City of Farmers Branch

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

Meeting Minutes

Planning and Zoning Commission

Monday, May 8, 2017 | **7:00 PM** | **City Hall**

Study Session Meeting to be held at 6:00 PM in Study Session Room

Hard copies of the full Planning and Zoning Commission agenda packet are accessible the Friday prior to every regularly scheduled meeting at the following locations:

1) Manske Library
2) City Hall

Additionally, the agenda packet is available for download from the City's web site at www.farmersbranchtx.gov. This download may be accessed from any computer with Internet access, including computers at the Manske Library and in the lobby of City Hall.

Any individual who wishes to speak on an agenda item should fill out a Registration Form for Appearance before the Planning and Zoning Commission (white card located in the back of the Council Chambers) and submit the completed card to City Administration member prior to the start of the meeting.

A. STUDY SESSION

Excused 1 - Vice Chair Jason O'Quinn

Present 6 - Chair Nancy Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos , and Commissioner Michael Driskill

Staff 3 - Alexis Jackson Planning Manager, Andreea D. Udrea Planner II, and John Land Deputy City Manager

A.1 17-474 **Discuss regular agenda items.**

B. REGULAR AGENDA ITEMS

B.1 17-475 **Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented and take appropriate action.**

A motion was made by Commissioner Driskill, seconded by Commissioner Brewer, that the Attendance Matrix be approved. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

B.2 17-476 **Consider approval of the April 24th, 2017 Planning and Zoning Commission minutes and take appropriate action.**

A motion was made by Commissioner Brewer, seconded by Commissioner Yarbrough, that the Minutes be approved. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

C. PUBLIC HEARING

C.1 17-SP- 02 **Conduct a public hearing and consider a request from Wood Partners for a Detailed Site Plan for Alta Luna, a multi-family residential community on an 8.791-acre site located at 1851 Knightsbridge Road and take appropriate action.**

Andreea Udrea, Planner II, approached the podium to present the Special Exception to the Detailed Site Plan that required a public hearing. She reminded the Commission that the zoning for this Phase 3 of Mercer Crossing had been approved in October 2016. The concept plan that accompanied the zoning request varies only slightly from the proposed Detailed Site Plan. The overall development is made up of four multifamily buildings comprising approximately 260 dwelling units.

Ms. Udrea detailed the landscaping, the trail system, the enclosed and surface parking and the number of units in each building. The plan takes advantage of existing natural amenities and links the trails to the adjacent phases of Mercer Crossing as well as to another proposed development to the east.

Ms. Udrea then explained the details of the requested Special Exception to the Detailed Site Plan. PD-88 requires that the building façade for each building facing a street be built to the Required Building Line (RBL) for 85% of the RBL length. This is instead of the more common "setback line." Due to the curvilinear configuration of Knightsbridge Road, no on-street parking along this thoroughfare is possible. In order to create a fluid access needed for the leasing center along Knightsbridge Road, the applicant is proposing head-in parking spaces in front of the leasing office, thus shifting Building 1 and the amenity center back from the RBL with approximately a 22 foot setback adjacent to the amenity center.

Six letters were mailed to property owners within 200 feet of the subject property. No responses either for or against the request were received.

Commissioner Brewer asked for clarification as to which facades faced the "public view."

Ms. Udrea stated that virtually all of the exterior facades were "viewed by the public" and only some of the interior courtyard facades as well as some of the facades in the U-shaped building were exempt from the 75% brick requirement.

Ryan Miller, 5440 Harvest Hill Road, Dallas, Texas, North Texas Development Director for Wood Partners, stated that the company has been developing multi-family communities across the United States since 1998 and was considered one of the top five multi-family developers in the nation.

The Chairman opened the public hearing. No one came forward to speak and Chairman Hardie closed the public hearing.

A motion was made by Commissioner De Los Santos, seconded by Commissioner Moore, that this Site Plan be recommended for approval. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

C.2 17-SU-09

Conduct a public hearing and consider a request from Nexus Escape Room for a Specific Use Permit for Indoor Commercial Amusement located at 13604 Midway Road, Suite 150 and take appropriate action.

Alexis Jackson, Planning Manager, approached the podium to present the Specific Use Permit request. The site is currently occupied by a one-story commercial/office building located at 13604 Midway Road. The building is located within the Light Industrial (LI) zoning district, which requires a SUP for Indoor Commercial Amusement. The SUP is requested only for Suite 150. The applicant is proposing to operate an indoor gaming facility called "Nexus Escape Room." Five game/puzzle rooms are planned. No changes are being proposed to the exterior of the building, the parking, or the landscaping. The site includes 102 parking spaces and the Nexus Escape Room would require 25 of these spaces.

Eleven public hearing notices were sent to property owners within 200 feet of the subject property. No responses either for or against the SUP were received.

Edward Chou, 13604 Midway Road, Farmers Branch, Texas, the applicant, presented a brief video illustrating the operation of the escape room concept. He stated that he began the business in Houston three years ago. The facility's customers are made up of families, friends, dates, and corporate team-building groups. Mr. Chou stated that he was available for questions.

Commissioner Driskill asked if the Houston facility had experiences any liability issues or injuries.
Mr. Chou responded by stating that some customers express fear of enclosed spaces, but since there is always an unlocked door, this is not a problem.

Chairman Hardie asked how long a typical game lasted.

Mr. Chou responded that they were one hour or less.

Commissioner Moore asked about the typical size of groups.

Mr. Chou responded that between four to ten players can be accommodated, but the ideal number is around six players.

There being no further questions from the Commissioners, the Chairman opened the public hearing. No one came forward to speak and Chairman Hardie closed the public hearing.

A motion was made by Commissioner Yarbrough, seconded by Commissioner Brewer, that this Specific Use Permit be recommended for approval. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

C.3 17-ZA-05 Conduct a public hearing and consider a request from the City of Farmers Branch to amend the Comprehensive Zoning Ordinance, Article 5, establishing the Alcoholic Beverage (On-Premise) Overlay District and take appropriate action.

Chairman Hardie reminded the Commission that during the 2014 local election, a majority of the citizens of Farmers Branch voted to allow the sale of packaged beer and wine for off-premise consumption within the City. Following the 2014 citizen vote, City Council passed an ordinance which established "Beer and Wine Sales Overlay Districts" throughout Farmers Branch.

Alexis Jackson, Planning Manager, approached the podium to present the proposed Overlay District concept. She stated the current requirements for restaurants to "qualify" for alcohol sales and added that the percentage of food to alcohol sales was changed in January 2017. In the past, restaurants would have to apply for and obtain a Specific Use Permit to include alcohol sales. Now, those restaurants that "qualify" by meeting certain sales percentages are allowed by right.

The proposed overlays would reduce the percentage of food-to-alcohol sales to 0% -100% and are seen as a catalyst for Farmers Branch to become a destination location. The City Council had asked staff to investigate expanding the Beer and Wine Sales Overlay District concept by proposing certain areas of to be designated as overlay districts to allow on-premises alcohol consumption in upscale bars, brewpubs, wine tasting rooms, and entertainment venues. Ms. Jackson stated that staff is proposing two such areas. Within these specific areas, businesses that sell alcoholic beverages would not be restricted to the percentage limitation to which current restaurants must comply.

Ms. Jackson described the Station Area District as a 3.9 acre tract south of Valley View Lane centered on Denton Drive, the DART Station, and Bee Street. The existing zoning for the area is PD-86, also known as the "Station Area Code." This planned development has a form-based code and allows a variety of land uses. Both parcels are currently vacant, with the Mustang Crossing development to be located on one of the parcels. The second parcel is owned by the City of Farmers Branch for future development.

Ms. Jackson then described the Boardwalk Area District which is a 19.5 acre tract located south of LBJ Freeway, west of the Dallas city limits, and east of Luna Road. This area is located within PD-99, Mercer Crossing West. The regulating plan for PD-99 calls for commercial land uses with retail services that meet both local and regional demand.

The proposed Overlays are consistent with the vision for these areas, which are

"designed to foster vibrant town centers for Farmers Branch through a lively mix of uses-with shopfronts, sidewalk cafes, and other commercial uses."

Staff sent notification letters to property owners within 300 feet of the Station Area District and to property owners within 200 feet of the Boardwalk Area District. One letter was received in favor of the overlay districts. No letters were received in opposition.

The Chairman opened the public hearing.

Sam Underwood, Pastor of the First Baptist Church, 13017 William Dodson Parkway, Farmers Branch, Texas, asked for clarification about what the ordinance would allow.

Ms. Jackson responded that within the distinct area of the overlays, alcohol sales could be up to 100% of the sales of the business with no food sale requirement.

Rev. Underwood asked about the state requirement for a 300 foot distance requirement between bars and churches.

Ms. Jackson read from the state statute that the state allows cities to adopt distance requirements, but they are not mandated by the state. In addition, she added that the distance from the front door of the closest possible bar to the Webb Chapel United Methodist Church was approximately 400 feet and the distance from the front door of the closest possible bar to the First Baptist Church was approximately 450 feet.

Rev. Underwood added that these two churches mentioned had been established in Farmers Branch well over a hundred years ago and while he didn't object to the development per se, he expressed concern that it would develop as shown on the concept plan.

Marc Footlik, representing the applicant for Mustang Crossing, stated that the proposed alcohol overlay was an important component in the overall development of the tenant base for Mustang Crossing.
Commissioner Brewer asked what businesses were likely to be included in the development.

Mr. Footlik stated that the restaurants and bars would be similar to the Trinity Groves development in Dallas.

Commissioner Yarborough asked what types of businesses were expected, since it was too early to reveal brand names.

Mr. Footlik stated that the development would be a "restaurant park" with compatible restaurants and other businesses included.

Michael Beatty, representing the Boardwalk developer, thanked the staff for developing this means to amend the Zoning Ordinance to broaden opportunities within Farmers Branch.

Ron Reeves, 13914 Tanglewood Drive, Farmers Branch, Texas, stated that he was a member of First Baptist Church and had concerns that the Mustang Crossing bars' front doors would face the parking lot and therefore the church site.

Ms. Jackson assured him that the front doors would be facing the planned vehicle and pedestrian promenade, located on the opposite side of the buildings from the main parking lot.

Mr. Reeves asked the Commission to consider the impact of vagrants and homeless people that tend to cluster around the DART station, even sleeping overnight on the church grounds. He went on to say that 100% alcohol does not encourage restaurants; it encourages bars.

No one else came forward to speak and Chairman Hardie closed the public hearing.

A motion was made by Commissioner Moore, seconded by Commissioner Driskill, that this Zoning Amendment be recommended for approval. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

D. ADJOURNMENT

A motion was made by Commissioner Brewer, seconded by Commissioner De Los Santos, that this meeting be adjourned. The motion carried by the following vote:

Excused: 1 - Vice Chair Jason O'Quinn

Aye: 6 - Chair Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, Commissioner Chris Brewer, Commissioner Sergio De Los Santos and Commissioner Michael Driskill

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Certification

I certify that the above notice of this meeting was posted 72 hours prior to the scheduled meeting time, in accordance with the Open Meetings Act, on the bulletin board at City Hall.

Chairperson

City Administration