

MINUTES
PLANNING AND ZONING COMMISSION
August 6, 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, August 6, 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	*	
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

ABSENT

Tim Moloney

Chair Vandergriff called the meeting to order at 5:35 p.m. Commissioner Piel gave the invocation and led the Pledge of Allegiance.

The minutes of the June 18, 2008 meeting were approved as revised and the minutes of the July 18, 2008 meeting were approved as submitted.

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

a) Replat, Cordy J. Ellis Addition, Lots 8A-1, 8A-2, and 8A-3, Block A (Zoned "R"); generally located north of West Pleasant Ridge and east of Shorewood Drive with an approximate address being 3815 Shorewood Drive.

Chair Vandergriff asked if there was anyone wishing to speak on this 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 asked for a motion for the consent agenda.

Motion: Commissioner Gutierrez moved to approve the replat for Cordy J. Ellis Addition. Commissioner Reiswig seconded the motion that carried by a vote of 8-0-0.

APPROVED

PUBLIC HEARINGS

(a) Zoning Case PD08-15 (Express Way Lube Center) At 5:45 p.m. Chair Vandergriff called the public hearing on Zoning Case PD08-15 (Express Way Lube Center), a request to change the zoning on approximately 0.882 acres of land from "CS" (Community Service) to "PD-CS" (Planned Development-Community Service) with limited uses, plus service bay areas exceeding twenty-percent of the gross floor area of the primary use" with concept brief approval; generally located north of Hardisty Drive and west of South Cooper Street with the approximate address being 6310 South Cooper Street.

Jennifer Ramirez, Planner, presented the case and stated that the applicant is proposing to change the zoning from "CS" to "PD-CS" with limited uses, plus service bay areas exceeding twenty-percent of the gross floor area of the primary use" with concept brief approval. She mentioned that the proposed zoning request is in conformance with the Southwest Sector Plan and the 1992 Comprehensive Plan. She said that the applicant proposes an Auto Oil and Lube Service Center. The applicant has excluded several uses from the "CS" zoning district. She stated that the applicant has excluded some of the uses in the "CS" district to offset the request of the bay area exceeding 20% of the gross floor area. She mentioned that the applicant will meet all the minimum requirements of the Zoning Ordinance as well as the Commercial Design Standards.

Proponent's Portion: Present to speak in support of this case was Jim Maibach, 1703 North Peyco Drive. He stated that they will be designing the building so that all the cars will come to the back to be serviced. He mentioned that they are providing additional screening to the back of the property.

Present to go on record in support of this case was Jordan Foster, 7505 Lake Park Court; Jacob Sumpter, MMA, Inc., 200 East Abram Street; and Danny Babek, 4000 Lorraine Drive.

Opposition Portion: Present to speak in opposition to this case was Mike Talambas, PO Box 172672, Arlington, representing the Southwest Action Team. He stated that this will be the second time in six months, if this is approved, that they have allowed a usage to exceed the Ordinance requirements and is wondering if this is setting a trend. He mentioned that the conceptual plan doesn't appear to meet the standards for southwest Arlington. He said that they would like to see something better than what has been presented tonight. He stated that they would like to see that area zoned permanent "A" so it can be used only for agriculture. He mentioned that when the carwash came in and the agreement was made for them to have the drive access off Hardisty, he thinks that the neighborhood association didn't envision any other use north of that.

Present to go on record in opposition to this request was John and Frances Presson, 7421 Mansfield Cardinal Road;

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

Motion: Commissioner Pokrifcsak moved to approve PD08-15. Commissioner Forbes seconded the motion that carried by the following vote:

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

NAYS: None

ABSTENTIONS: Commissioner Piel

APPROVED 7-0-1

Mr. Payne announced that the PD08-15 will be considered by City Council on September 2, 2008.

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

(b) Zoning Case ZA08-5 (OK Corral Drill Site) At 5:58 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-5 (OK Corral Drill Site), a request to change the zoning on approximately 6.0 acres of land from "VG-A" (Village on the Green at Tierra Verde Overlay-Agriculture) to "VG-E" (Village on the Green at Tierra Verde Overlay-Estate); generally located north of U.S. 287 Business Highway and east of Mansfield Cardinal Road with the approximate address being 7801 Mansfield Cardinal Road.

Darren Groth, Planner, presented both cases and stated that the ZA case is a change in zoning to VG-E (Village on the Green at Tierra Verde Overlay-Estate) to develop a gas drilling and production facility at this site. He mentioned that the SUP is for gas drilling on currently undeveloped property south of the golf course. He said that the proposed zoning does not conform to "VG" area vision which is that the future character be low-density residential with neighborhood commercial. He stated that it also does not conform to the revised Southwest Sector Plan as there is already property zoned other than "A" that is appropriate for gas drilling. He mentioned that non-residential uses in "A" zoning are not permitted in the Village Centre Subdistrict of the "VG" Overlay. He said that the applicant proposes to develop a gas well site, comply with the Gas Drilling and Production Ordinance, and landscaping will be provided in accordance with the submitted plan with native trees and shrubs from the Texas Smartscape List.

Proponent's Portion: Present to speak in support of this case Walter Dueease, XTO Energy, 810 Houston Street, Fort Worth. He stated that it has taken several months working with the Engler family and the adjacent property owners to identify a drill site that would be most compatible with the surrounding uses. He mentioned that they believe this site is compatible based on the existing land use this pad is tucked away in an area that is heavily vegetated. He said that they are required to provide substantial screening with a masonry wall and landscaping. He stated that they believe that this is an efficient use of surface.

Also present to speak in support of this case was Phil Welsh, Engler Properties, 316 Bailey Avenue Suite 111, Fort Worth. He stated that he does not think they could find a better drill site. He mentioned that it will be hidden and buffered from the adjacent properties.

Present to go on record in support of this case was Aric Head and Jonathan Ragsdale, Jacobs Engineering Group, Inc., 777 Main Street, Fort Worth; and Billie and Herman Ard, Jr., 1804 E Bankhead, Weatherford.

Opposition Portion: Present to speak in opposition to this case was Mike Talambas, PO Box 172672, Arlington representing the Southwest Action Team. He stated that three years ago hundreds of citizens got together along with the consultants City Council hired to develop a vision for what the residents and others had for what was the last remaining resort for Arlington. He mentioned that was why City Council approved Village on the Green. He said that carving out six acres for a drill site might hamper some of the opportunities of the vision.

Present to go on record in opposition to the case was John Presson, 7421 Mansfield Cardinal Road. He asked where the access for the drill site would be. Chair Vandergriff answered that would be defined during the permitting phase by City Council. Mr. Groth stated that there is an access route proposed on the site plan but what would be the best route will be determined by City Council at the time of permitting.

Rebuttal: Mr. Dueease stated that the proposed route will be off U.S. 287 Business Highway. He mentioned that would be south of the vacant property to the south. He

said that this is based on conversations they have had with the existing property owners. He stated that with the agreements they have with XTO Energy they believe that this will have a minimal impact on the existing surface use as well as the proposed use. He mentioned that they will meet and exceed the requirements for the site.

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

Motion: Commissioner Reiswig moved to deny ZA08-5. Commissioner Ruff seconded the motion that carried by a vote of 8-0-0.

DENIED

(c) Specific Use Permit SUP08-9 (OK Corral Drill Site) At 5:58 p.m. Chair Vandergriff called the public hearing on SUP08-9 (OK Corral Drill Site), a specific use permit for Gas Drilling on approximately 6.0 acres of land zoned "VG-A" (Village on the Green at Tierra Verde Overlay-Agriculture); generally located north of U.S. 287 Business Highway and east of Mansfield Cardinal Road with the approximate address being 7801 Mansfield Cardinal Road.

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 Phil Welsh, Engler Properties, 316 Bailey Avenue Suite 111, Fort Worth; Aric Head and Jonathan Ragsdale, Jacobs Engineering Group, Inc., 777 Main Street, Fort Worth; and Billie and Herman Ard, Jr., 1804 E Bankhead, Weatherford.

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

Present to go on record in opposition to the case was Mike Talambas, PO Box 172672, Arlington representing the Southwest Action Team; John Presson, 7421 Mansfield Cardinal Road.

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

Motion: Commissioner Ruff moved to deny SUP08-9. Commissioner Forbes seconded the motion that carried by a vote of 8-0-0.

DENIED

(d) Zoning Case ZA08-11 (Mostafa Farahani) At 6:22 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-11 (Mostafa Farahani), a request to change the zoning on approximately 0.9 acres of land from "VG-A" (Village on the Green at Tierra Verde Overlay District-Agriculture) to "VG-B" (Village on the Green at Tierra Verde Overlay District-Business); generally located north of U.S. 287 Business Highway and south of Mansfield Cardinal Road with the approximate address being 7505 U.S. 287 Business Highway.

Douglas Cooper, Planner, presented the case and stated that the applicant is requesting a change in the zoning of property to "VG-B" (Village on the Green at Tierra Verde Overlay District-Business) which is not affected by the Tierra Verde Overlay since that only applies to properties zoned "A" agriculture. He mentioned that the proposed use does not conform to the vision intended for the Village West or with the Village on the Green at Tierra Verde Master Plan as the applicant proposes to develop the site for the purpose of used automobile sales.

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 necessary, was Mostafa Farahani, 7505 U.S. 287 Business Highway.

Opposition Portion: Present to speak in opposition to this case was Mike Talambas, PO Box 172672, Arlington representing the Southwest Action Team. He stated that this does not conform to the vision for southwest Arlington and the Tierra Verde plan. He mentioned that Kennedale has been cleaning up their salvage yards and car sales along this area. He said that it's an eyesore and Council's vision for this area is it being cleaned up along with residential being developed in the area. He stated that this is a great vision and we need to give it a chance to take hold, so this is not a proper use for the area.

Present to go on record in opposition to this case was John and Frances Presson, 7421 Mansfield Cardinal Road; William and Silvia Birk, 7441 Mansfield Cardinal Road.

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

Motion: Commissioner Reiswig moved to deny ZA08-11. Commissioner Pokrifcsak seconded the motion that carried by a vote of 8-0-0.

DENIED

(e) Zoning Case ZA08-12 (Tidwell Addition) At 6:21 p.m. Chair Vandergriff called the public hearing on Zoning Case ZA08-12 (Tidwell Addition), a request to change the zoning on approximately 0.6026 acres of land from "A" (Agriculture) to "R" (Single family residential with a minimum lot size of 7,200 square feet); generally located north of West Harris Road and west of Calender Road with the approximate addresses being 7096 and 7100 Calender Road.

Chair Vandergriff announced that the applicant has requested that this case be continued until the August 20 meeting.

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 continue ZA08-12 to the August 20 meeting. Commissioner Gutierrez seconded the motion that carried by a vote of 8-0-0.

CONTINUED to the August 20, 2008 Meeting

(f) Specific Use Permit SUP08-15 (Stoner Drill Site) At 6:28 p.m. Chair Vandergriff called the public hearing on SUP08-15 (Stoner Drill Site), a specific use permit for Gas Drilling on approximately 2.955 acres of land zoned "BP-IM" (Business Park Overlay-Industrial Manufacturing) with "AP3" (Airport Overlay 3); generally located south of East Interstate 20 Highway and east of South Center Street with the approximate address being 500 East Interstate 20 Highway.

Darren Groth, Planner, presented the case and stated that the area is designated as "TI" which is a non-retail target industry and the appropriate zoning districts are "BP-O", "BP-B", "BP-LI", and "BP-IM". He mentioned that gas drilling operations will require appropriate measures to meet the requirements of "AP-3" Overlay. He said that the

applicant proposes to develop a gas drilling and production facility complying with Gas Drilling and Production Ordinance requirements; and, in lieu of providing additional landscaping, the applicant indicates that the existing trees will remain around the perimeter of the drill 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 and to answer questions, if necessary, was Heather Barcia, Chesapeake Energy, 301 Commerce Street, Fort Worth; and Sarah Lapachet, also with Chesapeake Energy.

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 Pokrifcsak moved to approve SUP08-15. Commissioner Forbes seconded the motion that carried by a vote of 8-0-0.

APPROVED

Mr. Payne announced that the SUP08-15 will be considered by City Council on September 2, 2008.

MISCELLANEOUS

Being no other business to come before the Commission, Chair Vandergriff adjourned the meeting at 6:40 p.m.

Chair

ATTEST:

Secretary to the Commission

APPROVED this 20th day of August 2008