

**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.

CONSENT AGENDA ITEMS #1: disapproval of plats without prejudice for the following Consent agenda Items P190601 - Final Plat - R. Hernandez Addition, Lot 1, Block 1, P190602 - Preliminary Plat - TCC Macarthur Addition, Lot 1, 2 & 3, Block 1, P190603 - Amending Plat - Mansions at Lake Ridge Lot 2, P190604 - Final Plat - Sheffield Village, Phase IV, P190605 - Final Plat - Rostro Addition, Lots 1 & 2, Block 1, P190606 - Preliminary Plat - Grand Oaks Single Family Residences, RP190601 - Replat - Epic West Towne Crossing, Phase II, Lots 1A & 1B, Block B, and RP190602 - Replat - Lakecrest Addition, Lots 6 & 7, Block 969.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of April 1, 2019.

PUBLIC HEARING CONSENT AGENDA: Item #3- P190502 - Final Plat - Smith I-20 Addition, Lot 2, Block A (City Council District 4). Final Plat for Smith I-20 Addition, Lot 2, Block A. Tract 2B02, Charles D Ball Survey, Abstract No. 197, City of Grand Prairie, Tarrant County, Texas, zoned PD-29, within IH-20 Corridor Overlay District, generally located north of I-20, south of Sara Jane Pkwy, and west of Bob Smith Pkwy. The agent is Yelena Fiester, GreenbergFarrow, the applicant is Caitlin Kincaid, Texas Roadhouse Holdings, Inc., and the owner is Sally Smith Mashburn, Bob Smith Management Company.

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Item #4-RP190501 - Replat - County Line Addition Revised, Lots 1R1 & 1R2 (City Council District 1). Consider a Replat to create County Line Addition Revised, Lots 1-A & 1-B subdividing (1) one lot into (2) two lots on 6.401 acres. County Line Addition Revised, Lots 1-A & 1-B, 6.401 acres out of the Tapley Holland Survey, Abstract 750, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial (LI) district, generally located south of W. Jefferson Street and approximately 446 feet east of N. Great Southwest Pkwy., specifically addressed at 2515 W. Jefferson Street. The agent is Luke Keeton, Keeton Surveying Co. and the owner is Patrick Lawler, Lawler Enterprises LLC.

Item #5-RP190502 - Replat - Dalworth Hills Addition Revised, Lot 19R, Block 4 (City Council District 1). Consider a Replat to create Dalworth Hills Addition Revised, Block 4, Lot 19-R combining (13) thirteen lots into a single lot (1) on 1.985 acres. Dalworth Hills Addition, Block 4, Lot 19-R, 1.985 acres out of the Tapley Holland Survey, Abstract 750, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial (LI) district, generally located at the southeast corner of Doreen Street. N.W. 24th Street, specifically addressed at 2337, 2331, 2327 and 2323 Doreen Street. The applicant is Luke Keeton, Keeton Surveying Co. and the owner is Bob Brueggemeyer, Brueggemery & Shwartz.

Item #6-RP190503 - Replat - Lake Ridge Section 18A, Phase 3, Lot 2348R, Block H (City Council District 6). Replat to create Lot 2348-R, Block H, Lake Ridge Section 18-A Phase 3, a single residential lot on 2.039 acres. Lots 2348 and 2349, Block H, Lake Ridge Section 18-A Phase 3, City of Grand Prairie, Dallas County, Texas, zoned PD-258, located at the addresses 2948 and 2952 Murfield Av. The agent is Luke Keeton, Keeton Surveying Co. and the owner is Freddie Thomas.

Item #7-S190501 - Site Plan - Royaltan @ Grand Prairie (City Council District 2). A request to approve a site plan on a vacant lot for multi-family uses. Being 11.997 acres out of the Frederick Dohme Survey, Abstract NO. 395, City of Grand Prairie, Dallas County, Texas zoned PD-382 within the IH 20 and Hwy 161 Corridors, located at the southwest corner of South Forum Drive and Hwy 161. The agent is Scott Minnis, G&A McAdams and the owner is David Dunson, SWBC Real Estate.

Item #8-SU161203A – Specific Use Permit Renewal – U-Haul (City Council District 2) – A request for four (4) U-Haul trucking spaces at 2418 Robinson Road, being all of Lots 1 and 2, Block B of the Enterprise Commercial Park, an addition to the City of Grand Prairie, Dallas County, Texas.

Motion was made to approve the consent agenda items regarding the Disapproval of Plats without Prejudice pending completion of the City's review process and submittal of corrections by the applicants for cases P190601, P190602, P190603, P190604, P190605, RP190601, and RP190602, approve the minutes of April 1, 2019, and approve public hearing consent agenda items P190502, RP190501, RP190502, RP190503, and S190501, and table case SU161203A.

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Motion: Lopez

Second: Moser

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

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #9- SU190501 - Specific Use Permit - McDonald's at 102 W Pioneer Pkwy (City Council District 2). Senior Planner Savannah Ware presented the case report and gave a Power Point presentation for a Specific Use Permit for a restaurant with a drive-through to expand the drive-through of an existing restaurant. Twelve Oaks Addition, Lot 3, Block 1, City of Grand Prairie, Dallas County, Texas, zoned PD-14, addressed as 102 W Pioneer Pkwy. The agent is Matt Korte and the owner is Patrick Piehl.

Ms. Ware stated the applicant intends to expand the building and drive-through of an existing restaurant. Restaurants with a Drive-Through require a Specific Use Permit when located within 300 feet of residential zoning districts. The property does not have a Specific Use Permit. Since the applicant intends to expand the drive-through, a legal non-conforming use, a Specific Use Permit is required. The site is accessible from drives on Corn Valley Rd and W Pioneer Pkwy. With the expansion, the restaurant will be 3,853 sq. ft. A double drive-through lane will wrap around the building, with the order box located on the north side of the building. The site provides the required number of parking spaces and drive-through stacking spaces. The expansion of the building will also include changes to the facade. Remodeled facades will include two colors of brick, tile, and metal louver panels. The applicant is not requesting any exceptions.

Ms. Ware stated the Development Review Committee recommends approval.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Matthew Korte with Adams Engineering & Development Consultants, 8951 Cypress Waters Blvd., Ste 150, Dallas, TX stepped forward representing the case and to answer questions from the commission.

There being no further discussion on the case commissioner Motley moved to close the public hearing and approve case SU190501 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Motley

Second: Moser

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

Nays: None

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Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #10- SU190404 - Specific Use Permit - Batch Plant, 2400 W. Hunter Ferrell Road (City Council District 1). Chief City Planner David Jones presented the case report and gave a Power Point presentation for a Specific Use Permit to operate a permanent concrete batch plant. Property described as 13.611 acres out of the Israel Jennings survey, abstract no. 679, City of Grand Prairie, Dallas County, Texas, approximately 13.611 acres zoned LI, Light Industrial and addressed as 2400 W Hunter Ferrell Road, Grand Prairie, Texas. The applicant is Maria Bonilla, Winkelmann and the owner is Gary Gilmore, Hunter Ferrell Land LP.

Mr. Jones stated a Permit issued for operation of a temporary batch plant by Haydon Building Corporation in conjunction with the IH-30 Frontage Road project. Permit expired on December 11, 2018. The applicant intends to establish a batch plant and office on the western portion of the property. Operations will include cement and flyash silos up to 77 feet tall, materials/aggregate stockpiles, diesel fuel tank, and modular batch office. The site will be accessed from an existing median opening on Hunter Ferrell across from Wrangler Dr in Irving. A concrete fire lane will be installed to allow for one-way movement in a U-shape from the west side of the property to the east side with a right-only exit onto Hunter Ferrell. In its operational statement, the applicant states that the plant will usually operate from 1am to 7pm during warmer months, and 5am to 8pm during colder months or as allowed by City ordinance. Furthermore, the applicant requests the ability to operate 24/7 on demand. The plant is designed to serve a 15 mile radius by accommodating 12 mixer trucks as well as 18-wheelers to deliver the mix materials. The site sits on the south side of Hunter Ferrell Rd and to the north of Bear Creek. The surrounding area is contractor uses on the Grand Prairie side of Hunter Ferrell and low-density residential on the north side. The Lone Star regional trail runs along the south side of Hunter Ferrell Road with a parking area and pavilion to the immediate west in Grand Prairie. The entire site lies within the mapped 100 year flood plain, though an applicant has a study underway as part of the process to reclaim a usable portion of the site. The site is served by City of Irving water and wastewater per the terms of an Interlocal Agreement approved by Grand Prairie and Irving on June 20, 2013. Water used onsite will flow into a retention pit for recycling, though some water will be released, ultimately to Bear Creek. pH levels in the pond will be monitored by the Environmental Services Department to determine whether maximum levels are being exceeded prior to discharge.

Mr. Jones stated the proposal meets or exceeds the density and dimensional requirements. The applicant is meeting required landscaping and screening for development in the LI zoning district. The applicant is exceeding the 50 foot height limitation in the LI zoning district by proposing a silo up to 77 feet in height. Max height in the LI district may be exceeded with an SUP. At staff's request, the applicant conducted a noise study. The results of the study demonstrate that the operation will contribute to the existing noise in the area, which already exceeds what is allowed by the City's Noise Ordinance. The applicant proposes to mitigate noise production by installing an 8 foot concrete wall along Hunter Ferrell Road. The other three sides

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of the property would be bounded by chain link fence. The Grand Prairie Environmental Services Department submitted a letter to the Planning Department on April 26, 2019, citing the hours of operation, noise from pneumatic delivery pumps, and production of dust migrating to the north due to the prevailing winds, and recommending denial of the application.

Mr. Jones noted the City of Irving provided staff with a letter of formal opposition. The Development Review Committee recommends denial due to the proximity of the site to a regional trail and neighboring residential areas in Irving and the potential for noise, dust, and traffic impacts upon the surrounding area.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Maria Bonilla with Winkelmann, 6750 Hillcrest Plaza Drive, Ste 215, Dallas, TX stepped forward representing the case and to answer questions from the commission. She stated in regards to the adjacent neighborhood they currently have a plant in Cedar Hill adjacent to residential and have only had one complaint. The property owner has own the property for 10 years and feels this is the best use for this land they have conducted a noise study and the property is zoned for light industrial. The City's Use Charts allow other uses by right in this zoning district that would exceed their noise levels the uses are allowed without a Specific Use Permit. They have tried to contact the adjacent homeowners, but most of the homes are renters and there is no HOA, they did reach out to the City of Irving, but they were not aware of the case they also tried to meet with the districts Councilmember, but were told they would meet with them after the P&Z meeting.

David Behring, 321 Brown Trail, Hurst, TX stepped forward in support of this request, their business manufactures concrete and deliver the concrete to area sites they have over 30 plants in the Dallas/Fort Worth Metroplex.

Chairperson Spare asked with the site being located next to a park and residential why would this area be the best location for this type of use. Mr. Behring stated they have been looking in Grand Prairie for a site and this is the best location available this area, it has water and sewer, but it is located within the flood plain therefore not a lot of uses could utilize this location. He noted the plant would be located towards the back of the property and Hunter Ferrell Road should be able to handle their trucks.

Commissioner Coleman stated the City has spent a lot of money improving Hunter Ferrell Road and feels this is not the best use for the area we do not need a batch plant at this location.

Commissioner Moser asked if the flood plain issue/problem had been addressed. Ms. Bonilla said a study is underway as part of the process to reclaim a usable portion of the site. Mr. Moser

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asked if they have approval from FEMA and the Corps of Engineers. Ms. Bonilla replied not at this time, but they are working on it.

Patrick Garrett, 331 N. Main Street, Corinth, TX was present in support of this request.

There being no further discussion on the case commissioner Moser moved to close the public hearing and deny case SU190404 as recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Coleman

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

Nays: None

Denied: 8-0

Motion: **carried.**

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

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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

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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.

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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

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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.**

PUBLIC HEARING AGENDA Item #12- TA180601A- Text Amendment- Sign Standards of the Unified Development Code. Planner Ted Helm presented the case report and gave a Power Point presentation for an amendment to Article 9, Sign Standards, of the Unified Development Code, to include or modify language outlining the City's process for taking action against illegal, damaged, or abandoned signs.

Mr. Helm stated this Text Amendment is to improve the language in regards to the removal and enforcement of illegal signs. The new language will increase the number of avenues the City can take to getting them removed, replaced, or fixed. It also clarifies the code in regards to the Building Advisory and Appeals Board and its role in sign removal. The enforcement is being proposed for Section 14.3. The relevant code being added is as follows:

If the Code enforcement Manager, Chief Building Official or designee determines any sign is illegal, unsafe, unsecured, vacant, abandoned, ill maintained or presents a hazard to the public in any way, he/she may provide written notice to correct any violations thereof to the owner, agent, or person having the beneficial use of the land, building, or structure upon which the sign is located. If the sign is not repaired, made compliant, or removed within the time period specified, then the city official is hereby authorized to take enforcement action as described in the Code of Ordinances Section 1-16. Furthermore, if the sign has not been made compliant, the sign may be brought to the Building Advisory and Appeals Board to cause removal of such sign, and any expense incident hereto shall be paid by the permit applicant, owner of the land, building, or structure to which such sign is attached or upon which it is erected. If it is determined that the sign is an immediate hazard to the general public, the Chief Building Official may have the sign removed summarily and without notice.

Regulations have also been added for banners to further clarify their standards. Additionally, references to Appendix F have been removed as they are no longer valid with the current sign

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code. The Development Review Committee recommends approval of the noted amendments to the Unified Development Code.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case TA180601A as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Coleman

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

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #13- TA190601 – Text Amendment – An Amendment to Article 4 of the Unified Development Code. Chief City Planner David Jones presented the case report and gave a Power Point presentation to revise the use tables to include regulations governing the sales of prepackaged liquor for off-site consumption.

Mr. Jones stated the purpose of this amendment is to update Article 4 in response to a Grand Prairie special election ballot item which would legalize the sale of all alcoholic beverages throughout the city. Current use charts allow only the sale of beer and wine for off-premise consumption. The proposed amendment would add pre-packaged liquor sales for off-premise consumption. Existing regulations concerning distance limitations from churches and schools would continue to apply to all alcohol sales.

Commissioner Motley asked if grocery stores, like Kroger, would also be allowed to sell liquor. Mr. Jones stated Sam's and Walmart have a case before the Supreme Court in Texas to allow liquor in their stores, if approved then yes all grocery stores would be allowed to sell liquor.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case TA190601 as presented by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Coleman

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

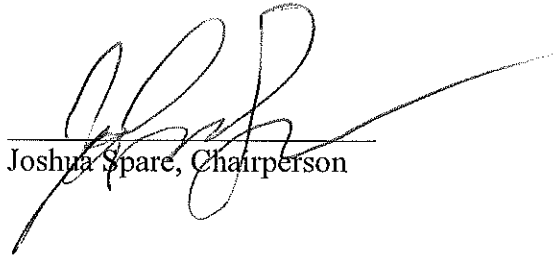
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Nays: None

Approved: 8-0

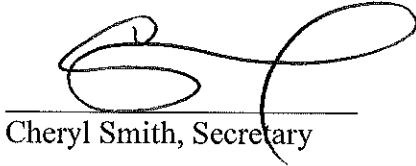
Motion: **carried.**

Commission Motley moved to adjourn the meeting of May 6, 2019. The meeting adjourned at 7:20 p.m.



Joshua Spare, Chairperson

ATTEST:



Cheryl Smith, Secretary

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