



**Planning and Zoning Commission  
Regular Meeting  
212 Main Street  
City of Lake Dallas, Texas 75065  
Thursday, February 15, 2024, at 6:00 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. Conduct a public hearing and consider a request to amend the regulations of a Planned Development (PD) for R-2 Two-Family Dwelling District as adopted by Ordinance No. 2023-06 relating to the development and use of 0.214± acres out of the M. Wright Survey, Abstract No. 1355, City of Lake Dallas, Texas, commonly known as 214 Gotcher Avenue.**

**5. Announcements and requests for future agenda items.**

**6. 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 12, 2024, at 5:00 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.



PLANNING AND ZONING COMMISSION  
AGENDA MEMO

Prepared By: Randi Rivera, AICP, City Planning Consultant

February 15, 2024

Conduct a public hearing and act on a proposed amendment to a Planned Development containing approximately 0.214 acres of land out of the M. Wright Survey, Abstract No. 1355, in the City of Lake Dallas, Denton County, Texas and being part that certain tract of land conveyed to TTMJ Assets, LLC, recorded in Official Public Records, Denton County Texas (O. P. R. D. C. T.) commonly known as 214 Gotcher Avenue.

**DESCRIPTION:**

Conduct a public hearing and act on proposed amendments to Planned Development for TTMJ Addition, Ordinance No. 2023-06, and to adopt a Development Plan associated with the PD.

**BACKGROUND INFORMATION:**

In June 2023, City Council approved the Planned Development for TTMJ Addition that provided certain development standards necessary for the development of 2 duplex buildings with 2 units each and associated parking. The development standards required 14 onstreet parking spaces with 1 enclosed space per unit and 2 offstreet (driveway) spaces per unit. Upon review of the subsequent site plan, existing site conditions prevented two of the required onstreet parking spaces from being constructed. Additionally, the development standards listed 2 offstreet (driveway) spaces required per unit, but the plan only provides for 1. And lastly, the onstreet parking spaces are 9'x18' whereas the code requires 9'x20'. Therefore, amendments to these development standards are necessary.



The following shows the proposed amendments to the development standards:

<b>Minimum Lot Size</b>	2,000 sq. ft. for each individual dwelling unit
<b>Minimum Lot Width</b>	27 feet
<b>Front Yard Setback</b>	10 feet (from street curb)
<b>Side Yard</b>	0 feet (interior side lines); 25 feet adjacent to Gotcher Avenue; 10 feet adjacent to east property line; provided, however, must maintain minimum building distances and establish common walls in accordance with Fire Code
<b>Rear Yard Setback</b>	0 feet
<b>Minimum Lot Depth</b>	Minimum 75 feet
<b>Minimum Dwelling Size</b>	1,200 sq. ft. air conditioned space
<b>Parking</b>	Per Dwelling Unit: One (1) enclosed parking space within a garage; <del>two</del> <u>one (21)</u> additional off-street parking space within driveway constructed with each dwelling unit as shown on Site Plan; (3) additional parking spaces as shown in the Site Plan as described in Section 2.C.
<b>Maximum Building Height</b>	30 feet
<b>Minimum Parking Dimensions</b>	9 feet x 18 feet

**C. Additional Parking.**

- (1) Construction of the ~~eleven~~ nine (9) parking spaces shown on the Site Plan on Proposed Lot 1 and Proposed Lot 2 must be completed prior to the issuance of a certificate of occupancy or approval of the final inspection for Building One as shown on the Site Plan.
- (2) Construction of the four (4) parking spaces shown on the Site Plan on Proposed Lot 3 and Proposed Lot 4 must be completed prior to the issuance of a certificate of occupancy or approval of the final inspection for Building Two as shown on the Site Plan.
- (3) The parking spaces required to be constructed pursuant to this Section 2.C. does not include the enclosed parking and driveway parking described in Section 2.B.

**ADJACENT ZONING AND LAND USE:**

<b>DIRECTION</b>	<b>ZONING</b>	<b>EXISTING USE</b>
<i>Subject Property</i>	<i>C-3 / Downtown Overlay.</i>	<i>Vacant</i>
North	<i>C-1 / Downtown Overlay.</i>	Single Family Residences
South	<i>C-3 / Downtown Overlay.</i>	Mixed Office/Residential
West	<i>C-3 / Downtown Overlay.</i>	Restaurant
East	<i>C-3 / Downtown Overlay.</i>	Mixed Office/Residential

**RECOMMENDED MOTIONS:**

After conducting the public hearing, the Planning & Zoning Commission recommended approval by a vote of 5-0.

Recommend City Council **APPROVE/DENY** an Amendment to the Planned Development to revised the development standards as stated above.



**CITY OF LAKE DALLAS, TEXAS  
ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LAKE DALLAS, TEXAS, AS HERETOFORE AMENDED, BY THE REGULATIONS OF A PLANNED DEVELOPMENT (PD) FOR R-2 TWO-FAMILY DWELLING DISTRICT AS ADOPTED BY ORDINANCE NO. 2023-06 RELATING TO THE DEVELOPMENT AND USE OF 0.24± ACRES OUT OF THE M. WRIGHT SURVEY, ABSTRACT NO. 1355; PROVIDING A CONFLICTS RESOLUTION CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR 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; and

WHEREAS, having received the recommendation of the Planning and Zoning Commission and the report presented by the City Administration, the City Council of the City of Lake Dallas, Texas, finds that exceptional circumstances affecting the Property exists such that establishment of a planned development district regulating the development of the Property is justified.

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

**SECTION 1. AMENDMENTS**

The Comprehensive Zoning Ordinance and Map of the City of Lake Dallas, Texas (collectively, the Zoning Ordinance”), heretofore duly passed by the governing body of the City of Lake Dallas, as previously amended, be, and the same are hereby amended by amending as follows the regulations of a Planned Development (PD) for R-2 Two-Family Dwelling District as adopted by Ordinance No. 2023-06 governing the use and development of 0.24± acres out of the M. Wright Survey, Abstract No. 1355, City of Lake Dallas, Denton County, Texas (“the Property”) being more specifically described in Exhibit “A”, attached hereto and incorporated herein by reference:

A. Section 2 of Ordinance No. 2023-06 is amended to read in its entirety as follows:

**SECTION 2. LAND USE AND DEVELOPMENT STANDARDS**

The Property shall be developed and used in accordance with the provisions of the Zoning Ordinance, as amended, applicable to Property located within an “R-2” Two Family Dwelling District subject to the following modifications:

- A. **Site Plan**: The Property shall be developed substantially as shown on Exhibit “B,” attached hereto and incorporated herein by reference (the “Site Plan”).
- B. **Development Standards**: The Property shall be developed in accordance with the following standards:

<b>Minimum Lot Size</b>	2,000 sq. ft. for each individual dwelling unit
<b>Minimum Lot Width</b>	27 feet
<b>Front Yard Setback</b>	10 feet (from street curb)
<b>Side Yard</b>	0 feet (interior side lines); 25 feet adjacent to Gotcher Avenue; 10 feet adjacent to east property line; provided, however, must maintain minimum building distances and/ establish common walls in accordance with Fire Code
<b>Rear Yard Setback</b>	0 feet
<b>Minimum Lot Depth</b>	Minimum 75 feet
<b>Minimum Dwelling Size</b>	1,200 sq. ft. air conditioned space
<b>Parking</b>	Per Dwelling Unit: One (1) enclosed parking space within a garage; one (1) additional off-street parking space within driveway constructed with each dwelling unit as shown on Site Plan; (3) additional parking spaces as shown in the Site Plan as described in Section 2.C.
<b>Maximum Building Height</b>	30 feet
<b>Minimum Parking Dimensions</b>	9 feet x 18 feet

- C. **Additional Parking.**
  - (1) Construction of the nine (9) parking spaces shown on the Site Plan on Proposed Lot 1 and Proposed Lot 2 must be completed prior to the issuance of a certificate of occupancy or approval of the final inspection for Building One as shown on the Site Plan.

- (2) Construction of the four (4) parking spaces shown on the Site Plan on Proposed Lot 3 and Proposed Lot 4 must be completed prior to the issuance of a certificate of occupancy or approval of the final inspection for Building Two as shown on the Site Plan.
- (3) The parking spaces required to be constructed pursuant to this Section 2.C. does not include the enclosed parking and driveway parking described in Section 2.B.

**B.** Exhibit “B” to Ordinance No. 2023-06 is amended to read in its entirety as set forth in Exhibit “B” attached hereto and incorporated herein by reference.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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 7.** 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 this 28<sup>TH</sup> day of March 2024.**

---

**Andi Nolan, Mayor**

**ATTEST:**

---

**Codi Delcambre, City Secretary**

**APPROVED AS TO FORM:**

---

**Kevin B. Laughlin, City Attorney**  
(kbl:2/12/2024:4889-9171-9023))

**ORDINANCE NO. 2024-\_\_\_\_**  
**EXHIBIT "A"**  
**Property Description**

BEING a 0.24 acre area of land out of the MARY R. WRIGHT SURVEY, ABSTRACT NO. 1355, situated in the City of Lake Dallas, Denton County, Texas, being all of Lot 2, Block A, TTMJ Addition, a subdivision of record in Document Number 2023-28, of the Official Records of Denton, County, Texas, also being all of a called 0.21 acre tract of land conveyed to TTMJ Assets, LLC, by Warranty Deed of record in Document Number 2008-46440 of said Official Records, also being a portion of a called 0.26 acre tract of land conveyed to TTMJ Assets, LLC by Warranty Deed With Vendor's Lien of record in Document Number 2008-46439, of said Official Records, and being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2" iron rod found at the intersection of the east right-of-way line of Gotcher Avenue (a variable width right-of-way) and the north right-of-way line of Market Street (a variable width right-of-way), at the northwest corner of said Lot 2;

THENCE, N 89° 14' 52" E, along the south right-of-way line of said Market Street, being the common north line of said Lot 2, a distance of 134.98 feet to a 1/2" iron rod found at an angle point in the south right-of-way line of said Market Street, at the northeast corner of said Lot 2;

THENCE, S 00° 38' 27" W, continuing along the south right-of-way line of said Market Street, being the common east line of said Lot 2, passing at a distance of 4.56 feet a 1/2" iron rod found at an angle point in the south right-of-way line of said Market Street, at the northwest corner of a called 0.340 acre tract of land conveyed to J. Terry Lantrip by deed of record in Volume 5422, Page 3960, of said Official Records, and continuing along the the west line of said 0.340 acre tract, being the common east line of said Lot 2, a total distance of 62.40 feet to a 1/2" iron rod found in the west line of said 0.340 acre tract, at an angle point in said Lot 2;

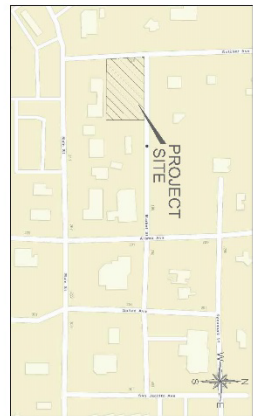
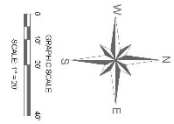
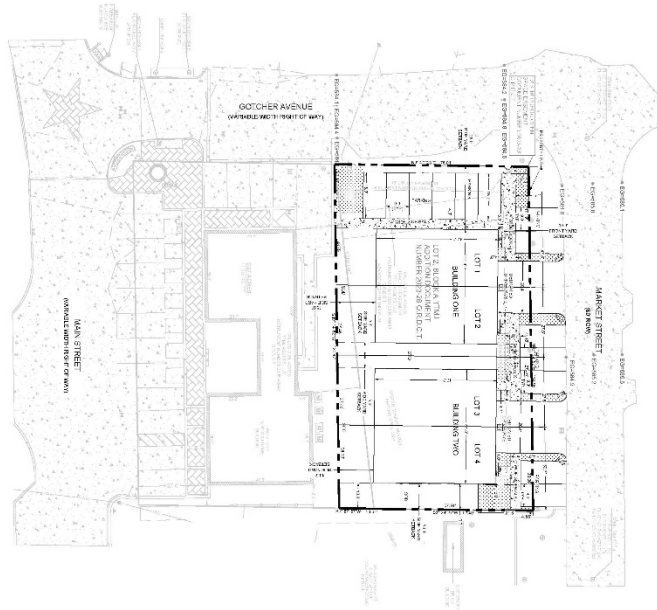
THENCE, S 00° 57' 57" W, along the west line of said 0.340 acre tract, being the common east line of said Lot 2, a distance of 13.62 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the northeast corner of said Lot 1 and the southeast corner of said Lot 2;

THENCE, S 89° 14' 52" W, along the north line of said Lot 1, being the common south line of said Lot 2, a distance of 134.97 feet to a 1/2" iron rod found in the east right-of-way line of said Gotcher Avenue, at the northwest corner of said Lot 1 and the southwest corner of said Lot 2, from which an "X" cut in concrete found at the intersection of the north right-of-way line of Main Street (a variable width right-of-way) and the east right-of-way line of said Gotcher Avenue, at the southwest corner of said Lot 1, bears S 00° 56' 10" W, a distance of 79.00 feet;

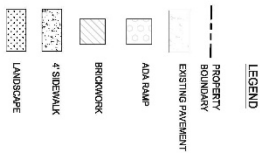
THENCE, N 00° 41' 23" E, along the east right-of-way line of said Gotcher Avenue, being the common west line of said Lot 2, a distance of 76.01 feet to the POINT OF BEGINNING and containing an area of 0.24 Acres, or (10,259 Square Feet) of land, more or less.

# ORDINANCE NO. 2024-\_\_\_\_\_

## EXHIBIT "B" -SITE PLAN



VICINITY MAP  
SCALE: 1/4" = 100\''



**Engineer:**  
CCM ENGINEERING  
2570 FM 407, Suite 209  
Highland Village, TX 75077  
TBPE FIRM# 605  
PH: (972) 691-6628

**Surveyor:**  
Eagle Surveying, LLC  
2223 S. Elm Street, Suite 200  
Denton, TX 76201  
(940) 222-3009

**Owner:**  
RTTMU Assets, LLC  
507 MAIN Street, Suite D  
Lake Dallas, TX 75065

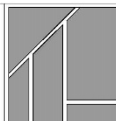
**SITE PLAN**  
LOTS 1-4, BLOCK A  
TTM TWO ADDITION  
BEING A REPLACEMENT OF LOT 2, BLOCK A, TTM ADDITION RECORDED  
IN INSTRUMENT NO. 2023-28, BEING A 0.24 ACRE TRACT OF  
LAND IN THE MARY R. WRIGHT SURVEY, ABSTRACT NO. 1385,  
CITY OF LAKE DALLAS,  
DENTON COUNTY, TEXAS  
-September, 2023-

DESIGN: CCM
DRAWN: CCM
DATE: 02/09/2024
SCALE:
TITLE:
SHEET:



**ZONING SITE PLAN EXHIBIT**

**MARKET STREET DUPLEX**  
Lake Dallas, Denton County, Texas



**CCM Engineering**  
2570 FM 407, Suite 209  
Highland Village, Texas 75077  
Ph: 972.691.6633  
Fax: 972.691.6628  
TBPE FIRM #605