PLANNING AND ZONING COMMISSION MEETING
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
MONDAY, SEPTEMBER 25, 2023 AT 5:30 PM

MINUTES

BRIEFING SESSION - 5:30 PM

Chairperson Smith called the Briefing meeting to order at 5:36 p.m.

Call to Order

PRESENT
Chairperson Cheryl Smith
Vice Chairperson Julia Perez
Commissioner John Fedorko
Commissioner Ana Coca (entered meeting at 5:52 p.m.)
Commissioner Michelle Madden
Commissioner Frank Gonzalez
Commissioner CJ Ramirez
Commissioner Christopher Okoli

ABSENT
Commissioner Tai Jones-Chapman

EXECUTIVE SESSION

There was no closed session.

Agenda Review

Staff briefed commissioners on cases. Chief City Planner Savannah Ware stated staff is requesting that items 10-14 be tabled because staff found out Monday morning that the website had some technical issues with the agenda postings. While the city has met legal requirements with posting in the Fort Worth Star-Telegram and in front of City Hall, out of an abundance of caution and to make sure citizens are able to obtain this information, we are requesting for these items to be tabled. Commissioner Madden asked how many short-term rentals are registered as of today. Ms. Ware stated around 200. Commissioner Fedorko asked what the neighboring cities are doing. Mr. Butler stated Dallas has passed something similar to what is being presented. Commissioner Coca asked will the ban affect current short-term rentals. Mr. Butler stated no.

REGULAR MEETING - 6:30 PM

Chairperson Smith called the meeting to order at 6:30 p.m.

Call to Order

PRESENT
Chairperson Cheryl Smith
Vice Chairperson Julia Perez
Commissioner John Fedorko
Commissioner Ana Coca
Commissioner Michelle Madden
Commissioner Frank Gonzalez
Commissioner CJ Ramirez
Commissioner Christopher Okoli

ABSENT
Commissioner Tai Jones-Chapman

Commissioner Perez led the Invocation.

Chairperson Smith led the Pledge of Allegiance to the US Flag and Texas Flag.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARING CONSENT AGENDA

Motion made by Commissioner Perez, Seconded by Commissioner Fedorko to close the public hearing and approve items one through three. The motion carried unanimously.

1. Approval of Minutes of the September 11, 2023 P&Z meeting

   Approved on Consent Agenda

2. PLT-23-08-0045 – Final Plat – Parkway Commons (City Council District 4). Final Plat of Lot 1, Parkway Commons Addition, creating one commercial lot on 2.55 acres. Tract 1U of the Memucan Hunt Survey, Abstract 757, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development-30, within the IH 20 Corridor Overlay District, generally located on the southeast corner of S Great Southwest Pkwy and W Bardin Rd, and tentatively addressed as 4115 S Great Southwest Pkwy

   Approved on Consent Agenda

3. PLT-23-08-0047 - Final Plat - Lots 1& 2, Block 1, Hopewell Hardrock Addition (City Council District 1). Final Plat of Lots 1 & 2, Block 1, Hopewell Hardrock Addition on 5.799 acres. Tract 18.1, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned PD-221, within the SH-161 Corridor Overlay District, and addressed as 3155 N. Hwy 161

   Approved on Consent Agenda

PUBLIC HEARING POSTPONEMENT, RECESS, CONTINUATIONS

Motion made by Commissioner Perez, Seconded by Commissioner Coca to close the public hearing and table items four, five, ten, eleven and fourteen to the next P&Z meeting of 10/9/2023 and items twelve and thirteen to the P&Z meeting of 12/11/2023. The motion carried unanimously.

4. CPA-23-08-0017 - Comprehensive Plan Amendment – 4610 S Great Southwest Pkwy (City Council District 4). Comprehensive Plan Amendment to change the Future Land Use Map from Open Space/Drainage to High Density Residential on 31.85 acres. Tract 1D, Memucan Hunt Survey, Abstract No. 758, Tract 1, Sameul T. Brown Survey, Abstract No. 84, and Tract 13, Samuel T. Brown Survey, Abstract No. 1689, City of Grand Prairie, Dallas and Tarrant Counties, zoned PD-49, within Lake Ridge Corridor Overlay, with an approximate address of 4610 S Great Southwest Pkwy

   Tabled to the P&Z meeting of 10/09/2023

5. ZON-23-08-0029 - Concept Plan - JPI Great SW Parkway (City Council District 4). PD Amendment/Concept Plan - Application for Amendment to PD-30 to adopt a Concept Plan for multi-family apartments with 428 units on 31.85 acres. Tract 1D, Memucan Hunt Survey, Abstract No. 758, Tract 1, Sameul T. Brown Survey, Abstract No. 84, and Tract 13, Samuel T. Brown Survey, Abstract No. 1689, City of Grand Prairie, Dallas and Tarrant Counties, zoned PD-49, within Lake Ridge Corridor Overlay, with an approximate address of 4610 S Great Southwest Pkwy

   Tabled to the P&Z meeting of 10/09/2023

ITEMS FOR INDIVIDUAL CONSIDERATION

6. STP-23-08-0022 - Site Plan - 1213 W Trinity - Proposed Industrial Warehouse (City Council District 1). Site Plan for an industrial warehouse on 4.48 acres. Lots 1 and 2, Block 3, Farmers Industrial Addition, and 2.929-acres out of John C. Read Survey, Abstract 1183, City of Grand Prairie, Tarrant County, Texas, zoned LI, within the SH 161 Corridor Overlay District and addressed as 1211 & 1213 W Trinity Blvd and 3030 Hardrock Rd

   Planner Brittany Musser presented the case report and gave a power point presentation. She stated the applicant intends to construct a speculative industrial warehouse building of 65,590 sq. ft. on 4.48 acres. City Council must approve a Site Plan for any project involving industrial uses. Development at this location requires City Council approval of a Site Plan because the property is for industrial uses and lies within the SH 161 Corridor Overlay District. The purpose of site plan approval is to ensure that development meets requirements in the Unified Development Code (UDC), provides adequate circulation, and uses quality site planning techniques. The UDC identifies criteria for evaluating proposed developments. Criteria include density and dimensional standards, landscaping and screening requirements, and architectural design for special districts. In addition, UDC's Appendix X, Industrial Development Standards addresses potential adverse environmental, visual, and truck traffic externalities associated with large warehouses, outside storage, and distribution-logistical developments. The applicant is not requesting any variances. The Development Review Committee (DRC) recommends approval.

Ruben Garza 714 S Greenville Ave Allen TX., noted support and available for questions.

Motion made by Commissioner Fedorko, Seconded by Commissioner Gonzalez to close the public hearing and approve item STP-23-08-0022. The motion carried unanimously.

7. STP-23-07-0018 - Site Plan - DHI Forum Multi-Family (City Council District 2). Site Plan for a multi-family development with 261 units on 11.02 acres. Being 11.02-acres out of Charles D. Ball Survey, Abstracts 197 and 1699, City of Grand Prairie, Tarrant and Dallas Counties, Texas, zoned Planned Development (PD-442) for Multi-Family use, within the I-20 Corridor Overlay District with an approximate address of 2300 S Forum Dr

   Senior Planner June Sin presented the case report and gave a power point presentation. She stated the applicant wishes to construct a multi-family development with 261 units, which requires site plan approval. The purpose of site plan approval is to ensure that development meets the requirements of the Unified Development Code (UDC), provides adequate circulation, and uses quality site planning techniques. The UDC identifies criteria for evaluating proposed developments. Criteria include density and dimensional standards, landscaping, screening, and tree mitigation requirements, and architectural design for special districts. In addition, UDC's Appendix W, Residential Development Standards addresses architectural and amenity requirements to encourage high standards that provide a quality residential development with a long lifespan. The applicant is not requesting any variances. The Development Review Committee (DRC) recommends approval.

   Joe Lehman 9505 Hill View Dr Dallas TX., stepped forward representing case and available for questions.

   Motion made by Commissioner Madden, Seconded by Commissioner Coca to close the public hearing and approve item STP-23-07-0018. The motion carried unanimously.

PUBLIC HEARING

8. SUP-23-08-0029 - Specific Use Permit - Special Event Center at 675 W Pioneer Parkway. (City Council District 3). Specific Use Permit request for a Special Event Center in an existing commercial lease space. Lot 11R, Block 1, Sharpston Heights No. 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned General Retail, and addressed as 675 W Pioneer Parkway

   Planner Brittany Musser presented the case report and gave a power point presentation. She stated the applicant intends to operate a Special Event Center in an existing commercial lease space at 675 W Pioneer Parkway. Special Event Centers require a Specific Use Permit according to the Unified Development Code (UDC). 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 provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative consequences. The applicant is not requesting any variances.

The Development Review Committee (DRC) recommends approval with the following conditions:

1. *The applicant shall have the building sprinkled according to fire codes.*
2. *Operations shall comply with Section 4.14 of the Unified Development Code.*

Nancy LaMothe 7605 White Fawn Arlington TX., stepped forward representing the case.

Elida Dee Barbosa 702 Greenbrook Ln. Grand Prairie TX., stepped forward in opposition of this request. She stated concern with the noise and loitering in the retail center. Chairperson Smith asked how far away her property from this business is. Ms. Barbosa stated 25 ft.

Motion made by Commissioner Perez, Seconded by Commissioner Okoli to close the public hearing and approve item SUP-23-08-0029 per staff recommendations. The motion carried 7-1 with Commissioner Coca abstaining.

9. SUP-23-08-0032 - Specific Use Permit - Auto Detailing at 2029 E Main Street (City Council District 5). Specific Use Permit request for a Car Wash to authorize an Auto Detailing use associated with an existing Auto Dealership. A portion of lots 15-18 and lots 19-22, Block C, Twin Airports Industrial Addition, City of Grand Prairie, Dallas County, Texas, zoned Light Industrial, and addressed as 2029 E Main Street

Planner Brittany Musser presented the case report and gave a power point presentation. She stated the applicant intends to operate an auto detailing business associated with an existing used auto dealership on the same lot. Per Article 30 of the Unified Development Code, accessory uses to a used auto dealer, other than make ready, must be approved individually per the use charts. Auto detailing that includes washing of the vehicles requires a Specific Use Permit when located within 300 feet of any 2F zoning district. 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 provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative consequences. The applicant is not requesting any variances.

The Development Review Committee (DRC) recommends approval with the following conditions:

1. *The applicant shall store chemicals used in operations in accordance with Fire Code regulations.*

2. *Discharge of water used to wash vehicles shall be to a sanitary sewer.*

3. *The applicant shall provide a sandgrit trap.*

Motion made by Commissioner Ramirez, Seconded by Commissioner Coca to close the public hearing and approve item SUP-23-08-0032 per staff recommendations. The motion carried unanimously.

10. CPA-23-07-0014 - Comprehensive Plan Amendment - Zeal at Lakeview (City Council District 6). Comprehensive Plan Amendment to change the Future Land Use Map from Low Density Residential to Medium Density Residential on 26.476 acres. Being a tract out of the J. Lawrence Survey, Abstract No. 161, City of Grand Prairie, Ellis County, Texas, zoned Agriculture (A), generally located on west side of FM 661, approximately 1,500 feet south of Lakeview Drive

    Tabled to the P&Z meeting of 10/09/2023

11. ZON-23-07-0028 - Zoning Change/Concept Plan - Zeal at Lakeview (City Council District 6). Zoning Change from Agriculture (A) to a Planned Development with a base zoning district of Single-Family Townhome and a Concept Plan for a Hybrid Housing (Build-to-Rent) Development with 205 units on 26.476 acres. Being a tract out of the J. Lawrence Survey Abstract No. 161, City of Grand Prairie, Ellis County, Texas, zoned Agriculture (A), generally located on west side of FM 661, approximately 1,500 feet south of Lakeview Drive

    Tabled to the P&Z meeting of 10/09/2023

12. CPA-23-07-0013 - Comprehensive Plan Amendment - Yardly at Lynn Creek (City Council District 4). Comprehensive Plan Amendment to change the Future Land Use Map from Commercial, Retail, Office to Medium Density Residential on 16.36 acres. Tract 5B, Jerome Lynn C Survey, Abstract No. 972, City of Grand Prairie, Tarrant County, zoned PD-255A, within SH 360 Corridor Overlay, and addressed as 5990 S Hwy 360

    Tabled to the P&Z meeting of 12/11/2023

13. ZON-23-07-0025 - Zoning Change/Concept Plan - Yardly at Lynn Creek (City Council District 4). Zone Change from PD-255A to a Planned Development for Hybrid Housing Development with 224 residential units on 16.36 acres. Tract 5B, Jerome Lynn C Survey, Abstract No. 972, City of Grand Prairie, Tarrant County, zoned PD-255A, within SH 360 Corridor Overlay, and addressed as 5990 S Hwy 360

    Tabled to the P&Z meeting of 12/11/2023

14. CPA-23-09-0018 - Comprehensive Plan Amendment - Lakesong (City Council District 6 and Grand Prairie ETJ). Comprehensive Plan Amendment to change the Future Land Use Map from Low Density Residential, Open Space, and Commercial Retail Office on 1,201 acres to Open Space, Mixed Use, High Density Residential, Medium Density Residential, and Low Density Residential. Four parcels located within the City of Grand Prairie Extra-Territorial Jurisdiction, generally located south of Seeton Road, East of FM 661, North of 287, and North of Kimble Road, Ellis County, Texas identified by Ellis County Property IDs of 294666, 294715, 190594, and 297164, with approximate addresses of 5191 Hwy 287, Midlothian, Texas and 5101 HWY 287, Midlothian, Texas

    Tabled to the P&Z meeting of 10/09/2023

15. TAM-23-09-0007 - Text Amendment - Article 15: Floodplain Management - Section 6: Basis for Establishing Special Flood Hazard Areas. An Ordinance of the City of Grand Prairie, Texas, amending Article 15: Floodplain Management of the Unified Development Code to Amend the descriptions of the Special Flood Hazard Areas adopted by the City; updating the effective dates of the Flood Insurance Study and accompanying Flood Insurance Rate Maps (FIRM) for Ellis County; also adding a reference to the Johnson County FIS and FIRM; and to become effective upon its passage and approval

    Chief City Planner Savannah Ware presented the case report and gave a power point presentation. She stated the purpose of this request is to amend Section 6 of Article 15: Floodplain Management of the UDC to amend the descriptions of the Special Flood Hazard Areas, update the effective dates of the Flood Insurance Study and Flood Insurance Rate Maps for Ellis County, and add a reference to the Johnson County Flood Insurance Study and Flood Insurance Rate Maps. The Development Review Committee (DRC) recommends approval.

    Motion made by Commissioner Perez, Seconded by Commissioner Coca to close the public hearing and approve item TAM-23-09-0007. The motion carried unanimously.

16. TAM-23-09-0008 - Text Amendment - Article 4: Permissible Uses and Article 30: Definitions. An Ordinance of the City of Grand Prairie, Texas, Amending Article 4: Permissible Uses and Article 30: Definitions of the Unified Development Code to define Short-Term Residential Rental and set forth zoning regulations for such use; Amending Article 4: Permissible Uses by adding Subsection 4.16.3 Establishing an Interim Ban on Short-Term Residential Rentals; Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; Containing a Savings Clause and a Severability Clause; Providing a Penalty not to exceed two thousand dollars ($2,000) for each violation of this Ordinance; and to become effective upon its passage and approval

    Deputy City Attorney Matt Butler presented the case report and gave a power point presentation. He stated at its meeting on September 5, 2023, the City Council directed staff to bring for its consideration draft ordinances regarding the regulation of short term rentals (STRs), e.g., Airbnb and VRBO. At Council's direction, the draft ordinance was prepared with two options: 1) clarification in the Use Chart in Article 4 that STRs are not a permitted use in any single-family residential district; and/or 2) a temporary one-year ban on all STRs. Because the draft ordinance is a zoning regulation that amends the UDC, the Planning and Zoning Commission must first provide a recommendation to Council before City Council may take action. Staff presents the proposed text amendments without recommendation.

    Fransica Gallardo 1302 Milford St. noted support of the request.

    Commissioner Madden stated if the commission goes with option one, she suggests for short-term rentals not to be permitted in the TH (townhome) zoning district. Commissioner Fedorko and Okoli suggested for option two.

    Motion made by Commissioner Fedorko, Seconded by Commissioner Coca to close the public hearing and approve item TAM-23-09-0008 with the recommendation for option two but if

Council were to approve option one, to remove the permissible use in the TH (townhomes) zoning district. The motion carried unanimously.

ADJOURNMENT

Chairperson Smith moved to adjourn the meeting. The meeting adjourned at 7:24 p.m.

Cheryl Smith, Chairperson

ATTEST:

John Fedorko, Secretary