

CARROLLTON CITY COUNCIL
TELEPHONIC MEETING AND WORKSESSION
JULY 7, 2020

The City Council of the City of Carrollton, Texas convened in a Telephonic Meeting and Worksession on Tuesday, July 7, 2020 at 5:45 pm with the following members present; Mayor Kevin Falconer, Mayor Pro Tem Young Sung, Councilmembers John Sutter, Glen Blanscet, Mike Hennefer, Pat Cochran, Steve Babick and Andrew Palacios. 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. – TELEPHONIC MEETING

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

Mayor Falconer called the meeting to order at 5:53 pm.

1. Receive information and discuss Agenda.

Mayor Pro Tem Sung and Councilmember Palacios recused themselves from the meeting regarding Item 9 due to a Conflict of Interest. Mayor Falconer also advised that Councilmember Sutter was present via phone rather than zoom.

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. Council did not convene in Executive Session – no action.

Mayor Falconer adjourned the Pre Meeting and immediately convened in Worksession.

*****WORKSESSION*****

4. Discuss The Betterment Program For The DART Silver Line Commuter Rail Project.

Transportation Engineering Division Manager Tom Hammons provided a presentation regarding the Betterments Program for the Carrollton DART Silver Line Corridor. He began by reviewing the Silver Line Betterments Process which included 7 community meetings conducted by DART staff to garner input from the 13 adjacent neighborhoods. DART staff repeatedly presented other Betterments options to all the neighborhoods as alternatives to 15-foot walls. He explained that Betterments are basically upgrades to required mitigation. Hammons reported that five neighborhoods voted for a 15-ft Betterments wall and eight neighborhoods did not indicate any Betterments preference; therefore DART proposed a 15-ft wall by default.

Alternative Betterment options to 15-ft walls suitable for Carrollton include:

- 1) Applied artisan metal panels
- 2) Decorative screening walls (shorter)
- 3) Street crossing landscaping and wall end-treatment enhancement
- 4) Landscaping enhancement

Hammons clarified that DART provides non-betterment landscape trees every 150 feet in residential areas as a standard. Where height restrictions exist, DART provides non-betterment bushes every 10 feet.

Silver Line Recommendations

Switchyard Apartments/College Street (Budget \$409,600)

DART proposed 15 ft high Betterments sound wall by default

- **Staff recommendation:**
 - Install a 3 or 4 ft high masonry or concrete wall
 - Install artisan metal panels along both sides of recommended wall
 - Add pedestrian wall end-treatment package on both ends of wall
 - Add pedestrian landscaping package on both ends of wall

Erie Street single lot (Budget \$307,200)

Accept as DART proposed/citizen voted 15 ft high Betterment sound wall; a vegetation buffer of about 50 ft already exists between the lot and tracks

Clint Street single lot (Budget \$204,800)

DART proposed 15 ft high Betterments wall by default

- **Staff recommendation:** accept DART's proposal; a vegetation buffer of about 50 ft already exists between the lot and tracks

Cecil Drive – Woodcrest Estates (Budget \$252,800)

DART proposed the residents vote for 15 ft high mitigation sound wall

- **Staff recommendation:** accept as DART proposed

Baxley Drive (Budget \$512,000)

DART proposed 15 ft high Betterments sound wall by default

- **Staff recommendation:** accept as DART proposed. There is a drainage culvert between the homes and tracks leaving little to no space to add an effective landscape package.

Perry Road (no budget allocated)

DART proposed 15 ft high mitigation sound wall on north side; 15 ft Betterment sound wall on south side by default

- **Staff recommendation:**
 - Leave walls as DART proposed
 - Add street crossing / pedestrian package at Perry Road on both sides of road
 - Add metal artisan panels on both ends of both sound walls from Perry Road back to the east a distance of at least 50 ft.

Gravley Drive (Budget \$512,000)

DART proposed 15 ft high mitigation sound wall on north side; 15 ft high Betterment sound wall on south side by default

- **Staff recommendation:** Accept as DART proposed. A vegetation buffer of about 50 ft already exists between the lot and the tracks

Josey Place Apartments (Budget \$819,200)

DART proposed 15 ft high mitigation sound wall on north side; 15 ft high Betterments wall on south side by default

- **Staff recommendation:** Accept as DART proposed. A vegetation buffer of about 50 ft already exists between the complex and the tracks

McKamy Drive – Hill’N Dale (Budget \$244,900)

DART proposed 15 ft high Mitigation sound wall on north side; 15 ft high Betterments wall on south side by default

- **Staff recommendation:** Accept as DART proposed

Gardens of Josey Lane Apartments (Budget \$63,200)

DART proposed 15 ft high mitigation sound wall on north side

- **Staff recommendation:** Accept as DART proposed

Josey Lane

Bridge – design and aesthetic package to be determined

Lakehill Townhomes (Budget \$158,000)

DART proposed 15 ft high mitigation sound wall; Citizens voted for short segment of 15 ft high Betterments sound wall

- **Staff recommendation:** Accept as DART proposed and citizens voted

Country Place (Budget \$2,048,000)

DART proposed 15 ft high Betterments sound wall; citizens voted and submitted petition for the wall

- **Staff recommendation:** Accept as DART proposed/citizens voted; there is significant existing landscape/tree buffer between the tracks and homes

Willow Lane Condos (Budget \$409,600)

DART proposed 15 ft high Betterments sound wall by default

- **Staff recommendation:** Accept as DART proposed

Marsh Lane Crossing (no budget allocated)

DART proposed: none but includes end points of Country Place and Trafalgar Square sound walls

- **Staff recommendation**
 - Add street crossing/pedestrian crossing package
 - Add metal artisan panels on both sides of the west end of sound wall for a distance of at least 50 ft from Marsh Lane
 - Coordinate aesthetics with Addison

Trafalga Square (Budget \$1,536,000)

DART proposed 15 ft high Betterments sound wall; citizens voted for the wall

- **Staff recommendation**
 - Accept as DART proposed / citizens voted
 - Provide one tree every 50 ft rather than 150 ft base contract in this segment

Hammons explained that staff would take the Council’s feedback and proposal to DART with the expectation that DART would let City staff know what they could do or what would be needed from the City to fund the recommendations. Staff would then return to Council in a Worksession to review and further discuss Council’s direction to make the corridor work for the City.

Councilmember Babick asked if there was a structural difference between the mitigation wall and the Betterments wall and Hammons replied that it was basically the same wall. Councilmember Babick stated he was pleased with the recommendations of staff.

Councilmember Palacios asked if there would be a difference in the current sound of the rail and what it will be. Hammons replied that the current usage is basically short line freight rail which is relatively noisy. The new trains are expected to be much quieter; similar to those on the DCTA line to Denton. During the day there will be more commuter trains in addition to the freight rail. Mayor Falconer stated that the entire Cotton Belt line will be a quiet zone meaning there will not be a requirement to blow the horn at crossings; however the engineer of the train always has the option to sound the horn. He added that the freight trains will continue to run as well as the diesel passenger train and there will be sound emitted from those just like the sound of traffic going by. Hammons stated his opinion that the neighborhoods would be quieter at the end of the project because there are no sound walls now.

Councilmember Blanscet asked about the look of the walls and the panels. Hammons replied that the walls should all look the same; the panels will be aesthetics that the City will be able to choose from a list of options. Mayor Falconer explained that the mitigation wall is required and the Betterments wall is the same wall but paid for from the upgrade funding allowed by DART. Hammons stated that staff does not have final plans on the look of the wall and Mayor Falconer explained that it would not be a piece of artwork but also will not be a piece of raw concrete.

Councilmember Babick asked about timing and Hammons replied that his sense is that DART wants to move forward as quickly as possible. With regard to funding, Hammons advised that DART stated that the funding has to stay with the segment that it's intended for but the definition of a segment is not clear. He felt that the proposed recommendations from City staff are within the spirit of DART's policy. With regard to the Josey Lane Bridge, Hammons stated the plans are not approved; staff has seen the structural plans but not the aesthetic package. Mayor Falconer stated that he advised DART that what they sent is not acceptable.

After discussion, the general consensus of Council was to move forward with recommendations proposed by Staff. Mayor Falconer underscored that because the Josey Lane Bridge is in the heart of Carrollton, it needs to be something everyone can be proud of.

Mayor Falconer recessed the Worksession at 7:03 pm and would convene in the Regular Meeting.

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

Mayor Falconer convened the Telephonic Council Meeting at 7:16 pm.

INVOCATION – Councilmember Glen Blanscet

PLEDGE OF ALLEGIANCE – Councilmember Steve Babick

PUBLIC COMMENT

7. 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 wanting to speak should join through Zoom by visiting: <https://us02web.zoom.us/j/84101945073?pwd=VkYyRHh1MWtuZG9ySE9TTjhpTGZVwZz09>; Password: 221981; Or by calling one tap: +1-346-248-7799; Webinar ID: 841 0194 5073; Password: 221981. 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.*

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.)*

Mayor Falconer advised that Item 9 was pulled for separate action and Item 14 was pulled from the agenda.

Councilmember Blanscet moved approval of Consent Agenda Items 8, 10-13 and 15-20 and that Item 15 be completed with Steve Babick as Mayor Pro Tem and Pat Cochran as Deputy Mayor Pro Tem; second by Councilmember Palacios.

Mayor Falconer recognized Councilmember Young Sung for his service as Mayor Pro Tem this past year and as Deputy Mayor Pro Tem the year before.

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

MINUTES

***8. Consider Approval Of The June 9, 2020 Regular Meeting Minutes.**

BIDS & PURCHASES

~~***9. Consider Approval Of The Purchase Of Nine (9) Vehicles For Various City Departments From Sam Paek Five Star Ford Through An Inter Local Agreement With Tarrant County Purchasing Cooperative In An Amount Not To Exceed \$312,884.00.**~~

***10. Consider Approval of RFP # 20-016 Rhoton Park Playground For The Parks Department From Game Time Inc., In An Amount Not To Exceed \$275,000.00.**

***11. Consider Approval Of RFP# 20-015 For Street Sweeping Services For Public Works Streets Division From Sweeping Corp of America, Inc., In An Amount Not to Exceed \$80,000.00.**

***12. Consider Approval Of The Purchase Of Reusable Personal Protective Equipment For Fire And EMS Personnel From Blauer Manufacturing Company, Inc. In An Amount Not To Exceed \$142,120.00.**

CONTRACTS & AGREEMENTS

***13. Consider Authorizing The City Manager To Approve Change Order #2 With RKM Utility Services, Inc. To Remove And Reset Existing Water Meter Lines And Provide Additional Flexible Base To The Alleys For The Rosemeade Section 2 Neighborhood Street Reconstruction Project In The Amount Of \$66,195.00 And Increasing The Total Project Amount To \$4,269,720.00.**

ORDINANCE

~~***14. Consider An Ordinance Requiring Stores And Businesses To Implement A Health And Safety Policy And Providing For A Fine Not To Exceed \$50.00 For Certain Violations Beginning 11:59 PM On July 7, 2020 Until 12:01 AM On September 1, 2020.**~~

RESOLUTIONS

- *15. Consider A Resolution Appointing A Mayor Pro Tem And A Deputy Mayor Pro Tem.**
- *16. Consider A Resolution Amending Resolution No. 4397 Related To The Purchase Of Certain Properties Owned By Berkshire Hathaway Automotive, LLC. To Clarify The Relationship Between Individual Parcels And Their Street Addresses.**
- *17. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Birkhoff, Hendricks & Carter, LLP For Engineering Support Services In An Amount not to exceed \$80,000.00.**
- *18. Consider A Resolution Authorizing The City Manager To Enter Into Single-Family Rehabilitation Grant Incentive Agreements On Four Eligible Properties Located Within A Neighborhood Empowerment Zone, In A Total Grant Amount Not To Exceed \$7,035.27.**
- *19. Consider A Resolution Adopting The 2020 Dallas County Hazard Mitigation Action Plan Update.**
- *20. Consider A Resolution Authorizing The City Manager To Take All Action Necessary To Enter Into A Lease Assignment Agreement For City Property With Destiny Baseball, LLC And Lake Highlands Girls Classic League.**

ITEMS REMOVED FROM CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

- *9. Consider Approval Of The Purchase Of Nine (9) Vehicles For Various City Departments From Sam Pack Five Star Ford Through An Inter-Local Agreement With Tarrant County Purchasing Cooperative In An Amount Not To Exceed \$312,884.00.**

Mayor Falconer advised that Councilmembers Sung and Palacios have recused themselves from the meeting on Item 9 due to a Conflict of Interest.

Mayor Pro Tem Babick moved approval of Item 9; second by Councilmember Hennefer and the motion was approved with a unanimous 5-0-2, Sung and Palacios abstained.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

- 21. Hold a Public Hearing and Consider A Resolution Adopting the Program Year 2020 Community Development Block Grant (CDBG) One-Year Plan of Action and Budget In The Amount Of \$872,716.00.**

Community Services Manager Brian Passwaters presented the Community Development Block Grant Funding (CDBG) PY2020 One-Year Action Plan. He began by stating that the first of two required public hearings was held by the Neighborhood Advisory Commission (NAC) on June 11, 2020. He advised that the NAC voted unanimously in favor of the Plan and recommended approval by the City Council. He stated that the US Department of Housing and Urban (HUD) will provide a total of \$857,967 in CDBG funds to Carrollton which is a 3.5% increase from PY2019. He reviewed the following PY2020 One-Year Action Plan Activities.

- 1. NOTICE Project – Carrollton Heights; \$605,716 in conjunction with City funds for redevelopment of infrastructure and streets**
- 2. Housing Rehabilitation Project:**

Minor Home Repair Grants	\$120,000
Emergency Repair Grants	\$ 50,000
People Helping People	<u>\$ 10,000</u>
Total allocated	\$180,000

Passwaters stated that due to the expected impact of the COVID-19 pandemic, allocations to the programs has been significantly increased. Staff believes that there will be increased requests for assistance due to residents suffering furloughs, lay-offs and business closures.

3. **Enhanced Code Enforcement** – CDBG salary funding for a code enforcement officer who performs multi-family residential inspections in the low-to-moderate income areas of the city.
CDBG funds allocated \$77,000
4. **Administration – training;** funding set aside for on-going training of the Community Development staff.
CDBG funds allocated \$10,000

Passwaters requested Council hold a public hearing and approve the proposed PY2020 Action Plan to be submitted to the US Department of HUD.

Mayor Falconer opened the floor for questions from Council.

Councilmember Sung asked for clarification regarding the People Helping People program. Passwaters stated this is a program where labor is volunteered and the funding is spent on purchasing materials needed to make the repair. He added that the funding can only go to assist people qualifying with low-to-moderate income.

Mayor Falconer opened the public hearing and invited speakers to address the Council. There being no speakers, he closed the public hearing and opened the floor for a motion.

Mayor Pro Tem Babick moved approval of Item 21 with a note of appreciation to Staff and the NAC; second by Deputy Mayor Pro Tem Cochran and the motion was approved with a unanimous 7-0 vote.

22. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For A Residence Inn Hotel On An Approximately 4.6 Acre Tract Zoned PD-189 For The (O-4) Office District And Located Approximately 800 Feet North Of East Trinity Mills Road/President George Bush Turnpike, Between Raiford Road And McCoy Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 20-1X1 Residence Inn Carrollton.

Director of Development Services Ravi Shah began the presentation with the lengthy history of the 110-acre property which was purchased by the City in January 2008. With the recent completion of The Villas at Raiford, the first of three hotels – Marriott Courtyard and the recent approval of the mixed use development, The View – the area continues to develop as planned. In summary, the entire 110 acres was approved to position the City to help shape and attract quality and sustainable development on the very critical and viable site. It has been one of the most important strategic goals of past and current City Councils along with community support to advocate for quality hotel development. He asked Michael McCauley, Senior Planner, to present the request for a SUP for a Residence Inn Hotel.

McCauley stated that the request would allow a six-story Residence Inn Hotel on an approximate 4.6-acre site located about 800 feet north of East Trinity Mills Road between Raiford Road and McCoy

Road. At the June 18, 2020 Planning & Zoning Commission meeting, the Commission recommended denial and the applicant has submitted a request to appeal the decision. A three-fourths (3/4) affirmative vote by all members of the Council is required to overrule the Commission's recommendation of denial. He stated that the subject site is adjacent to the northern border of the Courtyard Marriott. The PD limits the number of driveways to one onto McCoy Road which is already provided by the hospital's driveway to the south and aligns with Black Stone Drive. The hotel will provide a driveway onto Raiford Road and the building will face Raiford Road. He referred to and reviewed the conceptual site and landscape plan. The hotel will provide four-sided architecture with each elevation complimenting the other. The exterior siding is mostly brick and stone with the front and rear elevation consisting of approximately 25% Efus. He stated the building would be a little over 31 ft in height when measured at the highest point which is the ridge of the hip roof and the hotel offers a porte-cochere at the front entrance. The hotel fully complies with the regulations outlined in the PD and exceeds the requirements for residential buildings outlined in the CZO. He listed the amenities offered by the hotel. He addressed concerns of residents and reviewed photos taken by staff from the Courtyard Marriott to Nob Hill. He stated that the Transportation Engineering Manager reviewed the potential impact of the hotels in 2010 and concluded that the existing streets including McCoy Road should be able to handle the expected traffic generated by the PD. He stressed that the hotel would have only one driveway and it would be from Raiford Road; not McCoy Road. He advised that upon the request of the P&Z Commission, the Police Department indicated that there have not been any major criminal issues at the Carrollton Courtyard Marriott and did not anticipate the proposed Residence Inn Marriott to have the same types of crime issues as other long-term stay hotels such as Economy and Budget Inn hotels. He stated that staff believes the proposal for the Residence Inn Marriott is consistent with the City's vision for this 31-acre tract which is PD-189. The Council requires a SUP for a residence hotel to ensure the hotel's quality and ensure that it meets the City's expectation for an upscale hotel. He stated that the applicant's proposal meets the City's expectation by exceeding the requirements in the PD and the requirements for a residence hotel under Art XXI, Special Use Permits. Staff recommended approval of the special use permit request with stipulations as outlined in the case report. Lastly, he advised that the applicant has offered revisions based on residents' comments and comments made by the P&Z Commission which Ravi Shah would address.

Shah stated that staff and the applicant offers the following design solutions and options to address many of the citizen's concerns.

1. **Reconfigure site plan (stipulated with SUP);** eliminates any sight line into neighborhood across McCoy Road. Would require the SUP to allow reduced building setback along Raiford from 50 ft to 15 ft and accept reconfigured site plan.
2. **Increase Additional Buffering (stipulated with SUP);** soften any perceived height impact to neighborhood across McCoy Road. Would require an increase of trees from 14 to 26 staggered 30 ft apart per landscape architect; plant 6 months after closing to allow the trees to mature before construction.
3. **Lighting Enhancement (stipulated with SUP);** architectural design elements for life-safety and community welfare. Would require site photometric plan that prohibits any down-lighting from the building (only up-lighting).
4. **Regulate Wall Signage (stipulated with SUP);** regulate location of wall signage away from McCoy Road. SUP to prohibit any signage on the east façade facing McCoy Road and limit signs on the north and south façade only to the western portion.
5. **Increase visual enhancement (direct staff);** enhance the 100 ft Conservation Buffer to further soften the visual appeal of the existing buffer. Would require Council to direct staff to plant 28 three inch caliper evergreen shade trees within the 100 ft wide conservation buffer or per City landscape architect.

6. **Eliminate Pedestrian Connectivity to McCoy Road (direct staff);** prohibit hike-and-bike trails or other pedestrian amenities such as sidewalks through 100 ft conservation buffer. Would direct staff to prohibit any hike-and-bike trails within the 100 ft Conservation buffer and seek other connectivity elsewhere.

Councilmember Hennefer referred to the proposed option to reconfigure the hotel and asked if that would mean there would be no windows that would look out to Nob Hill and asked if there would be a stair rail. Shah replied that there would be a stair rail to a center corridor that runs between two rooms. He stated there would be two rooms above the 5th floor that could look down onto McCoy Road. The rotation would minimize visual onto McCoy Road. He clarified that there would be two windows per floor; 12 windows but he felt only the 6th floor window might have a view.

Deputy Mayor Pro Tem Cochran asked if the purpose of the SUP was because of the ability for extended stay and McCauley replied affirmatively.

Councilmember Blanscet asked, relative to the existing Courtyard, what floor is the equivalent of the Courtyard that would be the 6th floor of the Residence Inn and Mayor Falconer asked what the maximum elevation would be for the top of the building. McCauley replied that the equivalent would be approximately the 4th floor of the Courtyard Marriott and the maximum elevation is limited to six stories so it would 71 ft at the peak of the roof. Councilmember Blanscet also asked about signage at the front of the building. Shah responded that there would be a monument sign at the driveway at the entrance to the property and there would be a sign on the north and south façade on the westerly side. He stated this was to avoid having any signage facing McCoy Road.

Councilmember Palacios asked for clarification about anticipated crime and about the windows. McCauley replied that the Police Department stated they would not anticipate more crime and Shah stated that there would be 12 windows on the east façade that would look at or along McCoy Road. Councilmember Palacios asked if the City could require frosted glass on those windows and City Attorney Meredith Ladd replied that the City cannot require certain material but could require the applicant to obscure the visibility. Shah replied that staff does not believe that, up to at least the 5th floor, the windows would allow someone to look into the backyard of homes. He added that the Courtyard parapet is about 71 ft in height.

Councilmember Hennefer referred to the requirement to plant trees 6 months after closing on the property and asked what the expectation was for construction to begin. Shah responded that it would be approximately 2-3 years.

Councilmember Sung asked what the police department based their opinion on with regard to crime expectation. Commander Michael Bishop, Carrollton PD, stated that they received approximately 2.4 calls per month over four years at the Courtyard and they felt that calls received from the proposed Residence Inn would be similar. The calls were minor calls that were similar to all parts of the City. With regard to visibility, Councilmember Sung asked if it was staff's opinion that sight would be from 6th floor and Shah replied that is the assumption based on staff's visit to the Courtyard looking down from the 6th floor. He added that by rotating the proposed Residence Inn building, it basically eliminates 50% of the rooms looking along McCoy Road. With regard to obscuring or eliminating the windows, Shah stated that staff has spoken with the developer and he added that the Fire Code requires a window. He suggested the applicant could respond further.

Deputy Mayor Pro Tem Cochran asked about lighting, noise, and access to the Blue Trail. Shah replied that the proposed photometric plan using up-lighting would avoid any down-lighting or glare. There would be down-lighting in the parking lot but lighting on the building above the first or second level

would be up-lighting. He stated that spilling of light over the property line would not be permitted. With regard to the Blue Trail, Shah suggested that connectivity happen through Raiford Road only rather than through the Conservation buffer. Mayor Falconer stated there is already a bit of an informal connection from Raiford to the Blue Trail and regardless of this application, creating a connection there would be appropriate.

Councilmember Babick asked for the height limitation for a standard hotel that is not extended stay and McCauley stated that with the standard setbacks, a hotel could go as high as eight stories. Councilmember Babick asked how many stories The View was and asked about the previous multi-family zoning height allowed. Shah replied that The View has four stories and added that the previous multi-family zoning would have allowed a two-story building meeting a 25 ft setback from McCoy Road and would have allowed access onto McCoy Road by several driveways. Councilmember Babick stated that it appeared that the calls from the Courtyard as compared to the In Town Suites was about half the number and asked Commander Bishop if the calls were similar to calls throughout the City. Com Bishop replied affirmatively. Councilmember Babick asked what the zoning is for the property north of the hospital and McCauley stated it is Office (O-4). With regard to the elevation change, Councilmember Babick asked what the difference is relative to the bottom of the retaining wall of the Courtyard. Shah responded that he would defer to the Architect, but it appeared that the elevation difference between standing at the bottom of the wall to the curb on McCoy would be 10-12 ft.

Councilmember Sung asked for clarification about references to the number of restaurants. Mayor Falconer stated that when this was originally planned, the intent was to have restaurants at this corner which has not happened but there are new restaurants in the area but not necessarily as a result of the Marriott. Councilmember Sung asked for clarification about the lighting previously discussed and Shah replied that the solution was to provide lighting from ground up on the walls; light up the building without the glare.

Councilmember Sutter asked what the distance is from the end of the proposed hotel to the first house in Nob Hill. McCauley stated the distance would be approximately 250 feet to the property owner's boundary line across McCoy Road. Councilmember Sutter asked if the SUP could be limited to only a Residence Marriott Inn or would it state any extended stay hotel. McCauley stated that he did not believe the SUP could be limited to a particular hotel brand. City Attorney Ladd stated it can't be limited to brand or owner; the SUP runs with the land. With regard to the Trail, Shah explained that Nob Hill already has access to the Blue Trail. The intent with the proposal is to minimize pedestrian access from the Residence Inn to the neighborhood and is in response to concerns raised by the neighborhood.

Councilmember Babick stated that the case report states that the hotel must be internationally recognized and designated as "Upscale" as defined by the Smith Travel Research (STR) scales for the hotel industry and asked if it was included as part of the SUP. Mayor Falconer asked the City Attorney to respond and Ladd stated it would be extremely difficult to enforce because it is more subjective. Councilmember Babick voiced his concern that the hotel sells to an extended stay brand that doesn't meet that criteria and asked about Certificate of Occupancy. Shah replied that there are stipulations in the SUP that provides for amenities that staff believes only an "Upscale" hotel could afford and put in place. Additionally, the six story building requires metal construction raising the cost per room that far exceeds the costs of a four story structure. He stated that the six story construction would make it very difficult to become a motel. Councilmember Babick asked if there were any maximum stays and Shah felt the question would be best answered by the applicant.

Sanjay Naik, Lowen Holdings, 1920 Enchanted Way, Grapevine, stated they are a hospitality development company with the primary goal to develop quality hospitality assets and exclusively work

with the Marriott and Hilton family of brands. He stated they offer “Upscale” and “Upper Midscale” hotels. He talked about the success of the Courtyard Hotel in Carrollton. He asked the architect to make a presentation to be followed by the Marriott representative.

James Lusty, Type Six, used photos of the hotel in Fairview to depict the plan for the proposed hotel in Carrollton. He stated the hotel would be 80% masonry with the first floor being all stone. The Residence Inn is an Upscale extended stay hotel and Lowen’s intention is to make even more Upscale. He noted that having a cook top in the rooms is what makes it an extended stay hotel and stressed that without the cook top, the request wouldn’t be require Council approval. After hearing the concerns of the residents and the P&Z Commission, they rotated the hotel to make the front view parallel with the green space and the back view parallel with Courtyard to try to limit any kind of direct views onto the neighborhood. He stated the rooms at the ends are one bedroom suites and it would be the bedroom window that faces the neighborhood. He provided images of the inside of the hotel.

Ron Stewart, Regional VP for Marriott, 2701 Dallas Parkway, Plano, stated he is responsible for development of over 12 states in the central part of the US. He began by talking about the relationship with Lowen Holdings stating they are a top performer and best in class. The Carrollton Courtyard is in the top 5% of over 1,000 Courtyard hotels and voiced his favor with Lowen Holdings and their long term philosophy to own and operate hotels. He stated that the Residence Inn brand is 45 years old this year and Marriott became a part of the brand in 1987. He stated the Residence Inn is by far the dominate leader anywhere in the world. He provided statistics for extended stay and stated that the average length of stay is about three nights. He talked about the reasons people choose an extended stay hotel such as damage to a home caused by severe weather and business training. He also noted that people like to stay at Residence Inn because it has the comforts of home. He described the target guests such as professionals and people on the go with the median age being 33 and median income of \$133,000. He reviewed performance statistics and stated the Residence Inn is the #1 Channel contribution from the Marriott reservation system at 70.9%. He talked about the guest space, outdoor space, fitness centers, pools and RI Runs. Marriott has the most recognized Hotel Loyalty Program, BonVoy, that delivers high-value guests with 140+ million members which was a criteria established by the Council to have a globally recognized loyalty program. With regard to the success of the Courtyard hotel, he stated that since the hotel opened the occupancy has been 73-75%. He went on to explain that extended stay hotels, in collaboration with other hotels, tend to be in the back intentionally because guests tend to stay a little longer. He stated the proposed hotel is purpose built, has a different traveler, fits in the “Upscale” category, performs very well on the top line, bottom line and guest satisfaction, and produces high tax revenue.

Councilmember Hennefer asked for confirmation about rates, number of room and the size of the porte-cochere. Mr. Stewart replied that they charge daily rates, will have more than 90 rooms and Mr. Lusty confirmed that the porte-cochere immediately adjacent to the entrance would be able to accommodate two vehicles. He also confirmed that the window AC units would not project past the façade and confirmed other requirements listed as a part of the SUP. Councilmember Hennefer asked if he would accept the design changes suggested by staff in Option B and Mr. Naik voiced his agreement. Councilmember Hennefer asked if they would be willing to obscure the visibility of the top floor windows on the east end overlooking the Nob Hill residences. Mr. Naik replied that he did not believe there would be visibility into the back yards and stated that once the hotel is built, City staff could look out from the window and if they feel there is a visibility concern, they would work with staff. He stressed that it would be dependent on Fire Code safety before they could make a commitment. He stated he would prefer not to differentiate the top floor from the rest of the building from an aesthetics perspective, but if the City feels it is needed, they will do what’s required. Shah stated that what Mr. Naik has proposed would be acceptable to staff and referred to it as a visual performance check as they would do with any complaint or code enforcement. Mayor Falconer asked if there was a code that

requires the window to be clear rather than obscured and Shah replied that there is no such code requirement.

Councilmember Babick asked what criteria Marriott looks for when approving placement of a Residence Inn or Marriott hotel in a particular location. Mr. Stewart replied they look at proximity on and off a highway; look for locations that don't have noise deterrents such as train lines; areas that are demand generators; centrally and well located to airports; amenities; retail, restaurants, etc. He stated they do look at crime rates in their due diligence. With regard to turnover rates, he stated that globally there is usually a 1-2% change each year and further discussion was held pertaining to occupancy and success rates. Mr. Stewart stated the Homewood Suites is a comparable competitor extended stay hotel in the Hilton family. In response to Councilmember Babick about training, Mr. Naik talked about the process and review they went through to be accepted in the Marriott family stating it is a very rigorous tool. Councilmember Babick voiced a concern with human trafficking and asked about the approach to training and awareness as well as combating human trafficking. Mr. Stewart stated that Marriott looks to partner with organizations and leaders. He stated they have been the pioneer behind facilitating training programs and requiring training programs. He stated they have personnel dedicated to engaging in the category. Mr. Naik stated they follow all of the training that Marriott provides in addition to the American Hotels and Lodging Association training.

Councilmember Blanscet referred to concerns raised and voiced by residents much of which has been addressed with reconfiguration of the building. He asked for confirmation about the average daily room costs of \$145 a night and Mr. Stewart confirmed it is the brand average and based on the rates at the Courtyard, they would expect a similar rate. Councilmember Blanscet asked what the characteristics are that STR uses to classify any hotel as "Upscale" and Mr. Stewart replied that it is about the quality of the product, the amenities offered, and the services provided at certain levels. He explained that being a dominate leader is shown by Residence Inn performing 19% better than competitive brands; distribution of where Residence Inn is located; the quantity of units and satisfaction of owners within the brand. Occupancy rates were discussed and the importance of occupancy at the right price point. He also talked about the location in the Metroplex with two airports in close proximity. Mayor Falconer reminded the Council that the case is a land use question regardless of the brand. Councilmember Blanscet stated that his questions go to the stipulations of the quality of the hotel and that Residence Inn meets the stipulations.

Mayor Falconer recessed the meeting for a short break at 9:50 pm and reconvened the meeting at 9:59 pm.

Mayor Falconer opened the Public Hearing.

The following individuals spoke with concerns of privacy, crime, property values, light and traffic; Tommy Stewart, 1606 Railhead Place; Melanie Hoy, 1603 Reunion Circle; Dominic Corrado, 1620 Sutters Mill Drive; Karen McNally, 1507 Railhead Place; Phillip Owen, 1600 Reunion Circle; Laurie Foster, 1806 Crestview Drive; Marian Clark, 2734 Spyglass Court; Marilyn Hays, 1625 Blackstone Drive; Ronnie Escandon, 2718 Spyglass Drive; Roberta Stavelly, 2707 Spyglass; Lynda El-Mandouh, 2711 Lookout Place; Ellen Owen, 1600 Reunion Circle; Adam Polter, 4180 Creekhollow; Sarah Ferry, 1601 Railhead Place; Shawn Clark, Karem Kara, 1648 Black Stone Drive; Al Overholt, 2216 Ridgewood; Catherine Escandon, 2718 Spyglass Drive; Kevin Nicoletta, 1644 Crooked Creek Drive; Ivan Diaz DeLeon, 1613 Railhead Place; Ryan Tole, 1638 Silverleaf Drive; Albert Aragon, 1609 Sutters Mill Drive;

The following individuals spoke in favor of the request:
Suzanna Dooling, 1406 Overture Way;

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

Councilmember Babick asked if the Courtyard parking lot and the proposed Residence Inn parking lot would be connected and if someone wanting to access McCoy Road from the Residence Inn have to access it through the hospital through the Marriott parking lot going out onto Raiford and returning. Hammons replied that there would be a connection between the parking lots of the two hotels but one would have to drive through both hotel parking lots and then through the hospital parking lot. He confirmed that the traffic study was conducted in 2010; he added that the proposed hotel is further down Raiford Road generating about 50 trips during the peak hour and most would access PGBT rather than McCoy Road. He added that the best way to get to PGBT is through Raiford to the frontage road and if going the other way, the ramp is at Old Denton Road so a driver would use the u-turn. He explained that staff did not require an update to the traffic study because the new hotel would generate minimal traffic on McCoy Road. Councilmember Babick asked if there had been discussion of installing way-finder signs to help direct traffic wanting to go east bound on Trinity Mills. Hammons replied that there has not been any discussion and staff has not seen a lot of traffic from the hospital but installing a way-finding sign could be done. Discussion was held about the ability to revoke a SUP; Ladd stated that the City annually reviews SUPs that are no longer in use and can revoke a SUP in certain instances. She also referred to a possibility that a conceptual site plan expires after 3 years.

Councilmember Hennefer asked if a hotel that is not an extended stay hotel could be built on the site without appearing before the Council and McCauley affirmed that a 6-story hotel that is not extended stay could be built by right. He added that an 8-story hotel would probably not be able to maintain the require setback. Councilmember Hennefer summarized that a “no” vote allows a hotel to be built by right meaning no input from the neighborhood or Council and a “yes” vote allows a hotel with the options agreed to that would address some of the neighborhood’s concerns. He voiced his appreciation for the comments sent to the Council and voiced during the public hearing.

Councilmember Sutter asked if the SUP could require all four of the proposed amenities and Mayor Falconer replied that the proposed ordinance requires all of the four that were listed and more; indoor swimming pool, large fitness center, sports court, business center, upscale kitchen, 24 hour staff, daily housekeeping, daily hot breakfast, sundry shop, valet service, and an evening mixer. Shah and McCauley replied that the amenities listed were included. Councilmember Sutter reminded the Council about the vision for the future of Carrollton and the importance of moving forward with it.

Deputy Mayor Pro Tem Cochran talked about representing 136,000 people and about the impact of the vote on the request. She voiced compassion for and understanding of the Nob Hill residents and also voiced the need for Carrollton to have rooms for the thousands of soccer players to stay as well as for Carrollton to continue to grow. She talked about making the best decision possible for Carrollton.

Councilmember Sung stated he is struggling with the decision and stressed that the Council must do what is right for Carrollton as a whole. He voiced appreciation for all of the input from the citizens as well as the Council.

Councilmember Palacios voiced his gratitude and respect for the input and knowledge shared. He echoed the sentiments of his colleagues and his appreciation for a vision for the City.

Councilmember Blanscet agreed that it is a difficult decision and talked about the time it takes for a vision and plan to come to fruition. He agreed with Councilmember Hennefer that a vote against the hotel would cause the City to lose the mitigation proposed in favor of the citizens.

Councilmember Babick stated he is a property rights proponent and business proponent and acknowledged the need to attain a balance as well as the importance of a vision for the City. He assured the citizens that the Council does not take the decision lightly. Mayor Falconer provided options for action by Council and City Attorney Ladd also provided options to consider.

Councilmember Hennefer moved to approve the SUP with stipulations that we would add Option B that was presented by Staff; and add an addendum that would state that the site plan would terminate after three years.

Mayor Falconer asked for clarification regarding the reference to Option B. Shah stated that Option B was the six design solutions offered. He stated that the first four would be included in the SUP but the other two would require direction from Council to Staff. Shah reviewed the four as follows:

1. Reconfigure site plan with reduced setback to 15 ft on Raiford
2. Increase additional buffering of trees from 14 to 26 with planting 6 months after closing
3. Lighting enhancement
4. Regulate wall signage prohibiting signage on McCoy Road

Shah reviewed the last two design suggestions that would require a directive to staff as follows:

5. Increasing the visual enhancement adding 28 3"-caliper trees in the 100 ft Conservation area
6. Eliminate pedestrian connectivity to McCoy Road with the purpose of prohibiting hike-n-bike trails or other pedestrian amenities through the 100 ft Conservation buffer

Mayor Falconer suggested to Councilmember Hennefer that he would be adding a stipulation of requiring the reconfigured site plan as presented by staff; increase landscape buffering as presented by staff; revised lighting requirements as presented by staff; and the increased regulations on wall signage as presented by staff and Councilmember Hennefer accepted the wording change.

McCauley suggested a stipulation that all remaining requirements in Art XXV Landscaping and Buffering shall be required for the landscape plan. Mayor Falconer suggested that the stipulation state that the site plan still meets all landscaping requirements in addition to the increased visual enhancement landscaping in the buffer. McCauley stated the motion needs to include that all remaining requirements in Art XXV and buffering shall comply with conceptual landscape plan. Councilmember Hennefer agreed with the addition.

Councilmember Sutter seconded the motion and asked Councilmember Hennefer to add a stipulation that the 12 windows on the end of the building facing McCoy Road be evaluated by staff for privacy and if necessary be rendered to obscure view to the neighborhood. Councilmember Hennefer agreed to the additional stipulation.

Discussion was held regarding the purpose of the 3 year limitation on the site plan. Asst City Manager Marc Guy suggested that the 3 year timeframe be tied to the application of the building permit. **Ladd suggested the language be added stating "the site plan expires if no building permit is applied for within 36 months of the date of approval of the SUP." Councilmember Hennefer accepted the addition to the stipulation.**

Further discussion was held on the timeframe; Shah suggested it would need to be at least 48 months and was in agreement with the suggestion of the building permit. **Councilmember Hennefer agreed to 48 months rather than 36 months and Councilmember Sutter seconded the change.**

Mayor Falconer reminded the Council that approval of the request requires a super majority vote of the Council meaning 6 votes in favor of the motion.

The motion was approved with a 7-0 vote in favor of the motion.

PUBLIC FORUM

23. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens/visitors wanting to speak should join through Zoom by visiting <https://us02web.zoom.us/j/84101945073?pwd=VkJyRHNlMWtuZG9ySE9TTjhpTG9wZz09>>; Password: 221981; Or by calling one tap: +1-346-248-7799; Webinar ID: 841 0194 5073; Password: 221981; Speakers must state their name and address, direct their comments to the presiding officer rather than to individual Council members or staff; speak clearly into their device; Speakers will be allowed 2 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks, 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.

Ed Green, 2030 Clubview Drive, asked if Item 18 was approved and Mayor Falconer replied it was approved.

Adam Polter, 4180 Creekhollow, recognized a tragic accident involving Austin Stroh's family. Mayor Falconer acknowledged the accident and the volunteerism of Austin Stroh.

Ellen ____, stated she would work hard to vote all of the council members off the council.

Dominic Corrado, 1620 Sutters Mill, asked for a traffic study on McCoy Road.

Karem Kara, 1648 Black Stone Drive, voiced a complaint about the traffic light at Frankford and McCoy as well as Frankford and Cemetery Hill not working properly.

Lynda El-Mandouh, 2711 Lookout Place, stated she was disappointed with the decision regarding Item 22.

There being no further comments, Mayor Falconer adjourned the Regular Meeting at 12:19 am to reconvene in Worksession.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 12:19 am.

5. Receive COVID-19 Response Updates.

Mayor Falconer referred to the Governor's Order requiring facial coverings Statewide. He advised that through the CARES Act, the State has allocated funds to the Counties and the Counties have decided to provide a pass-through to Carrollton. He explained that Carrollton will do an Interlocal agreement for the funds with Dallas and Denton County under the current guidelines. He encouraged everyone to do their part to flatten the curve again in order to avoid overloading the medical facilities.

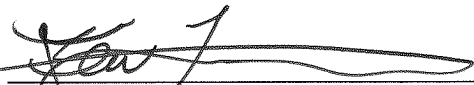
6. Mayor and Council reports and information sharing.

ADJOURNMENT - Mayor Falconer adjourned the meeting at 12:25 am.

ATTEST:



Laurie Wilson, City Secretary



Kevin W. Falconer, Mayor



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