



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



Monday, February 28, 2022 - 7:00 PM

While one or more City Council Members may be present via video or audio link, a quorum of the City Council will be at the Municipal Center-City Council Chambers, as required by the Texas Open Meetings Act.

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/tZ0sdOCqjKpHtEAb6Ynm9Zq8RXzHn9GHv3>

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: Rev. Kevin Norvell, Redeemer Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Councilmember Betty Gooden-Davis

PROCLAMATION: Severe weather

PUBLIC TESTIMONY/CITIZENS 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 October 25, 2021, and November 8, 2021, and Special Meeting held on November 15, 2021.
2. Consider a resolution accepting the 2021 Lancaster Police Department Racial Profiling Analysis Annual Report.

3. Consider a resolution accepting the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021.

PUBLIC HEARING:

4. M19-07 Conduct a public hearing and consider an ordinance adopting the I-35E and Loop 9 Corridor Studies.

ACTION:

5. M22-06 Discuss and consider a height exception to the Lancaster Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.005 to allow the use of a six (6) foot ornamental fence on property addressed as 2820 N. I-35E. The property is described as a tract of land situated in the William Howerton Survey, Abstract No. 559, City of Lancaster, Dallas County, Texas.
6. M22-10 Discuss and consider an ordinance granting a height exception to the Lancaster Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.005 to allow the installed six (6) foot iron ornamental and wood fence on property addressed as 4150 North Dallas Avenue. The property is described as being out of the George Floyd Survey, Abstract No. 463 and Smith Elkins Survey, Abstract No. 430, City of Lancaster and City of Dallas, Dallas County, Texas.
7. M22-11 Discuss and consider exception requests to Section 14.402 (h)(1)(B) Auto Repair Garage, Major of the Lancaster Development Code (LDC) to allow garage doors to face the street and Section 14.402 (h)(4)(A) to allow entrances and exits of a carwash to directly face a public street. The property is located on the south side of Pleasant Run Road and 251 feet west of Westridge Avenue and is specifically addressed as 720 West Pleasant Run Road, City of Lancaster, Dallas County, Texas.
8. M22-12 Discuss and consider a resolution accepting one (1) water easement (a 800 square feet or 0.018 acre) water easement from White Tract Owner, LLC, (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 system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.
9. Consider a resolution for the City of Lancaster to participate in the proposed opioid settlements brought by the state of Texas and other jurisdictions against various pharmaceutical companies for their roles in the national opioid crisis.

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 February 25, 2022, @ 6:55 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

A handwritten signature in blue ink, reading "Carey D. Neal, Jr.", is positioned above a solid black horizontal line.

Carey D. Neal, Jr.

Assistant City Manager

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 1.

Meeting Date: 02/28/2022

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

Goal(s): Financially Sound 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 October 25, 2021, and November 8, 2021, and Special Meeting held on November 15, 2021.

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on October 25, 2021, and November 8, 2021, and Special Meeting held on November 15, 2021.

Attachments

October 25, 2021 Draft Minutes
November 8, 2021 Draft Minutes
November 15, 2021 Draft Minutes

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 02/28/2022

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

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Sam Urbanski, Police Chief

Agenda Caption:

Consider a resolution accepting the 2021 Lancaster Police Department Racial Profiling Analysis Annual Report.

Background:

Effective September 1, 2001, the Texas Legislature enacted the Texas Racial Profiling Law (S.B. No. 1074). The Texas Code of Criminal Procedure requires that law enforcement agencies collect information relating to traffic stops in which a citation is issued and arrests resulting from those traffic stops. The Texas Code of Criminal Procedure further requires that law enforcement agencies compile and analyze this information and submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency. City Council received a presentation at the February 21, 2022, Work Session .

Attached is the 2021 Lancaster Police Department Racial Profiling Analysis as prepared by representative experts from the University of North Texas. The Police Department had no sustained racial profiling complaints in 2021.

Beginning January 2011, the Texas Commission on Law Enforcement Standards and Education (TCOLE) posts a copy of each police department's racial profiling report on its website.

To further ensure transparency, the annual report will also be available on the city website.

Operational Considerations:

The Lancaster Police Department has adopted a detailed, written policy on racial profiling and currently collects the required information on racial profiling as required by State Law. The Lancaster Police Department contracted with the University of North Texas for the examination of contact data.

Legal Considerations:

The Texas Code of Criminal Procedure requires that the Lancaster Police Department 2021 Racial Profiling Analysis Report be submitted to the City of Lancaster's governing body. 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 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

Exhibit A

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 02/28/2022

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

Goal(s): Financially Sound Government

Submitted by: Michael Delmore, Director of Finance

Agenda Caption:

Consider a resolution accepting the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021.

Background:

At the City Council work session held on February 21, 2022, Council received a presentation from BKD LLP, CPAs & Advisors, the independent certified public accounting firm that performed the annual audit of the City of Lancaster's general government and its component units.

This item is to formally accept the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2021. The City engaged the independent certified public accounting firm BKD LLP, CPAs & Advisors, to perform the annual audit of the City of Lancaster and its component units for the eighth consecutive year. The audit fieldwork began in November 2021 and concluded in February 2022.

Operational Considerations:

The ACFR is distributed to numerous financial institutions, bond rating agencies, the City's financial advisors, and grantors to comply with financial disclosure requirements. This report is designed to provide readers with an understanding of the financial status of the City and its results of operations. The City received a clean audit with no findings and no comments.

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 the City Council noticed in accordance with the Texas Open Meetings Act.

Fiscal Impact:

The annual audit was prepared in compliance with generally accepted accounting principles accepted in the United States (GAAP). The audit was also prepared in compliance with accounting principles accepted by (GASB) Government Accounting Standards Board. The information is fairly stated in all material respects in relation to the basic financial statements.

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

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 02/28/2022

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

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

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M19-07 Conduct a public hearing and consider an ordinance adopting the I-35E and Loop 9 Corridor Studies.

Background:

The City Council, during its FY 2018/2019 and 2019/2020 Strategic Planning Session, identified the objective of conducting and completing the Loop 9 and I-35E Corridor Studies, and made recommendations.

A Request For Qualifications (RFQs) was issued in September 2019 and no proposals were received. Staff re-issued the RFQ in October 2019 and Halff Associates was selected out of four firms that were interviewed to do the Loop 9 and I-35E Corridor Studies.

On February 17, 2020, the City Council received a presentation from Halff Associates on the proposed scope of work the firm intended to utilize for completing the Loop 9 and I-35E Corridor Studies.

Halff Associates kicked off Loop 9 and I-35E Corridor Studies in August 2020; gathering staff related data from staff that would aid the studies.

On September 22, 2020, Halff Associates held meetings with stakeholders, allied organizations, city staff and the first joint work session with the City Council and the Planning & Zoning Commission. These different groups participated in visioning exercises to provide input on existing conditions, future opportunities, and potential barriers for both the Loop 9 and I-35E corridors.

On October 15, 2020, City staff and the consultant team participated in a driving tour of the Loop 9 and I-35E corridors to get familiar with and gain further insight on the existing conditions of the corridors to inform future recommendations.

On December 17, 2020, City staff, City Council, and the consultant team participated in a regional driving tour of the two project corridors as well as two visionary corridors (I-20 in Grand Prairie/Arlington and SH 161 in Las Colinas) to view examples of other corridors in the DFW Metroplex that have elements that could work in Lancaster in the future.

On January 14, 2021, the first Virtual Open House was held to provide information about the project and input opportunities for the public. Two engagement methods were made available at this time, an online community survey and a virtual public engagement room, which was a virtual platform that included the type of engagement opportunities seen at a traditional in-person open house.

January 25, 2021 – Scenario Workshop Sessions were separately held for City Council, Planning &

Zoning Commission, City Staff, Allied Organizations and Stakeholders. During these sessions, the focus was on identifying needs in areas such as connectivity, access, development/redevelopment, and land use.

April 19, 2021 – City Council and the Planning & Zoning Commission participated in a second joint work session and reviewed the draft scenarios for the two corridors and provided feedback on the overall draft vision.

July 19, 2021 - Halff Associates provided an update related to the Loop 9 and I-35E Corridor Studies at a third joint meeting with the City Council and Planning & Zoning Commission. During the meeting, the project team discussed the draft preferred scenarios, character sub-district information, and fiscal analysis of the scenarios.

At the January 4, 2022, the Planning and Zoning Commission conducted a public hearing and recommended approval of the Loop 9 and I-35E Corridor Studies.

Since January 4, 2022, the Planning and Zoning Commission meeting and their recommendation, staff met with the Consultant and a few changes were made, which are as follows:

- References to 'overlay district' were removed.
- Alternative scenario discussion was moved to the Appendix
- Residential photos were replaced to be consistent with those shown in the quality residential study.
- The gateway map was adjusted to be consistent with the 2020 Streetscape Master Plan (everything is consistent except for two additional proposed gateways added as part of this corridor study plan process – a major gateway at the future I-35E/Loop 9 interchange and a minor gateway at Loop 9 and the eastern city limits)
- Corrected page number references

This meeting is the final Loop 9 and I-35E Corridor Studies Draft presentation to the City Council.

Halff Associates will make a presentation to the City Council regarding Loop 9 and I-35E Corridor Studies and present the final draft report.

Operational Considerations:

The 2016 Comprehensive Plan Implementation Strategy number 6.06 states the need to "Establish design guidelines or regulations for development and adaptive reuse along I-35E". Furthermore, Implementation Strategy number 1.02 says that "Conduct a detailed land use and design study for the areas along the potential Loop 9 right-of-way and implement this study through rezoning and other changes to the City's development regulations".

Legal Considerations:

The City Attorney has reviewed and approved the ordinance, as of form. 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 February 13, 2022, a notice for this public hearing appeared in the Focus Daily Newspaper.

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:

On January 4, 2022 the Planning and Zoning Commission recommended approval of the I-35E and Loop 9 Corridor Studies. Staff concurs with the Planning and Zoning Commission and recommends approval of the ordinance, as presented.

Attachments

Ordinance

Corridor Studies

P&Z Staff Report

January 4, 2022 P&Z Draft Minutes

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 5.

Meeting Date: 02/28/2022

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

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

Submitted by: Vicki D. Coleman, Director of Development Services

Agenda Caption:

M22-06 Discuss and consider a height exception to the Lancaster Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.005 to allow the use of a six (6) foot ornamental fence on property addressed as 2820 N. I-35E. The property is described as a tract of land situated in the William Howerton Survey, Abstract No. 559, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and Size:** The property is located on the southeast corner of N. I-35E and West Drive and consists of 47.15 acres of land.
2. **Current Zoning:** The subject property is currently zoned Commercial Highway (CH) and Light Industrial (LI) with a Specific Use Permit (SUP) for a warehouse.
3. **Adjacent Properties:**
North Commercial Highway (CH) - D&J Construction and vacant lots
South Commercial Highway (CH) - Residential Houses and vacant residential lots
East Light Industrial (LI) - Bus Facility
West I-35E Service Road (DeSoto, TX)
4. **Comprehensive Plan Compatibility:** The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Commercial Highway uses. The existing warehouse is consistent with the Comprehensive Plan.
5. **Case History:**

Date	Body	Action
05/1/2007	P&Z	Z07-14 SUP for Warehouse, Recommended Approval
06/11/2007	CC	Z07-14 Approved SUP for Warehouse
11/07/2017	P&Z	PS17-22 Approved Preliminary Plat
09/04/2018	P&Z	PS18-22 Approved the Final Plat
08/06/2019	P&Z	PS19-17 Re-Approved Final Plat

Operational Considerations:

This is an exception request to install a six (6) foot ornamental fence at 2820 N. I-35E. The applicant is proposing a six (6) foot ornamental fence. The Lancaster Code of Ordinances Chapter 6, Fence Regulations Section 6.07.005 Height Limitation in Front Yards states that front yard fences shall be

constructed within the required front yard according to the following: (1) "The fence is forty-eight (48) inches or less in height, and the fence is fifty (50) percent visibility open (no solid fences)".

The applicant contends that the six (6) foot fence is for additional security reasons. They have deployed additional measures such as hiring security, filing police reports, and adjusting security strategies.

Front fences have a significant impact on a building's curb appeal and landscape design, thereby enhancing value to the associated facility and/or building when carefully chosen and done well. The City Council just concluded the I-35E and Loop 9 Corridor Studies in an effort to guide the type and character of development along these major corridors to the west and south portions of the city. I-35E being the City's main corridor, a six (6) foot front yard fence should be screened with living materials to offset the visible effects that the fence has without screening.

Staff recommends that the applicant install a six (6) foot ornamental fence and plant shrubs and trees outside the proposed fence for screening purposes. The shrubs and trees should achieve a minimum of six (6) feet in height at maturity to fully screen the proposed ornamental fence on the property and the applicant concurs with staff's recommendation.

Legal Considerations:

This 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 noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the request subject to: 1. Installation of a six (6) foot ornamental fence. 2. Planting of shrubs and trees outside the proposed fence along the entire front yard perimeter of the property for screening purposes; trees and shrubs should achieve a minimum of six (6) feet in height at maturity. 3. A requirement upon the property owner, and any successors-in-interest to both enhance and maintain the shrubs and trees screening the view of the installed fence from N. I-35E all year round.

Attachments

Ordinance

Letter of Intent

Fence Location Exhibit

Fence Exhibit

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 6.

Meeting Date: 02/28/2022

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

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

Submitted by: Vicki D. Coleman, Director of Development Services

Agenda Caption:

M22-10 Discuss and consider an ordinance granting a height exception to the Lancaster Code of Ordinances Chapter 6, Fence Regulations, Sec 6.07.005 to allow the installed six (6) foot iron ornamental and wood fence on property addressed as 4150 North Dallas Avenue. The property is described as being out of the George Floyd Survey, Abstract No. 463 and Smith Elkins Survey, Abstract No. 430, City of Lancaster and City of Dallas, Dallas County, Texas.

Background:

1. **Location and Size:** The property is addressed as 4150 North Dallas Avenue and is approximately 28.792 acres in size.
2. **Current Zoning:** The subject property is currently zoned Commercial Highway (CH).
3. **Adjacent Properties:**
North: Commercial Highway (CH) - Vacant and Single-Family Home
South: Commercial Highway (CH) - Single-Family Home
East: City of Dallas
West: Commercial Highway (CH) - Vacant and Agricultural Building
4. **Comprehensive Plan Compatibility:**
The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Logistics/Distribution uses. The existing cold storage warehouse/distribution use is consistent with the Future Land Use Plan of the Comprehensive Plan.
5. **Case History:**

Date	Body	Action
10/06/2020	P&Z	PS20-19 Preliminary Plat Approved

Operational Considerations:

This is an exception request to allow the installed six (6) foot iron ornamental and wood fence to exceed the maximum fence height by two feet and exceed the maximum allowable visibility along the 4150 North Dallas Avenue frontage. The applicant installed a (6) foot ornamental and wood fence at the front perimeter of the site without a permit. The Code of Ordinances Section 6.07.005 Height Limitation In Front Yards states that "front yard fences shall be constructed within the required front yard according to the following: (1) The fence is forty-eight (48) inches or less in height, and the fence is fifty (50) percent visibility open (no solid fences)".

The applicant was issued a Notice of Violation for installing a fence without the required permit. In their application for an exception, the applicant highlighted the need to secure the property as the main reason. The installed fence exceeds the allowable height limit by 2 feet and does not meet the minimum visibility requirements on the north end of the fence that fronts N. Dallas Avenue; the applicant installed wood fence. The wood portion of the fence is opaque violating both the height limit and the fifty (50) percent fence visibility required by the ordinance.

Front fences increase a facility and/or building's curb appeal and elevate landscape design by adding value to the associated facility and/or building. As such, the height and the openness of the front fence matters and a six (6) foot opaque wood front yard fence is not appealing but rather takes away from the building and its aesthetics.

N. Dallas Avenue is a major gateway into the heart of the City of Lancaster and the first differentiation of Dallas City limits of Lancaster Road and Lancaster City limits of Dallas Avenue. City Council worked with Halff Associates to have hardscape, landscape and irrigation plans for the N. Dallas Avenue Green Ribbon Project to beautify the Dallas Avenue gateway. The streetscape of the Green Ribbon Project has enhanced beautification along N. Dallas Avenue. It is in the interest of the City to ensure development at our gateway complements and enhances the corridor.

Currently, the property has shrubs on a portion and inside the installed fence. Staff recommends that the applicant replace the wood portion of the installed fence with an ornamental fence in addition to planting shrubs and trees outside the installed fence for screening and enhanced curb appeal. The shrubs and trees that will be planted should achieve a minimum height of six (6) at maturity to enhance beautification and screening along N. Dallas Avenue.

Legal Considerations:

This City Attorney has reviewed and approved this 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 request, as presented.
2. City Council may deny the request

Recommendation:

Staff recommends approval of the exception subject to the following conditions: 1. The applicant replacing the wood portion of the installed fence along Dallas Avenue with ornamental fence 2. Planting shrubs and trees outside the installed fence along the entire front yard perimeter of the property for screening purposes; trees and shrubs that will achieve a minimum of six (6) feet in height at maturity 3. A requirement upon the property owner, and any successors-in-interest to both enhance and maintain the shrubs and trees screening the view of the installed fence from Dallas Avenue all year round.

Attachments

Ordinance

Location Map

Fence Changes Sketch

Fence Pictures

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 7.

Meeting Date: 02/28/2022

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

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

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M22-11 Discuss and consider exception requests to Section 14.402 (h)(1)(B) Auto Repair Garage, Major of the Lancaster Development Code (LDC) to allow garage doors to face the street and Section 14.402 (h)(4)(A) to allow entrances and exits of a carwash to directly face a public street. The property is located on the south side of Pleasant Run Road and 251 feet west of Westridge Avenue and is specifically addressed as 720 West Pleasant Run Road, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and size:** The property is located on the south side of Pleasant Run Road and 251 feet west of Westridge Avenue and is 0.59 acre in size.

2. **Current Zoning:** The subject property is currently zoned Commercial Services (CS).

3. **Adjacent Properties:**

North: Retail (R) - (Fruit and Vegetable Market Shop)
South: Neighborhood Services (NS) - (Rehabilitation Center)
East: Commercial Services (CS) - (Auto Service Shop)
West: Neighborhood Services (NS) - (Miracle Temple Church)

4. **Comprehensive Plan Compatibility:**

The Future Land Use Map of the Comprehensive Plan identifies this site as Commercial Node. While the use is not consistent with the Future Land Use Map of the Comprehensive Plan, the City Council re-zoning to allow the proposed auto repair garage.

5. **Case History:**

Date	Body	Action
07/06/21	P&Z	Z21-13 Tabled to the August 3, 2021 P&Z meeting
08/03/21	P&Z	Z21-13 Tabled to the September 7, 2021 P&Z meeting
09/07/21	P&Z	Z21-13 Tabled to the October 5, 2021 P&Z meeting
10/05/2021	P&Z	Z21-13 Recommended for denial
10/25/2021	CC	Z21-13 Approved the zoning change

Operational Considerations:

The applicant is requesting exceptions to Section 14.402 (h)(B) Auto Repair Garage, Major of the

LDC, to allow garage doors to face the street; W. Pleasant Run Road and Section 14.402 (h)(4)(A) to allow entrances and exits of carwash to directly face a public street. Section 14.402 (h)(B) prohibits garage doors from facing a public street or a residential lot, while Section 14.402 (h)(4)(A) prohibits entrances and exits of a carwash to directly face any public street. The applicant is adding six (6) bay doors facing W. Pleasant Run Road, a Major Arterial Type A thoroughfare, in addition to a carwash with entrances and exits facing directly to the same public street. Both garage doors and carwash facing public streets are prohibited by the Sections of the LDC as noted above.

W. Pleasant Run Road is a major thoroughfare for the city and garage doors and a car wash entrance and exits on such a major arterial are unsightly and will negatively impact adjacent uses and future development along this major corridor in the city. Since the applicant is expanding an existing auto shop, the applicant has the ability/opportunity to renovate and revamp the whole property in such a way that the proposed garage doors and carwash will not face W. Pleasant Run Road. Currently, the existing shop and the associated outside vehicle storage (which is not allowed within the CS zoning district) are not esthetically pleasing when driving along W. Pleasant Run Road; adding garage doors and a carwash facing W. Pleasant Run Road will increase the unpleasant view at this intersection. Recommendations were provided that allow the applicant to develop the project with all components while not distracting from the esthetics of W. Pleasant Run Road. Suggestions such as redeveloping the property as a whole and coming up with a design that would have the garage and car wash doors not facing a public street. As such, staff recommends that the applicant consider modifying the proposed garage doors and carwash such that they do not face a major public street.

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

Recommendation:

Staff recommends denial of the exception request as presented.

Attachments

Location Map

Site Plan Exhibit

Landscape Plan Exhibit

Rendering

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 8.

Meeting Date: 02/28/2022

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

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

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M22-12 Discuss and consider a resolution accepting one (1) water easement (a 800 square feet or 0.018 acre) water easement from White Tract Owner, LLC, (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 system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.

Background:

This is a request to accept one (1) water line easement to serve Lot 3, Block 1 for Midpoint Logistics Center. The property to be served by this line consists of 37.086 acres of land located on the northwest corner of Midpoint Drive and North Dallas Avenue.

The Public Works staff has verified that the location of the proposed public water easements 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 easement as it has been determined to serve a public purpose and is of use to the City.

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 the City Council and was noticed in accordance with the Texas Open Meetings Act.

Fiscal Impact:

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
Location Map
Plat Indicating Easement Location

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 9.

Meeting Date: 02/28/2022

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

Goal(s): Healthy, Safe & Engaged Community

Submitted by: David T. Ritter, City Attorney
Opal Mauldin-Jones, City Manager

Agenda Caption:

Consider a resolution for the City of Lancaster to participate in the proposed opioid settlements brought by the state of Texas and other jurisdictions against various pharmaceutical companies for their roles in the national opioid crisis.

Background:

The State of Texas, along with a broad coalition of states and political subdivisions from across the country has sued opioid distributors and opioid manufacturers for their role in the national opioid crisis. In July 2021, Attorney General Ken Paxton announced the State of Texas joined in a multi-state settlement with McKesson, Cardinal Health, AmerisourceBergen, and Johnson & Johnson. In October 2021, The State of Texas, along with a broad coalition of states and subdivisions, reached a final settlement agreement with the four companies to resolve legal claims for their role in the opioid crisis. One agreement is with opioid manufacturer Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson which has agreed to pay \$291 million dollars into the Qualified Settlement Fund, representing Texas's allocation of the Global Abatement Settlement.

The State of Texas established the Texas Opioid Council to ensure the funds received by the state are equitably allocated to the receiving subdivisions and the funds are spent on remedying the opioid crisis in the state. Funds will be allocated based on a methodology of population health data and the prevalence of opioid incidents.

On October 25, 2021, City Council convened into Executive Session to seek legal advice from the City Attorney concerning pending or contemplated litigation on the Opioid settlement.

On December 13, 2021, the City of Lancaster City Council adopted Resolution 2021-12-105 and attached as Exhibit "C" hereto, "Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet," to take any and all other steps requested or authorized by the Texas Attorney General's Office relative to the settlements referenced to formally participate in the opioid settlements.

This item requests Council to authorize the City Manager to execute all necessary documents reflecting the City's election to also participate in "Endo/Par" and "Teva" opioid settlements.

Legal Considerations:

This 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.

Fiscal Impact:

Opioid settlement funds will be allocated to the abatement of the opioid crisis in the form of education

or program assistance.

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

Exhibit B
