

**Minutes
City of Carrollton
Planning & Zoning Commission
January 2, 2020**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, January 2, 2019 at 7:00 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Chad Averett, Chair
Larry Kiser, Vice Chair
Mel Chadwick, 1st Vice Chair
Margot Diamond
Randall Chrisman
Sunil Sundaran
John Denholm
Kathryn Taylor
Tony Romo II

Commission Members Absent:

Staff Members Present:

Loren Shapiro, Planning Manager
Susan Keller, 1st Asst. City Attorney
Tom Hammons, Transportation Div Mgr
Lorri Dennis, City Arborist

Michael McCauley, Senior Planner
Herb Cavanaugh, Fire Department
Thomas Wood, Senior Plans Examiner
Lydia Tormos, Admin Support Specialist

Guests Present:

Council Liaison Mike Hennefer
P & Z Alternate John Powell

*(Note: * = designation of a motion)*

CALL MEETING TO ORDER: Chair Averett called the meeting to order at 7:00 pm

1. MINUTES: Approval of the **December 5, 2019** meeting.

* *Denholm moved approval of the minutes with the amendments discussed in the Work session; second by Kiser and the motion was approved with a unanimous 9-0 vote.*

CONSENT AGENDA

2. Consider And Take Final Action On A **Replat Of Furneaux Creek Center**, Phase 2, For An Approximately 2.05-Acre Tract Located Approximately 400 Feet West Of The Northwest Corner Of Old Denton Road And MacArthur Drive Amending The Dividing Lot Line Between Lot 2R and 3R. **Case No. PLRP 2020-1X1 Furneaux Creek Center Phase 2.** Case Coordinator: Molly J. Coryell.

3. Consider And Take Final Action On A **Replat Of Carrollton Commerce Center, Lots 1-6, Block F**, For An Approximately 12.6 Acre Tract Located At The Northeast Corner Of Carter Drive And Crowley Drive Combining 3 Adjoining Lots Into 1 Lot And Modifying Easements. **Case No. PLRP 2020-1X2 Wisdom Academy.** Case Coordinator: Michael McCauley.

4. Consider A Resolution For A **Variance To The Required Distance Between Median Openings** At A Site Located On Marsh Lane West Hebron Parkway, Between Edinburgh Drive And Running Duke Drive. **Case No. PLMD 2020-1X1 Marsh Lane Median Variance.** Case Coordinator: Michael McCauley.

* *Sundaran moved approval of the Consent Agenda with staff stipulations and amended stipulations on Agenda Item No. 3; second by Kiser, and the motion was approved with a unanimous 9-0 vote.*

PUBLIC HEARING

5. Hold A Public Hearing To Consider An Ordinance **Amending The Zoning** On An Approximately 22-Acre Tract Zoned PD-05 For The (LR-2) Local Retail District And Located At 1213 E. Trinity Mills Road To Amend Planned Development 05 To Allow For Outdoor Automated Teller Machine (ATM) With Development Standards, Amending The Official Zoning Map Accordingly. **Case No. PLZ 2020-1X1 Flite ATM.** Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley advised that staff received a request from the applicant to continue the item to the February 6 meeting. He stated that Staff supports the request for continuance and that no public comments had been received.

Chair Averett opened the public hearing.

James Lee, 2017 E. Trinity Mills Road, stated he was in support of the request.

* *Chadwick moved to continue the public hearing for Case No. PLZ 2020-1X1 Flite ATM to the February 6, 2020 Planning & Zoning Commission meeting; second by Kiser, and the motion was approved with a unanimous 9-0 vote.*

6. Hold A Public Hearing To Consider An Ordinance **Amending the Zoning** On An Approximately 4.5-Acre Tract Zoned PD-123 For The (LR-2) Local Retail District And Located On The Northeast Corner Of State Highway 121 and Creek Valley Boulevard To Amend Planned Development District 123 To Amend Conceptual Plans And Modifying Development Standards Allowing A Continuing Care Retirement Community & Assisted Living Facility for the Elderly and Nursing Care Facility (Skilled Nursing Facility); Amending The Official Zoning Map Accordingly. **Case No. PLZ 2020-1X2 Heritage at Creek Valley.** Case Coordinator: Loren Shapiro.

Planning Manager Loren Shapiro presented the case for a 140 unit retirement facility consisting of 54 independent living units, 62 assisted living units, and 24 memory care units. He stated there would not be any nursing home care. The building consists of 150,000 square feet with a maximum height of 3 stories or 50 feet. The tower element could have a maximum height of 102 feet. He stated that the applicant provided building elevations and landscape plans that screen the peripheral of the property including the detention pond along Indian Run Drive. Staff recommended approval with the conditions contained in the staff report.

Chrisman asked what was proposed to be on top of the clock tower and Shapiro replied that he believed it to be a pole but deferred to the applicant.

Dick Daehnert, Senior Architect with Direct Supply Aptura, 6767 N. Woustrial Drive, Milwaukee, Minnesota responded that they propose a flagpole on top of the tower. He stated the exact height had not been determined and if it is too tall, they could possibly discuss it further or eliminate it. With

regard to comments about storm water retention along the east side of the property, he stated they have contracted with the previous civil engineer, Jones Carter, of the previously proposed development to make sure the storm water retention pond is sized accordingly.

Romo asked if the clock would chime when it hits 12 o'clock and Mr. Daehnert replied that it would not.

Taylor asked if there would be a nursing care facility associated with the development and Mr. Daehnert replied there would not.

Chair Averett opened the public hearing.

Richard Kelly, 5151 Belt Line Road, #1150, Dallas, stated he was part owner and asset manager for the property that abuts the subject property to the northeast, currently improved with Wind Dance Apartments. He stated that they are generally in favor of the rezoning; likes the use, the height, the density and likes the elevations. He stated their one concern is drainage. He stated that in broad terms there is a drainage easement agreement which encumbers the subject property and benefits two upstream properties. He stated that the agreement gives the developer of the subject property broad latitude to rework the size and structure of the retention feature. He underscored the need for the civil engineering of the retention feature to be completed properly. He stated that the developer has informally agreed to allow him to have input and with that caveat, the adjacent property owner is in favor of the zoning change.

There being no other speakers, Chair Averett opened the floor for discussion or a motion.

* *Chadwick moved to close the public hearing and approve Case No. PLZ 2020-1X2 Heritage at Creek Valley with staff stipulations; second by Diamond, and the motion was approved with a unanimous 9-0 vote.*

7. Hold A Public Hearing To Consider An Ordinance **Amending The Zoning** On An Approximately 28.4-Acre Tract Zoned (CC) Corporate Commercial District And Located At The Northwest Corner Of Plano Parkway And Warmington Drive To Establish A Planned Development District To Allow For (SF 10/18) Single-Family Residential With Development Standards; Amending The Official Zoning Map Accordingly. **Case No. PLZ 2019-X1 Kensington Place**. Case Coordinator: Loren Shapiro.

Shapiro advised that the applicant has requested that the case be continued to the February meeting for additional time to meet with residents and staff, and to provide needed revisions.

Chair Averett opened the public hearing; there were no speakers.

* *Romo moved to keep the public hearing open and continue Case No. PLZ 2019-X1 Kensington Place to the February 6, 2020 meeting; second by Taylor, and the motion was approved with a unanimous 9-0 vote.*

Chair Averett stated that Items 8 & 9 were companion items that would be heard simultaneously with separate action. He further advised that Commissioner Chrisman recused himself due to conflict of interest and had exited the Chamber.

8. Hold A Public Hearing To Consider A **Resolution Amending The Comprehensive Plan And The Future Land Use Map** To Change An Approximately 8.5-Acre Site Located At 2601 Kelly Boulevard From Low Intensity Office To Single-Family Attached Residential. **Case No. PLCP 2019-133 Kelly Cove (Comp Plan)**. Case Coordinator: Michael McCauley.

9. Hold A Public Hearing To Consider An **Ordinance Amending The Zoning** On An Approximately 8.5-Acre Tract Zoned PD-44 For The (HC) Heavy Commercial District And Located At 2601 Kelly Boulevard To Amend Planned Development 44 To Allow For (SF-TH) Single-Family Townhouse Residential District With Development Standards: Amending The Official Zoning Map Accordingly. **Case No. PLZ 2019-131 Kelly Cove (Zoning)**. Case Coordinator: Michael McCauley.

McCauley presented the two cases. He explained that the applicant proposed to develop the property with residential townhomes and he advised that the applicant has not provided a complete re-submittal. He stated that the current design is not supported by staff since it still lacks many requirements such as a detailed landscape plan, a landscape buffer adjacent to Trinity Mills, a screening wall adjacent to Trinity Mills, a traffic impact analysis (TIA) and clearer detailed building elevations. He advised that although the applicant knows staff's position, they still wanted to go forward with the request. He also advised that the applicant has chosen not to meet with staff as invited to review the comments and that the applicant is not willing to provide a TIA until the City supports their design. Staff recommended denial of both requests.

Suresh Shridharani, Harlan Properties, Inc., 2404 Texas Drive, Irving, stated the property is unique and could only be developed in a certain way. He felt townhomes were the best use as a transition between the single family and the freeway. He stated that some of the requirements such as curvilinear streets and minimum 30 foot townhome lots make it impossible to work on an economical basis. He stated they need to have a minimum of 79 lots to make the numbers work economically. He asked for the Commission's feedback and referred to other homes they developed in Carrollton. He talked about the need for homes in Carrollton and for affordable housing, and stated he would answer all of their questions.

Chair Averett opened the public hearing and invited speakers to address the Commission.

The following spoke in support of residential use but with concerns about traffic volume, congestion, as well as safety; and opposed to connectivity to Driftwood Drive:

Emily Crawford, 2254 Roundrock Circle
Zachary Ramba, 2244 Big Bend Circle
James Branden, 2246 Roundrock Circle
Chris Reynolds, 2222 Big Bend Drive

The following did not wish to speak but submitted a card in support:

Vicki and Daryl DeVault, 2264 Big Bend Drive
Patricia Neill, 2244 Big Bend

Mr. Shridharani stated that traffic was the biggest concern to the neighboring residents and stated they could have two access points on Trinity Mills; one on Driftwood where they could install a gate to keep traffic from going back and forth which would eliminate their concerns. He explained that they proposed front entry homes to avoid using the alley.

- * ***Kiser moved to close the public hearing for Case No. PLCP 2019-133 Kelly Cove (Comp Plan) and approve as submitted.***

Romo stated he has concerns about approving something when there was no responsiveness by the applicant to staff’s questions and comments, and specifically the lack of a traffic study. He also voiced concern about the proposed variances to current minimum requirements. He stated that townhomes rather than office zoning could work, but there are too many questions in order to support the current proposal. He stated he would vote against both items.

Denholm asked if the Zoning Ordinance prohibits a third continuance and asked if the applicant could return next month if they withdrew the request. McCauley replied that there is no rule or code about the number of continuances an applicant could request and that staff has historically limited it to two but the Commission could grant another continuance. He further explained that if the Commission recommends denial and the applicant chooses to appeal to the City Council, it would take a super majority vote of the Council to approve the request. Further, if the applicant withdraws, he could submit a new application. Denholm asked if a connection to Driftwood would be prohibited if the property was developed as heavy commercial. McCauley replied that it would be prohibited because there would be a screening wall and he explained that only residential traffic can use an alleyway. He highlighted the importance of emergency services connecting to Driftwood and he talked about the possible problems of sustainability with ingress and egress on Trinity Mills when it is a right turn in/right turn out only.

Chadwick voiced his appreciation for the comments by the homeowners and felt the property could be used for townhomes, but stated he is most concerned that the developer did not take the initiative to work with the City. He stated he would vote against the request because the developer had three opportunities and because of the small amount of communication from the developer to the City particularly between the second and third opportunity.

Sundaran stated that he generally agrees with townhomes on the site, recognized the difficulty of developing the site, recognized the developer’s track record of building attractive housing and stated he was surprised to see the neighborhood speaking in favor. He stated he would like to have seen a TIA because of the current traffic congestion at Kelly and Trinity Mills and stated he cannot support the request without seeing the traffic analysis.

Chair Averett echoed earlier comments specifically highlighting the lack of a TIA. He called for a second to the motion.

- * ***Chadwick seconded the motion. The motion failed with a 2-6 vote, (Denholm and Taylor in favor, Sundaran, Kiser, Averett, Chadwick, Romo and Diamond opposed, Chrisman abstained).***

- * ***Kiser moved to close the public hearing and approve Item 9, Case No. PLZ 2019-131 Kelly Cove (Zoning) as submitted; second by Sundaran, and the motion failed with a 0-8 vote, (Sundaran, Kiser, Averett, Chadwick, Romo, Taylor, Denholm and Diamond opposed, Chrisman abstained).***

Chrisman returned to the Chamber dais.

OTHER BUSINESS:

1. Election of Vice Chair – Sundaran nominated Larry Kiser and the nomination was approved by acclamation

2. Election of 1st Vice Chair – Sundaran nominated Mel Chadwick and the nomination was approved by acclamation
3. Staff Reports – none.

ADJOURNMENT

Chair Averett adjourned the meeting at 7:54 p.m.

Loren Shapiro, Planning Manager

Chad Averett, Chair
Planning and Zoning Commission