



Minutes
City of Carrollton
Planning & Zoning Commission
February 6, 2025
Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, February 6, 2025 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Mark Yarbrough, 1st Vice Chair
Jim Doyle
Kathleen Foster
John Powell
Greg Kramer
Al Overholt
Dave Hermon

Commission Members Absent:

Willadean, Martin, Vice Chair

Alternate:

Rusty Pendleton

Staff Members Present:

Loren Shapiro, Planning Manager
Michael McCauley, Senior Planner
Emily Offer, Senior Planner
Ed Green, Plan Review Manager
Lydia Tormos, Planning Technician
Darwin Ortega, Senior Code Enforcement Officer
Brett King, Director of Development Services

Herb Cavanaugh, Fire Marshal
John Romberger, Transportation Engineer
Albert Thomas, Asst. City Attorney

Guests Present:

None

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

BRIEFING SESSION – 6:00 p.m. - COUNCIL BRIEFING ROOM

- A. Staff gave a brief presentation on each of the items on the consent agenda. No public testimony was allowed during the briefing.

REGULAR MEETING – CALL TO ORDER: 6:30 p.m. - COUNCIL CHAMBERS

Chair Windrow called the meeting to order at 6:33 p.m. He opened the floor for public comments concerning any of the consent agenda items. There were none and with no questions from the Commissioners, he opened the floor for a motion.

CONSENT AGENDA:

1. **MINUTES:** Approval of the January 2, 2025 meeting minutes.
 2. Consider And Take Final Action On A **Final Plat For SABA Addition** For An Approximately 6.6956-Acre Tract Located 1915 John Connally Drive To Dedicate Easements And Establish A Lot Of Record. **Case No. PLFP 2024-189 SABA Addition, Lot 1, Block A.** Case Coordinator: Emily Offer.
 3. Consider And Take Final Action On A **Replat Of Henry Butts Addition, Phase 3, Lots 2 And 3, Block A,** For An Approximately 28-Acre Tract Located At 4004 And 4020 Midway Road, Altering An Adjoining Property Line Between Two Lots And Dedicate Right-Of-Way. **Case No. PLRP 2024-194 Henry Butts Addition, Lot 2R, Block 1 & Henry Butts Addition, Phase 3, Lot 2R, Block A.** Case Coordinator: Michael McCauley.
 4. Consider And Take Final Action On A **Replat Of Carrollton Commerce Center Lot 7R-B1, Block C,** For An Approximately 7.4-Acre Tract Located At 2225 Old Denton Road And The Northwest Corner Of West Jackson Road And Old Denton Road, Further Subdividing One Lot Into Two Lots, To Dedicate Easements. **Case No. PLRP 2024-198 Carrollton Commerce Center, Lots 1 And 2, Block D.** Case Coordinator: Michael McCauley
- * *Commissioner Overholt moved to approve the Consent Agenda, items 1-4 with No. 1 (minutes) as amended, and for Nos. 2 and 3, finding that the right-of-way is necessary and proportional to the developments proposed; second by Commissioner Hermon. The motion was approved with a vote of 8-0 (Martin absent).*

PUBLIC HEARING

5. Hold A Public Hearing To Consider An Ordinance Amending The Zoning **To Repeal PD-160 For (HC) Heavy Commercial District And To Establish A Special Use Permit** To Allow Fabricated Metals Product Manufacturing, To Rezone From PD-160 For (HC) Heavy Commercial District To (HC) Heavy Commercial District On An Approximately 0.69-Acre Tract Zoned PD-160 For The (HC) Heavy Commercial District And Located At 1416 Westway Circle; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-197 SDG Springs.** Case Coordinator: Emily Offer.

Emily Offer, Senior Planner, presented this item. She advised that staff has determined that the PD at this location is no longer needed for this site. She provided a location zoning map, a conceptual site plan and floor plans for this special use permit (SUP) request. She stated the building will be used for fabrication of garage door springs and provided photos of the equipment that will be located at the site. She said that staff is recommending approval.

Applicant Amanda Martin, 1416 Westway Circle, restated the intended use of the building.

Chair Windrow opened the public hearing with no one wishing to speak.

* *Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2024-197 SDG Springs with stipulations; second by Commissioner Doyle. The motion was approved with a vote of 8-0, (Martin absent).*

6. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Establish A Special Use Permit To Allow Short-Term Rental** On An Approximately 0.31-Acre Lot Zoned PD-46 For The (SF-PH) Single-Family Patio Home And (SF-TH) Single-Family Townhouse Residential Districts And Located At 3925 Brazos Drive; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-187 3925 Brazos Drive Short-Term Rental.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, presented this item. He advised this is a special use permit request for a short-term rental in a single-family home. He reviewed a location map that reflected two other short-term rentals in proximity to this property. A floor plan was provided, and it was noted that the square footage size of one of the bedrooms has been corrected since the case report was prepared. An aerial view of the property was provided. Mr. McCauley said there have been no violations at the property with the exception of there being a patio installed without a building permit. He stated that staff is recommending approval with stipulations. He noted that one stipulation has been modified due to the increase in square footage, specifically, seven people would be allowed to stay onsite rather than the initial six.

Chair Windrow asked if there was an applicant present who would like to speak. Jesus Inguanzo, 3925 Brazos Dr., property owner spoke and answered questions. He stated he and his wife have lived at this property from 2009 until 2024 when they purchased a larger home in the neighborhood. He stated he plans to retire to this home in the future and would like to rent it, preferably as a short-term rental. He and his wife will manage the property themselves.

Commissioner Foster expressed concern over there being two short-term rental properties in the neighborhood. The applicant responded that one of the others may no longer be active, and the other only rents one room and not the entire home.

Commissioner Doyle inquired whether there will be a noise monitoring device inside the property and if the property has been listed on booking sites. The applicant said they have noise sensors and cameras on the exterior, but they do not have an account with booking sites but intends to do so after receiving approval.

Commissioner Kramer inquired about the unpermitted patio. The applicant stated that there was an original patio that he did replace himself but was unaware that a building permit was required under those circumstances. He added that he will obtain the required permit.

Commissioner Overholt asked the applicant if there will be a minimum number of nights, and whether a quiet time will be established. The applicant stated that currently those things have not been considered. He added that his target tenants will be insurance relocations and executive housing. Commissioner Overholt asked whether the applicant will allow parties; the applicant responded no. Additionally, he stated there is not a pool and he will screen applicants himself.

Chair Windrow opened the public hearing. He said four cards were received in opposition.

Cards in opposition were received from:

- Tony Che, 1161 San Saba
- Jamie Solomons, 1209 Stillwater Tr.
- Craig and Barbara Modzryski, 3924 Brazos
- Dan & Jenica Badaluta, 3920 Brazos

No one came forward to speak.

Chair Window asked if the applicant had closing remarks. He stated that a card was received concerned with parking issues. He responded that parking issues will not occur as a STR.

- * *Commissioner Kramer moved to close the public hearing and approve Case No. PLSUP 2024-187 3925 Brazos Drive Short-Term Rental with the modification to stipulation 5; second by Commissioner Foster. The motion was approved with a vote of 5-3, (Commissioners Yarbrough, Foster and Overholt voted in opposition, Martin absent).*

7. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Establish A Special Use Permit To Allow Short-Term Rental** On An Approximately 0.055-Acre Lot Zoned PD-213 For The (SF-5/12) Single-Family Residential And (SF-TH) Single-Family Townhouse Residential Districts And Located At 1016 Thomas Place; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-192 1016 Thomas Place Short-Term Rental.** Case Coordinator: Michael McCauley.

Michael McCauley was the case manager. He said this is a request for a Special Use Permit to allow a short-term rental (STR). He provided a location zoning map and a neighborhood map showing the location of one other STR. The floor plan and a photo of the street view of the property was provided. Mr. McCauley stated that public comment cards were received and those have been provided to the Commission and the applicant. Staff is recommending approval with stipulations. He added there have been no code violations and no police calls.

Homeowner and applicant Juan Pena, 1016 Thomas Place, stated that he and his wife travel for work and would like to rent the property for two or three weeks of the month. When not traveling, they will reside at the property part-time. In response to Commissioner Powell's question, Mr. Pena stated that his brother will manage the property, and there is a handyman and cleaning staff to maintain the property. Darwin Ortega, Senior Code Enforcement Officer, stated it is allowable for the owner to occupy the property on a part-time basis as long as there are no renters there at the same time.

Chair Windrow opened the public hearing. There were no speakers.

Cards were received from:

In favor:

- Nancy Pena, 1016 Thomas Place

Opposed:

- Cody Broadhead, Board President of Thomas Place Owner's Assoc.
- Ravl Almazain, 1005 S. Broadway

Commissioner Overholt inquired if there will be a minimum night stay, and how applicants will be screened. The applicant stated that there will be a three-night minimum, and that screening will be done by Airbnb. He added that there will be no parties and there will be a 9 p.m. quiet time.

Commissioner Foster expressed concern over who has authority to act on the owner's behalf when he is out of town. The applicant responded that his brother lives a short distance from the property and will be the local contact for issues.

Commissioner Doyle asked the applicant if he is aware of the stipulations, including the requirement for noise monitoring devices. The applicant stated, yes, noise monitoring devices will be installed. Commissioner Doyle asked staff whether the required notices to surrounding property owners were sent. Mr. McCauley stated yes.

- * ***Commissioner Kramer moved to close the public hearing and approve Case No. PLSUP 2024-192 1016 Thomas Place Short-Term Rental. with stipulations; second by Commissioner Hermon. The motion was approved with a vote of 5-3, (Commissioners Yarbrough, Foster and Overholt voted in opposition, Martin absent).***

8.

Emily Offer presented this item. She provided a location zoning map and a floor plan (proposed) showing the one room that would be rented. She said the applicant lives onsite. Ms. Offer added that code violations have been documented regarding unpermitted construction (exterior doors, electrical work added, plumbing added, HVAC issues). She said that it is likely a licensed contractor was not used and no permits were obtained. Ms. Offer added that it is likely the renovations were done after the applicant purchased the home as they were not evident when photos were taken prior to the purchase of the home. She provided photos of the front of the property as well as two exterior doors on the side of the property that have been added. Staff does not recommend approval due to the code violations, however Ms. Offer added that should the Commission recommend approval, staff has included stipulations for consideration. Public Comment cards were received.

Commissioner Overholt asked if the code violations are within the purview of the P&Z Commission. Ms. Offer said that code violations are considered. He asked if exterior doors are allowed. Ed Green, Plan Review Manager, responded saying there are no regulations

prohibiting exterior doors; the issue is that no permit was obtained. Mr. Green also pointed out that there is a cased opening between two rooms which results in them being considered one room. Commissioner Overholt asked how many individuals may stay in the home. Ms. Offer advised that up to four unrelated people can occupy the home and up to six individuals can occupy the home.

Commissioner Powell asked how the owner could get a certificate of occupancy (CO) with code violations on electrical and plumbing. Brett King, Director of Development Services, responded that a CO is not issued for single-family properties and short-term rentals are considered single-family residential.

Commissioner Foster asked whether the number of people allowed in stipulation No. 3 includes the owners. Ms. Offer responded that it does.

The owner/applicant Alejandra Moreno was present to answer questions. In response to Commissioners' questions, she advised that the remodeling was done prior to her purchasing the property. She has added doors and cosmetic upgrades. It was clarified during discussion that the floor plan provided is not as the interior exists now but is the proposed floor plan if the SUP is granted.

Ed Green reviewed the process in regard to the timeline for building permits, etc. He advised that the zoning case is addressed first, then the building permits (which are on hold), the code violations must be resolved, then the lodging license could be applied for.

Further discussion followed in regard to the inspection on the home prior to its purchase and the pending building permits.

Commissioner Powell inquired about stipulation No. 5, Fire Marshall concerns. Herb Cavanaugh, Fire Marshal, stated that his concern is that with the proposed floor plan, the fire department may not be able to search the entire house in the event of emergency because if a door is added between the two rooms (at the case opening), there is no access to the middle bedroom except from the exterior.

Chair Windrow opened the public hearing.

Speaking in opposition:

- Joel Munoz, 1839 Arundel
- Daniel Hoskins, 1835 Arundel

Cards in opposition and not wishing to speak were received from:

- Erica Munoz, 1839 Arundel
- Enrique Hernandez, 1837 Paxton Dr

Commissioner Kramer stated he is not comfortable with approving this item due to the unresolved issues with the home.

- * *Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2024-154 1841 Arundel Drive Bed And Breakfast with stipulations; second by Commissioner Kramer. The motion failed with a vote of 0-8, (All Commissioners voted in opposition. Martin absent).*

Chair Windrow advised that the applicant has ten days to make a written appeal to the City Council.

9. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 6.61-Acre Tract Zoned PD-141 For The (LR-2) Local Retail District And Located At 2121 Sandy Lake Road To Amend Planned Development District 141 To Allow Outside Display, To Repeal SUP-444 For A Gas Station, To Modify Conceptual Plans, And To Revise Development Standards, Amending The Official Zoning Map Accordingly. **Case No. PLZ 2024-149 Just Pots Pottery.** Case Coordinator: Loren Shapiro.

Loren Shapiro, Planning Manager, reviewed that the Commission heard a case for Just Pots Pottery in December, 2024. The Commission continued the case indefinitely to give the applicant an opportunity to make some adjustments to their proposal. Mr. Shapiro provided a location zoning map.

Mr. Shapiro advised that the applicant has revised the plans and has conducted a parking study. He said that retail use is allowed on this site, however outside display is limited to 5 percent of the total retail space. He advised that retail sites such as Walmart, Lowes, and Home Depot are also limited to the 5 percent for outside display as well as other businesses in the area. He stated that staff has considered possible future uses for this site and noted that staff and past city councils are particular about outside display locating in high visibility areas. Mr. Shapiro described the property located along Sandy Lake and President George Bush Turnpike. Because the proposed outdoor display area is excessive and location in a highly visible area, staff is against the request.

Mr. Shapiro provided a conceptual site plan, including a revised landscape plan and additional parking as the Commission had requested. He said that the applicant provided the results of a parking study demonstrating the reduction in parking spaces. He advised that there is 127,000 square feet of outdoor display to include pottery and other outdoor items. An ornamental metal fence will surround the property. Building elevations and 3D imaging as it would appear from Sandy Lake Road and the Bush Turnpike were provided. Photos of the site as it appears today were provided. Mr. Shapiro advised that staff has proposed stipulations in the event of approval. He advised the applicant is present and has a slide presentation.

Commissioner Overholt expressed his concern about setting a precedent if more than 5 percent outside display is allowed, adding that perhaps the zoning should be something other than retail. Commissioner Powell expressed similar comments about the zoning. Mr. Shapiro responded that this request is for a planned development which allows stipulations such as outside display.

The applicant Tommy Mann, 2728 N. Harwood St. Dallas, stated that based on the Commission's concerns voiced in December, 25 parking spaces have been added to the site. He added that creating a planned development is the tool that would allow a variance for this amount of outside display. He described the surrounding uses. He stated that the location is not a good retail site and needs to be a destination, which is expected to be the case. He reviewed the parking study, stating a total of 86 parking spaces are included.

Commissioners Foster and Kramer added favorable comments.

Commissioner Overholt asked Mr. Shapiro what staff's recommendation is and why. Mr. Shapiro said that staff is recommending denial due to the large outside display at a highly visibility location.

Chair Windrow opened the public hearing. There were no speakers.

The applicant offered closing remarks.

- * ***Commissioner Foster moved to close the public hearing and approve Case No. PLZ 2024-149 Just Pots Pottery with stipulations; second by Commissioner Kramer. The motion was approved with a vote of 7-1, (Commissioner Overholt opposed, Martin absent).***

OTHER BUSINESS:

- a. Staff Reports – Loren Shapiro provided an update on City Council action at the January 7 and February 4 Council meetings. Mr. Shapiro reminded Commissioners of the Focus North Texas Regional Planning Conference on Friday, February 21 if anyone is interested in attending.

ADJOURNMENT

Chair Windrow adjourned the meeting at 8:34 p.m.

Loren Shapiro, Planning Manager

Scott Windrow, Chair
Planning and Zoning Commission