



PLANNING & ZONING COMMISSION

Minutes City of Carrollton Planning & Zoning Commission February 1, 2024

Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, February 1, 2024 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Jim Doyle
John Powell
Willadean Martin, 1st Vice Chair
Greg Kramer
Al Overholt
Kathleen Foster
Dave Herman

Commission Members Absent:

Mark Yarbrough, Vice-Chair

Staff Members Present:

Loren Shapiro, Planning Manager
Mike McCauley, Senior Planner
Emily Offer, Planner
Ty Wood, Senior Plans Examiner
Josh Giles, Development Program Manager

Herb Cavanaugh, Assistant Fire Chief
Darwin Ortega, Code Enforcement Officer
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)*

BRIEFING SESSION – 6:00 p.m. - COUNCIL BRIEFING ROOM

Staff gave a brief presentation on each of the items on the consent agenda. No public testimony was allowed during the briefing.

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

Chair Windrow called the regular meeting to order at 6:34 p.m.

CONSENT AGENDA:

Chair Windrow stated Item 4 would be pulled for individual consideration. He opened the floor for public comments on the remaining items. There were none and with no questions from the Commissioners, he opened the floor for a motion.

1. MINUTES: Approval of the January 4, 2024 meeting minutes.
2. Consider And Take Final Action On A Replat Of A.W. Perry Third Addition, Lot 7, And Part Of Lots 4, 5, And 6, Block B, For An Approximately 0.52-Acre Tract Located At 1225 Rosemon Avenue And 1212 Jackson Street To Combine Two Lots Into One Lot. Case No. PLRP 2023-136 A.W. Perry Third Addition, Lot 7R, Block B. Case Coordinator: Michael McCauley.
3. Consider And Take Final Action On A Replat Of Segovia, Lots 1 & 2, Block A For An Approximately 1.601-Acre Tract Located At 1810 South Josey Lane And On the West Side of Josey Lane, Approximately 180 Feet South of Pleasant Run Road To Combine Two Lots. Case No. PLRP 2023-139 Segovia, Lot 1R, Block A. Case Coordinator: Emily Offer.
5. Consider And Take Final Action On A Replat Of International Business Park PH II For An Approximately 4.42-Acre Tract Located At 3204 East Hebron Parkway And The Southeast Corner Of Hebron Parkway And International Parkway To Dedicate Easements For Lot 4, Block 1. Case No. PLRP 2023-142 International Business Park PH II, Lot 4R, Block 1. Case Coordinator: Emily Offer.
6. Consider And Take Final Action On A Replat Of Austin Hills, Lot 26, Block A For An Approximately 0.3026-Acre Tract Located At 2313 Westlake Court To Modify Easements Consistent With The Subdivision Ordinance. Case No. PLRP 2024-004 Austin Hills, Lot 26R, Block A. Case Coordinator: Emily Offer.

* ***Commissioner Martin moved approval of Consent Agenda Items 1, 2, 3, 5 and 6. Commissioner Foster seconded the motion. Motion was approved with a vote of 8-0 (Yarbrough absent).***

4. Consider And Take Final Action On A Technical Site Plan For Drive-Through Windows For Two Limited-Service Restaurants On An Approximately 4.42-Acre Tract Located At 3204 East Hebron Parkway And At The Southeast Corner Of Hebron Parkway And International Parkway. Case No. PLTSP 2022-141 International Business Park PH II. Case Coordinator: Emily Offer.

Commissioner Overholt voiced concern regarding the orientation of the drive through on the east side, stating that it differs from the other drive through. He felt it could be a safety hazard and suggested both drives be identical; that both barriers be the same length. Commissioner Martin expressed similar concerns.

Engineer for this project Daniel Dewey, JBI Partners, 2121 Midway Dr. #300, Carrollton, responded that without further consideration and input from city staff, it is unknown if this suggestion will work. John Romberger, City Transportation Engineer, advised that from an

engineering perspective the suggested change would be acceptable but noted that it might trigger other considerations not reviewed at this time.

- * ***Commissioner Overholt moved approval of Consent Agenda Item 4, Case No. PLTSP 2022-141 International Business Park PH II, with the added stipulation that the western drive through barrier be extended to the north to the edge of the sidewalk if the City approves. Commissioner Martin seconded the motion. Motion was approved with a vote of 8-0 (Yarbrough absent).***

PUBLIC HEARING:

7. 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 8.4-Acre Tract Zoned For The (LR-2) Local Retail District And Located At 2540 Old Denton Road STE 102 And At The Southeast Corner Of East Trinity Mills Road And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-121 Teso Arcade. Case Coordinator: Emily Offer.

Emily Offer, Planner, presented this item. She said this request is for a SUP for an amusement arcade located at 2540 Old Denton Road #102 and is zoned (LR-2). She said the building is a multi-tenant building and this suite is approximately 1,400 square feet. The arcade is in the front of the suite with retail in the rear. Ms. Offer reviewed the types of machines that are proposed for this request and provided a floor plan. She noted that there would be 39 coin-operated machines. She stated staff is recommending approval.

Commissioner Foster asked if this request is similar to those considered at the previous P&Z meeting. Ms. Offer responded yes, there had been two similar cases. Foster asked about type of retail, and how many square feet are in the arcade area. Staff stated the applicant could provide that.

Applicant Xia Lin, 2540 Old Denton Road, #102, stated that the arcade will be 400 square feet.

Commissioner Martin inquired whether the machines are already in place at the location. The applicant said they are.

Chair Windrow opened the public hearing.

Speakers in opposition included:
Kimberly Hawkins, 2505 Oakwood Dr.
Linda Waide, 2509 Oakwood Dr.

With no further public comments, Windrow allowed the applicant time for final comments.

The applicant stated the hours are 11 a.m. to 9 p.m., when the store closes so does the arcade. No parties will be held, and noise is not an issue since all machines are inside. She also stated that parking should not be an issue.

Chair Windrow stated he had cards in opposition who did not wish to speak:
Vicki Rice, 2507 Oakwood Dr.
Paul Higgs, 2511 Oakwood Dr.
Betty Higgs, 2511 Oakwood Dr.

* ***Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2023-121 Teso Arcade; Commissioner Powell seconded the motion. The motion was approved with a vote of 7-1. (Foster opposed, Yarbrough absent.)***

8. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-391 To Allow An Automobile, Motor Vehicle, Heavy Load Truck And Watercraft Paint And Body Shop, To Allow Outdoor Vehicle Storage, To Modify Conceptual Plans, And To Revise Development Standards, On An Approximately 1.13-Acre Tract Zoned (LR-2) Local Retail District And Located At 2014 East Belt Line Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-122 Yasha Auto Care. Case Coordinator: Michael McCauley.

Mike McCauley, Senior Planner, presented this item. He said this is a request to amend an existing SUP to allow a paint and body shop at the location. The current SUP was issued in 2011 and allows auto repair. He provided a zoning map, depictions of the conceptual site plan, landscape plan, and conceptual building elevations. He noted that as presented the site would undergo significant improvements, including a masonry wall that would conceal outdoor storage. Mr. McCauley added that public comments received were provided in the staff report and two additional comment cards were provided to the Commission for this meeting. He stated that staff is recommending denial, however if the Commission chooses to allow the use as requested, staff has suggested stipulations.

Commissioner Foster inquired if the outdoor storage would be a new use from the existing SUP. Mr. McCauley replied yes and would be screened with a masonry wall.

Commissioner Martin asked if the property's size is sufficient for this type of business and if auto repair is already operating. Mr. McCauley said yes to the size of the property, but it will depend on the how much the design of the shop changes. Regarding current operations, it is unknown if auto repair is operating there now because there is a for sale sign at the property.

Commissioner Overholt confirmed that without the paint and body operation, the current SUP there now allows auto repair. Overholt expressed that due to paint smell, he believes having a paint and a body shop next to restaurants and residents is not appropriate.

Commissioner Kramer asked if the outside storage would be screened. Mr. McCauley confirmed it would be screening the vehicles. He also asked about regulations on paint waste. McCauley stated that Environmental Services will ensure compliance with proper waste disposal prior to a certificate of occupancy being issued. Commissioner Kramer feels this is not a good fit for this use with restaurants and the residential area in close proximity.

Applicant Austin Sepasi, 1729 S. Broadway, Carrollton, told the Commission that paint and body shops must have filtration systems and paint waste has to be contained and picked up, not introduced into the city's drainage system. He added that if the paint and body operation is not approved, he would request that the existing SUP for a repair shop be amended to allow overnight outdoor storage of vehicles. He explained that vehicle parts are not always readily available and have to be ordered, taking additional days to arrive and then complete the job. Parking waiting vehicles outside would be behind the masonry wall.

Commissioner Overholt confirmed with the applicant that if the paint and bodywork was removed from the SUP request, they would still be requesting outdoor overnight vehicle storage. The applicant stated the paint and bodywork would be done elsewhere. Overholt asked McCauley if stipulation #1 could be removed. He replied it was a reasonable request and added that the masonry wall would provide security at the site and prevent current access to the adjacent residential alley.

Commissioner Foster asked the applicant where the painting process would occur if not at this site. The applicant stated he would use this location as office space for ordering parts, working with the insurance companies and other paperwork, however they would outsource the actual work to other shops.

Chair Windrow opened the public hearing. One card in favor was received from Maria Ramirez, 2019 Sam Houston Cir.

Cards in opposition were received from:

Oann Tran, 2012 E. Beltline Rd.
Khanh Nguyen, 2012 E. Beltline Rd.
Annie Nguyen, 2012 E. Beltline Rd.
Sergio Castoneda, 2109 Sam Houston Blvd.
Denis Gutierrez, 2109 Sam Houston Blvd.

Speakers in opposition:

Doug McCracken, 13706 Tanglewood Dr., Farmers Branch, TX
Anthony Nguyen, 2012 E. Beltline Rd.
Kevin Ngo, 2012 E. Beltline Rd.

Speakers in support:

Pegah Ganji, Transglobal Realty Advisors, 1800 N. Field St., Dallas
John Afletouri, 2883 Turtle Creek Blvd., Dallas

Commissioner Kramer asked if the property is currently vacant and stated his agreement with the proposal to allow the storage if the paint and body work was excluded. The applicant said the property has been vacant approximately one year.

Commissioner Martin inquired how many vehicles could be stored in the outdoor area. The applicant responded approximately 15.

After the decision was made to continue the mechanic shop use only (Automobile or Light Load Truck Repair Garage) and but not a paint and body shop as originally requested, McCauley suggested removing stipulation #1 and add the stipulation “all auto repairs shall be indoors only”.

*** Commissioner Martin moved to close the public hearing and approve Case No. PLSUP 2023-122 Yasha Auto Care with the stipulations listed, removing stipulation #1 (paint and body work) and include the stipulation that all auto repairs shall be indoors only. Commissioner Foster seconded the motion. Motion was approved with a vote of 8-0 (Yarbrough absent).**

9. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow Indoor Display Of Vehicle Inventory For An Automobile Or Light Load Truck Sales (Used) Zoned For The (LI) Light Industrial District And Located At 1750 Briercroft Court Suite 220; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-132 J. Auto. Case Coordinator: Emily Offer.

Emily Offer presented this item. She provided a map showing the location for the used auto sales, noting that the property was replatted and the buildings on the property were built approximately one year ago. The applicant’s request is for a SUP to allow indoor auto sales only. She stated that 12 vehicles for sale would be stored inside a 2,210 square foot warehouse. A site photo and a conceptual building elevation depiction were provided. Ms. Offer added that one public comment card was received in opposition. Staff is recommending approval with stipulations.

Applicant Young Jun Yoon, 1750 Briercroft Ct. #220, Carrollton, said that this dealership will be primarily for the Japanese community. He stated he previously worked at a similar Japanese dealership in Houston.

Commissioner Foster inquired whether vehicle financing will be offered. The applicant replied that there will be no in-house financing, however the dealership will work with the customers to assist with financing through credit unions.

Commissioner Hermon clarified with the applicant that there will only be indoor auto sales.

Commissioner Martin inquired about placement of the vehicles inside the building. Ms. Offer provided a drawing of the floor plan.

Chair Windrow opened the public hearing. He advised that one public comment card in opposition was received from CB Luna, 3 Ltd. 1722 Routh St. #770, Dallas. No one stepped forward to speak, so he asked if there were any comments or a motion from the Commissioners.

*** Commissioner Doyle moved to close the public hearing and approve Case No. PLSUP 2023-132 J. Auto. Commissioner Foster seconded the motion. Motion was approved with a vote of 8-0, (Yarbrough absent).**

10. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-457 To Allow Outdoor Display Of Vehicle Inventory For An Automobile Or Light Load Truck Sales (Used) And To Revise Development Standards On An Approximately 1.517-Acre Tract Zoned (LI) Light Industrial District And Located At 3227 Skylane Drive And On The North Side Of Skylane Drive Approximately 450 Feet West Of Midway Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-138 Skylane Motors. Case Coordinator: Michael McCauley.

Michael McCauley presented this item. He said this business has a SUP from 2019 that allows 30 vehicles for sale with indoor display only. The applicant is requesting to increase the number of allowable vehicles indoor to 80, and to add 80 spaces outdoor for display and sale. McCauley advised that the applicant has not complied with the current SUP regulations and has not responded to staff's questions and requests. Staff requested a floor plan, site plan, and parking information. Additionally, other businesses were operating inside the building without certificates of occupancy being issued, although those are no longer there. The City's Code Enforcement personnel have cited the owner, but the owner continues to be in violation with outside display of vehicles. Staff is recommending denial based on it not being appropriate for this site. He added that should the Commission choose to approve this request staff has provided some recommended stipulations. No comment cards were received.

Commissioner Kramer confirmed with Mr. McCauley that the applicant has violated the current SUP regulations and has not submitted necessary paperwork for this request.

Commissioner Doyle questioned the denial based on "not an appropriate use". McCauley responded that is based on the history of noncompliance and not having necessary information requested by staff. Doyle asked if there are regulations as to the amount of space required for vehicles inside a building. McCauley said the Fire Marshall informed them typically two feet between vehicles would be sufficient. He added that the building is approximately 22,700 square feet and, theoretically, there should be enough space for 80 vehicles.

Commissioner Powell asked Mr. McCauley why the Commission is considering this if the applicant's information is incomplete. Mr. McCauley said that staff requested additional information twice from the applicant and has not received it, however the applicant has a right to proceed. He added that the applicant did submit the minimum requirements for a SUP application but did not provide the requested floor plan for indoor vehicle sales, nor did the applicant answer staff's questions.

The applicant was not present.

Chair Windrow opened the public hearing. There being no speakers he asked if the Commissioners had any questions or motions.

Commissioner Overholt asked how soon the applicant could reapply if the Commission denies the request. Mr. McCauley responded that the applicant has 10 days to appeal to the City Council. If they do not, the case would be closed, or the applicant can withdraw the request and resubmit at another time. Overholt asked if the case can be continued. McCauley replied

that it could but considering the circumstances and the absence of the applicant, denial is recommended.

Chair Windrow stated that due to staff recommending denial and the applicant being nonresponsive, he will vote against this item.

- * ***Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2023-138 Skylane Motors. Commissioner Powell seconded the motion. Motion failed with a vote of 0-8 (All Commissioners voted in opposition, Yarbrough absent).***

11. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-385 To Modify Conceptual Plans On An Approximately 5-Acre Tract Zoned (LI) Light Industrial District And Located At 1130 And 1200 West Jackson Road And On The Northeast And Northwest Corners Of West Jackson Road And Crowley Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-143 Fujifilm Canopy Renovation. Case Coordinator: Michael McCauley.

Michael McCauley presented this item. He explained that this request includes two sites bisected by Crowley Drive, the northwest and southeast corners of Jackson Road and Crowley Drive. There is a 2010 SUP in place. The request is to amend the concept plan for the northwest corner that currently reflects a metal storage building. He explained that rather than a storage building it is actually a canopy. The application is to change the existing canopy to a larger sized canopy. The request meets building codes and setback requirements. The use is the same as currently permitted. Staff is recommending approval with stipulations except for stipulation #3. McCauley is recommending removing stipulation #3 due to the Fire Marshall already reviewing and approving the hazardous materials and management plan. No comment cards were received.

Nick Oliver, BSA Design Group, 8750 N. Central Expressway #1725, Dallas, represented the applicant, Fujifilm Ultra Pure Solutions. He stated the existing canopy is 300 square feet and they would like to change it to a 1,200 square foot canopy. In addition, they will build a steel platform that will be under the canopy and over the containment pit. It will provide workers with a walkway and fall protection system. Mr. Oliver added that the applicant understands and agrees with the stipulations.

Commissioner Overholt stated he visited the site and inquired about the “metal building”. Mr. Oliver explained that it will be a pre-engineered metal canopy. Overholt also inquired about trucks parked on Crowley Dr. Mr. Oliver stated it is unknown to him why they are there.

Chair Windrow opened the public hearing. There being no speakers he asked if the Commissioners had any questions or motions.

- * ***Commissioner Martin moved to close the public hearing and approve Case No. PLSUP 2023-143 Fujifilm Canopy Renovation with staff stipulations and removing stipulation #3. Commissioner Herman seconded the motion. Motion was approved with a vote of 8-0. (Yarbrough absent).***

12. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP 339 To Allow A Maintenance Facility, To Modify Conceptual Plans, And To Revise Development Standards On An Approximately 212.727 Acre Tract Zoned For The (LI) Light Industrial District And Located At 2020 Kelly Boulevard; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-144 Maridoe Golf Club. Case Coordinator: Emily Offer.

Emily Offer presented this item. She said there currently is a 2007 SUP for the Country Club at this location. The applicant is requesting to amend the SUP to allow for a maintenance facility at the southwest corner of the property. She provided a site plan, zoning map, landscape plan, and building elevations for Buildings A, B, C, D, and E. She noted that the property consists of 212.7 acres. Staff is recommending approval with stipulations. Three public comment cards were received.

Commissioner Doyle inquired about language in the packet that mentions the SUP expiring. Ms. Offer replied that historically an SUP would expire after five years, however that is not the case now.

Michael Carlisle, 200 N. Travis St., Sherman, Texas, who is an engineer with Kimley-Horn stated he is representing the applicant. He said that the applicant desires a more substantial maintenance facility.

Chair Windrow clarified with Mr. Carlisle that the maintenance facility will be on the southwest corner of the property.

Commissioner Overholt stated that currently there is storage on the northwest corner of Kelly Boulevard and inquired what would occur there after the new storage facility is built. Mr. Carlisle responded that one of the stipulations is to remove any temporary facilities within 30 days. Overholt spoke in favor of this item.

Chair Windrow opened the public hearing. He stated that three comment cards were received in opposition from:

Pam Mulligan, 2004 Via Bravo
Jutta Jacobs, 2001 Via Bravo
Michael Tombs, 2624 Via Avenida

One comment card was received in support from Anthony Smith, 2000 Via Bravo.

Ann Kimball, 2649 Via Ventura Circle, spoke in support.

- * ***Commissioner Powell moved to close the public hearing and approve Case No. PLSUP 2023-144 Maridoe Golf Club with stipulations. Commissioner Doyle seconded the motion. Motion was approved with a vote of 8-0. (Yarbrough absent).***

13. Hold A Public Hearing To Consider An Ordinance Amending the Zoning On A 17.4-Acre Tract Zoned (FWY) Freeway And Located On The Southeast Corner Of IH-35E And Jackson

Road To Establish A Planned Development District To Allow For Multifamily; To Create Development Standards, And Provide Concept Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-133 Broadway – IH35E-Jackson. Case Coordinator: Loren Shapiro.

Loren Shapiro, Planning Manager, advised that some revisions need to be made for this request for a multi-family planned development and that the applicant requested this case be continued to the March 7, 2024 Planning and Zoning meeting.

Chair Windrow opened the public hearing. No one requested to speak.

- * ***Commissioner Martin moved to keep the public hearing open and continue Case No. PLZPD 2023-133 Broadway – IH35E-Jackson to the March 7, 2024 meeting. Commissioner Powell seconded the motion. Motion was approved with a vote of 8-0. (Yarbrough absent).***

14. Hold A Public Hearing To Consider A Resolution Amending The Transportation Plan And The Transportation Plan Map Of The Comprehensive Plan To Change The Roadway Designation Of Broadway Street From Jackson Road To Whitlock Lane, From A (C4U) 4-Lane Undivided Collector To A (C3SD) 3-Lane Special Design Collector. Case No. PLTRA 2023-134 Broadway Street (Jackson Street to Whitlock Lane). Case Coordinator: Loren Shapiro.

Loren Shapiro, Planning Manager, stated this is a companion item to the previous item. The applicant requested this case be continued to the March 7, 2024 Planning and Zoning meeting.

Chair Windrow opened the public hearing. No one requested to speak.

- * ***Commissioner Foster moved to keep the public hearing open and continue Case No. PLTRA 2023-134 Broadway Street (Jackson Street to Whitlock Lane) to the March 7, 2024 meeting. Commissioner Powell seconded the motion. Motion was approved with a vote of 8-0. (Yarbrough absent).***

OTHER BUSINESS:

- a. Staff Reports- Loren Shapiro updated the Commission that the City Council approved both Wisdom Academy and a request for used car sales indoor only at 1206 Tappan. He also stated that the Council approved a consultant to update the Downtown Master Plan.

ADJOURNMENT

Chair Windrow adjourned the meeting at 9:08 pm.

Loren Shapiro, Planning Manager

Scott Windrow, Chair
Planning and Zoning Commission