



**NOTICE OF MEETING AGENDA
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
MUNICIPAL CENTER
CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS
TUESDAY, APRIL 1, 2014 – 7:00 P.M.**



**Chair, Quinnie Wright
Vice-Chair, Lawrence Prothro
Commissioner Marvin Earle**

**Commissioner Genevieve Gregory
Commissioner Tom Barnett**

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 herein.

The City of Lancaster reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

7:00 P.M.

AGENDA

CALL TO ORDER

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

ACTION

- 1. PS13-12** Discuss and consider a Preliminary Plat for Lots 1, 2 Block A, Winter School Addition, situated in Marady Parks Survey, Abstract No. 1120, Page 345 an addition to the City of Lancaster, Dallas County, Texas. The property is located near the southwest corner of Wintergreen and Houston School Road.

ADJOURNMENT

ACCESSIBILITY STATEMENT

The Municipal Building is wheelchair accessible. If you plan to attend the meeting and have a physical impairment, which requires special arrangements or require sign interpretive services, please contact the City Secretary's Office 72 hours prior to the meeting at (972) 218-1310 or TDD 1-800-735-2988. Reasonable accommodations will be made to assist your needs.

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall,

March 25, 2014 @ 11:00 am/pm.

**Surupa Sen, Senior Planner,
Public Works and Development Services**

PLANNING & ZONING COMMISSION
Agenda Communication for
April 1, 2014

#1

PS 13-12 Discuss and consider a Preliminary Plat for Lot 1, 2 Block A, Winter School Addition, situated in Marady Parks Survey, Abstract No. 1120, Page 345, an addition to the City of Lancaster, Dallas County, Texas. The property is located near the southwest corner of Wintergreen and Houston School Road.

Background

1. **Location and Size:** The property is located near the southwest corner of Wintergreen and Houston School Road and is comprised of 9.737 acres of land.
2. **Current Zoning:** The subject property is currently zoned Retail (R).
3. **Adjacent Properties:**
North: Retail (R) and Light Industrial (LI) (Vacant)
South: Retail (R) (Vacant)
East: ZL-7, Residential (partially developed Wintergreen Ridge subdivision)
West: Retail (R) (Vacant)
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan future land use map adopted in 2002 designates this property with Medium Density Residential Land Use. The property went through a zoning change request in 2009 and Council approved the zoning change request from Residential (SF-6) Retail (R) but the Comprehensive Plan future land use map was not amended concurrently. So currently the plat conforms to the Lancaster Development Code (LDC) and all other applicable ordinances but the proposed project is not in conformance with the future land use map.
5. **Case History:** N/A
6. **Public Notification:** There is no notification required.

Considerations

This is a request to Preliminary Plat Lots 1, 2 Block A, of Winter School Addition. Total 9.737 acres of land is being platted into 2 lots to develop 1.343 acres of land (Lot 1) with a 58,492 square foot Dollar General store. The property has access from W. Wintergreen Road through a driveway and the plat shows required additional right-of-way dedication for future expansion of roadway and the Dallas Water Utility (DWU) 96" water distribution line. As the roadway expansion and the water line installation are future major capital improvement undertakings by NCTCOG, Dallas County and DWU, the timeline for construction are not finalized. For the purpose of this project, applicant/developer will built temporary asphalt drive-approach to provide safe access and drainage to the property (Lot 1). When the City of Lancaster and DWU

will be ready for construction this temporary drive-approach will be removed and new concrete drive-approach will be installed as per the City of Lancaster approved design. As per Lancaster Development Code Section 14.1102 a General Development Plan has been submitted for the larger retail area, of which the Lot 1 is a part of.

Options/Alternatives

Approve the plat as presented.

Recommendation

Staff recommends **approval** of the plat.

Approval Process

The Planning and Zoning Commission is the final approval authority.

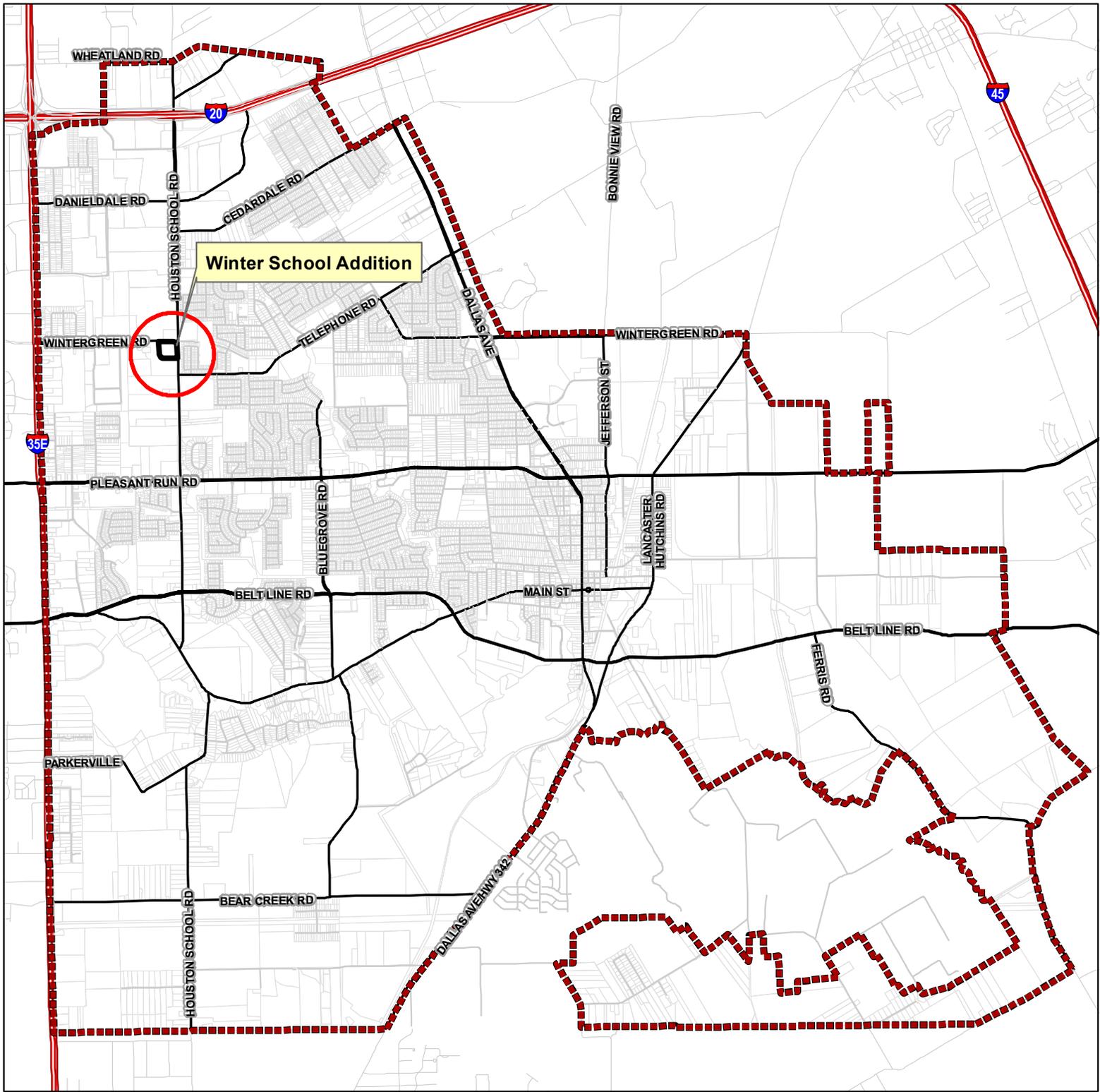
Attachments

1. Location Map
2. Zoning Map
3. Preliminary Plat
4. General Development Plan
5. Zoning Change Ordinance (2009-07-18)

Prepared By and Submitted By:

Surupa Sen
Senior Planner, Public Works and Development Services

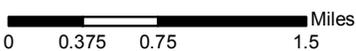
Date: March 25, 2014



Legend

-  Winter School Addition
-  City Limits
-  Parcels

Location Map
 Lot 1, 2 Block A, Winter School Addition
 Preliminary Plat



City of Lancaster Zoning Map

Legend

- City Limits
- ETJ
- Lot 1, 2, Blk A
- Winter School Addition

Special Overlay Districts

- CAMPUS DISTRICT
- HISTORIC DISTRICT
- LANPORT DISTRICT
- MEDICAL DISTRICT
- MILLS BRANCH DISTRICT
- SF-ZL

Zoning

- 2F-6 (2 Family Residential)
- A-O (Agricultural Open)
- CH (Commercial Hwy)
- CS (Commercial Services)
- LI (Light Industrial)
- MI (Medium Industrial)
- MF-16 (Mult-Family)
- MH (Mobile Home)
- MZ (Multi-Zoned)
- NS (Neighborhood Service)
- ORT (Office)
- PD (Planned Development)
- R (Retail)
- SF-4 (Residential Low)
- SF-5 (Residential Medium)
- SF-6 (Residential High)
- SF-E (Single Family Estate)
- TC (Town Center)
- TH-16 (Town Home)
- TND (Residential)
- ZL-7 (Zero Lot Line Res)

Zoning Amendments Since Adoption

Zoning	Ordinance #	Date Adopted
PD	2006-01-02	1/9/2006
SF-E	2007-02-04	2/12/2007
LI	2007-07-35	7/9/2007
PD	2007-08-88	8/13/2007
PD	2007-11-53	11/12/2007
SF-E	2008-08	2/11/2008
PD	2008-03-12	3/10/2008
PD	2007-08-40	8/27/2008

This is to certify that this is the Official Zoning Map of the City of Lancaster, Texas as adopted by City Council on 4/24/08, Ordinance No. 2008-04-13.

Attest



0 0.25 0.5 1 Miles

CITY CERTIFICATION

This plat is hereby approved by the Planning and Zoning Commission of the City of Lancaster, Texas

Chairman, Planning and Zoning Commission Date ATTEST:

Signature Date

Name & Title Director

SEVEROR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS: That I, Robert A. Hansen, do hereby certify, that I prepared this plat from an accurate survey of the land hereon shown and that the corner monuments were properly placed and that my personal supervision in accordance with the title of the City of Lancaster.

Preliminary Plat - For Inspection Purpose Only. PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED FOR REHEAR to the City of Lancaster on January 16, 2014 - RELEASED FOR REHEAR to the City of Lancaster on July 5, 2014 - Released for final approval on March 14, 2014

Registered Professional Land Surveyor, No. 6439

STATE OF TEXAS COUNTY OF DALLAS Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Robert A. Hansen, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed. Given under my hand and seal of office, this ___ day of ___, 2014. Notary Public in and for the State of Texas

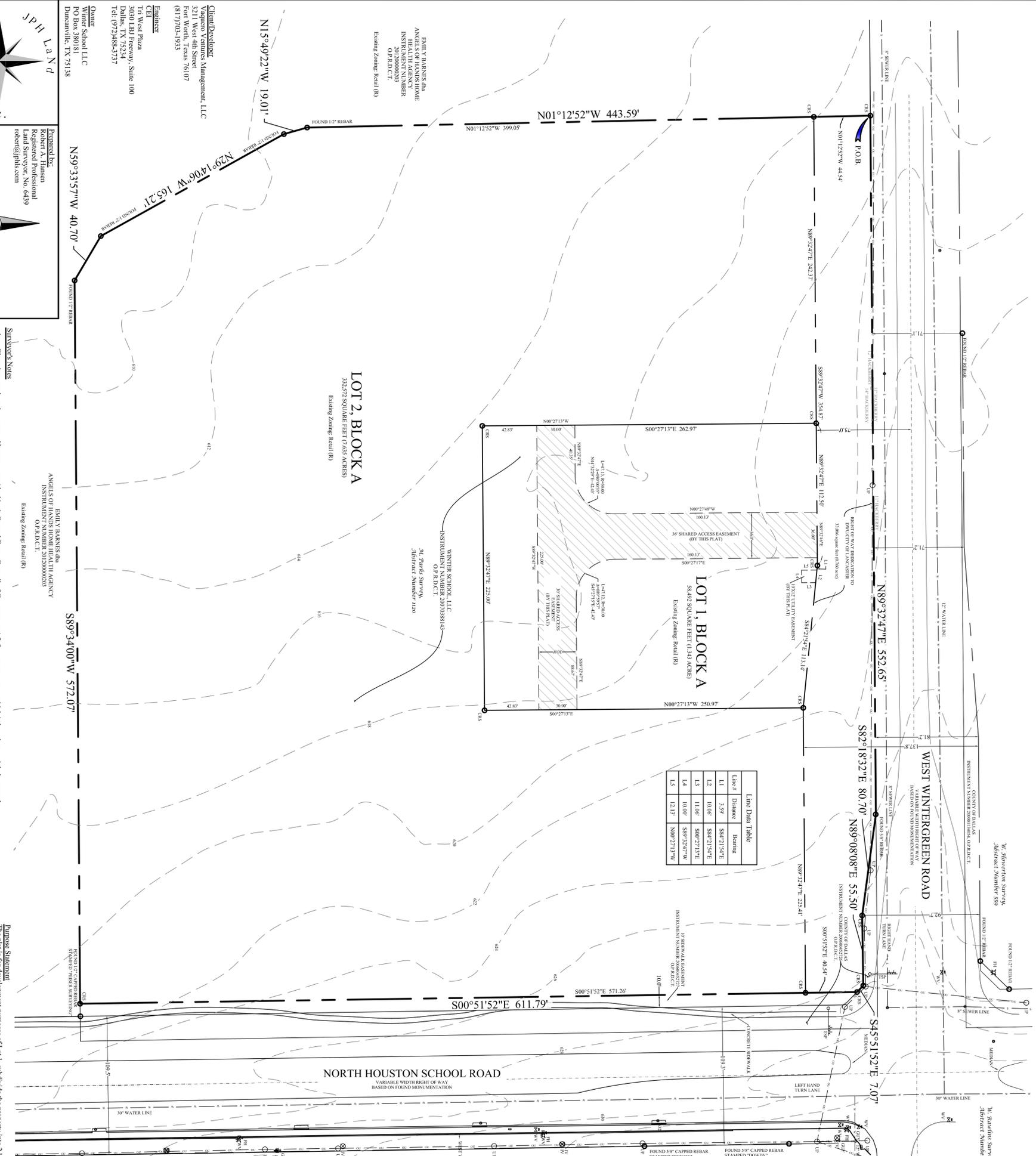
LEGEND OF SYMBOLS & ABBREVIATIONS

- UP utility pole
overhead utility lines
1/2" capped rebar stamped "JPH LAND SURVEYING" set
sewer line
hid marked "storm drain"
hid marked "sanitary sewer"
fire hydrant
(TSP) traffic signal pole
O.P.R.D.C.T. - Official Public Records, Dallas County, Texas
P.O.B. - Point of Beginning
two-foot contour lines (See surveyor note 1)
tree - diameter in inches at breast height

VICINITY MAP NOT TO SCALE



Winter School Addition
Preliminary Plat of Lots 1 and 2, Block A
of the Marady Parks Survey Abstract Number 1120, Page 345
City of Lancaster, Dallas County, Texas



Line Data Table with columns: Line #, Distance, Bearing. Rows L1 through L5.

Surveying, Inc. logo and contact information: 807 Bladenwood Drive, Suite C, Keller, Texas 76248. Tel: (817) 241-4971, www.jphs.com. TPPLS Firm #100195-000.

- Surveyor's Notes:
1. Elevations are based on www.dtvmaps.com (the North Central Texas Council of Governments) 2-foot contour map which is based on aerial photography.
2. The subject property surveyed hereon, lies within OTHER AREAS - Zone X (Unshaded) - areas determined to be outside the 500-year floodplain & OTHER FLOOD AREAS - Zone X (Shaded) - areas of 500-year flood areas of 100-year flood with average depths of less than 1 foot or with damage areas less than 1 square mile; and areas protected by levees from 100-year flood, as shown on the National Flood Insurance Program's Flood Insurance Rate Map (FIRM) for Dallas County, Texas and Incorporated Areas, Map Number 48113C06351, Effective Date: August 23, 2001 as published by the Federal Emergency Management Agency (FEMA).
3. Gross area to be platted: 9.737 acres
4. Utility lines are approximate based on field locations and maps provided by the City of Lancaster's GIS (Geographic Information System) Division.
5. Existing Zoning: S-1.5, Single Family - Medium Density
6. Adjacent Zoning: R, Retail

Purpose Statement: The Plat is for development purposes of Lot 1, subdivide the property into 2 lots, and to dedicate certain easements and right-of-way as required by the city.

Client/Developer: Winter School Addition, Winter School Management, LLC, 3211 West 4th Street, Fort Worth, Texas 76107.
Engineer: CEH, 7th West Plaza, 3030 LBJ Freeway, Suite 100, Dallas, TX 75234.
Owner: Winter School LLC, PO Box 380181, Duncanville, TX 75118.
Prepared by: Robert A. Hansen, Registered Professional Land Surveyor, No. 6439, robert@jphs.com.
EMILY BARKERS and ANGELS OF HANNS HOME HEALTH AGENCY, INSTRUMENT NUMBER 20120000203 O.P.R.D.C.T., Existing Zoning: Retail (R).
EMILY BARKERS and ANGELS OF HANNS HOME HEALTH AGENCY, INSTRUMENT NUMBER 20120000203 O.P.R.D.C.T., Existing Zoning: Retail (R).
EMILY BARKERS and ANGELS OF HANNS HOME HEALTH AGENCY, INSTRUMENT NUMBER 20120000203 O.P.R.D.C.T., Existing Zoning: Retail (R).



ORDINANCE NO. 2009-07-18

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING ORDINANCE NO. 2006-04-13, THE LANCASTER DEVELOPMENT CODE AND ZONING MAP OF THE CITY OF LANCASTER, AS AMENDED, BY GRANTING A CHANGE IN ZONING CLASSIFICATION FROM SF-6 (SINGLE FAMILY RESIDENTIAL), TO R (RETAIL), FOR A 21.381 ACRE TRACT OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HOUSTON SCHOOL ROAD, APPROXIMATELY 630 FEET SOUTH OF THE INTERSECTION OF HOUSTON SCHOOL ROAD AND WINTERGREEN ROAD, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster has received a change in zoning request; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Lancaster, in compliance with the laws of the State of Texas with references to the granting of zoning changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council of the City of Lancaster is of the opinion and finds that the Lancaster Development Code and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:

SECTION 1: That on Zoning Case No. Z09-04, the Lancaster Development Code and Zoning Map of the City of Lancaster, be hereby amended to grant a change in zoning classification from SF-6 (Single Family Residential), to R (Retail), for a 21.381 acre tract of land generally located on the west side of Houston School Road, approximately 630 feet south of the intersection of Houston School Road and Wintergreen Road, being more particularly described in Exhibit "A" (Legal Description) and Exhibit "B" (Zoning Exhibit), with said exhibits being attached hereto and made a part hereof for all purposes.

SECTION 2: SAVINGS CLAUSE - Ordinance Number 2006-04-13, the Lancaster Development Code of the City of Lancaster, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3: SEVERABILITY CLAUSE - If any article, paragraph, subdivision, clause or provision of this ordinance or the Lancaster Development Code, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, or of the Lancaster Development Code, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 4: PENALTY CLAUSE - Any person, firm or corporation violating any of the provisions of this ordinance or the Lancaster Development Code of the City of Lancaster, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5: EFFECTIVE DATE - This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

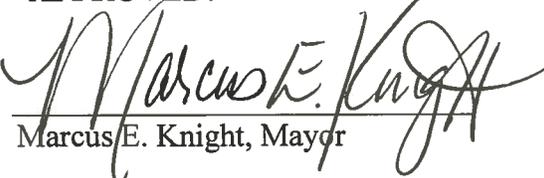
DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 13th day of July 2009.

ATTEST:



Dolle K. Shane, City Secretary

APPROVED:



Marcus E. Knight, Mayor

APPROVED AS TO FORM:



Robert E. Hager, City Attorney

Exhibit "A"

FIELD NOTE DESCRIPTION

STATE OF TEXAS
COUNTY OF DALLAS

BEING a tract of land situated in the Marady Parks Survey, Abstract No. 1120, Dallas County, Texas and being a portion of a tract land as described in a deed to Wintergreen Meadows, LTD., and recorded in Volume 2001046, Page 2108 of the Deed Records of Dallas County, Texas (DRDCT) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the most southwest corner of said Wintergreen Meadows, LTD. said iron rod being in the north line of a tract of land as described in a deed to Margaret S. Von Rosenberg and recorded in Volume 99057, Page 1272 (DRDCT) and also being the southeast corner of a tract of land as described in a deed to Four D Limited PS and recorded in Volume 93058, Page 1983 (DRDCT);

THENCE along the common line of said Wintergreen Meadows, LTD. tract and said Four D Limited PS tract North 00 deg 46 min 06 sec West a distance of 608.02 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 deg 59 min 41 sec West a distance of 90.02 feet to a 1/2 inch iron rod found for corner;

THENCE North 46 deg 24 min 01 sec West a distance of 66.35 feet to a 1/2 inch iron rod found for corner;

THENCE North 37 deg 40 min 31 sec West a distance of 86.73 feet to a 1/2 inch iron rod found for corner;

THENCE North 05 deg 43 min 58 sec East a distance of 90.50 feet to a 1/2 inch iron rod found for corner;

THENCE North 66 deg 40 min 01 sec West a distance of 118.57 feet to a 1/2 inch iron rod found for corner;

THENCE North 25 deg 53 min 29 sec West a distance of 2.94 feet to a 1/2 inch iron rod found for the most southeast corner of a tract of land as described in a deed to Jonette Whitener Moore and recorded in Volume 84122, Page 2817 (DRDCT);

THENCE along the common line of said Wintergreen Meadows, LTD. tract and said Jonette Whitener Moore tract South 89 deg 59 min 41 sec East a distance of 288.88 feet to a 1/2 inch iron rod found for corner;

THENCE North 00 deg 46 min 06 sec West a distance of 205.02 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 deg 58 min 53 sec West a distance of 130.06 feet to a 1/2 inch iron rod found for corner;

THENCE North 00 deg 46 min 06 sec West a distance of 200.00 feet to a 1/2 inch iron rod found for the northeast corner of said Jonette Whitener Moore tract, said iron rod also being in the southerly right-of-way line of Wintergreen Road (a 60 foot right-of-way);

THENCE along the southerly right-of-way line of Wintergreen Road South 89 deg 59 min 22 sec East a distance of 130.06 feet to a 1/2 inch iron rod found for corner;

THENCE South 89 deg 54 min 03 sec East a distance of 311.03 feet to a 1/2 inch iron rod found for the northwest corner of a tract of land as described in a deed to Eric C. and Bruce C. Haupers and recorded in Volume 96158, Page 0801 (DRDCT);

THENCE along the common line of said Wintergreen Meadows, LTD. tract and said Haupers tract South 00 deg 46 min 06 sec East a distance of 443.10 feet to a 1/2 inch iron rod found for corner;

THENCE South 14 deg 41 min 26 sec East a distance of 19.25 feet to a 1/2 inch iron rod found for corner;

THENCE South 28 deg 36 min 46 sec East a distance of 165.21 feet to a 1/2 inch iron rod found for corner;

THENCE South 59 deg 13 min 51 sec East a distance of 40.75 feet to a 1/2 inch iron rod found for corner;

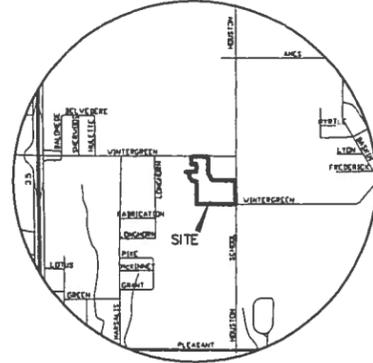
THENCE South 89 deg 50 min 57 sec East a distance of 601.37 feet to a 1/2 inch iron rod found for the southeast corner of said Haupers tract, said iron rod also being in the westerly right-of-way line of Houston School Road (a 60 foot right-of-way);

THENCE along the westerly right-of-way line of Houston School Road South 00 deg 21 min 49 sec East a distance of 640.03 feet to a 3/4 inch iron pipe found for the southeast corner of said Wintergreen Meadows, LTD. tract and the northeast corner of said Rosenburg tract;

THENCE along the common line of said Wintergreen Meadows, LTD. tract and said Rosenburg tract North 89 deg 50 min 57 sec West a distance of 1024.52 feet to the Point of Beginning;

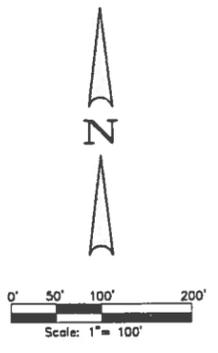
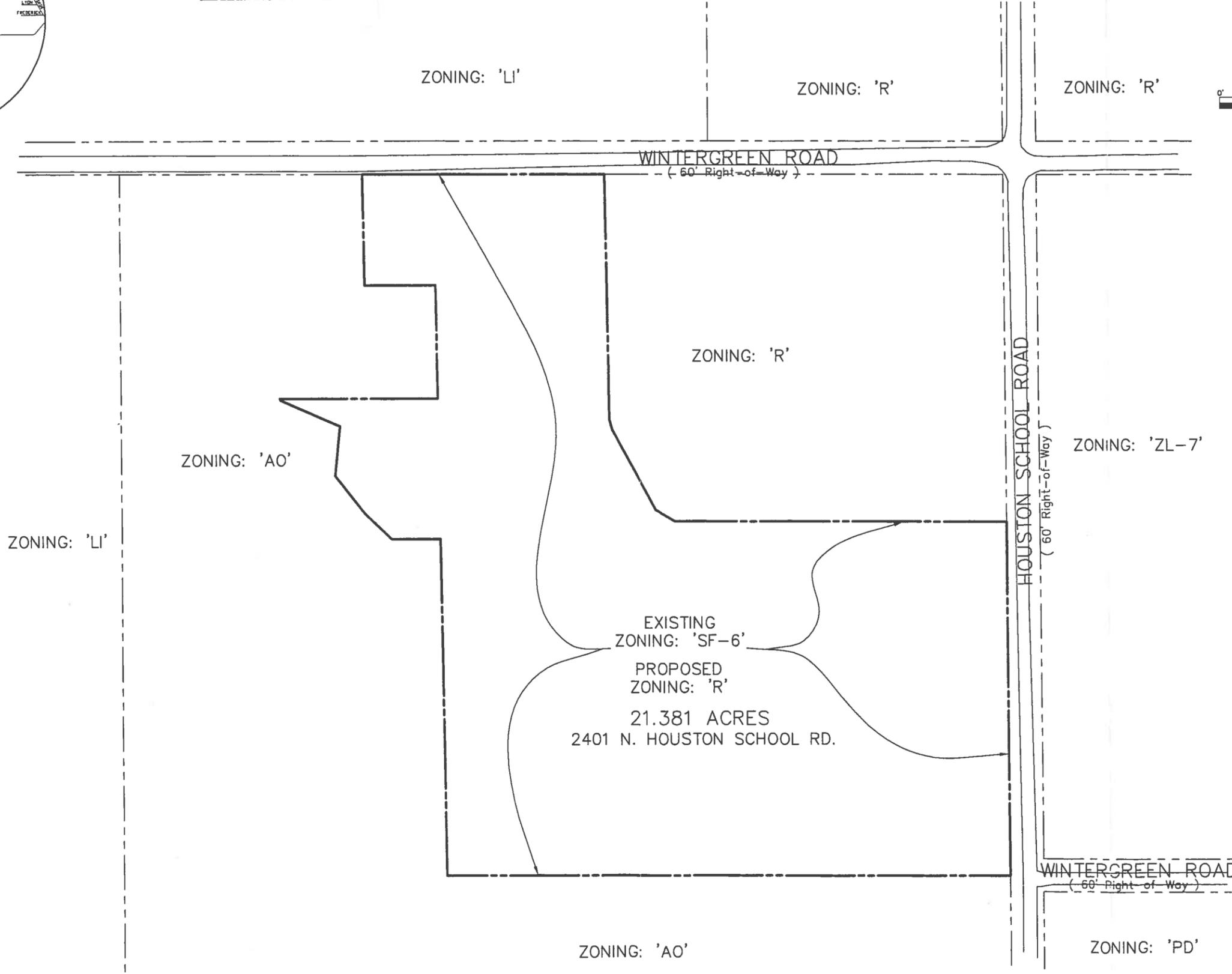
Containing within these metes and bounds 21.381 acres or 931,338 square feet of land more or less.

G:\581001\Pre\156100zon.dwg, 5/20/2009 2:07:58 PM, 1200, rdl



VICINITY MAP
N.T.S.

Exhibit "B"



No.	DATE	REVISION	APPROV

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS • SURVEYORS
 809 BELLE MEADOWS, SUITE 100
 LANCASTER, TEXAS 77951
 (771) 880-7789 FAX
 COPYRIGHT © 2009, WINKELMANN & ASSOCIATES, INC.

ZONING EXHIBIT
 SWC WINTERGREEN RD. &
 HOUSTON SCHOOL RD.
 LANCASTER, TEXAS

Scale: 1" = 100'
Date: 04/24/09
File: 581001zon.dwg
Project No.: 58100.01(10)

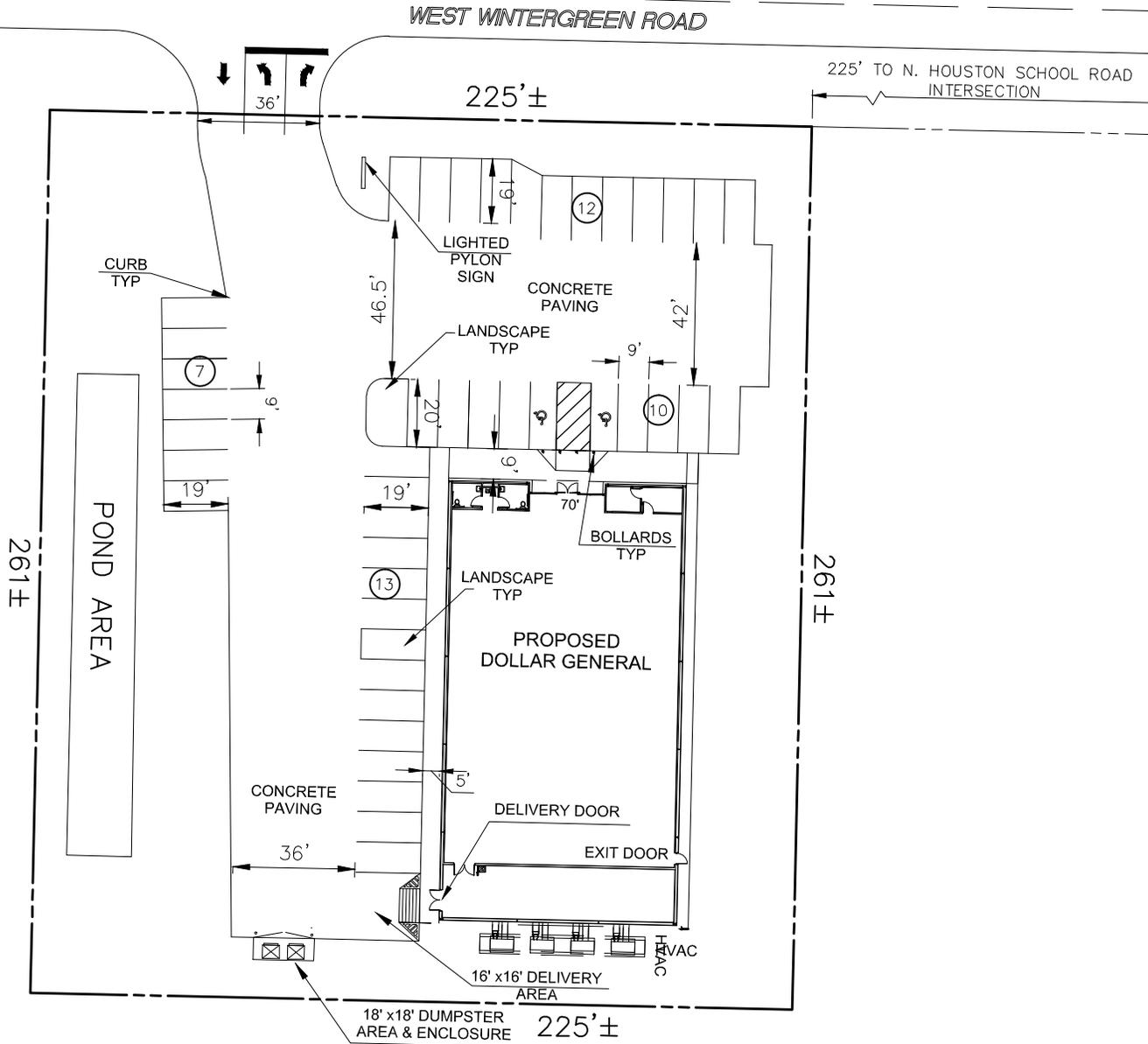
SHEET



PRELIMINARY SITE PLAN

CITY, STATE - STREET:
LANCASTER, TX W. WINTERGREEN RD

PROTOTYPE	B	DEVELOPER	DESIGNER	DATE
BLDG/SALES SF:	9,026/7,195	COMPANY: VAQUERO VENTURES	COMPANY: CEI ENGINEERING	6-19-13
ACREAGE:	1.35	NAME: W.A. LANDRETH	NAME: BRAD DOWNUM	
PARKING SPACES:	42	PHONE #: (817) 228-5268	PHONE #: (972) 488-3737	



SCALE = 1:50

TRACT 6.1 74.7988 AC.
SANDY MAC PARTNERS, LTD.
VOL. 2000046, PG. 2036
D.R.D.C.T.

TRACT 6 4.5236 AC.
SUN NLF, LTD. PS
VOL. 94147, PG. 3949
D.R.D.C.T.



WINTERGREEN RD. (60' R.O.W.)

P.O.B.

FUTURE RIGHT-OF-WAY TAKE
TAKE FOR WINTERGREEN ROAD

S89°54'58"E - 553.12'

S81°44'20"E

80.69'

S89°42'20"E - 55.50'

S45°17'40"E - 7.07'

APPROX. 9.732 ACRES

TRACT 3
ERIC C. &
BRUCE C. HAUPERS
VOL. 96158, PG. 0801
D.R.D.C.T.

S00°17'40"E - 611.43'

RIGHT-OF-WAY TAKE
PARCEL 62

HOUSTON SCHOOL RD. (Variable R.O.W.)

RIGHT-OF-WAY TAKE
PARCEL 62E

S14°41'26"E
19.25'

S28°36'46"E
165.21'

S59°13'51"E
40.75'

S89°50'57"E - 601.37'

FUTURE ALLEY R.O.W.

MEADOW VALLEY DRIVE (60' R.O.W.)

BLOCK "B"

WINTERGREEN MEADOWS, LTD.
VOL. 2001046, PG. 2108
D.R.D.C.T.

MEADOW BEND COURT (50' R.O.W.)

BLOCK "C"

S00°21'49"E - 640.03'
HOUSTON SCHOOL RD. (60' R.O.W.)

EXHIBIT FOR
ERIC AND BRUCE
HAUPERS PROPERTY
LANCASTER, TEXAS

CRANNELL, CRANNELL & MARTIN
801 ENTERPRISE DR.
FLOWER MOUND, TEXAS
972-691-6605
WWW.CRANNELLENG.COM