



City of Farmers Branch

City Hall
13000 Wm. Dodson Pkwy
Farmers Branch, TX 75234

Meeting Minutes

Planning and Zoning Commission

Monday, August 5, 2019

7:00 PM

City Hall

Study Session Meeting – 5:30 PM

- Present 11** - Chairman David Moore, Commissioner Tim Yarbrough, Commissioner Michael Driskill, Commissioner Giovanni Zavala, Alternate Commissioner Jarrod Williams, Alternate Commissioner Bonnie Potraza, Jenifer Paz AICP Lead Planner, Surupa Sen AICP Senior Planner, Brian Campbell Planning Technician, Kyra McCardle Planning Consultant and John Land Deputy City Manager
- Absent 3** - Commissioner Jared Sullivan, Commissioner Linda Bertl and Vice Chairman Sergio De Los Santos

A. STUDY SESSION

A.1 [19-348](#) Discuss Regular Agenda items.

Chairman Moore called the Study Session to order at 5:30 PM.

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 B.1:

- Commissioner Driskill noted that former Planning and Zoning Commissioner Cristal Retana was erroneously marked as present at the July 8, 2019 meeting.

Regarding Public Hearing item C.2:

- Ms. Jenifer Paz, Lead Planner, gave an overview of the proposed development.
- Chairman Moore asked if each individual unit would be taxed, and Ms. Paz said she was not sure.

- Commissioner Driskill asked if staff had previously processed development cases related to enclosed vehicle storage facilities, and Ms. Paz said not to her knowledge.
- Commissioner Zavala asked if the applicant currently owned the subject property, and Ms. Paz said the property was under contract and this was dependent upon approval of this request.

Regarding Public Hearing item C.3:

- Ms. Paz gave an overview of the proposed zoning amendment.
- Commissioner Yarbrough asked about the special exceptions requested by the applicant.

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

A.2 [19-395](#)

Discussion and direction regarding draft amendments to the nonconforming provisions of the Comprehensive Zoning Ordinance.

Chairman Moore opened discussion on Study Session Agenda item A.2 Discussion and direction regarding draft amendments to the nonconforming provisions of the Comprehensive Zoning Ordinance.

Ms. Kyra McCardle, Planning Consultant, gave a presentation regarding the proposed draft amendments.

Questions and comments from the Commissioners regarding Ms. McCardle's presentation were as follows:

- Chairman Moore asked about the proposed provisions regarding maintenance and repair of nonconforming site elements related to fencing and accessory structures.
- Chairman Moore asked for consensus related to staff's proposed amendments, and there was general consensus amongst the Commissioners that the proposed amendments were favorable.
- Commissioner Driskill asked about the number of public hearings for the proposed amendments.
- Commissioners Zavala and Driskill asked about data regarding existing properties that are considered nonconforming, including whether the Code Enforcement department had such data for commercial properties.

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

The Commission directed staff to proceed with the amendment as presented.

A.3 [19-375](#)

Discussion and direction regarding potential amendments to the landscaping and off-street parking provisions of the Comprehensive Zoning Ordinance.

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

A motion was made by Commissioner Zavala, seconded by Commissioner Yarbrough, that this Final Plat be recommended for approval. The motion carried unanimously.

Aye: 6 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Alternate Commissioner Williams, and Alternate Commissioner Potraza

Absent: 3 – Commissioner Sullivan, Commissioner Bertl and Vice Chairman De Los Santos

C.2 [19-SU- 06](#)

Conduct a public hearing and consider the request for a Specific Use Permit and associated Detailed Site Plan for an enclosed vehicle storage facility on a 3.9-acre lot located at 13342 Midway Road, at the southeast corner of Midway Road and McEwen Road; and take appropriate action.

The subject 3.9-acre property is located at the southeast corner of Midway Road and McEwen Road. The site is occupied by a vacant 105,000 square foot, two-story showroom/warehouse building and associated surface parking. The applicant is proposing a phased development. Phase 1 will involve renovation and expansion of the existing building to be used as enclosed vehicle storage units. Phase 2 will include construction of a new two-story, 36,000 square foot building which will add additional enclosed vehicle storage units. The subject property is located within Light Industrial (LI), which requires approval of a Specific Use Permit (SUP) for enclosed vehicle storage. Staff recommends denial of this Specific Use Permit request and associated Detailed Site Plan.

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

Chairman Moore asked for any questions.

Commissioner Zavala asked if the existing fire lane located to the east of the property would have a gated entry, and Ms. Paz said yes and it would be limited to emergency access. Commissioner Zavala noted that this emergency entry was not labeled on the applicant's site plan. Commissioner Zavala also asked if any future improvements to the interior of the building would require approval by the Planning and Zoning Commission, and Ms. Paz said no.

Ms. Paz noted that staff received two letters in support of the applicant's request from property owners within 200 feet of the subject property, and that staff also received three emails in support from property owners within the east side of the City, but not within 200 feet of the subject property.

Commissioner Driskill asked about the emails in support of the request.

Alternate Commissioner Williams asked if staff had reviewed any Specific Use Permit requests similar to the applicant's proposal and Ms. Paz said no. Alternate Commissioner Williams discussed staff's concerns related to previous vehicle-related development cases within the East Side.

Hearing no further questions or comments from the Commissioners, Chairman Moore invited the applicant to approach the podium, and Mr. Edwin Brantley Smith, a representative of the applicant, 8226 Douglas Avenue, Dallas, Texas, gave a presentation regarding the proposed development.

Chairman Moore asked for any questions.

Commissioner Driskill discussed the following: if the vehicle storage facilities in development in Allen and Roanoke, Texas mentioned in the architect's presentation were repurposing old buildings; if each unit within the proposed facility were to be sold in a manner similar to a residential condominium; the price per square footage of each unit; the type of clientele purchasing these types of units; and the rooftop terrace proposed. Commissioner Driskill commented that he believed this to be a unique development.

Chairman Moore asked if there would be restrooms in any other area of the facility in addition to the clubhouse.

Commissioner Zavala discussed the following: the construction schedule pending approval of the request; if the column and cable system served a structural function for the elevated driveways, and if it could withstand vehicle impact.

Commissioner Yarbrough discussed the following: if the facility was intended for individuals who already owned vintage and high-end vehicles where such individuals were currently storing their vehicles; if there would be any prohibited vehicle types; if there would be any restrictions on how an individual unit could be utilized; if any of the applicant's previous developments were used as warehousing space; if this was the applicant's first project of this type; if the applicant was aware of anyone who developed a similar project; and current market conditions related to the applicant's proposal.

Hearing no further questions or comments for Mr. Brantley, Chairman Moore invited Mr. Jeff Howle, a representative of the applicant, 3210 Oliver Street, Dallas, Texas, to approach the podium and speak about the proposed development.

Mr. Howle, the current property owner, stated that he had seen success with similar developments, noting one in Monterey, California that was 50 percent leased. Mr. Howle stated that he had a good working relationship with the City of Farmers Branch, noting several properties he owned within the east side of the City. Mr. Howle said he bought the subject property in 1999 as a showroom for Gabbert's Furniture, and due to several unforeseen circumstances, Gabbert's Furniture vacated the property in 2009. Mr. Howle said he had since struggled to secure a use for this property that was keeping with the uses recommended in the East Side comprehensive plan. Mr. Howle noted his time serving on the committee that helped develop the East Side Plan, and stated he felt the proposed development aligned with the vision and the intent of the East Side Plan and connected several components of the proposed development with specific goals within the plan. Mr. Howle noted the positive feedback he had received regarding the proposed development. Mr. Howle said he felt the proposed development would help revitalize this area of the City and solve the vacancy problem.

Commissioner Zavala asked Mr. Howle if he was the owner of the proposed development, and Mr. Howle said no. Commissioner Zavala discussed the construction timeline of phase two.

Alternate Commissioner Portraza asked how restrictions related to vehicle maintenance

and utilizing units as dwelling units would be enforced.

Commissioner Yarbrough discussed the following: the number of units for phase one; the square footage of the clubhouse; and operations related to the clubhouse.

Alternate Commissioner Williams commented that he liked the proposed development, and said he believed it was not fair to equate this development with previously proposed vehicle-related uses requested in the east side.

Chairman Moore invited Mr. John Land, Deputy City Manager, to approach the podium and discussed the following: if the individual units would be taxed in a manner similar to condominiums; if building permits would be required to install restrooms within the units; and the administrative process related to the applicant being permitted to serve alcohol on the premises; and enforcement related to restrictions on uses for the units.

Commissioner Yarbrough asked if the proposed development had been reviewed by the Fire Department.

Hearing no further questions or comments from the Commissioners, Chairman Moore opened the public hearing. No one came forward to address this agenda item. Chairman Moore closed the public hearing.

Chairman Moore stated the following: he liked the proposed development, and believed it to be in keeping with the intent of the East Side comprehensive plan; commended Mr. Howle for addressing specific components of the East Side Plan related to the proposed development; that he shared Alternate Commissioner Williams' sentiment that the proposed development was not the type of vehicle storage use the East Side Plan discouraged; the importance of the potential increase in tax incremental value for the subject property; the importance of the letters and emails received by staff in support of the proposed development; and that he would support a motion to recommend approval of this Specific Use Permit request.

Commissioner Yarbrough stated the following: he commended Mr. Howle in his efforts to find a use for the subject property that was in keeping with the intent of the East Side Plan; the importance of bringing in new dollars into the City; that he liked the type of clientele intended for this development; and that he would support making a motion to approve this Specific Use Permit request.

Commissioner Driskill stated the following: that he shared the sentiments of Chairman Moore and Commissioner Yarbrough in supporting this request; that he believed this proposed development to be unique and that it would bring prestige to the east side of the City and prove successful; the importance of adaptative reuse of older buildings; and that he believed the proposed development to be in keeping with the intent of the East Side Plan.

Chairman Moore asked for a motion.

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

Aye: 6 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Zavala, Alternate Commissioner Williams, and Alternate Commissioner

Potraza

Absent: 3 – Commissioner Sullivan, Commissioner Bertl and Vice Chairman De Los Santos

Chairman Moore asked when this case would be presented to City Council. Ms. Paz said it would be September 3, 2019.

C.3 [18-ZA-08](#)

Conduct a public hearing and consider the request to rezone approximately 8.02 acres located generally at the southeast corner of Mercer Parkway and Commerce Street, from Commerce District to Urban Center District within Planned Development District No. 88 and including special exceptions; and take appropriate action.

The applicant, Davis Development, is requesting to amend Planned Development District No. 88 (PD-88) for approximately 8.02 acres located at the southeast corner of Mercer Parkway and Commerce Street. The subject property is designated Commerce District in Regulating Plan of PD-88 and the request is to amend to Urban Center District. This amendment will allow the development of the property for a four-story multi-family residential development consisting of 379 units including structured parking. A proposed conceptual site plan is included within this zoning request. Staff recommends approval of this zoning amendment as presented.

Ms. Jenifer Paz, Lead Planner, gave a presentation regarding the proposed zoning amendment.

Chairman Moore asked if the corridors would be air-conditioned. Chairman Moore commented that the conceptual site plan featured no landscaping.

Chairman Moore asked for any additional questions.

Hearing no questions or comments from the Commissioners, Chairman Moore invited the applicant to approach the podium, and Mr. Gene Babb, the applicant, 17304 Preston Road, Dallas, Texas, gave a presentation regarding the proposed development of the subject property.

Chairman Moore discussed why the applicant was proposing to provide two swimming pools. Chairman Moore asked if the corridors would be air-conditioned, and Mr. Babb said yes.

Chairman Moore asked for any additional questions.

Commissioner Driskill asked about the following: property management related to the applicant's developments; anticipated lease rates for the multifamily units pending approval; and the number of bedrooms for each unit.

Commissioner Zavala asked about the following: if the applicant had purchased the subject property; if the applicant had completed a market analysis; the applicant's knowledge of performance of other multifamily developments in the area; is there any concern by the applicant regarding other multifamily developments either in development or entitled within the area surrounding the subject property and how that may impact their proposed development; and the construction timeline pending approval. Commissioner Zavala expressed concerns regarding an oversaturation of