



**SPECIAL CALLED MEETING MINUTES  
PLANNING & ZONING COMMISSION  
CITY OF LANCASTER, TEXAS  
TUESDAY, SEPTEMBER 6, 2011**



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**CALL TO ORDER:**

Chair Colton called the meeting to order at 7:00 p.m. on September 6, 2011.

**COMMISSIONERS**

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

**CITY STAFF**

**NATHANIEL BARNETT  
JULIE PANDYA**

**SENIOR PLANNER  
CITY ATTORNEY**

**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 August 2, 2011 Regular Meeting Minutes.
2. Consideration of the August 16, 2011 Special Meeting Minutes.

**COMMISSIONER PROTHRO MADE THE MOTION TO PULL ITEM 2 FROM THE CONSENT AGENDA, SECONDED BY VICE CHAIR WRIGHT.**

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

**THE MOTION CARRIED 5-0.**

Chair Colton entertained a motion for the remainder of the consent agenda.

**COMMISSIONER ELKINS MADE THE MOTION TO APPROVE THE MINUTES FROM AUGUST 2<sup>ND</sup>, SECONDED BY VICE CHAIR WRIGHT.**

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

**THE MOTION CARRIED 5-0.**

**Discussion of Item 2**

City Attorney Julie Pandya stated that a correction needed to be made for the August 16th minutes showing that Whitt Wyatt and not herself was the City Attorney present at



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that meeting.

**VICE CHAIR WRIGHT MADE THE MOTION TO APPROVE THE MINUTES FROM AUGUST 16<sup>TH</sup> WITH THE CORRECTION OF WHITT WYATT BEING IN ATTENDANCE, SECONDED BY COMMISSIONER ELKINS.**

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT**

**NAYES: NONE**

**THE MOTION CARRIED 5-0.**

**PUBLIC HEARING**

- 3. Z11-08** Conduct a Public Hearing and consider a Rezoning request from PD – Planned Development (with Residential, Retail and Commercial Uses) to LI (Light Industrial), generally located on the northwest corner of the intersection of Telephone Road and North Dallas Avenue. The property is approximately 251.31 acres of land.

Senior Planner Nathaniel Barnett gave a presentation regarding the subject property. He gave some background information on the property as well as showed photos of the property as it exists today. He mentioned that the property has remained vacant for the past 6 years since the property was re-zoned as a Planned Development in 2005. He spoke of the elements of the PD being primarily for single family residential zoning but also included retail, industrial and open space uses. One of the maps shows the proximity of the property to Interstate 20. He also mentioned the required screening and setbacks required by the Lancaster Development Code for industrial uses from residential uses which includes 6' masonry walls and street trees as well as 20' setbacks.

Commissioner Prothro asked if Telephone Road's load capacity prevented truck traffic on the local roads. Senior Planner Barnett stated this would prevent large trucks from using Telephone Road due to its current design and load capacity. Chair Colton stated that if the road were improved in the future that trucks could then drive down the road. Senior Planner Barnett stated that there could be regulations established at that time that would prevent such traffic. Chair Colton asked if there were any restrictions that could be placed on the development to deter traffic from going through the residential properties. City Attorney Pandya stated that this case is for the property only and not public thoroughfares. Senior Planner Barnett added that additional controls could only be placed on a development through the Planned Development District process and not straight zoning.

The applicant, Mike Anderson of 3819 Towne Center, Mesquite, Texas, gave some background on the subject property. He explained that the subject property is in the



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Dallas Independent School District, which was previously in the Wilmer Hutchins Independent School District. The developer tried to get the property placed in the Lancaster Independent School District but was unsuccessful. Mr. Anderson then submitted a concept plan for the subject property. He mentioned that the subject property is higher than the adjacent residential property off of Dizzy Dean Road which would preclude any access to that particular road.

Chair Colton asked if the entire tract were to be used for industrial uses. Mr. Anderson stated that the corner could potentially be used for retail uses but because they don't know what the size would be all of the zoning would be for industrial uses. Chair Colton also asked about the property being in the flood plain. Mr. Anderson explained that there is a creek on the property that would be used for drainage and detention ponds.

Chair Colton opened the public hearing.

**IN FAVOR:**

None

**OPPOSED:**

Tiffany Clewis, 1006 Graystone, stated she didn't purchase a home to look at a warehouse. She was concerned about the lighting and truck traffic. She stated that truckers had already come through the neighborhood to make turns and that this use would increase the number of trucks. She also mentioned the potential of rodents being drawn to the area. She further mentioned the notice stated Monday as opposed to Friday for the date of return.

Jimmy Williams, 1111 Cresthaven Dr., stated the date said Monday instead of Friday and that the infrastructure cost should be placed on the developers to extend service to areas with no services.

Belinda Davis, 1014 Westover Drive, stated she was concerned about the traffic.

Nancy Moffett, 2105 N. Houston School Road, stated she was here when the initial PD was put in place. She spoke about Wintergreen being proposed to be a four-lane road and possibly being extended to Telephone Road. She would like to see the uses limited to just logistics.

Chair Colton entertained a motion to close the public hearing.

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

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT**

**NAYES: NONE**



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**THE MOTION CARRIED 5-0.**

**Discussion of Item 3**

Commissioner Prothro asked the applicant if he would be will to provide additional buffering for the noise generated. Mr. Anderson stated that he would and that because of the slope of the property, no access would be provided to Dizzy Dean Road, only Dallas Avenue.

Chair Colton asked if there were any opposition to doing a planned development for this project in order to assure that the additional buffers would be installed. Mr. Anderson stated if that was the Commissions' desire, he would be in favor of providing that. Vice-Chair Wright asked if that would give more control over uses. Mr. Anderson stated that it would. Commissioner Wright stated that it would be good for all those involved. Commissioner Prothro asked about the Department of Transportation requirements for Dallas Avenue and their signalization for the main entrance to the proposed development and whether the applicant would meet with them on a design. Mr. Anderson stated that he would. City Attorney Pandya stated the Department of Transportation would likely do a study of their own to determine the flow of the intersection. Senior Planner Barnett also stated that they have a formula for distance between signals along a state highway. Commissioner Mitchell asked if there would be another opportunity for community input. Senior Planner Barnett stated that there would be another public hearing at the City Council meeting.

The applicant decided to withdraw his application so that no action would be taken on the request this evening and bring back a proposal for a planned development with more land use controls. The Commission agreed to accept the withdrawal in favor of a different type of submittal.

Chair Colton entertained a motion.

**VICE CHAIR WRIGHT MADE A MOTION TO ACCEPT THE WITHDRAWAL OF THE APPLICATION FOR A CHANGE IN ZONING FROM PD TO LI, SECONDED BY COMMISSIONER ELKINS.**

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT**

**NAYES: NONE**

**THE MOTION CARRIED 5-0.**

4. **M11-07** Conduct a Public Hearing and consider an ordinance of the city of Lancaster, Texas, amending the Lancaster Development Code by amending Article 14.400, section 14.402, subsection (c)(6), Community or Halfway House, for the purpose of removing reference to Community or Halfway Houses, adding the definition of "boarding home," and requiring a Specific Use Permit for any said use in Multi-family residential zoning districts (MF-16); amending Article 14.400, section 14.402, for the purpose of adding subsection (c)(11) to add the definition of "penal boarding home" and require a Specific Use Permit for any said use in Light Industrial (LI) and Medium Industrial (MI) zoning districts; amending Article 14.400, section 14.401, Land Use Schedule, for the purpose of amending Table 1, Land Use Tables, to remove reference



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to "halfway house" and to reflect the requirement for Specific Use Permits for any boarding home use in Multi-family residential zoning districts (MF-16) and for any penal boarding home use in Light Industrial (LI) and Medium Industrial (MI) districts; amending Article 14.1300, section 14.1302, subsection (a), general definitions, for the purpose of amending the definitions of "boarding house or lodging house" and "family" and adding the definition of "penal boarding home".

Senior Planner Barnett gave a presentation stating why the request was being made and how it would reduce the potential negative impacts of halfway houses on residential communities. By amending these sections of the Ordinance, greater control would be given to the City to regulate a land use that could be detrimental. This amendment would re-define family and boarding home as well as define a new land use, penal boarding home, in the Lancaster Development Code. City Attorney Pandya explained that a use cannot be zoned out of the City but they could control where these uses are allowed.

Chair Colton opened the public hearing.

**IN FAVOR:**

None

**OPPOSED:**

None

Chair Colton entertained a motion to close the public hearing.

**COMMISSIONER PROTHRO MADE A MOTION TO CLOSE THE PUBLIC HEARING,  
SECONDED BY COMMISSIONER ELKINS.**

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT**

**NAYES: NONE**

**THE MOTION CARRIED 5-0.**

Commissioner Wright asked if any existing halfway houses would have to change or would they be allowed to stay. Senior Planner Barnett stated that they would be grandfathered and any new ones would have to comply by the new rules. Senior Planner Barnett added that there are no current halfway houses with a certificate of occupancy in the City.

Chair Colton entertained a motion.

**COMMISSIONER ELKINS MADE A MOTION TO APPROVE M11-07, SECONDED BY VICE  
CHAIR WRIGHT.**

**AYES: COLTON, ELKINS, MITCHELL, PROTHRO, WRIGHT**



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**NAYES: NONE**

**THE MOTION CARRIED 5-0.**

**ACTION**

5. **M11-08** Discuss and Consider Annual Appointments to the City of Lancaster Historic Landmark Preservation Committee (HLPC).

**Discussion of Item 5**

Chair Colton read the requirements for membership on the HLPC. Commissioner Prothro stated that he believes more applications should be sought for these positions due to the importance of this committee. Vice Chair Wright stated that applications had been sought for several months and the two that were received were reputable candidates and didn't feel the process needed to be delayed any longer.

**COMMISSIONER PROTHRO MADE A MOTION TO TABLE THE ITEM IN LIEU OF RECEIVING ADDITIONAL APPLICANTS.**

**MOTION FAILED DUE TO LACK OF SECOND.**

**VICE CHAIR WRIGHT MADE A MOTION TO FILL ONE OF THE OPEN POSITIONS WITH PATRICIA SIEGFREID-GILES, SECONDED BY COMMISSIONER ELKINS.**

**AYES: COLTON, ELKINS, MITCHELL, WRIGHT  
NAYES: PROTHRO**

**THE MOTION CARRIED 4-1.**

**COMMISSIONER ELKINS MADE A MOTION TO RECONSIDER THE APPOINTMENT OF PATRICIA SIEGFREID-GILES AS A FULL-FLEDGED COMMITTEE MEMBER TO THE HLPC, SECONDED BY COMMISSIONER MITCHELL.**

**AYES: COLTON, ELKINS, MITCHELL, WRIGHT  
NAYES: PROTHRO**

**THE MOTION CARRIED 4-1.**

**VICE CHAIR WRIGHT MADE A MOTION TO APPOINT PATRICIA SIEGFREID-GILES AS THE ALTERNATE TO THE HLPC, SECONDED BY COMMISSIONER ELKINS.**

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

**THE MOTION CARRIED 5-0.**

**COMMISSIONER ELKINS MADE A MOTION TO RE-APPOINT GLENN HOOPER AND**



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**CHERYL WRIGHT AS REGULAR COMMITTEE MEMBERS TO THE HLPC AND TO MOVE GILLES DELAISSE FROM ALTERNATE TO REGULAR COMMITTEE MEMBER TO THE HLPC, 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 VICE CHAIR WRIGHT AND SECONDED BY COMMISSIONER ELKINS TO ADJOURN.**

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

**THE MOTION CARRIED 5-0.**

Meeting was adjourned at 8:32 p.m.

  
Mary Jane Colton, Chair

**ATTEST**

  
Nathaniel Barnett, Senior Planner

