REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
AUGUST 3, 2009

(Meeting video accessed at - http://gptx.granicus.com/MediaPlayer.php?view_id=2&clip_id=954)

COMMISSIONERS PRESENT: Chairperson Jerry King, Vice-Chairman Tommy Garrett, Secretary Carol Ann Adams, Commissioners Cindie Moss, Brian Waggoner, Charles Koerth, Ed Gray, Phil Philipp, and Tommy Garrett.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Kevin Lasher, Chief City Planner, Martin Barkman, Senior Planner, Steve Alcorn, Assistant City Attorney and Chris Hartmann, Executive Secretary.

Chairperson Jerry King called the meeting to order at 7:00 p.m.

CONSENT AGENDA ITEMS: disapproval of plats without prejudice for the following agenda items: #1-RP090901, Replat, Great Southwest Industrial Community No. 7.

(The above item is not a public hearing item).

Motion was made to **disapprove** the above listed plat without prejudice. The action and vote on the Consent Agenda recorded as follows:

Motion: Lester
Second: Waggoner
Ayes: King, Moss, Koerth, Adams, Lester, Waggoner, Gray, Philipp and Garrett.
Nays: None
Approved: **9-0**
Motion: **carried.**

AGENDA ITEM: 2-APPROVAL OF MINUTES:

Motion was made to **approve** the minutes of the Planning and Zoning Commission meeting of July 6, 2009 as amended. The action and vote recorded as follows:

Motion: Lester
Second: Waggoner
Ayes: King, Moss, Koerth, Adams, Lester, Waggoner, Gray, Philipp and Garrett.
Nays: None
Approved: **9-0**
Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #3-Z090801, Zoning Change, 2900 S. Carrier Parkway (City Council District 4).

Senior Planner Martin Barkman presented the case report to the Commission for approval of a zoning change of 5.174 acres from Planned Development District No. 168 (PD-168) for Commercial-Office uses to a General Retail-One (GR-1) District. The site is currently zoned Planned Development No. 168 (PD-168) District and is generally located at the southwest corner of Carrier Parkway and Arkansas Lane. The subject property is located in the State Highway 161 (SH-161) Corridor Overlay District. The owner is One Capricorn Inv. The applicant is Mike Malik.

Mr. Barkman stated the owner is proposing to rezone 5.174 acres of property currently zoned Planned Development No. 168 (PD-168) for Commercial-Office uses to General Retail One (GR-1) District. The current designation of Commercial-Office (C-O) has been removed from the Unified Development Code and is considered obsolete due to the limited amount of uses that it permitted. This former designation when in place only allowed office and very limited commercial uses.

The applicant has had this property for sale for the last several years with no inquiries. He hopes that a change in zoning from an obsolete district to one which permits more retail and commercial uses will facilitate a sale.

No development is currently being proposed. Consequently, no site or development plan has been included in this request. The property lies within the State Highway 161 Corridor Overlay District and will require Site Plan approval and platting prior to development and issuance of building permits. No appeals are being requested by the applicant.

Mr. Barkman stated the Development Review Committee recommends approval of the request for a Zoning Change from Planned Development District No. 168 (PD-168) for Commercial-Office (C-O) uses to a General Retail-One (GR-1) District on 5.174 acres, within the SH 161 Overlay District in conformance with the conditions proposed in the attached ordinance.

Commissioner Garrett asked if an area that is zoned with an obsolete zoning designation, remains in place until someone decides to change the zoning.

Mr. Barkman replied having an obsolete zoning designation does not mean the property has to be rezoned. If the applicant wishes to develop offices on this site, he would be allowed to do so under the current zoning designation, even when the designation is no longer included in the Unified Development Code. In this case, the applicant is asking to change the zoning to be able to market his property for a wider range of uses.

Mike Malik, P.O. Box 54803, Hurst, TX stepped forward representing the case. Mr. Malik said there are no immediate plans to develop the property, but changing the zoning designation would allow him to better market the property.

Chairperson King noted one speaker card submitted in opposition to this request.

Sunny Akhigbe, 2820 Fieldstone Drive, Grand Prairie, TX stepped forward in opposition to this request. Mr. Akhigbe stated that by changing the zoning designation to retail, he would have concerns with the additional traffic and noise new development would bring to the neighborhood.

Mr. Lasher stated the property is also located within the State Highway 161 Corridor. Therefore, before this property can be developed, a site plan would be brought back to the Commission and City Council for review. The adjacent property owners would be notified when the site plan application for development is submitted for review. Changing the zoning designation to General Retail-One would limit the retail uses. For example, no automotive repair uses are allowed under the General Retail-One district. Mr. Lasher also noted since the property is adjacent to a residential neighborhood, the developer would be required to screen the property line adjoining the residential boundary with a six foot high masonry screening wall.

Chairperson King noted there were no more questions and no other speaker cards submitted for this case.

There being no further discussion on the case, Commissioner Waggoner moved to close the public hearing and approve case Z090801 as presented by staff. The action and vote was recorded as follows:

Motion: Waggoner
Second: Philipp
Ayes: King, Moss, Adams, Koerth, Lester, Waggoner, Gray, Philipp and Garrett.
Nays: None
Approved: **9-0**
Motion: **carried.**

PLANNING AND ZONING COMMISSION MEETING MINUTES OF AUGUST 3, 2009

AGENDA PUBLIC HEARING ITEM: #4-TA090801, Text Amendment, Article 16, “Site Plan Approval”.

Chief City Planner Kevin Lasher presented the case report to the Commission for approval of a request for approval of amendments to text affecting Article 16, "Site Plan Approval," of the Unified Development Code. The purpose of this amendment is to update Site Plan requirements.

Mr. Lasher stated the amendments to Article 16, “Site Plan Approval” of the Unified Development Code are being proposed to provide for the addition of text affecting site plan review procedures for developments located adjacent to F.E.M.A. designated floodplain areas and natural drainage features, and to implement technical corrections to existing text and format.

These proposed amendments are required on an annual basis by the Federal Emergency Management Agency (FEMA). This current modification is being initiated by the Engineering Division of the Planning and Development Department. The Planning Division is also making technical and grammatical modifications to improve the presentation quality of this Article.

Mr. Lasher noted the Development Review Committee recommends approval of the noted amendments to Article 16, "Site Plan Approval" as shown in the case report.

Chairperson King noted there were no questions and no other speaker cards submitted for this case.

There being no further discussion on the case, Commissioner Lester moved to close the public hearing and approve case TA090801, the action and vote was recorded as follows:

Motion: Lester
Second: Adams
Ayes: King, Moss, Adams, Koerth, Lester, Waggoner, Gray, Philipp and Garrett.
Nays: None
Approved: **9-0**
Motion: **carried.**

AGENDA PUBLIC HEARING ITEM: #4-TA090802, Text Amendment, Article 17, “Concept Plans”.

Chief City Planner Kevin Lasher presented the case report to the Commission for approval of a amendments to text affecting Article 17, "Concept Plans," of the Unified Development Code. The purpose of this amendment is to update Concept Plan requirements.

Mr. Lasher stated amendments to Article 17, “Concept Plans” of the Unified Development Code are being proposed to provide for the addition of text affecting review procedures for properties in the pre-development stage, and to implement technical corrections to existing text and format.

These proposed amendments are required by the Texas Commission on Environmental Quality (T.E.C.Q) as evidence showing municipalities will have an appropriate plan review process in place that addresses floodplain mitigation and water quality issues. This current modification is being initiated by the Engineering Division of the Planning and Development Department in coordination with the Environmental Services Department. The Planning Division is also making technical and grammatical modifications to improve the presentation quality of this Article.

The bulk of the amendments involve the refinement of applicability requirements for the Concept Plan review based on certain pre-development conditions. More specifically, as listed in Section 17.2.2:

17.2.2 The Concept Plan shall be required for all new building and site developments occurring on un-platted property prior to the submittal of a Preliminary Plat, rezoning request, clearing and grubbing permit, and/or preliminary engineering work. Such plan shall be required for the following development scenarios:

A. Proposed residential development of thirty (30) or more residential lots occurring on un-platted property;

B. Proposed non-residential and multi-family developments of five (5) acres or more occurring on un-platted property;

C. The Planning and Zoning Commission may require the submittal of a Concept Plan as a condition of record in conjunction with any request for a change of zoning; or

D. For other development scenarios, regardless of the platted condition of the property, for which the Development Review Committee deems the review of a Concept Plan is necessary for the purpose of addressing issues related to the health, safety and welfare of future or existing developments and population within adjacent properties.

The above scenarios would require a conceptual stormwater management system design and layout, prepared by a certified engineer, be included for each application.

Mr. Lasher stated the Development Review Committee recommends approval of the noted amendments to Article 17, "Concept Plans" as shown in the attached Exhibit “A” referenced in the attached draft ordinance.

Chairperson King noted there were no questions and no other 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 TA090802, the action and vote was recorded as follows:

Motion: Garrett
Second: Waggoner
Ayes: King, Moss, Adams, Koerth, Lester, Waggoner, Gray, Philipp and Garrett.
Nays: None
Approved: **9-0**
Motion: **carried.**

Chairperson King stated she is happy to see Commissioner Phil Philipp back on the Commission, and introduced Ed Gray as our newest Planning and Zoning Commissioner. Mrs. King would like to thank the Commission for having confidence in her to serve as the new Chairperson for the Commission and will work to do her best to bring the best development to the City of Grand Prairie.

Commissioner Garrett moved to adjourn the meeting.

The meeting adjourned at 7:25 p.m.

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Jerry King, Chairperson

ATTEST:

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Carol Ann Adams, Secretary