



REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, JUNE 26, 2012



TREE CITY USA.

385

CALL TO ORDER:

Chair Wright called the meeting to order at 7:02 p.m. on June 26, 2012.

COMMISSIONERS

MARY JANE COLTON, CHAIR
QUINNIE WRIGHT, VICE CHAIR
MARIAN ELKINS
JAMES MITCHELL
LAWRENCE PROTHRO

CITY STAFF

RONA STRINGFELLOW-GOVAN

DIRECTOR OF PUBLIC WORKS/DEVELOPMENT
SERVICES

NATHANIEL BARNETT
JULIE PANDYA

SENIOR PLANNER
CITY ATTORNEY

A CLASS FROM THE UNIVERSITY OF TEXAS AT ARLINGTON SCHOOL OF URBAN AND PUBLIC AFFAIRS
GRADUATE SCHOOL ATTENDED THE MEETING.

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda).

CONSENT AGENDA: Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Commission member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. Consideration of the April 24, 2012 Regular Meeting Minutes.

Chair Colton entertained a motion for the consent agenda.

VICE CHAIR WRIGHT MADE THE MOTION TO APPROVE THE MINUTES FROM THE APRIL 24TH SECONDED BY COMMISSIONER PROTHRO.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

Commissioner Elkins arrived at approximately 7:05 p.m.

ACTION

2. **M12-04** Consider a request for a Sign Exception for the width and total height of a pole sign located approximately 2500' north of the Intersection of Bellline Road and Interstate 35E on Lot 4R, Block 1, Magnahomes Addition and doing business as Chicken Express.

Senior Planner Nathaniel Barnett gave a presentation stating that the applicant was requesting a pole sign above the maximum height of 30 feet allowed by the Lancaster Development Code (LDC). The applicant would like a sign of approximately 50 feet tall. Senior Planner Barnett explained that other land uses in the area had requested and received approval for signs ranging from 42' to 80' in height. Therefore, this request was in line with other nearby pole signs.

Commissioner Prothro asked why the restaurant was seeking a taller pole sign than is allowed by the LDC. Senior Planner Barnett stated that due to its location along the elevated section of Interstate 35E, they have a need for greater visibility. Commissioner Mitchell asked where the proposed restaurant is located, what is next to the restaurant. Senior Planner Barnett explained it is north of the In N Out Burger and south of Taco Cabana.

Chair Colton entertained a motion for this action item.

COMMISSIONER PROTHRO MADE THE MOTION TO APPROVE THE SIGN EXCEPTION, SECONDED BY COMMISSIONER ELKINS.

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE**

THE MOTION CARRIED 5-0.

PUBLIC HEARING

3. **M12-05** Conduct a Public Hearing and consider the Proposed Roadway and Water/Wastewater Impact Fee Reports.

Senior Planner Nathaniel Barnett presented information regarding the study of impact fees for Roadway and Water/Wastewater. He acknowledged the presence of representatives from the consulting firms of Kimley-Horn & Associates (Roadway) and Freese & Nichols, Inc. (Water/Wastewater). Senior Planner Barnett briefed the commission on the sessions that had taken place and the documents that had been supplied to them regarding the studies. He mentioned that impact fees were allowed to be charged by municipalities in accordance with Chapter 395 of the Local Government Code. The purpose of this meeting was for the commission to ask any further questions with regards to the draft studies that had been presented and make a recommendation to the City Council in regards to the information. The primary information that the commission was to look at were the population projections and the land use assumptions. This information would be utilized in the calculations for projected growth and usage of the infrastructure when determining the impact this growth would have and the cost associated with it. Based on those calculations, the impact fees could thus be determined. Senior Planner Barnett stated that a recommendation from Staff would not be made at this time but that the recommendation obtained from the commission along with their written comments, if any, would be used when making a recommendation to the City Council.

Chair Colton asked if the answer had been provided with regards to whether or not Red Oak charged impact fees for Water/Wastewater. Senior Planner Barnett stated that the consultants had informed him that they do not. Chair Colton asked if Red Oak was totally built out. It was stated that they are not. Chair Colton asked whether impact fees had driven away any potential development. Senior Planner Barnett stated that he had not experienced a situation where impact fees had derailed any development project in the city. He also explained that impact fees are typically a nominal cost of development but not the major factor as developers usually have other measures to determine where to locate their projects.

Chair Colton opened the Public Hearing.

There were no speakers in favor of or opposed to the impact fee draft report.

James Fairchild, 1338 Cedar Oaks Blvd, Dallas, Texas, a student of at the University of Texas at Arlington, asked if a semi-annual report for the impact fees was available to the public. Senior Planner Barnett stated that the information for the report would be provided soon.

Chair Colton entertained a motion to close the public hearing.

VICE CHAIR WRIGHT MADE THE MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MITCHELL.

AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT

NAYES: NONE

THE MOTION CARRIED 5-0.

Discussion of the Item:

The Commissioners expressed concerned that developers should pay their fare-share of the infrastructure growth of the city. Senior Planner Barnett stated that the maximum assessed fees that could be collected had decreased from the 2006/2007 Impact Fee Reports and that the Water/Wastewater impact fee would definitely have to decrease since the maximum assessable fee is lower than what is charged today.

Chair Colton asked the commissioners their thoughts on what their action should be. Everyone believed that an impact fee should be charged. It was determined that fees should not be raised and that the maximum for water/wastewater should be charged since it would be lower than what is being charged currently. The Commissioners stated that they agreed with the report by the consultants and their findings and believed it should be adopted.

Chair Colton entertained a motion for the public hearing item.

A MOTION WAS MADE BY COMMISSIONER PROTHRO TO RECOMMEND APPROVAL OF THE REPORT AS PRESENTED BY THE CONSULTANTS AND ASSESS THE MAXIMUM ASSESSABLE FEE BUT NOT INCREASE ANY IMPACT FEE, AND SECONDED BY VICE CHAIR WRIGHT.

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE**

THE MOTION CARRIED 5-0.

Chair Colton entertained a motion to adjourn.

A MOTION WAS MADE BY COMMISSIONER PROTHRO AND SECONDED BY COMMISSIONER MITCHELL TO ADJOURN.

**AYES: COLTON, ELKINS, MITCHEL, PROTHRO, WRIGHT
NAYES: NONE**

THE MOTION CARRIED 5-0.

Meeting was adjourned at 7:38 p.m.



Mary Jane Colton, Chair

ATTEST



Nathaniel Barnett, Senior Planner