



City of Farmers Branch

Meeting Minutes

Planning and Zoning Commission

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

Monday, March 25, 2024

7:00 PM

City Hall

Study Session Meeting – 6:30 PM

Present 12 - Chair Amber Raley, Commissioner Marcus Miller, Commissioner Heidi Porter, Commissioner Alden Sultzbaugh, Commissioner Patrick Trapp, Commissioner Harold Froehlich, Alternate Commissioner Tanner Dorman Deputy Director of Planning Marcos Narvaez, Lead Planner Sarah Bergman AICP, Planner Lily Sutton, Senior Planning Technician Brian Campbell

A. STUDY SESSION

Chair Raley opened the Study Session at 6:30 PM.

Chair Raley thanked the Commissioners for their service.

A.1 [24-178](#) Discuss Regular Agenda Items.

Chair Raley asked for any questions or comments regarding the Regular Agenda item.

Regarding Regular Agenda Item C.2:

- Commissioner Trapp asked about the location of the driveway. Ms. Sutton clarified the location.
- Chair Raley asked whether the applicant would be present during the Regular Meeting. Ms. Sutton said yes.
- Commissioner Trapp asked whether the parking spaces being angled at 45 degrees was related to maneuverability of the subject property. Mr. Narvaez said yes.
- Commissioner Froehlich asked whether staff had received in writing from the applicant that the landscaping would be irrigated. Mr. Narvaez said yes.

Regarding Public Hearing Item D.1:

- Regarding Section G.1.A., Commissioner Trapp asked if the language “not detrimental” could be added in describing what a home occupation should not be. Mr. Narvaez said yes and stated that the ordinance could be amended per recommendations from the Commission prior to the City Council public hearing. Chair Raley stated she believed the current language made this clear.

- Commissioner Trapp asked whether this ordinance would preclude someone from using their home for a use which could potentially negatively affect resources within a neighborhood and discussed bitcoin storage as an example, which could potentially negatively affect electricity and internet service within a neighborhood. Mr. Narvaez explained that other provisions of the Code of Ordinances would address such uses. Chair Raley stated she believed that section G.1.A. addressed such uses.
- Commissioner Froehlich asked how staff could proactively stop undesirable businesses from becoming home occupations. Mr. Narvaez stated that such situations as well as any other issues related to home occupations would be complaint based and that Planning staff would work with Code Enforcement staff to address.
- Commissioner Trapp asked whether garage and estate sales were already covered by the Code of Ordinances. Mr. Campbell said yes.
- Regarding Section G.3.b., Commissioner Trapp suggested replacing “i.e.” with “e.g.” before the list of examples, noting that this was not an all-encompassing list. Mr. Narvaez and Mr. Campbell confirmed that this change would be made.
- Regarding Section G.3.g., Commissioner Trapp asked whether this would include someone attempting to use their home as an Amazon fulfillment location. Mr. Narvaez stated that Section G.1.i covered this scenario by stating that no more than 25 percent of the residence could be dedicated to the home occupation.
- Commissioner Froehlich asked whether staff could require permitting for home occupations. Chair Raley explained that she believed this would prove onerous to both staff and residents. Mr. Campbell explained that home occupations should be inconspicuous and therefore neighbors should not be aware that the home occupation is occurring in the first place.
- Alternate Commissioner Dorman asked whether home occupation as a use could be extended to the Multifamily Residential zoning districts. Mr. Narvaez said yes.
- In response to comments made by Commissioner Miller regarding someone operating car dealership type use from their multifamily residence, Commissioner Sultzbaugh asked whether this example was applicable to this ordinance. Mr. Narvaez said no.
- Chair Raley recapped the proposed conditions as follows: that home occupations as a use be extended to multifamily developments; and that within Section G.3.b, “i.e.” be replaced with “e.g.”
- Commissioner Sultzbaugh asked whether this ordinance had been presented to City Council. Mr. Campbell explained that that the topic of home occupations had been presented to City Council three times by Code Enforcement staff before the City attorneys determined this would be best addressed by Planning staff through an amendment to the Comprehensive Zoning Ordinance.

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

A.2 [24-007](#) Discuss agenda items for future Planning and Zoning Commission consideration.

No new items were requested by the Commissioners.

Hearing no further questions or comments from the Commissioners, Chair Raley closed the discussion on this agenda item and adjourned the Study Session at 7:08 PM. Staff and the Commissioners reconvened in the Study Session room for the Regular Meeting at 7:15 PM.

B. CITIZEN COMMENTS

Chair Raley asked if anyone would like to address the Commission on any item not posted on the agenda.

No one came forward to address the Commission, and Chair Raley closed the Citizen Comments portion of the agenda.

C. REGULAR AGENDA ITEMS

C.1 [24-005](#) Consider approval of the February 26, 2024 Planning and Zoning Commission Minutes; and take appropriate action.

A motion was made by Commissioner Miller, seconded by Alternate Commissioner Dorman, that the Minutes be approved. The motion carried unanimously.

Aye: 7 – Chair Raley, Commissioner Miller, Commissioner Porter, Commissioner Sultzbaugh, Commissioner Trapp, Commissioner Froehlich and Alternate Commissioner Dorman

C.1 [23-SP-14](#) Consider the request for a Detailed Site Plan on approximately 6.49-acres located at 13737 and 13757 N. Stemmons Freeway; and take appropriate action.

Ms. Sutton gave a presentation regarding the proposed development.

Mr. Rob Pennington with Kimley-Horn and Associates, the applicant, 2600 North Central Expressway, Richardson, was available to answer questions.

Commissioner Miller asked about maneuverability of the subject property for those entering from the south. Mr. Pennington stated that it was the intent to make this area one-way travel.

Chair Raley complimented the applicant on the development's consistency with the recommendations of both the Farmers Branch 2045 Plan and the Interstate 25 (IH-35E) Corridor Vision Study.

Hearing no further questions or comments from the Commissioners, Chair Raley asked for a motion.

A motion was made by Commissioner Miller, seconded by Alternate Commissioner Dorman, that the Minutes be approved. The motion carried unanimously.

Aye: 7 – Chair Raley, Commissioner Miller, Commissioner Porter, Commissioner Sultzbaugh, Commissioner Trapp, Commissioner Froehlich and Alternate Commissioner Dorman

Chair Raley asked when this case would be considered by City Council. Ms. Sutton said it would be April 16, 2023.

D. PUBLIC HEARING

C.1 [23-ZA-09](#) Conduct a public hearing and consider the request to amend the Comprehensive Zoning Ordinance related to home occupation; and take appropriate action.

Mr. Campbell gave a presentation regarding the proposed amendment.

Commissioner Trapp asked whether the ordinance made clear that parking was only permitted either in the driveway or adjacent to the curb immediately in front of the home. Mr. Campbell and Mr. Narvaez said yes.

Commissioner Sultzbaugh asked about potential drawbacks in permitting home occupations within the Multiple-Family residential zoning districts. Mr. Narvaez explained that home occupations currently were not permitted within these districts and doing so could potentially open up this proposed ordinance to additional standards. Commissioner Sultzbaugh asked about a separate ordinance to permit home occupations within these districts. Mr. Narvaez stated staff's recommendation to not allow home occupations within these districts.

Alternate Commissioner Dorman stated he like the idea of considering a separate ordinance to permit home occupations within the Multiple-Family residential zoning districts.

Commissioner Miller asked whether an independent contractor working out of a multifamily residential unit was currently prohibited. Mr. Campbell asked Mr. Miller to clarify if he meant someone working from home for a business outside of their residence. Mr. Miller said yes, and Mr. Campbell clarified that the proposed ordinance would not preclude working from home. Mr. Miller then asked again about independent contractors. Mr. Narvaez stated this would be considered a home occupation and would not be permitted.

Commissioner Froehlich asked whether rental agreements would supersede municipal law. Chair Raley stated municipal law takes precedence.

Mr. Narvaez stated the Commission had the option of amending the proposed ordinance to permit home occupations within the Multifamily Residential zoning districts while restricting parking to the Single-Family Residential zoning districts only.

Commissioner Trapp stated he believed it would be easier to create a separate ordinance addressing the Multifamily Residential districts.

After recapping the discussion, Chair Raley asked whether the Commission's recommendation for approval of this ordinance would preclude staff bringing forth an amendment related to permitting home occupations within Multifamily Residential districts at a later date. Mr. Campbell said no.

Hearing no further questions or comments from the Commissioners, Chair Raley opened the public hearing. No one came forward to address this agenda item. Chair Raley asked for a motion to close the public hearing.

A motion was made by Alternate Commissioner Dorman, seconded by Commissioner Trapp, that the public hearing be closed. The motion carried unanimously.

Aye: 7 – Chair Raley, Commissioner Miller, Commissioner Porter, Commissioner Sultzbaugh, Commissioner Trapp, Commissioner Froehlich and Alternate Commissioner Dorman

Chair Raley asked for a motion regarding this agenda item.

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

Aye: 7 – Chair Raley, Commissioner Miller, Commissioner Porter, Commissioner Sultzbaugh, Commissioner Trapp, Commissioner Froehlich and Alternate Commissioner Dorman

Chair Raley asked when this case would be considered by City Council. Mr. Campbell said it would be April 16, 2023.

E. ADJOURNMENT

Being no further business, Chair Raley adjourned the meeting at 7:03 PM.

Chair

City Administration