



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
SEPTEMBER 8, 2014**

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

COMMISSIONERS ABSENT: Vice-Chairperson Bill Moser

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.

Chairperson Tommy Garrett gave the invocation.

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following agenda items: P141001- Mira Lagos D-3, P141002-Lakeview West Section 2, Phase 2, P141003 – La Joya, RP141001 – Lawler Motor Sports Addition, RP141002 – Townhomes of Camp Wisdom, and P141003 – Grand Prairie Prize Acres.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of August 4, 2014.

PUBLIC HEARING CONSENT AGENDA: Item #3- P131002A - Amending Plat - Mirabella Commercial Addition (City Council District 6). Request for the approval of an amendment to the Final Plat of the Mirabella Commercial Addition. The subject property is located east of S. Highway 360 and situated on the northwest corner of Mirabella Boulevard and New York Avenue. The property is zoned Commercial One (C-1) District and is within the State Highway 360 (S.H. 360) Overlay District. The agent is Walter Nelson and the owner is Johnny Campbell, Sunbelt Land Development LTD.

Item #4 - P140902 - Final Plat - QT 953 Addition (City Council District 1). Consider a request to approve a final plat to create a one-lot non-residential subdivision. The 1.72-acre property, located at 1110 N. Belt Line Road, is zoned Planned Development 217 (PD-217) for mixed uses

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and is within the Belt Line Corridor Overlay District. The owner/applicant is Truitt Priddy, Quik Trip Corporation.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #5- S080802A - Site Plan Amendment - La Quinta - 380 Palace Pkwy (City Council District 1).

(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 P141001, P141002, P141003, RP141001, RP141002 and RP141003, approve the minutes of August 4, 2014, approve consent agenda cases P131002A and P140902 and postponed case S080802A. The action and vote on the Consent Agenda being recorded as follows:

Motion: Gray

Second: Arredondo

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

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #6- S140502 - Site Plan - Villas Grand Prairie - 2255 Arkansas Lane (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation to approve a site plan for a multi-family residential development. The 12.28-acre property, located at 2255 Arkansas Lane, is zoned Planned Development 341 (PD-341) District and is within the S.H. 161 Overlay District. The agent is Daniel Dewey, JBI Partners, Inc. and the owner is Kim McCaslin Schlieker, Multi Family Land, LLC.

Mrs. Thomas stated the base zoning for the PD is MF-3. The following exceptions were granted by City Council as part of PD 341:

- Primary building materials will be 80% masonry with 20% simulated stone and stucco. The UDC requires 100% masonry.
- Unit composition is comprised of approximately 67% one-bedroom units within the complex. The UDC limits one-bedroom units to 50% of the complex.
- Covered parking will be enclosed on two sides with simulated stone rowlock and base to match the buildings. The UDC requires covered parking to be architecturally enclosed on three sides with brick or stone masonry material and be equipped with internal lighting.
- Roof pitch mixture of 3:12 and 5:12 slope. The UDC requires minimum roof pitch mixture of 6:12 and 10:12 slope.

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- Use of nine-foot-wide garage doors. The UDC requires minimum of 10-foot-wide garage doors.
- Perimeter walls are not required. The UDC requires a cement fiberboard or wood fence along the eastern, southern, and western property lines.

Mrs. Thomas stated the subject site is part of District 1 of the S.H. 161 Overlay District. The Plan provides flexibility by allowing for diversity in architectural and design styles. The site plan proposal offers design and materials consistent with many of the provisions of the District.

Mrs. Thomas stated the applicant meets all of the covered parking and garages. The landscape plan is consistent with the conceptual landscape plan approved by with PD 341. The elevations proposed depict 90% masonry buildings with stucco and barrel tile roofs reminiscent of “Spanish Style” architecture. The proposed elevations are consistent with the conceptual elevations approved as part of PD 341. The UDC limits one-bedroom units in multi-family developments to no more than 50% of the total units. Planned Development 341 allows the composition of one-bedroom units to exceed the 50% limit. The site plan indicates 67% of the units will be one-bedroom units; which is consistent with PD 341.

Mrs. Thomas stated staff recommends approval of the site plan subject to the recommendation of the Development Review Committee.

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

Kim Schlieker with MR Development, 100 N. Mitchell Road, Mansfield, TX was present representing the case and to respond to questions from the Commission. Mrs. Schlieker stated they are ready to move forward with this development, the 12 acre site would be a good addition to Central Park.

Commissioner Johnson asked, the percentage of stucco being proposed for this development.

Mrs. Thomas stated some of the facades would have more and some would have less stucco, but do meet the overall masonry requirements.

There being no further discussion on the case, Commissioner Arredondo moved to close the public hearing and recommend approval of case S140502 per staff’s recommendations. The action and vote being recorded as follows:

Motion: Arredondo

Second: Gray

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

Nays: None

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Approved: **8-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #7- 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 to approve Specific Use Permit for Automotive Uses; 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 the applicant is requesting a Specific Use Permit to allow Quick Lube & Tune Services which would also allow minor auto repair. By an affirmative vote from the City Council, this request was permitted to return and be reviewed by the Planning and Zoning Commission.

Mr. Howard stated the applicant wishes to operate a Quick Lube & Tune Services and a State Inspections station. In GR zoning, a State Inspection use is allowed by right. Quick Lube and Tune is defined by the UDC as, “a business or facility where the principal use is changing oil, lubrication, and minor auto repair. This may also include state vehicle inspections and the minor repairs necessary to pass the state requirements.”

Mr. Howard stated the applicant has provided staff with a detailed operational plan. 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: Bay 1 will facilitate any storage needed for the site and will be used for any pickups or deliveries. 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 the majority of the parking along the street frontage of Virginia Drive. For new developments a 3ft screening hedge would have been required to screen the parking from the public right-of-way, however, because this is an existing site, the UDC does not require this property to conform to today's landscaping standards.

Mr. Howard stated though the applicant is no longer requesting the tire sales and installation use, due to the property's adjacency to residential homes, the Development Review Committee is still not in support of the proposed automotive use and does not recommend approval of the requested specific use permit.

Commissioner Gray asked the DRC's position on this request.

Mr. Howard stated their concern is the surrounding residential neighborhood.

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Commissioner Philipp asked when the building was last occupied.

Mr. Howard stated back in 2005 it was being occupied as a Bible study area and then a produce store.

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

Janett Avila, 938 Pangburn Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mrs. Avila stated they purchased the property before they knew they needed a Specific Use Permit for their type of business. She said they are willing to work with the city to comply with all the regulations and requirements, she knows they are taking a risk at this location, but asked they be giving the opportunity to provide the neighborhood with a place to take their vehicles close to home instead of having to drive too far out of their neighborhood. Mrs. Avila said their current business is located in Dallas and have been there for the past four year with a good standing record with the City of Dallas. Mrs. Avila submitted a letter from the City of Dallas stating the City does not possess any records of any violations from the Code Compliance Division for their property in Dallas. Mrs. Avila asked the Commission to provide them six months to one year to conduct their business at this location.

Commissioner Motley asked if they have ever operated this type of business adjacent to a residential neighborhood.

Mrs. Avila replied yes, their current business in Dallas is adjacent to residential. They have been in operation in Dallas for the past four years, but her husband has been in this type of business for the past ten years.

Commissioner Motley said staff is not in support of this request, but would like for the applicant to understand that they would need to operate in a proper manner, not irritating the neighborhood, and meeting all of staff's requirements, this facility has been vacant for seven years and the applicant is proposing to renovate the property.

Mr. Hinderaker said the improvements would enhance the property, but staff feels this property is not big enough for growth or future expansion of this type of business.

Commissioner Motley said he appreciates the applicant willing to make improvements to the facility.

Commissioner Spare asked if there are any other examples of this type of use close to residential elsewhere in the city.

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Mr. Crolley replied not that staff is aware of there have not been any complaints to Code Enforcement.

Commissioner Johnson asked the applicant how long before they start the renovations.

Mrs. Avila replied as soon as they can obtain their permits.

There being no further discussion on the case, Commissioner Motley stated this city is built by people wanting to make improvements and families that are trying to make a better life for themselves, and with this case he is willing to give the applicants the opportunity. Mr. Motley moved to close the public hearing and recommend approval of case SU140702. The action and vote being recorded as follows:

Motion: Motley

Second: Johnson

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

Nays: None

Approved: **8-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #8- Z140901/SU140901/CP140901 - Zoning Change/Specific Use Permit/Concept Plan - Avera (City Council District 1). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation to approve Zone Change from Planned Development 196 (PD-196) to a Planned Development for Light Industrial (LI) uses, a Specific Use Permit for Outside Storage, and a Concept Plan for a 345,150 square-foot distribution center on 18.82 acres AND an amendment of the Master Transportation Plan related to the extension of Daja Lane to January Lane. The subject properties (Joseph C Reed Abst 1729 TR 4.3, 4.5 and TR 4.6, P H Ford ABST 1711 TR 3 and TR 3.5) are located on the northwest corner of N Highway 161 and January Ln and within the SH-161 Overlay District. The agent is Rick Kight, Avera Companies, the owner is David O'Connor, Series Trust 120402, Lauren Butler, Pooled Funds Trust, Durward Moore, Grand Prairie Seriest Trust 2003-1, Durward Moore, 19th Street Trust, and C.M. Edwards, Daisy Field Trust.

Mr. Hinderaker stated the applicant requests approval of a Planned Development (PD), Specific Use Permit, and Concept Plan, as well as a Master Transportation Plan amendment, to change the existing permissible uses of the property from commercial and general retail uses to industrial warehouse uses, with outside storage, intended to specifically allow for an approximate 350,000 square foot industrial warehouse facility with outside storage on 18.82 acres located at the NW corner of January Lane and S.H. 161. The proposed Master Transportation Plan amendment is to eliminate the proposed future extension of Daja Lane through the subject property to January Lane.

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Mr. Hinderaker stated proposed 345,150 square foot warehouse is intended to house a single tenant, but will be designed to house up to three tenants. To accommodate the potential for multi-tenant use, the warehouse façade will include three distinct office entrances and approximately 46 south facing dock doors. The façades of the building will be a combination of concrete tilt wall, glass, stone and metal accent panels in keeping with the design standards of the S.H. 161 Corridor Overlay. Access is proposed from both January Lane and from the S.H. 161 Frontage Road. However, according to the applicant, the S.H. 161 Frontage Road access will be limited to passenger vehicles. It is expected that truck traffic will enter and exit the facility via January Lane and travel to and from the facility primarily uses S.H. 16. Outdoor storage is limited to truck and trailer parking. The facility will have 34 trailer parking spaces located at the south side of the building running parallel with January Lane. An additional 187 passenger vehicle parking spaces are also proposed that are located primarily along the east and west sides of the building. The proposed parking slightly exceeds the number of parking spaces required based on the proposed size and use of the facility.

Mr. Hinderaker stated a key transportation issue that must be addressed for the continued viability of the proposed development is the fact that the Grand Prairie Thoroughfare Plan recommends that Daja Lane should be extended from its current termination to January Lane. This roadway extension would divide the subject property in half thus preventing this development from moving forward. The applicant has requested that the city consider an amendment to the Thoroughfare Plan to eliminate this extension. To that end, the applicant commissioned Larry W. Cervenka, P.E. of Binkley & Barfield / C & P Consulting Engineers to generate a thoroughfare study to determine if the extension of Daja Lane is necessary. The report recommended that Daja Lane should not be extended, but rather should terminate in a cul-de-sac. The City Transportation Department is supportive of the findings of the consultant, and recommends that the Grand Prairie Thoroughfare Plan be amended as such.

Mr. Hinderaker stated according to the applicant, for security purposes the property will be fully enclosed with a perimeter fence and security gates at all access points. On-site security guards may be provided depending on the needs of future tenants. Additional, to mitigate potential issues with the neighboring residential developments to the west and north, the applicant is proposing the use of wing wall on the west and east sides of the building to buffer the any noise produced by the trucks in the loading areas. The required 30-foot landscape buffer between all parking and drive areas and the right-of-way lines along public streets is provided along January Lane and S.H. 161 Frontage Road. Additional, a 15-foot landscape buffer is provided along the west and north property lines that abut residentially zoned properties. Please note, as is consistent with conceptual plans, the submitted fencing and landscaping information is not complete nor a detailed representation of the minimum requirements. The applicant has indicated that it is there intend to fully comply with the minimum standards of the UDC and 161 Corridor Overlay. A dumpster screening enclosure is proposed to be located at the northwest corner of the property.

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Mr. Hinderaker stated the Development Review Committee recommends approval of the Zone Change, Specific Use Permit, Concept Plan, and Master Transportation Plan amendment subject to staff comments.

Commissioner Womack noted there are concerns with traffic along January Lane, would the access onto this development come from S.H. 161 and could the operational plan have some type of verbiage regarding no truck traffic to the west.

Mr. Hinderaker stated there was some discussion with the developer they are proposing to utilize S.H. 161, but the verbiage could be added to the operational plan noting no truck traffic to the west on January Lane.

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

Rick Kight with Avera Companies, 7880 San Felipe, Suite 250, Houston, TX was present representing the case and to respond to questions from the Commission. Mr. Kight said they currently have several projects in the DFW area. Traveling west along January Lane as a truck driver does not make sense when they have S.H. 161 and Great Southwest Parkway. To mitigate potential issues with the neighboring residential developments to the west and north they are proposing the use of wing wall on the west and east sides of the building to buffer any noise produced by the trucks in the loading areas.

Chairman Garrett noted several speaker cards submitted in opposition to this request.

Dudley & Martha Harvey, 2309 January Lane, Grand Prairie, TX stepped forward in opposition to this request. Mrs. Harvey noted their home is located three houses down from the corner of January Lane and Dallas. Her concern is the traffic and 18-wheelers that travel up and down January Lane even though there is a sign prohibiting 18-wheelers they still travel down the street at high speed. She said the police officers monitor this location, but do not enforce the sign with the 18-wheelers. Mrs. Harvey said she has complained to the Transportation department several times, her concern is the additional accumulation of traffic this facility would bring to the area she cannot even go out to get her mail without fearing she will be run over by these trucks.

Commissioner Gray stated City Council listens to what is being said, and if the Police do not honor the signs, he assures her she is speaking to the right people.

Richard & Jennifer Martin, 634 Dallas Ave., Grand Prairie, TX stepped forward in opposition to this request. Mrs. Martin stated she has been rear ended, their home has been hit, and they have paid to have their driveway widen in order for them to be able to get out of their own driveway and park at their own home, because of the 18-wheelers traveling down their street. She said

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they have placed boulders at the corner of their home so they can feel safe. Traffic is a major concern.

Commissioner Motley stated he understands their concern we seem to have a law enforcement problem and street problem in this area.

Chairman Garrett stated there has been a study conducted on the type of business for this area and the study shows this use would be permissible at this location.

Max Coleman, 9 Heritage Court, Grand Prairie, TX stepped forward in opposition to this request. Mr. Coleman stated he owned a trucking company for 12 years and a truck driver would avoid paying a toll where they can and S.H. 161 is a toll way. His concern is the noise these trucks would bring to the area Council just revoked an SUP for trucks idling at night while parking. He said a good engineer would not have any entrances on January Lane and should put in a road leading to S.H. 161. He said truck drivers do not pay attention to no parking signs.

Jim Koch, Engineer with Pacheco Koch, 8350 N. Central Expressway, #1000, Dallas, TX representing the applicant, said because of the grade on this property it would not be feasible adding a road onto the premises for this location.

There being no further discussion on the case, Commissioner Arredondo moved to close the public hearing and recommend approval of case Z140901/SU140901/CP140901 per staff's recommendations. The action and vote being recorded as follows:

Motion: Arredondo

Second: Philipp

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

Nays: None

Approved: **8-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #9- Z140902 – Zoning Change (City Council District 6). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation to approve a Zone Change from Single Family-One (SF-1) to Planned Development for residential uses with site specific development standards, including a guest house and other special considerations. The 1.94 acre property is located south of W. Bardin Road and east of Matthew Road. The owner/applicant is Don Sherman.

Mr. Hinderaker stated the zone change and concept plan are intended to accommodate a proposed two-lot, single-family detached residential development on 2.055 acres. According to the applicant, the proposed two-lot development, while meeting the density and dimensional standards of the Single-Family One District, is also intended to allow a total of three dwelling

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units that will be, at least initially, occupied by members of the same family. Staff understands that some of the project elements such as the orientation of the homes, location of the pool, open space and preservation of mature trees are intended to create a common outdoor area for the occupants of the three homes, while providing enough land area to legally separate the homes and outside area should the homes be owned and/or occupied by non-family members at some point in the future.

Mr. Hinderaker stated the development will consist of two-lots and three dwelling units, including the existing dwelling unit. According to the Dallas Central Appraisal District, the existing dwelling was constructed in 1962. This home is a slab on grade wood frame construction with brick veneer exterior walls and asphalt shingles. The total living area of this home is 1,500 square feet. The property does not have garage or carport. Due to the fact that Article 6 of the Unified Development Code stipulates that the square footage of a living area of a dwelling unit shall be minimum of 2,400 square feet, and that Article 10 of the UDC requires all single-family dwelling to have a minimum of two parking spaces in a garage, the existing dwelling unit is currently considered non-conforming. Through this PD process the applicant proposes to establish a revised minimum living square footage and parking standard within the PD for the existing home so that this home will comply to the newly created standards and therefore could be rebuilt should it be destroyed or damaged by more than 50% as detailed within Article 19: Non-Conforming Development of the UDC.

Mr. Hinderaker stated the proposed improvements to the property include the construction of two new homes (both are considered to be primary uses), one being a minimum of 2,400 square feet and the other being a minimum of 800 square feet. The larger home will have an attached two-car or larger garage. The smaller home will not have a garage, but will have a detached one-car or two-car carport. A one-car or two-car carport is also proposed to be constructed for the existing dwelling unit. The exact location of all the proposed structures has not been fully determined, but each structure will comply with the setback and other requirements of the final PD ordinance. Other proposed improvements include a pool, outbuildings, fencing, and other improvements that are typically found with single family development.

Mr. Hinderaker stated no internal streets are proposed, but rather the development will utilize the existing driveway approach on Matthew Road as a shared access to the existing and future dwelling units. While an individual access approach to each of the proposed lots is acceptable from a transportation perspective, due to topographically conditions of the property, separate driveways are not practical. An access easement will be required when the property is platted to ensure legal access is provided across the servient estate to the dominant estate. A city approved and recorded plat will be required prior to the issuance of building permits for construction of the proposed dwelling units.

Mr. Hinderaker stated the Development Review Committee recommends approval of the requested zone change subject to staff comments and the following conditions:

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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.

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

Don Sherman, 4309 Matthew Road, 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 Philipp moved to close the public hearing and recommend approval of case Z140902 per staff's recommendations. The action and vote being recorded as follows:

Motion: Philipp

Second: Gray

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

Nays: None

Approved: **8-0**

Motion: **carried.**

Citizen Comments: None

Commissioner Motley moved to adjourn the meeting of September 8, 2014. The meeting adjourned at 8:35 p.m.

Tommy Garrett, Chairman

ATTEST:

Secretary

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