

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF JANUARY 24, 2019**

APPROVED

STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF BEDFORD §

The Planning and Zoning Commission of the City of Bedford, Texas, met in Work Session at 6:40 p.m. and Regular Session at 7:00 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive, Bedford, Texas on the 24th day of January, 2019 with the following members present:

Chairman: Todd Carlson
Vice Chairman: Ruth Culver
Members: Lisa McMillan
 Tom Stroope
 Keith Quigley
 Michael Davis

Constituting a quorum.

Staff present included:

Emilio Sanchez Planning Manager
Bill Syblon Economic Development Director

(The following items were considered in accordance with the official agenda posted by January 18, 2019).

CALL TO ORDER

Chairman Carlson called the Work Session to order at 6:40 p.m.

WORK SESSION

The Commission and Staff reviewed and discussed items on the regular agenda.

Chairman Carlson adjourned the Work Session at 6:58 p.m.

REGULAR SESSION

The Planning and Zoning Commission convened in the Council Chamber at 7:00 p.m. and the Regular Session began.

CALL TO ORDER

Chairman Carlson called the meeting to order at 7:03 p.m.

INVOCATION

Commissioner Stroope gave the invocation.

PLEDGE OF ALLEGIANCE

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The Pledge of Allegiance was given.

APPROVAL OF MINUTES

- 2. Consider approval of the following Planning and Zoning Commission meeting minutes: January 10, 2019 regular meeting.**

Motion: Vice Chairperson Culver made a motion to approve the meeting minutes of the January 10, 2019 regular meeting with the corrections as stated.

Commissioner Davis seconded the motion and the vote was as follows:

Ayes:	Chairman Carlson, Vice Chairperson Culver, Commissioners Stroope, McMillan, Davis, Quigley
Nays:	None
Abstention:	None

Motion approved 6-0-0. Chairman Carlson declared the January 10, 2019 meeting minutes approved.

PUBLIC HEARINGS

- 3. Zoning Case PZ-SUP-2018-50108, public hearing and consider a request to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #2, Bedford, Texas from Service Commercial (S) to Service Commercial/Specific Use Permit (S/SUP), specific to Section 3.2.C(2)a, Churches, Temples and Synagogues of the City of Bedford Zoning Ordinance, allowing for Stephen Carter and Abel Perez to operate Eden Blessing Tabernacle The Church of the New Beginnings. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (PZ-SUP-2018-50108)**

Emilio Sanchez, Planning Manager, reviewed case PZ-SUP-2018-50108.

This particular request is for a Specific Use Permit that you guys had on the agenda at the previous Planning & Zoning Commission Meeting. The applicants failed to appear at that hearing. The commission tabled the case, left the public hearing open. The applicant is in the audience to answer any specific questions, and just to give a brief review for the audience who wasn't here, this is a specific use permit for 813 Brown Trail, Suite 2. I believe the name of the church is Eden Blessing Tabernacle, The Church of the New Beginnings. As stated in the previous meeting, the comprehensive land use plan map shows that this area is commercial. This would fit with the commercial use. The Development Review Committee had no comments for the applicant and allowed the case to move forward. The Planning & Zoning Commission heard this case at the last meeting, tabled it for this meeting. They will be in Suite 2 which is approximately 1400 square feet. The building is approximately 10,508 square feet, with I believe 10 suites, so some of those may be smaller than the 1400 square feet as mentioned for unit 2. Again, the applicant is in the audience to answer any questions, and I would be happy to entertain any questions as well.

Pastor Stephen Carter, My home address is 7124 Smithfield Road, North Richland Hills, Texas 76182.
Pastor Abel Perez: My home address is 6324 Melinda Drive, Watauga, Texas 76148. Um, the goal of our church is we started the church about five years ago, uh, a mile down the road at the Glory Church. We were renting from the Glory Church. That building got sold and we were displaced so we found this building and it's on Brown Trail, but our part of it is on Uptown, because we are like on the back part of

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the building. Um, we have, the church is Eden Blessing Tabernacle The Church of the New Beginnings. Um, we have solid eight people that come every week. Now we have more and less, but say eight people, the core members, is what we have. Our goal in this is to establish probably thirty to thirty-five people at the most in this facility, and if we grow to be larger than that then we have to get either more space in the building or move on to another building. We operate on Thursday nights at 7:00 o'clock and Saturday nights at 7:00 o'clock. There is a church across the hallway that operates on Sunday morning, so there is no conflict of interest. Um, we have Thursday night service and Saturday night service and other than that, we occupy the building, well those two nights would be 4 hours for the week.

Pastor Abel Perez stated that would make that about 10.

Pastor Stephen Carter stated every once in a while we have an extra couple of hours that we occupy the building.

Pastor Abel Perez Stated he just wanted to add that our entrance or the area that we use the most, you know it's, we come in through Uptown and we use, you know, the back part of the building, which is you know uh, there will be no traffic going through Brown Trail, you know, which as you know has quite a bit of traffic. So we prefer to use the area and the access that has the less traffic. We have plenty of parking. And we are here, and I am glad, you know, that this is the first time I came to one of these meetings like this, but I was very glad to see the Pledge of Allegiance being recited, because at every service you know that is exactly what we do, and one of our goals is to bring back into the areas that don't have it, the notion and the trust, we want to bring people back into "In God We Trust".

Chairman Carlson stated, Thank you, thank you gentleman. Do any Commissioners have questions for Mr. Carter or Mr. Perez? No, okay. Thank you gentleman. Anybody here tonight wish to speak on this application? Okay, I am going to close the public hearing. Commissioners is there any discussion or any motion?

Vice Chairperson Ruth Culver stated that that she wanted to remind the Commissioners and the people of the audience that under the Religious Land Use and Institutionalized Persons Act of 2000 signed in by President Bill Clinton, that the right to assembly for churches denial by city's is prohibited more or less. I don't care if it's space. I don't care about the parking. It doesn't have any influence over whether or not these gentlemen have the right to establish their church, and especially since there is already another church in the building. It's by the right of use. Thank you.

Motion: Commissioner Quigley made a motion to approve zoning case PZ-SUP-2018-50088.

Vice Chairperson Culver seconded the motion and the vote was as follows:

Ayes:	Chairman Carlson, Vice Chairperson Culver, Commissioners Quigley, McMillan, Stroope, Davis
Nays:	None
Abstention:	None

Motion approved 6-0-0. Chairman Carlson declared the January 10, 2019 meeting minutes approved.

- 4. Zoning Case PZ-ZONING AMEND-2019-50002, public hearing and consider an ordinance to amend Ordinance Number 2275 City of Bedford Zoning Ordinance and 15-3130 of the Bedford Commons Development Code, specific to multiple changes in Chapters 1-6 of the Zoning Ordinance and Chapter 7 of the Bedford Commons Development Code. (PZ-ZONING AMEND-2019-50002)**

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Emilio Sanchez, Planning Manager, reviewed case PZ-Zoning Amend- 2019-50002.

This request is for an amendment to the Zoning Ordinance and Bedford Commons Design Code. On October 15, 2018, a group of five citizens presented a Petition to the City Secretary asking for a Petition Certification so that they can go out and seek registered voters within the City of Bedford to adopt the language that they were presenting to Council for the zoning amendments in the zoning ordinance and text amendments in the Bedford Commons Code. City Council was presented on January 8, 2019 a Petition by the City Secretary that certified the signatures on the Petition that was turned into the City Secretary. I believe there were a little over 2000 signatures on the Petition that were certified. It may have been closer to 2300. As part of this process, by City Charter the Council has limited abilities when a Petition is submitted. They can either direct staff to adopt the language that was presented on the petition. They can do nothing and have the Petition placed on the ballot. Then it is presented to the voters at the next election which would be in May. At the January 8, 2019 meeting, Council directed staff to incorporate the language of the petition into the Zoning Ordinance and into the Bedford Commons Code without any substantive changes in the language that was presented from the petitioners, and that's what's before you tonight. I believe you have a couple of different copies. There is a redline copy. There is a full black-line copy, and the black-lined copy that has no red lines whatsoever would be the changes that were incorporated into those documents. That would be the codified version of those language changes. I understand that you guys have a lot of questions. I would be happy to answer any of those, but unfortunately staff was not able to really get the information that you asked for from the work session. There was a very limited timeframe that Council has to adopt or decide to put this on the petition on the ballot for the voters.

Commissioner Keith Quigley asked staff to turn to Section 7.11.b Residential Use Buildings. I know this is repeated in other places. This just happened to be the easiest one to get too. And forgive my ignorance, when it says "There shall be a front yard not less than 40 feet". Is that 40 square feet? Is that 40 feet in width, 40 feet in depth?

Emilio Sanchez stated that would be for a front yard from the front property line it would be 40 feet from the front property line.

Commissioner Keith Quigley stated that there are several other places where that or similar wording is there and it doesn't, I mean if it's square footage sure that's a 5 x 8 foot plot. If it's 40 feet wide, that's a whole different story. So that's depth.

Emilio Sanchez stated that it could be width depending on the lot and how it is situated next to a residentially zoned property.

Commissioner Keith Quigley thanked staff

Commissioner Lisa McMillan asked staff about Section 4.9.E, 14, it says maximum impervious coverage shall not exceed 50% of the total area. So am I to understand that 50% of the lot area has to be open space, green space?

Emilio Sanchez stated that it would mean impervious surface. So, sidewalks, building structures, or anything that water can't penetrate.

Commissioner Lisa McMillan stated that so 50% of the site has to be grass, flowers. I mean, I'll be honest with you, I wonder if that's a taking? I mean if you're trying to tell somebody that 50% of their property they cannot use, that looks like a taking to me.

Chairman Todd Carlson stated "Shall not exceed". I mean yeah, but I don't know why I am answering. I mean there are development standards, you know, that are legal and whatnot.

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Emilio Sanchez stated, there are development standards. Currently it is 40% of the lot can be covered or lot coverage. You have a limited ability to cover your lot. We do that so that it is not all paved and it's not all structures.

Commissioner Lisa McMillan stated, I have another question. Do we have any other areas in the City where we require that they be located a certain distance from a school?

Emilio Sanchez stated, we do not. As stated in the Work Session the documents from the Petition and the language that they grabbed or used was taken from the City of Southlake. Each city has its own living and breathing documents and all of the documents that go with each other, and how their master thoroughfare plan speak to each other may be a little bit different. So that language may coincide with their master thoroughfare plan, but it is a little out of place here in Bedford.

Commissioner Keith Quigley asked staff about, 4.9.E, #6. In the working session we talked about it would be good to see if it made any difference because we are not sure we have that many large plots of land left. I am assuming you are not going to go back and tell our current apartment owners they have to meet these regulations. These would be only for new developments, so do you know how many potential areas we have that are 43,560 minimum square footage?

Emilio Sanchez stated that we are very limited. There is a few places along Cheek-Sparger. There are none that are zoned multifamily. There are none that are zoned multifamily. so when you stated that this would not affect any current apartment owners, it would if they were into a catastrophic, God forbid, we have a tornado come through and destroy more than 50% of the value of an apartment complex, we would not allow them to rebuild under the old Code. They would have to come into compliance with the new Code which would be all of these requirements.

Commissioner Keith Quigley asked, So I don't know if you're familiar with it, but Cheek-Sparger, Cummings and 121. Most of that is Day Star, but on the southwest corner, for example, do you have any idea what is involved or how big is that?

Emilio Sanchez stated, It's approximately 8 acres.

Commissioner Michael Davis stated, But it's not zoned multifamily.

Emilio Sanchez stated It is zoned Planned Unit Development with an approval for garden office.

Commissioner Tom Stroope asked staff if there's any place in the future land use that would suggest that that multifamily should be put there, that would fall within this bigger permit.

Emilio Sanchez stated the way that the master plan map, the future land use map, has designations for existing multifamily as high density residential and that there are not any that are slated for high-density multifamily that would not currently be constructed.

Commissioner Tom Stroope stated that the first thing we asked for by proposal is the future land use consistent with that, and so that answer would be no.

Emilio Sanchez stated that is correct, but staff would bring an amendment with the zoning change as well if it's necessary to address the inconsistency with the future land use map.

Commissioner Keith Quigley stated, I apologize. This is probably a question better for the Petitioners, but what it sounds like is we don't actually have any large enough spaces that are already zoned multifamily. Then, is this only as a protectant measure, because it does not sound like it would apply to any new development because we don't have anything suitable for this. I know we have a lot of apartments already and I get the idea of let's cap at whatever we are now, but in your opinion as staff does this have any effect on anything that is even available to be developed right now? It doesn't, I mean

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unless I'm missing something it doesn't sound like we have anything big enough that is already MF zoned. Is that a true statement?

Emilio Sanchez stated that is a true statement and I will expand upon that a little further. I believe your question also asked how staff interprets the language to stopping development. It would not limit a developer from coming in and asking for a Planned Unit Development with different standards. So, that option is still on the table.

Commissioner Tom Stroope stated, Like Bedford Commons.

Emilio Sanchez stated that is correct. The way the Planned Unit Developments are utilized are when a piece of property or developer comes in with a concept that doesn't fit the true definition of the zoning districts that it wants to go into, whether it be setbacks, height, density, any of those things, the Planned Unit Development is used as a tool to accomplish a zoning change to allow for that development to take place without having to go through maybe ten or fifteen different variance from the Zoning Board of Adjustment.

Chairman Todd Carlson stated, I want it reiterated that if this thing is approved and goes forward, or let's say it gets approved by the voters, and that absolutely no change is accepted or referendum can occur to this language.

Emilio Sanchez stated that is correct.

Chairman Todd Carlson stated, See I don't have questions. I just have statements and I am just going to hold off on that because I do want to hear the Petitioners and I want to understand how this got to this, but anyways, does anyone else have questions for staff? Okay. This is a public hearing so I am going to open the public hearing. Would anyone in the audience like to come forward and tell us a little bit about this new language?

Bryan Henderson and I live at 2416 Bedford Circle in Bedford. I worked with the staff on this over the last couple of weeks. What I've been hearing is a lot of misinformation, if you will. Uh, and some of the questions up there that you asked earlier I would answer differently. For example, when you asked about this, the, is there a requirement that anywhere else that anything be built near a school or away from a school or whatever. The word says "should". That is not a requirement. That makes a difference. It is not a "shall" or a "will" or a "must". So it's a "should". Uh, where we got started in all this is that a group of citizens got together, and formed a group that visited with an attorney, and the attorney helped or did write the Zoning Ordinance that was setup. That attorney has been on the P&Z and the City Council in Southlake and it very much does mirror the Southlake ordinance, and Southlake at this point has no apartments so to speak. And they've got a lot of development that's happened up there and a lot of it has been very positive. A lot of expensive development with a lot of sales tax that comes in. So they are doing just fine without it. Um, those Ordinances were presented, in fact I presented them to the City Council and the City Council said thank you and did absolutely nothing. There was no communication with the group, no negotiation with the group, no sit down and talk about this, what are you really trying to do? Not one word of communication from the Council anywhere relative to this. So the group got together and said we need to do the petition drive and then get this started so we can force the City to act one way or the other, and that's what happened. The requirement for the Petition to be accepted was 1584. There were over 2200 signatures, and I would point out that nobody went door to door to get signatures. Those were collected in one spot standing next to the polling place where just under 3000 people voted, so you're looking at between 2/3 and 3/4 of the people that came through to vote signed this Petition. That tells me that it is pretty significantly what the people of this City want; is that there has been enough apartment development. I would point out too to staff that they were entertaining an apartment development over by the hospital on Tibbets just a couple of months ago. So there was a 2-1/2 acre plot there that I think was being proposed and that has fallen through. Of course any of the open land could be changed to multifamily or whatever by the next time that you guys do the plan for the City. The part that upsets, that I heard was upsetting at the Work Session, is the rewording of almost exactly

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what is already in the Ordinances that you work under. In there it requires, your charge is to ensure that everything that goes through the site plan, everything in the site plan meets the Codes, and secondly you are to ensure that it provides for the welfare, safety, etc., for the citizens of the City. That is already in the Ordinances, so it's not very different than what this says. Our understanding of the dates involved and the reason it was put on this particular docket for this evening that had to be put in the paper like the day before the Council meeting, so I knew what was going to happen. There is a rush because the next City Council meeting that this can be heard at is the 12th and our understanding is that the drop-dead date is the 15th of February. I don't know when that started, but 60 days from there.

Bryan Henderson: Isn't that what we've been told? The 15th of February. So there is only one City Council meeting available before that occurs, and basically this happened because everybody keeps waiting and nobody wanted to talk. Now, that, now certainly a lot of people wanted to talk when all of these signatures came in. Uh, because they could see the writing on the wall. If that many voters are willing to sign a petition, it's highly likely that this would pass so that the, my belief is what the Council did was to do something where they have a little bit of control, and down the road. One question that was asked of me offline by some Council members about, you know, what would we do if we had to redevelop? Well the answer to that was there is a couple of ways you could do it. In fact I would expect and be very much for an ordinance that says re-development of the existing apartment complexes could be rebuilt under the same standards that they were built under to begin with. The reason for that is to not do that would ensure that what we have on many areas around our City would be slums 20 years down the road, and some of those places are going to need to be rebuilt and totally redone. And the City needs to do that, and this ordinance would not prevent that, as long as that ordinance is written to redevelopment of existing Ordinances. Like you mentioned another way to do that would be through a planning and development, uh, uh, that has some political issues, if you will, for the current Council down the road, who knows, in that the density that is in there has to be put in there in the development process with the density for apartment development, and uh, it would be difficult for I think the existing City Council or maybe the next one to pass anything with a PUD that put up 40 or 43 or whatever. Bedford Commons, the current plans they are looking to develop now is like 39 units per acre when you use the correct development density. The word density is defined in the City Ordinance. It's not defined in the Bedford Commons Ordinance, and that Ordinance says that you've got to take away the green space and the streets and all that stuff, and what's left becomes the density that you can go with. Uh, the uh, this, the whole idea was not to continue to build more apartments under any land in the City and this Ordinance in fact does make it difficult to do. Uh, it doesn't say that it can't be done. Uh, in fact it allows for that, but it would require that those would be very nice apartments, 850 square feet, 12 per acre. Uh, and if something like that comes along, that's fine. As far as Bedford Commons, I don't think there is a single person that I know within the group that worked on this and that continues to work on it, and would push forward with more things, that that group has become a citizen's action group if you will. They are taking on a whole bunch of other tasks. A liquor petition for example. Those kinds of things, because they realize they got a group of people that work and that get things done. But, I think if you ask in that group there would be virtually nobody that was opposed to the development of Bedford Commons the way it was originally supposed to have been done. We have yet to see a site plan that comes close to passing that zoning ordinance to begin with for that PUD. Everything we've seen so far is simply an, an apartment building. If you look at the developer and the work that they have done, they had, one of the things that we got access to was a letter that they wrote to the Council over in Garland where they had a project going over there. They were complaining about another apartment project being built next to their property as to how bad it was and this was terrible building and all this stuff. In that letter they had a picture of what that development was supposed to look like that they were upset about. Show you the picture and you will swear that it's the same one you've been seeing for development over here. It's the same complex. It looks exactly the same. Uh, what we've seen so far doesn't come close to meeting the standards that have been set forth in the existing Bedford Commons Ordinance. This would certainly have an effect on the north end of Bedford Commons. As it goes further south where things are supposed to be built in commercial ready property, then those requirements would not be there. So again, the whole idea was let's not just go build a bunch of new apartment buildings in Bedford Commons. As you guys well know, what didn't make it through last year when the same developer was trying to oppose, wasn't this flowery thing that they are talking about. They were just going to put in single family dwellings

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and some condominiums and a few things like that just to make it a smoother transition across there. It was the fact that they wanted to take out all requirement for commercial grade property. So the idea there was we end up with 500, 600, 700 apartments between L. Don Dodson and Bedford Road. That's what we had to stop. This would do that. Uh, have you guys got any questions for me?

Chairman Todd Carlson stated, No, I would just point out they were stopped, both times.

Bryan Henderson stated, There, there, they haven't gone away. They're still trying to rebuild.

Chairman Todd Carlson stated, they have a right to not go away.

Bryan Henderson stated, they do, as long as uh, and as far as we're concerned, as long as they were to come back in and build something that is what Bedford Commons was designed to be, that was okay.

Chairman Todd Carlson stated, that's what, we're hoping.

Bryan Henderson stated, But we haven't got there yet. The other part of that is under that PUD the City Council then has to determine the density, and that's a problem. It's a political problem in this City, whether you understand it. I heard some comment about this little group, this group of people from one residential area that lives very close to the area in question. There are 94 homes in that area so at most you are going to look at about 180 people, although it's less than that because there's a whole bunch of single people who live over there. Uh, there is no way that those people generated 2200, almost 2300 signatures, out of 3000 people that voted.

Chairman Todd Carlson stated, I don't suppose they would be. It's just when you look at the map and what Bedford Commons would effect, that corner over there is, would be I would hope the most sensitive to whatever gets built abutting across the street. Because you know the apartment complex over here isn't talking about this, or across the street or down south. So I just brought it up as I would be very concerned about what is being built on that end of any proposed Bedford Commons, which Realty Capital when they came here did, and were rejected because, you're right, they had a very "glittery" multiuse development with uh, more towards let's say residential apartments, and then they came back with what was essentially an apartment complex, which wasn't going to fly either. So I just.

Bryan Henderson stated, If, if you look at what they were held to do, it, when they took out that requirement for pedestal construction, then it didn't require them to do anything but build apartments. That opened the gates. That was, that was the hook if you will. When you took out that requirement then they could just build apartments all through there. There wasn't anything that said there had to be anything done to any particular spot, except on the frontages, on L. Don Dodson and the street that doesn't exist, those frontages along that area had to be pedestal construction set-up for businesses.

Chairman Todd Carlson stated, before we go any too much further, I just want you to know that my vigorous statements does not have anything to say about the effort here. In fact it's amazing that the citizen group is involved because usually the default mode for most people is indifference. So, I'm, I think this is quite healthy and good, you know, what you're doing. It's just from where I'm sitting, and in terms of what I'm supposed to be doing as a Planning and Zoning Commissioner, there is language in there and there are questions that I don't like from a civil liability point of view. And there's also some planning problems with it, but this process that has been initiated does not allow me to get any of those answers, and that's why I'm a little energized tonight. These are all perfectly valid questions and concerns and they should be taken up and I hear what you are saying, and you know, the non-response by Council or City staff, and that is a problem. But the way this is being presented, you know.

Bryan Henderson stated, the way this is being presented is according to the law.

Chairman Todd Carlson stated, I'm not negating your right to do that or saying it, it's just the process.

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Bryan Henderson stated, It's taking it out of your hands is the bottom line, and, and, and the solution that the Council voted 7-0 to do was to keep it in house, let's fix it. And we've had discussions on, on some language. I know one that he, that Emilio pointed out that was taken out of the Ordinance that you guys saw today. He said it was taken originally from the original Ordinance, but you took it out of the Special Use Permit Section of that and put it into the Site Plan, which was a whole different deal. So that's, yeah, you used the same language, but that's not where it was intended. It was intended in a whole different area. Uh, the, uh again, the part that you got upset about, about liability and all that, if you read closely what the Code says right now, it says that your job is not to vote on what you think you like, it's to determine 1) Does it meet code? And 2) Does it provide for the welfare, wellbeing, etc. of the citizens of this City. That's it. That's your charge and it's in the Ordinances.

Commissioner Keith Quigley stated, so, here's my question then. The phrase "meets code" or "provides for welfare of the citizens" is pretty different from saying that the Commission finds that will not substantially or permanently be injurious to neighboring property." I agree, so fifteen years from now if an apartment falls into disuse, and to use your term "looks like a slum", could the neighborhood across the street come and get us because we allowed that to happen? So, here's my thought, if you think that that's synonymous with what's in the current Ordinance, why not use that same wording? Would you be willing to change that back to make sure that it meets code, which I think we all agree that's something that is our job.

Bryan Henderson stated, I'm representing the petitioners. There were five petitioners there and they're in this way representing the voters as well. Personally, and I worked with staff on, on uh, setting some of the stuff up and going over the words. Would I have a problem with that? No. Uh, that's, the goal is not to hang you out. The goal is, and frankly I think that it's probably misunderstood what your actual job is by a lot of people, and it is pretty much to make it exactly, does it meet code? That, that's the bottom line. And does it provide for the safety, welfare and wellbeing, I forget all the words in there, but basically that's what it is. If you like apartments or don't like apartments, that should not come into your decision, is the bottom line. Uh, so that's, this is saying the same thing to me in different words. Uh, but I wouldn't have an issue.

Chairman Todd Carlson stated, Yeah, but my concern is I want to hear the City Attorney tell me that it's being said in the same terms. And Commissioner Quigley, the problem here is they may be amenable to changes, but they can't change it. This is it., And that's my complaint here. It's a take it or leave it.

Bryan Henderson stated, actually at this point, at this point there is some fluidity. In fact all the typos, there were places where it said 25 in words and then had 35 in parenthesis and places like that. Those types of things have been corrected. Uh, there was some language that the staff brought up and added to places that they were trying to make it more readable for a developer and things like that. That was part of what we agreed to today and what we left in there after we took out the part about the City Council's action in there. Uh, so yeah, I, at this point there is a bit of fluidity. The problem is the next City Council meeting that they can hear this is the 12th and my understanding is that if it's not done then, then it automatically goes to the voters on the 15th, or at that point is locked into it. This is, the plan of the group or the desires of the group was to 1) really curtail the building of apartments in this city, and 2) to make sure to develop, that Bedford Commons is developed and developed the way it was intended to be.

Commissioner Lisa McMillan stated, you know, I understand, if there is parts of this that, I think, have some merit. It's just that I find several things to be very extreme, and you make a comment that we are here to make sure that it meets Code, but we are also here to be a recommending body as to what that Code is, and we are not having the opportunity to tweak this, and to, because of what we think would be best for the area. We are having to just vote, basically vote on something that is presented to us and then take it or leave it, and I think that's a concern.

Bryan Henderson stated, ma'am the City Council put you in that position, we did not.

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Chairman Todd Carlson stated that's fine. That's why we're here now. See, you're talking about health, safety and welfare of the City of Bedford and I'm, that's why we want to ask questions and talk to staff and do analysis. See, it's basically this and what you're telling us and that's fine. I'll even give you the benefit of the doubt, but the way it works is we have a City Staff, we have a City Attorney, and we have other public members that might want to talk about this. This process precludes that.

Bryan Henderson stated, it does. It does, and it, and it didn't until it was enforced. The whole thing was set up to have the City talk. You guys talked. We need to sit down. This is what we are proposing. Let's sit down and talk about it.

Chairman Todd Carlson stated, that is how it's supposed to be done. If, if there is an issue with the Bedford Commons Development Code, then that has to be taken up with the City and dialogue set-up, citizens groups and on. Clearly there has been a breakdown of that.

Bryan Henderson stated, The City, the City Council refused to talk to us about it, so then the next step was to do what the law says and put it in a petition and put it before the voters. We didn't have any choice. You guys are there. We're there without any other choice either.

Vice Chairperson Ruth Culver stated, I have a question for Emilio, for clarification if this Ordinance is passed as written, and it moves on to Council, and it would have to be approved and written, and no changes can be suggested when, should it be approved to move on to Council, right? It has to go exactly as it is written, is that correct?

Emilio Sanchez stated, that, without any substantive changes to the language on the Petition.

Chairman Todd Carlson stated, you can clean up the typos.

Emilio Sanchez stated, we can clean up the typos.

Vice Chairperson Ruth Culver stated, Okay, so if that happens, and it goes to Council, we approve it, Council approves it. Then that gives the City the opportunity to come back and clean up any of these concerns that Commissioners have, that the Council may have, and virtually to some extent I guess, put together an ordinance that's more applicable for Bedford.

Emilio Sanchez stated, you are absolutely correct.

Vice Chairperson Ruth Culver stated, Okay, so then on the other hand, if we turn this down because we're concerned about liabilities or clauses in here that we don't like, right? We turn it down. It goes to Council. Council has the opportunity to go ahead and approve it even though we turned it down.

Emilio Sanchez Stated, that's correct.

Vice Chairperson Ruth Culver stated, or if they turn it down, then it automatically goes to the voters, as written. No changes. Nothing can happen.

Emilio Sanchez stated It is automatically required to go on the ballot for the May election.

Vice Chairperson Ruth Culver stated, as written and if it passes through the ballot, it's stone right?

Emilio Sanchez stated that it is my understanding, yes, unless it goes back as a referendum for change, and it can be City initiated for the ballot.

Vice Chairperson Ruth Culver stated, okay, so initiated by the City then it would go on the ballot.

Emilio Sanchez stated, yes.

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Vice Chairperson Ruth Culver stated, and then you have the chance of it being approved or unapproved. So, you could still be stuck with stone with the way this is written? Right? You could be? So, to help I think alleviate some of the concerns that many of us have up here over how this is written, to move it forward to the Council approved, which I know gives everybody more burn, but if you approve it and then it goes to the Council, then that opportunity is there to come back and to change it. Uh, I mean.

Commissioner Michael Davis stated, but if we don't, we can't.

Emilio Sanchez stated, totally. You are 100% correct in everything you say.

Vice Chairperson Ruth Culver stated, I follow a lot of these meetings online. I kind of quit attending some of the Council meetings, but I do watch. And I know that, and I will ask the petitioners this, but this Petition was presented back to the City in.

Emilio Sanchez stated, September or August.

Vice Chairperson Ruth Culver stated, so the City had opportunity from August to now guys, to help us out of this predicament, and it hasn't happened.

Commissioner Michael Davis stated, I agree.

Vice Chairperson Ruth Culver stated, you know, so I agree that we are kind of, we're not in a very good position here tonight. And I don't know that either way we go is gonna be agreed upon by everybody. I mean, not what you really want. You may vote for something that you really don't want, in other words, so that you can have the opportunity to make those changes. But this has been an ongoing thing since August. It's not like it just happened last Tuesday. That's.

Emilio Sanchez stated, you're absolutely correct and when the hearing was over I was going to get up and state that that would be an option that we would recommend, is that the language get approved this time around, then let staff go back and present you with the analysis of the way that it incorporates into Bedford Commons into the Zoning Ordinance, and see what tweaks you guys would like to change. Now I will caution you there may not be the political appetite to make any changes currently, but at least.

Vice Chairperson Ruth Culver stated, so do we have to have the Petitioners approval to make this?

Emilio Sanchez stated, we do not.

Vice Chairperson Ruth Culver stated, okay, so once it goes through, the Petitioners are out of this, right?

Emilio Sanchez stated well, I'll say this, they are out of it in regards to they always have the option to petition again with different language.

Vice Chairperson Ruth Culver stated, okay, but we won't go there.

Chairman Todd Carlson stated, I don't think they are going to disappear if we open it up.

Vice Chairperson Ruth Culver stated, right, so, so if we do that, then is there an opportunity for us to, as a group, to sit down and have a workshop like Commissioner McMillan requested. You know so that we could really kind of go through this and, make it a little bit more.

Emilio Sanchez stated, absolutely. What we could do is have stakeholder meetings, get the input from the stakeholders for any potential changes that they would like to see in the Ordinance. Not only incorporating what Planning & Zoning Commission has, but even the Petitioner group themselves.

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Vice Chairperson Ruth Culver stated, how far can they go, the City? If this goes through like this, how far can the City go to make changes? I mean could they go back to what was original.

Emilio Sanchez stated, they could. That would be unadvised. It would not be something that staff would advise Council to move forward on. Because that opposition is out there, you know that it is going to be an uphill battle to get that language back to what it was, but you do have that option, maybe not now, but the Council may change, the economy may change. A lot of things, the housing market may change, and the Council or P&Z would have the option to make those changes to reflect in the future, 15, 20, 25, 30 years down the road, so that they could incorporate those changes into the existing ordinance. If it's codified from a ballot perspective. It would have to go back as a referendum in front of the voters and get approved to make any changes.

Bryan Henderson stated, it was a privilege to speak to you guys.

Commissioner Michael Davis stated, with all due respect, and I do highly respect this, and this has been a political hot topic for some time now, and uh, I apologize from the City of Bedford to you for forcing you to force us. And there seemed to be a microcosm of government all the way up the line. I understand that, but I had a couple of quick questions, and with all due respect, how many polling places were there at the last election?

Bryan Henderson stated, one.

Commissioner Michael Davis stated, there was only one.

Bryan Henderson stated, right.

Commissioner Michael Davis, stated, okay. And how was this presented? Did you give them words or was it just the "mob rules no apartment thing"?

Bryan Henderson stated, each person who signed this signed something, a sheet for signatures that was attached to the copy of the Ordinance. They had exactly what was written there originally.

Commissioner Michael Davis stated, I am with you. I really am. I, I don't want apartments either, but I just, with my fellow Commissioners, I feel like we are being forced when we do have an out. So, not trying to change your language. I'm just saying that there is a couple of things that I think we should revisit in the future potentially, and I want it to be with all parties at the table. And I apologize that you were forced to force us.

Bryan Henderson stated, I'm with you on that one too, I don't like the amount of time that's had to go into this from our side, uh, as well as the consternation it has created among the citizenry, but I think what could may come from this is that I think you are going to see a more active group of citizens, more organized, uh so that things that happen in this City are more attune to what the people in the City want instead of what somebody may think that they want, if that makes sense.

Commissioner Michael Davis stated, Thank you.

Roger Gallenstein: Mr. Chairman and members of the Planning & Zoning Commission I am Roger Gallenstein. I live at 4013 Fairmont Court, uh, in Fairmont Village in Bedford. Um, I wasn't sure if I was going to speak tonight so sorry I am just in jeans and a polo shirt. Um, Mr. Commissioner, I think I understood what you said. How did this all happen? And I want to take it back a little ways. I won't go all the way back to the 90's because there has been opposition to apartments since that time, and I heard Councilman Fisher bring up Jack McCabe, well I go all the way back to Bobbie Weid. I remember keeping her til midnight one night on a rezoning case that we won, that we won that we wanted, uh, residential rather than commercial. If you recall and it came before you, and I don't remember the date, but our friends at Realty Capital came to Council with the initial proposal, which was a zoning change. And that

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was back in, um trying to think now, October of 2017. And if you recall, if you watched it on T.V. as Mrs. Culver did, or maybe some of you did or were in attendance, there were over 300 people that showed up. Um, they put them in extra buildings. They didn't have room for them. There were T.V. cameras outside and I would bet that 95% of those people were opposed to that project. And at that time it went down to defeat 5-2 in Council, and most of the people that I know, and I don't live any place close to Bedford Park, thought, "We're done, okay, move on". Well we heard through the grapevine, you know this is a small town and everybody knows everybody, and we heard that they were coming back. And the story that I heard was "I thought this was dead", and they were coming back as a site plan and I understand the basic level and the difference between a site plan and zoning change. But people were angry and so we were kind of curious what happened in the meantime and so our group reconstituted itself and we did some things. We did a FOIA request. We have a number of FOIA documents and to say that, uh, a number of us including myself were shocked, that's the best word I can put for it. It appeared that shortly after the October meeting members of City Staff continued to talk to Realty Capital and from what I can read it was encouragement to come back, and we can debate that; we've had that discussion with the Mayor and the City Manager and they said "Well you can't just read what's on the printed line." Of course there is conversations that go on, but it appeared to us. So, like I said, we reconstituted and as Mr. Henderson said, we didn't just draft this ordinance at a kitchen table. We went to an attorney. An attorney that sat, same as you, on the Council, or I'm sorry, Planning & Zoning Council, and she looked at the ordinance of Southlake and thought it would be applicable. So we, we came and that was presented to the City Council in August of this year, or this past year, I'm sorry. And we told the City Council at that time, you know, take a look at this thing, and we thought they would. Now in a meeting that we had with the Mayor and City Manager on January 4th, they admitted no one really looked at it, you know it just got filed aside. So, as time moved on we had to make a decision, and as I said in the last Council meeting, or the Council meeting on January the 8th, we weren't, this wasn't up for whether we were going to take it to the voters, we were expecting Council to do something. Well they didn't do it, so that left us the only. So now here you are and my guess is you feel like you're boxed in. That would be my feeling if I was sitting where you are, but we weren't left with much choice, and so that is how this thing came about. But I think you asked the right question, how did it happen, and so that's where we are today. And it was interesting, Mr. Fisher said, Councilman Fisher said at the January 8th meeting they came out after executive session and voted 7-0 to put this into the City Ordinance, and he said "We heard you" and you can go back and you can review, you know, look at the meeting. So, you know, what would be nice, and I feel sorry for you guys because you're boxed in. You've been handed this thing and you're on a short timeframe, but we tried to work with City Council starting in August after we found out what was going on. We know that Realty Capital came back and it went down again as a site plan, and they can keep coming back. I mean, they can come back until your hair is as gray as mine (laughter) but, hopefully you know, something else will develop or another developer will come in. There is no one in the group that is opposed to Bedford Commons. It's what Bedford Commons is going to be. And so, I just kind of wanted to add a little more to this and hopefully that gives you a little answer to your question, how did this all happen? Uh, it wasn't to beat up on you guys. It was we weren't getting any response from our City Council and we know that our City development staff. I will also tell you we have not shared any of these FOIA documents. We told the Mayor and the City Manager, because we have reams of them, that we wouldn't share those. We kept those amongst the group, but we have that documentation, and we continue to stay on top of it. And the other thing that I think Brian touched on in this process, and I appreciate it, I think you were giving us a compliment that citizens have gotten involved, and we have had other requests for other items that seem to be lacking in this City, and we all live in the City. We are all citizens. We all want the best for this City. So we have seen this as a mandate to do other things. It just started back there with the Realty Capital proposal and this is what we have today. Thank you.

Chairman Todd Carlson stated, Thank you Mr. Gallenstein and again I would just reiterate my remark stated earlier, that this isn't personal.

Roger Gallenstein stated, yes, I know.

Tom Burnett stated, Good evening Commissioners. My name is Tom Burnett. I reside at 2253 Bedford Circle here in Bedford. Uh, I am going to try not to cover the old ground that you heard from him too, but

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I may touch on a little bit. But I do want to give you a little bit of additional information and I am going to tell you a little bit about what is on the FOIA because it has some bearing on what we did and why we are here today. Uh, I want to talk about the misconception about that "group next door". I'm one of those "group next door". You know what, it's not my fault that Bedford Park is there. I'm not somebody who let it be built there. We are a thorn in the City's side and we know that. We bought into Bedford Commons. I should point out that we have development on three sides now, and it's commercial development. I have a lube shop behind my house. I have a two-story building that looks down on my parking lot. I got a nail salon behind me and I got Walgreen's and I see the lights coming in my backyard from the neon. I have no problem with that. When I bought in there I knew that was going to happen. None of that was there except for the Walgreen's. Uh, on the north side we've got office buildings. It's a little quieter, but guess what, we hear the sirens go by from the Fire Department all the time. Across the street we've got additional commercial development. We were hoping when Bedford Commons came along that it would develop the way that it was supposed to. I bought into it. I was excited about it. I, I was hopeful that I could walk across the street to a nice restaurant or some entertainment or something like that. It was gonna be good for us. It was going to be good for the City. And most of the residents in there bought into it. By the way Bryan, our population is about 143. So, out of 2300 signatures there was only 143 in Bedford Commons. So the misconception about the "group next door" is not true. 143 people out of 2300 signatures. The fact we do welcome development. We actually wanted the Bedford Commons. What we found is that through FOIA document releases was that the Bedford Commons project as it was presented to us died two years ago, maybe a little bit longer. We have documentation to prove this. It's been tied up with Realty Capital for nearly two and a half years. Even as late as September of this year information is going out from the City showing that the land the land that Total once owned that is now owned by Realty Capital and the City owned land adjacent to it where the Blues Fest is held has been shown to outside developers as being locked in to Realty Capital. Nobody else would want to come near it for two and a half years. We know that there has been some type of arrangement, agreement, nod of the head, whatever you want to call it, unofficially made with Realty Capital to let them build a field of apartments in exchange for something that some of the City Council members really want, and that's a new City Hall. There is something called a 6320 Plan which is a public private corporation, that Realty Capital approached the City with over two years ago. That they would build the City Hall, finance it for the City for 30 for a little over 4% interest. We have that in writing, and that it was going to require a tax rate of 71 cents to be able to repay the debt to Realty Capital. The City (sigh) Manager and uh, the Mayor are not happy that we have that information. We presented our Petition or our request for the ordinance changes on August the 14th. On January 4th in our final meeting with the Mayor and the City Manager, they both admitted that it was never looked at, never discussed. We told them in our first meeting on November 30th that if they had picked up the phone and called us prior to October 16th, and that is the actual date that we filed, we were ready to sit down and talk about this. You know, one thing the City does not need more of is apartments. For 30 years there haven't been any new apartments built. There's been a reason for that. One thing the City does need, is it needs business. It needs sales tax revenue. That's why we wanted Bedford Commons. So our entire focus, it's been on our website, it's been on our Facebook page all along, has been about land use. We are not anti-apartment at all. In fact, we had several hundred apartment dwellers sign the Petition. They're in with us. They want more for Bedford than just more apartments. You have, you really need to ask your City leaders how we got to this point because they're the ones responsible. We didn't want it to get this far, but we are prepared for it. It cost us thousands of man hours and thousands of dollars. You might be surprised how much money we've spent. Fortunately we haven't had to spend it all. We still have a little bit of war chest left in case this has to go to the ballot. We, the City doesn't want it to go to the ballot. There is an obvious reason for it, because it's going to be hard, almost impossible to change. Um, I think a couple of sensible solutions have been presented tonight, but I also want to throw out a couple of other things, and Emilio, correct me if I, if I'm wrong, but I believe that the Council has the ability to call a special meeting at any time that they wish to take up any subject. I believe this Commission also has the ability to call a special session at any time to consider anything if needed. So, because, just because the clock is short does not mean that you don't have other options available to you, and we are certainly, and I am one of the Petitioners, we are certainly willing to sit down and talk about language. We do represent the voters, um, and the petition, but, but we know the tone out there. So, I want to keep, I want you to keep in mind that this Ordinance doesn't affect the development of Bedford, only where it impacts multifamily. That's all. And

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as I said earlier, we already have enough apartments. That's one thing we don't need any longer. And for those of you that aren't aware, that's a depreciating asset. When they build those the tax revenue, property tax value, declines year after year after year. We have several apartment complexes in here in the City of Bedford currently that only pay \$38,000.00 a year in property tax, and these are developments of 240 units or more. Bedford Park next door generates a heck of a lot more. Uh, so you need to keep that in mind. Um, I would ask you to consider the options tonight. I understand the concerns. They're very valid. We had the same concerns as well. We wish the City hadn't put us or you. Because, if it, we're the bad guys. To the City we're the bad guys and to possibly you we're the bad guys, but our hand was forced. We wanted to sit down and talk to. We, our purpose was to refocus the City on proper development for Bedford Commons. That's really what we want, the original vision. And I will tell you Realty Capital is not the person to do it with. They came in; we've got documents that back up a lot of this. They're an apartment builder, that's all they are. When they had done a mixed use of retail and multifamily it has failed and they've gotten out of it pretty quick. In Colleyville they had a hard time getting out of it (laughs), but they failed. So yes, they came back and they told the City the retail was dead and that the only thing you could get was apartments, so the City bought that, but remember that was tied into another issue of the 6320 Plan. I'm not going to, there is some other information I'm not going to reveal tonight that relates to the sale of the City owned land to Realty Capital that would not go down well and we'll save that for when we need it, if needed. Uh, but it's been, we've been very surprised at what we've found as Roger said. Uh, angry, upset, shocked, um, what's been transpiring for the last two and a half years that has tied up that property for development. Uh, so, please I would ask you to consider. Your options are not pleasant. I understand that. But consider what's best for the City at this point. We conceded. We actually gave the City an out on redevelopment of apartments. We don't want old apartments to become tenements or dumps, so we gave them the out, something that the City Attorney should have made them aware of, that you could come in and develop a special PUD for redevelopment that allows you to tear those down and rebuild them. Uh, the City Attorneys also let the City down. The City Attorney should've, has looked at our ordinance and they, he should have reviewed what Emilio and his staff has done, and probably haven't had time, so I am going to put that back on Emilio. Uh, you know, this is a failure of leadership at the highest levels within the City. I'm talking the Mayor and I'm talking the City Manager, and we're all worse off for that. So please consider the options knowing that probably the best choice that you have tonight is to go ahead with the vote, live for another day to change it and modify it so it makes more sense down the road. Because if you don't, we are prepared to take it to the ballot. We have a war chest of several thousand dollars that we'll campaign to get it passed. We're dedicated to doing this, focusing the City on getting Bedford Commons developed the proper way and getting the rest of the City developed. It's possible and we are going to work, our group now is turning to actually look toward development. We are going to start up a liquor petition. We need 7000 signatures and we're going to try and get em. We're going to look at other opportunities of trying to bring development in. So, when it was mentioned that we're going to be an activist group, it's for the development of Bedford. We're not the bad guys. I want you to understand that. Thank you for your time and for listening to me.

Chairman Todd Carlson stated, Thank you Mr. Burnett. Welcome sir.

Charles Baetz stated Mr. Chairman and committee members, I wasn't prepared to talk tonight, but I just wanted to tell you that I was one of the original Petitioners, Oh, Charles Baetz, 2609 Willow Bend.

I was one of the Petitioners. I was also one out on the street getting the signatures, and I can tell you the citizens out there are very upset. They, when we mention apartments, when anybody else that got any of the signatures, all we do is mention apartments and "Where do I sign?". They don't want apartments. If this thing goes to a ballot, it's not even going to be a fair fight. I mean this thing is gonna be, you're going to get stuck with the language that you got there and you can't do anything with it. So please, please, I know it's not something that you want to do, but please pass this tonight and give it to the Council and the rest of us so down the way we can fix this thing, so it will work for all of us. If you don't, the citizens are going to take it out of our hands and it is gonna be, just a, they're that upset.

Chairman Todd Carlson stated, Thank you Mr. Baetz. Anybody else? Oh, Mr. Gallenstein.

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Roger Gallenstein stated, just real quick, Commissioner Davis asked did people read the Petition. It was interesting. We had a judge come up and he didn't, you know, most people go "Oh okay". He actually took the language. Now I'm not saying he's an expert on planning and zoning, but I think he probably knows the law. He literally took the language, he took it, took it away, read it, came back and signed it. So I just wanted to add that. I thought that was a pertinent question that you asked, did people, at least in that case he read it. Thank you.

Bryan Henderson stated, Let me, I have one other thing to add to that if you don't mind. Uh, yeah that was when the Council. Not, I am not going to say the Council as a whole. A couple of members of the Council really were working to find any way they could to try and discredit the Petition, the efforts, everything they, anything they could (laughs) uh, and they couldn't. We met, we were very, very careful about what we presented and how we presented it. There were two Petitions there because there are sections of code that regulate multifamily. We explained to everyone that they had to sign both because one regulated the general Code and one regulated Bedford Commons. There was a statement on the top of what these Petitions cover, as has already been noted. The actual Code itself was attached to each petition sheet. We had copies printed separately that they could take away or read and some did. We had uh one sheet that bullet pointed the significant changes which related to density, uh, some other minor changes, from the 35 feet to the 40 feet and so on and so forth. Little things, landscaping, and all of that. So, but we were very careful. Whatever somebody wanted to know about it, we were prepared to answer the question or give them information and we did, we did. So, we covered all of our bases. We were very well prepared.

Commissioner Lisa McMillan stated, I have a question, I'm just perplexed. So, obviously you are out there talking to everybody and as you said we haven't had new apartment complexes in thirty years, so our apartments are aging, and so when you have aging apartments obviously they're cheaper so different people of different socioeconomic groups can live there. So I guess I'm just wondering when people say "We don't want apartments", what is the reason, what is the reason that they sign? Is it the people that are going to live in those apartments that they perceive? I don't, I'm just perplexed. I want to know what is out there that, what are the people saying?

Bryan Henderson stated, a lot of people, and, because you'd be surprised at how people in Bedford really understand the problem, and the problem being that property taxes continue to go up, and there is very little land left to develop. Most people in Bedford know that, at least the ones we talked to. And the ones that participate in the City and turn out and vote, they actually know a bit more than what you might think. Um, they don't want to see more apartments because 1) The ones that we have are in decline. The City doesn't seem to do a very good job of Code enforcement, and I am not talking about the ones that need to be condemned, but there are other issues with Code enforcement related to apartments that just don't seem to be addressed. The other thing is that, the rents they are drawing. We're, since we have almost half of our population living in apartments, the City Manager will be the first one to tell you it lowers our demographics, our economic demographics. Now we are still higher than Eules and we are about equal with, with Hurst in that regard. Um, they want to see more business. They, they, we, people would say "You know, we have to go shop, we have to go buy clothes somewhere else, we usually have to go eat out somewhere else". "The grocery stores in this town are terrible." We did a survey. I thought that most people would buy their groceries in Bedford and it turns out they don't. They don't go to Kroger, they don't go to Albertsons and they don't go to Wal-Mart. They actually leave Bedford to shop for groceries. Most people buy gasoline here. I thought they would buy their pharmaceuticals, their drugs here. I thought "Oh Walgreens and CVS got it made." Guess what? Mail order. Most of them are mail. If you're on a plan that requires mail order, well that's where a lot of it's going. So if you, unless you want to eat fast food and go naked, you leave Bedford to shop. And that's really, and a lot of that is what the feedback that we were getting. That and the fact that they are wanting to build more apartments. We've got more serious problems. Why can't we fix the roads in this City? Why can't we fix the sewers in the City? Listen we got a litany. People said, "Well, if you're gonna do this, can you do this? Can you do this? Can you do this? And we wrote down a list of things that people want us to attack.

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Commissioner Lisa McMillan stated, I guess.

Bryan Henderson: Maybe I didn't answer your question.

Commissioner Lisa McMillan stated, No, you did, but I guess my point is you mentioned we want more business' sales tax. Businesses and retails don't come if there's not head count. If there's not population.

Bryan Henderson: Well we have more people than Hurst, and we have more people than Eules.

Commissioner Lisa McMillan stated, that being said, and you talk about wanting to be able to walk over. You know, I guess I am perplexed because I feel like we are missing out. We are missing out on a whole group of population that is a high-income population. My sister lived in Colleyville and was divorced at age 55. So she chose to sell her house in Colleyville and moved into the apartments at Glade Parks that backup. They're vibrant. She paid almost \$1800.00 a month. She is paying more than she was on the mortgage of her house in Colleyville to live in those apartments. These are adults. That's why some of the things I am looking, like requiring and have, these apartments to be within so much such a distance from a school. That whole apartment complex, every time that I have been over there I don't know that I've ever seen a child. Those are adults. Young adults, older adults, who want luxury. We are missing out because we don't have a place for people like that to come and stay and to spend money in Bedford. So I, that's why I'm perplexed. And as a body, we were reviewing the plans based on the Codes that we had, and I know I did, I talked a lot about wanting to have interior parking, everything like that. As a body we were taking the Codes that we have to try to make that type of apartment complex that we have over in Glade that people are spending \$1800.00 a month to live in, to have that replicated here, so we could bring that type of individual here. But it wasn't good enough, so that's why I'm perplexed.

Bryan Henderson stated, what wasn't good enough? Let me tell you, 240 apartments is not going to change the demographics of Bedford one bit. Won't even move the needle. Let me ask you a question. Do you go and shop and eat in Glade Parks?

Commissioner Lisa McMillan stated, I do.

Bryan Henderson stated, alright, you don't live in Eules. Guess what? If we had the right development people from Colleyville, Eules, and Hurst would come to Bedford because we all go there. We go to Southlake. We go to Grapevine. Our trade area is not just Bedford. We're not, Bedford is not an island. It's not a 10-square mile island. We have a trade area close to 200,000 people to pull from. Glade Parks didn't get built because of Eules demographics. If it did. In fact, it's very interesting, have you been in the Burlington Coat Factory or Burlington at Glade Parks?

If you have, you'll be sorely disappointed. It is very low-end merchandise. And you know why, because they looked at Eules demographics solely. They did not look at the surrounding area. They abut Colleyville. Much, much higher demographic and income level. They didn't look at Grapevine. They didn't look at Bedford. And the merchandise in there is skewed more towards K-Mart. In fact that may be where K-Mart is liquidating their merchandise. So, the point is if you, uh, those retailers that are building there didn't build there just simply because of Eules. And the same thing here, we have to look at a different way of marketing Bedford. That's my background, is corporate level marketing and you don't look at just your backyard, looking forward.

Commissioner Lisa McMillan stated, the developments all incorporate mixed use. Mixed use to bring everything. So I'm not going to get into an argument. I would. I'm just perplexed. But they do incorporate mixed use. All along Heritage back there, there is multifamily.

Bryan Henderson: Okay, let's talk about Bedford Commons.

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Commissioner Lisa McMillan, stated I, I really don't want to talk about it anymore. I just, I just wanted to know why the. So, I've mean, I've made my point. We don't need to hash this out.

Bryan Henderson stated, well I'd just like to make a point because you are bringing up the typical argument that we got. Okay, we need this and we need people in Bedford Commons. That was per the mixed use. It's not true. Do you realize that there are two apartment complexes that abut that property there, and that is over 1500 people that can walk across the street to that property now. You have the mixed use. You have single family and you have multifamily. All you have to do is put the businesses in there. And, by the way, our Ordinance still allows, this Ordinance still allows for loft style type development which was the original vision of Bedford Commons. Lower ground floor for business, retail, dining, entertainment, above for loft style. That's the way it was sold to us. So, and we accommodated that. I'm sorry, I didn't mean to.

Chairman Todd Carlson stated, No, I have a question for you. Was the only way you could do the Petition was changing our Zoning Ordinance and the Bedford Commons part?

Bryan Henderson stated, I beg your pardon?

Chairman Todd Carlson, stated, the Petition. Does it have to cover our main Zoning Ordinance and Bedford Commons?

Bryan Henderson stated, yes it does.

Chairman Todd Carlson stated, Okay.

Bryan Henderson stated, but there's really no part. Look, the focus was, there's really nowhere else in the city that, that's really big enough for a large scale apartment development. Uh, except for Bedford Commons, and that was.

Chairman Todd Carlson stated, that was my argument in work session.

Bryan Henderson stated, that was, that's the target and that's not what the Bedford Commons was supposed to be. Now we would welcome some of the older units being torn down and some newer multifamily being built. Do you realize that if you look at Eules and you look at Bedford, I mean Hurst, that the majority of their apartments don't take up valuable retail street front on major thoroughfares? In Bedford that's not true. If you go down Harwood there's prime real estate property taken up by retail, I mean by apartments. Harwood. Apartments fronting this. If those could be redeveloped. I mean there's so many things, so many opportunities down the road for this City.

Chairman Todd Carlson stated, but, all we're going to get into a discussion.

Bryan Henderson stated, I know. We're starting to get philosophical.

Chairman Todd Carlson stated, but the City has no control over that. That's up to the owners of that land and property.

Bryan Henderson stated, well, yeah.

Chairman Todd Carlson stated, We might give them some incentive, but no, for the same reason you have retail strip centers along Harwood that are vacant and.

Bryan Henderson stated, well.

Chairman Todd Carlson stated, the owners of that center have pretty much total control over what they want to do within the Codes of the City.

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Bryan Henderson stated, you bring up a very valid point.

Chairman Todd Carlson stated, and I agree. Because I've stated here on the record too, my problem with Bedford is the acres of open parking available on the street, you know? In, from the street you can see. That's what you see. So the two design criteria of the City are miles of wall up Central, just go up Central. It's ridiculous. And the acres of parking available here. Those are the two design criteria. So, actually I'm agreeing with you, but on the other hand, I cannot make those residents, or I would hope the City would not make them tear down that wall.

Bryan Henderson stated, no, I agree with you there.

Chairman Todd Carlson stated, and, other than putting trees up near the sidewalk, I don't know what we do about the parking lots, so.

Bryan Henderson stated, without. Yeah, I don't want to open, I don't want to really.

Chairman Todd Carlson stated, this, this needs to be discussed.

Bryan Henderson stated we're in agreement. Our group is in agreement. We think that there is something else the City really needs to revisit who they are, and where they're going, and how they're going to get there. That's really what we believe and that's one of the things that we've been, we, we've talked.

Chairman Todd Carlson stated, I have no quibble with that.

Bryan Henderson stated and, and we've had, we've tried to have that discussion with the Mayor and the City Manager, and we're going to be pushing for that down the road as well. This, the way Bedford's got, got to take a new direction. It does, and, and there's got to be some changes made to keep, to make it go the way it needs to go. And do we have all the answers? No, but we will help. We'll muster our forces, and our finances. I think we've demonstrated. This, this is what caught the City off guard, never before has a group said and done what they said they were going to do. It's not been since the rollback. Thank you. I thank you for your time.

Chairman Todd Carlson asked if anyone else like to speak? Because I've got to close the public hearing and then we're going to talk. Might get loud, so. Alright, I'm going to close the public hearing. (Strikes gavel). Okay Commissioners.

Commissioner Michael Davis stated, I agree with Ruth in that the path that we have chosen today is our only option to come together as a government and a people to come to a solution that's good for all of us.

Chairman Todd Carlson stated, can I ask a question? Emilio, if we vote no, but the City Council votes yes, then they'll have to do it with a simple majority?

Emilio Sanchez stated, that is correct.

Chairman Todd Carlson stated, and if they do, is it adopted and, oh wow, it's already been adopted. I'm confused like you when you were saying they voted 7-0 on the Ordinance um, but if they go a simple majority and vote yes, then it is in the Ordinance, Zoning Ordinance, and then changes can be made.

Emilio Sanchez stated, that is correct.

Chairman Todd Carlson stated, All right. So, we're not absolutely required to vote yes.

Emilio Sanchez stated, that is correct.

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Chairman Todd Carlson stated, I have something smart-aleck to say, but I, this is being recorded and I'm not going to. Commissioner Stroope, you haven't talked in a while. Go ahead.

Commissioner Tom Stroope stated several things I held off on, Mr. Henderson's statement that we have two guidelines to follow the Code and to do things that are best for the City of Bedford. As you know, the first thing we did was get them the City Staff Report on whether the proposed meets, they'll tell us if it meets everything or it meets everything except for, and they point out the things that the proposal does not meet and the City Staff does a good job of that. If you recall from my invocation, we're here to benefit all of the citizens of Bedford and we come from different backgrounds and we all vote that we think would be best for the City. It's not what's best for Tom Stroope, it's not best for Todd, it's what we think is best for the City of Bedford. So, Mr. Burnett, I recall the two meetings and I see, I see that just full of "no apartments". I don't see a single "more sales tax". I didn't see a single sign that said we need more sales tax. It said "no apartments". I kind of have problems with that. And then there were, I retired at the first of September, after 22+ years with the Dallas Central Appraisal District and there were some bad misstatements in understanding what the property tax effect of the apartments are. And it would actually be a, if they don't have the benefits of homestead exemptions, they don't have the over 65 homestead cap, they are over 65 which is frozen in Bedford, which is typically unusual. And another thing that wasn't even brought up that I'm concerned about, everybody has concerns and I share with them, but what I'm concerned about is we are asking Bill Syblon to go out and get developers to come in here and he says okay, here's what I got, today. They're spending many, many, many thousands of dollars to try put these proposals together and then get shot down because we changed, the goal post got moved, we changed what they started. This is what the apartment was, but now when they get ready to do it the apartment is different. I'm concerned about all that and I'm not going to support this.

Commissioner Keith Quigley stated, I don't really have a question as such, but I do want to go on record on a couple of things. I've lived in Bedford for 26 years and my parents moved here before me, and one of the first things I did when I came out here, was I came down and I visited the Planning and Zoning Department, which was actually downstairs in this building. I got a big zoning map. I happened to be doing this as a project for a speech I was working on at Toastmasters of all things, and I looked in a 1-mile radius around Central and Harwood, and I'm not going to go into all of the stuff that I found, but 25 years ago, about the only thing that has changed is that intersection no longer has four gas stations, it just has the one. I mean, there was, well two, I guess if you count Kroger, but 25 years ago, maybe it was not quite that long ago, the developer of Parc Place, Bedford Road and 183, was willing to go into something similar to Bedford Commons and that's when, I guess there a CapitalOne credit card processing place was actually facing the highway and he was going to get that entire contiguous piece of property, all the way to Bedford Road. In exchange he was going to do kind of a land swap with the city and we were going to get another library and another City Hall and some of our citizens didn't like the fact that we were going to give some sort of a tax abatement to somebody to build a "Southlake Town Center" like place, which I'm not even sure Southlake had built theirs yet. And if I can go back in time, I would keep at least one individual I can think of from going to those meetings and trying to fight that because that's what I think you guys are talking about, the mixed use development. I too used to live in Dallas and I've been to P&Z and City Council fighting things for my neighborhood there, and at least as bizarre as the City of Dallas is, they have a very explicit mixed use and multi-density type of zoning that makes sense with what I thought Bedford Commons was going to be the first time around, with ground floor retail, some kind of public amphitheater or something with residential above, perhaps some commercial real estate, and the second pass-through with, whatever-their-name-is Realty Capital. They dropped all, Capital Realty, they drop all of the retail I thought and just said we're going to put in "x"-hundreds of apartments. So, I was pretty exorcised about that. And the comment about Glade Parks, yes it is high-end density and it has exactly what these people are talking about. It has all of those other things that people can walk to. They don't have the exact same zoning as far as the development for ground-floor retail, but they've got a heck of a lot of retail nearby. Yes, sadly I have been to the Burlington Coat Factory and won't return, but um. And then the last thing I just want to comment on was, we had a shopping strip owner in here last time, and one of his comments really struck me and convinced me I

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would never want Bill Syblon's job. The man told us the reason he has three churches in his strip center on Harwood, and another non-profit resale place, is because "I can't attract retail to Bedford". Now he listed Amazon as competition, and I'm not entirely sure that's fair, but surely the things that I discovered 25 years ago, we can do somewhat better. How many nail salons, doughnut shops, dry cleaners, etc., do we need? I don't know, but I'd almost be happier with that, with apartments above it if we can do it, so. That's all I'm going to say. I'm not in favor of the way this is worded, but as a citizen, I'd be happy to go to City Council and talk to them about what they're going to do with this. Thank you.

Chairman Todd Carlson, stated, Anybody else? Um, I want to say a couple things. Um, see what's really messing me up here is I agree with about 75% to 85% or 90% of what you're saying here, but this process isn't good. I'm sorry you, they didn't respond to you, but let me, I'll put this metaphorically. You walk in and put a gun to my head and you tell me that those other guys over there made [you] put the gun to [my] head, but I'm sitting here with the gun to my head. I'm sorry, when you add it all up this is bad planning and bad zoning. What Commissioner Culver is doing, and it makes perfect sense to me, that's a political decision, and that's not what we're here for. This isn't good planning and this isn't good zoning. This may be just fine. I have no idea because you're not allowing me to ask City Staff whether it is. It has clauses in here that make me very uneasy. I can't ask the City Attorney whether I should be worried about that or not. There are words in here that don't have definitions. We don't develop ordinances without explaining it all so everybody can understand. There's numbers in here that I don't know how it affects. And the quibble isn't Bedford Commons. See, that's what's going on, but Mr. Burnett and you guys are saying. I am very heartened to hear that because sometimes I feel like I'm the only one that's trying to focus on what Bedford Commons is and it makes it very interesting, in that yeah it's been two, three years and I don't hear the Mayor, I don't hear City Council out in front trying to work this out. Now, the structure of the deal with Realty Capital, okay something smells, but on the other hand I don't know how development deals work in cities in detail. There may, you know, they may have earned the right to have first dibs on whatever it may be, I don't know, but I don't, but I don't question that guy's integrity, and I don't question Emilio's integrity in terms of doing it. So the problem is with the Council. I, you know, and it just struck me Mr. Burnett, why can't we fix the roads, why can't we do code enforcement, but our taxes are high and they keep going up. That is the fundamental dilemma here. You have to pay for the city you want. If you're unwilling to pay for the city you want, then you don't get the city you want. Okay? And then, again, just back to Bedford Commons, what you're vision, envisioning, it's exactly how I envisioned it. A destination, well, I couldn't, but walk or ride a bike with my kids, go to a café, a restaurant, go to entertainment, and I didn't expect 200 or 300 apartments in a complex. And that brings me back to something else in terms of outcomes. Okay there's been a problem with process, but the outcome is exactly what you want. There is no room to develop apartments in Bedford and in all likelihood there won't be any more. And in the space that is available, it's being rejected. So, I'm just. I'm perplexed why, I mean you know, there's problems with the deal and it doesn't look right, and there's a lack of communication, but nobody's letting apartments get built in Bedford Commons, at least not looking like what we've had so far. So, but then this is presented to me and it's a take it or leave it and I've got too many questions. So, I think Commissioner Culver's maneuver here makes sense, but it's bad planning and bad zoning and I'm not going to approve it. I'm not going to vote to approve it. Thank you. Go ahead, Commissioner Culver.

Vice Chairperson Ruth Culver stated, I'm going to go back to the Council Meeting and Commissioners you may not want to approve it, and you may be considering the fact that if it is denied and requires a super majority vote, I'm going to remind you that the vote by the Council last Tuesday was 7-0. They approved this, adopted it, whatever the wording was, and whatever the meaning behind it is, and now they have sent it to us. And if it is denied by us, and you create a super majority need for the Council, and they some way, somebody changes a vote, what you're doing is sending this to the public. Please keep that in mind and then it cannot be changed. Well, somebody else is going to have to get out there and try to make that happen, but I doubt that it will.

If you're willing to take that chance, I am not. I would rather see this pass through and come back with the opportunity to sit down with the stakeholders to make sure that the changes that are requested, the

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concerns that everybody has, are addressed, and that we get an ordinance that is palatable for both the citizens, the Commission, and the Council. I am voting in favor.

Commissioner Keith Quigley stated, I have a question for Staff. So let's say that we pass this, City Council passes it, what guarantee is there that we could ask them, force them, recommend that they modify the wording?

So, if we say we're going to vote to pass this, send it to City Council and they approve it, everybody keeps saying, well then we can adjust the wording. How do you go about that? How do you keep them from just saying no, let's just do it.

Emilio Sanchez stated, you guys can make a recommendation to staff to recommend that to the City Council, uh, but we would get our direction from City Council. So we would, if, if you guys would like us to make those changes, uh, we would let City Council know that Planning and Zoning Commission, that, that process is already in place.

Vice Chairperson Ruth Culver stated, but the Council can also recommend changes and send it down to us.

Emilio Sanchez, stated, that is correct.

Vice Chairperson Ruth Culver stated, and trust me they're going to make recommendations if there are to be changes made.

Chairman Todd Carlson, and when it comes before us, we can suggest changes as we've done with numerous.

Vice Chairperson Ruth Culver stated, and we can have the workshop that we all desperately need.

Commissioner Tom Stroope stated, and the timing just won't allow any of that.

Emilio Sanchez stated, that is correct.

Commissioner Keith Quigley stated, that's what I'm saying, there's no guarantee. So in other words, so, here's the scenario guys. We reject it and the City Council says gosh I wonder why they didn't vote to accept that, perhaps they would ask one of us. I don't know how that works. I'd be willing to go to City Council and say here's why we didn't vote on this, or we pass it and there's no guarantee that they won't do anything other than just pass it, there you go, it's done. Right?

Vice Chairperson Ruth Culver stated, Commissioner Quigley, why would the City Council pass something that they really don't want? If they don't, if they don't find it beneficial.

Commissioner Keith Quigley stated, you yourself said if they "accepted it" or whatever.

Vice Chairperson Ruth Culver stated, if they don't find it,

Commissioner Keith Quigley stated, and sent it to us.

Vice Chairperson Ruth Culver stated, well then maybe they did find it beneficial.

Chairman Todd Carlson stated well, I can make up a little scenario that will prove it just to quiet them down and make them go away for a while, I mean it's that simple.

My response to Commissioner Culver is, that's a very good thought, they passed it 7-0, but that's, you know. The way it works is we recommend, they go and decide what they want. If they passed it 7-0 and

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they require a super majority, let them do another 7-0. At least we'd be back in the proper court instead of this, you know, take it or leave it, approve or disapprove, or it goes to.

Vice Chairperson Ruth Culver stated, we are the proper court. It has to come before us first. I don't, I mean, we sat here several times over other issues and wanted to pass on it because we thought we would just send it back to the Council. Is that not true Commissioners? How many times have we done that?

Chairman Todd Carlson stated, no.

Vice Chairperson Ruth Culver stated, yes we have. One of them I'll bring up was the clothing containers. We thought why do we have to deal with the clothing containers, you know? And we said, well we'll just pass it, let's just, you know, we don't want to fool with this, let's send it on back to Council.

Chairman Todd Carlson stated, no.

Vice Chairperson Ruth Culver stated, I think we're obligated guys.

Chairman Todd Carlson stated, yeah, that's not how I recall that and I'll swear I don't vote other than, in terms of what Mr. Henderson uh, explained to us, safety, health, and welfare for benefit of Bedford. Does it follow the code? I didn't.

Commissioner Keith Quigley stated, change that wording and.

Chairman Todd Carlson stated, I don't vote anything to just send it to the Council to let them deal with it.

Vice Chairperson Ruth Culver stated well, we never did, but there were discussions is what I'm saying.

Chairman Todd Carlson stated, I'm sorry, Commissioner McMillan, you wanted to speak earlier, and I keep talking.

Commissioner Lisa McMillan stated, I have lived in Bedford for 27 years and I watched as the communities around us get the development, like in Glade Parks, the Viridian Development, which is getting ready to start their next phase, which is multifamily, and then neighborhood retail along Highway 157. That developer is moving down to do the same thing down in Crowley, a mixed use of single family homes, some garden homes, and multifamily. I watched that same developer take five dilapidated apartment complexes along Lamar in Arlington, north of 30, and put up high-end loft apartments that are filling up faster than he can even build the next phase. The politics in Bedford, just like this, forcing us to do these things. You're shooting yourself in the foot because no developer wants to come here and deal with this. That's why we don't get this. It started with the rollback election and it's time after time after time. These things are driving developers away. Why do they want to come to Bedford and deal with this? Why couldn't we get Bedford Commons? Could we not get the development with the loft above? Just for this reason. We are a body and I thought we were here to make sure that that area developed to the best, highest use, compatible with, with all the other land uses. Yes, there's other apartments there, but they're a little bit older. The socioeconomic group that live there is good, but it would be better if you had another apartment complex right by it that has an even higher income. So, I guess I just, I, I don't understand and I'm so discouraged because we as citizenry here are doing this to ourselves.

Chairman Todd Carlson asked, Anyone else?

Commissioner Michael Davis stated, everybody had a closing statement and the only thing I can say in closing is I believe Southlake and Bedford are apples and oranges.

Bryan Henderson stated, we do too.

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Chairman Todd Carlson stated, yeah, I didn't want to mention that, but it just, it's. Like, Are you kidding? I mean, I don't. I mean I know you got a Southlake attorney, and that's fine, but this ain't Southlake and, but that's what I'm talking about. The process is you present this and we Bedford-ize it, and get it straight on exactly what we're doing, and that's been completely chopped off here. And, as I said, just on the Planning and Zoning, which is why we're here, this is untenable. And I completely respect and I agree with what Commissioner Culver is saying. The Council voted 7-0 and if it goes to the voters, it may very well pass. Okay, but at least I stood here and said well, this isn't how Planning and Zoning is supposed to work, which is basically your message. I mean.

This is isn't how it's supposed to go, why is it going like that, and you didn't get an answer. And I, well, at a future time we should all sit down and talk about the triumphs and problems of Bedford and see about working it out. But this isn't the forum for that. It's do we approve or recommend for approval or not recommend for approval this Petition language and changes in the Zoning Ordinance. Anybody want to say something else or should we start making some motion or motions? We can stipulate in it?

Can we put any stipulations on our vote, like um, we're only doing this so we avoid taking this to the election and City Council will address the problem, etc., etc.? Because, I mean that's Commissioner Culver's point. We are going to approve it and have Council approve it so we can avoid a special election or an election.

Just state that language, why we're approving it, because I, I would not vote yes on the merits.

Emilio Sanchez stated you could stipulate that. Now, is it enforceable? No, but it's a statement that you could give to Council.

Chairman Todd Carlson stated, and this goes back to what I was saying. We can stipulate well, we'll approve it, you approve it and let's all get together and talk about it and make changes. Well, that's not binding, it's just we'd like to do that and you don't have to do that.

Emilio Sanchez stated you're absolutely correct.

Commissioner Keith Quigley stated, that's what I was asking. Is there a guarantee?

Emilio Sanchez stated, that there are no guarantees, but you have the option if you do pass it, or future Planning and Zoning Commissions.

Commissioner Tom Stroope stated, will they have the minutes of this meeting when they have their hearing?

Vice Chairperson Ruth Culver stated, it's being recorded. They're watching us now.

Emilio Sanchez stated, it's being recorded and it will be on the computer tomorrow. I'll have to work through the weekend to get it for the 12th, but I'm going to try.

Chairman Carlson asked for a motion.

Motion: Vice Chairperson Culver made a motion to approve zoning case PZ-Zoning Amend-2019-50002, with the stipulation that once the language is passed by City Council, that staff putts together a stakeholder meetings to address further text amendments.

Commissioner Quigley seconded the motion and the vote was as follows:

Ayes:	Vice Chairperson Culver, Commissioners Davis
Nays:	Chairman Carlson, Commissioner McMillan, Quigley, Stroope
Abstention:	None

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Motion failed 4-2-0.

Emilio Sanchez asked the Planning and Zoning Commission to have an affirmative motion to deny.

Chairman Carlson stated that since he voted to deny he would make the motion.

Motion: Chairman Carlson, made a motion to deny zoning case PZ-Zoning Amend-2019-50002.

Commissioner McMillan seconded the motion and the vote was as follows:

Ayes: Chairman Carlson, Commissioner McMillan, Quigley, Stroope
Nays: Vice Chairperson Culver, Commissioners Davis
Abstention: None

Motion to deny approved 4-2-0. Chairman Carlson, stated, ladies and gentleman, I want to thank you very much. I know the outcome isn't exactly what you wanted, but your next place to camp out is Council, and that will be, February 12th. And despite the denial, I, we've got a lot of valid arguments here and this is an issue that is not going away, so. Thank you very much for your time. PZ-Zoning Amend-2019-50002 is recommended for denial.

ADJOURNMENT

Motion: Commissioner McMillan made a motion to adjourn.

Vice Chairperson Culver seconded the motion and the vote was as follows:

Ayes: Vice Chairperson Culver, Commissioners Quigley, McMillan, Stroope and
Davis, Chairman Carlson
Nays: None
Abstention: None

Motion approved 6-0-0. Chairman Carlson adjourned the Planning and Zoning Commission meeting at 9:10 p.m.

**Todd Carlson, Chairman
Planning and Zoning Commission**

ATTEST:

**Emilio Sanchez
Planning Manager**