



**NOTICE OF MEETING AGENDA
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
MUNICIPAL CENTER
CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS
TUESDAY, AUGUST 7, 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 July 10, 2012 Regular Meeting Minutes.

PUBLIC HEARING

2. **M12-06** Conduct a Public Hearing and consider a Proposed Tornado Recovery Overlay District for the properties impacted by the April 3, 2012 tornado regarding special development requirements for redevelopment of totally or partially-damaged single family homes located in tornado-stricken areas.
3. **Z12-04** Conduct a Public Hearing and consider a Rezoning request from CH (Commercial Highway) to LI (Light Industrial), Generally Located approximately 540+ feet south of the intersection of Kirkland Road and Meadowlark Lane. The properties are addressed as 1451, 1455, and 1459 Meadowlark Lane and are approximately 3.35 acres of land in total. The legal description of the property is lots 20, 21, and 22, Block 1, Stillmeadow Acres Addition, City of Lancaster, Dallas County, Texas.

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,

August 3, 2012 @ 5:00 am/pm.



Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for
August 7, 2012

#1

CONSIDERATION OF THE JULY 10, 2012 MEETING MINUTES

Prepared by:

Nathaniel Barnett, Senior Planner



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, JULY 10, 2012**



CALL TO ORDER:

Vice Chair Wright called the meeting to order at 7:07 p.m. on July 10, 2012.

COMMISSIONERS

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

CITY STAFF

RONA STRINGFELLOW-GOVAN

**DIRECTOR OF PUBLIC WORKS/DEVELOPMENT
SERVICES**

NATHANIEL BARNETT

SENIOR PLANNER

JULIE PANDYA

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 June 26, 2012 Regular Meeting Minutes.

Vice Chair Wright entertained a motion for the consent agenda.

COMMISSIONER ELKINS MADE THE MOTION TO APPROVE THE MINUTES FROM JUNE 26TH, SECONDED BY COMMISSIONER MITCHELL.

AYES: ELKINS, MITCHELL, WRIGHT

NAYES: NONE

THE MOTION CARRIED 3-0.

PUBLIC HEARING

2. **M12-06** Conduct a Public Hearing and consider a Proposed Recovery Overlay Special District for Storm Damaged Communities.

Senior Planner Nathaniel Barnett gave the Staff presentation detailing the background of the item with reference to the storm damage that occurred due the tornado on April 3rd. He showed photos of some properties that were damaged by the storm with different levels of severity. Senior Planner Barnett stated that over 300 homes and businesses received some



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, JULY 10, 2012**



damage to their property from shingles being blown off to the structure being almost totally demolished.

Senior Planner Barnett then began discussing the Lancaster Development Code (LDC) requirements for building homes in the city. He stated that there is a minimum home size of 1,750 square feet when building a new home either on a vacant lot or after demolishing a structure, either intentional or not. This LDC requirement was put in place in 2006 when the ordinance was amended. Many of the affected homes were built prior to 2006 and thus did not meet minimum size criteria. The proposal is to allow home owners to build their original home back even if it is less than the minimum size requirement without having to go before a special board to get approval. Senior Planner Barnett also mentioned that some homes encroached into the side yard setback of 10'. This ordinance would allow them to set the home in its original location on the property whether it met the side yard setback or not.

Vice Chair Wright asked if there would be a time frame associated with this ordinance in regards to how long a property owner has before rebuilding their home. Senior Planner Barnett stated that there were no time frames to be associated with these provisions for homes affected by the storm.

Vice Chair Wright opened the public hearing.

IN FAVOR:

None

OPPOSED:

None

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

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

AYES: ELKINS, MITCHELL, WRIGHT

NAYES: NONE

THE MOTION CARRIED 3-0.

Discussion of the Item:

Commissioner Elkins asked if this ordinance would only be available to those properties affected by the storm. She wanted to know if homes that were not damaged by the storm but in the affected area could be rebuilt smaller than the requirements of the LDC. Senior Planner Barnett stated that homes not affect by the storm would not be able to rebuild less than the required allowances under the LDC provisions.

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



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, JULY 10, 2012**



A MOTION WAS MADE BY COMMISSIONER ELKINS TO RECOMMEND APPROVAL OF THE STORM OVERLAY DISTRICT, AND SECONDED BY COMMISSIONER MITCHELL.

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

THE MOTION CARRIED 3-0.

Vice Chair Wright entertained a motion to adjourn.

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

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

THE MOTION CARRIED 3-0.

Meeting was adjourned at 7:22 p.m.

Quinnie Wright, Vice Chair

ATTEST

Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for
August 7, 2012

#2

M12-06 Conduct a Public Hearing and consider a Proposed Tornado Recovery Overlay District for the properties impacted by the April 3, 2012 tornado regarding special development requirements for redevelopment of totally or partially-damaged single family homes located in tornado-stricken areas.

Background

At the July 10, 2012 Planning and Zoning Commission meeting, this item was presented but due to a legal requirement to send property owner notices to all property owners in and 200' surrounding the proposed district, it was necessary to bring the item forward again. On April 3, 2012, the City of Lancaster experienced a devastating tornado which physically impacted over 300 homes and generally affected five (5) communities. The result of the tornado was the complete destruction of several homes and partial destruction of many more. Because of the storm, some homes have had to be demolished after the unintentional damage of long-standing residential structures.

The Lancaster Development Code (LDC) requires new homes being built to be constructed at a minimum square footage of 1,750 square feet. Single family residential structures must also have side yard setbacks of five (5) feet in the SF-6 (single family-6) zoning district and 10 feet in the SF-4 and SF-5 (single family 4 and single family 5) zoning districts. This is required of any new construction of a single family home on vacant land or as a result of demolition or destruction of a home, intentional or not.

Many of the homes that were affected by the April 3, 2012 tornado were smaller than the required minimum size for single family homes per the LDC. Therefore, some property owners are experiencing hardships when rebuilding their homes because the footprint of their foundation is less than the minimum required size home for today. As well, some of the footprints were closer than the 5 foot and 10 foot side yard setback requirements. To meet the criteria for today's standards, the property owner would be required to move the foundation and everything associated with it to a new location on the property. This would cause additional hardships for property owners whose lots have smaller widths and in some cases require the movement of utilities.

Considerations

To alleviate these issues, the Recovery Overlay District is being proposed for the affected communities to allow property owners to rebuild their homes in the manner which they stood prior to being impacted by the April 3, 2012 tornado. The five (5) communities affected have been identified and any property which sustained damages that cause new construction to be

warranted would be allowed to be rebuilt to its original size. Also, homes that encroached into the side yard setback as established by the LDC's current requirements would be allowed to be constructed as long as it could be shown that it was the original side yard setback for the home. However, any portion of the home that extended beyond the limits of the original footprint would not be allowed to encroach into the required side yard setback. Therefore, if additions were being constructed on the home, they would be subjected to the current standards. Any home being constructed that was smaller than the original home would not be permitted.

The creation of this special district would allow property owners to rebuild their homes as they were prior to the damaging storm of April 3, 2012 and return to their prior status. It would also remove any hindrances from home owners returning to their properties as soon as possible, such as the procedure of appearing before the Zoning Board of Adjustments for variances.

Public Notice

On Friday, July 27, 2012 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. 1,394 property owner notices were sent out on July 27, 2012 to people in the 5 study areas and 200' around them. 29 notices were returned in favor of the item and 1 was return in opposition. This is the first of the two public hearings; the second being at City Council on August 27, 2012.

Options/Alternatives

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

Recommendation

Staff recommends **approval** of the Recovery Overlay District (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 August 27, 2012, regular meeting.

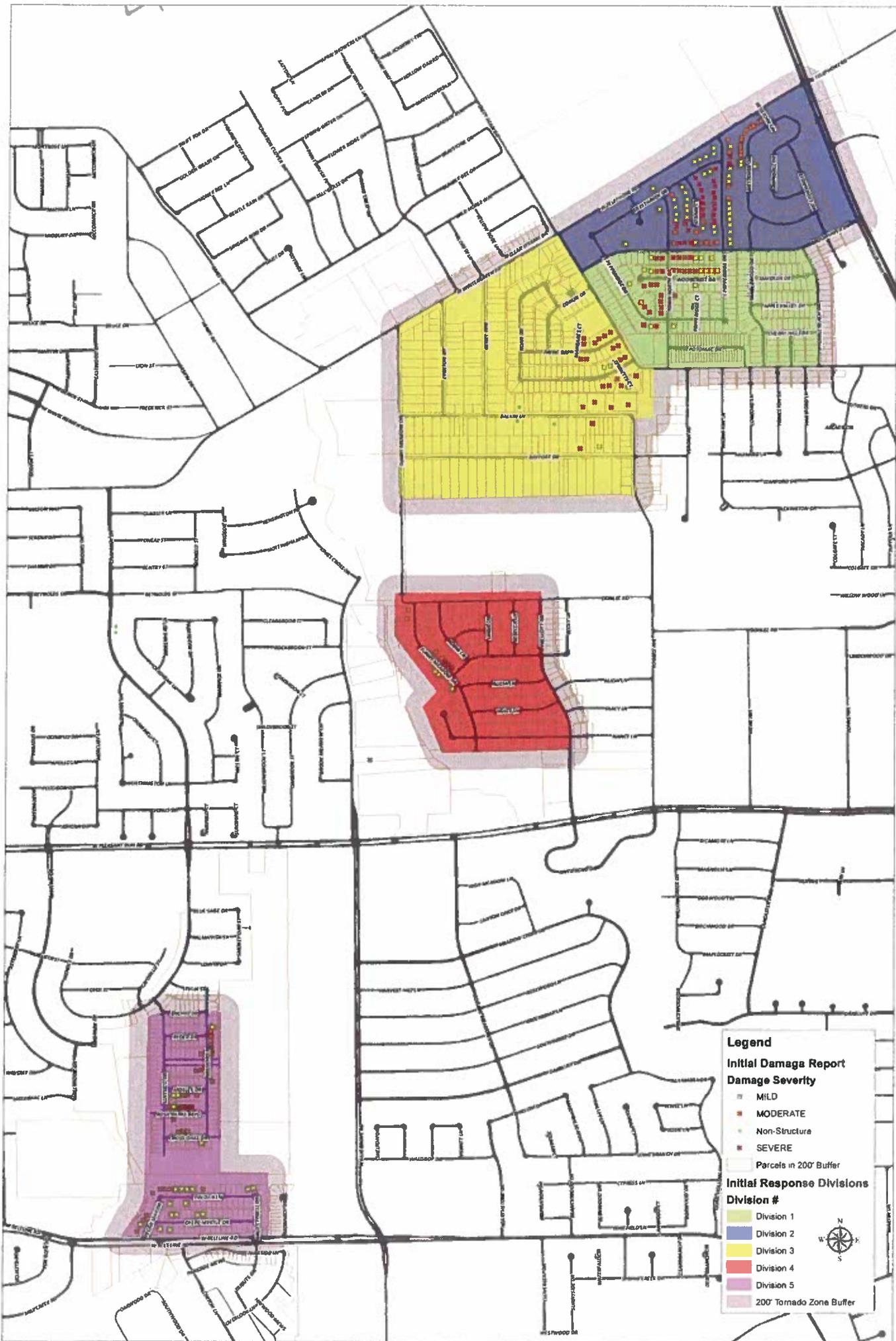
Attachments

- Map of the five 2012 Tornado Response Zones
- Aerial map of the 2012 Tornado Response Zones (5 pages)
- Property owner notices (30 pages)

Submitted By:

Nathaniel Barnett, Senior Planner

Date: August 3, 2012





Division #2

Division #3



Division #4





Division #5



City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application to create a Special Overlay District for the tornado damaged areas

LOCATION: 5 designated areas. A location map depicting the properties and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The City of Lancaster wishes to establish an overlay district for these areas to allow property owners to rebuild homes with the same square footage, setbacks and/or building materials they had prior to the storm. This is to alleviate property owners from being required to receive approval from the Zoning Board of Adjustments for not complying with requirements established after their homes were built. The District will be effective for 12 months if approved.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: This is affecting several of my
neighbors as they rebuild. Please consider this.

SIGNATURE: [Handwritten Signature]

ADDRESS: 903 Creechaven Dr 75134

Your written comments are being solicited in the above case. Additional information is available in the Planning Division, 700 East Main Street, Lancaster, Texas 75146. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, August 7, 2012 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 27, 2012 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

Please legibly respond in ink. If the signature and/or address is missing, your comments will not be recorded. Your response must be received in the Planning Division by 5 p.m. on Monday, August 6, 2012 for your comments to be reviewed by the Planning and Zoning Commission. Responses received after that time will be forwarded to the City Council for their public hearing.

<p>If you have any questions concerning this request, please contact the Planning Division Phone 972-218-1240 FAX 972-275-1823*</p>	<p>RETURN BY FAX OR MAIL City of Lancaster, Planning Division 700 East Main Street Lancaster, TX 75146</p>
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City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: it would allow homeowners to rebuild their
homes more faster without the extra red tape, but if the
homeowners want to add more square footage he/she sure be allowed
to so

SIGNATURE: T. Chaney

ADDRESS: 1218 Lynette CT

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

Builders are and will take advantage of property owners. This would allow a community to experience a Rebirth after losing personal goods.

SIGNATURE:

[Handwritten Signature]

ADDRESS:

*2930 E. Appendera Dr.
75134*

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1394 notices were sent out on July 27, 2012



City of Lancaster Planning Division



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

We should make every effort to assist these families in rebuilding their homes as soon as possible.

SIGNATURE:

Kimberly D. Bryant

ADDRESS:

353 Monarch Drive

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: It is once less thing that the property owner have to contend with

SIGNATURE: Dimple J Patton

ADDRESS: 910 woodcrest / PO Box 1112
Lancaster TX 75146

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: They are not responsible for the Tornado
and they have to settle down and carry on with
their family and lives, the quicker the better without red tape.

SIGNATURE: Pete Rojas Jr

ADDRESS: 2649 Arlington Ln.
7-28-12

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

This was an act of God. If this process will help those that have been uprooted get them back to a normal and peace you life without a whole lot of red-tape I am all for it.

SIGNATURE:

Frances Smith

ADDRESS:

*809 Apple Valley Dr.
Lancaster, TX*

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

Because I am a widow, I am would not be able to repair work of any kind inside outside - because I don't have the money to do so -

SIGNATURE:

Virginia Johnson

ADDRESS:

805 Cherry Hills Dr.

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

#1 Original Builders unable to locate

#2 Insurance Companies - not being acting in good faith

#3 The national economy, unemployment, etc.

SIGNATURE:

Charles Williams

ADDRESS:

1225 CONLIN DR

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Phone 972-218-1240
FAX 972-275-1823

RETURN BY FAX OR MAIL
City of Lancaster, Planning Division
700 East Main Street
Lancaster, TX 75146

1394 notices were sent out on July 27, 2012



City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application to create a Special Overlay District for the tornado damaged areas

LOCATION: 5 designated areas. A location map depicting the properties and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The City of Lancaster wishes to establish an overlay district for these areas to allow property owners to rebuild homes with the same square footage, setbacks and/or building materials they had prior to the storm. This is to alleviate property owners from being required to receive approval from the Zoning Board of Adjustments for not complying with requirements established after their homes were built. The District will be effective for 12 months if approved.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

Original building followed building codes at time of construction - new code would in some cases make rebuilding impossible or cost prohibitive

SIGNATURE:

[Handwritten Signature]

ADDRESS:

2946 Lawndale

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: It allows impacted homeowners to rebuild @ New/current Zoning Codes without going through special measures/hurdles for them. Also to have a voice in problems being presented in certain areas.

SIGNATURE: Alice Lynch

ADDRESS: 2902 E. Pepperidge Dr. - Lancaster, TX 75734

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City of Lancaster Planning Division



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Less paperwork
expedited rebuilding

SIGNATURE: [Handwritten Signature]

ADDRESS: 2939, 2942, 2950 Pepperidge

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *It is The FAIR Thing To Do. Most People don't Know How To get Past The Rules of A City.*

SIGNATURE:

ADDRESS:

James L. Int...
~~Cherry Wells House~~
 Cherry Wells House

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: I Live in Division 5.

SIGNATURE: Paul Lambert

ADDRESS: 506 Pecan Leaf Dr. 75146

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COMMENTS:

SIGNATURE:

Billy A. Mason

ADDRESS:

8211 Sammie Ln. Lancaster Tx 75134

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COMMENTS:

SIGNATURE:

ADDRESS:

[Handwritten Signature]

801 BROOK HAVEN DR, LANCASTER, TX

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COMMENTS:

SIGNATURE:

Johannie L. Tatum
1927 Cresthaven Dr.
Lancaster, TX. 75134

ADDRESS:

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COMMENTS:

SIGNATURE:

ADDRESS:

[Handwritten Signature]
 1973 RIV OAK LANE, LANCASTER, TX 75146

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

D.R. Horton - Texas, Ltd by Q. McBeath officer

ADDRESS:

various addresses in Wintergreen Ridge subdivision

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 I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Petra L. Covington

ADDRESS:

1962 Pin Oak Ln Lancaster, TX 75146

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COMMENTS:

SIGNATURE:

[Handwritten Signature]

ADDRESS:

1963 Crepe Myrtle Dr

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE: Glenn J Young

ADDRESS: 639 W. WINTERGREEN RD
LANCASTER, TX 75134

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City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

TO: Property Owner

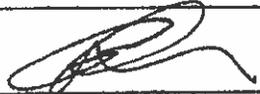
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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: _____

SIGNATURE: 

ADDRESS: 1900 Blueserve

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I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Rose Colman

ADDRESS:

*2519 Everton Dr.
Lancaster TX 75136*

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If you have any questions concerning this request,
please contact the
Planning Division
Phone 972-218-1240
FAX 972-275-1823

RETURN BY FAX OR MAIL
City of Lancaster, Planning Division
700 East Main Street
Lancaster, TX 75146

1394 notices were sent out on July 27, 2012



City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application to create a Special Overlay District for the tornado damaged areas

LOCATION: 5 designated areas. A location map depicting the properties and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The City of Lancaster wishes to establish an overlay district for these areas to allow property owners to rebuild homes with the same square footage, setbacks and/or building materials they had prior to the storm. This is to alleviate property owners from being required to receive approval from the Zoning Board of Adjustments for not complying with requirements established after their homes were built. The District will be effective for 12 months if approved.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Debra H. Allen

ADDRESS:

2908 LAWNDALE DR, LANCASTER, TX 75134

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: _____

SIGNATURE: David A Beech

ADDRESS: 1561 Sounwood Ave; Lancaster, TX

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City of Lancaster Planning Division



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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Alfano [Signature]

ADDRESS:

1052 S. Pepperidge Dr.

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

W.T. Olan III

ADDRESS:

702 Balcon Dr.

Lancaster, TX 75136 - 2702

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Victor Ruborough

ADDRESS:

1223 Conklin Dr. Lancaster, TX. 75134

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I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

this is an opportunity to bring up to property standards. I recommend that construction that was legal before the tornado should be allowed to be reconstructed as it existed, however substandard, illegal, non-permitted construction should not be allowed to be replaced unless it meets current standards.

SIGNATURE:

[Handwritten Signature]

ADDRESS:

4131 N Central Exwy Ste 1140 Dallas TX 75204

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PLANNING & ZONING COMMISSION

Agenda Communication for
August 7, 2012

#3

Z12-04 Conduct a Public Hearing and consider a Rezoning request from CH (Commercial Highway) to LI (Light Industrial), Generally Located approximately 540+ feet south of the intersection of Kirkland Road and Meadowlark Lane. The properties are addressed as 1451, 1455, and 1459 Meadowlark Lane and are approximately 3.35 acres of land in total. The legal description of the property is lots 20, 21, and 22, Block 1, Stillmeadow Acres Addition, City of Lancaster, Dallas County, Texas.

Background

1. **Location and Size:** The property is located on the south side of Kirkland Road, approximately 540 feet south of the intersection of Kirkland Road and Meadowlark Lane. The property is approximately 3.35 acres in size.
2. **Current Zoning:** The subject property is currently zoned CH (Commercial Highway).
3. **Adjacent Properties:**
North: LI-Light Industrial (vacant), PD-Planned Development (vacant)
South: LI-Light Industrial (Stone Mountain Guard)
East: AO-Agriculture Open (residence), MH-Mobile Home (residence)
West: LI-Light Industrial (vacant, abandoned house)
4. **Public Notification:** On Friday, July 27, 2012, a notice for this public hearing appeared in the Focus Daily Newspaper. 8 property owner notices were sent out on July 27, 2012 to property owners 200' around the subject property. There was one notice returned in favor of the request. This is the first of the two public hearings; the second being at City Council on August 27, 2012.

Considerations

This is a request to rezone the subject property from CH, Commercial Highway to LI, Light Industrial. The purpose of this zoning request is to change the zoning to construct a mini-warehouse with a truck rental use. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as suitable for highway commercial uses. The proposed change in zoning is not in compliance with the existing Comprehensive Plan designation for these parcels.

Potential Impact on Adjacent Development: This property is currently undeveloped. The properties to the north and west are vacant with light industrial and commercial highway zoning. The property to the south is developed with industrial uses. Properties to the east are a residential mobile home and a single family home. The impact on adjacent development would be minimal.

Availability of utilities and access: The subject site is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan at this time.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Upon construction of this site issues such as vegetation, topography and flood plain issues will be addressed as part of the site and landscape plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: Typically, improvements such as the installation of water, sewer, and roadways are the developer's responsibility unless otherwise agreed upon in a Development Agreement. At this point, the applicant is in agreement with the LDC and to date has not requested a Development Agreement.

Staff Analysis

The request is for a change in zoning from Commercial Highway to Light Industrial in the Interstate 35E area. The Interstate 35E corridor represents one of the primary gateways into the City of Lancaster. Enhancing the corridor is key to improving the image of the city. Additional Light Industrial zoning would allow a multitude of uses that may not be appropriate in the area.

Options/Alternatives

- 1) Recommend approval of the rezoning request
- 2) Recommend approval of the rezoning request with stipulations and state those for the record
- 3) Recommend denial of the rezoning request
- 4) Table the rezoning request

Recommendation

Staff cannot support additional light industrial zoning in the area since it is not compatible with the future land use plan and the direction the city wishes to develop.

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 August 27, 2012, regular meeting.

Attachments

- Zoning Exhibit
- Property owner notice

Planning and Zoning Commission
Agenda Communication
August 7, 2012
Page 3

Submitted By:

Nathaniel Barnett, Senior Planner

Date: August 3, 2012

REVISIONS	BY

DAVIS & McDILL, Inc.
ENGINEERS SURVEYORS

(A Texas Licensed Surveying Firm # 10753-02, and a Texas Licensed Engineering Firm # 4428)
Phone: 972-439-1100 Fax: 972-439-4977
2100 Ross Street, Suite 200, Dallas, Texas 75201

Date: 08-07-2012
Scale: 1" = 40'
Drawn: E. Robinson
Job: 212-008
Sheet: 1 of 1 sheets
City of Lancaster Department

REC-aveu
Accepted
NB

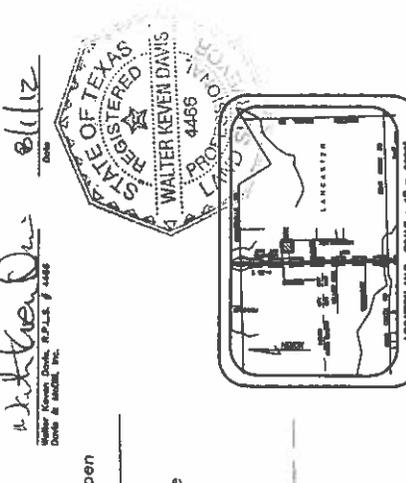
CURRENT ZONING CONSIDERATION: ZONING DISTRICTS: PLANNED LIGHT INDUSTRIAL ZONING DISTRICTS: 20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION

20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION, consisting of Lots 20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION, located in Lancaster County, Texas (Lancaster County, Texas) and being more particularly described as follows:

SECTION 16, 1/2' and 1/4' of Lot 20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION, located in Lancaster County, Texas (Lancaster County, Texas) and being more particularly described as follows:

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ZONING EXHIBIT
STILLMEADOW ACRES ADDITION
Lots 20, 21 and 22, Block 1
(3.350 Acres)
City of Lancaster
Dallas County, Texas

1. Section 16, 1/2' and 1/4' of Lot 20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION, located in Lancaster County, Texas (Lancaster County, Texas) and being more particularly described as follows:

2. Section 16, 1/2' and 1/4' of Lot 20, 21, and 22 in Block 1 of STILLMEADOW ACRES ADDITION, located in Lancaster County, Texas (Lancaster County, Texas) and being more particularly described as follows:

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REC-aveu
Accepted
NB



City of Lancaster Planning Division



NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application to re-zone property from CH – Commercial Highway to LI – Light Industrial

LOCATION: 1451 – 1459 Meadowlark Lane. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The Applicant requests to rezone the subject property from Commercial Highway to Light Industrial. The request is to be able to develop the property with light industrial land uses such as a mini-storage and truck rental by right. The property is adjacent to other properties zoned as Light Industrial.

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Zoning should be consistent with adjacent properties.

SIGNATURE: 

ADDRESS: 1460 S. I-35
Lancaster, Tx.

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