

NOTICE OF REGULAR MEETING AGENDA LANCASTER CITY COUNCIL MUNICIPAL CENTER CITY COUNCIL CHAMBERS 211 N. HENRY STREET, LANCASTER, TEXAS



Monday, May 10, 2021 - 7:00 PM

IMPORTANT NOTICE: Due to the COVID-19 (coronavirus) state of emergency and consistent with the Governor's Order regarding modifications to the Texas Open Meetings Act ("TOMA"), and executive orders, the public will not be admitted to the physical meeting location.

Please click the link below for forms:

https://www.lancaster-tx.com/1413/Notice-Regarding-Public-Participation

Please click the link below to join the webinar:

https://us02web.zoom.us/meeting/register/tZ0ofuuqrjoqGNBQ_WYg3-qHH0H2wf-_qcxy

The meeting will be broadcast live via video at the following address:

http://www.lancaster-tx.com/324/Watch-Meetings

7:00 P.M. REGULAR MEETING:

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Betty Gooden-Davis

PROCLAMATIONS: Put on Purple Day, Public Works Week

PUBLIC TESTIMONY/CITIZEN'S COMMENTS:

At this time, citizens who have pre-registered before the call to order will be allowed to speak on any matter for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

ACTION:

1. Administer Oath of Office, present Certificate of Election, and seat newly elected Mayor.

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 Council Member may request one or more items to be removed from the consent agenda for separate discussion and action.

2. Consider approval of minutes from the City Council Regular Meeting held on April 12, 2021.

ACTION:

- Discuss and consider a resolution denying Oncor's application to amend its Distribution Cost Recovery Factor (DCRF) to increase distribution rates with each of the cities in their service area, including the City of Lancaster.
- 4. Discuss and consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Lancaster Rolling Meadows Ltd. relating to building materials for the development of the Rolling Meadows property located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.

PUBLIC HEARING:

5. Z21-06 Conduct a public hearing and consider an amendment to Planned Development District No. 26 (PD-26) to allow modifications to the design criteria for Phase 3 of the Rolling Meadows subdivision. The property is located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.

ACTION:

- 6. Discuss and consider election of a Mayor Pro Tempore.
- 7. Discuss and consider election of a Deputy Mayor Pro Tempore.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities that are wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

Certificate

I hereby certify the above Notice of Meeting was posted at Lancaster City Hall on May 6, 2021 @ 10:30 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

Carey D. Neal, Jr.

Assistant City Manager

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 1.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Effective Municipal Operations

Financially Sound City Government Healthy, Safe & Engaged Community

Sound Infrastructure Quality Development

Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Administer Oath of Office, present Certificate of Election, and seat newly elected Mayor.

Background:

The newly elected Mayor will be given the Oath of Office and presented with a Certificate of Election for the office of Mayor (Clyde C. Hairston).

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Effective Municipal Operations

Financially Sound City Government Healthy, Safe & Engaged Community

Sound Infrastructure Quality Development

Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Regular Meeting held on April 12, 2021.

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on April 12, 2021.

Attachments

Minutes

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Financially Sound City Government **Submitted by:** Fabrice Kabona, Deputy City Manager

Agenda Caption:

Discuss and consider a resolution denying Oncor's application to amend its Distribution Cost Recovery Factor (DCRF) to increase distribution rates with each of the cities in their service area, including the City of Lancaster.

Background:

The City of Lancaster is a member of a 156-city coalition known as the Steering Committee of Cities served by Oncor ("OCSC"). OCSC has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters on our behalf. The purpose of the Resolution is to deny the DCRF application proposed by Oncor as recommended by the Steering Committee of Cities Served by Oncor.

On April 8, 2021, Oncor Electric Delivery Company LLC filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in total distribution revenue requirement by approximately \$97,826,277.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue. The Public Utility Commission's rule allows cities 60 days to act on this application. That deadline is June 7, 2021.

Legal Considerations:

The resolution was provided by the legal counsel, Llyod Gosselink Rochelle & Townsend, P.C., that represents Steering Committee of Cities served by Oncor, of which the City of Lancaster is a member.

Public Information Considerations:

This item is being considered at a regular meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

- 1. City Council may approve the resolution, as presented.
- 2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Quality Development

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

Discuss and consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Lancaster Rolling Meadows Ltd. relating to building materials for the development of the Rolling Meadows property located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.

Background:

- 1. <u>Location and Size</u>: The property is located north of Belt Line Road and east of Rolling Hills Place, and is approximately 21.14 acres in size.
- 2. <u>Current Zoning</u>: The subject property is currently zoned Planned Development Single-Family (PD-SF-6).

3. Adjacent Properties:

North: Planned Development Single-family Residential PD-SF-6 - (Occupied - Moffitt Creek

Estates Phase 1)

South: Mills Branch Overlay District, Commercial Area Zone sub-district - (Vacant)

East: Planned Development Single Family Residential PD-SF-6 - (Vacant)

West: Planned Development Single Family Residential PD-SF-6 - (Occupied - Rolling

Meadows

Phase 1 & 2)

4. <u>Comprehensive Plan Compatibility</u>: The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for single-family uses. The proposed residential uses are consistent with the Comprehensive Plan.

5. Case History/Background:

•	Ouse Histor	y/Buokground.			
	Date	Body	Action		
	06/16/1986	CC	Case 18-15 Approved PD-26		
	09/11/1995	CC	Approved PD-26 Amendment - (Ordinance #44-95)		
	11/16/2000	P&Z	PS-00-24 Approved Rolling Meadows Phase I - Preliminary Plat		
	06/04/2001	P&Z	PS-01-09/10 Approved Rolling Meadows Phase I - Final Plat		
	04/01/2002	P&Z	PS-03-07 Approved Rolling Meadows Phase II - Preliminary Plat		
	12/17/2002	P&Z	PS-02-32 Approved Rolling Meadows Phase II - Final Plat		
	07/29/2003	P&Z	PS-03-20 Denied Rolling Meadows Phase III - Preliminary Plat		

10/07/2003	0/07/2003 P&Z PS-03-28 Approved Rolling Meadows Phase III - Preliminary Plat		
02/05/2019	P&Z	Z19-03 Recommended approval of the request with the following conditions: 1. (20) feet front yard setback. 2.Two (2) feet minimum garage setback with architectural features or porch not exceeding six (6) feet options.	
03/25/2019	CC	Z19-03 Tabled.	
06/10/2019	СС	Z19-03 Approved amendment to Planned Development District No. 26 (PD-26 to allow modifications to the design criteria).	
04/06/2021	P&Z	Z21-06 Recommended approval of the following floor plans as recommended by Staff: -Carolina (Elevation C) -Dogwood (Elevation ES) -Wisteria (Elevations A & B) -Magnolia (Elevations F, CS, AS, & A) -Dewberry (Elevations C, CS, & D)	
04/26/2021	CC	Applicant requested postpone this item.	

Operational Considerations:

This item is related to zoning case Z21-06, an amendment to Planned Development District No. 26 (PD-26) to allow modifications to the design criteria for Phase 3 of the Rolling Meadows subdivision. The purpose of this development agreement is to ensure this subdivision develops utilizing the building materials and design for the proposed home plans and elevations as identified in Exhibit C. On September 1, 2019, the Texas Legislature passed House Bill 2439 which generally prohibits local governments from enforcing local codes concerning building materials on commercial and residential properties. However, developers may enter into agreements with Texas cities to specify building materials; these agreements do not violate H.B. 2439 and are enforceable. The development agreement specifies building materials for the additional home plans and elevations as depicted in Exhibit C of the Development Agreement.

Public Information Considerations:

This item is being considered at a meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

- 1. City Council may approve the resolution, as presented.
- 2. City Council may approve the resolution with changes and state those changes.
- 3. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the development agreement.

Attachments

Resolution

Development Agreement

CITY OF LANCASTER BOARDS AND COMMISSIONS

City Council Regular Meeting

Item 5.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Quality Development

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

Z21-06 Conduct a public hearing and consider an amendment to Planned Development District No. 26 (PD-26) to allow modifications to the design criteria for Phase 3 of the Rolling Meadows subdivision. The property is located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.

Background:

- 1. <u>Location and Size</u>: The property is located north of Belt Line Road and east of Rolling Hills Place, and is approximately 21.14 acres in size.
- 2. <u>Current Zoning</u>: The subject property is currently zoned Planned Development Single-Family (PD-SF-6).

3. Adjacent Properties:

North: Planned Development Single-family Residential PD-SF-6 - (Occupied - Moffitt Creek

Estates Phase 1)

South: Mills Branch Overlay District, Commercial Area Zone sub-district - (Vacant)

East: Planned Development Single Family Residential PD-SF-6 - (Vacant)

West: Planned Development Single Family Residential PD-SF-6 - (Occupied - Rolling

Meadows

Phase 1 & 2)

4. <u>Comprehensive Plan Compatibility</u>: The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for single-family uses. The proposed residential uses are consistent with the Comprehensive Plan.

5. Case History/Background:

<u>Jaco motor yr Backgrounar</u>			
Date	Body	Action	
06/16/1986	СС	Case 18-15 Approved PD-26	
09/11/1995	СС	Approved PD-26 Amendment - (Ordinance #44-95)	
11/16/2000	P&Z	PS-00-24 Approved Rolling Meadows Phase I - Preliminary Plat	
06/04/2001	P&Z	PS-01-09/10 Approved Rolling Meadows Phase I - Final Plat	
04/01/2002	P&Z	PS-03-07 Approved Rolling Meadows Phase II - Preliminary Plat	
12/17/2002	P&Z	PS-02-32 Approved Rolling Meadows Phase II - Final Plat	
	1		

07/29/2003	P&Z	PS-03-20 Denied Rolling Meadows Phase III - Preliminary Plat		
10/07/2003	P&Z	PS-03-28 Approved Rolling Meadows Phase III - Preliminary Plat		
02/05/2019	P&Z	Z19-03 Recommended approval of the request with the following conditions: 1. (20) feet front yard setback. 2.Two (2) feet minimum garage setback with architectural features or porch not exceeding six (6) feet options.		
03/25/2019	СС	Z19-03 Tabled.		
06/10/2019	СС	Z19-03 Approved amendment to Planned Development District No. 26 (PD-26 to allow modifications to the design criteria).		
04/06/2021	P&Z	Z21-06 Recommended approval of the following floor plans as recommended by Staff: -Carolina (Elevation C) -Dogwood (Elevation ES) -Wisteria (Elevations A & B) -Magnolia (Elevations F, CS, AS, & A) -Dewberry (Elevations C, CS, & D)		
04/26/2021	СС	Applicant requested to postpone this item.		

Operational Considerations:

This is a request to amend the PD to allow certain floor plans to be approved as part of this development. The key design feature of the plans is to create front elevation interest by having the living space recessed from the garage to create porches and recessed entries. No other changes are proposed for this PD. The number of lots, lot sizes, minimum front setback, rear setback, side setback, minimum home sizes, minimum landscaping, and neighborhood amenities will remain the same. The applicant has submitted a series of floor plans which varies from:

- · Garages slightly projecting beyond the front facade of the homes
- Garages significantly projecting beyond the front facade of the homes
- · Garages flushed with the front facade of the home
- · Garages recessed from the front facade of the home

PD Garage Requirement:

The PD was approved so that front facing garages have a minimum 22 feet setback and the garage door not being allowed in front of the living space. The PD also allows any architectural element such as a porch or entry feature to encroach up to six (6) feet into the front yard setback.

Lancaster Development Code Garage Requirement:

Section 14.503 Residential Districts of the Lancaster Development Code (LDC) states that, "In single family or duplex districts, parking garages must be located off an alley; or if accessed from the front street, must be located at least 20 feet behind closest corner of the front building façade for front entry garages, unless it is a "J-Swing" garage where the garage door is perpendicular to the street. "J-Swing" garages may only be permitted on lots which are 60 or more feet in width."

Should City Council approve the requested amendments, a Developer's Agreement will need to be enacted in order to ensure that the building materials and architectural design as shown on the Approved Floor Plans are enforceable.

<u>Consistency with the Comprehensive Plan</u>: The Comprehensive Plan Future Land Use Map designates this area as Suburban Neighborhood. Suburban Neighborhood is envisioned to be the dominant place type in Lancaster providing a variety of residential products ranging from townhomes to single family detached. These neighborhoods would generally be formed as subdivisions with

residential densities ranging from 2 to 8 dwelling units per acre. The zoning change request to amend the existing PD-26 is consistent with the Comprehensive Plan as shown on the attached Comprehensive Plan excerpt and map.

<u>Potential Impact on Adjacent Development</u>: This property is adjacent to earlier phases of residential subdivisions on the north and west and vacant properties on the east (zoned PD-SF and SF-4) and south (zoned Mills Branch Overlay sub-district Commercial Area Zone). This proposed subdivision is compatible to the surrounding properties. The existing screening wall on Belt Line Road will be continued along Belt Line Road for this phase as well.

<u>Availability of utilities and access</u>: The subject property is served by City of Lancaster sewer and water. The applicant will be responsible for connecting to those utilities. Access to this site will be from the north on Bermuda Drive, west on Martinique Drive, south from Rolling Hills Place, and Jetti Drive will be constructed east of the subject property. The site development construction is complete.

<u>Timing of Development as it relates to Lancaster's Capital Improvement Plan (CIP)</u>: There are no plans for future improvement of roadways, water or sewer plans at this time. The applicant is responsible for construction of all infrastructure including the extension of stormwater facilities.

<u>Site conditions such as vegetation, topography and flood plain</u>: Public improvements are currently being installed on the subject property.

Analysis:

The LDC requires garages on single-family homes to be located a minimum of 20 feet behind the front facade of the home for front entry garages. The approved PD is less restrictive as it allows for garages to be set back a minimum of 22 feet from the front property line. It also promotes front elevation interest by allowing any architectural element such as a porch to encroach up to six (6) feet into the front yard.

Of the plans presented, staff recommends approval of the following plans:

- -Carolina (Elevation C)
- -Dogwood (Elevation ÉS)
- -Wisteria (Elevations A, B, & D)
- -Magnolia (Elevations F, C, CS, AS, & A)
- -Dewberry (Elevations C, CS, & D)

Although these plans may have garages that project past the front facade of the home or are flushed with the front facade, these plans have unique design features. They promote front elevation interest by providing large porches, high roof pitches, and variation in the use of materials. They also present new single-family home designs that are not common in Lancaster.

Legal Considerations:

This item is being considered at a Regular Meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

Public Information Considerations:

On March 21, 2021 a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed 72 notifications of this public hearing to property owners within 200-feet of the subject site and zoning signs were placed on the property. There was one (1) letter received in support and no letters received in opposition of this request.

Options/Alternatives:

1. The City Council may approve the request as presented.

- 2. The City Council may approve the request with changes, and state those changes.
- 3. The City Council may deny the request.

Recommendation:

On April 6, 2021 the Planning and Zoning Commission recommended approval of the request to approve the Carolina (Elevation C), Dogwood (Elevation ES), Wisteria (Elevations A & B), Magnolia (Elevations F, CS, AS & A) and Dewberry (Elevations C, CS & D) plans and denial of the other plans. Additionally, staff recommends including approval of Magnolia Elevation C and Wisteria Elevation D.

Attachments

Ordinance Location Map Entire Set of Floor Plans Letter in Support (1)

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 6.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Effective Municipal Operations

Financially Sound City Government Healthy, Safe & Engaged Community

Sound Infrastructure Quality Development

Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider election of a Mayor Pro Tempore.

Background:

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tempore and a Deputy Mayor Pro Tempore Section 3.05 (c) of the City Charter provides that the Mayor Pro-Tern shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Mayor Pro-Tern shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

Recommendation:

No staff recommendation. This matter is at City Council discretion.

Attachments

Section 3.05, Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem from the City's Home Rule Charter

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 7.

Meeting Date: 05/10/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Effective Municipal Operations

Financially Sound City Government Healthy, Safe & Engaged Community

Sound Infrastructure Quality Development

Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider election of a Deputy Mayor Pro Tempore.

Background:

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tem and a Deputy Mayor Pro Tem. Section 3.05 (d) of the City Charter provides that Deputy Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Deputy Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro-Tem, and in this capacity shall have the rights conferred upon the Mayor.

Recommendation:

No staff recommendation. This matter is at City Council discretion.

Attachments

Section 3.05 Mayor, Mayor Pro Tem, and Deputy Mayor Pro Tem from the City's Home Rule Charter