

MINUTES  
PLANNING & ZONING COMMISSION MEETING OF SEPTEMBER 5, 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 August 1, 2017 at 7:00 p.m. with a quorum present to-wit:**

**Commissioners Present:**

Racheal Hill – Chair  
Isabel Aguilar – Vice Chair  
Cynthia Johnson  
Jeremy Reed

**Absent:**

Karen Collins

**City Staff:**

Bester Munyaradzi, Senior Planner  
Emma Chetuya, Planner  
Terrence Welch, City Attorney  
Kelley Frazier, Development Coordinator

**Call to order:**

Acting Chair Hill called the meeting to order at 7:00 p.m. on August 1, 2017.

**ACTION:**

- 1. Z17-05 Conduct a Public Hearing and consider a Specific Use Permit for Auto Repair Garage, Minor (oil change) located on the north side of Stanford Drive and approximately 186 feet west of North Dallas Avenue and contains approximately 0.7 acres of land. It is specifically addressed as 2613 N. Dallas Avenue in the City of Lancaster, Dallas County, Texas.**

Bester Munyaradzi, Senior Planner, stated that this is a request for a Specific Use Permit for an oil change facility, located on the north side of Stanford Drive, 186 feet west of North Dallas Avenue. It is 0.7 acres and zoned Retail. An oil change facility in retail zoned districts requires a SUP, however, this request is not consistent with the Comprehensive Plan at this location. The Comp Plan designates this area as Suburban Mixed Use with uses such as retail, restaurants, townhomes, urban residential, senior housing, professional office and live/work/shop units. The Comp Plan has pictures with the City's vision for the area and an oil change facility is not in keeping with that vision. As such, staff recommends denial of the requested SUP for an oil change facility.

Vice Chair Aguilar inquired as if this area was part of the recent Comprehensive Plan amendment to allow Retail in this area. Ms. Munyaradzi indicated it was.

Chair Hill opened the public hearing.

Hani Elkady, 3120 Ashwood Court, Richardson, Texas, spoke on behalf of the applicant to further explain the application. He indicated that this particular property surrounded by auto type uses and as such this is a perfect addition. Mr. Elkady added that there are currently gas stations on both sides of this property and a future car wash on the corner. He also noted that the style and architecture is in keeping with the other developments by this applicant.

Commissioner Johnson asked why the applicant wanted an Oil Lube location when a Retail facility would work also. Mr. Elkady indicated that the front portion would be a retail center but since the back of the property is less visible they felt it made more sense to do an Oil Lube to compliment the other auto uses that already exist.

Commissioner Johnson asked if this use was approved wouldn't this be an example of spot zoning. Ms. Munyaradzi indicated this zoning would still be Retail so this would not be

considered spot zoning. Mr. Elkady stated that he was aware of the pictures in the Comprehensive Plan however he didn't feel that any residential would be appropriate at this location considering it is surrounded by auto uses.

Commissioner Reed asked the applicant what his plans for the remainder of this lot would be. Mr. Elkady indicated that currently the plan was to make the remainder of the property into a public park.

Chair Hill asked what best practices that other cities have implemented when zoning is one way and it not a lot of property like residential homes around that area. What are the best practices?. Ms. Munyaradzi indicated that this mixed use plan is best fit for this area based on the major arterials that surround the property.

Commissioner Reed stated that last month when looking at a plat the Commission was told that even if a use is contrary to the Comprehensive Plan as long as the applicant was not asking for a zoning change. While this applicant needs a Specific Use Permit, he is not requesting a zoning change, so why is staff recommending denial of this application. Mr. Welch stated that with straight zoning it would be consistent however with a Specific Use Permit you look at whether it is consistent with that site.

**MOTION:** Commissioner Reed made a motion and seconded by Commissioner Johnson to close the public hearing. The vote was cast 4 for, 0 against [Collins absent].

Chair Hill indicated that with all the effort that was put into the Comprehensive Plan this is an opportunity to do something more creative with this property to get what the citizens would really like to see in this city. Commissioner Reed, Johnson and Aguilar concurred with this thought.

**MOTION:** Vice Chair Aguilar made a motion, and seconded by Commissioner Johnson to deny item 1. The vote was cast 4 for, 0 against [Collins absent].

## **ACTION**

2. **PS 17-02 Discuss and consider a Preliminary Plat for Bear Creek Ranch, Phase 3A and 3B being 623 Residential Lots, 7 open spaces and 1 municipal site on 144.116 acres located approximately .28 miles north of the City limit boundary, west of McBride Road, south of the existing Phase 2 and TXU power line easement, and east of Green Acre Road. The property is more particularly described as a tract of land situated in the Samuel T. Bledsoe Survey, Abstract Number 119 and 120; William C. Walker Survey, Abstract Number 1528; and Money Weatherford Survey, Abstract Number 1554 being an Addition to the Lancaster Municipal Water District #1, Dallas County, Texas.**

Emma Chetuya, Planner, stated that this a Preliminary Plat for Bear Creek Ranch, Phase 3A and 3B being 623 Residential Lots, 7 open spaces and 1 municipal site on 144.116 acres located approximately .28 miles north of the City Limit boundary, west of McBride Road, south of existing Phase 2 and TXU power line easement, and east of Green Acre Road. It is comprised of 144.116 acres of land. The subject property is currently within the City of Lancaster's ETJ and Lancaster MUD #1. The MUD agreement to sell water and have their water treated through the City contracted sanitary sewer provider, Trinity River Authority (TRA) was approved on February 25, 2002. Previous plats were approved for streets utilizing Dallas County standards. Phase 3 will utilize Dallas County's streets standards. 12.5 acres of land located south of the Reindeer Road Prescriptive Right of Way will be dedicated to the City for park land. Staff review of the preliminary plat indicates that the submitted Preliminary Plat is in conformance of the City's Subdivision Regulations, therefore staff recommends approval of the plat.

Commissioner Johnson asked whether the proposed streets meet the requirements. Also why was there being a water storage tank proposed on the property. Where is the proposed Look 9

area that is mentioned? Ms. Chetuya responded saying that the streets are 50' and that conforms to Dallas County's street standards. The storage tank was requested to elevate the complaints we have had regarding the quality of water in this subdivision. That property is proposed to go through this area and construction is proposed to begin in 2022.

**MOTION:** Commissioner Reed made a motion, and seconded by Vice Chair Aguilar to deny item 2. The vote was cast 4 for, 0 against [Collins absent].

3. **PS 17-18 Discuss and consider a Final 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.**

Emma Chetuya, Planner, stated that this is a request for final 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. This final plat is in conformance with Boardwalk Phase 3 preliminary plat. The applicant will be responsible for all utilities and infrastructure necessary for the development. Final Plat approval, substantial completion of utilities and infrastructure, and subsequent acceptance of infrastructure will be required prior to the recording of the proposed plat.

Commissioner Johnson inquired about the flood zone indicated on the plat. Ms. Chetuya stated that the flood zone area that is indicated on the plat is in the open space area and not on any of the lots where single family homes will be located.

Rodney Martinez, 1475 Heritage Parkway, Mansfield Texas, responded to the flood plain issue stating that the area on the plat showed with the dotted line is the only flood zone on the plat and there is a creek at that location.

Vice Chair Aguilar asked when constructed would begin. Derick Murway, 829 Siena, Southlake TX, responded stating that by the end of the year they should begin construction.

**MOTION:** Commissioner Johnson made a motion, and seconded by Vice Chair Aguilar to approve item 3. The vote was cast 4 for, 0 against [Collins absent].

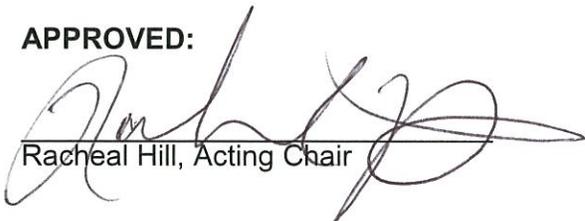
**MOTION:** Vice Chair Aguilar made a motion, and seconded by Commissioner Johnson to adjourn the meeting. The vote was cast 4 for, 0 against [Collins absent].

The meeting was adjourned at 7:42 p.m.

**ATTEST:**

  
Kelley Frazier, Development Coordinator

**APPROVED:**

  
Racheal Hill, Acting Chair