



DRAFT Minutes
City of Carrollton
Planning & Zoning Commission
December 5, 2024
Briefing Session and Meeting

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

Commission Members Present:

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

Commission Members Absent:

Mark Yarbrough, 1st Vice Chair

Alternate:

Rusty Pendleton

Staff Members Present:

Loren Shapiro, Planning Manager
Emily Offer, Senior Planner
Ed Green, Plan Review Manager
Lydia Tormos, Planning Technician
Brian Passwaters, Community Services Mgr.
Brett King, Director of Development Services

Herb Cavanaugh, Fire Marshal
John Romberger, Transportation Engineer
Albert Thomas, Asst. City Attorney
Darwin Ortega, Sr. Code Enf. Officer
Tim Rousch, Code Enf. Officer

Guests Present:

Daisy Palomo, Council Observer

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

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 7,000 Square-Foot Lot Zoned (SF-7/14) Single-Family Residential District And Located At 4017 Black Oak Drive; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-167 4017 Black Oak Drive STR.** Case Coordinator: Loren Shapiro.

Loren Shapiro presented this case. He advised this request is for a short-term rental (STR) for a single-family residence built in 1993. It has 2,578 square feet. The zoning map was provided. Mr. Shapiro reviewed the STR regulations, noting that at this location, there have been no code violations or police or fire incidents reported to the city. He stated staff does feel it is an appropriate

use, however, several public comments from surrounding neighbors have been received.

Commissioner Kramer inquired whether this property was previously used as a STR. Mr. Shapiro responded that it has not.

Emily Cuevas, 4024 Randall Lane, Carrollton, spoke. She advised that she is not the property owner however she does manage the property. She added that two years ago, when the property was first purchased for use as a STR, there were no city regulations in place. She stated that during the past two years, neighbors have been hostile regarding the property's use while some others have used it for family stays. She stated she lives two blocks from the home and observes it frequently. It was stated that the property has interior noise monitoring, and exterior security cameras.

Commissioner Kramer asked Community Services Manager Brian Passwaters about the timeline/circumstances regarding grandfathered STR properties. Mr. Passwaters stated that the City of Carrollton adopted a STR ordinance in December 2022. Any STR properties that operated before then were allowed to continue, however had to obtain a lodging permit which includes an inspection of the property. The lodging permit is obtained after a SUP is granted. Mr. Passwaters confirmed there are no violations at this property. Commissioner Martin asked a clarifying question regarding the timeline. Mr. Passwaters stated that the applicant is allowed to have guests while the permitting process is underway.

Commissioner Foster confirmed with the applicant that they manage 18 other properties, and also asked who monitors the noise. The applicant responded that she monitors the noise through an application on her phone.

Commissioner Kramer asked the applicant if she was aware of the stipulations. She responded yes.

Chair Windrow opened the public hearing. He stated that he has 18 cards in opposition.

The following spoke in opposition:

Jennifer Club, 4015 Black Oak Dr.
Lex Rewerts 1301 Ponderosa Pine
Eric Shih, 1302 Royal Palm Ln.
Alan Carlisle, 1317 Red Maple Dr.
Cindy Carlisle, 1317 Red Maple Dr.
Caitlin Knowles, 1307 Red Maple Dr.
Akbar Khwaja, 4029 Red Maple Dr.

The following did not wish to speak but wanted their opposition to go on record:

Susan Jost, 3913 Randall Ln.
David Jost, 3913 Randall Lane
John Faruolo, 1311 Red Maple Dr.
Ramona Phillips, 4001 Black Oak Dr.

Benjamin Greenwalt, 1307 Red Maple Dr.
Larry Walker, 1310 Red Maple Dr.
Carolyn Walker, 1310 Red Maple Dr.
Dianna Cox, 3912 Randall Ln.
Steve Phillips, 4001 Black Oak Dr.
Evelyn Baskir, 1318 Red Maple Dr.

Chair Windrow asked the applicant if she has any closing remarks. She explained issues she has witnessed with other homeowners having trash and parking issues. She said there are two other STRs in the neighborhood that are not adhering to STR regulations.

Commissioner Overholt responded to the speakers, stating that strict guidelines have been adopted for STRs. He encouraged those who have complaints to report those to the city. He asked Mr. Passwaters to review the process for people to report issues. Mr. Passwaters said that can be done on the city's portal and then staff will investigate.

Chair Windrow asked if the stipulations are posted publicly. Mr. Passwaters stated that the case reports include the information and when addressed by P&Z or the Council, that information is included in those agenda packets.

Commissioner Foster asked who screens the renters. The applicant responded that Airbnb conducts background checks and she get copies of IDs or passports. Discussion on lengths of stays followed.

Commissioner Foster asked how information on STRs that are grandfathered may be obtained. Mr. Passwaters said through an Open Records Request. Commissioner Kramer asked if the STR ordinance is on the website. Mr. Passwaters responded yes. Commissioner Kramer stated he does not want to prohibit STRs but concerned neighbors need to know if there are any in their neighborhood. He stated he would vote in favor. Commissioner Overholt stated that since the city is recommending approval, he will vote in favor.

* ***Commissioner Martin moved to close the public hearing and approve Case No. PLSUP 2024-167 4017 Black Oak Drive STR with stipulations.; second by Commissioner Foster. The motion was approved with a unanimous 8-0 vote (Yarbrough absent).***