

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**May 7, 2008**

A regular meeting of the Planning and Zoning Commission of the City of Arlington, Texas, was held in the Council Chamber of the Municipal Building, 101 West Abram Street, Arlington, Texas, on Wednesday, May 7, 2008, with the following members present to wit:

Victor Vandergriff	*	Chair
Wayne Smith	*	
Connie Ruff	*	
Michael Forbes	*	
Andrew Piel	*	Commissioners
Michael Reiswig	*	
Edward Gutierrez	*	
Jeff Pokrifcsak	*	
Tim Moloney	*	
Jim Parajon	*	Director, Community Development and Planning
Bruce Payne	*	Assistant Director, Community Development and Planning/Development Services
Maria Sayas Carbajal	*	Planning Manager/Current Planning
Kathy Zibilich	*	Assistant City Attorney

Chair Vandergriff called the meeting to order at 5:41 p.m. Commissioner Moloney gave the invocation and led the Pledge of Allegiance.

Approval of the minutes of the April 16, 2008, meeting was postponed to the May 21, 2008, meeting.

**Consent Agenda - Approving plats and authorizing the filing thereof where appropriate**

a) Combination Plat, Arlington Highlands East Addition, Lots 1 and 2-5, Block A (Zoned "BP-PD"); generally located north of East Interstate 20 Highway and east of Matlock Road with the approximate addresses being 401 and 415 East Interstate 20 Highway and 100 West Arbrook Boulevard.

b) Replat, Sol Davis Addition, Lot 38-R1 (Zoned "DB"); generally located east of North Cooper Street and south of West Division Street with the address being 201 and 204 North Cooper Street.

c) Replat, J. H. Hughes Addition, Lots 4-R and 4-R1 (Zoned "B") generally located west of South Watson Road and south of Debbie Lane with the approximate address being 1400 Debbie Lane.

d) Replat, Bowen Addition, Lots 1 and 2, Block 1 (Zoned "PD") generally located south of West Bardin Road and west of South Bowen Road with the approximate address being 5000 South Bowen Road.

f) Replat, Chapparral Valley Addition, Lots 24-A and 24-B (Zoned "R") generally located south of Waterview Drive and east of West Green Oaks Boulevard with the approximate address being 5404 Waterview Drive.

**Motion:** Commissioner Moloney moved to approve the Consent Agenda items a, b, c, d, and f. Commissioner Forbes seconded the motion that carried by a vote of 9-0-0.

**APPROVED Items a, b, c, d, and f**

e) Replat, Estates Above Wimbledon, Section Two, Lots 2R1 and 2R2, Block 5 (Zoned "CS") At 5:47 p.m. Chair Vandergriff called the public hearing on a replat for Estates Above Wimbledon, Section Two, Lots 2R1 and 2R2, Block 5 (Zoned "CS") generally located south of Oak Village Boulevard and west of South Cooper Street with the approximate address being 1720 Oak Village Boulevard.

Chair Vandergriff commented that this item is being called separately because Commissioner Gutierrez is abstaining.

**Motion:** Commissioner Smith moved to approve the replat for Estates Above Wimbledon, Section Two, Lots 2R1 and 2R2, Block 5. Commissioner Reiswig seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Smith, Ruff, Pokrifcsak, Piel, Forbes, Reiswig, and Moloney

NAYS: None

ABSTENTIONS: Commissioner Gutierrez

**APPROVED 8-0-1**

**PUBLIC HEARINGS**

g) **Replat, Highpoint Addition, Lots 3R3A and 3R3B, Block 2** (Zoned "CS") At 5:48 p.m. Chair Vandergriff called the public hearing on a replat for Highpoint Addition, Lots 3R3A and 3R3B, Block 2 (Zoned "CS") generally located southwest of U.S. 287 Business Highway and southeast of Little School Road with the approximate address being 5065 Little School Road.

Justin French, Project Manager I, stated that the applicant is not present at this time, so he will answer questions. Mr. Parajon commented that this is the case where the replat would cause nonconformity, so Staff is recommending continuing the case to allow the applicant more time to come into compliance or deny the replat.

**Proponent's Portion:** There was no one present to speak in support of this case.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one to speak for or against this case, Chair Vandergriff closed the public hearing.

**Motion:** Commissioner Smith moved to continue the replat for Highpoint Addition, Lots 3R3A and 3R3B, Block 2. Chair Vandergriff commented that this being a replat it would automatically be approved after 30 days and the Commission has to vote on it tonight. Commissioner Smith modified his motion to denial. Ms. Zibilich asked that the reason for the denial be included in the motion, so it will be on record. Mr. Payne commented that it would be inconsistent with the requirements of the Zoning Ordinance.

**Motion:** Commissioner Smith moved to deny the replat for Highpoint Addition, Lots 3R3A and 3R3B, Block 2 because it is inconsistent with the requirements of the Zoning Ordinance. Commissioner Ruff seconded the motion that carried by a vote of 9-0-0.

## DENIED

Chair Vandergriff asked if there was anyone present that would like to speak regarding any of the plats that were on the consent agenda.

The applicant's representative for the Highpoint replat arrived late and asked to speak. Chair Vandergriff called him to the podium and stated that the Commission had to go ahead and vote up or down, but can reopen it to continue it to the next meeting. Eric Milazzo, The Spectra Group, Inc., 735 North Causeway Suite 201, Mandeville, Louisiana, representing the applicant for the Highpoint replat asked that the case be reopened, so it could be continued until they can come into conformance. Mr. Payne asked that he articulate the request, so it can go on the record. Mr. Milazzo stated that he is requesting that they reopen the hearing for the plat, so it can be continued. Chair Vandergriff asked for a motion from the Commission.

**Motion:** Commissioner Moloney moved to continue the replat for Highpoint Addition, Lots 3R3A and 3R3B, Block 2 to the May 21 meeting. The motion failed for lack of a second. Plat stands denied.

**(a) CONTINUED** At 5:53 p.m. Chair Vandergriff called the public hearing on specific use permit SUP08-3 to repeal Ordinance #92-72 that granted SUP92-01 allowing new car sales and used car sales as an accessory use on property generally located with the approximate address of 677 East Interstate 20 Highway.

Chair Vandergriff commented that the discussions are still ongoing for this case, so it will be continued

**Proponent's Portion:** There was no one present to speak in support of this case.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one to speak for or against this case, Chair Vandergriff requested a motion for continuance.

**Motion:** Commissioner Reiswig moved to continued SUP08-3 indefinitely. Commissioner Gutierrez seconded the motion that carried by a vote of 9-0-0.

## CONTINUED Indefinitely

**(b) Substitute Landscape Plan SLP08-1** (Office at Hampden Woods) At 5:56 p.m. Chair Vandergriff called the public hearing on substitute landscape plan SLP08-1 on approximately 2.676 acres of land currently zoned "CS" (Community Service) generally located north of Northeast Green Oaks Boulevard and southwest of Ballpark Way with the approximate addresses being 1961 and 1971 Northeast Green Oaks Boulevard and 2610 Ballpark Way.

Kevin Charles, Landscape Administrator, stated that this project is undergoing a replat to unify all lots involved in the development project. He mentioned that the request is to reduce the landscape setback along the east property line where the Ballpark Way extension has not yet gone through reducing it from ten to two feet as well as using the existing vegetation along the north and west property lines as screening for the residential adjacency.

**Proponent's Portion:** There was no one present to speak in support of this case.

Present to go on record in support of this case and to answer questions, if needed, was Anne Fernandez, 1971 Green Oaks, Ltd., 2500 Northeast Green Oaks Boulevard; and Dennis Scifres, 1600 East Lamar Boulevard #240.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

**Motion:** Commissioner Gutierrez moved to approve SLP08-1 as presented. Commissioner Reisinger seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Ruff, Gutierrez, Pokrifcsak, Forbes, Reisinger, and Moloney

NAYS: None

ABSTENTIONS: Commissioners Smith and Piel

### **APPROVED 7-0-2**

**(c) Zoning Case PD08-3R** (DFW Camper Corral). At 6:01 p.m. Chair Vandergriff called the public hearing on a request to change the zoning from "BP-PD" (Business Park Overlay-Planned Development) for all "BP-IM" (Business Park Overlay-Industrial Manufacturing) uses plus incidental showroom to "PD (Planned Development) for all "IM" (Industrial Manufacturing) uses plus incidental showroom and auto parts, accessory sales and service and installation of new motor vehicle parts with outside storage and display" with final development plan approval generally located south of East Interstate 20 Highway and east of Eastpointe Avenue with the approximate address being 1450 East Interstate 20 Highway.

Sharon Hurd, Project Manager, stated that the proposed use of the property is auto parts, accessory sales and service, and the installation of new motor vehicle parts with outside storage and display. She mentioned that the Business Park Overlay prohibits outside storage and display as a primary or accessory use and this provision cannot be waived with a PD zoning request; therefore, in order to operate the proposed business on the subject site, the applicant is requesting to remove the property from the BP overlay. She stated that the building materials will consist primarily of neutral colored painted aggregate panels with stone accents. She mentioned that the applicant also proposes a dark blue accent stripe along the west façade wall and along a portion of the east elevation. She said that dark blue metal roofs and canopy panels are being requested. She stated that the development will include an approximate 23,000 square foot building oriented toward East Interstate Highway. She mentioned that the outside storage and display area will be located along the east side of the property between the proposed building and the existing commercial building on the adjacent lot. She said that the storage and display area will be screened from public view by the combination of a six-foot masonry wall which will extend 52 linear feet and the six-foot iron fence with masonry columns which will extend 200 linear feet as well as the installation of landscaping. She stated that the requested use is consistent with the Interstate 20 Business Area Plan and the Southeast Sector Plan.

**Proponent's Portion:** Present to speak in support of this case was Cliff Mycoskie, 200 East Abram Street. He stated that in recent years DFW Camper has expanded into other cities in the Metroplex and has now outgrown their Division Street location. He mentioned that their I-20 site is in keeping with their aspirations of improving their business while serving their clientele and providing a convenient and accessible location of suitable size for their operation. He said that there are two points of access, one on Interstate 20 Frontage Road and one on Eastpointe Avenue. He stated that they have placed the building as far west as possible on the property, so that the display area can be screened between the two buildings. He mentioned that they have also added screening trees in specific locations to further screen the display areas. He said that these were called out to be eastern red cedars and red buds, but they will make them all evergreen if that is what the Commission wants. He stated that they designed enhanced landscaping on the north and west sides also. He mentioned that they will add the same

articulation on the east side as on the west as far as the bay doors and remove the blue stripe. He said that they are also in compliance with the Commercial Design Standards.

Commissioner Smith asked if it would be prohibitive to put in 4.5-inch caliper trees. Mr. Mycoskie answered in the affirmative. Commissioner Smith asked about the articulation of the west elevation. Mr. Mycoskie answered that they will use the same articulation on the west side to the first overhead door. Commissioner Smith asked if they could ensure that the garage doors be an earth tone color that blends in with the building. Mr. Mycoskie replied in the affirmative.

Also present to speak in support of this case was Edwin Abbott, 808 East Division Street. He stated that he is the owner of DFW Camper Corral. He mentioned that he feels they have gone above and beyond all expectations and is very proud of this project.

Also present to speak in support of this case was Bart Thompson, 2204 Patterson Place. He stated that during his time on this Commission, they worked on and adopted the I-20 Business Area Plan. He mentioned that DFW Camper is exactly the type of business that should go within that freeway business area of the corridor.

Present to go on record in support of this case was John Henderson, Wier and Associates, 4300 Beltway Place; Jacob Sumpter, 200 East Abram Street; Bob Abbott, 4102 Flower Garden Drive; Charles Matocha, 3702 Indian Spring Trail; Sherry Abbott, 628 South Harbor Court, Granbury; and Don Duke, 504 West Main Street.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

**Motion:** Commissioner Smith moved to approve PD08-3R with the following stipulations: 1) the east elevation be the same as the west elevation with the exception of the articulation going to the fourth column; 2) trees be changed from three-inch to four and a half-inch caliper; 3) the screening hollies be six feet in height at time of installation; and 4) garage doors will be an earth tone color similar to the color of the building. Commissioner Gutierrez seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Smith, Ruff, Gutierrez, Pokrifcsak, Piel, Forbes, and Reiswig

NAYS: None

ABSTENTIONS: Commissioner Moloney

#### **APPROVED 8-0-1**

Mr. Payne announced that City Council will consider PD08-3R at their May 20, 2008 meeting.

**(d) Zoning Case PD08-10 (Texas Sports Center)** At 6:31 p.m. Chair Vandergriff called the public hearing on a request to change the zoning from "BP-IM" (Business Park Overlay-Industrial Manufacturing) with "AP1" (Airport Overlay 1) to "BP-PD (Business Park Overlay-Planned Development) for "CS" (Community Service) uses limited to inside recreation and ancillary uses of office, retail, and restaurant" with "AP1" (Airport Overlay 1) with final development plan approval generally located south of Tech Centre Parkway and west of New York Avenue with the approximate address being 1500 Tech Centre Parkway

Justin French, Project Manager I, stated that the applicant is requesting the approval of a sports facility as shown in the final development plan with a pro shop, food services, and

operational offices. He mentioned that the request is consistent with the I-20 Business Area Plan and the East Sector Plan.

**Proponent's Portion:** Present to speak in support of this case was Jimmy Archie, Realty Capital Corp., 99 Main Street Suite 200, Colleyville. He stated that this will be their first sports facility project. He mentioned that they are the managing development partner; however, US Basketball Field Houses out of Fishers, Indiana, who have had two other facilities like this up and operating successfully in Indiana for over five years. He said they have franchised their operational model. He stated that they are proposing to build a 120,000-square foot building that will house 17 basketball courts which can be converted to volleyball courts. He mentioned that they will have a pro shop, a restaurant/concession area, an athletic training area, and a mezzanine area for spectators. He said that they are willing to make a commitment to work with Staff over the next couple of weeks before Council to make the modifications to the building to bring it into compliance with the big box ordinance.

Also present to speak in support of this case was LaShann Rhodes, 3405 Gladiolus Lane, Dallas. He stated that the focus of this is to have a place for the children to showcase their talent, build leadership skills and team camaraderie. He mentioned that this is a great opportunity to bring visitors to the area.

Present to go on record in support of this case was Joyce Stanton, Di Sciuolo and Terry, Inc., 401 West Abram Street Suite A; Richard Williams, GSBS Architects, 7291 Glenview Drive, North Richland Hills; and Oliver Windham, 1907 Cheryl Lane.

Commissioner Ruff asked how the big box ordinance regulates signs. Mr. Parajon answered that Staff will be taking a look at that. He stated that the applicant is not going to be drawing from the I-20 corridor with big pole signs; in fact, they will probably only have a monument sign at their entrance.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

**Motion:** Commissioner Reiswig moved to approve PD08-10 subject to compliance with the big box ordinance. Commissioner Pokrifcsak seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Ruff, Gutierrez, Pokrifcsak, Piel, Forbes, and Reiswig

NAYS: None

ABSTENTIONS: Commissioners Smith and Moloney

### **APPROVED 7-0-2**

Mr. Payne announced that City Council will consider PD08-10 at their June 3, 2008 meeting.

**(e) Specific Use Permit SUP08-4 (Barron Drill Site)** At 6:34 p.m. Chair Vandergriff called the public hearing on SUP08-4 (Barron Drill Site), a specific use permit for gas drilling on approximately 5.142 acres of land zoned "B" (Business); generally located north of West Division Street and east of West Green Oaks Boulevard with the approximate address being 4011 West Division Street.

Darren Groth, Planner, introduced the case. He stated that this site is predominately vacant and the building on the south side will be demolished before the commencing drilling operations. He mentioned that this request is consistent with strategies outlined

for industrial uses in the 1992 Comprehensive Plan and also consistent with the zoning designation in the West Sector Plan.

**Proponent's Portion:** There was no one present to speak in support of this case.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

**Motion:** Commissioner Smith moved to approve SUP08-4. Commissioner Forbes seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Smith, Gutierrez, Pokrifcsak, Piel, Forbes, Reiswig, and Moloney

NAYS: None

ABSTENTIONS: Commissioner Ruff

### **APPROVED 8-0-1**

Mr. Payne announced that City Council will consider SUP08-4 at their June 3, 2008 meeting.

**(f) Specific Use Permit SUP08-6 (Bright Star Drill Site)** At 6:57 p.m. Chair Vandergriff called the public hearing on SUP08-6 (Bright Star Drill Site), a specific use permit for gas drilling on property currently zoned "A" (Agriculture) generally located south of Mansfield Webb Road and east of South Collins Street with the approximate address being 7300 Grindstone Court.

Darren Groth, Planner, introduced the case. He stated that there is a residential structure on the site. He mentioned that this request is consistent with strategies outlined for industrial uses in the 1992 Comprehensive Plan and also consistent with the zoning designation in the Southeast Sector Plan.

**Proponent's Portion:** There was no one present to speak in support of this case; however, the applicant, Stephen Smith, Harding Company, 4109 Williams Court, Grapevine; and the owner of the property, David Purdon, 7300 Grindstone Court were present to answer questions.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

Commissioner Ruff asked to add a friendly amendment to the motion to add landscaping to the outside wall. The maker and second of the motion accepted the amendment.

**Motion:** Commissioner Reiswig moved to approve SUP08-6 with the stipulation that landscaping be added to the outside wall. Commissioner Smith seconded the motion that carried by the following vote:

AYES: Chair Vandergriff and Commissioners Smith, Ruff, Pokrifcsak, Piel, Forbes, Reiswig, and Moloney

NAYS: None

ABSTENTIONS: Commissioner Gutierrez

## APPROVED 8-0-1

Mr. Payne announced that City Council will consider SUP08-6 at their June 3, 2008 meeting.

**(g) Ordinance Revision** At 6:49 p.m. Vice Chair Reiswig called the public hearing to consider text amendments to Section 9-1600, "Entertainment District "ED" Overlay District," of Article IX, "Special Purpose District Regulations" of the Zoning Ordinance including expansion of the Entertainment District, creating development standards for the expanded area and other miscellaneous amendments such as applicability, setbacks, and signs.

Gincy Thoppil, Senior Planner, Strategic Planning Division, stated that on November 20 of last year City Council adopted the Entertainment District Overlay Standards and at that time instructed Staff to extend the boundaries east of Highway 360. She mentioned that the overlay that was adopted recently was a large area covering 2,550 acres and was divided into six sub-districts and this new expansion area will be the seventh sub-district called "360 East Sub-District." She said that it is approximately 200 acres in size and the boundaries extend from Avenue E East on the north to the railroad south of Division. She stated that on the east side it follows 106th Street up to the rail line then up to 109th Street and includes the Six Flags Mall area. She mentioned that in the past five months Staff obtained input from property owners, the Business Development Council, the Great Southwest Improvement District, and Great Southwest Industrial District Association and has presented to the Planning and Zoning Commission at four work sessions. She said that the standards for this sub-district are similar to others; however, this one is unique in that due to the traffic oriented nature of Watson Road, properties fronting the street will have an increased front setback of 12 to 45 feet and one row of parking will be allowed to serve as a buffer. She stated that there are standards related to this sub-district serving as a transitional area between entertainment and industrial uses. She mentioned that along with addition of the seventh sub-district and its development standards, there are a few minor amendments such as change in use will now only trigger a few standards, standardization of front setbacks based on street types, and addition of standards for ground signs. She said that all the development standards are applicable to new development, redevelopment, and new structures on lots with existing buildings. She stated that some standards are applicable to additional structures, change in use, and exterior renovations.

Commissioner Smith asked if it is mentioned in this amendment that new development or redevelopment requires the utilities to be placed underground. Ms. Thoppil answered that it is not. She added that between now and City Council, they will be doing the research regarding this.

**Proponent's Portion:** There was no one present to speak in support of this case.

**Opposition Portion:** There was no one present to speak in opposition to this case.

Being no one else to speak for or against this case, Chair Vandergriff closed the public hearing.

Chair Vandergriff commented that he would not be supporting this, not because he doesn't support design standards, but because this is an area of redevelopment need and he's concerned about the absence of incentives and that the design standards will be difficult to enforce in this area.

**Motion:** Commissioner Gutierrez moved to approve this text amendment as presented. Commissioner Reiswig seconded the motion that carried by the following vote:

AYES: Commissioners Smith, Ruff, Gutierrez, Pokrifcsak, Piel, Forbes, Reiswig, and Moloney

NAYS: Chair Vandergriff

ABSTENTIONS: None

**APPROVED 8-1-0**

Mr. Payne announced that City Council will consider this text amendment at their May 20, 2008 meeting.

**MISCELLANEOUS**

Being no other business to come before the Commission, Chair Vandergriff adjourned the meeting at 6:58 p.m.

ATTEST:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary to the Commission

APPROVED this 21st day of May 2008