

**Minutes  
City of Carrollton  
Planning & Zoning Commission  
August 1, 2013**

A meeting of the City of Carrollton Planning & Zoning Commission was held on August 1, 2013 at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

**Commission Members Present:**

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

**Commission Members Absent:**

None

**Staff Members Present:**

Regina Edwards, 1<sup>st</sup> Asst. City Attorney  
Christopher Barton, Chief Planner  
Tom Hammons, Transportation Eng. Div. Mgr.  
Lydia Tormos, Admin. Support

Brett King, Building Official  
Mike McCauley, Senior Planner  
Lorrie Dennis, Arborist

**Council Members Present:**

Terry Simons

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

**CALL MEETING TO ORDER: 7:00 PM**

1. **MINUTES:** Approval of the minutes of **July 18, 2013 meeting.**

*\* McAninch moved approval of the minutes as corrected in worksession;  
second by Sylo and the motion was approved with a unanimous 8-0 vote.*

**INDIVIDUAL CONSIDERATION**

2. Consider final action approval for a **Replat for Beltwood Springs, Phase 4**. The approximately 16.5-acre tract is located in the vicinity of the northwest corner of Keller Springs and Midway Roads and is zoned PD-186 for the (MF-18) Multi-Family Residential District and (LR-1) Local Retail District. **Case No. 08-13RP1 Keller Springs Road/Greg Gerbig**. Case Coordinator: Michael McCauley.

Michael McCauley presented the case and recommended approval with staff stipulations.

Greg Gerbig, Pachelo Koch Consulting Engineers, applicant on behalf of developer, stated he received the staff stipulations and had no objections.

*\* Nesbit moved approval of Case No. 08-13RP1 Keller Springs Road with staff stipulations; second by Sylo and the motion was approved with a unanimous 8-0 vote.*

3. Consider final action approval for a **Technical Site Plan for a Public Charter School**. The approximately 9.821-acre tract is located at 2400 N. Josey Lane, between Trinity Mills Road (State Highway 190)/President George Bush Turnpike and Sunridge Drive and is zoned (SF-12/20) Single-Family Residential District and PD-3 for the (SF-12/20) Single-Family Residential Districts with SUPs 46 and 146 for a church exceeding maximum building height and day care center, respectively. **Case No. 08-13TSP1 Vista Academy Carrollton/First Baptist Church**. Case Coordinator: Michael McCauley.

Chair Pfeil noted that Commissioners Blanscet and Nesbit filed a Conflict of Interest statement and both stepped away from the dais.

Michael McCauley presented the case and recommended approval with staff stipulations.

Stephanie Scott, Campus Director, representing Responsible Education Solutions, stated that they stagger their start and stop times with Newman Smith High School, it would continue to be a K-5 and they would adhere to the 3:30 stipulation.

*\* Sylo moved approval of Case No. 08-13TSP1 Vista Academy Carrollton with staff stipulations; second by Stotz and the motion was approved with a unanimous 6-0 vote (Nesbit and Blanscet abstaining due to conflict of interest).*

4. Consider final action approval for a **Preliminary Plat for Mustang Park, Phase 7**. The approximately 22.07-acre tract is located on the south side of Plano Parkway, abutting the west side of the Burlington Northern & Santa Fe Railroad and is zoned PD-175 for the (SF-TH) Single-Family Townhouse District. **Case No. 06-13PP1 Mustang Park Phase 7/Dowdy Anderson & Associates**. Case Coordinator: Christopher Barton.

Chair Pfeil noted that Commissioners Blanscet and Nesbit returned to the dais.

Christopher Barton presented the case and recommended approval with staff stipulations.

Tracy Shannon Yoast, Dowdy Anderson & Associates, 5225 Village Creek Drive, Plano, stated they are familiar with the staff stipulations and had no objections. With regard to not extending the alley to the street, Ms. Yoast stated the intent was to provide a landscaped buffer to control flow through the alleys, but would agree to the extension if preferred. She also noted the open parking spaces available to residents and visitors.

*\* Sylo moved approval of Case No. 06-13PP1 Mustang Park Phase 7 with staff stipulations, plus the additional stipulation that the alley located south of Lot 28 and the alley located north of Lot 56 be extended to intersect the streets; second by Daniel-Nix. Chair Pfeil asked Sylo if he would amend his motion to include the staff note pertaining to the 86 lots fronting a “green” rather than a public street using the “existing conditions” finding for the reasons listed and Sylo replied affirmatively stating that his motion was intended to include it. Daniel-Nix seconded the amendment. The motion was approved with a unanimous 8-0 vote.*

**PUBLIC HEARINGS**

5. Hold a public hearing and consider an ordinance to rezone to **Repeal and Re-establish PD-193** to add a tract to said Planned Development for the (CC) Corporate Commercial District with modified development standards and to allow the additional uses of Manufacturing, Warehouse and Office Distribution Facility, Continuing Care Retirement Community (NAICS Code 623311) and/or Assisted Living Facilities for the Elderly (NAICS Code 623312); amending accordingly the Official Zoning Map. The approximately 11.86-acre tract is located on the south side of Parker Road (F.M. 544) opposite Sage Hill Drive and is currently unzoned. **Case No. 08-13Z1 Evergreen at Austin Waters/Churchill Senior Communities.** Case Coordinator: Christopher Barton.

Barton presented the case stating that the annexation is scheduled to be completed on September 17, 2013. The zoning case is being pursued simultaneously with the annexation process, so that the zoning case can be considered by City Council on the same night as their final action on the annexation. He noted that the applicant voiced concerns with the land use designation labels proposed by staff and would request a substitution.

Tony Sisk, Churchill Residential, developer of the proposed Evergreen Senior Living Community, advised that they met with the Board of the Austin Waters neighborhood on the subject site and stated the Board was supportive of the proposal. He also referred to a letter that was sent by the Austin Waters Board to the Asst. City Manager and County Commissioner expressing their support for the proposed development.

He explained that the architect used to design the facility is a specialist in senior housing and care facilities. The buildings are designed in a way that will not look like hospitals, institutional buildings or hotels and are in agreement with the 80% masonry requirement. From a tree standpoint, he noted that they try to reuse every tree possible and that tree preservation is very important. He assured the Commission that they design and build their facilities for long term use and encouraged them to visit their other locations.

Sisk said they preferred to not use the NAICS Code 623110 for several reasons. He said their buildings are not licensed buildings; therefore he could not get financing for the facility if the description requires it to be a licensed facility. He said they do not have a commercial kitchen since the units include a full kitchen. They will provide catered meals for special events. He stated the term “supervision” was too strong because this would not be an assisted living facility, it would be an independent senior living facility that caters to seniors. Also their policies and procedures describe senior living and not typical apartment housing. Sisk stated that the proposed language he provided to staff would include lease language that states that children cannot live at the facility.

He suggested the fair housing definition because it is the accepted national definition for senior housing. If the City did not like that definition, they would prefer the Code 623110 Home for the Elderly. Barton read the definition of NAICS Code 623312 Homes for the Elderly without nursing care and Mr. Sisk stated that code would be better than 623110 previously discussed. Mr. Sisk stated he was very nervous about using the NAICS codes because they have not used them in the past and the code descriptions were not the type of facility proposed. Chair Pfeil suggested continuing the request for more information and clarification.

Chair Pfeil opened the public hearing and invited speakers to address the Commission. There were no speakers.

*\* McAninch moved to continue the public hearing and to continue Case No. 08-13Z1 Evergreen at Austin Waters to the September 5 Planning & Zoning Commission meeting; second by Daniel-Nix and the motion was approved with a unanimous 8-0 vote.*

6. Hold a public hearing and consider an **Ordinance to Rezone to Repeal and Re-Establish a Special Use Permit for a Private School to increase its number of students from 75 to 150** with special conditions; amending accordingly the Official Zoning Map. The approximately 4-acre tract is located at 2030 Denton Drive and is zoned (SF-7/14) Single-Family Residential District with SUP 263 for a private school. **Case No. 08-13SUP1 The St. Anthony School/Tony Conquepalmi.** Case Coordinator: Michael McCauley.

Michael McCauley presented the case and staff recommended approval with stipulations.

Tony Conquepalmi, Founder and Director of The St. Anthony School, stated the request is to increase the enrollment to 150 students and the expansion would be over a period of 10 years.

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

*\* McAninch moved to close the public hearing and approve Case No. 08-13SUP1 The St. Anthony School with stipulations; second by Sylo and the motion was approved with a unanimous 8-0 vote.*

**OTHER BUSINESS:**

**a. Staff Reports**

There were no staff reports.

Chair Pfeil requested an item on the next Worksession agenda for him to brief the Commission on the progress of the CIPAC on the upcoming bond election and Council’s progress.

**ADJOURNMENT**

The meeting was adjourned at 8:12 p.m.

---

Christopher Barton  
Chief Planner

---

Rick Pfeil, Chair  
Planning and Zoning Commission