

## REGULAR PLANNING AND ZONING COMMISSION MEETING MINUTES OCTOBER 1, 2012

COMMISSIONERS PRESENT: Chairman Tommy Garrett, Vice-Chairperson Cindie Moss, Secretary Carol Ann Adams, Commissioners James Wooldridge, Lynn Motley, Ed Gray, Joe Arredondo, Bill Moser and Phil Philipp.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Bill Crolley, Director of Planning and Development, Martin Barkman, Senior Planner, Mary Elliott, Senior Planner, Farjee Ahmed, Planner, Steve Alcorn, Assistant City Attorney, Daon Stephens, Transportation Services, and Chris Hartmann, Executive Assistant.

Chairman Tommy Garrett called the meeting to order in the Council Chambers in the City Hall Building at 7:00 p.m.

Commissioner Motley gave the invocation.

CONSENT AGENDA ITEMS: disapproval of plats without prejudice for the following agenda-Item: #1-P121101, Final Plat, Lot 1, Block 1, Zachry Addition.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item #2-SU120903, Specific Use Permit, 2815, 2849, 3001, 3049, 3101, 3149, 3201 E. Main Street and Item #3-Z121002/CP121001, Zoning Change/Concept Plan, 2101 Duncan Perry Road (City Council District 1).

CONSENT AGENDA: Item #5-P121001, Preliminary Plat, Mira Lagos D (City Council District 6), Item #6-P121002, Final Plat, Mira Lagos D-1 (City Council District 6), Item #7-RP121001, Replat, Lots 1A, 2A, 3A, and 4A, Block 3, McGrath Rentcorp Addition (City Council District 5), and Item #8-RP121002, Replat, Lawler Motor Sports Addition, Lots 1A & 2A, Block 2, 2801 E. Main Street (City Council District 5).

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

Motion was made to approve the consent agenda item regarding the Disapproval of Plats without Prejudice for cases P121101, postpone cases SU120903 and Z121002/CP121001, and approve consent agenda cases P121001, P121002, RP121001, and RP121002. The action and vote on the Consent Agenda being recorded as follows:

Motion: Moss Second: Gray

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: 9 -0 Motion: carried.

#### AGENDA ITEM: #4-APPROVAL OF MINUTES:

Motion was made to approve the minutes of the Planning and Zoning Commission meeting of September 10, 2012. The action and vote being recorded as follows:

Motion: Moss Second: Gray

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge

Nays: None Approved: 9-0 Motion: carried.

# AGENDA PUBLIC HEARING ITEM: #9-S121002/SU121002, Site Plan/Specific Use Permit, 5203 Lake Ridge Parkway (City Council District 6).

Senior Planner Mary Elliott presented the case report and a Power Point presentation to the Commission for approval of a Site Plan and Specific Use Permit for a minor care facility with emergency services on 1.888 acres. The subject property is zoned Planned Development 267 (PD-267) District and Planned Development 267A (PD-267A) District. The property is located on the southwest corner of W. Camp Wisdom Road and Lake Ridge Parkway and is within the Lake Ridge Parkway Overlay District. The owner/applicant is Office Equity Solutions, Andrew Miller and the agent is BHB Engineering & Surveying, Konstantine Bakintas.

Mrs. Elliott stated the proposed building is 13,500 square feet. The minor care facility, ER at Grand Prairie, a Department of Medical Center Arlington, will encompass 10,500 square feet. The remaining 3,000 square feet will be used for a medical office. A minor emergency clinic is defined as a health care facility, which provides diagnosis and treatment for victims of accidents, emergencies or minor illness, but where the patient is not usually kept overnight.

Mrs. Elliott said the Fire Department may pick up or drop off patients in need of emergency transport. In addition, non-emergency transfer services might bring patients there for routine care. An operational plan has been submitted for the proposed minor care facility. The facility will be open 24 hours, 365 days per year. There will be 16 total employees and 12 employees on staff at any one time. One medical provider will be present at the emergency facility at all times. The facility will include 12 examination rooms, a triage room and specialty rooms. Specialty rooms are isolation/negative pressure room, secure holding room and trauma room.

Mrs. Elliott said the UDC, Appendix F "Corridor Overlay District Standards," recommends a design sequence for non-industrial projects. The purpose is to articulate the building envelope, and to establish a site plan layout with building footprint, parking areas, landscaped areas, required setbacks and other basic site plan elements as required by code. The next step is to establish which building facades are to be defined as primary and secondary facades.

Mrs. Elliott said the UDC, Appendix F "Corridor Overlay District Standards," "Classification of Development Standards" establishes Section 2 and Section 4 as the development standards for commercial and general office uses. Section 2.B (1) establishes that one hundred percent (100%) of the exterior of all new buildings (excluding doors and windows) shall be finished with one or more of the principal masonry materials established in Section 2.B.(1), (2) and (3).

- > The primary facades are the north and east facades with turns along the south and west facades. The building materials include brick and stone on the elevations, and a standing metal seam roof for the canopy and fascias.
- A generator is ground mounted and screened behind a six-foot high screening wall with a brick veneer. The UDC, Appendix F stipulates that ground mounted equipment shall be screened with a minimum six-foot high wall constructed of brick, stone, reinforced concrete or other similar masonry materials. The proposed enclosure meets this requirement.
- Access for the minor care facility is from mutual access easements onto Lake Ridge Parkway and W. Camp Wisdom Road. Parking required is 66 spaces and parking provided is 66 spaces. Handicapped parking required is three spaces, and four spaces are provided.
- Fire lanes follow the front property lines along Lake Ridge Parkway and W. Camp Wisdom Road. The canopies for the drop off and pick up of patients are not within the designated fire lanes. The canopies are 12 feet from the pavement to the bottom of the canopy, thus a passenger vehicle or an ambulance can clear the height.

Mrs. Elliott stated a Landscape Plan was submitted that meets and in some cases exceeds UDC requirements. The minimum landscape area required is 5%, and the landscape area provided is about 36% of the site area. The trees provided include Live Oak, Shumard Oak and Desert Willow. A continuous shrub screening of Knock Out Rose will be provided along the rights-of-way.

Mrs. Elliott stated the Development Review Committee recommends approval of this request for a minor emergency care facility in a planned development district in accordance with all Unified Development Code requirements.

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

Konstantine Bakintas with BHB Engineering & Surveying, 4550 S.H. 360, Suite 180, Grapevine, TX was present representing the case and to respond to questions from the Commission.

There being no questions or further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case \$121002/\$\$SU121002 for a minor emergency care facility in a planned development district as presented by staff. The action and vote being recorded as follows:

Motion: Moser Second: Gray

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: 9-0 Motion: carried.

AGENDA PUBLIC HEARING ITEM: #10-S121003/SU121001, Site Plan/Specific Use Permit, 2640 West Interstate 20 (City Council District 4).

Senior Planner Martin Barkman presented the case report and a Power Point presentation to the Commission for approval of a Site Plan and a Specific Use Permit for a restaurant with drive-through on 1.29 acres. The subject property is zoned Planned Development 32 (PD-32) District and is situated on the north side of W. Interstate 20, being generally located west of S. Great Southwest Parkway. The property is located within the Interstate Highway 20 (IH-20) Overlay District. The owner/applicant is Legacy Holdings LLC.

Mr. Barkman stated this site is 56,184 square feet or 1.29 acres, and is currently undeveloped. The applicant is proposing a 9,660 square foot brick and stone masonry building. The site is proposed as a retail lease space. The applicant currently has two restaurants and a telecommunications company which have indicated intent to lease space in the building. The restaurants will occupy the eastern and western ends of the building. The western lease space will be approximately 1,400 square feet and will be occupied by a sandwich shop with the drive through. The drive through lane will circle the building with the exit on the northwest corner into a parking area. The menu board will be located on the north side of the building. The eastern restaurant lease space will be a walk in, casual, Tex-Mex restaurant.

Mr. Barkman noted the site will be paved with concrete that meets current city standards. A cross access easement is located at the front adjacent to the access road, and at the rear of the building to the north. The applicant is incorporating existing street trees into the proposed landscaping and will be adding screening shrubs and decomposed granite on the south. An additional landscaping island will be located at the southwest corner of the building. Tree

islands with additional shrubs and decomposed granite will be located in the parking area to the north. Landscaping requirements for the General Retail (GR) District is 5% of the total site. The applicant is proposing 11.5% for this site. All landscaping shall meet city standards and will be irrigated.

Mr. Barkman said because of the restaurant seating capacities being proposed, Fire Administration has required that the building have a fire sprinkler system. The proposed dumpster, is shown at the northeast corner of the building. It will be screened inside a masonry fence that will match the proposed building.

Mr. Barkman stated the applicant has indicated that the proposed sandwich shop restaurant will have a staff of five to twenty employees and their hours of operation will be from 10:30 a.m. to 10:00 p.m. seven days a week.

Mr. Barkman stated since the applicant is not requesting any appeals of the Unified Development Code, the Development Review Committee recommends full support of the request for a Specific Use Permit for a restaurant with a drive-through in a Planned Development 32 (PD-32) District for commercial uses.

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

Chris Leavell with Legacy Holdings LLC, 4125 Centurion Way, #100, Addison, TX was present representing the case and to respond to questions from the Commission.

There being no questions or further discussion on the case, Commissioner Gray moved to close the public hearing and recommend approval of case S121003/SU121001 with a SUP for a restaurant with a drive-through in a Planned Development 32 District for commercial uses as presented by staff. The action and vote being recorded as follows:

Motion: Gray Second: Philipp

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: **9-0** Motion: **carried.** 

AGENDA PUBLIC HEARING ITEM: #11-SU120804, Specific Use Permit, 1702 W. Main Street (City Council District 5).

Senior Planner Martin Barkman presented the case report and a Power Point presentation to the Commission for approval of a Specific Use Permit for tire sales and installation in an existing auto repair shop on 0.385 acres. The subject property is zoned Commercial (C) District and is generally located west of State Highway 161 at the northwest corner of W. Main Street and N. W. 17th Street. The property is within Central Business District One (CBD-1) and the State Highway 161 (SH-161) Overlay District. The owner is Al-Aboody Abrhamim, the applicant is M.S. Keeton, and the agent is Joe Diaz.

Mr. Barkman stated this site is 16,789 square feet or 0.385 acres, and is currently developed with an existing 4,336 square foot brick masonry building. The site was previously developed and used for a Texaco service station. When the service station was sold the lease space was demised into a retail store and auto service bays. The western 1,705 square foot building is currently used for a convenience store. The eastern half is currently being used by the applicant who is doing limited auto repair, and inspections. The site is paved with concrete that is in good condition. The applicant is proposing to add tire sales and installation to his existing business.

Mr. Barkman noted since the building is not sprinklered Fire Administration has limited the total area where both new and used tires may be stored. The total storage of new and used tires will be limited to 400 square feet with a maximum height limit of 5 feet. The outside areas at the rear of the building do not meet the minimum separation requirements for storage of tires so tire sales have been restricted in that area as well.

Mr. Barkman said the existing dumpster, is shared with the convenience store and is currently located in the front building setback. It will be relocated inside an existing metal fence at the rear of the property. Parking and landscaping on the site area is limited, nine total spaces are shown for both uses. Based on continuous usage, the site is vested to the standards in place at the time the property was developed.

Mr. Barkman stated the applicant has indicated that there will be three employees on site and their hours of operation will be from 8:00 a.m. to 8:00 p.m. Monday through Saturday.

Mr. Barkman stated since the applicant is not requesting any appeals of the Unified Development Code, the Development Review Committee recommends support of the request for a Specific Use Permit for tire sales with indoor installation in a Commercial District.

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

Joe Diaz, 700 Secretary Drive, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

There being no questions or further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU120804 for a SUP for tire sales with indoor installation in a Commercial District as presented by staff. The action and vote being recorded as follows:

Motion: Moser Second: Adams

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: **9-0** Motion: **carried.** 

AGENDA PUBLIC HEARING ITEM: #12–Z120802/SU120805, Zoning Change/Specific Use Permit, 615 W. Jefferson Street (City Council District 2).

Senior Planner Martin Barkman presented the case report and a Power Point presentation to the Commission for approval of a Zoning Change from Central Area (CA) District to a Planned Development (PD) District for all uses allowed in the Central Area (CA) District plus a Specific Use Permit for auto tire repair and auto accessory sales and installation on 0.168 acres. The subject property is zoned Central Area (CA) District and is within Central Business District Two (CBD-2) Overlay District. The property is generally located east of S. Carrier Parkway on W. Jefferson Street. The owner is Arturo Torres and the applicant is M.S. Steve Keeton.

Mr. Barkman stated the proposed use will function as a tire repair business with accessory tire sales and indoor installation in an existing 1,818 square foot metal building on 7,303 square feet or 0.168 acres. The existing building was originally constructed with 1,218 square feet in 1977 as an auto parts store. It was expanded in 1977 by adding an additional 600 square feet for an additional garage bay. Other than the original occupant, T & J Auto Parts, the city has no record of other Certificates of Occupancy on file since 1977.

Mr. Barkman stated the applicant has provided five parking spaces on the western portion of the site that meet the minimum parking requirement for automotive uses. The building's northwest corner encroaches into public right-of-way by 1.42 feet. Access to the garage bays is restricted by the depth of the site. The applicant has shown one five gallon Crepe Myrtle as proposed landscaping. The business will have two employees and their hours of operation will be from 8:00 a.m. to 6:00 p.m. Monday through Saturday.

Mr. Barkman said the Fire Administration has established that tire storage of both inventory and used tires can take no more than 400 square feet of floor area, stacked a maximum height of five

feet. The owner has indicated that the storage requirement and the city's requirement that all work be done indoors will be included in its lease contract.

Mr. Barkman stated the applicant is appealing the uses allowed in Article 4 – "Permissible Uses" of the Unified Development Code for the Central Area (CA) District and the Central Business District Two (CBD-2) Overlay by requesting a zoning change creating a Planned Development for all uses permitted in the Central Area (CA) District and allowing "tire repair, tire sales and indoor installation" by approval of a Specific Use Permit.

Mr. Barkman stated since July the applicant has met with staff and has revised the proposed access into the building. A garage door will be relocated to the west side allowing cars to enter from the west side of the building and exit to the north from the existing eastern overhead door. The two western overhead doors will not be used for access and wheel stops or new curb will be placed restricting access to those doors from the street.

Mr. Barkman noted the city's current auto related business ordinance requires that all work be done indoors. The proposed revisions to the building should allow vehicles to enter and safely exit the building. Current standards for all new businesses require that all parking and maneuvering be done on site. The proposed revisions appear to meet that requirement.

Mr. Barkman said the Central Business District Two Overlay (CBD-2) was created for the enhancement of commercial, office and service uses for that reason new automotive uses were excluded from the CA/CBD-2 area. Tire sales and installation is only permitted only by SUP and the proposed tire repair use is not a recommended use in the Central Area (CA) or the Central Business District Two (CBD-2) Overlay.

Mr. Barkman stated however, this request intends to make use of an existing building, and since the applicant has reconfigured the site plan and made adjustments to alleviate safety concerns staff is comfortable with the request. If the Commission and City Council determine to recommend approval of this case the DRC recommends approval in conformance with the draft Ordinance.

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

Steve Keeton with Keeton Surveying, 2037 Dalworth Street, Grand Prairie, TX and the owner Arturo Torres, 637 W. Jefferson Street, Grand Prairie, TX were present representing the case and to respond to questions from the Commission.

There being no questions or further discussion on the case, Commissioner Adams moved to close the public hearing and recommend approval of case Z120802/SU120805 as presented by staff. The action and vote being recorded as follows:

Motion: Adams Second: Arredondo

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: 9-0 Motion: carried.

AGENDA PUBLIC HEARING ITEM: #13–Z121001, Zoning Change, 1214 Parker Road (City Council District 1).

Senior Planner Mary Elliott presented the case report and a Power Point presentation to the Commission for approval of a Zoning Change from Single Family-One (SF-1) District to Light Industrial (LI) District on 1.091 acres. The subject property is generally located west of N. State Highway 161 and south of W. Rock Island Road and is located within the State Highway 161 (SH-161) Overlay District. The owner is Claylon and Daretia Cooper, the applicant is Primate Construction Inc., and agent Herb Beasley.

Mrs. Elliott stated the applicant, Primate Construction, Inc., wants to eventually move their contractor's office to this location. Since there is residential zoning adjacent to the subject property staff is recommending a Planned Development District to address adjacency factors. The Planned Development (PD) zoning district is an appropriate zoning designation for regulating this use.

Mrs. Elliott said the property to the north was rezoned from Single Family-One (SF-1) District to Planned Development 260 (PD-260) District on September 4, 2001. Provisions were included in the PD ordinance for site plan approval with special consideration for residential adjacency. More recently, a property to the southeast of the Parker Road and Hard Rock Road intersection was rezoned from Single Family-One (SF-1) District to Light Industrial (LI) District with a Specific Use Permit (SUP-786) for a metal finishing operation. The application included a site plan submittal.

Mrs. Elliott stated the proposed planned development ordinance includes the following provisions:

- > Permitted uses will include all uses allowed in the Light Industrial (LI) zoning district as designated in Article 4 "Permitted Uses" of the Unified Development Code.
- > A Site Plan will need to be submitted that complies with the requirements of the Unified Development Code.
- ➤ All operations on the subject property must conform to the City Council signed and approved ordinance, as provided in the final submittal under case number Z121001.
- > The property has adjacent properties that are zoned Single Family-One District.

Residential adjacency standards for screening will need to be included on the site plan submittal, where adjacent to single family residential uses.

- The property is part of the John C. Read Survey, Abstract 1183, Page 865, Tracts 8 and 19; and has never been platted. Right-of-way dedication will be required at time of plat.
- ➤ All activity on the site must comply with the city noise ordinance as defined in the Grand Prairie Code of Ordinances, Article XIII.

Mrs. Elliott stated the Development Review Committee recommends approval of this request for a Planned Development District for all uses allowed in the Light Industrial (LI) District in accordance with all Unified Development Code requirements.

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

Daretia Cooper, 2031 Forest Manor Drive, Kingswood, TX was present representing the case and to respond to questions from the Commission. Mrs. Cooper stated they are a small subcontractor shop that work on highway construction. Her husband and family have owned this business for fifty years.

Commissioner Moser asked how many employees that they currently employed, and asked from where they relocated.

Mrs. Cooper replied that they have 33 employees. They were originally located in Fort Worth, and moved to Houston because that was where the work was. They recently relocated their business from Houston to the area. There is a greater need for construction in the surrounding areas and they are doing work with the State Highway 161 construction.

Commissioner Wooldridge asked if all of the work will be conducted offsite.

Mrs. Cooper replied yes, they will only have an office and will store their equipment onsite.

There being no questions or further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case Z121001 for a Planned Development District for all uses allowed in the Light Industrial (LI) District as presented by staff. The action and vote being recorded as follows:

Motion: Moser Second: Motley

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: **9-0** Motion: **carried.** 

AGENDA PUBLIC HEARING ITEM: #14–Z121003, Zoning Change, Mira Lagos D (City Council District 6).

Senior Planner Mary Elliott presented the case report and a Power Point presentation to the Commission for approval of a Zoning Change from Agriculture (A) District to Planned Development 271B (PD-271B) District for single family residences on 5.8 acres. The subject property is zoned Agriculture (A) District and is generally located west of Lake Ridge Parkway on the south side of England Parkway. The property is in the Lake Ridge Parkway Overlay District. The owner is First Texas Homes, Keith Hardesty and the applicant is Daniel Dewey, JBI Partners.

Mrs. Elliott stated the Future Land Use Map of the 2010 Comprehensive Plan designates this area for Low Density Residential (LDR) uses. According to the Comprehensive Plan, Low Density Residential uses allow zero to six dwelling units per acre. The Planned Development (PD) zoning district is an appropriate zoning designation for regulating this use. In addition, the proposed Preliminary Plat provides about 250 units for 72.3 acres. This calculates to about 3.46 units per acre. Thus, the proposed use is in conformance with the 2010 Comprehensive Plan.

Mrs. Elliott stated the 5.8 acres parcel is surrounded on three sides by Planned Development 271A (PD-271A) District for single family detached uses. PD-271A was approved by City Council on November 5, 2002. The owner of the subject property was not ready to sell the property at the time that the surrounding properties were rezoned. The proposed ordinance for PD-271B duplicates the original ordinance for PD-271A. The design and location of single family detached residential lots, drainage areas and open spaces shall substantially conform to the original Concept Plan, which will be incorporated into the proposed PD ordinance.

Mrs. Elliott stated the Development Review Committee recommends approval of this request Planned Development 271B (PD-271B) District for a single family residential subdivision in accordance with all Unified Development Code requirements.

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

Tom Juhn with JBI Partners, 16301 Quorum Drive, #2003, Addison, TX was present representing the case and to respond to questions from the Commission.

There being no questions or further discussion on the case, Commissioner Philipp moved to close the public hearing and recommend approval of case Z121003 for a Planned Development 271B (PD-271B) District for a single family residential subdivision as presented by staff. The action and vote being recorded as follows:

Motion: Philipp Second: Moser

Ayes: Adams, Arredondo, Garrett, Gray, Moser, Moss, Motley, Philipp and Wooldridge.

Nays: None Approved: 9-0 Motion: carried.

Comments by the Commission: None

Citizen Comments: None

Commissioner Wooldridge moved to adjourn the meeting. The meeting adjourned at 7:20 p.m.

ATTEST: