

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF MARCH 25, 2021**

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 6:00 p.m. and Regular Session at 6:30 p.m. via videoconference, Bedford, Texas on the 25th day of March, 2021 with the following members present:

Chairman: Todd Carlson

Vice Chairperson: Michael Davis

Members: Bruce Emery
 Lisa McMillan
 Hendrik Prufer
 Bryan Henderson
 Tracy Manire

Constituting a quorum.

Staff present included:

Andrea Roy	Development Director
Kristtina Starnes	Planning & Zoning Assistant
Jayashree Narayana	Planning Consultant

(The following items were considered in accordance with the official agenda posted by March 22, 2021)

CALL TO ORDER

Chairman Carlson called the Work Session to order at 6:00 p.m.

WORK SESSION

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

Chairman Carlson adjourned the Work Session at 6:29 p.m.

REGULAR SESSION

The Planning and Zoning Commission convened via videoconference at 6:30 p.m. and the Regular Session began.

CALL TO ORDER

Chairman Carlson called the meeting to order at 6:33 p.m.

INVOCATION

Commissioner Emery gave the invocation.

PLEDGE OF ALLEGIANCE

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The Pledge of Allegiance was given.

APPROVAL OF MINUTES

- 1. Consider approval of the following Planning and Zoning Commission meeting minutes: January 14, 2021 regular meeting.**

Motion: Commissioner Emery made a motion to approve the meeting minutes of the December 10, 2020 regular meeting, with correction noted.

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

Ayes:	Commissioners Emery, Prufer, Henderson, Vice Chairman Davis and Chairman Carlson
Nays:	None
Abstention:	Commissioners McMillan and Manire

Motion approved 5-0-2. Chairman Carlson declared the January 14, 2021 meeting minutes approved.

PUBLIC HEARINGS

- 2. Zoning Case PZ-SUP-2018-50060, consider a request from David McGeary for an extension of the Specific Use Permit (SUP) PZ-SUP-2018-50060 for the Christian Life Tabernacle Church to allow additional time prior to the expiration of the SUP granted on March 10, 2021, per Section 5.3.C (Duration of Specific Use Permit) of the City of Bedford Zoning Ordinance.**

Jayashree Narayana, Planning Consultant, presented Zoning Case PZ-SUP-2018-50060.

The location of this property is east of Central Drive and south of Nottingham. The church is an existing building at the lot to the north with a small parking lot on the lot to the south. The applicant did get a site plan approved with a SUP a year ago. The SUP was for a new church addition and a new parking lot. There were some drainage issues on the properties that were resolved during the site plan / SUP process.

There are two separate lots as one. The first is Lot 1, Block 1, and there is a second tract of land that has not been platted. There is a requirement that a building permit applied for and secured within one year of the granting of the SUP. City Council may authorize an extension with the recommendation of the Planning & Zoning Commission. That is the reason why this case is being presented at this meeting.

The applicant is required to replat the property to combine the two lots into one lot, Lot 1, Block 1, and the tract to the south. A replat requires delineation of all easements on the property including the drainage easements. The applicant is working through some design issues at the southern edge to comply with City Council and P&Z's conditions of site plan approval as it relates to drainage and detention on the site. That has been the reason for the delay, including some of the Covid-related delays.

The applicant is requesting an extension of the SUP approval due to exigent circumstances. P&Z can recommend an extension without a time limit, they can impose a time limit for the extension, or can recommend denial of the extension. If the request is denied, the applicant will be required to reapply for a site plan and SUP and go through the public process.

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Chairman Carlson asked what the original intent was to put the one year time limit to get a building permit.

Jay Narayana said it was in case there were any changes made to the ordinance to make sure that a project that got an SUP that sat dormant for several years, and then gets developed under the old rules.

Commissioner Pruffer said that it helps the P&Z Commissioners to have a time limit on the SUP since the City is thinking about revising some ordinances.

Commissioner McMillan said that even though the applicant is working with the City Engineer, is that something that can be done within a year if he was given an extension until March 2022.

Andrea Roy, Development Director, said yes. There are some discrepancies and engineering has been going back and forth with them. She doesn't think they are that far from finishing it. They are still required them to submit the building permit and obtain it as well, so that's another set of drawings that are required. As Staff understands it, those have already been started by the church. So yes, it is definitely doable by then.

Commissioner Henderson asked if six months would be enough time.

Jay Narayana said to be on the safer side, she would recommend to grant them a year.

Vice Chairman Davis said that Covid took a year, so a year is good.

**The applicant was not present for this meeting.*

Chairman Carlson said since the applicant is not present, the meeting is traditionally tabled until the next meeting. He recommends that they table this until the next meeting than grant an extension.

Vice Chairman Davis asked if the SUP would expire if they pushed this request out a month.

Chairman Carlson said it already has.

Commissioner McMillan said she would prefer to grant the extension, even though the applicant is not present. All they are doing is granting an extension. The Covid timeframe caused a hardship, and although the applicant isn't present they should grant the extension. They don't know when their next meeting will be.

Commissioner Emery said the applicant has responded to the City before the March 10th deadline, and he was clear in his letter what his intentions are and what his request was within the required timeframe before the expiration.

Andrea Roy said the City has had issues communicating with the applicant. He may not be a frequent user of email, and they didn't have an opportunity to mail a letter and indicate that his presences was required. This information was shared, but not sure if he was aware that his extension could have been jeopardized if he wasn't on the call.

Commissioner Manire said he lives down the street from the applicant, and the applicant is in California for 10 days. That is why he is not present.

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Commissioner Prufer said he would like to see this get done by the end of the year, and asked if the Commission could compromise and extend it to nine months.

Vice Chairman Davis said the applicant has already began construction. They've moved dirt and have done a lot of work, so he'd like to give it one year.

Chairman Carlson said if the site is already under construction, the applicant just wasn't able to get it completed by March 10th.

Commissioner Henderson said they are only extending the time, they aren't changing anything that was approved in the SUP before.

Jay Narayana said it's most likely understood, but maybe state something in the motion that clarifies and confirms that it's the same thing.

Vice Chairman Davis said they are just asking for more time for something that's already been established. They are just trying to get a building permit. If they grant a one-year extension, he believes it will be resolved by the summer.

Commissioner Prufer asked if they are already doing work out on the site, what exactly are they doing and what permit are they using for disturbance and everything.

Vice Chairman Davis said it's early grading.

Commissioner Prufer asked if they still need a building permit, or do they have a grading permit that they're working off of.

Andrea Roy said they aren't doing the level of work that hits the permit level. What they're doing has not warranted a permit at this point. There was an inquiry and Staff went out to look into what it was, and it was determined that it didn't hit the permit level.

Motion: Vice Chairman made a motion to approve zoning case PZ-SUP-2018-50060.

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

Ayes:	Commissioners Emery, McMillan, Prufer, Henderson, Manire, Vice Chairman Davis and Chairman Carlson
Nays:	None
Abstention:	None

Motion approved 7-0-0. Chairman Carlson approved zoning case PZ-SUP-2018-50060.

- 3. Preliminary Plat case PZ-PP-2021-020, consideration of a preliminary plat for Jim Dewey, Jr. on behalf of JDJR Engineers and Sofia Sharieff. The properties are zoned Planned Unit Development (PUD) with MD-3 Medium Density Residential Single-Family Detached District standards. The legal descriptions are Tract 3A03 and Tract 3A03B, Abstract 1080, Matson, James M Survey, and Lot 1, Block 1, Sexton Addition, located at 2513, 2517 & 2521 Pipeline Road, Bedford, Texas. The properties are generally located north of Pipeline Road and west of Hospital Parkway. (PZ-PP-2021-020)**

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Jayashree Narayana, Planning Consultant, presented Zoning Case PZ-PP-2021-020.

This property was rezoned last year to a PUD, the location of this property is at Pipeline Road and Hospital Parkway. South and east of this property are the boundaries of the City of Euless. The concept plan was approved for a 22-lot subdivision for single-family residential, including one open space lot. There was also an additional condition placed and required an eight foot fence along Lots 14, 15, and 16. The applicant is requesting the approval of a preliminary plat. The applicant is proposing to construct a masonry wall along Hospital Parkway and Pipeline Road, part of the City's ordinance.

The preliminary plat presented meets all of the City's requirements.

Commissioner McMillan said there were some issues regarding the screening wall, and asked if they use Option A, then they will not across the diagonal but will continue to the corner and go back, but then the wall will go down as it is shown and will create visibility. In Option B, they will cut across that visibility diagonal, keep the six-foot fence and screening wall, but just cut across like a diagonal.

Jim Dewey with JDJR Engineers, petitioner, 4500 Texas Drive, Irving, Texas.

Mr. Dewey said based on the comments during work session regarding the two-story houses and the fencing, they did have three interested homeowners interested in this development. None of them had an issue with the development, but they were concerned about the loss of privacy into their rear yards. On the west side, there is an old street right-of-way and it's never been approved, and it's 50 feet wide and covered in trees. There were two homeowners on that side were concerned, but when they understood that there is a 50-foot buffer and all of the trees were going to remain inside that buffer, they seemed acceptable.

On the north side, where the eight-foot fence is shown, there are three lots abutting up to one lot. Those homeowners were also concerned about their loss of privacy, but when looking at an aerial photo, their backyard is completely wooded with very nice trees which will remain. Those homeowners asked if they would be willing to install an eight-foot cedar fence for them with the development, and they agreed. The homeowners seemed happy when they understood that the fence will be built and all of the trees will remain. The owner of the area this development wraps around didn't file any type of response nor participate in any of the meetings. All of the homes along Pipeline Road do not invade anybody's privacy. The concerns about that were addressed at P&Z and Council.

Commissioner McMillan said back to the screening wall, there are three areas where there are two visibility triangles at Hospital Parkway and one at Hospital Parkway and Pipeline Road. She doesn't see a problem with the lower dropping down to the lower to the front yard. She thinks there needs to be a continuation of the six foot option B, because it would be the backyard screening on the corner of Hospital Parkway and Pipeline Road.

Mr. Dewey said he agrees with that. They show a typical fence detail, but there will be a brick wall with stone columns. They want to do a nice wall but the exact colors haven't been picked out yet. They will probably not use option A in either place, they will angle it back on the visibility triangles because it does provide better privacy.

Jay Narayana said as long as both options meet the ordinance, the Commission is just conveying their preference.

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Mr. Dewey said it doesn't make any sense to reduce that wall to two feet at the main intersection at Hospital Parkway and Pipeline Road. Option B is the more appropriate use at that intersection.

Commissioner Henderson asked if option B gives the 25' x 25' triangle visibility.

Mr. Dewey said what is on the drawing just indicates that they have to stay out of the visibility clip. Geometrically, it is the same as what is on the plat. All they are indicating is if they stay out of the visibility clip the wall can remain six feet tall. If they are in the visibility clip the wall has to be reduce to two feet tall.

Motion: Commissioner McMillan made a motion to approve zoning case PZ-PP-2021-020.

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

Ayes: Commissioners Emery, McMillan, Prufer, Henderson, Manire, Vice
Chairman Davis and Chairman Carlson
Nays: None
Abstention: None

Motion approved 7-0-0. Chairman Carlson approved zoning case PZ-PP-2021-020.

ADJOURNMENT

Motion: Vice Chairman Davis made a motion to adjourn.

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

Ayes: Commissioners Emery, Quigley, Prufer, Henderson, Vice Chairman Davis
and Chairman Carlson
Nays: None
Abstention: None

Motion approved 7-0-0. Chairman Carlson adjourned the Planning and Zoning Commission meeting at 7:33 p.m.

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

ATTEST:

**Kristtina Starnes
Planner**