



REGULAR PLANNING & ZONING COMMISSION MEETING SETEPMBER 9, 2021

LOCATION: 1400 Main Street, Southlake, Texas, 76092

Work Session – Executive Conference Room, Suite 268 of Town Hall
Or City Council Chambers of Town Hall

Regular Session – City Council Chambers of Town Hall

MEMBERS PRESENT: Craig Rothmeier, Gina Phalen, Daniel Kubiak, Michael Forman, Scott Dyche, Michael Springer, and Austin Reynolds.

MEMBERS ABSENT: None.

STAFF PRESENT: Sr. Director of Planning and Development Services Ken Baker; Deputy Director of Planning & Development Services Dennis Killough; and Commission Secretary Lydia Ruiz.

WORK SESSION:

1. CALL TO ORDER:

2. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071. Refer to posted list attached hereto and incorporate herein. **Executive Session may be held, under these exceptions, at the end of the Regular Session or at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.** Section 551.071: Consultation with attorney.

No executive Session was held.

3. Recap of City Council's action and discussion on Planning and Zoning recommended cases; no questions were asked.

4. Staff presented an overview of items #8, #9, #10, and #11 on tonight's meeting agenda; questions were asked.

5. Adjournment.

REGULAR SESSION:

1. CALL TO ORDER: 6:38 P.M.

2. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071. Refer to posted list attached hereto and incorporate herein. **Executive Session may be held, under these exceptions, at the**

end of the Regular Session or at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.

Section 551.071: Consultation with attorney.

No Executive Session held.

3. ADMINISTRATIVE COMMENTS.

Sr. Director Ken Baker advised the Commission of the next Planning Corridor Meeting scheduled for Monday, October 4th at 5 p.m. in the Council Chambers.

4. CHAIRMAN COMMENTS

No comments.

CONSENT AGENDA:

- 5. CONSIDER: APPROVAL OF THE MINUTES FOR THE PLANNING AND ZONING COMMISSION MEETING HELD ON AUGUST 19, 2021.**

- 6. TABLE: ZA21-0057, SITE PLAN, TO INCLUDE A VARIANCE TO THE MASONRY ORDINANCE NO. 557, AS AMENDED, FOR NATUZZI ON PROPERTY DESCRIBED AS LOT 1, BLOCK 2, VILLAGE CENTER ADDITION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 1600 E. SOUTHLAKE BLVD., SOUTHLAKE, TEXAS. CURRENT ZONING: "C-3" GENERAL COMMERCIAL DISTRICT. SPIN NEIGHBORHOOD #8. *(THE APPLICANT FOR THIS ITEM REQUESTED TO TABLE THE ITEM INDEFINITELY.)***

- 7. WITHDRAW: ZA21-0074, PLAT REVISION FOR LOT 1R1, BLOCK 1, SOUTHLAKE MEDICAL DISTRICT ON PROPERTY DESCRIBED AS LOT 1R, BLOCK 1, SOUTHLAKE MEDICAL DISTRICT, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS, AND LOCATED AT 421 AND 441 E. S.H. 114, SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #7. *(THE APPLICANT FOR THIS ITEM REQUESTED THEIR APPLICATION BE WITHDRAWN.)***

A motion was to approve item 5, table item 6, and approve item 7.

Motion: Forman

Second: Reynolds

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

REGULAR AGENDA:

- 8. CONSIDER: ZA19-0068, SITE PLAN FOR LOT 6, RIVER OAKS OFFICE BUILDING ON PROPERTY DESCRIBED LOT 6, BLOCK 1, RIVER OAKS ADDITION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS, AND LOCATED AT 116 RIVER OAKS DRIVE, SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #11. PUBLIC HEARING**

Deputy Director, Dennis Killough did not present item 8 as it was formally presented during Work Session; no questions were asked.

Applicant – Skip Blake with Blake Architects, 1202 S. White Chapel Boulevard, Southlake, Texas came forward to speak; no questions were asked.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 8, subject to the staff report dated September 3, 2021, and subject to the plan review summary #3 dated August 13, 2021.

Motion: Forman

Second: Phalen

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

- 9. CONSIDER: ZA19-0069, SITE PLAN FOR LOT 9, RIVER OAKS OFFICE BUILDING ON PROPERTY DESCRIBED LOT 9, BLOCK 1, RIVER OAKS ADDITION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS, AND LOCATED AT 124 RIVER OAKS DRIVE, SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #11. PUBLIC HEARING**

Deputy Director, Dennis Killough did not present item 9 as it was formally presented during Work Session; no questions were asked.

Applicant – Skip Blake with Blake Architects, 1202 S. White Chapel Boulevard, Southlake, Texas came forward to speak; no questions were asked.

Chairman Kubiak opened the public hearing:

- Kevin Schmuhl, 120 River Oaks Drive, spoke in favor but with conditions requested.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 9, subject to the revised staff report dated September 8, 2021, subject to the plan review summary #5 dated September 8, 2021; and noting the Applicant's willingness to evaluate the addition of additional parking spaces or options and clarifying and evaluating the removal of one handicap parking spot.

Motion: Forman

Second: Rothmeier

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

10. CONSIDER: RESOLUTION NO. 21-037, (ZA21-0067), SPECIFIC USE PERMIT FOR TWO ACCESSORY BUILDINGS ON LOT 1, BLOCK 1, SOLANA ADDITION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 500 W. DOVE ROAD, SOUTHLAKE, TEXAS. CURRENT ZONING: "NR-PUD" NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT. SPIN NEIGHBORHOOD #1. PUBLIC HEARING

Deputy Director, Dennis Killough did not present item 10 as it was formally presented during Work Session; questions were asked.

Applicant – Mason Griffin, representing Verizon Wireless, 6423 Tulip Lane, Dallas, Texas came forward to speak and answer questions.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 10, subject to the staff report dated September 3, 2021, subject to the specific use permit review summary #3 dated August 31, 2021, and subject to resolution no. 21-037.

Motion: Forman

Second: Phalen

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

11. CONSIDER: ZA21-0068, SITE PLAN FOR MARKET BY MACY'S PATIO ON PROPERTY DESCRIBED AS LOTS 2R1 AND 3R1, BLOCK 3R2R, SOUTHLAKE TOWN SQUARE PHASE I AND PHASE IV AND LOT 1, BLOCK 3R1, SOUTHLAKE TOWN SQUARE PHASE I, ADDITIONS TO THE CITY SOUTHLAKE, TARRANT COUNTY, TEXAS, AND LOCATED AT 301 STATE ST. (STORE ADDRESS IS 321 STATE ST. AND ALSO ADDRESSED AS 300 GRAND AVE. BY TARRANT APPRAISAL DISTRICT), 1361 FEDERAL WAY, AND 1400 CIVIC PLACE, SOUTHLAKE, TEXAS. CURRENT ZONING: "DT" DOWNTOWN DISTRICT. SPIN NEIGHBORHOOD #8. PUBLIC HEARING

Deputy Director, Dennis Killough did not present item 11 as it was formally presented during Work Session; no questions were asked.

Applicants – Amy Rink with Nelson Worldwide, 311 Elm Street, Cincinnati, Ohio, and Mark Standish, District Vice President for Macy's – Regional Texas, 3200 McKinney Avenue, Dallas, Texas came forward to speak and answer questions.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 11, subject to the staff report dated September 3, 2021, and subject to the site plan review summary #2 dated September 3, 2021, and with the recommendation that staff evaluate the encroachment agreement to consider the removal of railing or fencing in the event the tenant vacates the space or the space becomes unused at some point.

Motion: Forman

Second: Reynolds

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

12. CONSIDER: ORDINANCE NO. 480-657F, (ZA21-0070), ZONING CHANGE AND CONCEPT/SITE PLAN FOR KIMBALL PARK ON PROPERTY DESCRIBED AS LOTS 1, 2R, AND 3-6, KIMBALL PARK, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 2102-2116 E. STATE HWY. 114, SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. PROPOSED ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #4. PUBLIC HEARING

Deputy Director, Dennis Killough presented item 12; no questions were asked.

Applicant – Property Owner Paul Moss, 8821 Davis Boulevard, Keller, Texas came forward to speak and answer questions.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

Commission deliberated and asked additional questions to staff.

A motion was made to approve item 12, subject to the staff report dated September 3, 2021, and subject to site plan review summary #2 dated September 3, 2021.

Motion: Forman

Second: Dyche

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

13. CONSIDER: RESOLUTION NO. 21-038, (ZA21-0071), SPECIFIC USE PERMIT FOR A COMMERCIAL SCHOOL, INCLUDING TRADE SCHOOL ON PROPERTY DESCRIBED AS LOT 3R2R2, GREEN MEADOWS SUBDIVISION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 2211 E. CONTINENTAL BLVD., UNIT 150, SOUTHLAKE, TEXAS. CURRENT ZONING: "I-1" – LIGHT INDUSTRIAL DISTRICT. SPIN NEIGHBORHOOD #8. PUBLIC HEARING

Deputy Director, Dennis Killough presented item 13; no questions were asked.

Applicant – Stacy Stewart, property manager, 1229 E. Pleasant Run, Suite 132, DeSoto, Texas came forward to speak; no questions were asked.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 13, subject to the revised staff report dated September 9, 2021, subject to the specific use permit staff review #2 dated September 3, 2021, subject to resolution no. 21-012, and noting that the approval is tied to the Applicant's lease term and any renewals.

Motion: Forman

Second: Phalen

Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

14. CONSIDER: ORDINANCE NO. 480-788, (ZA21-0072), ZONING CHANGE AND CONCEPT/SITE PLAN FOR ZENA RUCKER ROAD OFFICE PARK ON PROPERTY DESCRIBED AS LOT 4, BLOCK 1, PECAN CREEK, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 731 ZENA RUCKER RD., SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. PROPOSED ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #9. PUBLIC HEARING

Deputy Director, Dennis Killough presented item 14; questions were asked.

Applicants – Came forward to speak and answer questions.

- Cary Clarke with Pecan Creek Medical Office Condos, 6449 Northport Drive, Dallas, Texas.
- Clayton Redinger with Icon Consulting, 2840 W. Southlake Boulevard, Southlake, Texas.
- Michael Wright, M.J. Wright & Associates Architects, 8233 Mid-Cities Boulevard, North Richland Hills, Texas.

Chairman Kubiak opened the public hearing:

- Kelly Roberts, 313 Matthews Court, came forward and spoke in opposition.
- Chip Reid, 715 Greymoor Place, came forward and spoke in favor – also submitted a comment card.
- Terry Holmes, Matthews Court HOA President, came forward and spoke in opposition.
- Dillon Holmes with Holmes Builders, 225 E. S.H. 120, Coppell, Texas, came forward to speak in opposition.

Chairman Kubiak closed the public hearing.

Commission deliberated and asked additional questions to the Applicant. Applicant – Cary Clarke requested their item be moved to table to the next meeting on September 23, 2021, so they may address some concerns made during Public Hearing and by the Commission.

A motion was made to approve the Applicant's request to table item 14 to the September 23rd Planning and Zoning Commission meeting.

Motion: Forman
Second: Rothmeier
Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche
Nays: None
Abstain: None
Approved: 7-0-0

15. CONSIDER: ORDINANCE NO. 480-474B, (ZA21-0073), ZONING CHANGE AND CONCEPT/SITE PLAN FOR RIVER OAKS ADDITION, ON PROPERTY DESCRIBED AS LOTS 1-10, BLOCK 1, RIVER OAKS ADDITION, AN ADDITION TO THE CITY OF SOUTHLAKE, TARRANT COUNTY, TEXAS AND LOCATED AT 100-125 RIVER OAKS DRIVE, SOUTHLAKE, TEXAS. CURRENT ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. PROPOSED ZONING: "S-P-2" GENERALIZED SITE PLAN DISTRICT. SPIN NEIGHBORHOOD #11. PUBLIC HEARING

Deputy Director, Dennis Killough presented item 15; questions were asked.

Applicants – Came forward to speak and answer questions

- Edward Manual, 3713 Monticello Drive, Fort Worth, Texas.
- Peter Jacobsen, 433 Colorado, Dallas, Texas.
- Property Owner Dr. Ved Aggarwal, 1700 N. Peytonville Avenue, Southlake, Texas.

Chairman Kubiak opened the public hearing:

- Kevin Schmuhl, 120 River Oaks Drive, came forward and spoke in opposition.

Chairman Kubiak closed the public hearing.

Commission deliberated and asked additional questions to staff and the Applicants.

A motion was made to approve item 15, subject to the revised staff report dated September 9, 2021, subject to the revised plan review summary #2 dated September 9, 2021; and noting the Applicants' willingness to evaluate and make clarification on the concept plan for the wrought iron or masonry fence requirement, address the columns on the building, address the building articulations and materials, and provide a thorough analysis of drop-off and pick-up times as it relates to the this use but other potential uses that are currently approved at prior Planning and Zoning Commissions and City Council.

Motion: Forman
Second: Rothmeier
Ayes: Reynolds, Rothmeier, Forman, Kubiak, Phalen
Nays: Springer, Dyche
Abstain: None
Approved: 5-2-0

16. CONSIDER: ORDINANCE NO. 480-FFFFF, AMENDMENTS TO THE CITY OF SOUTHLAKE ZONING ORDINANCE NO. 480, AS AMENDED, PERTAINING TO SOLAR ENERGY SYSTEMS, COMMERCIAL OUTDOOR DINING AREAS, BREW PUBS AND OTHER SIMILAR USES. PUBLIC HEARING

Sr. Director, Ken Baker presented item 16; questions were asked.

Chairman Kubiak opened the public hearing.

No one came forward.

Chairman Kubiak closed the public hearing.

A motion was made to approve item 16, ordinance no. 480-FFFFF.

Motion: Forman

Second: Reynolds


Ayes: Reynolds, Rothmeier, Forman, Kubiak, Springer, Phalen, Dyche

Nays: None

Abstain: None

Approved: 7-0-0

17. MEETING ADJOURNED AT 9:49 P.M.



Daniel Kubiak
Chairman



ATTEST:
Lydia Ruiz
Commission Secretary