

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION OF THE
CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL, 4301 CITY POINT DRIVE
AUGUST 17, 2023**

WORK SESSION: 6:00 PM

A. CALL TO ORDER

The Planning and Zoning Commission of the City of North Richland Hills, Texas met in work session on the 17th day of August 2023 at 6:00 p.m., prior to the 7:00 p.m.regular Planning and Zoning Commission meeting in the City Council Workroom.

| | | |
|----------------|--------------------|---------------------|
| Present: | Justin Welborn | Chair, Place 1 |
| | Jared Ross | Secretary, Place 3 |
| | Jay Risky | Place 2 |
| | Anthony Bridges | Place 6 |
| | Brianne Goetz | Place 7 |
| | Kathy Luppy | Ex-Officio |
| Absent: | Greg Stamps | Vice Chair, Place 4 |
| | Jayashree Narayana | Place 5 |
| Staff Members: | Clayton Comstock | Planning Director |
| | Clayton Husband | Principal Planner |
| | Chad VanSteenberg | Planner |
| | Emily Marlow | Planning Technician |
| | Nathan Frohman | City Engineer |

Chair Welborn called the work session to order at 6:01 p.m.

1 PLANNING DIRECTOR REPORT

Planning Director Clayton Comstock presented the city announcements, and summarized recent City Council actions.

2 DISCUSS ITEMS FROM THE REGULAR PLANNING AND ZONING COMMISSION MEETING

Principal Planner Clayton Husband and Planning Director Clayton Comstock

August 17, 2023

Planning and Zoning Commission Meeting Minutes

Page 1 of 15

discussed items on the regular meeting agenda.

Chair Welborn adjourned the work session at 7:05 p.m.

REGULAR MEETING: Immediately following worksession (but not earlier than 7:00 pm)

A. CALL TO ORDER

Chair Welborn called the meeting to order at 7:10 p.m.

| | | |
|----------------|--------------------|---------------------|
| Present: | Justin Welborn | Chair, Place 1 |
| | Jared Ross | Secretary, Place 3 |
| | Jay Risky | Place 2 |
| | Anthony Bridges | Place 6 |
| | Brianne Goetz | Place 7 |
| | Kathy Luppy | Ex-Officio |
| Absent: | Greg Stamps | Vice Chair, Place 4 |
| | Jayashree Narayana | Place 5 |
| Staff Members: | Clayton Comstock | Planning Director |
| | Clayton Husband | Principal Planner |
| | Chad VanSteenberg | Planner |
| | Emily Marlow | Planning Technician |
| | Nathan Frohman | City Engineer |

A.1 PLEDGE

Ex-Officio Luppy led the Pledge of Allegiance to the United States and Texas flags.

A.2 PUBLIC COMMENTS

There were no requests to speak from the public.

B. MINUTES

APPROVED

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER BRIDGES TO APPROVE THE MINUTES OF THE AUGUST 3, 2023 PLANNING AND ZONING COMMISSION MEETING.

MOTION TO APPROVE CARRIED 5-0.

B.1 APPROVE MINUTES OF THE AUGUST 3, 2023, PLANNING AND ZONING COMMISSION MEETING.

C. PLANNING AND DEVELOPMENT

C.1 PLAT23-0046 CONSIDERATION OF A REQUEST FROM JACOB NOYOLA FOR A FINAL PLAT OF LOTS 30 AND 31, BLOCK 6, GLENANN ADDITION, BEING 0.679 ACRES LOCATED AT 8620 AMUNDSON DRIVE.

APPROVED WITH CONDITIONS

Chair Welborn introduced the item and called for Principal Planner Clayton Husband to introduce the request. Mr. Husband introduced the request.

Chair Welborn called for the applicant to present the request.

Jacob Noyola, 7401 Douglas Lane, North Richland Hills, presented the request. Mr. Loyola discussed the plans for future development on the property. He also discussed the impact of the floodplain on the property.

Chair Welborn called for Mr. Husband to present the staff report. Mr. Husband presented the staff report.

Chair Welborn and Nathan Frohman, City Engineer, discussed how the floodplain will be addressed on the property.

A MOTION WAS MADE BY COMMISSIONER RISKY, SECONDED BY COMMISSIONER GOETZ TO APPROVE PLAT23-0046 WITH THE CONDITIONS OUTLINED IN THE DEVELOPMENT REVIEW COMMITTEE COMMENTS.

MOTION TO APPROVE CARRIED 5-0.

C.2 PLAT23-0047 CONSIDERATION OF A REQUEST FROM TEAGUE NALL & PERKINS FOR A FINAL PLAT OF LOT 12, BLOCK 10, HILLVIEW ADDITION, BEING 9.00 ACRES LOCATED AT 4100 FLORY STREET.

APPROVED WITH CONDITIONS

Chair Welborn introduced the item and called for Principal Planner Clayton Husband to introduce the request. Mr. Husband introduced the request.

Chair Welborn called for the applicant to present the request.

Philip Varughese, 9129 Cordero Drive, North Richland Hills, presented the request. He discussed the future development of Mullendore Elementary on the site.

Chair Welborn called for Principal Planner Clayton Husband to present the staff report. Mr. Husband presented the staff report.

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER BRIDGES TO APPROVE PLAT23-0047 WITH THE CONDITIONS OUTLINED IN THE DEVELOPMENT REVIEW COMMITTEE COMMENTS.

MOTION TO APPROVE CARRIED 5-0.

D. PUBLIC HEARINGS

D.1 ZC23-0073 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM THE SOCIETY OF SAINT PIUS X OF FORT WORTH INC. FOR A ZONING CHANGE FROM R-7-MF (MULTIFAMILY) AND C-1 (COMMERCIAL) TO U (INSTITUTIONAL) AT 3900 SCRUGGS DRIVE, BEING 0.69 ACRES DESCRIBED AS LOTS 5K, 6K, AND 19K, CALLOWAY ACRES ADDITION.

CONTINUED

Chair Welborn introduced the item, opened the public hearing, and stated that due to

August 17, 2023

Planning and Zoning Commission Meeting Minutes

Page 4 of 15

a notice error, the public hearing would be continued to the September 21, 2023 meeting.

Chair Welborn called for anyone wishing to speak on the item. There being no one wishing to speak, Chair Welborn called for a motion for the public hearing to be continued.

A MOTION WAS MADE BY COMMISSIONER GOETZ, SECONDED BY COMMISSIONER BRIDGES TO CONTINUE THE PUBLIC HEARING ON ZC23-0073 TO THE SEPTEMBER 21, 2023, PLANNING AND ZONING COMMISSION MEETING.

MOTION TO APPROVE CARRIED 4-0-1, WITH COMMISSIONER RISKY ABSTAINING.

D.2 ZC23-0059 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ALEX FERNANDEZ FOR A SPECIAL USE PERMIT FOR AN EVENT CENTER AT 8545 AIRPORT FREEWAY, BEING 11.6 ACRES DESCRIBED AS LOT 8R, BLOCK A, RICHLAND OAKS ADDITION.

APPROVED

Chair Welborn introduced the item, opened the public hearing, and called for Principal Planner Clayton Husband to introduce the request. Mr. Husband introduced the request.

Chair Welborn called the applicant to present the request.

Alex Fernandez and Fabiola Navarrete, 4608 Marseille Drive, Arlington, Texas, presented the request. Mr. Fernandez discussed the two event venues that they currently operate, and the services offered by the company. Ms. Navarrete discussed the company's work with local vendors.

Chair Welborn and the applicant discussed that the Fort Worth location has been in operation five years and the Burleson location for three years.

Mr. Fernandez discussed the availability of shared parking on the property.

Chair Welborn and the applicant discussed the length of the lease for the property.

August 17, 2023

Planning and Zoning Commission Meeting Minutes

Page 5 of 15

Mr. Fernandez stated they would have a five-year lease with options for renewal.

Mr. Fernandez discussed the proposed layout for the event center space.

Commissioner Ross and the applicant discussed alcohol service, security for events, and whether the property owner is supportive of the DRC comments regarding site improvements for landscaping, refuse container screening, and lighting. Mr. Fernandez stated all events are catered and food would not be prepared on site, and alcohol would be served but not sold with licensed bartenders and security provided. He stated that the owner is supportive of the proposed site improvements.

Chair Welborn called for Mr. Husband to present the staff report. Mr. Husband presented the staff report.

Mr. Husband discussed the conditions for approval outlined in the DRC comments.

Commissioner Risky and Mr. Husband discussed the condition related to prohibiting outdoor events on the property.

Chair Welborn called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Welborn closed the public hearing.

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER GOETZ TO APPROVE ZC23-0059, SUBJECT TO LANDSCAPING, OUTDOOR LIGHTING, AND REFUSE CONTAINER SCREENING IMPROVEMENTS.

MOTION TO APPROVE CARRIED 4-1, WITH COMMISSIONER RISKY OPPOSING.

D.3 ZC23-0076 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM H CREEK DEVELOPMENT FOR A SPECIAL USE PERMIT FOR A DETENTION POND AT 8340 SHADY GROVE ROAD, BEING A 2.023 ACRE PORTION OF A PROPERTY DESCRIBED AS LOT 1, BLOCK 1, PACE ACRES ADDITION; TRACTS 1 AND 2, THOMAS PECK SUBDIVISION; AND TRACT 3, THOMAS PECK SURVEY, ABSTRACT 1209.

APPROVED

Chair Welborn introduced the item, opened the public hearing, and called for Planning Director Clayton Comstock to introduce the request. Mr. Comstock

August 17, 2023

Planning and Zoning Commission Meeting Minutes

Page 6 of 15

introduced the request.

Chair Welborn called for the applicant to present the request.

Eason Maykus, 604 E Northwest Highway, Grapevine, Texas, presented the request. Mr. Maykus discussed the landscaping of the retention pond.

Chair Welborn and Mr. Maykus discussed water sources for the pond. Mr. Maykus stated the pond would include a fountain, and their intent is to have a well and that they are working on the permit.

Chair Welborn called for Mr. Comstock to present the staff report. Mr. Comstock presented the staff report.

Commissioner Goetz and Mr. Comstock discussed pedestrian access to the detention pond.

Commissioner Ross, Mr. Comstock, and Mr. Maykus discussed the fencing standards of the property and plans for fence replacement along the property line. Mr. Comstock stated that while fencing is not required, the applicant may replace some fencing with the cooperation of the adjacent homeowners.

Ex-Officio Luppy and Mr. Maykus clarified that there will not be a fence around the pond itself.

Commissioner Goetz and Mr. Maykus discussed the sidewalk widths around the detention pond. Mr. Maykus stated a five-foot wide sidewalk is shown around the pond.

Mr. Comstock discussed the shallow water safety ledge and shelf along the edge of the pond.

Chair Welborn and Mr. Maykus discussed H Creek Development's experience with developing ponds.

Commissioner Goetz and Mr. Comstock discussed the sidewalk widths around the pond at HomeTown, which are a minimum of eight feet wide.

Chair Welborn called for anyone wishing to speak for or against the request to come forward.

Linda Lackey, 8625 Castle Creek Court, North Richland Hills, Texas, discussed her concerns with the aeration of the pond. Ms. Lackey discussed the grade change between the subject property and Castle Creek Road, issues associated with erosion and mosquitoes, and her concerns with the volume of traffic on Shady Grove Road associated with the new development.

Chair Welborn called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Welborn closed the public hearing.

Chair Welborn discussed how the development will improve drainage concerns associated with the property.

Commissioner Goetz discussed her preference for wider sidewalks around the pond.

A MOTION WAS MADE BY COMMISSIONER RISCKY, SECONDED BY COMMISSIONER BRIDGES TO APPROVE ZC23-0076.

MOTION TO APPROVE CARRIED 5-0.

D.4 ZC23-0062 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM SHARVELL SHAW, ON BEHALF OF NATURON PROPERTIES LLC, FOR A REVISION TO PLANNED DEVELOPMENT 13 AT 8612 AIRPORT FREEWAY, 8743 BEDFORD EULESS ROAD, AND 8703 BEDFORD EULESS ROAD, BEING 5.03 ACRES DESCRIBED AS LOTS 1A, 2, AND 3, BLOCK 13, WOODCREST ADDITION AND LOTS A1, B, AND C, INGRESS & EGRESS EASEMENT, WOODCREST ADDITION.

APPROVED

Chair Welborn introduced the item, opened the public hearing, and called for Planning Director Clayton Comstock to introduce the request. Mr. Comstock introduced the request.

Chair Welborn called for the applicant to present the request.

Sharvell Shaw, 806 Shady Creek Lane, Bedford, Texas, presented the request. Ms. Shaw discussed the plan for the space and the proposed services offered at the business. She stated that this is her first location for an event space and discussed the operation hours of surrounding businesses and the impacts this would have on

the shared parking.

Commissioner Ross and Ms. Shaw discussed the recommended improvements from the Development Review Committee and the property owner's support for these improvements.

Commissioner Risky and Ms. Shaw discussed the expected proportion of daytime and nighttime business at the location.

Chair Welborn called for Mr. Comstock to present the staff report. Mr. Comstock presented the staff report.

Mr. Comstock discussed the recommended landscaping and driveway improvements by the Development Review Committee.

Chair Welborn called for anyone wishing to speak for or against the request to come forward.

James Jenkins, 4817 Weyland Drive, North Richland Hills, Texas, discussed his concerns with the fencing and the maintenance of the greenbelt.

Kevin Mettner, 4913 Weyland Drive, North Richland Hills, Texas, discussed his concerns with safety issues due to property access from Airport Freeway and vehicle damage to the fence.

Chair Welborn called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Welborn closed the public hearing.

Chair Welborn and Mr. Comstock discussed fencing requirements in the proposed planned development document revision.

Commissioner Ross thanked the applicant for investing in the location.

A MOTION WAS MADE BY COMMISSIONER GOETZ, SECONDED BY COMMISSIONER BRIDGES TO APPROVE ZC23-0062.

MOTION TO APPROVE CARRIED 5-0.

D.5 ZC23-0052 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM BER PARTNERS LLC FOR A SPECIAL USE PERMIT FOR A “HARDWARE & BUILD MATERIALS RETAIL/WHOLESALE” USE AT 8100 BEDFORD EULESS ROAD, BEING 1.42 ACRES DESCRIBED AS LOT 1, BLOCK 1, GAVRON ADDITION.

APPROVED

Chair Welborn introduced the item, opened the public hearing, and called for Planning Director Clayton Comstock to introduce the request. Mr. Comstock introduced the request.

Chair Welborn called for the applicant to present the request.

Kris Ramji, 5197 Brandywine Lane, Frisco, and Jeff Benson, 317 Clark Avenue, Weatherford, both with Galactic Glass, presented the request. Mr. Ramji discussed the history of Galactic Glass and the operations of the business. He stated the building also will be used to house his commercial development business, Slate Commercial. He discussed plans to improve the exterior of the building and to address staff comments.

Chair Welborn called for Mr. Comstock to present the staff report. Mr. Comstock presented the staff report.

Ex-Officio Luppy and Mr. Comstock discussed plans for improving outdoor lighting and relocating utility lines underground.

Chair Welborn called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Welborn closed the public hearing.

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER RISCKY TO APPROVE ZC23-0052.

MOTION TO APPROVE CARRIED 5-0.

D.6 ZC23-0060 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM COVER 2 CAPITAL FOR A SPECIAL DEVELOPMENT PLAN FOR A MIXED-USE, MULTI-FAMILY DEVELOPMENT AT 6405-6421 SMITHFIELD ROAD, 7801 GUY STREET, AND 7805-7829 ARTHUR DRIVE, BEING 6.04 ACRES DESCRIBED AS LOTS 1R AND 3-8, BLOCK 2; AND LOTS 1-5, BLOCK 3, MEACHAM ADDITION.

APPROVED WITH CONDITIONS

Chair Welborn introduced the item, opened the public hearing, and called for Planning Director Clayton Comstock to introduce the request. Mr. Comstock introduced the request.

Chair Welborn called for the applicant to present the request.

Blake Poston, 428 Brookview Drive, Dallas, Texas, and Bryan Welty, 6834 Lakeshore Drive, Dallas, Texas, representing Cover 2 Capital, presented the request. Mr. Poston discussed Cover 2 Capital's business model and past developments of the company. He discussed the history of the project, Cover 2 Capital's process in assembling the land for the project, and the breakdown of the square footage for the project and the parking provided.

Mr. Welty discussed the mix of housing types on the site to provide an appropriate transition to the single family neighborhood to the south. Mr. Welty discussed the sizes and locations of the open spaces, pedestrian features of the buildings, and planned improvements to Arthur Drive, including sewer, curb, and drainage improvements.

Mr. Poston discussed plans for the parking garage and the layout of the structure, including the separation of the parking garage to accommodate both commercial and residential users. He discussed the amenities offered for residents of the property.

Mr. Welty discussed the exterior designs and proposed materials of the buildings, and displayed concept images of the interior of the buildings and the units. He discussed the results of the traffic impact analysis and recommendations from the engineer for mitigating traffic concerns at the intersection of Mid Cities Boulevard and Smithfield Road.

Chair Welborn and Mr. Welty discussed that future traffic analysis should include school traffic counts and discussed the access to the property and mitigation efforts for traffic.

August 17, 2023

Planning and Zoning Commission Meeting Minutes

Page 11 of 15

Chair Welborn and Mr. Poston discussed the unit mix of the property, which the applicant indicated the intended mix of 65% one-bedroom and 35% two-bedroom in the four-story building. They also discussed the ownership versus lease status of the townhomes, and the expected rents of the units.

Mr. Welty discussed the plans for commercial tenants on the property.

Chair Welborn, Mr. Poston, and Mr. Welty discussed the estimated construction timeline.

Commissioner Ross and Mr. Welty discussed the design of the parking structure. The applicant shared their intent to finish the railway-facing façade in masonry that complements the building design.

Commissioner Goetz and Mr. Welty discussed the townhome tenants' access to community amenities if they were rented and maintenance of the townhome units if they were owned.

Chair Welborn called for Mr. Comstock to present the staff report. Mr. Comstock presented the staff report.

Mr. Comstock discussed the requested waivers to the Transit Oriented Development code, including a revision to the Smithfield TOD character zone boundaries, landscaping standards on private property, mixed-use criteria for ground floor space, townhome lot standards, and parking.

Commissioner Goetz and Mr. Comstock discussed the schools that serve the property. The property is within the Smithfield Elementary, Smithfield Middle, and Birdville High school attendance zones.

Ex-Officio Luppy and Mr. Comstock discussed the reconstruction of Arthur Drive.

Commissioner Ross and Mr. Comstock discussed the lots on the south side of Arthur Drive.

Chair Welborn and Mr. Comstock discussed the process and timing of the adoption of the TOD Code in 2008-2009.

Chair Welborn called for anyone wishing to speak for or against the request to come

forward.

Pat O'Connor, 7800 Arthur Drive, North Richland Hills, Texas, discussed his concerns with the project including the traffic impacts on Arthur Drive and Smithfield Road, the changing of the character zone along Arthur Drive, and drainage improvements. He stated that Arthur should be constructed as a full TOD street.

Jim O'Connor, 8221 Cardinal Lane, North Richland Hills, Texas, discussed his concerns with traffic impacts along Arthur Drive, parallel parking on Smithfield Road, traffic flow through the parking garage, and drainage on the property.

Vincent O'Connor, 7802 Arthur Drive, North Richland Hills, Texas, discussed his concerns with traffic created by the development and the negative effect of the pedestrian crossings on Smithfield Road. He stated his support for expanding Arthur Drive.

Pake Rossi, 7804 Arthur Drive, discussed his concerns regarding the potential for rental of townhomes, and the height of the multi-family buildings.

Virginia O'Connor, 8221 Cardinal Lane, North Richland Hills, Texas, discussed her concerns with the height of the multi-family buildings.

There being no one else wishing to speak, Chair Welborn closed the public hearing.

Chair Welborn stated the project would be required to comply with state and local codes regarding engineering standards even if the waivers are approved. He discussed the traffic impact analysis and the need to include school year traffic counts and ensuring appropriate levels of service on area roads.

Chair Welborn and Mr. Welty discussed Cover 2 Capital's work with the city to determine appropriate public infrastructure designs for the project.

Mr. Poston clarified that the project would include a fire lane turnaround at the west end of Arthur Drive.

Chair Welborn and Mr. Welty discussed the management of the townhomes in the case that they were rented instead of sold.

Chair Welborn, Mr. Welty, and Mr. Poston discussed the TEXRail parking lot and improvements to pedestrian crossings.

Commissioner Goetz and Mr. Welty discussed the process for converting Arthur Drive into a complete TOD street.

Commissioner Ross, Mr. Welty, and Mr. Poston discussed how Cover 2 Capital has handled concerns from the neighbors. Commissioner Ross stated his preference for three story building along Arthur Drive to serve as a better transition to the single family neighborhood.

A MOTION WAS MADE BY COMMISSIONER RISKY TO APPROVE ZC23-0060. THE MOTION FAILED DUE TO LACK OF A SECOND.

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER GOETZ TO APPROVE ZC23-0060, WITH THE EXCEPTION OF THE EXPANSION OF THE TOD CORE AREA.

Chair Welborn stated that he would not support the motion, but that he does support the project and that the design is appropriate for the area. He stated that regulating plan was developed without benefit of a specific project and thinks the TOD area will begin to transition from large single-family lots to a denser environment. He stated the Commission is primarily considering the waivers to the TOD code and that the project is subject to all other development standards.

Commissioner Ross stated he agrees the area is in transition and thinks there is an obligation to maintain the boundaries of the established character zones. He also stated that he hopes to see a plan that incorporates a design that provides a more suitable transition for the single-family development.

Commissioner Bridges stated his support for Commissioner Ross's statement.

Ex-Officio Luppy stated that sometimes pieces have to be sacrificed for the benefit of a project.

Commissioner Risky stated that he believes that the project is of a great quality and will bring in good quality residents.

A MOTION WAS MADE BY COMMISSIONER ROSS, SECONDED BY COMMISSIONER GOETZ TO APPROVE ZC23-0060, WITH THE EXCEPTION OF THE EXPANSION OF THE TOD CORE AREA.

MOTION TO APPROVE CARRIED 3-2, WITH CHAIR WELBORN AND COMMISSIONER RISKY OPPOSING.

EXECUTIVE SESSION

E. ADJOURNMENT

Chair Welborn adjourned the meeting at 10:01 p.m.

Justin Welborn, Chair

Kathy Luppy, Secretary