

**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
APRIL 27, 2020**

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

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, Savannah Ware, Chief City Planner, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order by Video Conference at 6:30 p.m. Chairperson Spare gave the invocation, and led the pledge of allegiance to the US Flag, and the Texas Flag.

Citizen Comments: None

AGENDA ITEM: #1 - APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of April 13, 2020.

CONSENT PUBLIC HEARING AGENDA Item #2- RP200403 - Replat - R.L. Hight's Addition, Lot 5R, Block A (Commissioner Moser/City Council District 5). A Replat to consolidate three lots into one to create lot 5R, Block A, R.L. Hights Addition. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas, zoned O, Office. The agent is E.D. Hill and the owner is Kim Thorne

Commissioner Connor made a motion to approve the minutes of April 13, 2020 and approve consent agenda case RP200403.

Motion: Connor

Second: Perez

Ayes: Coleman, Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: None

Approved: 8-0

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Motion: **carried.**

PUBLIC HEARING AGENDA Item #3 – SU200402 - Specific Use Permit - Event Center at 692 W Pioneer Pkwy (Commissioner Hedin/City Council District 2). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Specific Use Permit request for an Event Center within a shopping center. Located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail. The owner is Smart Ajayi.

Ms. Ware stated the tenant space is 2,240 sq. ft. on 3.85 acres, and zoned GR General Retail. The building and property complies with Unified Development Code standards with respect to exterior materials, building setbacks and other development standards. The site has direct access via one existing ingress/egress drives from the access road of W Pioneer Parkway, three shared access drives via neighboring property to the east, and one additional access point from S Carrier Parkway through the adjacent property. In accordance with the operational plan, the business will host birthday parties, bridal showers, receptions, workshops, and other events. The Victoria Grace Event Center will operate with the following hours of operation: Monday - Sunday 4 PM to 11 PM. The event center will allow food warming, and licensed caterers to serve events. The center may have BYOB, so long as they are in compliance with TABC licenses and regulations. The shopping center has 232 parking spaces for nine tenants. Staff estimates that the total required parking for the shopping center is 175 spaces with an additional 28 spaces for the event center. An automatic sprinkler system shall be provided for the space in accordance with applicable codes. A minimum two hour fire separation shall be provided on either side of the space in accordance with applicable codes.

Ms. Ware stated the Development Review Committee recommends approval with the condition that the proposal comply with the UDC operational standards for Multi-Purpose Special Event Centers.

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 SU200402 as presented and recommended by staff. The action and vote recorded as follows:

Motion: Hedin

Second: Perez

Ayes: Coleman, Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

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PUBLIC HEARING AGENDA Item #4 – Z200403 - Zoning Change - SF -1 at North St and North Center St (Commissioner Moser/City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas. The agent is E.D. Hill and the owner is Kim Thorne.

Ms. Ware stated the purpose of this request is to change the zoning on 0.509 acres from O to SF-1 to allow for the construction of a single-family residence. The lot reasonably accommodates the uses permitted in the SF-1 base zoning district, and staff has found no indication of adverse impacts on neighboring lands in relation to this zoning, or adverse effects on the public health, safety, or welfare. Approving the change to SF-1 will provide further continuity of the single-family zoning currently in place in the surrounding area. The Future Land Use Map designates the subject property as Low Density Residential. DRC recommends approval of the proposed zone change from O to SF-1.

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 Coleman moved to close the public hearing and approve case Z200403 per staff's recommendation. The action and vote recorded as follows:

Motion: Coleman

Second: Landrum

Ayes: Coleman, Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: None

Approved: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA Item #5 –TA200401 – Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code. Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation to update the definition of and to establish regulations for variety stores, small-format grocery stores, and dollar stores.

Ms. Ware stated staff is proposing regulations regarding small format retail or grocery stores, often known as "dollar stores." These stores are typically less than 12,000 square feet and offer a selection of groceries and home goods that are more limited than a full-service grocery store. Typically, these stores have little or no fresh produce, no fresh meat, no bakery, and no pharmacy. Food items are typically canned or frozen. Due to their small format and low prices, these stores, with some exceptions, are built in neighborhood settings away from freeway interchanges and larger anchored developments or power centers. In the past few years, several

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cities around the United States, including cities in the DFW area, have passed regulations that limit the ability of these stores to cluster near other such stores, and that require a minimum square footage of fresh produce (fruits and vegetables). This text amendment will add similar regulations to the Unified Development Code. The Development Review Committee recommends approval.

Commissioner Landrum asked what drove the changes to the ordinance. Ms. Ware stated this was a request from the City Council Development Committee and Council we are trying to limit these stores from being, clustered close together.

Commissioner Smith stated there are stores that are already too close to each other what happens with these stores, would they be grandfather with the new ordinance. Ms. Ware stated they would be able to continue operation. Mrs. Smith asked who would oversee and make sure they are providing the right percentage of produce in their stores. Ms. Ware stated the city would be conducting inspections.

At 6:49 p.m., Commissioner Moser joined the meeting.

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

Alan Rubenstein, Real Estate Manager for Family Dollar & Dollar Tree stores for North Texas, 4501 Yacht Club Drive, Rockwall, TX. Mr. Rubenstein stated he was not aware of any open forums regarding this case. Dollar stores are not grocery stores nor are they in the business as grocery stores they are an infill neighborhood store. They cater to the elderly and citizens that do not have a way to go to the bigger box stores and live on a paycheck to paycheck. They are an essential business. The changes need to be submitted to an attorney to make sure the changes are feasible. He sees convenient stores on every corner and their items are at a higher cost and do not sell nutrition foods, and asked why are fast food places not regulated they do not sell nutrition foods. He said this ordinance would not be a fair advantage.

Chairperson Spare asked how many stores he oversee in Grand Prairie. Mr. Rubenstein said he has nine Family Dollar stores and five Dollar Tree stores in Grand Prairie. He said this ordinance is anti-competitive.

Bill Crolley stated the changes were discuss at the City Council Committee meeting to try, and avoid a concentration of these types of stores staff has been working on the changes for several months and had an open meeting with several storeowners.

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Commissioner Connor said he sees what has happen in Arlington with these types of stores therefore he can support the changes.

Commissioner Coleman stated he has experience in the produce industry, and produce has a short shelf life, and changing this ordinance to allow produce might not be in their best interest.

Commissioner Moser said what is staff's opinion regarding Mr. Rubenstein's trade argument. Mark Dempsey stated in his opinion the amendment can be adopted.

Commissioner Hedin and Perez stated they agree with Commissioner Connor.

Chairperson Spare stated if the store is required to obtain an SUP, then we are asking them to put in a section for produce.

Allen Rubenstein stated if you look at their competitors such as Sam's or Costco they have a distance requirement, because they are a big store box, then you have the grocery stores on the next tier down, then there are the dollar stores, why treat them different from a chicken restaurant where you can find three at the same location.

Commissioner Connor stated he is not against free enterprise, but do we need all these type of stores close together, what happens to the building once they stop operating.

There being no further discussion on the case commissioner Connor moved to close the public hearing and approve case TA200401. The action and vote recorded as follows:

Motion: Connor

Second: Hedin

Ayes: Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: Coleman, Moser

Approved: 7-2

Motion: **carried.**

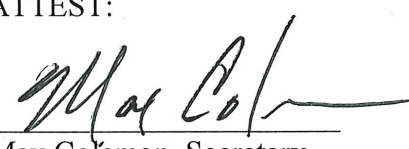
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Chairperson Spare moved to adjourn the meeting. The meeting adjourned at 7:11 p.m.



Joshua Spare, Chairperson

ATTEST:



Max Coleman, Secretary

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