



**Minutes
City of Carrollton
Planning & Zoning Commission
January 4, 2024**

Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, January 4, 2024 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
Willadean Martin
Kathryn Taylor
Mar Yarbrough
Greg Kramer
Al Overholt
Kathleen Foster

Commission Members Absent:

None

Alternate:

Dave Herman

Staff Members Present:

Loren Shapiro, Planning Manager
Emily Offer, Planner
Ed Green, Plan Review Manager
Herb Cavanaugh, Assistant Fire Chief
Ravi Shah, Development Services Director

Jared Nations, Captain- Fire Prevention
John Romberger, Transportation Engineer
Albert Thomas, Asst. City Attorney
Lydia Tormos, Admin Support Specialist

Guests Present:

Rusty Pendleton, Council Observer

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

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

Chair Windrow called the meeting to order at 6:30 pm.

CONSENT AGENDA:

Chair Windrow opened the floor for public comments. There were none and with no questions from the Commissioners, he opened the floor for a motion.

1. **MINUTES:** Approval of the December 7, 2023 meeting minutes.

* *Commissioner Kramer moved approval of the December 7, 2023 meeting minutes, Commissioner Doyle seconded the motion. Motion carried unanimously with a vote of 9-0.*

PUBLIC HEARING:

2. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) On An Approximately 6.5-Acre Tract Zoned PD 045 For The (LR-2) Local Retail District And Located At 2625 Old Denton Road STE 232 And At The Northwest Corner Of West Trinity Mills Road And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-125 Kiddleton Arcade (H-Mart). Case Coordinator: Emily Offer.

Emily Offer, Planner, advised this item is a request for a SUP for an arcade to be located at 2625 Old Denton Road, Suite 232, inside the H-Mart business. She reviewed the floor plan, noting that it is approximately 602 square feet. Ms. Offer advised there are two token machines proposed and reviewed the various types of 57 arcade machines in this location. Photos of the interior were provided. No public comments were received on this SUP request and staff is recommending approval with staff stipulations as noted in the staff report.

Commissioner Doyle noted that there is only one entrance/exit door, and asked if it is internal to the H-Mart. Ms. Offer replied that it is internal to H-Mart so its operating hours will not be outside the H-Mart operating hours.

Commissioner Martin asked if the machines in the photos provided are stacked. Ms. Offer responded they are stacked.

Commissioner Kramer inquired what an “adult” arcade is, and are adults allowed to use the machines in this proposed business. Ms. Offer responded that an adult arcade is a sexually oriented business. Adults will be allowed to use the proposed games in the arcade. Additionally, she advised there are no “poker” machines inside this proposed business.

Chair Windrow stated that the applicant was present and asked if the applicant would like to speak. The applicant declined to speak.

Chair Windrow opened the public hearing. There being no speakers he closed the public hearing. Chair Windrow opened the floor for discussion or a motion.

* *Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2023-125 Kiddleton Arcade (H-Mart) with staff stipulations; Commissioner Powell seconded the motion. The motion was approved with a unanimous 9-0 vote.*

Chair Windrow advised this case will be forwarded for Council consideration on February 6, 2024.

3. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) On An Approximately 3.2-Acre Tract Zoned For The (LR-2) Local Retail District And Located At 2532 Old Denton Road STE 105 And At The Southeast Corner Of East Trinity Mills Road And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-126 Kiddleton Arcade (99 Ranch). Case Coordinator: Emily Offer.

Emily Offer advised this item is a request for a SUP for an arcade to be located at 2532 Old Denton Road, Suite 105, inside the 99 Ranch business. She reviewed the floor plan and advised the suite is approximately 283 square feet. One token machine will be at the location and 32 arcade machines. She advised no public comments were received. Staff is recommending approval with stipulations as noted in the staff report.

Commissioner Martin inquired how many people can be inside using the machines at one time. Ed Green, Plan Review Manager, responded that there are no issues with the occupancy number.

Commissioner Foster inquired if the entrance and exit is inside the 99 Ranch grocery store; Ms. Offer responded that it is. She added that it is primarily a grocery store however there are other suites that include limited-service restaurants and retail as well.

Chair Windrow stated the applicant was present and asked if the applicant would like to speak. The applicant declined to speak.

Chair Windrow opened the public hearing. There being no other speakers he closed the public hearing. Chair Windrow opened the floor for discussion or a motion.

- * ***Commissioner Powell moved to close the public hearing and approve Case No. PLSUP 2023-126 Kiddleton Arcade (99 Ranch) with staff stipulations; Commissioner Kramer seconded the motion. The motion was approved with a unanimous 9-0 vote.***

Chair Windrow advised that this case will be forwarded for Council consideration on February 6, 2024.

4. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 55-Acre Tract Located At The Northwest Corner Of The George Bush Turnpike And Midway Road To Amend Planned Development Districts 54 And 66 To Allow Multifamily And Single-Family Townhouse, To Revise Development Standards And To Modify Concept Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-116 IBP 190 (GBT & Midway). Case Coordinator: Loren Shapiro.

Loren Shapiro, Planning Manager, stated this zoning request is for a master planned community on 55 acres that includes 739 multifamily units, 47 single-family townhomes units, 910,000 square feet of office space, and 28,000 square feet of retail and a 9,700 square foot amenities building, as well as structured and on-street parking. Plans are for this to be a pedestrian-friendly community with wider sidewalks and streetscape. Open space areas on the map were identified.

Mr. Shapiro advised that there is no vehicular or pedestrian connection between the multifamily areas and the existing residential community to the west. He described the buffer between the two as having a minimum of 22 feet of landscaping, as well as a two-way driving street with parallel parking and streetscaping. The multifamily buildings will be no closer than 75 feet to the property line. Adjacent to the residential neighborhood on the west is a proposed 8-foot ornamental iron fence at the property line with evergreen shrubs for screening. Plans are to keep the existing trees as well as to plant new trees to supplement those in the streetscape areas. Photos of the proposed ornamental fencing were provided.

Mr. Shapiro provided conceptual photographic depictions of the open spaces and building elevations for the office buildings, multifamily buildings and single-family townhome buildings. The parking structure was reviewed and it was noted that the number of parking spaces being provided exceeds what is required. Photos of the property as it currently exists were provided. Mr. Shapiro added that the PD regulations provide that the concept plans as presented must be followed.

Commissioner Foster inquired about a timeframe for the development and asked if a traffic study was conducted. Mr. Shapiro advised that the applicant could respond regarding a timeframe and stated that a traffic study was conducted; staff is satisfied with the results.

Commissioner Doyle inquired about the Rosemeade access. Mr. Shapiro responded that the west driveway lines up with a median opening. Transportation Engineer John Romberger responded that the Traffic Impact Analysis indicates a minor amount of traffic on Rosemeade. The east Rosemeade entrance shall have a right-turn only entrance and a right-turn only exit, as it does not align with a median opening. The west driveway, offsite, will align with the median opening on Rosemeade. He added that the City of Dallas must also approve the access points.

Chair Windrow inquired about water pressure issues. Mr. Shapiro responded that all civil plans must comply with the city ordinances to ensure sufficient capacity. He added that the water pressure issue is not an issue and is currently being addressed.

Applicant Lucy Billingsley, Billingsley Corporation, 1722 Routh St., Dallas, presented her case with a PowerPoint presentation. She advised that this proposed development reflects today's desires regarding walkability in and around office space. She added the development includes a lot of green space and different options for parking, including parallel parking. Residential parking is within the garages. Parks and other amenities will be included.

Lucy Burns, also with Billingsley, stated a meeting was held with the adjacent residential neighbors over this past summer. In response to the neighbors' input Ms. Burns advised that there is no connection between this development and that neighborhood. Additionally, a masonry wall (rather than an ornamental iron fence) was important to those residents as well as the landscape buffer. Ms. Burns also described how the design of the townhomes will help to provide screening between the adjacent neighborhood and the parking structure. Graphic depictions of the townhomes were reviewed.

Commissioner Foster inquired what the timeframe is for the development. Ms. Burns responded that the office buildings will be dependent on the market, and the first phase of multifamily on Midway at the northeast corner should start in approximately one year. Commissioner Foster also inquired what school district the development is in. Ms. Burns advised that information will be provided in the future.

Jerry Sylo with JBI Partner, 2121 Midway Rd. #300, Carrollton, responded to questions from the Commissioners. He addressed the entrances into the site, the water pressure question, type of fencing, and how after the neighborhood meeting his company made changes to the original plans to accommodate their wishes. Additionally, Mr. Sylo stated that the current Heavy Commercial zoning allows for some types of businesses that when rezoned, will be removed such as sexually oriented businesses being allowed by right. He also confirmed that the concept plans as presented will become part of the zoning case as exhibits and must be followed. Mr. Sylo confirmed that no access to the existing residential neighborhood will exist. Additionally, he confirmed that the minimum setback from the residential neighborhood to the west is 75 feet, and parking is 160 feet from the property line. The closest building to the property line is 290 feet. It was noted that the school district is the Lewisville Independent School District.

Chair Windrow opened the public hearing.

The following spoke in support of the request:

Flay Mohle, 2644 Newcastle- prefers a masonry wall instead of decorative iron.

Rick Kirby, 3813 Amberglow- prefers a masonry wall instead of decorative iron.

The following spoke in opposition:

Joshua Marler, 2609 Mossvine Dr.

Jami Marler, 2609 Mossvine Dr.

Marty Ogborg Whitaker, 2661 Deep Valley Trail

Andrew Watkins, 2501 Fallview Ln. - not against development but wants a masonry wall

Diann Panozzo, 2652 Deep Valley

Ryan Finnigan, 2616 Mossvine Dr.

George Mendiola, 2612 Mossvine Dr.

Ronith Herman, 2636 Newcastle Dr.

The following did not wish to speak but submitted cards in opposition:

Sophie Hernandez, 2632 Newcastle Dr.

Lindsey Kraft, 2600 Mossvine Dr.

Speakers voiced concerns regarding safety (iron fence), traffic, trash, noise, sight lines (townhome heights) and privacy, as well as proper drainage.

From emails or response cards received after the case packet when out:

Anne Wittel, 2648 Deep Valley, opposed

Lou Ann Bates, 2653 Deep Valley Tr., opposed

Greg Egnot, 3704 Old Orchard Ct. opposed

Kent Christensen, 2636 Mossvine Dr. opposed
Daniel Flowers, 3701 Old Orchard Ct., supports
Jane Slattery, 2628 Deep Valley, supports
Ulysses Wright, 3700 Poplar Ct., supports
Barbara Boyle, 2656 Newcastle Dr. has concerns

Commissioner Overholt spoke in opposition to the request.

Commissioner Kramer inquired whether “automated parking” had been considered in order to reduce the parking structure space. Ms. Billingsley responded no, that is not being used in the Dallas market.

Commissioner Foster stated that the major issue seems to be with the fence and inquired if the city would agree to a brick wall. Mr. Shapiro responded that the Commissioners could stipulate brick or masonry if they so choose.

Commissioner Taylor inquired whether a soil study has been done. Mr. Shapiro stated that he is unaware of a soil study.

Closing comments from Lucy Burns were in response to some of the questions and concerns expressed. Henry Billingsley, also with Billingsley Corporation, stated if the City would support the masonry wall instead of the iron fencing, they would construct a masonry wall. He cited personal knowledge of the rock sub-surface that should support a masonry wall.

Chair Windrow spoke in favor of approving this item. He added that the developer has stated they can build a masonry wall and will be responsible for its maintenance.

- * ***Commissioner Martin moved to close the public hearing and approve Case No. PLZPD 2023-116 IBP 190 (PGBT & Midway) with an additional stipulation that the wall shall be masonry instead of decorative iron; Commissioner Foster seconded the motion. The motion was approved with an 8-1 vote (Commissioner Overholt opposed).***

Chair Windrow advised this item will appear for Council consideration on February 6, 2024.

OTHER BUSINESS:

- a. Staff Reports- Mr. Shapiro advised that at the December 15, 2023 City Council meeting, six cases were approved.
- b. Election of Vice Chair: Commissioner Yarbrough/Commissioner Doyle nominated Commissioner Martin as Vice Chair, approved.
- c. Election of First Vice Chair: Commissioner Martin/Commissioner Foster nominated Commissioner Yarbrough as First Vice Chair, approved.

ADJOURNMENT

Chair Windrow adjourned the meeting at 8:25 pm.

Loren Shapiro, Planning Manager

Scott Windrow, Chair
Planning and Zoning Commission