

MINUTES
PLANNING AND ZONING COMMISSION
July 16, 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, July 16, 2008, with the following members present to wit:

Victor Vandergriff	*	Chair
Stacie Stewart	*	
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 5:39 p.m. Commissioner Moloney gave the invocation and led the Pledge of Allegiance.

Approval of the minutes of the June 18, 2008 meeting was postponed to the August 6, 2008, meeting.

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

a) CONTINUED At 5:43 p.m. Chair Vandergriff called the public hearing on a replat for Hollow Creek Estates, Lots 15A and 15B (Zoned "R"); generally located west of Calender Road and south of Hollow Creek Road with the approximate address being 3508 Hollow Creek Road.

Chair Vandergriff asked if there was anyone wishing to speak on this replat.

Douglas Cooper, Planner, stated that the applicant is proposing to divide Lot 15 into two lots, 15A and 15B, to build two single-family homes.

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

Opposition Portion: Present to speak in opposition to this case was Howard Dreiling, 3501 Hollow Creek Road. He stated that they are in opposition only because they need clarification on the replat. He mentioned that if it is just for two lots, they would not be in opposition.

Present to go on record in opposition to this case was Vera Dreiling, 3501 Hollow Creek Road; and Thomas Hackley, 3315 Hollow Creek Road who noted on the card that his opposition is predicated on the applicant's change to or adherence to original replat request.

Chair Vandergriff stated that the other cards in opposition are no longer in opposition since the request has been changed.

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

Motion: Commissioner Gutierrez moved to approve the replat for Hollow Creek Estates, Lots 15A and 15B. Commissioner Reiswig seconded the motion that carried by a vote of 9-0-0.

APPROVED

b) Combination Plat, T.H. Watson Addition, Lot 18 (Zoned "R") At 5:46 p.m. Chair Vandergriff called the public hearing on a combination plat for the T.H. Watson Addition, Lot 18 (Zoned "R"); generally located south of West Mayfield Road and west of Kelly Perkins Road with the approximate address being 3620 Kelly Perkins Road.

Justin French, Planner, stated that he would answer questions.

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 William Smith, 404 Mary 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 Reiswig moved to approve the combination plat for the T.H. Watson Addition, Lot 18. Commissioner Gutierrez seconded the motion that carried by a vote of 9-0-0.

APPROVED

PUBLIC HEARINGS

(a) Zoning Case ZA08-8 (West Second Street Conservation District) At 5:49 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-8 (West Second Street Conservation District) an application to adopt a Conservation District overlay zoning district on approximately 15.88 acres of land zoned "R" (Single-family residential with a minimum lot size of 7,200 square feet); generally located on the north and south sides of West Second Street, east of Elliott Street and west of South Davis Drive with approximate addresses being 1204, 1206, 1207, 1209, 1300, 1301, 1304, 1305, 1308, 1309, 1312, 1313, 1401, and 1408 West Second Street; and 602 and 604 South Davis Drive generally located south of East Park Row Drive and east of South Center Street.

Clayton Husband, Senior Planner, presented the case and stated that the Oak Hill Neighborhood Plan which was approved by Council in March, 2008, included recommendations for conservation districts in several areas. He mentioned that this is the first application they have received for this. He said that 60% of property owner participation is required and they have 69%. He stated that the conservation district is a suggested set of standards that the property owners have proposed for development of their property. He mentioned that some of those standards relate to minimum lot size, height requirements, maximum square footage for houses, setbacks, and others.

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 was Tom and Elena Cogdell, 2922 Lakeshore Drive; Sarah Garrett, 1304 West Second Street; Larry and Patti Lockwood, 1206 West Second 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 Ruff moved to approve ZA08-8. Commissioner Reiswig seconded the motion that carried by a vote of 9-0-0.

APPROVED

(b) Zoning Case ZA08-9 (The Morgan House) At 5:53 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-9 (The Morgan House), a request to change the zoning on approximately 0.457 acres of land from "DN-O" (Downtown Neighborhood Overlay-Office) to "DN-NS" (Downtown Neighborhood Overlay-Neighborhood Service); generally located south of West Abram Street and west of South Cooper Street with the approximate address being 720 West Abram Street.

Sharon Hurd, Senior Planner, presented this case and stated that the proposed zoning change is in conformance with the Central Sector Plan. She mentioned that the subject property is currently developed with two existing buildings with a law office operating out of the predominant structure on the lot. She said that the applicant is requesting this zoning change in order to allow a hair salon to operate out of the smaller structure on the site.

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 was Xavier Carrillo, 720 West Abram 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 Moloney moved to approve ZA08-9. Commissioner Gutierrez seconded the motion that carried by a vote of 9-0-0.

APPROVED

Chair Vandergriff called the next two cases together as companion cases.

(c) Zoning Case ZA08-10 (Lake Arlington Drill Site) At 5:57 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-10 (Lake Arlington Drill Site), a request to change the zoning on approximately 0.657 acres of land from "PD (Planned Development) for "CS" (Community Service) uses limited to a municipal golf course and customarily incidental uses" to "R" (Single family residential with a minimum lot size of 7,200 square feet); generally located south of West Pioneer Parkway and west of West Green Oaks Boulevard with the approximate address being 1902 West Green Oaks Boulevard.

Chair Vandergriff asked that ZA08-10 and SUP08-12 be presented together since they are companion cases.

Darren Groth, Planner, presented the case and stated that the West Sector Plan identifies this area as Open Space/Parks intended for neighborhood, community, regional and linear parks. He mentioned that neither 1992 Comp Plan nor the West Sector Plan addresses gas drilling use. He said that the request is to change the zoning from "PD for "CS" uses" to "R" and that SUP08-12 is running concurrent to this zoning change request. He stated that the applicant proposes to develop a gas drilling and production facility complying with Gas Drilling and Production Ordinance requirements. He mentioned that the landscaping will be provided and the submitted plan shows existing trees and proposed planting of Live Oaks and Eastern Red Cedars. He mentioned that SUP08-12 is for a three-acre which is mainly zoned "R" except for the section in the zoning request.

Proponent's Portion: Present to speak in support of this case was Cliff Mycoskie, 200 East Abram Street. He stated that this site has easy access from West Green Oaks Boulevard. He mentioned that they are planting 112 native trees around the perimeter.

Present to go on record in support of these requests was Aric Head, Jacobs Engineering, 777 Main Street, Fort Worth; Jacob Sumpter, MMA, 200 East Abram Street; Clark Pitzer and Mark Baysden, Quicksilver Resources, Inc., 777 West Rosedale, Fort Worth.

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 Pokrifcsak moved to approve ZA08-10. Commissioner Gutierrez seconded the motion that carried by a vote of 9-0-0.

APPROVED

(d) Specific Use Permit SUP08-12 (Lake Arlington Drill Site) At 5:57 p.m. Chair Vandergriff called the public hearing on SUP08-12 (Lake Arlington Drill Site), a specific use permit for Gas Drilling on approximately 0.657 acres of land from "PD (Planned Development) for "CS" (Community Service) uses limited to a municipal golf course and customarily incidental uses" to "R" (Single family residential with a minimum lot size of 7,200 square feet); generally located south of West Pioneer Parkway and west of West Green Oaks Boulevard with the approximate address being 1902 West Green Oaks Boulevard.

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, Vice Chair Reiswig requested a motion for continuance from the Commission.

Motion: Commissioner Gutierrez moved to continue SUP08-12. Commissioner Ruff seconded the motion that carried by a vote of 9-0-0.

APPROVED

Mr. Payne announced that the ZA08-10 and SUP08-12 will be considered by City Council on August 5, 2008.

Chair Vandergriff surrendered the Chair to Vice Chair Reiswig, as he had to abstain from participating in the following case.

(e) CONTINUED At 6:13 p.m. Vice Chair Reiswig called the public hearing on SUP08-7 (Vandergriff Toyota), a specific use permit for new motor vehicle sales on approximately 2.017-acre tract of land zoned "BP-IM" (Business Park Overlay-Industrial Manufacturing); generally located south of West Interstate 20 Highway and east of Dorskocil Drive with the approximate address being 4301 Dorskocil Drive.

Proponent's Portion: Present to speak in support of this case was Cliff Mycoskie, 200 East Abram Street. He stated that the Dorskocils renovated and upgraded this building over the last several years and spent over \$450,000. He mentioned that this was a smart decision because it brought the Vandergriff Toyota to them and bringing a vacant building into service is always good for a neighborhood and the City. He said that they are voluntarily adding a stipulation to the SUP that if the property is still used for car sales after three years from the date of Council's final approval, the building's west elevation must fully comply with the commercial design standards in place at that time. He stated that the reasoning for this request is due to the lease conditions and costs associated with implementing any ornamental improvements, as these improvements will not still not meet the commercial design standards. He mentioned that he feels a commitment to the west side elevation coming into compliance in three years is a smart plan and a generous offer. He said that some of the improvements stated in the commercial design standards, which may be applied to the west elevation range from wall recesses/projections; prominent three-dimensional entryway features; building façade walls which include a repeating pattern; exterior colors of low reflectance, subtle, neutral, or earth tone colors; covered walkways; a minimum 85% masonry skin on the west elevation and many others stated the design standards.

Also present to speak in support of this case was Larry Reynolds, 6160 Deep Lake Drive, Valdez, Alaska. He stated that he owns the property currently occupied by Marine Max and has owned it since April, 1983. He mentioned that he had a boat business there for 20 years. He said that he would prefer to not have bars and night clubs in the building behind his property and he's sure his tenant wouldn't either, so he is in support of this project as a good use for that building. He stated that while this building has been vacant, his tenant has told him that they have had more thefts.

Present to go on record in support of this case was Kirk Williams, 5400 Renaissance Tower, Dallas; Jason Dorskocil, 6914 Trapper Court; Jacob Sumpter, 200 East Abram 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, Vice Chair Reiswig closed the public hearing.

Motion: Commissioner Ruff moved to deny SUP08-7. Commissioner Piel seconded the motion by the following vote:

AYES: Commissioners Ruff, Forbes, Piel, Gutierrez, and Moloney

NAYS: Vice Chair Reiswig and Commissioners Pokrifcsak and Stewart

ABSTENTIONS: Chair Vandergriff

DENIED 5-3-1

Vice Chair Reiswig asked what direction can be taken now. Mr. Parajon replied that since this is a denial, the applicant will have to request an appeal for the case to be heard by Council then it will be set in terms of how Council wants to handle it.

MISCELLANEOUS

Being no other business to come before the Commission, Vice Chair Reiswig adjourned the meeting at 6:25 p.m.

Chair

ATTEST:

Secretary to the Commission

APPROVED this 6th day of August 2008