

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on June 15, 2017 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 221.041 of the Texas Government Code.

Section I – Presentations

1. Call to Order and Determination of Quorum.

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher, Raymond Daniels, and Melody Parlett. Bob Davis was absent.

Staff present: Director of Community Development Kevin Lasher, and Administrative Assistant Donna Butler.

2. Pledges of Allegiance.

Chairperson Gilbert led the Pledge of Allegiance.

3. Receive Citizen Comments.

No one came forward.

Section II – Action Items

4. Approval of Minutes for the Regular Meeting of May 18, 2017.

Motion to approve minutes for the regular meeting of May 18, 2017 was made by Fisher; Second by Daniels.

Ayes: Gilbert, Fisher, Daniels, and Parlett.

Nays: None.

Motion passed 4 to 0

5. Consider and make recommendation on a Final Plat of River Oak Way Addition, Lots 1 through 15 and Lot 1X, Block A, being 6.75 acres situated within the Thomas White Survey, Abstract No. 1376, City of Lake Dallas, Denton County, Texas. This property is commonly known as being located at the southwest corner of Dobbs Road and River Oak Way. The subject property is zoned R-1-7200. The applicant is George Bown. (Case FP170501)

Kevin Lasher stated that staff is recommending case FP170501 be tabled indefinitely until it is reactivated by staff, as the city is working with the applicant on the completion of a drainage study.

Motion to table the recommendation on a Final Plat of River Oak Way Addition, Lots 1 through 15 and Lot 1X, Block A, being 6.75 acres situated within the Thomas White Survey, Abstract No.

1376, City of Lake Dallas, Denton County, Texas indefinitely until further notice from staff was made by Daniels; second by Parlett.

Ayes: Gilbert, Fisher, Daniels, and Parlett.

Nays: None.

Motion passed 4 to 0

6. **An ordinance of the City of Lake Dallas, Texas, adopting amendments to the Lake Dallas Code of Ordinances by amending Chapter 122, "Zoning," more specifically Article III. R-1-6000 Single Family Dwelling District, Section 122-93 "Exterior surfaces," Article IV. R-1-7200 Single Family Dwelling District, Section 122-143 "Exterior surfaces," and Article V. R-1-10000 Single Family Dwelling District, Section 122-193 "Exterior surfaces," by adding subsection © establishing a masonry exception procedure for the main dwelling unit; and amending Article VI. R-2 Two-Family Dwelling District, Section 122-243 "Exterior surfaces," by adding subsection (a) establishing a masonry exception procedure for the main dwelling units. (Case TA170601)**

Lasher stated that the city has collaborated with developers, builders, designers, and city attorneys to develop an ordinance that defines and gives examples of the acceptable use of hardy plank. The conclusion is that hardy plank is an acceptable building material if applied to a specific architectural style that reflects the historical theme of the city, such as Cape Cod. The criteria will be that new home submittals will need to be deemed acceptable by staff based on the architectural style, design, external appearance, and proportions. Visual examples of both acceptable and unacceptable models were shared, and such visuals will be included in the ordinance. The city intent is to bring a particular style of home and a certain look to the city. Submittals for which staff may not agree will go before the Planning and Zoning Commission and City Council.

EJ Rodriguez of 329 Texas Drive, Lake Dallas, is concerned that the city is overreaching their bounds in telling people how they can or cannot build.

Fisher questioned why the issue of hardy plank is being brought up now. Lasher explained that the process of allowing hardy plank in the past was due to misinterpretation of the city's code, and adding a text amendment will resolve this.

Fisher's concern is that future staff may not have the same knowledge of architectural design, as deeming a home acceptable seems like a judgment call. Lasher explained that the process of planning necessitates knowledge of urban and residential design, and he added that planning directors will typically have that background.

Parlett asked what type of administrative burden this would put on the staff. Lasher replied that good, pictorial examples of clean designs should make the process easy. The potential for burden would be in a case where the decision is challenged. In a situation where it appears a consensus cannot be reached, there will be a process for appeal. They will have ten calendar

days to request the appeal process. The residents will be notified of the appeal request and the case will go before the Planning and Zoning Commission and City Council.

Gilbert stated that he liked the amendment, and Daniels agreed. Lasher stated that a great amount of work was put into coming up with the details of the amendment.

Motion to adopt an ordinance of the City of Lake Dallas, Texas, adopting amendments to the Lake Dallas Code of Ordinances by amending Chapter 122, "Zoning," more specifically Article III. R-1-6000 Single Family Dwelling District, Section 122-93 "Exterior surfaces," Article IV. R-1-7200 Single Family Dwelling District, Section 122-143 "Exterior surfaces," and Article V. R-1-10000 Single Family Dwelling District, Section 122-193 "Exterior surfaces," by adding subsection © establishing a masonry exception procedure for the main dwelling unit; and amending Article VI. R-2 Two-Family Dwelling District, Section 122-243 "Exterior surfaces," by adding subsection (a) establishing a masonry exception procedure for the main dwelling units to was made by Fisher; second by Daniels.

Ayes: Gilbert, Fisher, Daniels, and Parlett.

Nays: None.

Motion passed 4 to 0

Section III – Discussion Items

- 7. Discussion on a request to change the zoning designation for 0.989 acres of land described as Lots 7 and 8, Gotcher Addition ("the Property") from R-1-6000 Single Family Dwelling District to a Planned Development (PD) District for all the uses permitted in the R-1-6000 Single Family Dwelling District with the inclusion of a single-family dwelling district for miniature, transportable housing not defined as a mobile home or recreational vehicle. The Property is more commonly known as 206 Gotcher Avenue. The applicant is Terry Lantrip. (Case ZN170501)**

Terry Lantrip of 275 Market Street, Lake Dallas explained his tiny house project planned for Gotcher Avenue. The proposed project is for fifteen (15) units. These are not mobile homes or RVs, as they are in a completely different class. They usually run from \$30,000 to \$50,000 in cost. They are eight and half feet (8.5) wide by twenty to forty (20 to 40) feet long, and they are built more like a home. He stated that the ICC now recognizes these as homes, and asked if Lasher might give more detail.

Lasher stated that the ICC has added an appendix to the International Building Code that will take effect in 2018. He added that city staff is currently working on updating our building codes to the 2015 version, and depending on how this request goes, the city can always add the appendix.

Lantrip explained that the ICC's appendix gives cities have a better understanding of tiny homes. He stated deciding what to do with the property has been difficult, as it does not fit most commercial uses for the zoning district. He added tiny homes will bring a cool and eclectic feel to the area that might bring good notoriety and positive press to the city. He stated that he will make the tiny home community look nice, putting the same care into it as he does all of his projects.

Gilbert asked if a fire line would be required, to which Lasher answered fire access adequate enough for an eighty-five-thousand (8,500) pound vehicle would be required. Lasher went on to explain that both he and Lantrip have had discussions with Lake Cities Fire Department and Lantrip's engineer to ensure the property would have a sub-base that is adequate to bear the that load in a rain storm. When the request comes back to the Commission for action, Lantrip and his engineer have been ask to bring the specifications to show the load bearing capacity.

Fisher questioned the zoning, as he and Lantrip believed the area had been zoned residential. Lasher stated that, while he cannot find evidence that the property is zoned residential, the land use is unique enough that it would have necessitated a need for a planned development anyway.

Parlet asked if the houses will be moveable, will they be moving in and out, or will they be permanent. Lantrip answered that the houses will be on wheels, but the leases in most cases will be for at least one year. He may allow six (6) months, but he believes people will choose to stay due to fact that this will be the only place where tiny homes are allowed in the Dallas/Fort Worth area. He said the community will have a garden area and a community feel. He added that it is a lot more complicated than an RV park in that these homes will be connected to water and sewer lines, and they aren't just moved in and out easily. He does not expect a lot of turnover.

Parlet asked if Lantrip would be designing and building the houses, or would he just be deciding who gets to move in. Lantrip answered that strict regulations would be in place regarding which types of home will be allowed to come in and that homes would have to meet strict ICC rules. Homes will have to be kept up and look nice.

Parlet asked about the life expectancy of these houses. Lantrip answered that these are built just like traditional houses, not like RVs or mobile homes, and tiny home owners will have expectations of all homes being kept looking nice.

Discussion on a request to change the zoning designation for 9.728 acres of land ("the Property") out of the J.W. Simmons Survey, Abstract No. 1163A, from C-1 Commercial District to C-2 Commercial District. The Property is commonly known as being located at 200 Swisher Road, approximately 460 feet west of N. Shady Shores Road. The applicant is Bennora Real Estate, L.L.C. (Case ZN170601)

Brian Elliot of 3100 Walton Road, Corinth, Texas 76208 is requesting the zoning change in order to move his cabinet business, Metroplex Cabinets.

Fisher asked the difference between the two commercial zones, C-1 and C-2. Lasher stated that C-2 has a stronger manufacturing component as opposed to a warehouse component. He added that vacuums will need to be added for dust, they will have the exhaust and more mechanical systems, as well. Fisher added that he is familiar with where they are now and how the company has been a good neighbor in that area for many years.

Section IV – Adjournment of Regular Meeting

Motion to adjourn was made by Daniels, second by Parlett.

Adjourned at 7:35.



Ben Gilbert, Chair



Donna Butler, Admin. Assistant