



**Planning and Zoning Commission
Regular Meeting
Conducted by Video Conference
Thursday, February 18, 2021 at 7:00 p.m.
Agenda**

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act, and in an effort to protect the health and safety of the public, members of the public this meeting is being conducted by video conference. Members of the public who desire to only listen to proceedings of the meeting may dial the following toll-free number and, when prompted, enter the following Meeting ID #, beginning at 6:40 p.m. to join the meeting. Any person wishing to view the video conference may go to the Internet link shown below and enter the password shown.

Toll Free Number: 877 853 5257

Meeting ID#: 881 86297406

Video Conference: <https://us02web.zoom.us/j/88186297406?pwd=bUo1dmR5eFlibm1XNEFYt0tEWUxTd09>

Password: 786746

Any person wishing to provide comments during Item 3 – Citizen Agenda & Public Comment, or on any matter to be considered on this agenda, should email such comments to the City Secretary at cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, February 18, 2021.

Members of the public are entitled to participate in the public hearings to be held under Items 5, 6 and 7 remotely via Videoconference. To speak remotely in the public hearings, speakers must:

- Register with the City Secretary by either email cdelcambre@lakedallas.com or calling 940-497-2226 ext. 102 by 3:00 p.m. on Thursday, February 18, 2021.
- Registered speakers will receive an email or phone call providing the meeting link and/or telephone number to call on the date of the meeting.
- Speakers must call or log on not later than 6:45 p.m. on the date of the meeting in order to be allowed to speak. Late callers may not be accepted and may not be allowed to speak.
- Registered speakers will not be allowed to speak until recognized by the Commission chair and unmuted by the City Secretary.
- Speakers will be limited to 5 minutes each.
- Handouts or other information that a member of the public desires to provide to the Commission must be emailed to cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, February 18, 2021.

1. Call to Order and Determination of Quorum

2. Pledges of Allegiance

3. Citizen Agenda & Public Comment

An opportunity for citizens to address the Planning & Zoning Commission on matters which are not scheduled for consideration by the Planning & Zoning Commission. To address the Planning & Zoning Commission, please send your comments to the City Secretary before 3:00 p.m. on the date of this meeting. Comments sent by e-mail will be read aloud so that they are included in the recorded record of the meeting. In keeping with the Council's procedures for limiting speaking time to five (5) minutes per speaker, any written comments provided for this item should be kept short enough so that they can be read aloud in five (5) minutes or less. The Texas Open Meeting Act prohibits deliberation by the Planning & Zoning Commission of any subject which is not on the posted agenda, therefore the Planning & Zoning Commission will not be able to discuss or take any action on items brought up during the citizen presentations that are not on the agenda.

4. Approval of the minutes of the January 21, 2021, regular meeting.

5. Conduct a public hearing and consider a request to replat Lots 6-9, a portion of Lot 10, Lots 22-24, and a portion of Lot 25, Block 8, Lake Dallas Shores Addition into one lot. The property is commonly known as 612 Shore Drive.

6. Conduct a public hearing and consider an ordinance amending the development and use regulations applicable to Lot 1, Block A, Public Works Addition (commonly known as 351 Betchan Avenue), generally located along the north portion of Betchan Street and to the east of Goliad Avenue from Residential (R-1-6000) with a Downtown Overlay to M-1 Light Industrial.

7. Conduct a public hearing and consider an ordinance amending the boundaries of the Downtown Overlay District by removing the following properties: a .792-acre tract of land being located at Block A, Lot 1, Public Works Addition, commonly known as 351 Betchan Avenue; and a .44-acre tract of land located in Block A, Lot 1, Advantage Mechanical Addition, commonly known as 411 Goliad Avenue.

8. Announcements and requests for future agenda items.

9. Adjourn.

I certify that the above notice of this meeting was posted on the bulletin board at City Hall of the City of Lake Dallas, Texas on or before February 15, 2021 at 4:30 p.m.



Codi Delcambre, City Secretary

If you plan to attend this public meeting telephonically and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 102 or fax (940) 497-4485 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

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

**Minutes: Joint training and Work Session City Council and Planning and Zoning
Commission Regular Meeting for January 21, 2021**

The Lake Dallas City Council met in a Special called Work session and the Planning and Zoning Commission met in a regular called meeting on January 21, 2021 via video conference with notice of the meeting given as a required by Title 5, Chapter 551.041 of the Texas Government Code. Chairperson Gilbert called the meeting at 7:01 p.m.

1. Roll Call: Planning and Zoning Commission.

Ben Gilbert	Chairperson, Member Place 1
Adam Peabody	Member Place 2
Annette Fuller	Member Place 4
Lester Raborn	Member Place 5

Absent: Jayme Potter, Place 3

2. Pledge of Allegiance was led by Ben Gilbert.

3. Citizen Agenda & Public Comment

An opportunity for citizens to address the Planning & Zoning Commission on matters which are not scheduled for consideration by the Planning & Zoning Commission. to address the Planning & Zoning Commission, please send your comments to the City Secretary before 3:00 p.m. on the date of this meeting. Comments sent by e-mail will be read aloud so that they are included in the recorded record of the meeting. In keeping with the Council's procedures for limiting speaking time to five (5) minutes per speaker, any written comments provided for this item should be kept short enough so that they can be read aloud in five (5) minutes or less. The Texas Open Meeting Act prohibits deliberation by the Planning & Zoning Commission of any subject which is not on the posted agenda, therefore the Planning & Zoning Commission will not be able to discuss or take any action on items brought up during the citizen presentations that are not on the agenda.

No public input was received.

4. Receive training on Form Based Code Zoning Districts.

Angie Manglaris, Director of Development Services, gave an overview of the item and explained the City was looking into adopting Form Based Code to replace the Downtown Overlay Zoning District as part of the Zoning Ordinance Overhaul. Ms. Manglaris explained that prior to looking into adopting Form Based Code Zoning, the City Council and Planning and Zoning Commission should first understand the basics of Form Based Code and how it works.

Dave Gattis, Planning Consultant, provided training on Form Based Codes. Mr. Gattis explained what Form Based Codes are, how they function and how it is different from traditional zoning.

After the presentation, discussion was held regarding if Form Based Code would be beneficial in the Downtown District, how long it would take to see the benefits of Form Based Code, and if the area of the Downtown Overlay could be expanded to capture a larger area for Form Based Code incorporation.

5. Adjournment of Joint Work Session 7:40 p.m.

6. Appoint a Chair and Vice Chair of the City of Lake Dallas Planning and Zoning Commission.

Ms. Manglaris gave an overview of the Agenda Item and explained the Planning and Zoning Commission is required to appoint a Chair and Vice Chair annually.

Motion: Member Adam Peabody motioned to nominate Ben Gilbert as Chair of the Planning and Zoning Commission. Member Raborn seconded the motion.

Ayes: Member Ben Gilbert, Member Adam Peabody, Member Annette Fuller, Member Lester Raborn.

Nays: none.

Motion carried 4-0

Motion: Member Adam Peabody motioned to nominate Lester Rayburn as Vice Chair of the Planning and Zoning Commission. Member Gilbert seconded the motion.

Ayes: Member Ben Gilbert, Member Adam Peabody, Member Annette Fuller, Member Lester Raborn

Nays: none.

Motion carried 4-0

7. Approval of Minutes for the Meeting of December 17, 2021.

Motion: Member Lester Rayburn motioned to approve the minutes for the December 17, 2020 meeting as presented. Member Annette Fuller seconded.

Ayes: Member Ben Gilbert, Member Adam Peabody, Member Lester Raborn, Member Annette Fuller.

Nays: none.

Motion carried 4-0.

8. Hold and discission and make a recommendation to City Council regarding the appointment of members to the City of Lake Dallas Planning and Zoning Commission.

Ms. Manglaris gave a brief overview of the Agenda Item and explained Mr. Cline had applied to serve on the Planning and Zoning Commission. Ms. Manglaris stated the Commission had one (1) alternate position available.

Motion- Member Lester Raborn motioned to appoint Mr. Cline to the Planning and Zoning Commission. Member Adam Peabody seconded.

Ayes: Member Ben Gilbert, Member Lester Rayburn, Member Adam Peabody, Member Annette Fuller.

Nays: none.

Motion carried 4-0.

9. Adjournment 7:53 p.m.

Passed and approved on the _____ day of _____, 2021.

Ben Gilbert, Chairperson

Angie Manglaris, Director of Development Services



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM

Prepared By: Angie Manglaris, Director of Development Services

February 18, 2021

612 SHORE DRIVE REPLAT

DESCRIPTION:

Conduct a public hearing and make appropriate recommendation on a request to replat Lots 6-8, a portion of Lot 10, Lots 22-24, and a portion of Lot 25, Block 8, Lake Dallas Shores Addition into one lot. The property is more commonly known as 612 Shore Drive. (Case R-21-01).

ADJACENT ZONING AND LAND USE:

North: Single-family residence zoned R-1-6000 –Single Family Dwelling District

East: Single-family residence zoned R-1-6000 –Single Family Dwelling District

South: Single-family residence zoned R-1-6000 –Single Family Dwelling District

West: Single-family residence zoned R-1-6000 –Single Family Dwelling District

EXISTING CONDITIONS:

The property was developed in 1969 and consists of a single-family home with an attached garage, totaling approximately 3000 square feet in improvements. The property has several mature trees on site and is situated in an area of minimal flood hazard. The property is Zoned Single-Family Residential R-1-6000.

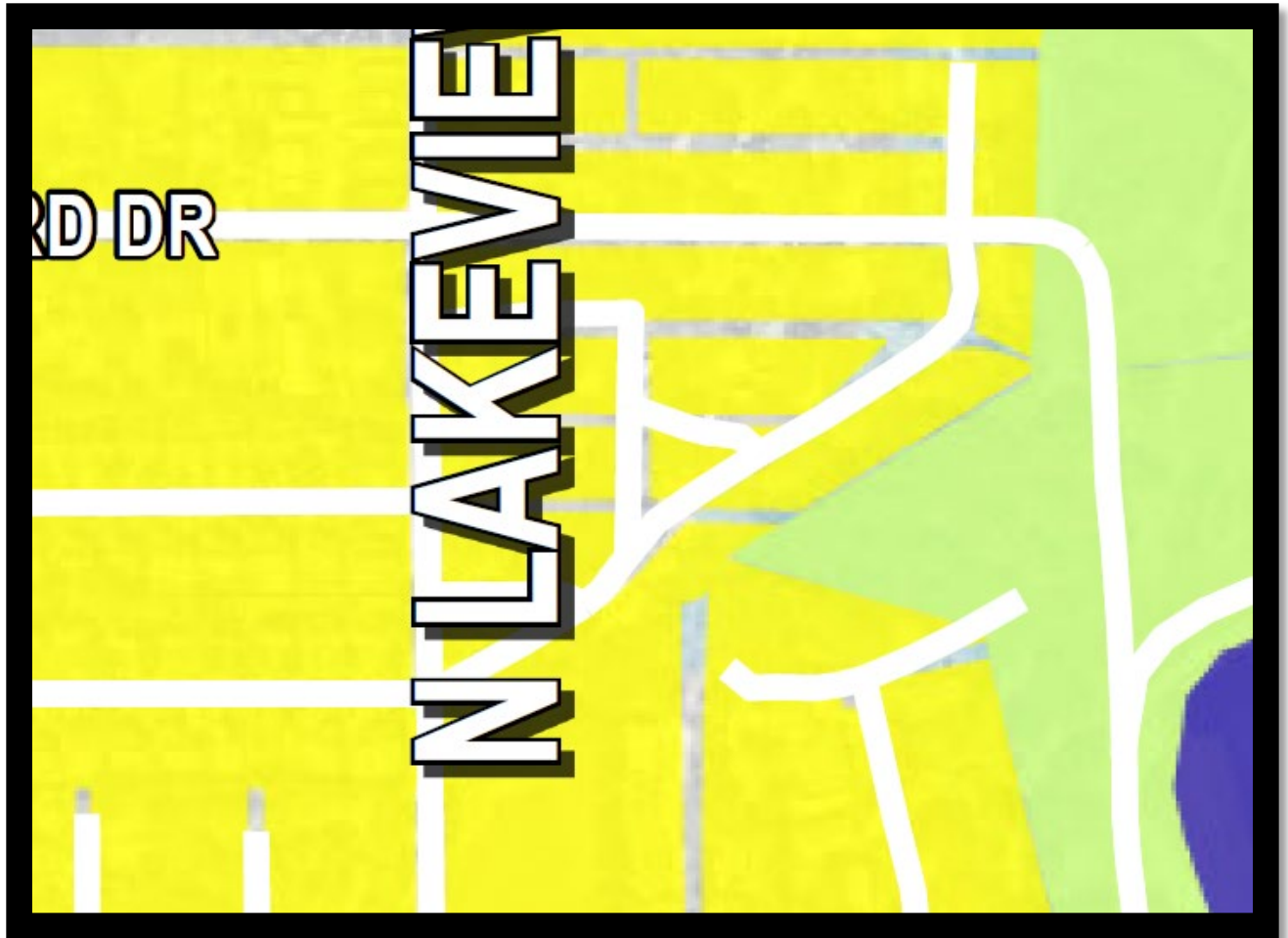
BACKGROUND INFORMATION:

Ms. Linda Forester, applicant, has applied to replat six (6) existing platted lots and two (2) portions of lots into one (1) platted lot. There is a single-family house situated on the lot, which spans six (6) of the existing lots. The total area is approximately .258 acres of land.

The property is Zoned Single-Family Residential R-1-6000 and the proposed lot meets all size and area dimensions in this district.

CONFORMANCE WITH COMPREHENSIVE PLAN

The Lake Dallas Vision 2030 Comprehensive Plan shows the property as “Single Family Residential”, as well as the surrounding property. Single-Family Residential calls for single-family development with a density between .5 and 7 dwelling units per acre. The proposed replat conforms to the Comprehensive Plan.



PLANNING ANALYSIS

Conformance with Zoning and Subdivision Ordinances

Generally, the plat conforms with the City of Lake Dallas Subdivision and Zoning Ordinances. There are a few outstanding items that will need to be addressed in order for this replat to be approved:

1. All dedication and recording instruments need to be updated to reflect approval and recording in Denton County (94-41.26-27).
2. Note four on the replat shall read: *“any new structure or expansion of an existing structure must conform to the setback requirements in Chapter 122. Article III R-1-6000.”*
3. Per Chapter 94-41 (11) all easements shall be shown. Staff would like confirmation there is not an easement needed along the southern property line where there is overhead electric.
4. Per Chapter 94-41 (21) all building setbacks shall be shown on the plat.
5. Per Chapter 94-53 (a) right-of-way shall be dedicated at the time of plat and shall conform to the City Engineering and Design Standards Manual. Shore Drive is designated as a “connector” with a total right-of-way of 50’. The current right-of-way shown on this plat

if 16', the owner would be responsible for one-half the deficiency (17'). Given the current width of Shore Drive, staff is amenable to a variance request to allow for a reduction in the amount of right-of-way to be 10'. The applicant still needs to show the dedicated right-of-way on the replat.

6. The subdivision of the existing parcels creates two (2) lots that are noncompliant with the R-1-6000 Zoning (Lots 10 and 25). Per Ordinance, the minimum lot width shall be fifty feet. Staff has suggested incorporating these lots into the replat, but it is our understanding they are under different ownership.

Land Use:

The proposed replat has no significant effect on land use. The plat provides a minor benefit of combining several existing lots into one (1).

Traffic

The proposed replat will not generate any appreciable traffic impact along Shore Drive.

Drainage

The property is in an area of minimal flood hazard. There does not appear to be any need for additional drainage improvements on the property.

FINANCIAL CONSIDERATION:

The proposed development would have minimal effect on City costs and revenues. If additional street right-of-way needs to be acquired, then the taxpayers would need to pay fair market value for the additional right-of-way if not donated.

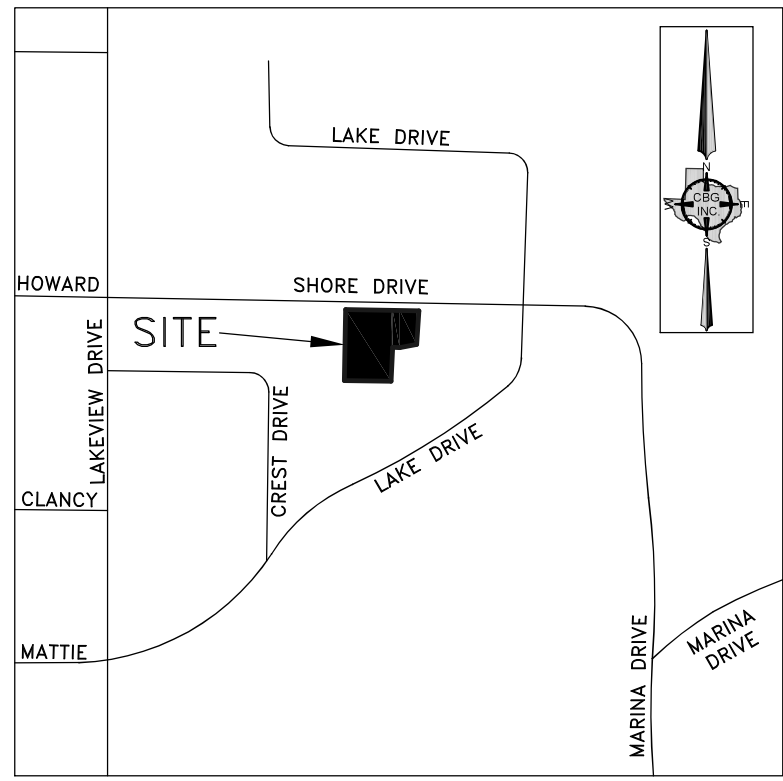
RECOMMENDED MOTION:

I move to recommend City Council **APPROVE/DENY** a request to replat Lots 6-8, a portion of Lot 10, Lots 22-24, and a portion of Lot 25, Block 8, Lake Dallas Shores Addition into one lot subject to the following stipulations:

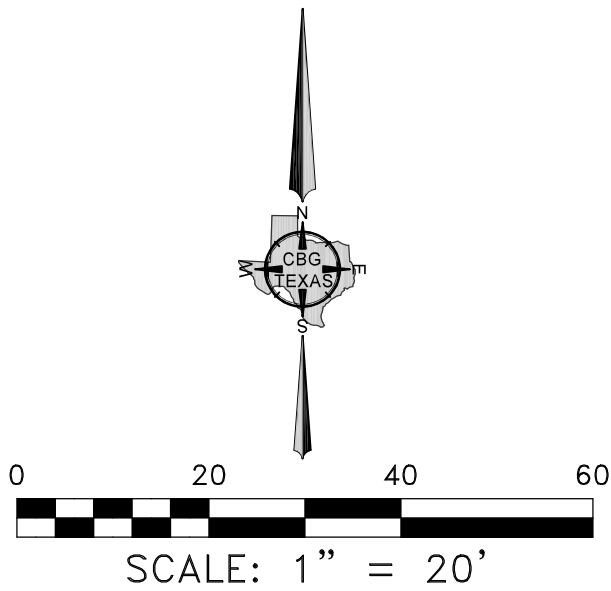
1. All dedication and recording instruments need to be updated to reflect approval and recording in Denton County per Chapter 94-41. (26-27).
2. Note four be updated to read: *"any new structure or expansion of an existing structure must conform to the setback requirements in Chapter 122. Article III R-1-6000.*
3. The applicant shall confirm all easements on the property are shown on the plat per Chapter 94-41 (11).
4. Per Chapter 94-41 (21) all building setbacks shall be shown on the plat.
5. Per Chapter 94-53 (a) the applicant shall dedicate _____ feet of right-of-way along Shore Drive.

Attachments:

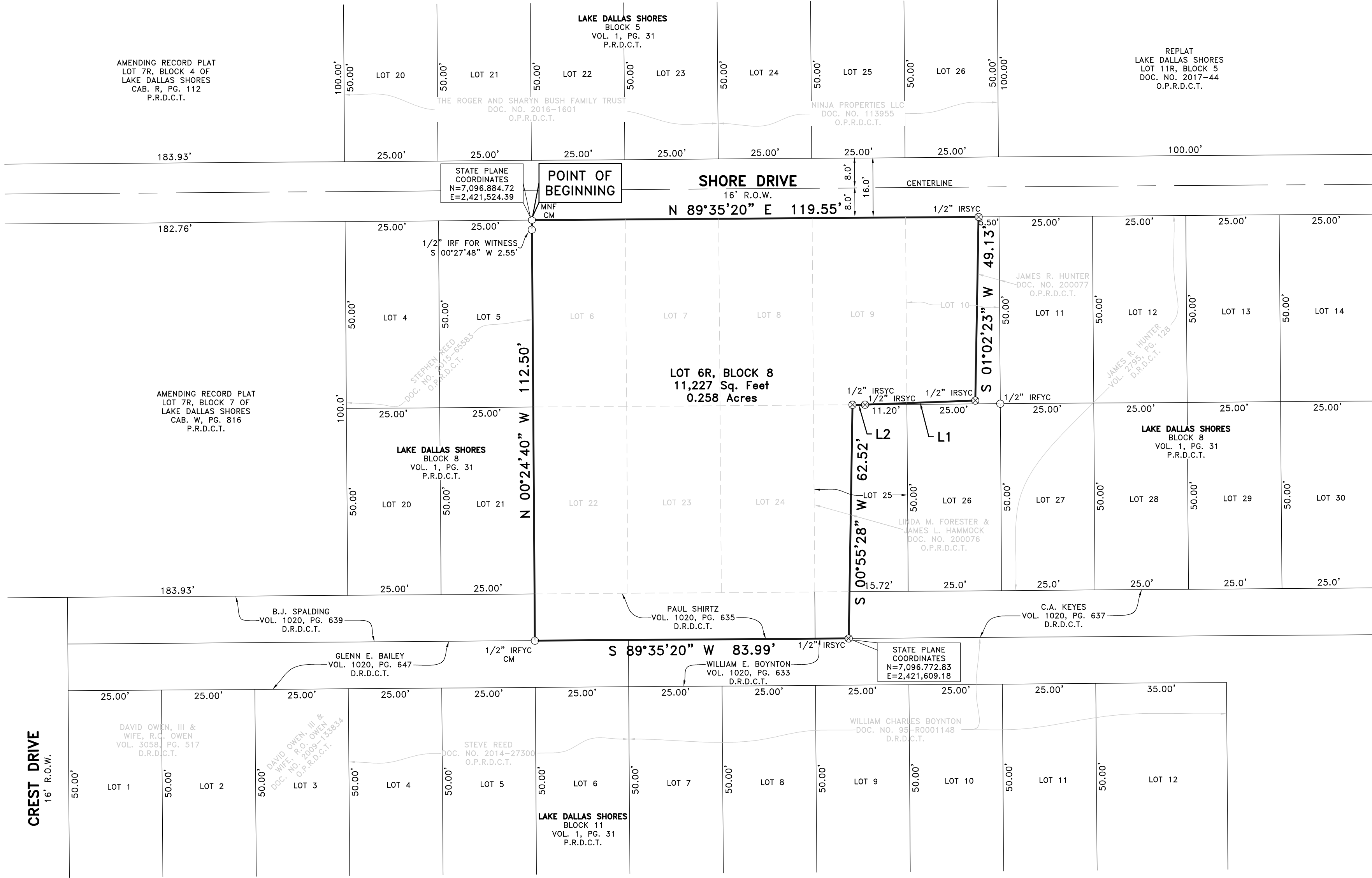
- Proposed Replat
- City of Lake Dallas Zoning Map



VICINITY MAP
NOT TO SCALE



LINE	BEARING	DISTANCE
L1	S 87°51'37" W	29.52'
L2	S 89°35'20" W	3.35'



NOTE: Any franchised public utility, including the City of Lake Dallas shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the Construction, maintenance or efficiency of its respective system on any of the easements shown on the plat. Any franchised public utility including the City of Lake Dallas, shall have the right at all times of ingress and egress to and from and upon such easements for the purposes of constructing, reconstructing, inspection, patrol, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

GENERAL NOTES

- 1) BASIS OF BEARINGS ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT.
- 3) LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF LAKE DALLAS ENGINEERING DEPARTMENT APPROVAL.
- 4) ANY STRUCTURE NEW OR EXISTING MAY NOT EXTEND ACROSS NEW PROPERTY LINES.
- 5) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 6) ALL STRUCTURES ON PROPERTY WILL REMAIN.
- 7) THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT ON FLOOD INSURANCE RATE MAP NO. 48121C0395H, WITH A DATE OF IDENTIFICATION OF 06/19/2020, FOR COMMUNITY NO. 480780, IN DENTON COUNTY, STATE OF TEXAS.

LEGEND

D.R.D.C.T. = DEED RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORDS, DENTON COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
DOC. NO. = DOCUMENT NUMBER
VOL. = VOLUME
PG. = PAGE
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
MNF = MAG NAIL FOUND
1/2 IRF = 1/2 INCH IRON ROD FOUND
1/2 IRSYC = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP
STAMPED "CBG SURVEYING"
1/2 IRFVC = 1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP
STAMPED "CBG SURVEYING"

CITY OF LAKE DALLAS
Approved by City Council:

Mayor: _____

Attested by City Secretary: _____

Date of Approval: _____

OWNER'S ACKNOWLEDGMENT AND DEDICATION

STATE OF TEXAS
COUNTY OF DENTON

I Uriel Herrera Camarillo, the undersigned, owner(s) of the land shown on this plat within the area described as follows:

Whereas Uriel Herrera Camarillo is the owner of a tract of land situated in the M.E.P. & P.R.R. CO. Survey, Abstract No. 924, City of Lake Dallas, Denton County, Texas, and being all of Lots 6, 7, 8, 9 and a portion of Lot 10 and all of Lots 22, 23, 24 and a portion of Lot 25, Block 8, Lake Dallas Shores, an addition to the City of Lake Dallas, Denton County, Texas, according to the Plat thereof recorded in Volume 1, Page 31, Plat Records, Denton County, Texas, and being a tract of land conveyed to Uriel Herrera Camarillo by deed recorded in Document No. 2014-29587, Official Public Records, Denton County, Texas, and being a tract of land conveyed to Paul Shultz by deed recorded in Volume 1020, Page 635, Deed Records, Denton County, Texas, and being a tract of land conveyed to Uriel Herrera Camarillo by deed recorded in Document No. 200076, Official Public Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a Mag nail found for corner, said corner being along the South right of way line of Shores Drive (16 foot right of way), said corner being the Northeast corner of Lot 5, Block 8 of said Lake Dallas Shores;

THENCE North 89 degrees 35 minutes 20 seconds East along the South right of way line of said Shores Drive, a distance of 119.55 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE South 01 degrees 02 minutes 23 seconds West, a distance of 49.13 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE South 87 degrees 51 minutes 37 seconds West, a distance of 29.52 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner, said corner being along the South line of Lot 9 and the North line of Lot 25, Block 8 of said Lake Dallas Shores;

THENCE South 89 degrees 35 minutes 20 seconds West along the South line of Lot 9 and the North line of Lot 25, a distance of 3.35 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE South 00 degrees 55 minutes 28 seconds West, a distance of 62.52 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner, said corner being along the North line of a tract of land conveyed to William Charles Boynton by deed recorded in Document No. 95-R0001148, Deed Records, Denton County, Texas;

THENCE South 89 degrees 35 minutes 20 seconds West along the North line of said Boynton tract, a distance of 83.99 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "CBG SURVEYING" for corner, said corner being the Southeast corner of a tract of land conveyed to B.J. Spalding by deed recorded in Volume 1020, Page 639, Deed Records, Denton County, Texas, said corner being along the North line of a tract of land conveyed to Glenn E. Bailey by deed recorded in Volume 1020, Page 647, Deed Records, Denton County, Texas;

THENCE North 00 degrees 24 minutes 40 seconds West along the East line of said Spalding tract and the East line of Lots 5 and 21, Block 8 of said Lake Dallas Shores, a distance of 112.50 feet to the POINT OF BEGINNING and containing 11,227 square feet or 0.258 acres of land.

and designated herein as the **AMEDNING RECORD PLAT, LOT 6R, BLOCK 8, LAKE DALLAS SHORES**, subdivision to the City of Lake Dallas, Texas, and whose name is subscribed hereto, hereby dedicate to the public in fee simple all streets, alleys, rights-of-way and parks, and dedicate to the public forever all water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner: _____
Uriel Herrera Camarillo

Date: _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Uriel Herrera Camarillo known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public in and for Dallas County, Texas.

SURVEYOR'S STATEMENT:

I Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, the undersigned, a public surveyor in the State of Texas, hereby state that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

RELEASED FOR REVIEW 1/20/2021 PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally
Registered Professional Land Surveyor, No. 5513

Date: _____

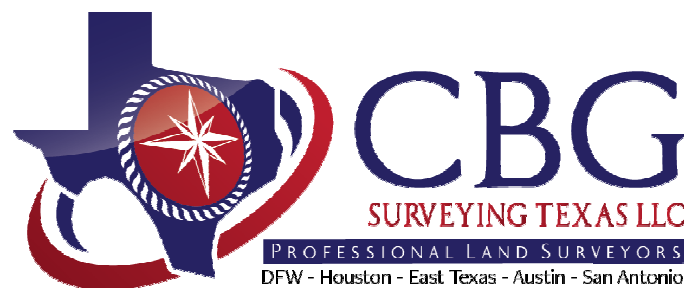
STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Bryan Connally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021.

Notary Public in and for the State of Texas

FINAL PLAT
**LOT 6R, BLOCK 8
LAKE DALLAS SHORES**
11,227 SQ.FT. / 0.258 ACRES
BEING A REPLAT OF LOTS 6, 7, 8, 9 AND A PORTION
OF LOT 10 AND LOTS 22, 23, 24 AND A PORTION OF
LOT 25, BLOCK 8, AN ADDITION TO THE CITY OF LAKE
DALLAS, DENTON COUNTY, TEXAS, ACCORDING TO THE
PLAT THEREOF RECORDED IN VOLUME 1, PAGE 31, PLAT
RECORDS, DENTON COUNTY, TEXAS
M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 924
CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS



PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbginctx.com

OWNER: URIEL HERRERA CAMARILLO
612 SHORE DRIVE
LAKE DALLAS, TEXAS 75065
PHONE: 940-999-8420



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM 6

Prepared By: Angie Manglaris, Director of Development Services

February 18, 2021

Public Works Yard Zoning Change

DESCRIPTION:

Conduct a public hearing and consider a request to change the development and use regulation applicable to Lot 1, Block A, Public Works Addition (commonly known as 351 Betchan Avenue) generally located along the north portion of Betchan Street and to the east of Goliad Avenue from Residential (R-1-6000) with a Downtown Overlay to M-1 Light Industrial. (Case Z-21-001).

EXISTING CONDITIONS:

The subject property is presently zoned Single Family-Dwelling District with a Downtown Overlay (DD-R-1-6000) and is developed with an approximately 1,440 square foot building and open storage space for vehicles. The site is the location of the City of Lake Dallas Public Works Yard.

ADJACENT LAND USES AND ZONING:

North: Single-family residence zoned R-1-6000 –Single Family Dwelling District

East: Oakwood Terrace Apartments Zoned R-3 –Multi-Family Residence

South: Betchan Right-of-Way

West: Betchan Right-of-Way

BACKGROUND INFORMATION:

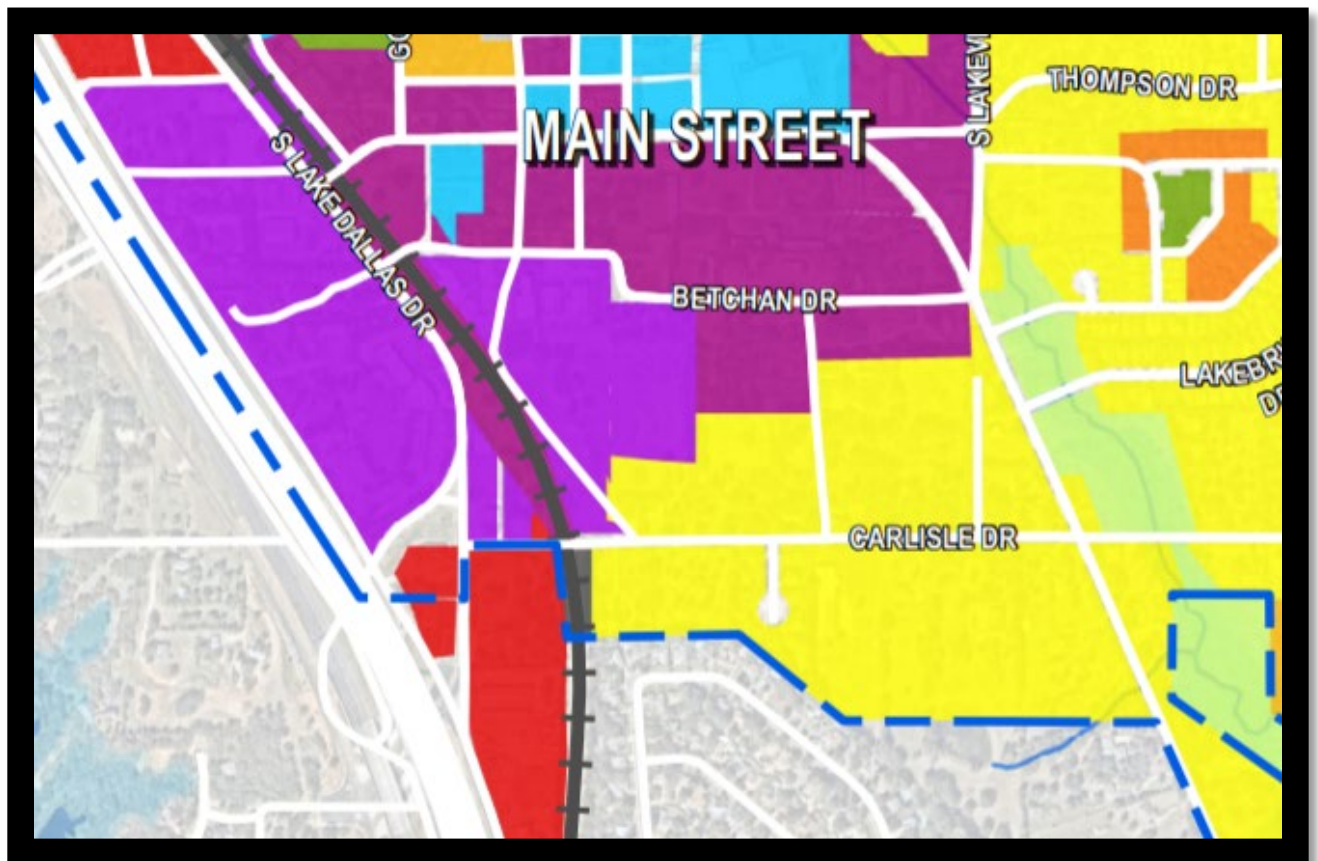
The Department of Public Works is in the process of updating their facilities and reconfiguring their site plan. Public Works will be constructing a new building that will better suit the City's needs. In the initial conversations regarding the new site plan, staff noticed the property was never rezoned and is currently situated on a residentially zoned tract of land in the Downtown Overlay District. Staff agreed that since there would be a new site plan considered for this facility, the City also needed to correct the zoning on the parcel because a contractor's shop is prohibited in residential zoning districts.

In January 2021, Mr. Layne Cline, Public Works Superintendent, submitted a development application to rezone Lot 1, Block A, Public Works Addition, a .792-acre tract of land situated at 351 Betchan Street from Single-Family Residential (R-1-6000) with a Downtown Overlay to Light Industrial (M-1). The City of Lake Dallas owns the site and will be moving forward with improvements to the Public Works Yard over the year. The new site will include an approximately 2400 sq. ft. building as well as open storage for work vehicles and construction materials. Because it allows for contractor's shops and open yard storage uses (provided it is screened from public view), the M-1 Zoning district is the most appropriate zoning district for the Public Works Yard.

Following the zoning application, the Department of Public Works will be required to submit a detailed site plan and demonstrate compliance with all regulations in the Lake Dallas Code of Ordinances.

CONFORMANCE WITH COMPREHENSIVE PLAN

Lake Dallas Vision 2030 Comprehensive Plan designates the area “Mixed-Use Development”, which is intended to include a mixture of uses (vertically or horizontally) including residential, retail, commercial and office uses in a walkable setting. The Public Works yard does not conform to the Vision 2030 Plan; however, the site has been in existence in its present state of use and development for many years and pre-dates the Comprehensive Plan.



PLANNING ANALYSIS

Land Use:

The intent of the zoning application is to rezone Lot 1, Block A, Public Works Addition in order to align the zoning of the property with the use of the property, Public Works Yard. When the City initially located the Public Works Yard on this site, the zoning was not changed from residential.

Now that the Public Works Yard will be undergoing improvements and submitting a new site plan, it is only appropriate that the zoning follow suit.

Traffic

The project is not large enough to require a traffic impact analysis. Lake Cities Fire Department has indicated it will be able to serve the proposed development.

Drainage

The property is in an area of minimal flood hazard. Any on-site drainage will be addressed during the site plan review process and shall comply with the City of Lake Dallas Code of Ordinances and Engineering Design Standards Manual.

Regulatory Issues

The applicant will need to submit a site plan for the project before any building permits may be submitted. At the time of site plan review, staff will review the proposed development for compliance with requirements as set forth in the Lake Dallas Code of Ordinances and the Engineering Design Standards Manual. The proposed site plan would go before the Planning and Zoning Commission and City Council prior to final approval.

FINANCIAL CONSIDERATION:

None. This is a City-owned tax-exempt facility.

RECOMMENDED MOTION:

After conducting the public hearing, City staff recommends the following motion:

I move to recommend City Council **APPROVE** an ordinance amending the re-zoning of Lot 1, Block A, Public Works Addition from Residential (R-1-6000) with a Downtown Overlay to M-1 Light Industrial (Z-21-001).

ATTACHMENTS:

- Draft Ordinance
- Applicant Conceptual Plan

CITY OF LAKE DALLAS, TEXAS

ORDINANCE NO. 2021 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE LAKE DALLAS ZONING ORDINANCE AND ZONING MAP BY CHANGING THE ZONING REGULATIONS APPLICABLE TO THE USE AND DEVELOPMENT OF LOT 1, BLOCK A, PUBLIC WORKS YARD ADDITION FROM RESIDENTIAL (R-1-6000) WITH A DOWNTOWN OVERLAY TO M-1 LIGHT INDUSTRIAL; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with the laws of the State of Texas and the ordinances of the City of Lake Dallas, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Lake Dallas, Texas, heretofore duly passed by the governing body of the City of Lake Dallas, as heretofore amended, be, and the same are hereby amended by changing the zoning regulations governing the use and development of Lot 1, Block A, Public Works Yard Addition, an addition to the City of Lake Dallas, Texas, according to the plat thereof recorded as Document No. 2019-227, Plat Records, Denton County, Texas (“the Property”) from those applicable Residential (R-1-6000) with a Downtown Overlay to those applicable to the M-1 Light Industrial Zoning District.

SECTION 2. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Lake Dallas and the provisions of this ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lake Dallas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ON THIS THE ____ DAY OF _____ 2021.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin., City Attorney
(kbl:2/11/21:120637)

WARNING TO CONTRACTOR:

CALL 811 (TEXAS 811) OR OTHER UTILITY LOCATING SERVICES 48 HOURS PRIOR TO CONSTRUCTION ACTIVITY. HALFF ASSOCIATES, INC. IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES OR DEPICTING EXACT LOCATIONS OF UTILITIES ON DRAWINGS.

HORIZONTAL AND VERTICAL CONTROL:

ALL BEARINGS AND COORDINATES ARE IN US SURVEY FEET GRID AND REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, AS DERIVED FROM GPS VECTORS OBTAINED FROM WESTERN DATA SYSTEMS RTK NETWORK.

NOTES:

- SURVEY UTILIZED WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN ON THIS PLAN.
- ALL PAINT STRIPING FOR PARKING TO BE 4" WIDE REFLECTIVE.

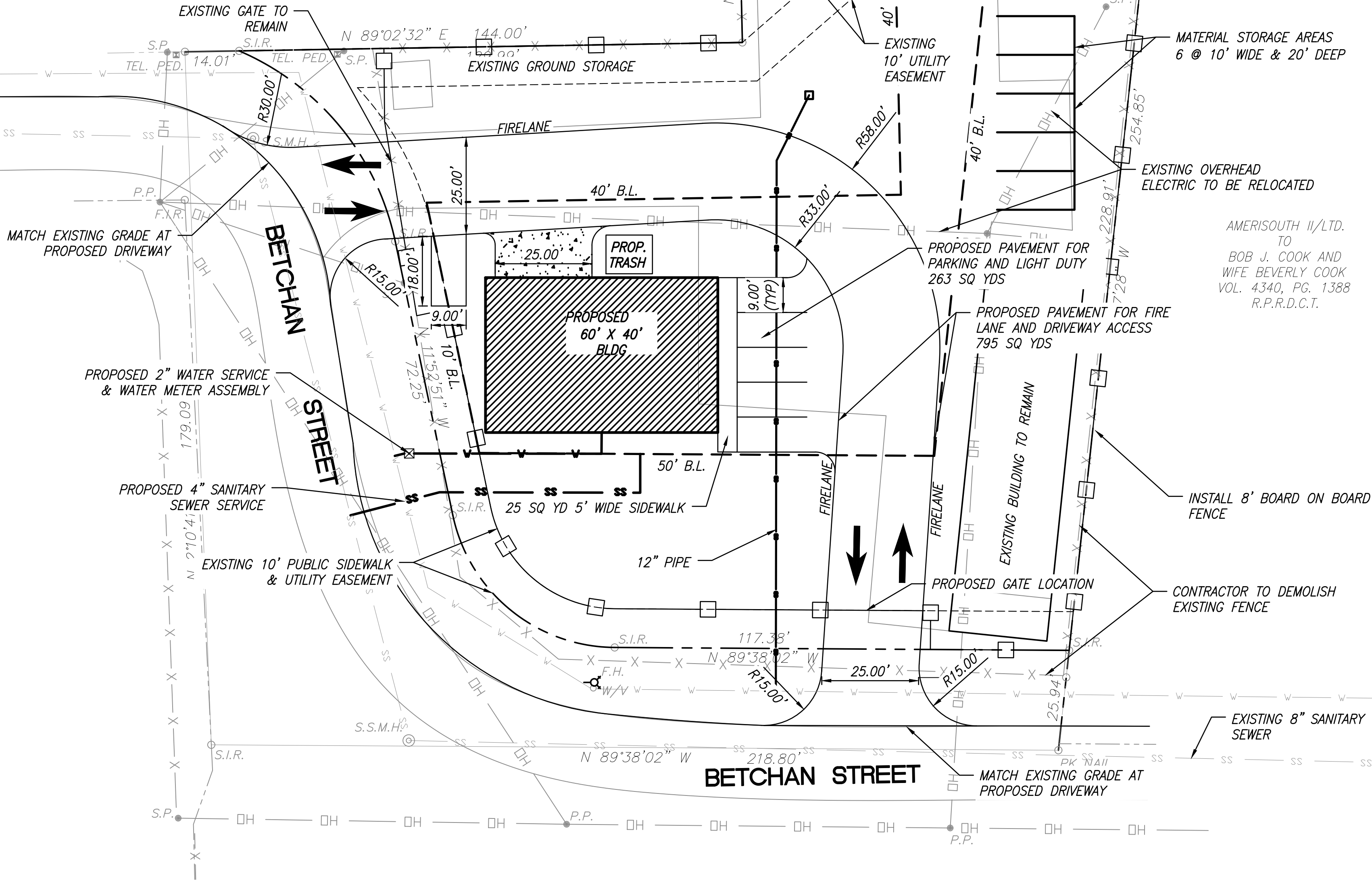
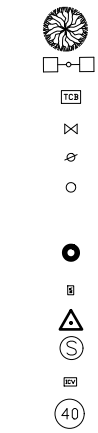
ELVA O. POCKRUS
TO
MAXINE B. DYSON
VOL. 5241, PG. 2105
R.P.R.D.C.T.

CENTURYTEL OF LAKE DALLAS, INC.
TO
LAKE CITIES MUNICIPAL
UTILITY AUTHORITY
DOC. #2017-112933
R.P.R.D.C.T.

AMERISOUTH II/LTD.
TO
BOB J. COOK AND
WIFE BEVERLY COOK
VOL. 4340, PG. 1388
R.P.R.D.C.T.

LOT 1, BLOCK A
Z FLOORING ADDITION
DOC. 2011-3
P.R.D.C.T.

* LEGEND *		
PROPERTY LINE	---	TREE
EASEMENT	---	LIGHT POLE
CURB AND GUTTER	---	TRAFFIC CONTROL SIGNAL BOX
ASPHALT	---	WATER VALVE
OVERHEAD ELECTRIC	---	POWER POLE
UNDERGROUND ELECTRIC	---	SANITARY SEWER CLEAN-OUT
SANITARY SEWER	---	SIGN
WATER	---	PROPERTY MONUMENT
GAS	---	WATER METER
STORM SEWER	---	BENCHMARK
FENCE	---	SEWER MANHOLE
MAJOR CONTOUR	---	IRRIGATION CONTROL VALVE
MINOR CONTOUR	---	PARKING COUNTS



CAUTION!!!
EXISTING UTILITIES IN THE AREA. UTILITIES LOCATION SHOWN ARE SCHEMATIC IN NATURE AND MAY NOT ACCURATELY REFLECT SIZE, HORIZONTAL, AND/OR VERTICAL LOCATION. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION PRIOR TO BEGINNING CONSTRUCTION. CONTACT AFFECTED UTILITIES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION IN THIS AREA. (1-800-DIG-TESS)

PUBLIC WORKS YARD
LAKE DALLAS TEXAS



PRELIMINARY
FOR INTERIM REVIEW ONLY

THESE DOCUMENTS ARE FOR INTERIM REVIEW AND NOT INTENDED FOR REGULATORY APPROVAL, PERMIT, BIDDING OR CONSTRUCTION PURPOSES. THEY WERE PREPARED BY OR UNDER THE SUPERVISION OF:

LEIGH A. HOLLIS 103573
NAME P.E. NO.
DATE 12/16/20
TBPE FIRM #F-312

The seal appearing on this document was authorized by Leigh A. Hollis, P.E. 103573 on 12/16/20. Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Practice Act. The record copy of this drawing is on file at the offices of Halff Associates, Inc., 4000 Fossil Creek Blvd., Fort Worth, TX 76137. TBPELS FIRM #F-312.

Project No.: 37635.008
Issued: 12/16/20
Drawn By: AZH
Checked By: LAH
Scale: AS NOTED

UTILITY AND
SITE EXHIBIT



PLANNING AND ZONING COMMISSION
AGENDA MEMO

Prepared By: Angie Manglaris, Director of Development Services

February 18, 2021

Downtown Overlay Boundary Adjustment

DESCRIPTION:

Conduct a public hearing and consider an ordinance amending the boundaries of the Downtown Overlay District by removing Lot 1, Block A, Public Works Addition, commonly known as 351 Betchan Avenue; and Lot 1, Block A, Advantage Mechanical Addition, commonly known as 411 Goliad Avenue, from within said boundaries.

EXISTING CONDITIONS:

Lot 1, Block A, Public Works Addition at 351 Betchan Avenue is the City of Lake Dallas Public Works Yard. The property is zoned Single Family-Dwelling District with a Downtown Overlay (DD-R-1-6000) and is developed with an approximately 1,440 square foot building and open storage space for vehicles.

Lot 1, Block A, Advantage Mechanical Addition at 411 Goliad is zoned Retail C-1 with a Downtown Overlay. The property owner and applicant, Mr. Joe Flowers, recently demolished an existing single-family home on the property. The home was used by the previous owners as office space. There remains a storage building on the property and several mature trees.

ADJACENT LAND USES AND ZONING:

Both properties are on the fringe of the Downtown Overlay Zoning District. To the south of these properties is Betchan Street right-of-way.

BACKGROUND INFORMATION:

The intent of the boundary change is to remove the two properties on the fringe on the Downtown Overlay from the district.

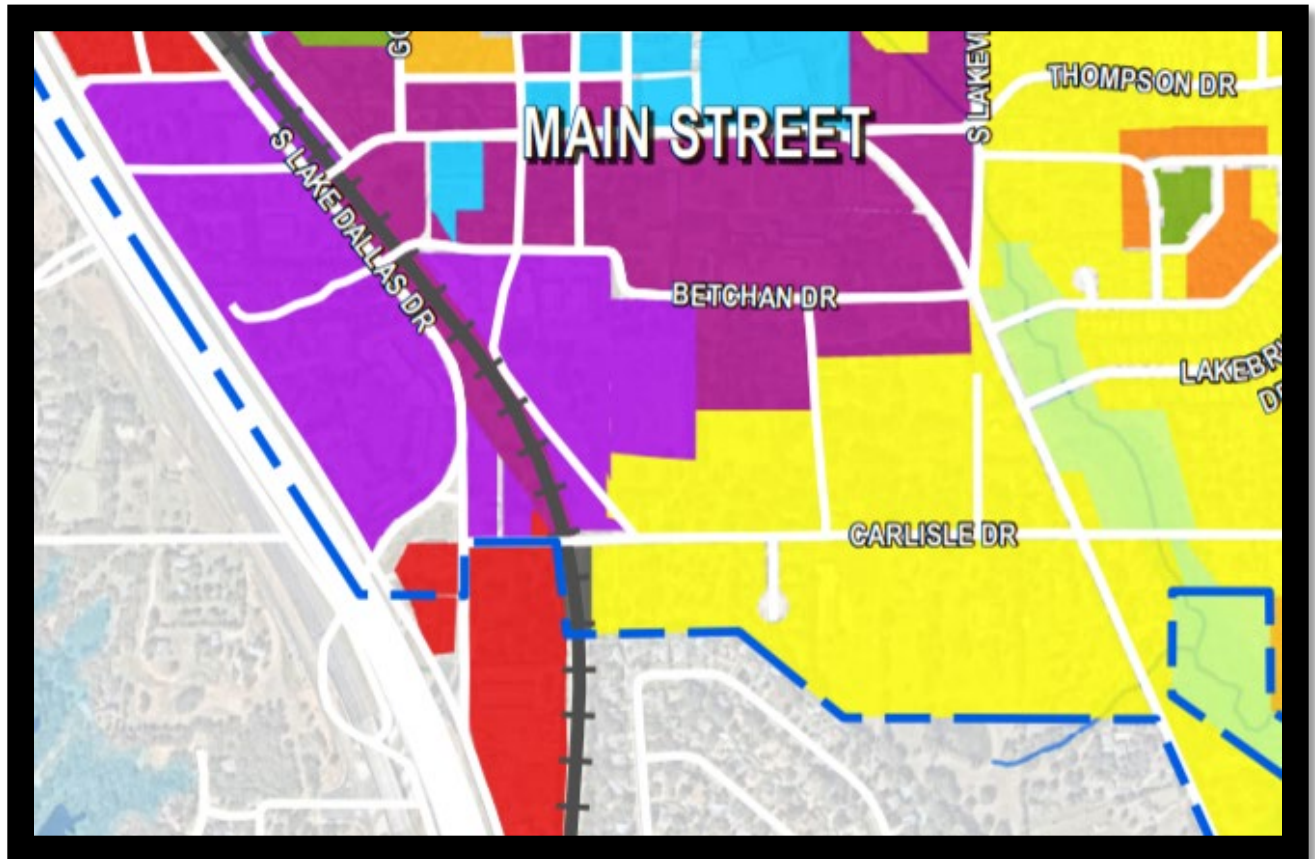
411 Goliad has existed as an HVAC contractor's office in the past and has recently been purchased by Mr. Joe Flowers to be used as 3H Concrete's professional office as well as site for materials (note: per Code of Ordinances, all materials and equipment shall be screened from public view). The long-term plan for this site is to lease out up to three additional office spaces, which will bring more businesses to Lake Dallas.

The two properties being considered to be removed from the Downtown Overlay are the fringe of the district and have a property between them outside of the district. Staff recommends removing these properties from the Overlay. As the City progresses on its zoning updates, the

Downtown Overlay will be receiving heavy attention and may possibly be replaced with a Form Based Code.

CONFORMANCE WITH COMPREHENSIVE PLAN

Lake Dallas Vision 2030 Comprehensive Plan designates the area “Mixed-Use Development”, which is intended to include a mixture of uses (vertically or horizontally) including residential, retail, commercial and office uses in a walkable setting. Neither of these sites necessarily conform to the Vision 2030 Plan; however, the intent of the update is to allow these sites to continue to exist as they are/have historically been used in the past.



PLANNING ANALYSIS

Land Use:

The intent of the boundary adjustment is to remove these two properties from the Downtown Overlay. Any site improvements will be required to go through the site plan and any permitting processes required by their base zoning districts.

Traffic

This makes no change to existing permitted uses such that traffic is impacted.

Drainage

The proposed change does not result in a change in use of the property.

Regulatory Issues

This map change only removes the special development requirements of the Downtown District with respect to development of the two properties.

FINANCIAL CONSIDERATION:

None.

RECOMMENDED MOTION:

After conducting the public hearing, City staff recommends the following motion:

I move to recommend City Council **APPROVE** an ordinance amending the boundaries of the Downtown Overlay District by removing Lot 1, Block A, Public Works Addition and Lot 1, Block A, Advantage Mechanical Addition from within the boundaries of the district.

ATTACHMENTS:

- Draft Ordinance
- Lake Dallas Zoning Map

CITY OF LAKE DALLAS, TEXAS

ORDINANCE NO. 2021 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE LAKE DALLAS ZONING ORDINANCE AND ZONING MAP BY AMENDING THE BOUNDARIES OF THE DOWNTOWN DISTRICT BY REMOVING FROM WITH SAID BOUNDARIES LOT 1, BLOCK A, PUBLIC WORKS YARD ADDITION AND LOT 1, BLOCK A, ADVANTAGE MECHANICAL ADDITION; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with the laws of the State of Texas and the ordinances of the City of Lake Dallas, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Lake Dallas, Texas, heretofore duly passed by the governing body of the City of Lake Dallas, as heretofore amended, be, and the same are hereby amended by amending the boundaries of the Downtown District as described and depicted in Ordinance No. 09-01 by removing from within the boundaries of said district the following two properties such that the development and use regulations of the Downtown District shall not apply to such properties on and after the effective date of this ordinance:

- A. Lot 1, Block A, Public Works Yard Addition, an addition to the City of Lake Dallas, Texas, according to the plat thereof recorded as Document No. 2019-227, Plat Records, Denton County, Texas; and
- B. Lot 1, Block A, Advantage Mechanical Addition, an addition to the City of Lake Dallas, Texas, according to the plat thereof recorded as Document No. 2016-2233, Plat Records, Denton County, Texas.

SECTION 2. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Lake Dallas and the provisions of this ordinance as

applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lake Dallas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ON THIS THE ____ DAY OF _____ 2021.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin., City Attorney
(kbl:2/12/21:120663)

