



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

November 3, 2022

Persons may address the Planning and Zoning Commission on any issue. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. Each member of the public who desires to address the P&Z Commission regarding an item on an agenda for an open meeting of the P&Z Commission shall have the right to address the Commission on the item before the Commission's consideration of the item. All speakers not requiring a translator are given 3 minutes to speak and may address the Commission only once on each agenda item. Non-English Speakers who require a translator are given 6 minutes to speak and may address the Commission only once on each agenda item. In accordance with the State of Texas Open Meeting Act, the board may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. To address the Commission for any public hearing item please sign a speaker's sheet located on the tables by the front entry and submit to a Staff member.

1. **5:30 PM Work Session**

Specific Use Permit (SUP) Workshop.

2. **6:00 PM Regular Meeting**

1. **Roll Call**

2. **Consent Agenda**

1. Discuss and take action regarding the approval of the October 20, 2022 Regular Planning and Zoning Commission Meeting Minutes.
2. **PRELIMINARY PLAT/ MKPK Addition (PP-22-06025)** Presentation, discussion, and consideration on a request for approval of a Preliminary Plat of approximately 2.06 acres, situated on the Jose Gonzales Survey, Abstract No. 447, within the Town of Little Elm's Extraterritorial Jurisdiction, in order to show proposed lot lines and easements necessary for development.
 - Presentation
 - Discussion
 - Recommendation
3. **REPLAT/ Carter Estates (RP-22-06658).** Presentation, discussion, and consideration on a request for approval of a replat consisting of 2.476 acres situated in the Matthew Jones Survey, Abstract 667, within Little Elm's Town limits, in order to replat 2 lots into 1 and establish new lot boundaries.
 - Presentation
 - Discussion
 - Recommendation

3. **Regular Agenda**

1. **PUBLIC HEARING/** 3P Elm Planned Development (PD-22-01632).
Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately .79 acres of land, currently zoned as Planned Development - Light Commercial (PD-LC) through Ordinance No. 1643, generally located at 1728 E Eldorado Pkwy, on the north side of Eldorado Parkway, approximately 300 feet from Preston on the Lake Boulevard, within Little Elm's town limits, in order to amend the existing development plans.
 - Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation
2. **PUBLIC HEARING/** Land Use Definitions Text Amendment. Public hearing, discussion, and take action on a recommendation regarding a proposed text amendment to Chapter 106, Zoning Ordinance, by amending Sec. 106.01.14 - Land Use Definitions, in order to establish a definition for "Family".
 - Staff Report
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation
4. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
5. **Adjourn**

Certificate

I certify that the above notice of the Planning & Zoning Commission meeting was posted on the bulletin board of the Town of Little Elm, Texas on October 31, 2022 , prior to 5:00 p.m. The Little Elm Town Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 214-975-0404 or 972-377-5540 (fax) for arrangements.

Olga Chernomorets - Planning Manager



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/03/2022

OVERVIEW

Project	Adoption of the October 20, 2022 Planning & Zoning Commission Meeting Minutes
P&Z Hearing	11/03/2022
Council Hearing	N/A
Size	N/A
Current Zoning	N/A
Proposed Use	N/A
Existing Use	N/A
Future Land Use Plan Designation	N/A
Applicant	N/A
Owner	N/A
Strategic Goal	

Agenda Item

Discuss and take action regarding the approval of the October 20, 2022 Regular Planning and Zoning Commission Meeting Minutes.

Location

N/A

Planning Analysis

N/A

Recommended Action

N/A

Attachments

P&Z Minutes October 20, 2022

DRAFT



Minutes

Town of Little Elm

PLANNING & ZONING COMMISSION

Regular Meeting

Thursday, OCTOBER 20, 2022 - 7:00 pm

Present: Ron Trees, Vice Chairperson; Tom Ocelli, Commissioner; Brent Thibeaux, Commissioner; Robert Martin, Commissioner; Debra Cadet, Alternate Commissioner

Absent: Michael Bell, Chairperson; Jack Skinner, Commissioner; Stephen Horn, Commissioner; Chip Norman, Alternate Commissioner

Staff Present: Olga Chernomoretz, Managing Director of Planning Services
Rachel Mendoza, Development Manager
Brian Salvesen, Planner

1. **5:30 PM Work Session**

2. **Roll Call**

3. **6:00 PM Regular Meeting**

Vice-Chairperson Trees opened the meeting at 6pm.

1. Discuss and take action regarding the approval of the October 6, 2022 Regular Planning and Zoning Commission Meeting Minutes.

Motion: Approve minutes with minor typo corrections.

Motion by Commissioner Robert Martin, seconded by Commissioner Tom Ocelli

AYE: Vice Chairperson Ron Trees, Commissioner Tom Ocelli, Commissioner Brent Thibeaux, Commissioner Robert Martin, Alternate Commissioner Debra Cadet

5 - 0 Passed - Unanimously

2. **FINAL PLAT/** Linden Hills Phase 3 (FP-21-03423). Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 25 acres, situated in the S. Guarrara Survey, Abstract No. 456 and J. Gonzalez Survey, Abstract No. 447, within the Town of Little Elm's Extraterritorial Jurisdiction, in order to establish 104 residential lots, 3 open spaces, right-of-way, and easements necessary for development.
- Presentation
 - Discussion
 - Recommendation

Staff presented the applicant's request to withdraw.

Motion: Approve the request to withdraw.

Motion by Commissioner Robert Martin, seconded by Commissioner Brent Thibaux

AYE: Vice Chairperson Ron Trees, Commissioner Tom Ocelli, Commissioner Brent Thibaux, Commissioner Robert Martin, Alternate Commissioner Debra Cadet

5 - 0 Passed - Unanimously

3. **PUBLIC HEARING/** Little Elm Court (PD-22-05744). Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 7.22 acres of land, currently zoned as Planned Development - Light Commercial (LC) through Ordinance No. 1526, in order to amend the concept plan to allow new commercial development with modified development standards.
- Staff Report
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation

Staff presented the agenda item to the commission, added that the site will be required to have 20' long parking spaces.

Micheal Kravitz, the architect for the project was present and available for questions.

Vice-Chair Ron Trees opened the public hearing at 6:13pm.

With no one in attendance indicating they wished to speak, Vice-Chair Ron Trees closed the public hearing at 6:13pm.

The commission had minor concerns over traffic but saw the overall changes to the PD as positive.

Motion: Approval with the following conditions:

1. Applicant must revise the concept plan to reflect all spaces at 20 feet in length, at least one week prior to the Council meeting.
2. Lot 1 is subject to the 2019 zoning and site development regulations, and the concept plan, landscape plan, and facade plans as approved in 2019 through Ordinance No. 1526, with the allowance for a maximum front yard setback of 140 feet.
3. Landscape buffer along residential adjacency shall be at minimum 10 feet, with a single row of tree planting.

4. Lots 2, 3, and 4 shall be generally developed in accordance with the new concept plan, and are subject to the most current Chapter 106 Zoning Ordinance regulations with the following modified standards:
 1. Maximum front yard setback – 140 feet
 2. Minimum lot area for Lot 2 is .9068 acres and Lot 3 is .8550 acres.
 3. Minimum landscape buffer between Lot 1 and 2 is 4 feet 9 inches.
5. Architectural Standards: All proposed buildings will fully comply with the minimum design elements listed in Chapter 106, Division 1. - Exterior Construction and Architectural Design Standards, Sec. 106.06.05 - Architectural Standards for Commercial Structures (includes office, retail, commercial, mixed use, etc.), as amended, with no additional modifications. All proposed buildings will be designed in a manner which, using similar elements of quality construction and non-conflicting color scheme(s), ensures a cohesive overall development.
6. Potential minor deviations to the proposed retail development and associated retail center structure shall be subject to the review and approval of the Development Services Director. Proposed deviations determined by the Director as being more than minor shall be subject to the discretion of Town Council.

Motion by Commissioner Tom Ocelli, seconded by Commissioner Brent Thibaux

AYE: Vice Chairperson Ron Trees, Commissioner Tom Ocelli, Commissioner Brent Thibaux, Commissioner Robert Martin, Alternate Commissioner Debra Cadet

5 - 0 Passed - Unanimously

4. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
5. **Adjourn**

Vice-Chair Trees adjourned the meeting at 6:18pm.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/03/2022

OVERVIEW

Project	PRELIMINARY PLAT/ MKPK Addition (PP-22-06025)
P&Z Hearing	11/03/2022
Council Hearing	N/A
Size	Approximately 2.06 acres
Current Zoning	Extraterritorial Jurisdiction
Proposed Use	Retail/Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Public/Semi Public
Applicant	Brad Eubanks
Owner	Majid Kamalipour
Strategic Goal	

Agenda Item

PRELIMINARY PLAT/ MKPK Addition (PP-22-06025) Presentation, discussion, and consideration on a request for approval of a Preliminary Plat of approximately 2.06 acres, situated on the Jose Gonzales Survey, Abstract No. 447, within the Town of Little Elm's Extraterritorial Jurisdiction, in order to show proposed lot lines and easements necessary for development.

- Presentation
- Discussion
- Recommendation

Location

Generally located 750 feet west of the intersection with US Highway 380 and FM 1385.

Planning Analysis

The purpose of the Preliminary Plat is to determine the general layout of the lots and blocks of a proposed subdivision to determine the adequacy of public facilities needed to serve the intended development and overall compliance with the Codes of Little Elm, including but not limited to the Zoning Ordinance, Thoroughfare Plan, Subdivision Ordinance, and Comprehensive Plan. Given that this property is located within the Town's ETJ, the request only has to comply with the Subdivision Ordinance.

Recommended Action

Applicant has requested an extension in order to allow additional time to address the outstanding comments.

Staff recommends approval of an extension to the November 17, 2022 Regular Planning and Zoning Commission Meeting.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/03/2022

OVERVIEW

Project	REPLAT/ Carter Estates (RP-22-06658)
P&Z Hearing	11/03/2022
Council Hearing	N/A
Size	Approximately 2.476 acres
Current Zoning	Light Commercial (LC)
Proposed Use	Retail/Commercial
Existing Use	Commercial
Future Land Use Plan Designation	Commercial/Retail
Applicant	David Lewis
Owner	Eduardo Chaparro
Strategic Goal	

Agenda Item

REPLAT/ Carter Estates (RP-22-06658). Presentation, discussion, and consideration on a request for approval of a replat consisting of 2.476 acres situated in the Matthew Jones Survey, Abstract 667, within Little Elm's Town limits, in order to replat 2 lots into 1 and establish new lot boundaries.

- Presentation
- Discussion
- Recommendation

Location

Generally located on the south side of East Eldorado Parkway at the intersection with Lake Trail Drive, within Little Elm's Town limits.

Planning Analysis

The purpose of this replat submittal is to replat currently platted and recorded property identified as two (2) separate lots in the Matthew Jones Survey, Abstract No. 667, and combine them into one (1) lot.

Recommended Action

Applicant has requested an extension in order to allow additional time to address the outstanding comments.

Staff recommends approval of an extension to the November 17, 2022 Regular Planning and Zoning Commission Meeting.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/03/2022

OVERVIEW

Project	PUBLIC HEARING/ 3P Elm Planned Development (PD-22-01632)
P&Z Hearing	11/03/2022
Council Hearing	December 6, 2022
Size	.79 acres
Current Zoning	Planned Development - Light Commercial (PD-LC), through Ordinances No. 1643
Proposed Use	Retail and Commercial
Existing Use	Undeveloped Land
Future Land Use Plan Designation	Retail and Commercial
Applicant	Lokesh Prasad, 3P LITTLE ELM LLC
Owner	Lokesh Prasad, 3P LITTLE ELM LLC
Strategic Goal	

Agenda Item

PUBLIC HEARING/ 3P Elm Planned Development (PD-22-01632). Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately .79 acres of land, currently zoned as Planned Development - Light Commercial (PD-LC) through Ordinance No. 1643, generally located at 1728 E Eldorado Pkwy, on the north side of Eldorado Parkway, approximately 300 feet from Preston on the Lake Boulevard, within Little Elm's town limits, in order to amend the existing development plans.

- Staff Report/Applicant Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

Generally located at 1728 E Eldorado Pkwy, on the north side of Eldorado Parkway, approximately 300 feet from Preston on the Lake Boulevard, within Little Elm Town limits.

Planning Analysis

Background.

Subject property consists of an undeveloped land bound to the west by an existing retail property, which is owned by Roma's Pizza and Pasta, and to the east by Town-owned property. In order to make a commercial development financially feasible, the property owner, went through a rezoning request in October 2021 to received relief from several requirements of Chapter 106, Zoning Ordinance. The property is now zoned Planned Development - Light Commercial (PD-LC), through Ordinances No. 1643, based on the Light Commercial district regulations with modified standards. Additionally, due to the driveway spacing limitations, in order to make the proposed development meet the two access points requirement, the property owner was required to work out an agreement with the adjacent property owners, on either side of the subject property, to establish access easements.

Ordinance No. 1643 stipulates that the property has relief from the 25-foot front landscape buffer requirement to provide continuity with the adjacent property to the west, and eight foot masonry screening wall along the back of the property due to the 225-foot deep wooded green space adjacent to the single-family subdivision, but indicates that all other landscaping requirements shall be met. The Ordinance also allows parking spaces to be 9 foot by 20 foot and a single dumpster enclosure, matching the adjacent existing commercial properties. The approved site plan depicted two points of access, an eastern connection through Town property and western connection through the adjacent commercial property.

Unfortunately, after PD approval, the applicant was unable to obtain the western access agreement, but was able to work out with the Town to allow an additional connection across the entirety of the Town property to the east, connecting to his own property further to the east. Such action however, significantly alters the previously approved site plan and requires an amendment to the PD Ordinance.

Proposal. Applicant is requesting to amend the existing PD and concept plan in order to establish a different access point configuration to allow development of a commercial building, still totaling 7,900 square feet, anticipated to be occupied by three retail tenants. Part of the request includes access across the Town-owned adjacent parcel which will solely serve for access and connection purposes, and is proposed to fully comply with landscape requirements along the right-of-way, as well as access through the adjacent property owned by this same property owner.

The property owner is proposing to meet all of the requirements outlined within the previously approved PD Ordinance, with two additional modified standards.

The previously approved PD indicated that the proposed development will meet all zoning and development standards with the following modifications:

- Commercial Lot size below 1 acre
- Parking space size 9 feet by 20 feet
- Front landscape buffer below required 25 feet
- Screening wall not required
- Single dumpster enclosure
- two points of access in coordination with adjacent properties

While the property owner has worked diligently with Staff in order to bring all standards into compliance, the requested amendment will maintain the previously approved stipulations, but capture the revised site plan and new access points, with the following additional modified standards:

- Rear landscape buffer ranging from 0-5 foot
- Double row of trees along residential adjacency not required

The following sections will outline how the proposed development is meeting, or deviating from, the current standards.

Uses. Retail is an allowed use.

Design Standards. Proposed elevations show the building to be constructed primarily of brick and stone, meeting the glazing, articulation and design guidelines. The property owner worked with Staff in order to

significantly elevate the design of the proposed building from previous approval.

Landscaping. Proposed landscape plans comply with overall landscape coverage, perimeter tree planting, landscape points, screening, and parking lot islands.

Proposed landscape plans still do not meet the required 20-foot rear landscape buffer with double row of trees planted within the required rear landscape edge along the residential adjacency, instead providing primarily 5 feet, except where the dumpster impedes into this setback, and a single row of trees.

Parking. Retail uses are required to park at 1 space per 200 square feet. Based on the total building square footage of 7,900, the property is required to provide at least 40 parking spaces. The proposed plans show 44 parking spaces being provided, with two spaces identified to have electrical vehicle charging station infrastructure and curb stops along the perimeter.

Dumpster. Given the site limitations, the proposed dumpster enclosure is being proposed within the rear landscape buffer in order to meet the CWD Waste Management requirements.

Fire and Engineering. The Fire Marshall and Town Engineer are still working with the property owner and their engineering team in order to ensure proper auto-turn, circulation, and general auto movement and access through the parcels involved.

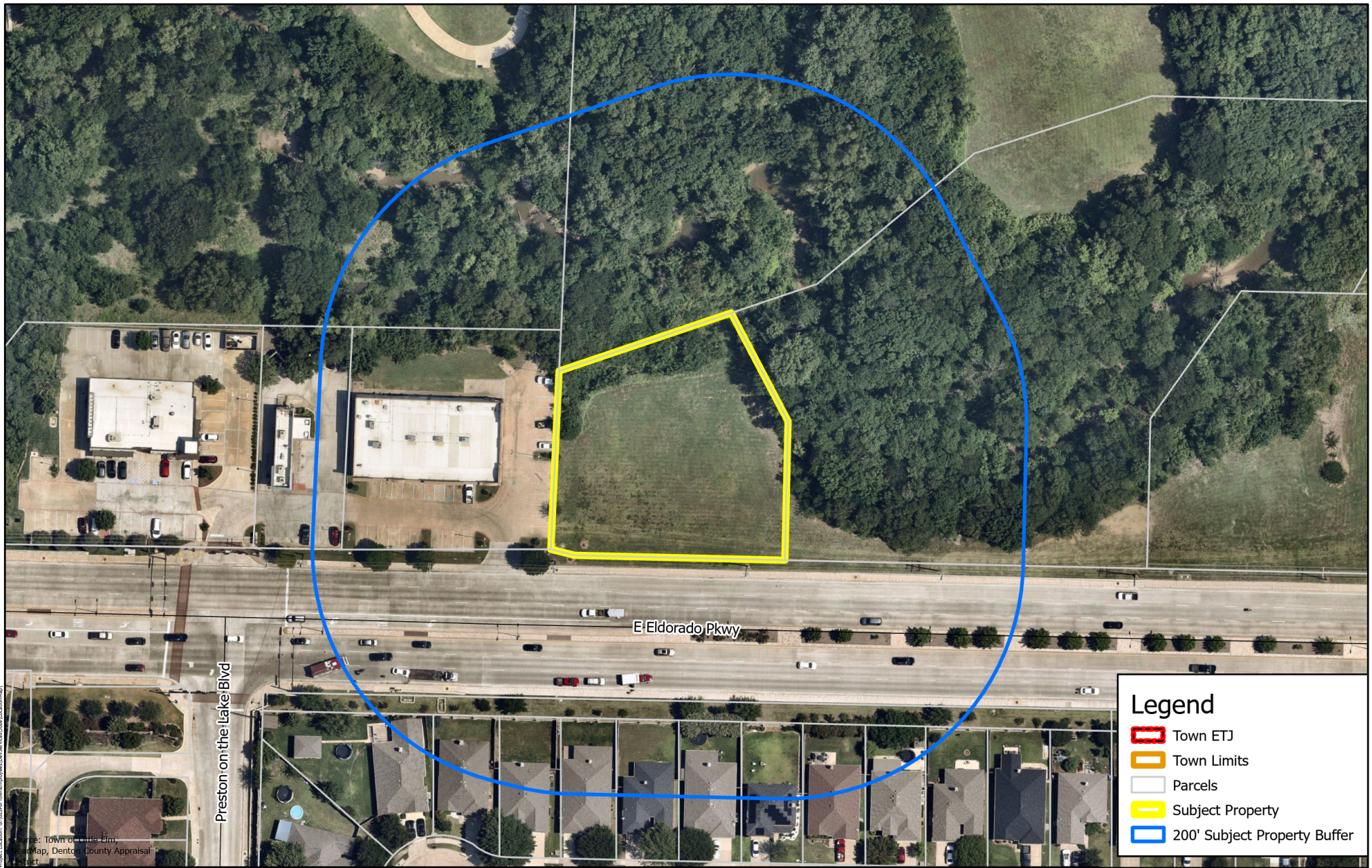
Comprehensive Plan. The future land use of this area is identified as retail and commercial. The proposed commercial development, to be occupied with future retail tenants aligns with the Town's vision for this area.

Recommended Action

At this time, the property owner and their engineering team are still working to address the remaining fire and engineering comment and have requested to table this item until November 17th, 2022 meeting.

Attachments

Location Map



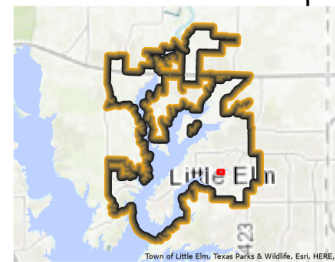
Planned Development 3P LITTLE ELM LLC

0 30 60 120 Feet



Town of Little Elm
Denton County, Tx

Date: 10/19/2022



This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/03/2022

OVERVIEW

Project	PUBLIC HEARING/ Land Use Definitions Text Amendment.
P&Z Hearing	11/03/2022
Council Hearing	November 15, 2022
Size	N/A
Current Zoning	N/A
Proposed Use	N/A
Existing Use	N/A
Future Land Use Plan Designation	N/A
Applicant	N/A
Owner	N/A
Strategic Goal	

Agenda Item

PUBLIC HEARING/ Land Use Definitions Text Amendment. Public hearing, discussion, and take action on a recommendation regarding a proposed text amendment to Chapter 106, Zoning Ordinance, by amending Sec. 106.01.14 - Land Use Definitions, in order to establish a definition for “Family”.

- Staff Report
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

N/A

Planning Analysis

Background.

Concerns were raised to Staff regarding occupancy of single-family structures and the Town's ability to regulate and enforce these areas to ensure zoning compliance. Chapter 106 - Zoning Ordinance, identifies several different types of residential districts, covering a wide range of densities and home types allowed within each district.

Single-family zoning districts specifically require predominantly detached single-family dwellings, defined as:

A platted lot containing one dwelling unit, not attached to any other dwelling by any means and is surrounded by open space or yards, designed and constructed for occupancy by one family and has no physical connection to a building located on any other separate lot or tract.

Currently, Chapter 106 - Zoning Ordinance does not define "family."

Staff reviewed the zoning ordinances of our comparator cities and identified how each city defines "family". These results were presented during a Town Council workshop on October 18, 2022 where the Council discussed the different definitions and directed Staff to utilize the following definition and rework it in order to more closely align with Town of Little Elm needs:

Family means one or more persons related by blood, marriage, or adoption, or a group not to exceed four persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.

Staff is recommending that instead of providing a concrete number of unrelated individuals, the number be determined based on a maximum occupancy of two individuals per bedroom, revising the definition to read as follows:

Family means one or more persons related by blood, marriage, or adoption, or a group, not to exceed a maximum of two persons per bedroom, or a total of five persons, not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.

Recommended Action

Staff requests the Planning and Zoning Commission discuss and evaluate the proposed definition and make a recommendation to the Town Council accordingly.
