Minutes City of Carrollton Planning & Zoning Commission October 18, 2012

A meeting of the City of Carrollton Planning & Zoning Commission was held on October 18, 2012 at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commission Members Present:

Commission Members Absent: Rick Pfeil, Chair Lisa Loreto

David Halloin
Jerry Sylo, Vice Chair
Glen Blanscet
Barbara McAninch
Jack Stotz
Mark Nesbit
Kimberly Daniel-Nix

Staff Members Present:

Regina Edwards, 1st Asst. City Attorney Brett L. King, Building Official Christopher Barton, Chief Planner Mike McCauley, Senior Planner Tom Hammons, Transportation Eng. Div. Mgr. Lorri Dennis, Arborist Lydia Tormos, Admin. Support

(Note: * = designation of a motion)

CALL MEETING TO ORDER: 7:17 p.m.

- **MINUTES: Approval of Planning & Zoning Commission Minutes:** September 6, 2012 meeting.
 - * Motion made by McAninch, second by Daniel-Nix to approve the September 6 meeting minutes with a correction, passed 7-0 (Pfeil, Loreto absent).

Sylo expressed condolences to Mrs. Sylvia Gravley on the recent death of husband, former Mayor, Milburn Gravley.

CONSENT AGENDA

2. Consider final action approval of a replat for **Harmony School Addition**. The approximately 9.42-acre site is located on the north side of Rosemeade Parkway west of Old Denton Road and is zoned PD-39 for the (LR-2) Local Retail District with SUP 261 for a day care center. Case No. 10-12RP1 Harmony School/Claymoore Engineering. Case Coordinator: Michael McCauley.

- 3. Consider final action approval of a replat for **Harmony School, Part 2**. The approximately 3.373-acre site is located on the west side of Old Denton Road, south of Seminole Trail and is zoned PD-39 for the (LR-2) Local Retail District. Case No. 10-12RP2 Carrollton West Pet Hospital/Claymoore Engineering. Case Coordinator: Michael McCauley.
- 4. Consider final action approval of a replat for **Frankford/Old Denton Part 2**. The approximately 2.491-acre site is located on the south side of Frankford Road east of Old Denton Road and is zoned PD-63 for the (LR-2) Local Retail District. Case No. 10-12RP3 Taco Bell/Kimley-Horn & Associates. Case Coordinator: Michael McCauley.

McAninch requested that Item 4 (10-12RP3) be pulled from the Consent Agenda to be considered individually due to a conflict of interest by Halloin.

* Motion made by Nesbit, second by Stotz to approve Consent Agenda Items 2 and 3 (10-12RP1 and 10-12RP2) as submitted, passed 7-0 (Pfeil, Loreto absent).

Halloin left the dais.

* Motion made by Daniel-Nix, second by Blanscet to approve Consent Agenda Item 4 (10-12RP3) with staff stipulations, passed 6-0 (Halloin abstaining from vote, Pfeil, Loreto absent).

Halloin returned to the dais.

PUBLIC HEARINGS

Flan for Great Lakes Management. The 2.02-acre site is located on the west side of Broadway Street, near the intersection of Donald Avenue, south of Whitlock Lane, is zoned for the (FWY) Freeway District and in the (I-35E) Interstate Overlay District and is zoned (FWY) Freeway District. Case No. 09-12TSP1 Great Lakes Management/The Bousquet Group, Inc. Case Coordinator: Lorri Dennis.

Sylo presented the case and asked if there was an applicant present.

Travis J. Bousquet, 501 S. Carroll Blvd, Suite 201, Denton, TX, was present and stated he had seen the staff stipulations and was in agreement with them.

Nesbit recommended amending staff stipulation No. 1 concerning the curb at the landscaped island from being a roll up curb to a standard six-inch curb, as per the GDS.

Bousquet said he was in agreement with the change.

Sylo opened the meeting for public comment. No one spoke.

Nesbit stated that Note No. 6 was missing from the plat and asked as a stipulation that it be re-added.

Blanscet said that the applicant had wanted the tree mitigation to be satisfied by planting trees at a location other than their site, but staff had expressed the desire to have the applicant to pay into the tree mitigation fund instead. Blanscet asked if the applicant was in agreement with this.

Bousquet said he was in agreement and would work with the city arborist.

Sylo wanted to be sure the applicant was aware he would have to remove some of the concrete for the landscape island and bring irrigation to it.

Bousquet agreed to that.

- * Motion made by Blanscet, second by Nesbit to close the public hearing and approve 09-12TSP1 with staff stipulations, including the additional requirement to replace Note 6 to the plat, and the rollover curb be replaced with a standard six-inch curb, passed 7-0 (Pfeil, Loreto absent).
- 6. Hold a public hearing and consider approval of Amendments to the Future Land Use Map of the Comprehensive Plan. The request is to change the future land use designation from Low Intensity Office to Single Family Detached. The approximately 7.79-acre site is located at the northwest corner of Marsh Lane and Running Duke Drive and is zoned PD-80 for the (O-2) Office District. Case No. 10-12MD1 Marsh at Running Duke (comp plan)/WPC Acquisition. Case Coordinator: Christopher Barton.

Sylo presented the case and stated that there is a companion case that he would open for discussion at the same time.

7. Hold a public hearing and consider approval of Amendments to PD-80 for the (O-2) Office District, changing the base zoning to the (SF-5/12) Single-Family Residential District with modified development standards. The approximately 7.7807-acre site is located at the northwest corner of Marsh Lane and Running Duke Drive and currently is zoned PD-80 for the (O-2) Office District. Case No. 10-12Z1 Villas of Wellington/WPC Acquisition. Case Coordinator: Christopher Barton.

Sylo asked if there was an applicant present.

Chaz Fitzgerald, 4131 N. Central Expressway, Dallas, TX, was present. He presented a revised fence diagram to the Commissioners. He stated their plan was to put up a solid wood fence with brick columns along the northern boundary of the property, with a brick wall along the public streets. He said they had held a meeting with the neighboring home owners and had received eight letters of support from them.

Fitzgerald described the garage canopies, the size of the homes and gave more information concerning the fencing.

McAninch asked about the landscape buffer along Marsh Lane.

Fitzgerald said the beds will be irrigated, and the trees would have drip irrigation. It will be the responsibility of the Home Owners Association (HOA) to maintain the landscaping.

Sylo asked staff what the intent was for prohibiting garage awnings.

Barton stated that they wanted to prevent an after market installation of carports. He would not be opposed to removing the "garage awning" wording and believed the prohibition of "carports" would be sufficient to meet their intent.

Sylo confirmed that the applicant had received a copy of the revised staff stipulations that the Commissioners had received in the pre-meeting.

Fitzgerald stated he had received them, was in agreement with them but was asking for the following changes:

- Stipulation 3F: Minimum setback to be changed from 15 feet to 12 feet, with a 20 foot minimum setback for the garages
- Stipulation 3M: Remove the "garage awning" wording
- Stipulation 3N: After the phrase "Running Duke" delete the rest of the sentence and insert the wording "a 6 foot solid wooden fence running along the power lines with brick columns as per the exhibit"
- Stipulation 3O: Change the maximum 50% of the buffer area that may be landscaped with turf grass to 70%

Sylo opened the meeting to the public for comments.

Dave Rogers, 2307 Bristol Dr., Carrollton, TX, spoke in favor of the case. He did express concern that there was a possibility that the homes could be three stories high.

Randy Graves, 2400 Jester Pl., Carrollton, TX, member of the HOA of Estates of Wellington Run, stated that the HOA has written a letter in support of the case.

Sylo stated there were four other property owners who did not wish to speak but wanted to show their support for the case.

No further comments were made from the public.

McAninch asked what the maximum height could be for the homes.

Barton stated that 36 feet measured at the mid-point of the sloped roof, or two stories, is the maximum.

- * Motion made by Stotz, second by Blanscet to close the public hearing and approve case 10-12MD1 with staff stipulations, passed 7-0 (Pfeil, Loreto absent).
- * Motion made by Stotz, second by Nesbit to close the public hearing and approve case 10-12Z1 with staff stipulations, including the following changes:
 - Stipulation 3F: Minimum setback to be changed from 15 feet to 12 feet, with a 20 foot minimum setback for the garages
 - Stipulation 3M: Remove the "garage awning" wording
 - Stipulation 3N: After the phrase "Running Duke" delete the rest of the sentence and insert the wording "a 6 foot solid wooden fence running along the power lines with brick columns as per the exhibit"
 - Stipulation 30: Change the maximum 50% of the buffer area that may be landscaped with turf grass to 70%

Passed 7-0 (Pfeil, Loreto absent).

8. Hold a public hearing and consider approval of an Amendment to PD-43 for the (LR-2) Local Retail District changing a conceptual site plan. The approximately 2.3-acre site is located on the west side of Marsh Lane approximately 600 feet south of Hebron Parkway and is currently zoned PD-43 for the (LR-2) Local Retail District with modified development standards. Case No. 10-12Z2 PD-43 Amendment/Marsh Partners Ltd. Case Coordinator: Michael McCauley.

Sylo presented the case and stated that there is a companion case that he would open for discussion at the same time.

9. Hold a public hearing and consider approval of a **Special Use Permit to allow for an assisted living center and/or nursing home**. The approximately 2.3-acre site is located on the west side of marsh Lane approximately 600 feet south of Hebron Parkway and is currently zoned PD-43 for the (LR-2) Local Retail District with modified development standards. Case No. 10-12SUP1 Marsh Lane Nursing Home/Marsh Partners Ltd. Case Coordinator: Michael McCauley.

Sylo asked if there was an applicant present.

David Krukiel, applicant and developer, 1625 N. Stemmons Freeway, Dallas, TX, stepped forward. He stated that each facility would have 16 bedrooms (units) with each having a bathroom and closet. Some units will be single occupant while others will be double. There will be 27 residents or 27 beds within the 16 bedrooms, resulting in 32

bedrooms and 54 residents between the two facilities. Their original request was for 25 beds in each facility, now they are asking for 27. There will be no need to increase the parking since they are providing more than the required amount.

McAninch inquired as to the kind of facility it would be.

Krukiel said it would be a non-medical facility specializing in memory-care patients. Some will be mobile, but all would require help evacuating the building in a case of emergency.

Sylo opened the meeting for public discussion. No one came forward. He said there was one card in support of the case.

A discussion followed on the parking allocation. It was shown they had more parking than is actually required by CZO.

James Prebe, 1625 N. Stemmons Freeway, Dallas, TX, stated they have never had a problem with parking at any of their other facilities.

Nesbit inquired about the driveway and the need to share it with the other property owner.

Hammons said there was a need to clarify if there was an access agreement in place.

Krukiel said there is a local access agreement in place. No further action was needed.

- * Motion made by Stotz, second by Blanscet to close the public hearing and approve case 10-12Z2 with staff stipulations, passed 7-0 (Pfeil, Loreto absent).
- * Motion made by Daniel-Nix, second by Halloin to close the public hearing and approve case 10-12SUP1 with staff stipulations, including increasing the number of beds to 27, passed 7-0 (Pfeil, Loreto absent).
- 10. Hold a public hearing and consider approval of a **Special Use Permit to allow for a multi-family residential development**. The approximately 4.758-acre tract is located on the north side of Frankford Road between Commodore Drive and Trade Center Drive and is currently zoned PD-188 for the (TC) Transit Center District, Urban General Sub-District. Case NO. 10-12SUP2 Lakeview Pointe/E.S. Frankfurt Management, Inc. Case Coordinator: Christopher Barton

Sylo presented the case and asked if there was an applicant present.

Eric Frankfurt, 5950 Sherry Lane, Suite 205, Dallas, TX, developer of the property spoke. He described the apartments and the upgraded features. Stotz asked if the patios would be usable, and Fitzgerald said they would be.

Sylo said that the developer had mentioned that the carports' support beams would be wrapped. He asked if he would be in agreement with an added stipulation that the material used would be architecturally compatible to the buildings.

Frankfurt stated that was his intention.

Sylo opened the meeting for public discussion. There were no comments.

* Motion made by McAninch, second by Stotz to close the public hearing and approve case 10-12SUP2 with staff stipulations, including the need to wrap the carport support beams in a material compatible to the primary buildings, passed 7-0 (Pfeil, Loreto absent).

OTHER BUSINESS:

a. **Staff Reports**

Barton updated the Commissioners on a couple of projects that had recently appeared before them:

- Condos at 1100 W. Trinity Mills Rd. are now in plan review and should bring a replat before the commission soon
- High Country Assisted Living on 2020 E. Hebron Pkwy. is also in plan review and the old building has been demolished

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.