Draft Minutes City of Carrollton Planning & Zoning Commission December 19, 2013

A meeting of the City of Carrollton Planning & Zoning Commission was held on December 19, 2013 at 7:00 p.m. in the Court's Community Center with the following members present:

Commission Members Present:

Commission Members Absent:

Rick Pfeil, Chair Jerry Sylo, Vice Chair Glen Blanscet Barbara McAninch Jack Stotz Kimberly Daniel-Nix Mark Nesbit Tino Patel Larry Kiser

Staff Members Present:

Regina Edwards, 1st Asst. City Attorney Michael McCauley, Senior Planner Tom Hammons, Transportation Eng. Div. Mgr. Scott Tittle, Fire Dept. Battalion Chief Lydia Tormos, Admin Support

(Note: * = designation of a motion)

CALL MEETING TO ORDER: Chair Pfeil called the meeting to order at 7:00 PM.

- 1. MINUTES: Approval of the minutes of November 7, 2013 meeting.
 - * McAninch moved to defer consideration of the minutes to the January 16 meeting due to the fact that the Commission did not get a copy of the full reprinted minutes for review; second by Nesbit and the motion was approved with a unanimous 9-0 vote.

CONSENT AGENDA

- * McAninch moved to pull Consent Item 2 due to a conflict of interest on the Commission; second by Patel and the motion was approved with a unanimous 9-0 vote.
- * McAninch moved to approve Items 3 and 4; second by Sylo and the motion was approved with a unanimous 9-0 vote.
- 2. Consider final action approval for a Preliminary Plat for Raiford Crossing. The approximately 40.814 acre tract is located on the east side of Old Denton Road, just north of Raiford Road and north of Furneaux Creek and is zoned PD 194 for the (SF 5/12) and (SF TH)

Single-Family Residential Districts. Case No. 12-13PP1 Raiford Crossing/Arcadia Realty. Case Coordinator: Christopher Barton.

- 3. Consider final action approval for a **Final Plat for Quorum View, Phase 2.** The approximately 4.39-acre tract is located in the vicinity of the northwest corner of Marsh Lane and Keller Springs Road and is zoned PD-182 for the (SF-TH) Single-Family Townhouse Residential District. **Case No. 11-13FP1 Glen Carr House of Carrollton**/RLK Engineering. Case Coordinator: Michael McCauley.
- **4.** Consider final action approval for a **Final Plat for Crosby Trade Center.** The approximately 15.5-acre tract is located at 1215 W. Crosby Road and is zoned (LI) Light Industrial District. **Case No. 12-13FP1 West Crosby**/Valwood Industrial Land, LP. Case Coordinator: Michael McCauley.

CONSENT AGENDA ITEM PULLED FOR SEPARATE CONSIDERATION

2. Consider final action approval for a **Preliminary Plat for Raiford Crossing**. The approximately 40.814-acre tract is located on the east side of Old Denton Road, just north of Raiford Road and north of Furneaux Creek and is zoned PD-194 for the (SF-5/12) and (SF-TH) Single-Family Residential Districts. **Case No. 12-13PP1 Raiford Crossing**/Arcadia Realty. Case Coordinator: Christopher Barton.

Chair Pfeil announced that Commissioner Sylo would step away from the dais due to a conflict of interest.

McCauley presented the case and advised that staff recommends approve with stipulations.

* Nesbit moved to approve Case No. 12-13PP1 Raiford Crossing preliminary plat as it shows in our records with staff stipulations; second by Blanscet and the motion was approved with unanimous 8-0 vote, Sylo abstained.

Commissioner Sylo returned to the dais.

INDIVIDUAL CONSIDERATION

5. Consider final action approval for a **Technical Site Plan for a vacant building to add two drive-thru windows for a future restaurant**. The approximately 0.69-acre tract is located at 3044 N. Josey Lane and is zoned PD-21 for the (LR-2) Local Retail District. **Case No. 12-13TSP1 Golden Chick**/Riyad Hossainy. Case Coordinator: Michael McCauley.

McCauley presented the case noting that the vacant building was previously used for a dry cleaning business and the applicant desires to open a Golden Chick restaurant with two drive-through windows. He advised that staff recommends approval with stipulations. He noted that Stipulation 4 with regard to the location of the menu board should read "northeastern" rather than "northwestern".

Riyad Hossainy, Owner, 17523 Woods Edge, Dallas, stated agreement with the staff stipulations.

* McAninch moved approval of Case No. 12-13TSP1 Golden Chick with staff stipulations with the change to Stipulation No. 4 that the menu board shall be located near the northeastern part of the building; second by Kiser and the motion was approved with unanimous 9-0 vote.

PUBLIC HEARINGS

6. Hold a public hearing and consider an **Ordinance to Rezone to Remove a Planned Development District** for a certain approximately 37.42-acre tract and **Establish a New Planned Development District** with modified development standards. The subject tract is located at the northeast corner of Midway Road and International Parkway and is currently zoned PD-43 for the (HC) Heavy Commercial District with SUP 301 for automobile detailing and minor repair. **Case No. 11-13Z2 Prince of Peace**/Middleton & Assoc. Case Coordinator: Christopher Barton.

Chair Pfeil noted that the public hearing was a continuation from the November meeting.

Eugene Middleton, Middleton & Associates, 1111 S. Main Street, Grapevine, Civil Engineers and Surveyors for the Prince of Peace Church and School was present. Mr. Middleton explained that the Church and School decided to separate the lots so that the Church would own its lot and the school would own its lot. During the plat preparation and zoning review, it was discovered a need to change the underlying zoning from Heavy Commercial to Office 4 and leave the stipulations that were in the original zoning basically the same. He noted that some have been deleted because the obligations have been fulfilled or because they are duplicated by other ordinances that the City currently has in place. He stated they would like to add the use for radio and television broadcasting by right because the Church would like to have the ability to broadcast sermons should they decide to do so in the future. Mr. Middleton stated there are no improvements planned for the site. He requested that the Commission recommend approval of the zoning request. In response to Commissioner Sylo, Mr. Middleton stated he would have no objection to keeping the stipulation regarding the four foot high fence around the day care play area.

Chair Pfeil opened the public hearing and invited speakers to the podium. He noted that a card had been submitted by Christopher Hahn expressing support. There being no speakers, Chair Pfeil relinquished the floor to the Commission.

- * Sylo moved to close the public hearing, approve Case No. 11-13Z2 Prince of Peace with the additional stipulation that radio and television broadcasting be allowed by right within the Planned Development and that the additional stipulation under Item 4G that the current requirement for a minimum 4 ft tall fence surround the day care play areas be incorporated into the stipulations as well; second by Blanscet and the motion was approved with a unanimous 9-0 vote.
- 7. Hold a public hearing and consider an **Ordinance to Rezone to Repeal and Re-Establish Planned Development 123** for the (LR-2) Local Retail District with modified development standards and to allow the additional uses of a self-storage/mini warehousing and a

Continuing Care Retirement Community and/or an Assisted Living Facility for the Elderly; amending accordingly the Official Zoning Map. The approximately 4.5 and 4-acre tracts are located at the northeast and southeast corners, respectively, of State Highway 121 (Sam Rayburn Tollway) and Creek Valley Boulevard and is zoned PD-123 for the (LR-2) Local Retail District. Case No. 09-13Z2, Creek Valley-121 Development/Amish Gupta for AAA Investments. Case Coordinator: Michael McCauley.

Chair Pfeil stated that the public hearing was a continuation from previous meetings.

Greg McLane, Swearingen Realty, 4751 Holly Tree, Dallas, stated they have been working diligently with the neighbors and would have many design changes in terms of the building and landscaping but due to the short week because of the Thanksgiving Holiday, were unable to make the submittal deadline for this meeting. He asked for a continuance to the January meeting and assured the Commission they would be ready to present the case at that time.

- * Blanscet moved to keep the public hearing open and continue Case No. 09-13Z2 Creek Valley-121 Development to the Commission's meeting on January 16, 2014; second by Daniel-Nix and the motion was approved with a unanimous 9-0 vote.
- 8. Hold a public hearing and consider an **Ordinance to Rezone to Establish a Special Use Permit** for an Amusement Arcade (excluding Adult Arcade) with special conditions; amending accordingly the Official Zoning Map. The approximately 1,575-square-foot lease space is located at 3030 North Josey Lane, Suite 111 and is currently zoned PD-21 for the (LR-2) Local Retail District with SUP 397 for an Amusement Arcade. **Case No. 12-13SUP1 Discount Cigarettes Arcade**/Albert Mokry. Case Coordinator: Christopher Barton

Chair Pfeil advised that the applicant submitted a letter withdrawing the application.

9. Hold a public hearing and consider an **Ordinance to Rezone to Amend SUP 229** to Change the Allowed Use from Automobile Paint & Body Shop to Automobile Equipment Rental & Leasing (site area in excess of five acres) with special conditions; amending accordingly the Official Zoning Map. The approximately 7.497-acre tract is located at 2700 North IH-35E and is currently zoned for the (FWY) Freeway District with SUP No. 229 for Automobile Paint & Body Shop. **Case No. 12-13SUP2 Hertz**/Architectural Construction Services. Case Coordinator: Christopher Barton.

McCauley presented the case and advised that staff recommends approval of the request.

John Walton, Architectural Constructions Services, 3003 Woodhaven Court, Highland Village, stated they were in agreement with all of the staff stipulations. He stated signage would be erected on the building in compliance with the building code. He also stated that some interior work would be done such as painting, tile work and interior signage. The exterior color of the building would not change.

Chair Pfeil opened the public hearing and there were no speakers.

* Nesbit moved to close the public hearing and approve Case No. 12-13SUP2 Hertz as stated in the packet; second by Stotz and the motion was approved with a unanimous 9-0 vote.

OTHER BUSINESS:

a. Staff Reports.

McCauley encouraged the Commission members to attend the training offered by the North Texas Chapter of American Planning Association in Garland. He also stated that staff would be conducting training for the Commission in February. Lastly, he announced that in the beginning of 2014, the City would be issuing tablets to the Commission and would no longer be delivering hard copies of the meeting packets.

ADJOURNMENT

The meeting was adjourned at 7:33 p.m.

VISITORS' COMMENTS: Hearing of any citizen/visitor on items not listed on the regular agenda. Pursuant to state open meetings law, the Planning & Zoning Commission is restricted in discussing or taking action on items not posted on the agenda. Action on such issues can only be taken at a future meeting.

There were no visitor comments.

| Christopher Barton, | | | | |
|---------------------|-----|--|--|--|
| Chief Plan | ner | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |