



**NOTICE OF MEETING AGENDA
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
MUNICIPAL CENTER
CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS
TUESDAY, APRIL 24, 2012 – 7:00 P.M.**



**Chair, Mary Jane Colton
Vice Chair, Quinnie Wright**

**Commissioner Marian Elkins
Commissioner James Mitchell
Commissioner Lawrence Prothro**

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)

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 March 6, 2012 Regular Meeting Minutes.

ACTION

2. **M12-02** Consider a request for a Sign Exception for the width and area of a pole sign located at 786 North Interstate 35E and doing business as Taco Cabana.
3. **M12-03** Consider a request for a Special Exception for wood siding on accessory structures located at 1971 West Pleasant Run Road and doing business as Peaceful Images Child Development Center.

PUBLIC HEARING

4. **Z12-03** Conduct a Public Hearing and Consider a Request for a Specific Use Permit for a Minor Auto Repair use for Property Generally Located at the Southwest Corner of the intersection of Daniieldale Road and Balomede Avenue and addressed as 3300 Daniieldale Road and 3359 Balomede Avenue.

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,

_____, 2012 @ _____ am/pm.

Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for
April 24, 2012

#1

CONSIDERATION OF THE MARCH 6, 2012 MEETING MINUTES

Prepared by:

Nathaniel Barnett, Senior Planner



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



CALL TO ORDER:

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

COMMISSIONERS

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

CITY STAFF

**RONA STRINGFELLOW-GOVAN
NATHANIEL BARNETT
JULIE PANDYA**

**DIRECTOR OF DEVELOPMENT SERVICES
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 February 7, 2012 Regular Meeting Minutes.

Chair Colton entertained a motion for the consent agenda.

COMMISSIONER PROTHRO MADE THE MOTION TO APPROVE THE MINUTES FROM FEBRUARY 7TH, SECONDED BY COMMISSIONER MITCHELL.

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

THE MOTION CARRIED 3-0.

ACTION

2. **HLPC12-01** Consider a Certificate of Appropriateness to allow a modification to an existing garage located at 105 E. Fifth Street.

Senior Planner Nathaniel Barnett gave a presentation regarding the request to add a garage door to an existing garage in the historic district. The applicant is also proposing to add a carriage light to the exterior of the structure. He mentioned that the Historic Landmark Preservation Committee had recommended approval of the additions.

Chair Colton entertained a motion for the action item.



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
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COMMISSIONER PROTHRO MADE THE MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS, SECONDED BY COMMISSIONER MITCHELL.

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

THE MOTION CARRIED 3-0.

3. **M12-02** Consider a request for a Sign Exception to the height of a sign located at 786 North Interstate 35E.

Senior Planner Nathaniel Barnett gave the presentation regarding the request to increase the height of the pole sign for the Taco Cabana restaurant. He stated that other pole signs in the immediate area are 80' tall and the applicant would like to have the same consideration. Senior Planner Barnett stated that if approved, the applicant would still need to obtain a building permit and submit engineered plans showing the sign would be able to withstand wind speeds up to 90 miles per hour.

Chair Colton asked why did the other establishments request higher signs? Senior Planner Barnett stated that the location of the establishments in the lower-lying area next to the interstate brought about the request to have taller signs so that travelers could see them from the highway. The applicant, Zeke Bullock with Barnett Signs at 4250 Action Drive, Mesquite, Tx, showed some pictures of the existing conditions and why the company is asking for the increased height.

The applicant mentioned at the meeting that the sign area would increase as well. Commissioner Mitchell asked if the applicant would have to come back to get approval for a larger sign size. City Attorney Pandya stated that they would.

Chair Colton entertained a motion for the action item.

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

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

THE MOTION CARRIED 3-0.

DISCUSSION

4. Capital Improvements Advisory Committee update and discussion of the Draft Roadway Impact Fee Update.

Senior Planner Nathaniel Barnett stated that the original meeting for the public hearing of the CIAC had been postponed until a future date to give more time to review the documents being



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PLANNING & ZONING COMMISSION
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TUESDAY, MARCH 6, 2012**



prepared by the consultants. Senior Planner Barnett gave a copy of the Roadway Draft Impact Fee Study to each member. A copy of the Water/Wastewater Draft Impact Fee Study was not yet complete. He informed the commissioner that this would allow them extra time to review the documents before the public hearing.

Chair Colton entertained a motion to adjourn.

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

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

THE MOTION CARRIED 3-0.

Meeting was adjourned at 7:26 p.m.

Mary Jane Colton, Chair

ATTEST

Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for
April 24, 2012

#2

M12-02 Consider a Request for a Sign Exception for the Width and Area of a Pole Sign Located at 786 North Interstate 35E and doing business as Taco Cabana.

Background

1. **Location and Size:** The property is located on the east side of I-35E and is approximately 900 feet south of the intersection of Gateway Drive and I-35E. The property is addressed as 786 North I-35E.
2. **Current Zoning:** The subject property is currently zoned CH, Commercial Highway.
3. **Adjacent Properties:**
North: CH, Commercial Highway (IHOP restaurant)
South: CH, Commercial Highway (vacant, future Chicken Express)
East: LI, Light Industrial (Oak Creek Mobile Home Manufacturing facility)
West: Northbound I-35E
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for Highway Commercial uses. The proposal is compatible with the Comprehensive plan.
5. **Case/Site History:**

Date	Body	Action
3/06/2012	P&Z	approved increased sign height for pole sign

Considerations

The applicant is requesting an exception to the sign ordinance to allow a greater square footage area to the existing Taco Cabana pole sign. The proposed sign display area is to be eight (8) feet in height by 32 feet in width, giving it a display area of 256 square feet. The Lancaster Development Code (LDC) allows signs to be a maximum of 15' wide by 15' tall and a total display area of 225 square feet.

The exceptions being requested would be to the sign's width (17' wider than allowed by the LDC) and area (31 square feet more than allowed by the LDC). Approval was given by the Planning and Zoning Commission in its role as the Sign Board to allow the applicant to elevate the pole sign height up to 80', being consistent with other pole signs in the immediate area. The applicant is requesting the size of the proposed size to be proportionate in width to the increased height.

In consideration of this request, the Sign Board shall consider the following (taken from the LDC):

- The degree of exception;
- The reasons for the exception request;
- The location of the exception request;
- The duration of the exception request;
- The effect on public safety;
- Protection of neighborhood property;
- The degree of hardship or injustice involved, and
- The effect of the exception on the general plan for signing within the city.

Options/Alternatives

1. Grant the exception as requested.
2. Grant an exception of a lesser nature and state what they are.
3. Deny the exception request.

Recommendation

Staff recommends **approval** of the exception request (Option 1), as presented.

Attachments

Sign Elevation
Site Plan

Prepared By and Submitted By:

Nathaniel Barnett, Senior Planner

Date: _____ April 19, 2012 _____



client: TACO CABANA
location: LANCASTER, TX

sheet: 1 of 1
salesperson: Pete Sitterly
date: 1-19-12
scale: noted
computer file (name): C:\87888\PLDH
drawn by: Ben Calderon

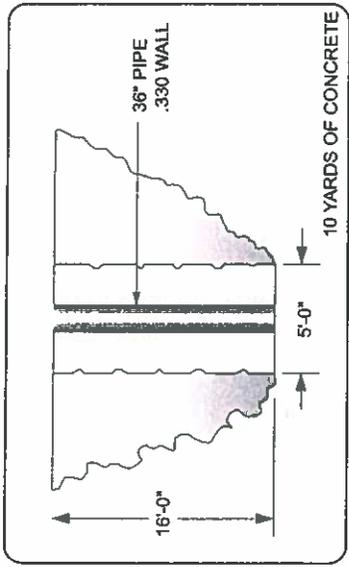
important:
 approved
 approved as noted
 revise & resubmit
by: _____
date: _____

electrical:
voltage: _____
amps: _____
20 amp circuit required

comments:

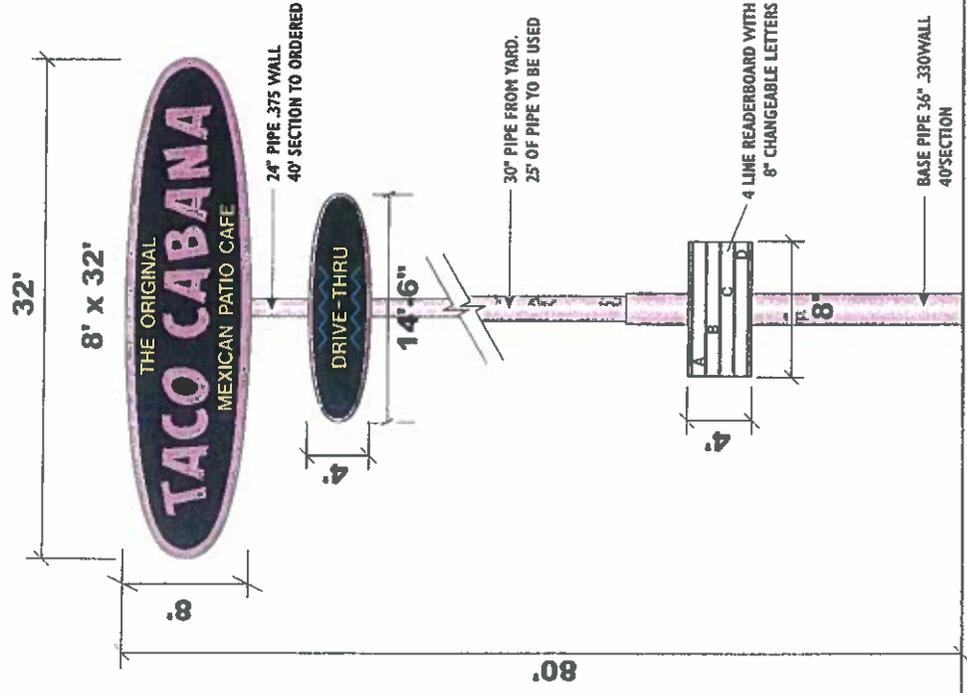
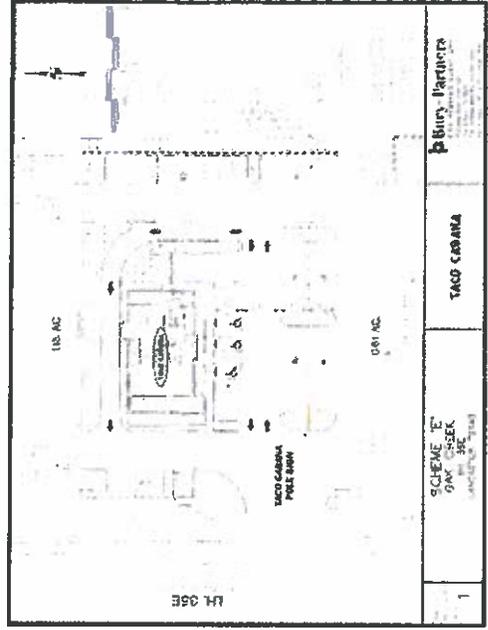


www.cometsigns.com
235 West Turbot
SAN ANTONIO, TX 78216
ph: (210) 341-7244
fax: (210) 341-7279



SIGN AREA: 256 SQ. FT

SIGN AREA: 58 SQ. FT



SIGN AREA: 32 SQ. FT

TOTAL SIGN AREA: 346 SQ. FT

80' Pole Sign Elevation
Scale: 1/8" = 1'-0"

PLANNING & ZONING COMMISSION

Agenda Communication for
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#3

M12-03 Consider a request for a Special Exception for wood siding on accessory structures located at 1971 West Pleasant Run Road and doing business as Peaceful Images Child Development Center.

Background

1. **Location and Size:** The property is located approximately 1,500 feet east of the intersection of West Pleasant Run Road and Houston School Road, addressed as 1971 West Pleasant Run Road and is comprised of approximately 2.32 acres of land.
2. **Current Zoning:** The subject property is currently zoned NS, Neighborhood Services.
3. **Adjacent Properties:**
North: AO, Agricultural-Open Space
South: TH-16, Town Home
East: ZL-7, Zero Lot Line Single Family Residential
West: AO, Agricultural-Open Space
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan indicates that this site has been deemed suitable for Low Density Residential uses. The proposal is consistent with the Future Land Use Plan in regards to a daycare center providing an ancillary use for single family residential developments.
5. **Case/Site History:** N/A

Considerations

The applicant is seeking an exception to the requirement for the accessory structure to match the main structure's building material. The current use for the subject property is a daycare facility. The applicant is proposing to use small accessory structures in the rear of the main structure for child development purposes. Each accessory building is to represent a different type of business in a community, such as a bank, church, school, etc. The applicant is proposing to use the color of the building as a tool for learning.

The Lancaster Development Code (LDC) requires all buildings in Commercial Districts to be constructed of 100% masonry materials on exterior walls unless given an exception by the Planning and Zoning Commission. In reviewing the proposal, Staff took note of the location of the accessory structures, the size of the lot, the building materials being used, and the building materials of the main structure. The accessory structures are located in the rear of the main structure and not viewable from the street. They are 160 square feet in size on a lot that is over 2 acres. The applicant wishes to use wood siding material for the accessory structures. The main structure has brick building materials. Given their location and size, granting an exception would not deter the intent of the LDC.

In consideration of this request, the Planning & Zoning Commission shall consider the following (taken from the LDC):

- Such Exception will not substantially or permanently injure the appropriate use of adjacent property in the same district; and
- Such Exception will not adversely affect the health, safety or general welfare of the public; and
- Such Exception will not be contrary to the public interest; and
- Such Exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the Exception is sought is located, except as provided elsewhere in this ordinance; and
- Such Exception will be in harmony with the spirit and purpose of this ordinance; and
- Such Exception will not alter the essential character of the district in which is located the property for which the Exception is sought; and
- Such Exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and
- Such Exception is within the spirit and intent of the City's Comprehensive plan and other policies.

Options/Alternatives

1. Grant the exception as requested.
2. Grant an exception of a lesser nature and state what they are.
3. Deny the exception request.

Recommendation

Staff recommends **approval** of the exception request (Option 1), as presented.

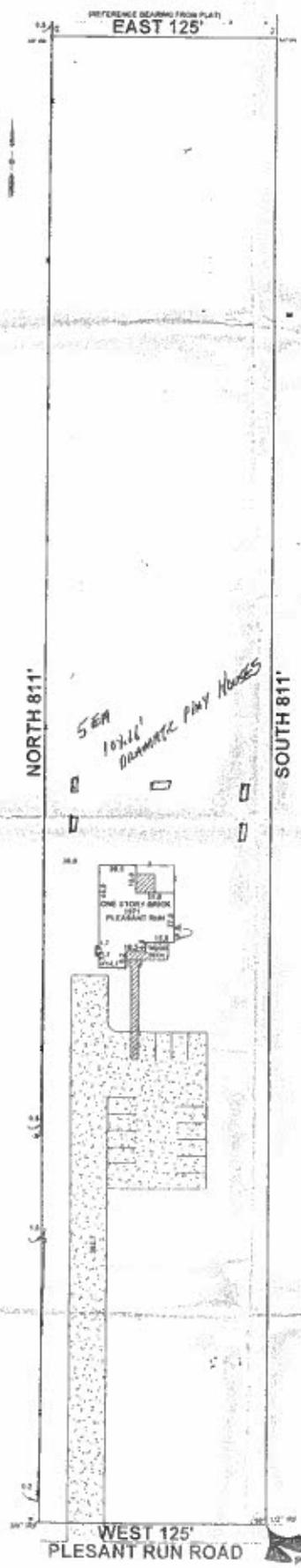
Attachments

Site Plan
Photos of Accessory Buildings

Prepared By and Submitted By:

Nathaniel Barnett, Senior Planner

Date: _____ April 19, 2012 _____



NOTE: THE FOLLOWING EAST MEASUREMENTS
 RECORDED IN VOL. 2181 PG. 13 22ND 1987
 DIM. 10. SEC. 22 S. D. T. 107'S 2ND 1987
 UNKNOWN ALSO IN 187 1011, 11 1987
 LTR

JIMMY W. PINGUE, INC.

NO. 1075 2541

COPYRIGHT DATE APR 26, 2012

This is to certify that here, this date, made a correct FIELD survey on the ground of property located in
 No. 1871 PLEASANT RUN in the city of LANCASTER, TEXAS.

BEING PART OF THE WILLIAM FLEWING SURVEY, ABSTRACT NO. 486, IN DALLAS COUNTY, TEXAS AND BEING
 PART OF THE 16 ACRE TRACT CONVEYED TO J.M. MILLER BY DEED DATED DECEMBER 11, 1985, RECORDED IN
 VOLUME 474, PAGE 27, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED
 AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE NORTH LINE OF PLEASANT RUN RD., SAID POINT BEING IN THE EAST
 LINE OF THE MILLER 16 ACRE TRACT;

THENCE WEST ALONG THE NORTH LINE OF PLEASANT RUN RD., 125 FEET TO A 20" IRON ROD FOUND FOR CORNER;

THENCE NORTH PARALLEL WITH THE EAST LINE OF THE MILLER 16 ACRE TRACT 341 FEET TO A 30" IRON ROD SET
 FOR CORNER;

THENCE EAST, PARALLEL WITH THE NORTH LINE OF PLEASANT RUN RD., 125 FEET TO A 30" IRON ROD SET IN THE EAST
 LINE OF THE MILLER 16 ACRE TRACT;

THENCE SOUTH ALONG THE EAST LINE OF THE MILLER 16 ACRE TRACT, 611 FEET TO THE PLACE OF BEGINNING AND
 BEING ALSO KNOWN WEST PLEASANT RUN RD., LANCASTER, TEXAS, 12146.

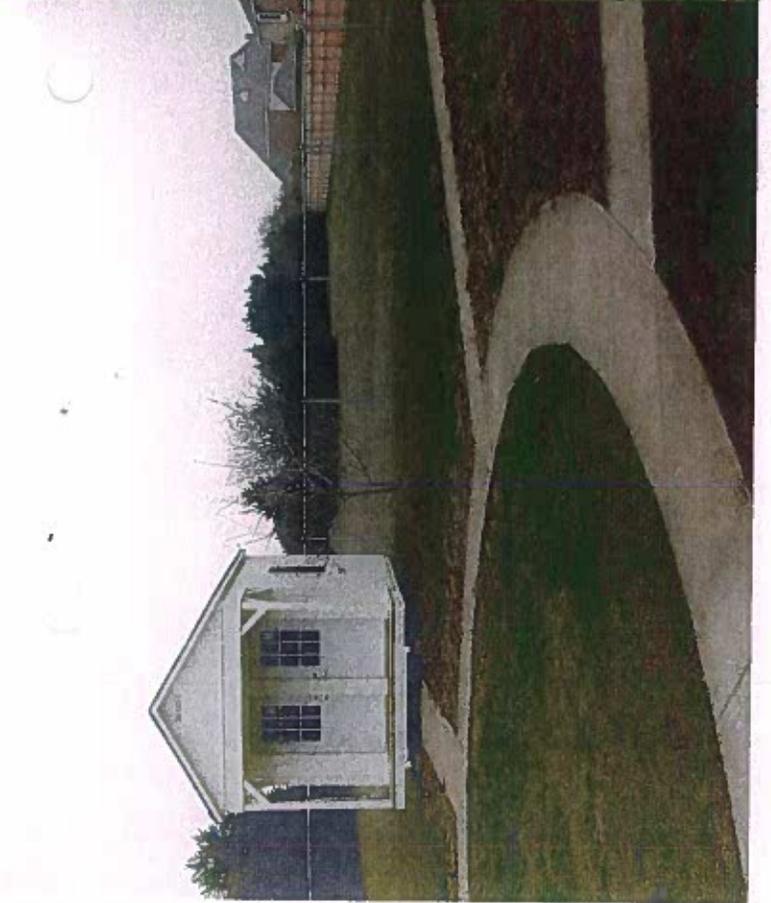
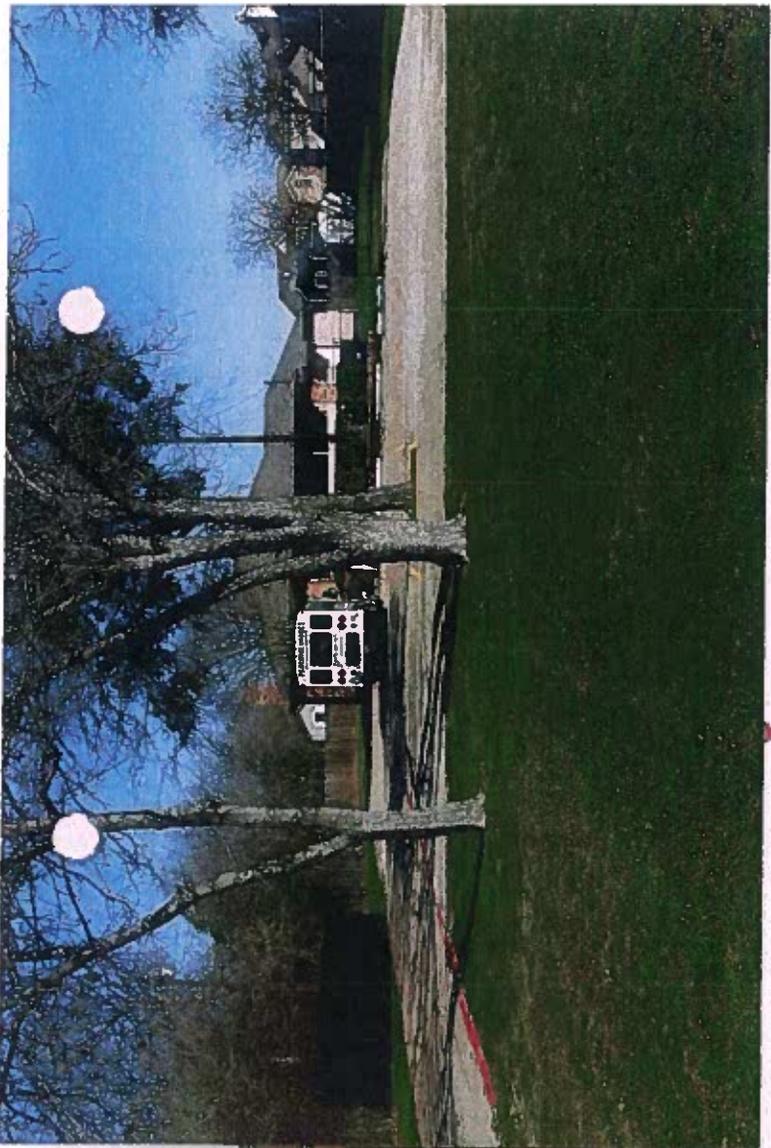
NOTE: PER THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY PANEL NO. 48113C 0620
 THIS PROPERTY IS IN ZONE 1 AND IS DETERMINED TO BE OUTSIDE THE 50-YEAR FLOOD PLAIN

SURVEY EXAMINED AND
 CORRECTED BY
 DATE

Planning & Zoning
 Department
 FEB 22 2012

Form No. 5000
 5425

JIMMY W. PINGUE, INC.
 200 W. 10TH ST. SUITE 100
 LANCASTER, TEXAS 75133
 (817) 281-1111



PLANNING & ZONING COMMISSION
Agenda Communication for
April 24, 2012

#4

Z12-03 Conduct a Public Hearing and Consider a Request for a Specific Use Permit for a Minor Auto Repair use for Property Generally Located at the Southwest Corner of the intersection of Daniieldale Road and Balomede Avenue and addressed as 3300 Daniieldale Road and 3359 Balomede Avenue.

Background

1. **Location and Size:** The property is generally located at the southwest corner of the intersection of Daniieldale Road and Balomede Avenue and addressed as 3300 Daniieldale Road and 3359 Balomede Avenue. The property under consideration is approximately 1.61 acres of land.
2. **Current Zoning:** The subject property is currently zoned CH – Commercial Highway.
3. **Adjacent Properties:**
North: CH, Commercial Highway District (vacant building)
South: CH, Commercial Highway District (vacant property)
East: CH, Commercial Highway District (vacant property)
West: CH – SUP, Commercial Highway District with a Specific Use Permit for Major Auto Repair and Commercial Highway District with a Specific Use Permit for an Equipment Rental and Storage Yard (Lancaster Tire Service)
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for commercial uses. This proposal is compatible with the Comprehensive Plan.
5. **Public Notification:** The Public Hearing notice appeared in the Focus Daily Newspaper on March 23, 2012 and 17 property owner notifications were mailed out on March 23, 2012. One (1) property owner notification has been returned in favor of the proposal. Zoning signs were placed on the subject property on March 28, 2012, satisfying the noticing requirement for this request.
6. **Case/Site History:** N/A

Considerations

The purpose of the SUP process is to authorize and regulate certain uses allowed in a particular zoning designation, yet ensure that such uses are not detrimental to surrounding property, and are consistent with the stated purpose of the zoning district. An SUP can address issues regarding conditions of operation, location, sign display, timeframe, etc. Minor auto repair uses are required to obtain an SUP in commercial highway zoning because of the potential negative impacts they may have to the highway corridor with regards to aesthetics, noise, and/or odors.

The applicant is requesting a Specific Use Permit (SUP) for a minor auto repair shop to restore damaged bumpers and deliver them to retail outlets. The subject property can be accessed from Daniieldale and Balomede and the existing access drive is striped for a 24' fire lane. It has existing parking with the appropriate number of spaces to meet the parking requirement. The subject property has a chain link fence with slats already in existence to provide screening for any outdoor storage that may occur. It also has the required screened dumpster.

Staff has concluded that the subject property meets the intent and regulations of the Lancaster Development Code for renovation. The proposed use is adjacent to properties on the west that already have SUPs for a major auto repair use and an equipment rental facility. Thus, it has been determined by Staff that the proposed use will not negatively impact the Interstate 35E corridor.

Options/Alternatives

- 1) Recommend approval in accordance with modifications and said modifications shall be stipulations of approval.
- 2) Recommend approval, as requested.
- 3) Postpone consideration.
- 4) Recommend denial of the request.

Recommendation

Staff recommends **approval** of the item (Option 1).

Approval Process

Upon recommendation by the Planning and Zoning Commission, the City Council will conduct a public hearing and render a final decision for this item at their April 23, 2012, regular meeting.

Attachments

Site Plan
Photos of existing property
Property Owner Notification map
Property Owner Notification listing

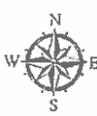
Planning and Zoning Commission
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Page 3

Prepared By and Submitted By:

Nathaniel Barnett, Senior Planner

Date: April 19, 2012





- Parcels
- Subject Parcel
- Notification Parcels
- 200' Notification Area



City of Lancaster

3300 Daniieldale Rd

200' Notification Area

Owner Name	Owner Address	City	State	Zip
MASON JEFFREY K	104 CEDAR DR	OAK LEAF	TEXAS	75062-3613
ARGUMANIZ GILBERT & VICTORIA A	1200 W RED OAK RD	RED OAK	TEXAS	75212-3246
WHITE SAMMY D & CYNTHIA	1516 W IRVING BLVD	IRVING	TEXAS	75154-0154
CRENSHAW KENNETH WAYNE	3000 PINEWOOD DR STE 101	ARLINGTON	TEXAS	75146-3605
MONTERO JUAN S	3042 SEEVERS AVE	DALLAS	TEXAS	75154-3802
CUIN JULIO	3210 TUMALO TRL	DALLAS	TEXAS	75134-1540
LUTHER THOMAS A	3343 BALOMEDE ST	LANCASTER	TEXAS	75216-4220
LUTHER S A	3345 BALOMEDE ST	LANCASTER	TEXAS	75154-3938
LUTHER S A	3351 BALOMEDE ST	LANCASTER	TEXAS	75134-1540
SMITH TRACY JR	3353 SHELIA LN APT 150	DALLAS	TEXAS	75180-4332
ARGUMANIZ GILBERT	3444 N INTERSTATE 35 E	LANCASTER	TEXAS	75154-3938
MONTERO JUAN S	3460 N INTERSTATE 35 E	LANCASTER	TEXAS	75134-1505
DEMARCUS M BANKS MEMORIAL INSPIRED HOUSE OF PRAYER	4624 INDIAN CREEK DR	BALCH SPRINGS	TEXAS	75220-6026
RODRIGUEZ RAMIRO	506 BELLAH DR	IRVING	TEXAS	75134-1505
COLLIER TERI J	614 GRIFFITH AVE	TERRELL	TEXAS	75061-7225
CHESHIER JIMMY E ETAL	739 S DALLAS AVE	LANCASTER	TEXAS	76010-5344
MASON JEFFREY K	PO BOX 154	RED OAK	TEXAS	75134-1505