generally located east of SH 360 and south of Lynn Creek/Mildred Walker Pkwy. The agent is Reece Flanagan, Harris Kocher Smith, the applicant is Josh Basler, AD Spands, and the owner is Robert Barham, KP Development Partners, LP.

Ms. Ware stated the applicant intends to construct a 270-unit multi-family development on 15.6 acres. Any multi-family development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is being developed for multi-family use, zoned PD-255A, and within the SH 360 Corridor Overlay District. The subject property is zoned PD-255A for multi-family use; development is subject to the standards for in PD-255A. The proposal meets the required total parking spaces, covered parking spaces, and garage parking spaces. The property is subject to landscape and screening requirements in Article 8 of the UDC. The applicant is proposing to create an artificial lot to exclude a portion of the lot from landscape calculations. The area being excluded is a strip of undevelopable land about 190 ft. wide. The UDC defines an artificial lot as a portion of a one acre or larger tract that contains the area to be developed as an individual project and that encompasses all improvements, including parking

related to the project. The applicant is including this strip to calculate the density and excluding it from the landscape calculations.

Ms. Ware stated multi-family developments are required to erect a masonry wall on property lines adjacent to any property which is zoned for single family residential uses. The eastern property line of the subject property is adjacent to property which is zoned for single family residential uses. Easements run along this property line, creating a strip of undevelopable land about 190 ft. wide between the property line and proposed improvements. The applicant has proposed two options for providing the required masonry wall: 1); Provide an eight ft. masonry wall along the property line; or 2); Provide an eight ft. masonry wall on the other side of the easements adjacent to proposed improvements. The neighboring HOA has asked the developer to escrow funds for the HOA to construct the wall. This means that the developer would not be required to build it. Staff would consider this as a variance to the requirement for a wall because there is nothing the City can do to ensure the wall is constructed prior to issuing a certificate of occupancy. Ms. Ware stated the exterior building materials include fiber cement siding, fiber cement lap siding, stone veneer, stucco, and two types of brick. The applicant is requesting the following variances: 1) PD-255A limits the number of units per building to 12. The applicant is proposing a single building with 278 units; 2) PD-255A requires a minimum unit size of 690 sq. ft. for one bedroom units. The proposal includes studio units that are 540 sq. ft.; 3) PD-255A allows one-bedroom units for up to 50% of total units. The proposal includes 51.1% one-bedroom units; 4) The proposal provides a 63 ft. front setback when 100 ft. is required; 5) The proposal provides a 52 ft. side setback when 116 ft. is required; 6) The proposed building has a height of 41 ft. which exceeds what is allowed by 6 ft.; 7) Garage parking spaces account for 24.8% of the total required parking spaces when garages are required to account for 30%.

Ms. Ware stated the Development Review Committee recommends approval.

Commissioner Carranza asked what the number of parking spaces, covered parking spaces, and garage parking spaces. Ms. Ware stated the total parking spaces are 450 for 1 to 2 bedrooms, 30 garage spaces, and 20 carports, the proposal meets the parking requirements.

Commissioner Hedin asked if staff foresees any problems with the number of units. Ms. Ware stated the zoning has been in place since 2001 for multi-family uses.

Chairperson Spare stated there were no more questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Christina Adams, 5975 Waterford Drive, Grand Prairie, TX was present in opposition to this request.

Lorin Barnard, 2864 Ector Drive, Grand Prairie, TX was present in support of this request.

Deland Naylor, 3004 Fairview Drive, Grand Prairie, TX stepped forward in support of this request and representing the Lynn Creek Hills HOA. He said they have been working with Spanos for several weeks on the wall, they are in support of the variances as requested, but would like to come into an agreement that Spanos escrow funds for the wall and the HOA would

be responsible for constructing the wall. They want to make sure that they are funded to construct the wall with any developer that develops this property.

Chairperson Spare stated what the Commission is doing is allowing the builder to obtain a Certificate of Occupancy before the wall is constructed, the solution would be that the builder construct the wall and be responsible for the maintenance of the wall. The Commission takes it very seriously when there is an existing residential development adjacent to multi-family.

Mr. Jones stated the reason the HOA wants Spanos to escrow funds is so the HOA can construct an 8 ft. wall so the apartments cannot look into their back yards.

Commissioner Moser said he still does not understand why the HOA wants to construct the wall and be responsible for maintaining the wall.

Commissioner Connor asked if the HOA currently maintain a wall in their neighborhood. He is the HOA president for his subdivision and they also have to maintain a wall that can be very expensive and asked why take on the extra expense. Mr. Naylor said they currently maintain a wall in their neighborhood and they make sure the wall is insured.

Commissioner Moser asked if they were to be responsible for the wall when, do they plan on constructing the wall. Mr. Naylor stated as soon as possible. Mr. Moser said if the commission agrees with Plan "B" the city cannot enforce the construction of the wall.

Bill Dahlstrom, 2323 Ross Avenue, Ste 600, Dallas, TX stepped forward representing the case and answer questions from the commission. Mr. Dahlstrom said the current zoning allows for multi-family uses, he presented the commission with a presentation noting the Line of Sight between the complex and the adjacent neighborhood. He stated they are in agreement with escrowing the funds for the wall to be constructed by the HOA. Will Duncan with WDG Architects, explained the Line of Sight triangle and the visibility from the complex to the adjacent homes.

Commissioner Moser said he does not have a problem with the exceptions, but what is the percentage of 1 bedroom at 690 sq. ft. vs the studio apartments at 540 sq. ft. Mr. Duncan stated there would only be 6 studio apartments.

Deputy City Attorney Mark Dempsey asked if they can enter into an agreement on the wall at this time. Mr. Dahlstrom replied not at this time.

Commissioner Moser stated he does not want to approve the site plan without the wall this case should probably table until there is an agreement on the wall.

There being no further discussion on the case commissioner Connor moved to close the public hearing and approve case S190801 as presented and recommended by staff with option 1, that the developer construct the wall before the city issues the certificate of occupancy. The action and vote being recorded as follows:

Motion: Connor

Second: Moser

Ayes: Connor, Fisher, Hedin, Moser

Nays: Spare, Carranza, Landrum

Approved: 4-3

Motion: **carried.**