

MINUTES

PLANNING & ZONING COMMISSION REGULAR MEETING OF FEBRUARY 5, 2019

The Planning and Zoning Commission of the City of Lancaster, Texas, met in a Regular Session in the Council Chambers of City Hall on February 5, 2019 at 7:00 p.m. with a quorum present to-wit:

Commissioners Present:

Jeremy Reed, Acting Chair
Ty G. Jones
Ernest Casey

City Staff:

Terry Capehart, Director of Development Services
Bester Munyaradzi, Senior Planner
Emma Chetuya, Planner
Terry Welch, Attorney

Call to order:

Acting Chair Reed called the meeting to order at 7:01 p.m. on February 5, 2019.

CONSENT AGENDA:

Acting Chair Reed read the consent agenda.

1. **Consider approval of minutes from the Planning and Zoning Commission Meeting held on January 8, 2019.**
2. **PS19-05 Discuss and consider a request for approval of a replat for Park 20/35, being Lot 5R and Lot 10 Block 1, subdividing one (1) lot into two (2) lots on approximately 50.06 acres, located southeast of Danieldale Road, approximately 360 feet west of Franklin Street and north of Cedardale Road. The property is described as a tract of land situated in the Nathan P. Pierce Survey, Abstract Number 1132, in the City of Lancaster, Dallas County, Texas.**

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to approve consent items 1 and 2. The vote was cast 3 for, 0 against.

PUBLIC HEARING:

3. **Z19-03 Conduct a public hearing and consider an amendment to an existing Planned Development District No. 26 (PD-26) and as amended to allow modifications to the design criteria for Phase 3 of the Rolling Meadows subdivision. The property is located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that the PD in question was previously approved in 1986 and will be the last phase of the subdivision. The applicant will be providing two (2) – three (3) caliper inch trees per lot and 100 square feet of landscaping irrigation per lot. They will be providing two parks and open space on lots 39 and 40 per the concept plan and they have met the connectivity ratio requirement of 1.5. Due to these changes, the applicant is requesting to make amendments to the current PD.

Director Capehart stated that due to the narrow configuration of the subject parcel, as well as, a major Lone Star Gas easement bisecting the property, the applicant is proposing to eliminate the use of alleys in order to properly fit the lots within the narrow constraints. They are still maintaining a lower density of

approximately four (4) dwelling units per acre whereas the original PD allowed for six (6) dwelling units per acre. He noted the amendment is compatible with the original intent of the area, as well as, the Comprehensive Plan. In addition, he stated that the lot sizes vary within the current PD from 5,000-7,200 square feet, whereas the proposed will be 6,500 square feet. The average dwelling size within the current PD is 1,800 square feet and the proposed will be 1,750 square feet minimum, which is the current requirement for SF-6. The location of the garage was a major concern, as our current ordinance requires that the front garage be setback 20 feet from the front façade, to maintain a reasonable backyard and some articulations. The language of the PD states that the garage requirement is to be waived, however staff is requesting the following stipulations be met before approval:

1. If the front of the garage is flushed with the front façade of the house then a porch would have to be protruding at least six (6) feet from the front façade OR;
2. If the porch is flushed with the front façade then the face of the garage would have to be setback six (6) feet.

Commissioner Ty G. Jones asked what are the vast differences between the approval from 1986 to the changes being proposed now.

Director Capehart responded that the average valuation would greatly increase from the previous two phases therefore the City will get a better quality of housing. He also noted that the applicant has committed to spending up to \$100,000.00 for park improvements.

Commissioner Ty G. Jones also asked about waste pick up due to the elimination of alleys and the applicant, stated they would pick up trash from the streets as in other neighborhoods.

Acting Chair Reed opened the public hearing.

Anita K. Lott, 164 Palm Drive, Lancaster, TX 75146, asked about how the applicant is proposing to separate the two phases. She also asked about the park proposal as it may draw uninviting guests and potentially accumulate a great deal of trash and crime into the neighborhood.

Lee Houston, 146 Boca Raton Way, Lancaster, TX 75146, expressed concern about the entrance into the new phase and a drainage canal that runs through the new phase and how it could flood the other phases. He also asked about the elimination of alleys and the accumulation of trash on the streets. In addition, he asked about the park as it relates to some unwanted visitors to the park and how it could cause high crime within the neighborhood, lower the value of their homes and value of the community.

(Christina Robinson) 2929 Ocean Drive, Lancaster, TX 75146, expressed concern about debris that comes from the apartments next door and the traffic.

Applicant, Jim Brown, 6750 Hillcrest Plaza Drive, Dallas, TX, spoke in reference to the questions and concerns expressed by the neighborhood. He stated that the main impact alleys would have is to reduce the traffic in the neighborhood. He also addressed concerns regarding being too close to the school and the necessity of omitting the 20 feet garage setback requirements in order to move forward. He stated that no builder has plans for a 20 feet setback on the garage as it gets rid of the backyard. He also stated that he was not able to meet the garage setback standards staff presented but they can fulfill a 2 feet garage setback from the front façade of the home.

Darryl Dubose, 168 Palm Drive, Lancaster, TX 75146, expressed his concerns about the new phase only making accommodations but not truly enhancing the community.

Lee Houston, 146 Boca Raton Way, Lancaster, TX 75146, spoke again in reference to the concern of having parks. He suggested adding baseball fields or soccer fields instead of parks, as they tend to attract unwanted visitors.

Applicant, Randy Currington, 6750 Hillcrest Plaza Drive, Dallas, TX, spoke in regards to the concerns of developing a park and that the intent of the park was not to impose negative effects but to create green space and a sense of community. He stated that the 20 feet garage setback takes out 80 feet from

the front façade of the home and a two foot setback is reasonable as this is being done in other communities and is a trend. He stated they are able to include porches and a 3-5 projection of the porch is a good number otherwise the porch begins to protrude into utility easements.

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

Commissioner Ty G. Jones asked staff about the recommended modifications in reference to the six (6) foot porch request.

Director Capehart responded that the stipulation is more of a preference by City Council that is in place for staff to implement. He advised that when the recommendation is made it is advised the exact measurement stipulations be mentioned in the motion

Commissioner Jones also inquired about the concerns the neighbors expressed regarding the alleys and the trash pick-up concerns. He also commented about the money for the parks and if it could be used for something else to enhance the community.

Director Capehart stated that trash pick-up arrangements and placement could be regulated at the HOA's discretion.

Acting Chair Reed asked staff for clarification about the garage setback with the front porch options.

Director Capehart stated that the applicant is willing to do the two foot setback on each house as a minimum so the garage would not be flushed with the front façade on any home.

Attorney Welch recommended the Commission to place the decision concerning the \$100,000.00 for the park in the hands of the Council as it has been expressed by citizens that parks are unwanted and it doesn't seem like there is enough space in the lots for a soccer or baseball field.

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to approve item 3 with the recommendations presented by staff:

1. There be a (20) feet front yard setback.
2. The garage to be setback at least two (2) feet minimum with options of architectural features or a porch not to exceed six (6) feet.
3. The \$100,000.00 be retained and the City Council will determine what the development of the parks and open space will be. The vote was cast 3 for, 0 against.

4. **Z19-04 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1848 Apollo Lane; Lot 25, Block F in Pleasant Run Estates Phase 1A Subdivision. The property is located within the William Fleming Survey, Abstract 466 City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that the request is for an in-home daycare for up to twelve (12) children ranging from 11 months to 4 years old. This is a licensed childcare home, which has been in operation and licensed since August 2014 and currently has 11 children in the home. The ages of the children are one (1) 11 month old, four (4) 2 year olds, three (3) 3 year olds and three (3) 4 year olds. The subject property is alley served residential neighborhood where the residents use the alleys in and out of their properties. This leaves Apollo Lane free of traffic for dropping off and picking up children from this in-home daycare. The Lancaster Development Code (LDC) requires in-home daycares to obtain a Specific Use Permit (SUP) in all residential zoning districts; therefore, the applicant is looking to bring the business into compliance with the City's requirements. Staff therefore 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 and microchipping.

Acting Chair Reed opened the public hearing

Applicant, Angela Van, 1848 Apollo Lane, Lancaster, TX 75134, spoke in favor of the request.

Commissioner Ty G. Jones stated that a citizen provided a document referencing the enforcement of deed restrictions on the property and wanted to know what that was about.

Director Capehart stated that the citizen provided a part of the deed restrictions but did not include the complete paragraph referencing the section that states a business is permitted as long as it complies with the zoning regulations and this SUP would bring the in-home daycare into compliance.

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was 3 for, 0 against.

MOTION: Commissioner Casey made a motion, seconded by Commissioner Jones to approve item 4. The vote was 3 for, 0 against.

5. **Z19-06 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 East Reindeer Road and east of Dasher Drive and is addressed as 3315 Prancer Street. It is further described as Lot 10, Block 2 in Abstract 1554 Survey Money Weatherford, Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that this is a request to rezone the subject property from Agriculture Open (AO) to SF-4 (Single Family Residential) for the development of a single family home. The current zoning only allows for agricultural uses and a single-family dwelling on at least five (5) acres. The proposed zoning change would allow up to four (4) dwelling units per acre. Properties to the north, south, east and west are occupied. They are currently zoned AO and are surrounded by built homes. Based on the analysis of the five (5) criteria that must be taken into consideration when reviewing a zoning change application the proposed zoning change request will integrate appropriately as the area is envisioned for single-family development and is in line with the Comprehensive Plan.

Acting Chair Reed opened the public hearing.

Evan McFarland, 200 S. Ryan, Red Oak, TX, owner of the property, spoke in favor of the rezoning request.

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to approve item 5. The vote was 3 for, 0 against.

6. **Z19-07 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 East Reindeer Road and east of Dasher Drive and is addressed as 3223 Prancer Street. It is further described as Lot 8, Block 2 in Abstract 1554 Survey Money Weatherford, Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that this is a request to rezone the subject property from Agriculture Open (AO) to SF-4 (Single Family Residential) is for the development of a single family home. The current zoning only allows for agricultural uses and a single-family dwelling on at least five (5) acres. The proposed zoning change would allow up to four (4) dwelling units per acre. Properties to the north, south, east and west are occupied. They are currently zoned AO and are surrounded by built homes. Based on the analysis of the five (5) criteria that must be taken into consideration when reviewing a zoning change application the proposed zoning change request will integrate appropriately as the area is envisioned for single-family development and is in line with the Comprehensive Plan.

Acting Chair Reed opened the public hearing.

Kevin Brewer, Waxahachie, TX, property owner spoke in favor of rezoning request.

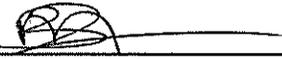
MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 3 for, 0 against.

MOTION: Commissioner Ty G. Jones made a motion, seconded by Commissioner Casey to approve item 6. The vote was 3 for, 0 against.

MOTION: Commissioner Casey made a motion, seconded by Commissioner Ty G. Jones to adjourn. The vote was cast 3 for, 0 against.

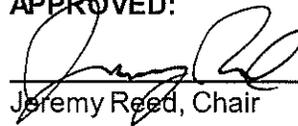
The meeting was adjourned 8:17 p.m.

ATTEST:



Bester Munyaradzi, Senior Planner

APPROVED:



Jeremy Reed, Chair