



# City of Farmers Branch

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

## Meeting Minutes

### Planning and Zoning Commission

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Monday, March 12, 2018

7:00 PM

City Hall

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#### Study Session Meeting to be held at 6:00 PM in Study Session Room

- Excused** 3 - Commissioner Jared Sullivan, Chairman Jason O'Quinn, and Commissioner Giovanni Zavala
- Present** 9 - Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Michael Driskill, Commissioner Linda Bertl, Vice Chair Sergio De Los Santos, Tina M. Figgins AICP Director of Planning, Andreea D. Udrea Planning Manager, and Brian Campbell Planning Technician

Hard copies of the full Planning and Zoning Commission agenda packet are accessible the Friday prior to every regularly scheduled meeting at the following locations:

- 1) Manske Library
- 2) City Hall

Additionally, the agenda packet is available for download from the City's web site at [www.farmersbranchtx.gov](http://www.farmersbranchtx.gov). This download may be accessed from any computer with Internet access, including computers at the Manske Library and in the lobby of City Hall.

Any individual who wishes to speak on an agenda item should fill out a Registration Form for Appearance before the Planning and Zoning Commission (white card located in the back of the Council Chambers) and submit the completed card to City Administration member prior to the start of the meeting.

#### **A. STUDY SESSION**

- Excused** 3 - Commissioner Jared Sullivan, Chairman Jason O'Quinn, and Commissioner Giovanni Zavala
- Present** 9 - Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Michael Driskill, Commissioner Linda Bertl, Vice Chair Sergio De Los Santos, Tina M. Figgins AICP Director of Planning, Andreea D. Udrea Planning Manager, and Brian Campbell Planning Technician

##### **A.1 TMP-2590**

Discuss Regular Agenda items.

Vice Chairman De Los Santos opened the Study Session and thanked the Commissioners for their service.

Vice Chairman De Los Santos opened discussion on Study Session Agenda Item A.1

Discuss Regular Agenda Items.

Vice Chairman De Los Santos asked for any questions or comments from Commissioners on Regular Agenda Item B.1.

Hearing no questions or comments, Vice Chairman De Los Santos asked the Commissioners for any questions or comments on Regular Agenda Item B.2.

Hearing no questions or comments, Vice Chairman De Los Santos asked the Commissioners for any questions or comments on Regular Agenda Item B.3.

Hearing no questions or comments, Vice Chairman De Los Santos asked the Commissioners for any questions or comments on Regular Agenda Item C.1.

Commissioner Brewer asked for clarification on this agenda item. Commissioner Brewer asked if any aspects of this Specific Use Permit (SUP) request pertained to the house being constructed on the subject site, and also asked if this request concerned the design of the proposed accessory structure. Mrs. Andreea Udrea, Planning Manager, stated that this SUP request concerned the height of the accessory structure only.

Commissioner Yarbrough commented that if the proposed accessory structure were attached to the house, this request would not have been presented before the Commission. Mrs. Udrea agreed with Commissioner Yarbrough's statement and then further explained that the architectural style of the proposed structure had to match that of the home.

Vice Chairman De Los Santos commented that the Commission did not have the plans for the house. Vice Chairman De Los Santos asked if the proposed accessory structure would be connected to the house. Mrs. Udrea said it would be detached.

Commissioner Yarbrough commented that there was one (1) phone call in support of this request. Mrs. Udrea said yes, also informing the Commission that City staff received one (1) letter in support and one (1) letter in opposition for this request. Mrs. Udrea explained that she would have provided copies of the letter in opposition to the request, but was first waiting for a correction from the respondent. Mrs. Udrea stated that the letter of opposition was received on March 12, 2018 from the respondent and the letter of support was received on March 9, 2018.

Mrs. Udrea stated that the letter of opposition came from the property to the south of the subject site.

Commissioner Brewer asked where was the letter of opposition. Mrs. Udrea said she would provide copies momentarily.

Vice Chairman De Los Santos concluded discussion on this agenda item.

## **A.2**    [TMP-2634](#)

Discuss the upcoming City Council quarterly update presentation.

Mrs. Firgens stated that this item was initially going to be discussed at the Commission's study session meeting on February 26, 2018 but due to time constraints, this item was brought back to the Commission for their meeting this

evening. Mrs. Firgens stated that due to Chairman O'Quinn not being able to attend the Commission's meeting this evening, she visited with him to discuss the draft presentation and that this presentation reflected Chairman O'Quinn's direction. Mrs. Firgens stated that the goal for tonight is to obtain direction from the Commission related to this presentation.

Commissioner Brewer asked about the City Council's meeting date. Mrs. Firgens stated that the presentation is now scheduled for April 3, 2018 instead of March 20, 2018, and that this is due to getting the presentation completed to be included in the City Council packet and accommodating Chairman O'Quinn's schedule. Mrs. Firgens stated that the Commission is invited to attend the City Council study session meeting. Ms. Firgens stated the presentation will now be given during the study session meeting instead of the City Council's regular meeting to allow for better conversation opportunity in the study session setting. Mrs. Firgens stated that the meeting starts at 3:00 pm, and that Planning staff will coordinate with the City Secretary's office to post an agenda in the event that we have a quorum of Commissioners attending.

Commissioner Moore asked when the Commission can obtain an agenda. Mrs. Firgens stated that agendas are posted minimum 72 hours in advance, and she stated that she believed the packet was posted on the Thursday or Friday preceding the meeting date.

Mrs. Firgens presented the draft presentation, and stated that there were opportunities for condensing the presentation due to the 15-minute time limitation requested. She also stated that the presentation was prepared taking into consideration the presentation guide from the City Secretary's office, calling attention to City Council's ten (10) Guiding Principles. Mrs. Firgens stated that the Commission consider identifying the top five (5) out of the ten (10) City Council Guiding Principles that the Commission's actions most support, or where their actions are more directly related to the principles. Mrs. Firgens also stated that the Big Items for the Future portion of the presentation was prepared based upon the Commission's work plan. Mrs. Firgens also requested direction regarding any additional information that should be included in the presentation that has not been addressed.

Referring to the slides Big Items for the Future and Direction from City Council, there was extensive discussion amongst the Commission related to quality multi-family standards and alternate types of durable exterior building materials, and what was the City Council's direction at the conclusion of the October 23, 2017 joint meeting.

Commissioner Moore stated concern related to whether or not City Council had an expectation of items the Commission should be addressing as a result of the October 23, 2017 meeting, and if the Commission is meeting City Council's expectation on items that were to have been acted upon, due to the time that has passed since that meeting.

Mrs. Firgens stated that she reviewed the October 23, 2017 meeting minutes, and believed that there was not closure on these items and that there is additional work to be done, hence why it was added to the Commission's work plan, as well as incorporated into this presentation.

Referring to the October 23, 2017 joint meeting with City Council, Commissioner Moore

stated that he felt there was a strong message from the meeting to update multi-family requirements and two (2) items referenced at that time - requiring air-conditioned hallways and structured parking.

Mr. John Land, Deputy City Manager, stated that with regards to the multi-family uses, the discussion was in the context of identifying items that could be considered as part of an Specific Use Permit (SUP) application and what items can we predict that could be considered as part of an SUP, such as structured parking, air-conditioned hallways, better amenities, and items like that.

Commissioner Moore stated that what we can control now is items going through the SUP process due to the existing zoning already allowing the use with an SUP.

Mr. Land stated that he believed a better take-away from that meeting may be on the building materials, and possibly an expectation to continue studying that item.

Vice Chair De Los Santos stated that there are other acceptable building products, some of which are more costly.

Referring back to quality multi-family standards, Mrs. Firgens asked the Commissioners does the Commission believe that the direction received from City Council is that when an SUP application is processed here are the items that we should be looking for, instead of the Commission changing the code standards that address these certain items.

Commissioner Brewer stated that he thinks it is both - looking at revised standards, but also as SUP applications are processed that we should be looking for certain items.

Commissioner Driskill stated that he believed there was consensus regarding exterior materials that we wanted to have flexibility and allow for different materials. Commissioner Driskill also stated that he had the strong impression from that meeting that both the Commission and City Council could coordinate better by having joint meetings.

Mrs. Firgens stated that instead of the joint meetings, we are now having the quarterly update presentations with City Council.

Referring to exterior building materials, Mrs. Firgens stated that we can request direction from City Council with this presentation - are you wanting the Commission to do additional work and amend the code, or should we just keep these types of items in mind as we consider development requests.

Referring to the October 23, 2017 meeting, Commissioner Bertl stated that at the end of that meeting, the question was if we are we leaving anything on the table that we are not addressing related to exterior building materials, including single-family residential, and it was stated that some standards will need to be changed. Commissioner Bertl stated that the Commission is currently subject to applying the standards that are in our current ordinances.

Mrs. Firgens stated what she is understanding from the Commission is that there was some direction but not full direction from City Council regarding whether or not changes

needed to be made to the City's codes related to quality multi-family standards and exterior alternate building materials. Mrs. Firgens further stated that depending upon the direction that is received from City Council, it affects the work of the Commission.

Commissioner Moore stated that for multi-family specifically, now is the time to tighten the standards - air-conditioning interior corridors, parking structures, and items to improve the quality of development, but that could also impact the cost. Commissioner Moore stated City Council did not specifically state to change the code, but felt that reading between the lines, City Council wanted the Commission to change the code.

Mrs. Firgens stated that she understood that if the standards are included within the construction code, then it is more difficult for the Commission to weigh in due to it being in the Code of Ordinances; if it is a zoning request before the Commission, then the Commission has the opportunity to review these items and ask what is being proposed, and why is this is better than our standard requirement.

At the conclusion of the discussion, staff agreed to include in the presentation more actionable language that is indicative of code amendment language related to quality multi-family standards and exterior alternate building materials in order to obtain direction from the City Council.

The following direction was provided by the Commission as it related to requested changes to the presentation:

Related to the Guiding Principles, the following principles were identified in which the Commission seeks to achieve:

1. Acts with Ethics and Integrity - retain all supporting actions noted on the right side of the slide except delete the last bullet point, and add the ambassadors/advocates reference from slide 9.
3. Be Open and Accessible - retain all supporting actions noted on the right side of the slide except delete the last bullet point.
5. Pursue Sustainable Economic Growth - retain all supporting actions noted on the right side of the slide except delete the last bullet point; also add West Side and Station Area to the first bullet point.
6. Provide Thriving Neighborhoods - retain all supporting actions noted on the right side of the slide, except add the hike and bike trails reference from slide 8.
7. Provide Excellent Quality of Life - included with 6. Provide Thriving Neighborhoods slide content.

Related to Big Items for the Future:

Slide 13 - Include references to East Side and Station Area development.

Slide 14 - Include stronger actionable language related to code amendments for quality multi-family standards and alternate types of durable exterior building materials.

**A.3**    [TMP-2635](#)

Discuss the Planning and Zoning Commission's upcoming work plan for 2018.

Vice Chairman De Los Santos opened discussion on this agenda item and asked Mrs. Firgens to explain this item.

Mrs. Firgens explained that there was an error with this agenda item write-up in the agenda packet. Mrs. Firgens noted that while the name of the agenda item and attachment were correct, the background information provided in the body of the write-up was incorrect, as it was a duplicate of the information for Study Session Agenda Item A.2. A corrected staff write-up was provided to the Commission.

Mrs. Firgens went on to explain that the attachment for this item was the result of discussion held at the February 26, 2018 Study Session of the Planning and Zoning Commission. Mrs. Firgens stated that she would like the Commission's input in ranking Items Requiring In-Depth Analysis. Mrs. Firgens noted that items in this Work Plan could change depending on what came as a result of upcoming discussions at the April 3, 2018 City Council meeting. Mrs. Firgens said that the other items within the Update, Retreat, and Other categories would be worked into the Work Plan throughout the year.

Commissioner Brewer commented that quality of multi-family standards and alternate types of exterior building materials should be ranked at the top of this list. Commissioner Brewer then commented that alternate fence types should be ranked next. Commissioner Brewer noted that permeable pavers/pavement would require a considerable amount of research and suggested that this item be put on the bottom of the list.

Mrs. Firgens asked if there was general consensus that quality of multi-family and alternate types of exterior building materials be at the top of the list. The Commission agreed.

Mrs. Firgens then asked if there was preference between these two (2) items. Commissioner Brewer recommended that quality of multi-family come first. Commissioner Moore said this item should come first as he believed this would better prepare the Commissioners for the next multi-family project.

Commissioner Bertl asked if alternate building materials would include residential. Mrs. Udrea explained that at the joint session between City Council and the Planning and Zoning Commission on October 23, 2017, the presentation was based on the City's building code and included both residential and commercial building materials. In response to Commissioner Bertl's question, Mrs. Firgens replied yes, residential and commercial.

Commissioner Bertl commented that because the Commissioners were choosing to rank permeable pavers/pavement last on this list that the Commission should go through the other items quickly.

Mrs. Firgens said that Chairman Jason O'Quinn had commented on alternate fence types at the previous Study Session of the Planning and Zoning Commission, noting citizen interest in this topic. Mrs. Firgens noted that Chairman O'Quinn expressed interest in a subjective review opportunity for alternate fence types.

Mrs. Firgens asked the Commission if they would consider ranking alternate fence

types first on the list, noting it could be considered a "low hanging fruit item".

Referring to alternate fence types, Commissioner Brewer asked Mrs. Firgens to clarify what she meant by "low hanging fruit". Mrs. Firgens explained that she anticipated alternate fence types as a topic that could be easier to address, noting the recent discussion having taken place. Mrs. Firgens noted that this item may not require as much research as other items on the list.

Commissioner Yarbrough asked for clarification on does that mean we are changing the code, or just having more knowledge regarding this topic. Mrs. Firgens said she did not know at the answers at this time. Mrs. Firgens said that the processes of other cities with regards to alternate fence types could be looked upon. Mrs. Firgens said that further work was needed on the part of staff as well as conversations with City attorneys. Mrs. Firgens explained that fence types are currently regulated by the Code of Ordinances. Mrs. Firgens further explained that if fence types instead regulated by the Comprehensive Zoning Ordinance (CZO), an amendment could be brought forth. Mrs. Firgens further explained that because fence types are regulated by the Code of Ordinances, that the Commission would not have purview over this. Mrs. Firgens explained that the Commission could make a recommendation that could be brought before the City Manager's Office and City Council, because City Council can make changes to the Code of Ordinances. The Planning and Zoning Commission does not make changes to the Code of Ordinances.

Commissioner Moore asked if exterior building materials was an item regulated by the Code of Ordinances. Mrs. Firgens said yes, but that this also becomes an item that the Commission considers when considering Planned Development requests.

Mrs. Udrea said that staff needs to confirm what the process is for amending the Code of Ordinances and vetted with City Council for both fences and exterior building materials. Mrs. Udrea noted that the joint meeting with City Council on October 23, 2017 outlined permissible exterior building materials.

Vice Chairman De Los Santos commented that fences are simple. Vice Chairman De Los Santos commented that the design of the fence was important, noting wood, iron, and masonry as notable fence types. Vice Chairman De Los Santos also stated that height of the fence was also an important factor. Vice Chairman De Los Santos commented that the Commission would be able to come up with alternate fence types based on these factors.

Commissioner Bertl asked if the Code of Ordinances addressed the factors Vice Chairman De Los Santos commented on. Mrs. Firgens said she was not sure.

Mrs. Firgens asked if there was general consensus on the following order of importance for Items Requiring In-Depth Analysis: 1. Alternate fence types (residential), 2. Quality of multi-family standards, 3. Allowing alternate types of durable exterior building materials (commercial and residential), and 4. Permeable pavers/pavement. The Commissioners agreed.

Vice Chairman De Los Santos concluded discussion on this agenda item and adjourned the Study Session. The Commissioners and staff reconvened for the Regular Meeting in Council Chambers at 7:00 PM.

## **B. REGULAR AGENDA ITEMS**

- B.1**     [TMP-2591](#)     Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented; and take appropriate action.

**A motion was made by Commissioner Brewer, seconded by Commissioner Moore, that the Attendance Matrix be approved. The motion carried unanimously.**

**Excused:** 3 - Commissioner Sullivan, Chairman O'Quinn and Commissioner Zavala

**Aye:** 6 - Commissioner Yarbrough, Commissioner Moore, Commissioner Brewer, Commissioner Driskill, Commissioner Bertl and Vice Chair De Los Santos

- B.2**     [TMP-2592](#)     Consider approval of the February 26, 2018 Planning and Zoning Commission Minutes; and take appropriate action.

**A motion was made by Commissioner Yarbrough, seconded by Commissioner Driskill, that the Minutes be approved. The motion carried unanimously.**

**Excused:** 3 - Commissioner Sullivan, Chairman O'Quinn and Commissioner Zavala

**Aye:** 6 - Commissioner Yarbrough, Commissioner Moore, Commissioner Brewer, Commissioner Driskill, Commissioner Bertl and Vice Chair De Los Santos

- B.3**     [18-SP-03](#)     Consider a request for a Detailed Site Plan amendment from Alex Rathbun for pavement expansion for a property located at 13700 Diplomat Drive; and take appropriate action.

The applicant is requesting a Detailed Site Plan amendment to allow for the expansion of the paved area in the rear portion of the property (on the east side) and the widening of the driveway approach from Diplomat Drive. This request seeks to improve site accessibility and add sufficient area for truck maneuverability in the rear portion of the property. This property is currently the office, warehouse and showroom for Reynolds Advanced Materials. The property is located within Planned Development District No. 22 (PD-22). Staff recommends approval of this Detailed Site Plan amendment as presented.

Mrs. Andreea Udrea gave a presentation regarding the applicant's proposal as presented in the staff report. Mrs. Udrea informed the Commission that PD-22 generally allows for commercial and light industrial uses, and addressed proposed site improvements.

Commissioner Brewer asked if there was loading dock to the rear of the property or if this area was just to fit larger trucks. Mrs. Udrea stated that there are currently two (2) loading areas in the back and that both were screened from public view.

Commissioner Yarbrough asked the applicant how long his company had been at this location. Mr. Alex Rathbun, the applicant, 13455 Noel Road, Dallas, Texas, stated that he would like to defer this question to Mrs. Pamela Quinn. Mrs. Pamela Quinn, 13700 Diplomat Drive, Farmers Branch, Texas, stated that the company had been at this location since April 1, 2004.

Commissioner Yarbrough asked what has changed with the business that led to the pursuit of this paving expansion. Mrs. Quinn stated that the business had grown 35 percent this year. Mrs. Quinn explained the company's desire to improve truck traffic and traffic flow on the property without disrupting the flow of traffic outside of the property. Mr. Rathbun further explained that the intent of the expansion was to allow for big box trucks to pull in directly on-site, rather than having to back in. Mr. Rathbun said he felt these improvements would improve truck maneuverability.

Hearing no more questions or comments from the Commissioners, Vice Chairman De Los Santos asked for a motion.

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

**Excused:** 3 - Commissioner Sullivan, Chairman O'Quinn and Commissioner Zavala

**Aye:** 6 - Commissioner Yarbrough, Commissioner Moore, Commissioner Brewer, Commissioner Driskill, Commissioner Bertl and Vice Chair De Los Santos

## **C. PUBLIC HEARING**

### **C.1 [18-SU-04](#)**

Conduct a public hearing and consider a request from Cameron Spooner for a Specific Use Permit for a detached garage exceeding 10 feet in height at 13426 Castleton Drive; and take appropriate action.

The applicant is proposing to build a detached garage on the property located at 13426 Castleton Drive. The applicant is requesting a Specific Use Permit to build a detached garage with a top plate of 14 feet in height. The Comprehensive Zoning Ordinance (CZO) requires approval of a Specific Use Permit (SUP) for detached accessory structures that exceed a ten (10)-foot top plate height. The property is located within the One Family Residence District-6 (R-6). Staff recommends approval of this SUP as presented.

Mrs. Andreea Udrea gave a presentation on the applicant's proposal as presented in the staff report. Mrs. Udrea informed the Commission that the applicant was currently building a home on the subject property under the City's Demo-Rebuild program. Mrs. Udrea stated that the design of the garage would match the modern architecture of the home. Mrs. Udrea stated that as of March 12, 2018, staff received one (1) letter of support, one (1) letter in opposition, and one (1) phone call in support for this SUP request.

Vice Chairman De Los Santos opened the floor for questions from the Commissioners.

Commissioner Yarbrough asked Mrs. Udrea if this SUP request would have come before the Commission had the applicant proposed an attached garage of this height. Mrs. Udrea said no, explaining that this use would have been allowed by right subject to the City's building code. Mrs. Udrea further explained that any detached residential structure is allowed a maximum height of ten (10) feet at the plate, per the Comprehensive Zoning Ordinance (CZO).

Commissioner Brewer asked Mrs. Udrea if the height of the home would exceed the height of the garage. Mrs. Udrea said yes.

Vice Chairman De Los Santos asked about the height of the house. Mrs. Udrea stated

it would be two (2) stories.

Vice Chairman De Los Santos asked if the applicant was present. Mrs. Udrea stated that the applicant had sent a representative.

Hearing no more questions or comments from the Commissioners, Vice Chairman De Los Santos opened the public hearing. No one came forward to speak to this agenda item.

Commissioner Brewer commented on the letter received by staff in opposition to this SUP request. Commissioner Brewer explained that the letter seemed to address the house. Commissioner Brewer explained that the SUP request was for the garage, not the house and that the Commission was not reviewing the house. Commissioner Brewer stated his support for this SUP request.

Vice Chairman De Los Santos asked for a motion to close the public hearing. A motion was made by Commissioner Brewer, seconded by Commissioner Yarbrough, that the public hearing be closed. The motion carried unanimously.

Vice Chairman De Los Santos asked for a motion on this agenda item.

**A motion was made by Commissioner Brewer, seconded by Commissioner Moore, that this Specific Use Permit be recommended for approval. The motion carried unanimously.**

**Excused:** 3 - Commissioner Sullivan, Chairman O'Quinn and Commissioner Zavala

**Aye:** 6 - Commissioner Yarbrough, Commissioner Moore, Commissioner Brewer, Commissioner Driskill, Commissioner Bertl and Vice Chair De Los Santos

## **D. ITEMS FOR FUTURE CONSIDERATION**

### **D.1 [TMP-2629](#)**

Discuss agenda items for future Planning & Zoning Commission consideration.

Commissioner Yarbrough requested clarification on Agenda Item B.3.

Commissioner Brewer stated that he accidentally made a motion to approve the "Specific Use Permit" instead of the "Detailed Site Plan amendment".

Commissioner Yarbrough stated his desire for this correction to be reflected in the Minutes.

Commissioner Bertl stated that she is a member of Citizens on Patrol (COP). Commissioner Bertl explained that the City's police department would like to come before the Commission to give a presentation on safety measures for the City's apartment complexes, and ways to improve the safety of apartment complexes. Commissioner Bertl noted that police officers had ideas that they wanted to share with the Commission, such as protective fencing around apartment complexes.

Mrs. Tina Firgens stated that staff would coordinate with the Police Chief on this item and bring it back to the Commission.

Hearing no other questions or comments on this item, Vice Chairman De Los Santos concluded discussion on this item and adjourned the meeting.

**E. ADJOURNMENT**

**The meeting was adjourned at 7:25 PM.**

Farmers Branch City Hall is wheelchair accessible. Access to the building and special parking are available at the main entrance facing William Dodson Parkway. Persons with disabilities planning to attend this meeting who are deaf, hearing impaired or who may need auxiliary aids such as sign interpreters or large print, are requested to contact the City Secretary at (972) 919-2503 at least 72 hours prior to the meeting.

**Certification**

I certify that the above notice of this meeting was posted 72 hours prior to the scheduled meeting time, in accordance with the Open Meetings Act, on the bulletin board at City Hall.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
City Administration

Stamp:

Posted By: \_\_\_\_\_

Posted Date: \_\_\_\_\_