



**Planning and Zoning Commission
Regular Meeting
212 Main Street
City of Lake Dallas, Texas 75065
Thursday, October 21, 2021, at 7:00 p.m.
Agenda**

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. Speakers will be limited to five (5) minutes each. 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. Appoint a Chair and Vice Chair to the City of Lake Dallas Planning and Zoning Commission.

5. Approval of the minutes of the September 16, 2021, regular meeting.

6. Conduct a public hearing and consider a Specific Use Permit request for 4.767 acres of land being located at Block A, Lot 2-A, Gatlin Addition, and being located in the City of Lake Dallas, Denton County, Texas; generally located north on Carlisle Drive and to the east of the DCTA Rail Trail for the use "Storage Facility."

7. Conduct a public hearing and make appropriate recommendation on a request to replat the north 1/2 of Lot 25, Block H, Garza Beach Estates Addition. The property is more commonly known as 306 Bolivar Avenue (RP-21-006).

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 October 18, 2021, at 4:30 p.m.

Codi Delcambre

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 September 16, 2021, at Lake Dallas City Hall, 212 Main Street, Lake Dallas, TX 75065; 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: Planning and Zoning Commission

Ben Gilbert	Chair
Carol Ann Connors	Place 2
Christian Cline	Place 3
Annette Fuller	Place 4
Lester Raborn	Place 5

Staff present: Angie Manglaris, Director of Development Services

2. Pledge of Allegiance was led by Ben Gilbert.

3. Citizen Agenda & Public Comment

No public input was received.

4. Approval of the minutes of the July 15 2021, meeting.

Motion: to approve the minutes of July 15, 2021, as presented was made by Member Raborn. Member Fuller seconded the motion.

Ayes: Ben Gilbert, Carol Ann Connors, Lester Raborn, Annette Fuller, Christian Cline

Nays: None

Motion Passed 5-0

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

Angie Manglaris, Director of Development Services, presented the staff report and gave an overview of the agenda item. Discussion was held over the appointment of members to Places 1, 3, and 5 on the Planning and Zoning Commission.

Motion: Chairperson Gilbert motioned to recommend City Council appoint Christian Cline, Lester Raborn and Melody Parlett to the Planning and Zoning Commission. Member Fuller seconded.

Ayes: Ben Gilbert, Carol Ann Connors, Lester Raborn, Annette Fuller, Christian Cline

Nays: None

Motion Passed 5-0

6. Announcements and requests for future agenda items.

Ms. Manglaris updated the Commission on recently considered Council items and future development projects.

7. Adjourn – 7:06 p.m.

Passed and approved on the _____ day of _____, 2021

Chairperson

Angie Manglaris, AICP Director of Development Services



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM 6

Prepared By: Angie Manglaris, AICP, Director of Development Services

October 21, 2021

Specific Use Permit – Block A, Lot 2-A, Gatlin Addition

DESCRIPTION:

Conduct a public hearing and consider a Specific Use Permit request for 4.767 acres of land being located at Block A, Lot 2-A, Gatlin Addition, and being located in the City of Lake Dallas, Denton County, Texas; generally located north on Carlisle Drive and to the east of the DCTA Rail Trail for the use “Storage Facility.”

EXISTING CONDITIONS:

The property is zoned Retail (C-1) and is currently undeveloped, consisting of open pasture with clusters of mature trees scattered throughout the site. The property is situated in an area of minimal flood hazard.

ADJACENT LAND USES AND ZONING:

North: Single-family residences zoned C-1 – Retail

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

South: The Children’s Learning Center zoned C-1 – Retail

West: Undeveloped parcel zoned C-3 – Commercial

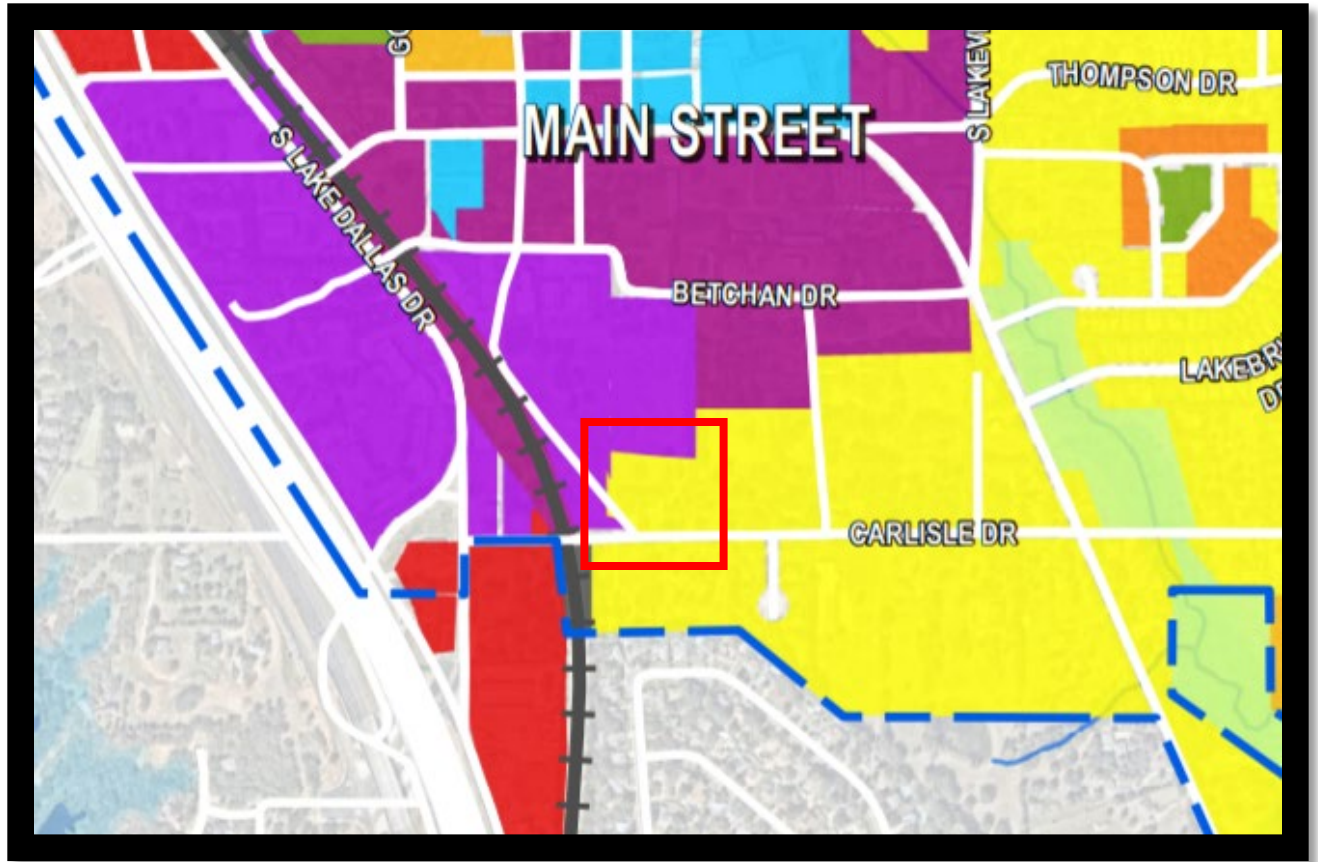
BACKGROUND INFORMATION:

The applicant and owner, Ms. Marykay Smith, has applied for a Specific Use Permit (SUP) for Block A, Lot 2-A, Gatlin Addition, a 4.767-acre tract of land near the corner of Carlisle Drive and the DART/DCTA rail corridor to allow for the use “storage facility.”

Ms. Smith has included with her application a conceptual plan for the proposed facility. The conceptual plan indicates the project would consist of storage units around the perimeter of the lot, in various sizes, and includes space for the outdoor storage of recreational vehicles. Ms. Smith also owns Lot 3-A, Gatlin Addition, immediately to the west of the subject tract. Lot 3-A is zoned C-3 and would be incorporated into the overall site plan should the SUP request be approved.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The intended land use, storage facility, conflicts with the recently adopted Lake Dallas Vision 2030 Comprehensive Plan. Vision 2030 designates the area as a combination of “Single-Family Residential” and “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 proposed land use conflicts with the land use designation in the Vision 2030 Comprehensive Plan. Any potential conflicts with adjacent land uses would be addressed at the time of site plan submittal. Per Section 122-1131 of the Lake Dallas Code of Ordinances, the applicant is required to screen and nonresidential development adjacent to residential uses.

The intent of the SUP application is to allow for the land use “storage facility” for Block A, Lot 2-A, Gatlin Addition. The SUP application does not change the base zoning of the district, which is C-1. Should the SUP case be approved, the applicant would be allowed to construct the proposed storage facility, or any other use as allowed in the C-1 District. The C-1 Zoning District is the least intense commercial zoning district in the City. The district is intended for commercial uses such as: retail shops and stores, professional office uses, personal-professional services, and publicly owned/operated community buildings.

Traffic

The project is not large enough to require a traffic impact analysis. The Lake Cities Fire Department has indicated that they will be able to serve the proposed development, provided at the time of site plan submittal the applicant is able to demonstrate compliance with the International Fire Code regulations and locally adopted amendments.

Drainage

The property has a slight ridgeline that runs from northwest portion of the property to the southeast portion of the property. Conceptually, the applicant has shown on-site detention for the development; however, any on-site drainage will be addressed during the site plan review process and shall demonstrate compliance with the City of Lake Dallas Code of Ordinances and the Engineering Design Standards Manual.

Regulatory Issues

Should the request for an SUP be approved, the applicant is required to submit a detailed site plan and civil construction plans for the project prior to any building permits being submitted. The proposed site plan shall generally conform to the conceptual plan submitted as part of this application.

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.

PUBLIC HEARING NOTICES

Per Texas State Law and City of Lake Dallas Code of Ordinances, public hearing notices were sent to property owners within 200' and 400' of the subject property. As of 12:00 p.m. on Friday October 15th, the following responses have been received:

- Two (2) responses in opposition

FINANCIAL CONSIDERATION:

The proposed development, when built out, would generate additional sales tax for the outdoor storage of recreational vehicles. There is no sales tax collected for indoor storage facilities in the State of Texas. The City has not made a detailed fiscal assessment of the impact of the development.

RECOMMENDED MOTION:

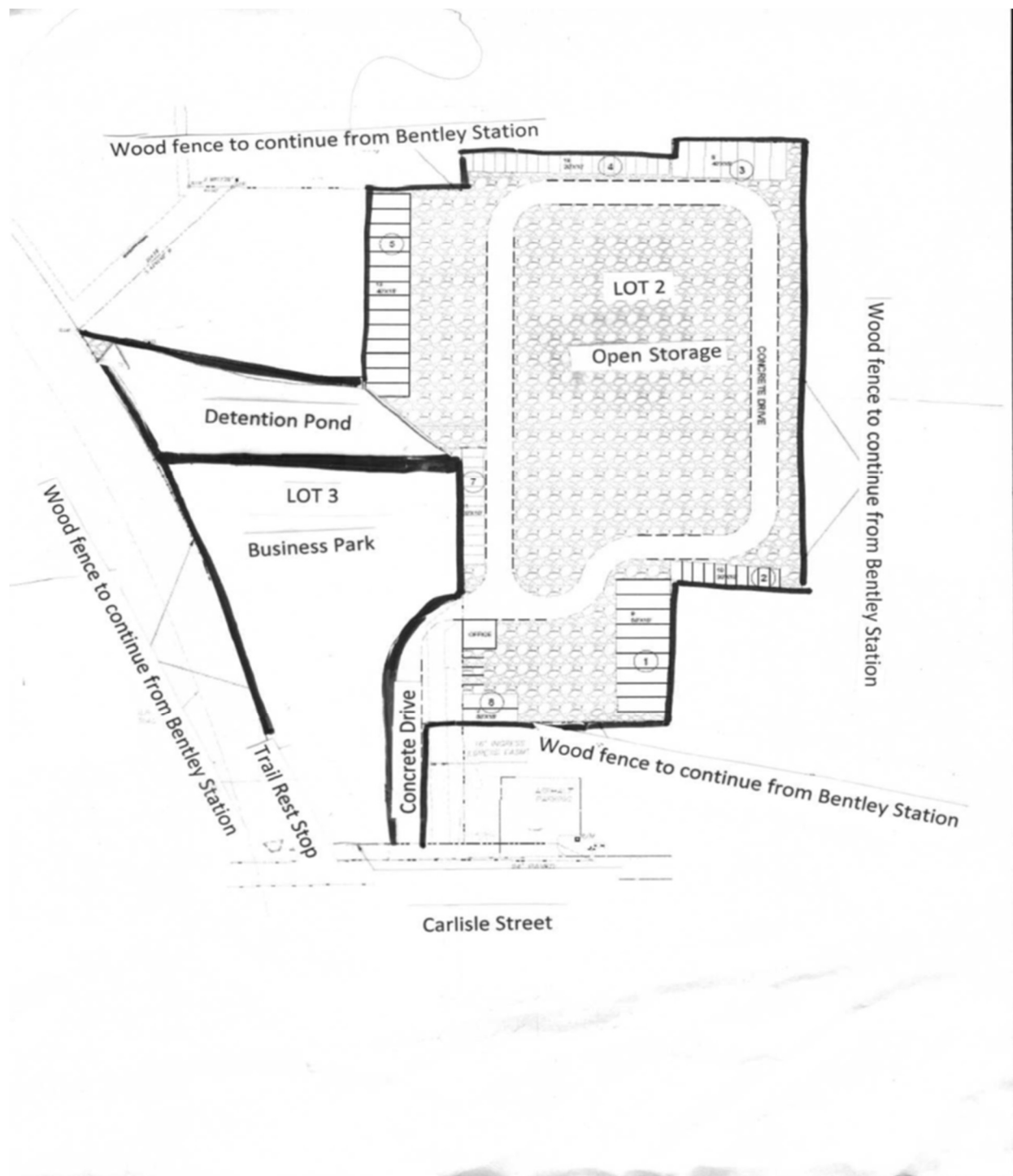
After conducting the public hearing, City staff recommends the following motion:

I move to recommend City Council **APPROVE/DENY** Specific Use Permit request for 4.767 acres of land being located at Block A, Lot 2-A, Gatlin Addition, and being located in the City of Lake Dallas, Denton County, Texas; generally located north on Carlisle Drive and to the east of the DCTA Rail Trail for the use "Storage Facility."

ATTACHMENTS:

- Applicant Conceptual Plan

- DRC Comments – Lake Cities Fire Department
- C-1 Zoning Regulations
- Public Hearing Resonances





Development Services Department
212 Main Street
Lake Dallas, Texas
75065 940-497-2226
(Tel.)
940-497-4485 (Fax)
www.lakedallas.com

DRC APPLICATION REVIEW

Case #: SUP-21-004
Date: September 24, 2021
Applicant:
Marykay Smith
PO Box 254
Lake Dallas, TX 75065

Project Description: Specific Use Permit for Storgae Facility

City Contact: Angie Manglaris 940-497-2226 Ext 401
212 Main St., Lake Dallas, TX 75065

COMMENTS DUE BACK: October 1, 2021

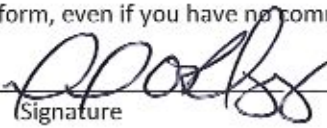
Please return comments to Hayden Scarnato, Code Compliance Coordinator/Management Assistant:
hscarnato@lakedallas.com

Distribution List

☐ Angie Manglaris	Director of Development Services	☐ Lee Williams	Half Associates
☐ Kandace Lesley	City Manager	☐ Kimberly Ponsonby	Spectrum
☐ Layne Cline	Public Works Manager	☐ Jim Tankersley	Century Link
☐ Mark DiCiaccio	Lake Cities Municipal Utilities Authority	☐ Ron Hayes	Atmos Energy
☐ Devin Shields	Lake Cities Municipal Utilities Authority	☐ Chase Nelson	Oncor
☐ Alan Sawyer	Lake Dallas Police Department	☐	Republic
☐ Chad Thiessen	Lake Cities Fire Department	☐ File copy	
☒ David Rodriguez	Lake Cities Fire Department		

The application listed above has been filed with the Department of Development Services. Please review the project (attached plans, etc.) and return this sheet with your comments or recommendations prior to the due date listed above.

Please sign, mark and return this form, even if you have no comments or issues.

DAVID RODRIGUEZ  LCFD 9/27/2021
Name (Please Print) Signature Dept./Org. Date

Comments:

☐ No comments/acceptable as proposed
☒ See attached comments



LAKE CITIES FIRE DEPARTMENT



Proudly serving Hickory Creek, Shady Shores, Lake Dallas, and Corinth

David Rodriguez
Assistant Fire Marshal

**Gatlin Addition Lot 2
Carlisle Dr.
Lake Dallas, TX 75065**

**Site Plan Review
2018 IFC and Amendments**

At minimum, development shall comply with current International Fire Code (IFC), City of Lake Dallas adopted North Central Texas Council of Governments (NCTCOG) recommended amendments, City of Lake Dallas adopted Fire Code amendments and as identified in this section. The following standards shall be the minimum standards, and if more stringent standards are in effect at the time of building permit issuance, the more stringent standards shall apply and compliance with those more stringent standards shall be required.

1. LCFD operates under the 2018 IFC and Amendments.
2. Identify all fire lanes for properties.
3. Fire Lane access must be a minimum 24ft in width.
4. Buildings or facilities exceeding 30ft or a minimum of three stories in height and shall not have fewer than 2 means of fire apparatus access to each structure and a minimum of 26ft fire lane.
5. Turn in radiuses must be min 26ft.
6. All dead-end fire lanes exceeding 150ft must have approved turn around.
7. The Fire Lane shall extend to within 150ft of all portions of the facility and all portions of the exterior walls of the first story of the building.
8. Security gates that are in the fire lane must be electric and provide two (2) forms of access. (automatic access and manual access)
9. Identify all fire hydrants for property. One is required for every 500ft for commercial properties.
10. All sprinklered buildings must have an FDC within 50ft of a Fire Lane and 100ft from a Fire Hydrant.
11. All buildings 6,000sqft or greater and **all storage facilities** (no matter size) shall be sprinklered and monitored with a fire alarm system.
12. Any building that is under 6,000sqft, divided into suites will require Fire Alarm Coverage.
13. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic standpipes shall be provided.
14. Any building that is 4 stories or greater shall provide a Class I automatic standpipe.

15. Emergency responder radio coverage shall be required if there is inadequate or no emergency radio communication signal. **(Pre-plan for this)** (The owner will have the option of testing the system after the building is constructed to ensure adequate radio coverage or to install the Building Distribution Antenna System (BDAS) as part of the primary construction. If the owner opts to test after the building is constructed, a system will need to be installed before CO can be issued if the test fails)

A handwritten signature in black ink, appearing to read 'David Rodriguez', is written over a horizontal line.

David Rodriguez
Assistant Fire Marshal
Lake Cities Fire Department

ARTICLE VIII. - C-1 RETAIL DISTRICT

Sec. 122-321. - Permitted uses.

In district C-1, no building, structure, land or premises shall be used, and no building, structure shall be erected, constructed, reconstructed, moved or altered except for one or more of the following types of uses:

- (1) Retail shops and stores including:
 - a. Antique shop.
 - b. Art gallery.
 - c. Convenience store with or without gas pumps.
 - d. Farmers market.
 - e. Feed store (no outside storage).
 - f. Grocery store.
 - g. Hardware (no outside storage).
 - h. Nursery-greenhouse (no outside storage).
- (2) Offices including:
 - a. Administrative-general.
 - b. Dental.
 - c. Governmental.
 - d. Insurance.
 - e. Medical.
 - f. Professional.
- (3) Personal-professional services including:
 - a. Automobile repair shop (minor).
 - b. Auto parts sales (no outside storage).
 - c. Bank, savings and loan, credit union.
 - d. Beauty salon, barbershop.
 - e. Bed and breakfast inn.
 - f. College, university or trade school.
 - g. Dance studio.
 - h. Dry cleaning.
 - i. Health-fitness center.
 - j. Laundromat.

- k. Locksmith.
 - l. Print shop.
 - m. Restaurant or cafeteria (with or without drive in-through service).
 - n. Repair shops (minor).
 - o. Veterinarian clinic (no outdoor kennels).
- (4) Publicly owned and operated community buildings, including:
- a. Administration building.
 - b. Civic-convention center.
 - c. Community center.
 - d. Fire station.
 - e. Library.
 - f. Museum-art gallery.
 - g. Police station.
- (5) Public or private parks, playgrounds, and amenity centers including recreation or service buildings and swimming pools.
- (6) Public schools and private schools, including related on-campus accessory uses such as stadiums, athletic facilities-fields and dormitories.
- (7) Golf course and/or country club including related accessory uses such as practice driving range, clubhouse with restaurant, dining and retail facilities, maintenance facilities and swimming pool, tennis courts and other related recreational facilities. All structures and recreational facilities shall have a minimum setback of 100 feet from all property lines.
- (8) Utilities, public and private.
- (9) Accessory uses customarily incident to the normal operation of the permitted uses, including parking lots as provided in this chapter.
- (10) Commercial parking lot.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-322. - Use regulations.

The following standards shall apply and be complied with in the C-1 district:

- (1) No merchandise shall be stored or displayed outside a building unless it is completely screened from all directions in accordance with the screening requirements of subsection 122-1133(1) or (5) except that retail merchandise may be stored or displayed outside a building if the merchandise is of a temporary or seasonal nature.
- (2) No equipment shall be stored or displayed outside a building unless it is completely screened from all directions in accordance with the screening requirements of subsection 122-1133(1)

or (5).

- (3) All products shall be sold and all services rendered inside a building, except that restaurants, banks, savings and loan establishments and credit unions may have drive-up service.
- (4) No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building; and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-323. - Accessory uses.

Accessory uses permitted in the C-1 district are customarily incident to the permitted uses set forth in this article and located on the same lot. Such accessory uses include:

- (1) Accessory buildings.
- (2) Temporary real estate sales office, construction yard and field office located within the development, and subject to removal upon completion of construction.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-324. - Conditions for accessory buildings.

- (a) The use of an accessory building shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, fumes or electrical interference.
- (b) Accessory buildings shall be located a minimum of ten feet from any other building or structure on the lot.
- (c) Accessory buildings shall have a minimum setback of 15 feet from any lot line.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-325. - Height.

No building or structure shall exceed three stories nor be more than 50 feet in height.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-326. - Front yards.

- (a) The minimum front yard setback shall be 25 feet.
- (b) There shall be no parking or storage of motor vehicles, boats or trailers within the front yard setback. Fire lanes and driveways may cross front yard setbacks as a means of vehicular access.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-327. - Side yards.

- (a) The minimum side yard setback shall be ten feet.
- (b) There shall be no parking or storage of motor vehicles, boats or trailers within the side yard setback. Fire lanes and driveways may cross side yard setbacks as a means of vehicular access.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-328. - Rear yards.

- (a) The minimum rear yard setback shall be 25 feet.
- (b) There shall be no parking or storage of motor vehicles, boats or trailers within ten feet of the property line. Fire lanes and driveways may cross rear yard setbacks as a means of vehicular access.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-329. - Lot area.

The minimum lot area shall be 7,000 square feet.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-330. - Lot width.

The minimum lot width shall be 60 feet.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-331. - Lot depth.

The minimum lot depth shall be 90 feet.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-332. - Maximum lot coverage.

The maximum lot coverage shall be 50 percent. Lot coverage excludes parking lots, driveways and other paved areas.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-333. - Off-street parking.

Off-street parking shall be according to the requirements of this chapter.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-334. - Exterior surfaces.

- (a) Exterior surfaces of structures in district C-1 shall consist of masonry materials covering no less than 80 percent of total exterior surfaces exclusive of windows, doors and gables.
- (b) Upon recommendation from the planning and zoning commission following public hearing, the city council may consider and grant or deny an exemption from the foregoing exterior masonry requirement. The city council shall hold a public hearing following recommendation by the commission. The application shall include a site plan, elevations and proof of an architectural theme or an individual theme that would require a different type of exterior. The application fee shall be as set by the city council.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-335. - Site plan approval.

No building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed, moved or altered in district C-1 unless and until a site plan has first been approved by the city council. In reviewing any site plan, the planning and zoning commission and the city council shall consider the public health, safety and welfare, the resulting effect on traffic flow and patterns and the protection and preservation of places and areas of historical, cultural and architectural importance and significance. The site plan must show compliance with the requirements of this article as well as other requirements imposed by this chapter.

(Ordinance 06-09, § 2, 3-23-06)

Secs. 122-336—122-360. - Reserved.



212 Main Street · Lake Dallas, Texas 75065 · (940) 497-2226 · Fax (940) 497-4485
www.lakedallas.com · lakedallas@lakedallas.com

October 1, 2021

Dear Sir or Madam:

This letter is to inform you that a property owner in your area has requested approval of a request of a Specific Use Permit for the use "Storage Facility". You are being notified by State law because you own one or more properties that are within 200 feet of the property for which this application has been requested.

Notice is hereby given that the City of Lake Dallas Planning and Zoning Commission will conduct a public hearing October 1, 2021 at 7:00 p.m. and the Lake Dallas City Council will conduct a public hearing on October 28, 2021 at 7:00 p.m. to receive public comment and act on the following item:

A Specific Use Permit request for 4.767 acres of land being located at Block A, Lot 2-A, Gatlin Addition, and being located in the City of Lake Dallas, Denton County, Texas; generally located north on Carlisle Drive and to the east of the DCTA Rail Trail for the use "Storage Facility."

By state law, if the owners of twenty percent (20%) of the area of the property within two hundred feet (200') of the subject property are opposed to the specific use permit application, then an affirmative vote of three-fourths of the City Council is required to approve the specific use permit application. For your opposition to count, it must be written and must be signed. Emails do not count as official written opposition. Signatures must be in accordance with the official tax roll for the City of Lake Dallas. For example, because Texas is a community property state, the tax roll typically lists both spouses as the owners of a residence. Therefore, individual original signatures from both spouses must be on the written opposition for the opposition to be valid. ***Please note that written opposition toward initiating the super-majority (three-fourths) vote shall only be applicable to property owners receiving notice within the two hundred-foot (200') distance in accordance with State law.*** The attached location map will indicate the subject property and two hundred-foot (200') notification buffer.

Both meetings will be at the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas 75065. The public is invited to attend these hearings and make comments. Information and instructions on how to participate in the public hearings will be included with the agendas for the respective Planning and Zoning and City Council Meetings which will be posted on the City's website not later than 5:00 p.m. on Monday, October 18, 2021, and Monday, October 24, 2021 at: <https://www.lakedallas.com/AgendaCenter>

You may return this form with your written comments or attend the public hearing. You may scan and email this form to the email address below, drop it off in person at 212 Main St., or mail it to City Hall:

Lake Dallas City Hall
Attn: Angie Manglaris
212 Main St.
Lake Dallas, Texas 75065
amanglaris@lakedallas.com

These forms are used to calculate the percentage of land that support and oppose the request within 200' of the subject property. The City Council and Planning and Zoning Commission are informed of the percent of responses in support and in opposition.

Please circle one:

In favor of request

Neutral to request

Opposed to request

Comments:

I just don't want storage buildings close to my property, I think it will be bad for our Community.

Signature: Sandra McCutcheon

Printed Name: Sandra McCutcheon

Mailing Address: 317 Carlisle Dr.

City, State Zip: Lake Dallas, TX 75065

Telephone Number: 940-577-2098

Physical Address of Property within 200 feet: _____

If you have questions prior to these meetings, please contact the Department of Development Services at (940) 497-2226, Ext. 401, or by email at amanglaris@lakedallas.com.

Thank you,

Angie Manglaris, AICP
Director of Development Services

Attn: Angie Manglaris
212 Main St.
Lake Dallas, Texas 75065
amanglaris@lakedallas.com

These forms are used to calculate the percentage of land that support and oppose the request within 200' of the subject property. The City Council and Planning and Zoning Commission are informed of the percent of responses in support and in opposition.

Please circle one: In favor of request Neutral to request Opposed to request

Comments:

Too many commercial properties
located in residential areas
it will add more traffic on
Carlisle Dr. which in turn
damages roads

Signature: Hannon G. Manos

Printed Name: Hannon G. Manos

Mailing Address: 316 Carlisle Dr.

City, State Zip: Lake Dallas TX

Telephone Number: 214-458-4566

Physical Address of Property within 200 feet: LOT 2-A

If you have questions prior to these meetings, please contact the Department of Development Services at (940) 497-2226, Ext. 401, or by email at amanglaris@lakedallas.com.

Thank you,

Angie Manglaris, AICP
Director of Development Services



PLANNING AND ZONING COMMISSION
AGENDA MEMO

AGENDA ITEM 7

Prepared By: Angie Manglaris, AICP, Director of Development Services

October 21, 2021

Bolivar Avenue Replat

DESCRIPTION:

Conduct a public hearing and make appropriate recommendation on a request to replat the north 1/2 of Lot 25, Block H, Garza Beach Estates Addition. The property is more commonly known as 306 Bolivar Avenue (RP-21-006).

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:

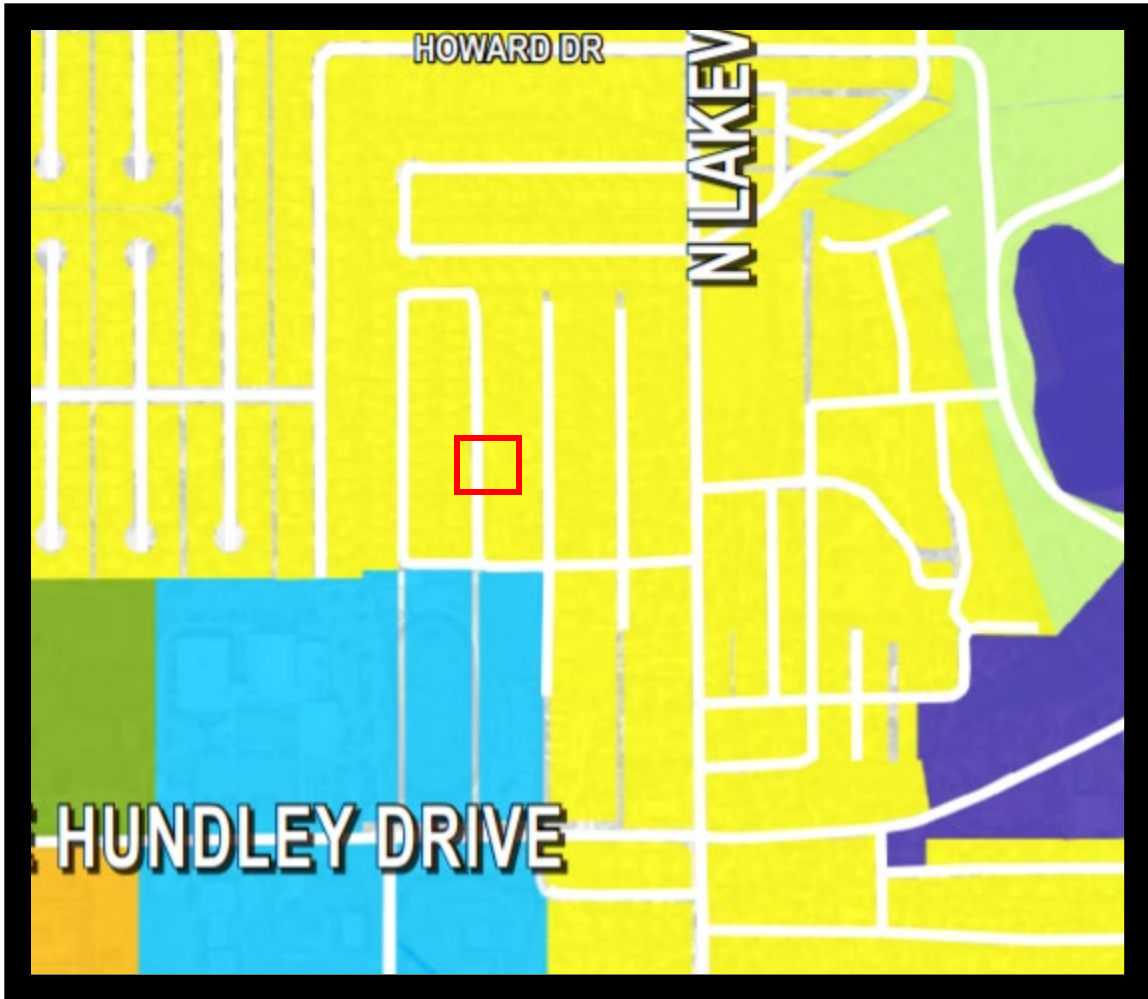
The property was platted in the 1920s and is currently undeveloped, consisting of open pasture and mature trees scattered throughout the site. The property is zoned Single-Family Residential R-1-6000 and has street frontage along both Bolivar Avenue and Stockard Avenue.

BACKGROUND INFORMATION:

KAZ Surveying, the applicant, on behalf of Miguel Gauna, owner, has applied to replat the North 1/2 of Lot 25, Block H, Garza Beach Estates into three (3) lots. The lot is more commonly known as 306 Bolivar Avenue. The total area of the lot is .45 acres of land. The lot was initially platted in the 1920s as part of the Garza Beach Estates addition and was designated as the "Club House Site" for the subdivision. The lot was not developed as a club house and was subsequently divided by meets and bounds for development. The southern 1/2 of Lot 25, Block H has been developed with single-family homes while the northern 1/2 remained undeveloped. The purpose of this replat application is to subdivide the property into three (3) platted lots.

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

The plat conforms with the City of Lake Dallas Subdivision and Zoning Ordinances, with the exception of the following items:

1. 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. The subject property has street frontage along both Bolivar Avenue and Stockard Avenue. The designation of both of these streets per City Engineering and Design Standards Manual is "local street," which requires a total right-of-way of 50'.

The current right-of-way for Bolivar Avenue, as shown on the plat is 20'. The current right-of-way for Stockard Avenue is also 20'. Based on the current right-of-way widths, the owner would be responsible for one-half the deficiency, or 15', of the required amount of right-of-way along both Bolivar Avenue and Stockard Avenue. The applicant is

requesting a variance to the right-of-way dedication amount and is proposing to dedicate 5'. Given the current width of Bolivar and Stockard Avenue, and existing residential home development along both streets, staff is amenable to the variance request to allow for a reduction in the amount of right-of-way.

2. The City of Lake Dallas Code of Ordinances, Chapter 122 Zoning, Article III. R-1-6000 Single-Family Dwelling District outlines the lot dimensions required for lots in the R-16000 Zoning District. Lots in R-1-6000 must have a minimum lot width of 50', a minimum lot depth of 90' and a minimum lot area of 6000 square feet.

The total width of the exiting lot is 99.03' and the total depth is 200'. As proposed, Lot 25R-1 and 25R-2 require a variance to the minimum lot width due to the existing configuration. The applicant is requesting a variance and is proposing a lot width of 49.51' for Lot 25R-1 and 25R-2.

3. The City of Lake Dallas Code of Ordinances, Chapter 122 Zoning, Article III. R-1-6000 Single-Family Dwelling District outlines the lot dimensions required for lots in the R-16000 Zoning District. Lots in R-1-6000 must have a minimum lot area of 6000 square feet.

As part of this plat, the applicant is requesting a variance to the minimum lot area for Lots 25R-1 and 25R-2. Lot 25R-1 is proposed to be 5,452 square feet and Lot 25R-2 is proposed to be 5,448 square feet.

The requested lot areas are consistent with exiting lots within the neighborhood, which was platted prior to the adoption of the current zoning ordinance. The lots in the Garza Beach Estates Addition are typically 5,000 square feet.

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 Bolivar Avenue and Stockard Avenue.

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. At the time of permitting, the home builder will be required to submit a grading and drainage plan compliant with the City of Lake Dallas Code of Ordinances and Engineering and Design Standards Manual.

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.

PUBLIC HEARING NOTICE:

In accordance with State Law and Lake Dallas Code of Ordinances, notices of public hearing were sent to property owners within 200' and 400' of the subject property.

At this time the City has received the following letters in response:

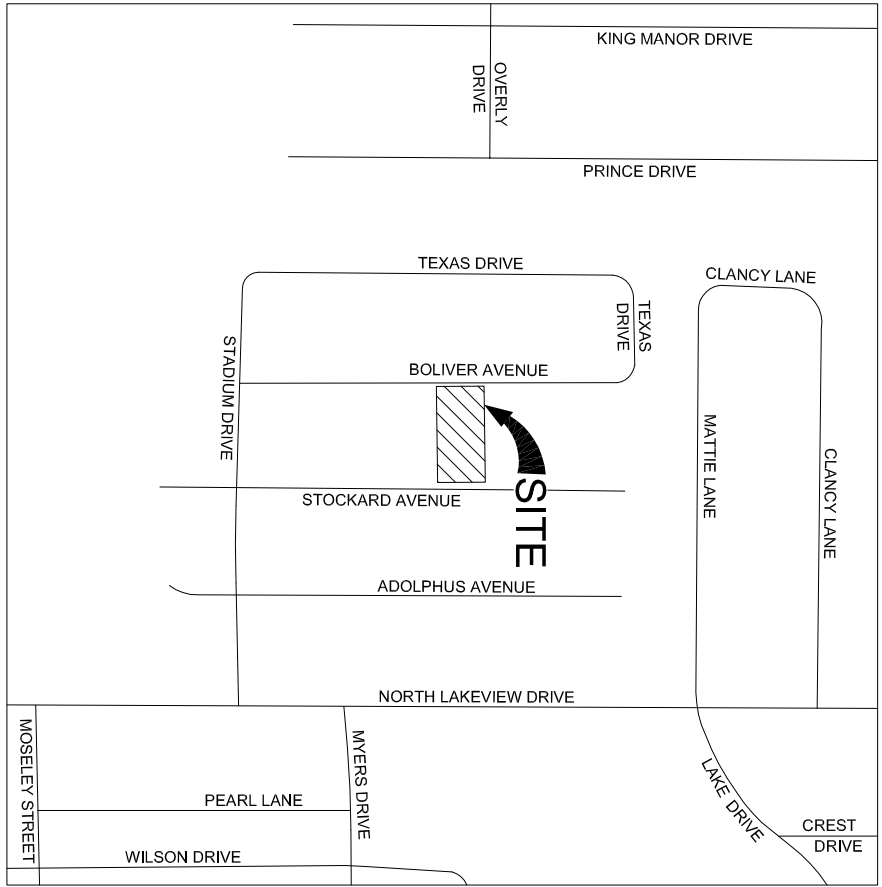
- One (1) letter in favor of the replat request

RECOMMENDED MOTION:

I move to recommend City Council **APPROVE/DENY** Conduct a public hearing and make appropriate recommendation on a request to replat the north 1/2 of Lot 25, Block H, Garza Beach Estates Addition as presented.

Attachments:

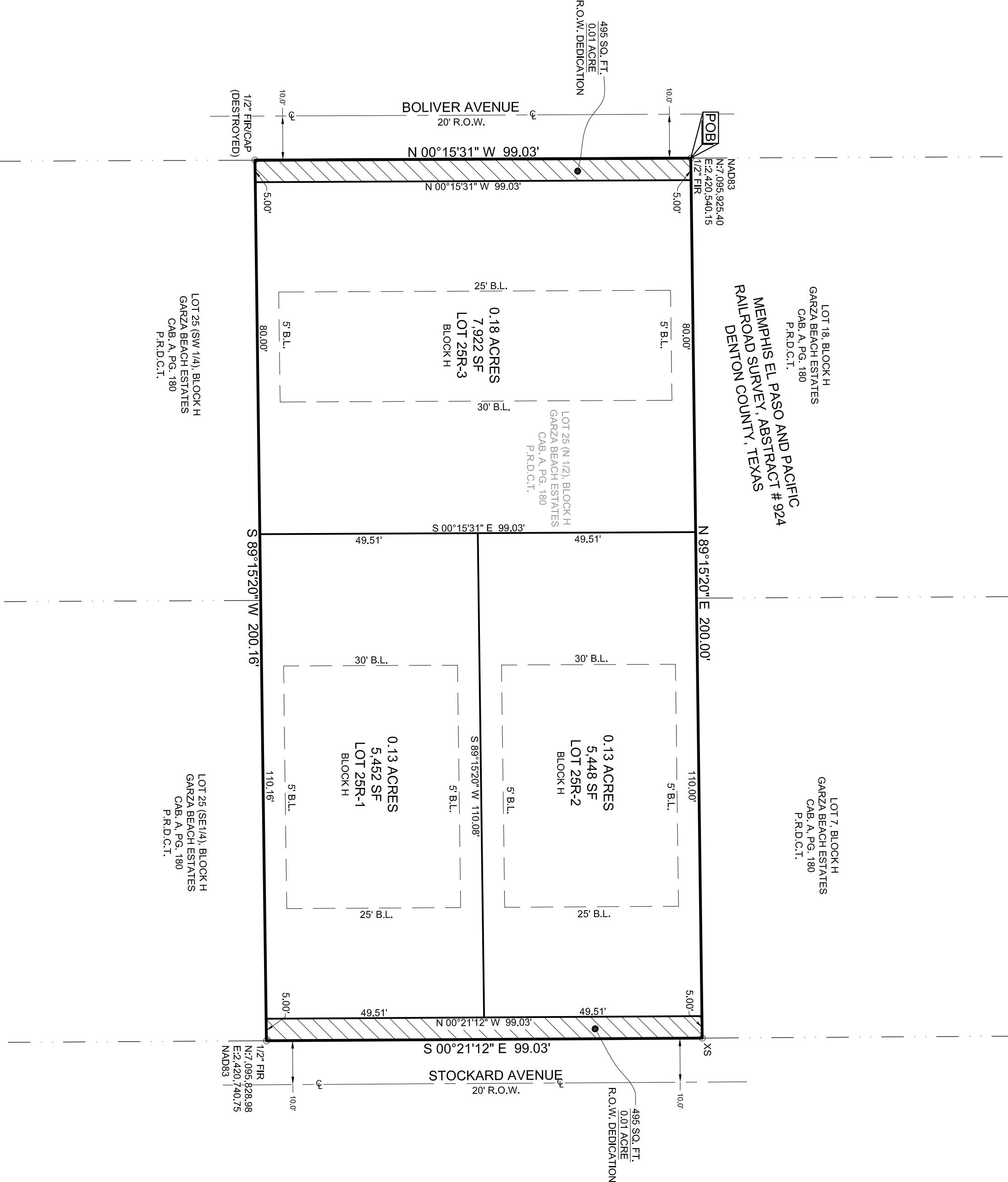
- Proposed Replat
- Public Hearing Responses



VICINITY MAP NOT TO SCALE

GENERAL NOTES:

1. ALL CORNERS ARE MARKED WITH CAPPED 1/2" IRON RODS STAMPED "K&Z" UNLESS OTHERWISE NOTED.
2. FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE CITY OF LAKE DALLAS. COMMUNITY NUMBER 480780 EFFECTIVE DATE 6-19-2020 AND THAT MAP INDICATES AS SCALED. THAT THIS PROPERTY IS WITHIN "NON-SHADED ZONE X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD (500-YEAR)" AS SHOWN ON PANELS 395 H OF SAID MAP.
3. THE PURPOSE OF THIS FINAL PLAT IS TO CREATE THREE LOTS FROM A SINGLE RECORDED LOT.
4. NOTE: BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202) AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
5. THE CURRENT ZONING FOR THE PROPERTY IS R-1-6000 (SINGLE FAMILY).
6. THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, OR STRUCTURES, OR ANY OTHER IMPROVEMENTS, OR ANY OTHER MAINTENANCE OR EFFICIENCY OF THE 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, INSPECTING, 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.
7. THIS PLAT CONFORMS TO THE CITY OF LAKE DALLAS TREE PRESERVATION AND MITIGATION PLAT ON FILE WITH THE CITY PLANNING DEPARTMENT.



STATE OF TEXAS COUNTY OF DENTON

WHEREAS MIGUEL E. GAUNA is the owner of all that certain tract of land situated in the Memphis El Paso and Pacific Railroad Survey, Abstract Number 924, Denton County, Texas, and being a tract of land described in a deed to Miguel E. Gauna, recorded in Instrument Number 2007-144573, Real Property Records, Denton County, Texas, and being the North 1/2 of Lot 25, Block H, Garza Beach Estates, recorded in Cabinet A, Page 180, Plat Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the Northwest corner of the herein described tract, same being the Southwest corner of Lot 18, of said Block H, Garza Beach Estates, and being in the East right of way line of Boliver Avenue;

THENCE North 89 degrees 15 minutes 20 seconds East, departing said East right of way line, a distance of 200.00 feet to an "X" cut set in asphalt for the Northeast corner of said herein described tract, same being the Southeast corner of Lot 19, of said Block H, Garza Beach Estates, and being in the West right of way line of Stockard Avenue;

THENCE South 00 degrees 21 minutes 12 seconds East, along said West right of way line, a distance of 99.03 feet to a 1/2 inch iron rod found for the Southeast corner of said herein described tract, same being the Northeast corner of the Southeast 1/4 of Lot 25, of said Block H, Garza Beach Estates;

THENCE South 89 degrees 15 minutes 20 seconds West, departing said West right of way line, a distance of 200.16 feet to a destroyed capped 1/2 inch iron rod found for the Southwest corner of said herein described tract, same being in said East right of way line;

THENCE North 00 degrees 15 minutes 31 seconds West, along said East right of way line, a distance of 99.03 feet to the POINT OF BEGINNING and containing 19,813 square feet or 0.45 of an acre of land, more or less.

OWNER'S CERTIFICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT MIGUEL E. GAUNA DOES HEREBY ADOPT THIS FINAL PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **GARZA BEACH ESTATES**, THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS AND DOES HEREBY DEDICATE TO PUBLIC USE FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

MIGUEL E. GAUNA
DATE
STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED MIGUEL E. GAUNA, 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 PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF ____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF ____
COUNTY

MY COMMISSION EXPIRES ON ____

CERTIFICATE OF SURVEYOR
STATE OF TEXAS
COUNTY OF DENTON

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AND ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH 1/2" IRON RODS CAPPED "K&Z" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

FOR REVIEW ONLY
KENNETH A. ZOLLINGER R.P.L.S. #12 DATE
STATE OF TEXAS
COUNTY OF DENTON
FOR REVIEW ONLY

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH A. ZOLLINGER, 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 PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS ____ DAY OF ____, 2021.

NOTARY PUBLIC, DENTON COUNTY, TEXAS.

MY COMMISSION EXPIRES ____.

CITY OF LAKE DALLAS
CERTIFICATE OF APPROVAL
APPROVED THIS ____ DAY OF ____, 2021
BY THE CITY OF LAKE DALLAS.

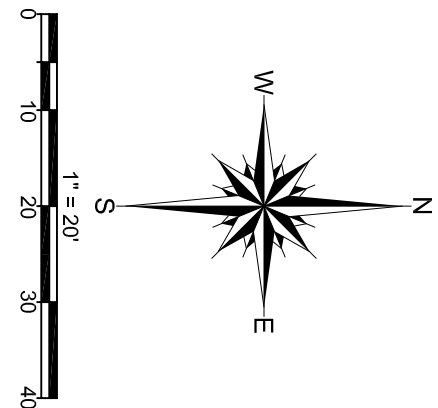
MAYOR, CITY OF LAKE DALLAS

PRINT

CITY SECRETARY

PRINT

LEGEND
R.O.W. = RIGHT-OF-WAY
POB = POINT OF BEGINNING
FRICAP = CAPPED IRON ROD FOUND
XS = "X" CUT SET
BL = BUILDING LINE
S = SUBDIVISION
NAD83 = NORTH AMERICAN DATUM OF 1983



SURVEYOR:
K&Z SURVEYING, INC.
1720 WESTMINSTER
DENTON, TEXAS 76205
PHONE: (940) 382-3446
TBP.LS FIRM # 00027100

OWNER:
MIGUEL E. GAUNA
1720 WESTMINSTER DRIVE
FARMERS BRANCH, TX 75734
CONTACT: MICAH YOUNG



FINAL PLAT
LOT 25R-1, 25R-2, & 25R-3, BLOCK H
GARZA BEACH ESTATES
BEING A REPLAT OF ALL OF THE NORTH 1/2 OF LOT 25,
BLOCK H, GARZA BEACH ESTATES, CAB. A, PG. 180, PLAT
RECORDS, DENTON COUNTY, TEXAS AND BEING 0.45 ACRE S
IN THE MEMPHIS EL PASO AND PACIFIC RAILROAD SURVEY
ABSTRACT NUMBER 924, DENTON COUNTY, TEXAS, IN THE
CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS
DATE OF PREPARATION: 09-20-2021
DATE OF LATEST REVISION: 10-11-2021

Lake Dallas City Hall
Attn: Angie Manglaris
212 Main St.
Lake Dallas, Texas 75065
amanglaris@lakedallas.com

These forms are used to calculate the percentage of land that support and oppose the request within 200' of the subject property. The City Council and Planning and Zoning Commission are informed of the percent of responses in support and in opposition.

Please circle one: In favor of request Neutral to request Opposed to request

Comments:

MY WIFE AND I ARE IN FAVOR
BECAUSE THE PROPERTY BELONGS TO
ANOTHER, AND THEY SHOULD HAVE
THE RIGHT TO DO AS THEY WISH.

Signature: William H. Camp

Printed Name: WILLIAM H. CAMP

Mailing Address: 303 BOLIVER AVE.

City, State Zip: LAKE DALLAS, TX 75065

Telephone Number: 940.300.9568

Physical Address of Property within 200 feet: SAME AS ABOVE

If you have questions prior to these meetings, please contact the Department of Development Services at (940) 497-2226, Ext. 401, or by email at amanglaris@lakedallas.com.

Thank you,

Angie Manglaris, AICP
Director of Development Services