

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
JANUARY 14, 2020**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, January 14, 2020 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem Young Sung, Deputy Mayor Pro Tem Frances Cruz, Councilmembers John Sutter, Glen Blanscet, Mike Hennefer, Pat Cochran and Steve Babick. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Bob Scott and Chrystal Davis, City Attorney Meredith Ladd and City Secretary/Admin Services Director Laurie Wilson.

5:45 P.M. – COUNCIL BRIEFING ROOM

***** PRE-MEETING / EXECUTIVE SESSION *****

Mayor Falconer convened the meeting at 5:46 pm. and announced that the Council would convene in Executive Session.

2. Council convened in **Executive Session at 5:47 pm** 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 adjourned the Executive Session and reconvened in **Open Session at 5:50 pm** to consider action, if any, on matters discussed in the Executive Session. No action taken.

Mayor Falconer reconvened the Worksession at 5:51 pm.

*****WORKSESSION*****

4. Receive **Update On Denton County Utilization Of Carrollton Public Library Services.**

Jonathan Scheu, Director of Library Services, provided a brief history noting that the agreement was first established in 1985 as a way to provide library services to unincorporated Denton County residents and is awarded and administered through the Denton County Library Advisory Board. The Board is comprised of 15 Denton County municipal library systems; all but Denton, Plano, Frisco and Roanoke accept funds and funding is determined on a per capita basis which is the municipal population within Denton County. He provided a financial breakdown chart reflecting Carrollton as receiving the second highest amount of funds at \$63,200 and he reviewed the services provided. He explained that currently, the City does not charge for library memberships; instead there is a 3-tiered service level with the top tier for Carrollton residents allowing use of physical materials, digital materials and use of facility space. Non-Carrollton/Denton County residents are provided use of physical materials and use of digital materials; and Texas residents who are non Carrollton/non Denton County residents are allow use of physical materials only. He used charts to illustrate material usage and explained that staff uses the charts to gauge costs. He also provided charts to illustrate physical material usage by branch library. He listed the following considerations:

- No increased funding from Denton County in near future
- Continued growth in North Carrollton/Castle Hills region
- Possible non-resident fee options in the decision points of FY21 Preliminary Budget

Scheu recommended the Council approve the agreement listed on the Council Agenda stating that the agreement runs from October 1 to September 30, 2020. He added that if Council chooses to implement a non-resident fee, the City would no longer receive the funding from Denton County. Scheu stated that Tech share would continue to be in effect and stated that it primarily deals in sharing of resources. A brief general discussion was held with a request to see more information about the possible impact to a change to a non-resident fee.

5. Receive Update On IT Department Operations.

Andy Horn, Director of Information Technology, talked specifically about the cyber attack recovery, process improvements and accelerated planned enhancements. He recognized the numerous partners who assisted: TxDPS, FBI, MS-ISAC (Federal agency), Sylint, and CoreRecon. He underscored that while the cyberattack occurred as a result of a ransomware virus, the City did not pay and will not pay ransom demands; there is an ongoing criminal investigation; and no citizen or employee data was stolen. He emphasized that the citizen facing impact was minimalized mostly by virtue of the work of the employees throughout the organization. He reviewed the following process improvements, which includes termination of the City's current I.T. Managed Services contract and rebranding of the City's I.T. department.

Cloud hosting

- Applications
- Site Recovery
- Storage & Backup

Resiliency

- Security solutions
- Video systems
- New partnerships

Strategic Plans

- End user hardware purchases
- Office365 transition
- Network refresh
- Administrative / Policy revamp

Service Conversion

- Diversification
- Transparency
- Ownership

Mayor Falconer voiced his appreciation for the update to the Council and the public.

1. Receive information and discuss Agenda.

6. Mayor and Council reports and information sharing.

Mayor Falconer adjourned the Worksession at 7:20 pm to convene the Regular Meeting.

*****REGULAR MEETING 7:00 PM*****

Mayor Falconer convened the Regular Meeting at 7:30 pm.

INVOCATION – Mayor Pro Tem Young Sung

PLEDGE OF ALLEGIANCE – Troop 714

PRESENTATIONS

7. Veterans Memorial Recognition Presentation From Representative Julie Johnson's Office.

PUBLIC COMMENT

8. Hearing of any citizen/visitor on items listed on the regular meeting agenda, which do not include a public hearing. Citizens wishing to address the Council regarding items not on posted agenda will be called to speak during the Public Comment period.

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.

Mayor Falconer noted there were no speakers.

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.)*

Councilmember Blanscet moved approval of Consent Agenda Items 9 – 18; Item 9 with the amendment discussed in Worksession; and naming Michael Hurtt as the person voted for in Item 17; second by Deputy Mayor Pro Tem Cruz; and the motion was approved with a unanimous 7-0 vote.

MINUTES

*9. Consider Approval Of The December 17, 2019 Regular Meeting Minutes.

BIDS & PURCHASES

*10. Consider Approval Of The Purchase Of Travel Services For The Carrollton Senior Center From Collette In An Amount Not To Exceed \$130,000.00.

*11. Consider Amending The Approval Of The Purchase Of Technology-Related Goods And Services From Various Vendors Through DIR And BuyBoard Cooperative Purchasing Entities In An Amount Not To Exceed \$2,854,399.74

CONTRACTS & AGREEMENTS

***12. Consider Authorizing The City Manager To Approve A Three-Year Contract With Spectrum Enterprise To Install A 10 Gigabit Internet Circuit In An Annual Amount Not To Exceed \$68,400.00.**

***13. Consider Authorizing The City Manager To Approve A Contract For IT Resources From Catapult Systems In An Amount Not To Exceed \$511,395.50.**

***14. Consider Authorizing The City Manager To Approve Contracts For Cellular Communications from Multiple Vendors In An Amount Not To Exceed \$162,712.97.**

ORDINANCE

***15. Consider An Ordinance Authorizing The Abandonment Of Approximately 0.017 Acres Of Right-Of-Way Located Generally On The East Side Of North Denton Drive, 350 Feet North Of Cotton Street, As Depicted On Dallas County Deed Records Instrument Number 201400253441; Retaining All Rights To And In The Remaining Portion Of Any Right-Of- Way Shown On The Administrative Plat.**

RESOLUTIONS

***16. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Eligible Properties Located Within A Neighborhood Empowerment Zone, In A Total Grant Amount Not To Exceed \$7,168.84.**

***17. Consider A Resolution Casting A Vote In The Dallas Central Appraisal District Board Of Directors Run Off Election.**

***18. Consider A Resolution Authorizing The City Manager To Enter Into An Interlocal Agreement For Library Services For Fiscal Year 2020.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

19. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 20-Acre Tract Located Along The North And South Sides Of Crosby Road And Southwest Of The Intersection Of Crosby Road And Fannidella Drive From The (MF-18) Multi-Family Residential District and PD-200 For The (SF-8.4/16) Single-Family Residential And (MF-18) Multi-Family Residential Districts To Establish PD-215 For The (SF-TH) Single-Family Townhouse District Allowing Single-Family Detached And Live/Work Uses With Development Regulations; And Amending The Zoning Map. Case No. PLZ2019-145 Crosby Road Property

Planning Manager Loren Shapiro presented the request to develop the property as an Urban Village with a mixture of single-family detached townhomes and live/work units. Staff recommended approval as stated in the staff report.

Councilmember Babick referred to a suggestion by the Planning & Zoning Commission to require an additional landscape island along Crosby and asked if there had been any discussion with the applicant. Shapiro acknowledged the discussion among the Commission stating no stipulation was added, and he suggested the applicant could respond to the matter.

Councilmember Cochran asked about a buffer between the train tracks and the townhomes. Shapiro replied that there would be a masonry wall on the west side of the property. He added that between

the wall and the at-grade tracks, there would be space for the hike/bike trail along with gates to access the trail.

Frank Liu, In Town Homes, did not provide a formal presentation and was available to answer questions.

Councilmember Babick reiterated his earlier question regarding parallel parking along Crosby Road and Mr. Liu replied that they would not object to an added stipulation.

Councilmember Hennefer asked about Mr. Liu's background in similar developments. Mr. Liu replied that he started in 1980 and guessed that he had built around 100 similar projects in Houston, Dallas and Austin. He stated that the urban-type developments always have tweaks along the way and asked for the Council's understanding and consideration as they receive more engineering information stating that some of the homes and streets may change a little bit, hopefully before they file for the final plat; the site plan will get tweaked a little bit.

Mayor Falconer stated that he noticed in the documents that the minimum requirements requested were 15½ ft on the Townhomes and 20 ft on the single-family detached which would mean a 14ft wide house. Mr. Liu replied it is minimum, but really minimum is 25 ft so really it would be 3 on either side and 19ft for the garage; most likely it would be 25/26ft minimum for detached. The Townhomes would be single car tandem garage and added that the 15/16 ft townhouse is one of their most popular products because of the size and affordability of it. Mayor Falconer asked the width of most of the lots for single-family detached and Mr. Liu replied that 25/26ft lots would be less than 20% of the single-family detached lots; maybe 15%. The average width of the lots would probably be somewhere around 35/40 ft. He stated he would not be opposed to a stipulation of a minimum of 25ft on single-family detached lots.

Deputy Mayor Pro Tem Cruz asked what would be put in the front edge in the section up against the Meadows Apartments and asked the applicant to elaborate about the green space. Mr. Liu stated the green space would be an amenity for the home buyers stating it is in their best interest to make it really nice and although it has not been fully designed yet, it is their intention to leave it as a natural looking environment. With regard to the first question, he stated that he didn't think they would need a retaining wall and they plan on building a fence.

Councilmember Cochran asked if water would continue to flow in the creek as it does currently and Mr. Liu replied affirmatively. Mayor Falconer clarified that it would be surface drainage rather than an underground culvert and Mr. Liu replied affirmatively.

Mayor Falconer stated the City was excited about the planned development.

Mayor Falconer opened the public hearing and there being no speakers, he closed the public hearing and opened the floor for discussion or a motion.

Councilmember Sutter remarked that this is another example of a series of Councils taking an objective and remaining true to the vision; being patient while working through it to make it a showcase at one of the entryways to the City off of I-35 down Crosby Road. He commended all of the Councils, the applicant and the development partners.

Councilmember Sutter moved that we approve the Ordinance amending the zoning on this particular section with the stipulations that were made; including the tree and parallel parking and the 25ft wide single-family; second by Councilmember Babick.

Babick echoed the comments made and voiced appreciation for the developer's attention to the historic character in the area with the designs presented.

Mayor Falconer clarified the additional stipulations as adding a minimum of two landscape areas with street trees within the parallel parking along Crosby, and amending the single-family detached minimum width of 25 ft rather than 20 ft.

Mayor Pro Tem Sung thanked the applicant for the type of development project that would elevate and enhance the City.

The motion was approved with a unanimous 7-0 vote.

20. Hold A Public Hearing And Consider A Resolution Amending The Comprehensive Plan And The Future Land Use Map To Change An Approximately 11-Acre Site Located At 2308 Marsh Lane And 2317 Tarpley Road From Medium Intensity Office And Industrial Uses To Multi-Family Residential Uses. Case No. PLCP 2019-138 Kensington Gardens (Comp Plan).

21. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 11-Acre Tract Zoned (LI) Light Industrial District And PD-128 For The (O-2) Office District And Located At 2308 Marsh Lane And 2317 Tarpley Road To Amend Planned Development-128 To Allow For The (MF-18) Multi-Family Residential District With Development Standards; And Amending The Official Zoning Map. Case No. PLZ 2019-128 Kensington Gardens (Zoning).

Mayor Falconer advised that Items 20 and 21 are companion items that would be heard simultaneously with separate action.

Shapiro explained that Item 20 would change the land use designation from Medium Intensity Office and Industrial Uses to Multi-Family Residential uses to allow the zoning change (Item 21). The proposed development would allow up to 140 multi-family dwelling units and would consist of four buildings. The building along Marsh Lane would be a 3-story building the other three buildings would be 4-story buildings. He stated the applicant proposed an amenity in the center consisting of play areas; a pool by the building located on Marsh Lane; landscape buffering along Marsh Lane and the interior of the site as well as along Tarpley. He referred to the building elevations for the 4-story buildings as well as for the 3-story building on Marsh Lane close to the single-family located to the west of the site. He stated that staff does not feel the proposed development is an appropriate land use change nor zoning change due guidance to have multi-family near transit centers or in specific areas where the scale and compatibility was best; the greater density of 28 units per acre; the height of the buildings; the compatibility of the surrounding uses; and concerns of surrounding property owners.

Councilmember Babick asked about the density with the current zoning of some of the neighboring properties. Shapiro replied that to the south there is a multi-family development with 18 units to the acre; further to the south and also to the southeast are other multi-family developments not exceeding the 18 units to the acre, which is generally the maximum. To the west of the site is single-family detached with a lesser density and to the north and west is additional single-family. North of the power lines includes more substantial commercial and industrial areas. Councilmember Babick asked if a curb cut is proposed through Marsh Lane and Shapiro replied that the applicant proposed a driveway cut along Marsh Lane and a median cut provided for southbound traffic; however that would require a median cut variance which is currently in process. Councilmember Babick asked that lacking the median cut, occupants would not have entry off of Marsh to go southbound and Shapiro replied

affirmatively. He added that the applicant did provide a traffic study mainly for the portion along Marsh and the applicant could provide more information.

Councilmember Blanscet asked for examples of uses allowed in Light Industrial and Shapiro replied that Light Industrial would allow warehouse distribution, office, commercial type uses including retail and the small portion titled PD-128 is limited to office uses with a height maximum of 2-stories.

Steve Lenart, Lenart Development, 520 Central Parkway East, Plano, stated the project would be a Class A sustainable multi-family project. He described the site as being approximately 10.6 acres with flood plain running through the middle of it. He stated they have tried to make it a gathering/ social area for the residents; additionally on the west side where the marketing center will be off of Marsh Lane is where the standard amenity center would be with the swimming pool, indoor gym facility, business office, etc. The flood plain is roughly 1.5 acres in size and they are currently conducting a study. He stated they currently have a maximum unit count of 304 units with the urban garden design meaning 3-4 stories in elevation; parking tucked behind buildings away from the roadways; tuck-under garages; and a unit mix with an average of roughly 850 sq ft. He stated it was their feeling that the use was a very good fit for the unique site. He stated it would be a gated community but one could enter to the leasing center before going through the gate and there would be a gate along Tarpley Road. He used the layout to show where the tuck-under garages would be located stating there are 37 tuck-under spaces with the current concept plan. In the Urban Garden design, the units will be accessed through a common hallway. He stated that the 3-story building along Marsh will be stair access and the other three buildings will have an elevator. He talked about the amenities planned in the floodplain area such as sand volleyball and areas for corn-hole games. The western side of the creek area will have seating areas and fire pits and possibly other items depending on the flood study. The far eastern triangle is a dog park currently planned at 6,500 sq ft. The flood plain will be encapsulated with retaining walls dependent on the flood study. He referred to a conceptual elevation for the 3-story building on Marsh Lane noting that he can't commit 100% to the exact design while stating it would be very similar and would have stone, stucco, brick and metal roof accents. The intent of the materials is to stand the test of time and provide a modern look to multi-family. He used other conceptual renderings to describe the site and product from different directions. He stated they will give the culvert at the south end a bridge finish out where it will have a guard rail and probably have lights across it to give it a good feel along the roadway. He provided photos of seating and gathering areas and he stated the dog park would have a wrought iron fence around it. He provided photos of the proposed shade structures in the gathering areas to create the sense of place and gathering. He described the street cross section and projected a maximum top plate of 39 ft 4 inches on the project side of Marsh Lane. He stated there would be the right-of-way then a 25ft set back to the front of the building; as you progress to the deceleration lane, he asked for an access easement rather than a dedicated r-o-w so they don't have to change the building footprint which would create some logistical issues. He provided street view photographs of existing homes on Marsh Lane showing the homes across the way are raised and would help to offset the elevation of the building on the project side. He reviewed the proposed conceptual landscape plan. With regard to the TIA, he stated it encompassed Marsh Lane and Tarpley Road and he stated the median cut is critical for moving forward with the project.

Deputy Mayor Pro Tem Cruz voiced her concern with the density and the 4-story buildings. Mr. Lenart stated they have to have the density to make the economics of a Class A project work. He stated that the current market is showing that the predominant renters in the area would be couples with no children and single professionals. He stated he was also trying to tap into the empty-nester market and stated the 4-story building requires an elevator which is a big incentive rather than walking up a 3-story building.

Mayor Falconer felt the site was not an urban area and the surrounding properties are not urban like, so introducing an urban character into that spot feels like a use that isn't appropriate. He stated the elevations show a pretty imposing structure within 25ft of one of the major corridors. Mr. Lenart stated he wasn't sure how much they could cut off of the top plate but felt they could probably reduce it to 35ft. Mayor Falconer shared the concerns of density and didn't feel this level of development is appropriate at this location. He stated the Council encourages multi-family in the TOD areas but didn't feel this project offered a lot of the sustainability features that he would look for.

Councilmember Blanscet commented that he shares the same concerns about density and that the attempt to get an urban feel in the small stretch of Marsh Lane doesn't seem to fit. He voiced appreciation for the changes made since the first presentation to the P&Z Commission.

Councilmember Babick felt that adding a density level of 28 units per acre doesn't seem appropriate and asked the applicant to elaborate on the need. Mr. Lenart replied that the density is needed to make the deal work with regard to floodplain, the amount of amenities, etc helps push it north but taking out the 4-story really hurts in the market given the elevator option. Councilmember Babick reiterated that the Council has to look at what's appropriate for the whole area and stated the dense living approach doesn't sound appropriate. He stated that the proposed project looks great but not at this location.

Deputy Mayor Pro Tem Cruz referred to the photos of the outdoor living spaces and asked if they were from his projects. Mr. Lenart replied the pictures were examples of some of their projects plus some of the standard designs from the landscape architect. Deputy Mayor Pro Tem Cruz stated she was concerned with the height because if the site is surrounded by shorter buildings. She asked staff about the height allowed by right and Mr. Shapiro replied that O-2 zoning allows a maximum of 2-story and the light industrial use maximum height is 60ft.

Mayor Falconer opened the public hearing and invited speakers to address the Council.

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

Joann Tolbert Yancy, 2405 Britain Court; Mark Warden, 2424 Princess Ct; Chad Baker, 2400 Princess Ct; Darius Shroff, 2412 Britain Ct; Horatio & Van Popa, 2401 Crown Ct; Tami Lander, 2200 Norwich Pl; Kevin Jennings, 2416 Crown Ct; David Duhamu, 2400 Royal Summit Dr; Vin Patel, 2429 Strathearn Way; Matthew & Melissa Sandoval, 2425 Strathearn Way; Stacey Butcher, 2841 Wellbourne Dr; Matt Grygar, 2400 Crown Ct; Mary Lynn Novelli, 2812 Kings Gate Dr; There being no other speakers, Mayor Falconer closed the public hearing and opened the floor for discussion or a motion.

The following spoke in opposition with concerns of increased traffic, vandalism, and density:

Lisa Smith, 2413 Jester Place, representing the Estates of Wellington Run; Cheri Stubblefield, 2817 Kings Gate Dr; Pat Kreinor, 2413 Crown Ct; Brian Butcher, 2841 Wellbourne Dr; Chinton Patel, 2429 Strathearn Way; Melissa Sandoval, 2425 Strathearn Way; Joann Tolbert Yancy, 2405 Britain Ct; Mary Lynn Novelli, 2812 Kings Gate Drive;

Kevin Clariday, 2308 Marsh Lane, spoke in favor of the request and voiced concern about what could be developed on the site by right.

Councilmember Babick moved to deny Item No. 20; second by Councilmember Hennefer.

Councilmember Babick felt the speakers were in line with his thoughts and offered positive comments to the developer and property owner. Deputy Mayor Pro Tem Cruz thanked the property owner for

being thoughtful with regard to the type of development stating it is a beautiful project and stating concern with the density. Councilmember Hennefer stated he would vote against the project because Council has given direction to establish more dense areas around TODs and expressed his gratitude to the homeowners, developer and property owner.

The motion was approved with a unanimous 7-0 vote.

Deputy Mayor Pro Tem Cruz moved to deny Item 21; second by Councilmember Babick. Councilmember Babick reiterated his feeling that multi-family was not appropriate at the site. **The motion was approved with a unanimous 7-0 vote.**

22. Hold A Public Hearing And Consider An Ordinance To Amend SUP-440 To Increase The Maximum Number Of Students Allowed For A Private School On An Approximately 5.8 Acre Tract Zoned PD-18 For The (FWY) Freeway District And Located At The Northeast Corner Of Carter Drive And Crowley Drive; And Amending The Official Zoning Map. Case No. PLSUP 2019-X1 Wisdom Academy.

Shapiro stated that the applicant would like to develop a master plan to allow a maximum of 360 students with Phase 1 of the project having a maximum of 100 students. The site would have a point of access at Crowley Drive and a central area for stacking. He stated that since the P&Z Commission's recommended approval, staff asked the applicant to add a driveway further north then turn west to Carter to allow two points of access. He stated ultimately the applicant would have the option of providing a soccer field on the north side and athletic courts on the west side along Carter or provide a parking area on the north side of the facility. He stated there is sufficient parking with either plan. He advised that staff added 3 stipulations since approval by the Commission to insure that there are 50 internal stacking spaces for phases beyond Phase 1; that the east driveway is extended northward to Carter for two points of access; and require a technical site plan in order to insure that traffic is functioning properly as the school continues to develop. Staff recommended approval.

Councilmember Blanscet asked if the proposal includes a pro rata increase in students. Shapiro stated that as long as the applicant is following the conceptual site plan, the project would go through staff review, but staff is recommending that anything beyond Phase 1 would go to the P&Z Commission with a technical site plan meaning that the Commission would approve any increases in the number of students via the technical site plan.

Councilmember Babick referred to the P&Z Commission concerns about the gate and stacking and Shapiro explained that the applicant wanted to have a gate but the Commission added a stipulation that prohibits a gate from blocking the driveway or any required queuing areas. Further discussion and clarification was provided regarding the stipulation.

Councilmember Blanscet asked if the Council was being asked to approve the plan to have either the parking or the soccer field and if there was sufficient parking available with either plan. Shapiro stated the applicant would have the option to develop either and replied that the plan has sufficient parking.

Isam Alimam, 1658 Autumn Breeze, Lewisville, Architect, began his presentation with photos of the site and adjacent uses as well as Carter Drive. He stated the request is to amend the existing SUP and stated the project is phased with the expectation that the school will open in July. He stated that the plan would expand over time until it reaches the ultimate size as specified on the drawing. He stated there could be many phases and advised that the plan includes an indoor swimming pool, gymnasium, chapel, middle school, administration, library, etc. He stated that the school would have an internal

courtyard for planting advising that the students will spend a lot of time outside. He reviewed the floor plan for the Ultimate site and particularly Phase 1. He provided elevations for Phase 1 and for the Ultimate product as well as for the future garden courtyard. Mr. Alimam provided a rendering of Phase 1 that includes the driveway, pick-up / drop-off area. He stated that it is a lot of concrete for a small building but felt it would be more conducive to ease traffic as well as pick-up/drop-off. He also provided a rendering of the ultimate product with various views. He stated that the project has to be built in phases due to costs and explained that even with Phase 1 two classrooms and other parts to be a shell only. He felt the school will contribute to Carrollton's image and landmarks, be pleasant on all 8 sides, has no back, service or ugly side and stated the roof top equipment will be screened.

Deputy Mayor Pro Tem Cruz asked the applicant if he could provide a timeline for getting to the ultimate phase. Mr. Alimam replied that the owner would be better able to respond and emphasized that Phase 1 was the most critical. He stated it would depend on the budget and the need but felt it could be 10 years.

Councilmember Blanscet referred to the trucks parked along Carter Drive and asked if that had been considered with regard to traffic. Shapiro replied that staff typically dissuades parking as depicted in the photo except on a very temporary basis and he presumed that the condition would go away.

Councilmember Babick referred to the stipulations and asked about the exhibit site plan showing optional gates. Shapiro replied that if approved, the optional gates would have to be removed from the plan. Mr. Alimam stated that they agreed to the stipulation regarding the extension of the fire lane to go north and then west to tie with Carter due to safety. He asked for clarification about the stipulation regarding stacking asking if the 50 car stacking was triggered by additional students or simply the next phase and Shapiro replied that the traffic engineer would review the plan and it would depend on the extent of the expansion after Phase 1. With regard to the stipulation requiring a technical site plan for expansion beyond Phase 1, Mr. Alimam explained it presents an element of risk for raising funds as well as an additional burden to the owner and asked if it would sufficient to require staff review only rather than P&Z approval. Shapiro responded that the stipulation was added to make sure that when there is expansion, the transportation department would have the opportunity to review it and give the Commission the ability of overseeing the project. He added that the technical site plan would not require a public hearing but would require P&Z Commission approval. Mayor Falconer highlighted that the use would not be part of the review of a technical site plan and asked for further clarification about the stipulation. Director of Engineering Cesar Molina replied that his understanding is that staff did not get a chance to look at the actual Ultimate plan and cannot say for sure that the proposed stacking will work.

Councilmember Blanscet stated he understands the applicant's point of view and asked if a minimum of 50 stacking spaces adequate for the ultimate site and if there is a way to prorate it. Molina replied that stacking is prorated with a formula and stated the minimum 50 was based on the ultimate 360 students. He stated that there could be some stacking required depending on the number of students added beyond Phase 1. Molina stated that the intent of the stipulation is that stacking would be based on enrollment and suggested the wording of the stipulation could be changed to say stacking would be based on enrollment. He stressed that the reason for the requirement of P&Z reviewing the technical site plan is because staff has not been able to study the ultimate product and therefore where the stacking would go hasn't been determined. Mr. Alimam stated that his drawing includes the number of classrooms, number of administrative, and the total, and the TIA addressed the ultimate. He underscored that they would continue to do whatever the staff decides and asked that they not be required to go back to P&Z. He stated that the classrooms on the ultimate/future phases drawing are sized correctly and if they want to do more, then they would return to P&Z and Council for approval. A lengthy discussion was held with regard to the stipulation. Mayor Falconer stated he understood the

concerns of the applicant, was sympathetic to it and felt the Council needed to find a way to not require the applicant to return to P&Z. He offered options such as “in accordance with the conceptual site plan”.

Councilmember Babick suggested the stipulation regarding required stacking after the first phase be changed to make the required stacking more proportional. With regard to the stipulation regarding the technical site plan, he voiced agreement with the wording offered by Mayor Falconer.

Councilmember Blanscet asked if the driveway is required to be built in Phase 1 and Shapiro replied that it is.

Mayor Falconer opened the public hearing and invited speakers to address the Council.

Faisal Rajani, 1212 Apache Lake Drive, representing the developer, requested the stipulation requiring return to P&Z be softened as requested by Mr. Alimam feeling that the stipulation could have an adverse impact on financial donors.

Mohammad Asad, 4532 Illinois Street, spoke in favor of the project and thanked everyone for working with them.

Aun Ali, 4313 Mesa Drive, submitted a card in support but did not wish to speak.

There being no other speakers, Mayor Falconer closed the public hearing and opened the floor for discussion or a motion.

Further discussion was held by Council with regard to the wording of the stipulations including required stacking spaces. Molina suggested that the stipulation regarding stacking be changed to just state in accordance with City ordinance.

Councilmember Blanscet moved approval of Item 22 with the changes to the stipulations that were just discussed; changes to b, deletion of d and change in wording of f to delete after completion of all phases; second by Councilmember Sutter and the motion was approved with a unanimous 7-0 vote.

Mayor Falconer extended the Council’s welcome to the applicant and thanked them for working with the Council and staff.

23. Hold A Public Hearing And Consider An Ordinance Amending The Text of Multiple Sections Of The Comprehensive Zoning Ordinance To Amend, Add or Delete Definitions, To Amend Land Use Categories, To Amend Regulations, Provisions, And Standards Of Various Sections, And To Amend To Improve The General Organization Of The Amended Sections. Case No. PL ZT 2019-X1 CZO Text Changes.

Shapiro reviewed the proposed changes regarding Art XXXII pertaining to key lots; Art V, Use of Land and Structures, Sec C Use Matrix; Art VII, Single-Family and Art VIII; Art VII to update and clarification regarding carport regulations; Art VII and Art VIII regarding attached garages; Art XX Transit Center; Art XXII regarding communication towers; move regulations regarding total lot area devoted to landscaping to Art XXV; Art XXXIV Definitions; and correction of Scribner’s errors.

Councilmember Babick asked for clarification with regard to the garage requirements and Mayor Falconer replied that he would want to exclude the additional garage requirements of Art VII and VIII. (Inaudible discussion)

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing.

Councilmember Babick moved to approve Item 23 excluding Section 5 of the proposed ordinance dealing with garage changes; second by Councilmember Sutter; and the motion was approved with a unanimous 7-0 vote.

24. Hold A Public Hearing And Consider An Ordinance Amending The Text Of Multiple Sections Of The Subdivision Ordinance To Amend, Add Or Delete Definitions And To Amend Regulations, Provisions, And Standards Of Various Sections Of The Subdivision Ordinance, And To Amend To Improve The General Organization Of The Amended Sections. Case No. PLST 2019-X1 Comprehensive Subdivision Ordinance.

Shapiro presented the following proposed changes:

1. Amend language in order to comply with HB 3167
 - Plats no longer have a 12-month deadline for filing; however plats must be recorded with the Country before vertical construction
 - Clarifies plats are valid after approval by P&Z
 - A definition of “filed” was added to Art XIII to further specify that a plat or plan is filed when it is placed on a P&Z Agenda
 - Notices for residential replats and variances to the Subdivision Ordinance will meet Texas Local Government Code
2. Add Conveyance plats
3. Sidewalk Waivers
 - Response to ADA accessibility; improved aesthetics of ROW; and create an opportunity to have sidewalk improvements made in Industrial areas
 - Although there is little pedestrian traffic in Industrial areas overall, some areas are beginning to have more retail uses which would increase pedestrian traffic
 - The amendment would require sidewalks as part of a building permit. The only exception would be where the P&Z Commission grants a waiver where after it is determined physically impractical to construct or where the property was filed of record prior to April 2, 1962 or where existing subdivisions were accepted without a sidewalk
4. General changes to improve customer service and clarify necessary language on plats

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing.

Councilmember Sutter moved approval of Item 24 with the amendment to the amendment that was previously distributed; second by Mayor Pro Tem Sung; and the motion was approved with a unanimous 7-0 vote.

PUBLIC FORUM

25. 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 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.

Tommy Smith, 2108 Hickory Drive, spoke favorably regarding handicap accessibility.

? DeRosier, 1602 E. Frankford Road, talked about the need for more marketing about events such as the MLK parade.

Mayor Falconer announced the following upcoming events:

- MLK parade scheduled for 10:00am on Saturday;
- Chinese New Year celebration at the Hebron/Josey Library on January 26;
- The Adult Prom on January 26

ADJOURNMENT - Mayor Falconer adjourned the meeting at 10:21 pm.

ATTEST:

Laurie Wilson, City Secretary

Kevin W. Falconer, Mayor