



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
JANUARY 11, 2021**

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin, Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Environmental Services Manager, Cindy Mendez.

Assistant Attorney Tiffany Bull called the briefing to order by Video Conference at 5:34 p.m.

AGENDA REVIEW #1 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Commissioner Spare asked at 3,300 square feet, does it mean these units don't have backyards? Mr. Tooley stated they do have small backyards. Mr. Spare asked what is the square footage of the units that are not meeting the 3,300 sq. ft requirement. Mr. Tooley stated it's between 2,000-3,000 sq. ft. Mr. Spare stated they are far from the 3,300 sq. ft requirement and asked if the city is just bending to their will. Mr. Tooley stated this was proposed the same way during the Concept Plan. Mr. Spare asked why staff is not worried about the size of the lots. Chief City Planner, Savannah Ware stated the concept plan approved back in 2018 showed these lot size and it was confirmed that the depth and lot width were met but they did not have the tabulations on this and the way planned development and concept plan was approved it is consistent with the site plan. Planning and Development Director, Rashad Jackson stated the concept plan is noted the minimal lot size can be 2,100 sq. ft and the planned development also states Appendix W should be followed. Mr. Tooley stated the smallest lot is 2,200 sq. ft. 15 lots 2,200 sq. ft, 12 lots 2,754 sq. ft, 41 lots 3,000 sq. ft and 24 lots 3,060 sq. ft.

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At 5:43 p.m. Commissioner Landrum was present at the meeting.

ITEM #2- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Vice Chairperson Moser asked if the property is owned or rented. Ms. Ware stated they own the property.

Commissioner Smith asked if the owner is being fined for not meeting the requirements of the SUP. Ms. Ware stated they are fined when they are issued citations. Ms. Smith asked what is plan b when the staff cannot get in connect with the owners. Ms. Ware stated Plan B is to hand deliver a letter because they have called all the phone numbers available in their files and emailed all the email addresses with no response.

Vice Chairperson Moser asked if citations have been paid. Environmental Services Manager, Cindy Mendez stated the owner has paid over \$6,700 in citations and they have been plea deals or no contest. Most charges are between \$324 and \$756 for each and he has been paying the window fines.

Commissioner Perez asked if there have been citations since 2017 and the commission has been approving the SUP renewal even though violations have been going on. Ms. Ware stated the SUP was renewed in 2018 and was placed on the consent agenda and doesn't understand why if they weren't in compliance then but that is why they are here today, to get them in compliance or revoke their SUP.

Vice Chairperson Moser asked how often the SUP renewal comes up. Ms. Ware stated it depends if it is still in the early stages of the SUP a lot of the times, they have that one-year language. Once it has a CO or it has been constructed the staff will bring them back in a year to review and they will not come back unless there are issues and citations would trigger that review. Mr. Moser asked when did the owner get the original SUP. Ms. Ware stated it was in 2015 and in 2016 they still weren't operating so the renewal was granted. Mr. Moser asked if staff sent them notifications and if owners responded. Ms. Ware stated that is correct and she had a teams meeting with the applicant the morning of the P&Z hearing and walked him through the staff's recommendations, issues and also sent him the link for the public hearing.

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ITEM #3 - Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Commissioner Smith asked why put apartments in the middle of a gas well. Ms. Ware stated the applicant will be available to answer this question.

Vice Chairperson Moser asked if the people who sent the letter of opposition own their land. Ms. Ware stated that is correct. Mr. Moser asked what the zoning on this property is. Ms. Ware stated the property is zoned agricultural and the FLUM has it designated for Mixed Use. Mr. Moser asked if they could build a house on it and it be conforming under the agricultural zoning. Ms. Ware stated correct.

Commissioner Smith stated she agrees with Mr. Moser being a safety issue to build around the gas well.

ITEM #4- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Commissioner Spare thanked the planning department for their recommendation and sticking to the guidelines.

ITEM #5- COVID Meeting Procedures

Planning and Development Director Rashad Jackson stated until further notice meetings will remain via zoom.

Vice Chairperson Moser had a question about a disclosure on the agenda and Assistant Attorney Tiffany Bull stated the item cannot be discussed.

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Commissioner Smith thanked the staff for continuing to protect the staff during COVID and believes zoom meetings are the best thing right now.

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, Warren Landrum, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Environmental Services Manager, Cindy Mendez, Code Enforcement Officer, Philip Curtis.

Vice Chairperson Bill Moser called the meeting to order by Video Conference at 6:36 p.m. and Commissioner Moser gave the invocation, and Commissioner Landrum 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 December 14, 2020.

Item #2- APPROVAL OF AMENDED MINUTES: To approve the amended minutes of the Planning and Zoning Commission meeting of November 23, 2020.

CONSENT PUBLIC HEARING AGENDA Item #3- P210101 - Final Plat - Jai Addition, Lots 1-3, Block 1 (City Council District 4). Final Plat of Lots 1, 2, and 3, Block 1, Jai Addition, creating three non-residential lots on 3.915 acres. Tracts 2C05 and 2C05A, John W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, zoned PD-130, located at the northwest corner of W Camp Wisdom Rd and Lynn Rd, and addressed as 2800 W Camp Wisdom Rd.

Item #4 – P210102 - Preliminary Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Preliminary Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

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Item #5- P210103 - Final Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Final Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

Item #6- P201201 - Preliminary Plat - MacArthur Grand Logistics Center (City Council District 1). Preliminary Plat for Lots 1-3, Block 1, MacArthur Grand Logistics Center, creating three lots on 187.141 acres. 187.141 acres situated in the I. Jennings Survey, Abstract No. 679, City of Grand Prairie, Dallas County, Texas, zoned PD-10 and LI, within the IH-30 Corridor Overlay District, and generally located southwest of Hunter Ferrell Road and MacArthur Boulevard.

Commissioner Smith moved to approve the minutes, amended minutes, cases P210101, P210102, P210103, and P201201.

Motion: Smith

Second: Coleman

Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko

Nays: none

Vote: 7-0

Motion: **carried.**

ITEM FOR INDIVIDUAL CONSIDERATION: Item # 7 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Mr. Tooley stated the applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District. The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of

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three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes. The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

The Development Review Committee (DRC) recommends approval.

Steve Schermerhom, 8430 Fair Oaks Frisco TX. 75033 75240 stepped forward and represented the case.

At 6:55 p.m. Chairperson Connor was present at the meeting.

There being no further discussion on the case commissioner Smith moved to close the public hearing and approve case S210101 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith

Second: Landrum

Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko, Connor

Nays: none

Vote: 8-0

Motion: **carried.**

PUBLIC HEARING AGENDA ITEM # 8- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a

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Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Ms. Ware stated the purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council. The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts. The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use. 76 Item8. Page 2 of 3 It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted. Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

Commissioner Landrum stated based on the number of violations since 2018 he believes SUP needs to be revoked because it seems like they are willing to just pay fines and keep going on as they are.

Commissioner Perez asked how staff was trying to communicate with owner and if staff had the wrong phone number. Ms. Ware stated the email address in which the owner contacted her from was different from the ones we had on file and she did set up a Teams meeting with the owner this morning and walked him through the staff report and staff's recommendation.

Commissioner Moser stated he is not sure how Mr. Rodriguez didn't know about the hearing if he has been paying fines and wants to see what owner has to say.

Gerardo Rodriguez, 6607 Sheerwater Rd. Arlington TX. 76002, 75240 stepped forward and represented the case, he stated he never received any letters, but he did find out where some mail was delivered to the wrong address, which is why he never knew about the review.

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Assistant Attorney Tiffany Bull stated if the commissioners believe owner didn't receive any notifications about the hearing and wish to give him more time to prepare for the hearing of January 25th, you can.

Chairperson Connor asked with all the contact the city has had with him about the violations, why hasn't any of the improvements been done because it seems like they are ignoring it. Mr. Rodriguez stated they aren't ignoring it. He goes down there once every week or so and keeps it clean. Mr. Connor listed a few of the violations the owner received and stated it seems like he just pays the fines and ignores following SUP's regulations/requirements. Mr. Rodriguez stated he is not trying to pay fines. Mr. Connor stated he hasn't answered his question as to why he hasn't made the improvements. Mr. Rodriguez stated he is not ignoring the citations and he takes them seriously.

Commissioner Fedorko stated he claims he didn't get notice of the hearing, but he has been paying the violations but asked if he knew the conditions of his SUP. Mr. Rodriguez stated yes. Mr. Fedorko asked by knowing the conditions of his SUP is it ok to agree that very few of those conditions have been met. Mr. Rodriguez stated yes, he agrees. Mr. Fedorko stated he wants to try to help him because they want Main St. to have viable operating businesses and asked why the conditions haven't been met. Mr. Rodriguez stated he has been going through some tough times this past year, with having a lot of injuries and it has hindered him from being able to be on top of things like he should be and also due to the stress of the pandemic.

Commissioner Moser stated his SUP was approved in 2015 before the pandemic and the requirements they are talking about are the requirements in the SUP in 2015 and went on to state some of those requirements. He agrees with commissioner Fedorko he loves small businesses to succeed but it seems like he is ignoring the requirements.

Commissioner Smith asked what his plan would be if they approved the SUP and to include a timeline. Mr. Rodriguez stated he would do the striping and fence within 30 days. Ms. Smith stated it would be up to the entire commission to decide.

Commissioner Perez stated not having a fire hydrate on the property is concerning because of safety concerns and has had 5 years to get it done. Mr. Rodriguez stated there is one across the street.

Commissioner Spare agrees with Commissioner Landrum. He went on to state he would want to pull the SUP until council and get from the owner contracts for the striping, fencing, etc. to prove to the council members he is taking it seriously.

Chairperson Connor stated looking at it, a lot of the violations are minor, and it seems like the owner doesn't care to fix it.

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Commissioner Fedorko agrees with commissioner Connor.

Commissioner Moser stated if the applicant would like to have some extra time to prepare for a hearing or continue the hearing today. We can have a motion to table until the next Planning and Zoning Hearing and give him 2 weeks to formulate a plan.

Assistant Attorney Tiffany Bull stated she thinks the commission should take into consideration whether Mr. Rodriguez feels he had enough time to prepare for this hearing since he indicated he only received notice this weekend.

Commissioner Moser asked Mr. Rodriguez if he would like to table it and get an additional two weeks to formulate a plan. Mr. Rodriguez stated he would appreciate the two weeks.

Commissioner Spare stated in two weeks he would like to see a signed contract for relining, new fencing, and would like to see some cleaning done on the property and the plan. Mr. Rodriguez stated yes sir.

Commissioner Smith asked if we could get clarification about the fire hydrate. Code Compliance Officer Philip Curtis stated that requirement was placed by the fire marshal's office and typically when a depth of a property is over 150 ft it is required to have a fire hydrate on property. Mr. Moser stated they will get clarification from fire marshal before the next meeting.

Chief City Planner Savannah Ware stated the next Planning and Zoning Meeting is on January 25th and the packet goes out January 22nd, which means if the commissioners would make a motion requiring the applicant to submit an operational action plan then we would need it by January 20th at noon. Mr. Rodriguez asked who he would submit his operational action plan to. Ms. Ware stated he can coordinate with her.

There being no further discussion on the case commissioner Spare moved to close the public hearing and revoke SUP on case SU150803C per staff recommendations.

The action and vote recorded as follows:

Motion: Spare

Second: Connor

Ayes: Spare, Connor, Landrum, Moser

Nays: Smith, Fedorko, Coleman, Perez

Vote: 4-4

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Motion: **Failed**

There being no further discussion on the case commissioner Smith moved to close the public hearing and table case SU150803C to the next meeting January 25, 2021 with recommendation that the owner prepare an action plan to bring property into compliance and submit by noon on January 20, 2021.

Commissioner Spare amended the motion with the approval of Commissioners Smith and Perez to include the recommendation that the owner also provide signed contracts with a fencing company and a stripping company and show a receipt that he paid or did himself the cleaning of the oil stains.

The action and vote recorded as follows:

Motion: Smith

Second: Perez

Ayes: Spare, Connor, Moser, Fedorko, Smith, Coleman, Perez

Nays: none

Abstaining: Landrum

Vote: 7-0-1

Motion: **Carried**

PUBLIC HEARING AGENDA ITEM # 9- Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Ms. Ware stated the purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use. The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix. Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject

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property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property. As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway. The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

Commissioners discussed the safety concerns about building apartments around a gas well and asked what other uses a better fit on this parcel are.

Commissioner Coleman asked if gas well is active. Ms. Ware stated it is a producing gas well.

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Break at 8:07 pm and reconvened at 8:15 pm

Robert Weinstein, 495 Broadway 7th Floor New York NY 10002 stepped forward and represented the case and gave a Power Point presentation.

Commissioner Smith asked what the cost per unit for rent is. Mr. Weinstein stated one bedroom: \$900-\$1200, two bedrooms: \$1,500-\$1,800.

Commissioner Fedorko asked if they have had any discussions with fire dept about being so close to a gas well. Mr. Weinstein stated they had a DRC meeting and the fire dept was in attendance and made some changes with the comments they were given.

Commissioner Moser stated he understood you can't have commercial construction within 300 ft and residential within 600 ft and asked is that correct. Mr. Jackson stated per environmental comments given to them it is 300 ft for residential.

Maxwell Fisher, Master Plan Texas, 2201 Main St Suit 1280 Dallas TX 75201, stepped forward and represented the case, he stated mixed use wouldn't work on this parcel because of the lack of traffic. He gave examples of other developments that were built around well heads.

A letter of opposition was submitted by the Longneckers.

There being no further discussion on the case commissioner Spare moved to close the public hearing and deny case Z201202/CP201201 per staff recommendations.

The action and vote recorded as follows:

Motion: Spare

Second: Smith

Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor

Nays: Coleman

Vote: 7-1

Motion: **carried**

PUBLIC HEARING AGENDA ITEM # 10- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan

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Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Mr. Tooley stated the purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses. The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill. The applicant is not requesting any variances.

While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

Commissioner Fedorko stated the FLUM and the 161 Focus Area Map contradicts one another and asked why. Planning and Development Director Rashad Jackson stated when the FLUM was established and they built deeper into this focus area a portion of the FLUM should have been updated and at a minimum the applicant should propose a submittal that mixes the two but try to keep hard corner as commercial. Mr. Moser stated the 161 Focus Area Map came after the FLUM.

Commissioner Spare stated he has been trying to protect 161 for a long time and believes apartments will ruin our city.

Commissioner Connor stated he agrees with commissioner Spare and stated there are too many apartments based on the Multi-Family Development Map.

Commissioner Spare asked can an updated map be presented to the board each time cases for apartments comes before them. Ms. Ware stated yes.

Commissioner Smith stated she agrees with commissioners Spare and Fedorko about the updated map.

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Mr. Jackson stated the staff was asked to make a total assessment and present it to the CCDC meeting and it is currently on the agenda for the meeting taking place January 12, 2021.

Commissioner Moser stated to bring up the concerns on their behalf to the board members.

Spencer Byington, 5600 South FM 148 Kaufman TX stepped forward and represented the case and gave a presentation.

Commissioner Connor stated he doesn't want to see another gas station or apartments and there are so many other viable options available for retail.

Commissioner Spare stated if retails don't come about, he would rather see a warehouse.

Commissioner Smith agreed with commissioners Connor and Spare.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z210102/CP210102 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith

Second: Spare

Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor, Coleman

Nays: none

Vote: 8-0

Motion: **carried**

Commissioner Connor moved to adjourn the meeting. The meeting adjourned at 9:42 p.m.

Shawn Connor, Chairperson

ATTEST:

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Cheryl Smith, Secretary

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