

**Excerpt from Draft Minutes  
Planning & Zoning Commission  
Meeting of April 4, 2013**

5. Hold a public hearing and consider approval of an **Amendment to the Future Land Use Map of the Plan**. The request is to change the future land use designation from Medium Intensity Commercial to Single Family Detached. The approximately 13.967-acre site is located at the northwest corner of Old Denton Road and Carrollton Parkway and is currently zoned PD-123 for the (LR-2) Local Retail District. Case No. 12-12MD1 The Ridge (comp plan)/Nathan D. Maier, Inc. Acquisition. Case Coordinator: Michael McCauley.

Pfeil presented the case and asked if there was an applicant present.

Shane Jordan, 4951 Airport Pkwy., #800, Addison, TX, spoke. He stated they wished to change the comp plan and zoning to single family homes similar to what was approved in 2012 for Estates of Indian Creek Phase 7, just south of this location. He referenced several studies showing why this area probably won't develop into the retail and office space that the comprehensive plan had predicted ten years ago. He believes traffic flow is insufficient along Carrollton Parkway to support retail and that locations with a higher volume in traffic are having difficulty getting retail to develop. He thinks any new retail development within one and a half miles of Hebron Parkway and Old Denton Road will put a strain on the existing shopping centers. He said what surrounds this property is an elementary school and single family homes, so he thinks it is logical to bring in more housing.

McAninch expressed the belief that people make conscious decisions as to where they shop and eat. She believes most people don't just drive and at the last minute decide to pull in somewhere. She thinks if you bring quality businesses, then people will make an effort to come.

Jordan said that big businesses do studies and choose locations where there is high volume of traffic. Once the best location is found, the business is built and then people come to it.

Blanscet asked staff how much the comprehensive plan has changed in this area since its adoption in 1992.

Barton stated the comprehensive plan expected Hebron Parkway to be what it is today, but it also expected Carrollton Parkway to be similar to Hebron Parkway. The role that Carrollton Parkway was to play in the comprehensive plan has changed significantly. Originally the comprehensive plan was to have a large amount of office and commercial use in this area, which may have been a little too ambitious.

Pfeil opened the hearing to the public.

Jim Riggert, 2515 McKinney, #1300, Dallas, TX, stepped forward. He read a memorandum from 22 investors that are the adjacent property owners which authorized him to speak in their behalf. He said the owners support this change because it would bring utilities to the site. He said Estates of Indian Creek will be completing the southern portion of Carrollton Parkway and Jordan's project will complete the northern portion of Carrollton Parkway with the exception of a small strip.

Randall Chrisman, 1501 Broken Bow Tr., Carrollton, TX, spoke in support of the project. He stated that he had served on the Planning & Zoning Commission in the past and that Carrollton has not always developed the way it was envisioned. He said a large portion that could have been developed as retail was rejected by the city and now houses numerous churches which do not add to the tax base. He says he knows the developer and many of the home builders and can speak for the quality of their products.

Scott Landers, 14180 Dallas Parkway, #510, Dallas, TX, spoke for the current landowners. The property was purchased in 2007 by a group of 23 investors as a tax-deferred investment and was placed into this investment by a company named DBSI. That company had 10,000 investors who have lost everything due to it being a scam company. These investors are almost the only ones that actually have something of value. The investors are now at retirement age and don't want to sit on the project five or more years until something else comes along. In addition, DBSI quietly added an Agricultural exemption, which allowed the company to use the money reserves elsewhere, which will result in a huge tax bill the 23 investors will have to pay.

Stephen Brooks, 4230 Beverly, Dallas, TX, president of Grand Homes, spoke next. He believes the location will not support retail due to the lack of homes in the area. Since the elementary school is nearby, he thinks this will be a good location for homes. He said Grand Homes will bring a quality project to Carrollton.

Sylo said he thinks the area is no longer viable for commercial use for many reasons. He said the surrounding sites have not developed as commercial but as single family homes, feels that Carrollton Parkway at Old Denton will not become a major intersection and thinks that the retail at Hebron and Old Denton doesn't need competition of additional retail nearby. But if it is to be changed to single family homes he feels what they have proposed is not the best for the property. He doesn't think the layout is good and that the size of homes proposed need to be on bigger lots. He feels this is just a typical subdivision and he doesn't want to change the comp plan for a subdivision but wants a neighborhood.

Nesbit agreed that he doesn't feel retail is the best use for the property. He also agreed with Sylo's comment that what staff had presented as a possible retail plan could cause unused land to become undevelopable. He doesn't share Sylo's concerns on the layout of the

development and feels the market will support the type of homes proposed. He is in support to both the comprehensive plan and zoning changes.

Sylo asked Jordan if they would be willing to look at redesigning the property layout.

Jordan said they would look at changing the perceived cut-through in their neighborhood design that Sylo was concerned about and look at moving the open spaces more to the front of the development so more of the homeowners could access it.

- \* ***Motion made by Nesbit, second by Daniel-Nix to close the public hearing and approve Case No. 12-12MD1, passed 6-2 (McAninch and Halloin opposed, Loreto absent).***