



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



Monday, May 24, 2021 - 7:00 p.m.

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/join/register/tZlvcOqtqzlrHdRpoflmYnLvqiHdKadsNQ9b>

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 Carol Strain-Burk

PROCLAMATION: National Stroke Awareness Month

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.

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.

1. Consider approval of minutes from the City Council Regular Meeting held on April 26, 2021.
2. Consider a resolution approving the terms and conditions of an agreement with Bickerstaff Heath Delgado Acosta, LLP for redistricting services.
3. Consider an ordinance establishing Reasonable Response Community Ranges for civil emergency response time requirements for certain positions.

4.

Consider a resolution authorizing the purchase of six (6) WatchGuard 4RE/V300 In-Car/Body Camera Systems, one (1) WatchGuard V300 Transfer Station and two (2) WatchGuard 4RE Interview Room Camera Systems from Motorola Solutions, through an interlocal agreement with BuyBoard, in an amount not to exceed fifty-six thousand one hundred thirty dollars (\$56,130.00).

5. Consider a resolution awarding RFP 2021-17 to Construction Solutions USA, LLC for upgrades to LED lights, for the following municipally owned facilities: Veterans Memorial Library, 1700 Veterans Memorial Parkway, Lancaster, Texas 75134, James R. Williams Pump Station, 1999 North Jefferson, Lancaster, Texas 75134, and 700 East Main Street, Lancaster, Texas 75146; in an amount not to exceed seventy-eight thousand eight hundred forty-eight dollars and seventy-five cents (\$78,848.75).
6. Consider a resolution approving the terms and conditions of an agreement for roof repairs, in an amount not to exceed one hundred fifty-eight thousand, one hundred sixty-nine dollars (\$158,169.00), to J. Reynolds & Company Inc. for the following city properties through an interlocal agreement with The Interlocal Purchasing System (TIPS): Veterans Memorial Library, 1600 Veterans Memorial Parkway, Lancaster, Texas 75134; Recreation Center, 1700 Veterans Memorial Parkway, Lancaster, Texas 75134; and, Public Safety Building, 100 Craig Shaw Memorial Parkway, Lancaster, Texas 75134

Approval of the Consent Agenda

PUBLIC HEARING:

7. Z21-08 Conduct a public hearing and consider a Specific Use Permit (SUP) for a secondary living unit at 509 North Elm Street, located approximately 200 feet south of West Fifth Street. The property is on the west side of Elm Street. The property is approximately .5 acre and is further described as Lot 24 (24.2) Block C in the Westridge Annex Subdivision, City of Lancaster, Dallas County, Texas.

Consider Z21-08

8. M21-16 Conduct a public hearing and consider an ordinance amending the City of Lancaster Comprehensive Plan's Future Land Use Plan regarding three (3) tracts of land addressed as 2700 and 2950 West Wintergreen Road and 2900 South Longhorn Drive situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

Consider M21-16

9. M21-18 Conduct a Public Hearing and consider an ordinance amending the Master Thoroughfare Plan of the City of Lancaster Comprehensive Plan relocating east Longhorn Drive to approximately 252 feet east of its current location.

10. Consider M21-18

ACTION:

11. M21-13 Discuss and consider an ordinance of the City of Lancaster, Texas granting four (4) special exceptions to (1) The maximum building height requirement contained in Section 14.500(i), (2) Building articulations in Section 14.505 (3) Permanent landscape and ground cover in Section 14.804 of the Lancaster Development Code and (4) Driveway spacing in Section 1-05 (E) of the General Design Manual on properties located on the southwest corner of West Wintergreen Road and East Longhorn Drive addressed 2700 and 2950 west Wintergreen Road and 2900 East Longhorn Drive, City of Lancaster, Dallas, County, Texas.

12. M21-21 Discuss and consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Johnson Development Associates, Inc. related to the relocation of East Longhorn Drive which is situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.
13. Discuss and consider a resolution authorizing the City Manager to execute an agreement with Gexa Energy, LP for storm recovery amounts resulting from the Electric Reliability Council of Texas (ERCOT) February 2021 winter storm event.
14. Discuss and consider a resolution authorizing the award of request for proposal (RFP) 2021-4 to Central North Construction, LLC for the installation of landscape and irrigation and related improvement along State Highway 342 (Dallas Ave.) from Cedardale Road to Alexander Avenue in connection with the Texas Department of Transportation (TxDOT) Green Ribbon Project in an amount not to exceed \$1,307,025.75.

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.

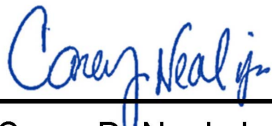
CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

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 21, 2021, @ 6:56 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

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 1.****Meeting Date:** 05/24/2021**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 26, 2021.

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on April 26, 2021.

AttachmentsMinutes

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 2.**

Meeting Date: 05/24/2021

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

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Fabrice Kabona, Deputy City Manager

Agenda Caption:

Consider a resolution approving the terms and conditions of an agreement with Bickerstaff Heath Delgado Acosta, LLP for redistricting services.

Background:

On April 19, 2021 City Council received a presentation from Bickerstaff Heath Delgado Acosta, LLP regarding the 2021 redistricting process for the City of Lancaster. Redistricting is the process of changing electoral district and constituency boundaries, in response to census results. The U.S. Census provides population data to the states for the states to redistrict appropriately. The State legislature is the body that is responsible for redrawing congressional and state representation lines. Cities with single member districts are responsible for the redrawing of council district lines.

The City Council election process may be impacted as a result of the Census Data. Lancaster has experienced significant growth since the last census and thus population has increased. Following United States Supreme Court cases of the 1960s, it was ruled that single-member districts must contain roughly equal populations. In 2010, City Council utilized Bickerstaff Heath Delgado Acosta, LLP to provide redistricting services for the City.

Bickerstaff has extensive experience in redistricting services throughout the state and strong technical capability specifically designed for redistricting. Bickerstaff is skilled in pre-clearance submissions and, if needed, response to the Department of Justice.

Legal Considerations:

The City Attorney has reviewed and approved the resolution and agreement as to form.

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.

Fiscal Impact:

Funds for the project are included in the fiscal year 2020-2021 budget.

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

Agreement

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 3.**

Meeting Date: 05/24/2021

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

Goal(s): Professional and Committed City Workforce

Submitted by: Dori Lee, Human Resources Director

Agenda Caption:

Consider an ordinance establishing Reasonable Response Community Ranges for civil emergency response time requirements for certain positions.

Background:

Pursuant to Chapter 150.021 of the Texas Local Government Code employees who are likely to be called to work in cases of civil emergency may be required to reside within a reasonable response commuting range of their place of work by city ordinance.

The governing body must establish an ordinance for certain employees to respond to a civil emergency within a reasonable amount of time. In conformity with other established response times in policy, thirty (30) minutes has been accepted as reasonable.

Certain employees are defined by ordinance for the position of Deputy City Manager, Assistant City Manager, Police Chief, Fire Chief, and Emergency Management Chief.

150.021 of the Texas Local Government Code states that the reasonable response times established by the governing body may not be retroactively imposed on any person in the employ of the municipality at the time the standards are adopted.

The purpose of establishing an ordinance encourages key emergency response personnel to reside within a reasonable distance of the city. State law prohibits the city from requiring residency, with the exception, of the City Manager.

Section 4.03 Qualifications of the City Manager, of the Lancaster City Charter adopted May 5, 1956, and amended November 7, 2006 states: *At the time of his appointment, he need not be a resident of the City or state, but during the tenure of office he shall reside within the City.*

This item was discussed at the May 17, 2021 City Council Work Session.

Legal Considerations:

The City Attorney has reviewed and approved the Reasonable Response Ordinance as to form.

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 Ordinance, as presented.
2. City Council may deny the Ordinance.

Recommendation:

Staff recommends approval of the Ordinance, as presented.

Attachments

Ordinance

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 4.**

Meeting Date: 05/24/2021

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

Goal(s): Effective Municipal Operations
Professional and Committed City Workforce

Submitted by: Sam Urbanski, Chief of Police

Agenda Caption:

Consider a resolution authorizing the purchase of six (6) WatchGuard 4RE/V300 In-Car/Body Camera Systems, one (1) WatchGuard V300 Transfer Station and two (2) WatchGuard 4RE Interview Room Camera Systems from Motorola Solutions, through an interlocal agreement with BuyBoard, in an amount not to exceed fifty-six thousand one hundred thirty dollars (\$56,130.00).

Background:

The Police Department is currently utilizing WatchGuard Video In-Car/Body Camera Systems along with L-3 Communications In-Car/Body Camera Systems. The purchase and installation of six (6) WatchGuard 4RE/V300 Camera Systems would near the completion of the Police Department's transition from L-3 Communications to WatchGuard Video. This equipment will be installed in six (6) Dodge Chargers currently being utilized for patrol. L-3 Communications no longer provides support and WatchGuard Camera Systems are more technologically advanced, reliable and user-friendly.

The Police Department currently has three (3) V300 Transfer Stations. Transfer Stations are necessary for downloading, officer assigning and charging V300 Body Cameras. One (1) additional transfer station is necessary to accommodate the additional body cameras.

The Police Department has two (2) Professional Interview Rooms. The purchase and installation of the WatchGuard 4RE Interview Room Camera System will allow automatic integration of recorded footage into the same video storage(Cloud) as In-Car and Body Cameras, along with up to date technology and reliability.

Operational Considerations:

Approval of this purchase will increase efficiencies and operations in the Police Department. This purchase will allow the department the ability to maintain the continuity of operations and lessen the chance of equipment failure. This also complies with Texas Occupations Code 1701.655 which establishes requirements for body worn camera policies for law enforcement agencies implementing a body worn camera program.

Legal Considerations:

Texas law authorizes cooperative agreements to help save time in developing specifications and duplication during the bid process. The use of cooperative agreements is in accordance with Section 791.001 of the Texas Government Code and Section 271.101 of the Texas Local Government Code. An interlocal agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process must meet the requirements set forth in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding, if required by specifications, and any other requirements.

All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract.

Utilization of interlocal agreements save time associated with issuing bids or in obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors. The City of Lancaster maintains an interlocal agreement with BuyBoard.

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.

Fiscal Impact:

Funds are available in the fiscal year 2021 budget and will not exceed fifty-six thousand one hundred thirty dollars (\$56,130.00).

Options/Alternatives:

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

Attachments

Resolution

Exhibit A

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 5.**

Meeting Date: 05/24/2021

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

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Consider a resolution awarding RFP 2021-17 to Construction Solutions USA, LLC for upgrades to LED lights, for the following municipally owned facilities: Veterans Memorial Library, 1700 Veterans Memorial Parkway, Lancaster, Texas 75134, James R. Williams Pump Station, 1999 North Jefferson, Lancaster, Texas 75134, and 700 East Main Street, Lancaster, Texas 75146; in an amount not to exceed seventy-eight thousand eight hundred forty-eight dollars and seventy-five cents (\$78,848.75).

Background:

City Council received an update regarding facility infrastructure improvements at the November 19, 2020 City Council work session. Improving the existing interior and exterior lighting will improve functionality of the facilities, long-term maintenance, and reduce operational costs. The following locations were identified for this fiscal year:

1. Veterans Memorial Library, 1700 Veterans Memorial Parkway, Lancaster, Texas 75134
2. James R. Williams Pump Station, 1999 North Jefferson, Lancaster, Texas 75134
3. 700 East Main Street, Lancaster, Texas 75146

This bid was processed in accordance with all local and state purchasing statutes. Three bids were received, two being a certified M/WBE.

- | | |
|--------------------------------------|-------------|
| 1. Construction Solution USA, LLC | \$78,848.50 |
| 2. Strange Electric | \$78,939.00 |
| 3. David Randall EMS (David Randall) | \$88,922.00 |

Legal Considerations:

The resolution and agreement were reviewed and approved as to form by the city attorney.

Public Information Considerations:

Bids were advertised in the Focus Daily News on April 1 and 4, 2021. Bids were posted on the City's electronic procurement system. A pre-bid meeting was held on April 22, 2021, and bids were opened on April 30, 2021.

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 reject the resolution.

Recommendation:

Staff recommends approval of the Resolution awarding the bid to the lowest, qualified bidder Construction Solutions USA, LLC.

Attachments

Resolution

Agreement

Exhibit A

Bid Tabulation

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 6.**

Meeting Date: 05/24/2021

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

Goal(s): Financially Sound City Government
Healthy, Safe & Engaged Community
Sound Infrastructure

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Consider a resolution approving the terms and conditions of an agreement for roof repairs, in an amount not to exceed one hundred fifty-eight thousand, one hundred sixty-nine dollars (\$158,169.00), to J. Reynolds & Company Inc. for the following city properties through an interlocal agreement with The Interlocal Purchasing System (TIPS): Veterans Memorial Library, 1600 Veterans Memorial Parkway, Lancaster, Texas 75134; Recreation Center, 1700 Veterans Memorial Parkway, Lancaster, Texas 75134; and, Public Safety Building, 100 Craig Shaw Memorial Parkway, Lancaster, Texas 75134

Background:

Sound Infrastructure has been identified as a Key Performance Objective by the City Council. The City has a facility assessment program that identifies facility needs for improvement. Staff has been completing infrastructure projects annually to realize the goal of having a preventative maintenance program and well-maintained infrastructure. The completion of this project will continue to advance Council's objective in this area.

Operational Considerations:

The Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contract with one or more local government units to perform governmental functions and services. The use of Interlocal Agreements allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process must meet the requirements outlined in the statutes, including advertising, Minority and Women-Owned Business Enterprise (M/WBE) participation, reference checks, verification of insurance, and bonding if required by specifications and any other requirements. The use of Interlocal Agreements allows the City to address the operational needs in a timely manner. Additionally, savings are achieved through aggregate volumes.

Legal Considerations:

The City maintains an executed Interlocal Agreement with TIPS, a cooperative agency. Texas Law authorized cooperative agreements to help save time in developing specifications and duplication during the bid process. The City Attorney has reviewed and approved the lease agreement as to form.

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

Agreement

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 7.****Meeting Date:** 05/24/2021**Policy Statement:** This request supports the City Council 2020-2021 Policy Agenda**Goal(s):** Healthy, Safe & Engaged Community
Quality Development**Submitted by:** Vicki D. Coleman, Development Services Director**Agenda Caption:**

Z21-08 Conduct a public hearing and consider a Specific Use Permit (SUP) for a secondary living unit at 509 North Elm Street, located approximately 200 feet south of West Fifth Street. The property is on the west side of Elm Street. The property is approximately .5 acre and is further described as Lot 24 (24.2) Block C in the Westridge Annex Subdivision, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and Size:** The property is located approximately 200 feet south of West Fifth Street on the west side of Elm Street. It is approximately .5 acre in size.
2. **Current Zoning:** The subject property is currently zoned SF-6.
3. **Adjacent Properties:**
 - North: Single-family Residential (SF-6) - Single-family home
 - South: Single-family Residential (SF-6) - Single-family home
 - East: Single-family Residential (SF-6) - Single-family home
 - West: Single-family Residential (SF-6) - Single-family home
4. **Comprehensive Plan Compatibility:** The Future Land Use Plan of the Comprehensive Plan designates the subject property as Mixed-Use Neighborhood. Single-family detached homes are not a permitted use in this designation; Section 14.402 Use Standards Section (6) Guest Quarters/Secondary Living Unit of the Lancaster Development Code (LDC) states, "Guest quarters or secondary living unit may be allowed on a property in a residential or commercial zoning district provided that it is ancillary to the primary use and that only one such facility is provided." The request is not compatible with the Comprehensive Plan of the Future Land Use Plan.

5. **Case History/Background:**

Date	Body	Action
05/04/2021	P&Z	Z21-08 Recommended approval of the SUP to construct the secondary living unit.

Operational Considerations:

The applicant is requesting an SUP for a secondary living unit on the property that is within the single-family residential (SF-6) zoning district. On December 31, 2021, the applicant applied for an accessory structure permit, and it was approved on January 20, 2021. On March 19, 2021 the applicant attempted to pull a second water meter for this structure and it was determined that the proposed accessory structure is for a secondary living unit and therefore required an SUP.

Section 14.401 Land Use Schedule of the Lancaster Development Code (LDC), secondary living units are permitted in the SF-6 zoning district only after obtaining an SUP. Section 14.402 Section (6) Use Standards, a secondary living unit shall not exceed 900 square feet or 50% of the main structure or

whatever is less. Although the proposed use complies with the minimum size requirements of 900 square feet and the minimum setback requirements for the SF-6 zoning district, the secondary living use is not compliant with the Future Land Use Plan of the Comprehensive Plan which does not permit single family detached homes. Allowing a secondary living unit would further increase its non-conformity with the Future Land Use Plan.

Public Information Considerations:

On April 18th, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to all 25 property owners that are within 200-feet of the subject site. There were no letters received in support or opposition to this request.

Options/Alternatives:

1. The City Council may approve the request, as presented.
2. The City Council may approve the request with conditions, and state those conditions.
3. The City Council may deny the request.

Recommendation:

On May 4th, 2021 the Planning and Zoning Commission recommended approval of the SUP request as presented. Staff recommends denial of the request.

Attachments

Ordinance

Location Map

Site Plan

Entire Set of Floor Plan

Letter of Intent

Comprehensive Plan Map

May 4, 2021 Planning and Zoning Staff Report

May 4, 2021 Planning and Zoning Draft Minutes

Letter in Opposition

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 8.**

Meeting Date: 05/24/2021

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

Goal(s): Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development

Submitted by: Vicki D. Coleman, Development Services Director

Agenda Caption:

M21-16 Conduct a public hearing and consider an ordinance amending the City of Lancaster Comprehensive Plan's Future Land Use Plan regarding three (3) tracts of land addressed as 2700 and 2950 West Wintergreen Road and 2900 South Longhorn Drive situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and Size:** The properties are located at the southwest and southeast corner of Wintergreen Road and East Longhorn Drive totaling 47.23 acres in size.
2. **Current Zoning:** The properties are currently zoned Light Industrial (LI).
3. **Adjacent Properties:**
North: Light Industrial (LI) - Vacant
South: Light Industrial (LI) - Warehouse and Office
East: Agricultural Open (AO) - Vacant
West: Light Industrial (LI) - Warehouse and Office
4. **Comprehensive Plan Compatibility:**
The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Suburban Mixed Use Center.

Operational Considerations:

This is a request to amend the Future Land Use Plan of the Comprehensive Plan from Suburban Mixed-Use Center to Logistics/Distribution at 2700 and 2950 West Wintergreen Road and 2900 South Longhorn Drive. As noted above, the Future Land Use Map of the Comprehensive Plan identifies this site as Suburban Mixed-Use Center. The Suburban Mixed-Use Center is intended to create regional destinations, including entertainment venues, regional oriented retail and lifestyle centers. Suburban Mixed-Use Center primary land uses include regional retail, urban residential, senior housing, hotels, professional office, restaurants, multi-tenant commercial, live/work/shop units with secondary land uses such as civic and institutional uses as well as parks. The proposed Logistic/Distribution focuses on creating and retaining large floor plate, clean warehouse space and flex space in the City. Primary land uses include transportation related distribution centers, technology/data centers, flex office with secondary land uses supporting logistics suppliers, retail and office uses, incubators, training facilities, civic/institutional uses and parks.

The property is currently zoned LI and the applicant notates that the three subject tracts of land are part of a 97 acre deed restricted industrial park that is currently zoned LI and has been in operation for over 40 years. Currently, 49.77 acres of this industrial park is already developed with industrial uses and the

applicant seeks to build warehouses on the remaining 47.23 acres. With the Suburban Mixed-Use Center future land use designation, the applicant is limited to developing the remaining three land tracts in accordance with the current industrial zoning district standards without the ability to seek exception from any current development standards. Any effort to seek an exception request to the LI development standards conflicts with the Future Land Use Plan of the Comprehensive Plan. It is important to note, the City Council has recently approved several height exception requests for industrial uses based on the changing market demand and industrial uses requiring taller building heights. The applicant seeks to increase their building height beyond the LI zoning district's standard. This exception request conflicts with the current Future Land Use Plan and therefore requires a Future Land Use Plan amendment.

Staff supports the applicant's request to amend the Future Land Use Plan of the Comprehensive Plan based on the following reasons:

1. The existing LI zoning on the property
2. The current LI uses already developed within the industrial park site
3. The property is within an industrial park that has deed restrictions which only allow for light industrial use.

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 April 18, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. There were no letters in opposition or support for this zoning change request.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may approve the ordinance with changes; state the changes.
3. City Council may deny the ordinance.

Recommendation:

The Planning and Zoning Commission recommended approval at their May 4, 2021 meeting. Staff concurs and recommends approval of the ordinance as presented.

Attachments

Ordinance
Location Map
Letter of Intent
Comprehensive Plan Amendment Exhibit
Adopted Future Land Use Map
Future Land Use Plan if Amended
May 4, 2021 Planning & Zoning Commission Agenda
P & Z Draft Minutes

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 9.**

Meeting Date: 05/24/2021

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

Goal(s): Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M21-18 Conduct a Public Hearing and consider an ordinance amending the Master Thoroughfare Plan of the City of Lancaster Comprehensive Plan relocating east Longhorn Drive to approximately 252 feet east of its current location.

Background:

Longhorn Business Park is an industrial park that has been in operation for over 40 years. This industrial park contains a total of 97 acres of land. Of the 97 acres, 49.77 acres of this industrial park are already developed and the remaining 47.23 acres are still vacant. The remaining and vacant 47.23 acres are composed of three (3) tracts of land and east Longhorn Drive is currently located between two (2) tracts on the west side and one long 15.164 acre tract on the east side. The current location of east Longhorn Drive divides the two tracts on the west side and one on the east side of the drive making the development of the long and narrow eastern tracts difficult to develop for an industrial use based on its current configuration.

Operational Considerations:

The proposed Master Thoroughfare Plan amendment is considered a minor amendment because Longhorn Drive is currently an existing roadway facility and its shift will not change the road's current designation or capacity.

The current location of east Longhorn Drive divides the two tracts on the west side and one on the east side of the drive making the development of the eastern long and narrow portion of the three tracts difficult to develop based on its configuration. The applicant proposes to shift east Longhorn Drive approximately 252 feet further east thereby extending Fabrication Drive and south Longhorn Drive accordingly in order to reconfigure the existing parcels. The applicant will bear all costs associated with the road reconstruction and utility relocation. All improvements will comply with the City's design standards.

Staff supports the applicant's request to shift the location of east Longhorn Drive as it will result in the assembly of vacant fragmented tracts of land for development purposes. The road will continue serving properties that are zoned and/or used as industrial. Furthermore, the road's relocation will not have any adverse impacts on neighboring industrial properties since all the developed properties to the western and southern portion of the business park will be served by west Longhorn Drive, south Longhorn Drive and/or Fabrication Drive during any interim construction. All properties along the immediate western boundary of east Longhorn Drive are currently vacant.

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:

Notice of this public hearing was published in the official publication of record Focus Daily News on April 18, 2021.

Options/Alternatives:

1. The City Council may approve the amendment to the Master Thoroughfare Plan of the Comprehensive Plan, and ordinance as presented.
2. The City Council may approve the amendment to the Master Thoroughfare Plan of the Comprehensive Plan, and ordinance with changes and state those changes.
3. The City Council may deny the amendment.

Recommendation:

On May 4, 2021 the Planning and Zoning Commission recommended approval of the amendment to the Master Thoroughfare Plan of the Comprehensive Plan as presented. Staff concurs with the Planning and Zoning Commission.

Attachments

Ordinance

Location Map

E. Longhorn Drive Relocation Exhibit

Letter of Intent

Master Thoroughfare Plan

May 4, 2021 Planning & Zoning Commission Agenda

May 4, 2021 P&Z Draft Minutes

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 10.**

Meeting Date: 05/24/2021

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

Goal(s): Healthy, Safe & Engaged Community
Quality Development

Submitted by: Vicki D. Coleman, Development Services Director

Agenda Caption:

M21-13 Discuss and consider an ordinance of the City of Lancaster, Texas granting four (4) special exceptions to (1) The maximum building height requirement contained in Section 14.500(i), (2) Building articulations in Section 14.505 (3) Permanent landscape and ground cover in Section 14.804 of the Lancaster Development Code and (4) Driveway spacing in Section 1-05 (E) of the General Design Manual on properties located on the southwest corner of West Wintergreen Road and East Longhorn Drive addressed 2700 and 2950 west Wintergreen Road and 2900 East Longhorn Drive, City of Lancaster, Dallas, County, Texas.

Background:

1. **Location and Size:** The properties are addressed as 2700 and 2950 West Wintergreen Road and 2900 South Longhorn Drive totaling 47.23 acres.
2. **Current Zoning:** The properties are currently zoned Light Industrial (LI).
3. **Adjacent Properties:**
North: Light Industrial (LI) - Vacant
South: Light Industrial (LI) - Warehouse and Office
East: Agricultural Open (AO) - Vacant
West: Light Industrial (LI) - Warehouse and Office
4. **Comprehensive Plan Compatibility:**
The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Suburban Mixed Use Center. The proposed warehouse use is not consistent with the Future Land Use Plan of the Comprehensive Plan. This is a companion item to M21-16 amendment to the Comprehensive Plan and Future Land Use Map.

Operational Considerations:

(1) Building Height Exception

This is a request for an exception to Article V. (Development District Standards) of the Lancaster Development Code (LDC) Section 14.500(i) which requires buildings in Light Industrial (LI) zoning districts to have a maximum building height of 35 feet above grade. The applicant is proposing three (3) warehouses on three (3) lots that will be approximately 846,000 square feet in total. The applicant is requesting a height variance of up to 49 feet.

The applicant states that increased industrial building height is needed for functional and operational purposes. Staff supports the request for increased height for the proposed three (3) buildings.

(2) Building Articulations Exception

The applicant is requesting an exception from Section 14.505 Industrial Standards, Subsection (a)

General Industrial District Standards (3) Building Articulation which states that " A. Requirements. Facades which face streets shall meet the following minimum standards for articulation:

1. Horizontal Articulation.

No building wall shall extend for a distance equal to 4 times the wall's height without having an offset of 25% of the wall's height, and that new plane shall extend for a distance equal to at least 20% of the maximum length of the first plane.

2. Vertical Articulation.

No horizontal wall shall extend for a distance greater than 4 times the height of the wall without changing height by a minimum of 25% of the wall's height".

The purpose of articulations is to accentuate the visible parts of a building from public streets. It helps each part of the building to stand out clearly and avoids a situation whereby a building is monotonous in design.

The applicant is requesting exceptions to the building articulation requirements for all three (3) buildings. The applicant states that the horizontal articulations will create projections into the truck court and auto parking areas which can cause truck circulation issues; vertical articulations will cause issues with roof drainage and the increased height will further inhibit the building's capability to be screened from the street.

In order to minimize the visual impact of dock doors and truck courts, the applicant will be installing an 8 feet landscape screen that will shield the truck courts from public streets. They are also providing architectural depth by using form-liner and reveal patterns in order to enhance the curb appeal of all of the buildings. Furthermore, glass, sunshades, and canopies will be used around the office areas in order to enhance the front facing facades of each building.

Staff recommends that the facades which face a public street and do not have dock doors or truck courts meet the vertical and horizontal articulations. However, staff recommends approval of the exception request for facades with dock doors which face public street conditioned that the applicant will be providing dense landscaping to shield facades with dock doors from public view and will be providing other architectural features on such facades.

(3) Landscape Exception

The applicant is requesting exceptions from two (2) requirements of the City of Lancaster Landscape Ordinance as follows.

a. 20% Permanent Landscaping.

Section 14.804 (b) (1) of the Landscape Ordinance states that, "For all nonresidential and multi-family parcels, at least 20% of the site shall be permanently landscaped. All of the required landscaped area shall be located in the street yards, side yards, and parking lots." Section 14.805 (b) of the Landscape Ordinance also states that, "The total square footage of the required landscape area may be reduced by 20% if all landscaping materials have lower water demand, as identified by the Texas A&M Extension Service". 100% of all the planting materials that will be used on all three (3) sites have a lower water demand. The applicant is requesting to have:

- 71,162 square feet of 83,288 square feet required landscape for Building 1 site;
- 108,616 square feet of 167,383.2 square feet required landscape for Building 2 site; and
- 44,033 square feet of 58,615.2 square feet required landscape for Building 3.

b. Ground Cover Requirement:

Section 14.804 (b) (B) (6) of the Landscape Ordinances states that, "At least 10% of the required landscape area shall be maintained in ground cover." For Building 2, 16,783.3 square feet of ground cover is required on the site and the applicant is providing 13,696 square feet. This is 3,087.3 square feet less than what is required.

Although the applicant is requesting an exception for two (2) of the landscape requirements, the applicant is exceeding the minimum amount of street trees, shrubs, and internal parking lot screening on all three sites and is exceeding the minimum number of ground cover on sites 1 and 3. The applicant is also installing 100% xeriscape which will aid in water conservation. Overall, the sites meet the spirit and intent of the Lancaster Development Code as it will enhance and improve the physical appearance of the site and staff supports the applicant's request.

(4) Driveway Spacing Exception

The applicant is requesting an exception from the driveway requirement of the General Design Manual. Section 1-05 Street Systems, Subsection E. Driveway Standards (f) of the The General Design Manual states that "The driveways for corner lot, if allowed, must be located a minimum of hundred (100') feet from point of intersection of the curb lines of both streets"

The applicant is seeking to deviate from the above 100 feet by reducing to 48 feet driveway spacing for the easternmost drive connection between Fabrication Drive and South Longhorn Drive from East Longhorn Drive stating that 100 feet requirement restricts maneuverability of trucks in the truck court. The drives in question are highlighted on the attached driveway spacing request exhibit. The applicant went further to provide traffic projection for both the intersections of Fabrication Drive and East Longhorn Drive and South Longhorn Drive and East Longhorn Drive. The expected traffic volumes for both intersections are expected to very be low as demonstrated on the attached trip generation summary table.

Staff supports the applicant's request for smooth truck traffic operations within the truck court. The anticipated low trip generation of both the intersections of Fabrication Drive and East Longhorn Drive and South Longhorn Drive and East Longhorn Drive will not negatively impact truck traffic movements in and around the subject area. Both Engineering and Public Works staff noted that the existing facility to the west on this shortened street has many pathways for traffic flow thereby avoiding traffic flow issues within the proposed and existing facilities.

Legal Considerations:

The Ordinance has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

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

Options/Alternatives:

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

Recommendation:

Staff recommends the following: 1. Approval of the 49 feet maximum building height as requested. 2. Approval of articulation exceptions on facades with dock doors as requested, and recommends vertical and horizontal articulations on facades that do not have dock doors as required, and installation of dense landscaping to shield facades with dock doors from public view. 3. Approval of the landscape exception as requested 4. Approval of driveway spacing exception as requested.

Attachments

Ordinance

Location Map

Letters of Intent

Building Facade Plans

Landscape Plan

Site Screening Exhibit

Sight Line Exhibit

Driveway Exhibit

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 11.**

Meeting Date: 05/24/2021

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

Goal(s): Financially Sound City Government
Sound Infrastructure
Quality Development

Submitted by: Vicki D. Coleman, Development Services Director

Agenda Caption:

M21-21 Discuss and consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Johnson Development Associates, Inc. related to the relocation of East Longhorn Drive which is situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

Background:

Johnson Development Associates, Inc, is seeking to assemble land in association with the build-out of Longhorn Business Park. The Longhorn Business Park is an industrial park that has been in operation for over 40 years. This industrial park contains a total of 97 acres of land. Of the 97 acres, 49.77 acres of this industrial park are already developed and the remaining 47.23 acres are still vacant. The remaining and vacant 47.23 acres are composed of three (3) tracts of land and East Longhorn Drive is currently located between two (2) tracts on the west side and one long 15.164 acres tract on the east side. The current location of the east portion of Longhorn Drive divides the two tracts on the west side and one on the east side of the drive making the development of the long and narrow eastern tracts difficult to develop for an industrial use based on its current configuration.

Operational Considerations:

Longhorn Drive is a public road with existing public utilities within the rights-of-way. To assemble these fragmented pieces of land, it requires that the developer relocate and reconstruct the eastern portion of Longhorn Drive, along with all those associated utilities. The developer is proposing to relocate and reconstruct the rights-of-way and associated utilities at their sole expense. All required public improvements would be designed and installed in accordance with the City's adopted standards.

Legal Considerations:

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

Fiscal Impact:

The relocation and construction of the Longhorn Drive and the utilities will be at the sole expense of the developer, Johnson Development Associates, Inc.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution

Development Agreement

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 12.**

Meeting Date: 05/24/2021

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

Goal(s): Effective Municipal Operations
Financially Sound City Government
Sound Infrastructure

Submitted by: Carey D. Neal, Jr. Assistant City Manager

Agenda Caption:

Discuss and consider a resolution authorizing the City Manager to execute an agreement with Gexa Energy, LP for storm recovery amounts resulting from the Electric Reliability Council of Texas (ERCOT) February 2021 winter storm event.

Background:

The City of Lancaster, along with over 170 cities and political subdivisions, is a member of the Texas Coalition for Affordable Power (TCAP).

The Texas Legislature deregulated the state's electricity market in 2001. The Cities Aggregation Power Project (CAPP) and the South Texas Aggregation Project (STAP) was formed to buy power in blocks for governmental entities. In 2010, CAPP and STAP merged to form TCAP. TCAP is a non-profit organization committed to providing electricity at the lowest possible cost to its members. TCAP has procured electricity for its members since the beginning of retail electric deregulation in Texas in 2010.

The City of Lancaster executed a fixed rate, five-year electricity supply agreement with GEXA Energy for City facilities in March 2016 (Resolution 2016-02-12) effective January 1, 2018, through December 31, 2022. In recent years, the electric market and the mix of available sources and suppliers have changed dramatically.

On December 7, 2020, City Council approved a resolution approving the terms and conditions of the TCAP professional services agreement and GEXA Energy's Commercial Electric Service Agreement for power provided on and after January 2023.

In February 2021, the state of Texas experienced an unprecedented winter storm that impacted residents and businesses state-wide. In a letter dated May 7, 2021, Gexa Energy provided written notification that the effects of the February 2021 Winter Storm Uri produced higher than anticipated Ancillary Service costs. The reason for the increase is due to the charges incurred from the Electric Reliability Council of Texas (ERCOT) for Ancillary Electricity. The ancillary services rate is set by ERCOT, and it can change as frequently as every hour. ERCOT is assessing this rate to every customer. As a member of TCAP we have payment options. Option 1 is a lump sum payment of \$311, 329.25 due by May 31, 2021. Option 2 is monthly payments from June 2021 through December 2028 in the amount of \$4,644.84, for a total of \$422,676.80 over a period of 91 months.

Legal Considerations:

The City Attorney has reviewed and approved the resolution as to form.

Public Information Considerations:

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

Fiscal Impact:

The City will incur the Storm Recovery Amount Monthly Surcharge of four thousand six hundred and sixty-four thousand dollars and eighty-four cents (\$4,664.84) which is equivalent to an estimated monthly \$/kw (dollars per kilowatt-hour) charge of \$.006, for a total of four hundred twenty-two thousand six hundred seventy-six dollars and eighty cents (\$422,676.80). The monthly surcharge will begin to be invoiced for June 2021 usage and continue through December 2028. The monthly surcharge expense will be covered through the City's General Fund.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

Exhibit B

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 13.**

Meeting Date: 05/24/2021

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

Goal(s): Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development

Submitted by: Carey D. Neal Jr., Assistant City Manager

Agenda Caption:

Discuss and consider a resolution authorizing the award of request for proposal (RFP) 2021-4 to Central North Construction, LLC for the installation of landscape and irrigation and related improvement along State Highway 342 (Dallas Ave.) from Cedardale Road to Alexander Avenue in connection with the Texas Department of Transportation (TxDOT) Green Ribbon Project in an amount not to exceed \$1,307,025.75.

Background:

In 2007, City of Lancaster voters approved a thirty-seven million five hundred forty-five thousand six hundred ninety-five dollars (\$37,545,695) bond package for street, streetscape, and illumination improvements. Design and construction of streetscape and illumination for Pleasant Run Road, Beltline Road, Houston School Road, and Dallas Avenue (State Highway 342) were identified projects. The illumination project for Beltline Road was completed in 2017. The illumination project for Houston School Road was completed in 2021.

Staff secured grant funding in the amount of two million two hundred seventy-eight thousand nine hundred seventy-eight dollars and eighty cents (\$2,278,978.80), for the installation of the streetscape along Dallas Avenue (State Highway 342) through the Texas Department of Transportation (TXDOT) Green Ribbon project. Halff Associates, Inc. prepared the streetscape plan submitted to TxDOT for the design elements.

In July 2020, TXDOT entered into an Advanced Funding Agreement (AFA) with the City, to pay for the installation of landscape, and related improvements along SH 342 from Cedardale to Alexander Avenue.

This bid was processed in accordance with all local and state purchasing statutes. Four bids were received, two being a certified M/WBE. The lowest qualified bidder was identified as Central North Construction, LLC. The bids were reviewed by TxDOT and Halff Associates Inc., and the project will be managed by Halff Associates Inc.

Legal Considerations:

The City Attorney has reviewed and approved the resolution and agreement, as to form.

Public Information Considerations:

Bids were advertised in the Focus Daily News on February 11 and 18, 2021. Bids were posted on the City's electronic procurement system. A pre-bid meeting was held on February 25, 2021, and bids were opened on March 12, 2021. This item is being considered at a regular meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

Fiscal Impact:

According to the AFA, TXDOT will fund a total of two million two hundred seventy-eight thousand nine hundred seventy-eight dollars and eighty cents (\$2,278,978.80) for the design and construction of landscape and related improvements. The City will be responsible for any costs incurred over the \$2,278,978.80 and for any hardscape related to wayfinding signage. The construction portion of the

project is one million three hundred and seven thousand twenty-five dollars and seventy-five cents (\$1,307,025.75).

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution

Exhibit A

Bid Tabulation
