

**Minutes
City of Carrollton
Planning & Zoning Commission
August 6, 2020
Telephonic Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, August 6, 2020 at 7:00 p.m. by means of a telephonic meeting on Zoom.

Commission Members Present:

Chad Averett, Chair
Larry Kiser, Vice Chair
Mel Chadwick, 1st Vice Chair
Margot Diamond
John Powell
John Denholm
Kathryn Taylor
Sunil Sundaran

Commission Members Absent:

Tony Romo II

Staff Members Present:

Loren Shapiro, Planning Manager
Susan Keller, 1st Asst. City Attorney
Tom Hammons, Transportation Div. Mgr.
Rob Guarnieri, Plan Review Manager
John Romberger, Engineering Transportation
Ravi Shah, Director of Development Services

Michael McCauley, Senior Planner
Herb Cavanaugh, Fire Department
Molly Coryell, Planner
Cory Heiple, Dir. of Environmental Services
Ed Green, Bldg. Inspection Plans Examiner
Lydia Tormos, Admin Support Specialist

Council Observer Present:

Councilmember Pat Cochran

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

DINNER AND BRIEFING SESSION: 6:00 PM:

Staff will do a brief presentation on each of the items on the regular agenda. No public testimony will be allowed during the briefing.

REGULAR MEETING - CALL TO ORDER: The meeting was called to order at 7:02 pm

1. **MINUTES:** Approval of the minutes of the **July 2, 2020** meeting.

* *Commissioner Denholm moved approval of the minutes; second by Commissioner Chadwick, and the motion was approved with a unanimous 8-0 vote, Romo absent.*

INDIVIDUAL CONSIDERATION:

2. Consider And Take Final Action On A **Preliminary Plat** For Carrollton Gateway For An Approximately 9.673 Acre Tract Located At The Southwest Corner Of North Broadway And

Dickerson Street. **Case No. PLPP 2020-82 Gateway I-35E.** Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley described the preliminary plat and stated it is in compliance with the Comprehensive Subdivision Ordinance. Staff recommended approval as submitted.

* *Denholm moved approval of Case No. PLPP 2020-82 Gateway I-35E Preliminary Plat; second by Taylor and the motion was approved with a unanimous 8-0 vote, Romo absent.*

PUBLIC HEARING:

3. Hold A Public Hearing To Consider An Ordinance Amending the Zoning To Establish A Special Use Permit For Automobile Parts Sales On An Approximately 4.64-Tract Zoned (LR-2) Local Retail And Located At 2770 East Trinity Mills Road; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2020-35 AutoZone.** Case Coordinator: Molly J. Coryell.

Planner Molly Coryell referred to the case review heard during the June meeting. Staff recommended approval.

Averett opened the public hearing; there being no speakers, he opened the floor for discussion or a motion.

* *Chadwick moved to close the public hearing and approve Case No. PLSUP 2020-35 Auto Zone with staff stipulations; second by Powell, and the motion was approved with a unanimous 8-0 vote, Romo absent.*

4. 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; Amending The Official Zoning Map Accordingly. Case No. PLZ 2020-45 Heritage At Creek Valley Revised. Case Coordinator: Michael McCauley.

McCauley presented a history of the site and stated that as the applicant progressed from concept to schematic design, the applicant encountered issues requiring a change in the design. He explained that the change resulted in the building height changing to three stories on all four sides instead of three stories on the north, south and west side and two stories on the east side. The change also resulted in a reduction in the building square footage from 150,000 square feet to a little over 132,000 square feet. The facility would continue to offer 140 units and the site access remained the same. He reviewed the proposed building elevations in comparison to previously approved building elevations and noted that a clock tower was no longer included with the currently proposed elevation. Staff believed the revised conceptual plans for the continuing care retirement community and assisted living facility for the elderly is compatible with the surrounding neighborhood. He advised that it provides greater setbacks than the previous plans and staff believed the proposal should not adversely impact the neighborhood. Staff recommended approval with the stipulations outlined in the staff report.

Grant Reginato with Direct Supply Aptura, 6767 N. Industrial Road, Milwaukie, WI, explained that the Soils Engineer had concerns about the detention pond influencing the soil underneath the building which caused the need to change the design. He advised that the greater setback to the east allowed for a more robust landscape buffer. He stated they integrated some of the design elements in the neighborhood into the design of the current proposal. He explained that it adds for greater safety with a fully looped driveway for better access throughout the site for emergency vehicles.

Chair Averett opened the public hearing; there being no speakers, he opened the floor for discussion or a motion.

Kiser asked if the Soils Engineer was local and Mr. Reginato replied that the engineer was from the Dallas area and was aware of expansive clay.

** Chadwick moved to close the public hearing and approve Case No. PLZ 2020-45 Heritage At Creek Valley Revised with staff stipulations; second by Denholm and the motion was approved with a unanimous 8-0 vote, Romo absent.*

5. Hold A Public Hearing To Consider And Act On An Ordinance Amending The Text Of Article XXVIII, Special Conditions And Development Standards, Of The City Of Carrollton Comprehensive Zoning Ordinance To Revise The Provisions Related To Food Trucks. Case No. PLZT 2020-086 CZO Amendment Food Trucks. Case Coordinator: Michael McCauley.

McCauley presented the City-initiated request stating that the proposed amendment will allow and regulate food trucks having a brewery as another primary use. A benefit to allowing food trucks is that it appeals to settings like Downtown Carrollton and it creates a destination venue. He provided a table listing current regulations and proposed changes. Staff recommended approval with the revised stipulations.

Averett asked about hours of operation and McCauley replied that staff interprets it that the food trucks are limited to operating during the hours that the brewery is conducting business.

Kiser asked if the food trucks are required to leave the property and asked about the manner of eliminating their waste. Environmental Services Director Cory Heiple advised that each food truck is required to have a commissary to refill their cool water reservoirs and empty the wastewater reservoirs; most food trucks need to do so daily.

Averett asked about free-standing signage. Building Inspection Plans Examiner Ed Green stated that the sign ordinance is only applicable to signs that are intended for off-premises advertising so a small sandwich board type sign next to a food truck would not fall under the purview of the sign ordinance.

Denholm asked about the intention for a limitation on the number of food trucks allowed at a brewery. McCauley stated that staff was being careful with the new regulation and stated that should the provision need to be changed in the future, they would entertain a change. He stressed that restaurants are still required to adhere to other regulations and he provided the example of parking requirements. McCauley explained that the TOD Committee reviewed the proposal and were comfortable with the limitation on the number of food trucks at this time.

Kiser voiced a concern with placing a limit on the number of food trucks at a brewery since there isn't one on restaurants. He felt it was arbitrary.

Averett voiced his agreement with Kiser and Denholm with having a difference in the number of trucks allowed.

Diamond felt that allowing two trucks at restaurants and at breweries made sense and that a restaurant owner would not try to compete with itself by hosting a food truck specializing the same menu items as their own restaurant.

Development Services Director Ravi Shah advised that the City did not want the area of the brewery to become a food court for food trucks and the limit on the number of trucks was a request of the applicant. Staff acknowledged that restaurants would not allow trucks that would compete with the product it provides but would allow food trucks that provide something they don't offer. He stated that the TOD Committee directed staff to study the entire venue of food trucks in Downtown and the result would be brought forward. He explained that while the City is the applicant, 3 Nations Brewery elected to have only two food trucks and felt it would complement their business. It was noted that 3 Nations Brewer does not offer food. The reason for food trucks is to provide a different venue each week so it's not the always same food type. Shah further advised that there hasn't been interest in allowing a food truck at a restaurant other than the Monkey King Noodle site.

Averett opened the public hearing.

Al Overholt, 2216 Ridgewood, voiced agreement with Mr. Shah and felt two trucks was reasonable.

John Royer, Owner and Managing Partner for 3 Nations Brewery, 1033 East Vandergriff, spoke in favor of the proposal and talked about the impact of COVID-19 on 3 Nations Brewery.

Kiser asked about the difference between a food truck and a food trailer. Assistant City Attorney Susan Keller explained that the Zoning Ordinance defines a food truck as a self-propelled vehicle.

Averett maintained his objection to a different restriction of the number of food trucks allowed at restaurants and breweries.

** Denholm moved to close the public hearing and approve Case No. PLZT 2020-086 CZO Amendment Food Trucks with the revised result sheet; second by Powell and the motion was approved with a unanimous 8-0 vote, Romo absent.*

OTHER BUSINESS:

- a. Staff Reports – Planning Manager Loren Shapiro reported that the Council approved the Residence Inn application; approved the two warehouses without the stipulation for the turn lane; and approved the Special Development Plan.

ADJOURNMENT

Chair Averett adjourned the meeting at 8:06 pm.

Loren Shapiro, Planning Manager

Chad Averett, Chair
Planning and Zoning Commission