

## MINUTES

### PLANNING & ZONING COMMISSION SPECIAL MEETING OF SEPTEMBER 10, 2019

The Planning and Zoning Commission of the City of Lancaster, Texas, met in a Special Session in the Council Chambers of City Hall on September 10, 2019 at 7:15 p.m. with a quorum present to-wit:

#### **Commissioners Present:**

Jeremy Reed, Chair  
Ernest Casey  
Isabel Aguilar  
Tamika Whitfield, Alternate

#### **Commissioners Absent:**

Ty G. Jones, Vice-Chair  
Lawrence Prothro

#### **City Staff:**

Bester Munyaradzi, Senior Planner

#### **Call to order:**

Chair Reed called the meeting to order at 7:15 p.m. on September 10, 2019.

#### **PUBLIC TESTIMONY:**

At this time citizens who have pre-registered before the call to order will be allowed to speak on consent or action item on the agenda, with the exception of public hearings, for a length of time not to exceed three minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

There were no speakers.

#### **CONSENT AGENDA:**

Chair Reed read the consent agenda.

1. Consider approval of minutes from the Planning and Zoning Commission Regular Meeting held on August 6, 2019.
2. HLPC19-07 Discuss and consider a Certificate of Appropriateness (COA) for the construction of a new 2,112 square feet home on the property located at 114 Hackberry Street, Lancaster, Dallas County, Texas.
3. PS19-18 Consider a request for approval of a preliminary plat for Shahla Homes Addition, being Lots 1-6, Block A; Lots 1-2, Block B; Lots 1-15, Block C; Lots 1-11, Block D; Lots 1-8, Block E and Lots 1-10, Block F on approximately 10.8 acres, addressed as 966 North Bluegrove Road. The property is described as a tract of land situated in the A. Bledsoe Survey, Abstract No. 113, in the City of Lancaster, Dallas County, Texas.
4. PS19-22 Discuss and consider a request for approval of a preliminary plat for Rolling Meadows Phase 3, being 87 residential lots and two (2) open space lots on approximately 21.14 acres. It 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.**

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to approve items 1-4. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent]

**PUBLIC HEARING:**

- 5. Z19-10 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 3116 Prairie Aster Drive; Lot 12 Block F in Meadowview Phase Two subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that this is a request for an in-home daycare for up to 12 children. At the moment, the in-home daycare has 5 children and has been in operation and registered since October 2009. The Lancaster Development Code (LDC) requires all in-home day cares in all residential zoning districts to obtain a Specific Use Permit (SUP). The applicant is therefore seeking to bring the business into compliance with the City requirements. In-home day cares are classified as Home Occupation and required to meet Home Occupation regulations. Staff recommends approval of this request subject to stipulations specified in the staff report.

Commissioner Aguilar asked staff to clarify the need for the Specific Use Permit. She also asked if they have to be in compliance with the Texas Department of Family Protective Services. Senior Planner Munyaradzi stated that the LDC requires in-home daycare operators to obtain an SUP and that all in-home daycares have to be in compliance with all state and City regulations.

Chair Reed opened the public hearing.

Applicant, Ms. Delores Chaney, 3116 Prairie Aster Drive, owner and operator of the in-home daycare spoke in favor of the request. She also stated that she was approved for a Certificate of Occupancy in 2009 by the Fire Marshall and did not feel the Specific Use Permit (SUP) was fair. Senior Planner Munyaradzi noted that staff had met and spoke with the applicant prior and alerted the applicant that the Certificate of Occupancy from the Fire Marshall did not exempt her from obtaining the SUP as required by the LDC.

**MOTION:** Commissioner Casey made a motion, seconded by Commissioner Aguilar to close the public hearing. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent]

Commissioner Whitfield asked for clarification of the Specific Use Permit (SUP) and the need for a resubmittal if she received a Certificate of Occupancy in 2009. Senior Planner Munyaradzi stated that the Certificate of Occupancy was issued in error.

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Whitfield to approve item 5 subject to the stipulations stated in the staff report. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent]

6. **Z19-12 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1440 Gentle Rain Drive; Lot 5 Block L in Meadowview Phase One subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi stated that the applicant requested that this item be postponed until the November 5, 2019 Planning & Zoning Commission meeting and staff recommend that the item be postponed per the applicant's request.

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to postpone item 6 to the November 5, 2019 Planning & Zoning Commission meeting. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent]

7. **Z19-15 Conduct a public hearing and consider a rezoning request from Single-Family Residential (SF-4) to Neighborhood Services (NS). The properties are located on the northwest corner of Springcrest Circle and West Pleasant Run Road. The property is described as a tract of land recorded in Volume 42, Page 209, Deed Records, in the City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that this is a request to rezone from SF-4 to Neighborhood Service (NS) for a commercial building development on 0.70 acre property. The current zoning only allows single family dwelling uses and the proposed zoning change would allow limited retail intended for day-to-day retail needs for surrounding neighborhoods. The Future Land Use Plan of the Comprehensive Plan indicates that this area is intended for commercial development and the proposed NS zoning district is therefore consistent with the Future Land Use Plan of the Comprehensive Plan. Therefore staff recommends approval of the request as presented.

Chair Reed opened the public hearing.

No one spoke.

**MOTION:** Commissioner Casey made a motion, seconded by Commissioner Aguilar to close the public hearing. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

Commissioner Whitfield asked if specific uses were stated for the NS zoning district. Senior Planner Munyaradzi stated the uses given in the staff report.

Commissioner Aguilar asked if the rezoning is part of the Comprehensive Plan and Senior Planner Munyaradzi noted that the request was consistent with Future Land Use Plan of the Comprehensive Plan.

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to approve item 7. The vote was cast 3 for, 1 against. [Ty G. Jones and Prothro absent.]

- 8. Z19-16 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1909 Enchanted Lane; Lot 5A Block E in Enchanted Forest Addition subdivision. The property is located in Volume 85107 and Page 2018 in the City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that this is a request for an in-home daycare for up to 12 children. At the moment, the in home daycare has six (6) children and has been in operation and registered since August 2014. The LDC requires in-home day cares in all residential zoning districts to obtain SUP. The applicant is therefore seeking to bring the business into compliance with the City requirements. In-home day cares are classified as Home Occupation and required to meet Home Occupation regulations. Staff recommends approval of this request subject to stipulations specified in the staff report.

Chair Reed opened the public hearing.

Applicant, Ms. Lashun Williams, 1909 Enchanted Lane, spoke in favor of the request.

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to approve item 8 subject to stipulations stated in the staff report. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

- 9. Z19-17 Conduct a public hearing and consider a rezoning request from Agricultural Open (A-O) to Single Family Residential Estate (SF-E). The property is addressed as 913 Ten Mile Road. It is further described as a 4.172 tract of land situated in the Arthur Eldridge Survey, Abstract No. 449, City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that this is a request to rezone the subject property from Agriculture Open (A-O) to Single Family-Estate (SF-E) on 4.17 acre lot for single family home development. The current zoning only allows agricultural uses with one (1) single family dwelling on five (5) or more acres. SF-E zoning allows one (1) dwelling unit per acre. The Comprehensive Plan Future Land Use map designates this area as Rural Living. The proposed zoning change is therefore consistent with the Future Land Use Plan of the Comprehensive Plan. Staff recommends approval of the request as presented.

Chair Reed opened the public hearing. No one spoke.

**MOTION:** Commissioner Casey made a motion, seconded by Commissioner Aguilar to close the public hearing. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to approve item 9. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

10. **Z19-18 Conduct a public hearing and consider a rezoning request from Agricultural Open (A-O) to Single Family Residential Estate (SF-E). The property is addressed as 1517 Raintree Drive. It is further described as a tract of land situated in the M.H. Lavender Survey, Abstract No. 765 in the City of Lancaster, Dallas County, Texas**

Senior Planner Munyaradzi gave the staff report and stated that this is a request to rezone the subject property from Agriculture Open (A-O) to Single Family-Estate (SF-E) on 1.8 acre lot for single family home development. The current zoning only allows agricultural uses with one (1) single family dwelling unit on five (5) or more acres. SF-E zoning allows one (1) dwelling unit per acre. The Comprehensive Plan Future Land Use map designates this area as Rural Living. The zoning change request is therefore consistent with the Comprehensive Plan and staff recommends approval of the request as presented.

Chair Reed opened the public hearing. No one spoke.

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to close the public hearing. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to approve item 10. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

**MOTION:** Commissioner Aguilar made a motion, seconded by Commissioner Casey to adjourn. The vote was cast 4 for, 0 against. [Ty G. Jones and Prothro absent.]

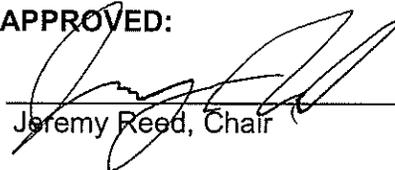
The meeting was adjourned at 7:46 p.m.

**ATTEST:**



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Bester Munyaradzi, Senior Planner

**APPROVED:**



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Jeremy Reed, Chair