

MINUTES

PLANNING & ZONING COMMISSION REGULAR MEETING OF AUGUST 7, 2018

The Planning and Zoning Commission of the City of Lancaster, Texas, met in a Regular Session in the Council Chambers of City Hall on August 7, 2018 at 7:00 p.m. with a quorum present to-wit:

Commissioners Present:

Cynthia Johnson
Jeremy Reed
Karen Collins

City Staff:

Bester Munyaradzi, Senior Planner
Emma Chetuya, Planner
Terry Welch, City Attorney

Call to order:

Commissioner Johnson called the meeting to order at 7:16 p.m. on August 7, 2018.

CONSENT AGENDA:

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Commission Member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. **Consider approval of minutes from the Planning and Zoning Commission Meeting held on July 17, 2018.**
2. **PS18-18 Consider and discuss a final plat approval for Midpoint Logistics Center Lot 2, Block 1, being 52.25 acres of land located on the west side of Midpoint Drive. The property is addressed as 3501 Midpoint Drive and more particularly described as a tract of land situated in the Smith Elkins Survey Abstract No. 430, City of Lancaster, Dallas County, Texas.**
3. **PS18-20 Discuss and consider a request for approval of a Final Plat for Millbrook East Phase 3B, being 79 residential lots and 3 open space lots on approximately 14.94 acres located south of Millbrook East Phase 2B, north of Pleasant Run Hike and Bike Trail, west of North Bluegrove Road and approximately half a mile east of North Houston School Road. The property is described as a tract of land that is situated in the William Rawlins Survey, Abstract No. 1200 in the City of Lancaster, Dallas County, Texas**

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to approve consent agenda. The vote was cast 3 for, 0 against.

ACTION:

4. **M18-12 Consider an exception to the shrubbery requirement from the Landscape Ordinance for three (3) proposed and one (1) existing warehouse properties located at 1101, 1107, 1113 and 1119 Katy Street Lancaster, Dallas County Texas.**

Planner Chetuya gave the staff report and stated that the applicant is requesting an exception from section 14.804 of the Lancaster Development Code which states that at least one (1) shrub shall be required for every 50 square feet of the required landscape area. The applicant

is currently proposing to install **32** shrubs on **1113** Katy Street instead of the required **126** shrubs, **32** shrubs on 1107 Katy Street instead of the required **127** shrubs, **31** shrubs on 1101 Katy Street instead of the required **122** shrubs and **12** shrubs instead of **127** shrubs required have already been installed on 1119 Katy Street. Section 14.825 of the Lancaster Development Code states the total square footage of the required landscape area may be reduced by 20% if all landscaping materials have lower water demand. The applicant is installing 100% xeriscape which will aid in water conservation. In addition, the narrow configuration of the lot makes it challenging to fit all the required number of shrubs on the property since the Lancaster Development Code requires that 100% of the total landscaping be located in front of and along the side of buildings with street frontage in Industrial zoning districts. Staff recommends approval of the shrubbery exception request as presented since the landscaping meets the overall intent and spirit of the Lancaster Development Code. Staff also noted that section 14.804, Subsection (a) Right-of-way Landscaping Requirements (2) Street Tree Requirements of the Lancaster Development Code states that, "Large shade trees as defined in Section 14.805 for rights-of-way shall be provided in the required buffer in numbers equal to one tree for each fifty (50) feet of street frontage". The property addressed as 1119 Katy Street has 150 linear feet and is required to have three (3) trees installed on the property. 1119 Katy Street does not currently have trees on the property as required. Staff recommends the applicant install the required number of trees on this property.

Commissioner Reed asked what it means for staff to recommend that the applicant do what is required; is there a way to require that the code be met, whether the existing building was built before the Landscape Ordinance and if a Certificate of Occupancy (CO) was issued. He stated that he would think the landscaping would be required prior to the issuance of the CO.

Commissioner Collins commented that the area where the building is located does seem almost impossible to plant the required shrubs.

Commissioner Reed noted that the landscape requirement is a percentage of the overall lot size and is not convinced how the requirement couldn't be met regardless of the property shape and size. He also asked if it was possible to move the building back in order to fit in the landscaping.

Commissioner Johnson asked why the issue was agreed upon then and not discussed/settled at that time

The applicant, Marco Meija, stated the purpose of the request is due to the narrow configuration of the property. After the driveway approaches are accounted for, it leaves about 50 linear feet for landscaping. Installing the required landscaping would take away from the functionality of the property. He also mentioned the use of 100% xeriscaping to preserve water and reduce some of the water issues in the City.

After some further discussions, Commissioners expressed their concerns with 100% xeriscape, the lack of details as to what plant types would be used and what the landscape would look like.

MOTION: Commissioner Collins made a motion to approve action item number 4. No one seconded, the motion failed.

Commissioner Reed asked staff if the numbers in the staff report are before the 20% reduction for landscaping. Planner Chetuya stated that the calculations are after the 20% reduction for xeriscape.

MOTION: Commissioner Reed made a motion to grant a special exception of sixty percent (60%) of the eighty percent (80%) for xeriscape. The totals for each property comes out to **76** shrubs for 1113 Katy Street, **75** shrubs for 1107 Katy Street, **73** shrubs for 1101 Katy Street and **76** shrubs for 1119 Katy Street; and for the applicant to meet the required three (3) trees on 1119 Katy Street. The motion was seconded by Commissioner Johnson. The vote was cast 2 for, 1 against.

PUBLIC HEARING:

5. **PS18-16 Conduct a public hearing and consider a residential replat for Will-Kee Addition, being Lots 13A and 13B, Block D, subdividing one (1) lot into two (2) lots on approximately 0.46 acres. It is located on the north of Henry Street and west of Baskin Drive and is specifically addressed as 3203 Baskin Drive. The property is described as a tract of land situated in the Will-Kee Addition , Volume 15, Page 15, in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that the request is for the purpose of building single family houses. Access to the properties will be provided from Baskin Drive. The applicant will be responsible for all utilities and infrastructure necessary for development. The plat is currently in substantial conformance with the subdivision regulations. Staff recommends approval of the replat as presented.

Commissioner Johnson opened the public hearing and David Holmes (3125 Baskins Drive) spoke in favor of subdividing the lots and referenced two other lots, 3125 Baskin Drive and 3129 Baskin Drive that were subdivided and resulted in nice homes.

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to approve agenda item 5. The vote was cast 3 for, 0 against.

6. **PS18-17 Conduct a public hearing and consider a request for approval of a preliminary residential replat for Elsie Robertson Middle School combining Lots 4-9 of Block 2 and two tracts of land situated in the D.L. Hall Survey, Abstract Number 620, and the P. Hall Survey, Abstract Number 634 into one lot, Lot 1, Block A in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated the purpose of the request is to build the new Elsie Robertson Middle School. Access to the property will be from Pleasant Run Road and Lancaster Park Drive. The applicant will be responsible for all utilities and infrastructure necessary for development. The plat is currently in substantial conformance with the Subdivision Regulations and sixty (60) feet of the Right-of-Way (ROW) will be dedicated by this plat along the Westside of Pleasant Run Road. Staff recommends approval of this preliminary plat as it is in conformance with the Subdivision Regulations.

Commissioner Johnson opened the public hearing and no one spoke in favor or against the item.

Commissioner Reed asked what the sixty (60) feet of Right-of-Way dedication is?.Planner Chetuya explained the purpose of the right-of-way dedication as it relates to the Thoroughfare Master Plan and how it is measured.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to approve agenda item number 6. The vote was cast 3 for, 0 against.

7. **PS18-19 Conduct a public hearing and consider a residential replat for Interurban Addition, being Lots 24A, 24B, and 25A Block A subdividing two (2) lots into three (3) lots on approximately 1.83 acres. The property is located on the west side of Interurban Road, and approximately 1,300 feet south of Cedardale Road. The lots are addressed as 4109 and 4113 Interurban Road. The properties are described as two lots situated in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that the request is for the purpose of building single family houses. Access to the properties will be provided from Interurban Road. The applicant will be responsible for all utilities and infrastructure necessary for development. The plat is currently in substantial conformance with the subdivision regulations. Staff recommends approval of the request as presented.

Commissioner Johnson opened the public hearing and no one spoke in favor or against the item.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to approve agenda item number 7. The vote was cast 3 for, 0 against.

8. **Z18-09 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 529 Hearthstone Drive; Lot 8, Block A in Hearthstone Phase Four Subdivision. The property is located within the A. Bledsoe Survey, Abstract No. 113 City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that the State requires in-home daycare operators to comply with local regulations. The Lancaster Development Code requires a Specific Use Permit (SUP) for In-Home Daycares. The applicant is requesting an in-home daycare for up to twelve (12) children and currently has five (5) children; two (2) full-time and three (3) part-time. In-home daycare is considered as Home Occupation and the applicant meets the Home Occupation requirements as noted in the staff report. Staff recommends approval of this Specific Use Permit (SUP) subject to applicant (1) keeping less than six (6) children under the age of 2 ½ years old on the first floor with an exit discharge.

(2) If the applicant has more than five (5) children under the age of 2 ½ years old on the premise an automatic fire sprinkler system is required. (3) Should the applicant chose to have children on the second floor an automatic fire sprinkler system is required. Staff recommends approval of this Specific Use Permit (SUP) following the conditions listed.

Commissioner Johnson asked how the City will manage the number of children within an in-home daycare, as well as, the need for an automatic fire sprinkler if the number of children changes. He further requested for clarification whether staff's recommendation will not limit the number of children under 2 ½ years old but to reinforce the Fire restrictions for the safety of the children within the home.

Senior Planner Munyaradzi explained that the number of children is included within the requirements for the Specific Use Permit (SUP). The number is determined for the safety regulations for Fire and Building requirements which also meant to reinforce the Specific Use Permit (SUP).

Commissioners asked where the primary location of the in-home daycare within the home would be, as well as, if operators will abide by the Home Occupation regulations. Senior Planner Munyaradzi explained that the children are kept on the first floor of the home and that in-home daycare operators are required to abide by the Home Occupation regulations.

Commissioner Johnson opened the public hearing and no one spoke in favor or against the item.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Reed made a motion, and seconded by Commissioner Collins to approve agenda item number 8 with the three (3) points listed above and numbered recommended by staff. The vote was cast 3 for, 0 against.

9. Z18-10 Conduct a Public Hearing and consider a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential. The property is located north of Stainback Drive and east of Nokomis Road and is addressed as 1542 Raintree Drive. It is further described as Lot 15 in Abstract 765 Survey M.H. Lavender, Lancaster, Dallas County, Texas.

Planner Chetuya gave the staff report and stated the purpose of the rezoning request is to develop a single family home on 1.8 acres of land. The current zoning only allows for agricultural uses in a single family dwelling on five (5) acres or more. The proposed zoning change would allow up to four (4) dwelling units per an acre. It is required that the annexation areas be zoned to Agriculture Open (AO) when incorporated into City limits. As development and uses change the annexed areas will be rezoned in accordance with the Lancaster Future Land Use Map. Based upon the analysis of the five (5) considerations that must be taken into account when reviewing a change in zoning application, the proposed zoning change request will integrate appropriately as the area is envisioned for single family home development and is consistent with the 2016 Comprehensive Plan. Staff recommends approval of the rezoning change request as presented.

Commissioner Johnson asked staff why they recommended approval of the rezoning instead of following the Future Comprehensive Plan. Planner Chetuya contended that the rezoning

request was consistent with the Future Land Use Plan. That the area is designated as a suburban neighborhood which allow for such density as four (4) units per an acre. Therefore the rezoning would be in compliance.

Commissioner Johnson opened the public hearing and Selena and Marcial Medina (508 N. Dallas Ave., Lancaster, TX 75146) applicants and owners of the property spoke in favor of the rezoning.

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to approve agenda item number 9. The vote was cast 3 for, 0 against.

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to adjourn.

The meeting was adjourned at 8:03 p.m.

ATTEST:



Bester Munyaradzi, Senior Planner

APPROVED:



Cynthia Johnson, Commissioner