

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. 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.