



REGULAR MEETING MINUTES  
PLANNING & ZONING COMMISSION  
CITY OF LANCASTER, TEXAS  
TUESDAY, JANUARY 4, 2011



**CALL TO ORDER:**

Vice Chair Elkins called the meeting to order at 7:00 p.m. on January 4, 2011.

**COMMISSIONERS**

**POLLY SHIELDS, CHAIR**  
**MARIAN ELKINS, VICE-CHAIR**  
**ROBERT POINTER**  
**MARY JANE COLTON**  
**VALERIE PERKINS**

**CITY STAFF**

<b>RONA STRINGFELLOW-GOVAN</b>	<b>DIRECTOR OF DEVELOPMENT SERVICES</b>
<b>NATHANIEL BARNETT</b>	<b>SENIOR PLANNER</b>
<b>JULIE PANDYA</b>	<b>CITY ATTORNEY</b>
<b>KEITH HUMPHREY</b>	<b>POLICE CHIEF</b>

Chair Shields was absent due to a serious illness.

Vice Chair Elkins opened the meeting with a moment of silence for the Chair.

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

No speakers came forward to make comments.

**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 November 22, 2010 Joint Meeting with the City Council Minutes.
2. Consideration of the December 7, 2010 Regular Meeting Minutes.

Vice Chair Elkins entertained a motion on the consent agenda.

**COMMISSIONER POINTERS MADE THE MOTION TO APPROVE THE MINUTES FROM THE MEETINGS ON NOVEMBER 22<sup>ND</sup> AND DECEMBER 7<sup>TH</sup>, SECONDED BY COMMISSIONER PERKINS.**

**AYES: COLTON, ELKINS, PERKINS, POINTER**  
**NAYES: N/A**



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**THE MOTION CARRIED 4-0.**

**ACTION ITEM**

3. **PS11-02** Consider an Amending Plat for Lots 1R, 2R, and 3R, Block 1 of the Lancaster City Park Addition No. 1 in the City of Lancaster, Dallas County, Texas, Generally Located on the Southeast Corner of North Dallas Avenue and Veterans Memorial Parkway.

Senior Planner Barnett gave a brief presentation regarding the amending plat for the Public Safety Building. The purpose of the plat was to establish the drive in front of the Public Safety Building as an official street in Lancaster to be able to name it as Craig Shaw Memorial Parkway in honor of the first officer in Lancaster to be killed in the line of duty. The Lancaster Chief of Police made a statement on behalf of the proposed name change and the reason for this request.

No discussion took place on the Action item.

**COMMISSIONER COLTON MADE THE MOTION TO APPROVE THE AMENDING PLAT, SECONDED BY COMMISSIONER PERKINS.**

**AYES: COLTON, ELKINS, PERKINS, POINTER  
NAYES: N/A**

**THE MOTION CARRIED 4-0.**

Vice Chair Elkins opened the Public Hearing.

**PUBLIC HEARING**

4. **Z11-02** Conduct a Public Hearing and Consider a Request for a Specific Use Permit for a Tattoo Studio use for Property Generally Located approximately 250 feet north of the Northeast Corner of Dallas Avenue and West Pleasant Run Road.

Senior Planner Nathaniel Barnett gave a presentation for the proposed Specific Use Permit (SUP). Senior Planner Barnett stated that the SUP is for a tattoo studio that wishes to move to a larger facility. He stated that Staff recommended approval of proposal with a 6-month renewal process for the first 24 months and if there were no adverse activities at the location in that time frame, then extend the SUP to an annual renewal from then on.

The applicant, Violet Delgado 717 Boerner Drive Lancaster, Texas, stated that they wanted to expand their business. The bigger building would be more accessible for her



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husband who is in a wheelchair and there would only be one more artist added to their existing one artist shop. They close at 10pm on weekdays and at midnight on the weekends. They closed on Sunday because they all go to church. They just hope everyone gives them a chance to expand their business.

Commissioner Pointer asked how long they had been open at this location. Applicant Delgado stated they've been open for 4 years.

Vice Chair Elkins asked what they planned to place in the four windows in the front of the building. Applicant Delgado stated there would be art work in the front and the tattoo work would be done in the rear part of the building but not able to be seen from the street. Vice Chair Elkins asked that there would be no tattooing in the front windows. Applicant Delgado stated there would not.

Commissioner Colton stated that the Code states an SUP should not be detrimental to adjacent property. She had concerns that there were residences adjacent to the proposed location because they are opened late and the movement of cars nearby. She had concerns of the property values of those homes.

Commissioner Pointer asked where they were presently located. Applicant Delgado explained that they are located in the shopping strip next door to the proposed location. Commissioner Colton added that the proposed location was not in the same strip center as the existing location but separated from the building. Senior Planner Barnett confirmed that the proposed location was separated from the strip center but on the adjacent property to it.

Vice Chair Elkins then opened the public hearing

**FAVOR:**

None

**AGAINST:**

None

**COMMISSIONER POINTER MADE THE MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER COLTON.**

**AYES: COLTON, ELKINS, PERKINS, POINTER**

**NAYES:**

**THE MOTION CARRIED 4-0.**

**Discussion of the Specific Use Permit Request**



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Commissioner Pointer asked Staff if there were any issues of concern that indicated any noise problems or criminal activity that had come forward. Senior Planner Barnett stated that there had not been any evidence of detrimental activity. Property owner notifications had been sent out and none of the residential property owners had responded negatively to the proposal.

Commissioner Perkins asked what was the use of the proposed property prior to now. Senior Planner Barnett stated that it was a second hand shop. Commissioner Colton added that it was a caterer before it was a second hand shop. Commissioner Perkins stated that there were no late hours with the prior establishments. Senior Planner Barnett stated that there were not any late hours to his knowledge.

Commissioner Colton asked about the lighting that would be provided. Senior Planner Barnett stated that the Lancaster Development Code states that the lighting would have to be placed facing away from the residential property.

Vice Chair Elkins asked if there would be blinking lights in the window. Applicant Delgado stated that the only lit signs would be the "open" signs that are on a timer.

Commissioner Pointer made a comment that based on Staff's recommendation of the 6-month renewal that if any issues arose, they could be addressed at that time. In light of that he was in favor of the request.

Vice Chair opened the floor for a motion.

**COMMISSIONER POINTER MADE THE MOTION TO APPROVE THE SUP WITH THE 6-MONTH RENEWAL FOR THE FIRST 24 MONTHS, SECONDED BY COMMISSIONER PERKINS.**

**AYES: PERKINS, POINTER**

**NAYES: COLTON, ELKINS**

**THE MOTION FAILED DUE TO SPLIT VOTE 2-2.**

Vice Chair Elkins stated that the case would require a super majority vote at City Council to approve the SUP.

5. **Z11-01** Conduct a Public Hearing and Consider a Request for a Specific Use Permit for an Aerial Park use for Property Generally Located approximately 3250 feet west of the intersection of West Beltline Road and Dallas Avenue.

Senior Planner Barnett gave a brief presentation on the SUP request for the aerial park. Senior Planner Barnett showed examples of what the aerial park would look



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like and mentioned the compatibility of the park with some of the surrounding uses. Senior Planner Barnett also mentioned that the Staff had changed their recommendation from a 5-year renewal for the SUP to a 10-year renewal.

Applicant's representative Deric Salser, Michael Saucedo, Louis Saucedo and Ed Frawley gave a brief presentation for the aerial park. Mr. Salser mentioned that this was a forest park and the area was perfect for the proposed use. Mr. Frawley, 1000 Crescent Court, Dallas, Texas, added that they have been working to develop another type of use but would have had to remove a lot of the trees and they changed to an aerial park to be able to preserve the trees.

Commissioner Pointer asked what the projected time frame was to be up and running with this development. Mr. Salser answered that they would like to be up and running before the summer was over. The most timely component would be the building of the welcome center which could take 3 – 4 months.

Commissioner Colton asked who the architect for the proposal was. Mr. Salser answered it was his company, the Evergreen Architectural Group. Commissioner Colton asked about the safety features of the equipment. Mr. Salser stated that the user is clipped in 2 places to the equipment and have staff there supervising the users. Senior Planner Barnett also stated that the Fire Department would inspect the property routinely. Commissioner Colton also asked about the buffering from the residences that are adjacent to the property. Mr. Salser stated that there are a vast number of trees that will buffer the development from the residences.

Commissioner Pointer asked what the projected cost would be for a family of four. Mr. Salser stated judging by the other parks located in the northeast part of the country, it could be about \$30 per person for a 3 hour admission. But prices could be lower due to the location being in the south.

Commissioner Colton asked if any of the development was in the floodplain. Senior Planner Barnett stated that the Engineering Department had looked at the plans and determined that the development met the criteria for development in a flood plain. Michael Saucedo added that the developers are away of the flood plain issues and have taken every precaution to ensure that it would not be detrimental to the development.

Commissioner Perkins asked if any lighting would be added to the property and what the hours of operation would be. Mr. Salser stated that no lights were planned for the aerial park and they would be opened from 9am until dark.

Vice Chair Elkins opened the public hearing.

**FAVOR:**

None

**AGAINST:**



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None

Vice Chair Elkins entertained a motion to close the public hearing.

**COMMISSIONER POINTER MADE THE MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER PERKINS.**

**AYES: COLTON, ELKINS, PERKINS, POINTER**

**NAYES:**

**THE MOTION CARRIED 4-0.**

Vice Chair Elkins entertained a motion for the case.

**COMMISSIONER PERKINS MADE THE MOTION TO APPROVE SUP FOR AN AERIAL PARK IN CONJUNCTION WITH THE STAFF RECOMMENDATION, SECONDED BY COMMISSIONER COLTON.**

**AYES: COLTON, ELKINS, PERKINS, POINTER**

**NAYES:**

**THE MOTION CARRIED 4-0.**

Vice Chair Elkins entertained a motion to adjourn.

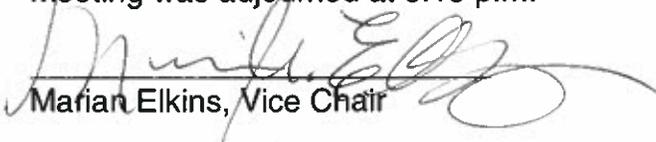
**A MOTION WAS MADE BY COMMISSIONER PERKINS AND SECONDED BY COMMISSIONER POINTER TO ADJOURN.**

**AYES: COLTON, ELKINS, PERKINS, POINTER**

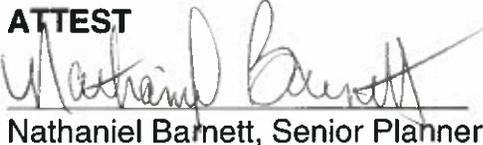
**NAYES:**

**THE MOTION CARRIED 4-0.**

Meeting was adjourned at 8:15 p.m.

  
Marian Elkins, Vice Chair

**ATTEST**

  
Nathaniel Barnett, Senior Planner