

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 30th day of October, 2012 with the following members present:

Jim Griffin
Michael Boyter
Chris Brown
Jim Davisson
Patricia Nolan
Sherri Olsen
Roy W. Turner

Mayor
Council Members

constituting a quorum.

Staff present included:

Beverly Griffith
David Miller
Stan Lowry
Michael Wells
Jacquelyn Reyff
Bill Syblon

City Manager
Deputy City Manager
City Attorney
City Secretary
Planning Manager
Development Director

SPECIAL SESSION 6:30 P.M.

The Special Session began at 6:30 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

OLD BUSINESS

- 1. Public hearing and consider an ordinance to rezone the property known as Lots 50 and 51, J.R. Murphy Addition, located at 2709 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-75) and Lot 52, J.R. Murphy Addition, located at 2713 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-15) to Medium-Density-Residential-Single-Family Detached District (MD-3); declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty; and declaring an effective date. The properties are generally located south of Harwood Road and west of Murphy Drive. (Z-228)**

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. It is to rezone the properties at 2709 and 2713 Murphy Drive from R-15 and R-75 Single Family Residential Detached District to MD-3 Medium-Density Residential – Single Family Detached District for the construction of 18 single family homes and a detention pond and open space area at Lot 11. There are currently two single family homes at the location. Over the last 20 years, there have been similar types of development on Murphy Drive whereby large single-family residential properties have been subdivided and replatted for

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the construction of medium-density single-family homes. There are specific design standards in this type of zoning. In both the concept plans and elevations submitted by the applicant, the standards would be met or in excess of what is required. Average lot sizes cannot be less than 4,000 square feet and the applicant is proposing lot sizes of between 4,900 and 6,600 square feet. Lot widths are in excess of the required 45 feet and average closer to 50 feet. This type of zoning allows for zero lot lines; however, the applicant is including five foot side yards on both sides. Finally, the minimum floor area in the zoning is 1,250 square feet while the applicant is proposing a minimum floor area of 1,800 square feet. Issues related to engineering and drainage will be required to meet code at the time of platting. The City's Comprehensive Plan indicates these locations to be residential in nature and this proposed zoning would not conflict with the Plan. The Planning and Zoning Commission approved this rezoning at their September 13 meeting by a vote of 6-0-0 with stipulations that language stating the minimum finished floor area to not be less than 1,800 square feet be added to the boxed notations and that the exhibit indicate the five foot side yards as well as that the homeowner's association being responsible for the maintenance of the detention area, open space and masonry wall.

Bill Stimmell of Coldwell Banker, P.O. Box 210155, Bedford, Texas spoke on behalf of the group bringing this item before Council. This group includes the developer, Tommy Cansler and the engineer, Keith Hamilton. He also represents the Sanders and Edwards families who are selling their property in the area. He is asking the Council to approve this project and that it will take older, rundown properties and replace them with nice new custom homes.

Chad Edwards, 2443 Dockside Drive, Grand Prairie, Texas spoke on behalf of his parents. They are long term residents of the area. His grandparents and parents both lived in the house. He also lived in the house and attended Trinity High School. His parents are looking forward to retirement and are looking to move on and take care of a smaller property. They favor this rezoning and the development of homes in this area.

In answer to questions from Council, Ms. Reyff stated that issues related the detention area and drainage in the subdivision would have to be planned for during the platting process. Council discussed the construction of the masonry wall in regards to having a concrete form at the bottom. City Attorney Stan Lowry stated that in relation to drainage and construction standards, the City has ordinances in place that the applicant would have to comply with in order to get a permit. He stated that it would not be appropriate to add language regarding the concrete footing to the site plan as this is a straight rezoning and not a specific use permit or planned development where additional provisions can be added. The applicant is seeking to rezone to an already existing zoning district that has established standards that cannot be added to.

Mayor Griffin opened the public hearing at 6:44 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Griffin closed the public hearing at 6:44 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone the property known as Lots 50 and 51, J.R. Murphy Addition, located at 2709 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-75) and Lot 52, J.R. Murphy Addition, located at 2713 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-15) to Medium-Density-Residential-Single-Family Detached District (MD-3); declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty; and declaring an effective date.

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

- 2. Public hearing and consider a resolution approving a site plan for a stealth cellular tower located at the property known as Lot A1, Block 1, Dallas Federal Addition, 1851 Central Drive,**

Bedford, Texas. This property is generally located north of State Highway 183 and west of Central Drive. (S-055)

Development Director Bill Syblon presented information regarding this resolution. He stated that with the expansion of Highway 183 Cheddar's lost parking, a situation that needed to be remedied for them to continue to operate at peak efficiency. The solution was found by purchasing the former CI Host building and tearing it down. It was discovered that there was cell equipment on the building that needed to be moved prior to demolition. The easiest solution was to relocate the equipment to the same site in a stealth cell tower. To accommodate the placement of the tower, the Zoning Board of Adjustment approved a special exception to allow encroachment in the 20-foot setback at the rear of the building. Landscaping will be brought into compliance with the addition of 16 new trees and ground cover. 21% of the property would be landscaped, which is in excess of the required 20%. 45% of the landscaping would be in the front yard of the site, which is in excess of the required 40%. The eight-foot Austin Stone wall will have shrubbery around the perimeter. As this site is in the Central Bedford Development overlay district, the site plan requires the approval of the Planning and Zoning Commission and the City Council. This site plan is in compliance with all provisions of the Zoning Ordinance. The Planning and Zoning Commission approved this item at their September 13, 2012 meeting by a vote of 6-0-0.

Paul Bumgardner of AT&T, 1801 Valley View Lane, Farmers Branch, Texas answered questions from Council. He stated that the tower would be smooth and that no apparatus would be visible. It would be made of RF transparent material with seams to prevent water intrusion into the corners and will be 65 feet in height. The Wells Fargo building is too tall and AT&T has been looking at segmenting into small coverage footprints instead of one large site. The tower would be visible from Highway 121.

In answer to questions from Council, Mr. Syblon stated that in regards to existing trees on the property, the owner would be required to maintain them. Cheddar's would be in charge of maintaining the landscape around the tower while AT&T would be in charge of the screening wall and equipment. In regards to other trees and the possibility of a three foot hedge around the screening wall, Mr. Syblon stated that the amount of vegetation shown brings the site into compliance with current ordinances. In a site plan case, the Council does not have the ability to be specific about the tree types for the site. The owner would have to maintain the landscape as shown on the site plan. Mr. Syblon stated he would express Council's desires regarding landscaping to the developer.

Mayor Griffin opened the public hearing at 7:00 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Griffin closed the public hearing at 7:00 p.m.

Motioned by Councilmember Davisson, seconded by Councilmember Brown, to approve a resolution approving a site plan for a stealth cellular tower located at the property known as Lot A1, Block 1, Dallas Federal Addition, 1851 Central Drive, Bedford, Texas. This property is generally located north of State Highway 183 and west of Central Drive. (S-055)

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Olsen and Councilmember Nolan.

Councilmember Olsen requested that it be put in the record that she was voting no in the event that she was encouraging additional landscape to make the corner more aesthetic.

ADJOURNMENT

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Mayor Griffin adjourned the meeting at 7:04 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary