



City of Farmers Branch

Meeting Minutes

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

Planning and Zoning Commission

Monday, June 22, 2020

7:00 PM

City Hall

This meeting was open to the public and/or viewable via Zoom Videoconference. Texas Governor Greg Abbott has granted temporary suspension of the Open Meetings Act to allow telephone or videoconference. These actions are being taken to mitigate the spread of COVID-19.

Study Session Meeting – 5:30 PM

Present 15 - Chairman David Moore, Commissioner Tim Yarbrough, Commissioner Linda Bertl, Commissioner Giovanni Zavala, Commissioner Jarrod Williams, Commissioner Bonnie Potraza, Alternate Commissioner Barrett Cole, Vice Chairman Sergio De Los Santos, Tina Firgens AICP Director of Planning, Jenifer Paz AICP Lead Planner, Surupa Sen AICP Senior Planner, Brian Campbell Planning Technician, Kyra McCardle Planning Consultant, and John Land Deputy City Manager

A. STUDY SESSION

A.1 [20-344](#) Discuss Regular Agenda items.

Chairman Moore called the Study Session to order at 5:32 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 regarding the Regular Agenda or Public Hearing items.

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

A.2 [20-340](#) Recognition of Sergio De Los Santos.

Chairman Moore opened discussion on Study Session Agenda item A.2 Recognition of Sergio De Los Santos.

Ms. Tina Firgens, Director of Planning, discussed Vice Chairman De Los Santos' service on the Planning and Zoning Commission, including significant cases and

accomplishments.

Chairman Moore, the Commissioners, Mayor Robert Dye, and Mr. John Land all complimented and thanked Vice Chairman De Los Santos for his dedicated service to the city, and recognized him for his professionalism and architectural skills thereby benefiting the Commission.

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

A.3 [20-305](#)

Discuss and provide direction regarding draft amendments to the Comprehensive Zoning Ordinance related to tree preservation and landscape requirements for residential and non-residential zoning districts.

Chairman Moore opened discussion on Study Session Agenda item A.3 Discuss and provide direction regarding draft amendments to the Comprehensive Zoning Ordinance related to tree preservation and landscape requirements for residential and non-residential zoning districts.

Ms. Jenifer Paz, Lead Planner, gave a presentation related to the proposed draft amendments, including an overview of previous discussions related to the draft amendments and direction from the Commission received by staff related to the amendments. Ms. Paz then presented the revised amendments, which addressed the following: tree preservation; landscaping requirements for the One-Family and Two-Family Residential Districts; and landscaping requirements for all other zoning districts. Ms. Paz then requested direction from the Commissioners regarding the proposed amendments.

Questions and direction received from the Commissioners were as follows:

- Chairman Moore discussed the following: current landscaping requirements for new home construction, including whether the applicant was required to submit both a landscape plan and tree inventory; concerns regarding the Demolition-Rebuild program related to the proposed tree preservation amendment; asked for clarification regarding tree preservation requirements for trees located within the front yard setback; concerns regarding tree mitigation related to smaller lot sizes; and whether the proposed amendments established a maximum number of trees or caliper inches related to tree preservation.
- Vice Chairman De Los Santos requested clarification regarding the dispersal of funds collected from tree mitigation fees.
- Commissioner Zavala asked about the following related to those properties owned by the City: whether there were current tree mitigation requirements; and whether the proposed amendments would apply to these properties.
- Commissioner Potraza discussed the following: whether replacing a tree required within the front yard with one within the rear yard would satisfy the mitigation requirements; whether said tree could be removed at a later time and possibly exploit the tree mitigation requirements; required tree mitigation fees related to tree caliper size; concerns regarding caliper size related to tree mitigation; she suggested adding a clause within the proposed amendments to

permit distribution of tree mitigation fees amongst all districts; and she suggested a uniform tree mitigation fee.

- Commissioner Cole commented that she agreed with previous comments made by the Commissioners.
- Commissioner Yarbrough asked about staff negotiations with developers related to tree preservation for both commercial and residential developments. Commissioner Yarbrough thanked staff for incorporating previous feedback from the Commissioners related to the revised amendments.
- Commissioner Williams discussed the following: concerns regarding the tree mitigation provisions; requested clarification regarding the proposed tree preservation amendments; and whether the proposed amendments were applicable to both residential and commercial developments.
- Chairman Moore recommended staff not proceed with presenting the proposed amendments before City Council until after the following items were addressed: establishing maximum limits regarding tree preservation for residential properties; establishing that the proposed amendments would be applicable to those properties owned by the City; including a provision that would permit the distribution of tree preservation fees within the district where said tree was located first (i.e. the tree being mitigated), and then spend the fees collected within other areas the City deemed fit; and enforcement related to the proposed amendments. Chairman Moore expressed concerns related to the potential work load for the Code Enforcement department related to the proposed amendments.
- There was general consensus amongst the Commissioners related to Chairman Moore's summary of items that should be further addressed, based on the Commission's feedback.

Hearing no further questions or comments from the Commissioners, Chairman Moore closed discussion on this agenda item and adjourned the Study Session at 7:03 PM. Staff and the Commissioners reconvened in Council Chambers for the Regular Meeting at 7:10 PM.

A.4 [20-306](#)

Discuss and provide direction regarding Comprehensive Zoning Ordinance requirements as it relates to front facing garages within single-family residential zoning districts.

Due to time constraints, this item was addressed following the conclusion of the Regular Meeting and after the Study Session was reopened.

A.5 [20-337](#)

Discuss IH-35E betterments improvements including but not limited to Valley View Lane and Valwood Parkway intersection designs, relocation of overhead utilities, and funding.

Due to time constraints, this item was addressed following the conclusion of the Regular Meeting and after the Study Session was reopened.

A.6 [20-345](#)

Discuss agenda items for future Planning and Zoning Commission consideration.

This item was not addressed by the Commission.

B. CITIZEN COMMENTS

Chairman Moore asked if anyone would like to address the Commission on an item not posted on the agenda.

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

C. REGULAR AGENDA ITEMS

- C.1 [20-333](#) **Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented; and take appropriate action.****

A motion was made by Commissioner Bertl, seconded by Commissioner Zavala, that the Attendance Matrix be approved. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Bertl, Commissioner Zavala, Commissioner Williams, Commissioner Potraza and Vice Chairman De Los Santos

- C.2 [20-212](#) **Consider approval of the May 11, 2020 Planning and Zoning Commission Minutes; and take appropriate action.****

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

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Bertl, Commissioner Zavala, Commissioner Williams, Commissioner Potraza and Vice Chairman De Los Santos

- C.3 [20-341](#) **Recognition of Sergio De Los Santos for his years of service on the Planning and Zoning Commission.****

Chairman Moore stated the following: Vice-Chairman Sergio De Los Santo has served on the Planning and Zoning Commission since October 2013, and is term limited June 30, 2020. During his tenure on the Commission (six years and nine months), he has served as Vice-Chairman three years.

Chairman Moore thanked Vice Chairman De Los Santos for his service on behalf of the Commission.

- C.4 [20-PL-07](#) **Consider a request from CADG Mercer MM Holdings, LLC for final plat approval of Mercer Office Addition, Lot 1, Block 1, located on the northeast corner of Chartwell Crest and Wittington Place; and take appropriate action.****

CADG Mercer MM Holdings, LLC is the sole owner of a tract of land totaling 4.96 acres located at the northeast corner of Chartwell Crest and Wittington Place. The purpose of the Mercer Office Addition, Lot 1, Block 1 is to replat a portion of the Westside Addition and dedicate the easements necessary for the development of the lot as an office building. This plat is consistent with the detailed site plan approved with Resolution No. 2017-138 by the City Council on December 12, 2017. The final plat of Mercer Office Addition, Lot 1, Block, is consistent with the Texas Local Government Code and the

City's platting requirements for final plat approval. Staff recommends approval of this final plat as presented.

Ms. Surupa Sen, Senior Planner, gave a brief presentation regarding the proposed plat.

Chairman Moore asked for any questions.

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

A motion was made by Commissioner Bertl, seconded by Commissioner Zavala, that this Final Plat be approved. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Bertl, Commissioner Zavala, Commissioner Williams, Commissioner Potraza and Vice Chairman De Los Santos

C.5 [20-PL-08](#)

Consider a request from CP Logistics Valley View, LLC for final plat approval of Valley View Logistics Addition, Lot 1, Block 1 located on the north side of Valley View Lane, approximately 500 feet east of Luna Road; and take appropriate action.

CP Logistics Valley View, LLC is the sole owner of a tract of land totaling 8.38 acres addressed at 1701 Valley View Lane. The property is located on the north side of Valley View Lane, on the south side of Keenan Bridge Road, and approximately 500 feet east of Luna Road. The purpose of the final plat for the Valley View Logistics Addition, Lot 1 Block 1, is to plat the subject property and dedicate easements necessary for the development of the lot as an office/warehouse building. This plat is consistent with the detailed site plan approved by City Council on June 18, 2019, with the adoption of Ordinance No. 3573. The final plat of Valley View Logistics Addition, Lot 1, Block 1, is consistent with the Texas Local Government Code and the City's platting requirements for final plat approval. Staff recommends approval of this final plat as presented.

Ms. Jenifer Paz, Lead Planner, gave a brief presentation regarding the proposed plat.

Chairman Moore asked for any questions.

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

A motion was made by Vice Chairman De Los Santos, seconded by Commissioner Yarbrough, that this Final Plat be approved. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Bertl, Commissioner Zavala, Commissioner Williams, Commissioner Potraza and Vice Chairman De Los Santos

D. PUBLIC HEARING

D.1 [20-SU-02](#)

Conduct a public hearing and consider the request for a Specific Use Permit for a retail store to allow for beer and wine sales for off-premise

consumption on a portion of and approximate 3.9-acre property located at 4356 Spring Valley Road; and take appropriate action.

The applicant, Go Brands Texas, LLC, is requesting approval of a Specific Use Permit to allow the sale of beer and wine for off-premise consumption within a retail store. The subject site is located at 4356 Spring Valley Road within the Spring Valley Business Center, located on the south side of Spring Valley Road and approximately 1,300 feet east of Midway Road. The subject site is part of an office/warehouse complex that contains three existing masonry buildings. These one-story buildings were constructed in 1977. The proposed retail store will occupy one of the tenant spaces within the southernmost building, and will consist of approximately 4,900 square feet. The subject property is located within the Light Industrial (LI) zoning district. Retail stores are allowed by right within the LI zoning district. The LI zoning district also allows for sale of beer and wine for off-premise consumption subject to approval of an SUP. Staff recommends approval of this Specific Use Permit request as presented.

Ms. Surupa Sen, Senior Planner, gave a presentation regarding the Specific Use Permit request.

Chairman Moore asked for any questions.

Commissioner Bertl asked about the following: she requested clarification regarding business operations, including whether alcoholic beverages were sold directly and delivered to the individual consumer; and if the applicant had any existing businesses. Mr. Hadji Maloumian, the applicant, 773 North 25th Street, Philadelphia, Pennsylvania addressed Commissioner Bertl's questions.

Commissioner Potraza asked about other products to be sold by the business.

Commissioner Zavala asked what is the business' name.

Commissioner Bertl asked how long the applicant had been in business.

Vice Chairman De Los Santos asked how the applicant proposes to advertise selling their products within the City.

Commissioner Yarbrough asked why the applicant chose the subject property and Farmers Branch for this business.

Mr. Maloumian addressed the Commissioners questions related to business operations and location including: Go Brands Texas, LLC sells all of their product online directly to the consumer, via their GoPuff app; products sold are typically the same products sold at convenience stores, and the products are delivered to the consumer within 30 minutes; the business has been in operation since 2015 and have approximately 180 locations nationwide of which 29 are in Texas. Mr. Maloumian also stated that this location in Farmers Branch is desirable due to proximity to customer population and their 30-minute delivery performance goal.

Hearing no further questions or comments from the Commissioners, Chairman Moore opened the public hearing. No one came forward to address this agenda item. Chairman Moore closed the public hearing and asked for a motion.

A motion was made by Commissioner Potraza, seconded by Commissioner Williams, that this Specific Use Permit be

recommended for approval. The motion carried unanimously.

Aye: 7 – Chairman Moore, Commissioner Yarbrough, Commissioner Bertl, Commissioner Zavala, Commissioner Williams, Commissioner Potraza and Vice Chairman De Los Santos

Chairman Moore asked when this case would be heard by City Council. Ms. Sen said it would be July 14, 2020.

Chairman Moore adjourned the Regular Meeting at 7:35 PM and reconvened the Study Session at 7:36 PM to address the following agenda items:

A.4 [20-306](#) Discuss and provide direction regarding Comprehensive Zoning Ordinance requirements as it relates to front facing garages within single-family residential zoning districts.

Chairman Moore opened discussion on Study Session Agenda item A.4 Discuss and provide direction regarding Comprehensive Zoning Ordinance requirements as it relates to front facing garages within single-family residential zoning districts.

Ms. Surupa Sen, Senior Planner, gave a presentation regarding the amendment to the Comprehensive Zoning Ordinance related to front-facing garages approved by City Council and a potential new amendment proposed by staff, which would address the following provisions: whether the restriction regarding providing front-facing garages within the front half of the lot should be removed; whether a ten-foot setback should be required for front facing garages for new homes constructed on streets in which 75 percent of the buildings have no front-facing garages; and restrictions regarding the width of two single-car and one double car garage doors. Ms. Sen then requested feedback from the Commission regarding the potential new amendment.

Discussion and feedback from the Commissioners was as follows:

- Commissioner Bertl asked about the intent behind the provisions for front-facing garages.
- Chairman Moore, Vice Chairman De Los Santos and Commissioner Bertl discussed the provision regarding the required ten-foot front yard setback.
- Commissioner Bertl commented that she was in favor of the proposed amendment.
- Commissioner Zavala commented that he was in favor of the provision regarding the ten-foot setback, and expressed concerns regarding continuity in the aesthetics of homes within a neighborhood.
- Commissioner Cole commented that she was in favor of the provision regarding retaining the ten-foot setback and removing the restriction regarding front-facing garages within the front half of the lot.
- Commissioner Yarbrough asked about the following: whether the three elements of the proposed amendment were mutually exclusive; and whether the home with the front-facing garage located on Brookhaven Club Drive featured in the presentation had less than 81 feet of street frontage.

Commissioner Yarbrough commented that he was not in favor of the provision regarding the width restrictions for two-single car garage doors, and that he was in favor of the provision regarding the ten-foot setback.

- Chairman Moore asked for clarification regarding the provision regarding the width restrictions for two-single car garage doors.
- Chairman Moore and Commissioner Bertl discussed the proposed amendment related to homes featuring an alley within the side yard.
- Vice Chairman De Los Santos commented that he agreed with the provision regarding the width restrictions for two-single car garage doors.
- Commissioner Williams commented that he was not in favor of the provision regarding the ten-foot setback, and discussed potential challenges of converting a rear-facing garage into a front-facing garage related to this provision.
- Vice Chairman De Los Santos commented that he believed the proposed amendment was more applicable to new home construction.
- Commissioner Potraza commented that she was not in favor of the provisions regarding the ten-foot setback and the width restrictions for two-single car garage doors.

Hearing no comments from the Commissioners, Chairman Moore closed discussion this agenda item.

A.5 [20-337](#) Discuss IH-35E betterments improvements including but not limited to Valley View Lane and Valwood Parkway intersection designs, relocation of overhead utilities, and funding.

Chairman Moore opened discussion on Study Session agenda item A.5 Discuss IH-35E betterments improvements including but not limited to Valley View Lane and Valwood Parkway intersection designs, relocation of overhead utilities, and funding.

Ms. Firgens gave a presentation related to work regarding the IH-35E betterments improvements, including: the purpose of the task force; an overview of the roles and responsibilities of the task force; an overview of betterments improvements and prioritization of these improvements; proposed intersection designs and enhancements; proposed designs for the abutment wall panels; potential opportunities for additional open space; relocation of overhead utilities; and requesting direction from City Council related to intersection design, intersection enhancements and relocation of overhead utilities. Ms. Firgens then requested feedback from the Commission regarding the presentation.

Discussion and feedback from the Commissioners was as follows:

- Commissioner Bertl requested clarification regarding who was surveyed for the betterments improvements poll.
- Vice Chairman De Los Santos asked whether the proposed intersection design for IH-35E and Valley View Lane addressed walkability to the Station Area and areas west of the highway overpass.

- Chairman Moore discussed the prioritization of sidewalks and bike and hike trail connectivity for the intersection design of IH-35E and Valley View Lane related to the rankings of these two items on the improvements feature list.
- Commissioner Bertl asked about the following: whether the projected project costs included design and construction costs; whether TxDOT had picked out the color scheme for the abutment walls; and materials for the abutment wall graphics.
- Chairman Moore asked whether the City had set monies aside for the funding of betterments improvements, and about the relocation of overhead utilities.
- Commissioner Bertl asked how the City paid for public artwork, and recommended the installation of public artwork in a phased approach.
- Commissioner Zavala commented on the following: prioritization should be given to the installation of infrastructure necessary for the proposed intersection designs, including potentially prioritizing work on the Valley View Lane intersection compared to the Valwood Parkway intersection; the importance of the proposed betterments improvements related to the goals of the IH-35E Corridor Vision Study; and the importance of consistent abutment wall graphics for both intersections.
- Commissioner Williams commented on the importance of capitalizing on the potential benefits of the proposed betterments improvements for the City.
- Commissioner Potraza commented on the importance of capitalizing on the potential benefits of the proposed betterments improvements for the City, and that she agreed with prioritizing intersection enhancements for Valley View Lane before Valwood Parkway.
- Chairman Moore commended staff for their work and commented on the importance of the proposed betterments improvements.

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

Chairman Moore thanked the Commissioners and staff for their time, and commented that he believed the agenda items discussed to be of importance.

A.6 [20-210](#) Discuss agenda items for future Planning and Zoning Commission consideration.

This item was not addressed by the Commission.

E. ADJOURNMENT

Being no further business, Chairman Moore adjourned the meeting at 9:07 PM.

Chairman

City Administration