

**State of Texas  
County of Denton  
City of Lake Dallas**

**Planning and Zoning Commission Minutes  
February 20, 2020**

The Lake Dallas City Planning & Zoning Commission met in a regular meeting on February 20 2020 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Chairperson Ben Gilbert called the meeting to order at 7:00 p.m.

**1. Roll Call**

Present:

Ben Gilbert

Chairperson, Member 1

Melody Parlett

Member Place 2

Lester Rayborn

Member Place 3

John Moore

Member Place 4

Jayme Potter

Member Place 5

Absent: Ian Bryant

Alternate 1

Staff Present: John Cabrales, City Manager, and Glenda Cowling, Permit Tech.

**2. Pledge of Allegiance was given by Ben Gilbert.**

**3. Approval of minutes for the meeting of January 16, 2020.**

**Motion** Lester Rayborn moved to approve the minutes as presented. Melody Parlett second the motion. Motion carried.

**Ayes:** Ben Gilbert, Melody Parlett, John Moore, Lester Rayburn, and Jayme Potter.

**Nays:** None.

**Motion carried 5-0**

**4. Citizen Agenda & Public Comment**

An opportunity for citizens to address the Planning and Zoning Commission on matters which are not scheduled for consideration by the Planning and Zoning Commission. In order to address the Planning and Zoning Commission, please complete a Public Meeting Appearance Card and present it to the Permit Tech prior to the start of the meeting. The Texas Open Meeting Act prohibits deliberation by the Planning and Zoning Commission of any subject which is not on the posted agenda, therefore the Planning and Zoning Commission will not be able to discuss or take any action on items brought up during the citizen presentations. Citizen presentation will be limited to five (5) minutes per person.

No one requested to speak.

5. **Change the zoning for 22.223 acres of land described as a portion of the N. French Survey Abstract A-424, from R-1-10000/C1 Single Family Dwelling and Commercial to Planned Development (PD-Ord. 2019-10) District for uses permitted in the MF-3 Multifamily and C-2 Commercial District to allow for a 300-unit multifamily development on approximately 16 acres and commercial development on approximately six acres. The property is more commonly known as 502 N. Shady Shores Drive. The applicant is Matthew Peterson. (Case Z-2020-01) (Continued from January 16, 2020 (Public Hearing))**

John Cabrales, City Manager introduced Mr. Matthew Peterson of Studio 2547 as the Applicant and it is staff's understanding that Mr. Peterson wishes to purchase all or a portion of the property from the owner, Brad Boswell, with the intent of constructing a 300-unit multifamily development on approximately 16 acres, with the remaining portion for commercial mixed use. Staff understands that Mr. Peterson will develop the multifamily portion and work with a partner on the commercial portion. To accomplish this, the Applicant is proposing approximately 16 acres of R-3 PD with the remainder as C-1.

Matthew Peterson presented a slide presentation giving the tabulations with explanations, community features, and Community Features with the Apartment Amenities. Matthew Peterson also presented the following revisions on concerns the Commission had discussed at their January 16<sup>th</sup> Planning and Zoning meeting.

- Revised their PD-Mixed Use retail to extend across the entire Swisher Road frontage of their property.
- Will continue to make revisions to their site plan sufficient that the staff believes that a final PD site will be ready for the ordinance that will be sent to City Council. The revisions include additional dimensions and proposed exterior building materials.
- Have not prepared a complete traffic impact analysis (TIA) at this time but have provided additional information from a traffic engineer showing that the proposed zoning would reduce the daily and peak hour trips over what could occur under the existing zoning and they will prepare a full TIA during the platting and site plan development stage.

John Cabrales briefed the Commission that the city was steadily working with Matthew Peterson to make this request work for both the City and the Applicant. John Cabrales explained the Commission could request certain items from the developer such as the dog park being opened to the public and five-foot wide sidewalks.

Public hearing started at 7:45 pm.

Margaret McCarty expressed her concerns regarding the number of apartments to be built and the additional traffic that will have on the current residents. Linda Barnard expressed her concerns regarding the traffic and water drainage.

Public hearing closed at 7:50 pm.

**Motion** John Moore moved to approve the proposed PD zoning for the 22.233 in the N. French Survey Abstract No A-424 with the stipulations of:

- Five-foot Sidewalks
- Dog park for public access
- Masonry requirements

Lester Rayburn second the motion.

**Ayes:** John Moore, Ben Gilbert and Lester Rayburn

**Nays:** Melody Parlett and Jayme Potter

**Motion carried 3-2**

- 6. Change the zoning for 6.767 acres of land described as Lots 2-A and 3-A, Gatlin Addition, from C-1 retail and C- Commercial to R-PD-Planned Development District to allow the construction of 55 single family lots on 2.9 SF minimum lots. The Property is more generally known as 301 Carlisle Drive. The applicant is Marykay Smith.**

John Cabrales introduced Marykay Smith as the (Applicant) for her presentation on the proposed zoning change. She presented the following features of her proposed project:

- Proposed Front Yard setback of fifteen (15) feet with allowable ten (10) feet encroachment for front porches; however, greater depths shall be permitted at the discretion of the developer or homebuilder.
- Side Yard – The minimum distance from any side building line to a property line at any point shall not be less two-and-one-half (2.5) feet, except on a corner lot where such distance shall not be less than five (5) feet.
- Rear Yard – There shall be a rear yard having a depth of not less than ten (10) feet; however, greater depths shall be permitted at the discretion of the developer or homebuilder.
- Width of Lot – The minimum width of the lot shall be forty (40) feet at the building line for all lots.
- Depth of Lot – The minimum lot depth shall be not less than seventy-two (72) feet at the average distance between the front and rear lot lines.
- Area of lot – Every lot shall have an area of not less than twenty-eight hundred (2800) square feet. The minimum floor area of the main building shall not be in the aggregate less than eight-hundred square feet (800 SF) exclusive of porches, garages, and accessory buildings.
- Other Area Regulations shall be found in the Ordinance.

John Cabrales told the Commission that Ms. Smith has applied to rezone Lots 2-A and 3-A, Gatlin Addition, a combined 6.767-acre tract near the corner of Carlisle Dr and the DCTA A-line. It is staff's understanding that Ms. Smith is the owner of the property and wishes to develop the property with the intent of constructing approximately 50 single family homes on 29,000-square-foot lots.

Public hearing opened at 8:35.

Chris Gordon, Adam Oeabody, Olga Chernomvets and Stan Lovelace expressed their concerns regarding the increase of traffic on Carlisle and the zoning changes.

Public hearing closed at 9:00 pm.

The Commission discussed the drainage, traffic study, and the development

**Motion:** Melody Parlett moved to approve the proposed rezoning as presented subject to:

- Development of a more detailed set of development regulations to allow preparation of a PD Ordinance including five-foot (5 ft.) sidewalks, a traffic study, a drainage study, increase the side yard setbacks to five feet (5ft.) and with an additional point of ingress and egress. Lester Rayburn second the motion. Motion carried.

**Ayes:** Ben Gilbert, Melody Parlett, John Moore, Lester Rayburn, Jayme Potter

**Nays:** None

**Motion carried 5-0**

7. **Consider and make recommendation on a zoning change request for 14.853 acres of land out of the T. White Jr. Survey A-1376 from R-1-7200 Single family Residential to R-PD to allow the construction of 73 single family houses on 5.750 SF minimum lots. The property is more generally known as 707 N. Shady Shores Road. The applicant is Skorburg Company, Inc.**

John Cabrales, City Manager introduced Mr. Bryan Holland (Applicant) of Skorburg Company, Inc. to make a presentation on the proposed Falcon Place project. According to Mr. Holland, the Skorburg Company is:

- Local Privately owned development firm with 35 years of experience
- Over 90 development projects in more than 25 different cities around the DFW metroplex,
- More than 25 current projects in active development
- Reputation for building high quality, long lasting communities
- Projects range from small, infill locations to 800-acre master plans.

According to Mr. Holland, the purpose and intent of Falcon Place is to:

- Create a beautiful timeless community that upholds and enhances the quality of the surrounding environment and adheres to the vision of Lake Dallas through its Comprehensive Plan.
- Design a community that minimizes the impact on adjacent property owners by the implementation of professionally engineered storm water facilities, including detention, to handle the flow of water coming onto the property from neighboring lands and existing storm water system.
- Falcon Place will provide needed increase in tax revenue to support city service and additional residents to help boost the local commercial, retail and philanthropic efforts and activities of Lake Dallas.

Bryan Holland also discussed:

- Subject Property
- Zoning Request
- Architectural Features
- Screening Plan
- Landscaping Plan
- Representative Product

John Cabrales, City Manager, addressed questions regarding the comparison of the zoning change and Type A and Type B lots. He suggested five (5ft.) sidewalks and the time frame for the sidewalks to be completed within 2 years starting date when the first house is completed. One tree proposal to be put on the city property but suggested to have the trees put on private property and go ahead and put in the sidewalks on the front of the development.

Public hearing opened at 10:10 pm.

Bruce Smith, Dan Buckerfield, JoLynne Buckerfield, Devin Ewart, Mike Rakes, Rick Allen, and Donna Hammond spoke concerning the number of houses, the building heights and how the changes were going to affect their neighborhood known as Thousand Oaks.

There was a discussion about the Public Notices had the wrong address. John Cabrales explained even though the address was wrong the legal description was right after talking to the city attorney.

Public hearing closed at 10:29pm

**Motion:** Jayme Potter moved to deny the proposal. Lester Rayburn second the motion. .

**Ayes:** Lester Rayburn, and Jayme Porter.

**Nays:** Jayme Moore, Melody Parlett, and Ben Gilbert.

Motion failed.

Second motion was made by Melody Parlett to approve the proposal with the following:

- Maximum building height reduced from 40 feet to 35 feet.
- Rear setback to be 15 feet.
- Five-foot sidewalks with a 2-year time frame to be completed starting when the first house is completed.
- Eight-foot fence between the project and the Thousand Oak subdivision.

John Moore second the motion.

**Ayes:** Ben Gilbert, Melody Parlett, John Moore.

**Nays:** Jayme Potter and Lester Rayburn.

**Motion carried 3-2**

Adjournment 11:20 pm.

Passed and approved on the 21 day of May, 2020

Ben Gilbert  
Ben Gilbert, Chairperson

Glenda Cowling  
Glenda Cowling, Permit Tech