

MINUTES
PLANNING & ZONING COMMISSION MEETING OF JULY 11, 2017

The Planning and Zoning Commission of the City of Lancaster, Texas, met in a Regular session in the City Council Chambers of City Hall on July 11, 2017 at 6:30 p.m. with a quorum present to-wit:

Commissioners Present:

Acting Chair Racheal Hill
Isabel Aguilar
Cynthia Johnson
Jeremy Reed

City Staff Present:

Bester Munyaradzi, Senior Planner
Emma Chetuya, Planner
Kelley Frazier, Development Coordinator

Call to order:

Acting Chair Hill called the meeting to order at 7:01 p.m. on July 11, 2017.

Consent Agenda:

Acting Chair Hill read the consent agenda.

1. **Consider approval of minutes from the Planning and Zoning Commission Regular Meeting held on June 6, 2017 and Planning and Zoning Commission Special Meeting held on June 20, 2017.**
2. **HLPC 17-14 Discuss and consider a Certificate of Appropriateness for Demolition of a residence located on 206 E. Pecan Street, Lancaster, Dallas County, Texas.**

Commissioner Reed pulled item 2.

MOTION: Commissioner Johnson made a motion, and seconded by Commissioner Aguilar to approve consent item 1. The vote was cast 4 for, 0 against.

2. **HLPC 17-14 Discuss and consider a Certificate of Appropriateness for Demolition of a residence located on 206 E. Pecan Street, Lancaster, Dallas County, Texas.**

Commissioner Aguilar requested additional staff comments on item 2.

Planner Chetuya shared that the applicant is requesting demolition of the subject property in order to construct a new home. The subject property has deteriorated, rotted exterior wood, broken windows, and completely deteriorated paint. The City's Building Official stated that, the house is in desperate need of repair, however it is not structurally unsound and/or in danger of collapse. Furthermore, the overall integrity, character and outside appearance of this particular residence has negative effects on adjacent properties. Staff is seeking direction from the HLPC regarding this request to demolish the structure on 206 E. Pecan Street.

Commissioner Reed sought guidance on the type of motion since HLPC recommended denial of item 2. Acting Chair Hill shared that after discussion on item 2 the appropriate motion may be made for consideration.

Commissioner Reed indicated that he understands the value and the significance of homes located in a Historic District. Hence, the highest and best outcome for the subject property is to save and restore the 107 year old home. However, the applicant stated the rehabilitation of the structure is cost prohibitive. Commissioner Reed implied that if the application is denied, then the applicant has a couple of options in which one is to rehabilitate the subject property. The structure has been dilapidated for several years plus the applicant has not commenced any rehabilitation efforts. The Building Official notated that the structure is not in imminent danger and in desperate need of repair which may be less costly. Also, the structure is currently not within Code Compliance and advised that the vote should be in contrary to Historic Landmark Preservation Committee's recommendation.

Acting Chair Hill inquired from staff examples of historic homes where demolition was not allowed and the property continued in a dilapidated state. Planner Chetuya shared that there is only one instance where demolition was approved by HLPC and yet the house has not been demolished.

Acting Chair Hill questioned how a new home owner would know that the property is located in the Historic District. Planner Chetuya communicated the owner would have to inquiry to find out.

Commissioner Aguilar shared that the applicant owns eleven (11) homes and with that many properties I expect the applicant understands to do research prior to purchasing a properties.

Commissioner Johnson sought if the City or the Historic Landmark Preservation Committee provides funding to assist with rehabilitation and what are the option(s) for the applicant. Planner Chetuya stated at this time there is no funding available and if only option would be to rehabilitate the subject property.

Commissioner Aguilar asked if the demolition permit is denied, will the city force the applicant to rehabilitate the home. Planner Chetuya stated that there will not be any force of action.

Commissioner Reed requested to hear from the applicant.

Adam Martinez, 8410 Jennie Lee Lane, Dallas Texas, representing the owner, stated that when the property was purchased, all the windows and doors were previously replaced. The only job performed was to repair the foundation of the structure.

Commissioner Johnson asked if the permit were approved what is the timeline to rebuild the home. Mr. Martinez commented the estimated timeframe would take about three (3) months to begin rebuilding.

Commissioner Aguilar shared for the record that if item 2 is approved, she suggested that the HLPC guidelines be adopted as an ordinance.

Commissioner Reed stated that if we have a mechanism to care for dilapidated structures, we begin to utilize the protocol or create protocols to prevent demolition and/or dilapidated structure.

Patricia Siegfroid-Giles, HLPC Member, 102 W. 7th Street, shared her concerns on item 2. She shared there a numerous of ways the applicant could have known that the property is located in the Historic District. It is very difficult to deny someone the ability to demolish a building that is in disrepair because the structure is a part of the City's history. It would be difficult and upsetting to lose a part of history and it is known that some individuals do not show concern. However, it is understood that HLPC will not be able to protect all historic homes but the committee must attempt as much as possible.

Dee Hinkle, HLPC member, 105 E 5th Street, shared similar remarks as Mrs. Siegfroid-Giles. It is very challenging to deny application but members and staff must stop watching historic homes being demolished. The structure has some redeeming value and still be rehabbed.

Gilles Delaise, HLPC member, 441 South Dallas Avenue, shared that since the owner owns eleven (11) properties, the property will either be flipped or become a rental property. He stated the numerous of options that will indicate that a property is located in a Historic District.

Jerry Giles, 102 W 7th Street, shared that he received printed material from the City that indicates that he lives in the Historic District as well as on the City's website.

Acting Chair Hill asked if we have a record of the total number of homes in the Historic District and the number of homes that have been demolished. Planner Chetuya shared that staff will provide the information to the Commissioners.

Commissioner Johnson commented that the burden has fallen on the current owner when the neglect of this property has been going on for several years.

Commissioner Reed asked if there is a fee associated for the application for a Certificate of Appropriateness. Planner Chetuya stated the fee is \$100.00. Commissioner Reed inquired item 2 is denied, will the applicant be prohibited from reapplying for another Certificate of Appropriateness. Planner Chetuya stated that the applicant may reapply at any time.

Commissioner Reed admires the home and is concern to leave the structure as is and believes the best thing for the district is to rehab the property. She suggested denying item 2 since the applicant has not done their diligence on the subject project.

Acting Chair Hill asked of the applicant if there are cost comparison on the demolition and rebuild versus the rehabilitation of the structure. Mr. Martinez indicated that the discussion never got that far to obtain the comparison figures. Acting Chair Hill inquired the original plans for the property. Mr. Martinez indicated that the original plans were to rehabilitate the home to be able to reside in the home.

Acting Chair Hill stated that the Planning and Zoning Commission has been very supportive of the recommendations of the Historic Landmark Preservation Committee and with that it is rare that items require such discussion. The body values the opinions addressed regarding the properties in the Historic District. She suggested tabling item 2 with the data requested from staff and the applicant. She inquired from staff if item 2 will be presented to HLPC prior to being scheduled on the Planning and Zoning Commission agenda. Senior Planner Munyaradzi stated that item may be represented to HLPC or rescheduled to the Planning and Zoning Commission.

MOTION: Commissioner Aguilar made a motion, and seconded by Commissioner Johnson to table item 2 with the items requested by Acting Chair which are the number of demolition by neglect in the Historic District, the scope of work for rehabilitation, and the comparison of the scope of work with the demolition and rebuild cost comparison and be represented to the HLPC for their review. The vote was cast 4 for, 0 against.

3. PS 17-15 Consider a Preliminary Plat for Boardwalk Phase 3, being 174 residential lots on approximately 59.4 acres located south of Cedardale Road, north of Swift Fox Drive, east of Cedardale Park and west of North Dallas Avenue. The property is described as a tract of land that is a part of the Jonathon L. Sampson Survey, Abstract No.1311 in the City of Lancaster, Dallas County, Texas.

Planner Chetuya shared that item 3 is a request for preliminary plat approval of 174 residential lots and associated street rights-of-way for the purpose of developing Boardwalk Phase 3, a single-family residential development along with associated infrastructure. The proposed lots meet the size requirements of the zoning district and conform to the approved concept plan for this development. Phase 1 and 2 have been successfully developed, phase 3 would be the final phase of this development. Staff recommends approval of item 3.

MOTION: Commissioner Aguilar made a motion, and seconded by Commissioner Johnson to approve item 3. The vote was cast 4 for, 0 against.

4. Discuss and consider election of Chair.

MOTION: Commissioner Aguilar made a motion, and seconded by Commissioner Reed to appoint Racheal Hill as Chair. The vote was cast 4 for, 0 against.

5. Discuss and consider election of the Vice Chair.

MOTION: Commissioner Reed made a motion, and seconded by Commissioner Johnson to appoint Isabel Aguilar as Vice-Chair. The vote was cast 4 for, 0 against.

MOTION: Commissioner Aguilar made a motion, and seconded by Commissioner Reed to adjourn the meeting. The vote was cast 4 for, 0 against.

The meeting was adjourned at 8:10 p.m.

ATTEST:


Kelley Frazier, Development Coordinator

APPROVED:


Racheal Hill, Acting Chair