

## MINUTES

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

#### Commissioners Present:

Cynthia Johnson, Acting Chair  
Ty Jones  
Ernest Casey

#### Commissioners Absent:

Karen Collins  
Jeremy Reed

#### City Staff:

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

#### Call to order:

Acting Chair Johnson called the meeting to order at 7:00 p.m. on December 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 November 6, 2018.**
2. **HLPC 18-13 Discuss and consider a Certificate of Appropriateness to replace a fence; install a concrete driveway and sidewalk; demolish an existing garage and renovate a water well on property located at 405 E. Main Street, Lancaster, Dallas County, Texas.**
3. **HLPC 18-14 Discuss and consider a Certificate of Appropriateness (COA) to replace all exterior doors, light fixtures and windows on six (6) multi-family units on the property located at 428 N. Dallas Avenue, Lancaster, Dallas County, Texas.**

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to approve consent items 1 through 3. The vote was cast 3 for, 0 against [Collins and Reed absent].

4. **Z17-11 Conduct a Public Hearing and consider a rezoning request for remaining various portions of the property located on the east side of Oak Farms Boulevard and approximately 200 feet south I-20 Frontage Road from SF-6 Single Family Residential to Light Industrial (LI). The properties consist of a portion of Oak Farms Boulevard, and the Slope and Grading Easement along Patman Drive, Brantley Drive and Eaton Avenue within the Daniieldale Resubdivision, being recorded in Volume 35, Page 213, Lancaster, Dallas County, Texas.**

Planner Chetuya spoke on item 4 and shared the request is to rezone the remaining portions of the subject property from Single-Family Residential (SF-6) to Light Industrial (LI) for the purpose of allowing logistics and distribution uses on the total property. The current zoning allows primarily for residential uses. Planner Chetuya noted that on March 26, 2018 the City Council approved a request to rezone 21.43 acres of Daniieldale resubdivision from Single Family Residential to Light Industrial. The slope and grading easement and Oak Farms Boulevard were not rezoned with the rest of the property as they were pending abandonment. Planner Chetuya also noted that on November 12, 2018 the City Council approved the request to abandon the slope and grading easement and a portion of

Eaton Avenue; however Oak Farms Boulevard was not abandoned because it was determined the City still had a necessity for the land. Planner Chetuya concluded that Oak Farms Boulevard and the slope and grading easement need to be rezoned in order to clean up the zoning of the property. Therefore, staff recommends approval of item 4.

Acting Chair Johnson opened the public hearing.

Thomas Hillsman, 6519 Westgate Drive Dallas, Texas 75254 applicant, stated that this rezoning is a request to clean up the zoning for consistent zoning on two parcels.

Jeff Jackson, 3829 Patman, stated that the information sent out was unclear and asked what was going to be done with the alley easements going through the property. Acting Chair Johnson stated that the rezoning was the primary focus and that other questions or concerns would be addressed at another time.

Dietra Moore, 3809 Patman, asked what would be done by the City for the property owners in the homes that the buildings are backing up to.

Serina Franklin, 3819 Patman, asked about the noise and lighting associated with the buildings and its effect on the property owners. She also asked about the effects of the alley on her property.

Senior Planner Munnyradzi stated the alleys that serve the residential properties were not abandoned. She also stated that there would be a wall required between industrial and residential uses that is built by the developer.

Associate Attorney Welch stated that the rezoning only applies to the red and yellow strips indicated on the zoning exhibit. He also stated that the property between the red and yellow strips has already been rezoned.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 3 for, 0 against [Collins and Reed absent].

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

**5. Z18-17 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1101 Oakbluff Drive; Lot 18 Block 15 in Meadow Creek Estates Subdivision. The property is located within the Bledsoe Survey, Abstract 113 City of Lancaster, Dallas County, Texas.**

Planner Chetuya shared the staff report and stated the request is for an in-home daycare for up to twelve (12) children ranging from 2 years old to after-school age children. This is a registered childcare home, which currently has nine children in the home. There are five 2 year olds, one 3 year old, two 4 year olds and one 5 year old. The in-home daycare has received State licensure and has been in operation since last year. Planner Chetuya also stated that the subject property is on a corner lot within a residential neighborhood that is alley served. She added that because alley served residents use alleys for entry and exit points, Oakbluff Drive is free of traffic for dropping off and picking up children. Therefore, staff recommends approval of item 5 with the following conditions:

1. Less than six (6) children under the age of 2 ½ years old must be kept on the first level with exit discharge.
2. If more than five (5) children under the age of 2 ½ years old are kept on the premises an automatic fire sprinkler system is required.
3. Compliance with home occupation regulations.
4. Confirmation from Animal Services that all animals kept on-site meet all the local and state

regulations regarding any immunizations.

Acting Chair Johnson opened the public hearing.

There were no speakers.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 3 for, 0 against [Collins and Reed absent].

Acting Chair Johnson asked staff why the owner was in operation for a year prior before obtaining a SUP. Planner Chetuya stated that staff sent out the letters for compliance in September of 2018 and that many in-home daycares are already in operation. Senior Planner Munyaradzi added that there is a map indicating which in-home daycares have been approved or are pending approval.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to approve item 5 with staff conditions. The vote was 3 for, 0 against [Collins and Reed absent].

**6. Z18-18 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1230 River Oaks Circle; Lot 2 Block 2 in Pleasant Run Estates Subdivision. The property is located within the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated the request is for an in-home daycare up to twelve children. This in-home daycare currently has three children, two 9 month olds and one 16 month old. Planner Chetuya stated that the in-home daycare is designated as a Listed Home by the State and has been in operation since 2013. Planner Chetuya also stated the subject property is a lot within a residential neighborhood with front entry served properties allowing parents to either park in the driveway or in front of the property. Therefore, staff recommended approval of item 6 with the following conditions:

1. Less than six (6) children under the age of 2 ½ years old must be kept on the first level with exit discharge.
2. If more than five (5) children under the age of 2 ½ years old are kept on the premises an automatic fire sprinkler system is required.
3. Compliance with home occupation regulations.
4. Confirmation from Animal Services that all animals kept on-site meet all the local and state regulations regarding any immunizations.

Commissioner Johnson asked about the number of children in the home. Planner Chetuya contended that there were three.

Acting Chair Johnson opened the public hearing.

There were no speakers.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 3 for, 0 against [Collins and Reed absent].

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to approve item 6 with staff conditions. The vote was 3 for, 0 against [Collins and Reed absent].

**7. Z18-19 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1513 Honey Bee Lane; Lot 28 Block D in Meadowview Phase Two Subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated the request is for an in-home daycare up to twelve children ranging from 17 months old to after-school age children. This is a registered childcare home which currently has four children, two 4 year olds, one 17 month old and one 8 year old. The in-home daycare has received State licensure and been in operation starting this year. Planner Chetuya also stated that the property is within a subdivision that is alley served, which leaves Honey Bee Lane free from traffic during pickup and drop off times for this in-home daycare. Therefore, staff recommends approval of item 7 with the following conditions:

1. Less than six (6) children under the age of 2 ½ years old must be kept on the first level with exit discharge.
2. If more than five (5) children under the age of 2 ½ years old are kept on the premises an automatic fire sprinkler system is required.
3. Compliance with home occupation regulations.
4. Confirmation from Animal Services that all animals kept on-site meet all the local and state regulations regarding any immunizations.

Commissioner Casey asked staff about the number of employees, as well as, the manner of picking up and dropping off children.

Planner Chetuya stated that there is one other employee and that the applicant would be in the best position to answer questions concerning the logistics of the children's transportation schedule.

Acting Chair Johnson opened the public hearing.

There were no speakers.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 3 for, 0 against [Collins and Reed absent].

Commissioner Casey asked the applicant does she transports children.

Linda Jackson, applicant, 1513 Honey Bee Lane, stated that she picks up and drops off the children and has her granddaughter helping her. Acting Chair Johnson also asked the age of her granddaughter and Ms. Jackson responded that her granddaughter is 21.

**MOTION:** Commissioner Jones made a motion, seconded by Commissioner Casey to approve item 7 with staff conditions. The vote was 3 for, 0 against [Collins and Reed absent].

**MOTION:** Commissioner Casey made a motion, seconded by Commissioner Jones to adjourn the meeting. The vote was cast 3 for, 0 against [Collins and Reed absent].

The meeting was adjourned at 7:30 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Bester Munyaradzi, Senior Planner

**APPROVED:**

  
\_\_\_\_\_  
Cynthia Johnson, Acting Chair