

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

**Planning and Zoning Commission Minutes
May 21, 2020**

The Lake Dallas City Planning & Zoning Commission met in a regular meeting on May 21, 2020 in video conference, 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 7:03 p.m.

1. Roll Call

Present:

Ben Gilbert

Melody Parlett

John Moore

Chairperson, Member 1

Member Place 2

Member Place 4

Absent: Lester Rayburn

Jayne Potter

Member Place 3

Member Pace 5

Staff Present: John Cabrales, City Manager, Dave Gattis, Interim Development Services Director, Codi Delcambre, City Secretary, and Glenda Cowling, Permit Tech.,

2. Pledge of Allegiance was lead by Ben Gilbert.

3. Approval of minutes for the meeting of February 20, 2020.

Motion Melody Parlett moved to approve the minutes as presented. John Moore seconded the motion. Motion carried.

Ayes: Ben Gilbert, Melody Parlett, John Moore.

Nays: None.

Motion carried 3-0

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 public input was received.

5. **Approve a replat of Lots 1-6 Block 1. Lake Dallas Sites into two larger lots. The replat includes the vacation of a portion of Carrollton Street. The Property is more commonly known as 112 N. Lakeview Drive. The applicant is Samuel Montalvo. (Case P-2020-01) (Public Hearing).**

Mr. Jerry Yensan, representative of the applicant, Landmark Surveying, LLC, gave a presentation to the Commission explaining Mr. Samuel Montalvo, applicant, has applied to replat six existing platted lots, plus a portion of street right-of-way for Carrollton Street, into two larger lots encompassing approximately 0.3 acres at the northeast corner of N. Lakeview Drive and Mosely Street. As part of the replat, Mr. Montalvo wants the City to vacate and abandon eight feet of width of Carrollton Street at the rear of the new lots. In exchange, he will dedicate approximately 3.6 feet of additional right-of-way along North Lakeview Drive.

Mr. Dave Gattis presented a slide presentation and gave an overview of the proposed replat to the Commission. Mr. Gattis explained there were several items the plat was deficient in and the Commission needed to consider as part of their discussion including:

1. The property is zoned R-1-6000 single family. Each of the proposed lots exceeds the minimum size lot required in the zoning district. It is unclear whether the required zoning setbacks will be maintained for the existing residence with the replat. The applicant's surveyor was requested to provide an exhibit that showed the footprint of existing structures and their setback from proposed property lines, to verify that no encroachments into the required front, side or rear yards were created by the plat, but none was provided.
2. The plat proposes to vacate an eight-foot wide portion of Carrollton Street on the east side, and to dedicate an additional 3.64 feet of right-of-way for North Lakeview Drive along the west side. The existing right-of-way width of North Lakeview Drive is approximately 37.96 feet and would be only 41.6 feet wide with the proposed ROW dedication. Section 94-112(c) of the Subdivision Ordinance requires that all streets be 50 feet wide. Therefore, the minimum right-of-way dedication along the west side should be six feet (6'), or one-half of the deficiency. The right-of-way for Mosely Street is also substandard, so a minimum of five feet (5') of right-of-way should be dedicated.
3. The name of the surveyor should be added to the listing in the lower right-hand corner to comply with Sec. 94-71(1) of the Subdivision Ordinance.
4. Front building setback lines should be added along North Lakeview Drive and Mosely Street to comply with Sec. 94-71(5) of the Subdivision Ordinance.
5. Staff is concerned about Note 1 at the bottom center, which states that a title search has not been conducted. Staff recommends that the applicant verify that all recorded easements that affect these properties are shown on the face of the plat.

Public hearing opened at 7:14 pm. No public input was received. The public hearing closed at 7:15 pm.

Discussion was held amongst the Commission regarding the staff recommendations about right-of-way dedication and what future right-of-way could be used for. Mr. Gattis explained the recommendation was based on the Code of Ordinances and minimum right-of-way requirements.

Mr. Gattis further explained right-of-way could be used for public improvements such as the installation of sidewalks.

Motion Melody Parlett moved to approve the proposed replat of Lots 1-6 and Lots 11-16, Block 1, Lake Dallas Sites subject to the following conditions:

1. The applicant provides verification that the proposed replat will not result in any encroachment by existing buildings, and address housekeeping items as discussed in the including: the applicant provide setback lines along Lakeview Drive and Mosley; and the applicant shall name of the surveyor to the plat;
2. The applicant shall dedicate six feet (6') of right-of way on North Lakeview Drive; and
3. The applicant shall dedicate five feet (5') of right-of-way on Mosley Street.

John Moore seconded the motion.

Ayes: Ben Gilbert, Melody Parlett, John Moore.

Nays: None.

Motion carried 3-0

- 6. Change the zoning for 0.53 acres of land described as tract 15 of the Wright Survey A-1355A, from C1-DD Commercial with Downtown Overlay and C3-DD Commercial with Downtown Overlay to C3-PD Commercial Planned Development to allow the installation of a laundromat. The Property is more generally known as 312 S. Shady Shores. The applicants are Chris and Jessica Haney. (Case Z-2020-05) [PUBLIC HEARING]**

Mr. Chris Haney, applicant, presented his project to the Commission and explained his interest in the changing of the zoning of the 0.53 acres of land described as tract 15 of the Wright Survey A-1355A.

Mr. Gattis presented the staff memo to the Commission and gave an overview of the project. Mr. Gattis explained the reason for the zoning request at 312 S. Shady Shores is to clean up the current split zoning that exists on the property and to create a Planned Development to allow a laundromat at the location as is a prohibited use in the Downtown overlay District. The northern one-third of the property is zoned C1-DD Commercial with Downtown overlay and the remainder is zoned C3-DD. A laundromat is a permitted use in both the C-1 and C-3 Districts but is listed as a prohibited use in the Downtown overlay.

The Comprehensive Plan shows the property as "Downtown Mixed Use," as well as the surrounding property. It is not clear whether the propose rezoning conforms to the Comprehensive Plan. Staff prefers rezoning to the base C-3 district.

The public hearing opened at 7:38 p.m.

Glen Verba, 202 Julian Street, Lake Dallas, TX 75065, spoke in favor of the zoning change request.

John Moore asked what type of security will be on site. Chris Haney responded cameras and can/will always be continually monitored.

The public hearing closed at 7:41 p.m.

Melody Parlett asked for clarification between C-1 and C-3. Mr. Gattis read different types of businesses allowed in C-3 verses C-1.

John Cabrales, City Manager, spoke on type of businesses the City envisioned as part of the Lake Dallas downtown area.

Motion Melody Parlett moved to recommend that the City Council approve the proposed rezoning of Tract 15 to C-3-PD to specifically allow a laundromat.

Second was made by John Moore.

Ayes: Ben Gilbert, Melody Parlett, John Moore.

Nays: None.

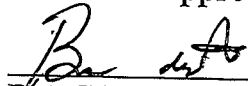
Motion carried 3-0

7. Announcement or request for future agenda items.

Mr. Gattis stated there were no new development items that would go before the Commission for consideration in June. Mr. Gattis suggested the meeting could be a time to reschedule training on planning that had been canceled in March due to COVID-19. City Manager Cabrales added this would be a good opportunity to have a joint meeting with City Council to begin the discussion on Zoning Ordinance updates and the addition of use charts.

8. Adjournment: 7:57 pm.

Passed and approved on the 18th day of June, 2020



Ben Gilbert, Chairperson


Glenda Cowling, Permit Tech