



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
MAY 6, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson John Lopez, Secretary Cheryl Smith, Commissioners Max Coleman, Clayton Fisher, Bill Moser, Shawn Connor, Lynn Motley.

COMMISSIONERS ABSENT: Eduardo Carranza

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Nyliah Acosta, Planner, Mark Dempsey, Deputy City Attorney, Cindy Mendez, Environmental Manager, 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 Motley gave the invocation, Chairperson Spare led the pledge of allegiance to the US Flag, and the Texas Flag.

Chairperson Spare noted the applicant is requesting the following case be tabled.

PUBLIC HEARING AGENDA Item #11- Z190302/CP190302 - Zoning Change/Concept Plan – Kalterra Mixed Use Development, Highway 161 & Forum Drive (City Council District 2). Senior Planner Savannah Ware presented the case report and gave a Power Point presentation for a request Zoning Change and Concept Plan for a horizontal mixed use development on 55.5 acres, including Commercial, Retail, Multi-Family, and Single Family Townhouse uses, and allowing for two restaurants with drive-through, two hotels, and a bank with a drive-through by right. Tract 7, William Reed Survey, Abstract No. 1193, and Tract 1.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-331, within the SH-161 Overlay District, and generally located on the northwest corner of S Forum Dr. and SH-161. The applicant is Clint Nolen and the owner is Sunny Sheu.

Ms. Ware stated the purpose of the request is to create a planned development for single family townhouse, multi-family, and commercial uses in the SH-161 Corridor Overlay District. At the time the applicant approached Staff with the proposal and began the development application process, the Future Land Use Map designated this area as Mixed Use. Since then, City Council adopted the 2018 Comprehensive Plan in which the area is designated as Commercial/Retail on the FLUM. If this request is approved, the FLUM designation will need to be amended. Mixed Use development should include a mixture of retail, high density residential, personal service and some limited office uses in a pedestrian oriented development. The proposal is consistent with the FLUM.

Ms. Ware stated the following proposed Planned Development regulations correspond to each zone.

Zone A - Commercial Freeway Frontage

The applicant is proposing a base zoning district of General Retail-One. Allowable uses will be those provided for in the Unified Development Code for General Retail-One Districts. The applicant is proposing to prohibit Convenience Stores with Gasoline Sales in this zone. The UDC allows Convenience Stores with Gasoline Sales with City Council approval of a Specific Use Permit. The applicant is also proposing to allow up to two Restaurants with a Drive-Through by right. The UDC allows Restaurants with a Drive-Through with City Council approval of a Specific Use Permit.

Zone B - Multi-Family and Limited Retail Buffer

The applicant is proposing base zoning districts of Multi-Family Three and General Retail-One. Commercial development will be subject to the proposed General Retail-One. Allowable uses will be those provided for in the Unified Development Code for General Retail-One Districts. The applicant is proposing to prohibit Convenience Stores with Gasoline Sales in this zone. The UDC allows Convenience Stores with Gasoline Sales with City Council approval of a Specific Use Permit. The applicant is proposing to allow two Hotels by right. A hotel requires City Council approval of a Specific Use Permit when located within 300 feet of a residential zoning district, within a designated overlay district, or within 900 feet of a similar use.

Ms. Ware stated Multi-family development will be subject to standards for Multi-Family Three District with some modifications. The applicant is proposing a parking ratio of 1.3 parking spaces per unit and that garages account for 10% of the required parking spaces.

Zone C - Single Family Transition

The applicant is proposing base zoning districts of Multi-Family One and Single Family Townhouse. This will allow Zone C to be developed for single-family attached and detached units on a single lot or for single family townhomes. The applicant is proposing that attached garages account for a minimum of 20% of required parking spaces and carports account for a minimum of 30% of required parking spaces. The applicant is proposing that attached garages account for 25% of required parking spaces. Appendix W of the UDC requires two garage spaces for each unit with two or more bedrooms and one garage space for each unit with one bedroom.

Zone D - Limited Retail

The applicant is proposing a base zoning district of Neighborhood Services for Zone D. The applicant is proposing to allow a Child Care Facility by right at this location. The UDC requires a Specific Use Permit for Child Day Care facilities in all zoning districts.

Zone E-1 - Residential Flexibility and Zone E-2 - Multi-Family and Commercial Flexibility

If Zone E-1 and Zone E-2 are developed for commercial uses, the development would be required to meet the standards for General Retail-One (GR-1) District in Zone A.

Ms. Ware stated the applicant is requesting a total of five multi-tenant signs. The concept plan does not show the location or design of the signs. Theoretically, the applicant could construct five multi-tenant signs in the PD district and still meet sign standards in the UDC. The applicant is proposing to construct the development without the required landscape buffers and masonry

screening wall between commercial and residential uses within the subject property. The applicant is proposing to allow two fast food restaurants with a drive-through by right and to limit the total number of restaurants with a drive-through to four. The proposed PD standards include language that differentiates between a coffee shop with a drive-through, a fast casual restaurant with a drive-through, and a fast food restaurant with a drive-through. The applicant is proposing to allow two hotels by right. A hotel requires City Council approval of a Specific Use Permit when it is located within 300 feet of a residential zoning district, within an overlay district, or within 900 feet of a similar use. The applicant is proposing to allow a Child Care Facility by right. Child Care Facilities require a Specific Use Permit in all zoning districts. The applicant is proposing the following changes to the density and dimensional standards: decrease the required side setback, not require a maximum building height, and increase the floor area ratio. The applicant is proposing to allow EIFS on up to 15% of a building facade. Appendix F allows EIFS for roof parapet cornice molding, ornamental roundels, or similar decorative elements. The applicant is proposing the following changes to the density and dimensional standards: increase the allowable dwelling units per acre from 26 to 40, allow one-bedroom units for up to 70% of the total units, decrease the setbacks, and increase the allowable lot coverage to 80% if structured parking is constructed. The applicant is proposing a parking ratio of 1.3 parking spaces per unit and that 10% of the parking spaces be provided in a garage. The applicant is proposing the following changes to the density and dimensional standards: decrease the minimum lot size, decrease the front and rear building setbacks, and decrease the maximum allowable height to 40 feet. The applicant is proposing that garages account for a minimum of 20% of required parking spaces and that carports account for a minimum of 30% of required parking spaces. The applicant is proposing the following changes to the density and dimensional standards: decrease the front and side setbacks, increase the maximum allowable height from 35 feet to 40 feet, and increase the maximum allowable lot coverage from 60% to 70%. The applicant is proposing that garages account for 25% of required parking spaces.

Ms. Ware stated the Development Review Committee recommends approval with the following conditions:

1. The applicant shall complete a traffic study accounting for the development at build out before submitting a Site Plan for the first phase of the development.
2. The applicant meet the standards in Article 9 of the UDC and that if the applicant wishes to request a variance to the sign standards, the request be submitted through a Unified Signage Plan in accordance with Article 9.
3. Two Fast Food Restaurants with a Drive-Through shall be allowed by right provided that the location is consistent with the Concept Plan, north of the ceremonial drive, and not across from any multi-family development.
4. Commercial development shall meet Appendix F requirements.
5. Single Family Townhouse development shall comply with parking requirements in Appendix W.
6. The applicant shall construct a trail that connects the Avilla Heritage trail to the linear open space amenity and trail between Zone B and Zone C.
7. The required 30 foot landscape buffer along SH-161 may be reduced by ten feet in order to create more space for the townhome development.
8. The developer shall either construct the ceremonial drive and commercial buildings on the north side of the ceremonial drive with the first phase to avoid a vacant lot across

from the apartments or create an interim amenity open space with seating and trail connections to remain in place until the commercial buildings are constructed.

9. The developer shall avoid placing surface parking areas across the street from outdoor spaces.
10. Parallel on-street parking may be provided on the internal street. 90 parking spaces on the internal street are prohibited.
11. Commercial buildings with a building footprint greater than 35,000 sq. ft. shall require a Specific Use Permit.
12. Development shall maintain a consistent build-to line along the core of the internal street.
13. Multi-family garages shall not face the ceremonial drive and carports shall not be located between the building and ceremonial drive.
14. Base zoning district for Zone D shall be Neighborhood Service (NS) or Single Family-Townhouse (SF-T) or Multi-Family One (MF-1) to allow Zone D to be developed for residential uses if it is not developed as a Child Care Facility.
15. Zone E-1 shall not be developed for commercial uses; the area shall be developed as part of Zone C.

Commissioner Coleman moved to table case SU161203A as requested by the applicant, seconded by Commissioner Smith. Commissioner Lopez asked for a 30 day tabling of this case.

Chairperson Spare asked for discussion on the case.

Commissioner Motley stated the Commission had time to review the case during the briefing session this case has a lot of elements that we do not want to see along Hwy 161, this development is lacking a lot of qualities therefore he urges the Commission not to table this case.

Chairperson Spare stated the applicant is asking for a lot of variances.

Commissioner Connor asked if this case was denied what would be their next step. Mr. Jones stated if the case is denied the applicant would need to appeal their case to the City Council.

There being no further discussion on the case. The action and vote being recorded as follows to table the case:

Motion: Coleman

Second: Smith

Ayes: Coleman

Nays: Connor, Fisher, Lopez, Moser, Motley, Smith, Spare

Approved: 1-7

Motion: **Failed to Table.**

Commissioner Moser moved to deny case SU161203A as recommended by staff, seconded by Commissioner Motley. The action and vote being recorded as follows

Motion: Moser

Second: Motley

Ayes: Coleman, Connor, Fisher, Lopez, Moser, Motley, Smith, Spare

Nays: None

Denied: 8-0

Motion: **carried.**