

**PLANNING AND ZONING  
SEPTEMBER 16, 2014  
MINUTES**

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 5:49 p.m. on September 16, 2014 in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Chairman McNeese, Commission Members LuAnn Portugal, Ken Olmstead, Ronald Dunckel.

During the Pre-Session Meeting:

- Director of Planning and Economic Development Collins reviewed the regular agenda items.
- Director of Planning and Economic Development Collins gave an update on the Glade Parks Development Project.

**MEMBERS AND STAFF PRESENT:**

Chairman Richard McNeese  
Commissioner Ken Olmstead  
Commissioner LuAnn Portugal  
Commissioner Ronald Dunckel  
Mike Collins, Director of Planning and Economic Development  
Hal Cranor, Director of Public Works and Engineering  
Don Sheffield, City Building Official  
Stephen Cook, Senior Planner  
Paul Smith, Fire Marshal  
Alicia Davenport, Administrative Secretary

**MEMBERS ABSENT:**

Commissioner George Zahn  
Commissioner David Brown

**VISITORS:**

David Schumann  
Ed Lewis  
Randy Childers  
R. Dale Turns

**THE INVOCATION AND THE PLEDGE OF ALLEGIANCE:** The Invocation was given by Commissioner Dunckel and the Pledge of Allegiance was given by Commissioner Olmstead.

**ITEM 1            CONSIDER APPROVAL OF PLANNING AND ZONING MINUTES**  
Regular Meeting of September 2, 2014.

Commissioner Portugal made a motion to approve the minutes for called meeting of September 2, 2014 as presented. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, and Dunckel.

Abstention: None

Nays: None

The motion carried: (4-0-0)

**ITEM 2      CASE NO. 14-01-SP - CONSIDER A REQUEST FOR A SITE PLAN**

Approve a request for a Site Plan for Commercial Development proposed on Allen M Downen Survey, A-415, Tract 4A01, 1200 W Eules Boulevard.

Stephen Cook, Senior Planner, gave a brief description of the case. Mr. Ed Lewis, owner of Eules Guns and Ammo, is seeking approval of a site plan to expand the size of his current building. The parcel on which his current business operates was originally developed as a service station. As a commercial development within the TX-10 zoning district, the minimum lot size is 22,500 square feet with a setback distance of thirty (30) feet if the lot is not fully landscaped. The existing lot is 17,930 square feet and the front canopy edge is approximately fourteen (14) feet from the property line. The parcel has been granted a variance by the Zoning Board of Adjustment from the minimum size of the lot and the minimum setback distance from the property line as of May 10, 2012.

Mr. Lewis seeks to add 1,573 square feet to his existing 1,781 square foot commercial building. The footprint of the existing overhang canopy would be enclosed to create the new square footage.

*Site Conditions:* Eules Guns and Ammo has two operational drive approaches from W. Eules Boulevard. There is drive aisle space between the edge of the building to the westernmost driveway. Parking will also be restriped on the property to coordinate ingress and egress from the site. In addition to the on-site parking, Mr. Lewis has a signed shared parking agreement with the place of worship located at 1202 W. Eules Boulevard located adjacent to his property to the west. The ordinance allows off site shared parking within 300 feet of developments. A new solid waste enclosure will be constructed with the new building.

*Landscaping* – There is existing turf areas and a sidewalk on the site located within the right-of-way of the Texas Department of Transportation (TxDOT) maintained highway. A limited amount of low shrubs may be installed within this right-of-way as long as they do not inhibit sight visibility. The applicant has indicated that where landscaping is available on the private property – additional hardwood trees will be planted where none existed previously. Container plantings will be placed along the foundation of the building.

*Building Elevations* – Eules Guns and Ammo has a distinctive look with a mixture of stone, brick, stucco and wood paneling elements. To meet the spirit and intent of the Eules Unified Development Code, the applicant proposes to construct the new portion of the building with masonry building materials including a stone base matching the existing building with a decorative wood paneling around the façade to match the

existing building. Additionally, a false parapet storefront would be placed on the southern façade to emulate a “Western” feel to the building.

The Development Services Group has certified that the site plan is in accordance with the Eules Development Code.

Commissioner Olmstead welcomes this site plan.

Commissioner Portugal requested clarification as to the addition of an awning on the property.

Stephen Cook stated that the awning in the exhibit is allowable and will not obstruct, intrude on, or violate any set back distances.

There were no further questions or comments presented by the Commission.

Commissioner Olmstead made a motion to approve Case No. 14-01-SP. Commissioner Dunckel seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, and Dunckel.

Abstention: None

Nays: None

The motion carried: (4-0-0)

**ITEM 3      CASE NO. 14-03-FP – CONSIDER APPROVAL OF FINAL PLAT**

Approve a request for a Final Plat of changing 14.896 acres from the Bradford Adam Survey, Abstract No. 152, Tracts 1A3, 1A4, 4B, 4B1A2, 5A, & 5A1 to The Dominion at Bear Creek Phase 2, Lots 1-35, D, Block A, Lots 1-12, Block E, Lots 1-26, C&D, Block F, totaling 73 residential lots and 3 open space lots. The property is located south of Midway Drive and west of Bear Creek Parkway.

Stephen Cook, Senior Planner, gave a brief description of the case. The Planning and Zoning Commission approved a preliminary plat of this property on December 18, 2012. This plat establishes the phasing of the development including the 73 residential lots in accordance with the regulations of the Planned Development Ordinance. The open space lots within this subdivision further the establishment of the external trail system along Bear Creek Parkway.

The Development Services Group has certified that the conditions contained within the final plat application meet the technical standards of the City of Eules.

Staff recommends approval of the Final Plat.

There were no questions or comments presented by the Commission.

Commissioner Dunckel made a motion to approve Case No. 14-03-FP. Commissioner Portugal seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, and Dunckel.

Abstention: None

Nays: None

The motion carried: (4-0-0)

**ITEM 4      HOLD A PUBLIC HEARING FOR RESIDENTIAL REPLAT CASE NO. 14-06-RP, AND CONSIDER APPROVAL**

Approve a request for a Replat of 0.716 acres, Block 5, Lots 8R and 9, Trailwood Addition Second Filing to Block 5, Lots 8-R-1 and 9-R, Trailwood Addition Second Filing. The properties are located at 1900 Shenandoah Drive and 305 Trailwood Drive.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. Mr. Schumann owns both of the properties described and has applied for a replat of the two lots. The shared property line of these two properties is the side boundary to 1900 Shenandoah and the rear line of 305 Trailwood. Mr. Schuman desires to increase the size of the side and rear yard of the 1900 Shenandoah lot by shifting this shared property line approximately ten (10) feet to the northeast.

The size and lot coverage of both the lots after the replat are in compliance with the minimum lot size and coverage of the R-1 zoning district. The fence between the two lots would be moved to reflect the new property line. The movement of this property line will have no effect on any recorded easements within the two properties nor will it affect any surrounding parcels in size, shape, easement or fence location.

Because the property is residentially zoned, a replat of the property requires a public hearing before the Planning and Zoning Commission. Notice according to municipal and state ordinances has been appropriately sent to the surrounding property owners.

The Development Services Group has reviewed the replat of the property and has certified that it meets the standards of the City of Euless. Staff recommends approval of the replat.

David Schumann, 1900 Shenandoah, Euless, TX, explained that the reason for his request was due to a neighbor moving their property line back in the 1980's and made his lot narrow.

Chairman McNeese asked if there were any proponents/opponents. Seeing none, the public hearing was closed.

Chairman McNeese informed the Commission that the packet included two property owner letters (one proponent and one opponent).

Chairman McNeese requested that Mike Collins, Director of Planning and Economic Development, read those letters to the Commission at the request of Commissioner Olmstead.

Commissioner Olmstead asked the applicant if he had plans to remove the old tree that was listed in the protest letter.

Mr. Schumann stated that he has no plans to remove any trees at this time and that the remainder of the protest is not factual in its statement.

There were no further questions or comments presented by the Commission.

Commissioner Portugal made a motion to approve Case No. 14-06-RP. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, and Dunkel.

Abstention: None

Nays: None

The motion carried: (4-0-0)

**ITEM 5      HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 14-11-SUP, AND CONSIDER RECOMMENDATION FOR AN ORDINANCE**  
Receive public input regarding the request for a Specific Use Permit for Online Auto Sales to be located on Eules Industrial Park Addition, Block 1, Lots 7, 8, 9A, 9B, 10, B1, and B4, at 1105 Pamela Drive in the Light Industrial District (I-1) and consider recommendation for an Ordinance.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. The Unified Development Code requires a motor vehicle dealership located in the I-1 zoning district to have a Specific Use Permit and that the minimum area devoted to the sale of new or used vehicles is not less than five (5) acres. An exception to this minimum standard may be recommended by the P&Z and approved by the City Council through the Specific Use Permit. Mr. Childers is requesting a Specific Use Permit for internet auto sales of vehicles to occupy approximately 7,000 square feet of leased space for office space and interior storage of vehicles for sale. All sales of vehicles will be made online

and only utilize the interior leased space as storage for the vehicle inventory. No vehicles will be stored exterior to the leased space. No mechanical work will be performed on the vehicles.

The owner / operator offers that the business would operate from 9:00 am to 7:00 pm Monday through Saturday.

The Development Services Group has reviewed and certified the application for a Specific Use Permit. Staff recommends approval with the following conditions:

- a. Tied to the business owner, Mr. Randy Childers; and,
- b. Tied to the business name: A.B.C Auto Credit Inc.; and,
- c. No outdoor advertising display other than a permitted sign indicating the name of the business; and,
- d. No outdoor storage or display of vehicles; and,
- e. No on-site mechanical or auto body work to be performed on vehicles; and,
- f. No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty (30) gallons stored within the facility; and,
- g. The term of this Specific Use Permit shall be granted for a period of one year in order to gauge the further appropriateness of the use at the specific location; and,
- h. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Randy Childers, 1716 Woodhill Lane, Bedford, TX, stated that his background is in law enforcement and then he transitioned into car sales. His business is internet sales only and his focus is on high end specific automotive models. They have spent a considerable amount of money to clean up and remodel the entire building. There is not a lot of transient business. They sell over the internet with a few automobiles that are picked up at the location, but a majority of their automobiles are shipped to the buyer.

Chairman McNeese asked if there were any proponents/opponents. Seeing none, the public hearing was closed.

Commissioner Olmstead asked the applicant if the conditions of the Specific Use Permit will be a detriment to his business. Specifically that there would not be any major mechanical repairs on site.

Mr. Childers stated that he has no desire to repair vehicles. He works with experienced mechanics in Euless to insure that their vehicles are in good working order.

Commissioner Olmstead asked the applicant to clarify why there is a limited use of the surrounding parking area for used vehicle sales.

Mr. Childers, stated that this is not an issue for his business since he does all of his sales online and does not want to leave his vehicles outside. They are strictly an internet business.

Commissioner Olmstead asked the applicant what the square footage of the building is.

Mr. Childers stated that the location is approximately 7,000 square ft; 1,000 square ft of office space and 6,000 square ft of storage.

Commissioner Olmstead asked where he stores any overage of vehicles Mr. Childers purchases at auction.

Mr. Childers stated that when he purchases a lot of vehicles from an auction or a dealer he typically ships the vehicles he doesn't want to another auction for immediate sale. Mr. Childers stated that you will not know that he is in that location.

Commissioner Olmstead asked Mr. Childers if he felt that the conditions of the Specific Use Permit would hinder his business in any way.

Mr. Childers stated that the Specific Use Permit would not hinder his business at all.

Chairman McNeese informed the commission that he has seen online auto sales growing as a business in Euless for the past few years. The Commission's experience with online auto sales has had limited issues with adherence to Code Enforcement, Building, or Specific Use Permit conditions.

There were no further questions or comments presented by the Commission.

Commissioner Dunckel made a motion to approve Case No. 14-11-SUP. Commissioner Portugal seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, and Dunckel.

Abstention: None

Nays: None

The motion carried: (4-0-0)

There being no further business the meeting was adjourned at 7:10 p.m.

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Chairman McNeese

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Date