City of Farmers Branch

Meeting Minutes

Planning and Zoning Commission

Monday, February 10, 2020 7:00 PM

City Hall

Study Session Meeting – 6:00 PM

Present 13 - Chairman David Moore, Commissioner Tim Yarbrough, Commissioner Michael Driskill, Commissioner Giovanni Zavala, Commissioner Jarrod Williams, Alternate Commissioner Bonnie Potraza, Alternate Commissioner Barrett Cole (arrived 6:17 PM), Vice Chairman Sergio De Los Santos, Tina Firgens AICP Director of Planning, Jenifer Paz AICP Lead Planner, Brian Campbell Planning Technician, Kyra McCordle Planning Consultant and John Land Deputy City Manager

Absent 1 - Commissioner Linda Bertl

A. STUDY SESSION

A.1 20-82 Discuss Regular Agenda items.

Chairman Moore called the Study Session to order at 6:00 PM.

Chairman Moore thanked the Commissioners for their service.

Chairman Moore opened discussion on Study Session Agenda item A.1 Discuss Regular Agenda items.

Chairman Moore asked for any questions regarding Regular Agenda and Public Hearing items.

Regarding Regular Agenda item C.3:

- Chairman Moore asked Ms. Jenifer Paz, Lead Planner, to explain the proposed plat.

Regarding Regular Agenda item C.4:

- Chairman Moore asked Ms. Paz to explain the applicant’s proposal.
- Commissioner Yarbrough asked about prospective tenants for the retail building.
- Commissioner Zavala expressed concerns related to the proposed development versus the previous approved detailed site plan, citing concerns regarding change in land uses property and the architectural aesthetics of the proposed childhood care facility building. He also asked if the applicant provided a market study.

- Chairman Moore asked about the pickup and drop-off locations for the proposed childhood care facility.

- Alternate Commissioner Potraza asked if the proposed restaurant would be permitted to serve alcohol.

- Commissioner Yarbrough asked about the proposed landscaping.

- Commissioner Driskill asked about the height of the wall adjacent to the southern boundary of the subject property.

- Chairman Moore and Commissioner Yarbrough asked about the public notification process related to this case.

Regarding Public Hearing item D.1:

- Ms. Kyra McCardle, Planning Consultant, explained the proposed zoning amendment.

Hearing no further questions or comments from the Commissioners, Chairman Moore closed discussion on this agenda item.

A.2 20-73

**Discuss and provide direction regarding potential amendments to the Comprehensive Zoning Ordinance related to uses and development standards requiring approval of a Specific Use Permit.**

Chairman Moore opened discussion on Study Session Agenda item A.2 Discuss and provide direction regarding potential amendments to the Comprehensive Zoning Ordinance related to uses and development standards requiring approval of a Specific Use Permit.

Ms. Tina Firgens, Director of Planning, gave a presentation related to the proposed amendments and requested direction from the Commissioners.

Questions and direction from the Commissioners regarding the proposed amendments were as follows:

- Regarding outdoor patio areas associated with qualifying restaurants:
  - Commissioner Driskill asked if restaurants located on the west side of the City were currently subject to the Specific Use Permit requirement.
  - Chairman Moore and Commissioner Driskill asked about the locations of the Commercial districts within the City.
  - There was general consensus amongst the Commissioners in favor of removing this Specific Use Permit requirement.
• There was general consensus amongst the Commissioners in favor of removing the Specific Use Permit requirement for properties having more than two drive approaches within the Light Industrial and Heavy Industrial zoning districts.

• Regarding open storage:
  ▪ Chairman Moore asked if the proposed amendment would remove current screening requirements related to open storage.
  ▪ Commissioner Driskill asked for a definition of open storage and where within the City this use was permitted.
  ▪ Alternate Commissioner Potraza asked if a shed was considered open storage.
  ▪ Chairman Moore asked about the percentage of permitted outdoor storage related to a building’s square footage.
  ▪ There was general consensus amongst the Commissioners in favor of the proposed amendment clarifying the amount of open storage allowed by right versus that requiring approval of a Specific Use Permit.

Ms. Firgens said staff would bring back a formal zoning case regarding the proposed amendments.

Hearing no further questions or comments from the Commissioners, Chairman Moore closed discussion on this agenda item.

A.3 20-107

Discuss cancelling the Planning and Zoning Commission’s meeting scheduled for April 27, 2020.

Ms. Firgens stated staff had not yet received any development applications targeting the April 27, 2020 meeting date and now was a good time to decide on canceling this meeting due to a majority of staff being out of town for a conference on this date. Ms. Firgens said the Commission would still meet the City Charter requirement of holding one meeting per month with the one other meeting date scheduled in April. Ms. Firgens stated staff would bring back discussion related to adding a meeting date for the month of May due to the need to have a steering committee meeting related to the Interstate Highway 35 (IH-35E) corridor vision study.

There was general consensus amongst the Commissioners in favor of canceling the April 27, 2020 meeting.

Hearing no further questions or comments from the Commissioners, Chairman Moore closed discussion on this agenda item.

A.4 20-83

Discuss agenda items for future Planning and Zoning Commission consideration.

Chairman Moore opened discussion on Study Session agenda item A.5 Discuss agenda items for future Planning and Zoning Commission consideration.

Commissioner Yarbrough asked if staff’s work regarding the proposed parking
ordinance would address the City’s parking ratios, and about adding a Study Session item for the next meeting related to follow-up discussion of the Focus North Texas 2020 conference.

Chairman Moore asked about a tour of the City for the Commission, stating he believed it would be beneficial to see current developments as a group.

Vice Chairman De Los Santos asked to discuss the revitalization and planning efforts within the City’s downtown station area.

Hearing no further questions or comments from the Commissioners, Chairman Moore closed discussion on this agenda item and adjourned the Study Session at 6:49 PM. Staff and the Commissioners reconvened in the Council Chambers for the Regular Meeting at 7:01 PM.

B. CITIZEN COMMENTS

Chairman Moore asked if anyone would like to address the Commission on an item not posted on the agenda.

Hearing no questions or comments, Chairman Moore closed this agenda item.

C. REGULAR AGENDA ITEMS

C.1 20-84 Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented; and take appropriate action.

A motion was made by Commissioner Yarbrough, seconded by Commissioner Zavala, that the Attendance Matrix be approved. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Commissioner Williams, Alternate Commissioner Potraza, and Vice Chairman De Los Santos

Absent: 1 – Commissioner Bertl

C.2 20-85 Consider approval of the January 27, 2020 Planning and Zoning Commission Minutes; and take appropriate action.

A motion was made by Commissioner Driskill, seconded by Vice Chairman De Los Santos, that the Minutes be approved. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Commissioner Williams, Alternate Commissioner Potraza, and Vice Chairman De Los Santos

Absent: 1 – Commissioner Bertl

C.3 20-PL-03 Consider a request from H & H Developments and Construction, LP for final plat approval of Nala Addition, Lot 2, Block A, located at 13840 Denton Drive; and take appropriate action.
H & H Development and Construction, LP is the sole owner of one tract of land totaling 2.01 acres located at 13840 Denton Drive. The property is currently platted as Wimberley Subdivision, Lot 2, Block A. The purpose of this replat is to abandon the previously platted fire lane easement located within the lot, in addition to changing the addition name. The final plat of Nala Addition, Lot 2, Block A is consistent with the Texas Local Government Code and the City's platting requirements for final plat approval. Staff recommends approval of this final plat as presented.

Ms. Jenifer Paz, Lead Planner, gave a brief presentation regarding the proposed plat.

Chairman Moore asked for any questions.

Hearing none, Chairman Moore asked for a motion.

**A motion was made by Commissioner Yarbrough, seconded by Vice Chairman De Los Santos, that this Final Plat be approved. The motion carried unanimously.**

**Aye:** 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Commissioner Williams, Alternate Commissioner Potraza, and Vice Chairman De Los Santos

**Absent:** 1 – Commissioner Bertl

C.4 19-SP-19

**Consider the request for a Detailed Site Plan amendment for multiple commercial uses on a 3.38-acre site located at 13000 Josey Lane; and take appropriate action.**

The subject 3.38-acre property is located on the east side of Josey Lane and approximately 460 feet south of Valley View Lane. A detailed site plan for the site was approved on September 26, 2017 for a two-phased development. Phase one consisted of a medical office and rehabilitation clinic on the eastern portion of the site and phase two is for restaurant and retail uses on the western portion of the property. Since the approval, phase one was constructed and completed. Phase two has not been completed and the property remains vacant and undeveloped. This request is to amend the approved detailed site plan to allow for modification to phase two, including reconfiguration of the site layout and proposed uses. Uses proposed include restaurant, bank, dental clinic and child care facility. The property is located within Planned Development District No. 7 (PD-7), which allows for the proposed uses. Staff recommends approval of this Detailed Site Plan as presented.

Ms. Jenifer Paz, Lead Planner, gave a brief presentation regarding the proposed development and stated this case was scheduled to be heard by City Council on March 3, 2020.

Chairman Moore asked for any questions.

Commissioner Yarbrough asked about the architectural aesthetics of the buildings and prospective tenants for the retail and restaurant buildings. Mr. Russell Martin, 102 Smallwood Drive, Westworth Village, Texas and Mr. Tony Philley, 550 Bailey Avenue, Fort Worth, Texas, the applicants, addressed Commissioner Yarbrough's questions.

Commissioner Zavala asked about the construction timeline pending approval. Vice Chairman De Los Santos asked if consideration was given related to the proposed
building elevations for the childhood care facility and commented that these elevations were not consistent with those of the other proposed buildings for the subject property.

Chairman Moore asked about the following related to the proposed childhood care facility: the number of children planned for inside the building under normal occupancy; if the company associated with this use was an established business; and the pickup and drop-off locations and procedures.

Commissioner Driskill asked about the following: when the applicant anticipated to have the buildings ready for occupancy; if the applicant had signed leases for the retail buildings; and whether the dentist and banking uses were existing businesses relocating to the subject property.

Alternate Commissioner Potraza asked about parking related to the childhood care facility.

Commissioner Yarbrough requested clarification regarding the business uses associated with the signed leases and if the applicant had a signed lease for the proposed restaurant.

Hearing no further questions or comments from the Commissioners, Chairman Moore asked for a motion.

A motion was made by Commissioner Yarbrough, seconded by Commissioner Driskill, that this Detailed Site Plan be recommended for approval. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavaleta, Commissioner Williams, Alternate Commissioner Potraza, and Vice Chairman De Los Santos

Absent: 1 – Commissioner Bertl

D. PUBLIC HEARING

D.1 20-ZA-01 Conduct a public hearing and consider a request to amend the Comprehensive Zoning Ordinance including amending: Article 2. Zoning Districts and Uses as it relates to allowing Commercial Amusement (indoor) uses by right within the Light Industrial zoning District, and Article 7. Definitions as it relates to modifying the definitions of Amusement Commercial (indoor) and Amusement Commercial (Outdoor); and take appropriate action.

This is a city-initiated zoning amendment to the Comprehensive Zoning Ordinance (CZO) to amend commercial amusement (indoor) from a use requiring a specific use permit to a use permitted by right within the Light Industrial (LI) district. In addition, amendments to Article 7. Definitions are proposed to update the definitions of commercial amusement (indoor) and commercial amusement (outdoor) for clarity and consistency. The City has received two applications for commercial amusement (indoor) uses (i.e. batting cages) within the LI district which has led to a reevaluation of the current SUP requirement. It is appropriate to review aspects of the City’s CZO from time to time to ensure relevancy with current land use policies and development conditions, particularly with respect to regulations that may have been established many years ago. The CZO was initially adopted in February 1969, and primarily
established the zoning districts, uses, and definitions that exist today. In 2017 comprehensive amendments were made to the CZO. However, no changes were made to the LI districts SUP requirement for Commercial Amusement (indoor) uses in Article 2, or to the definitions of Commercial Amusement (indoor) or Commercial Amusement (outdoor) in Article 7. The change from SUP to a use allowed by right for commercial amusement (indoor) uses is based on demand and conditions within the LI zoning district. The proposed amendment will facilitate development of commercial amusement (indoor) uses within the LI district and allows for adaptive reuse of existing buildings which may be appropriate for these types of uses. The proposed amendments to the definitions ensures the land uses are reflective of current types of activities that may occur or are associated with commercial amusement (indoor) and commercial amusement (outdoor) uses. The proposed amendments to the definitions will improve the interpretation and classification of commercial amusement (indoor) and commercial amusement (outdoor) uses. Staff recommends approval of this Zoning amendment as presented.

Ms. Kyra McCartney, Planning Consultant, gave a brief presentation regarding the proposed zoning amendment and stated this case was scheduled to be heard by City Council on February 18, 2020.

Chairman Moore asked for any questions.

Commissioner Williams asked about the Certificate of Occupancy applications received by staff that triggered this zoning amendment.

Hearing no further questions or comments from the Commissioners, Chairman Moore opened the public hearing.

Mr. David Lovell, 2052 Diamond Ridge Drive, Carrollton, Texas, stated the following: that the East Side comprehensive plan recommended redevelopment and adaptive reuse of buildings in this area of the City to bring in new businesses and encourage the public to spend time here; the biggest impediment to development in this area of the City was current zoning and land uses; and his excitement for potentially bringing his business to the east side of the City.

Commissioners Yarbrough, Williams and Driskill asked Mr. Lovell about his business, including: business operations; the name of the business; if the baseball training would be offered year-round; the age range for the training; and if the applicant proposed offering training to athletes of the Brookhaven College.

No one else came forward to address this agenda item. Chairman Moore closed the public hearing and asked for a motion.

**A motion was made by Commissioner Yarbrough, seconded by Commissioner Driskill, that this Zoning Amendment be recommended for approval. The motion carried unanimously.**

**Aye:** 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Commissioner Williams, Alternate Commissioner Potraza, and Vice Chairman De Los Santos

**Absent:** 1 – Commissioner Bertl

E. **ADJOURNMENT**
Being no further business, Chairman Moore adjourned the meeting at 7:35 PM.

Chairman

City Administration