



# 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, June 25, 2018

7:00 PM

City Hall

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#### Study Session Meeting to be held at 5:30 PM in Study Session Room

**Excused** 1 - Commissioner Chris Brewer

**Present** 11 - Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Michael Driskill, Commissioner Jared Sullivan, Chairman Jason O'Quinn, Commissioner Linda Bertl, Commissioner Giovanni Zavala, Vice Chair Sergio De Los Santos, Tina M. Figgins AICP Director of Planning, Brian Campbell Planning Technician, and John Land Deputy City Manager

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

**Excused** 1 - Commissioner Chris Brewer

**Present** 11 - Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Michael Driskill, Commissioner Jared Sullivan, Chairman Jason O'Quinn, Commissioner Linda Bertl, Commissioner Giovanni Zavala, Vice Chair Sergio De Los Santos, Tina M. Figgins AICP Director of Planning, Brian Campbell Planning Technician, and John Land Deputy City Manager

##### **A.1 [TMP-2779](#)**

Discuss Regular Agenda items.

Chairman O'Quinn opened the Study Session at 5:32 PM. Chairman O'Quinn thanked the Commissioners for their service.

Chairman O'Quinn opened discussion on Study Session Agenda Item A.1 Discuss Regular Agenda Items.

Chairman O'Quinn asked for any questions or comments regarding Regular Agenda Item B.1.

Hearing no questions or comments from the Commissioners regarding item B.1, Chairman O'Quinn asked for any questions or comments regarding Regular Agenda Item B.2.

Hearing no questions or comments from the Commissioners regarding item B.2, Chairman O'Quinn asked for any questions or comments regarding Regular Agenda Item C.1.

Regarding item C.1, Commissioner Yarbrough asked if there would be a drive approach to the subject property from the Interstate Highway 35 (IH-35) service road. Mrs. Tina Firgens, Director of Planning, said there are currently no plans for access to the subject property from IH-35. Mrs. Firgens explained that staff asked the applicant to consider installing such an approach, noting that the Texas Department of Transportation (TXDOT) would approve of a drive approach at the northern end of the property. Mrs. Firgens explained that the applicant did not want to provide this approach, expressing concerns regarding on-site traffic circulation and operational conflicts associated with the drive-through proposed for the subject site. Commissioner Yarbrough asked Mrs. Firgens if the applicant was satisfied having only one (1) drive approach to the property from Valley View Lane. Mrs. Firgens said yes. Mrs. Firgens said the applicant would be present during the Regular Meeting to address this.

Regarding item C.1, Commissioner Zavala asked if a representative of the applicant was present here at the Study Session. Mr. Garrett Stouffe of CaCo Architects, 1412 Main St, Dallas, Texas, said that the applicant expressed concerns regarding having a drive access from the IH-35 service road due to potential complications regarding the proposed drive-through.

Regarding item C.1, Commissioner Yarbrough asked if staff was satisfied with the subject property only having the one (1) drive approach from Valley View Lane. Mrs. Firgens said it was staff's preference to have the additional drive approach. Mrs. Firgens said that staff worked with the applicant to plan for this additional drive approach so that it could be installed at a future time if appropriate. Mrs. Firgens said staff is comfortable having the access from Valley View Lane, but staff believes having the additional approach from IH-35 would be beneficial. Mrs. Firgens reiterated the applicant's concerns regarding the potential on-site circulation complications associated with the drive-through that could result from having the additional approach.

Regarding item C.1, Chairman O'Quinn commented that the drive approach from the IH-35 service could be retroactively installed per the submitted site plan. Commissioner Bertl commented that the applicant appeared to be keeping open the option of installing the IH-35 drive approach. Commissioner Driskill commented that the applicant would likely want to observe traffic flow to and from the subject property prior to installing the additional approach. Mrs. Firgens said that staff worked with the applicant to position the pylon sign in a manner that would preserve sufficient area on the site to allow the installation of an approach to IH-35.

Regarding item C.1, Commissioner Yarbrough asked if the applicant had any plans regarding the existing Tompie Dyer Park adjacent to the subject property. Mrs. Firgens said that existing improvements within the park will remain, pointing out the existing masonry wall on the site plan. Mrs. Firgens pointed out that Tompie Dyer Park is

off-site from the subject property, noting that it is within TXDOT's right-of-way. Mrs. Firgens said that had the applicant chosen to install the additional drive approach, the masonry wall and some of the landscaping would have been affected.

Regarding item C.1, Commissioner Zavala expressed concerns over the location. Referencing the IH-35 Corridor Market Study currently being conducted by the City, Commissioner Zavala commented that the subject property was one (1) of the few remaining developable tracts of land in the corridor. Commissioner Zavala commented that he believed that this was not an ideal location for the two (2) restaurants being proposed for the subject property. Commissioner Zavala commented that given the subject property's close proximity to IH-35, land uses for this property and the surrounding properties needed to be reevaluated. Commissioner Zavala commented that from the standpoint of serving the City's citizens, the subject property is further away from what he considers to be the core of the City. Commissioner Zavala said it was his understanding that the City owns the subject property and that this project was a joint venture. Mrs. Firgens said that the City does own the subject property, but that the project was not a joint venture correcting information provided in the staff report. Commissioner Zavala asked what was to happen with the subject property. Mrs. Firgens said the City would sell it and the owner would have the option to either lease the property to Starbucks and Chipotle or sell it to them outright. Mrs. Firgens said the applicant would be present to address this question.

Regarding item C.1, Commissioner Zavala asked about other projects that have been worked on by the City's partner in the joint venture regarding the subject property. Mrs. Firgens said it was her understanding that the applicant worked on the Baylor Scott and White medical facility located at 13000 Josey Lane. Mrs. Firgens said Mr. John Land, Deputy City Manager, and/or Allison Cook, Director of Economic Development, could give more information regarding the City's relationship with the applicant. Commissioner Zavala reiterated his concerns regarding the location of the location of the subject property.

Regarding item C.1, Commissioner Bertl commented that the subject property's location was challenging to approach. Commissioner Zavala commented that residents of the Mustang Station and Vintage Townhomes apartment complexes as well as residents living in the surrounding area could walk to this location. Mrs. Firgens said yes. Commissioner Bertl asked if the City was using this project to draw more residents into this area of the City. Mrs. Firgens said a challenge associated with the subject property is finding a balance between walkability and development that is typical for tracts of land with frontage along a regional highway. Mrs. Firgens said the context of the property had to be taken into consideration as well, noting that the eastern portion of the subject property was encumbered by an ONCOR easement. Mrs. Firgens noted that the City does not own the property to the north of the subject property. Mrs. Firgens said that having two (2) national chain restaurants at this location could help with leasing opportunities regarding the planned restaurant row located south of Valley View Lane at Bee Street. Mrs. Firgens said the proposed request is consistent with the Central Area Plan, and that staff believes this is a good use of the subject property. Mrs. Firgens said there could be an opportunity to redevelop the site in the future.

Regarding item C.1, Commissioner Bertl asked if the site was walkable. Commissioner Driskill said he believed the site would be, noting the proximity to the Dallas Area Rapid Transit (DART) rail line and the Firehouse Theater among the other surrounding developments. Mrs. Firgens said in creating walkability for the site, staff worked with the applicant to create street cross sections featuring six (6) foot tree wells placed

along the back curb of the street with a seven (7) foot wide sidewalk behind it. Mrs. Firgens noted that the sidewalk would flare out in between the tree wells. Mrs. Firgens said that the landscaping would be enhanced around the drive-through area to mitigate traffic and enhance the open public space. Mrs. Firgens also noted the connections between the public sidewalks and the outdoor seating areas for both the Starbucks and Chipotle restaurants.

Regarding item C.1, Commissioner Yarbrough commented that he was hopeful that the Starbucks restaurant would be beneficial from an economic standpoint.

Regarding item C.1, Commissioner Zavala asked if the Cox Farms development located across the street from the subject property has any other lease's signed. Mrs. Firgens said it was her understanding that Cox Farms was the only leasee of the property at this time. Mrs. Firgens said having a Starbucks restaurant at this location could encourage other leasees to the area. Commissioner Zavala commented that he believed development in this area was disjointed. Commissioner Zavala commented that the subject property's value would not depreciate over time. Commissioner Zavala commented that it would be ideal to have a use situated on this property that he believed would be better suited for providing long-term taxable income for the City. Commissioner Zavala commented that the prospect of a residential development on the property to the north of the subject site was not ideal and he believed the City should reach out to the owner of this property and combine the two (2) lots for development. Mrs. Firgens said that the opportunity to partner with the owner of that tract of land and combine the two (2) lots could possibly be explored if there was interest. Mrs. Firgens said there is no formal submittal regarding the property at this time, but noted that it is zoned for residential development. Mrs. Firgens said an important consideration for the property would be the adjacency to IH-35.

Regarding item C.1, Commissioner Moore said he liked this location for the proposed restaurants, commenting that he believed this area would become a major focal point for the City in the future.

Regarding item C.1, Vice Chairman De Los Santos asked about parking requirements for the site. Mrs. Firgens said that the applicant had exceeded the parking requirements, noting that the Station Area Code requires a minimum of three (3) parking spaces for each restaurant use. Vice Chairman De Los Santos expressed concerns regarding the maneuverability of cars at the subject site. Vice Chairman De Los Santos asked about fire lanes for the site. Mrs. Firgens said fire lanes were not required for the site.

Regarding item C.1, Commissioner Bertl asked if the proposed Starbucks was larger in size than a typical location. Mr. John Land, Deputy City Manager, said that Starbucks had recently been developing drive-through only style restaurants, noting that the former Red Line Burger located at 2361 Valwood Parkway had been considered. Mr. Land said this proposed Starbucks restaurant would have a more attractive appearance than one of their typical drive-through only restaurants. Commissioner Driskill commented that the proposed Starbucks would tie in well with the vision of creating walkability in the area. Mr. Land said modifications were made to the applicant's proposed elevations in order to have the building be more compatible with surrounding buildings in the area.

Regarding item C.1, Commissioner Zavala asked why the Starbucks restaurant could not be located at the Cox Farms development or the Bee Street Restaurant Row. Mr. Land said that he met with Starbucks on an annual basis regarding opening a location

in the City. Mr. Land said that the visibility of the subject property from the IH-35 was ideal. Mr. Land noted that per the results of the Resident Satisfaction Survey, residents desired more retail for the City with Starbucks being named nineteen (19) times on the survey. Mr. Land noted that the subject property was not ideal to Starbucks upon first review. Commissioner Zavala commented that making a U-turn would be necessary for approaching the Starbucks from IH-35, stating he did not know whether or not a curb cut would be present. Mrs. Firgens said there would be a curb cut with dedicated left turn storage. Commissioner Zavala commented that he would like to see at minimum a driveway from the IH-35 access road. Mr. Land said the applicant had concerns regarding access from the IH-35 access road, noting the potential issues that could arise regarding the drive-through. Mr. Land said the opportunity to install this access at a later time would be available.

Regarding item C.1, Commissioner Bertl asked if the Chipotle would feature a drive-through. Mrs. Firgens said no.

Regarding item C.1, Commissioner Moore asked Mr. Land if Starbucks and Chipotle were a package deal for the subject property. Mr. Land said yes, noting that the business hours of both businesses complement each other. Commissioner Driskill commented that both businesses are complimentary, noting that Starbucks and Chipotle have been located together in other areas around the Dallas-Fort Worth metroplex.

Hearing no further questions or comments regarding item C.1, Chairman O'Quinn asked for any questions or comments regarding Regular Agenda Item C.2.

Regarding item C.2, Commissioner Yarbrough asked if the map included in the staff report represented Planned Development District No. 77 (PD-77). Mrs. Firgens said yes. Mrs. Firgens added that staff had received a request from a property owner in PD-77 expressing interest in opening a restaurant. Mrs. Firgens said in exploring all options related to the zoning and restaurant uses, staff felt it was best to amend the text of Ordinance 2424, which governs PD-77, to address the inconsistencies regarding restaurant related uses.

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

## **A.2**    [TMP-2802](#)

Receive a presentation and discuss the results of the IH-35 Corridor Market Study Analysis.

Chairman O'Quinn opened discussion on Study Session Agenda Item A.2 Receive a presentation and discuss the results of the IH-35 Corridor Market Study Analysis.

Mrs. Firgens explained the purpose of the IH-35 Corridor Market Study Analysis. Mrs. Firgens said that during the fall of 2017, two (2) vehicle-related cases were considered by the Planning and Zoning Commission and City Council. Mrs. Firgens said as a result of these cases, City Council directed Planning staff to turn its attention to the IH-35 corridor, with City Council expressing interest in how the corridor could be better positioned to serve the community on a long-term basis. Mrs. Firgens said that in April of this year, Chairman O'Quinn gave a presentation to City Council regarding the Planning and Zoning Commission, with much discussion regarding the IH-35 corridor taking place during this presentation. Mrs. Firgens said part of this discussion involved whether or not it was premature to study the IH-35 corridor, with staff advising City

Council that this was an appropriate time to study it, and the importance of establishing a vision for the IH-35 corridor. Mrs. Firgens said staff explained to City Council that revitalizing the corridor would take time, noting the considerable amount of time given to the development of the Station Area of the City.

Mrs. Firgens said the City hired Mr. Jason Claunch, Catalyst Commercial, and his team to perform a market study of the IH-35 Corridor in order to ascertain: how the corridor is performing from an economic standpoint with regards to the Dallas-Fort Worth region; the issues and assets related to the corridor; whether or not any potential future opportunities could arise regarding development in the corridor; and identifying appropriate next steps. Mrs. Firgens summarized the topics Mr. Claunch would cover during his presentation and that she would conclude the presentation with potential next steps pertaining to the corridor that were presented to City Council.

Mr. Jason Claunch gave a presentation regarding the IH-35 Corridor Market Study Analysis, including: issues and assets regarding the corridor; demographics and market analysis regarding both the corridor and the City as a whole both on a regional and national level; land uses for the corridor, including targeted industries such as office and retail in addition to residential uses; and a summary of findings and opportunities.

Mrs. Firgens concluded the presentation by outlining next steps regarding the corridor, including: establishing a vision for the corridor, building on market realities and existing strengths; developing a vision implementation strategy; allocating financial revenues to catalyze projects identified in a vision plan; and maximizing development standards and zoning to promote placemaking and walkability objectives, while at the same time balancing these objectives with development form commonly found along regional expressways.

Mrs. Firgens stated that these steps were presented to City Council in order to give the Council members some ideas for how to best establish a vision regarding the corridor. Mrs. Firgens said that budget season was soon approaching and an important consideration for City Council regarding the budget would be what the City's goals should be regarding the study of the corridor. Mrs. Firgens said, based on comments received at the Council meeting regarding the market study, City Council was undecided on how to best move forward with respect to the corridor. Mrs. Firgens said some Council members expressed concern regarding the timeline and costs associated with developing a vision study. Mrs. Firgens said some Council members expressed interest in skipping the vision study and moving ahead with the implementation phase. Mrs. Firgens said staff advised City Council that implementation without a vision having been established would be difficult.

The Commissioner's questions were as follows.

Commissioner Yarbrough asked if the Stemmons Freeway submarket pertained to the corridor or all of North Stemmons Freeway. Mr. Claunch said this submarket did not pertain to the entire North Stemmons Freeway, but rather the portion running from the City of Carrollton to the southern portion at the City of Dallas. Mr. Claunch said of the activity within the Stemmons Freeway submarket, very little office activity is currently occurring within the City of Farmers Branch portion of this submarket. Mr. Claunch said the demand for office activity in the Stemmons Freeway submarket is there, but the challenge is how to best harness this demand.

Commissioner Driskill asked Mr. Claunch to clarify the statistics regarding Farmers

Branch residents within the corridor. Mr. Claunch said there is roughly 1,200,000,000 people employed within 20 minutes of the corridor during daytime hours, combined with the population of the City of Farmers Branch and other residents living within this same 20 minutes also being roughly this same number, bringing the total number to roughly 2,400,000,000.

Commissioner Bertl asked about the 400 units of urban multifamily complex units referenced in the presentation. Mr. Claunch said this number was in addition to the number of units already existing and illustrates the resulting fiscal impact. Mr. Claunch said that these fiscal numbers represented bottom line taxes back to the City.

Commissioner Sullivan asked about looking to what the City of Carrollton has done regarding development opportunities within the IH-35 corridor. Mr. Claunch said he and his firm has done a considerable amount of market analysis along the IH-35 corridor and is familiar with many of the initiatives enacted by the City of Carrollton. Mr. Claunch said he believes the City of Farmers Branch is well positioned to take advantage of revitalization opportunities within the IH-35 corridor, noting the considerable amount of infrastructure and strategies implemented by the City of Carrollton. Mr. Claunch said the City of Carrollton's efforts with the corridor and resulting success is similar to that of the City of Farmers Branch regarding the Station Area. Commissioner Sullivan commented that he too believes the City of Farmers Branch is well positioned to take advantage of opportunities within the corridor. Mr. Claunch said the biggest challenge regarding the corridor would be a lack of a unified vision for the corridor, noting that non-contiguous developments could discourage potential developers from investing in the area.

Commissioner Bertl asked how to convince other property owners, particularly out of town property owners, to conform to the vision established by the City regarding the corridor. Mrs. Figgins said part of developing a vision for the corridor would involve stakeholder meetings, with the stakeholders being both the property owners and business owners since they lease on their property. Mrs. Figgins said establishing a vision would also involve a considerable amount of public engagement, using Essilor as an example of how the City would reach out to potential stakeholders. Mrs. Figgins said a challenge is that some property owners may be satisfied with the status quo, but noted that other property owners may be interested in new opportunities. Mrs. Figgins said it is important to educate stakeholders and the public on potential opportunities. Commissioner Bertl commented that there is more to this process than just financial incentives. Mrs. Figgins said yes. Commissioner Yarbrough commented that he views the process described by Mrs. Figgins as a formula: "D, V, and F". Commissioner Yarbrough said the "D" stands for dissatisfaction with the status quo, the "V" stands for vision, and the "F" stands for first steps. Mr. Claunch said creating a unified vision would be key for successful revitalization within the corridor. Mrs. Figgins added that the process of stakeholder engagement helps identify any potential issues and stakeholders that may not be supportive of establishing a new vision for the corridor.

Commissioner Moore commented that per Mrs. Figgins presentation to City Council regarding the IH-35 corridor, the Light Industrial zoning district is the most permissive of all of the straight-zoned districts. Commissioner Moore commented that any use allowed by right within the Light Industrial zoning district could not be opposed. Mrs. Figgins said Commissioner Moore was correct, noting that the west side of the IH-35 corridor is zoned Planned Development District No. 25 (PD-25) with Light Industrial being the base zoning for PD-25. Mrs. Figgins said that the area north of the Station Area is zoned Planned Development District No. 70 (PD-70) with both the Freeway and

General Business sub-districts of PD-70 permitting Light Industrial uses. Mrs. Firgens said Light Industrial is the most permissive of all zoning districts with Heavy Industrial being the most permissive zoning, but noting that the City does not have any Heavy Industrial zoned areas.

Commissioner Bertl commented on the importance of high quality development within the corridor.

Commissioner Moore asked about next steps for the Planning and Zoning Commission regarding the IH-35 corridor. Mrs. Firgens said the Commission should have the opportunity to present their recommendations regarding the corridor to City Council, including any additional next steps. Mrs. Firgens noted that she was asked by City Council whether or not the Planning and Zoning Commission had been given this presentation. Mrs. Firgens stated that she informed City Council that the Planning and Zoning Commission had not yet received this presentation, noting that it would have been ideal otherwise as this would have provided staff the opportunity to present the Commission's recommendations regarding the corridor. Mrs. Firgens said staff would work to find the most appropriate avenue for the Planning and Zoning Commission to present their comments and recommendations regarding the corridor to City Council. Mr. Land added that considerations regarding zoning within the IH-35 corridor was the low-hanging fruit with such considerations having the ability to be addressed immediately. Mr. Land said the vision study would take time, regardless of complexity. Mr. Land said the vision would benefit from having some zoning established in the interim, noting the demolition of the former El Mio Hotel and Esslir acquiring the World of Décor building as examples of favorable opportunities. Mr. Land noted the challenges associated with development within areas of the corridor that are already built out. Mr. Land said Mr. Claunch's market analysis would help illustrate that the market demand is present for new development within the IH-35 corridor.

Hearing no additional questions or comments from the Commissioners, Chairman O'Quinn closed discussion on this agenda item.

#### **A.3**    [TMP-2803](#)

Receive a report regarding zoning and development cases acted upon by City Council.

Chairman O'Quinn opened discussion on Study Session Agenda Item A.3 Receive a report regarding zoning and development cases acted upon by City Council.

Chairman O'Quinn asked for any comments or questions regarding the cases included in the report with this agenda item. Mrs. Firgens commented that that the report was self-explanatory. Chairman O'Quinn commented that all cases were approved by City Council as presented.

Hearing no questions or comments from the Commissioners, Chairman O'Quinn closed discussion on this agenda item.

#### **A.4**    [TMP-2747](#)

Discuss agenda items for future Planning and Zoning Commission consideration.

Chairman O'Quinn opened discussion on Study Session Agenda Item A.4 Discuss future agenda items for future Planning and Zoning Commission consideration.



Chairman O'Quinn commented that he would like to have the IH-35 Corridor Market Study Analysis as a topic of discussion for a future Study Session agenda item in order to allow the Commissioners the opportunity to provide additional feedback and discuss next steps with regards to this study.

Hearing no questions or comments from the Commissioners regarding this agenda item, Chairman O'Quinn closed discussion on this agenda item and adjourned the Study Session at 6:56 PM. Commissioners and staff reconvened in Council Chambers for the Regular Meeting at 7:02 PM.

## **B. REGULAR AGENDA ITEMS**

- B.1**    [TMP-2781](#)            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 Driskill, that the Attendance Matrix be approved. The motion carried unanimously.**

**Excused:**    1 -    Commissioner Brewer

**Aye:**    8 -    Commissioner Yarbrough, Commissioner Moore, Commissioner Driskill, Commissioner Sullivan, Chairman O'Quinn, Commissioner Bertl, Commissioner Zavala and Vice Chair De Los Santos

- B.2**    [TMP-2782](#)            Consider approval of the June 11, 2018 Planning and Zoning Commission Minutes; and take appropriate action.

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

**Excused:**    1 -    Commissioner Brewer

**Aye:**    8 -    Commissioner Yarbrough, Commissioner Moore, Commissioner Driskill, Commissioner Sullivan, Chairman O'Quinn, Commissioner Bertl, Commissioner Zavala and Vice Chair De Los Santos

## **C. PUBLIC HEARING**

- C.1**    [18-SU-07](#)            Conduct a public hearing and consider a request for a Specific Use Permit and an associated Detailed Site Plan for a 1.59-acre property located at 2425 Valley View Lane for a drive-through restaurant, a non drive-through restaurant, and a surface parking lot for more than 50 cars; and take appropriate action.

The applicant, Retail Partners LLC, is proposing to develop the property at 2425 Valley View Lane and construct two free-standing restaurant buildings, one of which contains a drive-through on the western portion of the property. The property is located within Planned Development District No. 86 (PD-86). This SUP request includes Special Exceptions. Staff recommends approval of this Specific Use Permit request as presented.

Mrs. Tina Firgens, Director of Planning, gave a brief presentation regarding the applicant's proposal.

Chairman O' Quinn opened the floor for questions from the Commissioners.

Commissioner Bertl asked about the location of the pylon sign. Mrs. Firgens pointed out the location on the site plan.

Commissioner Bertl asked about interior seating for the Chipotle restaurant. Mrs. Firgens said a floor plan for the Chipotle restaurant was not available at this time, but it was staff's understanding that interior seating would be provided. Mr. Tony, Philley, applicant, 4133 Shenandoah Street, Dallas, Texas, said a floor plan had not been completed at this time. Mr. Philley said the interior layout would be similar to that of a typical Chipotle restaurant.

Commissioner Bertl asked about the bike rack featured on the elevations for the Starbucks restaurant. Mr. Philley said the availability for a bike rack on-site would be there, indicating that the goal was to create a pedestrian-friendly atmosphere.

Commissioner Zavala expressed his concerns regarding the location of the subject site as well as a lack of a drive approach to the site from the frontage road of IH-35. Commissioner Zavala commented that he believed that with a little finesse in rearranging the locations of the restaurants on the property, access from the frontage road would be achievable. Commissioner Zavala commented that his main concern regarded eastbound traffic along Valley View Lane, stating that the street median was not wide enough to accommodate the anticipated traffic in this area. Mr. Philley said Starbucks has been willing to work with the City to achieve a satisfactory site design. Mr. Philley said discussions with Starbucks took place regarding the installation of a drive approach from the IH-35 service road, but that Starbucks was concerned that the drive approach would be too narrow and the location would create a choke point at the proposed drive-through which could result in the stacking of traffic along the IH-35 service road. Commissioner Zavala said he agreed with Mr. Philley's explanation, but that he believed in switching the locations of the Starbucks and Chipotle restaurants, the access from IH-35 was achievable. Mr. Philley said Starbucks was first to the table with regards to development of the site. Mr. Philley said the applicant worked with Starbucks on providing parking beyond what was required per the Station Area Code. Mr. Philley said this was the best site design for accommodating both restaurants and permits the opportunity to provide the maximum allowable parking on-site, given the context of the site. Mr. Philley noted the challenges in developing this site, stating the ONCOR easement on the eastern portion of the site. Mr. Philley said he believed this site design made the best use of the property given the circumstances.

Commissioner Yarbrough commented that the Starbucks restaurant located at the corner of Midway Road and Belt Line Road in Dallas had an entrance similar to the one of the subject property that was an exit only. Commissioner Yarbrough asked Mr. Philley if creating such an entrance for the subject property was considered by the applicant. Mr. Philley said that the site design for the Starbucks restaurant Commissioner Yarbrough was referring to had not been ideal, noting that the drive-through at that location makes it very difficult to park on the property. Commissioner Yarbrough commented that the site design of the Starbucks restaurant he was referring to earlier was reconfigured so that a U-turn would be necessary to approach this location. Commissioner Yarbrough said as a result of this design, traffic could not enter from the frontage road, but exit to the frontage road only. Mr. Philley

said Starbucks has left open the option of providing access to the frontage road, noting that site and street design is an important factor in the location of their restaurants. Mrs. Firgens added that staff took into consideration the challenge of the queuing of traffic in and out of the Starbucks drive-through, along with traffic to and from the subject property. Mrs. Firgens said that an earlier iteration of the applicant's site plan had the drive approach more centered on the property so that circulation was straight into the site. Mrs. Firgens said in working with the applicant to shift this approach eastward, this provided for better vehicle storage with regards to queuing from the drive-through and navigating the site.

Chairman O'Quinn asked Mr. Philley about the spelling of his last name. Mr. Philley said it was spelled "Philley". Chairman O'Quinn asked Mr. Philley about his role in this project. Mr. Philley said he was part of the development team. Chairman O'Quinn asked Mr. Philley what he liked about this location for the restaurants. Mr. Philley said Starbucks has expressed interest in establishing more locations along IH-35. Mr. Philley said, in spite of initial objections to the challenges in development of the subject property, Starbucks was interested in tapping into the market resulting from the redevelopment of the City's Station Area.

Vice Chairman De Los Santos commented that he liked the applicant's site design, stating the he believed it would be beneficial to the flow of traffic to and from the site.

Hearing no more questions or comments from the Commissioners, Chairman O'Quinn opened the public hearing. No one came forward to speak to this agenda item. Chairman O'Quinn closed the public hearing.

Commissioner Moore thanked both staff and the applicant for their work on this proposal. Commissioner Moore thanked the applicant for: locating within the City of Farmers Branch; exceeding masonry requirements; exceeding parking requirements; exceeding landscaping requirements; and designing the buildings to conform to the architectural standards of the Station Area Code. Commissioner Moore said having Starbucks and Chipotle in the City would be beneficial. Commissioner Moore said that having two (2) national chain restaurants situated in the Station Area of the City was ideal, noting the importance of combining residential, retail, and entertainment uses for this area along with creating walkability and placemaking within this area of the City.

Hearing no further questions or comments, Chairman O'Quinn asked for a motion.

Chairman O'Quinn asked when this case would go before City Council. Mrs. Firgens said July 17, 2018. Chairman O'Quinn thanked the applicant for his proposal, sharing Commissioner Moore's sentiments.

**A motion was made by Commissioner Moore, seconded by Vice Chair De Los Santos, that this Specific Use Permit be recommended for approval. The motion carried by the following vote:**

**Excused:** 1 - Commissioner Brewer

**Nay:** 1 - Commissioner Zavala

**Aye:** 7 - Commissioner Yarbrough, Commissioner Moore, Commissioner Driskill, Commissioner Sullivan, Chairman O'Quinn, Commissioner Bertl and Vice Chair De Los Santos

Development No. 77 (PD-77) zoning district as it relates to permitted uses; and take appropriate action.

This is a city-initiated zoning amendment to amend Planned Development No. 77 (PD-77) as it relates to restaurant and similar related uses. Staff received a request from a property owner to consider allowing restaurant uses by right within the zoning district, particularly since restaurant uses currently require approval of a specific use permit. Upon further review of restaurant and similar related uses, staff determined that there were some inconsistencies within the PD-77 ordinance and that it was appropriate to review this zoning district to address the inconsistencies, but also the property owner's request. Therefore, staff proposes that PD-77 be amended to allow "restaurants, non-drive-in without outside sales window" by right, and eliminate the SUP requirement. Additionally, the proposed amendments include addressing restaurants that may want to serve alcoholic beverages, and simplifying the restaurant types within the zoning district. Staff recommends approval of this Zoning request as presented.

Mrs. Tina Firgens gave a brief presentation regarding this proposal.

Chairman O' Quinn opened the floor for questions from the Commissioners.

Commissioner Bertl asked if there were any other new restaurants within PD-77, noting the donut restaurant that is part of one of the newest developments within this zoning district. Mrs. Firgens said Commissioner Bertl was correct about the donut restaurant, referencing its location on the map. Mrs. Firgens indicated another building on the location map that could be suitable for a potential adaptive reuse as a restaurant use in the future, as well as another multi-tenant building that may have suites available. Mrs. Firgens said that while some of the larger buildings around Academy Lane may not lend themselves to a restaurant use, there are potential opportunities for such uses in other buildings in this area. Mrs. Firgens said she believed any new restaurants established in PD-77 would happen along Valley View Lane for visibility, also stating that market demand would help identify ideal locations for these new restaurants.

Commissioner Bertl asked if any of the existing office buildings within PD-77 featured restaurants on the first floor. Mrs. Firgens said she was not sure. Mrs. Firgens said in some instances, office buildings will feature their own cafeterias or restaurant use, while in other cases the building owner will lease space on the ground floor for a restaurant. Mrs. Firgens referenced a glass office building that could have presented an opportunity for a restaurant type use at one time.

Chairman O'Quinn asked if the owners of the Komerica Maintenance building located at Senlac Drive and Valley View Lane about restaurant uses for this building, noting that a zoning amendment for this building was approved by the Planning and Zoning Commission and City Council. Mrs. Firgens said yes, noting that the owners were present at the meeting. Chairman O'Quinn commented that as staff began to research the text of Ordinance 2424, which governs PD-77, there were some inconsistencies discovered regarding uses. Chairman O'Quinn commented that the Specific Use Permit requirement for some uses within a particular zoning district gives staff the opportunity to review such uses on a case by case basis as it relates to the subject property and the zoning. Chairman O'Quinn commented that a drawback to Specific Use Permit requests is that staff time is consumed for reviewing a use that could be more appropriate to allow by right within a particular zoning district. Chairman O'Quinn commented that City Council has expressed interest in a review of the Specific Use Permit process to identify areas appropriate for revisions. Chairman O'Quinn asked Mrs. Firgens if she believed staff viewed these proposed revisions to Ordinance 2424

as a reasonable compromise for revising the zoning requirements of PD-77. Mrs. Firgens said yes, stating that the restaurant uses would still be subject to all the development requirements outlined in Ordinance 2424 as well as the Comprehensive Zoning Ordinance. Mrs. Firgens said staff discussed the possibility of removing the Specific Use Permit requirement for drive-through and drive-in restaurants, but decided it was appropriate to leave this requirement in place for these two (2) types of restaurant uses, noting potential residential adjacency concerns as well as potential impacts on adjacent roadways. Mrs. Firgens said in looking into revisions of zoning ordinances, staff takes into consideration what is best for the City. Mrs. Firgens said permitting restaurant uses by right within PD-77 provides opportunities for adaptive reuse and future development.

Hearing no more questions or comments from the Commissioners, Chairman O'Quinn opened the public hearing.

Mr. Koko Katanjian, 1932 Valley View Lane, Farmers Branch, Texas, approached the podium to speak to this agenda item. Mr. Katanjian said he liked the new development happening within the City, noting that he had been operating his business for over 30 years. Mr. Katanjian said he felt this zoning request jeopardized the future of his business. Mr. Katanjian asked that the Planning and Zoning Commission take this into consideration. Chairman O'Quinn asked Mr. Katanjian how these proposed changes to PD-77 would impact his business. Mr. Katanjian said six (6) months ago, a company purchased his auto repair business and as a result, his business achieved a five (5) -star rating. Mr. Katanjian explained that this company was interested in his business because of the location. Mr. Katanjian said he believed someone would be interested in taking over the business from him at the appropriate time. Chairman O'Quinn thanked Mr. Katanjian.

No one else came forward to speak to this agenda item. Chairman O'Quinn closed the public hearing. Chairman O'Quinn again thanked Mr. Katanjian for speaking to this agenda item, stating his hope that any new developments would benefit the City, and asked for a motion.

Chairman O'Quinn asked when this case would go before City Council. Mrs. Firgens said July 17, 2018.

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

**Excused:** 1 - Commissioner Brewer

**Aye:** 8 - Commissioner Yarbrough, Commissioner Moore, Commissioner Driskill, Commissioner Sullivan, Chairman O'Quinn, Commissioner Bertl, Commissioner Zavala and Vice Chair De Los Santos

## **D. ADJOURNMENT**

The meeting was adjourned at 8:09 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: \_\_\_\_\_