



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
MAY 4, 2009**

(Meeting video accessed at - http://gptx.granicus.com/MediaPlayer.php?view_id=2&clip_id=846)

COMMISSIONERS PRESENT: Chairman Bob Murphy, Vice-Chairman Dave Lester, Secretary Jerry King, Commissioners Cindie Moss, Carol Ann Adams, Charles Koerth and Tommy Garrett.

COMMISSIONERS ABSENT: Phil Philipp and Brian Waggoner

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Kevin Lasher, Chief City Planner, Martin Barkman, Senior Planner, Mary Elliott, Senior Planner, Jim Sparks, Transportation Director, Daon Stephens, Transportation Services, Steve Alcorn, Assistant City Attorney and Chris Hartmann, Executive Secretary.

Chairman Bob Murphy called the meeting to order at 7:12 p.m.

CONSENT AGENDA ITEMS: disapproval of plats without prejudice for agenda items #1-P090601, #2-P090602, #3-P090603, #4-P090604, #5-P090605 and #6-RP090601.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #13-SU090401/S090401, Specific Use Permit, 1502 Houston Street (City Council District 5).

(The above items are not public hearing items).

Motion was made to approve the consent agenda, disapprove without prejudice for items P090601, P090602, P090603, P090604, P090605 and RP090601. The action and vote recorded as follows:

Motion: Lester

Second: Adams

Ayes: Moss, Murphy, Adams, Koerth, Lester, King and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

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AGENDA ITEM: 1-APPROVAL OF MINUTES:

Motion was made to **approve** the minutes of the Planning and Zoning Commission meeting of April 13, 2009. The action and vote recorded as follows:

Motion: Lester

Second: Adams

Ayes: Moss, Murphy, Adams, Koerth, Lester, King and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #8-RP090501, Replat, Lot 4R, Block 13, Lake Crest Addition No. 2 (City Council District 3).

Mrs. Mary Elliott presented the case report to the Commission for approval of a Replat of 1.071 acres to combine five residential properties into one residential lot. The site is currently zoned Single Family-Four (SF-4) District and is generally located at the northwest corner of E. Marshall Drive and Avenue D. The owner/applicant is Templo Palabra De Fe.

This property is being replatted from five single-family lots to one single-family lot for the purpose of redeveloping a church facility.

Mrs. Elliott stated the Development Review Committee supports the request to Replat Lot 4R, Block 13, of Lake Crest Addition No. 2 in conformance with the conditions and informational comments contained in the case report.

Chairman Murphy noted there were no questions for staff.

Pastor Fred Alvarenga, 1750 E Marshall Drive, Grand Prairie, TX was present representing the case.

Chairman Murphy noted there were no questions and no other speaker cards submitted for this case.

There being no further discussion on the case, Commissioner King moved to close the public hearing and approve case RP090501. The action and vote recorded as follows:

Motion: King

Second: Moss

Ayes: Moss, Adams, Koerth, King, Murphy, Lester and Garrett.

Nays: None

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Approved: **7-0**
Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #9-SU090501, Specific Use Permit, 2725 W. Hunter Ferrell Road (City Council District 1).

Mr. Martin Barkman presented the case report to the Commission for approval of a Specific Use Permit to allow a paint booth to be added to an existing auto body shop on 0.21 acres. The site is currently zoned Light Industrial (LI) District and is generally located south of W. Hunter Ferrell Road and west of MacArthur Boulevard. The owner/applicant is Luis Mercado.

Mr. Barkman stated the existing use functions as a small scale auto body shop. The site is currently developed with two one story metal buildings and a carport with 3,198 square feet in the two buildings and 400 square feet in the carport. Parking provided is concrete on the east and north sides of the building with direct access from a private access easement on the east side of the lot. The west side of the building is fenced with an existing six-foot wood screening fence.

This business currently has a valid CO for an auto body shop and is legally non-conforming. This request is primarily to allow the installation of a paint booth in the northernmost metal building on the site. Staff is recommending addition of the SUP for the body shop and the paint booth so that both uses will be in compliance with current zoning requirements.

Automotive uses require one parking space per 400 square feet of building area. Based on the building area of 3,198 square feet, the parking requirement is 8 parking spaces, which are shown on the site plan. The entire site is currently paved with concrete; consequently, the applicant is requesting that no new landscaping be required at this time. An existing dumpster is screened on the north by a carport, on the west by a six foot high wood fence, and on the south by an existing building. No additional screening will be required for the dumpster. No appeals are being requested by the applicant.

Mr. Barkman stated the Development Review Committee recommends approval of this request as no appeals to the Unified Development Code are being requested by the applicant. Recommended conditions of approval are provided in the attached ordinance.

Commissioner Lester asked if the applicant had any history of code violations with the city.

Mr. Barkman replied no, the applicant has been very cooperative with the city in identify any issues that come up.

Luis Mercado, 2925 W. Hunter Ferrell Ave., Grand Prairie, TX stepped forward representing the case. He stated he is willing to work with the city to meet all of the requirements in order for him to conduct his business.

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Chairman Murphy noted there were no more questions and no more speaker cards submitted for this case.

There being no further discussion on the case, Commissioner Adams moved to close the public hearing and approve case SU090501. The action and vote recorded as follows:

Motion: Adams

Second: Lester

Ayes: Moss, Adams, Koerth, King, Murphy, Lester and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #10-Z030701A, Zoning Change, Amending PD-249 Exhibit "E", Prairie Creek (City Council District 4).

Mrs. Mary Elliott presented the case report to the Commission for approval of a from the Transportation Services Department to modify Exhibit "E" of Ordinance No. 6932 establishing Planned Development District No. 294 affecting the intersection design of Robinson Road and Crossland Boulevard. The site is generally located between Interstate Highway 20 and Mayfield Road and is bisected by State Highway 161. The site is situated within the IH-20 Overlay District and the SH-161 Overlay District. The owner/applicant is the City of Grand Prairie.

Mrs. Elliott stated Planned Development District 294 (PD-294) includes diverter median improvements for the intersection of Crossland Boulevard and Robinson Road. The Transportation Services Department presented a more efficient intersection design to the City Council Public Safety and Health Committee (see attached ordinance). The proposed design will replace the diverter median, Exhibit "E", which is currently included in the PD-294 ordinance. In addition, an escrow stipulation that is included in the requirements for Tract A-2 will need to be deleted from the ordinance. The escrow requirement is shown below.

TRACT A-2 – TRANSITIONAL RETAIL DISTRICT [*FROM ORDINANCE NO. 6932, PD-294*]

Development shall take place in accordance with the use and development standards established for the "GR" General Retail zoning district in the Grand Prairie UDC except as otherwise listed below. Site Plan approval will be required for all development within the proposed planned development district. Site and building design will be subject to all applicable requirements prescribed in the IH-20 Overlay District (Ordinance 6811).

~~The developer will be responsible for escrowing funds for diverter median improvements for the intersection of Crossland Boulevard and Robinson Road in accordance with requirements stipulated by the Transportation Services Department. The design of said median improvements~~

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~~shall substantially conform to the conceptual layout depicted in the attached Exhibit E [of Ordinance 6932, PD-294].~~

Mrs. Elliott said the Development Review Committee recommends approval of this request to amend Planned Development District No. 294 by modifying Exhibit "E" of Ordinance No. 6932 establishing Planned Development District No. 294 affecting the intersection design of Robinson Road and Crossland Boulevard.

Chairman Murphy noted there were no questions for staff and no speaker cards submitted for this case.

There being no further discussion on the case, Commissioner King moved to close the public hearing and approve case Z030701A as recommended by the Transportation Services Department. The action and vote recorded as follows:

Motion: King

Second: Lester

Ayes: Moss, Adams, Koerth, King, Murphy, Lester and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #11-SU061104A, Specific Use Permit, 2609 W. Jefferson Street (City Council District 4).

Mr. Martin Barkman presented the case report to the Commission for approval to renew a Specific Use Permit for an automotive inspection and tire repair facility. The site is currently zoned General Retail (GR) District and is generally located west of South Great Southwest Parkway on the south side of West Jefferson Street. The property is located in the Central Business District-One (CBD-1) Overlay District. The owner/applicant is Sofyan Talm. The agent is Jerry Marsalis.

Mr. Barkman stated the existing use functions as an automotive repair facility performing state vehicle inspections, minor tune-ups with repairs, and new tire sales and tire repairs.

The applicant modified the existing structure by adding four garage bay doors facing W. Jefferson Street and constructed a slight berm with additional landscaping and trees along the street to buffer the garage appearance with their initial case submittal.

During the review process staff identified several concerns regarding paving and landscape maintenance those issues have been resolved and the facility appears in good repair.

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The applicant has expressed concern regarding conflicting requirements of different agencies for the dumpster. Dumpster service had begun to damage paving and the applicant was told to repair the paving or the waste disposal company would not service it. The applicant had the dumpster removed and cancelled the service. He has since used unauthorized bag service. During the review process the applicant made a formal application for bag service and was denied by the City's Solid Waste Manager. The applicant is appealing to be allowed to continue bag service as part of this request.

The original ordinance did not allow outside display of merchandise. The applicant is requesting that with this renewal that he be allowed to place one 15 tire display stand of new tires in front of his facility under the awning.

The applicant is appealing the Solid Waste Managers requirement for dumpster service and that bag service be allowed for their location.

The applicant is requesting an amendment to the original ordinance to allow one tire display rack under the sidewalk canopy. No other appeals are being requested by the applicant.

Mr. Barkman stated since the applicant is requesting the above noted appeals, the Development Review Committee (DRC) is not able to recommend full approval of this case. However, if the Commission or City Council is amenable to the requested appeals staff has no objection.

Commissioner Lester asked if the dumpster issues have already been resolved and has the city denied the request for the continued use of bagged trash service.

Mr. Barkman replied yes, the City has denied the applicant's request for bag service. The applicant is therefore seeking an appeal to continue with bag service

Assistant City Attorney Steve Alcorn noted an SUP is a permit issued in consideration of the surrounding neighborhoods. He stated the dumpster issue is not properly before the Commission to review. It has been denied by the City's Solid Waste Manager; therefore, the Commission cannot waive the dumpster requirement, as this is an administrative matter.

Commissioner Garrett asked in this scenario would this business ever be allowed to have bag service from Grand Prairie Disposal.

Mr. Alcorn said this is not for the Commission to discuss since it has been addresses by another city department.

Chairman Murphy said the issue before the Commission is the outside display of tires.

Commissioner Garrett asked if this tire display rack would be permanent or on wheels where they can be moved elsewhere.

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Mr. Barkman said outside displays are not permitted under the current ordinance. The applicant is requesting an amendment to the original ordinance to allow one tire display rack under the sidewalk canopy. He said the rack would not be permanent and could be moved inside the building for after-hours storage.

Chairman Murphy noted there were no questions for staff.

Jerry Marsalis, 1914 Huntington, Grand Prairie, TX stepped forward representing the owner Mr. Talm. He said the owner met with Mike Stanley with Code Enforcement and was told to remove the dumpster. When he contacted the Environmental Services he was told to put the dumpster back. He said there is a tire shop down the street that is allowed to have outside tire displays, therefore the applicant is requesting that he be allowed to have one outside display under the sidewalk canopy for advertising.

Mr. Marsalis handed out pictures to the Commission showing outdoor tire displays of other tire repair shops in the area.

Chairman Murphy noted there were no more questions and no more speaker cards submitted for this case.

There being no further discussion on the case, Commissioner Garrett moved to close the public hearing and approve case SU061104A and allow the applicant to place one 15 tire display stand of new tires in front of his facility under the awning, and the SUP shall be reviewed again by the Planning and Zoning Commission and City Council for renewal within one year. If no code violation(s) have been issued, staff will recommend a succeeding renewal period of two years with an option to exercise an administrative renewal process. The action and vote recorded as follows:

Motion: Garrett

Second: Koerth

Ayes: Moss, Adams, Koerth, King, Murphy, Lester and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #12-S080601, Site Plan, Holiday Inn Enterprise (City Council District 1).

Mrs. Mary Elliott presented the case report to the Commission for approval of a Site Plan of 2 acres containing one non-residential lot for the development of a four story hotel. The site is currently zoned Planned Development District-217 (PD-217) and is generally located north of Interstate Highway-30 and east of North Beltline Road. The property is located in the Beltline Corridor Overlay District. The owner is Enterprise America Hospitality, LP. The applicant is Sharif Choudhury. The agent is CCIG Construction, Issa Boueri.

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The Site Plan shows a four-story Holiday Inn Express with 104 guest rooms and a building area of 66,393 square feet. The Preliminary Plat for the Enterprise Holiday Inn Addition was approved at the March 30, 2009 Planning and Zoning Commission meeting. The Site Plan area is shown as Lot 1 on the Preliminary Plat, and encompasses 1.98 acres. The applicant is providing 91 parking spaces which will meet the parking requirement for the proposed use. Four of the 91 parking spaces will be for handicapped parking.

The building materials are primarily brick with stone accents on the first floor and accent features. Stucco is only used for the accent bands and porte cochere, and is less than 10% of the overall building materials. The roof materials will be standing seam, metal roof panels. The architectural features meet the requirements of Section 3.6 of the Beltline Corridor Overlay District with arched window dormers and roofline profiles that match the style elements recommended for the district. The proposed color scheme is crème and terra-cotta red earth tones, which complies with the architectural guidelines of the Overlay District.

The landscape plan shows that the proposed hotel will meet the landscape area requirement and will exceed the tree and shrub requirements. The street and parking trees will be Live Oak and Crepe Myrtle trees. In addition, the landscape plan shows that the site will include about twice the required number of screening shrubs. According to Section 3.4.D.4, Beltline Corridor Overlay District, a landscape buffer of 18 feet shall be provided along both sides of Beltline Road. However, parking may intrude into that buffer area by up to 8 feet, provided that the berm height is not reduced. The landscape plan meets this requirement.

The Preliminary Plat for the Enterprise Holiday Inn Addition (P090301) includes four non-residential lots. The owner will eventually submit Site Plans for Lot 2 and Lot 3, which would contain a proposed hotel development and a proposed restaurant respectively. Lot 1 and Lot 4 will be submitted together as one Final Plat. Lot 4 will remain a drainage control area for the entire area covered by the Preliminary Plat. No appeals are being requested by the applicant.

Mrs. Elliott stated the Development Review Committee recommends full approval of this request as no appeals to the Unified Development Code or Planned Development District 217 (PD-217) are being requested by the applicant. However, the following conditions are recommended in response to the results of the Traffic Impact Study.

1. The Beltline Road driveway entrance will be a right-in-only drive with appropriate signage, and designed per Halff Associates specifications as approved by the City.
2. The interior driveway that connects the site to the southern driveway for the gas station will be completely closed.
3. The access easement that connects the site to the northern driveway for the gas station will be designed to accommodate a firelane.

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Chairman Murphy noted there were no questions for staff.

Issa Boueri, 12222 Merit Drive, Suite 1870, Dallas, TX stepped forward representing the case.

Consultant Cheryl Williams, 6840 Gateridge, stepped forward representing the applicant. She said they are respectfully asking for a favorable recommendation on this case.

Chairman Murphy noted one more speaker cards in support of this request, but did not wish to speak.

Sharif Choudhury, 12222 Merit Drive, Suite 1870, Dallas TX

Commissioner Lester asked Mr. Choudhury if he was aware of the three conditions recommended in response to the results of the Traffic Impact Study.

Mr. Choudhury replied yes and stated they have no problems with the stated conditions..

There being no further discussion on the case, Commissioner King moved to close the public hearing and approve case S080601 as presented by staff, with the following three conditions recommended in response to the results of the Traffic Impact Study;

1. The Beltline Road driveway entrance will be a right-in-only drive with appropriate signage, and designed per Half Associates specifications as approved by the City.
2. The interior driveway that connects the site to the southern driveway for the gas station will be completely closed.
3. The access easement that connects the site to the northern driveway for the gas station will be designed to accommodate a firelane.

The action and vote recorded as follows:

Motion: King

Second: Koerth

Ayes: Moss, Adams, Koerth, King, Murphy, Lester and Garrett.

Nays: None

Approved: **7-0**

Motion: **carried.**

Commissioner Murphy said Commissioner Phil Philipp has been out ill and would like to wish him the best and hope to see him back soon.

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Commissioner Garrett thanked the Planning staff for a day out at Lone Star Park.

Commissioner Lester moved to adjourn the meeting.

The meeting adjourned at 8:00 p.m.

Robert P. Murphy, Jr., Chairman

ATTEST:

Jerry King, Secretary