

A G E N D A
Planning and Zoning Commission Meeting
Lake Dallas City Hall
212 Main Street
January 21, 2016 7:00 PM

Notice is hereby given as required by Title 5, Chapter 551.041 of the Texas Government Code that the Planning and Zoning Commission will meet in a regular meeting on January 21, 2016 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas. The agenda follows:

- A. Call to Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Citizen's Agenda** - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.
- E. Business:**
 - 1) Consideration and Action to approve the minutes of the November 12, 2015 meeting.**
 - 2) Consideration and Action to recommend a site plan for the property at 107 N Lakeview.**
- F. Future Agenda Items**
- G. Adjournment**

I, Joni Vaughn, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board by January 15, 2016 at 5:00 pm.

Joni Vaughn, City Secretary

Executive Session:

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

This building is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours ahead of meeting. To make arrangements, call 940-497-2226 or (TDD) 1-800-RELAY-TX (1-800-735-2989) to reach 940-497-2226.

I certify that the above notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the ____ day of January, 2016.

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on November 12, 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, Peggy Shelton 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

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1) Consideration and Action to approve the minutes of the October 14, 2015 meetings.

Motion to approve the minutes for October 15, 2015 was made by Bob Davis; second by Ben Gilbert.

Ayes: Davis, Gilbert, Shelton

Noes: None

Motion Passed

2) Public hearing to hear comments on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed storage building located behind the main commercial structure 1st Source Restaurant Sources Inc to be located at 111 Gotcher, City of Lake Dallas, Denton County, Texas. The legal description for this property is Gotcher Addition, Block 2, Lot 13. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Section 122-374 (b), allows for application to be made.

The applicant could not be at the meeting so Char DuPree explained the reason for the request. The business owner of 1st Source Restaurant Sources Inc submitted a permit application back in September to build a large storage building. During the plan review process with Bureau Veritas it was determined that due to steel framing and size of the building it would be cost prohibitive to have 80% masonry on the building.

Chairperson Ben Gilbert asked what the size of the building will be and Ms. DuPree answered it is around 1000 square feet. The primary structure at the location is also not masonry.

Ben Gilbert asked for clarification of zoning in the surrounding properties. The property at 111 Gotcher is zoned C-2 but most of the surrounding properties, with the exception of a few, are zoned C-1.

Paul Forgey, 402 S Lakeview, stated he is for the exemption as he feels the masonry requirement is not needed.

No one else came forward and the Public Hearing was closed.

3) Consideration and Action to approve recommendation of an exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed storage building located behind the main commercial structure 1st Source Restaurant Sources Inc to be located at 111 Gotcher.

Bob Davis advised he went by the property and feels it looks nice and having a full masonry building would not look good with the existing building.

Ben Gilbert advised he feels they need to require some masonry on the building.

Motion to approve the masonry exemption from 80 percent to 30 percent was made by Ben Gilbert; second by Bob Davis.

Ayes: Gilbert, Davis, Shelton

Noes:

4) Consideration and Action to recommend a final plat for 222 Betchan.

Char DuPree reminded the board of the property and there were no objections.

Motion to recommend the final plat for 222 Betchan was made by Bob Davis; second by Ben Gilbert.

Ayes: Davis, Gilbert, Shelton

Noes: None

5) Consideration and Action to recommend a site plan for 222 Betchan.

Char DuPree explained to the Board the drainage plan is usually completed during the pre-construction phase. The building will require a sprinkler system but that is also completed during the pre-submittal meetings with the Civil Engineers and Fire Department.

John Smith, 149 Garth in Hickory Creek, owner of the property, explained parts of the site plan including the mandatory seventy-five parking spaces and the included detention pond in the back. The area adjacent to Z Flooring will match their eight foot fencing and split rail fencing will be added to the front which is by the railroad tracks. The building will also be 85% to 95% masonry.

Char DuPree reiterated that the site plan meets code and it will go to City Council next week on November 19, 2015.

Motion to approve the site plan for 222 Betchan was made by Peggy Shelton; second by Bob Davis.

Ayes: Shelton, Davis, Gilbert

Noes: None

F. Future Agenda Items

The December meeting will also be a week early due to the Holidays. It will possibly be the continuation of the Smith Property requests but it will be determined by the outcome of the workshop at the City Council next week.

G. Adjournment

Motion to adjourn was made by Bob Davis.

The meeting adjourned at 7:30 PM.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

**Planning and Zoning Commission
Business Agenda E-2
January 21, 2016**

January 14, 2016

MEMORANDUM

TO: Planning and Zoning Commission

THROUGH: Nick Ristagno, City Manager/Police Chief

FROM: Community Development: Char DuPree

SUBJECT: Site Plan: 107 N. Lakeview

Request: To approve the site plan for 107 N. Lakeview for construction of a mixed use, 2-story building.

Zoning: Property is currently zoned C-1 Commercial, with an SUP for mixed use.

Background: Developer John Lugenheim is constructing the mixed use building for property owner, Ivan Alvarez at 107 N. Lakeview. The replat and site plan for this development was approved approximately 6 years ago, prior to the reconstruction of Lakeview Drive. Part of the reconstruction included the City purchase of a front right of way used to install a sidewalk on the west side of the street. As a result of this purchase, this lot does not meet the required setbacks. The Board of Adjustment approved the front yard setback of 20 ft. where 25 ft. is required and reduced the side yard setback to 7 ft. where 10 ft. is required.

Coordination: Community Development Department and Board of Adjustment

Attachments: Application, final plat and proposed site plan



212 Main Street, Lake Dallas, TX 75065
940-497-2226 Ext. 110 Fax 940-497-4485 www.lakedallas.com

☐ Minor Replat ☐ Major Replat ☒ Commercial Site Plan ☐ Residential Site Plan ☐ Preliminary Plat

Owner: Ivan Alvarez

Address: 525 Fort Worth Dr. Suite 204 Denton, TX 76201

Phone: 972 310 0977 Email: ivan@19-cpa.com

Location of Property (Address if Applicable): 107 N. Lakeview Dr.

Engineer/Surveyor: KAZ Surveying

Address: 1720 Westminister

Phone: 940 382 3446 Email: _____

If this Application is for a subdivision plat, it must conform to the specifications as outlined by the City of Lake Dallas Subdivision Ordinance and applicable State Statutes (Chapter 94).

Proposed Subdivision Name: _____

Survey Name: _____ Abstract No.: _____

Existing Zoning of Property: _____ Is this a re-plat or an existing recorded subdivision? ☐ Yes ☐ No

If yes, name of original subdivision: _____

Circle One: Property Owner / Agent

J. R. Angerstein
Signature

John Lugenheim
Please Print Name

12.31.15
Date

If you are submitting this application on behalf of the property owner the following must be completed:

I am authorized to make application for a site plan on behalf of the owner of this property.

Signed: J. R. Angerstein (Agent)

The above person is my representative, authorized to make application for a subdivision on my behalf, and I
Ivan Alvarez, hereby certify that I am owner of the property for which this application is made.



[Signature]
Notary Public Signature

Information listed below to be completed by City Staff:

Date Submitted: _____ Received by: _____ Amount: \$ _____

Probable Planning and Zoning Commission Date: _____ Probable City Council Date: _____

CITY OF LAKE DALLAS
212 MAIN ST.
LAKE DALLAS, TEXAS 75065
(940) 497-2226

54316

DATE

1/4/16

RECEIVED FROM

John Lugentheim/Ivan Alvarez

\$

250 00

DOLLARS

FOR

Two hundred fifty and 00/100
Site Plan - 107 N Lakewood

2014

Thank You

AMOUNT OF ACCOUNT		
THIS PAYMENT	250 00	
BALANCE DUE		

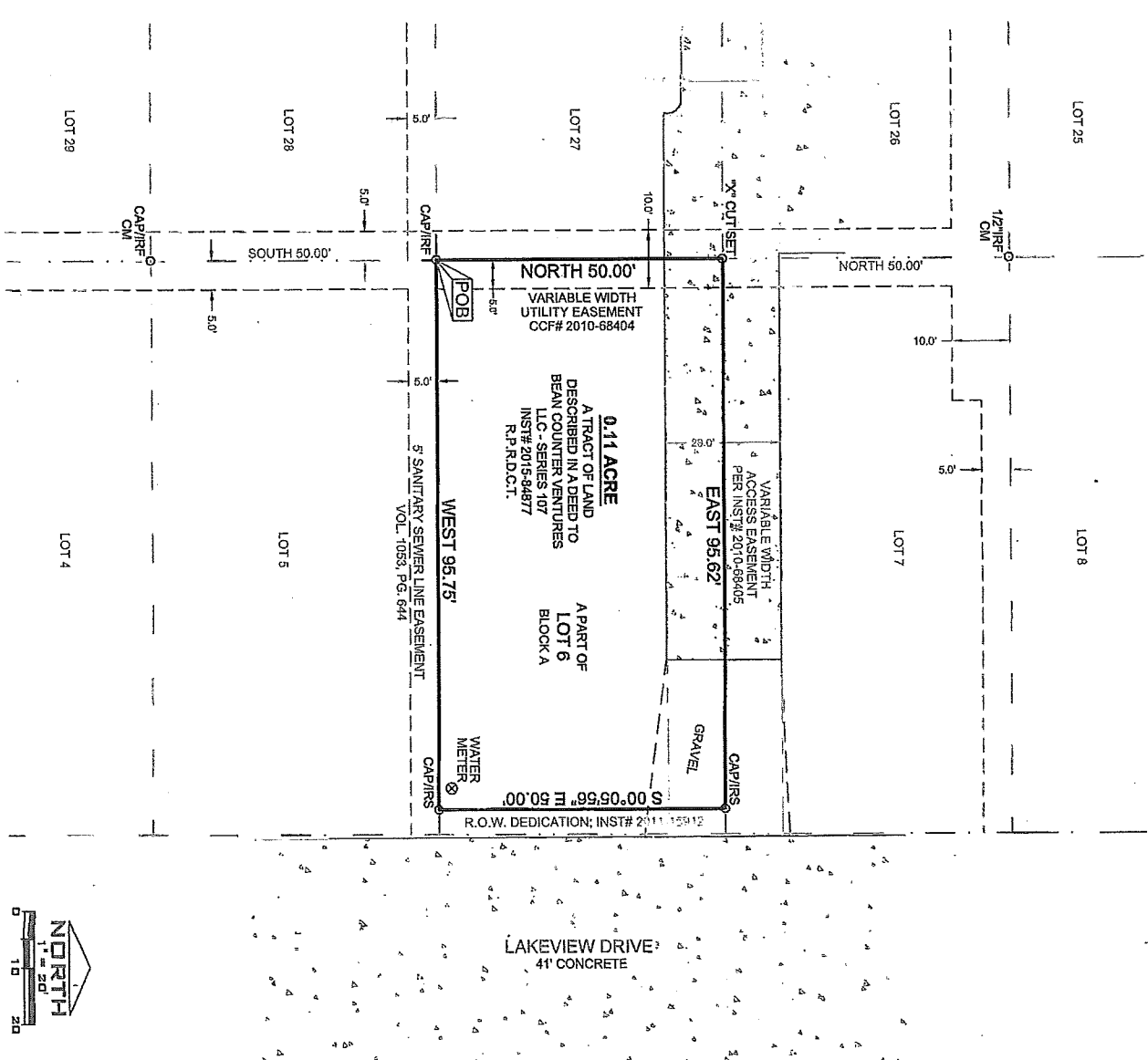
☐ CASH

☒ CHECK

☐ M.O.

BY

J Sheinell



107 North Lakewood Drive - 0.11 Acre

FIELD NOTES to all that certain tract of land situated in the City of Lake Dallas, Denton County, Texas, being a part of Lot 6 in Block A of Garza Beach Estates, an addition to said City according to the plat thereof recorded in Volume 1, Page 18, Plat Records, Denton County, Texas, the same being all of the tract of land described in a deed to Bean Counter Ventures LLC - Series 107, as recorded in Instrument Number 2015-84877, Real Property Records, Denton County, Texas, the subject tract being more particularly described as follows:

BEGINNING at a capped iron rod found stamped "KAZ" for the Southwest corner of said Bean Counter tract, the Southwest corner of said Lot 6, the Northwest corner of Lot 5 and the Southeast corner of Lot 27 in Block A of said Addition;

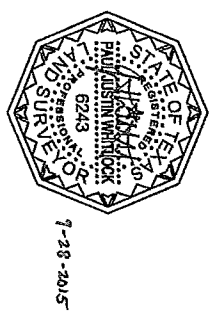
THENCE North with the East line of said Lot 27, the West line of said Lot 6 and the West line of said Bean Counter tract, a distance of 50.00 feet to an "X" cut set for the Northwest corner thereof, the Northwest corner of said Lot 6, the Northeast corner of said Lot 7 and the Southwest corner of Lot 7 in Block A of said Addition;

THENCE East with the South line thereof, the North line of said Lot 6 and the North line of said Bean Counter tract, along the center of a concrete drive part of the way, a distance of 95.62 feet to a capped iron rod set in the West line of North Lakewood Drive for the Northeast corner of said Bean Counter tract and the Northwest corner of a tract of land described in a deed to the City of Lake Dallas, as recorded in Instrument Number 2011-15912 of said Real Property Records;

THENCE South 00 degrees 05 minutes 56 seconds East with the West line thereof, the West line of said Drive and the East line of said Bean Counter tract, with a line severing said Lot 6, a distance of 50.00 feet to a capped iron rod set in the South line thereof and the North line of said Lot 5 for the Southwest corner of said City of Lake Dallas tract and the Southeast corner of said Bean Counter tract;

THENCE West with the South line thereof, the South line of said Lot 6 and the North line of said Lot 5, a distance of 95.75 feet to the **PLACE OF BEGINNING** and enclosing 0.11 of an acre of land more or less.

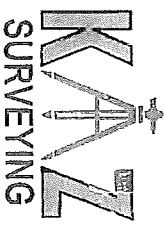
NOTE: This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 9-17-2015. There are no visible or apparent intrusions or protrusions except as shown hereon.



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 4-18-2011, and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 535 G of said map.

NOTE: This survey was performed without the benefit of a title commitment.

NOTE: All capped iron rods found are stamped "KAZ".

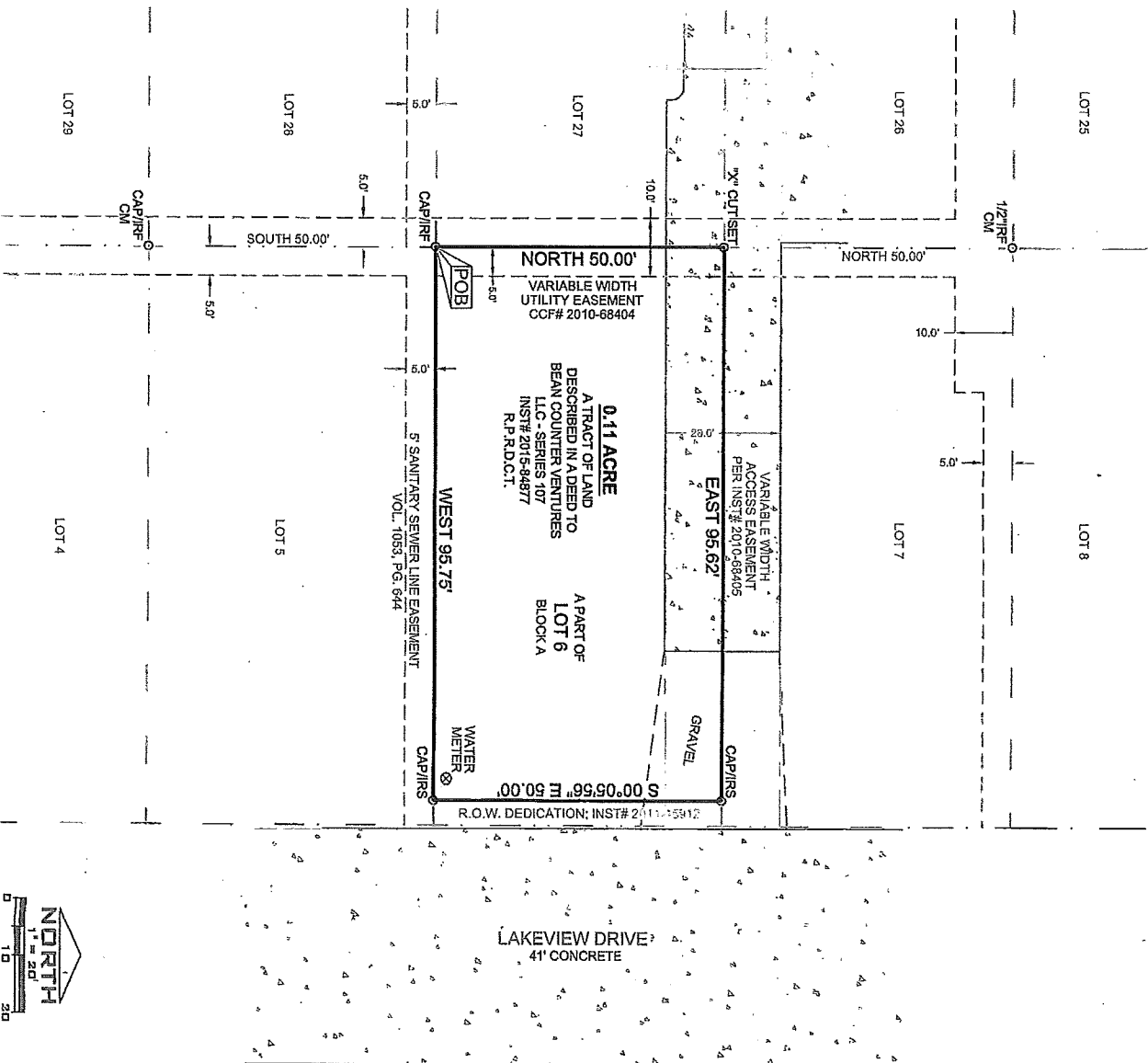


KAZ SURVEYING

9-28-2015: UPDATED EASEMENTS
9-28-2015: REVISED LEGAL DESCRIPTION

1720 WESTMINSTER
DENTON, TX 76205
(940) 382-3446
JOB NUMBER: 100045-4
DRAWN BY: PJW
DATE: 9-21-2015
R.P.L.S.
PAUL JUSTIN WHITLOCK

TX FIRM REGISTRATION # 10002100



107 North Lakeview Drive - 0.11 Acre

FIELD NOTES to all that certain tract of land situated in the City of Lake Dallas, Denton County, Texas, being a part of Lot 6 in Block A of Garza Beach Estates, an addition to said City according to the plat thereof recorded in Volume 1, Page 18, Plat Records, Denton County, Texas, the same being all of the tract of land described in a deed to Bean Counter Ventures LLC - Series 107, as recorded in Instrument Number 2015-84877, Real Property Records, Denton County, Texas, the subject tract being more particularly described as follows:

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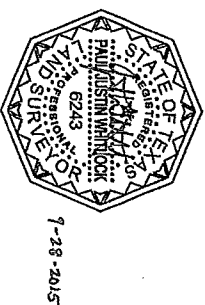
THENCE North with the East line of said Lot 27, the West line of said Lot 6 and the West line of said Bean Counter tract, a distance of 50.00 feet to an "X" cut set for the Northwest corner thereof, the Northwest corner of said Lot 6, the Northeast corner of said Lot 27 and the Southwest corner of Lot 7 in Block A of said Addition;

THENCE East with the South line thereof, the North line of said Lot 6 and the North line of said Bean Counter tract, along the center of a concrete drive part of the way, a distance of 95.62 feet to a capped iron rod set in the West line of North Lakeview Drive for the Northeast corner of said Bean Counter tract and the Northwest corner of a tract of land described in a deed to the City of Lake Dallas, as recorded in Instrument Number 2011-15912 of said Real Property Records;

THENCE South 00 degrees 05 minutes 56 seconds East with the West line thereof, the West line of said Drive, and the East line of said Bean Counter tract, with a line severing said Lot 6, a distance of 50.00 feet to a capped iron rod set in the South line thereof and the North line of said Lot 5 for the Southwest corner of said City of Lake Dallas tract and the Southeast corner of said Bean Counter tract;

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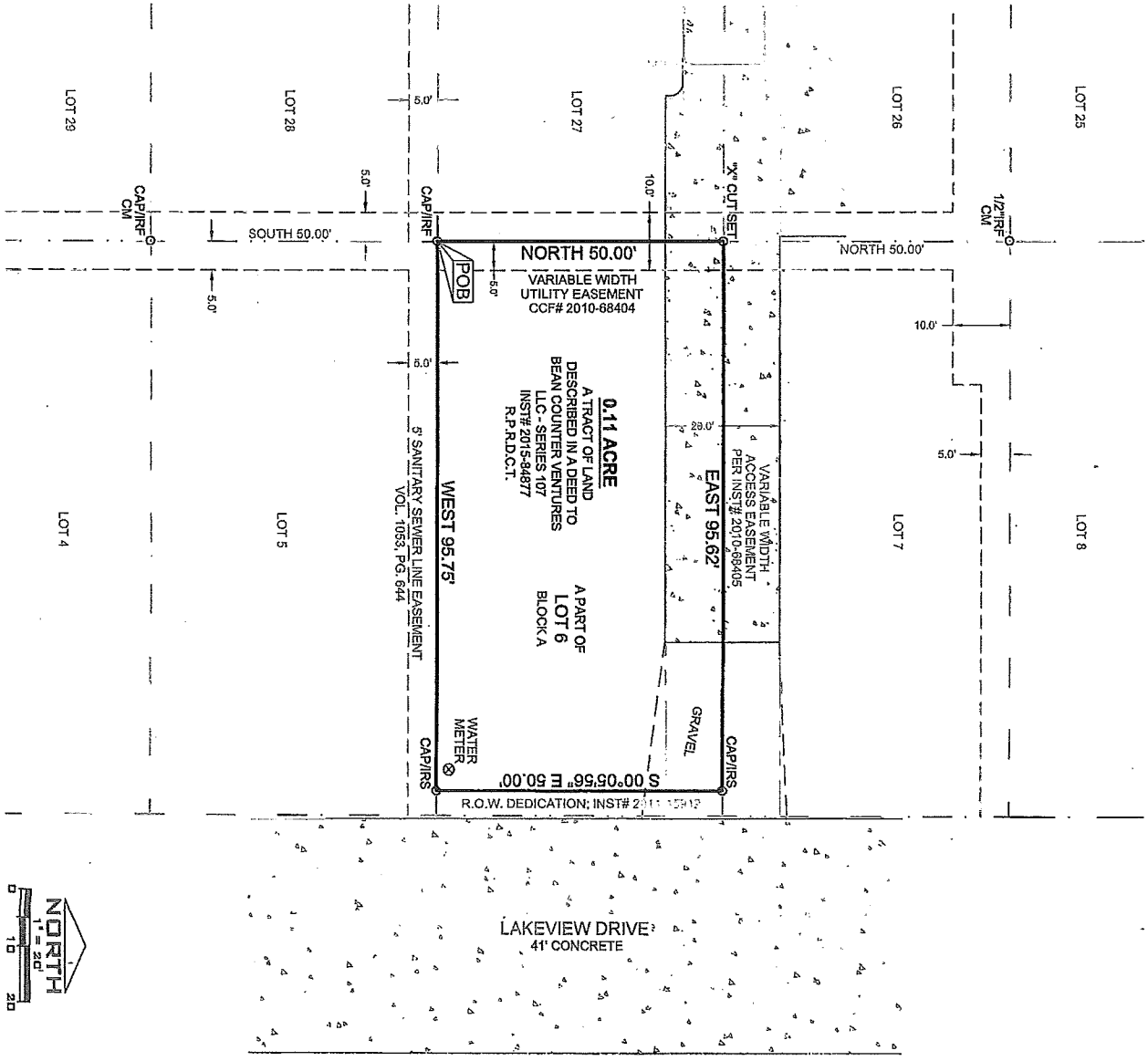
K&Z
SURVEYING

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9-28-2015, UPDATED EASEMENTS
9-28-2015, REVISED LEGAL DESCRIPTION

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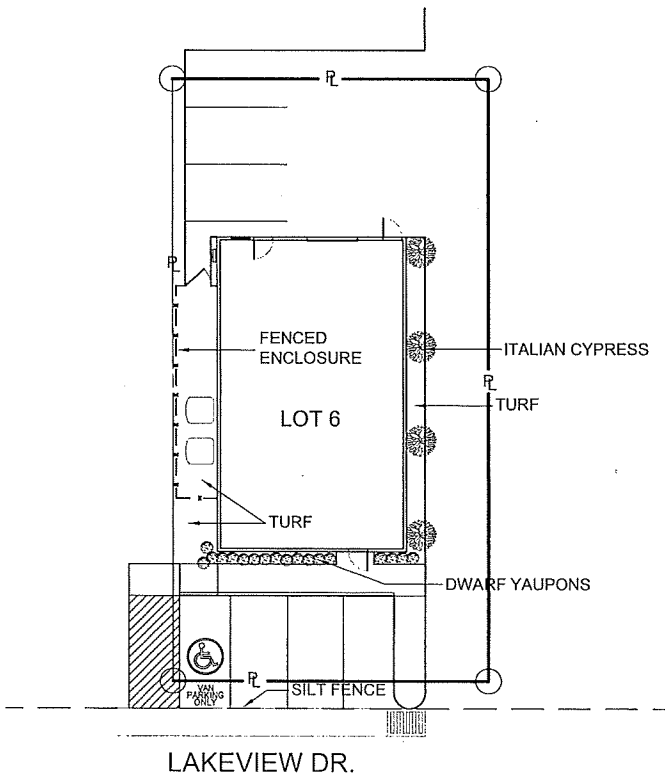
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R.P.L.S.
PAUL JUSTIN WHITLOCK

TX FIRM REGISTRATION # 10002100

NOTE: BUILDING IS 100% MASONRY

BUILDING SHALL MEET THE FOLLOWING:

2009 INTERNATIONAL BUILDING CODE
 2009 INTERNATIONAL PLUMBING CODE
 2009 INTERNATIONAL MECHANICAL CODE
 2008 NATIONAL ELECTRIC CODE
 TEXAS ACCESSIBILITY STANDARDS
 INTERNATIONAL FIRE CODE
 2008 IECC

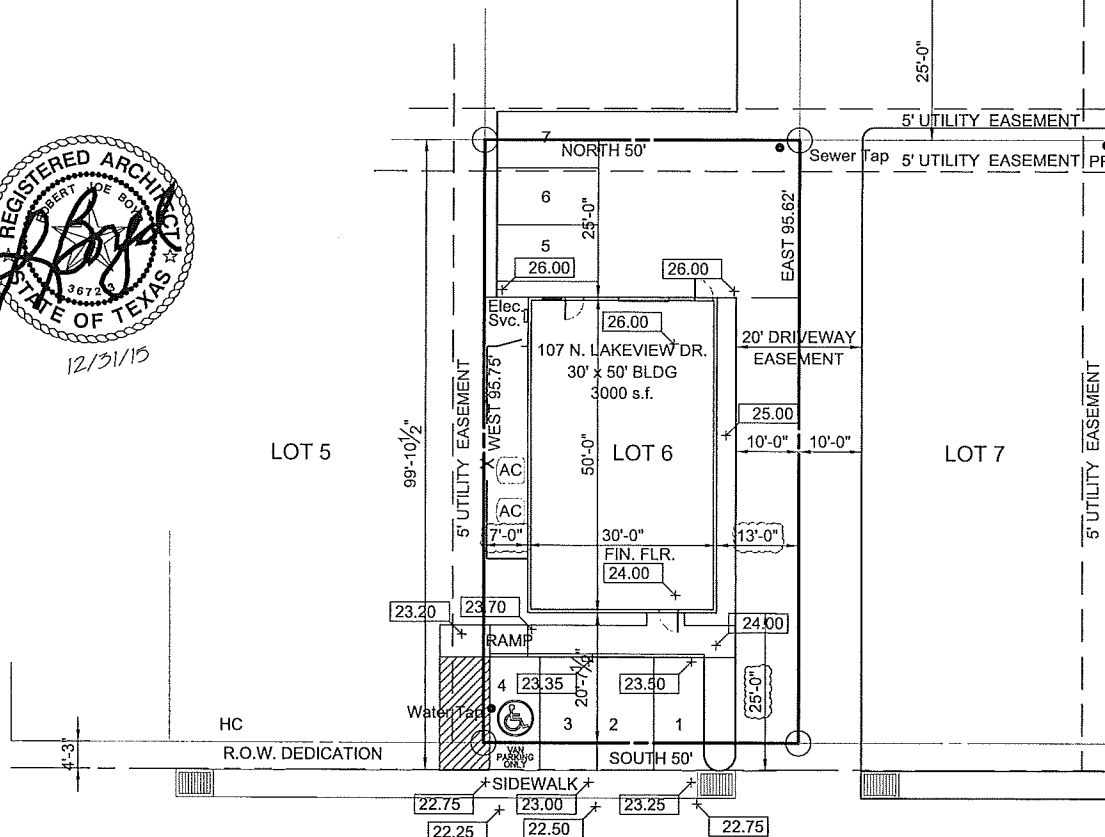


LANDSCAPE PLAN

SCALE: 1" = 20'-0"



12/31/15



SITE PLAN

SCALE: 1" = 20'-0"

12/31/15



LAKEVIEW DR.