



**Planning and Zoning Commission
Regular Meeting
212 Main Street
City of Lake Dallas, Texas 75065
Thursday, May 20, 2021 at 7:00 p.m.
Agenda**

Any person wishing to provide comments during Item 3 – Citizen Agenda & Public Comment, on public hearing items 5-,7 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, May 20, 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 April 15, 2021, regular meeting.

5. Conduct a public hearing and make recommendation on a Specific Use Permit request to allow for the use "contractor's shop/yard" for 3-H Concrete, a business to be located on a .44 acre tract of land, being located at Block A, Lot 1, Advantage Mechanical Addition, being located in the City of Lake Dallas, Denton County, Texas, the property is more commonly known as 411 Goliad Avenue (SUP-21-001).

6. Conduct a public hearing and make recommendation on Specific Use Permit request to allow for the sale of alcohol for Dan's Cellar, a vendor to be located inside Enchanted Gift Shop, situated at Block

13, Lots 1-2, OT Garza Addition, Lake Dallas, Denton County, Texas, the property is more commonly known as 278 Main Street (SUP-21-002).

- 7. Conduct a public hearing and make recommendation on a Zoning Change request for a ±2.752 acre tract of land situated in the M. Wright Survey, Abstract No. 1355, in the City of Lake Dallas, Denton County, Texas, and being all that certain tract of land conveyed to Thomas Edward Deeb recorded in Document Number 2015-8131 of the Real Property Records of Denton County, Texas, (R.P.R.D.C.T.) and being more particularly described; generally located at 440 Betchan Street from R-1-6000 Single Family (R-1-6000) to Planned Development Residential R-1-6000 (Case Z-21-003).**
- 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 May 17, 2021 at 4:30 p.m.



Codi Delcambre, City Secretary

If you plan to attend this public meeting 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: Planning and Zoning Commission Minutes

The Lake Dallas Planning and Zoning Commission met in a regular meeting on April 15, 2021 in a video conference, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Vice Chair Lester Raborn called the meeting to order at 7:03 p.m.

1. Roll Call: Planning and Zoning Commission

Adam Peabody	Place 2
Annette Fuller	Place 4
Lester Raborn	Place 5

Absent: Ben Gilbert, Chairperson; Christian Cline, Place 3

Staff present: Angie Manglaris, Development Services Director

2. Pledge of Allegiance was led by Lester Raborn.

3. Citizen Agenda & Public Comment

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No public input was received.

4. Approval of minutes for Meeting held on March 18, 2021.

Motion: to approve the minutes for meeting of March 18, 2021 as presented was made by Member Adam Peabody and seconded by Member Annette Fuller.

Ayes: Lester Raborn, Adam Peabody, Annette Fuller

Nays: None

Motion Passed 3-0

- 5. Conduct a public hearing and make recommendation on a request to replat Lots 8-9, Block 4, Lake Dallas Sites, A portion of Block B, Lakeview Camp, and a portion of Carrollton Street 8 into one lot. The property is more commonly known as 110 Pearl Street. (Case R-21-003).**

Angie Manglaris, Director of Development Services gave a presentation on the purpose of the replat and provided an overview of the background of the project. Ms. Manglaris explained the replat met all conditions of the Lake Dallas Code of Ordinances, apart from right-of-way dedication, which the applicant was requesting a variance to.

Discussion was held regarding the history of the region and why there has been an uptick in residential replat requests.

The public hearing opened at 7: 12 p.m. No public input was received. The public hearing was closed 7:12 p.m.

Motion: Member Adam Peabody motioned to recommend City Council approve a request to replat Lots 8-9, Block 4, Lake Dallas Sites, A portion of Block B, Lakeview Camp, and a portion of Carrollton Street into one lot. Member Raborn seconded.

Ayes: Adam Peabody, Lester Raborn, Annette Fuller

Nays: None.

Motion Passed 3-0

- 9. Announcements and requests for future agenda items.**

Ms. Manglaris provided the Commission updates on future Development Services projects and activities.

- 10. Adjourn – 7:20 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 5

Prepared By: Angie Manglaris, Director of Development Services

May 20, 2021

Specific Use Permit – 411 Goliad

DESCRIPTION:

Conduct a public hearing and consider a Special Use Permit request to allow for the use “contractor’s shop/yard” for 3-H Concrete, a business to be located on a .44 acre tract of land, being located at Block A, Lot 1, Advantage Mechanical Addition, being located in the City of Lake Dallas, Denton County, Texas, the property is more commonly known as 411 Goliad Avenue (SUP-21-001).

EXISTING CONDITIONS:

The property, 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:

North: Single-family Residence Zoned R-1-6000 with a Downtown Overlay

East: Goliad Right-of-Way

South: Betchan Right-of-Way and Z-Floor Zoned C-1

West: Alamo Right-of-Way

BACKGROUND INFORMATION:

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 3-H Concrete’s professional office and contractor’s shop/yard. The site will be used for professional office space and material storage (note: per Code of Ordinances, all materials and equipment shall be screened from public view). The long-term plan for this site is to construct a facility that will be able to house 3-H concrete and have additional office space available for lease to commercial/retail businesses.

The use “contractor’s shop/yard’ is prohibited in the Downtown Overlay District. In April 2021, this site was considered as part of a Downtown Overlay Boundary Adjustment. At the City Council meeting, the site was not removed from the Downtown Overlay and Council indicated they would rather have the project submitted as a Special Use Permit application rather than removing the property from the Downtown Overlay District.

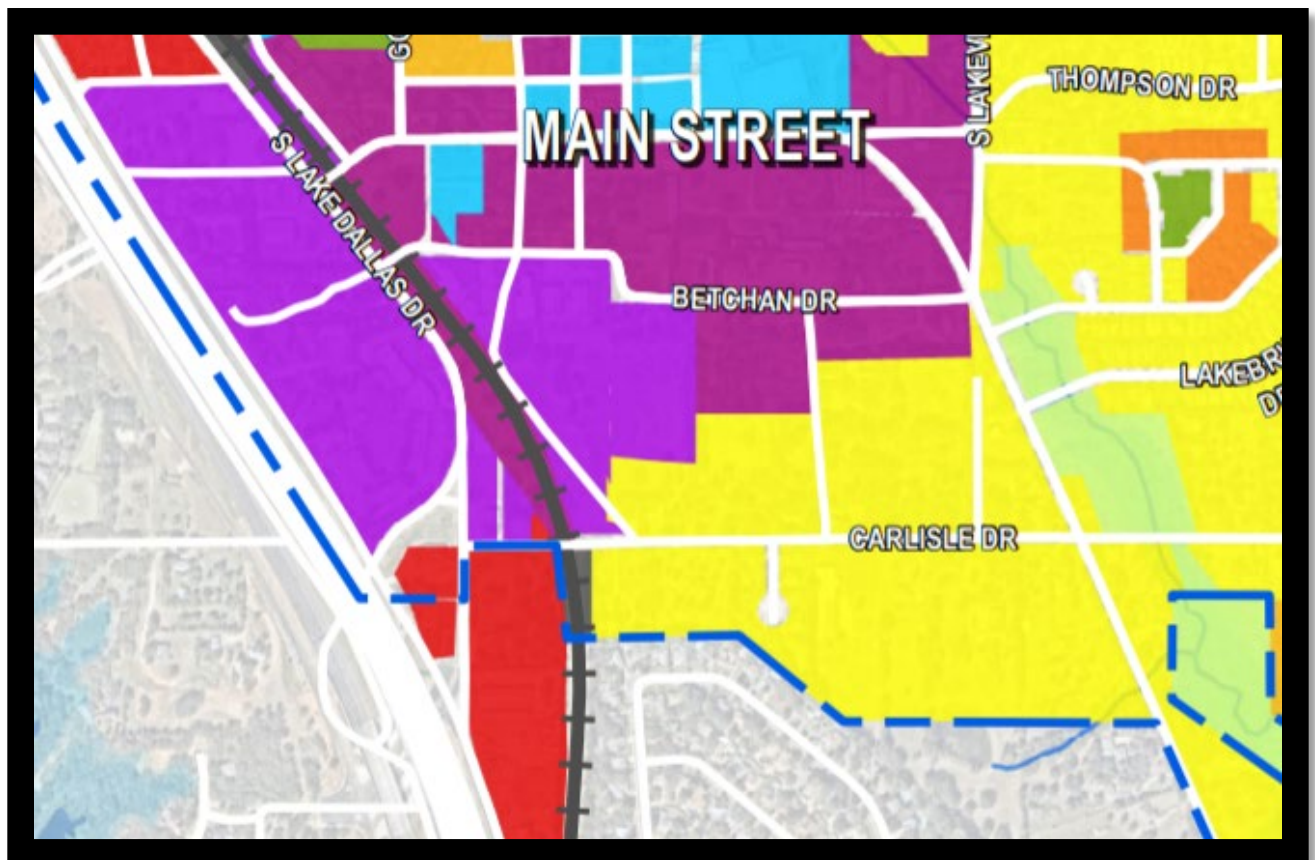
Following the meeting, Mr. Flowers submitted the application for a Special Use Permit for 411 Goliad to allow the use Contractor's Shop/Yard.

Special Use Permits (SUP) are a specific type of permit that is considered on a case-by-case basis. Rather than being allowed by right in a zoning district, these uses are reviewed in relation to surrounding land uses for compatibility. The Planning and Zoning Commission reviews the SUP application and makes a recommendation to City Council, who will then vote to approve or deny the use.

The City of Lake Dallas Code of Ordinances allows for the consideration of an SUP for any use not expressly allowed in a zoning district if deemed appropriate by City Council after recommendation by the Commission (Sec. 122-691 (19)).

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.



PLANNING ANALYSIS

Land Use:

The intent of the SUP application is to allow for the land use “Contractor’s Shop/Storage at this location. The Zoning of the property will not be altered.

Traffic

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

Drainage

The proposed SUP does not result in a change in use of the property. At the time of site plan review, the drainage of the property will be reviewed for compliance with the Engineering and Design Standards Manual.

Regulatory Issues

Should the SUP application be approved, the next step in the project will be the submittal of the Site Plan Application. The site plan will encompass the lot configuration, drainage patterns, landscaping, parking, screening, and tree preservation. Per the Lake Dallas Municipal Code of Ordinances, site plans must be reviewed by the Planning and Zoning Commission and City Council for compliance prior to approval.

FINANCIAL CONSIDERATION:

None.

RECOMMENDED MOTION:

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

I move to recommend City Council **APPROVE/DENY** a Special Use Permit request to allow for the use “contractor’s shop/yard” for 3-H Concrete, a business to be located on a .44-acre tract of land, being located at Block A, Lot 1, Advantage Mechanical Addition, City of Lake Dallas, Denton County, Texas (SUP-21-001).

ATTACHMENTS:

- Draft Ordinance



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM 6

Prepared By: Angie Manglaris, Director of Development Services

May 20, 2021

Specific Use Permit – 278 Main Street -Dan's Cellar

DESCRIPTION:

Conduct a public hearing and consider a Special Use Permit request to allow for the sale of alcohol for Dan's Cellar, a vendor to be located inside Enchanted Gift Shop, situated at Block 13, Lots 1-2, OT Garza Addition, Lake Dallas, Denton County, Texas, the property is more commonly known as 278 Main Street (SUP-21-002).

EXISTING CONDITIONS:

The property, situated at 278 Main Street, is zoned Commercial (C-3) with a Downtown Overlay. The property is developed with an existing 1036 sq. ft. building, occupied by Enchanted Gift Shop.

ADJACENT LAND USES AND ZONING:

North: Main Street Right-of-Way and El Centro Meat Market Zoned C-3 with a Downtown Overlay

East: Alamo Right-of-Way and Los Amigos Zoned C-3 with a Downtown Overlay

South: Single-family Residences Zoned C-3 with a Downtown Overlay

West: Lake Dallas Tire Shop Zoned C-3 with a Downtown Overlay

BACKGROUND INFORMATION:

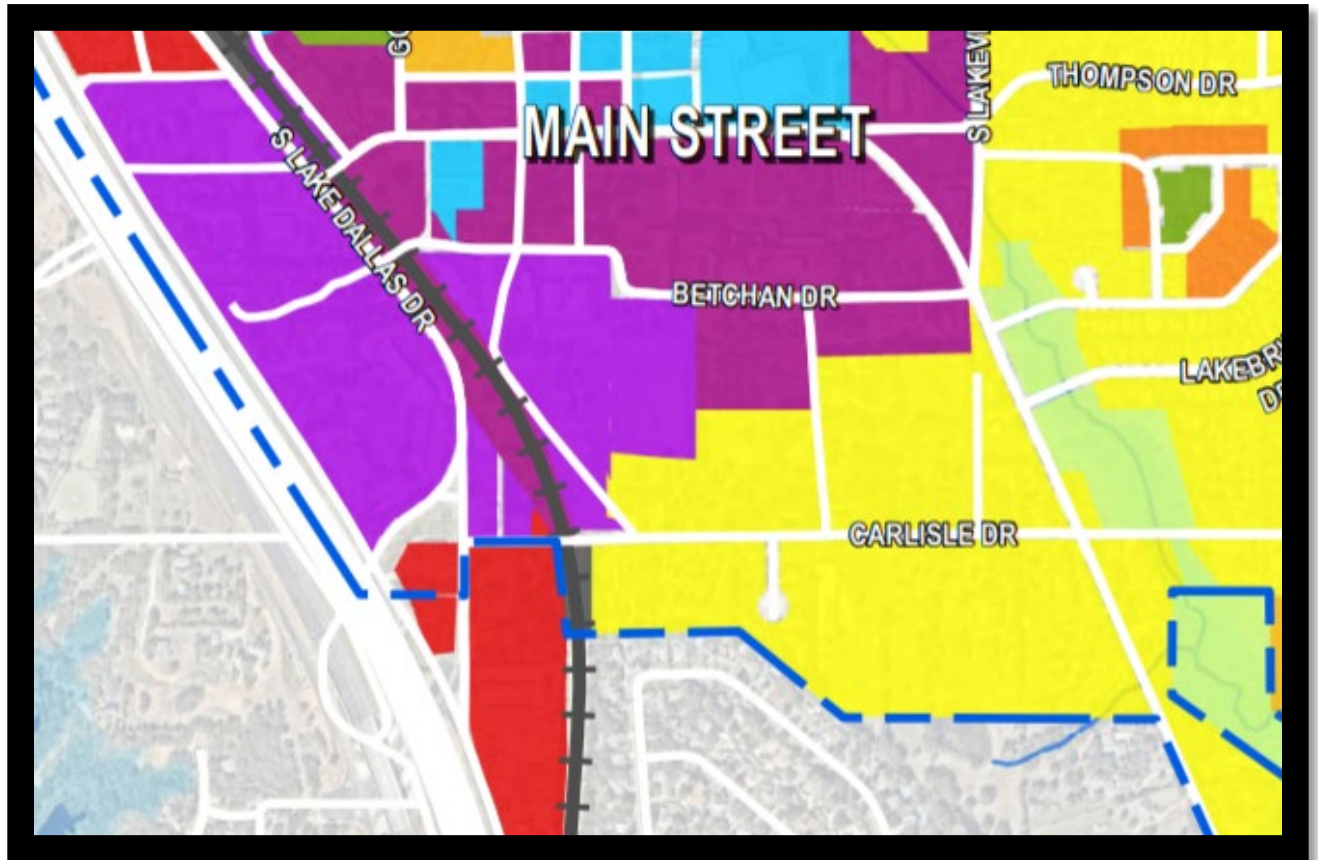
The applicant, Dan's Cellar, on behalf of the owner, Weldon Wilson, has submitted a Special Use Permit (SUP) Application to allow for the sale of alcohol within Enchanted Gift Shop. Dan's Cellar will be a separate vendor located within Enchanted Gift Shop.

The City of Lake Dallas Code of Ordinances allows for the consideration of an SUP for shops and stores for the sale of alcohol in any zoning district if deemed appropriate by City Council after recommendation by the Commission (Sec. 122-691 (16)).

Special Use Permits are a specific type of permit that is considered on a case-by-case basis. Rather than being allowed by right in a zoning district, these uses are reviewed individually in relation to surrounding land uses for compatibility. The Planning and Zoning Commission reviews the SUP application and makes a recommendation to City Council, who will then vote to approve or deny the use.

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.



PLANNING ANALYSIS

Land Use:

The intent of the SUP application is to allow for the land use “alcohol sales” at this location. The zoning of the property will not be altered.

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

Should the application be approved, the applicant will need to comply with local ordinances and the Texas Alcoholic Beverage Commissions to procure a permit for the sale of alcohol.

Per Section 10-2. (b) of the Lake Dallas Code of Ordinances and Section 109.331 of the Texas Alcoholic Beverage Code, there shall be a minimum of 300' between a public school and the place of any alcohol sales. The measurement of distance between the place of business where alcoholic beverage are sold and the public school shall be in a direct line from the property line of the public school to the property line of the place of business, and in a direct line across intersections.

City staff measured the distance from the property line of the proposed establishment to that of the Lake Dallas Elementary School using the prescribed method of measurement detailed above. Staff measured the distance twice and obtained the following measurements: ± 298'; ± 300.

TABC will need to review the application for the sale of alcohol and determine if the site is eligible to obtain a permit. Without a permit from TABC, the applicant will not be allowed to sell alcohol at this establishment.

FINANCIAL CONSIDERATION:

None.

RECOMMENDED MOTION:

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

I move to recommend City Council **APPROVE/DENY** a Special Use Permit request to sale of alcohol for Dan's Cellar, a vendor to be located inside Enchanted Gift Shop, situated at Block 13, Lots 1-2, OT Garza Addition, Lake Dallas, Denton County, Texas (SUP-21-002).

ATTACHMENTS:

- Draft Ordinance



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM 7

Prepared By: Angie Manglaris, Director of Development Services

May 20, 2021

Planned Development - 440 Betchan Street

DESCRIPTION:

Conduct a public hearing and consider on a Zoning Change request for a ±2.752 acre tract of land situated in the M. Wright Survey, Abstract No. 1355, in the City of Lake Dallas, Denton County, Texas, and being all that certain tract of land conveyed to Thomas Edward Deeb recorded in Document Number 2015-8131 of the Real Property Records of Denton County, Texas, (R.P.R.D.C.T.) and being more particularly described; generally located at 440 Betchan Street from R-1-6000 Single Family (R-1-6000) to Planned Development Residential R-1-6000 (Case Z-21-003).

EXISTING CONDITIONS:

The property is zoned Residential R-1-6000. The subject tract is undeveloped and consists of open pasture with several mature trees on site.

ADJACENT LAND USES AND ZONING:

North: Betchan Street Right-of-Way

East: Single-family Residences zoned R-1-6000

South: Single-family Residence zoned R-1-6000

West: Undeveloped parcels zoned R-1-6000 and C-1 Retail

BACKGROUND INFORMATION:

The applicant, Mr. Paul Perry, has applied to rezone the front portion of 440 Betchan Street from Residential R-1-6000 to Planned Development R-1-6000. The lot is approximately 2.52 acres, the portion being considered for rezoning is along Betchan Street and is 1.39 acres. Mr. Perry is the owner of the property and intends to develop the lot with nine (9) residential homes and one (1) lot for detention/retention contingent upon the results of a detailed engineering study.

The proposed rezoning would change the zoning of the lot to Planned Development R-1-6000. The intent of the proposal is to construct craftsman-style, single-family homes on lots smaller than what is typically found in R-1-6000. The project will include a stub for future connectivity to the back portion of the property, which is to remain unimproved at this time. At the time of future development, the rear portion of the property will have access off Betchan Street.

The regulations proposed as part of the planned development compared to what is typically required in R-1-6000 are as follows:

	Existing R-1-6000 standards	Proposed PD regulations
Front yard	25 feet	20 feet
Side yards	7 feet	5 feet from side yard (10 feet separation between homes)
Rear yards	30 feet	10 feet
Minimum Lot Width	60 feet	35 feet
Minimum Lot Depth	100 feet	124 feet
Minimum Lot Area:	6,000 square feet	4,340 square feet
Minimum dwelling size	1,500 square feet	1,600 square feet

The intent of the development is to build Craftsman-Style homes along Betchan Street, the homes will be compatible with the design and character of homes constructed further east along Betchan Street. The applicant has included architectural requirements for the Planned Development that each home shall meet to achieve the desired aesthetics of the development. The applicant shall confirm at the time of building permit submittal that the proposed residences provide no less than four (4) of the architectural requirements:

- Corbels
- Gable pediments
- Craftsman-style front door
- Horizontal/staggered edge siding
- Carriage style garage doors accented with architectural windows
- Hardware, shutters on front elevation windows
- Front porch columns

CONFORMANCE WITH COMPREHENSIVE PLAN

The recently adopted Lake Dallas Vision 2030 Comprehensive Plan designates this area as a "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 proposed concept plan could be compatible with the future land use plan as sidewalks are installed and can provide linkages along Betchan and Main Street.



PLANNING ANALYSIS

Land Use:

The proposed project is compatible with a higher-density development that is typical of mixed-use areas as designated in the Future Land Use Plan. The proposed development would provide linkages to the Lake Dallas Downtown area as well as residences along Betchan Street, helping to create a walkable community environment.

The developer has indicated they are open to the installation of sidewalks as part of this development. Per Section 2.06 of the Lake Dallas Engineering and Design Standards Manual, sidewalks shall be constructed along all streets, in all zoning classifications, except in agriculturally zoned areas. The installation of sidewalks as part of this development would further advance the City's vision of having a walkable Downtown region.

Planned Development:

Per Article XV. Special Districts- Division 1. Planned Development of the Lake Dallas Code of Ordinances, Planned Developments are appropriate for lots an acre or greater in area and are intended for single or mixed uses, to encourage innovative subdivisions or site plans, and promote superior development that is compatible with existing land uses.

Traffic

The project is not large enough to require a traffic impact analysis.

Drainage

The property is situated in an area of minimal flood hazard. As part of the preliminary and final platting processes, the developer will be required to submit a detailed drainage study for review.

Regulatory Issues

The property will need to be platted in accordance with the Subdivision Ordinance and proposed Planned Development Regulations prior to any building permits being approved. As part of the final plat, the applicant will be required to procure an access easement to the back portion of the lot for future development to avoid creating a land-locked parcel of land.

At the time of preliminary plat, the applicant will be required to provide a detailed drainage study to City staff for review and confirmation that the proposed development is compliant with the City of Lake Dallas Code of Ordinances and Engineering and Design Standards Manual.

In accordance with Section 94-66 of the City of Lake Dallas Code of Ordinances, City staff suggests any motion for approval of the rezoning request include the stipulation the developer construct sidewalks along the frontage of Betchan at the time of development.

FINANCIAL CONSIDERATION: The proposed development, when built out, would generate additional property and sales taxes. It would also require additional costs in police, fire and other city services. The City has not made a detailed fiscal assessment of the impact of the development.

Recommended Motion:

After conducting the public hearing, staff recommends Planning and Zoning Commission make the following motion:

I make a motion to recommend City Council **APPROVE/DENY** an ordinance amending the development and use regulations applicable to the property described as A1355A Wright Survey, TR 93 & 97, generally located at 440 Betchan Street Lake Dallas, Texas, by changing the zoning classification from Residential R-1-6000 to Planned Development Residential R-1-6000 and adopting a site plan and development regulations (Z-21-003).

Attachments:

- Draft Ordinance
- Applicant Proposal
- Applicant Draft Regulations



Updated Date: 4-29-2021

From Applicant: Paul & Teresa Perry
2309 Creekeledge Court, Corinth, TX 76210

Regarding: Zoning Change Application for 440 Betchan Street:

Per the attached layout concept, we are proposing to plat 9-10 residential lots, with 10th lot potentially serving as retention or detention, pending a civil engineer design/study of the parcel to be considered for a PD.

The attached layout concept illustrates a section between lots 4 & 5 that would remain undeveloped and wide enough to accommodate a future paved street or a private drive to the remaining area to the rear, noted as R-1 6000 on the drawing. This rear section of land could be a future single family lot or a phase 2 PD with more single family residential lots similar in size to phase 1.

- Gross acreage of the lots along Betchan Street: 1.438 acres, 62,666 sq.ft
- Detention/retention for drainage if needed is speculated to be at the corner of Sargent & Betchan Street.
- If Detention/retention is not needed, this area will be used as another residential lot, lot 10.

Minimum Lot size:

Smallest width 40 ft
Smallest depth 124 ft
Minimum lot area 4960 sq. ft.

Setbacks:

Front 10 ft, (assuming 10-12 foot ROW, with approx. 25 foot driveway from road)
Side 5 ft min.
Rear 10 ft

Home minimum sq. ft.:

1600 HVAC

Maximum allowable lot coverage (impervious):

30x60 house footprint plus estimated driveway 25x16 = 2200 sq. ft. impervious max.

Landscaping Requirements:

8-10 shrubs, plus some flowers, at front elevation flower bed, 1 tree off to the side, given limited front elevation view.

Architectural Requirements:

Each home will be an architectural style described as Craftsman. The front elevations will incorporate 4 or more elements of the following: Corbels, gable pediments, Craftsman style front door, multiple Hardie/LP Smartside exterior surfaces including horizontal, staggered edge, & Board and Batten, Carriage style garage doors accented with architectural windows and hardware, shutters on front elevation windows, front porch columns if applicable that follow a Craftsman look.

Homes will be single family residential, with 2 car garage. They will be 1, 1.5 or 2 story or combination.

Sidewalks:

We are open to discussing installing a 5ft wide city sidewalk parallel to Betchan Street. However it should be noted that the current drainage ditches that are in place throughout Lake Dallas, are not conducive to city sidewalks. City sidewalks would end up being in an unusual location, far into homeowner's front yard. Additionally a city sidewalk on this parcel would be isolated. Each end would not tie into anything. Typical city sidewalks are seen when there are streets in place with curb & storm sewer/gutter construction.