

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

The Planning and Zoning Commission of the City of Lake Dallas met on June 18, 2015 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher, Jenny Warmbrodt and Bob Davis; Community Development Director Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

Terry Lantrip, 275 Market St, came forward expressing his confusion with having a Planning and Zoning Meeting during the same time as the Special Council Meeting. Char DuPree answered that this meeting is time sensitive and it could not be postponed.

E. Business:

2) Consideration and Action to approve the minutes of the May 7, 2015 meetings.

Motion to approve the minutes for May 7, 2015 was made by Clyde Fisher; second by Peggy Shelton

Ayes: Fisher, Shelton, Gilbert, Warmbrodt, Davis

Noes: None

Motion Passed

2) Public hearing to hear comments on an application by CEBUDV Nucleo Sagarada Uniao for a Special Use Permit to allow the operation of a church at 709 Main Street.

Commissioner Clyde Fisher recused himself since he had a financial interest in the property.

Frederico Vargas, 10532 Faulkner Point, Irving, TX , applicant for the Special Use Permit, stated he is the President for the church and they hope to purchase 709 Main St.

Jan Bowman and Angela Fiorelli both of 718 Main St in Hickory Creek
Robbie King, Hickory Creek, TX,
Karla and Wayne King, both reside at 96 Los Angeles St, Destin, Florida
Neva Suddereth, 703 Glen Rhea, Lake Dallas
John and Grace Manning, 718 Main St, Lake Dallas
Deborah McQuirk 716 Main St, Lake Dallas
Kenny Page, 712 Main St, Lake Dallas
Steve Stults, 24 Hickory Hills in Hickory Creek
All the above spoke against the approval of the Special Use Permit.

Clyde Fisher, 747 Carlisle, Lake Dallas, TX.
Jerry Patchen, 1400 Congress, Houston, TX, Attorney for the applicant.
Fernando Barreto, 2660 Hillside Dr, Highland Village, TX, senior pastor of the Church
All the above spoke for the approval of the Special Use Permit.

Chairperson Ben Gilbert closed the Public Hearing.

3) Consideration and Action to approve recommendation of an application by CEBUDV Nucleo Sagarada Uniao for a Special Use Permit to allow the operation of a church at 709 Main Street.

Ben Gilbert asked the applicant if they have any children who attend the services. He answered that most of the members do have children and that many do go to the services. One does have to be over 18 to be considered a member of the Church and they currently have around 30 members. The total congregation, including the children, is around 45 people.

Bob Davis spoke about the Master Plan and the future of Lake Dallas. He feels the property at 709 Main St should be a commercial property and doesn't agree that a nonprofit such as a church should be at the location.

Jenny Warmbrodt asked if there are enough parking at the location. The attorney answered that the property is large and could technically accommodate 100 parking spaces. The ordinance requires one parking space per four patrons.

Ben Gilbert expressed again the main thing the Commission has to look at is the health and safety of the Community and that the final vote will be at the Council next week. The Commission only makes a recommendation.

Motion to deny the recommendation of an application by CEBUDV Nucleo Sagarada Uniao for a Special Use Permit to allow the operation of a church at 709 Main Street was made by Bob Davis; second by Peggy Shelton.

Ayes: Davis, Shelton, Gilbert, Warmbrodt.

Noes: None

4) Public hearing to hear comments on an application for a replat of the property at 758 Carlisle into two lots.

Jerald Yensan, president of Landmark Surveyors, 4238 I35E North, Denton, spoke first representing the property owner Sam Montalvo. The property is just under half an acre and he showed the Commission an aerial photo of the property.

Laird Lind, 735 Carlisle, Lake Dallas
Johnny and Kathryn Brownlee, 740 Carlisle, Lake Dallas
Mark Cortinez, 764 Carlisle, Lake Dallas
Clyde Fisher, 747 Carlisle, Lake Dallas

All the above spoke against approving the replat due to the narrow street and safety concerns.

David Owen, 611 Lake, Lake Dallas and Steve Stults, 24 Hickory Hills, Hickory Creek both spoke in favor of the replat.

Sam Montalvo, 602 Myers, is the owner of the lot. Even with replatting the property to two lots they are over the minimum lot size requirement.

Chairperson Ben Gilbert closed the Public Hearing.

5) Consideration and Action to approve recommendation of a replat of the property at 758 Carlisle into two lots.

Char DuPree advised the lots would meet all the setback requirements for that zoning district, even if an easement is taken at one time to widen the street.

Commissioners Davis and Warmbrodt discussed issues from the Public Hearing and the concern for public safety.

Mr. Yensan spoke again stating two lots should not affect density and the Commission should not deny the replat based on public opinion.

Motion to deny the replat of the property at 758 Carlisle into two lots was made by Bob Davis; second by Jenny Warmbrodt

Ayes: Davis; Warmbrodt;

Noes: Gilbert; Shelton

6) Consideration and Action to approve a proposed site plan for the property at Market and Alamo.

Terry Lantrip, 275 Market St, the owner of the property explained the site plan. He added that he wanted to remove up to three parking spaces so that he could put in more trees, plants and flowers. His goal is to make the area more green and less concrete. His wants to save as many of the trees as possible.

Bob Davis asked Mr. Lantrip about the water retention tank. Mr. Lantrip explained many urban development projects want to add that to their buildings which serves to collect storm water for irrigation purposes.

Motion to approve the proposed site plan including the parking adjustment was made by Clyde Fisher; second by Peggy Shelton.

Ayes: Fisher, Shelton, Gilbert, Warmbrodt, Davis

Noes:

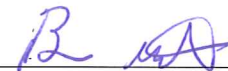
F. Future Agenda Items

Next month there will be a meeting for a replat and subdivision site plan for two properties on Wilson that were recently purchased by Mike Mayberry. He is planning to build eleven homes on the property.

G. Adjournment

Motion to adjourn was made by Ben Gilbert.

The meeting adjourned at 8:56 PM.


Ben Gilbert, Chair


Khara Sherrill, Planning and Zoning Secretary