



**REGULAR PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
SEPTEMBER 9, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Commissioners Bill Moser, Shawn Connor, Warren Landrum, Eric Hedin, Cheryl Smith, Max Coleman.

COMMISSIONERS ABSENT: Clayton Fisher and Eduardo Carranza

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Ted Helm, 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, 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 P191001 - Final Plat - Forterra Addition, Lots 1, 2 & 3, P191002 - Amending Plat - Epic East Towne Crossing, Phase 1, Lots 4, 5 & 6, P191003 - Final Plat - Creekside at Grand Prairie Addition, and P191004 - Final Plat - Burney 360 Addition, Lot 1, Block A.

AGENDA ITEM: #2-APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of August 5, 2019.

PUBLIC HEARING CONSENT AGENDA: Item #3- P190701 - Final Plat - The Lakes at Grand Prairie, Lot 1, Block A (City Council District 4). Final Plat for The Lakes at Grand Prairie, Lot 1, Block A. Tract 6D and 5C, Jerome Lynn Survey, Abstract No. 972, City of Grand Prairie, Tarrant County, Texas, zoned PD-255B, within SH-360 Corridor Overlay District, and generally located east of SH-360 and south of Doryn Dr. The applicant is John Bezner, Civil Point Engineers and the owner is Vino Patel, Doryn Senior Ltd.

Item #4-P190901 - Final Plat - The Harmony School Addition, Lot 1, Block 1 (City Council District 5). Final Plat to establish one non-residential lot, identify existing easement and establish boundaries to accommodate the improvements to an existing charter school on 5.305 acres, situated in the Michael Farrans Survey, Abstract No. 469, and Henry Bilsmirer Survey, Abstract No. 111, City of Grand Prairie, Dallas County, Texas, zoned Multifamily-1 (MF-1). The

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property is generally located at the southeast corner of NW 7th Street and W. Tarrant Road. Addressed at 1102 NW 7th Street. The property lies within the Interstate Highway 30 (IH-30) Overlay Corridor District. The agent is Chris Rogers, Pape-Dawson Engineers, Inc. and the owner is Erol Kose, Cosmos Foundation DBA Harmony Public Schools.

Item #5-SU180702A/S180702A - Specific Use Permit Renewal - Premier Adjusters, 1501 W. Shady Grove, Renewal (City Council District 1). A request to approve a Specific Use Permit Renewal for the short-term parking of repossessed vehicles. The 1.76 acre property is zoned LI, Light Industrial District. The property is generally located on the south side of W. Shade Grove Road, approximately 1150-feet west of Hardrock Road.

Item #6-SU890902A - Specific Use Permit Renewal/Site Plan Amendment - Ryder Truck Rental (City Council District 1). A request to amend an existing Specific Use Permit (SUP-516) and Site Plan for a Commercial Truck Leasing/Rental Services/Truck Maintenance use on 6.82 acres. The existing facility consisting of two lots is generally located at the northeast corner of S. Great Southwest Parkway and W.E. Roberts Street, specifically addressed at 500 S. Great Southwest Parkway. The property is zoned Commercial Office (CO) District with Specific Use Permit -516 (SUP-516). Ryder Truck Addition, Blk 1, Lot 1 (3.332 Acres) and County Line Addition, Blk 1, Lot1 (3.49 Acres) City of Grand Prairie, Tarrant County, Texas. The agent is John Ainsworth, Kimley-Horn and the owner is Matthew Dellorusso, Ryder Systems, Inc.

Item #7-Z190901 - Zoning Change - 305 NE 10th Street, Residential (City Council District 5). A request to change the zoning from GR, General Retail to SF-4 Single-Family Four Residential District for a single-family dwelling Lot 7, Block A, Mikeska Addition, Dallas County, City of Grand Prairie, Texas. The applicant is Margarito Reyes and the owner is Mreyes Properties.

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 P191001, P191002, P191003, and P191004, approve the minutes of August 5, 2019, and approve public hearing consent agenda items P190701, P190901, SU180702A/S180702A, SU890902A, and Z190901.

Motion: Connor

Second: Moser

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

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PUBLIC HEARING AGENDA Item #8- S190802 - Site Plan - Wildlife Commerce Park, Buildings 12a, 12b, 13, & 14 (City Council District 1). Senior Planner Charles Lee presented the case report and gave a Power Point presentation for a Site plan request to authorize construction for three office/warehouse buildings on 73.06 acres, with an option to consider a one-million sq. ft. office/warehouse facility on the same property. The proposed development is situated in the Benjamin S. Reed Survey, Abstract No. 1225 and the David Bradshaw Survey, Abstract No. 121, Grand Prairie, Dallas County, Texas, generally located south of W. Wildlife Blvd. approximately 1,444 feet west of N. Belt Line Rd more specifically addressed at 401 W. Wildlife Boulevard. The property is zoned Planned Development 217C District. The agent is Richard Nordyke, O'Brien Architecture.

Mr. Lee stated the 73.06-acre property is the undeveloped. Primary access to the site is by Wildlife Parkway. The orientation of proposed buildings 12, 13 and 14 are laid out in a north-south configuration with the truck docks facing east-west, with extended wing-walls obstructing the view of proposed loading areas. Alternative Building 12 is a two-story, million square feet, cross-dock facility, fronting Wildlife Parkway. Three commercial drives serves the facility via Wildlife Parkway with median openings at each approach. Appendix X provides three specific regulations regarding warehouse/industrial proposals, these include but not limited to:

- Site Design
- Building Design & Materials
- Landscaping & Screening

Mr. Lee said Appendix X, Section 6, recognizes the benefits of integrating all three elements mentioned above when large, multi-phased industrial campus/site are being planned. The applicant's overall design theme of building materials, architectural style, truck docks and integrated commercial drive locations adheres to more viable and sustainable environment. In addition, significant tree canopies are being preserved on properties adjacent to this site conserving the areas natural resources, ground water, plant life and other desirable environmental surroundings. The primary building facade for buildings 12, 13 & 14 consist of two contrasting colors of textured painted concrete tilt-wall, conforming to the masonry requirement. The buildings comply with the articulation standard by providing glass/window storefront systems located on each corner of the buildings, each system incorporates a 10' metal canopy supported by metal columns extending along the façade to meet compliance length in order to satisfy the articulation requirement. This design conforms to the look and materials of the buildings constructed within the Wildlife Commerce Park, consistent with the overall architectural design and construction in the industrial park. The design as proposed does not satisfy the 30% or more window requirement of the overall vertical surface area for each façade as indicated in each table. However, the applicant is seeking a variance to that requirement in return for Tree Preservation Credits. A Tree Survey and Tree Protection Plan has been submitted by the applicant seeking relief and relaxation of the building design standards as applied to the Tree Preservation Incentives section of Appendix X. The Industrial Development Standards offer

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credits/waiver to certain design standards for builder/developer efforts in on-site tree preservation. Tree Preservation Incentives provides an opportunity for flexibility in overall design by recognizing and incorporating natural environments and the community's value in protection natural usable open space. The proposed site exceeds the minimum landscaping requirements for Section 5, Appendix X Industrial Developments. The site provides 26% of landscaping. The proposed landscape plan requires 1250 trees. The development provides a total of 577 trees, including 115 parking lot trees.

Mr. Lee stated the site proposes a five-foot wide decomposed granite pedestrian trail/path constructed along the western and northwestern portion of the site, providing benches and seating areas leading to the open space shaded lawn area with sculpture, benches with tree canopy and garden area. The overall 5.1-acre open space shall feature 3,590 l.f. of walking paths, 58 bench limestone seating areas and 28,000 s.f. of garden area. Tree Preservation Incentives requires minimum 6" caliper trees or greater be preserved on the same property as the development via submission and review of Tree Survey and Tree Protection Plan. Once confirmed, the Builder/Developer has an opportunity to request Section 4.2 and/or Section 4.4 Building Design standards be relaxed. The applicant has identified 886 trees located on abutting properties east and west of the site to be preserved seeking 1802 Tree Credits in the area abutting to the east and 1023 Tree Credits from properties adjacent to the west. 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. Each building shall be provided with a dumpster enclosure, which is located on the southeastern area of each building. The enclosure shall conform to city standards. The proposal for a three warehouse/distribution facility generally conforms to the recently adopted requirements. Option/Alternative Building 12 does not conform to the overall concept plan for Wildlife Commerce Park. Adequate and safe access and parking is being provided. The site generally conforms to Appendix X's building design in offering alternating materials and design including horizontal & vertical articulations.

Mr. Lee stated the site does not comply with the 30% window requirement of the overall vertical surface area for each façade. A Tree Survey/Tree Preservation Plan has been submitted to allow for relaxation of this requirement. Preservation areas abutting the site to remain in its natural state by preserving dozens of large caliper trees in addition to providing a decomposed granite walking trail leading to open space and tree canopies with planned benches and seating areas provides a desirable balance in the development of this phase to the Wildlife Commerce Industrial Park. The applicant is requesting relaxation to the building design be waived based on tree preservation incentives and tree credits offered. The applicant is seeking:

- Reduction of the 30% window requirement of the overall vertical surface area for each façade to allow 12-14% glass on building sides facing Wildlife Pkwy.
- The applicant requests the orientation of the dock doors for Option 2 allow for the docks to face Wildlife Parkway.

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Mr. Lee stated the Development Review Committee recommends approval of Option 1 (buildings 12-14) but not Option 2 (Alternate building 12) due to dock door alignment along Wildlife Pkwy.

Commissioner Connor asked if there are other warehouses of this size within the city. Mr. Lee stated there could be one located at the Grand Lakes off I-30.

Commissioner Smith said her concern is the square footage and having so much industrial space, has a Traffic Impact Analysis been conducted for this site. Transportation Planner Brett Huntsman replied a TIA was not required for this development. Ms. Smith asked if part of the property was located within the floodplain. Mr. Lee replied yes, the developer would need to do some mitigation prior to construction.

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

Brad Cooper, 3819 Maple Avenue, Dallas, TX was present representing the case and to answer questions from the commission. Mr. Cooper stated it is unusual to present two different options they have been working with staff and Economic Development on a user for this site.

Commissioner Moser asked in the future do they have room to expand to the west and how many warehouses of this size do they have in the metroplex. Mr. Cooper replied they do not have the room to expand and this would be the first development of this size.

Commissioner Coleman asked if they would be tying into the city's sewer and do they own any land to the north of Hunter Ferrell. Mr. Cooper replied yes they would be tying into the city sewer, but would be very expensive to do so. They do own property to the north, but it would be utilized as mitigation pond.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case S190802 as presented, including both Options 1 and 2. The action and vote being recorded as follows:

Motion: Moser

Second: Connor

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

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**Chairperson Spare noted the following cases would be presented together, but voted on individually.**

PUBLIC HEARING AGENDA Item #9- CPA190801 - Comprehensive Plan Amendment to change the Future Land Use Map from Open Space/Drainage and Mixed Use to Mixed Use on 14.27 acres. Planner Nyliah Acosta presented the case report and gave a Power Point presentation for the 14.27 acres out of the Hein Bilsmirer Tract 3 & 11 Abstract No. 111, and Pablo Mansola Tract 1 Abstract No. 993, Dallas County, City of Grand Prairie, Texas, zoned “SF-4” Single-Family Four Residential District and “CO” Commercial Office District within the Highway 161 Corridor, generally located northeast of the intersection of Highway 161 and Hill Street addressed as 1614 Hill Street, 1610 Hill Street, and 906 Hwy 161.

PUBLIC HEARING AGENDA Item #10- Z190801/CP190801 - Zoning Change/Concept Plan - Presidium Hill Street (City Council District 5). Planner Nyliah Acosta presented the case report and gave a Power Point presentation for a Planned Development request and Concept Plan for Multi-Family and Retail/Restaurant uses on 14.27 acres. The Concept Plan depicts a multi-family development up to 26 units per acre (371 units) on the east side of Hill Street and the frontage of N Highway 161. 14.27 acres out of the Hein Bilsmirer Tract 3 & 11 Abstract No. 111, and Pablo Mansola Tract 1 Abstract No. 993, City of Grand Prairie, Dallas County, Texas, zoned “SF-4” Single-Family Four Residential District and “CO” Commercial Office District within the Highway 161 Corridor, generally located northeast of the intersection of Highway 161 and Hill Street addressed as 1614 Hill Street, 1610 Hill Street, and 906 Hwy 161.

Ms. Acosta stated the applicant is requesting to construct a high density multi-family and retail/restaurant development. The request is for a change from Open Space/Drainage and Mixed Use designation to Mixed Use on the Future Land Use Map. The purpose of this request is to change the zoning on 14.27 acres from “SF-4” and “CO” to “PD” to allow for a Multi-Family and Commercial development. The development includes four apartment buildings accessible from Hill St, a clubhouse, and dog park. Along the N SH 161 frontage, the applicant is proposing retail/restaurant uses. The lot reasonably accommodates multi-family and commercial uses, and staff has found no indication of adverse impacts on neighboring lands in relation to the zone change, or adverse effects on the public health, safety, or welfare. Approving the change to a Planned Development will allow the owner to develop the underutilized parcels. In addition, high density residential uses are ideal along major arterials, and act as a buffer between less intense residential uses. The proposal is consistent with goals, policies, and objectives in the 2018 Comprehensive Plan, including: Achieve a broad housing selection for a diverse population; Provide housing options that serve the needs of the population throughout the stages of their lives; A mix of residential densities offers the City opportunities to attract and retain businesses as well as generate higher ad valorem tax revenues than through low density residential alone; and Locate higher density residential uses along roadways designated as minor arterials, principle arterials or limited access thoroughfares. A Site Plan is required for any multi-family use on the property. Planned Developments require a Site Plan for any construction, and UDC Articles VII and

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Appendix W require Site Plan approval. Approval of the Concept Plan does not confer any variances to the property or to future development. The existing base zoning is "SF-4" and "CO". The proposed base zoning for the 14.27 acres is "MF-3" Multi-Family Three Residential District and "GR-1" General Retail District. All zoning will defer to the Unified Development Code as amended.

Ms. Acosta stated the following outlines the minimum dimensional requirements of the "MF-3" and "GR" districts and provides an analysis of the proposed compliance with the district. The site has frontage along Hill Street; the Concept Plan depicts two access points on Hill Street to access the multi-family development. Approval of this Concept Plan will be considered part of TXDOT's process to approve the access from the SH 161 Frontage Road. Multi-Family development is required to meet the standards contained in Appendix W of the UDC. These standards include building articulation, materials, architectural features, and other design elements and will be evaluated for at the Site Plan phase. All variances pertain to the multi-family component of the request.

1. 65% one bedroom units (60% is standard).
2. 15 foot front yard setback (30 feet is standard).
3. 10 foot side yard setback on street (30 feet is standard).
4. 20% garage parking (30% is standard).
5. 1 parking space for 1 bedroom units (1.25 per 1 bedroom unit is standard).
6. Both garage parking and tandem parking behind the garage are included in the parking calculation (standard is to include tandem parking in calculation, not both garage and tandem parking).

Ms. Acosta said a petition with 192 signatures was submitted, 28 of which are within the 300 foot buffer, making up 13.46% of the total land area.

Ms. Acosta noted the Development Review Committee recommends approval of the requested amendment to the FLUM and recommends approval of the proposed zone change from "SF-4" Single-Family Four Residential District and "CO" Commercial Office District to "PD" Planned Development District.

Chairperson Spare asked if there was a parking plan submitted. Ms. Acosta replied no, but they would be providing 270 to 290 parking spaces and the parking and garages would be addressed during the site plan approval process.

Commissioner Moser asked at this current time and with existing zoning could single family homes be constructed on this site. Ms. Acosta replied yes, but the property would need to be replatted.

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

Tony Shotwell, 309 NE 31<sup>st</sup> Street, Grand Prairie, TX stepped forward in support of this request. Mr. Shotwell said when he was on the Council he received a lot of complaints about not having a grocery store on the north side of town, but he understands if there are not enough roof tops these types of uses would not come in this is the opportunity to bring more roof tops to the area. The multi-family standards have been upgraded and we are seeing nice luxury apartments being build, just because it is an apartment does not mean they bring bad people.

Jason Knotowicz, 3100 McKinney Street, Dallas, TX was present representing the case and to answer questions from the commission. Mr. Knotowicz gave a presentation of the proposed use and who they are as a developer.

Mick Grayland, Architect with O'Brien Architects, 5310 Harvest Hill Road, Dallas, TX stepped forward in support of the request. He said they would be preserving as many trees as they can and would be providing great amenities for the community. The community would be gated this development would be esthetically attractive with a contemporary look.

Bill Dahlstrom, 2323 Ross Avenue, Ste 600, Dallas, TX addressed the neighborhoods concerns. He said this site is not suitable for single family homes or retail, because of the floodplain on the site. They met with the neighborhood on two occasions, but the turnout was not in great numbers.

Chairperson Spare asked why do they want less parking and where are the guess parking spaces located. Mr. Knotowicz stated there are parking constraints on the site they are requesting more carports than garages the guess parking would be located towards the front of the property.

Commissioner Smith stated the setback requirements are 30 feet and they are proposing 15 feet, this is very concerning to her. Mr. Knotowicz stated they want to provide a greater distance/buffer between the complex and the adjacent residences.

Commissioner Moser noted the petition states the development would be 4-stories, what is the distance to height of Hwy 161.

Jonathan Kerbel, 13455 Noel Road, Dallas, TX stated he is not sure of the topography along Hwy 161.

Commissioner Connor asked if the other properties they own are fully occupied, because his concern with apartments is that at first they look really nice then in a couple of years they don't look so nice and cannot keep them occupied.



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Chairperson Moser noted parking for 1 bedroom are 1.5 spaces, parking for 2 and 3 bedrooms are 2 spaces.

James Holiday, 1601 Roman Road, Grand Prairie, TX stepped forward in opposition to this request and to speak on behalf of the Holiday Hill Estates neighborhood. They submitted a petition in opposition with 200 signatures, there would be no privacy with a 4-story complex next to their homes this development would bring more people to their neighborhood, their park, traffic, and crime would become a bigger concern to the neighborhood. This development would affect their property values the people in this area would like to be heard this development affects all of them and asked that the developer look at a different location.

Commissioner Connor asked how many property owners showed up to the meetings with the developer. Mr. Holiday said most of the homeowners were not aware of the development.

Commissioner Coleman asked what he envisions for this area. Mr. Holiday said he would like to see some offices or a shopping center at this location. Mr. Coleman stated this property is not ideal for retail, because of the access.

Commissioner Connor asked if some of the issues are, because the development would be 4-stories. Mr. Holiday replied yes this is only one issue.

Kathy McNiel, 1517 Capetown Drive, Grand Prairie, TX stepped forward in opposition, what concerns her is the traffic and the safety of their children what they need in this area is more retail and a grocery store. She said they love their neighborhood and want to keep it safe.

Brenda Ferman, 1513 Capetown Drive, Grand Prairie, TX stated she purchased her home over 10 years ago and she also has small children she worries about, if we allow more traffic and crime to come into their neighborhood. She did not attend any of the neighborhood meetings, but stated this development would take away from their neighborhood.

Bill Villars, 1418 Roman Road, Grand Prairie, TX stated he is opposed to this development he has lived in Grand Prairie all his life this is a 4-story complex in a single family residential neighborhood. The traffic is horrible it takes him 20 minutes just to get out of Roman Road, he asked that this case be denied or reduced the number of stories of the complex.

Brian Stump, 1306 Capetown Drive, Grand Prairie, TX stated he is opposed to this development. Traffic is horrible and will get worse he lives adjacent to an apartment complex and he cannot spend time in his back yard. Mr. Moser asked when he purchased his home. Mr. Stump replied in 2007 and yes he was aware of the apartments behind him.

Bill Dahlstrom stepped forward for a rebuttal he said Hill Street is designated to handle the additional traffic.

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Mark Farrell, Presidium President, 3100 McKinnon Street, Suite 250, Dallas, TX stated they would be constructing a very nice complex advertising to the young professionals. Grand Prairie is in a good location between Dallas and Fort Worth, if the Commission wishes they can meet the setbacks, they want to be a good neighbor.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case CPA190801 as presented. The action and vote being recorded as follows:

Motion: Moser

Second: Smith

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith

Nays: Spare

**Approved: 6-1**

Motion: **carried.**

Commissioner Connor moved to close the public hearing and approve case Z190801/CP190801 with the following conditions: Approve; the 65% one bedroom units, the 4.20% garage parking, both garage parking and tandem parking behind the garage are included in the parking calculation, and Disapprove; the 15 foot front yard setback, the 10 foot side yard setback on street, and the 1 parking space for 1 bedroom units. The action and vote being recorded as follows:

Motion: Connor

Second: Moser

Ayes: Coleman, Connor, Hedin, Landrum, Moser

Nays: Spare, Smith

**Approved: 5-2**

Motion: **carried.**

**The Commission took a 10 minute break at 9:00 p.m.**

PUBLIC HEARING AGENDA Item #11- Z190902 - Zoning Change - 201 NW 16th St, Planned Development (City Council District 5). Planner Ted Helm presented the case report and gave a Power Point presentation for a request to change the zoning from C, Commercial District to a Planned Development for C, Commercial District to allow for metal parts manufacturing and assembly in an existing steel building. The property is located at the northwest corner of NW 16th Street and NW Dallas Street on Lots 10, 11 & 12, Block 52, Dalworth Park Addition, City of Grand Prairie, Dallas County, Texas. The applicant is Raul Rendon.

Mr. Helm stated the applicant is proposing to continue the use of metal parts manufacturing and assembly on this site. The site can be accessed from NW 16<sup>th</sup> Street. The 2018 Comprehensive Plan's Future Land Use Map designates the rezoning area as Mixed Use. The proposed Planned

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Development fits with the character of the area but not the FLUM. Staff recommends that the parts assembly use be allowed to continue as it fits with the character and fabric of the neighborhood, but to not be open to other more intense industrial uses. The Development Review Committee recommends approval of the requested Zoning Change for a planned development under the following condition: Outside storage of parts and materials is restricted, and that the use of parts manufacturing and assembly will be void if discontinued more than 6 months. An amendment to the PD is required to establish any future industrial uses or other non-commercial or retail use.

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

Raul Rendon, 2834 Alcott Lane, Grand Prairie, TX was present representing the case and to answer questions from the commission.

Commissioner Moser stated Mr. Emmons used to own the property when did he purchased the property. Mr. Rendon stated he purchased the property through a realtor in February of this year. Mr. Moser asked where they park and where is the customer parking. Mr. Rendon stated they park inside the building the customers park on the NW Dallas side.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case Z190902 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Connor

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #12- SU180504A – Specific Use Permit Renewal - 3025 Hardrock Rd. (City Council District 1). Senior Planner Charles Lee presented the case report and gave a Power Point presentation for a request for a renewal for existing Specific Use Permit -1044 (SUP-1044) allowing for Trucking and Storage Terminal Facility on 2.94 acres. The subject property is zoned Planned Development -39 (PD-39 District and is located in the State Highway 161 (SH-161) Overlay Corridor District; located at the northeast corner of Hardrock Rd and Oakdale Rd.

Mr. Lee stated as required by Ordinance No. 10466-2018 for Specific Use Permit 1044 the City Council shall conduct a public hearing one year after City Council adoption of this Ordinance to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of this SUP Ordinance, the Unified Development Code, The City of Grand Prairie

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Code of Ordinances, City adopted building codes, city adopted fire codes and other applicable regulatory requirements and/or enforced by the state and federal government. Development Review Committee recommends Planning & Zoning Commission allow the applicant six months to establish compliance and that any subsequent violations will result in staff bringing back for revocation.

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

Sushil Chaugai, 3025 Hardrock Road, Grand Prairie, TX where present representing the case, he has been adding more trucks on his site and wants to change the Specific Use Permit to allow him to do so.

Commissioner Moser stated as the owner he is required to meet the city's code and follow the rules he can allow him six months to come into compliance, but he could be risking his business if he does not comply.

There being no further discussion on the case commissioner Moser moved to close the public hearing and approve case SU180504A as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Landrum

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #13- SU190902 - Specific Use Permit - Rocha Trucking (City Council District 5). Planner Ted Helm presented the case report and gave a Power Point presentation for a Specific Use Permit for Major Auto Repair and Inoperable Vehicle Storage on 1.1 acres at the address 308 Bill Irwin Street. The subject property is zoned LI-LS, Light Industrial Limited Standards District. The property is located within Lots 13, 14 & 15, the south 80 feet of Lots 16 through 20, 21, 22, 23 & 24, Block L, Twin Airports Industrial Addition, and Lot 25R, Block L, Twin Airports Addition Revision, City of Grand Prairie, Dallas County, Texas. The agent is Tony Shotwell and the owner is Patricio Rocha.

Mr. Helm stated this Specific Use Permit is being requested in order to bring the site and its various suites under compliance as well as establish a site plan. As per Exhibit D of the Operational Plan, the site is to be paved in phases. During the second year of operation, 33% of the crushed concrete is to be paved. An additional 33% of the crushed concrete is to be paved the third year. During the fourth year of operation, the rest of the crushed concrete will be paved to completion. Additionally, two suites are being added to the site plan outside of Rocha Trucking's

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existing operation. They are RC Auto, Suite B, and Pancho Automotive, Suite C as listed on Exhibit B and D of the Operational and Site Plans. Staff inspected the property and operations on August 20<sup>th</sup> and was accompanied by the Code Enforcement Division and the Environmental Services Department. The inspections conducted indicated that there are several violations that will need to be addressed before a CO is issued. Inspections noted the following violations:

- Work not being done under the canopy.
- Fire lane was not clear.
- Parts stored in the back of vehicles.
- Ledger of all the existing vehicles was unavailable.
- Vehicles double stacked and parked too close.
- Vehicles stored on crushed concrete did not have spill mats under them.

Mr. Helm stated the DRC recommends the Planning & Zoning Commission approve this Specific Use Permit with the following conditions:

- No paint and body work on-site.
- No salvaging of vehicles on-site.
- No repair work will be permitted outside of the canopied footprint.
- Shall comply with approved Site & Operational Plan.
- That the fire lane be clear at all times.
- That the gas storage tank on the site be designated as empty.
- That the crushed concrete is maintained until paved according to Exhibit D of the Operational Plan.
- Any non-permitted uses must cease before a CO is issued.
- That a courtesy inspection be performed after 6 months to verify compliance.

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

Tony Shotwell, 309 NE 31<sup>st</sup> Street, Grand Prairie, TX was present representing Mr. Rocha and to answer questions from the commission. Mr. Shotwell said Mr. Rocha was not aware that he had to keep a vehicle ledger, but would begin right of way he has been working on taking care of the violations.

There being no further discussion on the case commissioner Coleman moved to close the public hearing and approve case SU190902 per staff's conditions. The action and vote being recorded as follows:

Motion: Coleman

Second: Moser

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

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Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #14- RP190802 - Replat - 307 Gilbert Circle Addition (City Council District 1). Planner Ted Helm presented the case report and gave a Power Point presentation for a request for a replat a 2.739 acre property into a single lot to allow for an Industrial Development. The 2.739 acre property is part of The John N. Gainer Survey and Lots 1 & 2, Block A, K&S Addition, Dallas County, Texas and is currently zoned Light Industrial District. The property is located at the address 307 Gilbert Circle and is generally located east side of Gilbert Circle. The agent is Lance Van Winkle and the owner is Nelson Braddy.

Mr. Helm stated the purpose of this Replat is to clean up the lot lines and add proper right-of-way dedications for tax purposes. The property was previously platted as K&S Addition on March 19, 1984. The lot has access form Gilbert Circle. The plat depicts required utility easements but does not depict required right-of-way dedications. The plat does not meet all the dimensional and development standards required by the UDC. Per Section 19, Article 12 of the Unified Development Code, "Street right-of-way and pavement widths shall be provided as shown on the adopted Master Transportation Plan, Article 23, and Thoroughfare Map for each classification of roadway. The Planning and Zoning Commission may grant an exception to this requirement upon recommendation of the Director of Transportation when a property is being platted or replatted, when: 1. The adjacent street is already improved with curb and gutter (Gilbert road is asphalt and bar ditch); 2. The adjacent street is functioning adequately; and 3. There are no plans to improve the street in the following five years.

Mr. Helm stated due to required right-of-way dedications not being provided the Development Review Committee recommends denial of the requested Replat.

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

Lance Van Winkle, 307 Gilbert Circle, Grand Prairie, TX was present representing the case and to answer questions from the commission. They want to replat the property there are no plans to construct onsite at this time, they will withdraw the case if they do not receive the variance.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case RP190802. The action and vote being recorded as follows:

Motion: Smith

Second: Landrum

Ayes: Landrum, Smith, Spare

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Nays: Coleman, Connor, Hedin, Moser

**Motion Failed: 3-4**

Commissioner Moser moved to table case RP190802. The action and vote being recorded as follows:

Motion: Moser

Second: Connor

Ayes: Coleman, Connor, Hedin, Moser, Smith

Nays: Spare, Landrum

**Approved: 5-2**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #15- TA180201A - Amending Appendix W, "Residential Development Standards" of the Unified Development Code of the City of Grand Prairie, Texas. Chief City Planner David Jones presented the case report and gave a Power Point presentation to amend Appendix W, "Residential Development Standards" of the Unified Development Code of the City of Grand Prairie, Texas, to comply with recently adopted state legislation governing the regulation of building materials and construction methods.

Mr. Jones stated in response to HB 2437, which prohibits cities from passing an ordinance prohibiting or requiring developers use certain materials, staff proposes the following changes to Appendix W -Residential Development Standards:

**Landscaping Requirements:** Increase landscaping requirements for residential from 1 tree in front yard + 1 tree anywhere on the property to 2 + 2, but allow credit to be claimed for using recommended building materials (similar to Article 6).

**Multi-Family Incentives:** Allow increase in density, reduction in garage parking, or reduction in landscaping for multi-family developments that provide preferred materials.

**Variance Language:** The city receives frequent requests from developers for variances to a range of items, including lot sizes and garage orientation on single-family residential lots, and to limitations on 1-bedroom units and enclosed garage parking on multi-family residential developments. Staff proposes to modify the existing variance language for single-family and townhomes to allow for reduction in lot widths, setbacks, and garage orientation if recommended materials are used, and modify language for multi-family to establish that a credit may be granted towards 1-bedroom restrictions and number of enclosed garages if preferred materials and methods are used.

**Multi-Family Amenities:** The current ordinance contains three categories of amenities and requires that a developer select a certain number from two of the three categories to receive

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approval. In the 18 months since the ordinance was adopted, each multi-family development has met these requirements. Staff proposes to modify amenities requirements for multi-family to require that more amenities be provided while still only requiring amenities from two of the three categories; as an exception, if the development does not use recommended materials and methods, amenities are required to be provided from all three categories rather than two.

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 TA180201A as recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Connor

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #16- TA180701C – Amendment to Appendix X, "Industrial Development Standards" of the Unified Development Code of the City of Grand Prairie, Texas. Chief City Planner David Jones presented the case report and gave a Power Point presentation for an amendment to Appendix X, "Industrial Development Standards" of the Unified Development Code of the City of Grand Prairie, Texas, to comply with recently adopted state legislation governing the regulation of building materials and construction methods.

Mr. Jones stated in response to HB 2437, which prohibits cities from passing an ordinance prohibiting or requiring developers use certain materials, staff proposes the following changes to Appendix X - Industrial Development Standards:

**Square Footage Threshold:** Since the ordinance has passed, staff has found that the existing 20,000 square foot threshold has an adverse impact on smaller, local businesses looking to construct purpose-built industrial buildings, and that spec buildings which are constructed without a tenant and often sit vacant for long periods of time tend to be larger than 50,000 square feet. In response, staff proposes that the threshold for a development falling under Appendix X be increased from 20,000 square feet or greater to 50,000 square feet or greater.

**Tree Preservation:** Change tree preservation approach from incentive for tree preservation to requirement for tree preservation. Under the current ordinance, an industrial developer can receive credit towards architectural and building materials requirements by preserving existing trees on the site. This has proven popular with developers, particularly on sites that are adjacent to waterways with thick tree canopies. With the city's ability to require materials and



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architectural methods restricted, the incentive for tree preservation is also lost. One of the primary intents of the industrial standards is the mitigation of harmful airborne pollutants and noise often created by large warehouses and trucking operations. Staff proposes that a requirement to preserve 30 percent of existing caliper inches be put in place of the existing incentive-based approach to ensure developers continue to preserve valuable existing trees, which tend to have a higher rate of survival than most new plantings and are more effective at screening and carbon sequestration.

**Building Materials Menu:** Move building materials and windows requirements to menu items and grant relief from current landscaping or open space features requirements if preferred architectural methods or building materials are used. This would move the base requirement for masonry construction and windows on 30% of primary facade to the list of optional menu items. As an incentive to developers to use preferred materials and architectural methods, the base landscaping requirement of 1 tree per 250 square feet would be progressively reduced to 1 per 500 or 1 per 1,000, or outdoor/open space amenities requirements can be reduced, depending on how many of the preferred methods are adopted.

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 TA180701C as recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Landrum

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #17- TA181002A – Amendment to Appendix F, "Corridor Overlay Development Standards" of the Unified Development Code of the City of Grand Prairie, Texas. Chief City Planner David Jones presented the case report and gave a Power Point presentation to comply with recently adopted state legislation governing the regulation of building materials and construction methods.

Mr. Jones stated the purpose of this text amendment is to comply with Title 10, Government Code, Subtitle Z which states: Cities cannot adopt regulation that prohibits or limits, directly or indirectly, the use or installation of a building product or material on a building that is allowed in a national model code published within the last three code cycles; and Cities cannot establish a standard for a building product, material or aesthetic method on a building if more stringent than a standard in a national model code published within the last three code cycles. Appendix F no

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longer includes base requirements for building materials and architectural methods. Instead, in order to gain City Council approval, developers will have to accrue at least 100 points by providing features from at least two out of four categories. The four categories are listed below. Selection of features related to building materials and aesthetic method is voluntary.

1. Usable Open Space and Pedestrian Linkages;
2. Site Design and Building Orientation;
3. Building Design; and
4. Healthy, Smart, and Sustainable Community.

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 TA181002A as recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Smith

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

PUBLIC HEARING AGENDA Item #18- TA190901 – Amending Article 1, “General Provisions”, Article 6, “Density and Dimensional Requirements”, Article 12, “Platting”, and Article 16, “Site Plan Approval” of the Unified Development Code of the City of Grand Prairie, Texas. Chief City Planner presented the case report and gave a Power Point presentation to comply with recently adopted state legislation governing the processing of subdivision plats and site plans related to subdivisions.

Mr. Jones stated in response to HB 2439 restrictions on city ordinances prohibiting and requiring certain building materials, and HB 3167 establishment of a "shot clock" for approval or denial of Site Plans and Plats (previously, the Commission was only required to act on Plats within 30 days), staff proposes the following changes to Article 1, Article 6, Article 12, and Article 16.

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 TA190901 as recommended by staff. The action and vote being recorded as follows:

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Motion: Moser

Second: Coleman

Ayes: Coleman, Connor, Hedin, Landrum, Moser, Smith, Spare

Nays: None

**Approved: 7-0**

Motion: **carried.**

### PUBLIC HEARING AGENDA Item #19- 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 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 its May 6, 2019 meeting, the Planning and Zoning Commission voted 8-0 to deny Case Number Z190302/CP190302. The applicant appealed the Planning and Zoning Commission's decision to deny, requesting that the case be forwarded to City Council. The applicant made the following changes to the concept plan: shifted the location of uses in Zone B so that multi-family uses framed the ceremonial drive, eliminated an alternative that would allow a portion of Zone C to be developed for commercial use, and reduced the number of fast food restaurants allowed by right from two to one. At its May 21, 2019 meeting, City Council remanded the case back to the Planning and Zoning Commission due to the scope of changes made by the applicant. On July 22, 2019, the applicant submitted a Traffic Impact Analysis to the Transportation Department for review. In response to Transportation Department's comments, the applicant eliminated two of the drives off of SH-161 and added decel lanes for the remaining three drives. The Concept Plan depicts a horizontal mixed use development.

Ms. Ware stated 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 and following goals, policies, and objectives in the 2010 Comprehensive Plans. 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 with the changes; 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; and the applicant is also proposing to allow one Restaurant with a Drive-Through by right. The UDC allows Restaurants with a Drive-Through with City Council

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approval of a Specific Use Permit. 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 Standards. Allowable uses will be those provided for in the Unified Development Code for General Retail-One Districts with the changes listed below.

- 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. The applicant is proposing to develop Zone C for townhomes or hybrid housing and a child care facility allowed by right. Townhouse development would be subject to development standards for Single Family Townhouse District with some modifications. 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. Hybrid housing development would be subject to the development standards for Multi-Family One District with some modifications. 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 to allow a child care facility by right. The UDC requires a Specific Use Permit in all zoning districts.

Ms. Ware stated staff is supportive of a horizontal mixed use development at this location and is comfortable with the proposed mix of uses. However, an appropriate mix of uses is not the only element needed to create a successful mixed use development. A strong vision ensures that all elements (including the integration, mix, and placement of uses) are designed around the pedestrian. A well thought-out, master planned approach prioritizes the vision throughout the design and construction of all phases. This approach ensures that the orientation of buildings, spacing of driveways, and location of parking areas support the vision instead of accommodating a single lot or use. Staff recommends approval with no variances and the following conditions:

1. Development must meet the requirements and intent of Appendix F and Appendix W;
2. Both sides of the promenade must be built together or with a park on one side;
3. The developer shall establish an HOA for the townhomes and the HOA shall be responsible for maintaining the entire exterior including landscaping and residences;
4. Hybrid Homes shall have the same appearance on all four sides;

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5. Parallel parking shall be the only parking along the north-south drive and promenade; and
6. Buildings shall maintain a consistent build-to line.

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

ShaQuandi Eaves, 2007 Paducah Lane, Grand Prairie, TX spoke in opposition to this request. The townhomes and the hotels would be too close to her neighborhood and would become an eyesore at this location there is a lot of multi-family coming into the area. Traffic is already a major concern at this location.

Commissioner Smith asked if the developer has spoken to the community regarding this development. Mrs. Eaves replied no.

Clint Nolan, 3710 Rawlins Street, Ste 1310, Dallas, TX stated they have been working with staff for several months this case should not have been presented back in May it was not ready the owner purchased this property with the intent to construct a furniture retail store. He said the can remove some of the variances.

Commissioner Moser stated he does not see any changed from the last time this case came before the commission or the original proposal that was denied, he has an issue with the number of variances that are being requested.

Commissioner Connor stated his concern is the best use of the land there are enough apartments and tiny homes being approved in the area.

Commissioner Coleman stated he does not have a problem moving forward with staff's recommendations.

Chairperson Spare stated he has a problem rezoning land for more apartments, but has to think about what is the best use for this property and the area.

Commissioner Smith agrees with Mr. Connor and Mr. Spare, we already have a number of apartment complexes coming into this area.

Commissioner Hedin stated by adding big boxes would this be any better than what is being proposed, because development will happen.

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There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z190302/CP190302. The action and vote being recorded as follows:

Motion: Smith

Second: Landrum

Ayes: Connor, Landrum, Moser, Smith, Spare

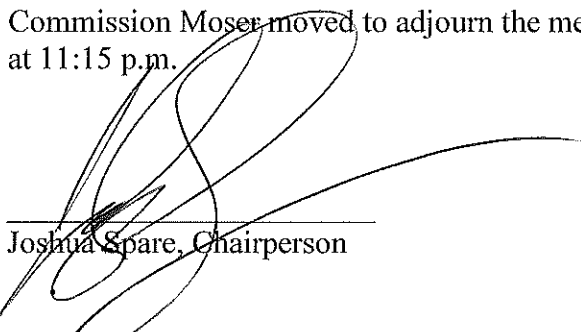
Nays: Coleman, Hedin

**Denied: 5-2**

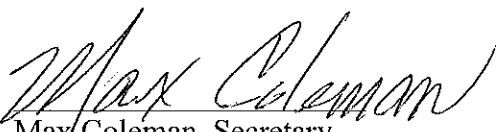
Motion: **carried.**

Commissioners or Citizens Comments: None

Commission Moser moved to adjourn the meeting of September 9, 2019. The meeting adjourned at 11:15 p.m.

  
\_\_\_\_\_  
Joshua Spare, Chairperson

ATTEST:

  
\_\_\_\_\_  
Max Coleman, Secretary

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