



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 6, 2012**



CALL TO ORDER:

Chair Wright called the meeting to order at 7:00 p.m. on November 6, 2012.

COMMISSIONERS

**QUINNIE WRIGHT, CHAIR
JAMES MITCHELL
LAWRENCE PROTHRO, VICE CHAIR
GENEVIVE ROBINSON**

CITY STAFF

RONA STRINGFELLOW-GOVAN

**MANAGING DIRECTOR OF PUBLIC
WORKS/DEVELOPMENT SERVICES
CITY ATTORNEY**

ROBERT HAGER

Chair Wright read the following into the record and convened the P&Z Commission into Executive Session at 7:03 p.m.

EXECUTIVE SESSION:

The Planning and Zoning Commission shall convene into closed executive session pursuant to Section § 551.071 of the Texas Local Government Code to consult with the City Attorney concerning pending litigation or settlement offer:

(a) Con-Way Truckload, Inc. v. the City of Lancaster.

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.

Director Stringfellow-Govan read the consent agenda into the record.

1. **HLPC12-03** Discuss and Consider Approval of a Certificate of Appropriateness to allow modifications to the front façade, that include window replacements on a building located at 129, 133, 140, and 142 First Street.
2. **HLPC12-04** Discuss and Consider Approval of a Certificate of Appropriateness to allow modification to the front, rear and side facades, that include window replacements and installation of storm windows on a building located at 103 Historic Town Square.

Chair Wright entertained a motion.

**VICE CHAIR PROTHRO MADE THE MOTION TO APPROVE THE CONSENT AGENDA,
SECONDED BY COMMISSIONER MITCHELL.**

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



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THE MOTION CARRIED 3-0.

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PUBLIC HEARING:

3. Z11-05 Conduct a Public Hearing and Consider Approval of an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map and a Rezoning Request from LI – Light Industrial to PD MI – Planned Development for Medium Industrial with conditions to allow a trucking transport facility. The property is approximately 59.041 acres of land that is located on the north side of Daniieldale Road approximately 1,340+ feet west of the intersection of Houston School Road and Daniieldale Road. The legal description of the property is within the S. B. Runyon Survey, Abstract no. 1199, Recorded in Volume 99155, Page 60, Dallas County, Texas.

Director Rona Stringfellow-Govan gave the staff presentation stating that the purpose of this rezoning request is to secure the necessary land entitlements for the future development of the subject property which is under the ownership of Conway Truckload Incorporated. The subject property consists of two parcels. Conway Truckload developed the western parcel while setting aside the eastern parcel for future expansion of the business. At some time after construction of their existing facility, the City of Lancaster rezoned the area to Light Industrial, making the company a legal non-conforming use.

The applicant is attempting to re-establish this use as a conforming business within the City of Lancaster. There is currently no property within the city limits of Lancaster zoned Medium Industrial that would allow the current use to be a conforming entity. The subject property and areas surrounding it are the only areas designated on the Future Land Use Plan map as appropriate for Medium Industrial zoning. In addition, the section of Daniieldale Road that fronts the subject property is schedule to be expanded and improved beginning in the Fall of 2012.

This request was considered at the June 15, 2010 and December 7, 2010 Planning and Zoning Commission and was recommended for denial on both occasions. The applicant is requesting a Planned Development District (PD) primarily to allow the existing trucking company by right but eliminate other uses within the Medium Industrial category that could be considered inappropriate for the area. The eliminated land uses would be: Blood plasma donor center; Prison/custodial institution; Rescue mission or shelter for the homeless; Social service provider, not rescue mission or shelter; Night club, discotheque, or dance hall; Pawn shop; Sexually oriented business; Towing and impound yard; Truck stop with fuel and accessory services; Salvage or reclamation of products (outdoors). By not allowing these 10 uses, the proposed zoning change would make the subject property more restrictive in allowances than its current zoning.



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The applicant's attorney, William Dahlstrom , Jackson Walker Law firm, 901 Main Street, Suite 6000,Dallas, TX 75202 gave a brief presentation about the proposal and stated that the current uses are all trucking related uses and his client would like to continue that use and sell their property to another company that would continue that use.

Vice Chair Prothro asked if the property ever registered their opposition during the citywide rezoning. Mr. Dahlstrom stated that they did not.

Chair Wright opened the public hearing.

IN FAVOR:

None

OPPOSED:

Suzi Weaver, 411 S. Centre indicated her opposition to more trucking in the area.

Gerald Anderson, lives at 315 Centre, but owns property at 3536 Waters Street, Lancaster, Texas indicated that he has numerous environmental concerns related to air, noise and light pollution. He also questioned the reasoning for the expansion and that it is already a detriment to the residents in the area.

Chair Wright entertained a motion to close the public hearing.

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

AYES: MITCHELL, PROTHRO, WRIGHT

NAYES: NONE

THE MOTION CARRIED 3-0.

Discussion of the Item:

None

Vice Chair Wright entertained a motion for the public hearing item.

**A MOTION WAS MADE BY COMMISSIONER MITCHELL TO RECOMMEND APPROVAL OF
THE RE-ZONING PROPOSAL FROM LIGHT INDUSTRIAL TO PD-MI - PLANNED
DEVELOPMENT FOR MEDIUM INDUSTRIAL, AND SECONDED BY VICE CHAIR
PROTHRO.**

AYES: MITCHELL AND WRIGHT

NAYES: PROTHRO



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THE MOTION CARRIED 2-1.

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ACTION

4. **PS12-05** Discuss and Consider Approval of a Preliminary Plat for Ridge Dallas South Addition, Being 3 Tracts of land on approximately 44.08 acres situated in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas, more generally described as being located on the Northeast corner of North Dallas Avenue (State Highway 342) and Telephone Road.

Director Stringfellow-Govan the Staff report indicating The applicant is requesting to plat 3 tracts of land approximately 44.08 acres in size. The applicant is proposing to dedicate two streets, Altamoor Drive and Balmorhea Drive, as well as approximately 0.037 acres of right-of-way along North Dallas Avenue to the city.

There are currently no plans for development associated with these tracts of land. The applicant is proposing to provide median landscaping and maintenance at the Balmorhea Drive entrance. The plat is generally in conformance with the subdivision regulations.

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

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

THE MOTION CARRIED 3-0.

Chair Wright entertained a motion to adjoin.

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

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

THE MOTION CARRIED 3-0.

Meeting was adjourned at 8:35 p.m.


Quinnie Wright, Chair

ATTEST



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Rona Stringfellow-Govan
Rona Stringfellow-Govan, Managing Director