

**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
NOVEMBER 4, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson Shawn Connor, Secretary Max Coleman, and Commissioners Bill Moser, Eric Hedin, Cheryl Smith, Clayton Fisher, Eduardo Carranza.

COMMISSIONERS ABSENT: Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Nyliah Acosta, Planning, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order in the Council Chambers in the City Hall Building at 6:30 p.m. Commissioner Moser gave the invocation, commissioner Hedin led the pledge of allegiance to the US Flag, and the Texas Flag.

AGENDA ITEM: #1-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of October 7, 2019.

PUBLIC HEARING CONSENT AGENDA: Item #2-P191102 - Final Plat - Brighton Estates (City Council District 4). Brighton Estates creating 61 residential lots and 4 open space lots on 19.365 acres. Tract 1, C.D. Ball Survey, Abstract No. 197, City of Grand Prairie, Tarrant County, Texas, zoned PD-359, addressed as 3600 S Great Southwest Pkwy, and generally located at the southwest corner of Forum Drive and Great Southwest Pkwy. The agent is Casey Stevenson, P.E., Peloton Land, the applicant is Mark Allen, Allen Land Development, and the owner is Dan Luby, ECOM Real Estate Management, Inc.

Item #3-P191103 - Final Plat - Lynn Creek Addition, Lot 1, Block 1 (City Council District 4). Lynn Creek Addition, Lot 1, Block 1, creating a single lot on 15.636 acres. Tract 4, 5B, and 6C of Jerome C. Lynn Survey, Abstract No. 972, City of Grand Prairie, Tarrant County, Texas, zoned PD-255A, within the SH 360 Corridor Overlay District, addressed as 2500 Webb Lynn Rd, and generally located east of SH 360 and south of Lynn Creek/Mildred Walker Pkwy. The agent is Reece Flanagan, Harris Kocher Smith, Josh Basler, AD Spanos, and the owner is Robert Barham, KP Land Partners, LP.

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Item #4-RP191001 - Replat - Shady Grove Acres, Lots 15A1 & 16R (City Council District 1). Shady Grove Acres Addition, lots 15-A1 & 16-R on two single family lots on 2.1 acres and a portion of one lot out of the John C. Read Survey, Abstract No. 1183, City of Grand Prairie, Dallas County, Texas, and generally located north of Leyfair Drive and approximately 1,033 feet west of Hardrock Road. Zoned Single Family-1 (SF-1) District and lies within the State Highway-161 (SH-161) Overlay Corridor District. The current address is 1414 Leyfair Drive. The applicant is Luke Keeton, Keeton Surveying Co. and the owner is Charles & Lena Bancroft.

Item #5-RP191102 – Replat- Durable, Inc. Addition, Lot 1A, Block 1 (City Council District 1). A replat to establish an industrial lot on 7.27 acres, on multiple properties out of the John C. Read Survey, Abstract No. 1183, City of Grand Prairie, Dallas County, Texas, and generally located northeast of Roy Orr Blvd. and Oakdale Lane, specifically addressed at 3001 Roy Orr Blvd. Zoned Light Industrial (LI) District and Planned Development-124 (PD-124) District and Specific Use Permit-1078 (SUP-1078). The property lies within the State Highway-161 (SH-161) Overlay Corridor District.

AGENDA PUBLIC HEARING ITEMS TO BE POSTPONED: Item# 6-Z190604/CP190604 - Planned Development Request/Concept Plan - Grand Oaks Single Family Residences.

Motion was made to approve the minutes of October 7, 2019, and approve public hearing consent agenda items P191102, P191103, RP191001, RP191102, and tabled case Z190604/CP190604.

Motion: Shawn

Second: Moser

Ayes: Carranza, Coleman, Connor, Fisher, Hedin, Moser, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

ITEMS FOR INDIVIDUAL:

Item #6-S191102 - Site Plan - Bush Pioneer Centre (City Council District 2). A Site Plan for Bush & Pioneer Centre for Retail and Restaurant uses on Lot 5R, Block A. Located at 1210 Arkansas, legally described as Lot 5R, Block A, Bush & Pioneer Centre, City of Grand Prairie, Dallas County, Texas, Zoned PD, 351. The applicant is Kevin Wier, Spiars Engineering, Inc. and the owner is Robert Dorazil, Bush Pioneer Property LP c/o UCD Development.

Ms. Acosta stated the proposed uses are Restaurant and Retail. The Site Plan includes a 4,950 sq. ft. restaurant 1,050 sq. ft. for a barber/salon, two way circulation, dumpster enclosure, and 57 parking spaces. The site will be accessible from internal private drives with mutual access and restriping for cars to make a left turn into the site from the Walmart access drive. The property is subject to

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parking requirements in Article 10 of the UDC. The proposal meets the parking requirements. The property is subject to landscape and screening requirements in Article 8 and Appendix F of the UDC. The proposal meets or exceeds the landscape and screening requirements. The property is subject to density and dimensional requirements in Article 6 of the Unified Development Code. The proposal meets the density and dimensional requirements. The building is primarily brick, stone, and stucco. The following elements have been selected: Material mix, stone accent, color contrast, corner treatment, articulated public entrance, articulation elements, 25% covered walkways, awnings, canopies, or porticos. The proposed building elevations meet the building design requirements in Appendix F. The Development Review Committee administratively granted a 15% parking reduction for 57 total parking spaces from the required 67 spaces. The applicant is requesting a variance to the 30% window requirement for the east façade; 25% windows are being provided. The applicant is also requesting a variance from the 25 ft height limitation to allow for a 30 ft tall building. However, the height of the building is still within character of the surrounding area. Staff does not object to these variances as they are consistent with other buildings within the Bush-Pioneer development. DRC recommends approval of the Site Plan.

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 Hedin moved to close the public hearing and approve case S191102 as presented and recommended by staff, including the applicant's requested variances. The action and vote being recorded as follows:

Motion: Hedin

Second: Smith

Ayes: Carranza, Coleman, Connor, Fisher, Hedin, Moser, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

Item #7-S191105 - Site Plan - Sivagiri Ashram of North America (City Council District 1). Senior Planner Charles Lee presented the case report and gave a Power Point presentation for a request for proposed single-story, 5880 sq. ft. place of worship on 3.25 acres (Dalworth Medical Center Addition, Block 1, Lot 2) situated in the P.H. Ford Survey, Abstract No. 543 City of Grand Prairie, Texas, Tarrant County located northeast of Dalworth Street and Duncan Perry Rd., more specifically addressed at 420 Duncan Perry Rd. The property is zoned Office (O) District and is located within the Great Southwest Industrial (GSW) Overlay Corridor. The agent is Matthew Thomas, Thomas Site Development Engineering and the owner is Manoj Thankachen.

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Mr. Lee stated the 5,880 square foot facility, required parking and landscaping features shall occupy the southern portion of the property, leaving the remaining northern portion undisturbed. As proposed, the facility offers a unique far-eastern architectural style and theme. The single-story facility provides concentric dome features on each side and above the main entryway. The exterior material shall consist of 100% brick masonry with stucco accent finishes of varying painted colors. The proposed development complies with and exceeds UDC regulations with the exception for concrete surface paving for private parking lot. The Primary access to the place of worship is from a 24' concrete commercial paved driveway along Duncan Perry Road. Parking requirements are based on the use of the facility. Place of worship parking is based on one space per three seats and/or occupancy. Forty-two spaces are required. The applicant provides 47 spaces including two accessible spaces. UDC, Article 10, Section 4, Minimum Pavement Construction On Or Within Non-Residential Property requires access ways, drives and parking be constructed of concrete paving. Subsection 10.4.6 Alternative Pavement Type for Non-Residential Development allows for an exception to the concrete standard to allow for asphalt paving subject to approval by the City Engineer. The applicant is requesting that the forty parking spaces previously paved as asphalt surface utilize to the same surface type. UDC, Article 8, Section 8.5.1 (B) allows for a schools and/or church uses to utilize the 'Artificial Lot' provision, which considers the undisturbed portion of the property be excluded from the overall landscaping requirements for one-acre tracts or greater. DRC determined this site qualifies for that exception and meets those standards of the provision. The proposed site exceeds the minimum landscaping 10% requirements for Office districts, providing for a total of 24,151 sq. ft. 39% of irrigated landscaping provided. The site preserves large caliper Cottonwood, Pecans and Hackberry trees onsite utilizing the tree credit provision. Seventeen existing trees are preserved. The site shall provide three street trees and three internal trees totaling twenty-three trees provided. Beyond the irrigated sod installed upfront, over 60 shrubs shall circumvent the interior perimeter front yard of the facility. The applicant is proposing to build a 12' X 12' masonry dumpster enclosure that will be clad in the same masonry materials as the building. The proposed location for dumpster enclosure is located and orientated in such a manner to be accessed from concrete surface driveway. The enclosure shall conform to city standards.

Mr. Lee stated the Development Review Committee recommends approval of the request subject to City Engineer allowing alternative paving surface standard to utilize asphalt for designated 40 parking spaces and drives on-site.

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 Fisher moved to close the public hearing and approve case S191105 as presented and recommended by staff. The action and vote being recorded as follows:

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Motion: Fisher

Second: Moser

Ayes: Carranza, Coleman, Connor, Fisher, Hedin, Moser, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #9-S191104 - Site Plan - Avilla Traditions (City Council District 4). Senior Planner Savannah Ware presented the case report and gave a Power Point presentation for a Hybrid Housing development with 12 dwelling units per acre, including a mixture of detached and attached single family homes for rent on a single 18.92-acre lot. Tracts 5 and 5A of E. Roland Survey, Abstract No. 1313, City of Grand Prairie, Tarrant County, Texas, zoned PD-391, and located on the northwest corner of S. Forum Drive and S. Great Southwest Pkwy. The agent is Kevin Wier, Spiars Engineering, Inc., the applicant is Jason Flory, NexMetro, and the owner is Daniel Satsky, Ashton Woods - Dallas Division.

Ms. Ware stated the applicant intends to construct a 218-unit hybrid housing development on 18.9 acres. The development includes a mixture of one-bedroom, two-bedroom, and three-bedroom detached and attached houses on a common lot. Maintenance of the units, common areas, open spaces, and backyards will be the responsibility of the management company. The development will include two controlled-access entrances, one off of Great Southwest Pkwy, and one off of Forum Dr, and an exit-only drive on to Great Southwest Pkwy. The Site Plan depicts a centrally located leasing office and amenity center. Units are organized around a central green space amenity which includes outdoor seating areas with string lighting, shade structures, outdoor grills, and lawn games. Development is subject to the standards in PD-391. The proposal meets the density and dimensional standards. The proposal meets the required total parking spaces, covered parking spaces, and garage parking spaces. The property is subject to landscape and screening requirements in PD-391 and Appendix W of the UDC. The applicant will construct a masonry wall along Great Southwest Pkwy and Forum Dr. The proposed screening wall is consistent with Forum Public Improvement District's screening wall specifications. The exterior building materials include vertical fiber cement siding, horizontal fiber cement siding, fiber cement shake siding, stone veneer, stucco, and brick. Facades that face and are visible from Great Southwest Pkwy or Forum Dr will be clad in 100% brick or stone.

Ms. Ware stated the applicant is not requesting any variances. The Development Review Committee recommends approval.

Commissioner Smith asked if the surrounding neighborhoods were notified of this development, there are a lot homes on such a small lot, and this would add additional traffic to the area, was there a traffic study conducted. Ms. Ware stated property notifications were mailed out during the zoning request that was previously approved by the Commission. Mr. Jones stated the applicant is working with the Forum PID on the wall and the traffic was studied during the

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zoning phase of this development, but did not meet the threshold for a Traffic Impact Analysis Study, but one of the conditions of the zoning was that they would have to reopen the median break at the north end of the site.

Commissioner Connor stated there would be 218-units of small homes being proposed, and moved to deny case S191104, seconded by Commissioner Smith.

Mr. Jones stated this is not a zoning case, it is a site plan approval that meets all of the requirements therefore there are no bases for denying this case. Chairperson Spare asked then why is this case before the commission. Mr. Jones stated this case was brought before the commission to see how they have responded to the conditions of the façade that face Forum and Great Southwest.

Deputy City Attorney Mark Dempsey stated the Commission is present to make a recommendation to the City Council.

Chairperson Spare said there is a motion and a second to deny the case.

Ryan Giffis, Director of NexMetro, 2221 Lakeside, Richardson TX stepped forward representing the case and to answer questions from the commission.

Commissioner Connor stated he made his motion based on the volume of small homes being so clustered together. Mr. Giffis stated there would be 8ft between the homes and all of the homes would be a one-story building. The other development on Forum Drive is already 70% full these homes fill up quickly because they provide a different type of look they have built the same type of homes in McKinney and Plano.

Commissioner Smith stated this looks like a nice place to live, but she is concern with the traffic this development would bring to a location that is already congested.

There being no further discussion on the case commissioner Connor stated he would rescind his original motion, and moved to approve case S191104 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Connor

Second: Coleman

Ayes: Carranza, Coleman, Connor, Fisher, Hedin, Moser, Spare

Nays: Smith

Approved: 7-1

Motion: **carried.**

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PUBLIC HEARING AGENDA Item #10-SU191101/S191101 - Specific Use Permit/Site Plan - Internet Auto Sales & Private Vehicle Maintenance, 3118 E. Main Street (City Council District 5). Senior Planner Charles Lee presented the case report and gave a Power Point presentation to allow for Used Auto Dealer and Major Auto Repair uses on one lot on 0.36 acres. The subject property is zoned Commercial (C) District and is located within Central Business District Four (CBD-4). The property is generally located northeast of E. Main Street and NE 32nd Street. The existing lots are platted as Burbank Gardens, Unit 2, Lot 446R. The owner is Klarash Ghorbani.

Mr. Lee stated the applicant proposes to repurpose the building and site to an internet automotive sales and private vehicle maintenance facility. Primary access to the site shall be from existing commercial drive along E. Main Street. An existing secondary private concrete drive is located on the eastern portion of the property. The secondary drive shall serve as access to the rear of property for inventory storage. The applicant is seeking a Specific Use Permit to operate an Internet Auto Sales and Private Vehicle Maintenance business at 3118 E. Main Street. Internet Auto Sales requires approval of a Specific Use Permit in Commercial zoning districts per Article 4, "Permissible Uses" of the Unified Development Code, Article 4, Section 15, 'Use Charts'. The request for Internet Auto Sales uses shall be limited to the interior building and allowing for auto storage inventory on the eastern and rear portion of the site, with no vehicles for sale visible from the public view. The existing single story, 7,000 square foot building was previously used for a wood shop and fabrication business. The exterior construction, consist of primarily stucco materials with metal portions on the front and side. Adequate customer parking is being provided up front and to the east of the building, 12 spaces, with employee and customer completed vehicle repair spaces, 4 spaces, located towards the rear of the facility. The remodel of the building shall provide for one overhead roll-up doors located on the front of the facility and one on the rear. The remaining elements and functions of the facility shall provide for interior showroom, customer waiting areas, offices and mechanic workspace towards the rear of the building. The site has limited opportunities for landscaping features; however, the existing 312 sq. ft. landscape islands shall remain. In addition, the applicant has agreed to seek areas appropriate for landscape planters. According to the Operational Plan and discussion with the applicant, the single tenant Internet Auto Sales and Private Vehicle Maintenance facility will be open Monday through Saturday from 11:00 AM to 6:00 PM. Internet Auto Sale use restricts outdoor auto inventory display allowing for virtual storefront only. The applicant proposes to maintain interior auto inventory with an interior private vehicle maintenance component of the operation. In accordance with the applicant's operational plan, the maintenance shall be make-ready and other minor auto repair including tune-ups and fluid changes.

Mr. Lee stated the subject property is designated as appropriate for Commercial, Retail & Office uses on the Future Land Use Map. Commercial, Office and Retail typically include commercial uses appropriate for retail and office environments. The proposal is inconsistent with the FLUM. Objective 15: Policy 11 of the Comprehensive Plan addresses Auto Related Business by advocating for SUP requirement with conditions and standards when considered. This site shall conform to the Auto-Related Business Standards. In conjunction with the ARB standards, staff

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recommends no outside repair and/or storage of parts and materials. Parking of vehicles shall be on designated areas.

Mr. Lee stated no appeals are being requested by the applicant. Staff recommends approval of the Specific Use Permit subject to: Subsequent improvements to the building's exterior elevations and Limit on-site mechanic work inside the facility and private vehicle maintenance only.

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

Klarash Ghorbani, 3118 E. Main Street, Grand Prairie, TX stepped forward representing the case and to answer questions from the commission. He said he has two other businesses in the city and he would be willing to change the building façade, but would ask for some time to get his business started in order to be able to make the improvements to the building.

Commissioner Moser asked if he owned or leased the other buildings. Mr. Ghorbani replied he would be moving his business to this location.

There being no further discussion on the case commissioner Coleman moved to close the public hearing and approve case SU191101/S191101 as presented and recommended by staff, with a 12 month review of the SUP, and improvements to the building's exterior elevations be made according to Appendix F, including and installing additional plants within the 24 months of occupancy. The action and vote being recorded as follows:

Motion: Coleman

Second: Carranza

Ayes: Carranza, Coleman, Connor, Fisher, Hedin, Moser, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #11-SU191102/S191103 - Specific Use Permit/Site Plan - Chokas Transportation Services, 2960 Roy Orr Blvd (City Council District 1). Chief City Planner David Jones presented the case report and gave a Power Point presentation for Heavy Truck Repair consisting of a 9,050 SF single-story building. All of Lot 3 and a portion of Lot 2, Block 1, Clean Machine Addition, City of Grand Prairie, Dallas County, Texas, 2.22 acres zoned LI, Light Industrial district and located within the SH 161 Overlay. The agent is Walter Nelson, Walter Nelson and Associates, the owner/applicant is Angelo Chokas.

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Mr. Jones stated the applicant intends to establish a Heavy Truck Repair use in the Light Industrial district. The use will consist of one 9,050 square foot single-story metal building along with a fenced and gated parking area behind the building. The parking area will consist of concrete paving and fire circulation areas in which no vehicle parking will be allowed. The applicant proposes to use wrought iron fencing parallel to Roy Orr Blvd. and chain link fencing on the northern portion of the parking area. The east and south portions would be screened with a retaining wall a minimum of 4 feet in height. An additional parking area in front of the building is for the use of customers. The 2.22 acre site has direct frontage on Roy Orr Blvd. but does not have direct access to the existing median opening. A provision has been made for a future cross access drive between the subject property and the car wash to the north but no cross access easement was established with the plat, meaning access would have to be negotiated with the property owner to the north. To alleviate restricted truck turn movements onto Roy Orr, a second drive is proposed across city property to the Oakdale Road extension, which would require a license agreement with the city. This would provide access to southbound Roy Orr, but access from the site to SH 161 would require that a truck proceed north along Roy Orr to Trinity Blvd., or south to Carrier Pkwy. The proposal meets or exceeds the density and dimensional requirements. The property is subject to the landscaping and screening requirements found in Article 8 and Appendix F of the UDC. The applicant has designed the project to take advantage of existing trees for aesthetic and screening purposes. As part of the site design process, a tree survey was conducted cataloguing the caliper inch size of trees existing on site. Per Section 8.7.3 and Section 4.B of Appendix F, Unified Development Code, the applicant proposes to use existing trees as credit for 5 required trees and 12 parking spaces. The building is oriented toward Roy Orr Blvd. with a small parking lot between the building and the street screened by a row of hedges. Over 75% of the parking is situated behind the building, and additional trees are shown adjacent to the parking area in front of the building that will provide additional screening and lessen the impact of the paved area. The garage bay doors are located at the rear of the building not visible from Roy Orr. The applicant is proposing to utilize the existing dense vegetation along Oakdale Ln. to the east to provide further screening of the rear of the building and the rear parking area. General site layout meets the base standards of Appendix F in that it is consistent with the prevailing built form along Roy Orr Blvd., which consists primarily of single-story buildings with moderate setbacks from the street edge. If approved, the SUP will be strictly limited to truck repair, including vehicles categorized as "Heavy Truck" such as box trucks and semi-tractors. No trailers are permitted on the property, and no long-term storage of vehicles will be allowed. All trucks, whether awaiting repair or pick-up, must be parked behind the fenced area.

Mr. Jones stated the building design deviates significantly from Appendix F requirements. A brick wainscot 3' high is the only masonry shown, with the balance of the building consisting of painted metal R-panel. There is a 20% allowance in Appendix F for finished metal panel, but the building as shown far exceeds this allowance. In addition, three of the four building facades lack horizontal articulation or windows. There is one short canopy provided over the front door. The development is addressing the sustainability requirements of Appendix F by virtue of its position

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along a proposed mixed-use trail that would connect from the Regional Veloweb to Mike Lewis Park, and in its use of drought-tolerant species for 70% of plantings, Live Oaks, Schumard Red Oaks, Crepe Myrtles, and Buford Hollies. The applicant is requesting the following variances:

- Metal (R-panel) building facade on the majority of the building.
- Windows and horizontal articulation shown only on Roy Orr-facing elevation.
- Use of existing vegetative cover on the south and east portions of the property to satisfy a portion of the required landscape calculation.
- Excess parking spaces over minimum. Applicant is requesting this variance due to the auto-oriented nature of the use.

Mr. Jones stated Roy Orr currently functions as an arterial connecting north Grand Prairie to Fort Worth/Centreport and DFW Airport. Uses found along this boulevard primarily consist of large regional distribution facilities, small local contractor operations, and franchise equipment rental operations. Facilities for the servicing and repair of vehicles, including large trucks, are not prevalent along Roy Orr; where they do exist, they typically function as an accessory use to a larger operation such as truck rental. The PD district to the east, across Oakdale Ln., prohibits auto-related uses such as repair. The use as proposed would occupy a highly visible location at the corner of two arterial roadways near Mike Lewis Park. Even if the building design criteria are met, staff believes that the establishment of truck repair at this highly visible location would be detrimental to the overall area and therefore cannot recommend approval.

Commissioner Moser stated the applicant is requesting four variances, the metal building, the windows, the use of vegetation, and access parking, did staff discussed these with the applicant and explained staff's position, but even without the variances staff is not in favor of the use. Mr. Jones replied yes.

Commissioner Coleman stated there are several trucking companies on High Prairie, he understands this sits in the Hwy 161 Overlay, but you cannot see anything on Roy Orr at this location from Hwy 161, why does the Overlay extend that far. Mr. Jones stated the Overlays are not drawn to a certain distance it is usually on the freeways to encompass all of the land adjacent to the freeways.

Commissioner Fisher asked what other uses, would the city like to see at this location. Mr. Jones stated staff could support a multi-tenant building or a smaller scale distribution center with smaller trucks not 18-wheelers, something that would be more consistent with the area.

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

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Walter Nelson, Nelson & Associates, 3012 Hobble Court, Grand Prairie, TX stepped forward representing the case and to answer questions from the commission. He stated this tract has been vacant for a long time it is a very particular lot and a lot of different departments within the city have different issues with the site and use. They have meet with the Transportation department, who noted some concerns with the entrances, so they have been relocated off Oakdale Road. The building would be facing Roy Orr and the trucks would be located towards the back of the building therefore they are not be visible off Roy Orr.

Angelo Chokas, 101 NW 8th Street, Grand Prairie, TX, stated he understood that the R-panels would be allowed under the new House Bill that was just approved.

Deputy City Attorney Mark Dempsey stated, because this case is within an overlay district he still needs to meet those standards.

Mr. Chokas stated he would still like to move forward with this case and present the building façade to the Council.

Chairperson Spare stated a trucking business is not adequate for this location.

Commissioner Coleman asked who would be managing the property. Mr. Chokas stated he would be managing the property.

Jeff Staffin, 2960 Roy Orr Blvd, Grand Prairie, TX stated he is the adjacent property owner to the north and his concern is the ingress and egress of the property. He stated he purchased his property as an investment and hopes to be able to sell it in the future, but he does not see how a trucking business with a metal building would increase the value of his property.

There being no further discussion on the case commissioner Coleman moved to close the public hearing and approve case SU191102/S191103, and the applicant must meet with staff to discuss variances and get them in compliance with the overlay district prior to the City Council meeting. The action and vote being recorded as follows:

Motion: Coleman

Second: Fisher

Ayes: Coleman, Fisher, Hedin, Smith

Nays: Spare, Carranza, Connor, Moser

Motion Failed: 4-4

Chairperson Spare stated the motion failed 4-4, and asked for another motion. Deputy City Attorney Mark Dempsey stated the Commission needs to make a recommendation to the City Council.

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Commissioner Fisher stated he understands staff position on the use of the land, but regarding the variances, commission Coleman brings up a good point on Appendix F and the overlay districts, he would have to agree that this hardly falls in those standards if you drive up and down Roy Orr you would never see this development from Hwy 161.

Chairperson Spare stated this case is before the commission, because of the zoning, the use is not allowed by right, but with a specific use permit.

Commissioner Carranza stated he would like to see what is being built before he votes on a case or have the applicant comply with Appendix F.

Commissioner Hedin said provided that they comply with the overlay district is this building in character with the two buildings to the north or out of character for the area. Mr. Jones stated it is character with the immediate building to the north that was constructed about 30 years ago, but would be out of character with the newer buildings that have recently been constructed along Roy Orr.

Commissioner Smith asked if this case could be tabled or why can we not take the case the way it has been voted on. In her opinion this looks like a good proposal and the property has not been in used for a long time.

Chairperson Spare said there is one member absent which made the motion a 4 to 4 vote and it failed, the council will be watching tonight's meeting, but he does feel there should be another motion made on this case to determine what is the best use of the land.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case SU191102/S191103, and approve the application as opposed to staff's recommendation, that the applicant meet with staff and resolve the issues related to the metal R-panels, the windows, the horizontal articulation, and the use of vegetation to screen the facility. The action and vote being recorded as follows:

Motion: Moser

Second: Coleman

Ayes: Coleman, Fisher, Hedin, Moser, Smith

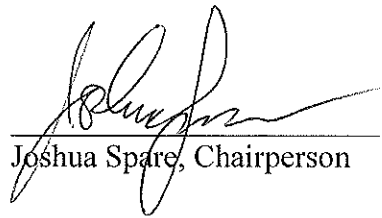
Nays: Carranza, Connor, Spare

Approved: 5-3

Motion: **carried.**

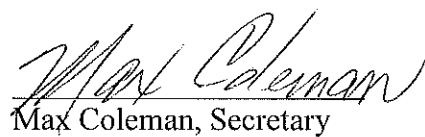
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Commission Moser moved to adjourn the meeting. The meeting adjourned at 8:00 p.m.



Joshua Spare, Chairperson

ATTEST:



Max Coleman, Secretary

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