



# **INFORMATION MEMORANDUM**

TO: Mayor and City Council

FROM: Charles S. Cox  
City Manager

DATE: October 19, 2021

SUBJECT: Conduct a public hearing and consider adopting Ordinance No. 3704 for a Specific Use Permit and associated Detailed Site Plan for open storage on an approximate 10.66-acre property located at 4721 Simonton Road; and take appropriate action.

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## **Background:**

The City of Farmers Branch has received a request from Kevan Toby, ESI, for a Specific Use Permit (SUP) for open (i.e., outdoor) storage at 4721 Simonton Road. The subject property is an approximate 10.66-acre property zoned Light Industrial (LI) and developed as a warehouse-distribution center comprising 210,219 square feet of building area and 56,000 square feet of outdoor storage. FreshPoint, a wholesale produce distributor, occupies the site.

The open storage is legally, non-conforming due to several existing conditions including, exceeding 15% of the building area without approval of an SUP, being partially located in front of the building setback, and not being screened from public view.

The applicant intends to demolish 26,000 square feet of the existing building to expand the storage area, construct a masonry screening wall along Simonton Road and add more plant material to supplement existing landscaping. Expanding the open storage area as proposed would increase the amount of outdoor storage area to 82,000 square feet and reduce the building to 184,219 square feet. Consequently, the amount of outdoor storage as a percentage of the building area would increase from 27% to 45%. LI zoning requires approval of an SUP for open storage exceeding 15% of the total gross square footage of the building located on the same lot (Section 4.5 B.8, Comprehensive Zoning Ordinance). Other than the portion to be demolished, no other changes to the existing building are proposed.

### **Current Operations:**

Fresh produce is processed at this warehouse 24 hours a day, seven days a week. An estimated 375 employees work day shifts and 50 work nights. Existing open storage includes approximately 50 straight trucks (non-articulated box trucks), 16 tractor-trailers (28-ft/53-ft) and miscellaneous structures and equipment including a vehicle fueling station with a canopy 18 feet tall that is used exclusively by FreshPoint vehicles, a cart and dolly storage area covered with a shade structure 12 feet in height, and a security guardhouse. The entire open storage area is fenced and gated to secure and control ingress and egress.

The applicant is proposing to demolish 26,000 square feet of the existing building on its west side and add that area to the open storage operations. The total open storage area would then be increased to approximately 82,000 square feet which is 45% of the remaining total building area. The site will be able to more fully accommodate FreshPoint delivery vehicles on-site once the open storage is expanded. The semi-tractor trailers that deliver produce to the site will also be accommodated within the expanded open storage area and not have to wait on Simonton Road as they currently do, thereby reducing on-street truck traffic and congestion.

### **Open Storage and Screening Regulations:**

The City of Farmers Branch Comprehensive Zoning Ordinance requires approval of an SUP for open storage exceeding 15% of the total gross square feet of the building located on the same lot. The CZO also requires the following regarding open storage:

- Open storage shall be located on the rear one-half of the lot.
- No open storage shall be located in front of the main building.
- All open storage areas shall be screened from view of the public by a masonry wall not less than six feet nor greater than eight feet in height, and shrubs, trees or other landscaping as approved by the Director.
- Items stored in an authorized open storage area shall not extend above the required screening fence or wall.

The existing open storage area is presently not screened at all. There is a wrought iron fence along Simonton Road and a chain link fence along the west property line enclosing the storage area and some naturally occurring vegetation (not manicured landscape material) along the chain link fence.

The applicant is proposing to construct a solid masonry screening wall eight (8) feet in height along Simonton Road that would largely screen the entire length of the open storage operations. The screening wall would also extend seventy (70) linear feet north along the west property line, supplanting the existing chain link fence and vegetation. The wrought iron fence along Simonton Road would also be removed except for a small segment to preserve operation of the existing sliding security gate. Seven (7) Crepe Myrtles will also be planted along Simonton Road to supplement the screening wall. Due to an existing city water line along Simonton Road, canopy trees are not being planted in this area.

**Considerations:**

Although the proposed improvements would bring the open storage operations into greater compliance, non-conformities would remain, including the storage area not being confined to the rear half of the lot and portions of the fueling station canopy, cart storage canopy, and parked trucks being visible above the screening wall. However, the proposed improvements will provide added area on-site to accommodate truck maneuvering, parking and staging that will help alleviate on-street congestion on Simonton Road and, moreover, significantly improve the appearance of the property.

The SUP process presents an opportunity for incremental improvement of older industrial properties within the city's East Side. Most of the industrial properties in this area, those with open storage in particular, are currently non-conforming and largely lack visual screening. The requested SUP for the subject property, while increasing the total open storage area, does assure installation of landscaping and solid masonry screening, significantly upgrading the site compared to its current condition.

**Adjacent Zoning Districts and Land Uses:**

Direction	Zoning District	Land Use
North	Light Industrial (LI)	Warehouse, furniture store
South	Light Industrial (LI) and Planned Development-104 (PD-104)	Warehouse (across Simonton Road)
East	Planned Development-80 (PD-80)	Multi-family (across Cambridge Concourse)
West	Light Industrial (LI)	Warehouse

**Access:**

The site is accessible from Simonton Road through five existing driveways.

**Parking:**

Required Parking Ratio per CZO	Total Minimum Parking Required	Total Parking Provided	Type of Parking Provided	Complies
<ul style="list-style-type: none"><li>Warehouse/distribution: 1 space/2000 SF</li></ul>	92	214 (including 7 accessible spaces)	Surface	Yes

## Landscaping:

% Required per CZO	% Provided	Location Provided	Complies
Not less than 5% of the entire lot area shall be landscaped excluding building area	14.6%	<ul style="list-style-type: none"> <li>Landscaping is provided throughout the site.</li> <li>There are eight Lacebark Elms, seven Live Oaks, and 16 Crepe Myrtles located on the site, mostly within the new employee parking lot along the east side of the property and some along Simonton Road.</li> <li>Solid row of Dwarf Burford Holly shrubs are located along Simonton Road to provide screening to surface parking.</li> </ul>	Yes

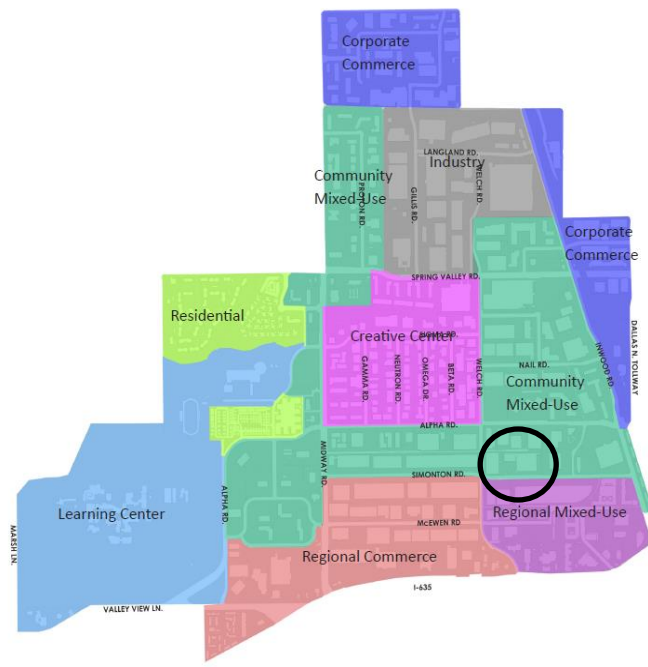
## Signage:

There is no existing monument sign on the property. There are existing wall signs on the building front facade. No new signage is proposed with this application.

## Comprehensive Plan Recommendation:

The East Side Plan designates the subject property as Community Mixed Use on the Future Land Use Map. This land use designation recommends medium density mixed use, office, hotel, retail uses transitioning from high intensity form and use to lesser intensity form and use towards the interior of East Side. The plan also states that some light industrial users can complement these subareas where proper compatibility is provided.

Given that FreshPoint is a long-operating business and the surrounding land uses are largely warehouse and industrial in nature, the proposed SUP application to expand outdoor storage with appropriate screening would not negatively impact neighboring properties and businesses. Instead, as discussed earlier in this report, the proposed site modifications would



accommodate more trucks on-site due and reduce vehicle congestion caused by waiting/idling trucks on Simonton Road.

**Public Response:**

On August 11, 2021, 12 zoning notification letters were mailed to the surrounding property owners in addition to both Carrollton-Farmers Branch and Dallas Independent School Districts. One zoning notification sign was also placed on the site on the same day. Additionally, the required public hearing notice was published in the Dallas Morning News on October 1, 2021. As of the writing of this report, no written correspondence has been received by the city.

**Recommendation:**

On September 13, 2021 the Planning and Zoning Commission considered this request and unanimously recommended approval of the Specific Use Permit, as presented in Ordinance No. 3704.

Possible Council Action:

1. Motion to adopt Ordinance No. 3704.
2. Motion to adopt Ordinance No. 3704 with the following modifications...
3. Motion to deny Ordinance No. 3704.
4. Motion to continue discussion at the next meeting.

**Applicable Zoning and Development Case History:** *(most recent to oldest)*

Date Approved	Case Number	Description
03/29/2018	18-SP-02	Administrative site plan approval for FreshPoint building expansion.