

**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 4, 2022**

**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 4th day of August 2022, at 6:00 p.m. in the City Council Work Room prior to the 7:00 p.m. regular Planning and Zoning Commission meeting.

Present:	Justin Welborn	Chair, Place 1
	Kathy Luppy	Secretary, Place 5
	Jay Risky	Place 2
	Don Bowen	Place 3
	Greg Stamps	Place 4
	Anthony Bridges	Place 6
	Nyja Roby	Place 7
	Jared Ross	Ex-Officio

Absent: None

Staff Members:	Clayton Comstock	Planning Director
	Clayton Husband	Principal Planner
	Chad VanSteenberg	Planner
	Nathan Frohman	City Engineer
	Thomas McMillian	Assistant City Attorney

Chair Welborn called the work session to order at 6:00 p.m.

**1 PLANNING AND ZONING COMMISSION TRAINING PRESENTATION BY  
CITY ATTORNEY'S OFFICE AND PLANNING & ZONING DEPARTMENT  
STAFF.**

Assistant City Attorney Thomas McMillian and Planning Director Clayton Comstock presented the Planning and Zoning Commission annual training.

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Mr. McMillian discussed governing rules and regulations; composition, duties, responsibilities, and authority of the Commission; ethics and conflicts of interest; open meetings; and public information and electronic communications.

Mr. Comstock discussed public hearing notices and procedures; decisions on zoning cases; protested zoning changes; an overview of the zoning ordinance and zoning map; the development review process; and the Vision 2030 Strategic Plan.

## **2. ELECTION OF OFFICERS**

Chair Welborn opened nominations for Planning and Zoning Commission chair.

A motion was made by Commissioner Luppy, seconded by Commissioner Bowen, to nominate Justin Welborn as chair. The motion carried 7-0.

Chair Welborn opened nominations for Planning and Zoning Commission vice chair.

A motion was made by Chair Welborn Luppy, seconded by Commissioner Bowen, to nominate Kathy Luppy as vice chair. The motion carried 7-0.

Chair Welborn opened nominations for Planning and Zoning Commission secretary

A motion was made by Commissioner Luppy, seconded by Vice Chair Luppy, to nominate Greg Stamps as secretary. The motion carried 7-0.

## **3 PLANNING DIRECTOR REPORT**

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

## **4 DISCUSS ITEMS FROM THE REGULAR PLANNING AND ZONING COMMISSION MEETING**

Planning Director Clayton Comstock discussed items on the regular meeting agenda.

## EXECUTIVE SESSION

### **1 SECTION 551.076: DELIBERATE THE DEPLOYMENT OR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES - 4301 CITY POINT DRIVE.**

Chair Welborn announced at 6:43 p.m. that the Planning and Zoning Commission would adjourn into Executive Session as authorized by Chapter 551, Texas Local Government Code, Section 551.076: Deliberate the deployment or implementation of security personnel or devices - 4301 City Point Drive.

Executive Session began at 6:44 p.m. and recessed at 7:10 p.m.

Chair Welborn announced at 7:10 p.m. that the Planning and Zoning Commission would convene to the regular Planning and Zoning Commission meeting.

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

#### **A. CALL TO ORDER**

Chair Welborn called the meeting to order at 7:15 p.m.

Present:	Justin Welborn	Chair, Place 1
	Kathy Luppy	Vice Chair, Place 5
	Greg Stamps	Secretary, Place 4
	Jay Risky	Place 2
	Greg Stamps	Place 4
	Anthony Bridges	Place 6
	Nyja Roby	Place 7
	Jared Ross	Ex-Officio

Absent: None

Staff Members:	Clayton Comstock	Planning Director
	Clayton Husband	Principal Planner
	Chad VanSteenberg	Planner
	Nathan Frohman	City Engineer

**Present** Commissioner Justin Welborn, Commissioner Jay Risky, Commissioner Don Bowen, Commissioner Greg Stamps, Commissioner Kathy Luppy, Commissioner Anthony Bridges, Commissioner Nyja Roby, and Commissioner Ex-Officio Jared Ross

**Non-Voting**

**A.1 PLEDGE**

Ex-Officio Ross 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**

**B.1 APPROVE MINUTES OF THE JULY 7, 2022, PLANNING AND ZONING COMMISSION MEETING.**

**APPROVED**

**A MOTION WAS MADE BY VICE CHAIR LUPPY, SECONDED BY COMMISSIONER BRIDGES TO APPROVE THE MINUTES OF THE JULY 7, 2022, PLANNING AND ZONING COMMISSION MEETING.**

**MOTION CARRIED 7-0.**

**C. PUBLIC HEARINGS**

**C.1 ZC21-0016 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM FERNANDO SOTELO FOR A ZONING CHANGE FROM I-2 (MEDIUM INDUSTRIAL) TO RI-PD (RESIDENTIAL INFILL PLANNED DEVELOPMENT) AT 6716 STARDUST DRIVE, BEING 2.86 ACRES DESCRIBED AS TRACT 1A2, JOHN C YATES SURVEY, ABSTRACT 175.**

**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.

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Chair Welborn called for the applicant to present the request.

Jeff Polk, 710 Cabernet Court, Grapevine, Texas, presented the request.

Chair Welborn and the applicant discussed the percentage of siding being proposed for the houses. Mr. Polk stated the houses are intended to have not more than 50% siding and limited to second floor areas.

Chair Welborn and the applicant discussed the pad sizes shown on the zoning exhibit. Mr. Polk stated the sizes vary depending on lot size.

Ex-Officio Ross and the applicant discussed the location of the stop sign at the internal intersection.

Vice Chair Luppy and the applicant discussed the fencing proposed for the project. Mr. Polk stated a masonry fence is proposed on the west side and a cedar wood fence proposed adjacent to the railroad right-of-way.

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

Commissioner Bridges and Mr. Comstock discussed which properties would be affected by the restriction on second floor windows.

Chair Welborn, Commissioner Stamps, and Mr. Comstock discussed which lots would be affected by the railroad sound attenuation standards.

Chair Welborn and Mr. Comstock discussed the pad depths and setbacks, and that the twenty-percent rear yard open space standard would not apply for this project.

Chair Welborn and Mr. Comstock discussed the minimum 2,000 square-foot house size and that the lot size and pad size would result in almost all the houses being two-story design.

Commissioner Bowen asked if the streets are intended for one-way or two-way traffic. Mr. Comstock stated the street is standard width designed for two-way traffic.

Chair Welborn asked if this property was ever intended to be a phase of the adjacent

residential development. Mr. Comstock stated nothing turned up during research about the property and that the site has been zoned for industrial use for many years.

Chair Welborn asked what the zoning can control regarding building materials. Mr. Comstock stated a state law change in 2019 generally prevents cities from requiring specific building materials for residential or commercial property. He stated materials could be required as part of a development agreement, but such an agreement is not proposed for this project.

Chair Welborn and Mr. Comstock discussed examples of homeowner's associations for small developments in the city.

Chair Welborn and Mr. Polk discussed details of the pad sizes and fencing. Mr. Polk stated the pads are situated at the building line on most of the lots and clarified the fence along the railroad is a cedar fence. He stated the builder on the lot could address the replacement of the existing fences with the property owners on the east side of the project.

Chair Welborn asked if the developer would also be the builder. Mr. Polk stated that is undetermined at this time but that he expects the project to build out quickly.

Vice Chair Luppy and the applicant discussed the existing fences on the adjacent homes and that it would be appropriate for those fences to be replaced as part of the construction of the project.

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.

Commissioner Roby asked the expected price point for the houses. Mr. Polk stated the price point is not determined at this time but that it could be comparable to others in the area.

Chair Welborn stated his concerns about the how the lot sizes and required house size would likely result in all two-story houses, and that the number of lots may be too small to sustain a homeowner's association to maintain the amount of open space provided.

**A MOTION WAS MADE BY VICE CHAIR LUPPY, SECONDED BY COMMISSIONER STAMPS TO APPROVE ZC21-0016.**

**MOTION TO APPROVE CARRIED 6-1, WITH CHAIR WELBORN OPPOSING.**

**D. PLANNING AND DEVELOPMENT**

**E. ADJOURNMENT**

Chair Welborn adjourned the meeting at 8:06 p.m.

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Justin Welborn, Chair

Attest:

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Greg Stamps, Secretary