

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of March 2, 2023**

Hold A Public Hearing To Consider An Ordinance **Amending The Zoning** On An Approximately 3.8-Acre Tract Zoned (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard To Amend And Reestablish Planned Development District 119 To Change The Base Zoning To (SF-8.4/18) Single-Family Residential District And Modify Development Standards And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. **Case No. PLZPD 2022-196 The Enclave.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, stated that the applicant is requesting to amend and reestablish PD-119 to change the zoning on an approximately 3.8-acre tract from (SF-12/20) Single-Family Residential District to (SF-8.4/18) Single-Family Residential District to be comparable to adjoining districts with plans to subdivide the tract for single-family detached residential development (6 lots) with a minimum 3,000 square-foot floor area (living area) and rear or side-entry garages with alley access. He referred to a previous request by the applicant that was considered and denied by the Commission in October 2022, noting that at that time there were no exhibits that could be tied to the proposal. He also advised that residents spoke in opposition to the October request. McCauley explained that the applicant considered the information they received at that hearing and developed the current proposal before the Commission. He talked about the existing homes to the east and west of the site. He reviewed the current proposal for 80-foot-wide lots and Briardale Drive would be a cull-d-sac eliminating pass-through traffic. The homes will have a minimum 3,000 square feet of living area. He acknowledged the existence of an area of floodplain and explained that the property could be developed in accordance with FEMA regulations as well as the City's Stormwater and Flood Plain Protection Ordinance. He reviewed the conceptual home elevations and stated that he felt the proposed development would enhance the neighboring properties. He provided a property owner map illustrating the nine properties in opposition to the request. Staff recommended approval with stipulations.

Chair Windrow asked McCauley to elaborate more about the property to the north and asking if it could be developed in the future. McCauley stated it would be challenging to develop that part of the property because it would require the development of a street for homes to front on.

Commissioner Foster asked if it were typical to require an HOA. McCauley replied that if a development has a common area or a drainage easement as in this case, a HOA would be required in accordance with the CSO. He added that the proposed development would not be gated. With regard to the turn radius for emergency vehicles, McCauley stated that the Fire Marshal had reviewed the plans and made no negative comments.

1st Vice Chair Powell asked about the site's drainage. McCauley stated it is proposed as a drainage easement and stated that would occur at the time of platting. He reiterated that the applicant would have to comply with FEMA and the City's ordinance. He added that the proposed concept plan is subject to change based on FEMA and the City's ordinance. Powell asked if the City still collects

Impact Fees for residential development. Matt Brennan, City Civil Engineering and Floodplain Manager, replied that the City does collect Impact Fees.

Commissioner Overholt voiced concern about Lots 2 and 3 being so large and was concerned it could become a nuisance. He suggested that the area could be turned over to the HOA to be used for athletic fields or some type of attraction for the residents. He stated that he could not support the large size of those lots. McCauley stated that any accessory buildings or storage would have to comply with City ordinances. With regard to it being turned over to the HOA, he stated the City does not get directly involved with HOAs but it could be discussed with the applicant.

Commissioner Kramer referred to Stipulation 13 and felt that four of the proposed homes faced the street. McCauley clarified that the proposed garages face the alleys, not streets. The houses would face the street with the cull-d-sac and stated the homes would be rear-loaded or side entry with direct access from the alley. Commissioner Kramer asked for clarification of Stipulation 11 regarding fences. McCauley explained that the stipulation means the fence must be setback at least 10 feet from the front of the house. With regards to the minimum distance between houses, McCauley stated it would be 10 feet from the property line.

Commissioner Doyle asked if the comment cards in the packet were from the previous case. McCauley replied these were cards received for the current proposal. The cards received for the previous case (October 2022) were not included. Commissioner Doyle asked if the current proposal appending the lots to the HOA to the west means the previous concerns were mitigated. McCauley replied that he has not personally spoken with the HOA President and deferred to the applicant.

Powell stated that he agreed with Commissioner Overholt concerning the size of Lots 2 and 3 and he noted that there doesn't appear to be a good access to the area. He felt it would be impractical unless an avenue for ingress and egress could be created that doesn't require residents to walk down the alley or drainage easement. McCauley replied that he understood the concerns.

Chair Windrow stated that because the proposal is to go to a PD, the applicant will have to follow the conceptual design plan if approved as proposed and McCauley replied affirmatively.

Victor Castro, 1341 W Mockingbird Lane, Dallas, applicant, stated that the covenants of the Parkside Estates HOA does not allow boats, mobile homes, etc. that will make the lot look dirty and he felt sure the HOA would enforce its covenants. He stated that after the previous application, they met with the HOA and have reached an agreement and it would be recorded at the County.

Chair Windrow opened the Public Hearing.

In support but did not wish to speak:

Syed Jafri, Jafri Construction

Spoke in support:

Brad Trudeau, 2305 Briardale Drive, President of the Parkside Estates HOA; Brian Farlow, 2304 Briardale Drive.

Chair Windrow announced that of the comment cards received by staff, 6 were in support and 8 were opposed. There being no other speakers, he offered the applicant an opportunity to make closing remarks and the applicant declined. Chair Windrow opened the floor for discussion by the Commission.

Chair Windrow stated his feeling that the current application has the controls necessary for the development and suggested an additional stipulation that there could not be more than 6 lots. He stated he was happy with the proposal presented and would vote in favor of approval.

- * ***Commissioner Foster moved to close the public hearing and approve Case No. PLZPD 2022-196 The Enclave with staff stipulations; second by Commissioner Overholt.*** Commissioner Overholt felt the process for in-fill development worked well and thanked the applicant and residents for working together. ***The motion was approved with a unanimous 7-0 vote, (Taylor and Martin absent).***