



City of Farmers Branch

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

Meeting Minutes – Excerpt - DRAFT

Planning and Zoning Commission

Monday, September 24, 2018

7:00 PM

City Hall

Study Session Meeting - 5:00 PM in Study Session Room

Present 12 - Chairman David Moore, Commissioner Tim Yarbrough, Commissioner Michael Driskill, Commissioner Linda Bertl, Commissioner Jared Sullivan, Commissioner Giovanni Zavala, Vice Chairman Sergio De Los Santos, Tina M. Figgins AICP Director of Planning, Andreea Udrea AICP Planning Manager, Jenifer Paz AICP Senior Planner, Brian Campbell Planning Technician, and John Land Deputy City Manager

A. STUDY SESSION

A.1 [TMP-2942](#) Discuss Regular Agenda items.

Chairman Moore asked for any questions or comments regarding Public Hearing item C.1.

Chairman Moore informed the Commission that Commissioner Yarbrough has filled out a Conflict of Interest form for this case as his wife is an employee of the applicant. Chairman Moore asked Commissioner Yarbrough to excuse himself from the room for discussion on this agenda item.

Ms. Andreea Udrea, Planning Manager, stated that the subject property used to be owned by the City, and was sold to the applicant at the end of last year. Ms. Udrea said the property was sold with the intention to develop single-family residential homes.

Regarding item C.1, Commissioner Zavala asked if anyone else had expressed interest in buying the property prior to the City selling it to the applicant. Mr. John Land, Deputy City Manager, said that two (2) competing offers were presented to City Council as the result of a Request for Qualifications (RFQ) back in 2015. Mr. Land said while both offers were similar, the applicant's offer featured a higher home value. Mr. Land said that the City had experience working with the applicant prior to this RFQ. Mr. Land noted that the company providing the competing offer was based out of Rockwall, Texas and had previously worked on a project smaller than what was required for this project.

Commissioner Zavala asked if the homes would be single-family and detached. Mr. Land said yes.

Commissioner Driskill asked if the competing offer was for five (5) or fewer homes. Mr. Land said both offers featured the same number of homes, but that there was a sizable difference in the value of the end product between the two (2) offers. Mr. Land said in working with the applicant previously, their home values have always held up. Mr. Land said there was a Developer's Agreement and a Restrictions Agreement associated with the Purchase and Sale Agreement. Mr. Land said these agreements outline what is required of the applicant for development of the property as well as what is prohibited. Mr. Land said part of these agreements include the applicant delivering on the specifics of their offer per their RFQ. Mr. Land said the City received a third offer from a company interested in developing townhomes on the subject property. Mr. Land said City Council was not in favor of this proposal and instructed City staff to come back with the RFQs that were presented. Mr. Land noted that the other RFQ featured front-entry garages, while the applicant's featured J-swing garages. Mr. Land said that the applicant's architectural style and higher home value were the deciding factors in City Council awarding the contract to the applicant.

Commissioner Bertl asked if the applicant's home value was higher or lower. Mr. Land said it was higher.

Commissioner Zavala asked about the applicant's home value, noting that it was not included in the staff report for this agenda item. Ms. Udrea stated that this information is not typically included in staff reports as it is not relevant in the discussion of land use. Mr. Land said he believed the value to be around \$275,000, noting that these would be smaller homes. Mr. Land said because this RFQ was negotiated back in 2015, he anticipated that the value has increased since then.

Commissioner Zavala commented that the homes looked nice. Mr. Land noted that the Four Corners Area comprehensive plan was adopted in 2006, and that a goal of this plan was to develop single-family homes on the subject property. Mr. Land said there had been some difficulty in finding homeowners interested in developing on this property. Mr. Land said the installation of the wall behind the existing Wal-Mart Neighborhood grocery store created a buffer that helped in appealing to developers to build on this property. Mr. Land commented that the applicant provided an attractive product. Mr. Land commented that he believed the product would prove to be popular.

Commissioner Bertl commented that this type of housing is needed in the City of Farmers Branch.

Commissioner Sullivan asked Commissioner Bertl if she believed potential homeowners at this subject property would be deterred by the existing Wal-Mart grocery store, noting her profession as a realtor. Commissioner Bertl said it would depend on what would be put behind the Wal-Mart, but she believed the price and size of these homes would outweigh any negative connotations associated with the location of these homes.

Commissioner Sullivan asked Commissioner Bertl to clarify what she meant by "put behind". Commissioner Bertl said she was referring to the existing wall to the east of the Wal-Mart grocery store and what was planned for this wall, stating that

she did not know the size of the backyard.

Commissioner Bertl commented that the City lacked homes of this size and price in the market. Commissioner Bertl said homes of this type are needed.

Commissioner Bertl commented that she was pleased with the applicant's proposal. Commissioner Bertl said that the only traffic in the area would be large delivery trucks, but that these trucks would not be present all throughout the day.

Commissioner Sullivan commented that these trucks would be present during the early morning and late night hours. Commissioner Sullivan commented that there was not much space between the subject property and the Wal-Mart grocery store.

Commissioner Bertl said the value of the home would be appealing to potential home buyers, noting that a \$275,000 value is rare. Mr. Land said the applicant may quote a higher value.

Mr. Land said the City is aware of the close proximity of the Wal-Mart grocery store and the resulting truck traffic, noting that there are restricted hours for which this activity may occur. Mr. Land said there would be some potential homeowners who would be willing to consider living here and some would not. Mr. Land said the major reason for the pricing of these homes was that it was located in close proximity to a grocery store.

Commissioner Sullivan commented that the Wal-Mart grocery store would not be hidden from potential homes.

Ms. Udrea commented that the subject property was a zero lot line configuration and designed for a smaller yard. Ms. Udrea said, in developing this property, the intention was not for the homes to have large backyards.

Commissioner Sullivan commented that he liked the design of the homes, and that it was reminiscent of a courtyard-style design.

Commissioner Bertl commented that the price and location of these homes would outweigh any negative connotations associated with the adjacency of the existing Wal-Mart grocery store.

Commissioner Zavala asked if there were any concerns regarding the lack of stop signs for a considerable amount of the roads near the subject property. Mr. Land said all new development projects are presented before the Development Review Committee (DRC). Ms. Firgens said it was her understanding that the City has specific criteria for when stop signs are necessary. Ms. Firgens said that any concerns regarding stop signs by citizens have likely been brought to the attention of the Public Works department as well as the Police department.

Commissioner Bertl asked Commissioner Zavala where he felt a stop sign should be located. Commissioner Zavala said he was not suggesting where one should go, but rather pointing out that the stop sign closest to the subject property was four (4) blocks away.

Commissioner Bertl asked if Veronica Road was a boulevard. Ms. Udrea said it was a road. Ms. Udrea said the homes would not back into Veronica Road, noting that the J-swing style garages would allow for better visibility. Ms. Firgens said

there are existing homes featuring garages facing Veronica Road resulting in existing conditions for vehicles backing out onto Veronica Road.

Commissioner Driskill commented that there was an existing stop sign to the rear of the Wal-Mart grocery store, but that he was not sure if trucks entered and exited the property from this driveway.

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

C. PUBLIC HEARING

- C.1 [18-ZA-02](#) **Conduct a public hearing and consider a request for a zoning change from Planned Development District No. 7 (PD-7) / Local Retail District - 1 (LR-1) and Planned Development District No. 29 (PD-29) to Planned Development District No. 101 (PD-101) allowing one-family detached residences and establishing development standards for an approximate 0.67-acre site located on the west side of Veronica Road and approximately 110 feet south of Valley View Lane; and take appropriate action.****

The applicant, Todd Bonneau Homes, is proposing to rezone the 0.67-acre property from Planned Development District No. 7 (PD-7) / Local Retail District - 1 (LR-1) and Planned Development District No. 29 (PD-29) to Planned Development District No. 101 (PD-101) in order to develop the property into five (5) detached single-family homes. This Planned Development District No. 101 (PD-101) is specifically designed to allow and provide for detached, zero lot line single-family residences. Staff recommend approval of this Zoning Amendment as presented.

Commissioner Yarbrough excused himself from the Council Chambers for this public hearing due to having a conflict of interest.

Chairman Moore stated that Commissioner Yarbrough recused himself for this item because his wife is an employee of the applicant.

Ms. Andreea Udrea, Planning Manager, gave a brief presentation regarding the applicant's proposal.

Chairman Moore opened the floor for questions from the Commissioners.

Vice Chairman De Los Santos asked about setbacks for the lots from the property lines. Ms. Udrea said the front yard setback was ten (10) feet. Ms. Udrea noted that the site plan illustrated the buildable area of each lot while the colored site plan illustrated the building footprint.

Vice Chairman De Los Santos asked if there was seven (7) feet between each lot. Ms. Udrea said yes, and provided additional clarification.

Vice Chairman De Los Santos asked if the applicant was permitted to develop the lots along the property line. Ms. Udrea said yes, hence the zero lot line configuration of the subject property.

Vice Chairman De Los Santos asked if the roof projections of the homes would extend beyond the property line. Ms. Udrea said a small amount.

Vice Chairman De Los Santos asked if the roofs would feature eaves. Mr. Todd Bonneau, the applicant, 14525 Tamerisk Lane, Farmers Branch, Texas said yes, the eaves would be eighteen (18) inches.

Vice Chairman De Los Santos commented that due to these eaves, the separation between the homes would be reduced to four (4) feet. Mr. Bonneau said it would five and one-half (5.5) feet.

Chairman Moore asked the applicant to approach the podium. Mr. Pat Atkins of KPA Consulting, a representative of the applicant, 3067 Hays Lane, Rockwall, Texas approached the podium.

Vice Chairman De Los Santos asked about the pitch of the roof. Mr. Bonneau approached the podium and said no plans had been drawn up at this time. Mr. Bonneau said that Vice Chairman De Los Santos was correct regarding the separation of the homes being reduced to four (4) feet with the eighteen (18) inch roof eaves, noting that the roofs shown in the site plan were steep.

Vice Chairman De Los Santos expressed concerns regarding rainwater runoff staining the exterior walls of the adjacent homes as a result of the close proximity of each home. Vice Chairman De Los Santos then asked if the exterior walls would be composed of brick masonry. Mr. Bonneau said it would be a combination of brick, stone, and stucco.

Vice Chairman De Los Santos expressed concerns regarding the close proximity of the homes. Mr. Bonneau said his site layout was comparable to other zero lot line developments within the City of Farmers Branch. Mr. Bonneau noted that the homes would be guttered.

Commissioner Sullivan asked if the property lines of the homes were divided by the southern property lines. Mr. Atkins said yes.

Commissioner Sullivan asked how issues of property damages between neighbors would be addressed. Mr. Atkins said the final plat for this property would identify the rights and restrictions of the three (3) foot common area per the easement description. Mr. Atkins said this was a typical zero lot line development, noting that he and the applicant worked with staff to develop a site plan he believed was satisfactory.

Vice Chairman De Los Santos asked about provisions for a fire lane and protecting the homes against fires. Mr. Atkins said there was an existing fire access along Veronica Road with fire hydrant service.

Vice Chairman De Los Santos asked how the other homes would be protected if one (1) were to catch fire, given the close proximity of the homes. Ms. Tina Figgins, Director of Planning, said regarding single-family developments the City's Fire and Building Codes address these provisions. Ms. Figgins said the 150 foot length fire hose requirement typically required for commercial developments is not required for single-family residential homes. Ms. Figgins said no other fire lane requirements are needed for this proposed development given the existing fire department access along Veronica Road. Ms. Figgins said, regarding questions

about the maintenance of the homes, the plat would provide a maintenance easement for the neighboring property to the north on the zero (0) side in order for the property owner to maintain the home. Ms. Firgens said there would be easements in place to address this.

Vice Chairman De Los Santos commented that typically homes feature an alley or a similar easement for the Fire Department and that he did not see that on the applicant's proposed site plan. Ms. Firgens said regarding this proposed development, alleys are not required. Ms. Firgens said that while some single-family residential developments elsewhere in the City feature alleys, they are not paved and not designed to withstand a fire truck. Ms. Firgens said there are no additional requirements for fire lanes and alleys for single-family neighborhoods. Ms. Udrea said the Building and Fire codes address zero lot line developments. Ms. Firgens said that concerns regarding fire codes came up during previous discussion regarding residential setbacks. Ms. Firgens said staff has coordinated with the Building Inspections department to address these concerns and that other fire-rated requirements come into play for single-family homes. Ms. Firgens said the Building Inspections department has been working with developers and builders to ensure these requirements are being met.

Vice Chairman De Los Santos asked if the homes would have sprinkler systems. Ms. Firgens said not necessarily. Vice Chairman De Los Santos commented that it was concerning having the homes at such a close proximity. Ms. Firgens said the Building Code allows the roof eaves to be treated in manner that would make them have a higher fire-rating.

Commissioner Bertl asked if the fence to the east of the Wal-Mart Neighborhood grocery store would be the backyard fence for these homes. Mr. Bonneau said yes.

Commissioner Bertl asked about the height of the fence. Mr. Bonneau said it was a minimum of eight (8) feet.

Chairman Moore asked if the fence was composed of cinderblock. Mr. Bonneau said he believed it was a combination of brick and cinderblock. Mr. Bonneau said the residential side of the fence was brick.

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

Mr. Ken Francis, 3009 Primrose Lane, Farmers Branch, Texas asked if potential homeowners or visitors to these homes would be permitted to park on the street. Chairman Moore said he believed on-street parking would be permitted, noting that he previously lived in this area. Ms. Firgens said yes, on-street parking is permitted unless otherwise posted. Ms. Firgens said on-street parking was common in most residential neighborhoods. Mr. Francis commented that Veronica Road seemed narrow.

Mr. Ed Subjeck, 2949 Primrose Lane, Farmers Branch, Texas, commented that the public notification letter gave very few details regarding the applicant's proposal. Mr. Subjeck said he believed the applicant's proposal to not be ideal, expressing concerns regarding the high volume of traffic on Veronica Road as well as the road's narrow width. Mr. Subjeck expressed concerns regarding the viability of the applicant's proposal. Mr. Subjeck asked about the number of public

notification letters sent out to affected property owners. Ms. Firgens said it was thirteen (13). Mr. Subjeck expressed concerns regarding transparency. Mr. Subjeck asked if the City previously owned this property and then sold to the applicant. Ms. Firgens said yes. Mr. Subjeck asked how much Mr. Bonneau paid for the subject property. Mr. Land said it was approximately \$150,000. Mr. Subjeck commented that he shared Vice Chair De Los Santos' concerns regarding the close proximity of the homes and fire protection. Mr. Subjeck reiterated that he did not believe the applicant's proposal to be ideal.

Chairman Moore asked Ms. Firgens to address the public notification process. Ms. Firgens stated, per the requirements of the Comprehensive Zoning Ordinance (CZO) which follow Texas State Law, staff is required to notify all property owners within 200 feet of the subject property based on the latest approved tax roll, hence why there were only thirteen (13) letters of notification for the applicant's request. Ms. Firgens stated these notices are mailed within ten (10) days of said request being heard before the Planning and Zoning Commission.

Mr. Steve Valle, 2952 Primrose Lane, Farmers Branch, Texas expressed concerns regarding traffic flow through Veronica Road, particularly the traffic coming from the exit from the shopping center north of the subject property. Mr. Valle said he was opposed to the applicant's proposal and expressed concerns regarding street closures and waste resulting from the construction of these homes. Mr. Valle reiterated his concerns regarding issues that may arise from construction of these homes.

Ms. Rebecca Thompson, 3015 Primrose Lane, Farmers Branch, Texas said she was opposed to the applicant's proposal. Ms. Thompson expressed concerns regarding on-street parking. Ms. Thompson said that a neighbor petitioned to have speed bumps installed along Primrose Lane, but that this request was ultimately denied due to a lack of heavy traffic on this street. Ms. Thompson said she believed traffic would increase on Primrose Lane should the applicant's request be approved. Ms. Thompson said she believed potential homeowners would not want to have their home situated to the east of the Wal-Mart Neighborhood grocery store, expressing concerns regarding odor.

Hearing no further questions or comments from the audience, Chairman Moore closed the public hearing. Chairman Moore asked if the applicant wished to address the public comments.

Mr. Atkins said he understood the concerns raised by those who spoke during the public hearing. Mr. Atkins noted that the subject property is currently zoned Local Retail-1 (LR-1), and said that a retail use on this property would generate more traffic than the single-family residential neighborhood being proposed. Mr. Atkins said the driveways of each home would allow for two (2) cars to be parked exclusive of the garage. Mr. Atkins said he believed this proposal would generate less traffic along Veronica Road than a retail-type use. Mr. Atkins said he believed there to be a strong market demand for this type of housing in this area of the City, and that he was excited to be able to bring such a project to the City.

Chairman Moore asked for any additional questions or comments from the Commissioners.

Commissioner Zavala asked about how disturbance in the neighborhood would be minimized during construction on these homes, pointing out that this was a

concern raised during the public hearing. Commissioner Zavala cited the example of the pouring of a concrete foundation requiring a concrete pump and a concrete truck. Mr. Bonneau said Commissioner Zavala made a good point, noting that he has previously built 60 homes within existing neighborhoods in the City and that such issues arose. Mr. Bonneau said in pouring large concrete foundations, issues regarding traffic flow arise due to streets typically becoming one (1)-way during this process. Mr. Bonneau said he believed he has previously worked well with neighborhoods to help mitigate these issues as best as possible. Mr. Bonneau said there would be construction workers directing traffic during the construction process.

Commissioner Bertl asked if the construction crew would be permitted to park at the Wal-Mart grocery store, noting that the parking lot is not full at all times. Commissioner Bertl also asked Mr. Bonneau if he conducted a traffic study. Mr. Bonneau said he did not conduct a traffic study. Regarding parking, Mr. Bonneau said workers would typically park either on the property or on the street near the property in order to have quick access to their tools.

Vice Chairman De Los Santos asked how many zero lot line residential developments within the City Mr. Bonneau had developed previously. Mr. Bonneau said he had not previously developed any such projects within the City, but that there were several throughout the City.

Vice Chairman De Los Santos asked how many zero lot line residential developments were currently in the City. Ms. Udrea identified several such developments, including: the patio homes located in the Station Area; the patio homes located on Alpha Road; and a gated community located at Marsh Lane and Valley View Lane. Ms. Udrea said there were quite a few such developments.

Vice Chairman De Los Santos expressed concerns regarding the subject property adequately accommodating five (5) homes.

Ms. Udrea said the minimum lot size was 5,300 square feet, the width was 47 feet, and the depth was 100 feet.

Mr. Bonneau said he did not have the lot sizes of the other developments, but that he believed the patio homes located at the Station Area and the zero lot line development located on Midway Road near Brookhaven College to both feature lot sizes smaller than what he was proposing. Mr. Bonneau said he believed the lot sizes for the development at Marsh Lane and Valley view Lane to be larger.

Vice Chairman De Los Santos commented that he liked the layout of the homes, but reiterated his concerns that these homes were located too close to one another.

Commissioner Zavala asked Mr. Bonneau if he would be meeting the criteria of the City regarding zero lot line residential developments. Ms. Figgins stated that the City has no zoning districts accommodating these types of developments, hence the applicant's request to rezone to the subject property into a Planned Development District (PD). Ms. Figgins said a reason why the City has so many PDs is because the CZO does not address a specific development type. Ms. Figgins said while some cities feature zoning districts addressing zero lot line development, the City of Farmers Branch does not. Ms. Figgins said in this case, the applicant has put in a request for a PD to set design standards for this type of

development. Ms. Firgens said in such cases, there's a fair amount of discussion with applicants regarding development standards that address such items as potential issues with Building Codes. Ms. Firgens said she believed the applicant's proposal to be comparable with the surrounding neighborhoods. Ms. Firgens said the applicant's proposal may seem different due to a lack of zero lot line developments occurring during the 1960s and 1970s when homes in the surrounding neighborhoods were established. Ms. Firgens said these developments are becoming more common place. Ms. Firgens said the applicant believes he can be successful in having five (5) homes on this property from a marketing standpoint.

Vice Chairman De Los Santos reiterated his concerns regarding the close proximity of the homes and potential life safety and fire issues. Ms. Firgens said the City is sensitive to these issues and they are addressed through the Building Inspections and Fire departments.

Ms. Udrea said regarding Planned Development District No. 99 (PD-99), the lot size is 50 feet in width and either 100 or 150 feet in length. Ms. Udrea said these lot size densities are comparable to those of the applicant's proposal. Ms. Udrea said the newly approved Planned Development District No. 100 (PD-100) would feature lot sizes of 40 feet in width, thus another comparable density to the applicant's proposal despite these lots not being zero lot line. Ms. Udrea said in discussion with the Fire Department, it is required to have a minimum of five (5) feet between the zero lot line side and the home. Ms. Udrea said in this case, this distance would be seven (7) feet, exceeding this requirement and noting that this distance is greater than other comparable developments in the City. Regarding traffic studies, Ms. Udrea stated that this is required by the Public Works Director and that a study was not required for the applicant's proposal. Ms. Udrea said traffic studies are based on the potential amount of traffic a new use could bring to an area, but in this case the Public Works department determined that the study was not needed.

Commissioner Sullivan commented that there have been concerns regarding traffic in the area, and continued to state that the applicant was a well-respected builder who did good work. Commissioner Sullivan asked about the property located to the south of the subject property. Mr. Bonneau said it was a church.

Commissioner Sullivan asked if it was possible to come up with solutions to mitigate potential issues with traffic in the area during construction of the homes. Commissioner Sullivan suggested possibly looking into the church located to the south of the subject property sharing parking and the applicant restricting where construction workers may park. Mr. Bonneau said yes, noting that when construction sites are not saturated with mud, the construction crews typically park on-site. Mr. Bonneau said there would be days in which workers would be forced to park on the street due to mud on the property. Mr. Bonneau said on some days, there may be additional crew present resulting in additional vehicles being parked along the curb. Mr. Bonneau said he wanted to be a good neighbor and was willing to do anything to help mitigate potential issues resulting from construction.

Mr. Bonneau said he has previously built many homes of several different sizes. Mr. Bonneau said the homes being proposed in this case would not have a large profile. Mr. Bonneau said these homes would be close to the street and that it would be hard to notice the Wal-Mart grocery store behind them.

Commissioner Bertl commented that during the Study Session, the Commissioners were given conflicting information regarding the prices of the homes. Mr. Bonneau said many things have changed from 2015 to 2018, including the numbers and building costs going up 50 percent. Mr. Bonneau said these homes would sell for approximately \$200 per square foot, with the homes being between 2,300 and 2,500 square feet. Mr. Bonneau said the price points would be between \$450,000 and \$500,000, which he believes is an affordable price point in new construction. Mr. Bonneau said he was excited at the opportunity to build new homes under half a million dollars, noting that he has not done so previously. Commissioner Bertl commented that this product was needed and she believed these homes would be sold prior to the completion of construction.

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

A motion was made by Commissioner Bertl, seconded by Commissioner Sullivan that this Zoning Amendment and associated Detailed Site Plan be recommended for approval. The motion carried by the following vote:

Aye: 4 - Chairman Moore, Commissioner Bertl, Commissioner Sullivan, and Commissioner Zavala

Nay: 2 – Commissioner Driskill and Vice Chairman De Los Santos

Absent: 1 – Commissioner Retana

Commissioner Yarbrough returned to his seat at the dais.