

## MINUTES

## LANCASTER CITY COUNCIL SPECIAL MEETING OF SEPTEMBER 17, 2018

The City Council of the City of Lancaster, Texas, met in a called Special Session in the Council Chambers of City Hall on September 17, 2018 at 7:30 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Clyde C. Hairston  
 Carol Strain-Burk  
 Deputy Mayor Pro Tem Stanley Jaglowski  
 Mayor Pro Tem Marco Mejia  
 Derrick D. Robinson  
 Racheal Hill  
 Nina Morris

**City Staff Present:**

Opal Mauldin-Jones, City Manager  
 Rona Stringfellow, Assistant City Manager  
 Fabrice Kabona, Assistant to the City Manager  
 Jasmine Carr, Community Programs Coordinator  
 Sean Johnson, Director of Quality of Life and Cultural Services  
 Baron Sauls, Finance Director  
 Kenneth Johnson, Fire Chief  
 Sam Urbanski, Police Chief  
 Dori Lee, Director of Human Resources  
 Bruce Taylor, HR Generalist  
 Delajer Walker, Interim E.C. Superintendent  
 David T. Ritter, City Attorney  
 Sorangel O. Arenas, City Secretary

**Call to order:**

Mayor Hairston called the meeting to order at 8:53 p.m. on September 17, 2018.

**Proclamation:**

Mayor Hairston presented a proclamation to Director of Quality of Life and Cultural Services Johnson proclaiming September 15, 2018 through October 15, 2018 as "Hispanic Heritage Month" and asked our citizens to recognize the role that our Hispanic community has played in enhancing and contributing to the rich diversity in our City.

**Consent agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider an ordinance(s) amending Ordinance No. 2006-04-13 (The Lancaster Development Code), Article 14.400 (Permissible Uses), Section 14.402 (e) (Use Standards) and the Land Use Tables to add (+) Permitted With Conditions and the Conditions to certain event centers where alcohol is available or served.**

**MOTION:** Mayor Pro Tem Mejia made a motion, seconded by Councilmember Morris to approve consent item 1. The vote was cast 7 for, 0 against.

Mayor Hairston shared that the applicant requested to table items 2, 3, and 7.

2. **M18-04 Discuss and consider an amendment to the City of Lancaster Comprehensive Plan's Future Land Use Map regarding an approximately 19.7 acre property located on the south side of West Wintergreen Road and east side of Longhorn Drive within the Maraday Parks Survey, Abstract 1120, the property is specifically addressed as 2620 W. Wintergreen Road, Lancaster, Dallas County, Texas.**

3. **Z18-04 Conduct a Public Hearing and consider a rezoning request from Agriculture Open (A-O) to Light Industrial (LI). The property is approximately 19.68 acres located on the southside of West Wintergreen Road and Eastside of Longhorn Drive. The property is within the Maraday Parks Survey, Abstract 1120, specifically addressed as 2620 Wintergreen Road, Lancaster, Dallas County, Texas.**
  
7. **M18-11 Discuss and consider an appeal of the Sign Control Board decision regarding a request to Section 14.1204 (J)(2 and 3) Pole Signs and allow for the installation of a 45 feet tall and 295.63 square feet maximum area pole sign. The property is located on the eastside of I-35E and 0.15 miles south of Daniieldale Road specifically addressed as 3404 N. I-35E, Lancaster, Texas.**

City Manager Mauldin-Jones shared that since the public hearing items 2 and 3 were noticed in the record of publication, she requested the items to be tabled to the October 8, 2018 Regular Meeting.

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to table items 2 and 3 to the October 8, 2018 Regular Meeting. The vote was cast 7 for, 0 against.

4. **Conduct a public hearing and consider a resolution adopting the Lancaster City Council's Rules and Procedures, as amended.**

City Secretary Arenas spoke on item 4 and shared that City Council reviewed the Rules and Procedures during the Annual Strategic Planning Session. A complete redlined copy is attached along with a clean version.

Mayor Hairston opened the public hearing.

There were no other speakers.

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

**MOTION:** Mayor Pro Tem Mejia made a motion, seconded by Councilmember Strain-Burk to approve item 4. The vote was cast 7 for, 0 against.

5. **Z18-11 Conduct a Public Hearing and consider an ordinance granting a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 2947 E. Pepperidge Drive, Lot 19, Block D in Lancaster North 2 Phase 1 Subdivision. The property is located within the John Hall Survey, Abstract No. 601, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 5 and shared the request is for an in-home daycare for up to twelve (12) children ranging from 8 months to after-school age children. The in-home daycare has not yet obtained State license and is hoping to start operating in October 2018. As noted above, the LDC requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. The applicant is therefore seeking to have their business in compliance with the City's required permits prior to commencing operation. In-home daycare is classified as a home occupation and must meet Section 14.402 Use Standards, Subsection (b) Residential and Lodging Use Conditions (7) Home Occupation regulations of the Lancaster Development Code. The in-home daycare at property address 2947 E. Pepperidge Drive is primarily residential and the in-home daycare use is a secondary use to residential. The applicant is currently not operating the daycare and plans to have up to 12 children with four (4) children that are under 2 1/2 years old and the rest of the children three (3) years old and older. The daycare will be operated from 6:00 a.m. - 6:00 p.m. and the applicant plans to employ two people. On September 4, 2018 the Planning and Zoning Commission recommended approval of the SUP to: 1) Less than six (6) under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge. 2) If more than five (5)

children under the age of two and half years old (2 1/2) are kept on the premise, an automatic fire sprinkler system is required. 3) Compliance with Home Occupation Regulations. 4) Clearance of inoperable vehicles in the driveway before a Certificate of Occupancy can be issued. 5) The children's play stations be moved to the back yard before a Certificate of Occupancy can be issued. Staff concurs with the Planning and Zoning Commission. On August 23, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff received one (1) notification in opposition and (1) in support of this SUP request.

Councilmember Hill inquired how staff will be notified when the inoperable vehicles are removed. City Manager Mauldin-Jones shared that the applicant must clear inoperable vehicles in the driveway before a Certificate of Occupancy can be issued. If any vehicles return after the issuance, the applicant will be in violation of the stipulations.

City Attorney Ritter shared the definition of inoperable vehicles on private properties states the number of days allowed on the property. After the number of days exceed, the application may receive a violation and notice with the Municipal Court or may be a condition to revoke the Specific Use Permit (SUP).

Councilmember Strain-Burk shared her concerns the animals were not immunized or microchipped. City Manager Mauldin-Jones stated that staff received one (1) notification in opposition and the Planning and Zoning Commission did not stipulate as one of the conditions. However, the Animal Shelter Department is aware and will visit the property to ensure the animals are in compliance with State and Local Regulations.

Mayor Hairston opened the public hearing.

There were no other speakers.

**MOTION:** Councilmember Robinson made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 5 and add stipulation for confirmation by City Animal Control personnel that all animals kept on-site meet state and local regulations regarding immunizations and microchipping. The vote was cast 7 for, 0 against.

**6. Discuss and consider an exception to the development street frontage requirement from the Lanport Overlay District for the proposed warehouse and distribution building that will be located on the southwest corner of East Wintergreen Road and North Lancaster-Hutchins Road.**

City Manager Mauldin-Jones spoke on item 6 and shared the property is located on the southwest corner of East Wintergreen Road and North Lancaster-Hutchins Road. The subject property is currently zoned LanPort Overlay District, within the Intensity Sub-district. The applicant received Preliminary Plat Lancaster Commerce Center approved by the Planning and Zoning Commission on January 2, 2018. The Comprehensive plan identified the site as suitable for the proposed use. The applicant proposed to construct a warehouse distribution center on the southwest corner of East Wintergreen Road and North Lancaster-Hutchins Road. The site is unique in that it is bordered on the north by Wintergreen Road, on the northeast by an Oncor electric easement and the far east by Lancaster-Hutchins Road. Oncor does not allow building construction within their easement as can be reflected by the Adesa Dallas property to the north which was only granted parking rights on the Oncor easement. The Building Placement requires a minimum of 80 (eighty) percent of the total building frontage to be built on the build-to lines. The remaining 20 (twenty) percent may be set back further. The build-to-line is 100 feet from the property line on both West Wintergreen Road and North Lancaster-Hutchins Road. The purpose and intention of this standard is to create a campus feel to this area and bring buildings up closer to the streets. Staff recommended approval of item 6.

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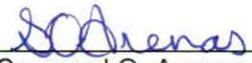
Mayor Pro Tem Mejia spoke in favor of item 6.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to approve item 6. The vote was cast 7 for, 0 against.

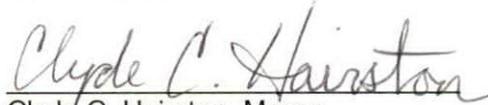
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 9:17 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor