

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES May 7, 2019**

APPROVED

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The Zoning Board of Adjustment of the City of Bedford, Texas, met in work session at 5:30 PM and regular session at 6:00 PM to discuss items on the agenda in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 7th day of May, 2019, with the following members present:

Chairman: Gina Day

Vice Chairperson:

Members: Renee Chappell
 Charles Baetz
 Scott Kim

Constituting a quorum.

Staff present included:

Emilio Sanchez Planning Manager
Kristtina Starnes Planning and Zoning Coordinator

(The following items were considered in accordance with the official agenda posted on the 23rd day of April, 2019.)

CALL TO ORDER

Work Session was called to order at 5:39 PM.

WORK SESSION

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

Work Session was adjourned at 6:00 PM.

REGULAR SESSION

The Zoning Board of Adjustment convened in the Council Chamber at 6:01 PM and the Regular Session began.

CALL TO ORDER

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Chairperson Day called the meeting to order at 6:04 PM and read the Zoning Board of Adjustment meeting format aloud.

Good Evening, my name is Gina Day. I am Chairperson for the Bedford Zoning Board of Adjustment. I now call this regularly noticed meeting to order.

A quorum is present, so the Board may proceed with its scheduled agenda.

Prior to commencing our hearing, I would like to review our meeting format for the benefit of those in the audience.

Each case will be called in its regularly scheduled order as shown on the agenda.

The City Staff will make a staff presentation to the Board.

The applicant will be given an opportunity to make a presentation in person or by a representative.

Those individuals in the audience in support of or opposition to the proposed request will be given an opportunity to make a presentation to the Board.

The Board asks that all individuals and parties presenting information on each request please direct their comments to factual information, and not to speculation or subjective comments.

The applicant will be given an opportunity for a brief rebuttal as the applicant has the burden of providing the necessity and the justification for his or her request.

The Board will close its public hearing to discuss and consider the facts presented. In order for a request to be granted, there must be a minimum of three votes in favor of the request.

Please remember that the Zoning Board of Adjustment is a quasi-judicial body. A formal record is made of each hearing and each case. The Board is permitted to act only upon factual information or evidence that is presented by the staff and by parties making presentations at the public hearing on each case.

APPROVAL OF MINUTES

- 1. Consider approval of the following Zoning Board of Adjustment meetings minutes:
a) March 20, 2019 regular meeting**

Motion: Board Member Baetz made a motion to approve the meeting minutes of March 20, 2019.

Board Member Kim seconded the motion and the vote was as follows:

Ayes: Board Members Chappell, Baetz, Kim, and Chairperson Day

Nays: None

Abstention: None

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Motion approved 4-0-0. Chairperson Day declared the motion approved.

PUBLIC HEARING

- 2. Public hearing and action upon Special Exception Case PZ-ZBA SPECIAL EXCEPTION-2019-50022, a request from Section 5.10.F of the City of Bedford Zoning Ordinance for Mission Central / Allen Wholesale Foods to conduct an outside sale which exceeds the allowable time of two (2) consecutive days. The legal description is Harwood Village North Addition, Block 1, Lot 1, and the address is 625 Harwood Road, Bedford, Texas. The property is zoned Heavy Commercial (H) and is generally located north of Harwood Road and east of Brown Trail. (PZ-ZBA SPECIAL EXCEPTION-2019-50022)**

Chairperson Day recognized Emilio Sanchez, Planning Manager, who gave an overview of Appeal Case PZ-ZBA SPECIAL EXCEPTION-2019-50022.

This is a request for a special exception for Mission Central, located at 625 Harwood Road, to allow for an outdoor sales for frozen meat sales as a fundraising event for Mission Central. In the Ordinance, 5.9 and 5.10 addresses outdoor sales in this nature. The Ordinance allows for this type of use to be administratively approved by staff if it is for two days or less. In this instance, this type of sale was approved in the past for two days. The City had some complaints, and the Ordinance states that if there are any complaints then this type of sale should go before the Zoning Board of Adjustment. From that point forward, staff has stated that any outdoor sale of that nature will go before the Zoning Board of Adjustment. In this instance, not only is it outdoor sales, but it is longer than the two consecutive days that are allowed for staff to approve.

Staff has received a number of phone calls asking what the applicant is requesting to do. Once staff informed the caller that the event was to benefit Mission Central, they were very much in favor of the event to be approved. There were no opposition phone calls or emails from citizens.

Kate Allen, applicant, 5904 East Berry Street, Fort Worth, Texas.

Ms. Allen said the exception she is requesting is for an event that is co-sponsored by Mission Central located at 625 Harwood Road in front of A Coat of Many Colors re-sale shop.

Ms. Allen stated that one of their core values at Allen Wholesale is to build strong relationships with the communities they serve. One of the ways they do this is by giving back. With every event they do, they give proceeds to places like a local food pantry. In this instance it is Mission Central. Over the past two years they have been able to donate about \$40,000 to local food pantries such as Mansfield Mission Center, Grace Grapevine, Allen Community Outreach, and others. In addition to donation dollars, they also help bring exposure to work at these organizations, further strengthening their impact on the community.

Another benefit they have found with these events is to local businesses. For example, when they do an event like this, they promote about a 10-mile radius around the surrounding cities. In this situation, there is Hurst, Euless, Grapevine, North Richland Hills, and on several occasions they have had several businesses thank them for holding the event by bringing in extra customers to their businesses as a direct result of their advertising dollars.

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In terms of Allen Wholesale Foods, Ms. Allen understands that one concern the board may have regarding this type of event is ensuring that unscrupulous companies or fly-by-night vendors don't take advantage of the members of the community. She said that they understand that, and her company is an A+ graded business by the Better Business Bureau, they have over 350 five-star reviews online with a 4.7 star average. They take their responsibility to serve their customers seriously. They do this by providing the best products available, provide a 100% satisfaction money back guarantee, and follow up with their customers to ensure that they had a good experience. At these events, every attendee receives a magnetic business card with their information, so they can contact them if they need to.

Ms. Allen provided a site plan showing the details of the setup. No right-of-ways will be obscured. Fire lanes will not be blocked. They will have a fire extinguisher on site. No ingress or egress will be blocked at any time. They will make sure that the site stays clean through the entire event. The dates of the event were originally May 9th thru 12th. Due to the delay of the ZBA meeting, Ms. Allen is asking for the dates to be changed to May 30th thru June 2nd in accordance with the Thursday thru Sunday. Part of the reason why they are requesting the four-day event is to give enough time for people to stop and see them instead of just that one Saturday or Sunday.

Board member Kim asked what type of refrigerated box truck will be used.

Ms. Allen said the truck they use is a refrigerated unit about 20 feet long. Everything is kept in the unit at all times unless they are taking stuff out to give to paying customers. All required permits from the State of Texas and Tarrant County will be visible. All of their staff will have food handlers' permits on hand as well.

Chairperson Day asked if they distribute to businesses on a regular basis.

Ms. Allen said they distribute mostly to families. The truck shown on their website is one of their home delivery trucks. So they do offer home delivery to their customers in the DFW area on a regular basis.

Board member Baetz asked Ms. Allen how often they do these events.

Ms. Allen said they do one in Saginaw once a year, Red Oak four times a year, Hurst twice a year, so generally about once or twice a year to help raise funds for a particular food pantry.

Board member Baetz asked about the location for the event that takes place in Hurst.

Ms. Allen said they have one that takes place on Precinct Line Road and Highway 10.

Chairperson Day asked what their signs or banners look like.

Ms. Allen said the signs they use generally have the pricing on them. For this event, she may not use any signage at all and utilize the lettering on the side of the truck. They may display a couple of banners for shade on the 10' x 10' tents. No signs will be put up prior to or after the event.

Chairperson Day asked what hours they will be operating.

Ms. Allen said 10:00 a.m. to 8:00 p.m.

Board member Kim asked about staffing.

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Ms. Allen said they will have three to four people on site for assisting customers.

Chairperson Day asked if Ms. Allen has ever had some complaints.

Ms. Allen said yes, they have been in the business for about ten years and they sell food. Every once in a while there will be a customer who didn't like the cut of meat that they got or didn't like the flavor. However, they do offer the 100% money back guarantee for every single purchase. They are a local company, they aren't just driving through town. They value their reputation. They sell very good products, but when selling food there will be a complaint once in a while from someone who just isn't satisfied.

Board member Baetz asked what types of specials or offers will they have.

Ms. Allen said they will be offering 10 ribeyes for \$20.00. They also have a pretty good range of products, such as a range of USDA Black Angus and USDA Choice-Grade beef. They also carry chicken, pork, Berkshire pork, bacon, and they also have a variety of seafood including shrimp, salmon, snapper, etc. Their specific specials will be the 10 ribeyes for \$20.00, chicken specials, variety packs where people can build their own. So the specials will vary from \$20.00 all the way up to around \$200 or \$300.

Chairperson Day asked how the products are packaged.

Ms. Allen said everything is individually vacuum sealed and flash frozen. It's all USDA pre-packaged with labels with the USDA stamp. They are able to take it out, show the product to the customer, and if the customer doesn't buy it, the meat goes back into the freezer. It is only out of the freezer for about three minutes. It is vacuum sealed over each cut of meat, not wrapped in butcher paper. Everything is fully enclosed and fully sealed in a plastic wrap at all times. The customer can look at the product but it stays sealed.

Board member Kim asked if the meat is provided with instructions on how to care for the meat or cook it.

Ms. Allen said it's the same as when people shop at the grocery store. If a customer asks questions, they will provide instructions.

Board member Kim asked what their methods of payments are.

Ms. Allen said they have a few mobile credit card terminals and take debit and credit and also take cash.

Chairperson Day asked if they plan to advertise through the mail about the event taking place.

Ms. Allen said they don't advertise through the mail, all of their advertising is through social media.

Catherine Hollis, 625 Harwood Road, Bedford, Texas.

Ms. Hollis is the executive director of Mission Central. She said that Allen Wholesale Foods has been very gracious to Mission Central. Mission Central is a food pantry service Hurst, Euless and Bedford. Since 2016 when they have had sales in their service area, they've always made a donation to Mission Central for a percentage of the sales. Over the years, several thousand of their

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neighbors have been fed thanks to their donations. Ms. Hollis supports this event and is a good event to bring customers to the Coat of Many Colors, where the event will be taking place.

Chairperson Day asked if Allen Wholesale Foods has donated product as well or just financial donations.

Ms. Hollis said to her knowledge it has only been financial donation, but she doesn't know for sure.

Ms. Allen said she isn't sure about the donation of products either; she thinks it's always been monetary donations to Mission Central. There are other food pantries in the Metroplex that they have donated product to, but Mission Central has received monetary donations.

Chairperson Day opened the public hearing at 6:24 p.m.

Chairperson Day closed the public hearing at 6:24 p.m.

The Board discussed the case.

Motion: Board Member Chappell made a motion to approve special exception case PZ-ZBA SPECIAL EXCEPTION-2019-50022 with the stipulation that the hours of operation are 10:00 a.m. to 8:00 p.m.

Chairperson Day seconded the motion and the vote was as follows:

Ayes: Board Members Chappell, Baetz, Kim, and Chairperson Day

Nays: None

Abstention: None

Motion was 4-0-0. Chairperson Day approved special exception case PZ-ZBA SPECIAL EXCEPTION-2019-50022.

ADJOURNMENT

Chairperson Day adjourned the Zoning Board of Adjustment meeting at 6:24 p.m.

Gina Day, Chairperson
Zoning Board of Adjustment

ATTEST:

Kristina Starnes
Planning & Zoning Coordinator