



REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, AUGUST 7, 2012



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CALL TO ORDER:

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

COMMISSIONERS

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

CITY STAFF

RONA STRINGFELLOW-GOVAN

MANAGING DIRECTOR OF PUBLIC
WORKS/DEVELOPMENT SERVICES
SENIOR PLANNER
CITY ATTORNEY

NATHANIEL BARNETT
JULIE PANDYA

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.*

Vice Chair Wright entertained a motion for the consent agenda.

COMMISSIONER ELKINS MADE THE MOTION TO APPROVE THE MINUTES FROM JULY 10TH, SECONDED BY COMMISSIONER PROTHRO.

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

THE MOTION CARRIED 3-0.

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.*

Senior Planner Nathaniel Barnett gave the Staff presentation. He explained that the item was at P&Z again due to the requirement to notify all property owners in the affected communities and 200' surrounding them. Senior Planner Barnett detailed the background of the item with reference to the storm damage that occurred due to the tornado on April 3rd. He showed photos of some properties that were damaged by the storm with different levels of



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severity. Senior Planner Barnett showed maps of the affected areas that also detailed the level of damage properties received.

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. 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 as they averaged 1300 to 1700 square feet per Dallas Central Appraisal District records. 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 5' and 10' for properties in SF-6 and SF-4/SF-5 zoning, respectively. This ordinance would allow them to set the home in its original foundation. He also mentioned that 1394 property owner notices were sent and 40 were returned in favor and 3 in opposition. There was also one phone call in opposition but the other phone calls were seeking information about the proposal. This concluded the staff report.

Vice Chair Wright asked if there were any questions of staff. None were asked.

Vice Chair Wright opened the public hearing.

IN FAVOR:

None

OPPOSED:

Levine Norman, 1204 Payne Drive, Lancaster, asked if this meant there would be assistance with rebuilding the homes or what was being proposed. City Attorney Julie Pandya explained that the city was proposing to allow home owners to build their homes that were destroyed in the April 3rd tornado back to the size they existed before the storm and not have to meet the minimum size requirements of the Lancaster Development Code as it exists today. Also being proposed was homes that did not meet the minimum side yard setback would be allowed to be replaced on their original foundation and not have to be moved further off the property line.

Mr. Norman asked if the house was smaller than the minimum size required now, that it could not be built back. Senior Planner Barnett stated that it could be built back to a lesser square footage than is required now. If the home was 1500 square foot before the storm, it could be built back to 1500 square feet now and not have to meet the 1750 square foot minimum of today's standards.

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

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

AYES: ELKINS, PROTHRO, WRIGHT

NAYES: NONE



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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 PROTHRO TO RECOMMEND APPROVAL OF THE TORNADO RECOVERY OVERLAY DISTRICT, AND SECONDED BY COMMISSIONER ELKINS.

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

THE MOTION CARRIED 3-0.

- 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.

Senior Planner Nathaniel Barnett gave the Staff presentation speaking of the re-zone request from Commercial Highway to Light Industrial for a mini-warehouse use and truck rental use. Mini-warehouse is allowed in CH with a specific use permit (SUP) but truck rental is not an allowed use in CH. However, both uses are allowed by right in LI. Senior Planner Barnett showed aerial pictures of the property as well as pictures of the subject property and surrounding properties. He gave information about the zoning and future land use plan for the area. He submitted the conceptual plan that the applicant had presented Staff after the report had been written. Senior Planner Barnett discussed the existing trees that surrounded the subject property around the perimeter. Of the 8 property owner notices that were sent, 2 were returned in favor and 1 opposed. Although Staff did not support the request initially, after the applicant submitted a conceptual plan for the use and properties, Staff changed their recommendation to support the zoning change.

Commissioner Prothro asked if the property allowed commercial activity currently. Senior Planner Barnett stated that the property is currently zoned commercial highway and does allow commercial activity. However one of the uses being proposed by the applicant is not allowed, thus the change would allow the use. Commissioner Prothro asked if there would be a requirement to buffer the property from the residences. Senior Planner Barnett stated that per the Lancaster Development Code it would be necessary to screen the property from the residential uses. Commissioner Prothro asked would they also have to place some type of permanent screening where the trees exist today to prevent clear-cutting of the trees and the alleviation of the buffer. Senior Planner Barnett stated the screening is only from the residential uses and not the industrial uses. Permanent screening would be required where adjacent to or across from residential uses.

Commissioner Elkins asked if the trucks would be screened or would they sit out in the open.



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Senior Planner Barnett stated they could be screened as well, typically they are screened by the buildings but there are plenty of trees and natural screening that exists on the property already.

The applicant, Joe Rust 440 Gingerbread Lane, Waxahachie, Tx, gave a brief presentation about the proposal and stated that the current zoning is light industrial to the south and west of the property and that there are a lot of trees in existence currently. He stated that if they did the truck rental, the trees would serve as a natural barrier. He asked if there were any questions.

Commissioner Elkins asked if the property could be accessed from two points. Mr. Rust stated that the proposal was to allow access from I-35 and Meadowlark Lane. Commissioner Elkins asked if the trees would obscure the views of people accessing the property. Mr. Rust stated that there would not be any views obscured by the trees, they are there to serve as screening only.

Commissioner Prothro asked if the drainage of the property would be affected. Senior Planner Barnett stated the City Engineer had viewed the plans and determined that the drainage would not be negatively impacted.

Vice Chair Wright opened the public hearing.

IN FAVOR:

None

OPPOSED:

None

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

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

AYES: ELKINS, 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 PROTHRO TO RECOMMEND APPROVAL OF THE RE-ZONING PROPOSAL FROM COMMERCIAL HIGHWAY TO LIGHT INDUSTRIAL, AND SECONDED BY COMMISSIONER ELKINS.

AYES: ELKINS, PROTHRO, WRIGHT



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NAYES: NONE

THE MOTION CARRIED 3-0.

Vice Chair Wright entertained a motion to adjourn.

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

AYES: ELKINS, PROTHRO, WRIGHT

NAYES: NONE

THE MOTION CARRIED 3-0.

Meeting was adjourned at 7:35 p.m.

A handwritten signature in blue ink, appearing to read 'Quinnie Wright', written over a horizontal line.

Quinnie Wright, Vice Chair

ATTEST

A handwritten signature in blue ink, appearing to read 'N. Barnett', written over a horizontal line.

Nathaniel Barnett, Senior Planner

