



City of Farmers Branch

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

Meeting Minutes

Planning and Zoning Commission

Monday, April 8, 2019

7:00 PM

City Hall

Study Session Meeting – 6:00 PM

Present 11 - Chairman David Moore, Commissioner Tim Yarbrough, Commissioner Michael Driskill, Commissioner Linda Bertl, Vice Chairman Sergio De Los Santos, Tina M. Firgens AICP Director of Planning, Jenifer Paz AICP Senior Planner, Brian Campbell Planning Technician, Kyra McCardle Planning Consultant Kevin Muenchow Fleet and Facilities Director, and John Land Deputy City Manager

Absent 2 - Commissioner Jared Sullivan and Commissioner Giovanni Zavala

A. STUDY SESSION

A.1 [TMP-3038](#) Discuss Regular Agenda items.

Chairman Moore called the Study Session to order at 6:06 PM.

Chairman Moore thanked the Commissioners for their service.

Chairman Moore opened discussion on Study Session Agenda item A.1 Discuss Regular Agenda items. Chairman Moore asked for any questions or comments regarding the Regular Agenda and Public Hearing agenda items.

Regarding Regular Agenda item B.3:

- Commissioners Yarbrough, Bertl, and Driskill discussed if the City had considered incorporating sustainable materials, including permeable pavers into the proposed development.
- Vice Chairman De Los Santos and Commissioner Bertl discussed if the City could modify the ordinance to set minimum requirements for permeable pavement. Commissioner Bertl commented that it was not ideal to keep putting off such efforts. Vice Chairman De Los Santos commented that landscaping requirements should be evaluated on a case by case basis and take into consideration factors such as parking. Ms. Firgens stated that it is on the department's work program to address landscaping, including permeable pavement, but also our parking requirements.

Regarding Public Hearing item C.1:

- Chairman Moore asked if this zoning amendment was similar to the previous cases heard by the Commission regarding amending the zoning districts within the Interstate Highway (IH-35) corridor, and Ms. Kyra McCardle, Planning Consultant, said yes.

Regarding Public Hearing item C.2:

- Commissioner Yarbrough commented that a major component of this zoning amendment involved the classification of street types, and discussed how the street types tied into the development within PD-86.
- Ms. Tina Firgens, Director of Planning, and Ms. McCardle addressed non-conforming uses regarding the proposed zoning amendment for PD-70.
- Chairman Moore, Vice Chairman De Los Santos, and Commissioner Driskill discussed building expansions associated with non-conforming uses, including: if business owners of non-conforming uses could apply for a Specific Use Permit in order to expand their businesses; and if the term “expansion” meant either internal, external, or both.

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

A.2 [19-177](#)

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

Chairman Moore opened discussion on Study Session Agenda item A.2 Receive a report regarding zoning and development cases acted upon by City Council.

Ms. Firgens addressed the cases in this report, and noted an error regarding 18-ZA-14 for Planned Development District No. 18 (PD-18). Ms. Firgens noted that the report said that this case was recommended for approval by the Commission as submitted, and stated that the Planning and Zoning Commission voted to recommend approval of the request with the following modifications: remove the use limitation for the single family residential homes within sub-district C and that the applicant provide a noise level study to City Council. Ms. Firgens stated that City Council concurred with the Commission regarding their recommendation for approval, and also voted to remove the one (1)-story height requirement for the single family homes within sub-district C.

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

A.3 [TMP-3039](#)

Discuss agenda items for future Planning and Zoning Commission consideration.

Chairman Moore opened discussion on Study Session Agenda item A.3 Discuss agenda items for future Planning and Zoning Commission consideration.

Commissioner Yarbrough asked if staff kept track of the number of hours spent working on zoning amendments, and Ms. Firgens said staff could bring this information back to the Commissioners.

Ms. Firgens reminded the Commissioners of their forthcoming joint meeting with City Council on April 22, 2019, and said that the Study Session for this meeting would begin at 4:00 PM. Ms. Firgens said that the Regular Meeting would follow.

Hearing no further questions or comments, Chairman Moore closed discussion on this agenda item and adjourned the Study Session at 6:33 PM.

Staff and the Commissioners reconvened in the Council Chambers for the Regular Meeting at 7:00 PM.

B. REGULAR AGENDA ITEMS

- B.1 [TMP-3040](#) 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.

Aye: 5 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Bertl, and Vice Chairman De Los Santos

Absent: 2 - Commissioner Sullivan and Commissioner Zavala

- B.2 [TMP-3041](#) Consider approval of the March 25, 2019 Planning and Zoning Commission Minutes; and take appropriate action.**

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

Aye: 5 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Bertl, and Vice Chairman De Los Santos

Absent: 2 - Commissioner Sullivan and Commissioner Zavala

- B.3 [19-SP-01](#) Consider the request for a Detailed Site Plan for a public building, shop or yard, on a 7.46-acre tract located at 13330 Davis Road; and take appropriate action.**

The applicant, City of Farmers Branch Fleet and Facilities Management Department, is requesting approval of a Detailed Site Plan for a public building, shop or yard and related site improvements on 7.46 acres of city-owned property located at 13330 Davis Road, approximately 900 feet north of the intersection of Keenan Bridge Road and Valley View Lane. The proposed site improvements consist of an office, warehouse and auto repair building, also known as a fleet shop or service center that will be operated by the City's Fleet and Facilities Management Department. City vehicles will be repaired and serviced at this facility, in addition to other related service center functions that may occur. The subject property is located in Planned Development District No. 77 (PD-77), which allows the proposed use. Staff recommends approval of this Detailed Site Plan as presented.

Ms. Jenifer Paz, Senior Planner, gave a brief presentation regarding the proposed development, and stated that this case was scheduled to be heard by City Council on May 7, 2019.

Chairman Moore asked about the cobblestone soil that was part of the storm water management plan for the subject property.

Chairman Moore asked for any additional questions.

Commissioner Bertl asked if the topography was configured in a manner that would drain rainwater towards the direction of bioswales. Ms. Paz asked for clarification from Commissioner Bertl on whether she was referring to either the existing topography or proposed topography, and Commissioner Bertl said the proposed. Ms. Paz said the proposed topography would drain towards the direction of the bioswales.

Hearing no more questions for staff, Chairman Moore invited the applicant to approach the podium, and Mr. Kevin Muenchow, 2116 Marsh Lane, Carrollton, Texas approached the podium.

Commissioner Yarbrough thanked Mr. Muenchow for the proposed development, and asked if he had performed a cost analysis regarding sustainable building materials for the proposed development, and if the architect provided a list of such materials.

Commissioner Driskill commended the proposed site plan, and asked if it was planned to have this proposed facility replace the City's existing fleet facility located on Senlac Drive in the long term.

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

A motion was made by Commissioner Yarbrough, seconded by Commissioner Driskill, that this Detailed Site Plan be recommended for approval with the following modification: Require disclosure to City Council the cost and benefits of using sustainable features in the design and construction of the site to include but not be limited to permeable pavement. The motion carried unanimously.

Aye: 5 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Bertl, and Vice Chairman De Los Santos

Absent: 2 - Commissioner Sullivan and Commissioner Zavala

C. PUBLIC HEARING

- C.1 [19-ZA-01](#) Conduct a public hearing and consider the request to amend Planned Development No. 70 (PD-70) as it relates to the allowable uses, development standards, and administration provisions within the zoning district, approximately 163.55 acres generally bounded by the city limit of the City of Farmers Branch to the north; the centerline of IH-35 on the west; Farmers Branch Lane on the south; Harry Hines Boulevard/IH35 frontage road on the southeast; and Havenhurst Street, Bee Street, Wicker Avenue, the rear property lines of properties fronting on Hermitage Street, the Cooks Creek Channel, and the west property lines of the residential lots fronting Bee Street**

on the east; and take appropriate action.

This is a city-initiated zoning amendment to Planned Development No. 70 (PD-70) as it relates to allowable uses, development standards and administration provisions within the district. Proposed amendments to allowable uses are based on City Council direction to prohibit uses within the Interstate 35 (IH-35) corridor that are not in keeping with the anticipated longer term vision for the corridor. Amendments to the development standards and administration provisions are proposed to reflect changes to PD-70 over time, and to increase ease of implementation and consistency with the Comprehensive Zoning Ordinance (CZO). Staff has reviewed PD-70 along with the other Planned Development Districts within the IH-35 corridor (PD-24, PD-25, PD-97, PD-86, and PD-32), based on Council direction, existing land use policy, existing development form, and the anticipated future vision for the corridor. Staff is recommending that a list of uses be prohibited within PD-70. Uses that are proposed to be added to the prohibited list include those that are motor vehicle related or are of a level of intensity that is not in keeping with the direction provided. If approved, PD-70 will be brought into closer alignment with Council direction and the Central Area Plan. A large portion of PD-70 including all of the City Hall Sub-district, was rezoned to PD-86 in 2005. PD-70 had not been updated to reflect this zoning change, as well as other subsequent PD-70 amendments. Therefore, Staff is recommending changes to the development standards of PD-70 to reflect its current boundaries and remaining applicable provisions. Staff is also proposing amendments to the administration provisions related to special exceptions notification procedures. Staff recommends approval of this Zoning Amendment as presented.

Ms. Kyra McCardle, Planning Consultant, gave a brief presentation regarding the proposed zoning amendment.

Chairman Moore asked for any questions.

Commissioner Yarbrough requested clarification regarding non-conforming uses within PD-70 pending approval of this zoning amendment.

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

Mr. Gerald Wise, 14009 Bee Street, Farmers Branch, Texas, asked why the the residential properties along Bee Street were included within the proposed zoning amendment. Ms. Firgens explained that the proposed zoning amendment did not include the residential properties, and stated that Mr. Wise received a letter because he owned property within 200 feet of the area that was being rezoned. Ms. Firgens stated that state law and the City's Comprehensive Zoning Ordinance required all property owners within 200 feet of the subject property to be notified of the rezoning request. Ms. Firgens reaffirmed that staff was not proposing any changes to the existing residential properties within PD-70.

Mr. Mike Motefakker, 13922 North Stemmons Freeway, Farmers Branch, Texas, said he opposed the zoning amendment and expressed concerns regarding potential burdens being placed on his business. Mr. Motefakker said he believed the zoning amendment would limit the financial being of his business and other similar businesses. Mr. Motfakker said he believed the Interstate Highway 35 (IH-35) corridor study conducted by the City of Carrollton, Texas was a waste of resources. Mr. Motefakker said he believed that automobile businesses were being singled out with this zoning amendment, and that this was unfair to all automobile businesses within the City.

Mr. Aldo Amirgholi, 14011 North Stemmons Freeway, Farmers Branch, Texas, expressed concerns regarding how the proposed zoning amendment would affect his business. Mr. Amirgholi said he believed it was difficult to establish an automobile business within the City, and said that he worked hard to find his existing location. Mr. Amirgholi said he believed the existing automobile businesses within the City did good work and were respected by the community.

Mr. William Caperner, 2553 Valley View Lane, stated he was speaking on behalf of his wife who owned the existing dance studio at this address. Mr. Caperner requested clarification on how the proposed zoning amendment would affect their business. Ms. Firgens explained that this address was located within Planned Development District No. 86 (PD-86), and said that his comment would be addressed during the following public hearing.

Ms. Selena Zarate, 2407 West Crest Drive, Carrollton, Texas, asked about a timeline regarding the proposed zoning amendment and redevelopment within the IH-35 corridor. Ms. Firgens said that she could not provide a timeline, but that redevelopment of an area takes time citing the area around the Station Area as an example. Ms. Firgens also addressed several factors that affect redevelopment, as well as discussed City Council's initial long term vision for the corridor. Ms. Firgens explained that pending approval of the proposed zoning amendments as presented, existing uses, including those approved via a Specific Use Permit that become nonconforming would be permitted to continue operating. Ms. Firgens said it would be ideal over time to phase out those businesses not consistent with the long term vision for the corridor. Ms. Zarate discussed City ownership of properties within the corridor. Ms. Zarate expressed concerns regarding continuing to store heavy equipment on-site and business expansion for her properties located at 2410 Squire Place and across the street on Denton Drive.

Mr. William David Hooper Jr., 12399 Denton Drive, expressed concerns regarding development of this property, noting the difficulty of selling the property and that most potential buyers were interested in establishing an automobile related use. Mr. Hooper said he believed the proposed zoning amendment placed even more restrictions on development of his property.

Mr. Mike Motefakker re-approached the podium and said he believed the proposed zoning amendment would be a burden for existing businesses within the City. Mr. Motefakker said that the Specific Use Permit requirement for automobile related uses within PD-70 gave the City control over where such businesses could locate. Mr. Motefakker expressed concerns that the City opposed small businesses, including automobile businesses and noted his difficulty in establishing such a business in the City of Carrollton, Texas. Mr. Montefakker said he believed the proposed zoning amendment to be unnecessary and that the economy should determine development within an area of the City.

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

A motion was made by Vice Chairman De Los Santos, seconded by Commissioner Yarbrough, that this Zoning Amendment be recommended for approved. The motion carried unanimously.

Aye: 5 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Bertl, and Vice Chairman De Los Santos

Absent: 2 - Commissioner Sullivan and Commissioner Zavala

C.2 [19-ZA-02](#)

Conduct a public hearing and consider a request to amend Planned Development No. 86 (PD-86) as it relates to the allowable uses, street types, and administration provisions within the district, approximately 143.39 acres generally bounded by: Havenhurst Street on the north; Harry Hines Boulevard/IH35 frontage road on the west; Farmers Branch Lane on the south; Rawhide Creek, Valley View Lane, and the rear property line of properties on Nestle Street on the east; and take appropriate action.

This is a city-initiated zoning amendment to Planned Development No. 86 (PD-86) as it relates to allowable uses within the district. Staff is also proposing amendments to street types and the administration provisions within the district. Proposed amendments to allowable uses are based on City Council direction to amend uses within the Interstate 35 (IH-35) corridor. Staff has reviewed PD-86 along with the other Planned Development Districts within the IH-35 corridor (PD-24, PD-25, PD-97, PD-70, and PD-32), based on Council direction, existing land use policy, existing development form, and the anticipated future vision for the corridor. Additionally, staff is proposing to allow breweries by right within a limited area of the zoning district. This application also includes a request to amend the street type for Vintage Street, west of Bee Street and east of Goodland Street. Additionally, an amendment to the administration provisions of PD-86 as it relates to notification procedures for special exceptions is also proposed. This zoning request is being brought forward concurrent with proposed amendments to PD-70 also located along the east side of the IH-35 corridor. Amendments to PD-24, PD-25, and PD-97 were approved by Council on March 5, 2019. Staff recommends approval of this Zoning Amendment as presented.

Ms. Kyra McCardle, Planning Consultant, gave a brief presentation regarding the proposed zoning amendment.

Chairman Moore asked for any questions.

Hearing none, Chairman Moore opened the public hearing.

Ms. Beverly Canon, 13303 Nestle Drive, Farmers Branch, Texas, asked about the proposed vision for PD-86. Commissioner Bertl asked Ms. Canon if she lived either on the east or west side of Nestle Drive, and Ms. Canon said she lived on the west side. Chairman Moore informed Ms. Canon about the Station Area code, which governed PD-86, and said that this document was available on the City's website. Ms. Figgins explained that per the Central Area Plan, the comprehensive plan for this area of the City, the long term vision for Nestle Drive was medium density single family residential homes.

Mr. Robert Gentry, 2542 Havenhurst Street, Farmers Branch, Texas, asked if his existing single family residential home would be considered nonconforming pending approval of the zoning amendment, and Ms. Figgins said no, and explained the provisions within PD-86 that recognized the existing single family homes as conforming uses.

Addressing Mr. Caperner's previous inquiry regarding 2553 Valley View Lane, Ms. Figgins stated that the existing dance studio was permitted to continue operating under the provisions of PD-86.

Mr. Lynn Clark, 13221 Bee Street, Farmers Branch, Texas, requested clarification on the provision of the proposed zoning amendment that would permit breweries within PD-86. Ms. Firgens explained that this provision would permit a brewery use by right on the property to the south of Valley View Lane and to the east of Bee Street. Mr. Clark expressed concerns regarding potential issues with parking at the completion of the proposed restaurant park.

Mr. Charles Reed, 13305 Goodland Street, Farmers Branch, Texas, expressed concerns that the proposed widening of Vintage Street may result in one of his existing trees getting cut down, noting that this tree was within the existing sidewalk easement along Vintage Street. Ms. Firgens explained that in the case of any street widening projects, the City would contact all affected property owners to receive feedback and discuss site specific issues. Ms. Firgens stated she was not aware of any street widening projects at this time, and recommended those interested contact Mr. Marc Bentley, Director of Public Works.

Mr. Sam Underwood, 13017 William Dodson Parkway, Farmers Branch, Texas, expressed concerns regarding parking for the multifamily developments within PD-86. Mr. Underwood said he believed these issues would be exacerbated by future development within PD-86.

Ms. Jiayin Zheng, 2510 Vintage Street, Farmers Branch, Texas, expressed concerns regarding parking within the townhome development in this area.

Ms. Selena Zarate, 2407 West Crest Drive, Carrollton, Texas, asked about the location of the proposed brewery.

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

A motion was made by Vice Chairman De Los Santos, seconded by Commissioner Driskill, that this Zoning Amendment be recommended for approval. The motion carried unanimously.

Aye: 5 - Chairman Moore, Commissioner Yarbrough, Commissioner Driskill, Commissioner Bertl, and Vice Chairman De Los Santos

Absent: 2 - Commissioner Sullivan and Commissioner Zavala

Chairman Moore asked when this case would go before City Council, and Ms. McCardle said it would be May 7, 2019.

D. ADJOURNMENT

Being no further business, Chairman Moore adjourned the meeting at 8:32 PM.

Chairman

City Administration