

## MINUTES

### PLANNING & ZONING COMMISSION REGULAR MEETING OF April 7, 2020

The Planning and Zoning Commission of the City of Lancaster, Texas, met in a Regular Session in the Council Chambers of City Hall on April 7, 2020 at 7:00 p.m. with a quorum present to-wit:

#### **Commissioners Present:**

Isabel Aguilar, Acting Chair  
Tamika Whitfield  
Lawrence Prothro  
Angela Murphy, Alternate

#### **Commissioners Absent:**

Ernest Casey

#### **City Staff:**

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

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

Acting Chair Aguilar called the meeting to order at 7:00 p.m. on April 7, 2020.

#### **Public Testimony:**

At this time citizens who have pre-registered before the call to order will be allowed to speak on consent or action items 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.

Glenn Hooper was a pre-registered citizen before the call to order to speak on item 5. Mr. Hooper stated that he submitted his request to be reappointed as a regular HLPC member after the cutoff date. He stated that he was interested in being appointed as a regular member of the HLPC Committee and went over his qualifications.

Correen Robertson was a pre-registered citizen before the call to order to speak on item 3. Ms. Robertson went over details concerning Boardwalk Phase 3A and 3B Preliminary Plat.

Dee Hinkle was a pre-registered citizen before the call to order to speak on item 7. Ms. Hinkle went over Glenn Hooper's qualifications and stated that he has made a great contribution to the HLPC. She stated that he should be appointed as a regular member.

#### **CONSENT AGENDA:**

Acting Chair Aguilar read the consent agenda.

1. **Consider approval of minutes from the Open Meetings Act Joint Special Meeting held on March 2, 2020, and the Planning and Zoning Commission Regular Meeting held on March 3, 2020.**

**MOTION:** Commissioner Whitfield made a motion, seconded by Acting Chair Aguilar to approve consent item 1. The vote was cast 4 for, 0 against. [Casey absent]

**ACTION:**

2. **PS20-07 Discuss and consider a preliminary plat approval for Midpoint Logistics Center Lots 1-5 Block B being 94.467 acres of land located on the northwest corner of North Dallas Avenue and Telephone Road. The property is described as being out of the Smith Elkins Survey, Abstract no. 430, City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that this is a request for approval of a preliminary plat with multiple phases to enable independent and final development of associated lots and phases. Access to the properties will be provided from Dizzy Dean, Midpoint Drive, and North Dallas Avenue. There will be no truck access through Dizzy Dean Drive, and there will be screening provided along Dizzy Dean and Telephone Road. Staff recommends approval of the preliminary plat as presented.

**MOTION:** Commissioner Prothro made a motion, seconded by Commissioner Murphy to approve item 2. The vote was cast 3 for, 1 against. [Casey absent and Whitfield against.]

3. **PS20-08 Discuss and consider a Preliminary Plat for Boardwalk Phase 3A and 3B, being 174 residential lots on approximately 59.422 acres located north of Swift Fox Drive, approximately 320 feet east of Ames Road and directly west of Dizzy Dean Drive. The property is described as a tract of land that is part of the Jonathon L. Sampson Survey, Abstract No. 1311 in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that this is a request for preliminary plat approval of 174 residential lots and associated street rights -of-way for the purpose of developing Boardwalk Phase 3A and 3B. Primary access to the property will be provided through the existing Boardwalk Avenue on the west, Katydid Lane on the east, Marvin Gardens, and Indiana Avenue. The park will be dedicated to the City. Staff recommends approval of the preliminary plat as presented.

Commissioner Prothro asked if the plat was in line with the Comprehensive Plan. Planner Chetuya confirmed.

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

4. **PS20-09 Discuss and consider a preliminary plat for Oakmont 20/35 being 41.653 acres located at the southeast corner of North Longhorn Drive and West Drive and addressed as 2900 West Drive, a tract of land out of the William Howerton Survey, Abstract No. 559 in the City of Lancaster, Dallas County, Texas.**

Planner Chetuya gave the staff report and stated that this is a request for preliminary plat approval of one (1) light industrial lot and associated infrastructure for logistics and distribution development. The proposed lot meet the Subdivision Ordinance requirements and the Lancaster Development Code. Access will be provided from North Longhorn Drive and West Drive. Staff recommends approval of the preliminary plat as presented.

**MOTION:** Commissioner Prothro made a motion, seconded by Commissioner Murphy to approve item 4. The vote was cast 4 for, 0 against. [Casey absent]

**5. Discuss and consider appointment of one (1) regular member to the City of Lancaster Historic Landmark Preservation Committee (HLPC).**

Senior Planner Munyaradzi gave the staff report and stated that this is a request for the Commission to appoint one regular member to the HLPC. During the March 23, 2020 meeting, City Council voted to return this item to the Planning and Zoning Commission for reconsideration. Staff received a resume and letter, addressed to the City Council from Glenn Hooper that the Commission did not see before. The 2018 Ordinance requires that the Committee be composed of three regular members with experience or expertise in architecture, planning, landscape architecture, construction or real estate appraisal. One member of the Committee is to be a member of the Lancaster Historic Society, and one member is to be the owner of a designated historic landmark or property within the Historic District. Staff recommends that the Commission appoint one person with experience in architecture, planning, landscape architecture, building construction or real estate appraisal to fill the vacant position in order to fulfill the requirements set forth under the Ordinance.

Acting Chair Aguilar asked staff for clarification about why this request was back to the Planning and Zoning Commission after being seen at a previous meeting. Senior Planner Munyaradzi explained that the Commission previously did not have Glenn Hooper's resume and letter.

Commissioner Prothro asked staff for clarification on when this item was previously approved and who was appointed. Senior Planner Munyaradzi confirmed that this item was approved in February, and Marc Riggs was appointed.

Acting Chair Aguilar asked if Glenn Hooper was a previous member of the Historic Landmark Preservation Committee (HLPC). Senior Planner Munyaradzi confirmed that Hooper was the former Chair of the Historic Landmark Preservation Committee.

Commissioner Whitfield asked staff if Marc Riggs had the same experience as Glenn Hooper. Senior Planner Munyaradzi clarified that they do not have the same experience given that Glenn Hooper is an Architect by profession and noted that Marc Riggs installs fire alarms for buildings which gives him architecture experience.

Commissioner Prothro commented that Glenn Hooper has commitment to the City and expert experience that the City needs. He stated that since Marc Riggs was not notified of his appointment, there is no reason not to reconsider.

**MOTION:** Commissioner Prothro made a motion, seconded by Commissioner Murphy to appoint Glenn Hooper as a regular member of the Historic Landmark Preservation Committee. The vote was cast 4 for, 0 against. [Casey absent]

**PUBLIC HEARING:**

- 6. Z20-01 Conduct a Public Hearing and consider a Specific Use Permit (SUP) request for a gas station with eight (8) fuel dispensers and a self-service carwash; an exception for four (4) semi-truck fueling canopies; fuel dispensing facilities; fast food restaurant and convenience store to be located within 150 feet of a residential district at the southwest corner of West Wintergreen Road and North Houston School Road. The property is more particularly described as a tract of land situated in the Marady Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that this is a request for a Specific Use Permit for a gas station with eight fuel pumps and a self-service carwash. A special exception request was made for four semi-truck fuel facilities and a combination of a gas station, fast food restaurant, and convenience store to be located within 150 feet of a residential district. Staff recommends denial of the item pursuant to Section 14.501 Sub-Section (h) of the Lancaster Development Code that prohibits the combination of a gas station, fast food restaurant and a convenience store within 150 feet of a residential district. Section 14.504 Sub-Section (c) also prohibits semi-truck fueling facilities in a Retail district. The applicant is unwilling to comply with staff's recommendation to wait for the completion of the Streetscape Master Plan update by putting money into an escrow account until the new Streetscape Plan is adopted regarding an entry feature.

Senior Planner Munyaradzi stated that staff received four letters in support and five letters in opposition to the zoning change request. This item was postponed from the February 4th meeting, and the applicant requested that the item be postponed until the next in-person Planning and Zoning meeting. Staff recommends denial of this request.

Commissioner Whitfield asked if the project was not in compliance. Senior Planner Munyaradzi stated that the applicant only met the requirements for landscaping since the last meeting.

Acting Chair Aguilar opened the public hearing.

Applicant, Dallas Cothrum, 900 Jackson Street, Dallas, Texas, spoke in favor of the request and asked the Commission to postpone the item to the next in-person meeting. He stated that it was a disadvantage for citizens to not be able to attend and share their opinions.

Acting Chair Aguilar asked the applicant what activities they completed since February. Dallas Cothrum responded that they had met with multiple groups including Economic Development, explored other opportunities for the site, and held a public meeting for the project.

Acting Chair Aguilar asked if the applicant had addressed the City's previous concerns or recommendations. Dallas Cothrum responded that they prepared a plan to show what the project would be like under current restrictions. Senior Planner Munyaradzi stated that staff had not reviewed the new plan.

Dallas Cothrum stated that they were not unwilling to do escrow. He stated that they were willing to do the entry feature requested by the City, but would like to construct the feature with their own contractors to save money.

Attorney Welch commented that there was discussion of a possible development agreement regarding building materials and landscaping.

Dallas Cothrum responded that he had no issue with development agreements. He stated that they are willing to come up with conditions for the SUP and that they are willing to agree on high quality building materials for the whole development.

Dallas Cothrum gave a presentation in favor of the application. He stated that the proposed development would provide high-quality service to the nearby neighborhoods and some members from the nearby community were in favor of the project.

Kiesha Kay, Masterplan, 2201 Main St, Dallas, Texas, stated that she was present to answer any questions.

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

Commissioner Prothro stated that the applicant should have taken note of the possible uses of the lot as land uses should adhere to the City's Comprehensive Plan. Commissioner Prothro also noted that the letters in opposition were from residents of the nearby neighborhood, while letters in support were from people outside the community.

**MOTION:** Commissioner Prothro made a motion, seconded by Commissioner Murphy to deny item 6. The vote was cast 3 for, 0 against. [Casey absent and Murphy abstained from voting]

7. **Z20-04 Conduct a public hearing and consider an amendment to the existing Lancaster Mills General Development Plan (Resolution 2005-10-92) and certain standards from the Mills Branch Overlay District (MBOD) pertaining to Lancaster Mills to allow modifications to the development criteria. The property is located south of Redbud Street and Main Street, west of Stewart Street and north of Belt Line Road, approximately 720 feet east of Belt Line Road, and is about 60.59 acres in size. The property is more particularly described as property located in the Bader Survey, Abstract No. 172 in the City of Lancaster, Dallas County, Texas.**

Senior Planner Munyaradzi gave the staff report and stated that the request is to consider an amendment to the 2005 Lancaster Mills General Development Plan Resolution and certain standards from the Mills Branch Overlay District pertaining to Lancaster Mills to allow modifications to the development criteria. In summary, the applicant is proposing to increase the number of lots from 298 to 306, increase Type 1 and Type 2 minimum and maximum square feet per dwelling unit, increase the maximum of Type 3 dwelling units, change required rear-loaded covered parking to optional, remove alleys from four blocks, change 20% minimum of building type 3 to 10%, and change the number of construction phases from two to six.

Senior Planner Munyaradzi stated that the proposed amendments would result in increased density; with no specification of the number of units that will be constructed at maximum square footage, the builder can potentially build all units at minimum square footage once the modifications are approved. Two-thirds of the proposed minimum square footage are smaller than the minimum square footages for dwelling areas that the Lancaster Development Code requires. The proposed amendments oppose the City Council Goals and Objectives for high-end development and low-density zoning categories. The proposed garage and minimum dwelling areas do not meet the Lancaster Development Code requirements. Staff received one letter in support and three letters in opposition. Staff recommends approval of the requested modifications

subject to the following stipulations:

1. 50% cottage homes to be developed at 1,750 square foot minimum.
2. 60% casita homes to be developed at 1,600 square foot minimum.
3. 55% casita/zero homes to be developed at 1,600 square foot minimum.
4. 50% townhomes to be developed at 1,500 square foot minimum.
5. J-swing or 20 foot setback behind the closest corner of the front building façade garages for front loaded units.

Acting Chair Aguilar opened the public hearing.

Dee Hinkle, 105 E 5<sup>th</sup> St, Lancaster, Texas, expressed concern over the changes proposed to Lancaster Mills Development Plan.

Commissioner Prothro asked staff what are the changes to the alleys and rear entry. Senior Planner Munyaradzi responded that a development plan was approved in 2005 with alleys, but the applicant now wants to remove alleys from four blocks.

Abraham Achar, 11615 Forest Central Drive #303, Dallas, Texas, expressed support for the request. He stated that the changes to the plan are meant to enhance the area and increase the property value. He stated that the removal of alleys would allow for larger lots and dwelling sizes.

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

Commissioner Prothro noted that he did not see the reason to approve an amendment to increase density at the expense of emergency services.

Acting Chair Aguilar asked staff what the impact would be if they recommended adherence to the 2005 development plan. Senior Planner Munyaradzi responded that the removal of alleys would be less of a burden for the City to maintain.

**MOTION:** Commissioner Prothro made a motion, seconded by Commissioner Whitfield to deny item 7. The vote was cast 4 for, 0 against. [Casey absent]

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

The meeting was adjourned at 8:46 p.m.

**ATTEST:**



Bester Munyaradzi, Senior Planner

**APPROVED:**

  
Isabel Aguilar, Acting Chair