



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 1, 2011**



365

CALL TO ORDER:

Chair Colton called the meeting to order at 7:01 p.m. on November 1, 2011.

COMMISSIONERS

**MARY JANE COLTON, CHAIR
QUINNIE WRIGHT, VICE CHAIR
MARIAN ELKINS – not present
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)

Kay Mashburn, 2120 Cedardale, spoke on case Z12-01 regarding the widening of Houston School Road and the increased traffic for the area. She was against re-zoning the land for commercial uses because of the traffic that would be generated. She was concerned about the residents in the immediate area and issues with regards to the floodplain nearby.

Nancy Moffett, 2105 North Houston School Road, spoke about the posting of item 2 being on the southeast and not the northeast corner and that the zoning is not Agricultural Open Space. Senior Planner Barnett stated that the property is zoned Agricultural Open Space.

Dixie Pace, 2138 Cedardale, spoke against re-zoning the property at 2254 Cedardale because she doesn't want to live next to a car lot. She stated the property owner had already tried to use the lot as a wood yard.

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 September 6, 2011 Regular Meeting Minutes.

Chair Colton entertained a motion for the consent agenda.

VICE CHAIR WRIGHT MADE THE MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 6TH, SECONDED BY COMMISSIONER MITCHELL.

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

THE MOTION CARRIED 4-0.



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 1, 2011**



366

PUBLIC HEARING

2. **Z12-01** Conduct a Public Hearing and consider a Rezoning request from AO (Agricultural Open) to LI (Light Industrial), Generally Located on the northeast corner of the intersection of Houston School Road and Cedardale Road. The property is approximately 1.45 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. Senior Planner Barnett showed the zoning for the area as well as future land use for the properties surrounding the subject property. He mentioned the necessity for commercial property to be screened from residential uses. He also mentioned other development standards that would be required should the property be used for commercial purposes.

Commissioner Mitchell asked if the property would be commercial should it be re-zoned. Senior Planner Barnett stated that it would be. Chair Colton stated that the primary uses are residential on the side of Houston School Road where the subject property is located. Senior Planner Barnett stated that there are some houses on Houston School Road but the properties are zoned retail or agricultural. Commissioner Wright asked if the properties on Houston School Road are not zoned residential but those on Cedardale are. Senior Planner Barnett stated that some on Cedardale are zoned residential but most are zoned agricultural. Commissioner Mitchell asked about the floodplain and Senior Planner Barnett stated that the subject property is not in the floodplain. Chair Colton asked how many feet away is the floodplain from the subject property. Senior Planner Barnett stated it is about 100 feet away.

The applicant, Alvin Fuller 970 Newton Road, Ferris Texas, stated that he owns several properties in Lancaster and he wanted to address the concerns addressed about the subject property. He stated that they can be a good neighbor. He does not plan to develop the entire lot so that space is left between his development and the neighboring properties. Mr. Fuller mentioned that he wants to use the subject property for a car lot. Chair Colton asked the applicant about the screening of the property. Senior Planner Barnett stated that screening would be required from residential uses.

Chair Colton opened the public hearing.

IN FAVOR:

None

OPPOSED:

Robert Mashburn, 2120 Cedardale Road spoke of the adjacent property on the side of the subject property is residential. He stated this would be the only property that would be something other than residential. He also stated that anything that would increase traffic in that area should be carefully considered. He also mentioned the potential of lighting being an issue. He stated that not all of the businesses on Houston School Road have been good neighbors.



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 1, 2011**



367

Nancy Moffett, 2105 N. Houston School Road, stated she wanted to know if the existing structure would be torn down and building a structure appropriate for an office. She also stated that car lots would bring in car repair uses.

Kay Mashburn, 2120 Cedardale Road, spoke of concerns for the look of the property and thought that the original plan was to demolish the existing structure. She spoke of code violations and concerns of what would be placed there in the future.

Chair Colton entertained a motion to close the public hearing.

**COMMISSIONER MITCHELL MADE A MOTION TO CLOSE THE PUBLIC HEARING,
SECONDED BY VICE CHAIR WRIGHT.**

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

THE MOTION CARRIED 4-0.

Discussion of Item 2

Chair Colton stated she was concerned about the lack of definitive plans for the subject property. She mentioned the number of uses that could be placed on a property zoned light industrial and its proximity to residential structures. Senior Planner Barnett stated that plans were not required at this time because this is a zoning case. City Attorney Pandya stated the staff report does provide guidance to the Commission to help them make their decision. Chair Colton stated that uses today are primarily residential. Senior Planner Barnett stated that she was correct but the long-range plans for the area with the current zoning would produce more industrial uses. Commissioner Prothro asked if plans would be appropriate at this time or would a site plan be required presently. Senior Planner Barnett stated that site plans would be required prior to development but not at the time of zoning. Commissioner Mitchell stated that the size of the subject property would not allow certain uses. Senior Planner Barnett stated that he was correct, that many commercial uses would require more land for development.

Chair Colton entertained a motion.

COMMISSIONER PROTHRO MADE A MOTION TO TABLE THE ITEM.

MOTION FAILED DUE TO LACK OF A SECOND

**VICE CHAIR WRIGHT MADE A MOTION TO APPROVE THE ZONING CHANGE,
SECONDED BY COMMISSIONER MITCHELL.**

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

THE MOTION CARRIED 3-1.



**REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 1, 2011**



368

3. **Z12-02** Conduct a Public Hearing and Consider a Request for a Specific Use Permit for a Group Home use for Property Generally Located approximately 540 feet from the Southwest Corner of the intersection of Pleasant Run Road and Willow Creek Drive and addressed as 1207 Willow Creek Drive.

Senior Planner Barnett gave a brief presentation regarding the proposed group home. He explained why a Specific Use Permit (SUP) was required for this particular group home. Senior Planner Barnett showed aerial photos displaying the zoning and other social service uses in the community for the proposed group home. Commissioner Mitchell asked what the home is now. Senior Planner Barnett stated it may be operating as a group home but is not legal as it has not obtained the proper permits.

The applicant was not present.

Chair Colton opened the public hearing.

IN FAVOR:

None

OPPOSED:

Mary Roberts Sweden, 950 Sycamore Lane, mentioned her history in the area and how she has witnessed changes in the area that is not good. She believes another group home would lower the property values of her home. Mrs. Sweden stated that her experience with group homes has not been positive. She spoke of an occupant from the proposed group home being outside in his wheel chair and sitting for hours in over 100 degree heat.

Ellen Franklin, 1133 Willow Creek Drive, stated that she lives next door to the proposed group home. She is concerned with the occupants of the group home and the excessive garbage that has attracted rodents to her home where she has had to sit out traps to catch the rodents. She's also concerned about the traffic in the area and the parking of cars in front of her home. She is also concerned about property values of the area.

Nancy Moffett, 2105 North Houston School Road, asked that this item be recommended for denial with prejudice. Senior Planner Barnett stated that a recommendation of denial is automatically with prejudice according to the Lancaster Development Code.

Chair Colton entertained a motion to close the public hearing.

**COMMISSIONER PROTHRO MADE A MOTION TO CLOSE THE PUBLIC HEARING,
SECONDED BY VICE CHAIR WRIGHT.**

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

THE MOTION CARRIED 4-0.



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369

Discussion of Item 3

Commissioner Prothro stated that these types of facilities need to be monitored well because they can often be a detriment to the community if unregulated.

Chair Colton entertained a motion.

COMMISSIONER PROTHRO MADE A MOTION TO DENY Z12-02, SECONDED BY COMMISSIONER MITCHELL.

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

THE MOTION CARRIED 4-0.

Chair Colton entertained a motion to adjourn.

A MOTION WAS MADE BY VICE CHAIR WRIGHT AND SECONDED BY COMMISSIONER PROTHRO TO ADJOURN.

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

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:39 p.m.


Mary Jane Colton, Chair

ATTEST


Nathaniel Barnett, Senior Planner

