

City of Carrollton

1945 E. Jackson Road
Carrollton, TX 75006



REGULAR WORKSESSION & MEETING

Tuesday, July 2, 2024

5:45 PM

CITY HALL, 2nd Floor

City Council

Mayor Steve Babick
Mayor Pro Tem Richard Fleming
Deputy Mayor Pro Tem Christopher Axberg
Councilmember Jason Carpenter
Councilmember Andrew Palacios
Councilmember Nancy Cline
Councilmember Daisy Palomo
Councilmember Rowena Watters

*****PRE-MEETING / EXECUTIVE SESSION*******5:45 P.M. – COUNCIL BRIEFING ROOM**

1. Receive **information and discuss Agenda.**
2. Council will convene in **Executive Session** pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
3. Council will **reconvene in open session** to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

4. Discuss **Proposed Fiscal Year 2025 Departmental Additions To Base.**
5. **Mayor And Council Reports And Information Sharing.**

*****REGULAR MEETING 7:00 PM*******INVOCATION - Councilmember Jason Carpenter****PLEDGE OF ALLEGIANCE - Deputy Mayor Pro Tem Christopher Axberg****PUBLIC COMMENT**

6. **Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

BIDS & PURCHASES

- *7.** Consider **Approval Of The Purchase Of Two Vehicles From Sam Pack Five Star Ford Through An Interlocal Agreement With The Texas Smart Buy Purchasing Cooperative In An Amount Not To Exceed \$92,974.00.**
- *8.** Consider **Approval Of The Purchase Of Three Vehicles From Sam Pack Five Star Ford Through An Interlocal Agreement With The Texas Smart Buy Purchasing Cooperative In An Amount Not To Exceed \$205,743.00.**
- *9.** Consider **Approval Of Historical Renovations To The A.W. Perry Homestead By Dallas Harmony Construction Through An Inter-Local Agreement With BuyBoard In An Amount No To Exceed \$534,223.80.**

CONTRACTS & AGREEMENTS

- *10.** Consider **Authorizing The City Manager To Execute Change Order No. 3 With KIK Underground, LLC For Additional Work As Part Of The Northland Estates Paving And Utility Improvements Project In An Amount Not To Exceed \$68,174.30, Increasing The Total Project Contract To An Amount Not To Exceed \$5,389,047.34.**
- *11.** Consider **Authorizing The City Manager To Execute Change Order No. 2 With Garrett Demolition, Inc. For The Demolition Of The Structure Located At 1301 South IH-35 East, In An Amount Not To Exceed \$22,576.00, Increasing The Total Project Contract To An Amount Not To Exceed \$174,865.00.**

RESOLUTIONS

- *12.** Consider **A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Three Parcels Of Property In The Carrollton Heights Addition For Public Right-Of-Way In An Amount Not To Exceed \$52,000.00.**
- *13.** Consider **A Resolution Authorizing The City Manager To Take All Necessary Action Related To The Submission Of Applications Through The 2025 Motor Vehicle Crime Prevention Authority (MVCPA) SB224 Catalytic Converter Grant Program In A Total Amount Of \$221,000.00.**

- *14.** Consider A Resolution Authorizing The City Manager To Execute A Lease With Farmers Branch Community Theatre, Inc., DBA Firehouse Theatre, For The Use Of City-Owned Property Located At 1003 West Main Street.
- *15.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Approximately 0.55 Acres Of Land Located At 1429 North IH-35E and 1437 North IH-35E In An Amount Not To Exceed \$845,000.00

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

- 16.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 9,100 Square-Foot Lot Zoned Planned Development District No. 169 (PD-169) For The (SF-12/20) Single-Family Residential District And Located At 1829 East Belt Line Road And Approximately 300 Feet West Of Josey Lane; And Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-008 1829 East Belt Line Road Short-Term Rental.
- 17.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Two Special Use Permits, SUP-237 At 2308 Marsh Lane For A 100-Foot-Tall Protective Net For A Golf Driving Range And SUP-340 At 1518 South IH-35E For Motorcycle Rental; And Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-055 Repeal Two SUPs.
- 18.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.39-Acre Tract Zoned To The (LI) Light Industrial District And Located At 1811 Trinity Valley Drive, Establishing A Planned Development District To Accommodate Development On Less Than 5-Acres Without Affecting Adjacent Properties To Create Development Standards And Provide Conceptual Plans; And Amending The Official Zoning Map Accordingly. Case No. PLZ 2024-052 Penikam Warehouse.

PUBLIC FORUM

- 19. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

ADJOURNMENT

CERTIFICATE - I certify that the above agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on the 28th day of June 2024 at 12:00pm.

Chloe Sawatzky

Chloe Sawatzky, City Secretary

This building is wheelchair accessible. For accommodations or sign interpretive services, please contact City Secretary's Office at least 72 hours in advance at 972-466-3001. Opportunities and services are offered by the City of Carrollton without regard to race, color, age, national origin, religion, sex or disability.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a regional, state or national convention or workshop, social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conference; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

FIREARMS PROHIBITED at City Council meetings pursuant to Texas Penal Code Sections 46.035(c) and 30.05.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 6740

Agenda Date: 7/2/2024

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

CC MEETING: July 2, 2024

DATE: June 25, 2024

TO: Erin Rinehart, City Manager

FROM: Chris Chiancone, Chief Information Officer
Scott Whitaker, Parks and Recreation Director
Chrystal Davis, Assistant City Manager

Discuss **Proposed Fiscal Year 2025 Departmental Additions To Base.**



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 5231

Agenda Date:

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 5.

Mayor And Council Reports And Information Sharing.



Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 6.

Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.

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Agenda Memo
File Number: 6741

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *7.

CC MEETING: July 2, 2024

DATE: June 26, 2024

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Fleet and Facilities Director
Marc Guy, Assistant City Manager

Consider **Approval Of The Purchase Of Two Vehicles From Sam Pack Five Star Ford Through An Interlocal Agreement With The Texas Smart Buy Purchasing Cooperative In An Amount Not To Exceed \$92,974.00.**

BACKGROUND:

Fleet Services is recommending the purchase of two vehicles assigned to the Police Department. The recommended purchase will consist of two Ford F-150 pickup trucks. The current vehicles in the fleet will be retired per Fleet’s policy on age and maintenance. The average expected life span of these type of vehicles is ten years. The vehicles being replaced are both eleven years old.

These trucks are used daily for transporting staff, towing trailers and performing other needed functions. The recommended replacements are being made after discussions with operators and the Police administration to properly align vehicle specifications with current business needs.

Staff recommends purchasing the vehicles from Sam Pack Five Star Ford through the Texas Smart Buy Purchasing Cooperative Agreement. This cooperative purchasing entity meets all state of Texas competitive bidding requirements. The use of cooperative purchasing agencies is allowed under Texas law.

FINANCIAL IMPLICATIONS:

The trucks will be purchased from budgeted funds from the Fleet Replacement Fund.

Sam Pack Five Star Ford

F-150 (2) (Texas Smart Buy) \$92,974.00

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do their job, which is a City Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the purchase of two Ford F-150 pickup trucks from Sam Pack Five Star Ford through an interlocal agreement with the Texas Smart Buy Purchasing Cooperative in an amount not to exceed \$92,974.00.

Carrollton Fleet Replacement Schedule FY 23-24

July 2, 2024	
Units Purchased	50
Purchases under 50k not needing council approval	3
Units Currently Being Presented to Council	5
Deferred Units	9
Approved ATB's(included in total)	9
Remaining Purchases Needed	2
Total	78



Agenda Memo
File Number: 6742

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *8.

CC MEETING: July 2, 2024

DATE: June 26, 2024

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Director Fleet and Facilities
Marc Guy, Assistant City Manager

Consider Approval Of The Purchase Of Three Vehicles From Sam Pack Five Star Ford Through An Interlocal Agreement With The Texas Smart Buy Purchasing Cooperative In An Amount Not To Exceed \$205,743.00.

BACKGROUND:

Fleet Services is recommending the purchase of three vehicles assigned to the Police Department. The recommended purchase will consist of three Ford Explorers. The current vehicles in the fleet will be retired per Fleet’s policy on age and maintenance. The average expected life span of these types of vehicles is five years. The vehicles being replaced are all six years old.

These vehicles are used daily for traffic control in and around the City. The recommended replacements are being made after discussions with operators and Police administration to properly align vehicle specifications with current business needs.

Staff recommends purchasing the vehicles from Sam Pack Five Star Ford through the Texas Smart Buy Cooperative Purchasing Agreement. This cooperative purchasing entity meets all state of Texas competitive bidding requirements. The use of cooperative purchasing agencies is allowed under Texas law.

FINANCIAL IMPLICATIONS:

The trucks will be purchased from budgeted funds from the Fleet Replacement Fund.

Sam Pack Five Star Ford

Ford Explorer (3) (Texas Smart Buy) \$205,743.00

IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do

their job, which is a City Council strategic goal.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the purchase of three Ford Explorers from Sam Pack Five Star Ford through an interlocal agreement with the Texas Smart Buy Purchasing Cooperative in an amount not to exceed \$205,743.00.

Carrollton Fleet Replacement Schedule FY 23-24

July 2, 2024	
Units Purchased	50
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Remaining Purchases Needed	2
Total	78



Agenda Memo
File Number: 6743

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *9.

CC MEETING: July 2, 2024

DATE: June 20, 2024

TO: Erin Rinehart, City Manager

FROM: Kim Bybee, Parks Manager
Chrystal Davis, Assistant City Manager

Consider **Approval Of Historical Renovations To The A.W. Perry Homestead By Dallas Harmony Construction Through An Inter-Local Agreement With BuyBoard In An Amount No To Exceed \$534,223.80.**

BACKGROUND:

Additional funding for a Historic Structures Report (HSR) was granted during the FY19 budget process for the A.W. Perry Homestead Museum and property. The final updated report was completed in 2020. An HSR provides documentary, graphic, and physical information about a property’s history and existing condition, prioritizing restoration efforts to extend the longevity and use of a historic property. This comprehensive report included a history report, architectural report, inspections report, accessibility report, and structural report. Through this study, over 100 points of consideration for inspection were identified.

City staff have addressed several items, but we have now reached a stage where a specialized restoration expert is needed to complete the necessary renovations to preserve both the interior and exterior of the house and outbuildings. These renovations will not include work on the barn, as that structure was approved for funding during the 2022 bond election.

A 10% contingency is included to cover any additional costs that may arise during the renovation process.

FINANCIAL IMPLICATIONS:

Competitive pricing was secured through BuyBoard. The renovations of the museum will be funded out of the following accounts:

ACCTG UNIT

854360 - Perry Museum Improvements

BUDGET AMOUNT

\$534,223.80

IMPACT ON COMMUNITY SUSTAINABILITY:

This project supports and aligns with Council goals and objectives through the fiduciary care and maintenance of our infrastructure.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the renovations to the A.W. Perry Homestead by Dallas Harmony Construction in an amount not to exceed \$534,223.80 using the City's existing agreement with BuyBoard.



Agenda Memo
File Number: 6729

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *10.

CC MEETING: July 2, 2024

DATE: June 19, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider **Authorizing The City Manager To Execute Change Order No. 3 With KIK Underground, LLC For Additional Work As Part Of The Northland Estates Paving And Utility Improvements Project In An Amount Not To Exceed \$68,174.30, Increasing The Total Project Contract To An Amount Not To Exceed \$5,389,047.34.**

BACKGROUND:

During the rain events in late May and early June 2024, a slope failure occurred in the drainage channel located east of McCoy Road and south of the Northland Estates neighborhood. The Northland Estates contractor, KIK Underground, LLC, is still mobilized and can quickly complete the repairs.

The City Council awarded a contract on June 20, 2023, to KIK Underground in the amount of \$5,266,909.50. The scope of the project is to replace streets, alleys, sidewalks, water and sanitary sewer lines and storm drainage pipe throughout the Northland Estates neighborhood. Change order no. 1, in the amount of \$3,114.54, was approved administratively on July 28, 2023. Change order no. 2, in the amount of \$50,849.00, was approved by City Council on April 2, 2024, for additional waterlines, channel improvements and tree removal.

Change order no. 3 is in the amount of \$68,174.30, and will cover the following items:

- Install 6” concrete channel riprap
- Remove and replace channel riprap/wall
- Repair and restore the channel embankment

The duration of construction will increase by 30 days to a total of 330 calendar days.

FINANCIAL IMPLICATIONS:

KIK Underground submitted a proposal to the City to accomplish the scope of the change order in an amount not to exceed \$68,174.30. The revised contract amount will be \$5,389,047.34, an increase of 2.3% from the original contract amount of \$5,266,909.50. Funding is available in the Drainage Consolidated Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

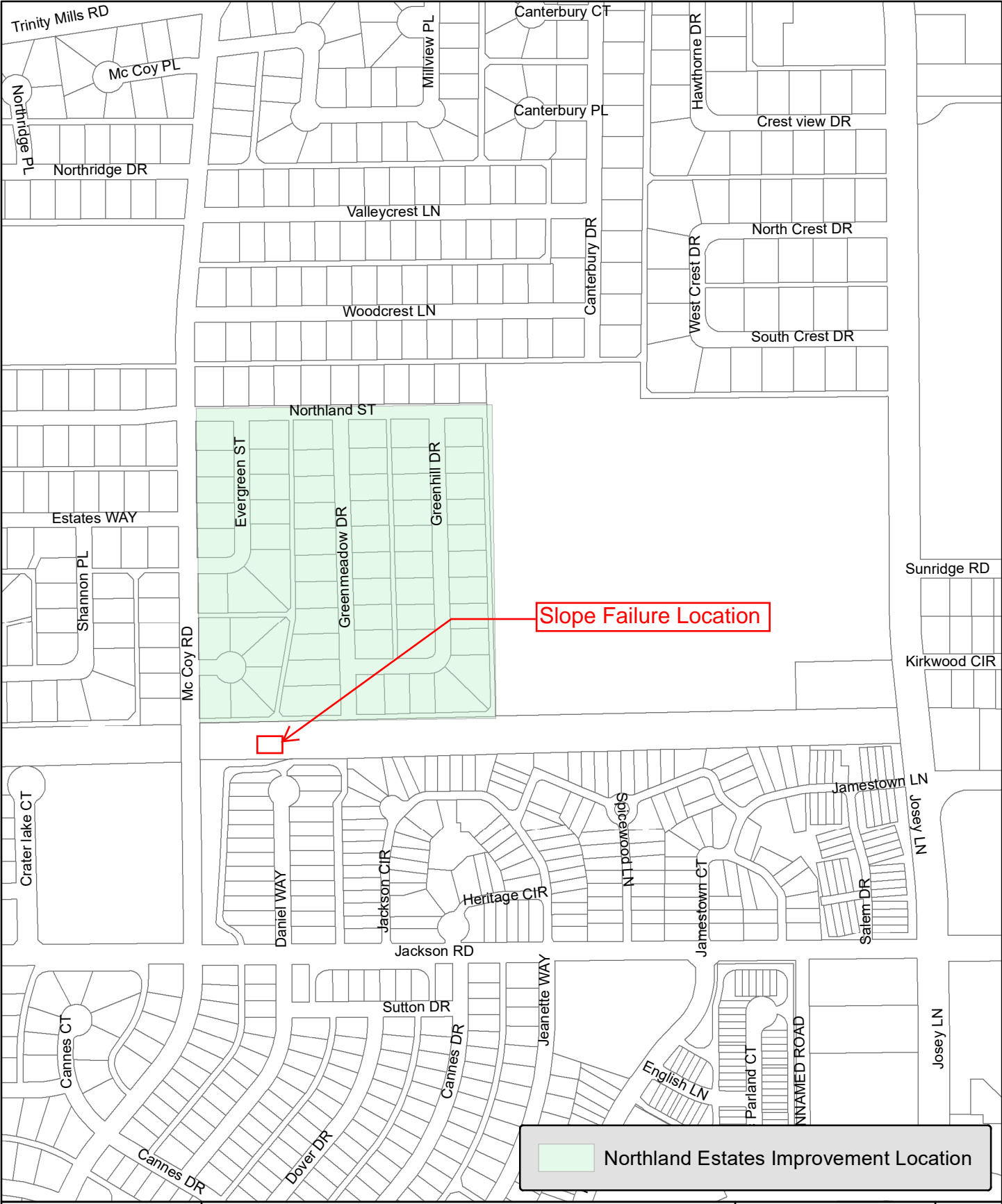
This project will support the City Council’s strategic objectives and vision of building a community that families and businesses want to call home by:


Sustaining quality of life - Improvements in the subdivision should improve the appearance of the neighborhood and encourage residents to provide better upkeep of their properties.

Sustaining day-to-day operations - The replacement of substandard infrastructure should reduce the need for non-scheduled or emergency repairs.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that City Council authorize the City Manager to execute change order no. 3 with KIK Underground, LLC for the Northland Estates Paving and Utility Improvements Project in the amount of \$68,174.30, increasing the total project contract to an amount not to exceed \$5,389,047.34.



 Northland Estates Improvement Location



NORTHLAND ESTATES PAVING AND UTILITY IMPROVEMENTS



U:\GIS DATA\MXD\
06-12-2023 Northland Estates
Improvements
M.Natseway Engineering Technician



Agenda Memo
File Number: 6744

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *11.

CC MEETING: July 2, 2024

DATE: June 26, 2024

TO: Erin Rinehart, City Manager

FROM: Cory Heiple, Environmental Services Director
Marc Guy, Assistant City Manager

Consider **Authorizing The City Manager To Execute Change Order No. 2 With Garrett Demolition, Inc. For The Demolition Of The Structure Located At 1301 South IH-35 East, In An Amount Not To Exceed \$22,576.00, Increasing The Total Project Contract To An Amount Not To Exceed \$174,865.00.**

BACKGROUND:

The structure located at 1301 South IH-35 East, formally known as Van Hyundai, is on a City-owned tract and is being demolished in preparation for future redevelopment in Downtown Carrollton. Van Hyundai has fully ceased operations at this location and has relocated its business.

City Council awarded a contract on April 2, 2024, to Garrett Demolition in the amount of \$139,589.00. The scope of the project included the demolition of the structure and foundation, removal of the grit/grease trap, and hydromulching the site post-demolition. Change order no. 1, in the amount of \$12,700.00, was approved administratively for the removal and disposal of polychlorinated biphenyl (PCB) fluorescent lighting ballasts and bulbs. During the demolition and excavation of the site a second foundation was discovered under the known foundation. Garrett Demolition provided change order no. 2 in the amount of \$6,680.00 for the excavation and disposal of this second foundation.

FINANCIAL IMPLICATIONS:

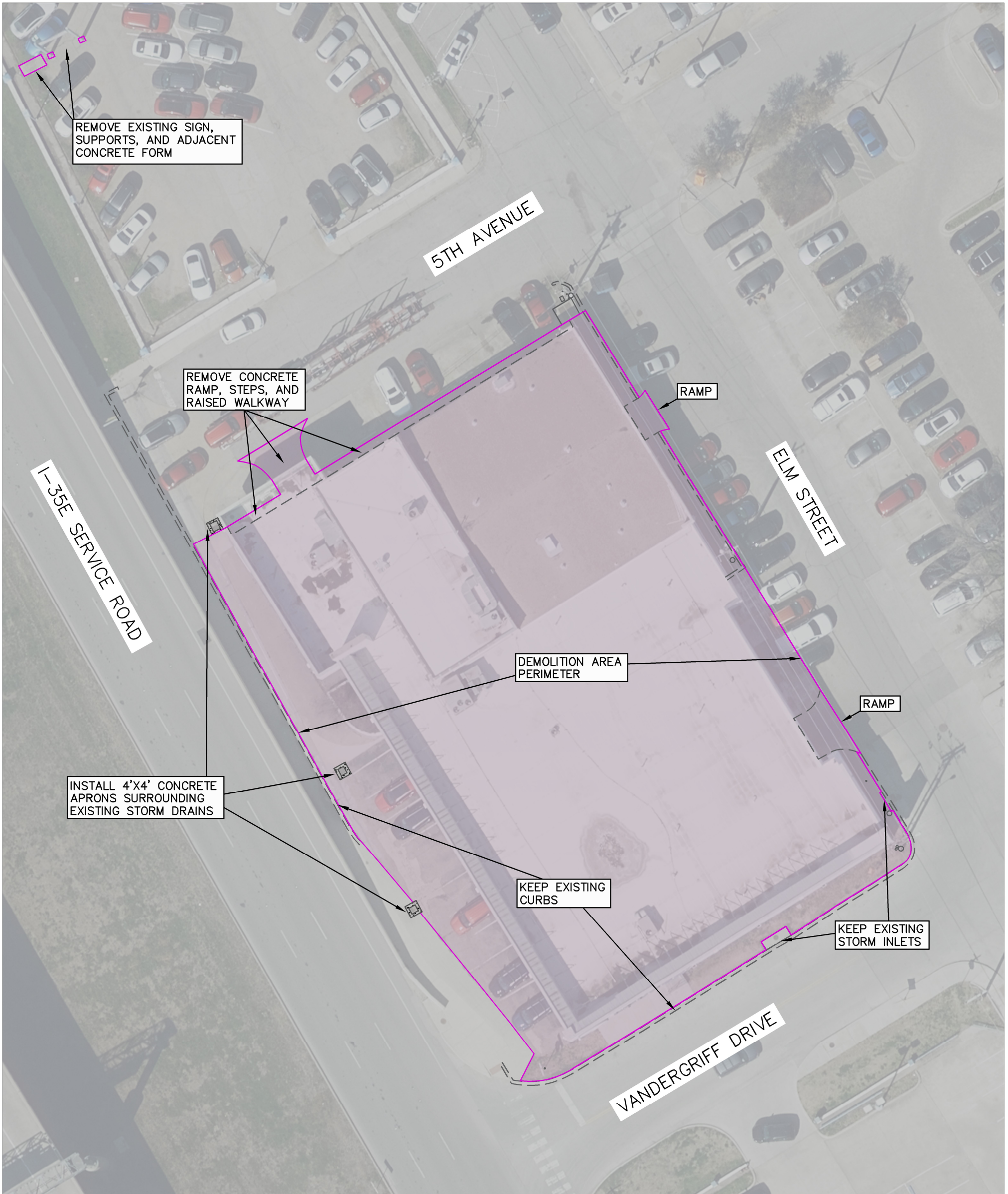
Garret Demolition submitted a proposal to the City to accomplish the scope of the change order in an amount not exceed \$6,680.00. The revised contract amount includes 10% contingency funding for a total amount of \$174,865.00, a 14% increase from the original contract amount of \$139,589.00. Funding for this work is available from the Transit-Oriented Development Capital Projects Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

The demolition of this property supports the City Council's strategic Transit Oriented Development (TOD) goal to create sustainable, vibrant, livable districts with a variety of high-density residential, office and retail uses, incorporating enhanced pedestrian amenities and supporting transit ridership. Prompt demolition of the vacant structure greatly reduces or eliminates the need for ongoing code enforcement resources to prevent further blight at this location.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that City Council authorize the City Manager to execute change order no. 2 with Garrett Demolition for the additional scoped work at 1301 South IH-35 East in an amount not to exceed \$22,576.00, increasing the total project contract to an amount not to exceed \$174,865.00.

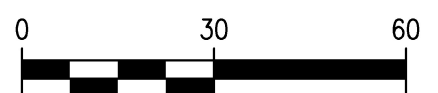


DOWNTOWN CARROLLTON VAN HYUNDAI BUILDING LOT DEMOLITION PLAN



1945 E. JACKSON ROAD CARROLLTON, TEXAS 75006 WWW.CITYOFCARROLLTON.COM (972)466-3200

SCALE: 1"=30' DATE: 02/24
SHEET NUMBER: 1 OF 2 SHEETS



SCALE: 1" = 30'



Agenda Memo
File Number: 6738

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *12.

CC MEETING: July 2, 2024

DATE: June 24, 2024

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Three Parcels Of Property In The Carrollton Heights Addition For Public Right-Of-Way In An Amount Not To Exceed \$52,000.00.**

BACKGROUND:

This resolution will provide authorization to purchase the necessary right-of-way and easements to construct planned improvements in the Carrollton Heights neighborhood. To facilitate the construction of the project, it is necessary for the City to acquire several parcels for right-of-way and drainage easements.

The reconstruction of the Carrollton Heights Addition was authorized by the voters in the 2018 bond election. This is a NOTICE project.

Angel Valuation Services and JLL Valuation & Advisory Services were contracted to appraise 10 properties in Phase 1 of Carrollton Heights. The three properties being purchased at this time were appraised at a total of \$31,131.00. During 2023, Stateside Right-of-Way Services negotiated on the City’s behalf with the property owners. Parcel 6 accepted the initial offer. Staff is recommending that City Council accept the owners’ counteroffers for parcels 7 and 8. The total offer for the three parcels is \$45,212.00. A summary of each parcel is below:

Parcel Appraisal Counteroffer

6 Warren	\$24,712.00	N/A
7 Rudder	\$5,569.00	\$ 18,500.00
8 M Chandler	\$ 850.00	\$ 2,000.00

Closing costs for the three parcels are estimated to bring the total acquisition price to \$52,000.00.

FINANCIAL IMPLICATIONS:

Funding is available from 2018 GO Bonds.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

Sustaining quality of life - Improvements in the subdivision should improve the appearance of the neighborhood and encourage residents to provide better upkeep of their properties.

Sustaining day-to-day operations - The replacement of substandard infrastructure should reduce the need for non-scheduled or emergency repairs.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute all necessary documents for the purchase of three parcels of property in the Carrollton Heights Addition for public right-of-way in an amount not to exceed \$52,000.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS FOR THE PURCHASE OF PROPERTY FROM THREE OWNERS IN THE CARROLLTON HEIGHTS NEIGHBORHOOD AS PUBLIC RIGHT OF WAY IN AN AMOUNT NOT TO EXCEED \$52,000.00; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas (“City Council”), has authority to purchase and sell real property to promote economic development in the City of Carrollton, Texas (“City”); and

WHEREAS, the City Council directed staff to work with John F. Warren, Mark Alan and Tammy K. Rudder, and Mischa L Chandler (“Owners”) to acquire certain real property, public right of way, located at 1609 Walnut Street, 1611 Walnut Street, and 1608 Spring Avenue, within the City of Carrollton, Dallas County, Texas, (the “Properties”), and as further described in Exhibit “A,” attached hereto by reference for all purposes; and

WHEREAS, the Property is necessary for the completion of the Carrollton Heights Reconstruction Project; and

WHEREAS, the Owners and the City have negotiated and agreed upon a total purchase price of \$45,212.00 for the Properties, in its “as is” condition; and

WHEREAS, the expenses incurred acquisition and closing costs related to the purchase of these Properties are estimated to be approximately \$52,000.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to execute all documents necessary to purchase a portion of the following properties from the respective owners, to wit:

John F. Warren	1609 Walnut Street
Mark Alan and Tammy K. Rudder	1611 Walnut Street
Mischa L Chandler	1608 Spring Avenue

in connection therewith on behalf of the City, for a total collective compensation to all Owners in an amount not to exceed \$45,212.00 and with closing costs the total cost of acquisition shall be an amount not to exceed \$52,000, substantially according to the terms and conditions set forth in this Resolution.

Section 3

This Resolution shall take effect upon passage.

PASSED AND APPROVED ON JULY 2, 2024

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

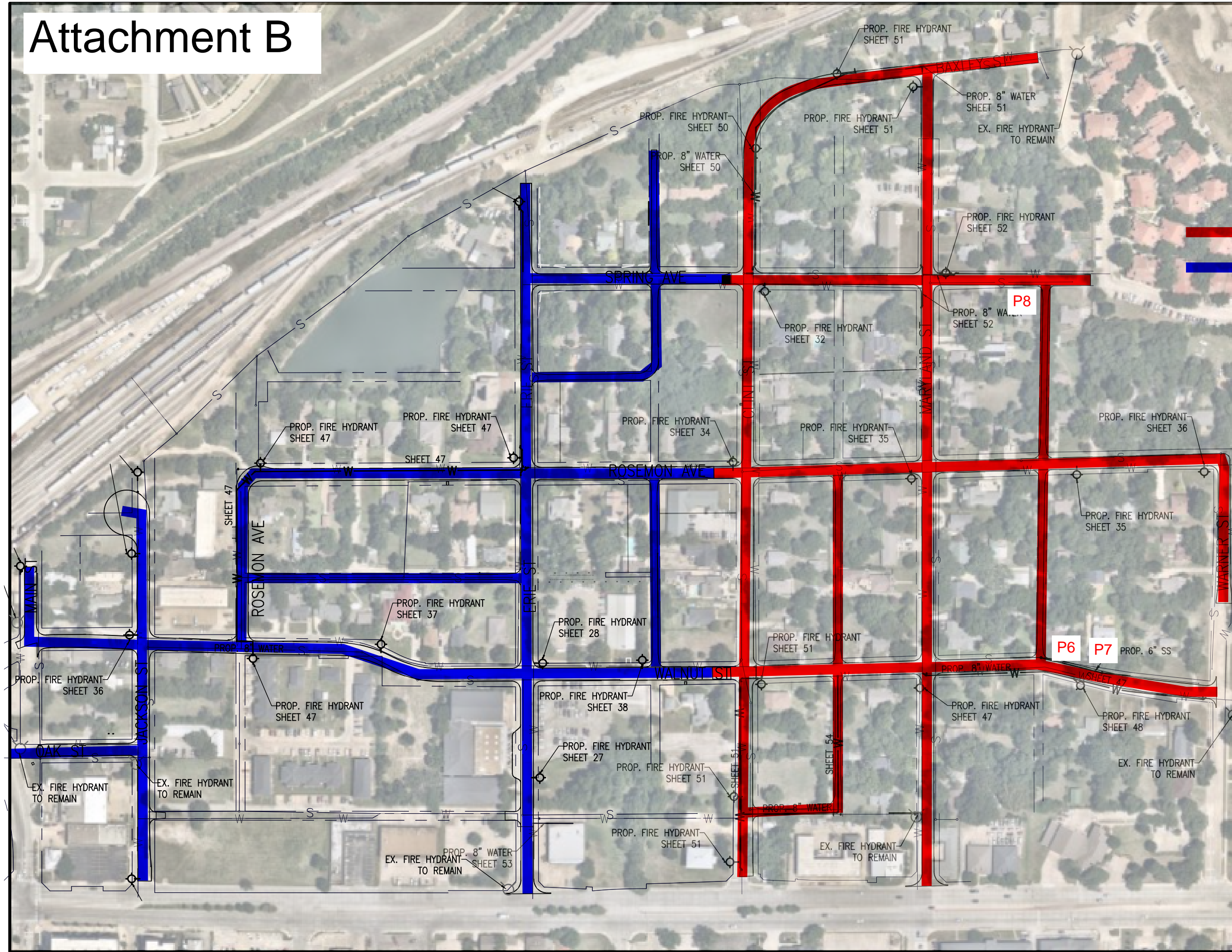
APPROVED AS TO FORM:

Meredith A. Ladd, City Attorney

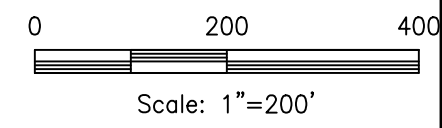
APPROVED AS TO CONTENT:

Jonathan Wheat, Engineering Director

Attachment B



CAUTION!!!
 EXISTING PHONE, GAS, ELECTRICAL, FIBER OPTIC & CATV LINES IN PROJECT AREA. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. NOTIFY TEXAS ONE CALL SYSTEM (811) AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.



PHASE 1
PHASE 2

INTERIM REVIEW ONLY
 Document Incomplete: Not intended for permit or construction.
 Engineer: **JEFFREY J. FRISON, P.E.**
 P.E. Serial No.: **86915**
 Date: **MARCH 9, 2023**
 Walter P. Moore and Associates, Inc.
 TBPE Firm Registration No. 1856

REVISION NO.	DESCRIPTION	BY	DATE

CITY OF CARROLLTON, TEXAS
 DEPARTMENT OF ENGINEERING
CARROLLTON HEIGHTS STREETS RECONSTRUCTION

OVERALL PHASING LAYOUT

 Walter P. Moore and Associates, Inc.
 500 North Akard Street, Suite 2300
 Dallas, Texas 75201
 214.740.6200
 TBPE Firm Registration No. 1856



DESIGN: LJM	SCALE: AS NOTED
DRAWN: ED	SHEET
APPROVED:	46 OF 132
DATE: MAR 2023	

Attachment A

Parcel Number	Property Address	Property Owner	Acquisition Size (AC)
6	1609 Walnut St	John F. Warren	0.0266
7	1611 Walnut St	Mark Alan and Tammy K. Rudder	0.0077
8	1608 Spring Ave	Mischa L Chandler	0.0011



Agenda Memo
File Number: 6739

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *13.

CC MEETING: July 2, 2024

DATE: June 24, 2024

TO: Erin Rinehart, City Manager

FROM: Roberto Arrendondo, Police Chief
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Take All Necessary Action Related To The Submission Of Applications Through The 2025 Motor Vehicle Crime Prevention Authority (MVCPA) SB224 Catalytic Converter Grant Program In A Total Amount Of \$221,000.00.**

BACKGROUND:

The purpose of the SB224 Catalytic Converter Grant Program is to assist agencies in combating catalytic converter thefts in Texas, specifically to aid in prevention and detection of these illegal activities. The Carrollton Police Department (CPD) has submitted a project for FY25 SB224 Catalytic Converter Grant Program funds in the amount of \$221,000.00 to continue leasing 57 additional IP cameras from FLOCK for another one-year period. CPD will use these grant funds to continue the expanded IP camera program, which allows for greater coverage and thus a higher rate of detection of suspects involved in catalytic converter thefts and other vehicle-related crimes.

FINANCIAL IMPLICATIONS:

The FY25 iteration of this grant requires a 20% cash match. \$184,167.00 will be reimbursed by the MVCPA grant, while the remaining \$36,833.00 will be funded out of the CPD FY25 budget. \$221,000.00 is the total funding amount for the entire one-year period. Grant funds must be used entirely in FY25. Maintenance for the project will be provided by the Police Department.

MVCPA FY25 SB 224 Catalytic Converter Grant - 1-year IP lease, 57 cameras = \$221,000.00.

COMMUNITY IMPACT:

Items leased through these grant awards will allow police to deter and detect catalytic converter thefts at a greater rate, while also assisting in other vehicle crime detection and investigations.

STAFF RECOMMENDATION/DESIRED ACTION:

Staff recommends City Council approval of a resolution authorizing the City Manager to take the necessary action for the submission of the 2025 Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant project in the amount of \$221,000.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT WITH THE TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

The City Manager is eligible to receive grants through the 2025 Texas Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant Program in the total amount of \$221,000.

SECTION 2

The City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution, including designating the Program Director as Chief Roberto Arredondo and Financial Officer as CFO Diana Vaughn.

SECTION 3

This Motor Vehicle Crime Prevention Authority grant program will support statewide law enforcement agencies in creating a collaborative network to combat motor vehicle burglary, motor vehicle theft, fraud-related motor vehicle crime and catalytic converter theft in the state, specifically to aid in prevention and detection of these illegal activities.

SECTION 4

The City of Carrollton (“City”) agrees that in the event of loss or misuse of the grant funds, the City will return the grant funds in full to the Motor Vehicle Crime Prevention Authority.

SECTION 5

This Resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this _____ day of _____, _____.

Steve Babick, Mayor

Resolution No. _____

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd, City Attorney

APPROVED AS TO CONTENT:

Roberto Arredondo, Chief of Police



Agenda Memo
File Number: 6745

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *14.

CC MEETING: July 2, 2024

DATE: June 26, 2024

TO: Erin Rinehart, City Manager

FROM: Josh Giles, Development Program Manager
Ravi Shah, Director of Development Services
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Execute A Lease With Farmers Branch Community Theatre, Inc., DBA Firehouse Theatre, For The Use Of City-Owned Property Located At 1003 West Main Street.**

BACKGROUND:

The City owns the building at 1003 West Main Street. At the time of purchase the building was dilapidated and considerably blighted. The City rehabilitated half of the building to become a public restroom facility, which has since closed except for during special events. The building is currently vacant. Firehouse Theatre has proposed opening an educational training studio for children to teach acting, dance and singing. Firehouse Theatre currently operates a theater in Farmers Branch.

The terms of the proposed lease are:

- 1003 West Main Street: 2,550 sq ft educational training studio
- Term: 3-year initial lease term
- Extensions: One 3-year extension available
- Base Rental Rate: \$3,510.50/month
- Extension Rental Rate: 75% of prevailing market rate
- Monthly Property Expenses: City provides all utilities
- Tenant Improvements: *City Contribution:* Paint, electrical, basic lighting, HVAC, new main door with keypad lock and assistance with nostalgic neon signage
Tenant Contribution: Specialty flooring

All non-branded improvements that are permanently attached to the property will remain with the property, even if the Firehouse Theatre decides to vacate the property in the future. Firehouse Theatre would like to open the facility later this year.

Firehouse Theatre will allow the City to use the current restroom facilities for special events up to twelve (12) times per calendar year at no cost. The City will provide janitorial services after the conclusion of each special event.

FINANCIAL IMPLICATIONS:

The lease rate for the property is \$3,510.50/month (\$16.52/sf annually). The projected revenue from the initial three (3) year term is \$126,378.00, minus City-provided utility costs. The City will benefit from the tenant paying for expenses related to property insurance and the leasehold tax value. If the extension is exercised by the tenant, the total projected revenue would be over \$250,000.00, minus the costs of utilities.

IMPACT ON COMMUNITY SUSTAINABILITY:

Having Firehouse Theatre located at the property would bring a high-energy concept to the Historic Downtown area. Founded in 2011, they would provide a robust educational offering that would provide the children of Carrollton with a first-class educational arts facility and enhance the property. With the possibility of moving all of their facilities to Carrollton in the future, including their performance space, this is an opportunity to begin aligning Firehouse Theatre with Carrollton for years to come.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to execute a lease with Firehouse Theatre to use the City-owned property at 1003 West Main Street for an arts educational facility.



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH FARMERS BRANCH COMMUNITY THEATRE, INC. D/B/A FIREHOUSE THEATRE FOR THE USE OF CITY-OWNED PROPERTY LOCATED AT 1003 WEST MAIN STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (“City”) owns the property located at 1003 West Main Street in the City of Carrollton, Texas (“Property”), and as further described in Exhibit “A,” attached hereto by reference for all purposes; and

WHEREAS, the City made significant investments in the Property to make one suite a suitable private office and restroom facility space; the other suite of the Property is currently vacant, and the City has actively marketed the Property; and

WHEREAS, City desires to enter into a lease with Farmers Branch Community Theatre, Inc. (“Tenant”) for approximately 2,550 square feet of the Property (“Lease”) to operate as a Firehouse Theatre; and

WHEREAS, the City and Tenant are agreeable to the following terms: a lease rate of \$16.52/sq ft, an initial three (3) year term with one three (3) year extension at seventy five percent (75%) of the prevailing market rate, no Tenant Improvement (“TI”) allowance, at least \$3,510.50 in prepaid rent due at lease execution, operating expenses provided by City in the form of electricity, water, and trash expenses, City will provide improvements to the vacant suite including HVAC system, paint, electrical, basic lighting, one (1) man door with keypad lock and assistance with the cost of neon nostalgic exterior signage; and

WHEREAS, the Tenant will provide a leaseback to the City to use the current restrooms facilities, as further described in Exhibit “B,” attached hereto by reference for all purposes, at no cost for up to twelve (12) special events every year, where the City would provide a staff or volunteer to monitor the facilities during each event and janitorial services at the conclusion of each event; and

WHEREAS, the Tenant plans to make significant investments in the building, which will stay with the building in perpetuity; and

WHEREAS, Tenant may terminate the Lease at any time without penalty, if and only if the Tenant relocates their entire operations to the City; and

WHEREAS, upon full review and consideration of the terms of the Lease, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager shall be authorized to execute an agreement with Tenant on behalf of the City of Carrollton;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to execute a Lease and all other documents in connection therewith on behalf of the City of Carrollton, substantially according to the terms and conditions set forth in this Resolution.

Section 3

This Resolution shall take effect upon passage.

PASSED AND APPROVED ON JULY 2, 2024.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Josh Giles
Development Program Manager

Ravi Shah
Director of Development Services

Exhibit A

Location Map

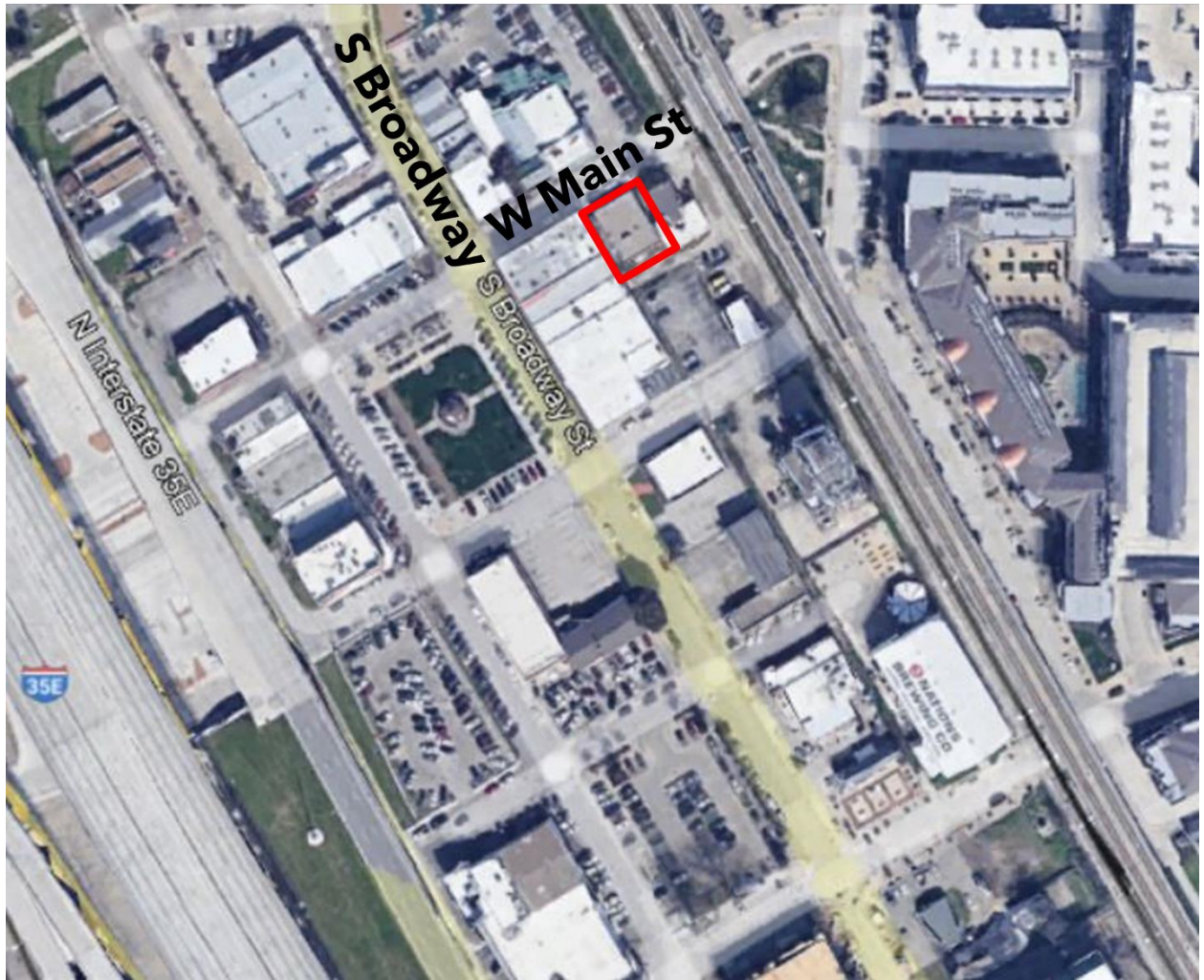
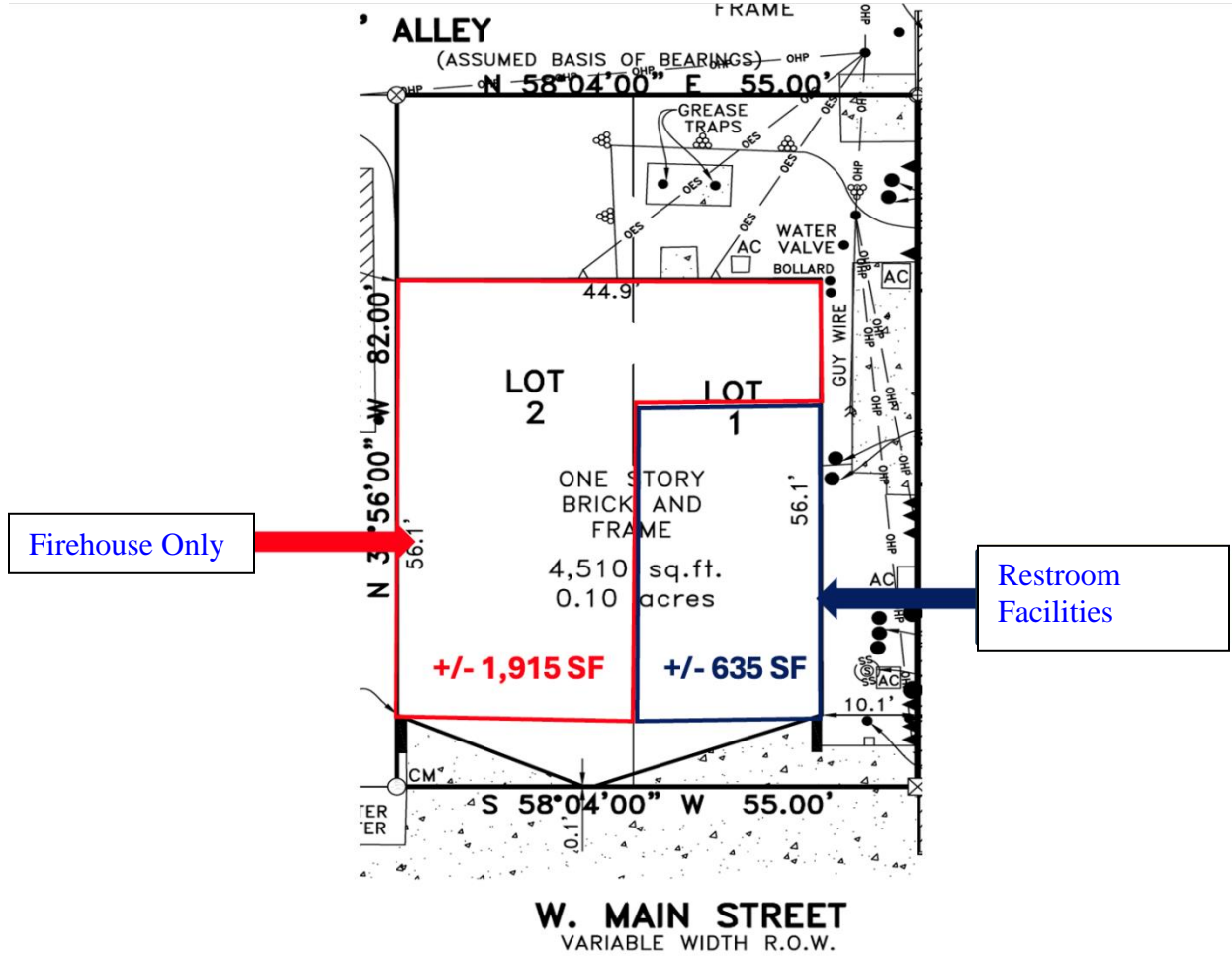


Exhibit B

Restroom Facilities





Firehouse Only

Restroom Facilities



Agenda Memo
File Number: 6746

Agenda Date: 7/2/2024

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *15.

CC MEETING: July 2, 2024

DATE: June 26, 2024

TO: Erin Rinehart, City Manager

FROM: Josh Giles, Development Program Manager
Ravi Shah, Director of Development Services
Marc Guy, Assistant City Manager

Consider A Resolution Authorizing The City Manager To Negotiate And Execute All Necessary Documents For The Purchase Of Approximately 0.55 Acres Of Land Located At 1429 North IH-35E and 1437 North IH-35E In An Amount Not To Exceed \$845,000.00

BACKGROUND:

City Council envisions the Historic Downtown to be a high-quality mixed-used transit-oriented development area. For several years the City has strategically assembled contiguous developable sites to create land for future redevelopment at the southern and western ends of the Downtown area. The proposed acquisitions are contiguous to other City-owned vacant properties that have potential for future redevelopment.

The acquisition of this property will enhance the development possibilities for future phases of the continued Downtown redevelopment. Additionally, this acquisition can impact and influence the character, perception and quality of development in a highly visible area of the IH-35E corridor.

As a term of the sale, the City will accept a special warranty deed and agree to purchase the property in its “as is” condition.

FINANCIAL IMPLICATIONS:

The purchase price for this property is \$795,000.00. The costs associated with the conveyance of the property including a survey, title policy and other necessary closing costs, which are estimated to be approximately \$50,000.00. Funding for the land purchase is available from the Strategic Community Reinvestment Fund. This action item is to purchase the property. No decisions are being made at this time regarding the future use of the property.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute all necessary documents for the purchase of approximately 0.55 acres located at 1429 North IH-35E and 1437 North IH-35E in an amount not to exceed \$845,000.00, which includes the expenditures for a survey, title policy and other necessary closing costs.



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS FOR THE PURCHASE OF 1429 AND 1437 N IH-35E, CITY OF CARROLLTON, DALLAS COUNTY, TEXAS, IN AN AMOUNT NOT TO EXCEED \$845,000; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas (“City Council”), has authority to purchase and sell real property to promote economic development in the City of Carrollton, Texas (“City”); and

WHEREAS, the City Council desires to purchase 1429 N IH-35E (“Property One”) from Jubin Sadeghian (“Seller One”) and 1437 N IH-35E (“Property Two”) from MZ Series LLC (“Seller Two”) within the City of Carrollton, Dallas County, Texas, as further described in Exhibit “A”; and

WHEREAS, Seller One and Seller Two may collectively be referred to as “the Sellers”, and Property One and Property Two may collectively be referred to as “the Properties”; and

WHEREAS, the Sellers owns the Properties which are situated within the City’s Downtown Carrollton Transit Center (“DTC”); and

WHEREAS, the Properties will enhance the DTC, which has undergone extensive commercial revitalization and regrowth resulting in the stimulation of commercial activity in the area; and

WHEREAS, the Sellers and the City have negotiated and agreed upon a purchase price of \$795,000.00 for the Property, including all structures and in its “as is” condition; and

WHEREAS, the expenses incurred for all survey, title policy, and closing costs related to the purchase of the Properties are estimated to be approximately \$50,000.00.

WHEREAS, upon full review and consideration of the terms of the sale, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager shall be authorized to execute all necessary documents to purchase the Properties;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to execute all documents necessary to purchase the Properties in an amount not to exceed \$845,00, including closing costs, in connection therewith on behalf of the City, substantially according to the terms and conditions set forth in this Resolution.

Section 3

This Resolution shall take effect upon passage.

PASSED AND APPROVED ON JULY 2, 2024

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith A. Ladd
City Attorney

Josh Giles
Development Program Manager

Ravi Shah
Director of Development Services

Exhibit A

Location Map





Agenda Memo
File Number: 6718

Agenda Date: 7/2/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 16.

CC MEETING: July 2, 2024

DATE: June 24, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Short-Term Rental On An Approximately 9,100 Square-Foot Lot Zoned Planned Development District No. 169 (PD-169) For The (SF-12/20) Single-Family Residential District And Located At 1829 East Belt Line Road And Approximately 300 Feet West Of Josey Lane; And Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-008 1829 East Belt Line Road Short-Term Rental.

BACKGROUND:

This is a request for approval of a Special Use Permit to allow a short-term rental on a single-family residential lot located at 1829 East Belt Line Road.

STAFF RECOMMENDATION/ACTION DESIRED:

On May 2, 2024, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

Staff recommends **APPROVAL** and adoption of the ordinance.

RESULTS SHEET

Date: 07/02/24

Case No./Name: PLSUP 2024-008 1829 E. Belt Line Road STR

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the Special Use Permit for a short-term rental with the following stipulations:

1. Permitted use: Short-Term Rental.
2. The use shall comply with CZO Article XXI. Special Use Permits, subsection D.2.f.i. Short-Term Rental and Bed and Breakfast, which includes, but is not limited to, the following:
 - a. The use must be evidenced by association with a Booking Service, and the owner must provide proof of the collection and payment of State and local Hotel/Motel Occupancy Tax to the City upon request.
 - b. The parking must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances, relating to parking restrictions at a short-term rental. Parking is limited to off-street parking spaces.
 - c. The owner must secure a Lodging License before operating a short-term rental. The owner must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License to operate.
3. Per Title IX, Chapter 97, Sec 97.02 of the Carrollton Code of Ordinances, the property is not permanently occupied by the property owner.
4. Per Title IX, Chapter 96, Sec 96.06 of the Carrollton Code of Ordinances, the use is limited to allowing five (5) individuals to stay at the short-term rental.
5. No more than four (4) guests can be unrelated.
6. A physical inspection of the property must be scheduled with Environmental Services.
7. The short-term rental is limited to 3 bedrooms.
8. No vehicular gate access or parking shall be allowed from and in the alley.
9. Rooms shall not be rented separately as a short-term rental.
10. No locks shall be on any bedroom doors.
11. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.

B. P&Z ACTION from P&Z meeting: 05/02/24

Result: **APPROVED** /Vote: 4-3 (Overholt, Kramer, and Herman opposed; Yarbrough and Martin absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 07/02/24

Result: /Vote:

(SF-10/18)

SUP 078

PD 218
(O-2)

SUP 317

(LR-2)

-  Subject Property
-  Planned Development
-  Special Use Permit
-  Office
-  Single Family Residential
-  Commercial

WALNUT AVE

WALNUT AVE

(SF-10/18)

(SF-10/18)

N JOSEY LN

SUP 226

PD 169
(SF-12/20)

PD 169
(SF-12/20)



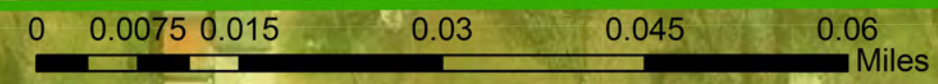
E BELT LINE RD

E BELT LINE RD

PD 169
(SF-12/20)

(LR-2)

N JOSEY LN



APPLICANT'S NARRATIVE

Application Explanation and Description of Request or Project
<p>Convert my Rental Property into a Short Term Rental.</p> <p>total sq' Ft 1,364</p>

SPECIAL USE PERMIT

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

SITE ZONING: PD-169 for the (SF-12/20) Single-Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(SF-10/18) Single-Family Residential District	Single-Family Residential
SOUTH	PD-169 for the (SF-12/20) Single-Family Residential District	Single-Family Residential
EAST	PD-169 for the (SF-12/20) Single-Family Residential District	Single-Family Residential
WEST	PD-169 for the (SF-12/20) Single-Family Residential District	Single-Family Residential

REQUEST: Approve a Special Use Permit (SUP) to allow short-term rental

PROPOSED USE: Short Term Rental

ACRES/LOTS: 9,100 square feet / 1 lot

LOCATION: 1829 E. Belt Line Road

HISTORY: The approximately 1,364 square-foot house was built in 1955 and has alley access.

The property is in the Carrollton Manors Subdivision, platted in 1950.

CZO Article 21 Special Use Permits regulates Short-Term Rental.

COMPREHENSIVE PLAN: Mixed Use / Urban

TRANSPORTATION PLAN: E. Belt Line Road is designated as a (A6D) 6-Lane Divided Arterial.

OWNER: Zoraya M. Moran

REPRESENTED BY: Zoraya M. Moran

STAFF ANALYSIS

REQUEST

This is a request for approval of a SUP to allow short-term rental.

ORDINANCE REQUIREMENTS

Article V. of Carrollton's Comprehensive Zoning Ordinance (CZO) requires a SUP for short-term-rental in the (SF-12/20) Single-Family Residential District.

ELEMENTS TO CONSIDER

1. A short-term rental requires a SUP in the Single-Family Detached, Attached, and Duplex Residential Districts, Office and Retail Districts, Downtown Transit Center (DTC) subdistrict Urban Fringe, and is allowed by right in the DTC subdistricts Historic Square and Urban General.
2. The property is bounded by single-family residential zoned properties.
3. PD-169 has no direct impact to the applicant's proposal.
4. The subdivision does not have a HOA. The property was platted in 1950 and did not require a HOA at the time.
5. The approximately 1,364 square-foot house was constructed in 1955.
6. Per Chapter 96, Sec. 96.06 of the Carrollton Code of Ordinances, the maximum number of occupants shall be 5. This is based on the finished area of the dwelling unit and the number of bedrooms and their sizes.
7. The property fronts on and has vehicle access to and from E. Belt Line Road.
8. While the property backs onto an alley, it does not have a gate or driveway onto the property.
9. The property fronts on E. Belt Line Road, and the roadway is classified as a 6-lane divided arterial. Because a short-term rental's parking is limited to off-street parking spaces, it is unlikely for short-term renters to park on this busy road.
10. Each SUP application is discretionary and must be evaluated as to its probable effect on the adjacent properties and the community welfare and may be approved or denied as the findings indicate appropriate.
11. A SUP should not have negative impacts that exceed the impacts associated and anticipated with a use permitted "as-of-right" in the zoning district.
12. The concern and input of neighbors affected by a proposed use is an integral component of the zoning process.
13. A short-term rental is likely to arise where tourists, seasonal population, or large gatherings, are interested in temporary rentals of single-family residences, without the owner being on the premises.
14. Public comment was received.

PURPOSE OF THE SPECIAL USE PERMIT

The purpose of the Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement, and construction.

CONCLUSION

Because of the property's location and roadway frontage, the short-term rental appears to be appropriate for this location.

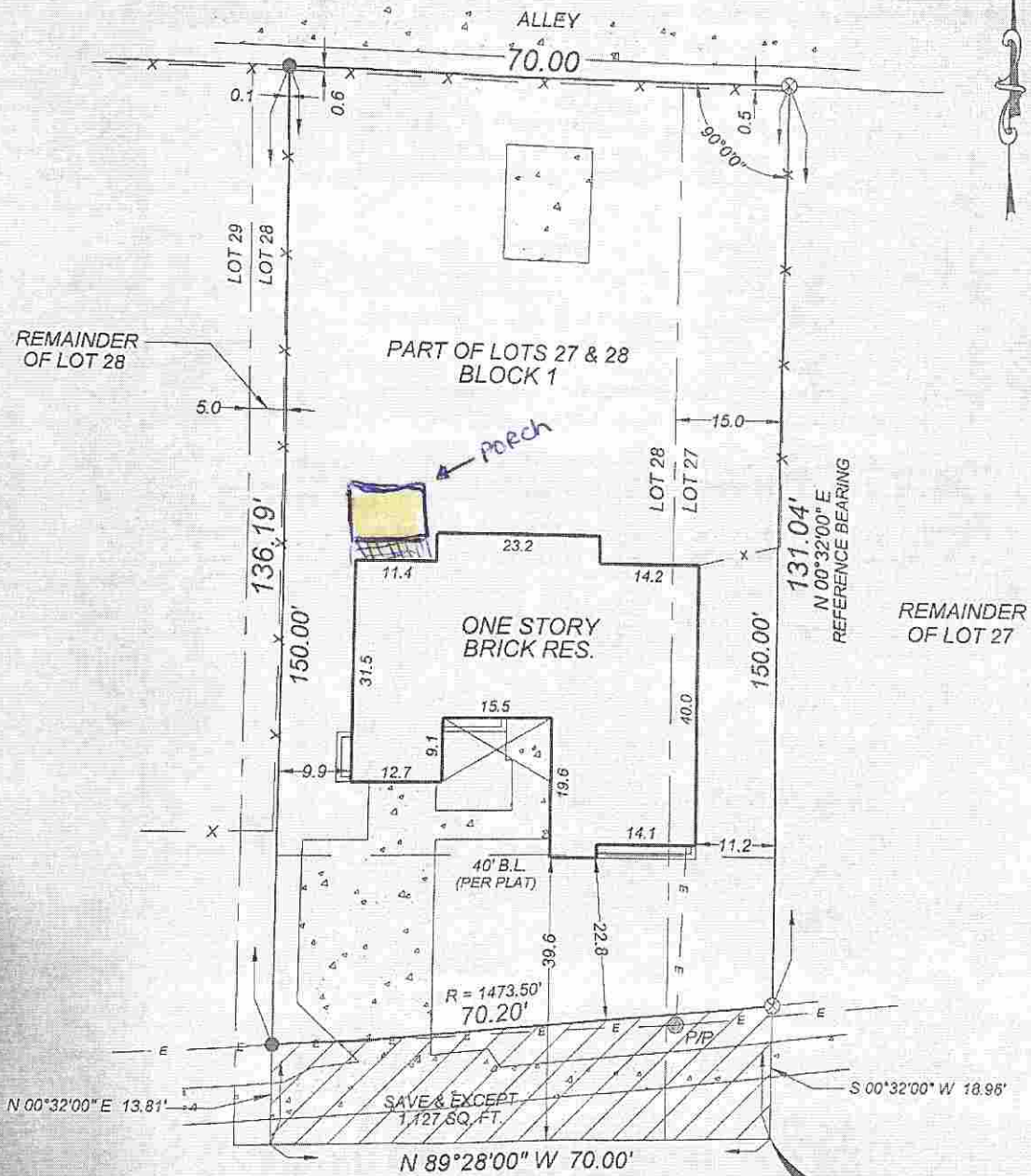


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SURVEY PLAT

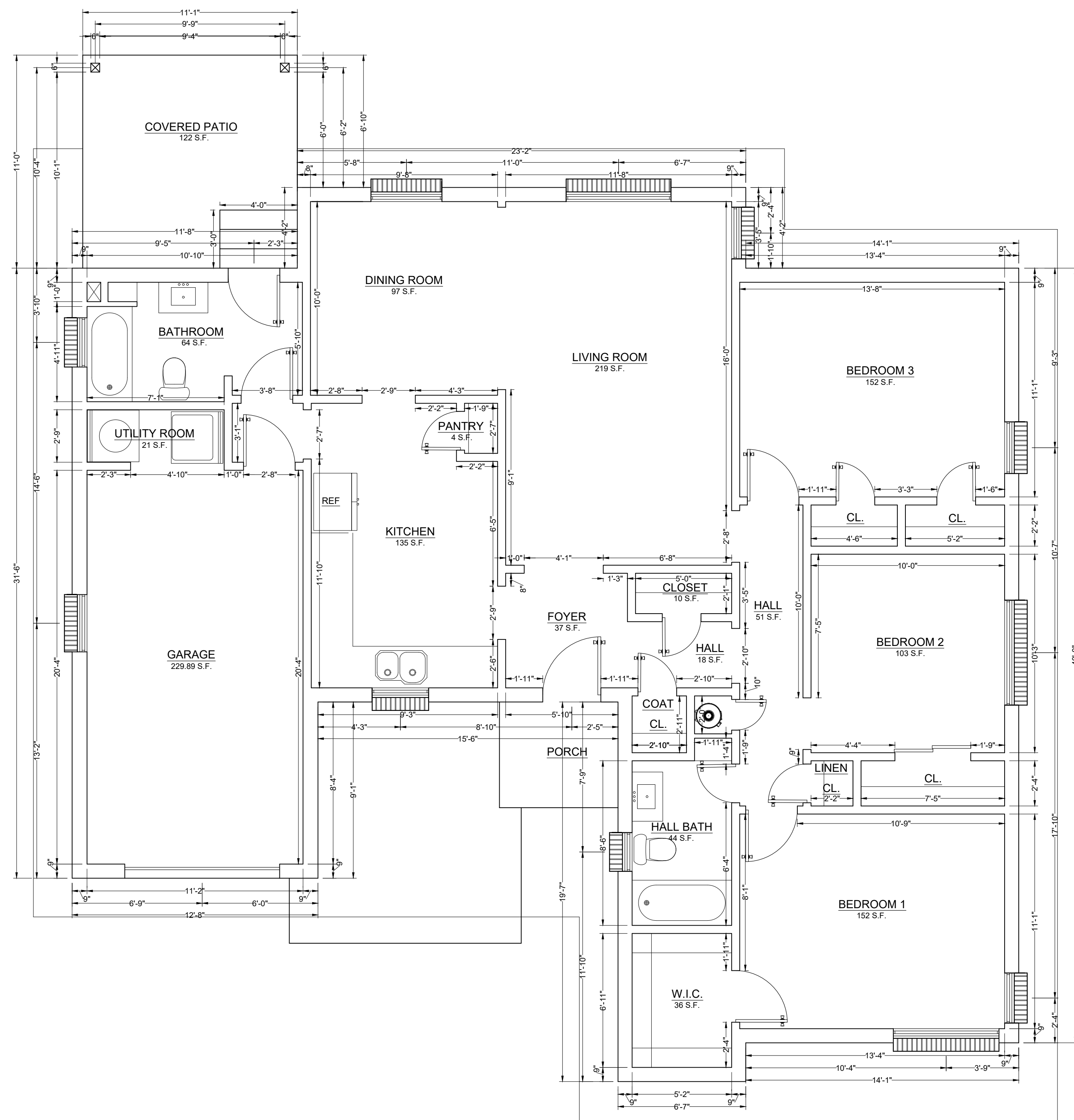
PAGE 2 OF 2

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1829 E. BELT LINE ROAD





1 EXISTING/FLOOR PLAN
SCALE: 1/4" = 1'

EXISTING FLOOR PLAN

1829 E. Belt Line Rd,
Carrollton, TX 75006

**OWNER:
ZORAYA M MORAN**

REVISION

DATE	DESCRIPTION

TITLE

EXISTING FLOOR PLAN

DRAWN BY: O.E.V.

ISSUE DATE: 11-02-23

SCALE: AS SHOWN

FILE NUMBER:
1829 E Belt Line Rd

SHEET NUMBER

A-1





1829

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of May 2, 2024**

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 9,100 Square-Foot Lot Zoned PD-169 For The (SF-12/20) Single-Family Residential District And Located At 1829 East Belt Line Road And Approximately 300 Feet West Of Josey Lane; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-008 1829 East Belt Line Road Short-Term Rental.** Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley presented this item. He advised this is a Special Use Permit request to allow a single-story, single-family residence to be used as a short-term rental. He advised that the house has three bedrooms and is approximately 1,364 square feet. He stated it has a front entry garage and has no rear access from the alley. An aerial photo of the site was provided. Two public comment cards were received. Staff is recommending approval with stipulations.

Chair Windrow asked if there is an applicant present who would like to speak.

Mr. McCauley advised that the applicant, Zoraya M. Moran, is currently out of state and unable to be present, however her daughter, Nicole Moran, is present to answer questions.

Commissioner Overholt inquired as to the condition of the home. Ms. Moran responded it is in perfect condition and ready to occupy.

Commissioner Doyle inquired how the property will be marketed. Ms. Moran responded that it will be marketed through Airbnb.

Chair Windrow opened the public hearing. There were no speakers. He advised that two public comment cards in opposition were received.

Commissioner Overholt stated that during a previous meeting he spoke in favor of short-term rentals. He said that he does believe the affected neighborhood should have input into the matter. He advised that he will be voting against this item.

Commissioner Foster stated she supports this item because the location is close to downtown where there is less residential in the area.

Chair Windrow opened the floor for discussion or a motion.

*** Commissioner Foster moved to close the public hearing and approve Item 4, PLSUP 2024-008 1829 E. Belt Line Road Short-Term Rental with staff stipulations. Commissioner Powell seconded the motion. The motion was approved with a vote of 4-3, (Windrow, Powell,**

Foster, and Doyle in favor, Overholt, Kramer, and Hermon opposed, Yarborough and Martin absent).

PUBLIC COMMENTS

Name: DAISY FRANCIS

Address: 1836 Walnut Ave.

City, ST, ZIP: Carrollton, TX. 75006

Received
APR 25 2024
Planning
City of Carrollton

For your opinion of opposition or support on the proposed change to be considered by the Planning & Zoning Commission or City Council, you must completely fill out this form, sign and date it and return it before end of business day one day prior to the public hearing.

I hereby register my: Support Opposition

To Case No./Name: PLSUP 2024-08, 1829 Belt Line Rd.

Comments: Short term rentals, usually wind up being "party houses" We don't need any more noise in our area. We have plenty! Parking would be a real issue also.

Signature: Daisy Francis Date: 4-22-24

I sincerely hope you reject this request.

Name: ROSEMARIE RAY

Address: 1838 WALNUT AVE

City, ST, ZIP: Carrollton TX 75006

Received
APR 30 2024
Planning
City of Carrollton

For your opinion of opposition or support on the proposed change to be considered by the Planning & Zoning Commission or City Council, you must completely fill out this form, sign and date it and return it before end of business day one day prior to the public hearing.

I hereby register my: Support Opposition

To Case No./Name: PLSUP 2024-08

Comments: Please do not let our Residential Neighborhood become a motel with Short term rentals; no health oversawing, No one minding who rents - ABSOLUTELY NOT

Signature: [Signature] Date: 4-22-2024

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 07/02/2024

SPECIAL USE PERMIT NO. 501
DEVELOPMENT NAME: 1829 E. BELT LINE
ROAD SHORT-TERM RENTAL

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 501 PROVIDING FOR SHORT-TERM RENTAL ON AN APPROXIMATELY 9,100 SQUARE-FOOT LOT ZONED PD-169 FOR THE (SF-12/20) SINGLE-FAMILY RESIDENTIAL DISTRICT AND LOCATED AT 1829 EAST BELT LINE ROAD AND APPROXIMATELY 300 FEET WEST OF SOUTH JOSEY LANE; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Second day of May 2024, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP 2024-008); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Second day of July 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above-described property is located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Special Use Permit Number 501 is hereby established for a certain approximately 9,100 square-foot lot, located at 1829 E. Belt Line Road and approximately 300 feet west of South Josey Lane, and being more generally depicted on Exhibit A, providing for the following:

I. Permitted Use

Short-Term Rental

II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions, and regulations:

1. The use shall comply with CZO Article XXI. Special Use Permits, subsection D.2.f.i. Short-Term Rental and Bed and Breakfast, which includes, but is not limited to, the following:
 - a. The use must be evidenced by association with a Booking Service, and the owner must provide proof of the collection and payment of State and local Hotel/Motel Occupancy Tax to the City upon request.
 - b. The parking must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances, relating to parking restrictions at a short-term rental. Parking is limited to off-street parking spaces.
 - c. The owner must secure a Lodging License before operating a short-term rental. The owner must comply with Title IX, Chapter 97 of the Carrollton Code of Ordinances and maintain the Lodging License to operate.
2. Per Title IX, Chapter 97, Sec 97.02 of the Carrollton Code of Ordinances, the property is not permanently occupied by the property owner.
3. Per Title IX, Chapter 96, Sec 96.06 of the Carrollton Code of Ordinances, the use is limited to allowing five (5) individuals to stay at the short-term rental.
4. No more than four (4) guests can be unrelated.
5. A physical inspection of the property must be scheduled with Environmental Services.
6. The short-term rental is limited to 3 bedrooms.
7. No vehicular gate access or parking shall be allowed from and in the alley.
8. Rooms shall not be rented separately as a short-term rental.
9. No locks shall be on any bedroom doors.
10. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.

Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 4.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 6.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 8.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Second day of July 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

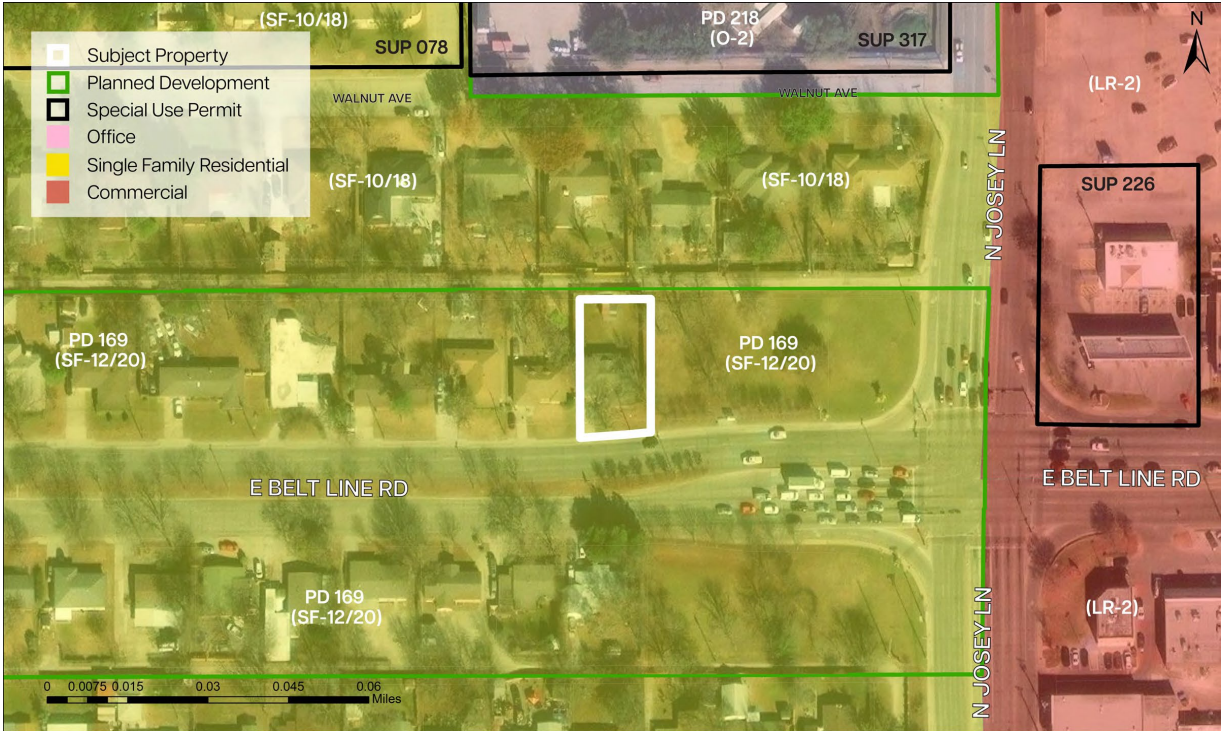
APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney

Michael McCauley
Senior Planner

EXHIBIT A GENERAL DEPICTION





Agenda Memo
File Number: 6719

Agenda Date: 7/2/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 17.

CC MEETING: July 2, 2024

DATE: June 24, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A **Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Two Special Use Permits, SUP-237 At 2308 Marsh Lane For A 100-Foot-Tall Protective Net For A Golf Driving Range And SUP-340 At 1518 South IH-35E For Motorcycle Rental; And Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2024-055 Repeal Two SUPs.

BACKGROUND:

This is a City-initiated request to reassess the continued appropriateness of two Special Use Permits: SUP-237 for a 100-foot-tall protective net for a golf driving range and SUP-340 for a motorcycle rental business.

The City periodically reviews Special Use Permits (SUPs) to determine if the approved land uses are operational or are no longer active. SUPs that are inactive or the business is no longer operating are rezoned to remove the SUP designation from the Official Zoning Map and repeal the adopted ordinance that established the land use.

STAFF RECOMMENDATION/ACTION DESIRED:

On June 6, 2024, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

Staff recommends **APPROVAL** and adoption of the ordinance.

RESULTS SHEET

Date: 07/02/24

Case No./Name: PLSUP 2024-055 Repeal Two SUPs

A. STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** to repeal the 2 SUPs.

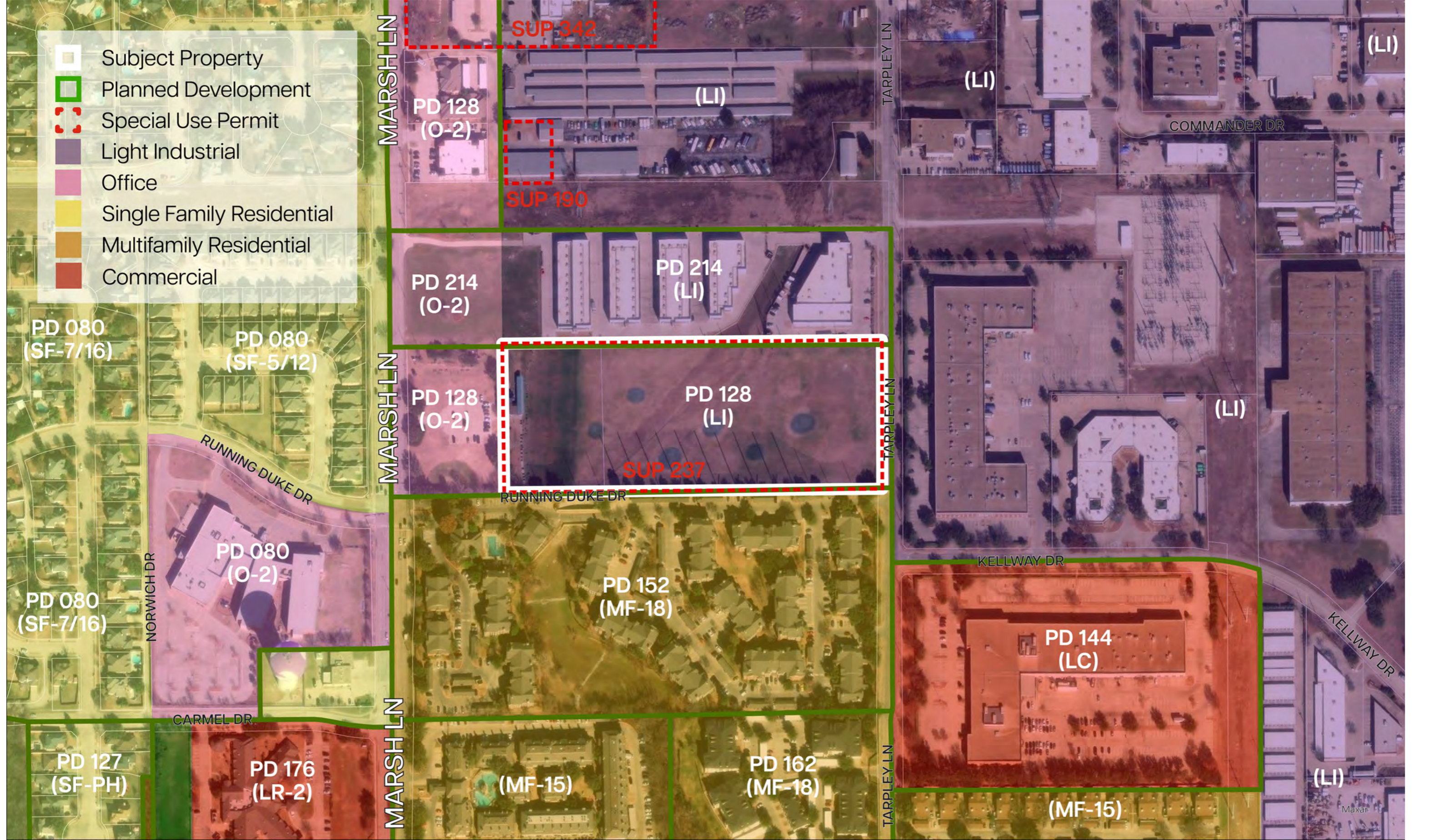
B. P&Z ACTION from P&Z meeting: 06/06/24











Result: **APPROVED** /Vote: 8-0 (Doyle absent)

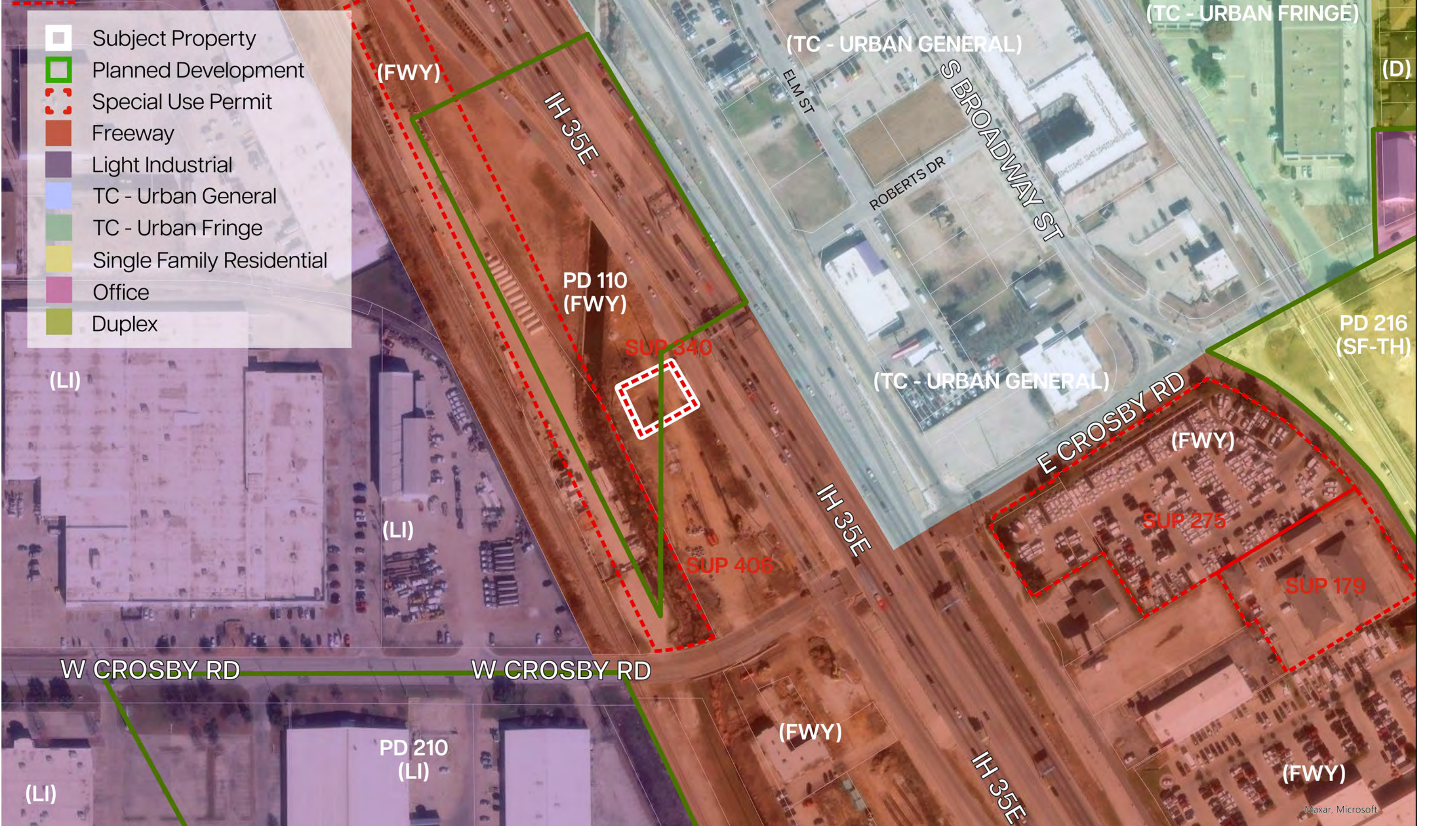
C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 07/02/24

Result: /Vote:

-  Subject Property
-  Planned Development
-  Special Use Permit
-  Light Industrial
-  Office
-  Single Family Residential
-  Multifamily Residential
-  Commercial



-  Subject Property
-  Planned Development
-  Special Use Permit
-  Freeway
-  Light Industrial
-  TC - Urban General
-  TC - Urban Fringe
-  Single Family Residential
-  Office
-  Duplex



SPECIAL USE PERMIT

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

REQUEST: Rezone to repeal 2 SUPs

SUP-237

- Approved on 07/21/1998 to allow a “100-foot-tall protective net” for a golf driving range (Ord. 2361).
- Location is 2308 Marsh Lane.
- Approximately 8.92 acres.
- Previous tenant was Marsh Lane Golf Center.
- On 04/04/2023, PD-128 was repealed and reestablished allowing for a personal storage/garage condominiums and mini-storage warehouse (self-storage units) on this property.
- Property owner is Kevin P. Clariday.
- Zoning is PD-128 for the (O-2) Office District and (LI) Light Industrial District.

SUP-340

- Approved on 07/10/2007 to allow “motorcycle rental” (Ord. 3151).
- Location is 1518 S. IH-35E (west side of IH-35E, north of Crosby Road)
- Approximately 0.2 acres.
- IH-35E right-of-way widening demolished the building.
- Property owner is TxDOT.
- Zoning is (FWY) Freeway District and I-35E overlay.

REPRESENTED BY: City of Carrollton

STAFF ANALYSIS

PROPOSAL/BACKGROUND

This is a city-initiated request to reassess the continued appropriateness of 2 Special Use Permits (SUPs) numbered 237, for a 100-foot-tall protective net for a golf driving range and SUP-340, for motorcycle rental.

ELEMENTS TO CONSIDER

- The City periodically reviews SUPs to determine if approved land uses are operational or are no longer active. SUPs that are inactive or have not been operating are rezoned to remove the SUP designation from the official zoning map and repeal the ordinance adopted for the land use.
- These SUPs are either not being used or are now obsolete, as noted in the General Project Information section of this report.
- The property owner where each SUP is located was notified that the SUP repeal was being processed.

CONCLUSION

Staff believes SUP-237 and SUP-340 are no longer appropriate or necessary and the SUP ordinances should be repealed and removed from the official Zoning Map.

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of June 6, 2024**

Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Repeal Two Special Use Permits** Numbered 237 (2308 Marsh Lane) For A 100-Foot-Tall Protective Net And 340 (1518 South IH-35E) For Motorcycle Rental; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-055 Repeal Two SUPs**. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, stated this is a city-initiated request to repeal two special use permits. The City periodically reviews SUPs to determine if approved land uses are operational or are no longer active. SUPs that are inactive or have not been operating are rezoned to remove the SUP designation from the official zoning map and repeal the ordinance adopted for the land use.

The first is for a golf driving range net and is no longer in business. The second is for a motorcycle rental business; that property became part of the TxDOT right-of-way expansion, and the building is no longer there. He further stated no comments were received from the public on either SUP.

Chair Windrow opened the public hearing. There were no speakers.

** Commissioner Kramer moved to close the public hearing and approve Case No. PLSUP2024-055 Repeal Two SUPs. Commissioner Hermon seconded the motion. The motion was approved with an 8-0 vote (Doyle absent).*

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 07/02/2024

CASE NO. PLSUP 2024-055
DEVELOPMENT NAME: REPEAL TWO SUPS

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO REPEAL: ORDINANCE NUMBER 2361 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 237 ON JULY 21, 1998; AND ORDINANCE NUMBER 3151 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 340 ON JULY 10, 2007; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Sixth day of June 2024, the Planning & Zoning Commission considered and made recommendation to repeal two Special Use Permits (Case No. PLSUP 2024-055); and

WHEREAS, these changes of zoning are in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Second day of July 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendments to the zoning laws to repeal the two Special Use Permits are consistent with the purpose of the zoning districts in which the above-described properties are located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Ordinance Number 2361 establishing Special Use Permit Number 237 is hereby repealed for a tract of land located at 2308 Marsh Lane and generally depicted in Exhibit A.

Section 3.

Ordinance Number 3151 establishing Special Use Permit Number 340 is hereby repealed for a tract of land located at 1518 South IH-35E and generally depicted in Exhibit A.

Section 4.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 5.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 6.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 7.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 8.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 9.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Second day of July 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney

Michael McCauley
Senior Planner



Agenda Memo
File Number: 6726

Agenda Date: 7/2/2024

Version: 1

Status: Public Hearing/Individual Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 18.

CC MEETING: July 2, 2024

DATE: June 24, 2024

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.39-Acre Tract Zoned To The (LI) Light Industrial District And Located At 1811 Trinity Valley Drive, Establishing A Planned Development District To Accommodate Development On Less Than 5-Acres Without Affecting Adjacent Properties To Create Development Standards And Provide Conceptual Plans; And Amending The Official Zoning Map Accordingly. Case No. PLZ 2024-052 Penikam Warehouse.

BACKGROUND:

The applicant proposes to establish a Planned Development District for a tract located at 1811 Trinity Valley Drive. An existing building will be expanded for office, warehouse and distribution uses on a tract of less than 5-acres.

STAFF RECOMMENDATION/ACTION DESIRED:

On June 6, 2024, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

RESULTS SHEET

Date: 07/02/24

Case No./Name: PLZ 2024-052 Penikam Warehouse

A. STIPULATIONS AND RECOMMENDATIONS

1. Development shall be permitted in accordance with the attached proposed Conceptual Site Plan, proposed Conceptual Landscape Plan, and proposed Conceptual Building Elevations.
2. The associated plat (PLRP 2024-049) shall be filed prior to above-grade construction.
3. Proof of truck maneuverability shall be provided, in accordance with Article XXIV. of the Comprehensive Zoning Ordinance (CZO), prior to attaining a building permit.
4. With a landscape license agreement, the landscape buffer shall be required within the right-of-way.
5. The trash receptacle shall be permitted between the face of the building and street.
6. Three driveways shall be permitted in accordance with the attached site plan.
7. A zero side yard setback shall be permitted for the eastern property line.
8. A 15-foot rear yard setback shall be permitted for the southern property line.
9. Internal storage shall be permitted in accordance with the attached site plan.
10. A minimum of seven ornamental trees and 98 shrubs shall be required and permitted in accordance with the attached Landscape Plan.

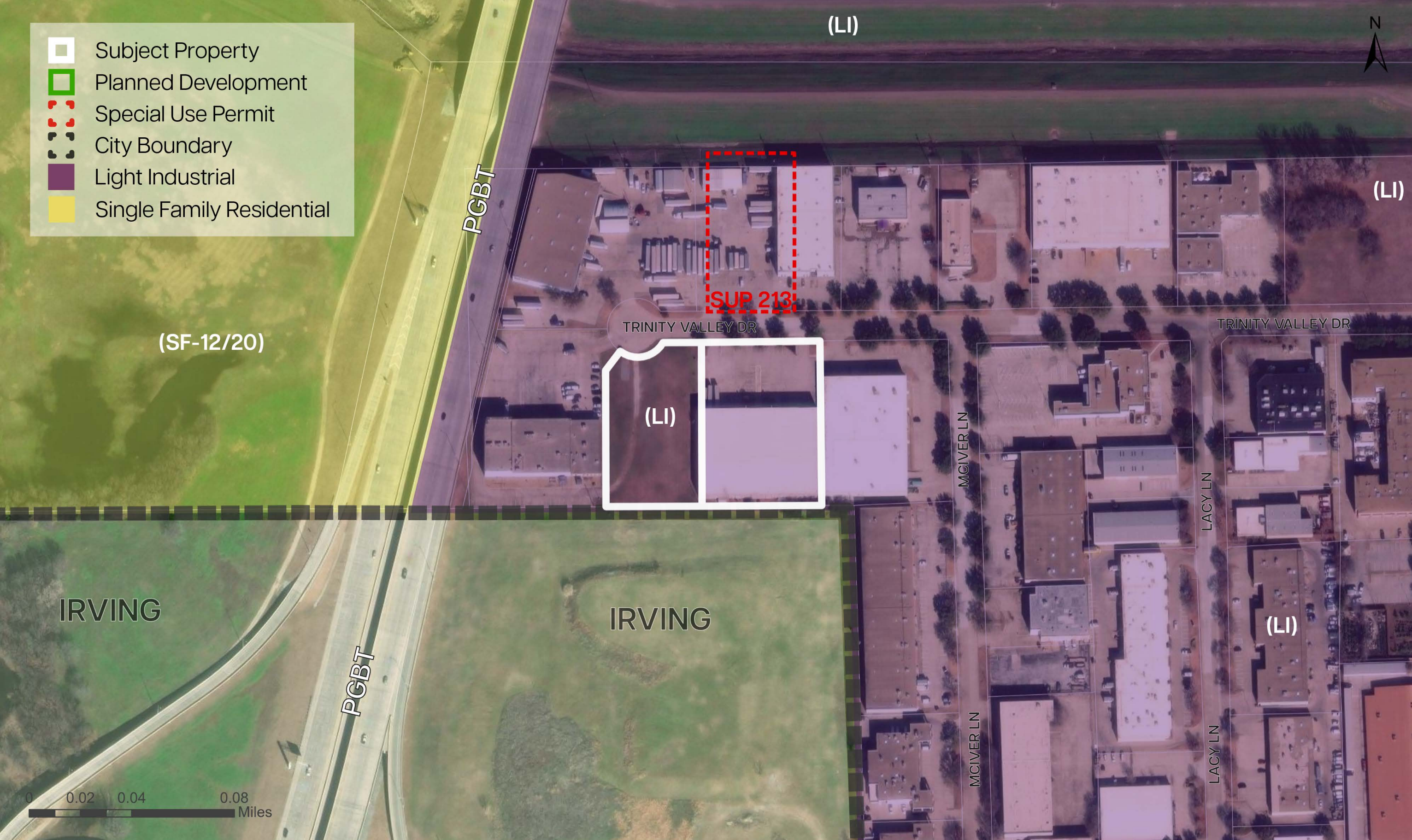
B. P&Z ACTION from P&Z meeting: 06/06/24:

Result: **APPROVED** /Vote: **8-0 (DOYLE ABSENT)**

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 07/02/24:

Result: /Vote:

-  Subject Property
-  Planned Development
-  Special Use Permit
-  City Boundary
-  Light Industrial
-  Single Family Residential



(SF-12/20)

TRINITY VALLEY DR

(LI)

SUP 213

(LI)

(LI)

IRVING

IRVING

PG&BT

PG&BT

MCIVER LN

MCIVER LN

LACY LN

LACY LN

(LI)



APPLICANT'S NARRATIVE



LETTER OF INTENT > PENIKAM WAREHOUSE

April 30, 2024

Ravi Shah
Director of Development Services
City of Carrollton
1945 E. Jackson Road
Carrollton, TX 75006

RE: Penikam Warehouse

Dear Mr. Shah,

Please accept this letter, on behalf of PSP Ganesh LLC, as an explanation of the proposed Planned Development on 3.39 acres located at 1811 and 1813 Trinity Valley Drive. Currently the area is divided into two lots: Lot 2 and Lot 12, Block 1 of Valley View West Business Park. Both lots are currently zoned as Light industrial. The intention of this application is for a proposed building expansion that is consistent with the surrounding area by rezoning to a Planned Development, Light industrial.

The proposed development will be an expansion of the current property to the east side which is an existing 44,000 square foot warehouse building used for film production. The proposed building expansion will be a one story with 55,978 square foot of office, and 24,364 square foot of warehouse. With this expansion the total square footage will be roughly 74,342. Continuous landscaping along the R.O.W of Trinity Valley Drive will be provided and a 24' fire lane will tie into the back of the lot to the west in order to provide adequate access.

The need of the Planned Development is to continue the development pattern of the current building by modifying the rear and side yard setback. Since the proposed building is an expansion of the existing building to the east, the rear setback line needs to be continued through the proposed lot so that the buildings can line up for the expansion. The side yard setback on the existing lot no longer conforms with the current zoning regulations and the Planned Development will eliminate the side yard so that the building can be expanded across the proposed lot. The proposed landscape will comply with the current zoning regulations except for any additional enhancements that the code requires.

Sincerely,
MCADAMS

A handwritten signature in blue ink that reads 'Marisa Brewer'.

Marisa Brewer
Planner, Planning + Design

ZONING CHANGE

Case Coordinator: Emily Offer

GENERAL PROJECT INFORMATION

SITE ZONING: (LI) Light Industrial

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(LI) Light Industrial	Industrial
SOUTH	City of Irving	Vacant
EAST	(LI) Light Industrial	Industrial
WEST	(LI) Light Industrial	Industrial

REQUEST: The applicant is requesting a PD for a lot that is to be considered an “infill” lot in accordance with Article XIX. Planned Development District. Section A, Subsection C.

PROPOSED USE: Office/ Warehouse

ACRES/LOTS: 3.39 acres/ 1 lot

LOCATION: 1811 Trinity Valley Drive

HISTORY: The existing building was built in 1984 and is approximately 43,896 square feet in size and is in good condition according to Dallas CAD.

COMPREHENSIVE PLAN: Industrial

TRANSPORTATION PLAN: Trinity Valley Drive is classified as an Industrial 2-Lane Local Street.

OWNER: Panna & Kamelesh Shah/ PSP Ganesh LLC

APPLICANT: Marisa Brewer/ McAdams

STAFF ANALYSIS

PROPOSAL

The applicant is requesting a PD for a lot that is to be considered an “infill” lot in accordance with Article XIX. Planned Development District. Section A, Subsection C.

ZONING

The property is zoned (LI) Light Industrial.

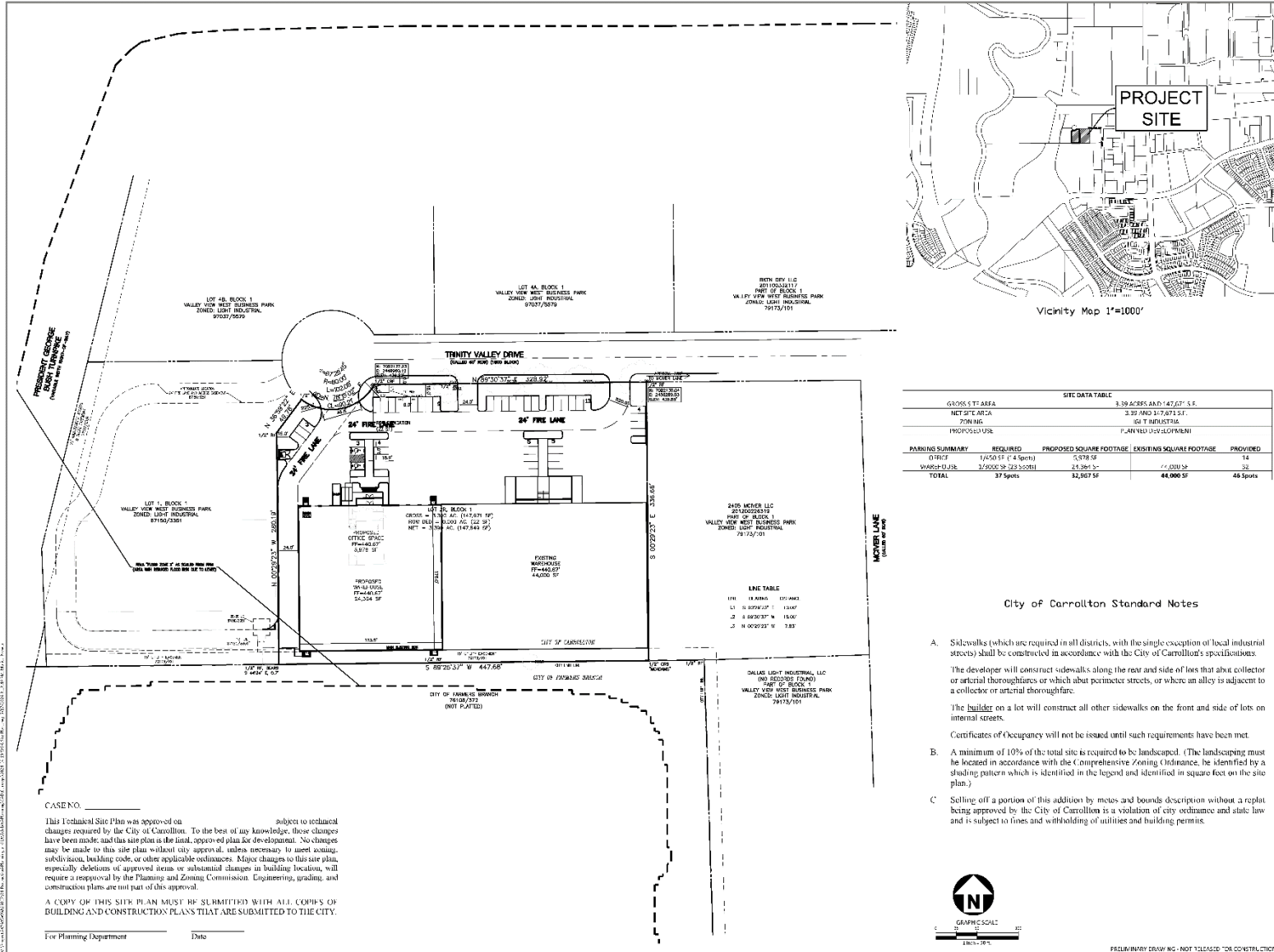
ELEMENTS TO CONSIDER

1. The existing building will be expanded westward and used as office, warehouse, and distribution. The existing surrounding uses are similar to the proposed uses.
2. This lot is considered an “infill” lot as it is less than 5 acres and staff believes the proposed development does not adversely affect the existing development in the area.
3. A replat is required to be filed to ensure the proposed development provides mutual access.
4. The required minimum 0-foot side setback and 15-foot rear setback is proposed.
5. 110 shrubs and 10 ornamental trees are required for the property in accordance with the CZO; the PD allows the landscape requirements to be reduced to 98 shrubs and 7 ornamental trees.
6. A landscape license agreement will be required in order to allow landscaping within the right-of-way; old-growth shade trees currently exist within the right-of-way.
7. The CZO requires trash receptacles to be located behind the building; the PD allows the trash receptacle to be located between the face of the building and the street.
8. The building elevations are consistent with the conceptual elevations in the PD.
9. No public comments were received.

CONCLUSION:

Staff believes the proposal should not adversely affect existing or future surrounding uses.

CONCEPTUAL SITE PLAN



SITE DATA TABLE				
GROSS SITE AREA	3.39 ACRES AND 147,677 S.F.			
NET SITE AREA	7.09 MG			
PROPOSED USE	PLANNED INDUSTRIAL			
PARKING SUMMARY				
	REQUIRED	PROPOSED SQUARE FOOTAGE	EXISTING SQUARE FOOTAGE	PROVIDED
DRIVE	1,650 SP (1.4 Sp/acre)	5,378 SF		14
WALKER-DRIVE	7,600 SP (23.3 SP/acre)	24,361 SF	14,000 SF	32
TOTAL	37 Spots	32,657 SF	44,000 SF	46 Spots

- City of Carrollton Standard Notes
- Sidewalks (which are required in all districts, with the single exception of local industrial streets) shall be constructed in accordance with the City of Carrollton's specifications. The developer will construct sidewalks along the rear and side of lots that abut collector or arterial thoroughfares or which abut perimeter streets, or where an alley is adjacent to a collector or arterial thoroughfare. The builder on a lot will construct all other sidewalks on the front and side of lots on internal streets. Certificates of Occupancy will not be issued until such requirements have been met.
 - A minimum of 10% of the total site is required to be landscaped. (The landscaping must be located in accordance with the Comprehensive Zoning Ordinance, be identified by a shading pattern which is identified in the legend and identified in square feet on the site plan.)
 - Setoff of a portion of this addition by means and boards description without a report being approved by the City of Carrollton is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

McADAMS
The John A. McAdams Company, Inc.
1400 State Highway 112, Suite 800
Lubbock, Texas 79406
phone 807.436.3712
fax 807.436.3735
TELE: 57962 FAX: 303-1410
www.mcadamsca.com

CLIENT
DEVELOPER:
PSP Capital LLC
1811 1st Valley Blvd., Carrollton, TX 75006
214.223.7609

ARCHITECT:
Wright Group Architects/Planners, F.L.C.
1430 S. Broadway Street
Carrollton, TX 75006
972.262.6125
Henry Wright

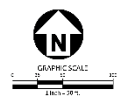
Penikam Warehouse
SITE PLAN
BLOCK 1 VALLEY VIEW WEST
BUSINESS PARK
CARROLLTON, TEXAS

CASE NO. _____

This Technical Site Plan was approved on _____ subject to technical changes required by the City of Carrollton. To the best of my knowledge, those changes have been made, and this site plan is the final, approved plan for development. No changes may be made to this site plan without city approval, unless necessary to meet zoning, subdivision, building code, or other applicable ordinances. Major changes to this site plan, especially deletions of approved items or substantial changes in building location, will require a reapproval by the Planning and Zoning Commission. Engineering, grading, and construction plans are not part of this approval.

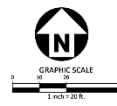
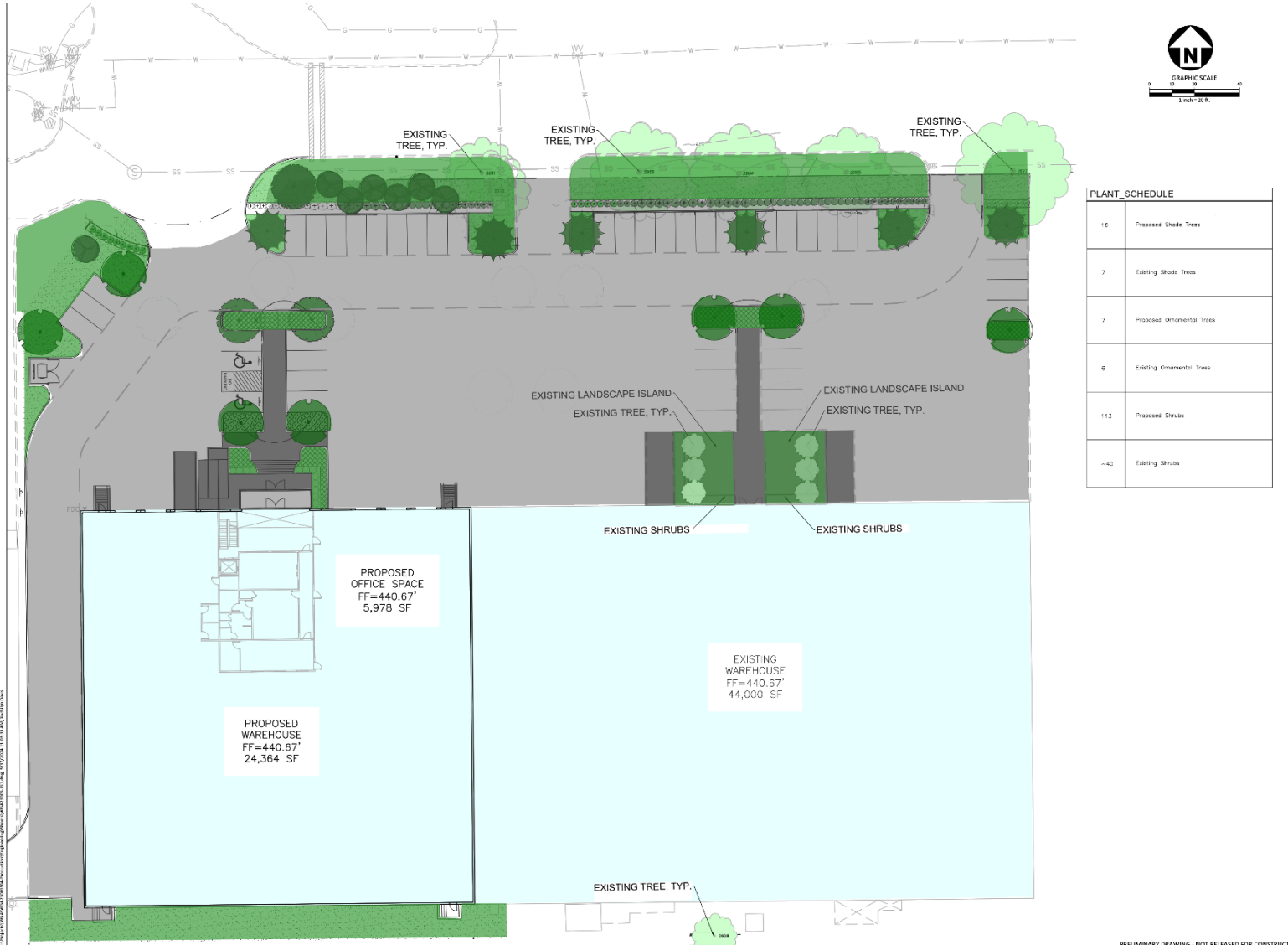
A COPY OF THIS SITE PLAN MUST BE SUBMITTED WITH ALL COPIES OF BUILDING AND CONSTRUCTION PLANS THAT ARE SUBMITTED TO THE CITY.

For Planning Department _____ Date _____



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

CONCEPTUAL LANDSCAPE PLAN



PLANT SCHEDULE	
16	Proposed Shade Trees
7	Existing Shade Trees
7	Proposed Ornamental Trees
6	Existing Ornamental Trees
113	Proposed Shrubs
~40	Existing Shrubs

McAdams
 The John R. McAdams Company, Inc.
 4400 State Highway 121, Suite 800
 Lewisville, Texas 75056
 phone 972.436.9712
 fax 972.436.9715
 TRBE: 19762 TRPLS: 101944440
 www.mcadamsco.com

CLIENT
 WRIGHT GROUP ARCHITECTS PLANNERS, PLLC
 1430 S. BROADWAY STREET
 CLIENT CITY/TOWN, STATE, ZIP
 (973) 242-1015
 TERRY WRIGHT

LANDSCAPE ARCHITECT
 McAdams
 4400 STATE HIGHWAY 121
 LEWISVILLE, TX 75056
 (972) 436-9712
 MEGAN HATCHER, RLA

PENIKAM WAREHOUSE
 SITE DEVELOPMENT PLANS
 1811 & 1813 TRINITY VALLEY DRIVE
 CITY OF CARROLLTON, TEXAS, 75006

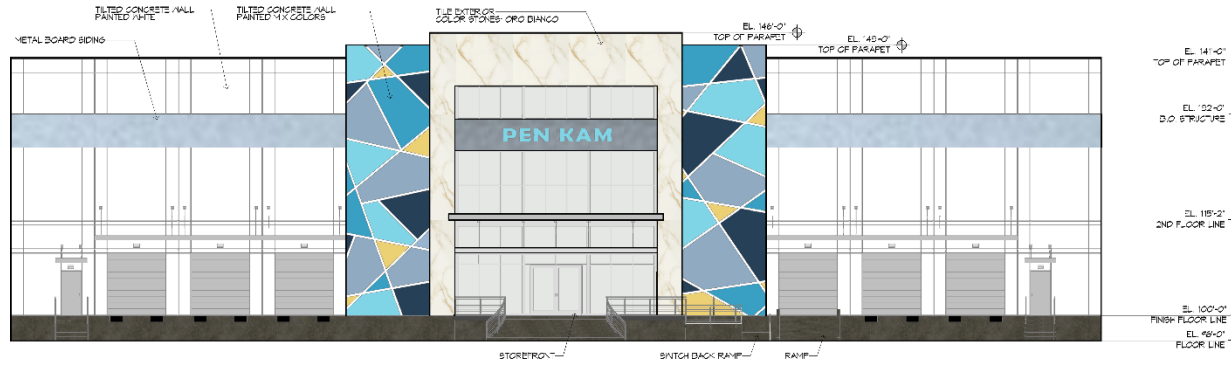
REVISIONS

NO.	DATE	DESCRIPTION
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PLAN INFORMATION

PROJECT NO. WGA23005
 FILENAME WGA23005-LS1.DWG
 CHECKED BY MAH
 DRAWN BY XAD
 SCALE 20 SCALE
 DATE 04/30/2024
SHEET
LANDSCAPE PLAN

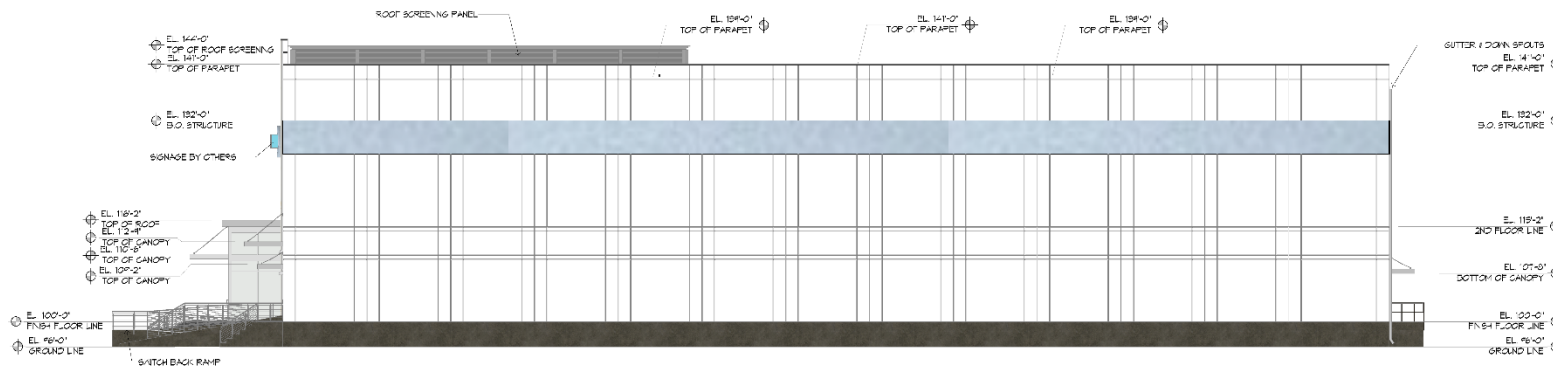
CONCEPTUAL BUILDING ELEVATIONS (1 OF 2)



WRIGHT GROUP
 ARCHITECTS - PLANNERS, PLLC
 1430 S BROADWAY STREET
 CARROLLTON, TEXAS
 7 5 0 0 6
 (972) 242 - 1015

NOT FOR REGULATORY
 APPROVAL, PERMITTING
 OR CONSTRUCTION
 Type Date 01

1 NORTH EXTERIOR ELEVATION
 SCALE: 1/8" = 1'-0"



2 WEST EXTERIOR ELEVATION
 SCALE: 1/8" = 1'-0"

Penikam Warehouse
 1813 Trinity Valley Drive
 Carrollton, Texas 75006

JOB NO. A-2024
 DATE: Type Date 02

SHEET NO.
A-401

PRINT DATE: 4/29/2024

CONCEPTUAL BUILDING ELEVATIONS (2 OF 2)

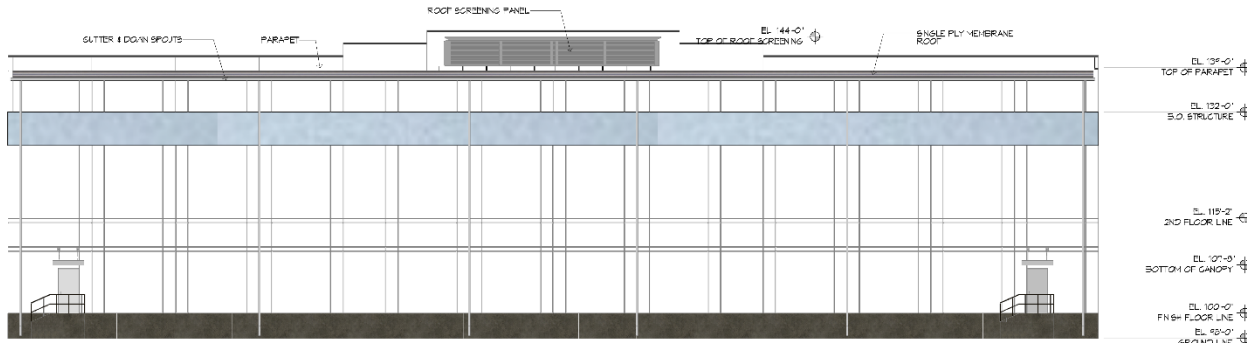
WRIGHT GROUP

ARCHITECTS - PLANNERS, PLLC

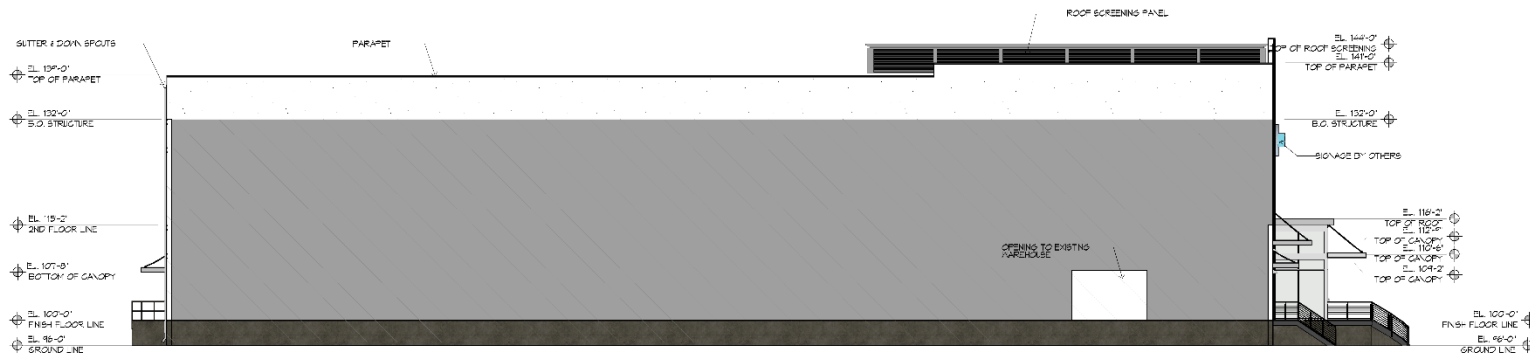
1430 S BROADWAY STREET
CARROLLTON, TEXAS
7 5 0 0 6
(972) 242 - 1015

NOT FOR REGULATORY
APPROVAL, PERMITTING
OR CONSTRUCTION

Type Date 01



1 SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

Penikam Warehouse
1813 Trinity Valley Drive
Carrollton, Texas 75006

JOB NO. A-2024
DATE: Type Date 02

SHEET NO.
A-402

CONCEPTUAL 3D RENDERING



**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of June 6, 2024**

Hold A Public Hearing To Consider An Ordinance Amending The Zoning On An Approximately 3.39-Acre Tract Zoned (LI) Light Industrial District And Located At 1811 Trinity Valley Drive To Establishing A Planned Development To Accommodate Development On Less Than 5-Acres Without Affecting Properties To Create Special Development Standards And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. **Case No. PLZ 2024-052 Penikam Warehouse.** Case Coordinator: Emily Offer.

Emily Offer, Planner, advised this item is to consider a building extension on the east end of an existing warehouse. She reviewed a proposed rendering of the building, a zoning map, conceptual site plan, landscape plan, and building elevations. She advised that a mutual access drive is located on the adjacent property. Staff is recommending approval with staff stipulations.

Commissioner Overholt inquired about attaching the two buildings. Ms. Offer replied that a firewall will be built between the two buildings. (Upon further consideration, because the applicant merged the two properties, it is merely an extension to a building and a fire wall is not necessary.)

Chair Windrow asked if the applicant would like to speak.

Marissa Vera, Planner with McAdams, 4400 SH 121, Suite 100, Lewisville, presented her case. She stated that the total amount of property at this site is 3.39 acres. The existing building is 44,000 square feet and the proposed building will be 33,000 square feet. She stated it is in a light industrial district and provided a site plan reflecting a 15-foot rear yard and a 25-foot fire lane.

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

**** Commissioner Martin moved to close the public hearing and approve Case No. PLZ 2024-052 Penikam Warehouse with stipulations; second by Commissioner Foster. The motion was approved with a vote of 8-0 (Doyle absent).***

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 07/02/24

PLANNED DEVELOPMENT NO. 227
PENIKAM WAREHOUSE

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING PLANNED DEVELOPMENT 227 FOR THE (LI) LIGHT INDUSTRIAL DISTRICT ON AN APPROXIMATELY 3.39-ACRE TRACT LOCATED AT 1811 TRINITY VALLEY DRIVE TO ACCOMMODATE DEVELOPMENT ON LESS THAN 5-ACRES WITHOUT AFFECTING ADJACENT PROPERTIES TO CREATE DEVELOPMENT STANDARDS AND PROVIDE CONCEPTUAL PLANS; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its regular meeting held on the Sixth day of June 2024, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. PLZ 2024-052); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Second day of July 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 3.39-acre tract; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Planned Development Number 227 located on an approximately 3.39-acre tract which is described on Exhibit A and generally depicted on Exhibit B, is hereby established, to provide for the following:

I. Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (LI) Light Industrial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (LI) Light Industrial District and the Comprehensive Zoning Ordinance, as amended.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LI) Light Industrial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI. and XXXI. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

II. Special Development Standards

Development shall be in accordance with the following conditions, restrictions and regulations:

1. Development shall be permitted in accordance with the attached Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Building Elevations depicted on Exhibits C, D, and E.
2. The associated replat (PLRP 2024-049) shall be filed prior to above-grade construction.
3. Proof of truck maneuverability shall be provided, in accordance with Article XXIV. of the Comprehensive Zoning Ordinance (CZO), prior to attaining a building permit.
4. With a landscape license agreement, the landscape buffer shall be required within the right-of-way.
5. Trash receptacle shall be permitted between the face of the building and street.
6. Three driveways shall be permitted in accordance with the attached site plan.
7. A zero side yard setback shall be permitted for the eastern property line.
8. A 15-foot rear yard setback shall be permitted for the southern property line.
9. Internal storage shall be permitted in accordance with the attached site plan.
10. A minimum of seven ornamental trees and ninety-eight shrubs shall be required and permitted in accordance with the attached Landscape Plan.

Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 4.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 6.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 7.

To the extent of any prior ordinance of the City of Carrollton, or any provision, clause, phrase, sentence or paragraph contained therein, conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 8.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Second day of July 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Emily Offer
Planner

**EXHIBIT A
LEGAL DESCRIPTION**

BEING all that certain lot, tract, or parcel of land, situated in the James F. Chenoweth Survey, Abstract Number 267, City of Carrollton, Dallas County, Texas, and being Lot 2, Block 1, Valley View West Business Park, an addition to the City of Carrollton, according to the plat thereof, recorded in Volume 87150, Page 3352, Plat Records, Dallas County, Texas, being part of Block 1, Valley View West Business Park, an addition to the City of Carrollton, according to the plat thereof, recorded in Volume 79173, Page 101, Plat Records, Dallas County, Texas, and being all of that certain tract of land, described by deed to PSP Ganesh, LLC, recorded in Instrument Number 201500335128, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the northeast corner of said Ganesh tract, same being the northwest corner of a certain tract of land, described by deed to 2405 McIver LLC, recorded in Instrument Number 201200226319, Deed Records, Dallas County, Texas, being in a north line of said Block 1 (79173/101), and being in the south line of Trinity Valley Drive (called 60' ROW);

THENCE S 00°29'23" E, with the east line of said Ganesh tract, same being the west line of said 2405 McIver tract, a distance of 336.66 feet to a 1/2" capped rebar set, stamped "MCADAMS" at the southeast corner of said Ganesh tract, same being the southwest corner of said 2405 McIver tract, and being in a north line of a certain tract of land, described by deed to the City of Farmers Branch, recorded in Volume 76108, Page 372, Deed Records, Dallas County, Texas;

THENCE S 89°25'37" W, with a north line of said City of Farmers Branch tract, and the south line of said Ganesh tract, passing at a distance of 249.88 feet, a 1/2" rebar found at the southwest corner thereof, same being the southeast corner of said Lot 2, continuing with the south line thereof a total distance of 447.68 feet to the southwest corner thereof, same being the southeast corner of Lot 1, Block 1, of said Valley View West Business Park (87150/3351) plat, from which a 1/2" rebar found bears S 44°34' E, 0.7 feet;

THENCE N 00°29'23" W, with the west line of said Lot 2, same being the east line of said Lot 1, a distance of 280.19 feet to a 1/2" rebar found;

THENCE N 36°59'22" E, with the west line of said Lot 2, same being the east line of said Lot 1, a distance of 49.78 feet to a 1/2" rebar found at the northwest corner of said Lot 2, same being the northeast corner of said Lot 1, being in a north line of said Block 1 (79173/101), and being in the southwest side of the cul-de-sac for said Trinity Valley Drive;

THENCE northeasterly, with the north line of said Lot 2, a north line of said Block 1 (79173/101), and the south side of said cul-de-sac, with the arc of a curve to the left, having a radius of 60.00 feet, a central angle of 97°28'45", and an arc length of 102.08 feet, whose chord bears N 78°15'02" E, a distance of 90.21 feet to a 1/2" capped rebar found;

THENCE N 89°30'37" E, with the south line of said Trinity Valley Drive, a north line of said Block 1 (79173/101), and the north line of said Lot 2, passing at a distance of 79.04 feet, the northeast corner thereof, same being the northwest corner of said Ganesh tract, continuing with the north line thereof, and the north line of said Block 1 (79173/101), a total distance of 328.92 feet to the **POINT OF BEGINNING** an containing approximately 3.390 acres of land.

EXHIBIT B GENERAL DEPICTION

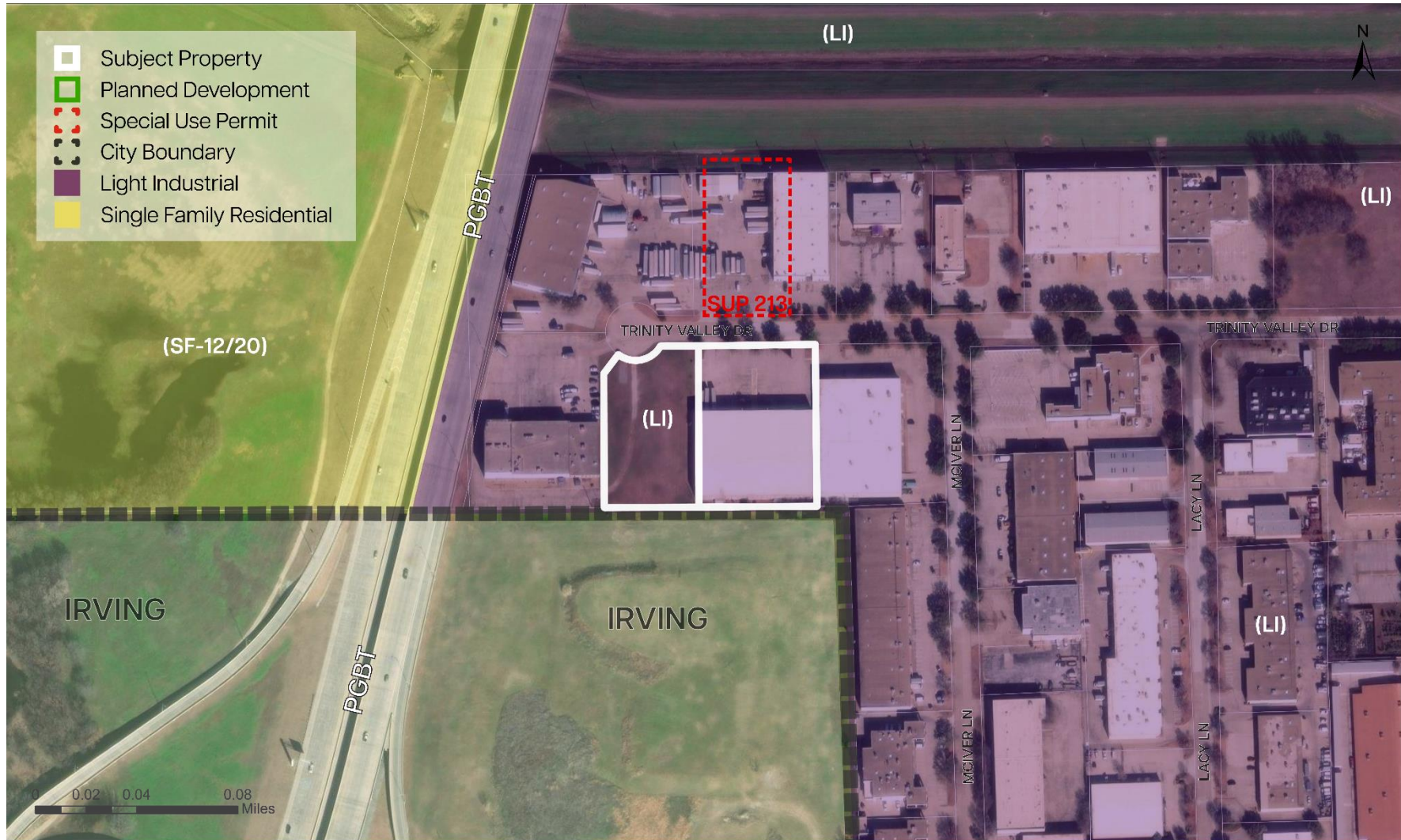
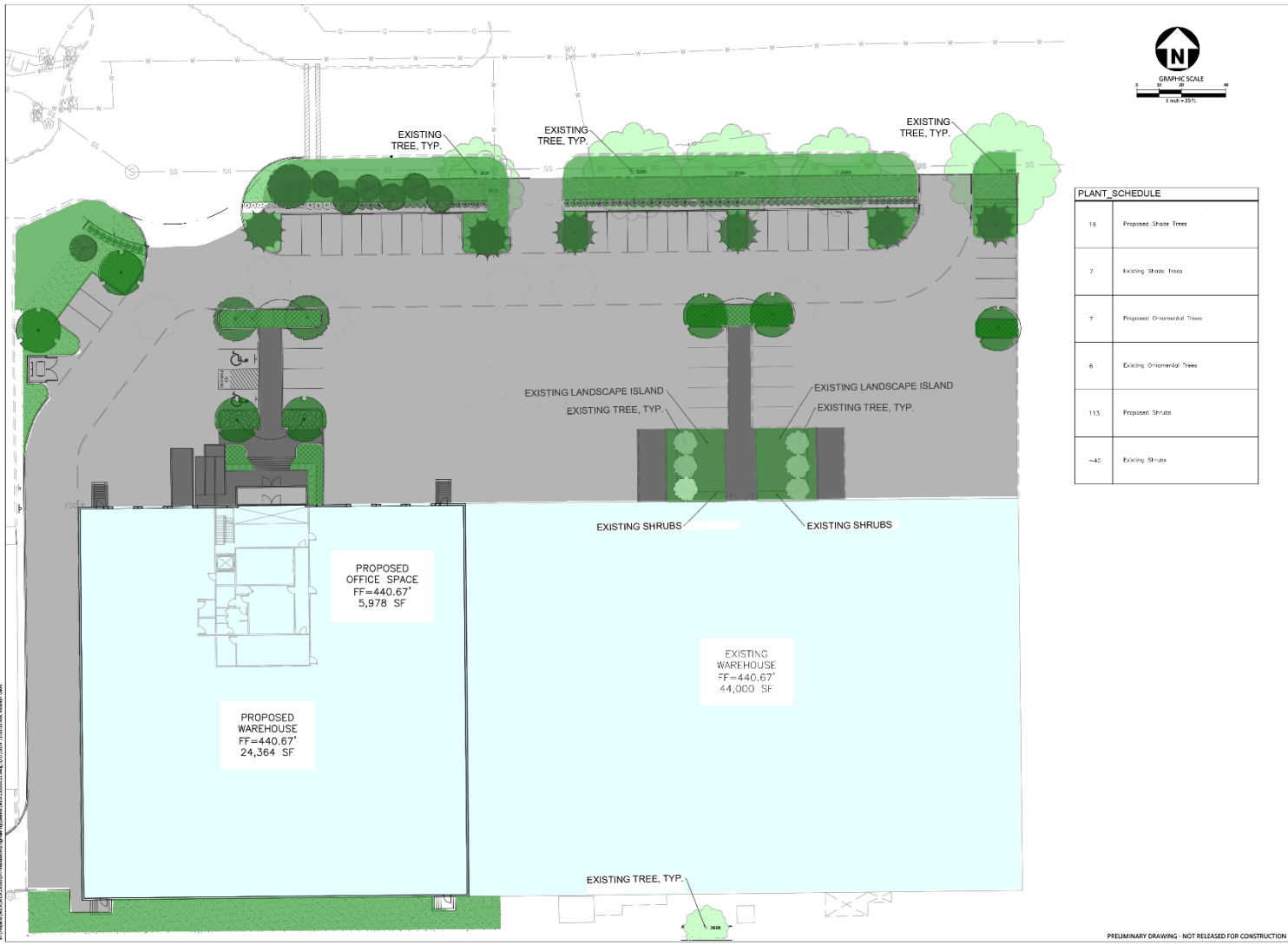


EXHIBIT D CONCEPTUAL LANDSCAPE PLAN



PLANT SCHEDULE	
18	Proposed Shade Trees
7	Existing Shade Trees
7	Proposed Ornamental Trees
6	Existing Ornamental Trees
113	Proposed Shrubs
~40	Existing Shrubs



McADAMS
The John R. McAdams Company, Inc.
4400 State Highway 121, Suite 900
Lewisville, Texas 75056

phone: 972.436.9712
fax: 972.436.9715
TELEX: 19762 TRPLS: 10194440
www.mcadamsco.com

CLIENT
WRIGHT GROUP ARCHITECTS PLANNERS, PLLC
1480 S. BROADWAY STREET
CLIENT CITY/TOWN, STATE, ZIP
TERRY WRIGHT

LANDSCAPE ARCHITECT
McADAMS
4400 STATE HIGHWAY 121
LEWISVILLE, TX 75056
(972) 436-9712
MEGAN HATCHER, RLA

**PENIKAM WAREHOUSE
SITE DEVELOPMENT PLANS
1811 & 1813 TRINITY VALLEY DRIVE**
CITY OF CARROLLTON, TEXAS, 75006

REVISIONS

NO.	DATE	DESCRIPTION
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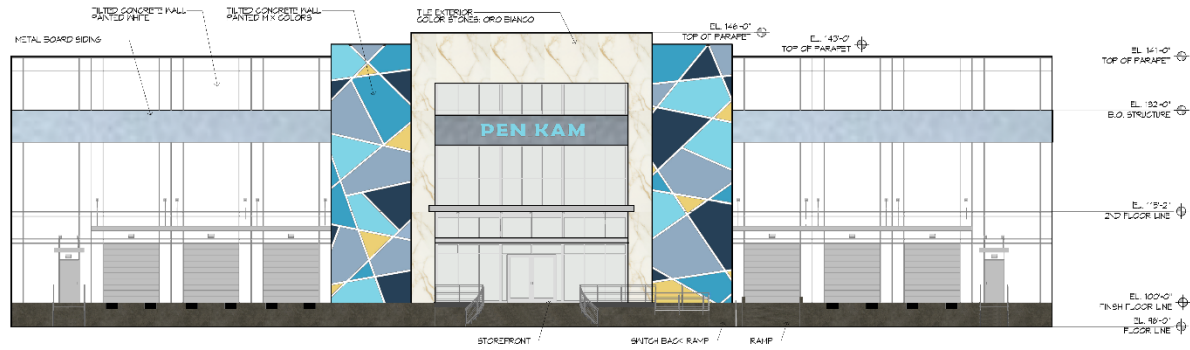
PLAN INFORMATION

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FILENAME WIG23005-LS1.DWG
CHECKED BY MAH
DRAWN BY XAO
SCALE 20 SCALE
DATE 04/30/2024

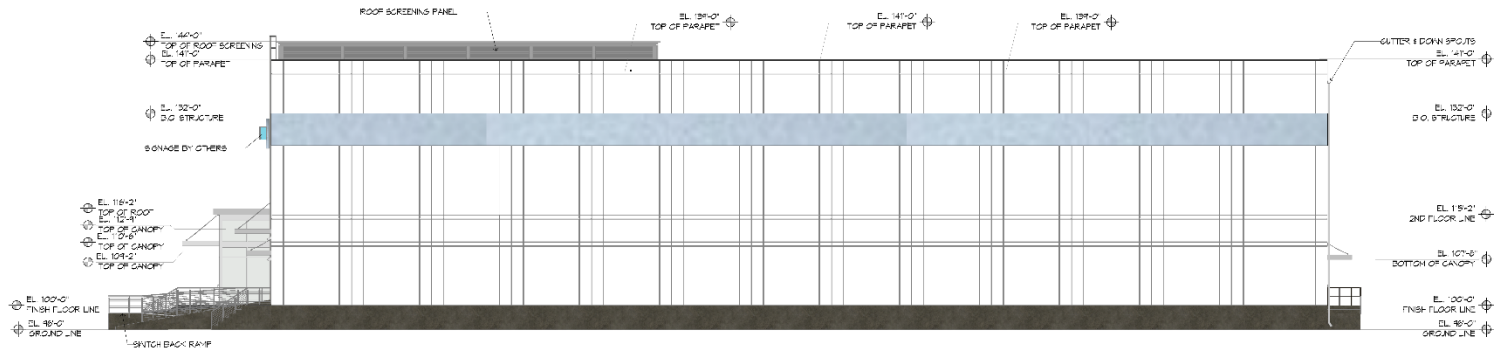
SHEET
LANDSCAPE PLAN

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

EXHIBIT E CONCEPTUAL ELEVATIONS (1 OF 3)



1 NORTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

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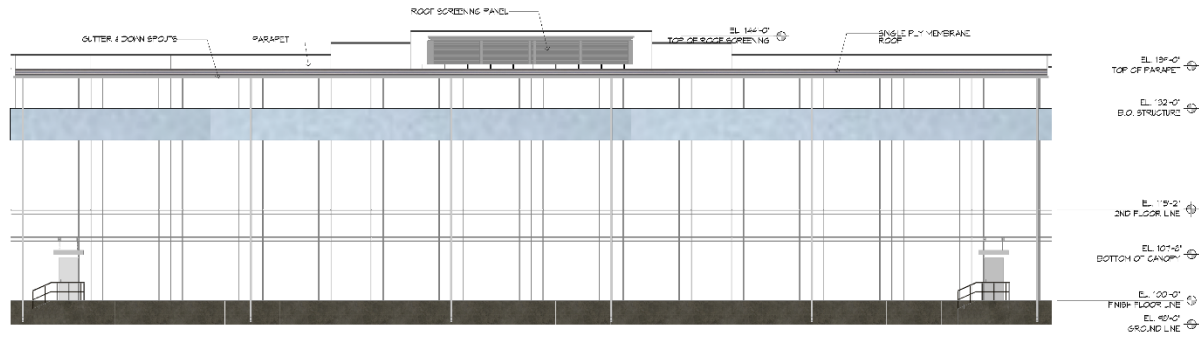
JOB NO. A-2052
DATE Type Date 02

SHEET NO.
A-401

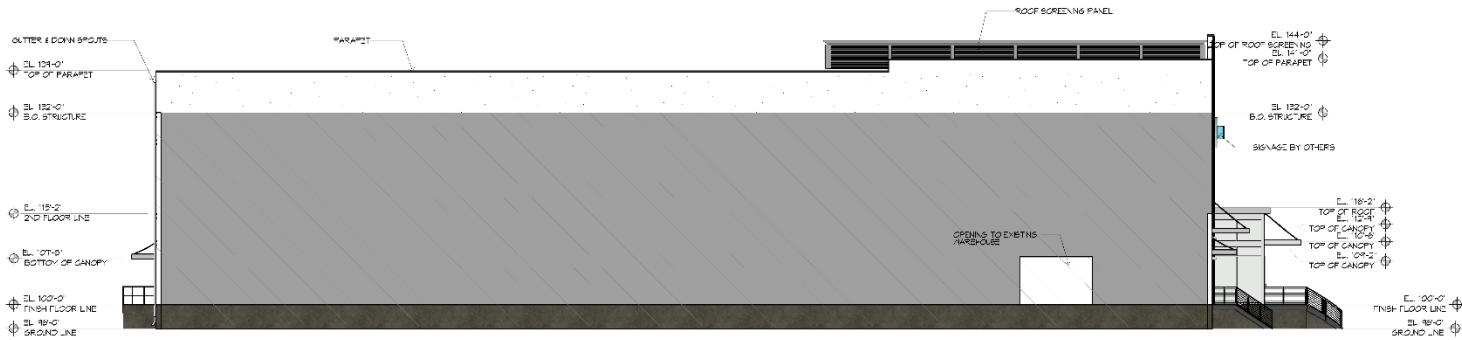
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PRINT DATE: 4/23/2024

EXHIBIT E CONCEPTUAL ELEVATIONS (2 OF 3)



1 SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

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DATE Type Date 02

SHEET NO.
A-402

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PRINT DATE: 4/29/2024

EXHIBIT E
CONCEPTUAL ELEVATIONS (3 OF 3)





Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 19.

Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.