

Minutes
City of Carrollton
Planning & Zoning Commission
January 5, 2012

A meeting of the City of Carrollton Planning & Zoning Commission was held on January 5, 2012 at 7:00 p.m. in the Council Chambers at City Hall with the following members present:

Commission Members Present:

Rick Pfeil, Chair
Barbara McAninch
Jerry Sylo
Doug Hrbacek
Jack Stotz
Mark Nesbit
David Halloin
Glen Blanscet

Commission Members Absent:

Lisa Loreto

Staff Members Present:

Christopher Barton, Chief Planner
Loren Shapiro, Senior Planner
Regina Edwards, 1st Asst. City Attorney
Tom Hammons, Transportation Eng. Div. Mgr.
Brett L. King, Plan Review & Permitting Mgr.
Ravi Shah, Director of Development Services
Peter Braster, Senior Manager Transit-Oriented Development

Scott Tittle, Fire Dept. Battalion Chief
Lydia Tormos, Admin. Support

(Note: * = designation of a motion)

CALL MEETING TO ORDER: 7:40 P.M.

- 1. MINUTES: Approval of Planning & Zoning Commission Minutes:** December 1, 2011 meeting.

* *Motion made by Hrbacek, second by Sylo to approve the December 1 meeting minutes, passed 8-0 (Loreto absent).*

PUBLIC HEARINGS

2. Hold a public hearing and consider approval of a **Special Use Permit for a Multi-Family Residential Development**. The approximately 5-acre tract is located on the north side of Frankford Road at the intersection of Trade Center Drive and is zoned PD-188 for the (TC) Transit Center District, Urban General Sub-District. Case No. 12-11SUP2 Frankford Station Lofts/Minor Alexander. Case Coordinator: Christopher Barton.

Rick Pfeil, Chair, presented the case and asked if there was an applicant present.

William Janecek with Janacor was present. He described the project and the issues they have had with the limitation of the lot size. The Transit-Oriented Development (TOD) Committee has seen the project and approved it last night.

Pfeil inquired if he was aware that the parking agreement is not in place at this time and staff has recommended continuing the case until next month to allow time for the agreement to be worked out between the City and the applicant.

Janecek said they were.

Sylo expressed his concerns pertaining to the landscape buffer and asked for more details.

Janecek said the landscaping will be nicer than what is at the DART station or the nearby retail. He stated that they are working with staff on this issue since the width of the property is narrow.

Beth Mulligan, Landscape Architect with Studio Green, described what will be planted.

Sylo asked about the landscaping for the parking lot.

Mulligan said there are 13 feet from property line and the parking edge. There will be a sidewalk and upgraded lighting. Since this is the conceptual landscape plan, they have not specified plant species at this time.

Sylo thought it would help him if before the next meeting the list could detail what will be used for screening. He asked about the parking shown and is concerned there isn't enough on three sides of the property.

Janecek stated that there will be offices and retail along the front of the property with fewer residents placed in that area of the complex. In the evenings after the tenants and customers have left, there should be sufficient parking. The parking in the back of the project actually has more parking than is required.

Concerning the back of the property, Sylo asked what the distance from the furthest point of parking is to the buildings.

Janecek said it would be about 90 feet. David Demerest, architect for the project, said it would be about 80 yards. Janecek said that there will be 35 units in the rear that would have their own garages, which would ease the parking.

Pfeil asked about the roof top screening.

Demerest said the plans show parapet walls, and the equipment will be placed in the center of the buildings for screening.

Hrbacek asked about having an interior parking garage.

Janecek said they were approximately 40 feet short of being able to have a parking garage.

Halloin asked for a stipulation that the garage doors not be transparent.

Janecek said he will provide that.

Pfeil opened the meeting to public comments. There were none.

* *Motion made by Hrbacek, second by Stotz to keep the public hearing open and to continue the case to the February 2, 2012 meeting, passed 8-0 (Loreto absent).*

3. Hold a public hearing and consider approval of a **Special Use Permit to allow an indoor Trampoline Park (classified as All Other Amusement and Recreational Industries)**. The 6.1-acre site is located at the southwest corner of Frankford Road and Eisenhower Street and is zoned (LI) Light Industrial District and Gateway District. Case No. 01-12SUP1 Sky Zone/James Hanna, H4 Enterprises, Inc. Case Coordinator: Loren Shapiro.

Pfeil presented the case and stated that there was a request from the applicant to withdraw the application.

* *Motion made by Hrbacek, second by McAninch to close the public hearing and to accept the withdrawal of Case 01-12SUP1, passed 8-0 (Loreto absent).*

Pfeil stated that Commissioner Sylo had submitted a Conflict of Interest Statement and would leave the dais for the next three cases.

4. 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 High Intensity Commercial to Single Family Detached. The approximately 30-acre site is located at the southeast corner of S.H. 121 (Sam Rayburn Tollway) and Carrollton Parkway and is zoned PD-123 for the (FWY) Freeway District. Case No. 01-12MD1 Estates of Indian Creek 7/JBI Partners. Case Coordinator: Loren Shapiro.

Pfeil presented the case and stated that it has two companion cases he would open together for discussion. Each case would need its own motion and vote.

5. Hold a public hearing and consider approval of **Amendments to PD-123 for the (FWY) Freeway District to rezone to (SF) Single Family with amended development standards**. The approximately 30-acre site is located at the southeast corner of S.H. 121 (Sam Rayburn Tollway) and Carrollton Parkway and is zoned PD-123 for the (FWY) Freeway District. Case No. 01-12Z1 Estates of Indian Creek 7/JBI Partners. Case Coordinator: Loren Shapiro.

6. Hold a public hearing and consider approval of **Amendments to the Transportation Plan of the Comprehensive Plan**. The request is to change the designation of Chickasaw Drive from a (A4D) 4-Lane Divided Arterial to a (C2U) 2-Lane Undivided Collector. Chickasaw Drive is located between S.H. 121 (Sam Rayburn Tollway) and Maumee Drive. Case No. 01-12MD2 Estates of Indian Creek/JBI Partners. Case Coordinator: Loren Shapiro.

Pfeil asked if there was an applicant present.

Tom Juhn with JBI Partners, 16301 Quorum Dr., Suite 200B, Addison, TX was present to represent the applicant and property owners.

Juhn explained the project including the lot sizes and the upgrades to the materials on the houses, driveways and garages. Meritage Homes has almost completed building in Indian Creek Phase 5 so this would be an extension of that development.

Juhn spoke about the sound wall along S.H. 121. He said S.H. 121 is 25' below grade to this project, causing the sound to be at a lower elevation. He said he will have a sound study completed prior to going before City Council to determine if a sound wall is required.

He briefly discussed the landscape plans. He said all corner lots on interior streets would have upgraded features such as columns. He said there will be three points of entrance to the development, on Carrollton Parkway, Maumee Dr. and Chickasaw Dr.

McAninch inquired about the price range for the new homes.

Clint Richardson with Meritage Homes was unclear since he was on the land side of the company, not in sales. He believes it will be equal or greater than the development to the east since these homes will be the same size or larger.

Hrbacek asked if Meritage would agree to use just stained cedar clad garage doors.

Richardson asked for flexibility in the materials used for the doors, stating there could be an issue due to the weight and maintenance of the wood. It is understood that it would be an upgraded garage door.

Nesbit wanted to make sure Juhn understood that if the sound wall study shows it warrants one, the developer would be required to fund the work not the city, and it would be a stipulation for approval.

Juhn said he understood. He said there is a 15' landscape buffer which could possibly be raised even higher and then place the wall on top of it.

Hrbacek asked what the worst case scenario would be for the sound wall.

Juhn said it would be that the sound wall would be needed.

Pfeil stated he wasn't for this project since there was already a large amount of single family homes in the area. He knows it would be a good quality product, but asked why they felt the need for more single family homes in this area.

Juhn said the property has been vacant with no interest in development for a long time. Meritage approached them for an alternative plan. Since Meritage has been successful with the subdivision across the street, they felt a continuation of the project would work here.

Richardson stated that the viability of the commercial side was limited for several reasons. He believes the elevation difference of Sam Rayburn Tollway in comparison to this property, the exit for Carrollton Parkway being difficult to locate, which presently doesn't go anywhere, and the planned expansion of the road now in the distant future, would all contribute to a commercial use not being successful.

Pfeil feels the development of single family homes would further hamper the development and success of the remaining eight acres designated for commercial.

Richardson stated they had discussed including that area in the rezoning, but they have no interest in the property south of Chickasaw. At this time, the owner has no use for that acreage that would warrant the rezoning of the property. The decision was made to focus on what they wanted to develop north of Chickasaw. They hope the development of single family homes would encourage office use to develop there, so they wanted to leave the zoning as is.

Pfeil opened the meeting to public comments. There were none.

Juhn stated that he doesn't know what will develop to the south of Chickasaw but feels there are viable entrances to the property on the frontage road of northbound S. H. 121 or to loop around and enter north on Chickasaw. The owner is not interested in working on anything south of Chickasaw.

Pfeil asked if they were in agreement with the revised stipulation to Item C, Tract H-1, Item 7 M I that will change the reading to: front loaded garages will be allowed with the following requirement of 8' in width, minimum.

Juhn said they were in agreement.

- * *Motion made by Hrbacek, second by Stotz to close the public hearing and approve Case No. 01-12MD1 Comp Plan, passed 4-3, with Halloin, Pfeil, and McAninch opposed, Sylo absent due to Conflict of Interest, (Loreto absent).*

 - * *Motion made by Hrbacek, second by Blanscet to close the public hearing and approve Case No. 01-12Z1 with amended staff stipulations:*
 - *Section 7-3 to read: “Front loaded garages shall be allowed with the following requirements” and then list stipulations 1, 2, & 3.*
 - *In Section 7-3, Item 1 to strike out the wording: “Or simulated wood carriage steel doors” so the stipulation reads: “The front garage shall be a minimum of 8’ in width with stained, cedar clad steel doors”.*
- Passed 4-3, with Halloin, Pfeil, and McAninch opposed, Sylo absent due to Conflict of Interest, (Loreto absent).*

Hrbacek expressed the body’s concern with the traffic sound and mitigating it along S. H. 121. He said there is a pending sound study that will be completed before they make their recommendations to City Council, and Council will act on the Board’s recommendation and the results of the sound study.

Blanscet wanted to clarify the motion that Council would not take action until the sound study is completed.

Pfeil said it was part of the stipulations.

- * *Motion made by Hrbacek, second by Stotz to close the public hearing and approve Case No. 01-12MD2 Transportation Plan with staff stipulations, passed 5-2, with Pfeil and McAninch opposed, Sylo absent due to Conflict of Interest, (Loreto absent).*

Commissioner Sylo returned to the dais.

7. Hold a public hearing and consider approval of an **Amendment to the Future Land Use Map** of the Comprehensive Plan to change an approximately 229.24-acre site from Mixed-Use/Urban (mixed use) uses to Single-Family Detached Residential, Multi-Family Residential, Medium-Intensity Office and Medium-Intensity Commercial uses. The property consists of three major tracts. The first is located at the southeast corner of Plano Parkway and Parker Road, the second is on the south side of Plano Parkway west of the Burlington Northern & Santa Fe Railroad and the third is located at the northwest corner of Plano Parkway and Dozier Road. All three tracts are currently zoned PD-175 for the (SF-TH) Single-Family Townhouse, (MF-18) Multi-Family Residential, (O-4) Office and (LR-2) Local Retail Districts. Case No. 01-12MD3 Mustang Park (Comp Plan)/Dowdy Anderson & Assoc. Case Coordinator: Christopher Barton.

Pfeil presented the case and stated that it has a companion case he would open together for discussion. Each case would need its own motion and vote.

8. Hold a public hearing and consider approval of **Amendments to PD-175 for the (SF-TH) Single-Family Townhouse, (O-4) Office and (LR-2) Local Retail Districts to rezone to the (SF-TH) Single-Family Townhouse, (O-2) Office, (LR-2) Local Retail and (MF-18) Multi-Family Residential Districts with Amended Development Standards.** The approximately 229.24-acre site is located on the south side of Plano Parkway between the Burlington Northern & Santa Fe Railroad and Parker Road (F.M. 544), and is currently zoned PD-175 for the (SF-TH) Single-Family Townhouse, (O-4) Office and (LR-2) Local Retail Districts. Case No. 01-12Z2 Mustang Park (Zoning)/Dowdy Anderson & Assoc. Case Coordinator: Christopher Barton.

Pfeil asked if there was an applicant present.

Matthew Alexander with Dowdy, Anderson and Assoc., 5225 Village Creek Dr. #200, Plano, TX was present. He shared a PowerPoint detailing the project. He said the property had been owned by Mustang Partners since 1998. When the realization came that DART would not have a passenger train line going through this area they decided to change the direction for development of the property. He reviewed all the tracts in the project and gave the similarities of this project with the neighboring Warmington Meadows and Lincoln Mustang Apartments. He stated that all the tracts with the exception of Tract 1 and 5 are under contract to a user.

Pfeil asked about the east bound left turn lane onto Plano Parkway located in front of the senior living tract. He is concerned there are only two points of access for the new single family homes onto Plano Parkway.

Alexander said there is a proposed left turn lane from Plano Parkway onto Mustang Parkway and one to Maverick Way, which is the main entrance. There is an existing deceleration right turn lane and a possible extension of Dozier Road along the west side of the project for an emergency access point to the back of the neighborhood.

Pfeil brought up the fact that the revised staff stipulations for Tract 6 require a 30' minimum setback with the possibility of four stories (or 65' high) units along Plano Parkway.

Alexander said they wanted to continue the look along Plano Parkway that Lincoln at Mustang Park has established.

Pfeil asked how tall the Lincoln at Mustang Park apartments is.

Alexander said they are three stories total, including a garage on the bottom.

Pfeil asked if they were in agreement with a stipulation of limiting the apartments along Plano Parkway to three stories, while four stories may be used throughout the rest on the complex.

Alexander said they were.

Pfeil stated that Tract 8 had no setbacks listed and wanted to stipulate the same setback Tract 6 has.

Alexander would like to have a consistency with Lincoln at Mustang Park. They would agree to a 30' setback along Plano Parkway and would limit the units to three stories.

McAninch asked about the size of the buffer from the adjoining railroad tracts to the back of the single family property lines.

Alexander said it would be approximately 140'.

McAninch asked if there are existing trees located there to help with the sound from the trains.

Alexander said the tracts are not visible on the east side of the property, but as it goes west it becomes an elevated truss bridge. They decided to front the houses facing the lake and side them to the railroad tracts. There is a utility easement that limits what they can do but the existing trees will remain. They have shown a hike-and-bike trail which they have been able to do in other cities but has no guarantee they will be able to do the same in this situation.

McAninch asked if the front entrance would be gated.

Alexander said they would not since the multi-family complex has pedestrian access along the west and south sides. They would be unable to wall themselves in due to the existing infrastructure.

McAninch asked if the traffic from the multi family units would come through the residential area.

Alexander said they would not.

McAninch asked if the senior care tract would be assisted living with units or beds.

Westie Young said it will be a skilled nursing facility for critical care, long and short term care, rehabilitation and long term senior care. This will not be for senior apartment living.

McAninch asked if the type of driveway they are requesting has been tested for the type of soil that Texas has.

Alexander said what they are requesting is only a finish; the driveway will be solid concrete.

Nesbit wanted to confirm that the trail shown is actually within the utility easement and is dependant of the approval of the utility company.

Alexander said that was correct. Since they have been able to build trails in utility easements in other cities with similar easements, he feels that as long as they are reasonable in their design, they will have no problems placing a trail in this location.

Nesbit asked if they have had any discussion with the utility company concerning this project.

Alexander said they have a published guide from the utility company which states what they will and will not allow. The company won't review plans until a plat is created. This indicates to the utility company that the project will go forward and will not waste their time and effort in reviewing it.

Nesbit wanted to clarify that they were under contract on all tracts except 1 and 5.

Alexander said tract 7 is also not under contract.

Sylo asked if the DART station would remain as shown on the conception site plan.

Alexander said it would not.

Sylo discussed his concerns whether the development would truly be an urban mixed use or suburban use.

Alexander said they wanted to remain flexible. He said it wasn't dissimilar to other areas where they have left certain uses open for neighborhood services or offices to later be developed.

Sylo inquired how Tract 8 would be developed.

Alexander said the user is under contract to build multi-family. He stated he wanted to leave some flexibility to allow the market to drive what develops.

Sylo pointed out some of the differences between the conceptual site plan and what the revised zoning text states.

Alexander said he would correct them.

Sylo said since they wanted to have a suburban feel why did they plan to build a multi-family complex.

Alexander said he understood the city was looking for lower density in the area. The original zoning would have allowed limitless amounts of units, and this project would bring a reduction in the density.

Sylo had questions concerning the median breaks on Plano Parkway, the entrances to the multi-family development, the hike and bike trail and the detention ponds.

Pfeil stated these were covered under the amended staff stipulations.

Blanscet asked if there had been any consideration to developing the multi-family tracts into single family homes.

Alexander stated that recently, single family dwelling wasn't even planned for the area, but now they will be developing 86 acres of single family homes. Since this tract has railroad tracts on both sides it was felt a multi-family development would be a better fit.

Blanscet asked if the multi-family in Tracts 8 & 9 would look similar to the neighboring Lincoln at Mustang Park Apartments.

Pfeil said that was part of the revised staff stipulations that there would be standardized design theme.

Alexander said their intent was to have a cohesive look. Tracts 8 & 9 have just come under contract so a lot of details have not been provided.

Halloin asked if the same builders would be used to develop the two tracts and would they have a similar look to each other.

Alexander said they are under contract with NRP who builds apartments. The landowner has required the back half of the complex to be built first to ensure the rest of the property also develops.

Halloin expressed concern about the traffic leaving the complex in the morning.

Alexander said they had tabled the Preliminary Plat to get a traffic engineer involved. He said they will be providing a road that may look like a single lane but could be built up to four lanes. Also the fire lanes could possibly be used as a means of ingress and egress.

Hrbacek asked what the former DART station area would be developed into.

Alexander said due to a low spot, it may be used as a detention area or possibly buildings of some kind.

Pfeil asked about the request to reduce the side yard setbacks on the smaller lots.

Alexander said it is customary in the metroplex to have ten percent of lot width to be the setback. From the street with the two side yards together, most will not notice the reduction. Cars will enter the development where the side yards will be 16', giving the impression of space. There will be a mix of size homes resulting in few homes with a true 10' between houses. He said they would lose 12 lots for development if they stayed with the currently required 8' side yards.

Pfeil opened the Public Hearing for comments. There were none.

- * ***Motion made by Hrbacek, second by Sylo to close the public hearing and approve Case 01-12MD3 Comp Plan, passed 8-0 (Loreto absent).***

Sylo said he was comfortable with the single family development but was not comfortable with the rest of the zoning request. Therefore he was not in favor of the zoning.

Nesbit stated he felt there was some confusion among the Commissioners since the Conceptual Site Plan didn't always fit the new zoning and staff stipulations. He suggested not relying on the conceptual site plan and what was written on it, but to concentrate on the revised staff stipulations. He said it was true some of the items are still open but the developers will have to bring a technical site plan for approval, so there would still be control as to what develops. He felt comfortable with the project since it would be developed now and bring immediate benefits.

Halloin expressed concern how the multi-family development would impact traffic on Plano Parkway.

Blanscet expressed concern over the fact that everything had not been completely finalized.

Pfeil said the detention pond and hike-and-bike trail are addressed in the revised staff stipulations.

- * ***Motion made by Hrbacek, second by Nesbit to close the public hearing and approve Case No. 01-12Z2 with the following staff stipulations:***

- ***The provided streetscape details shall be used as an exhibit.***
- ***Tract 3 (for all three single family lot sizes): Garage doors shall be clad in stained cedar or approved equal.***
- ***Tract 3 (for all three single family lot sizes): Driveways shall have an architectural element to include, but not limited to, decorative pavers, exposed aggregate, stained, stamped or patterned, saw-cut or salt-finish concrete.***

- *Tract 6: Add: Maximum building height shall be 3 stories or 36' along Plano Parkway.*
- *Tract 8: Add: Maximum building height shall be 3 stories or 36' along Plano Parkway.*
- *Tract 8: Add: The minimum building setback along Plano Parkway shall be 30'.*

Passed 5-3, with Sylo, McAninch and Blanscet opposed (Loreto absent).

INDIVIDUAL CONSIDERATION

9. Hold a public hearing and consider approval of **Text Amendments to the Comprehensive Zoning Ordinance** regarding changes to Article XX. Transit Center regarding prohibited uses. Case No. 01-12ZT1 Transit Center Prohibited Uses/City of Carrollton. Case Coordinator: Christopher Barton.

Barton stated this was a city initiated request to Article 20 to add provisions to prohibit certain uses or structures in the Transit Center. This provision was omitted when the article was revised in 2005.

- * *Motion made by Hrbacek, second by Nesbit to approve Case 01-12ZT1, passed 8-0 (Loreto absent).*

OTHER BUSINESS:

a. Selection of P&Z representative to CIPAC

Motion by Hrbacek, second by Nesbit to appoint Pfeil. Motion passed by acclamation.

b. Staff Reports

There were none.

ADJOURNMENT

The meeting was adjourned at 10:22 p.m.

Christopher Barton
Chief Planner

Rick Pfeil
Chair, Planning and Zoning Commission