

MINUTES

PLANNING & ZONING COMMISSION REGULAR MEETING OF SEPTEMBER 4, 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 September 4, 2018 at 7:00 p.m. with a quorum present to-wit:

Commissioners Present:

Cynthia Johnson, Acting Chair
Jeremy Reed
Karen Collins

City Staff:

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

Call to order:

Commissioner Johnson called the meeting to order at 7:00 p.m. on September 4, 2018.

CONSENT AGENDA:

Acting Chair Johnson read the consent agenda.

1. **Consider approval of minutes from the Planning and Zoning Commission Meeting held on August 7, 2018.**
2. **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.**
3. **PS 18-22 Discuss and consider a request for approval of a Final Plat for Wayfair 35, creating one lot on approximately 47.15 acres, located on the southeast corner of Interstate Highway 35E and West Drive and is more specifically addressed as 2820 North Interstate Highway 35E. The property is described as a tract of land situated in the William Howerton Survey, Abstract No. 559, City of Lancaster, Dallas County, Texas.**

MOTION: Commissioner Collins made a motion, seconded by Commissioner Reed to approve consent items 1 through 3. The vote was cast 3 for, 0 against.

ACTION:

4. **HLPC 18-10 Consider and Discuss a Certificate of Appropriateness to repair soffits on the exterior of the structure; all balconies located on the exterior of structure and replace sliding glass doors at exterior of six (6) multi-family units on the property located on 428 N. Dallas Avenue, Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that the applicant is requesting to repair the two (2) balconies on the exterior of the structure. The current balconies, rafters and skirting of each property will be removed because they have deteriorated. Each individual rafter will be removed and replaced into the ceiling of all lower units, in addition all skirting will be replaced with the same material as the current material which is treated lumber. The applicant is also requesting to remove all single-pane aluminum glass sliding doors and replace it with

upgraded double-pane vinyl sliding doors. The Lancaster Historic Design Guidelines does not have any restrictions or standards for the double-pane windows as long as it meets the Energy Codes, staff recommends approval. The Historic Landmark Preservation Committee (HLPC) did recommend approval of the request as presented on July 24, 2018.

There were no other speakers.

MOTION: Commissioner Reed made a motion, seconded by Commissioner Collins to approve agenda item 4. The vote was cast 3 for, 0 against.

PUBLIC HEARING:

- 5. Z18-11 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 2947 E. Pepperidge Drive, Lot 19, Block D in Lancaster North 2 Phase 1 Subdivision. The property is located within the John Hall Survey, Abstract No. 601, City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that agenda item number 5 is a Specific Use Permit (SUP) request for in-home daycare at 2947 E. Pepperidge Drive, Lancaster, Texas. The State requires in-home day care operators to comply with local regulations. The Lancaster Development Code requires a SUP for in-home daycares. The applicant is requesting an in-home daycare for up to 12 children and plans to start operating in October 2018. The applicant is also planning to have up to 12 children with four (4) children that are under 2 1/2 years old and the rest of the children three years (3) years old and older. In-home daycare is considered a Home Occupation and the applicant meets the Home Occupation. Staff recommends approval of the requested SUP for an in-home daycare subject to:

1. Less than six (6) children under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge.
2. If more than five (5) children under the age of two and half years old (2 1/2) are kept on the premise, an automatic fire sprinkler system is required.
3. Compliance with Home Occupation Regulations.
3. Clearance of inoperable vehicles in the driveway before a Certificate of Occupancy can be issued.
4. Children's play stations being moved to the back yard before a Certificate of Occupancy can be issued.

Acting Chair Johnson asked why the in-home daycare did not have State Licensure. Senior Planner Munyaradzi responded that the applicant wanted to be in compliance with local regulations before moving forward with State Licensure.

Commissioner Reed inquired whether the five (5) recommendation conditions would be written into the Specific Use Permit (SUP) and whether Certificates of Occupancy (CO) would be issued for in-home daycares. Senior Planner Munyaradzi noted that the five (5) conditions will be part of the Specific Use Permit (SUP).

Commissioner Johnson asked staff about the State Licensure requirements and what other requirements may be needed to obtain such licensure. She also asked how the City would ensure that the in-home daycare has their State License. Senior Planner Munyaradzi stated that in-home daycare operators would not be allowed to operate without State license; that State requirements are more restrictive and the City would not want to require from applicants what the State necessitates. Additionally, the State regularly checks on the in-home daycares to assure they are in compliance with State regulations.

Acting Chair Johnson opened the public hearing and the applicant Tina McCray (2947 E. Pepperidge Drive) stated that the State is now requiring in-home daycare applicants to acquire local permits first before receiving State License.

Acting Chair Johnson asked the applicant about the number of children she plans to have and the square footage of her home. The applicant noted that she plans to have up to twelve (12) children with four (4) children under the age of two and half years (2½). Senior Planner Munyaradzi confirmed that the square footage is one of the requirements the State assesses as well as the Fire department to avoid overcrowding of children.

There were no other speakers.

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 with staff recommendations. The vote was cast 3 for, 0 against.

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

The meeting was adjourned at 7:14 p.m.

ATTEST:



Bester Munyaradzi, Senior Planner

APPROVED:


Cynthia Johnson, Commissioner