

**CITY OF EULESS
PLANNING AND ZONING COMMISSION
JUNE 21, 2016
MINUTES**

A regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 5:30 p.m. on June 21, 2016 in the Pre-Council Conference Room of City Hall, 201 North Ector Drive. Those present included Chairman Richard McNeese, Vice Chairman LuAnn Portugal, and Commission Members: Eric Owens, Kenny Olmstead, Ronald Dunckel, Steve Ellis and David Brown.

During the Pre-Session Meeting:

- Senior Planner Stephen Cook reviewed the regular agenda.
- Director of Planning and Economic Development Mike Collins presented the Development Update including Glade Parks, Glade Parks South, Mid-Town, Gala at Oak Crest, and Riverwalk!

PLANNING AND ZONING CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Euless Planning and Zoning Commission continued their meeting in the Council Chambers at 6:33 p.m. for consideration of scheduled items.

STAFF PRESENT:

Mike Collins, Director of Planning and Economic Development
Stephen Cook, Senior Planner
Hal Cranor, Director of Public Works
Paul Smith, Fire Marshall
Don Sheffield, Building Official
Mollie Snapp, Administrative Secretary

VISITORS:

David Mowers
Shonda Schaefer
Dale Sikes
Jim Dewey
Teresa Williamson
Mary Shepherd
Bobby Baker
Tina Baker

INVOCATION

Commissioner Owens gave the invocation.

THE PLEDGE OF ALLEGIANCE

Vice Chairman Portugal led the pledge of allegiance.

ITEM 1. APPROVED PLANNING AND ZONING MINUTES

Vice Chairman Portugal made a motion to approve the minutes for the regular meeting of June 21, 2016. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel and Ellis.

Nays: None

Abstention: Commissioner Brown

Chairman McNeese declared the motion carried. (6-0-1)

ITEM 2. HELD A PUBLIC HEARING FOR ZONING CHANGE CASE NO. 16-01-ZC AND CONSIDERED A RECOMMENDATION OF AN ORDINANCE

Chairman McNeese opened the public hearing at 6:36 p.m.

Senior Planner Stephen Cook gave a brief description of the case. This case was originally brought before the Planning and Zoning Commission for a public hearing on May 17, 2016 and was requested to be tabled by the property owner. New property owner notifications were sent out in order to conduct the Public Hearing. The property owner of the subject parcel has requested to rezone a Neighborhood Business District (C-1) to be developed as two single family lots, which will be constructed under the straight Single Family Detached Dwelling District (R-1). The two lots that will be created are expected to exceed one-half acres, exceeding the minimum lot size of 7,500 s.f. established in the R-1 zoning district. In order to develop a high end product, the owner is in discussions with several custom home builders. The large size of the two residential lots created would make available a unique and desirable product to the market.

During the last decade, the property has been marketed to potential commercial end users. With no frontage and little or no visibility, no commercial end users have purchased the property. Recently, several owners of commercial properties located in the vicinity of N. Main Street and Harwood Road have been contacted about the availability of this parcel. There has been no interest in pursuing the purchase of the parcel. During this same time, the general area has experienced commercial activity. The front portion of this property was developed for professional office, and new retail commercial space was developed next to Albertson's, which has been recently purchased by new owners. The Harwood Crossing Shopping Center is currently under renovation, with Kroger expanding the size of its' store from approximately 44,000 s.f. to almost 70,000 s.f. The former 99 Cent store building remains vacant.

Staff recommends approval of the Zoning Ordinance.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:38 p.m.

There were no questions or comments presented by the Commission.

Commissioner Brown made a motion to approve Case No. 16-01-ZC for a Zoning Change for approximately 1.38 acres of Harwood Crossing Block 1, Lot 5, to be changed from Neighborhood Business District (C-1) into Single Family Detached Dwelling District (R-1) zoning to allow single family residential and the recommendation of an ordinance. Commissioner Ellis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 3. HELD A PUBLIC HEARING AND CONSIDERED APPROVAL OF REPLAT CASE NO. 16-01-RP

Chairman McNeese opened the public hearing at 6:39 p.m.

Senior Planner Stephen Cook gave a brief description of the case. The applicant proposes to replat portions of original J.E. Whitener Estate subdivision into a new single-family detached dwelling unit subdivision. Consistent with the Planned Development, the proposed subdivision will create seventeen single family lots and two open space lots. The plat conforms to the standards of the Planned Development zoning district (15-08-PD) that was approved in February 2016. The Development Services Group (DSG) has reviewed and certified that the application has met all of the information required for consideration by the City of Euless. Staff recommends approval of the replat.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Jim Dewey, representing JDJR Engineering and the owner, Jamal Aloffe, stated that he was available for any questions regarding the request.

Chairman McNeese closed the public hearing at 6:41 p.m.

Commissioner Dunckel inquired about the average size lot in the development.

Mr. Dewey stated that the average lot size would be 5500 s.f.

Commissioner Olmstead asked if there would be a residence or structure built on the far south lot.

Mr. Dewey stated that due to a gas line that lot would remain as an open space lot and no structure would ever be allowed to be built.

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

Commissioner Olmstead made a motion to approve Case No. 16-01-RP for a Replat to be located on 2.959 acres out of the William G. Matthews Survey, A-1052, previously platted as J. E. Whitener Estates Addition, Block 2, Lots 1 and 2 to be replatted as Blue Lagoon Court Addition, Block A, Lots A, B, and 1-17. Vice Chairman Portugal seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 4. CONSIDERED APPROVAL OF FINAL PLAT CASE NO. 16-06-FP

Senior Planner Stephen Cook gave a brief description of the case. McDonald's is demolishing their existing store located at 105 W. Airport Freeway due to the modification of the original lot through right-of-way acquisition by the Texas Department of Transportation along the frontage road of W. Airport Freeway. A Site Plan (16-02-SP) was approved by the city in May 2016 for McDonald's to construct a new restaurant. The plat reflects the inclusion of additional previously unplatted property on the southwest corner of the property.

The Development Services Group (DSG) has reviewed and certified the application has met all of the information required for consideration by the City of Euless. Staff recommends approval of the final plat.

Commissioner Ellis inquired about the ownership of the Main St access between the drive-thru and the gas station.

Mr. Cook stated that it is part of 7-11 and they are responsible to maintain the lot as an access easement.

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

Commissioner Dunckel made a motion to approve Case No. 16-06-FP for a Final Plat to be located on 1.216 acres to be platted as J.P. Halford Addition, Block D, Lot 2R1 located at 105 W. Airport Freeway. Commissioner Owens seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 5. HELD A PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-10-SUP, AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE.

Chairman McNeese opened the public hearing at 6:46 p.m.

Senior Planner Stephen Cook gave a brief description of the case. The Unified Development Code requires membership recreation clubs located in the C-1 zoning district, such as sports studios, to have a Specific Use Permit. This is a renewal of the Specific Use Permit originally approved in late 2014. Mr. Monroe wishes to continue to lease 6,000 s.f of space for his taekwondo studio. Classes are held between 3:00 p.m. and 9:00 p.m. The business employs three people. There is adequate parking to support all of the businesses within the center.

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. John Monroe; and,
- b. Tied to the business name: Korean Taekwondo Institute; and,
- a. 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.
- b. Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Chairman McNeese closed the public hearing at 6:47 p.m.

Vice Chairman Portugal expressed her enjoyment in witnessing success stories after a second round through the SUP process.

Chairman McNeese inquired about the ways in which staff confirmed that the applicant understands and agreed upon the conditions of the SUP.

Director of Planning and Economic Development Mike Collins stated that the applicant received the conditions in writing, the conditions were discussed with the owner via telephone and he personally visited on site with the manager.

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

Vice Chairman Portugal made a motion to approve Case No. 16-10-SUP for a Specific Use Permit for Sports Studio to be located on Dorris Addition, Block 1, Lot 1, 501 N. Main Street, Suite 121 in the Neighborhood Business District (C-1), and the recommendation for an ordinance. Commissioner Brown seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 6. HELD A PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-13-SUP AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE.

Chairman McNeese opened the public hearing at 6:50 p.m.

Chairman McNeese noted that he would preclude himself from voting on the case due to a business relationship with the applicant.

Senior Planner Stephen Cook gave a brief description of the case. Mr. Mowers is the Director of Resale for GRACE. The used merchandise retail site is known as GRACEful Buys. The Planning and Zoning Commission considered a Specific Use Permit (SUP) for this use on July 21, 2015 and the SUP was approved by the City Council on August 11, 2015.

The organization intends to continue to lease 10,000 s.f. in the former auto parts store for a retail storefront and merchandise warehouse. The majority of the on-site donated items will be sent to their primary processing center in Grapevine prior to placement in the retail area. GRACE will accept some *on-site* donations for immediate sale. The conditions approved by the City Council are recommended to continue with the renewal of the SUP. There have not been any known violations of the conditions of the SUP during the past year.

The Development Services Group (DSG) has reviewed and certified the application has met all of the information required for consideration by the City of Euless. Staff recommends approval with the following conditions:

- a. Tied to the business owner, Grapevine Relief and Community Exchange; and,
- b. Tied to the business name, GRACEful Buys; and,
- c. All merchandise shall be displayed within the store and not exterior to the building; and,
- d. Drop-off of donated items shall be conducted to the rear of the store during business hours and all items immediately placed within the interior of the building; and,
- e. Any drop-off donated items left exterior to the store shall be removed in a timely manner; and,
- f. 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.
- g. Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Shonda Schaefer, 3137 Fox Run Drive, Grapevine, Texas, representing GRACE stated that there were 5 instances within the past year where donations were left outside the facility but as soon as staff arrived the next morning they were quickly brought inside.

Bobby Baker, 700 W. Euless Boulevard, Euless, Texas spoke on behalf of GRACE and expressed his pleasure for the company's presence in Euless.

Chairman McNeese closed the public hearing at 6:56 p.m.

Commissioner Olmstead stated that he enjoyed his visit to GRACEful Buys and complimented the interior layout and lack of clutter and was very impressed.

Vice Chairman Portugal expressed her delight in hearing another good neighbor story.

Commissioner Dunckel congratulated GRACEful Buys on their success.

Commissioner Ellis stated his agreeance with all previous comments.

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

Commissioner Dunckel made a motion to approve Case No. 16-13-SUP for a Specific Use Permit for Used Merchandise on Park Crestmoor Addition, Block 2, Lot 24R2B, 700 W. Euless Boulevard in the Texas Highway 10 Multi-Use Zoning District (TX-10) and consider recommendation for an Ordinance. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: Chairman McNeese

Chairman McNeese declared the motion carried. (6-0-1)

ITEM 7. HELD A PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-14-SUP AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE.

Chairman McNeese opened the public hearing at 6:58 p.m.

Senior Planner Stephen Cook gave a brief description of the case. The Best Western Plus hotel located south of W. Airport Freeway has a new ownership group. Therefore, a new Specific Use Permit must be issued tied to the new owner. Specifically, the hotel will continue to be branded as a Best Western Plus. Best Western Plus hotels meet the high-standard requirements of the American Automobile Association (AAA) 3-Diamond Rating.

The hotel has met all standards of the original SUP and continues to operate according to City of Eules regulations.

Staff recommends approval with the following conditions:

- a. The Specific Use Permit is tied to the Business Owner, Mr. Ravesh Patel; and,
- b. The Specific Use Permit is tied to the Business Name: Swami Shreeji Hospitality LLC, dba Best Western Plus.
- c. 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.
- d. Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:56 p.m.

There were no questions or comments presented by the Commission.

Commissioner Dunckel made a motion to approve Case No. 16-14-SUP for a Specific Use Permit for Hotel on Vine Addition, Block A, Lot 1, 421 W. Airport Freeway in the Community Business Zoning District (C-2) and consider a recommendation for an Ordinance. Commissioner Ellis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 8. HELD A PUBLIC HEARING AND CONSIDERED A RECOMMENDATION REGARDING CASE NO. 16-03-CC TO AMEND PORTIONS OF CHAPTER 84 “UNIFIED DEVELOPMENT CODE” BY ADOPTING NEW CLARIFICATION OF USE STATUS UPON REVOCATION OF SPECIFIC USE PERMIT.

Chairman McNeese opened the public hearing at 7:00 p.m.

Senior Planner Stephen Cook gave a brief description of the case. The City of Euless has determined that clarification needs to be provided to Section 84-54, Termination of Nonconforming Uses. Specifically, language is recommended that would deal with a circumstance in which a specific use permit (SUP) is revoked on a use that was previously nonconforming. The proposed language would clarify that once the SUP was revoked, the use would have to terminate and the property would not revert back to a non-conforming status. The land use would instead be governed by the current zoning of the property. The language of the proposed ordinance would be placed within the Nonconforming Uses portion of the Unified Development Code

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 7:01 p.m.

There were no questions or comments presented by the Commission.

Commissioner Ellis made a motion to approve Case No. 16-03-CC to amend to the Code of Ordinances Chapter 84 “Unified Development Code”, Section 84-54, “Termination of Nonconforming Uses”, by providing that a nonconforming use of property shall be changed to a conforming use by issuance of a specific use permit and providing for the termination of a use upon revocation or expiration of a specific use permit and consider a recommendation for an Ordinance. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal and Commission Members: Owens, Olmstead, Dunckel, Ellis and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)

ITEM 9. ADJOURN

There being no further business, the meeting was adjourned at 7:02 p.m.

Chairman Richard McNeese

Date