

**Minutes
City of Carrollton
Planning & Zoning Commission
August 3, 2023 Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, August 3, 2023 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Jim Doyle, Vice Chair
John Powell, 1st Vice Chair
Al Overholt
Willadean Martin
Kathryn Taylor
Greg Kramer

Commission Members Absent:

Mark Yarbrough
Kathleen Foster

Staff Members Present:

Loren Shapiro, Planning Manager
Michael McCauley, Senior Planner
Emily Offer, Planner
Herb Cavanaugh, Fire Chief
Lydia Tormos, Admin Support Specialist

Albert Thomas, Asst. City Attorney
John Romberger, Transportation
Ed Green, Plan Review Manager

Guests Present:

Council Observer Rusty Pendleton

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

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

Chair Windrow called the meeting to order at 6:33 pm.

CONSENT AGENDA:

1. **MINUTES:** Approval of the July 6, 2023 meeting minutes.
 2. Consider And Take Final Action On A **Final Plat For North Carrollton Park Addition** For An Approximately 5.34-Acre Tract Located At The Northwest Corner Of Plano Parkway And Warmington Drive. **Case No. PLFP 2023-055 North Carrollton Park Addition.** Case Coordinator: Emily Offer.
 3. Consider And Take Final Action On A **Final Plat For Grand Estates** For An Approximately 5.0-Acre Tract Located At 4409 Charles Street And On The West Side Of Charles Street, Approximately 1,340 Feet South Of Plano Parkway. **Case No. PLFP 2023-064 Grand Estates.** Case Coordinator: Michael McCauley.
- * *Commissioner Powell moved to close the public hearing and approve the Consent Agenda Items with staff stipulations and that on Item Number 2 the Right-of-Way Dedication is necessary and proportional to the proposed development; second by Commissioner Martin. The motion was approved with a 7-0 vote (Foster and Yarbrough absent).*

PUBLIC HEARING:

4. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 5-Acre Tract Zoned PD-218 For The (O-2) Office District And Located At The Northwest Corner Of Josey Lane And Walnut Avenue To **Repeal And Reestablish Planned Development District 218** To Revise Conceptual Plans And Modify The Development Standards, To Add Structures To The Community Garden; Amending The Official Zoning Map Accordingly. **Case No. PLZPD 2023-069 Metrocrest Services (Garden Area)**. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, explained that Metrocrest Services was requesting to amend their Planned Development to add a pavilion in their community garden area.

Beverly Grimley, Chief Programs Officer with Metrocrest Services located at 1145 N. Josey Lane, spoke about the teaching gardening program which will provide fruits, vegetables and herbs for their food pantry as well as teach about nutrition to the community. To answer Commissioner Kramer's questions, she explained the type of help and food that will be available.

Chair Windrow opened the public hearing; no one came forward. There were no further questions or discussions.

- * *Commissioner Doyle moved to close the public hearing and approve Case No. PLZPD 2023-069 Metrocrest Services (Garden Area) with staff stipulations; second by Commissioner Powell. The motion was approved with a 7-0 vote (Foster and Yarbrough absent).*

5. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 8.06-Acre Tract Zoned PD-024 For The (SF-TH) Single-Family Townhouse Residential District And Located At The Northwest Corner Of North Josey Lane And East Jackson Road To **Amend Planned Development 024** To Revise Development Regulations And Conceptual Plans To Allow A Board On Board Wood Fence And Masonry Wall Along The West Side Of Josey Lane; Amending The Official Zoning Map Accordingly. **Case No. PLZPD 2023-059 Jackson Arms Townhomes HOA**. Case Coordinator: Emily Offer.

Emily Offer, Planner, presented the case. The current PD requires a solid six-foot masonry wall with masonry columns and the HOA is requesting an amendment to the PD allowing board-on-board wood fencing with wooden caps and masonry columns. Because the wall is on private property, the City cannot aid in the cost of the repair. The HOA has approximately 51 homeowners and the cost to replace the fence using masonry only would be a hardship. Offer answered the following questions from various Commissioners: If approved, would they be setting a precedent of not using masonry only, Offer replied no, The Savoy Subdivision on Keller Springs was approved 1-2 years ago using similar materials; Question: Who will be responsible for the maintenance of the wall, she answered the HOA will be; Question: Does the city expect to see an increase in the number of failing subdivision walls in the future, the answer was yes; Question: Who determines at what point the wall is considered to be failing, Offer answered either the HOA or the City and the City would then have code enforcement make contact with the HOA; Question: Since the City is using synthetic board-on-board on city projects, could the synthetic material be the replacement in this case. Offer stated the Commission could stipulate synthetic board-on-board fencing as a requirement; Question:

Why is this issue coming before to the Commission at this time, Offer stated Environmental Services had made contact with the HOA informing them that a wooden fence is not allowed for subdivision walls; Question: Could the failing sections simply be removed and not be replaced with anything, Offer replied no, it is required by both the General Design Standards and the Comprehensive Subdivision Ordinance.

Barbara Erickson, 2260 Jamestown Ln., member of the HOA, stated that the wall was constructed in 1974 or 1976 when the HOA was incorporated. She stated that in 2019 two sections of the wall failed, which they replaced with the required masonry, and it was costly. When other sections started to fail, they paid for wooden fencing with masonry columns, but not board-on-board. This year when another section failed, they put up a wooden fence but received a letter from Environmental Services stating the wooden fence was not acceptable. In response, the HOA hired an engineer to make recommendations. The engineer's study found that sections of the wall must be a retaining wall due to the amount of soil behind it, but other sections could be regular fencing. They are requesting an amendment to PD-024 to allow them to use board-on-board instead of the required masonry.

When asked about how many wall panels the subdivision has, Ms. Ericson stated there are 57 of which 2-3 have been replaced with the required masonry, and 11 sections with wood fencing.

Chair Windrow opened the public hearing for comments. Mr. Terrell Schaffer, 2208 Jamestown Ln., has lived in his townhome for 27 years and before retirement was an insurance adjuster making him aware of the cost of the fences. He stated he is on social security and pays \$115 a month in HOA dues and the garden condos pay \$145 per month. Many of the people in the HOA are longtime residents, giving stability to the neighborhood, and many are also on a limited income. They have a desire to keep their property in good condition. He is in support of the request.

Chair Windrow stated staff received comment cards after the case reports were sent out. The following were in support of the request:

- Mr. & Mrs. William E. Tweed, Jr., 2220 Salem Dr.
- John Blanton, 2207 Salem Dr.
- Barbara K. Erickson, 2260 Jamestown Ln.
- Kathryn E. Malkowski, 1009 Long Cove, Round Rock, TX
- Nancy N. Lotzer, 2267 Jamestown Ln.
- Robert Stewart, 2211 Jamestown Ct.
- Bernardine Paul, 2220 Jamestown Ln.
- Marnie Stone, 2216 Jamestown Ln.
- Diana Rhodes, 2255 Jamestown Ln.
- Delores Clarke, 2268 Jamestown Ln.
- Sharon Unruh, 2209 Salem Dr.

Valerie Dickey, 2212 Jamestown Ln. was present, but did not wish to speak but was in support of the request.

Overholt stated he feels there is a dilemma with this case. He recognizes the monetary issues involved but is also aware the City has approved and is using synthetic wood on subdivision walls they are repairing. He hesitates authorizing using wood fencing on subdivision walls since he sees

numerous wooden fences that are in dilapidated conditions throughout the City. He is willing to make a motion, if approved, to require synthetic wood.

- * *Commissioner Martin moved to close the public hearing and approve Case No. PLZPD 2023-059 Jackson Arms Townhomes HOA with staff stipulations; second by Commissioner Powell. The motion to approve failed with a 3-4 vote (Windrow, Powell and Taylor for; Overholt, Doyle, Martin and Kramer opposed; Yarbrough and Foster absent)*

OTHER BUSINESS:

a. Staff Reports

Loren Shapiro, Planning Manager, updated the Commission on action taken by City Council. The following cases were approved: All three high schools, RL Turner, Creekview and Newman Smith received approval for the field lighting. New Song Day Care on Fairway Dr. for the daycare also was approved and Dodla Dairy Project on Vinylex Dr. was approved.

ADJOURNMENT

Chair Windrow adjourned the meeting at 7:34 pm.

Loren Shapiro, Planning Manager

Scott Windrow, Chair
Planning and Zoning Commission