	<p><b>Planning &amp; Zoning Commission Agenda</b></p> <p>City Hall Council Chambers 211 E. Pleasant Run Road DeSoto, Texas 75115</p>
<p><b>Chairperson Keith Stone</b> <b>Vice Chairperson Theo Peugh</b> <b>Commissioner Preston Gilstrap</b> <b>Commissioner Coffey Caesar</b> <b>Commissioner Andreaana Coleman</b> <b>Commissioner Machele Johnson</b> <b>Commissioner Scott McDonald</b></p>	<p>DATE: Tuesday, August 24, 2021</p> <p>WORK SESSION: 6:00pm Council Chambers</p> <p>REGULAR SESSION: 7:00pm Council Chambers</p>
<p><i>As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.</i></p>	

A. **WORK SESSION AGENDA:**

1. Call to Order
2. Discuss public hearing items.

B. **REGULAR SESSION - CALL TO ORDER**

C. **PLEDGE OF ALLEGIANCE**

D. **CONSENT AGENDA**

Any item may be withdrawn from the consent agenda and acted on separately. Approval of the Consent Agenda authorizes the approval of each item in accordance with Staff Recommendations.

1. **Approval of Minutes**

- a. Planning and Zoning Commission Meeting Minutes dated 8/10/2021

E. **PUBLIC HEARING**

1. Consider Zoning Case Z-1448-21 to amend Planned Development-134 (PD-134) with base zoning of Single Family Attached (SFA) to allow for some deviations regarding the number of proposed units. The property is located on 715 and 735 E. Belt Line Road and consists of 9.7 acres. Applicant/Owner: Dave Martin

F. **REGULAR AGENDA**

- a. No items for this agenda.

G. **ADJOURNMENT**

I, the undersigned authority, do hereby certify that this Notice was posted online on the City's website at [www.desototexas.gov](http://www.desototexas.gov) and on the bulletin boards located at City Hall located at 211 E. Pleasant Run Road, DeSoto, Texas 75115. This said Notice was posted on the following date and time: August 20, 2021 and remained so posted at least two (2) hours after said meeting was convened.

[Amy Mathews](#)

Amy Mathews, Planning Manager

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DeSoto Planning and Zoning Commission Meetings are broadcast live in their entirety on DeSoto's City Website [www.desototexas.gov](http://www.desototexas.gov) Government Access Channel 16 available to Spectrum subscribers and Channel 99 available to AT&T U-verse subscribers on the second and fourth Tuesday of each month at 7:00 p.m. A taped broadcast is aired each day on Channel 16 and Channel 99 at 10:00 a.m., 2:00 p.m., 7:00 p.m., and 11:00 p.m. following the live broadcast. Questions regarding the broadcast schedules or internet viewing should be directed to Kathy Jones, Community Relations Manager, at 972-230-9648. These taped broadcasts are also available to view on the City's website ([www.desototexas.gov](http://www.desototexas.gov)) at your convenience.

**Planning and Zoning Commission Meeting**

**D. 1. a.**

**Meeting Date:** 08/24/2021

**Submitted For:** Amy Mathews, Planning Manager

**Contact:** Juanara Jordan-Williams, Planning Tech

Phone: 972.230.9622

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**AGENDA ITEM:**

Planning and Zoning Commission Meeting Minutes dated 8/10/2021

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**Attachments**

8.10.21 P&Z Minutes

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PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING  
TOWN CENTER - COUNCIL CHAMBERS  
Tuesday, August 10, 2021

Present: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap  
Commissioner Machele Johnson  
Commissioner Scott McDonald

Absent: Commissioner Coffey Caesar  
Commissioner Andreana Coleman

Staff Present: Crystal Owens, Director of Development Services  
Amy Mathews, Planning Manager  
Shelby Percy, Assistant City Attorney  
Shilpa Ravande, Planner  
Juanara Jordan-Williams, Planning Tech

A. **WORK SESSION AGENDA:**

Chairman Keith Stone called the Work Session to order at 6:05 pm. All Planning and Zoning commissioners were present with the exception of Commissioner Caesar Coffey and Commissioner Andreana Coleman.

1. Discuss public hearing items.

Chairman Keith Stone adjourned the Work Session at 6:57pm.

B. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by commissioner Preston Gilstrap.

C. **REGULAR SESSION - CALL TO ORDER**

Chairman Keith Stone called the meeting to order at 7:01pm.

D. **CONSENT AGENDA**

Any item may be withdrawn from the consent agenda and acted on separately. Approval of the Consent Agenda authorizes the approval of each item in accordance with Staff Recommendations.

1. **Approval of Minutes**

- a. Planning & Zoning Commission Meeting Minutes dated July 27, 2021.

Motion by Commissioner Preston Gilstrap, with second by Commissioner Scott McDonald

AYE: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap  
Commissioner Machele Johnson  
Commissioner Scott McDonald

Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)

E. **PUBLIC HEARING**

1. Consider Zoning Case Z-1442-21 to change Zoning from Single Family 10 (SF-10) to a Planned Development-187 (PD-187) with a base zoning of Single Family-9 (SF-9) and Single Family-8 (SF-8). The property is located at 340 S. Parks Dr consisting of one (1) lot of 4.3472 acres. Applicant: S. Gabriel Epko and Property Owner: S. Gabriel Epko

Planning Manager Amy Mathews presented the staff report for Zoning Case Z-1442-21.

Chairperson Keith Stone asked for clarification on what percentage of property owners in opposition is needed to require a super majority vote by City Council.

Planning Manager Amy Mathews stated 20%.

Chairperson Keith Stone asked if a list of deviations is available and if block continuity has been ignored in previous cases.

Planning Manager Amy Mathews reviewed the deviations.

Chairperson Keith Stone ask if the Commissioners had any questions for staff.

Commissioner Scott McDonald stated he does not have a question but will reserve his comment until public hearing is closed.

Chairperson Keith Stone states Oakwood development to the east has alleys and the elimination of alleys allows for an increase density. Chairperson Keith Stone asked if there are any additional questions for Planning Manager and opened the Public Hearing and asked if anyone in the audience wanted to speak. Chairperson also asked the speakers to state their name and city of residence for the record.

Laura Stem, resident of South Parks, asked if the lot at end of cul-de-sac was getting a privacy fence.

Planning Manager Amy Mathews states that all lots will have same set back of 5 feet on each side and fences are allowed.

Chairperson Keith Stone asked if there is any knowledge of perimeter fence.

Planning Manager Amy Mathews stated that there is no fencing.

Chairperson Keith Stone asked Laura Stern to if she was for or against this zoning change for the record.

Laura Stem stated that at this point she is not really sure. She personally does not care for zero lot homes that have front entry garage, the project's access and its proximity to the fire station.

Commissioner Scott McDonald asked Chairperson Keith Stone if the applicant is present and if they will present.

Rodney Shavers, resident of Oak Lawn subdivision, asked if the homes will have alleys and garages in the back. Rodney Shavers asked how is the developer going to manage the traffic and stated that Sycamore is already congested area and he opposes the development.

Chairperson Keith Stone thanked the speaker and asked if there is anyone would like to speak.

David Recht, consulting engineer representing the owner Mr. Epko, said he was in favor of the development. Mr. Recht wanted to let the Commission know that he and the owner are present for any questions.

Chairperson Keith Stone asked the Commission if they have any questions for the speaker.

Commissioner Preston Gilstrap asked If he kept lot continuity, how many fewer houses would he get.

David Recht mentioned that Staff previously mentioned there would be less lots if we came in with a different geometry and that he could get roughly 16 or 17 lots. He also feels this layout is complementary to the existing neighborhood.

Commissioner Preston Gilstrap asked if the only green space is the retention pond.

David Recht implied that the open spots provide more green space than adjacent neighborhood.

Chairperson Keith Stone thanked Commissioner Preston Gilstrap and asked if there were

any additional questions for speaker. He also asked the speaker what is the breaking point of this project.

David Recht said he believed 16-17 is viable. Ultimately it was the owner's decision.

Chairperson Keith Stone thanked the speaker for his time and answers and ask if there is anyone else in the audience who would like to be heard.

Gabriel Epko, owner, said he flips and build houses in Desoto and Duncanville. He also stated that he met with the City and they helped with layout of land. He said building alleys would cost four times as much.

Chairperson Keith Stone asked the Commission if they had any questions for the applicant? Hearing and seeing none, Chairperson Stone asked speaker if he was in favor of this zoning changing.

Gabriel Epko said yes sir.

Derrick, resident of Oakmont, said he would hope that the owner would attend an HOA meeting to discuss with existing residents and that he is opposed to the development.

Milton Semperm, with MIS Construction, stated he was not currently working with Gabriel (Mr. Epko) but they had worked together in the past in Desoto and that regarding the alleys the length and depth of the lots will make the lots too short and will look odd. He said parking in the rear is the same as parking in the front and alleys are not safe. Property is land lock.

Chairperson Keith Stone thanked the speaker and asked if he was in favor or opposition of the project.

Milton Semperm answered he was in favor of the development.

Chairperson Keith Stone thanks speaker and let him know he may have a seat. Chairperson Keith Stone also ask if we have any additional questions, with none, he closed the Public Hearing at 7:52pm.

Commissioner Scott McDonald stated that the property is another episode of land lock. Sycamore is the only access to the lot in question. He believes continuity is great point, but if you put alleys, you will have to have other deviations. We will continue to have applications for property that look like this. If we want to see these properties develop, and the city, as Planning Commission we are going to have to be flexible and he is in favor.

Chairperson Keith Stone thanked Commissioner Scott McDonald and asked if there were any more questions or comments.

Motion by Chairperson Keith Stone, with second by Vice Chairperson Theo Peugh to approve a change Zoning from Single Family 10 (SF-10) to a Planned Development-187 (PD-187) with a base zoning of Single Family-9 (SF-9) and Single Family-8 (SF-8).

AYE: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap

Commissioner Machele Johnson  
Commissioner Scott McDonald  
Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)

2. Consider Case Z-1428-20; a Specific Use Permit (SUP 295) for an Automobile Repair Shop, Major. The property in question is located at 717 and 721 Franklin Street, and consists of three (3) lots and 0.825 acres. The applicant and owner is Miguel Giron.

Planning Manager Amy Mathews gave staff report.

Chairperson Keith Stone ask for questions and open public hearing @8:00pm.

Andrew Meletta of Hale, Texas. Andrew Meletta representing the client made himself available for questions.

Chairperson Keith Stone ask if it was a standard metal building.

Andrew Meletta respond correct.

Chairperson Keith Stone asked if there were any features.

Andrew Meletta said there were no particular features.

Chairperson Keith Stone asked Mr. Meletta if he was in favor of project for record.

Andrew Meletta responds he is in favor.

Chairperson Keith Stone asked if there were any questions for Mr. Meletta from the commission.

Chairperson Keith Stone asked if there were any additional questions from the audience.

Motion by Chairperson Keith Stone, with second by Vice Chairperson Theo Peugh to approve Zoning Case Z-1428-20; a Specific Use Permit (SUP 295) for an Automobile Repair Shop, Major.

AYE: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap  
Commissioner Machele Johnson  
Commissioner Scott McDonald  
Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)



3. Consider Zoning Case Z-1445-21 to change Zoning from General Retail (GR) to a Planned Development-188 (PD-188) with a base zoning of Single Family-8 (SF-8). The property is located at 1116 & 1112 West Belt Line Road and 100 South Elerson Road. Consisting of three (3) lots and containing 10.28 acres. Applicant: Nathan Thompson and Property Owner: Jorge Abreu

Planning Manager Amy Mathews gave the staff report.

Chairperson Keith Stone asked if there were any questions. Being none, he opened the Public Hearing at 8:08 pm and asked if there was anyone in the audience to speak on the project.

Nathan Thompson, Engineer with Peloton Land Solutions and representative for the owners briefly explained that the applicant is requesting the project since it has been vacant for years and has not developed as retail and that the applicant was proposing single-family residential per the Comprehensive Plan, and that based on his expertise, low density residential would be best use of land.

Chairperson Keith Stone thanked the speaker and asked if he was in favor or in opposition.

Nathan Thompson said he was in favor.

Chairperson Keith Stone asked if there were any more questions for the Mr. Thompson from the Commission.

Commissioner Theo Peugh asked what the main impediment is for retail not developing there, was it the competition of Walmart and other business across the street?

Nathan Thompson said yes, that plus the location. The property owners would love for it to be retail; they could make much more money, but the property has just been sitting undeveloped.

Chairperson Keith Stone asked the Commissioners if they had any more question, and with none he closed the Public Hearing at 8:14 PM. .

Chairperson Keith Stone asked for any discussion amongst the Commissioners.

Commissioner Scott McDonald explained some of the history of the lot stating it was originally zoned for residential and then rezoned to retail and has remained undeveloped since 2007. He said the community wants more retail but the area is not attracting retail and that he has mixed feeling about this location since traffic counts are high. He said he is in favor of request but he hates to see another residential build at this site.

Chairperson Keith Stone asked the Commissioners if they had any more discussion, and with none he asked for a motion.

Motion by Commissioner Scott McDonald, with second by Chairperson Keith Stone to approve Zoning Case Z-1445-21 to change Zoning from General Retail (GR) to a Planned Development-188 (PD-188) with a base zoning of Single Family-8 (SF-8).

AYE: Chairperson Keith Stone  
Commissioner Scott McDonald

NAY: Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap  
Commissioner Machele Johnson  
Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)

4.

Consider Zoning Case Z-1449-21; A change in zoning from Single Family-12 (SF-12) to a Planned Development-186 (PD-186). The property is located at 803 East Parkerville Road and contains four (4) lots consisting of 50.35 acres. Applicant is Michael Westfall and Property Owner is David Hargrove.

Motion by Commissioner Scott McDonald, with second by Commissioner Preston Gilstrap to approve Zoning Case Z-1449-21; A change in zoning from Single Family-12 (SF-12) to a Planned Development-186 (PD-186).

AYE: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Machele Johnson  
Commissioner Scott McDonald  
NAY: Commissioner Preston Gilstrap  
Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)

Planning Manager Amy Mathews gave the staff Report.

Chairperson Keith Stone asked for questions for staff and opened the public hearing at 8:27 PM.

David Hargrove identified himself as the applicant, and he is from Waxahachie. Mr. Hartgrove explained the plans and open himself to questions.

Chairperson Keith Stone asked the Commission for any questions and if a privacy barrier is needed.

David Hargrove asked if the Chairperson was referring to Parkerville.

Chairperson Keith Stone replied not on Parkerville and would it be better to have a privacy barrier in lieu of ornamental fencing.

Gaylan Lang, architect for project, explained to the Commission the project uniqueness and that it is now providing less density.

Commissioner Scott McDonald asked the architect who was the intended tenant.

Gaylan Lang replied that the intended tenant is not seniors but families.

Gaylan Lang asked the Commission to please ask any questions. Mr. Lang stated that he waited a whole year to say that.

Chairperson Keith Stone thanked Mr. Hargrove and Mr. Lang. Chairperson and asked the Commission if there were any more questions.

Michael Westfall, Civil Engineer on project approached the lectern.

Chairperson Keith Stone asked Mr. Westfall if the two man made ponds were retention or detention.

Michael Westfall responded that the ponds are retention and wet pond for amenities and fountains.

Chairperson Keith Stone asked if there were any more questions for Mr. Westfall.

Commissioner Scott McDonald asked if the HOA will be charged with maintenance and liability insurance.

Michael Westfall responded yes, privately maintained by HOA.

Chairperson Keith Stone closed the public hearing.

F. **REGULAR AGENDA**

1. Consider a Tree Survey for Homestead East at Daniel Farms Phases 1 & 2. The property is located at 2051 N. Westmoreland Road and consists of 36.846 acres. The project contains 126 single-family lots and six common area lots. The owner and applicant is Homestead at Daniel Farms LTD.

Planning Manager Amy Mathews presented the staff report.

Chairperson Keith Stone the Planning Manger was familiar with tree survey company.

Planning Manager Amy Mathews acknowledges that she knows the company only through the case in question.

Chairperson Keith Stone asked if the Commission for questions for Planning Manager.

Commissioner Scott McDonald asked if Planning Manager Amy Mathews has reviewed the survey, do it meet requirements of ordinance and if the property is going to the City.

Planning Manager Amy Mathews stated that the applicant answers that question.

Commissioner Scott McDonald asked the variety of trees in the creek bed.

Planning Manager Amy Mathews stated that she will let the applicant answer that question.

Chairperson Keith Stone asked if there are any more questions for staff.

Commissioner Preston Gilstrap asked if the City of DeSoto have an arborist to verify the survey.

Chairperson Keith Stones stated that the City does not, although they do hire consultants. Chairperson is unaware if one was hired for case in question.

Planning Manager Amy Mathews stated the City does not have an arborist.

Commissioner Preston Gilstrap stated that the survey is confusing.

Commissioner Preston Gilstrap request to hear from owner.

Chairperson Keith Stone asked if the applicant or representative is present.

Speaker identified himself as Chad Adams representing the owner and development of property. Mr. Adams insures the Commission that they complied with the ordinance and the owner dedicated parkland and money to build in the area. Mr. Adams explained the process for surveying trees.

Commissioner Theo Peugh asked the Chairperson to limit the content from the speaker since this is not a public hearing.

Chairperson Keith Stone thanked the speaker and asked that the arborist to approach the lector.

Arborist identified himself as Stan Randall of Rockwall, TX. He explained his experience and education.

Chairperson Keith Stone asked if the survey been executed to industry standards.

Stan Randall responds that the survey has been executed above industry standards.

Chairperson Keith Stone asked the arborist for any concerns.

Stan Randall responded no and that he has been working with the City and company or over 15 years.

Chairperson Keith Stone stated that the survey meets the City ordinance and asked if there are any questions.

Commissioner Scott McDonald made a motion to approve the survey, Chairperson Keith Stone seconded.

## H. **ADJOURNMENT**

Motion by Commissioner Preston Gilstrap, with second by Vice Chairperson Theo Peugh There being no other business, Chairman Keith Stone asked the Commissioners for a motion.

AYE: Chairperson Keith Stone  
Vice Chairperson Theo Peugh  
Commissioner Preston Gilstrap  
Commissioner Machele Johnson  
Commissioner Scott McDonald

Other: Commissioner Coffey Caesar (ABSENT)  
Commissioner Andreana Coleman (ABSENT)

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Keith Stone  
Chairperson Planning & Zoning Commission

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Juanara Jordan-Williams  
Planning Technician

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Date

**Planning and Zoning Commission Meeting**

**E. 1.**

**Meeting Date:** 08/24/2021  
**File Number:**  
**Date Filed:** 07/09/2021  
**Location:** 715 E. Beltline Road  
**Size of Request:** 9.7 acres  
**Number of Lots:** 1  
**Current Zoning:** PD-134  
**Applicant:** Dave Martin  
**Owner:** Dave Martin

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**AGENDA ITEM:**

Consider Zoning Case Z-1448-21 to amend Planned Development-134 (PD-134) with base zoning of Single Family Attached (SFA) to allow for some deviations regarding the number of proposed units. The property is located on 715 and 735 E. Belt Line Road and consists of 9.7 acres. Applicant/Owner: Dave Martin

**SUMMARY:**

The applicant has requested an amendment to Planned Development-134 (PD-134) with base zoning of Single Family Attached (SFA) to allow for some deviations regarding the number of proposed units.

The property is generally located at the northwest corner of Polk Street and Belt Line Road as shown on the vicinity map.

The Zoning exhibit shows the property is currently zoned Planned Development-134 (PD-134).

Current zoning for the surrounding properties is:

North: Single Family-8 (SF-8)  
East: Single Family-10 (SF-10)  
South: Planned Development-176 (PD-176)  
West: Single Family-10 (SF-10)

As shown on the Aerial Map exhibit, the property is currently vacant. The Site Plan exhibit attached to this staff report shows access from Beltline Road through proposed *Terri Drive* and *Hilma Drive*.

The applicant has requested the following deviations from Planned Development-134 (PD-134):

<b>Existing Zoning Requirements</b>	<b>Proposed Zoning Requirements</b>
58 lots	64 lots
Minimum lot width 60' with certain lots listed in PD-134 at 30'	Minimum lot width 50' for 2 and 3 bedroom homes and 30' for 1 bedroom homes per Site Plan
Homes with lot width 60' shall have 2 enclosed parking spaces. Homes with lot width 30' shall have 1 enclosed space	Homes with lot width 50' shall have 2 enclosed parking spaces. Homes with lot width 30' shall have 1 enclosed space per Site Plan

**PUBLICATION REQUIREMENTS:**

Staff notified property owners within 200 feet and published “Notice of Public Hearing” as required by law. Twenty (20) notices were mailed to adjoining property owners. Zero (0) replies were received in favor and zero (0) replies were received in opposition.

**RECOMMENDATION:**

The overarching Land Use Goal in the Comprehensive Plan is “To achieve a balance of land uses that will provide and protect the desired quality of life, and recognize the natural features that make DeSoto a wonderful place to live, work and visit.”

The Comprehensive Plan identifies the subject area as single family residential and states: “Low Density Residential Single family detached residential structures are examples of low density residential uses. This land use is exemplified by the density and character of many residential neighborhoods throughout the City. Typically speaking, low density residential land uses will include homes located on 8,000 square foot lots and greater. Residential densities within low density areas will generally be five (5) dwelling units per acre or less.”

The existing zoning is Planned Development-134 (PD-134) and base zoning Single Family Attached (SFA) with some deviations. The applicant is proposing a townhome development for persons age 55 and over as per attached Site Plan with some deviations to the existing zoning. Staff recommends approval.

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**Attachments**

Z-1448-21 attachments

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# City of DeSoto

## Z-1448-21

Z-1448-21

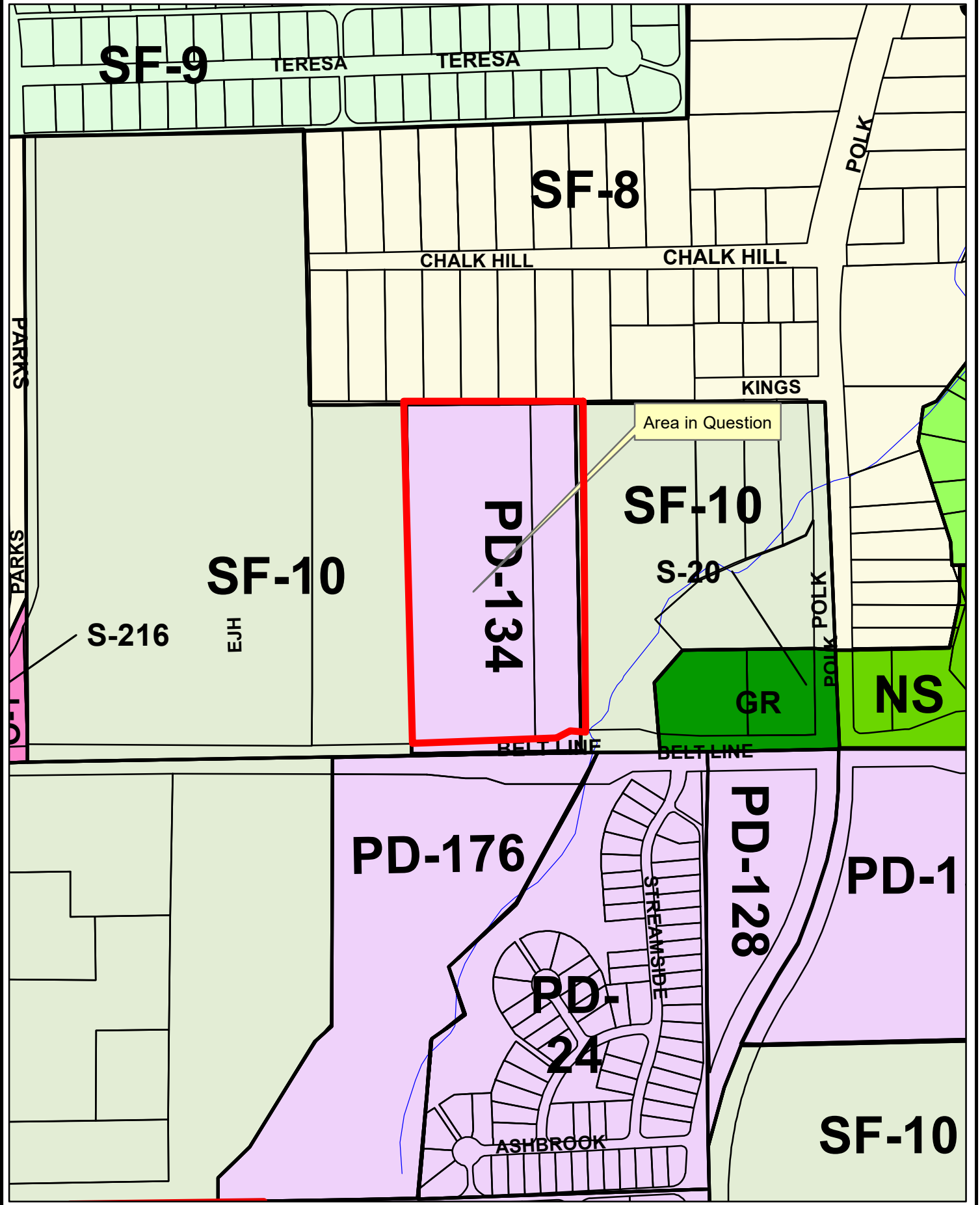


Vicinity Map



# Zoning Map

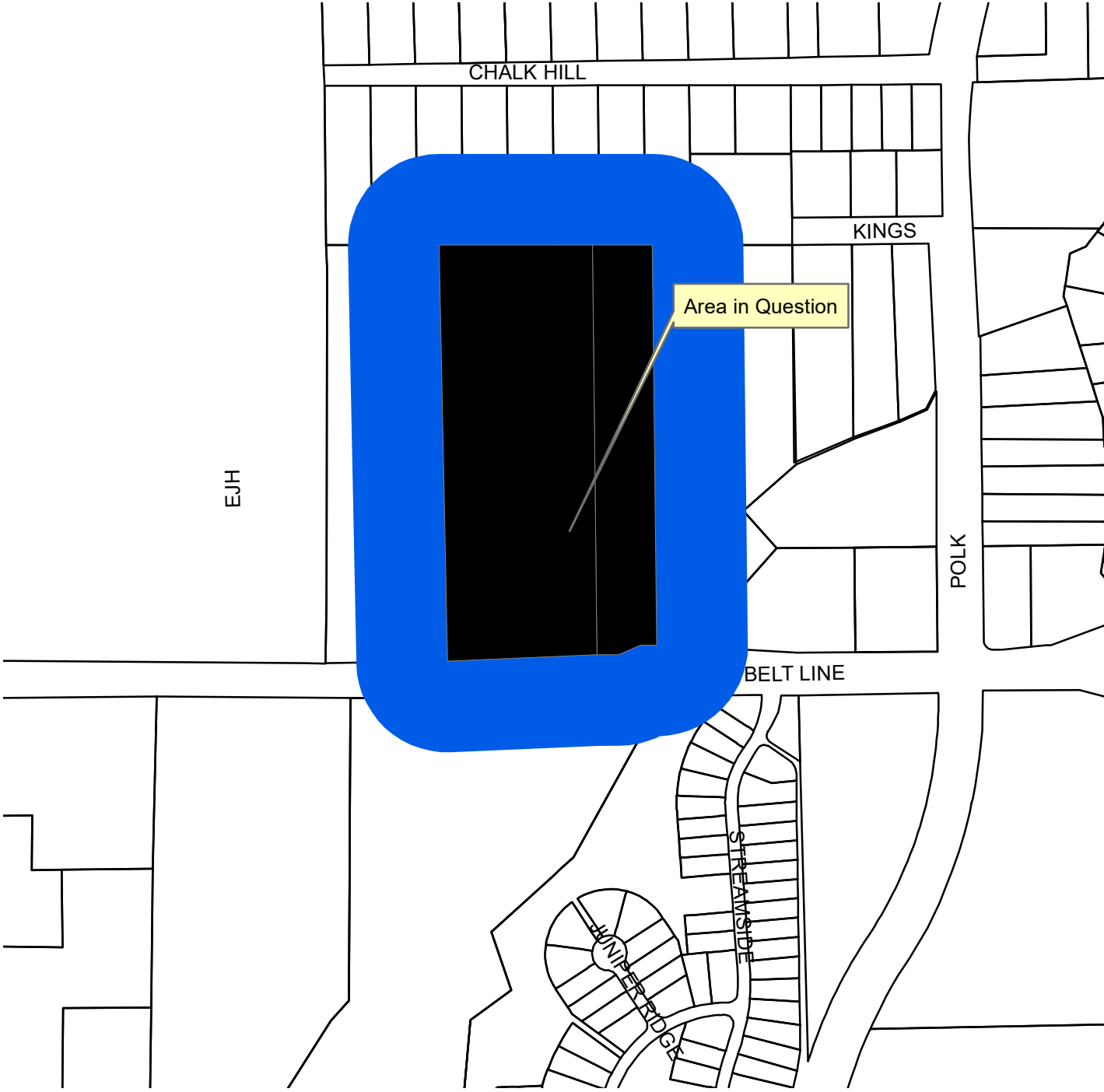
Z-1448-21




# Aerial Map



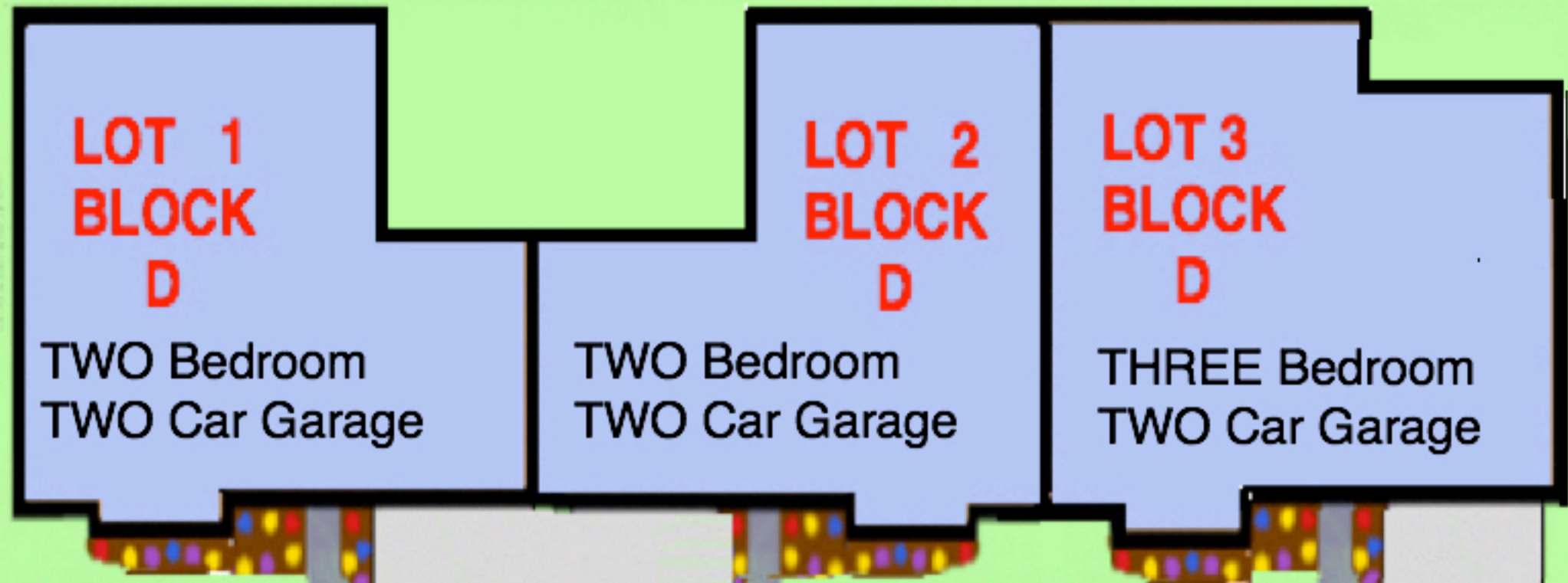
# City of DeSoto Opposition



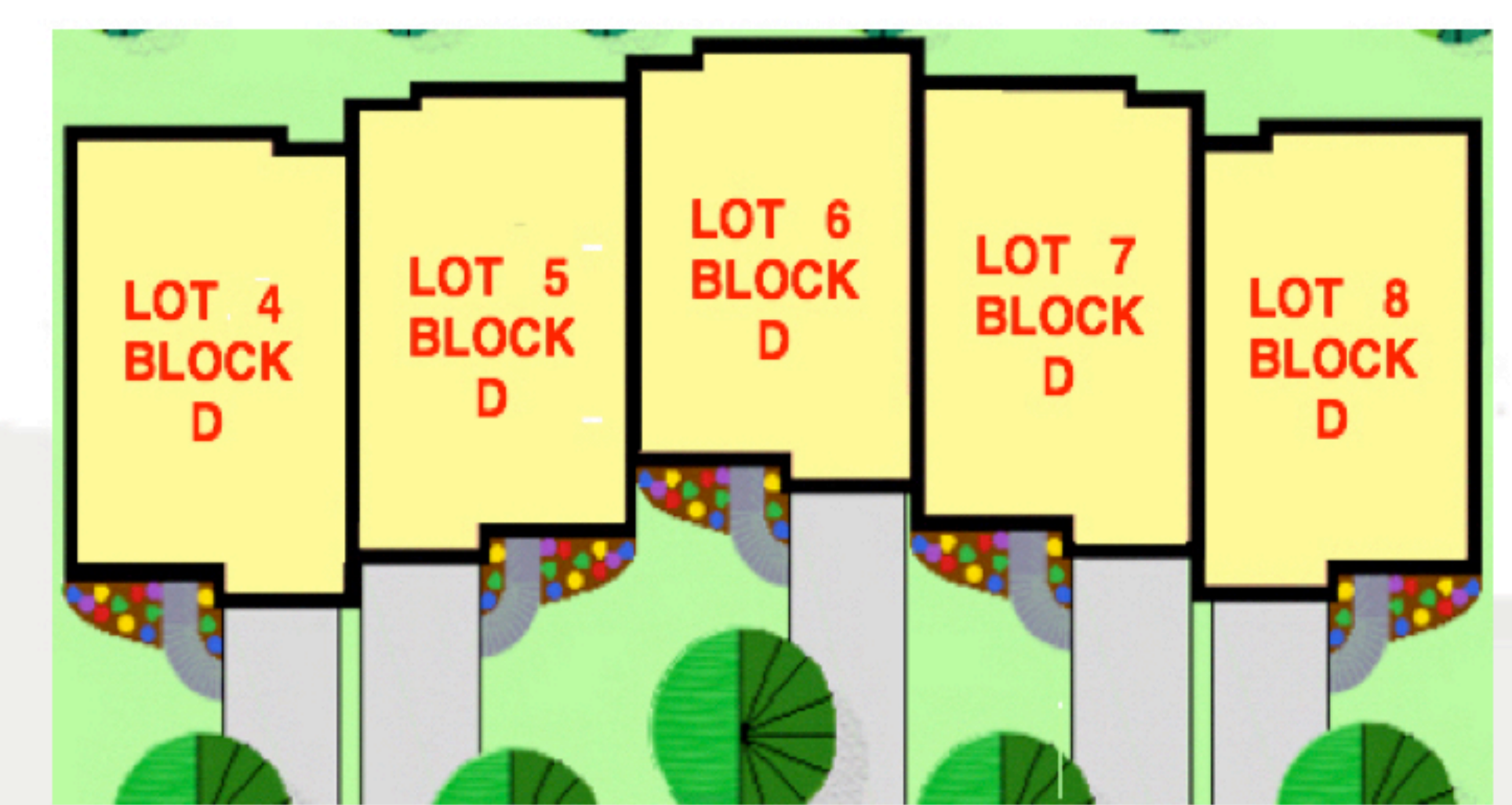
-  Zone Applicant
-  Area within 200ft
-  Against Zoning

# Ambrose Hills

## TOWN HOMES



This is how ALL of the 2 and 3 bedroom homes are situated. It may be a 2 bed - 3 bed - 2 bed. It may be a 3 bed - 2 bed - 2 bed. It does not matter as all lots are the exact same 50 feet wide. The 3rd bedroom is located behind the garage.



These are ALL one bedroom homes ALL of these homes have a 12' wide driveway. ALL of these homes have an attached ONE car garage. ONE bedroom homes are YELLOW ALL 2 & 3 bedroom homes are BLUE

