



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

**Monday, July 26, 2021 - 7:00 p.m.**



While the Mayor and other City Council Members may be physically present at the Municipal Center City Council Chambers, there may be Council members and staff that will attend and participate via video or audio link due to the COVID-19 emergency situation.

**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/tZwtdeqpqTwoG9B6QCXxPbBuy-9nMe2L21DI>

**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:** Mayor Pro Tem Racheal Hill

**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 a resolution awarding RFP 2021-31 to Jack Pyland for the café commercial lease in the new terminal building at the Lancaster Regional Airport, 950 Ferris Road.
2. Consider a resolution awarding RFP 2021-37 to Knight Security Systems, Inc. (KSS) for the installation of an open option access control security system, in an amount not to exceed one hundred twenty-seven thousand, five hundred thirty-eight dollars and five cents

(\$127,538.05) for the following city properties: Public Safety Building (100 Craig Shaw Memorial Parkway), Municipal Court (220 West Main Street), Fire Station #2 (3132 North Houston School Road), Veterans Memorial Library (1600 Veterans Memorial Parkway), Recreation Center (1700 Veterans Memorial Parkway), Senior Life Center (240 Veterans Memorial Parkway), Fleet Maintenance (631 East Third Street), Municipal Center (211 North Henry Street), Animal Shelter (690 East Main Street), 700 East Main Street, Lancaster Regional Airport (950 Ferris Road), James R. Williams Pump Station (1999 North Jefferson Street), and Fire Station #3 (1960 West Beltline Road).

3. Consider a resolution ratifying the terms and conditions of an asset transfer agreement between North Central Texas Council of Governments (NCTCOG), STAR Transit (Transferring Agency), and the City of Lancaster (Receiving Agency) related to the transfer of a 2014 El Dorado Aerotech 240 vehicle from the transferring agency to the receiving agency.

#### **PUBLIC HEARING:**

4. Z21-12 Conduct a public hearing and consider an amendment to Ordinance 2002-05-16 Planned Development-Retail (PD-R) to certain uses in Area "C" Tract 2 of the PD. The property is addressed as 2715 West Belt Line Road and is located approximately 1,700 feet west of North Houston School Road and north of West Belt Line Road. The property is more particularly described as a tract of land situated in the George K. Sneed Survey Abstract No. 1278, City of Lancaster, Dallas County, Texas.
5. Z21-15 Conduct a public hearing and consider a Specific Use Permit (SUP) request for a gas station with eight (8) fuel dispensers; fast food restaurant, retail stores, and convenience store to be located within 150 feet of a residential district on a property located on the southwest corner of West Wintergreen Road and North Houston School Road. The property is more particularly described as a tract of land situated in the Marady Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

#### **ACTION:**

6. M21- 27 Discuss and consider an ordinance granting an exception to the City's Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.008 to allow the use of a black vinyl coated chain link fence on the property addressed as 2001 Daniieldale Road and described as being 14.73 acres of land situated in the Nathan P. Pierce Survey, Abstract No. 1132, City of Lancaster, Dallas County, Texas.
7. M21-29 Discuss and consider a resolution accepting one (1) water and/or wastewater easement (a 19,798 square feet or 0.4545 acre) water and/or wastewater easement from the Estate of Dorothy Roddy, (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water and/or wastewater system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.
8. M21-30 Discuss and consider a resolution accepting one (1) water and/or wastewater easement (a 56,212 square feet or 1.290 acres) water and/or wastewater easement from TXWL, LLC, (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a water and/or wastewater line and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water and/or wastewater

system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.

## ADJOURNMENT

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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.

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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.

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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.

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### Certificate

**I hereby certify the above Notice of Meeting was posted at Lancaster City Hall on July 22, 2021 @ 10:15 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:** 07/26/2021

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

**Goal(s):** Financially Sound City Government

**Submitted by:** Kellen Benbrook, Airport Manager

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### **Agenda Caption:**

Consider a resolution awarding RFP 2021-31 to Jack Pyland for the café commercial lease in the new terminal building at the Lancaster Regional Airport, 950 Ferris Road.

### **Background:**

The City owns and leases the café space in the new terminal building. The City desires to have a proprietor operate the café to boost activity and business at the Airport. This agenda item brings forward a commercial lease agreement for 950 Ferris Road, Suite 100, for a tenant, Mr. Jack Pyland.

### **Operational Considerations:**

The City commercial lease is used for airport businesses. The lease requires the operator to have the café open at least each Friday through Monday from 7:00 a.m. to 3:00 p.m. The operator may close one day per week as long as that day is either Tuesday, Wednesday, or Thursday.

### **Legal Considerations:**

The Proposal was processed in accordance with all local and state bidding statutes. One response was received. The lease agreement was reviewed and approved by the City Attorney.

### **Public Information Considerations:**

The bid was issued April 27, 2021, at 10:00 a.m. The pre-bid meeting was held May 12, 2021, at 3:00 p.m. The bid closed May 20, 2021, at 3:00 p.m.

### **Fiscal Impact:**

The monthly lease rate is \$125 per month for the first nine months, then \$250 per month plus 5% of monthly net sales receipts. The term of the lease is for three years with a two-year extension option.

### **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

Exhibit A

RFP

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

## Item 2.

**Meeting Date:** 07/26/2021

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

**Goal(s):** Effective Municipal Operations  
Sound Infrastructure

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

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### **Agenda Caption:**

Consider a resolution awarding RFP 2021-37 to Knight Security Systems, Inc. (KSS) for the installation of an open option access control security system, in an amount not to exceed one hundred twenty-seven thousand, five hundred thirty-eight dollars and five cents (\$127,538.05) for the following city properties: Public Safety Building (100 Craig Shaw Memorial Parkway), Municipal Court (220 West Main Street), Fire Station #2 (3132 North Houston School Road), Veterans Memorial Library (1600 Veterans Memorial Parkway), Recreation Center (1700 Veterans Memorial Parkway), Senior Life Center (240 Veterans Memorial Parkway), Fleet Maintenance (631 East Third Street), Municipal Center (211 North Henry Street), Animal Shelter (690 East Main Street), 700 East Main Street, Lancaster Regional Airport (950 Ferris Road), James R. Williams Pump Station (1999 North Jefferson Street), and Fire Station #3 (1960 West Beltline Road).

### **Background:**

The installation of an open option access security system was identified as one of various preventative measures to limit the spread of the COVID-19 virus at a workplace. The new automated system would allow authorized individuals or employees to unlock a secure city facility door without physically touching the door handle, but rather by utilizing their employee identification card. Staff received preliminary quotes from multiple companies and estimates required a competitive bid.

### **Legal Considerations:**

This bid was processed in accordance with all local and state purchasing statutes. Bids were advertised in the Focus Daily News on May 20 and 23, 2021. Bids were posted on the City's electronic procurement system. A pre-bid meeting was held on June 23, 2021, and bids were opened on July 8, 2021. One bid was received from Knight Security Systems, Inc.

### **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:**

The open option access control security system will be funded through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds. The contract total will not exceed one hundred twenty-seven thousand, five hundred thirty-eight dollars, and five cents (\$127,538.05).

### **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.

**Attachments**

Resolution

Letter

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

Item 3.

**Meeting Date:** 07/26/2021

**Policy Statement:** This request supports the City Council 2021-2022 Policy Agenda

**Goal(s):** Financially Sound City Government  
Sound Infrastructure

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

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### **Agenda Caption:**

Consider a resolution ratifying the terms and conditions of an asset transfer agreement between North Central Texas Council of Governments (NCTCOG), STAR Transit (Transferring Agency), and the City of Lancaster (Receiving Agency) related to the transfer of a 2014 El Dorado Aerotech 240 vehicle from the transferring agency to the receiving agency.

### **Background:**

On September 13, 2019, the City of Lancaster opted in to participate in the North Central Texas Council of Governments (NCTCG) vehicle loaner program, which allows NCTCOG to transfer possession and title of certain transit vehicles to a receiving agency in exchange for a receiving agency agreeing to operate and maintain the vehicles.

The City of Lancaster was selected as a receiving agency, allowing for the City to take possession and title of a 2014 El Dorado Aerotech 240. With the ratification of this agreement, the City is expected to receive the vehicle within 30 days of executing the agreement. The vehicle will be utilized for the purpose of transporting senior life center participants.

### **Legal Considerations:**

The City Attorney has reviewed and approved the agreement and resolution, 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:**

There are no cost associated with the transfer of the vehicle (2014 El Dorado Aerotech 240) to the City of Lancaster.

### **Options/Alternatives:**

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

### **Recommendation:**

Staff recommends approval of the resolution.

### **Attachments**

Resolution  
Exhibit 1

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

Item 4.

**Meeting Date:** 07/26/2021

**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

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### **Agenda Caption:**

Z21-12 Conduct a public hearing and consider an amendment to Ordinance 2002-05-16 Planned Development-Retail (PD-R) to certain uses in Area "C" Tract 2 of the PD. The property is addressed as 2715 West Belt Line Road and is located approximately 1,700 feet west of North Houston School Road and north of West Belt Line Road. The property is more particularly described as a tract of land situated in the George K. Sneed Survey Abstract No. 1278, City of Lancaster, Dallas County, Texas.

### **Background:**

1. **Location and size:** The property is located approximately 1,700 feet west of North Houston School Road and north of West Belt Line Road and is one (1) acre in size.
2. **Current Zoning:** The subject property is currently zoned Planned Development - Retail (PD-R)

3. **Adjacent Properties:**

North: Planned Development - Retail (PD-R) - (Vacant)  
South: Agricultural Open (A-O) - (Vacant)  
East: Planned Development - Retail (PD-R) - (Vacant)  
West: Planned Development - Single Family (PD-SF) - (Vacant)

4. **Comprehensive Plan Compatibility:**

The Future Land Use Map of the Comprehensive Plan identifies this site as suitable for residential uses and the proposed retail uses are not consistent with the Future Land Use Plan of the 2016 Comprehensive Plan.

5. **Case History:**

Date	Body	Action
04/15/02	P&Z	Z02-06 Recommended rezoning approval from AO to PD-R
05/13/02	CC	Z02-06 Approved rezoning from AO to PD-R
07/06/21	P&Z	Z21-12 Recommended denial of PD Amendment

### **Operational Considerations:**

This is a request to amend Ordinance 2002-05-16 Planned Development - Retail (PD-R) to allow



financial services, restaurants, florists, barber or beauty shops, grocery stores, personal service, dry cleaning and laundry, electronics store, shopping center, and pharmacy uses in Area "C" Tract 2 of the PD. Currently, Area "C" of the PD does not allow retail uses; uses that are allowed in Area "C" presently are as follows;

**Permitted Uses for Area "C"**

- A. All uses permitted for Area "A"
- B. Religious Institutions
- C. Day Care Centers
- D. Business or Trade School
- E. Veterinarian (with or without outside kennels)
- F. Assisted Living, Nursing Home Facility, or Retirement Community
- G. Uses that are allowed in Area "A" are as follows:

**Permitted Uses for Area "A"**

- 1. Professional and Administrative Offices including but not limited to doctors, lawyers, architects, surveyors, real estate, banks, and similar offices
- 2. Accessory Buildings and Uses

Pursuant to Section 14.1101 of the Lancaster Development Code (LDC), when reviewing a zoning change, there are five (5) considerations that must be made. The following is an analysis of these considerations:

**Consistency with the Comprehensive Plan:** The City's 2016 Comprehensive Plan identifies this site as suitable for rural living. Rural living is focused on areas of the community that have the ability to preserve a rural character. This includes estate residential type areas. The high-end character of this housing is primarily focused on serving the needs of executives with densities of less than 2 dwelling units per acre. Primary land uses are single-family detached homes with secondary land uses such as civic & institutional uses, parks and open space. The requested PD-R amendment for retail uses is therefore not consistent with the Future Land Use Plan of the 2016 Comprehensive Plan.

**Potential Impact on Adjacent Development:** The subject property is currently undeveloped. All the surrounding properties to the north, south, east, and west are also undeveloped. This prospective development does not meet the vision as set forth by City Council when the 2016 Comprehensive Plan was adopted.

**Availability of utilities and access:** The subject property is served by City of Lancaster sewer and water; the applicant will be responsible for connecting to those utilities. Access to the property is via W. Belt Line Road.

**Site conditions such as vegetation, topography, and flood plain:** The site is currently undeveloped. Upon construction of this site, factors such as vegetation, topography, and flood plain issues will be addressed as part of the site plan approval process and more specifically during the civil review before construction.

**Timing of Development as it relates to Lancaster's Capital Improvement Plan:** The City of Lancaster Capital Improvement Plan does have improvement plans for W. Belt Line Road which is envisioned to be a Major Arterial Type A (6 Lanes). Rights-of-way dedication if any will be required at the time of platting.

Based upon an analysis of the five (5) considerations that must be taken into consideration when reviewing a change in zoning application, the proposed application will adversely affect the potential development of adjacent properties as envisioned by the 2016 Comprehensive Plan. The proposed zoning is also not consistent with the Future Land Use Plan of the 2016 Comprehensive Plan.

**Public Information Considerations:**

On June 20, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There were no letters in opposition or support for this zoning change request received.

**Options/Alternatives:**

1. The City Council may approve the proposed PD-R amendment request, as presented.
2. The City Council may approve the proposed PD-R amendment request with changes and state those changes.
3. The City Council may deny the proposed PD-R amendment request, as presented.

**Recommendation:**

At the July 6, 2021 meeting, the Planning and Zoning Commission recommended denial of this item and staff concurs with the Planning and Zoning Commission's recommendation.

**Attachments**

Location Map

Site Plan Exhibit

Elevation Plan Exhibit

Original PD-R Ordinance

P&Z Staff Report

July 6, 2021 P&Z Draft Minutes

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

## Item 5.

**Meeting Date:** 07/26/2021

**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

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### **Agenda Caption:**

Z21-15 Conduct a public hearing and consider a Specific Use Permit (SUP) request for a gas station with eight (8) fuel dispensers; fast food restaurant, retail stores, and convenience store to be located within 150 feet of a residential district on a property located on the southwest corner of West Wintergreen Road and North Houston School Road. The property is more particularly described as a tract of land situated in the Marady Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

### **Background:**

1. **Location and Size:** The property is located on the southwest corner of West Wintergreen Road and North Houston School Road and is 8.28 acres in size.
2. **Current Zoning:** The subject property is currently zoned Retail (R).
3. **Adjacent Properties:**  
North: Light Industrial (LI) - (Houston School Road Industrial Park)  
South: Retail (R)- (Vacant)  
East: Zero Lot Line Single Family Residential (ZL-7) - (Single Family Residential Homes)  
West: Retail (R) - (Vacant)
4. **Comprehensive Plan Compatibility:** The Future Land Use Plan of the Comprehensive Plan identifies this site as being suitable for regional commercial uses. This request is not consistent with the Future Land Use Plan of the 2016 Comprehensive Plan.
5. **Case History:**

Date	Body	Action
02/04/20	P&Z	Z20-01 Postponed to the April 7, 2020 P&Z meeting
04/07/20	P&Z	Z20-01 Recommended for denial

The previous applicant requested that item number Z20-01 be postponed to the March 3, 2020, Planning and Zoning Meeting, however, at the February 4, 2020, Planning and Zoning meeting, the City attorney recommended to the applicants that this case be postponed to the April 7, 2020, Planning and Zoning meeting in order to allow the applicant more time to address the outstanding issues. The applicant agreed for the case to be postponed to the April 7, 2020, Planning and Zoning regular meeting.

On April 2, 2020, the applicant again requested for the item to be postponed to the next Planning and Zoning Commission meeting that would be held in person. At that time, the applicant sought an in-person meeting only and did not want to participate in virtual meetings.

On April 7, 2020, Planning and Zoning meeting, staff recommended denial of the applicant's request to postpone the item to a future meeting and denial of the case and the Planning and Zoning Commission concurred with staff's recommendation.

Although the Z21-15 application has been initiated by a new representative, property ownership remains the same. In accordance with the Lancaster Development Code, Sec 14.204, Authority to Initiate a Request, "all...zoning and site plan requests...may be initiated by the owner of the affected property or his/or her authorized representative who files the required application". The initial request (Z20-01) was a request for a Specific Use Permit (SUP) for a gas station with eight (8) fuel dispensers and a self-service carwash; an exception for four (4) semi-truck fueling canopies; a fast food restaurant and a convenience store. The current application (Z21-15) is a Specific Use Permit (SUP) for a gas station with eight (8) fuel dispensers; a fast-food restaurant, retail stores and a convenience store.

### **Operational Considerations:**

This is a request to consider a Specific Use Permit (SUP) for a gas station with eight (8) fuel dispensers; a fast-food restaurant, retail stores, and a convenience store to be located within 150 feet of a residential district at the southwest corner of West Wintergreen Road and North Houston School Road.

Lancaster Development Code (LDC) Regulations states that:

- A retail store with more than two (2) fuel dispensers requires an SUP in the Retail zoning district.
- Combination of a gas station, a fast-food restaurant, and a convenience store uses are not permitted within one hundred fifty feet (150') of a residential district.

Pursuant to Section 14.1101 of the Lancaster Development Code (LDC), when reviewing a zoning change application, there are five (5) considerations that must be made. The following is an analysis of these considerations:

### **Consistency with the Comprehensive Plan:**

The City's 2016 Comprehensive Plan identifies this site as suitable for regional commercial development. The Future Land Use Map identifies this property as a Commercial Node. Commercial Nodes occur at major intersections and based on the place types, commercial nodes would allow community or regional commercial centers. Commercial centers are commercial developments that include predominantly retail businesses with access driveways or parking spaces shared by one or more of the businesses. The proposed combination is not compatible with the Comprehensive Plan's designation for regional commercial development.

The Lancaster Development Code (LDC), Section 14.501 General, Subsection H. Combination Gas Station, Fast Food Restaurant, Convenience Store, (1) states that Combination of a gas station, fast-food restaurant, convenience store shall not be permitted within one hundred fifty feet (150') of a residential district. The proposed combination of uses are within 150 feet of a residential district to the east. This combination is also incompatible with the comprehensive plan for regional commercial development.

### **Potential Impact on Adjacent Development:**

The subject property is currently undeveloped. Properties to the west and south are also not developed. The properties to the east are occupied by single-family homes and the property to the north is a distribution center.

### **Availability of utilities and access:**

The subject property is served by City of Lancaster sewer and water. The applicant would be responsible for connecting to those utilities.

### **Site conditions such as vegetation, topography, and flood plain:**

The site is currently undeveloped. Upon construction of this site, factors such as vegetation, topography, and flood plain issues are required to be addressed during the civil review before construction.

**Timing of Development as it relates to Lancaster's Capital Improvement Plan:**

The City of Lancaster Capital Improvement Plan (CIP) does not have improvement plans for North Houston School Road. The Master Thoroughfare Plan identifies both West Wintergreen Road and Houston School Road as Major Arterial Type B 100 feet rights-of-way. The existing rights-of-way on West Wintergreen Road vary and 44 to 56 feet of rights-of-way is required to be dedicated along Wintergreen Road. Houston School Road is 100 feet of rights-of-way and no rights-of-way dedication is required.

Based upon an analysis of the five (5) considerations that must be taken into consideration when reviewing a change in zoning application, staff recommends denial of the request for a gas station with eight (8) fuel dispensers, fast food restaurant, retail stores, and convenience store to be located within 150 feet of a residential district.

**Reasons for denial recommendation:**

Section 14.504 Commercial Districts, Subsection (c) Retail (R) District (1) Purpose A, B & D, of the LDC, states that;

A. "The Retail District is established to provide limited retail and service uses for one or more neighborhoods. The uses specified in this district include most types of retail activity and are located on, or at the intersections of, major thoroughfares. This district does not include strip commercial, large shopping centers, wholesaling operations, lumberyards, contractor yards, and warehousing with high volumes of truck traffic and low volumes of retail type traffic."

B "This district will not be a major retail district, and will try to avoid intensive commercial uses and large volumes of retail traffic. The noise, traffic, litter, late-night hours, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares."

C. "This zone is a light retail zone, and it is intended that limited commercial uses fall in this district. Since the zone will be located close to residential areas, the development standards are stringent and require as high a standard of development as the Retail and Neighborhood Services districts."

**Public Information Considerations:**

On June 20, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There are two (2) letters in opposition of this zoning change request.

**Options/Alternatives:**

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

**Recommendation:**

Staff recommends denial of the SUP request for a gas station with eight (8) fuel dispensers; fast food

restaurant, retail stores and convenience store to be located within 150 feet of a residential district.

**Attachments**

Location Map

Site Plan Exhibit

Landscape Plan Exhibit

Elevation Plan Exhibit

Letters in opposition

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## CITY OF LANCASTER CITY COUNCIL

### City Council Regular Meeting

Item 6.

**Meeting Date:** 07/26/2021

**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

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#### **Agenda Caption:**

M21- 27 Discuss and consider an ordinance granting an exception to the City's Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.008 to allow the use of a black vinyl coated chain link fence on the property addressed as 2001 Danieldale Road and described as being 14.73 acres of land situated in the Nathan P. Pierce Survey, Abstract No. 1132, City of Lancaster, Dallas County, Texas.

#### **Background:**

1. **Location and Size:** The property is located on the north side of Cedardale Road, southeast of Danieldale Road, approximately 360 feet west of Franklin Street. The property is approximately 14.73 acres in size.
2. **Current Zoning:** The subject property is currently zoned Planned Development - 66 (PD-66).
3. **Adjacent Properties:**  
North: Planned Development-66 (PD-66), Occupied Logistics Building  
South: Planned Development-73 (PD-73), Residential Use (Boardwalk Phases 1 & 2)  
East: Single Family-5 (SF-5), Residential Use (Cedardale Highlands and Evelyn Kelly Additions)  
West: Planned Development-66 (PD-66), Occupied Logistics Building

#### 4. **Case History:**

Date	Body	Action
12/17/1996	P&Z	Z96-22 Planned Development recommended for Approval
02/10/1997	CC	Z96-22 Planned Development-36 Approved
08/17/2004	P&Z	Z04-21 Lancaster Business Park Hearing and Consideration
08/24/2004	P&Z	Z04-21 Lancaster Business Park Recommended for Approval
09/13/2004	CC	Z04-21 Lancaster Business Park Approval
10/01/2012	CC & P&Z	Z12-05 Prologis Park 20/35 Planned Development - 66 Recommended for Approval
10/01/2012	CC & P&Z	Z12-05 Prologis Park 20/35 Planned Development - 66 Approval
03/26/2018	CC	M18-02 Amend the PD concept plan without zoning change - Approved
02/05/2019	P&Z	PS19-05 Approved replat subdividing one lot into two lots (Lot 5R & 10)

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### **Operational Considerations:**

This is a request for a seven (7) feet high black vinyl coated chain link fence at Park 20/35 Building 8, Lot 10 Block 1. Section 6.07.008 Fence Construction, Materials, and Setback of the fence ordinance states that (a) "All fences, unless prohibited elsewhere in this Article, shall be constructed or maintained with wood, brick, stone, concrete, vinyl, ornamental iron or other materials as approved by the City Manager or his/her designee. Fence posts shall be constructed or made of metal, brick, stone, concrete, fiberglass, or other material as approved by the City Manager or his/her designee. All fence posts must be placed at a depth of at least twenty-four (24) inches into the ground filled and anchored with concrete footers or encasement".

The applicant contends that the black vinyl coated chain link fence will be used for security purposes on site. That the fencing will not be visible from rights-of-way as it will be screened with the existing landscape berm and living screen along Cedardale Road. The fencing is set back well into the site to provide security for the facility. The fence will have black slats within the fencing in specific areas to provide additional screening towards residential area on Cedardale Road.

### **Staff Analysis:**

The proposed fence will be at a property that has an existing building with only one (1) side that faces a public street, Cedardale Road. The existing building on the property is centered and covers three-quarters (3/4) of the length of the site along Cedardale Road. Additionally, there are two masonry wingwalls that are attached to the west and east side of the building. The building and the two wingwalls facing Cedardale Road extend almost the entire length equal to the frontage leaving an eighth (1/8) of distance remaining on each side of the building for the fences to cover. As noted above, the fencing is set back well into the site to provide security for the facility with all employee and customer parking spaces along Cedardale Road outside the proposed fenced area. The fence will not be visible from Cedardale Road given the location and small space where the fence will be installed in addition to the grass berm and the living screen shown in the attached pictures.

The fence will not substantially or permanently injure the appropriate use of the adjacent property and will not adversely affect the health, safety, or general welfare of the public. This exception will not be contrary to the public interest and will not authorize the operation of a use other than those uses specifically authorized for the district. Therefore staff recommends approval of the exception subject to a requirement upon the property owner, and any successors-in-interest to both enhance and maintain the landscaping and the grass berm blocking the view of the fence from Cedardale Road all year round.

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



**Recommendation:**

Staff recommends approval of the exception subject to a requirement upon the property owner, and any successors-in-interest maintaining the living screen and grass berm blocking the view of the fence from Cedardale Road all year round.

**Attachments**

Ordinance

Location Map

Letter of Intent

Pictures of the Fence

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

Item 7.

**Meeting Date:** 07/26/2021

**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

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### **Agenda Caption:**

M21-29 Discuss and consider a resolution accepting one (1) water and/or wastewater easement (a 19,798 square feet or 0.4545 acre) water and/or wastewater easement from the Estate of Dorothy Roddy, (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water and/or wastewater system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.

### **Background:**

This is a request for one (1) water and/or wastewater easement for the purpose of extending a public sewer line to serve Lot 1, Block 1 for Southridge Industrial Park. The property to be served by this line consists of 291.68 acres and is located at the southwest corner of Belt Line Road and Sunrise Road.

The Public Works staff has verified that the location of the proposed public water and/or wastewater easement is acceptable. Having identified the location of these facilities, an easement must be granted by the property owner which must be considered and approved by City Council.

### **Operational Considerations:**

The City Council must consider accepting the water and/or wastewater easement as it has been determined to serve a public purpose and is of use to the City.

### **Legal Considerations:**

The resolution 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 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

Location Map

Easement Exhibits A-1 and A-2

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# CITY OF LANCASTER CITY COUNCIL

## City Council Regular Meeting

Item 8.

**Meeting Date:** 07/26/2021

**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

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### **Agenda Caption:**

M21-30 Discuss and consider a resolution accepting one (1) water and/or wastewater easement (a 56,212 square feet or 1.290 acres) water and/or wastewater easement from TXWL, LLC, (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a water and/or wastewater line and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water and/or wastewater system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.

### **Background:**

This is a request for one (1) water and/or wastewater easement for the purpose of extending a public sewer line to serve Lot 1, Block 1 Westridge Industrial Park. The property to be served by this line consists of 167.256 acres and is located at the southwest corner of Pleasant Run Road and Cornell Road.

The Public Works staff has verified that the location of the proposed public water and/or wastewater easement is acceptable. Having identified the location of these facilities, an easement must be granted by the property owner, which must be considered and approved by City Council.

### **Operational Considerations:**

The City Council must consider accepting the water and/or wastewater easement as it has been determined to serve a public purpose and is of use to the City.

### **Legal Considerations:**

The resolution 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 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

Location Map

Easement Exhibit

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