

**Excerpt from Approved Minutes
Planning & Zoning Commission
Meeting of February 5, 2014**

Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Barton presented the case stating it would create a new Planned Development District which would combine a new office building along Midway Road with approximately 500 multi-family residential rental units. Staff recommended a deceleration lane into the main entrance on Midway Road and that Air Park Drive be improved and widened. A new traffic signal at the intersection Air Park Drive and Park Boulevard/Hebron Parkway was highly recommended but that section of the road is in Plano not Carrollton. Staff is currently in communication with the City of Plano concerning this but at this time has not received a definitive answer as to whether Plano will install a signal. Staff recommended approval with a number of stipulations.

Lucy Billingsley, 6701 Turtle Creek, Dallas, applicant, provided an extensive presentation noting they let the buildings define the streets. She talked about the courtyards and open space areas and referred to the elevations and artists renderings. She advised that the elevations were not precise but were indicative of what they plan to do.

Stotz stated it was his understanding that the townhomes and all the units would be for lease and would not be for sale and Ms. Billingsley replied that he was correct.

Vice Chair Averett opened the public hearing and invited speakers to the podium.

The following individuals spoke in opposition to the request:

Fred Taylor, 6305 Lockheed, Plano, in Air Park Dallas
John Hammond, 6335 Douglas, Plano
Joe Head, 1890 Air Park Lane, Plano
David Seals, 6335 Stinson Street, Plano
Bill Strahan, 6300 Douglas Street, Plano
Paul Whitesell, 6355 Stinson Street, Plano
Diane Harmon, 2101 Lavaca Trail, Carrollton

The following individuals submitted a card in opposition but did not wish to speak:

Margaret Ernst, 6305 Lockheed, Plano

The following individuals spoke in favor of the request:

Lucilo Pena, 1717 Arts Plaza, Dallas, President of Development –
Billingsley Development Co.

Henry Billingsley, Billingsley Development Co., 6701 Turtle Creek, Dallas

There being no other speakers, Vice Chair Averett opened the floor for discussion or a motion by the Commission.

Nesbit stated he was excited about development of the area and about the possibility of a mixed use development specifically. He recognized the history between Air Park and the Billingsley Company and said he felt there were valid concerns or questions that need to be addressed before he would be comfortable making a final decision. Primarily the concerns were FAA concerns, a traffic control device that the City would not have control over, and screening between the two properties.

Stotz asked about the number of take-offs and landings and Mr. Whitesell stated the information would be available through the Addison Airport.

Kiser asked about constructing a fence on the east side of Air Park Lane with controlled access to get past the public area back into the residential area. Mr. Whitesell replied that where the road would go into Air Park Meadow was not only outside of Carrollton; it was beyond the first set of houses. Barton advised that the annexation went approximately 630 feet south of Park. Ms. Billingsley suggested they be given an opportunity to gather data to clarify the things that were being questioned such as the road before moving forward. Mr. Hammond suggested the problem could probably be resolved if they would open Air Park access to the residential part to International Parkway and then it could be fenced with an access gate.

McAninch voiced concerns about the air strip being unprotected and the need for security.

**** Kiser moved to keep the public hearing open, and continued the case until all issues have been resolved including the security and safety of the airfield, possibly another traffic study, and confirmation from the City of Plano if they were willing to install the traffic signal; second by Nesbit. Barton suggested continuing the hearing to a date certain such as the March 5 meeting. Kiser agreed to continue the case to the March 5 meeting and Nesbit agreed with the change. The motion was approved with a unanimous 6-0 vote (Romo and Daniel-Nix absent, one vacant seat).***

**Excerpt from Approved Minutes
Planning & Zoning Commission
Meeting of March 5, 2014**

10. Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Chair McAninch advised that Commissioner Romo had filed a Conflict of Interest affidavit and recused himself from the meeting.

Barton presented the case noting that the case was continued from the February 5, 2015 meeting to allow the applicant to investigate modifications in response to comments made by residents of the Air Park Estates area. He referred to a meeting held with staff, the applicant and residents of Air Park that he felt was productive.

Lucy Billingsley, Billingsley Co., applicant, recapped the previous presentation stating it would be a development with office, residential rental consisting of townhomes and apartments with a structured garage and would be a very urban oriented development. She underscored that the residents of Air Park were not citizens of Carrollton and that the neighbors of the property within Carrollton were supportive of the proposal. She addressed the things that add value for those at Air Park and others in the area such as installing gates at Air Park and improvements to Air Park Lane owned by the Billingsley Company. She explained that a second traffic analysis was conducted and the results provided to the city of Plano along with the restated offer to fund the construction of a traffic signal, but Plano has denied the request finding that it did not meet the needs to warrant one. She stated they were willing to commit to installing a chain link fence as requested by the residents of Air Park to prohibit people from entering the air strip and used the aerial map to depict the location of the fence. She stated that the zoning committee for Air Park has voted to approve the following actions: road improvement, dedication to the City, the annexation, the two points of access, the fence and the gates. She stated she has read and understands the staff stipulations.

Steve Stoner, DeShazo Group, 400 S. Houston Street, Dallas, stated that the traffic analysis showed that traffic would flow in all directions but probably a little higher to the east and to the south. He noted that Air Park Lane would be equally attractive as the other access points on Park Blvd and Midway Road. The garage traffic was probably best suited to access Air Park Lane but would have ability to access other points as well.

Chair McAninch opened the public hearing and invited speakers to the podium.

The following individuals spoke in opposition to the request due to density, incompatible use, safety, traffic, drainage, and nuisance concerns:

Samuel Head, 1890 Air Park Ln., Plano, TX
Joe Head, 1890 Air Park Ln., Plano, TX
Chris Kratovil, 1717 Main St., #4200, Dallas, TX
Scott Meyer, 6315 Douglas St., Plano, TX
John Hammond, 6335 Douglas St., Plano, TX
Fred Taylor, 6305 Lockheed St., Plano, TX
Tony Mazzu, 1620 Air Park Ln., Plano, TX
David Deals, 6335 Stinson St., Plano, TX
Bruce Kaminski, 6304 Piper St., Plano, TX

The following individuals submitted a card in opposition but did not wish to speak:

Alicia Jones, 6315 Beech, Plano, TX
Larry Sandell, 6315 Beech, Plano, TX
Margie Hammond, 6335 Douglas St., Plano, TX
Margaret Ernst, 6305 Lockheed St. Plano, TX
Alfred Pick, 6345 Douglas St., Plano, TX

The following individual submitted a card in a neutral position and did not wish to speak:

Chris Willhite;

Ms. Billingsley provided rebuttal and clarifications in her closing comments. She stated that the location of the gates could be changed and also referred to the letter submitted from the FAA advising that the development would not have an adverse impact on Air Park Dallas. Discussion was held with regard to residents' use of Air Park Lane and Ms. Billingsley stated the only way to have no impact on Air Park Lane would require a full redesign. Henry Billingsley stepped up and talked about constructing a road from Park Blvd. to the entry of the main garage which is completely in the city limits of Carrollton and it would have to be accessible for fire and police. He underscored that Air Park Lane was not a private road.

Chair McAninch opened the floor for discussion or a motion. Commissioners voiced the need for more work and compromise between the development and Air Park residents to address the issues and concerns of both parties and specifically noted the possibility of access at International Parkway.

*** *Averett moved to keep the public hearing open and continue Case No. 02-15Z1 RP at Park to the April 2, 2015 Planning & Zoning meeting; second by***

Daniel-Nix and the motion was approved with a 7-1- vote, (Stotz opposed and Romo abstained due to conflict of interest).

Commissioner Romo returned to the dais.

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of April 2, 2014**

Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Chair McAninch advised that Commissioner Romo excused himself from the meeting for Item 8 due to a conflict of interest.

Barton noted that the Commission considered the case on February 25 and again on March 5, 2015 and therefore would not review the entire request again; only pointed out the items that had changed since the March 5th meeting. He advised that the applicant submitted a second revised site plan and stated the essential changes were the addition of a fence consisting of masonry columns periodically with a tubular steel panel in between the columns along the eastern boundary of the property line adjacent to Air Park Drive to the northeast corner of the subject property; an emergency access gate at the southwest corner; removal of a proposed driveway near the northeast corner; redesign of the parking garage so there would be no exit to the northeast; and added a small apartment building where a driveway had been previously proposed. He explained that due to the revisions some of the stipulations changed and reviewed the changes. Staff recommended approval with stipulations.

Lucy Billingsley, 6701 Turtle Creek, Dallas, stated that in accordance with the Commission's request, they met with the neighbors about the desire to limit the foot and vehicular traffic on Air Park Lane and felt that the goal was achieved in the redesign of the property. She further stated that they were still willing to erect the fence depicted as the red line on the plan to address safety and access to the airport. Lastly, she stated that she read and understood the revised stipulations.

Chair McAninch opened the public hearing noting a 10 minute limit for speakers on both sides of the request due to the two previous hearings on the item and limiting first time speakers to 1 minute. She invited speakers to the podium.

Pat Atkins, Planning Consultant for Air Park Dallas residents, 3076 Hayes Lane, Rockwall, requested the item be tabled to allow for more time to work out specific details if the multi-family use would be allowed adjacent to Air Park. He stated the residents were not in support of multi-family use. He said that if the Commission chooses to move forward, the residents request

an extension of the wrought iron fence to 544/Park to act as a barrier and request that the entry along the retail corridor north of the multi-family be emergency access only.

Bruce Kaminski, 6304 Piper Street, provided photos of general traffic on Air Park Lane. He used an aerial to depict where planes currently park stating the proposed fence would go into that area.

Gale Woefordorf addressed concern with the mix if incompatible uses without adequate buffering. He voiced opposition to the proposed zoning change.

Margie Hammond, 6335 Douglas Street, addressed traffic concerns.

David Keith, 6321 Douglas Street, stated that people park on the side of Air Park Lane now because of inadequate parking currently on the Billingsley project and stated he was not comfortable with people parking further into the residential neighborhood.

Paul Whitesell, 6355 Stinson Street, license holder for the Air Park water system, stated there was a 3" water line about 2 feet deep along Air Park Lane where the vehicles were parked. He voiced concern that the line would be compromised by the traffic. He felt the requested extension of the fence would address the concern. He also voiced concern about excess drainage or runoff onto Air Park Lane from the west.

Chair McAninch noted that the 10 minutes time limit had been reached for those opposed to the request and invited those in favor of the request to speak.

Jacob Ebara, 1827 E. Peters Colony, stated he reviewed the plans and felt it was a great idea.

Donna Carter, 2245 Round Rock Drive, spoke in support of the development. She felt it would be beneficial to the City, the residents and the local businesses.

Chair McAninch noted that Chris Potter submitted a card in support of the request but did not wish to speak.

Mark Shisler, 4645 Plano Parkway, stated he was in favor of the request.

There being no other speakers, Chair McAninch offered the floor to the applicant for rebuttal or closing remarks.

Ms. Billingsley stated that they were committed to addressing drainage at the appropriate time with staff in accordance with City Code. She further noted that access to the retail was vital to the success of the retail establishments.

*** Kiser moved to approve Case No. 02-15Z1 RP at Park with stipulations but eliminating Stipulations K regarding security gates installed across Piper Lane and Air Park Drive,**

L regarding Air Park Drive being labeled as a secondary entry, with an effort to direct traffic to the north, and M regarding installation of a four foot tall fence along the airport runway, as listed in the staff report and with the addition of Stipulation N requiring a fence consisting of masonry columns with decorative metal (“wrought iron”) panels to be installed along the east property line of the project along Air Park Road. Within said fence “emergency access only” vehicular access gates shall be permitted; second by Daniel-Nix. Nesbit stated that at the last meeting the Commission asked the two parties to meet to improve the proposal, and he felt it was accomplished, although the Air Park residents were asking for more things. He stated he was looking forward to the development proceeding. The motion was approved with a 6-0 vote (Stotz and Kraus absent, Romo abstained).