



**Minutes
City of Carrollton
Planning & Zoning Commission
September 5, 2024**

Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, September 5, 2024 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
Willadean, Martin, Vice Chair
John Powell
Greg Kramer
Al Overholt
Kathleen Foster
Dave Hermon

Commission Members Absent:

Mark Yarbrough
Jim Doyle

Staff Members Present:

Loren Shapiro, Planning Manager
Mike McCauley, Senior Planner
Emily Offer, Senior Planner
Ed Green, Plan Review Manager
Brian Passwaters, Community Services Mgr.
Lydia Tormos, Planning Technician

Herb Cavanaugh, Fire Marshal
Jared Nations, Captain Fire Prevention
Joe Haefner, Asst. City Attorney III
Albert Thomas, Asst. City Attorney

Guests Present:

None

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

BRIEFING SESSION – 5:30 p.m. - COUNCIL BRIEFING ROOM

- A. Staff gave a brief presentation on each of the items on the consent agenda. No public testimony was allowed during the briefing.
- B. Staff conducted a short training session.
- C. Staff presented an overview and report status of the Downtown Master Plan Update.

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

Chair Windrow called the meeting to order at 6:35 pm. He opened the floor for public comments concerning any of the consent agenda items. There were none and with no questions from the Commissioners, he opened the floor for a motion.

CONSENT AGENDA:

1. **MINUTES:** Approval of the August 1, 2024 meeting minutes.
 2. Consider And Take Final Action On A **Replat Of Trinity Medical Center, Lot 2, Block 1**, For An Approximately 5.445-Acre Tract Located At 4221 North Josey Lane, To Subdivide One Lot Into Two Lots, And Dedicate Easements. **Case No. PLRP 2024-119 Trinity Medical Center, Lots 2R-1, 2R-2, Block 1**. Case Coordinator: Michael McCauley.
 3. Consider And Take Final Action On A **Replat Of Walker Addition Phase Two, Lot B And Lot C, Block 1**, For An Approximately 1.22-Acre Tract Located At 3648 Old Denton Road And Approximately 260 Feet South Of Rosemeade Parkway And Along Old Denton Road, To Combine Two Lots. **Case No. PLRP 2024-116 Rizvi Addition, Lot 1, Block A**. Case Coordinator: Emily Offer.
- * *Commissioner Powell moved to approve Consent Agenda Items 1-3 (2 and 3 with stipulations); second by Commissioner Foster. The motion was approved with a 7-0 vote, (Yarbrough and Doyle absent).*

PUBLIC HEARING:

4. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Establish A Special Use Permit To Allow Short-Term Rental** On An Approximately 0.23-Acre Lot Zoned (SF-10/18) Single-Family Residential District And Located At 2510 Canterbury Drive; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-097 2510 Canterbury Drive Short-Term Rental**. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, presented this item. He stated the property is a four-bedroom, 2,300 square-foot, single-family residence, and reviewed the location of the property. He said there is direct alley access in the rear. No code violations have occurred. Staff is recommending approval with stipulations. He requested that the stipulated limitation of five (5) adult occupants be changed to six (6) adult occupants. A floor plan of the home was provided.

Chair Windrow asked if the applicant would like to speak.

Applicant Chris Choi, 460 N. Kings Rd., Los Angeles, California, presented his request for approval. He stated he is the property manager for 100 properties in five (5) states; this property is the first in Carrollton.

Commissioner Overholt asked the applicant whether he managed the property on June 21, adding that there was a complaint regarding noise/music and drug use on that date. Mr. Choi stated that after that incident a noise detector and cameras were installed.

Commissioner Kramer asked whether the home is already being rented. Mr. Choi advised that the home is currently rented with a 30-day minimum. Commissioner Foster asked what the average stay is. Mr. Choi responded that most stays are for people who are undergoing emergency-type repairs on their own homes, so typically 2-3 months. This request would allow for short-term rentals of 1-2 weeks. Mr. Choi added that he does not allow 1–2-night stays, particularly on weekends. Commissioner Overholt asked whether he would object to including that as a stipulation on the approval. Mr. Choi responded that is acceptable.

Chair Windrow asked how the noise detectors are used to control noise. Mr. Choi responded that the devices monitor the number of different voices in the property and if excessive, the local manager comes to the home to remedy. If any issues occur, then police are called.

Chair Windrow opened the public hearing. He advised that five public comment cards were received in opposition. There being no speakers he asked if the Commissioners had any questions or motions.

Chair Windrow commented that he had read the public comment cards and will vote against this item. He said that due to the children in the neighborhood the location is not appropriate.

- * *Commissioner Martin moved to close the public hearing and approve Case No. PLSUP 2024-097 2510 Canterbury Drive Short-Term Rental with stipulations and amending the stipulation limiting the number of adult occupants from 5 to 6, second by Commissioner Hermon. The motion failed with a 1-6 vote. Commissioner Martin voted in favor; Commissioner Windrow, Commissioner Powell, Commissioner Kramer, Commissioner Overholt, Commissioner Foster and Commissioner Hermon opposed this item, (Yarbrough and Doyle absent).*

Chair Windrow advised that since this item was not approved by the Planning and Zoning Commission, the applicant has 10 days from today to file a written appeal to the City Council.

5. **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) In An Approximately 1,039 Square Foot Lease Space Zoned For The (LR-2) Local Retail District And Located At 2450 Old Denton Road, Suite 308, Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-096 Kiddleton Arcade.** Case Coordinator: Emily Offer.

Emily Offer, Senior Planner, presented this item. She reviewed the location and provided a zoning map for this arcade request. She stated that approximately a year ago, Kiddleton arcades were approved in 99 Ranch and H-Mart. She added that this arcade would be in its own suite. There are three other arcades located in this area.

Ms. Offer stated that the suite is approximately 1,000 square feet and she provided a floor plan. She added that there will be 113 devices (5 types) and photos were provided. No alcohol will be served. One comment card was received and provided to the Commissioners. Staff is recommending approval with stipulations.

Commissioner Martin asked for confirmation of other arcade locations in the area and Ms. Offer provided a review.

Loren Shapiro, Planning Manager, reminded the Commissioners to focus on the use of the land and whether it is appropriate for the area.

Chair Windrow asked if the applicant was present and wished to speak. The applicant did not wish to speak. Chair Windrow opened the public hearing. There being no speakers he asked if the Commissioners had any questions or motions.

* *Commissioner Kramer moved to close the public hearing and approve Case No. PLSUP 2024-096 Kiddleton Arcade with stipulations; second by Commissioner Foster. The motion was approved with a 6-1 vote. Commissioner Foster opposed, (Yarbrough and Doyle absent).*

6. Hold A Public Hearing To Consider An Ordinance To **Establish A Special Use Permit For A Smoking Lounge (Hookah Lounge)** In An Approximately 3,370 Square Foot Lease Space Zoned PD-05 For The (LR-2) Local Retail District And Located At 2640 Old Denton Road, Suites 132 And 140; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-115 Hookah Lounge Extension.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, advised this item is a request to expand an existing smoking lounge from Suite 140 and combine it with Suite 132. In 2017 Suite 140 was issued a Certificate of Occupancy for a tobacco store, which was allowed by right. Now, a smoking/hookah lounge requires a Special Use Permit in the Local Retail District. Mr. McCauley noted that there are records of several police calls. One public comment card in support was received. Staff is not recommending approval, however, should the Commission approve this item, stipulations for consideration are recommended.

Commissioner Overholt requested clarification regarding a current SUP for #140. Mr. McCauley stated there is not one as it was grandfathered in 2017.

Commissioner Powell confirmed with Mr. McCauley that once the two suites are merged there will one SUP for both suites. McCauley stated once that suites are combined there would only be one suite number and thus one SUP.

Chair Windrow asked if the applicant would like to speak.

Applicant Kashish Chadha, 2640 Old Denton Rd., #140, Carrollton, explained his request to join the two suites for additional space, and additional entrances and exits. There is no request for an increase in occupancy. He provided commentary on the previous police calls.

Commissioner Martin asked whether there have been any police issues since he took over ownership in 2022. Mr. Chadha explained that some calls are regarding parking and other issues in the parking lot. He stated he changed his request to no longer have a kitchen and that no alcohol will be served, this would simply be a smoking lounge/hookah.

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

- * ***Commissioner Foster moved to close the public hearing and approve Case No. PLSUP 2024-115 Hookah Lounge Extension with stipulations; second by Commissioner Powell. The motion failed with a 1-6 vote. Commissioner Powell voted in favor; Commissioner Martin; Commissioner Windrow, Commissioner Kramer, Commissioner Overholt, Commissioner Foster and Commissioner Hermon were opposed, (Yarbrough and Doyle absent).***

Chair Windrow advised that since this item was not approved by the Planning and Zoning Commission, the applicant has 10 days from today to file a written appeal to the City Council.

OTHER BUSINESS:

a. Staff Reports-

Mr. Shapiro, Planning Manager, provided the outcome for two Planning and Zoning items that City Council considered on August 6, 2024.

Mr. Shapiro reminded the Commissioners of the APA State Planning Conference to be held October 16-18 in Allen, Texas. Class schedules are not available as of now.

ADJOURNMENT

Chair Windrow adjourned the meeting at 7:30 pm.

Loren Shapiro, Planning Manager

Scott Windrow, Chair
Planning and Zoning Commission