

**Minutes
City of Carrollton
Planning & Zoning Commission
November 5, 2015**

A meeting of the City of Carrollton Planning & Zoning Commission was held on November 5, 2015 at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commission Members Present:

Barbara McAninch, Chair
Chad Averett, Vice Chair
Mark Nesbit, 1st Vice Chair
Larry Kiser
Mel Chadwick
Garry Kraus
Kimberly Daniel-Nix
Sunil Sundaran

Commission Members Absent:

Tony Romo II

Staff Members Present:

Christopher Barton, Chief Planner
Susan Keller, Asst. City Attorney
Tom Hammons, Transportation Eng. Div. Mgr.
Scott Tittle, Fire Dept. Battalion Chief
Lydia Tormos, Admin Support Specialist

Michael McCauley, Senior Planner
Ravi Shah, Director of Development Services
Chris Bohem, Dev. Services Planner
Lorri Dennis, Arborist

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

DINNER AND BRIEFING SESSION: 5:45 PM: The dinner and briefing session is held in the City Council Briefing Room, behind the City Council Chambers. No public testimony will be allowed at the briefing.

CALL MEETING TO ORDER: Chair McAninch called the meeting to order at 7:00 p.m.

1. **MINUTES:** Approval of the minutes of the **October 1, 2015** meeting.

* *Chadwick moved approval of the minutes with the change made in the worksession; second by Nesbit and the motion was approved with a unanimous 8-0 vote (Romo absent).*

INDIVIDUAL CONSIDERATION:

2. Consider And Act On A **Final Plat For Marsh/Marsh Ridge Addition, Phase 2**, For An Approximately 5-Acre Tract Located On The Southeast Corner Of Hebron Parkway And Marsh Ridge Road And Zoned PD-202 For The (O-2) Office District. **Case No. 11-15FP1 Extra Space Self Storage**. Case Coordinator: Michael McCauley.

McCauley presented the request and advised that there was no right-of-way to be dedicated. Staff recommended approval with stipulations.

Jim Dewey, JNJR Engineers, advised the zoning had been approved earlier in the year and the request was for approval of the one lot plat. He stated they had no issues with the stipulations recommended by Staff.

- * *Averett moved approval of Case No. 11-15FP1 Extra Space Self Storage with staff stipulations; second by Daniel-Nix and the motion was approved with a unanimous 8-0 vote (Romo absent).*

3. Consider And Take Final Action On A **Technical Site Plan For A Drive-Through Window For A Bank** For An Approximately 0.9-Acre Tract Located In The Vicinity Of The Southwest Corner Of Trinity Mills Road And Old Denton Road And Zoned PD-18 For The (HC) Heavy Commercial District. **Case No. 11-15TSP1 Carrollton Town Center Bank**. Case Coordinator: Michael McCauley.

McCauley presented the request and stated that staff recommended approval with stipulations.

Brandon Middleton, Kimberly Horn Associates, stated they received the staff report and had no objections to the stipulations.

Nesbit expressed concerns that the new concrete drive would only be 15 feet wide and would abut an existing asphalt driveway. Mr. Middleton agreed that was not a good construction practice, but the existing driveway was on an adjacent lot. They would work with that property owner concerning this when development begins on that site in the future.

- * *Daniel-Nix moved approval of Case No. 11-15TSP1 Carrollton Town Center Bank with staff stipulations; second by Kiser and the motion was approved with an 8-0 vote (Romo absent).*

4. Consider Final Action Approval For A **Technical Site Plan For A Limited Service Drive-Through Restaurant**. The Approximately 1-Acre Tract Is Located At The Southwest Corner Of E. Trinity Mills Road And Marsh Lane And Is Zoned For The (LR-2) Local Retail District. **Case No. 11-15TSP2 Golden Chick Trinity Mills/College Park Joint Ventures LLC**. Case Coordinator: Christopher Barton.

Barton presented the request and stated staff recommended approval with one stipulation.

Saad Bairuty, 1101 Sam Houston Court, Irving, stated they understood what they needed to do and were in agreement with the stipulation.

- * *Sundaran moved approval of Case No. 11-15TSP2 Golden Chick Trinity Mills with staff stipulations; second by Daniel-Nix and the motion was approved with a unanimous 8-0 vote (Romo absent).*

5. Consider And Take Final Action On A **Technical Site Plan For A Multi-Tenant Building** On An Approximately 0.75-Acre Tract Located In The Vicinity Of The Northwest

Corner Of Trinity Mills Road And Old Denton Road And Zoned PD-45 For The (LR-2) Local Retail District. **Case No. 11-15TSP3 2625 Old Denton.** Case Coordinator: Michael McCauley.

McCauley presented the request and recommended approval with stipulations.

Samuel Kim, 11393 Harry Hines Blvd., Dallas, K&P Properties, stated he understood the stipulations and had no objections.

Nesbit voiced a desire for additional architectural detail on the right side of the building and suggested some of the details on the front of the building could be added to the side. Mr. Kim advised that while it was hard to see on the exhibit, there was some detail around the building such as was visible on the north side.

Daniel-Nix asked if the column would be raised on the outside of the building and Mr. Kim replied affirmatively noting it would also have a varying brick pattern so the side would not be flat. Daniel-Nix voiced the need for the side of the building to have similar architectural interest as the front.

Kiser asked about a drive-through and Mr. Kim stated there would not be a drive-through.

- * *Nesbit moved approval of Case No. 11-15TSP3 2625 Old Denton with staff stipulations and with an additional stipulation that the north elevation include some architectural detail that mirrors the east side with some additional stucco look and perhaps an awning over the glass windows; second by Daniel-Nix.* Kiser clarified that the front elevation needed to wrap the corner similar to what was done on the other side. *The motion was approved with a unanimous 8-0 vote (Romo absent).*

PUBLIC HEARING:

6. Consider and Act On A **Replat For Francis Perry Addition, No. 4.** The Approximately 0.6-Acre Tract Is Located On The South Side Of Francis Street between Maryland Avenue And Larner Road And Is Zoned For The (SF-12/20) Single Family Residential District. **Case No. 11-15RP1 1608 Francis St./Clyde & Bobby Warner.** Case Coordinator: Christopher Barton.

Barton presented the request to combine two lots into one lot, so the home currently straddling the two property lines would be in conformity.

Clyde Warner, property owner of 1608 Francis Street, requested approval.

Chair McAninch opened the public hearing and invited speakers to the podium. She announced that State law requires the Commission to approve the replat if it satisfies the applicable regulations and noted that staff reported that the request does meet the regulations. There being no speakers, she closed the public hearing and opened the floor for discussion or a motion.

- * *Kiser moved to close the public hearing and approve the replat for Francis Perry Addition, No. 4, Case No. 11-15RP1 1608 Francis St;*

second by Chadwick and the motion was approved with a unanimous 8-0 vote (Romo absent).

7. Public Hearing To Consider And Act On An Ordinance To Amend the Zoning And **Amend A Special Use Permit For A Used Car Dealership To Allow Outdoor Display** With Special Conditions On An Approximately 1.5-Acre Tract Located At 3228 And 3232 West Skylane Drive; Amending Accordingly The Official Zoning Map. **Case No. 10-15SUP1 Dallas Autos Direct**. Case Coordinator: Christopher Barton.

Barton stated the case was a request to expand the business to the east. He advised that staff requests trees be planted along Skylane Drive to bring the landscape buffer into better compliance with current landscaping requirements. He noted that the applicant offered to have the existing expiration date on the SUP remain the same. Staff recommended approval with stipulations.

Hadi Bayatneh, Dallas Auto Direct, stated after speaking directly with Mr. Barton, he had a better understanding of the stipulations and felt they could move forward with installing the trees. He requested something in writing that he could give to the landlord to show that the stipulations regarding lighting are a compliance issue with the building regardless of whoever the tenant would be. Barton explained that there was a new ordinance requiring that by the end of 2017, all exterior lighting sources will have to come into compliance with the new glare standard.

Nesbit asked if the stipulation meant it must be done or the City was suggesting it be done. Barton explained that the glare ordinance requires all exterior lighting in the City of Carrollton must meet the new standards by the end of 2017. This stipulation would require the lighting to meet the standard now rather than December 31, 2017 which means the lighting standard would have to be in order for the applicant to receive the Certification of Occupancy.

Chair McAninch opened the public hearing and invited speakers to the podium; there being no speakers she offered the applicant an opportunity for closing remarks and the applicant had none. Chair McAninch closed the public hearing.

Chair McAninch voiced her opposition to all outdoor car sales particularly in her area of the city.

** Nesbit moved approval of Case No. 10-15SUP1 Dallas Autos Direct with the stipulations shown; second by Kiser and the motion was approved with a 6-2 vote (McAninch and Sundaran opposed, Romo absent).*

8. Public Hearing To Consider And Act On An Ordinance To Amend the Zoning And **Establish A Special Use Permit For A New Car And Used Car Dealership** With Special Conditions On An Approximately 4.3-Acre Tract Located At 1735 South IH-35E; Amending Accordingly The Official Zoning Map. **Case No. 11-15SUP1 Five Star Chevrolet**. Case Coordinator: Christopher Barton.

Barton presented the request noting that the applicant moved the required amount of landscaping from the interior of the site to the periphery. Staff recommended approval with the stipulations listed in the case report.

Kyla Vrla, Dynamic Engineering Consultants, stated they are in agreement with all of the stipulations in the packet and would be happy to answer questions, but did not have a formal presentation.

Chair McAninch asked for an explanation about the façade. Mr. Vrla stated that the proposed elevation and façade reflected the look that Chevrolet prefers for its dealerships to have. While it will not be the standard brick and stone facility, he felt it will be a great improvement over the previous site condition. McAninch asked about parking and Mr. Vrla replied that the double stacked parking was for inventory storage and they had worked with staff to maximize the parking. He referred to the additional landscaping they would provide.

Kiser asked about the type of material on the façade and Mr. Vrla stated it would be either EFIS or Stucco and glass with aluminum on the front structure. Kiser suggested protecting the lower parts of the building with stone. Mr. Vrla replied that the front of the building would be protected by curbs, landscaping and display areas and the remainder of the building was the service area where there would be bollards around each entrance to protect the corners of the building.

Chair McAninch opened the public hearing and invited speakers to the podium; there being no speakers she offered the applicant an opportunity for closing remarks. Mr. Vrla stated he appreciated the consideration for the SUP. Chair McAninch closed the public hearing.

- * *Kiser moved approval of Case No. 11-15SUP1 Five Star Chevrolet to establish a Special Use Permit for a New and Used Car Dealership with stipulations; second by Chadwick and the motion was approved with a unanimous 8-0 vote (Romo absent).*

9. Public Hearing To Consider And Act On An Ordinance To Change The Zoning Of An Approximately 6.8 Tract Located At 1529 E. Hebron Parkway From (SF-7/14) Single-Family Residential District To (O-1) Office District; Amending Accordingly The Official Zoning Map. Case No. 11-15Z1 Carrollton Church Of The Nazarene. Case Coordinator: Michael McCauley.

McCauley presented the request to change the base zoning from single family to light office. He explained that a change to the base zoning does not require proposed landscape plans or building design. Staff recommended approval without stipulations. He stated that light office or O-1 District was consistent with the Comprehensive Land Use designation that was already on the property. He advised that staff received one comment card from a property owner within 200 feet of the site in opposition to the request.

Greg Ledbetter, Pastor of the Carrollton Church of the Nazarene, was present but did not have a formal presentation.

Nesbit noted that the narrative mentioned that the Church would be interested in some future housing for seniors and/or international students and asked if that use would fit in the O-1 zoning. McCauley replied that it would be allowed.

Daniel-Nix asked for further clarification. Pastor Ledbetter explained that the previous developers were interested in senior housing but found that the market was now saturated with that use but the Church was still interested in the possibility of housing international students associated with an academy.

Chair McAninch opened the public hearing and invited speakers to the podium.

The following individuals spoke in opposition to the request:

Gary Stephenson, 4212 Arbor Lane; Michael Genette, 4204 Arbor Lane; Michael Soter, 4200 Arbor Lane.

McAninch asked the applicant if there was a planned use yet. Pastor Ledbetter stated there were three different investors looking at the property to develop it into a similar to the Sonoma House senior living, but more of a dormitory level for exchange students for an academy up to 60 students.

Nesbit asked if the academy would be a supplemental building or if the church facility would be sold. Pastor Ledbetter stated if someone was interested in the 2.5 acres across the back of the church, they would replat the property in order to sell that separate from the church. He stated they were not considering selling the whole property and relocating the church. Nesbit asked staff if the proposed use as described by the pastor could be done under the current single family district and McCauley replied that it could not but it could be under the O-1 district designation. He added that the O-1 District was limited to single-story buildings.

Sundaran asked if the potential academy would be affiliated with the church and Pastor Ledbetter replied that they were working with Carrollton Christian Academy whose future plans included sponsoring international students. He stated it wouldn't be affiliated with the Nazarene Church other than some of the School Board leaders on the CCA are Board members for the Nazarene Church.

There being no other speakers, Chair McAninch closed the public hearing.

** Averett moved to close the public hearing and approve Case No. 11-15Z1 Carrollton Church of the Nazarene; second by Kraus and the motion was approved with a 5-3 vote (McAninch, Daniel-Nix and Chadwick opposed, Romo absent).*

10. Public Hearing To Consider And Act On An Ordinance To Amend The Zoning Of PD-158 For The (CC) Corporate Commercial District To Allow A Private School; Amending Accordingly The Official Zoning Map. The Approximately 3.1-Acre Is Located At The Northwest Corner Of Plano Parkway and Charles Street. Case No. 11-15Z3 Guthrie School. Case Coordinator: Christopher Barton.

Barton presented the request and advised that the applicant has asked that the request be put on hold for 30 days. Staff recommended that the Commission open the public hearing, hear any speakers and continue the case to the December 3, 2015 meeting.

Chair McAninch opened the public hearing and invited speakers to the podium and there were no speakers.

- * *Daniel-Nix moved to keep the public hearing open and continue Case No. 11-15Z3 Guthrie School to the December 3, 2015 meeting, second by Chadwick and the motion was approved with a unanimous 8-0 vote (Romo absent).*

11. Public Hearing To Consider And Act On An Ordinance To **Amend The Zoning Of PD-63 For The (LR-2) Local Retail District To Allow Additional Outdoor Display**; Amending Accordingly The Official Zoning Map. The Approximately 10.9-Acre Is Located At The Southeast Corner Of Old Denton Road and Frankford Road And Is Currently Zoned PD-63 For The (LR-2) Local Retail District. **Case No. 11-15Z4 Ace Hardware Outdoor Display**. Case Coordinator: Christopher Barton.

Barton presented the case. Ace Hardware Store wants to move into the vacant space next to the Aldi Grocery Store on Frankford Road and Old Denton with outdoor display. He advised that the hardware store was allowed by right but the outdoor display was not. He said that the applicant has requested the case be continued to allow additional time to provide revised drawings and documents to staff. Staff recommended the Commission open the public hearing, hear any speakers and continue the case to the December 3, 2015 meeting.

Chair McAninch opened the public hearing and invited speakers to the podium; there were no speakers.

- * *Chadwick moved to continue Case No. 11-15Z4 Ace Hardware Outdoor Display to the December 3, 2015 meeting; second by Nesbit and the motion was approved with a unanimous 8-0 vote (Romo absent).*

12. Public Hearing To Consider And Act On A Resolution For An **Amendment To The Comprehensive Plan** And The Future Land Use Map To Change An Approximately 94.4-Acre Site Located On The East Side Of Old Denton Road North Of Indian Creek From Industrial Uses To Single-Family Residential Detached Uses. **Case No. 11-15MD1 Singer Ranch (comp plan)**/Bright Realty, LLC. Case Coordinator: Christopher Barton.

13. Hold A Public Hearing And Consider An Ordinance To **Establish A New Planned Development District For The (SF-5/12) Single Family Residential District** On An Approximately 94.4-Acre Tract Of Land Located On The East Side Of Old Denton Road North Of Indian Creek; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned For The (LI) Light Industrial District. **Case No. 11-15Z2 Singer Ranch**/Bright Realty, LLC. Case Coordinator: Christopher Barton.

Chair McAninch advised that Items 12 & 13 were companion items and would be heard simultaneously but would have separate action.

Barton stated Item 12 would amend the Comprehensive Plan which staff recommended approval of the change from industrial uses to single family uses. He explained that Item 13 involved the actual zoning designation for a proposed single family residential subdivision. He stated that it

was a complicated case because the applicant was requesting variations to the base zoning and development standards. Also while the land is located in Carrollton it would be an additional phase of Castle Hills, which is not in Carrollton.

Aaron Ketchand, VP of Development at Bright Realty, 2520 King Arthur Blvd., Lewisville, distributed a hard copy of the presentation to the Commission. He felt the highest and best use for the land was single family and noted that the property was surrounded by single family use. Entries into the development will be from Josey, Highway 121, Old Denton, FM 544 and Hebron Parkway. Bright Realty intends to develop approximately 314 single-family residential lots with homes ranging from \$375,000 to \$550,000 and expected build-out in approximately three years.

Ketchand talked about the amenities provided in Castle Hills and about the concept plan for the Singer property. He stated that the street profile, density and the product mix matches multiple phases in Castle Hills which has proven to be quite successful. He provided photographs of homes currently in Phase 8 of Castle Hills that would be offered in the proposed plan. He also provided some renderings of proposed product elevations.

He reviewed the Old Denton right-of-way exhibit pointing out that the current right-of-way for Old Denton Road was in excess of 15 feet but to the north it was a little short of the 15 feet to line up with the homes in Castle Hills Phases 4 and 5. He further stated that they would be trying to reclaim some of the topography and there would be retaining walls within the community.

Ketchand advised that a flood study was underway and may be adjusting the rear lot line depending on the flood study. He stated they were very comfortable with the concept plan saying it was very close to what they would like to do.

With regard to the width of the streets, he stated it was a little bit of a wider profile, but they desired to have a parkway with trees and the streetscape is intentionally designed for that. He stated there was no amenity center in the proposed phase but all residents within the Castle Hills HOA have access to all amenities.

Chris Bright, Bright Realty, stated the HOA strictly enforces homeowners to maintain their areas. He talked about the general concept and character of Castle Hills as a whole and that it was important for Carrollton to know they were not choosing designs just to increase density.

Nesbit voiced his appreciation for the architectural controls and the strict way that Castle Hills is adhering to the architectural designs. He asked about the 75% lot coverage on the 41 foot lots. Mr. Bright stated that in general, they don't cover that much of the lots and many of the design guidelines have coverage limits that are less than the actual zoning ordinance. He stated they try to focus on managing the front yard setback. He noted that the front yard setback is dependent on a variety of factors such as if there is a front porch or if it is a one or two-story home. He underscored that they want this property to feel like the rest of Castle Hills but still meet Carrollton's regulations.

With regard to the garage doors, Nesbit asked if they allow glass windows and Mr. Bright replied that he did not know but advised that the design guideline requires decorative wood garage doors.

Nesbit noted the amount of front entry garages in the proposed development stating he would prefer the homes have an alley but also realizes that the Commission has recently approved front entry developments. He stated he likes that Castle Hills tries to offset the front elevations to a certain extent noting his concern with the proposed 11 foot setback. He voiced a concern with windows on front entry garage doors and suggested a stipulation to prohibit it. Mr. Bright stated he would not have an issue with such a stipulation.

Kraus stated he drove through Phase 8 and thought the product offered was great but had concern about the grading of the property and the effect it can have on the overall appearance to the addition. Mr. Bright stated that the grades were part of what they try to save because he feels it adds more interest. He stated it would increase the cost to the builder and developer but it increases the natural beauty of the site.

Chair McAninch opened the public hearing and invited speakers to the podium; there were no speakers.

McAninch asked about why they were not adding a landscape buffer along Old Denton Road. Mr. Bright explained that it made a more seamlessly transition into Castle Hills. He acknowledged that the lots that back up to Old Denton would be harder to sell because of the noise issue regardless of the easement but that the walls and the landscaping would act as sound barriers. They said they would be open to doing some landscaping along Old Denton if required.

McAninch advised that the Council has denied another request with an easement less than 15 feet. She also noted the lack of alleys and Mr. Bright explained their intent is to encourage activity in the front of the house but understand the need for some privacy in back yard spaces.

McAninch asked if he could require 50 foot lots rather than 41 foot. Mr. Bright replied that they want the diversity it brings. He stated that none of the 41 foot lots will have three-car garages. With regard to lot coverage, Mr. Ketchand explained some of the 41 foot lots were odd shaped, thus the desire to have some flexibility but the vast majority of the lots would be at 55% coverage or below. Mr. Bright stated he would be open to looking at variances for those specific lots if necessary. With regard to the radius point for driveways, Ketchand referred to an exhibit addressing the four spots that needed the provision based on the conceptual plan.

Mr. Bright also noted that the parks in Castle Hills are open to the public. With regard to existing trees on the site, he didn't think they would be able to be saved due to the amount of grading that would be required on the site.

Kiser asked the applicant if he would consider eliminating Items No. 17 and 18 from their list of requested alternatives to the Subdivision Ordinance with regard to the accessory buildings. Mr. Bright replied yes and that if they needed something specific for a specific lot, they would be willing to address it with it with a variance.

In closing, Mr. Bright requested the Commission's support and stated they were looking forward to being a part of Carrollton and Carrollton's future.

Chair McAninch closed the public hearing and opened the floor for discussion or action. No one spoke.

- * *Daniel-Nix moved to close the public hearing and approve the amendment to the Comprehensive Plan for Case No. 11-15MD1 Singer Ranch; second by Kraus and the motion was approved with a unanimous 8-0 vote (Romo absent).*

Nesbit voiced concern about the lack of landscape buffer on the street, suggesting 65% minimum lot coverage rather than 75%; require an 11 foot minimum front yard setback, eliminate the four foot encroachment language; prohibit windows on the garage doors and delete requested Items Nos. 17 and 18.

Kiser made suggestions which could give a little more latitude as far as the landscaping along Old Denton Road. With regard to lot coverage, he stated he would prefer 60% and minimum of 10 foot on the right-to-way; and agreed with deleting requested Items Nos. 17 and 18.

Chadwick voiced his agreement with Nesbit with regard to the buffer zone and with Kiser regarding 60% lot coverage.

- * *Nesbit moved approval of Case No. 11-15Z2 Singer Ranch with the amendments listed with some changes; Item 2 – landscape buffer along Old Denton Road would be a minimal of at least 10 feet from back of curb along the entirety of the property that fronts Old Denton Road; Item 7 – maximum coverage for single family detached lots shall be 60% of the lot area; Item 12 – the minimum front yard setback for single family lot shall be 11 feet, delete the remaining language and not allow any encroachment beyond that or closer than that; Item 16 – all garage doors shall be decorative wood panel doors as conceptually shown on the photos and would exclude any glass windows; requested Items Nos. 17 and 18 which involve accessory buildings be deleted entirely; second by Averett.*

Ravi Shah asked for clarification and Nesbit stated the 60% coverage was only for the main building and the prohibition of accessory buildings was referring to such items as granny flats and not outdoor sheds.

The motion was approved with a unanimous 7-1 vote (Chadwick opposed, Romo absent).

Chair McAninch called a brief recess and reconvened the meeting at 10:05 pm.

14. Public Hearing To Consider And Act On An **Ordinance That Amends The Text of Various Sections Of The Zoning Ordinance** To Amend, Add or Delete Use Categories And To Improve The General Organization Of The Amended Sections, And To Make Amendments to Parking Requirements. The Sections To Be Amended Are Article V *Use of Land and Structures*, Article XXIV *Off-Street Parking* And Article XXXIV *Definitions*. **Case No 09-015ZT1 CZO Text Changes**/City Of Carrollton. Case Coordinator: Christopher Barton.

Barton stated this was a continuation from previous meeting and referred to the changes since the last discussion. He recommended approval of the changes. Discussion was held with regard to the requirement for an 18-wheeler dock bay. Barton stated the staff’s proposal was not to require it, but not to prohibit it either.

Chair McAninch noted that the public hearing was still open and invited speakers to the podium; there were no speakers. Chair McAninch closed the public hearing.

* *Chadwick moved to approve Case No 09-015ZT1 CZO Text Changes as presented; second by Averett and the motion was approved with a unanimous 8-0 vote (Romo absent).*

OTHER BUSINESS:

- a. **Legal Update on 84th Legislative Session** – Susan Keller noted ethics rules changes that affect local government officers regarding new disclosure requirements.
- b. **Staff reports** - None

ADJOURNMENT

Chair McAninch adjourned the meeting at 10:24 p.m.

Christopher Barton,
Chief Planner

Barbara McAninch, Chair
Planning and Zoning Commission