



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

**Monday, August 26, 2013 - 7:00 PM**

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**CALL TO ORDER**

**INVOCATION:** Ministerial Alliance

**PLEDGE OF ALLEGIANCE:** Mayor Marcus E. Knight

**CITIZENS' COMMENTS:**

At this time citizens who have pre-registered before the call to order will be allowed to speak on any matter other than personnel matters or matters under litigation, 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.

**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.

- C1. Consider a resolution ratifying the submission of applications to Dallas County for funding under the Fiscal Year 2013 Dallas County Community Development Block Grant (CDBG) Program for reconstruction of existing roadways: Balomede Street from Wintergreen Road to Belvedere Road and Balkin Lane from Rogers Avenue to Sunny Meadow Drive.
- C2. Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 670 at Lancaster Regional Airport.
- C3. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C4. Conducting an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

- C5. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C6. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C7. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C8. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C9. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
- C10. Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

**PUBLIC HEARING:**

11. Conduct a Public Hearing and Consider a Comprehensive Plan Amendment to Light Industrial (LI) and a Rezoning request from PD – Planned Development MU (Mixed Use with Residential, Retail and Commercial Uses) to PD – Planned Development LI (Light Industrial). The Property is located on the Northwest corner of Telephone Road and North Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.
12. Conduct a public hearing and consider an ordinance of the City of Lancaster, Texas levying ad valorem taxes for fiscal year 2013/2014 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption; and providing an effective date.
13. Conduct a public hearing on the proposed Fiscal Year 2013-2014 budget and discuss an ordinance of the City of Lancaster, Texas, approving and adopting a budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014; providing that expenditures for said fiscal year shall be in accordance with said budget.

**ACTION:**

14. Consider a resolution providing for the adoption of the new Master Fee Schedule for all fees and charges assessed and collected by the City.
15. Discuss and consider a resolution approving a Consumer Price Index (CPI) rate increase request by Republic (Allied) Waste Service.

**ADJOURNMENT**

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EXECUTIVE SESSION: The 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: The Municipal Center is 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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**Certificate**

**I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on August 23, 2013 @ 1:00 p.m. and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.**

A handwritten signature in blue ink that reads "Dolle K. Downe". The signature is written in a cursive style and is positioned above a horizontal line.

Dolle K. Downe, TRMC  
City Secretary

**LANCASTER CITY COUNCIL**  
**Work Session Agenda Communication**  
August 26, 2013

Item 1

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**Consider a resolution ratifying the submission of applications to Dallas County for funding under the Fiscal Year 2013 Dallas County Community Development Block Grant (CDBG) Program for reconstruction of existing roadways: Balomede Street from Wintergreen Road to Belvedere Road and Balkin Lane from Rogers Avenue to Sunny Meadow Drive.**

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This request supports the City Council 2012-2013 Policy Agenda.

**Goal: Financial Sound City Government  
Sound Infrastructure**

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**Background**

The City of Lancaster is eligible to receive \$158,443.30 in Community Development Block Grant (CDBG) funds for fiscal year 2013. At the work session on August 19, 2013, City Council discussed use of the CDBG funds and potential roadway projects for submission.

City staff recently met with Dallas County officials receiving an update on Community Development Block Grant (CDBG) roadway projects previously submitted and discussing additional funding that is now available to the City.

You will recall that CDBG funds are administered through Dallas County and may only be used on projects that eliminate blight, eliminate a community threatening condition or primarily benefit low/moderate income residents. The primary objective of the program is to develop sustainable urban communities that meet the public service and housing needs of low and moderate income households. Federal rules allow each community to tailor its program to address specific local needs.

City Council discussed their desire to continue submission of selected roadway projects for 2013 CDBG funding at a work session on June 17, 2013 and at the June 24, 2013 Council meeting, ratified for 2013 funding two street projects: Marsalis Road from Pleasant Run Road to Green Drive and Gant Drive from Brady Drive to Marsalis Road.

Below is a recap of CDBG funding:

Funds available from 2013 and previous years	\$284,376.30
Roadway projects approved for 2013: Marsalis Road	-\$ 79,882.00 (estimate)
Gant Drive	-\$ 46,051.00 (estimate)
	<u>\$158,443.30</u>

The CDBG Project Coordinator for Dallas County has recently informed City staff that based on their data and assessment of the area Colgate Drive is not eligible for CDBG funding. Estimated cost for reconstruction of Colgate is \$280,000 - \$300,000. Without CDBG funding, reconstruction of Colgate Drive is not feasible at this time.

Therefore in lieu of Colgate reconstruction; the following streets have been identified as potential projects and the CDBG Project Coordinator has indicated they are eligible.

<b>NAME</b>	<b>FROM STREET</b>	<b>TO STREET</b>	<b>EST. COST</b>
BALOMEDE ST	WINTERGREEN RD	BELVEDERE RD	\$ 65,500
BALKIN LN	ROGERS AVE	SUNNY MEADOW DR	\$112,194

### **Considerations**

- **Operational** – Dallas County recommends submitting multiple roadway projects even if it exceeds present funds available (\$158,443.30). The roadway projects will be completed in the above listed order, as outlined in the pavement management system. Balomede Street from Wintergreen Road to Belvedere Road and Balkin Lane from Rogers Avenue to Sunny Meadow Drive.
- **Legal** – A resolution will be required ratifying the selected roadway projects for submission to Dallas County.
- **Financial** – Use of CDBG funding allows the City to complete roadway projects in addition to those identified for allocation through City funding. As indicated above, the next eligible project will be Balomede Street, from Wintergreen Road to Belvedere Road in the amount of \$65,500. Balkin Lane from Rogers Avenue to Sunny Meadow Drive in the amount of \$112,194.
- **Public Information** – There are no public information requirements.

### **Options/Alternatives**

1. Council may approve the resolution ratifying the project submissions.

### **Recommendation**

Staff recommends approval of the resolution ratifying the submission of eligible roadway projects [Balomede Street from Wintergreen Road to Belvedere Road and Balkin Lane from Rogers Avenue to Sunny Meadow Drive] to Dallas County for the 2013 CDBG program.

### **Attachments**

- Resolution

**Submitted by:**  
Jim Brewer, Assistant Director Public Works / Development Services  
Angie Arenas, Assistant City Secretary

**RESOLUTION NO. 2013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE SUBMISSION OF APPLICATIONS TO DALLAS COUNTY FOR FUNDING UNDER THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR RECONSTRUCTION OF EXISTING ROADWAYS [BALOMEDE STREET FROM WINTERGREEN ROAD TO BELVEDERE ROAD AND BALKIN LANE FROM ROGERS AVENUE TO SUNNY MEADOW DRIVE]; DESIGNATING A REPRESENTATIVE FOR ALL MATTERS RELATED TO THE PROJECTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Dallas County has determined, based on 2010 Census information, that the City of Lancaster is eligible to receive \$158,443.30 of Community Development Block Grant (“CDBG”) funds for fiscal year 2013; and

**WHEREAS**, the City Council of the City of Lancaster desires any remaining funds from FY 2013 CDBG funding be used for roadway projects; and

**WHEREAS**, Lancaster could benefit greatly from Community Development Block Grant funds; and

**WHEREAS**, it is necessary and in the best interest of the City of Lancaster to apply for Community Development Block Grant funds through Dallas County;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:**

**SECTION 1.** The City Council of the City of Lancaster, Texas hereby ratifies the submission of two project applications to Dallas County for funding under the Fiscal Year 2013 Community Development Block Grant Program for reconstruction of existing roadways [Balomede Street from Wintergreen Road to Belvedere Road and Balkin Lane from Rogers Avenue to Sunny Meadow Drive], as depicted on Exhibit A, which is attached hereto and incorporated herein by reference.

**SECTION 2.** The City Manager or her designee shall act as the City’s authorized representative in all matters related to the application and provide assurances that all requirements of the Community Development Block Grant Program are observed.

**SECTION 3.** Any prior resolutions of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

**SECTION 4.** Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**SECTION 5.** This resolution shall take effect immediately from and after its passage, and it is duly resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 26<sup>th</sup> day of August 2013.

**APPROVED:**

\_\_\_\_\_  
Marcus E. Knight, Mayor

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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Robert E. Hager, City Attorney

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 2

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Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 670 at Lancaster Regional Airport.

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Sound Infrastructure**

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### **Background**

The City owns and leases five rows of T-hangars (building 660-700) of three different sizes based off aircraft wingspan. There are 92 units total that the City rents for aircraft storage with end cap commercial spaces on the east end of each hangar row. The City T-hangars are near full occupancy most of the year. This agenda item brings forward a commercial lease agreement in office space 670-104 (268.9 sq.ft.) for an aircraft interiors business called Select Aircraft Interiors owned by Mr. Andy Gray.

### **Considerations**

- **Operational** - The City T-hangar commercial lease is used for specialty fixed based operators on the airfield and private aircraft owners respectively.
- **Legal** - The lease agreement has been reviewed and approved as to form by the City Attorney.
- **Financial** - Lease rates vary based on size of the hangar or attached office space. All rates are approved in the City's Master Fee Schedule. The monthly rate for this office space attached to our medium sized hangar is \$51.09 per month based off \$0.19 per sq.ft. for the medium T-hangar building.
- **Public Information** - There are no public information requirements.

### **Options/Alternatives**

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

### **Recommendation**

Staff recommends approval of the resolution.

**Attachments**

- Resolution
  - Exhibit "A" Lease Agreement
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**Submitted by:**  
Mark Divita, Airport Manager

**RESOLUTION NO. 2013-08-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE CITY OWNED T-HANGAR COMMERCIAL LEASE FROM BUILDING 670 AT LANCASTER REGIONAL AIRPORT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Lancaster Regional Airport has aircraft T-hangers available for monthly rental for revenue gain; and

**WHEREAS**, the City Council of Lancaster, Texas, desires to authorize the commercial lease pursuant to the tenant listed in Exhibit "A";

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** That the City T-hangar lease agreement attached hereto and incorporated herein by reference as Exhibit "A" having been reviewed by the City Council of the City of Lancaster, Texas and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

**SECTION 2.** That the City Manager is hereby authorized to execute said lease agreement.

**SECTION 3.** This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 26<sup>th</sup> day of August 2013.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney



STATE OF TEXAS           §  
  §                   LEASE AGREEMENT  
COUNTY OF DALLAS    §

This Lease is entered into between the City of Lancaster, Texas ("Landlord") and **Signature Aircraft Interiors** ("Tenant").

In consideration of the mutual covenants and agreements of this Lease, and other good and valuable consideration, Landlord demises and leases to Tenant, and Tenant leases from Landlord, **670-104**, Lancaster, Dallas County, Texas, depicted in Exhibit "A", attached hereto (the "Premises"). The Premises are referred to in this Lease as the "Premises" or the "Leased Premises." The building is referred to as the "Building."

**I.     TERM OF LEASE**

1.01   **Term:** Term of this Lease is one (1) year, beginning on the 26<sup>th</sup> day of August 2013, and ending on the last day of August 2014, as provided in this Lease ("Lease Term").

1.02   **Renewal:** After the initial term, this Lease may be renewed on an annual basis subject to all the terms and conditions set forth herein.

1.03   **Termination:** Landlord or tenant may, without cause, terminate this Lease during the Lease Term or any extension thereof upon ninety (90) days prior written notice thereof.

1.04   **Holdover:** If Tenant holds over and continues in possession of the Premises after the Lease Term (or any extension of it) expires, Tenant will be considered to be occupying the Premises at will, subject to all of the terms of this Lease.

**II.    RENT**

**Basic Rent:** Tenant will pay Landlord **\$51.09 per month**, from the beginning of the Lease Term and throughout the Lease Term. The monthly rent due throughout the Lease Term shall be paid in advance of the tenth (10<sup>th</sup>) day of each month.

**III.   USE OF PREMISES**

3.01   **Permitted Use(s):** Tenant will use the Premises only for aviation business related purpose, to wit: Avionics Repair and Installation. No other services are permitted unless Landlord gives Tenant prior written consent for additional permitted uses.

3.02   **Insurance Hazards:** Tenant shall during the term hereof, at its sole expense, maintain in full force and effect the following insurance: (1) Commercial general aviation liability policy with coverage: \$500,000 Combined Single Limit (CSL) for premises if customers are allowed on premises; (2) Hangar Keeper's Liability – Value of Aircraft in care up to \$500,000 custody and control. All insurance and certificate(s) of insurance shall contain the

following provisions: (1) name the Landlord, its officers, agents and employees as additional insured's as to all applicable coverage and (2) provide for at least thirty (30) days prior written notice to the Landlord for cancellation, non-renewal, or material change of the insurance. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service. A certificate of insurance evidencing the required insurance shall be on file for review upon request from LESSOR.

LESSEE shall, at its own option, carry its own insurance on its aircraft and other equipment which LESSEE stores in or on the leased premises and in no event shall LESSOR be liable to LESSEE for loss or damage to LESSEE'S aircraft and equipment or personal property of LESSEE.

3.03 **Compliance with Laws:**

(a) Tenant may not use, or permit using, the Premises in any manner that results in waste of premises or constitutes a nuisance or for any illegal purpose. Tenant, at its own expense, will comply, and will cause its officers, employees, agents and invitees to comply, with all applicable laws, ordinances, and governmental rules and regulations concerning the use of the Premises, including Hazardous Materials Laws.

(b) "Hazardous Materials" means any substance, material, or waste that is or becomes regulated by any local governmental agency, the State of Texas, or the Federal Government, including, but not limited to, any material or substance that is (1) *designated as a "hazardous substance" pursuant to § 311 of the Clean Water Act, 33 U.S.C. § 1251 et. seq., or listed pursuant to § 307 of the Clean Water Act, 33 U.S.C. § 1317,* (2) *defined as a "hazardous substance" pursuant to § 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et. seq.,* (3) *defined as a "hazardous waste" pursuant to § 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et. seq.,* (4) *petroleum,* (5) *asbestos,* and (6) *polychlorinated biphenyls.*

3.04 **Condition of Premises, Tenant Finish-Out:** Tenant acknowledges and agrees and does hereby accept the Premises AS IS with all faults. Tenant shall, without cost to Landlord, be responsible for the design and construction of all Tenant finish out for the Premises including exterior improvements.

**IV. MAINTENANCE AND SURRENDER**

**Maintenance and Surrender by Tenant:** Tenant will maintain the leased Premises and keep them free from waste or nuisance throughout the Lease Term and any extensions of it. The Tenant shall be responsible for routine maintenance of all tenant maintainable consumables for electrical, plumbing, and heating / air conditioning elements of the building on the Premises. When this Lease terminates, Tenant must deliver the Premises in as good a state of repair and condition as they existed when Landlord delivered possession to Tenant, except for reasonable wear and tear commensurate with the age of the Premises and damage by fire, tornado, or other casualty. If Tenant neglects to reasonably maintain the Premises, Landlord may, but is not required to, cause repairs or corrections to be made. Any reasonable costs incurred for repairs or

corrections for which Tenant is responsible under this section are payable by Tenant to Landlord as a reimbursement within thirty (30) days after Lease termination.

## V. UTILITIES AND TAXES

**Utilities and Taxes on Tenant's Property:** Landlord shall pay or cause to be paid all charges for water. Tenant will pay all taxes levied or assessed against personal property, furniture, or fixtures it places in or on the Premises. If any such taxes for which Tenant is liable are levied or assessed against Landlord or Landlord's property, and Landlord elects to pay them, or if the assessed value of Landlord's property is increased by including personal property, furniture, or fixtures placed by Tenant in the Premises, and Landlord elects to pay the taxes based on the increase, Tenant must, upon demand, pay Landlord the part of the taxes for which Tenant is primarily liable under this article.

## VI. ALTERATIONS, ADDITIONS, IMPROVEMENTS AND FIXTURES

6.01 **Consent of Landlord:** Tenant may not make any alterations, additions, or improvements to the Premises without Landlord's prior written consent, which shall not be unreasonably denied or delayed.

6.02 **Property of Landlord:** All alterations, additions, or improvements made by Tenant will become Landlord's property when this Lease terminates.

6.03 **Trade Fixtures:** Tenant has the right at all times to erect or install furniture and fixtures, as long as Tenant complies with all applicable governmental laws, ordinances, and regulations. Tenant may remove such items when this Lease terminates, if Tenant is not in default at that time and the fixtures can be removed without structural damage to the Premises. Before this Lease terminates, Tenant must repair any damage caused by removing any fixtures and should have 15 days to comply. Any furniture or fixtures not removed by Tenant when this Lease terminates are considered abandoned by Tenant and automatically become Landlord's property.

6.04 **Construction by Tenant:** Tenant shall have the right during the term of this Lease to erect, maintain, alter, remodel, reconstruct, or rebuild the tenant improvements within the Premises, subject to the following general conditions:

1. Tenant bears cost of any such work;
2. The Premises shall at all times be kept free of mechanics' and material men's liens;
3. Any improvements constructed on the Premises shall be approved by Landlord pursuant to § 6.05 herein and if remaining at the end of the Lease Term, shall become the property of Landlord; and
4. Any removal of tenant improvements must be pre-approved by Landlord.

6.05 **Landlord's Approval:** The following rules govern Landlord's approval of construction, additions, and alterations of the building or other improvements:

(a) **Written approval required.** No tenant or other improvement may be constructed unless the plans, specifications, and proposed location of the improvement have received Landlord's written approval. No material addition to or alterations of the Premises may be begun until plans and specifications covering the proposed addition or alteration have been first submitted to and approved by Landlord. The Landlord shall not unreasonably withhold approval of such plans and specifications.

(b) **Landlord's approval.** Landlord will promptly review and approve all plans submitted under subparagraph above or note in writing any required changes or corrections that must be made to the plans. Failure to object to the plans within thirty (30) days constitutes its approval of the changes. Any required changes or corrections must be made, and the plans resubmitted to Landlord, within thirty (30) days after the corrections or changes have been noted. Landlord's failure to object to the resubmitted plans and specifications within thirty (30) days constitutes its approval of the changes. Minor changes in work or materials not affecting the general character of the Premises project may be made at any time without Landlord's approval, but a copy of the altered plans and specifications must be furnished to Landlord.

## VII. DAMAGE OR DESTRUCTION

7.01 **Notice to Landlord:** If the Premises or any structures or improvements are damaged or destroyed by fire, tornado, or other casualty, Tenant must immediately give Landlord written notice of the damage or destruction, including a general description of the damage and, as far as known to Tenant, the cause of the damage.

7.02 **Total Destruction:** If the Premises are totally destroyed by fire, tornado, or other casualty this Lease will terminate, and rent will be abated for the unexpired portion of this Lease, effective as of the date of written notification as provided in § 7.01. The Landlord in its sole discretion may elect to restore the Premises and rebuild the Building in which event the Lease shall continue in under the same terms and conditions set forth herein from the date the Premises has been fully restored. Alternatively, the Tenant with the consent of Landlord may, by written notice within thirty (30) days after the notice as provided in § 7.01, elect to rebuild the Building and restore the Premises provided Tenant commences the restoration of the Premises within one hundred eighty (180) days thereafter and at Tenant's cost.

7.03 **Partial Destruction:** If the Premises are damaged by fire, tornado, or other casualty other than by the negligence, gross negligence, or intentional tort of Tenant or any person in or about the Premises with Tenant's express or implied consent, or if they are so damaged that rebuilding or repairs cannot reasonably be completed within one hundred eighty (180) working days or the damage exceeds the Landlord's insurance recovery, or the Landlord elects not to restore the Premises, this Lease will terminate.

## VIII. CONDEMNATION

8.01 **Total Condemnation:** If, during the Lease Term or any extension or renewal of the Lease, all of the Premises are taken for any public or quasi-public use under any governmental law, ordinance, or regulation, or by right of eminent domain, or are sold to the

condemning authority under threat of condemnation, this Lease will terminate, and the rent will be abated during the unexpired portion of this Lease, effective as of the date the condemning authority takes the Premises.

8.02 **Partial Condemnation:** If less than all of the Premises is taken for any public or quasi-public use under any governmental law, ordinance, or regulation or by right of eminent domain, or is sold to the condemning authority under threat of condemnation, either party may terminate this Lease by giving written notice to the other within thirty (30) days. In addition, if all or a portion of the parking area, or the signage, of the Premises is taken for any public. or quasi-public use under any governmental law, ordinance, or regulation or by right of eminent domain, or is sold to the condemning authority under threat of condemnation, either party may terminate this Lease by giving Landlord written notice within thirty (30) days. If the Premises are partially condemned and neither party elects to terminate this Lease, this Lease will not terminate, but the rent will be adjusted equitably during the un-expired portion of this lease.

8.03 **Condemnation Award:** Landlord is entitled to receive and retain the entire award in any condemnation proceedings, except for any portion attributable to trade fixtures and personal property owned by Tenant, which Tenant is entitled to receive and retain. The termination of this Lease will not affect the right to this award.

## **IX. INSPECTION BY LANDLORD**

Landlord and its officers, agents, employees, and representatives may enter any part of the Premises during normal business hours for the purpose of inspection, cleaning, maintenance, repairs, alterations, or additions as Landlord considers necessary (but without any obligation to perform any of these functions except as stated in this Lease). Tenant is not entitled to any abatement or reduction of rent by reason of entry of Landlord or any of its officers, agents, representatives, or employees under this article, nor will such an entry be considered an actual or constructive eviction.

## **X. MECHANIC'S LIEN**

Tenant will not permit any mechanic's lien to be placed on the Premises or on improvements made to the Premises. If a mechanic's lien is filed on the Premises or on improvements on them, Tenant will promptly pay it. If default in payment of the lien continues for thirty (30) days after Landlord's written notice to Tenant, Landlord may, at its option, pay the lien or any portion of it without inquiring into its validity. Any amounts Landlord pays to remove a mechanic's lien caused by Tenant to be filed against the Premises or against improvements on the Premises, including expenses and interest, are due from Tenant to Landlord and must be repaid to Landlord immediately on rendition of notice, together with annual interest at the highest rate then allowed by law until paid.

## **XI. INDEMNITY**

11.01 **Tenant's General Indemnity:** Tenant will indemnify and hold Landlord harmless against any claims, demands," damages, costs, and expenses, including reasonable

attorney's fees, for defending claims and demands arising from the conduct or management of Tenant's business on the Premises or its use of the Premises, or from any breach on Tenant's part of any conditions of this Lease, or from any act or negligence of Tenant, its officers, agents, contractors, employees, subtenants, or invitees in or about the Premises. In case of any action or proceeding brought against Landlord by reason of any such claim, Tenant, on notice from Landlord, will defend the action or proceeding by counsel acceptable to Landlord.

11.02 **Tenant's Environmental Indemnity:**

(a) Tenant is responsible only for the payment of that portion of any cleanup costs for the Premises necessary for compliance with Hazardous Materials Laws that arise as a result of Tenant's discharge of Hazardous Materials on the Premises during Tenant's occupancy of the Premises. Landlord is responsible for all other cleanup costs and for ensuring that any other responsible party participates in the cleanup to the extent of its responsibility for a release.

(b) Tenant must indemnify, defend, and hold harmless Landlord from and against all claims, liabilities, losses, damages, and costs, foreseen or unforeseen, including without limitation counsel, engineering, and other professional or expert fees, that Landlord may incur by reason of Tenant's action or inaction with regard to Tenant's obligations under this section.

**XII. ASSIGNMENT AND SUBLEASE**

**Assignment and Subletting by Tenant:** Tenant may not assign this Lease, or any interest in it, nor sublet the Premises, or any part of them without prior written consent of Landlord.

**XIII. DEFAULT**

13.01 **Tenant's Default:** The following events are considered events of default by Tenant under this Lease:

(a) Tenant fails to pay any installment of rent due under this Lease, whether base rent or additional rent, or any other amounts owing by Tenant to Landlord, and the failure continues for thirty (30) days after receipt of written thereof.

(b) Tenant fails to comply with any term or covenant of this Lease, other than the payment of rent or any other sum of money owing by Tenant to Landlord, and does not cure the failure within sixty (60) days after written notice of the failure to Tenant; provided that if such failure cannot be cured within sixty (60) days Tenant shall not be in default if Tenant is proceeding to cure the failure and cures such failure within thirty (30) days thereafter.

(c) Tenant makes an assignment for the benefit of creditors.

(d) Tenant deserts or vacates any substantial portion of the Premises for sixty (60) or more consecutive days.

13.02 **Landlord's Remedies:** In the event of any default specified in §13.01, Landlord may pursue one or more of the following remedies:

(a) Landlord may terminate this Lease, in which event Tenant must immediately surrender the Premises to Landlord. If Tenant fails to do so, Landlord may, without prejudice - to any other remedy that it may have for possession or arrearages in rent, enter on and take possession and expel or remove Tenant and any other person occupying the Premises or any part of them, by any lawful means, without being liable for prosecution or any claim of damages for the entrance and expulsion or removal. Tenant will, on demand, pay Landlord the amount of all loss and damage that Landlord suffers by reason of the termination, whether through inability to re-let the Premises on satisfactory terms, if Landlord elects to re-let, or otherwise.

(b) Landlord may enter on and take possession of the Premises and expel or remove Tenant and any other person occupying the Premises or any part of them, by any lawful means, without being liable for prosecution or any claim for damages for the entrance and expulsion or removal; re-let the Premises on the terms Landlord considers advisable; and receive the rent for the re-letting. Tenant will, on demand, pay Landlord any deficiency that may arise by reason of re-letting.

(c) Landlord may enter the Premises, by any lawful means (and Landlord is expressly reserving and retaining the right to so re-enter the Premises), without being liable for prosecution or any claim for damages for the entry, and do whatever Tenant is obligated to do under the terms of this Lease to correct the default. Tenant will, on demand, reimburse Landlord for any expenses that Landlord incurs in effecting compliance with Tenant's obligations under this Lease in this manner, and Tenant further releases Landlord from liability for any damages resulting to Tenant from such an action.

13.03 **Cumulative Remedies:** Landlord's or Tenant's pursuing any remedy provided in this Lease will not preclude pursuing any other remedy provided in this Lease. Either party's pursuing any remedy provided in this lease or by law will not constitute a forfeiture or waiver of any damages accruing to either party by reason of violating any term or covenant of this Lease. Nor will Landlord's pursuing any remedies provided in this Lease constitute a waiver or forfeiture of any rent due under this Lease.

13.04 **Waiver of Default:** Either party's waiving any default or violation or breach of any term or covenant of this Lease does not waive any other violation or breach of any term or covenant of this Lease. Nor does either party's forbearing to enforce one or more of the remedies provided in this Lease or by law on a default waive the default. Landlord's accepting rent following default under this Lease does not waive the default.

13.05 **Surrender of Premises:** No act done by Landlord or its agents during the Lease Term may be considered an acceptance of a surrender of premises is valid unless in writing and subscribed by Landlord.

#### XIV. MISCELLANEOUS

14.01 **Notices and Addresses:** All notices required under this Lease may be given by the following methods:

(a) By certified mail, return receipt requested, addressed to the proper party, at the following addresses:

**If to Landlord:**

City of Lancaster  
Attn: Opal Mauldin Robertson  
City Manager  
211 North Henry Street  
P. O. Box 940  
Lancaster, Texas 75146-0946

**If to Tenant:**

Signature Aircraft Interiors  
Attn: Andy Gray  
262 Rutherford Rd.  
Waxahachie, Texas 75165

Notices are effective when received. Either party may change the address to which notices are to be sent by sending written notice of the new address or number to the other party in accordance with the terms of this section.

14.02 **Parties Bound:** This agreement binds, and inures to the benefit of, the parties to this Lease and their respective heirs, executors, administrators, legal representatives, successors, and assigns when this agreement permits.

14.03 **Texas Law to Apply:** This agreement is to be construed under Texas law, and all obligations of the parties created by this agreement are performable in Dallas County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said Court.

14.04 **Legal Construction:** If anyone or more of the provisions in this agreement are for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability will not affect any other provision of the agreement, which will be construed as if it had not included the invalid, illegal, or unenforceable provision.

14.05 **Prior Agreements Superseded:** This agreement constitutes the parties sole agreement and supersedes any prior understandings or written or oral agreements between the parties with respect to the subject matter.

14.06 **Amendment:** No amendment, modification, or alteration of the terms of this agreement is binding unless in writing, dated subsequent to the date of this agreement, and duly

executed by the parties.

14.07 **Rights and Remedies Cumulative:** The rights and remedies provided by this Lease are cumulative, and either party's using any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

14.08 **Attorney's Fees and Costs:** If, as a result of either party's breaching this agreement, the other party employs an attorney to enforce its rights under this Lease, the breaching or defaulting party will pay the other party the reasonable attorney's fees and costs incurred to enforce this Lease.

14.09 **Force Majeure:** Neither Landlord nor Tenant is required to perform any term or covenant of this Lease so long as performance is delayed or prevented *by force majeure*, which includes acts of God, strikes, lockouts, material or labor restrictions by any governmental authority, civil riot, floods, and any other cause not reasonably within Landlord's or Tenant's control and that Landlord or Tenant, by exercising due diligence and paying money, cannot prevent or overcome in whole or part.

The undersigned Landlord and Tenant execute this agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

**Landlord:**

**Tenant:**

By: \_\_\_\_\_  
Opal Mauldin Robertson, City Manager

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Dolle Downe, City Secretary

**Exhibit "A"**

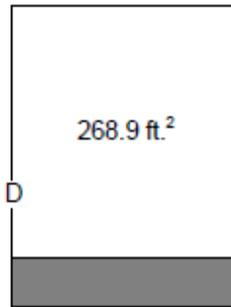
670  
Suite 104  
(Center)

Total Square Feet = 268.9 ft.<sup>2</sup>

Office Rate = \$0.19 per Square Foot

Office Rent = \$51.09 per Month

D indicates how lock is keyed. Each letter is a specific key.



# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 3

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Lancaster Mills Public Improvement District. There were no public comments made.

Lancaster Mills is a subdivision of approximately 60.59 acres located north of Beltline Road and east of the Homestead Addition, south of Redbud Drive and west of the Pecan Hollow Estates Addition. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

As this district is currently undeveloped, the PID board has proposed an assessment plan at a rate of \$0.00 per \$100 assessed valuation as there are no budgeted expenses for the 2013/2014 fiscal year.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$0.00 and assessments are proposed to be \$0.00 per \$100 assessed valuation. There are currently no homes constructed at this time.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 – 2014 Service Plan

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE LANCASTER MILLS PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2007-02-17 passed on February 12, 2007, after the conduct of a duly notified public hearing, the City Council established the Lancaster Mills Public Improvement District (the “District”); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.00 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

## Lancaster Mills PID Appraisal and Assessment Roll for Tax Year 2007

Proposed assement rates are imported from the proposed service and assessment plan:

Proposed assessment rate per \$100 for properties with homes coded "A-1"	\$0.00
Proposed assessment rate per \$100 for properties without homes coded "A-1"	\$0.00

DCAD Account Number	Address	Owner	2007 DCAD Market Appraisal	Proposed 2007 Assessment
Total for Accounts With "A-1" Homes (There are none for tax year 2007.)				
65017228010060000	174 Beltline	Lancaster Mills LP	\$465,120	\$0
65017228010410000	172 Beltline	Lancaster Mills LP	\$620,460	\$0
Total for Accounts Without "A-1" Homes			\$1,085,580	\$0
Grand total			\$1,085,580	\$0

# Lancaster Mills PID Proposed Service and Assessment Plan

Service Plan Item	Budget For FY Ending Sept. 30, 2014				
	2014	2015	2016	2017	2018
<b>Administrative services</b>					
Management fees	\$0	\$0	\$14,000	\$15,500	\$15,965
Professional fees	\$0	\$0	\$3,500	\$3,500	\$3,605
Supplies	\$0	\$0	\$1,000	\$1,100	\$1,133
Insurance	\$0	\$0	\$3,200	\$3,600	\$3,708
Taxes	\$0	\$0	\$200	\$200	\$206
Miscellaneous	\$0	\$0	\$1,400	\$1,500	\$1,545
<b>Landscaping</b>					
General maintenance	\$0	\$0	\$25,000	\$27,000	\$27,810
Utilities	\$0	\$0	\$18,000	\$19,000	\$19,570
Irrigation maintenance and repair	\$0	\$0	\$600	\$700	\$721
Service plan total budget	\$0	\$0	\$66,900	\$72,100	\$74,263

Assessment Plan	For Tax Year Based on Appraisals as of August 1, 2013				
	2014	2015	2016	2017	2018
<b>Lots with completed homes</b>					
	0	0	30	100	200
Est. mean appraised market value per home	N.A.	\$162,000	\$166,860	\$171,866	\$177,022
Market appraisal	\$0	\$0	\$5,005,800	\$17,186,580	\$35,404,355
Assessment rate per \$100 of market	N.A.	N.A.	\$0.2900	\$0.2500	\$0.2000
Assessment	N.A.	\$0	\$14,517	\$42,966	\$70,809
<i>Estimated mean assessment per home</i>	N.A.	N.A.	\$484	\$430	\$354
<b>Lots without completed home</b>					
	297	297	267	197	97
Est. mean appraised market value per lot	N.A.	\$25,000	\$25,750	\$26,523	\$27,318
Market appraisal (DCAD actual for 2012)	\$1,092,240	\$1,085,580	\$6,875,250	\$5,224,933	\$2,649,863
Assessment rate per \$100 of market	N.A.	\$0	\$0.8000	\$0.7000	\$0.2500
Assessment	N.A.	\$0	\$55,002	\$36,575	\$6,625
<i>Estimated mean assessment per lot</i>	N.A.	\$0	\$206	\$186	N.A.
<b>Common areas or parks</b>					
Assessment rate per \$100 of market	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
Assessment	\$0	\$0	\$0	\$0	\$0
<b>Total assessments and installments this FY</b>					
	N.A.	\$0	\$69,519	\$79,541	\$77,433
Estimated collection factor	98%	98%	98%	98%	98%
Collected assessments	N.A.	\$0	\$68,128	\$77,950	\$75,885
Plus reserve carried forward	\$0	\$0	\$0	\$1,228	\$7,079
<b>Total available funds</b>	\$0	\$0	\$68,128	\$79,179	\$82,963
Less service plan total budget	\$0	\$0	\$66,900	\$72,100	\$74,263
<b>Reserve carried to next year</b>	\$0	\$0	\$1,228	\$7,079	\$8,700

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 4

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

Tribute at Mills Branch is a subdivision of approximately 42.7 acres located south of Beltline Road and east of Southwood Drive and platted as the Tribute at Mills Branch, Phases 1A and 1B, recorded in Volume 2005097, Page 37 and Volume 2005163, Page 183, Deed Records of Dallas County, Texas; and Tribute East at Mills Branch (291 North Blue Grove Road); of approximately 4.64 acres from John M. Rawlins Abstract 1209, pg 245, Tract 8, located south of Beltline Road on the west side of North Bluegrove Road, conveyed to Wilbow Homestead Development Corporation, Volume 2005097, Page 3594 Deed Records of Dallas County, Texas. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

As this district is not completed, the PID board has proposed an assessment plan for lots with completed homes at a rate of \$0.3600 per \$100 assessed valuation and lots without completed homes at \$0.8000 per \$100 assessed valuation.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2012/2013 proposed service plan budget is \$22,414.49 and assessments are proposed at \$0.3600 (lots with homes) per one hundred dollars assessed valuation and \$0.8000 (lots without homes) per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 – 2014 Service Plan

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE TRIBUTE AT MILLS BRANCH AND TRIBUTE EAST AT MILLS BRANCH PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2006-03-28 passed on March 27, 2006, after the conduct of a duly notified public hearing, the City Council established the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District (the "District"); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.3600 (lots with homes) per \$100 of assessed valuation and \$0.8000 (lots without homes) per \$100 assessed valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

SECTION 5 - ASSESSMENT LEVY: That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

SECTION 6 - METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

SECTION 7 - ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and

claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**



**City of Lancaster Tribute MB Subdivision Five Year Service Plan  
FY 2013-2014**



Budget Year	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
Total Value	\$3,374,410.00					
Number of Lots	181					
PID UB Rebate	6,118					
Assessment Rate (per \$100 valuation)	\$ 16,296.6400					
<b>Total Association Assessments</b>	<b>\$ 22,414.49</b>	<b>\$ -</b>				
Previous Year Balance						
<b>Total Tribute MB Income</b>	<b>\$ 22,414.49</b>	<b>\$ -</b>				
<b>Administrative Expenses</b>						
Administrative	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies	\$ 300.00	\$ 309.00	\$ 318.00	\$ 328.00	\$ 338.00	\$ 338.00
Postage and Delivery (Copies/scans)	\$ 300.00	\$ 309.00	\$ 318.00	\$ 328.00	\$ 338.00	\$ 338.00
Printing & Reproduction	\$ 40.00	\$ 41.00	\$ 42.00	\$ 44.00	\$ 45.00	\$ 45.00
Community Mailings	\$ 80.00	\$ 82.00	\$ 85.00	\$ 87.00	\$ 90.00	\$ 90.00
Miscellaneous	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
<b>Total Administrative Expense</b>	<b>\$ 820.00</b>	<b>\$ 841.00</b>	<b>\$ 863.00</b>	<b>\$ 887.00</b>	<b>\$ 911.00</b>	<b>\$ 911.00</b>
<b>Maintenance and Repair</b>						
Electrical Repair						
Fence/Wall/Monument Repair						
Irrigation Repair						
Landscaping Improvements/Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Landscape Maintenance Contract	\$ 11,650.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00
Trash/Debris Removal						
<b>Total Maintenance Repair</b>	<b>\$ 11,650.00</b>	<b>\$ 15,825.00</b>				
<b>Utilities</b>						
Electric	\$ 1,000.00	\$ 1,015.00	\$ 1,030.00	\$ 1,045.00	\$ 1,061.00	\$ 1,061.00
Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Utilities</b>	<b>\$ 1,000.00</b>	<b>\$ 1,015.00</b>	<b>\$ 1,030.00</b>	<b>\$ 1,045.00</b>	<b>\$ 1,061.00</b>	<b>\$ 1,061.00</b>
<b>Professional Fees</b>						
Accounting/Audit / Property Tax	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
<b>Total Professional Fees</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>	<b>\$ 6,300.00</b>
<b>Insurance</b>						
Property/Liability/ Umbrella/Crime	\$ 1,949.00	\$ 2,007.00	\$ 2,067.00	\$ 2,129.00	\$ 2,193.00	\$ 2,193.00
D & O	\$ 695.00	\$ 705.00	\$ 716.00	\$ 727.00	\$ 738.00	\$ 738.00
<b>Total Insurance</b>	<b>\$ 2,644.00</b>	<b>\$ 2,712.00</b>	<b>\$ 2,783.00</b>	<b>\$ 2,856.00</b>	<b>\$ 2,931.00</b>	<b>\$ 2,931.00</b>
<b>Total Tribute MB Expense</b>	<b>\$ 22,414.00</b>	<b>\$ 26,693.00</b>	<b>\$ 26,801.00</b>	<b>\$ 26,913.00</b>	<b>\$ 27,028.00</b>	<b>\$ 27,028.00</b>
<b>Total Association Net Income/(Loss)</b>	<b>\$ 0.49</b>	<b>\$ (26,693.00)</b>	<b>\$ (26,801.00)</b>	<b>\$ (26,913.00)</b>	<b>\$ (27,028.00)</b>	<b>\$ (27,028.00)</b>

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 5

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2013-2014 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Beltline Ashmoore Public Improvement District. There were no public comments made.

Beltline Ashmoore is an established subdivision consisting of approximately 19.42 acres generally located on the north side of Beltline Road between Houston School Road and Blue Grove. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Beltline Ashmoore PID is proposing an annual assessment of \$0.1500 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$16,604.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approval of the FY 2013 – 2014 Service Plan

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE BELTLINE ASHMOORE PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2010-12-96 passed on December 13, 2010, after the conduct of a duly notified public hearing, the City Council established the Beltline Ashmoore Public Improvement District (the "District"); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

SECTION 1 - BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

SECTION 2 - ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to

carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.1500 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance

shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

<b>Beltline Ashmoore Estates Public Improvement District Service and Assessment Plan</b>					
	<b>2013 - 2014</b>	<b>2014 - 2015</b>	<b>2015 - 2016</b>	<b>2016 - 2017</b>	<b>2017-2018</b>
Rate per \$100.00	\$ 0.15	\$ 0.15	\$ 0.15	\$ 0.15	\$ 0.15
<b>Revenues</b>					
Assessments	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00
Less: Bad Debts					
Working Capital Assessments					
<b>Income Totals</b>	<b>\$ 16,604.00</b>				
<b>Expenses/Administration</b>					
Tax Return	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Legal Fees	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Newsletter	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
Copies	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
Web Hosting	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Postage	\$ 179.00	\$ 179.00	\$ 179.00	\$ 179.00	\$ 179.00
Post Office Box	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
Supplies	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Meeting Expenses	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
<b>Admininstration Totals</b>	<b>\$ 1,989.00</b>				
<b>Taxes and Insurance</b>					
Income Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -
Property & Liability	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00
Directors & Officers	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00
<b>Taxes and Insurance Totals</b>	<b>\$ 2,190.00</b>				
<b>Landscaping</b>					
Landscaping Contract	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00
Irrigation Repairs	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
<b>Landscaping Totals</b>	<b>\$ 6,760.00</b>				
<b>Common Area Repairs</b>					
Light/Misc Repairs					
Brick Wall Repairs	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
<b>Common Area Repairs Totals</b>	<b>\$ 1,000.00</b>				
<b>Utilities</b>					
Electric	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Water	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
<b>Utilities Totals</b>	<b>\$ 2,700.00</b>				
<b>Neighborhood Committee Events</b>					
Beautification Committee	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Special Events	\$ 965.00	\$ 965.00	\$ 965.00	\$ 965.00	\$ 965.00
<b>Neighborhood Committee Events Tot</b>	<b>\$ 1,965.00</b>				
<b>Total Expenses</b>	<b>\$ 16,604.00</b>				
<b>Cash short/extra</b>	<b>\$0.00</b>				

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 6

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Glendover Estates Public Improvement District. There were no public comments made.

Glendover Estates is an established subdivision of approximately 29.56 acres generally located south of Pleasant Run Road and west of Houston School Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Glendover Estates PID is proposing an annual assessment of \$0.2500 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$41,436.75 and assessments are proposed at \$0.2500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 – 2014 Service Plan.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE GLENDOVER ESTATES PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2006-09-76 passed on September 25, 2006, after the conduct of a duly notified public hearing, the City Council established the Glendover Estates Public Improvement District (the "District"); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

SECTION 1 - BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

SECTION 2 - ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to

carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:**

The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2500 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance

shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**



City of Lancaster Glendover Subdivision Five Year Service Plan  
FY 2013-2014



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$10,592,171.00	\$10,341,420.00	\$10,174,700.00				
Tax Rebate Rollover	\$7,982.00	\$2,491.00	\$0.00				
PY Surplus (unspent PID funds)	\$5,548.00		\$16,000.00	\$10,000.00	\$4,000.00		
Number of Lots	82	82	82				
Assessment Rate (per \$100 valuation)	\$ 0.2200	\$ 0.2500	\$ 0.2500				
<b>Total Association Assessments</b>	<b>\$ 36,832.78</b>	<b>\$ 28,344.55</b>	<b>\$ 41,436.75</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Previous Year Balance	\$ -	\$ 19.52					
<b>Total Glendover Income</b>	<b>\$ 36,832.78</b>	<b>\$ 28,364.07</b>	<b>\$ 41,436.75</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Administrative Expenses</b>							
Administrative	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Meetings (includes some misc)	\$ 250.00		\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Office Supplies (Copies/Scans inc)	\$ 525.00	\$ 705.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Postage and Delivery	\$ 105.00	\$ 525.00	\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Printing & Reproduction	\$ 180.00	\$ 80.00	\$ 100.00	\$ 112.00	\$ 115.00	\$ 119.00	\$ 123.00
Other Activities		\$ 211.00	\$ 100.00	\$ 112.00	\$ 115.00	\$ 119.00	\$ 123.00
Storage	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
<b>Total Administrative Expense</b>	<b>\$ 1,740.00</b>	<b>\$ 2,201.00</b>	<b>\$ 1,930.00</b>	<b>\$ 1,963.00</b>	<b>\$ 1,978.00</b>	<b>\$ 1,995.00</b>	<b>\$ 2,013.00</b>
<b>Maintenance and Repair</b>							
Electrical Repair	\$ 300.00		\$ 500.00	\$ -	\$ -	\$ -	\$ -
Fence/Wall/Monument Repair	\$ 5,031.26		\$ 5,830.00	\$ 2,500.00	\$ -	\$ -	\$ -
Landscape Repair & Replacement	\$ 1,000.00			\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 2,500.00	\$ 1,193.00	\$ 1,000.00	\$ 1,030.00	\$ 1,061.00	\$ 1,093.00	\$ 1,125.00
Landscaping Improvements	\$ 200.00	\$ 256.00	\$ 6,700.00	\$ -	\$ -	\$ -	\$ -
Landscape Maintenance Contract	\$ 10,875.00	\$ 11,700.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00
Common Area Mows	\$ 2,271.00						
<b>Total Maintenance Repair</b>	<b>\$ 22,177.26</b>	<b>\$ 13,149.00</b>	<b>\$ 25,805.00</b>	<b>\$ 15,305.00</b>	<b>\$ 12,836.00</b>	<b>\$ 12,868.00</b>	
<b>Utilities</b>							
Electric	\$ 900.00	\$ 900.00	\$ 750.00	\$ 772.00	\$ 795.00	\$ 819.00	\$ 844.00
Water	\$ 2,925.00	\$ 2,925.00	\$ 3,500.00	\$ 3,605.00	\$ 3,713.00	\$ 3,825.00	\$ 3,939.00
<b>Total Utilities</b>	<b>\$ 3,825.00</b>	<b>\$ 3,825.00</b>	<b>\$ 4,250.00</b>	<b>\$ 4,377.00</b>	<b>\$ 4,508.00</b>	<b>\$ 4,644.00</b>	<b>\$ 4,783.00</b>
<b>Professional Fees</b>							
Accounting/Audit / Property Tax	\$ 300.00	\$ 310.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00
<b>Total Professional Fees</b>	<b>\$ 7,200.00</b>	<b>\$ 7,210.00</b>	<b>\$ 7,200.00</b>	<b>\$ 7,200.00</b>	<b>\$ 7,200.00</b>	<b>\$ 7,200.00</b>	<b>\$ 7,200.00</b>
<b>Insurance</b>							
Property/Liability / D&O	\$ 1,871.00	\$ 1,960.00	\$ 2,006.00	\$ 2,066.00	\$ 2,128.00	\$ 2,192.00	\$ 2,258.00
<b>Total Insurance</b>	<b>\$ 1,871.00</b>	<b>\$ 1,960.00</b>	<b>\$ 2,006.00</b>	<b>\$ 2,066.00</b>	<b>\$ 2,128.00</b>	<b>\$ 2,192.00</b>	<b>\$ 2,258.00</b>
<b>Total Glendover Expense</b>	<b>\$ 36,813.26</b>	<b>\$ 28,345.00</b>	<b>\$ 41,191.00</b>	<b>\$ 30,911.00</b>	<b>\$ 28,650.00</b>	<b>\$ 28,899.00</b>	<b>\$ 16,254.00</b>
<b>Total Association Net Income/(Loss)</b>	<b>\$ 19.52</b>	<b>\$ 19.07</b>	<b>\$ 245.75</b>	<b>\$(30,911.00)</b>	<b>\$(28,650.00)</b>	<b>\$(28,899.00)</b>	<b>\$(16,254.00)</b>

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 7

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Rolling Meadows Public Improvement District. There were no public comments made.

Rolling Meadows is an established subdivision consisting of approximately 38.8 acres generally located on the east and west side of Rolling Hills Place and on the North side of Beltline. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Rolling Meadows PID is proposing an annual assessment of \$0.2150 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$44,239.10 and assessments are proposed at \$0.2150 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 -2014 Service Plan

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE ROLLING MEADOWS PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2008-08-77 passed on August 25, 2008, after the conduct of a duly notified public hearing, the City Council established the Rolling Meadows Public Improvement District (the “District”); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2150 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**



**City of Lancaster Rolling Meadows Subdivision Five Year Service Plan  
FY 2013-2014**



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$14,799,999.00	\$14,351,730.00	\$13,762,370.00				
Funds 'carryover' - Retained Earnings		\$1,500.00	\$14,650.00				
Number of Lots	148	148	148				
Assessment Rate (per \$100 valuation)	\$ 0.2300	\$ 0.2300	\$ 0.2150				
<b>Total Association Assessments</b>	<b>\$ 34,040.00</b>	<b>\$ 34,508.98</b>	<b>\$ 44,239.10</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Previous Year Balance	\$ -	\$ 184.60					
<b>Total Rolling Meadows Income</b>	<b>\$ 34,040.00</b>	<b>\$ 34,693.58</b>	<b>\$ 44,239.10</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Administrative Expenses</b>							
Administrative (Legal)	\$ 500.00	\$ 1,236.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Meetings & Social & Newsletter	\$ 585.00	\$ 625.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Office Supplies (copies/scans inc)			\$ -	\$ -	\$ -	\$ -	\$ -
Postage and Delivery	\$ 378.00	\$ 750.00	\$ 500.00	\$ 515.00	\$ 530.00	\$ 546.00	\$ 563.00
Printing & Reproduction		\$ 40.00	\$ 100.00	\$ 103.00	\$ 106.00	\$ 109.00	\$ 113.00
Other Activities (community website)	\$ 410.00	\$ 970.00	\$ -	\$ -	\$ -	\$ -	\$ -
Storage	\$ 415.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00
<b>Total Administrative Expense</b>	<b>\$ 2,288.00</b>	<b>\$ 4,041.00</b>	<b>\$ 3,020.00</b>	<b>\$ 3,038.00</b>	<b>\$ 3,056.00</b>	<b>\$ 3,075.00</b>	<b>\$ 3,096.00</b>
<b>Maintenance and Repair</b>							
Pest Control	\$ 302.40	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00
Electrical Repair	\$ 475.00	\$ 750.00	\$ 3,830.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00
Community Improvement Projects	\$ 3,600.00	\$ 3,706.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Irrigation Repair	\$ 900.00	\$ 1,500.00	\$ 2,000.00	\$ 2,060.00	\$ 2,121.00	\$ 2,185.00	\$ 2,251.00
Landscaping Other	\$ 1,525.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Landscape Maintenance Contract	\$ 7,800.00	\$ 8,034.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00
<b>Total Maintenance Repair</b>	<b>\$ 14,602.40</b>	<b>\$ 15,294.00</b>	<b>\$ 25,438.00</b>	<b>\$ 22,418.00</b>	<b>\$ 22,479.00</b>	<b>\$ 22,543.00</b>	<b>\$ 22,609.00</b>
<b>Utilities</b>							

Electric	\$ 2,400.00	\$ 1,533.00	\$ 2,000.00	\$ 2,060.00	\$ 2,121.00	\$ 2,185.00	\$ 2,251.00
Water	\$ 3,340.00	\$ 3,276.00	\$ 3,276.00	\$ 3,374.00	\$ 3,475.00	\$ 3,579.00	\$ 3,687.00
<b>Total Utilities</b>	<b>\$ 5,740.00</b>	<b>\$ 4,809.00</b>	<b>\$ 5,276.00</b>	<b>\$ 5,434.00</b>	<b>\$ 5,596.00</b>	<b>\$ 5,764.00</b>	<b>\$ 5,938.00</b>
<b>Professional Fees</b>							
Accounting/Audit	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
Management Fees	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00
<b>Total Professional Fees</b>	<b>\$ 7,925.00</b>						
<b>Insurance</b>							
Property/Liability	\$ 2,300.00	\$ 1,364.00	\$ 1,497.00	\$ 1,541.00	\$ 1,588.00	\$ 1,635.00	\$ 1,684.00
D & O	\$ 1,000.00	\$ 1,076.00	\$ 1,076.00	\$ 1,108.00	\$ 1,141.00	\$ 1,175.00	\$ 1,211.00
<b>Total Insurance</b>	<b>\$ 3,300.00</b>	<b>\$ 2,440.00</b>	<b>\$ 2,573.00</b>	<b>\$ 2,649.00</b>	<b>\$ 2,729.00</b>	<b>\$ 2,810.00</b>	<b>\$ 2,895.00</b>
<b>Total Rolling Meadows Expense</b>	<b>\$ 33,855.40</b>	<b>\$ 34,509.00</b>	<b>\$ 44,232.00</b>	<b>\$ 41,464.00</b>	<b>\$ 41,785.00</b>	<b>\$ 42,117.00</b>	<b>\$ 42,463.00</b>
<b>Total Association Net Income/(Loss)</b>	\$ 184.60	\$ 184.58	\$ 7.10	#####	#####	#####	#####

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 8

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Millbrook East Public Improvement District. There were no public comments made.

Millbrook East is an established subdivision consisting of approximately 46.265 acres in Phase 1 and 17.572 acres Phase 2A and 13.540 acres Phase 2B for a total of 77.377 acres generally located on the south side of Pleasant Run Road east of Houston School Road and west of Bluegrove Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Millbrook East PID is proposing an annual assessment of \$0.2200 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$50,590.45 and assessments are proposed at \$0.2200 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 -2014 Service Plan.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE MILLBROOK EAST PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-69 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Millbrook East Public Improvement District (the “District”); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.22 per \$100 of assessed valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

**City of Lancaster Millbrook East Subdivision Five Year Service Plan  
FY 2013-2014**



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$27,506,020.00	\$22,770,810.00	\$22,995,660.00				
Number of Lots	323	323	323				
Assessment Rate (per \$100 valuation)	\$ 0.2653	\$ 0.2300	\$ 0.2200				
<b>Total Association Assessments</b>	<b>\$ 72,973.47</b>	<b>\$ 52,372.86</b>	<b>\$ 50,590.45</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Previous Year Balance	\$ -	\$ (0.53)	\$ 1,406.33				
<b>Total Millbrook East Income</b>	<b>\$ 72,973.47</b>	<b>\$ 52,372.33</b>	<b>\$ 51,996.79</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Administrative Expenses</b>							
Administrative / Community Mailings	\$ 5,000.00		\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Meetings	\$ 250.00		\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies & Copies	\$ 500.00	\$ 950.00	\$ 600.00	\$ 603.00	\$ 621.00	\$ 639.00	\$ 658.00
Postage and Delivery	\$ 700.00	\$ 1,600.00	\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Printing & Reproduction	\$ 700.00	\$ 160.00	\$ 75.00	\$ 77.00	\$ 79.00	\$ 82.00	\$ 84.00
Other Activities / Legal	\$ 250.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Storage	\$ 300.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
<b>Total Administrative Expense</b>	<b>\$ 7,700.00</b>	<b>\$ 3,390.00</b>	<b>\$ 1,955.00</b>	<b>\$ 1,978.00</b>	<b>\$ 2,016.00</b>	<b>\$ 2,055.00</b>	<b>\$ 2,096.00</b>
<b>Maintenance and Repair</b>							
Initial Repairs and Upgrades	\$ 10,000.00	\$ 8,659.00	\$ -	\$ -	\$ -	\$ -	\$ -
Electrical Repair	\$ 250.00	\$ 300.00	\$ 10,000.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Fence/Wall/Monument Repair	\$ 1,500.00	\$ 1,000.00					
Compliance	\$ 8,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 1,000.00	\$ -	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscaping (General Maint/Other)	\$ 1,000.00	\$ -	\$ 1,310.00	\$ 679.00	\$ 700.00	\$ 721.00	\$ 742.00
Landscape Maintenance Contract	\$ 15,200.00	\$ 15,000.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00
Trash/Debris Removal	\$ 150.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Maintenance Repair</b>	<b>\$ 37,800.00</b>	<b>\$ 24,959.00</b>	<b>\$ 28,842.00</b>	<b>\$ 18,556.00</b>	<b>\$ 18,623.00</b>	<b>\$ 18,692.00</b>	<b>\$ 18,762.00</b>
<b>Utilities</b>							
Electric	\$ 600.00	\$ 600.00	\$ 450.00	\$ 464.00	\$ 477.00	\$ 492.00	\$ 506.00
Water	\$ 9,000.00	\$ 9,000.00	\$ 7,000.00	\$ 7,210.00	\$ 7,426.00	\$ 7,649.00	\$ 7,878.00
<b>Total Utilities</b>	<b>\$ 9,600.00</b>	<b>\$ 9,600.00</b>	<b>\$ 7,450.00</b>	<b>\$ 7,674.00</b>	<b>\$ 7,903.00</b>	<b>\$ 8,141.00</b>	<b>\$ 8,384.00</b>
<b>Professional Fees</b>							
Accounting/Audit	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 13,500.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00
<b>Total Professional Fees</b>	<b>\$ 13,800.00</b>	<b>\$ 9,900.00</b>	<b>\$ 9,900.00</b>	<b>\$ 9,900.00</b>	<b>\$ 9,900.00</b>	<b>\$ 9,900.00</b>	<b>\$ 9,900.00</b>
<b>Insurance</b>							
Property/Liability	\$ 2,000.00	\$ 1,500.00	\$ 2,055.00				
D & O	\$ 2,074.00	\$ 1,617.00	\$ 1,494.00				
<b>Total Insurance</b>	<b>\$ 4,074.00</b>	<b>\$ 3,117.00</b>	<b>\$ 3,549.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Total Millbrook East Expense</b>	<b>\$ 72,974.00</b>	<b>\$ 50,966.00</b>	<b>\$ 51,696.00</b>	<b>\$ 38,108.00</b>	<b>\$ 38,442.00</b>	<b>\$ 38,788.00</b>	<b>\$ 39,142.00</b>
<b>Total Association Net Income/(Loss)</b>	<b>\$ (0.53)</b>	<b>\$ 1,406.33</b>	<b>\$ 300.79</b>	<b>\$ (38,108.00)</b>	<b>\$ (38,442.00)</b>	<b>\$ (38,788.00)</b>	<b>\$ (39,142.00)</b>

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 9

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Boardwalk Public Improvement District. There were no public comments made.

Boardwalk is an established subdivision consisting of approximately 38.002 acres in Phase 1 and 43.237 acres in Phase 2 totaling 80.239 acres generally located on the (North, South, East or West) side of Cedardale Road and on the east side of Dallas Avenue. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Boardwalk PID is proposing an annual assessment of \$0.2400 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$73,730.25 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 – 2014 Service Plan.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE LANCASTER BOARDWALK PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-68 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Lancaster Boardwalk Public Improvement District (the “District”); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.2400 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**



City of Lancaster - Boardwalk Subdivision Five Year Service Plan  
FY 2013-2014



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$29,592,000.00	\$28,367,810.00	\$28,995,940.00				
Number of Lots	323	323	323				
PY Retained Earnings			\$4,140.00				
Assessment Rate (per \$100 valuation)	\$ 0.2760	\$ 0.2500	\$ 0.2400				
<b>Total Association Assessments</b>	<b>\$ 81,673.92</b>	<b>\$ 70,919.53</b>	<b>\$ 73,730.26</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Previous Year Balance	\$ -	\$ (0.08)	\$ (0.00)				
<b>Total Boardwalk Income</b>	<b>\$ 81,673.92</b>	<b>\$ 70,919.45</b>	<b>\$ 73,730.25</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Administrative Expenses</b>							
Administrative	\$ 5,900.00	\$ 5,900.00	\$ -	\$ -	\$ -	\$ -	\$ -
Meetings	\$ 250.00	\$ 100.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Office Supplies (and copies, scans)	\$ 500.00	\$ 720.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Postage & Delivery (comm mailings)	\$ 700.00	\$ 1,152.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Printing & Reproduction	\$ 700.00	\$ 160.00	\$ 160.00	\$ 164.00	\$ 169.00	\$ 174.00	\$ 180.00
Other Activities / Legal	\$ 250.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Storage	\$ 300.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
<b>Total Administrative Expense</b>	<b>\$ 8,600.00</b>	<b>\$ 8,712.00</b>	<b>\$ 1,690.00</b>	<b>\$ 1,694.00</b>	<b>\$ 1,699.00</b>	<b>\$ 1,704.00</b>	<b>\$ 1,710.00</b>
<b>Maintenance and Repair</b>							
Initial Repairs and Upgrades	\$ 15,000.00		\$ -	\$ -	\$ -	\$ -	\$ -
Electrical Repair & Upgrades	\$ 250.00	\$ 634.00	\$ 12,000.00	\$ 634.00	\$ 634.00	\$ 634.00	\$ 634.00
Fence/Wall/Monument Repair	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Compliance	\$ 11,500.00	\$ 11,500.00	\$ -	\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 1,000.00	\$ 2,500.00	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscaping (General Maint/Other)	\$ 1,000.00	\$ 9,846.45	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscape Maintenance Contract	\$ 15,200.00	\$ 15,485.00	\$ 15,630.00	\$ 15,630.00	\$ 15,630.00	\$ 15,630.00	
Trash/Debris Removal	\$ 150.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Maintenance Repair</b>	<b>\$ 45,600.00</b>	<b>\$ 42,965.45</b>	<b>\$ 33,130.00</b>	<b>\$ 21,854.00</b>	<b>\$ 21,946.00</b>	<b>\$ 22,042.00</b>	<b>\$ 6,510.00</b>
<b>Utilities</b>							
Electric	\$ 600.00	\$ 600.00	\$ 450.00	\$ 463.00	\$ 477.00	\$ 492.00	\$ 506.00
Water	\$ 9,000.00	\$ 4,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
<b>Total Utilities</b>	<b>\$ 9,600.00</b>	<b>\$ 4,600.00</b>	<b>\$ 12,450.00</b>	<b>\$ 12,463.00</b>	<b>\$ 12,477.00</b>	<b>\$ 12,492.00</b>	<b>\$ 12,506.00</b>
<b>Professional Fees</b>							
Accounting/Audit (Tax Svcs CPA)	\$ 300.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -
Management Fees	\$ 13,500.00	\$ 11,229.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00
Other Professional fees			\$ 13,132.25				
<b>Total Professional Fees</b>	<b>\$ 13,800.00</b>	<b>\$ 11,529.00</b>	<b>\$ 23,332.25</b>	<b>\$ 10,200.00</b>	<b>\$ 10,200.00</b>	<b>\$ 10,200.00</b>	<b>\$ 10,200.00</b>
<b>Insurance</b>							
Property/Liability	\$ 2,000.00	\$ 1,663.00	\$ 1,769.00	\$ 1,822.00	\$ 1,876.00	\$ 1,933.00	\$ 1,991.00
D & O	\$ 2,074.00	\$ 1,450.00	\$ 1,359.00	\$ 1,399.00	\$ 1,441.00	\$ 1,485.00	\$ 1,529.00
<b>Total Insurance</b>	<b>\$ 4,074.00</b>	<b>\$ 3,113.00</b>	<b>\$ 3,128.00</b>	<b>\$ 3,221.00</b>	<b>\$ 3,317.00</b>	<b>\$ 3,418.00</b>	<b>\$ 3,520.00</b>
<b>Total Boardwalk Expense</b>	<b>\$ 81,674.00</b>	<b>\$ 70,919.45</b>	<b>\$ 73,730.25</b>	<b>\$ 49,432.00</b>	<b>\$ 49,639.00</b>	<b>\$ 49,856.00</b>	<b>\$ 34,446.00</b>
<b>Total Association Net Income/(Loss)</b>	<b>\$ (0.08)</b>	<b>\$ (0.00)</b>	<b>\$ 0.00</b>	<b>\$ (49,432.00)</b>	<b>\$ (49,639.00)</b>	<b>\$ (49,856.00)</b>	<b>\$ (34,446.00)</b>

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 10

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**Consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Neighborhoods**

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### **Background**

On Monday, August 12, 2013 Council conducted a public hearing on the proposed service plan for Meadowview Public Improvement District. There were no public comments made.

Meadowview is an established subdivision consisting of approximately 215.262 total acreage including 50.614 acres in Phase 1, 36.907 acres in Phase 2, 36.493 in Phase 3, 2.864 acres in Phase 4 and 88.384 acres in Phase 5. This subdivision is generally located east of Ames Road, west of Dizzy Dean Drive and north of Wintergreen Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Meadowview PID is proposing an annual assessment of \$0.1000 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$71,213.51 and assessments are proposed at \$0.1000 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan
2. Reject the Service Plan

### **Recommendation**

Staff recommends approving the FY 2013 – 2014 Service Plan.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Aretha Adams, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE MEADOWVIEW PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-67 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Meadowview Public Improvement District (the "District"); and

**WHEREAS**, on August 12, 2013 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 12<sup>th</sup> day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1 - BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2 - ADOPTING SERVICE PLAN:** That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:** The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots**, for these lots the assessment shall not exceed \$0.1000 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5 - ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 - METHOD OF PAYMENT:** That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7 - ASSESSMENT DUE:** That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8 - CONFLICT:** That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9 - SEVERABILITY:** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 26<sup>th</sup> day of August, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

<b>Meadowview PID FUND 62</b>	2014		2015		2016		2017		2018	
Draft Prepared Meadowview PID Board Meeting of 5 July 2013	\$	74,180,740.00		74000000		74000000		74000000		74000000
		96%		96%		96%		96%		96%
	\$	71,213.51	\$	71,040.00	\$	71,040.00	\$	71,040.00	\$	71,040.00
201 OFFICE SUPPLIES		250		250		250		250		250
210 FOOD-BEV-MEETINGS/FUNCTIONS		0		0		0		0		0
211 OTHER OPERATIONAL SUPPLIES		0		0		0		0		0
214 POSTAGE/SHIPPING/DELIVERY		150		150		150		150		150
225 LANDSCAPING		4000		4000		4000		4000		4000
Supplies Sub Total		4400		4400		4400		4400		4400
301 MAINT-BLDG & STRUCTURES		0		0		0		0		0
303 MAINT-EQUIP & MACHINERY		0		0		0		0		0
305 MAINT-SIDEWALKS, DRAINAGE, BRIDGES		0		0		0		0		0
351 MISCELLANEOUS MAINTENANCE		500		500		500		500		500
372 MAINT-IRRIGATION MAINT & REPAIRS		4000		4000		4000		4000		4000
Maintenance Sub Total		4500		4500		4500		4500		4500
401 TELEPHONE & COMMUNICATIONS		0		0		0		0		0
403 CASUALTY INSURANCE**		6000		6000		6000		6000		6000
407 SPECIAL SERVICES		0		0		0		0		0
408 ADVERTISING		0		0		0		0		0
409 TRAVEL & EDUCATION		0		0		0		0		0
410 UTILITIES - ELECTRICITY*		525		525		525		525		525
411 WATER PURCHASE PID*		15000		15000		15000		15000		15000
414 DUES & SUBSCRIPTIONS		0		0		0		0		0
416 OTHER/PROFESSIONAL SERVICES		0		0		0		0		0
421 PRINTING		250		250		250		250		250
422 COMPUTER PROFESSIONAL SERVICES		0		0		0		0		0
423 MOWING*		20196		20196		20196		20196		20196
434 SPECIAL EVENTS		750		750		750		750		750
436 IMPROVEMENTS BY CONTRACTORS		15000		15000		15000		15000		15000
437 ACCOUNTING/AUDIT SERVICES		0		0		0		0		0

<b>Meadowview PID FUND 62</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
446 ATTORNEY SERVICES-LEGAL FEES	500	500	500	500	500
450 ADMINISTRATIVE MANAGEMENT FEE	0	0	0	0	0
452 FILING FEES	0	0	0	0	0
456 NEWSLETTER	250	250	250	250	250
469 STORAGE	0	0	0	0	0
470 BAD DEBT EXPENSE	0	0	0	0	0
471 CO-INSURANCE	0	0	0	0	0
494 MISC EXPENSE-CHARITABLE DONATIONS	0	0	0	0	0
Services Sub Total	58471	58471	58471	58471	58471
511 PROPERTY TAX & LIABILITY	15	15	15	15	15
537 DALLAS CO. COLLECTION SERVICES	2227.5	2227.5	2227.5	2227.5	2227.5
Other Services Sub Total	2242.5	2242.5	2242.5	2242.5	2242.5
UNDISTRIBUTED FUNDS					
9002 CARRIED OVER (Fund Balance)	\$ 1,600.01	\$ 1,426.50	\$ 1,426.50	\$ 1,426.50	\$ 1,426.50
<b>Department Total Expenses</b>	<b>69613.5</b>	<b>69613.5</b>	<b>69613.5</b>	<b>69613.5</b>	<b>69613.5</b>

# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 11

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**Conduct a Public Hearing and Consider a Comprehensive Plan Amendment to Light Industrial (LI) and a Rezoning request from PD – Planned Development MU (Mixed Use with Residential, Retail and Commercial Uses) to PD – Planned Development LI (Light Industrial). The Property is located on the Northwest corner of Telephone Road and North Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Quality Development**

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### **Background**

This is a request to rezone the subject property from PD-MU, Planned Development - Mixed Use to PD-LI, Planned Development - Light Industrial. The purpose of this zoning request is to develop a Logistics Business Park with warehouse and distribution facilities.

1. **Location and Size:** The property is located on the northwest corner of Telephone Road and Dallas Avenue. The property contains 251.31 acres of land and is currently undeveloped.
2. **Current Zoning:** The subject property is currently zoned PD-MU, Planned Development – Mixed Use with residential, retail and commercial uses on the eastern portion of the property fronting N. Dallas Avenue.
3. **Adjacent Properties:**  
North: SF-5 and SF-6, Single Family Residential and CH, Commercial Highway  
South: SF-5 and SF-6, Single Family Residential; 2F-6, Two Family Residential and NS, Neighborhood Services  
East: NS, Neighborhood Services; LI, Light Industrial  
West: SF-5, Single Family Residential
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this area with a mixture of land use designations including Retail at Telephone Road and Dallas Avenue, Light Industrial along Telephone Road and Medium Density Residential towards northwest portion of this property. The proposed use of the site contains both

elements that appear compatible and those that do not match the Comprehensive Plan.

- 5. Public Notification:** On Wednesday, July 24, 2013, a notice for this public hearing appeared in the Focus Daily Newspaper. Notifications of this public hearing were mailed to all property owners that are within 200 feet of the subject property on July 24, 2013. Zoning signs were placed on the subject property. Of the one hundred and thirty-four (134) property owner notifications mailed, two (2) responses have been received in favor of this request and two (2) in opposition of this request. This application was postponed at the July 2nd Planning and Zoning Commission meeting. The application was scheduled again for July 23rd Planning and Zoning Commission meeting that was cancelled. Two public hearings were scheduled and notices were sent out accordingly. During these notice processes, a total of twelve (12) responses were received in favor of this request and thirteen (13) in opposition of this request.

A property owner who does not reside within the 200' notification area has gathered and submitted to the City 20 opposition responses for the July 2nd hearing and 24 opposition responses for the July 23rd public hearing.

At the August 6, 2013 Public Hearing, 11 citizens spoke in opposition of the zoning change application and 1 citizen spoke in favor. No further comments have been received by the Planning Division regarding this application at the time of writing this staff report.

**6. Case History:**

Date	Body	Action
12/07/04	P&Z	Z05-03 Charleston Park PD favorable recommendation
12/13/04	CC	Z05-03 Charleston Park PD denied
07/05/05	P&Z	Z05-22 Summerfield PD favorable recommendation
08/08/05	CC	Z05-22 Summerfield PD approved
09/06/11	P&Z	Z11-08 Lancaster Trade Center – straight zoning to LI negative recommendation
	CC	Z11-08 Lancaster Trade Center – straight zoning to LI applicant withdrew request
07/02/13	P&Z	Z13-01 Lancaster Logistics Industrial Center PD postponed no action taken
07/23/13	P&Z	Meeting Canceled
08/06/13	P&Z	Z13-01 Lancaster Logistics Industrial Center PD favorable recommendation

## **Considerations**

Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Following is an analysis of these considerations:

**Consistency with the Comprehensive Plan:** The future land use map of the Lancaster Comprehensive Plan identifies this site as a mix of uses including Medium Density Residential, Retail, and Industrial land use. The requested zoning and land use contains both elements that appear compatible and those that do not match the Comprehensive Plan. This application is also a request for an amendment to the Lancaster Comprehensive Plan allowing the Light Industrial (LI) land use component instead of the Medium Density Residential land use. It is critical to understand that a Future Land Use Plan (FLUP) is not a zoning map and does not create a legally binding contract, nor does it assign rights to property which may be construed as vested rights. Generally, the FLUP is a map of intended uses for areas throughout the City and the City's extraterritorial jurisdiction (ETJ).

The comprehensive plan amendment request is under concurrent consideration with the zoning change request. The comprehensive plan amendment request has to be considered in the Planning and Zoning Commission recommendation. As per Lancaster Development Code, Section 14.1002, the PD Concept Plan "should be generally consistent with City's Comprehensive Plan (as such plan may be amended prior to or concurrently with approval of the PD District)."

**Potential Impact on Adjacent Development:** This property is currently undeveloped. The applicant addressed traffic circulation, landscaping and screening solutions to assist with reducing the impact of noise, visibility and traffic on adjacent neighborhoods. The applicant has proposed the following:

1. At no time will trucks be allowed to ingress or egress onto Telephone Road or Dizzy Dean Road. Only car traffic from the Retail area shown on the master plan shall have access onto Telephone Road. The industrial and retail area will not be internally connected. No truck traffic from the industrial area shall be able to exit through Telephone Road via the Retail corner.
2. Perimeter screening from Dizzy Dean Road and Telephone Road will consist of a 6' - 8' tall continuous masonry screening wall, with masonry columns spaced approximately 100 feet apart.
3. Street trees, at a minimum of 3 caliper inches, will be required along Dizzy Dean Road and Telephone Road frontage spaced in two staggered rows approximately every 30' except; when in front of the masonry columns, adjacent to drainage or other features, and in areas which will interfere with traffic visibility triangles.
4. The screening wall along Telephone Road and Dizzy Dean shall be placed on a 3' to 1' berm to further enhance the screening from adjacent residential neighborhoods.

The perimeter screening and buffering is intended to physically screen the buildings and create a restricted visibility corridor for the proposed building within the Lancaster Logistics Industrial Center.

**Availability of utilities and access:** The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan at this time. As required by Lancaster Development Code and in accordance with the General Design and Construction Manual, the applicant is providing a sidewalk along Dizzy Dean, Telephone Road and N. Dallas Avenue. Median improvements along N. Dallas Avenue shall also be installed by the applicant. These roadway improvements will occur during project construction after Final Plat, Site Plan, and Engineering/Civil Review Plans approval. The subject property only has access from N. Dallas Avenue.

**Site conditions such as vegetation, topography and flood plain:** The subject property 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. The City Engineer, who is the City's Certified Floodplain Manager (CFM) has reviewed this zoning change proposal. Once civil review plans are submitted, the applicant will be required to meet the City's General Design and Construction Manual, Storm-Water Design Manual, and the Subdivision Ordinance requirements. A tree survey would be required as part of the Site Plan approval process. The applicant will be required to submit a drainage study and any on-site detention shall be landscaped and treated as an amenity per Lancaster Development Code.

**Timing of Development as it relates to Lancaster's Capital Improvement Plan:** The City of Lancaster Capital Improvement Plan (CIP) does not include any immediate improvement along Dizzy Dean, Telephone Road, and N. Dallas Avenue. However, the applicant will be required to dedicate adequate right-of-way on all adjacent roadways as per City of Lancaster Thoroughfare Plan. These right-of-way dedications will be recorded during Final Plat approval and filing process.

### **Quality Development**

This planned development has incorporated landscaping, architectural and site orientation standards to encourage high quality logistics and distribution center users. The visual, noise, and traffic impact on neighboring properties have been tactfully minimized by providing enhanced setbacks, three to one foot berm, two staggered rows of large street trees, masonry walls along Dizzy Dean Road and wood fence with masonry columns along Telephone Road. Moreover there is building articulation, façade templates, roof design guidelines included in the PD ordinance to eliminate the big-box appearance of these buildings. The building exteriors will be similar to large corporate commercial buildings with creative use of building form, scale, height, glass facades and design elements (elevation template attached).

After careful review of the zoning application and associated documents, staff is of the opinion that this proposed project meets Lancaster Development Code and other applicable ordinances at this stage of development. With creative application of architectural standards, site orientation, parking layout, traffic circulation and enhanced buffer and screening requirements, this proposal meets the intent of quality non-residential development.

### **Options/Alternatives**

- 1) Approve the comprehensive plan amendment and rezoning request
- 2) Approve the comprehensive plan amendment and rezoning request with stipulations and state those for the record.
- 3) Deny the comprehensive plan amendment and rezoning request.

### **Recommendation**

#### **P&Z**

At the August 6, 2013 meeting, the Planning and Zoning Commission made a favorable recommendation to approve the zoning change and comprehensive plan amendment request with the following stipulations:

1. The applicant provides sidewalks along Dizzy Dean, Telephone Road and N. Dallas Avenue.

#### **STAFF**

The applicant has incorporated P&Z recommendation in their PD Ordinance in providing the sidewalks. The applicant has also agreed to provide continuous masonry screening wall along Telephone Road and Dizzy Dean Road that was originally planned along Dizzy Dean Road only. This was in response to resident requests expressed during the Public Hearing on August 6, 2013 P&Z meeting.

Staff recommends approval of the rezoning request as presented.

### **Attachments**

- PD Ordinance
- Planning and Zoning Commission Agenda Communication/with attachments (August 6, 2013)

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#### **Submitted by:**

Rona Stringfellow, Managing Director of Public Works and Development Services  
Surupa Sen, Senior Planner

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE 2002 COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF LANCASTER, TEXAS, AS HERETORORE AMENDED, BY AMENDING THE LAND USE DESIGNATIONS ON APPROXIMATELY 251 ACRES OF PROPERTY DESCRIBED AS TRACTS 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 OF SMITH ELKINS SURVEY, ABSTRACT NO. 430, PAGE 325, CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ALSO KNOWN AS BEING WEST OF TELEPHONE ROAD, SOUTH OF DALLAS AVENUE AND NORTH OF DIZZY DEAN ROAD, LOCATED IN THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A (THE "PROPERTY"), WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN, FROM RETAIL, LIGHT INDUSTRIAL, AND MEDIUM DENSITY RESIDENTIAL TO LIGHT INDUSTRIAL; AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT MIXED USE (PD-MU) TO PLANNED DEVELOPMENT LIGHT INDUSTRIAL (PD-LI) TO BE LOCATED ON SAID PROPERTY; REQUIRING THE PROPERTY TO BE REPLATTED; PROVIDING FOR DEVELOPMENT REGULATIONS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT B, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN ATTACHED HERETO AS EXHIBIT C; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Lancaster, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Lancaster, Texas, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that the land use change to the 2002 Comprehensive Plan and Land Use Map and the zoning change to the Comprehensive Zoning Ordinance and Map should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Plan, Land Use Map, Comprehensive Zoning Ordinance and Map should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** That the 2002 Comprehensive Land Use Plan of the City of Lancaster, Texas shall be hereby amended by amending the land use designations on approximately 251 acres of property described as tracts 3, 3.2, 4, 5, 5.1, 6, 7, and 7.1 of Smith Elkins Survey, Abstract No. 430, Page 325, City of Lancaster, Dallas County, Texas, also known as being located west of Telephone Road, south of Dallas Avenue and north of Dizzy Dean Road, in the City of Lancaster, Dallas County, Texas, as more specifically described in the legal description attached hereto and incorporated herein as Exhibit “A” (the “Property”) from retail, light industrial, and medium-density residential uses to light industrial uses. The Future Land Use Map of the City of Lancaster, Texas shall also be hereby amended to reflect the change in land use designation on the Property as stated herein, as depicted in the Future Land Use Map attached hereto and incorporated herein as Exhibit “B”.

**SECTION 2.** That the Comprehensive Zoning Ordinance and Map of the City of Lancaster, Texas, duly passed by the governing body of the City of Lancaster, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI), on the Property.

**SECTION 3.** That the Property shall be developed in compliance with the Development Regulations attached hereto as Exhibit C, and in accordance with the Concept Plan, attached hereto and incorporated herein as Exhibit D.

**SECTION 4.** That the Property shall be permitted to be used for any use listed in the Development Regulations attached hereto and incorporated herein as Exhibit C.

**SECTION 5.** That the Property owner shall comply with all City and local subdivision regulations, zoning regulations, ordinances, development codes, fire code and building codes, and the structure shall be constructed in accordance with a site plan, to be presented to and approved by the City prior to commencement of construction.

**SECTION 6** That the 2002 Comprehensive Plan, Future Land Use Map, and Comprehensive Zoning Ordinance of the City of Lancaster, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION 7.** That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Plan, the Future Land Use Map, or the Comprehensive Zoning Ordinance as a whole.

**SECTION 9.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Plan, the Future Land Use Map, and the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 10.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 11.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED AND APPROVED** by the City Council of the City of Lancaster, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY  
(REH/JPD)

**EXHIBIT A**  
**PROPERTY LEGAL DESCRIPTION**

All that certain lot, tract or parcel of land situated in the SMITH ELKINS SURVEY, ABSTRACT NO. 430, City of Lancaster, Dallas County, Texas and being all of that tract of land as described in a Trustee's deed from Gulf Western-Meadow Park, Ltd. to Juanita Smith Alexander, dated May 5, 1992 and being recorded in Volume 92094, Page 1453 of the Deed Records of Dallas County, Texas and being a part of that 85.1 acres tract of land as described in a Deed to Clarence L. Smith and Juanita Smith, as recorded in Volume 3522, Page 60 of the Deed Records of Dallas County, Texas, and being that tract of land as described in a Warranty deed from Madeline Hargrove to Dora L. Townsend and Phillip Henry Deam, dated September 20, 1996 and filed February 2, 1997, as being recorded in Volume 97030, Page 7 of the Deed Records of Dallas County, Texas, and being all of that tract of land as described as Tract 2 in a Special Warranty deed from Julian L. Henry, Jr. to Julian L. Henry, Jr. Trust, dated December 16, 1996, and being recorded in Volume 97023, Page 4911 of the Deed Records of Dallas County, Texas, and being all of that called 79.601 acres tract of land as described in a Special Warranty deed from Sue Gibbons to STG Family Limited Partnership dated August 25, 1999 and being recorded in Volume 99236, Page 4962 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the West right-of-way line of State Highway 342 Lancaster Road (120' R.O.W.) at the Northeast corner of said Juanita Smith Alexander tract, said point being S. 26 deg. 37 min. 58 sec. E., 651.41 feet from the Northeast corner of said 85.1 acres Smith tract;

THENCE S. 26 deg. 39 min. 01 sec. E, along said right-of-way line, a distance of 346.44 feet to a 1/2" iron rod with yellow plastic cap stamped "RSCI RPLS 5034" set for corner;

THENCE S. 63 deg. 24 min. 18 sec. W. a distance of 400.43 feet to a 1/2" iron rod with yellow plastic cap stamped "RSCI RPLS 5034" set for corner;

EXHIBIT A  
PLAT MAP AND PHOTOS

THENCE S. 26 deg. 40 min. 12 sec. E. a distance of 391.19 feet to a 1/2" iron rod found for corner;

THENCE N. 60 deg. 02 min. 55 sec. E. a distance of 400.98 feet to a 1/2" iron rod with yellow plastic cap stamped "RSCI RPLS 5034" set for corner in the West right-of-way line of State Highway 342 Lancaster Road;

THENCE in a Southerly direction along a curve to the right having a central angle of 04 deg. 35 min. 59 sec., a radius of 4177.34 feet, a tangent of 167.77 feet, a chord of S. 23 deg. 08 min. 24 sec. E., 335.28 feet along said right-of-way line, an arc distance of 335.37 feet to a 1/2" iron rod with plastic cap found for corner at the Northeast corner of Lot 1-A, Block B, of CEDAR VALLEY INDUSTRIAL PARK SEC 1, an Addition to the City of Lancaster, Texas, according to the Map thereof recorded in Volume 96211, Page 970 of the Map Records of Dallas County, Texas;

THENCE S. 59 deg. 59 min. 48 sec. W. along the North line of said Addition, a distance of 1002.87 feet to a 1/2" iron rod found for corner at the Northwest corner of Lot 2-A, Block B;

THENCE S. 31 deg. 04 min. 17 sec. E. a distance of 90.60 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 60 deg. 03 min. 07 sec. W. a distance of 361.77 feet to a 1/2" iron rod found for corner at the Northwest corner of Lot 1B, Block C of REPLAT CEDAR VALLEY INDUSTRIAL PARK, an Addition to the City of Lancaster, Texas, according to the Map thereof recorded in Volume 87078, Page 1503 of the Map Records of Dallas County, Texas;

THENCE S. 30 deg. 18 min. 06 sec. E. a distance of 310.28 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the South right-of-way line of Cedar Valley Drive;

THENCE N. 59 deg. 54 min. 38 sec. E. along said right-of-way line, a distance of 15.10 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northwest corner of Lot 5, Block A of CEDAR VALLEY INDUSTRIAL PARK SECTION 1;

THENCE S. 29 deg. 44 min. 07 sec. E. along the West line of said Lot 5, a distance of 299.97 feet to a 1/2" iron rod found for corner at the Southwest corner of same;

THENCE N. 60 deg. 00 min. 08 sec. E. a distance of 1230.42 feet to a 1/2" iron rod found for corner in the West right-of-way line of Lancaster Road;

THENCE S. 20 deg. 21 min. 13 sec. E. along said right-of-way line a distance of 1562.05 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at a cut back flare in said right-of-way line;

THENCE S. 17 deg. 54 min. 29 sec. W. along said flare in right-of-way line a distance of 76.97 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the North right-of-way line of Telephone Road;

THENCE S. 59 deg. 08 min. 01 sec. W. along the North right-of-way line of Telephone Road, a distance of 3100.05 feet to a 1/2" iron rod found for corner at the Southwest corner of said STG Family tract;

EXHIBIT A  
PLAT MAP AND PHOTOS

THENCE N. 30 deg. 08 min. 42 sec. W. along the West line of said tract, a distance of 3348.95 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the meanders of Floyd Branch and being at the Northwest corner of said 85.1 acres Smith tract;

THENCE in a Northeasterly direction along the meanders of Floyd Branch as follows:

N. 58 deg. 30 min. 51 sec. E, a distance of 111.41 feet;  
N. 43 deg. 48 min. 20 sec. E, a distance of 98.06 feet;  
N. 44 deg. 30 min. 00 sec. E. a distance of 342.00 feet;  
N. 45 deg. 45 min. 00 sec. E. a distance of 46.72 feet;  
S. 71 deg. 00 min. 00 sec. E. a distance of 72.97 feet;  
N. 69 deg. 00 min. 00 sec. E. a distance of 58.00 feet;  
N. 22 deg. 00 min. 00 sec. E. a distance of 108.00 feet;  
N. 26 deg. 00 min. 00 sec. E. a distance of 143.00 feet;  
N. 57 deg. 00 min. 00 sec. E. a distance of 748.03 feet;  
S. 59 deg. 15 min. 00 sec. E. a distance of 41.15 feet;  
S. 73 deg. 31 min. 00 sec. E. a distance of 30.00 feet;  
N. 74 deg. 15 min. 15 sec. E. a distance of 55.00 feet;  
N. 12 deg. 30 min. 00 sec. E. a distance of 97.00 feet;  
N. 44 deg. 36 min. 17 sec. E. a distance of 37.45 feet;  
N. 52 deg. 45 min. 00 sec. E. a distance of 549.00 feet;  
N. 30 deg. 00 min. 00 sec. W. a distance of 110.00 feet;  
N. 63 deg. 41 min. 18 sec. E. a distance of 198.91 feet;

THENCE S. 27 deg. 51 min. 46 sec. E., at 19.64 feet pass a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for witness on the South bank of Floyd Branch, and continuing for a total distance of 330.00 feet to a 1/2" iron rod found for corner;

THENCE N. 63 deg. 32 min. 05 sec. E. a distance of 1065.28 feet to the POINT OF BEGINNING and containing 251.31 acres of land, more or less.



**EXHIBIT C**  
**DEVELOPMENT REGULATIONS**

**Lancaster Logistics Industrial Center**  
Planned Development Regulations

**Purpose and Intent**

The purpose and intent of this Planned Development is to provide regulations for the development of the subject property as a master-planned business park. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth and protect property values in the area.

**Applicability**

The development regulations contained herein shall apply when the City considers a subdivision plat, a detailed site plan and/or a building permit application.

**General Layout and Street Configuration**

The building and street configurations shown on the attached Concept Plan labeled Exhibit "B" are just that, a concept. As the development proceeds, Detailed Site Plans shall be submitted for further clarification and staff approval. At no time will trucks be allowed to have ingress or egress onto Telephone Road or Dizzy Dean Drive. On the contrary, car traffic from area labeled "Retail Area" in Exhibit "B" shall have ingress or egress onto Telephone Road.

**Permitted Uses**

Any use allowed in the NS – Neighborhood Service, R – Retail, CH – Commercial Highway, CS – Commercial Service, ORT – Office Research Technology, or LI – Light Industrial Zoning districts.

**Lot Requirements**

For the purposes of these regulations; "Front" shall refer to all site boundaries along a public right-of-way; "Side" shall refer to all site boundaries which intersect with a public right-of-way; and "Rear" shall refer to all other site boundaries.

**Minimum Building Setback**

Front Setback	25'
Side Setback	15'
Rear Setback	15'

**Maximum Lot coverage by Building**

60% (For single use sites)  
75% (For combination use sites)

***EXHIBIT D***  
***CONCEPT PLAN***

**Structure Requirements**

**Maximum Building Height**

Height of Buildings

140' above finished floor elevation but no greater than 50' within 50' of a property line that is adjacent to a residentially zoned property

**Building Articulation**

Building Articulation

Vertical and horizontal articulation is recommended, but will not be required with the use of other architectural elements such as reveals, alternating paint schemes, faux windows and other features to minimize the “flat-box” look. The intent is to make the buildings more aesthetically pleasing when viewed from Dallas Avenue, Dizzy Dean Road, and Telephone Road.

**Exterior Material Requirements**

All building facades shall be 100% masonry. Masonry is defined as brick, stone, standard concrete block (painted), split-faced concrete block, fluted concrete block, burnished concrete block, stucco, pre-cast concrete panels, cast-in-place concrete (painted), tilt-up concrete panels which will have any one or combination of the following finishes; painted exposed aggregate, sandblasted, and/or stained. The area of doors and window openings shall not be included in the calculation of this requirement.

**Building Orientation Requirements**

Trucks courts, loading docks and service courts shall be allowed in any orientation but will have screening that will help keep these area less visible from Dallas Avenue, Dizzy Dean, or Telephone Road.

**Parking Requirements**

Off-street parking shall comply with the provisions set forth in the Lancaster Development Code, as amended, except where otherwise provided in this subsection.

- No on-street parking (Parking within a street Right-of-Way) will be permitted
- Automobile parking stalls shall be a minimum of 9" wide x 18' long.
- Warehouse and Distribution: Minimum 1 parking space (facilitating either a truck or car) per 2,500 s.f. of warehouse space for buildings comprising less than 100,000 s.f.; or minimum 1 parking space (facilitating either a truck or car) per 5,000 s.f.: of warehouse space for buildings equal to or

**EXHIBIT D**  
**CONCEPT PLAN**

greater than 100,000 s.f. Parking for the office portion shall be 1 parking space (facilitating only cars) per 300 s.f. of office area.

**Outdoor Storage**

Outdoor storage of raw materials, finished goods, commodities or other such items shall be permitted provided the storage is incidental to the principal use of the property. Such outdoor storage shall be subject to the following regulations:

The area used for outdoor storage:

- shall not be located in the front 1/3 of the lot; and,
- shall not exceed 30% of the lot area; and,
- shall be screened from view from all sides, public and private, by a minimum 6-foot high opaque screen consisting of anyone or a combination of the following:
  - Wood Fence
  - Masonry Wall
  - Vegetation
  - Berm
- and at all times the stored materials must be one foot (1') below the opaque screen.

**Sidewalks**

Standard City of Lancaster pedestrian sidewalks will be required along the perimeter of this development adjacent to existing road right-of-ways and will be constructed at the time of final plat and construction for the adjacent platted lot.

**Landscaping and Open Space**

Required Landscape Areas and Trees:

- Perimeter screening from Dizzy Dean Road and Telephone Road will consist of a 6-8' masonry screenwall, with masonry accent columns spaced approximately 100 feet. Additionally, street trees, minimum 3 caliper inches, will be required along Dizzy Dean Road and Telephone Road frontage spaced in two staggered rows approximately every 30' except; when in front of masonry columns for screening fence, adjacent to drainage or other features, and in areas which cause intersection visibility issues or traffic concerns. The perimeter screening is intending to buffer the buildings and create a restricted visibility corridor to the proposed building within the Lancaster Logistics Industrial Center. Also, the screening wall along Telephone Road and Dizzy Dean shall be placed on a 3' berm to further increase the building screening from adjacent residential. Construction of perimeter screening will be required at the time of final platting for the adjacent lot to Dizzy Dean Road or Telephone Road.
- Open space areas within the development will be maintained by a property owner's association.
- All other Landscaping and Open Space requirements will be Per City of Lancaster Development Code, Article 14.800.

***EXHIBIT D***  
***CONCEPT PLAN***

**General Architectural Guidelines**

**Purpose**

The character, image and identification of the City of Lancaster and the Lancaster Logistics Industrial Center is based, in large part, upon the architecture of its buildings; and how well those buildings are located and oriented on the site to relate to one another and the surrounding elements. The following guidelines are intended for the use with site plan submittals to encourage excellence in the design of buildings proposed for this development.

**Building Form/Scale/Bulk/Height/Rhythm**

Architectural design shall be encouraged throughout the development with the design reflecting a general continuity and harmony consistent with the general style and character of the community, while at the same time providing new, creative, forward-looking and dynamic approaches to design.

Buildings along Dallas Avenue should be image making and designed to reflect their significance as primary entry and focal point.

Structures immediately adjacent to residential areas or adjacent thoroughfares identified on the City's Thoroughfare Plan should be designed to create transitions to surrounding developments through the use of structural enhancements, landscaping or building placement.

Buildings within the Lancaster Logistics Industrial Center shall be designed and grouped to create a cohesive, visual relationship among buildings.

Building design shall consider solar orientation and existing topography.

Monotonous look-alike structures and over-zealous repetition shall be discouraged. This shall not preclude the use of unifying design themes to the extent that a "structural rhythm" is established.

Stylized buildings and "trademark" architecture that are used as a form of advertising shall be discouraged.

Theme architecture or historically relevant design elements may be used provided it generally reflects and is consistent with architectural elements consistent with the history of the community, and demonstrated in actual use within the community.

Building design and orientation shall encourage safety and privacy of adjacent outdoor spaces and shall be intended to reduce noise and odor impacts received from, or generated by the development.

***EXHIBIT D***  
***CONCEPT PLAN***

**Building Facades**

Building facades shall reflect the design intent of the structures, while at the same time provide an architectural face that relates to surrounding land uses and streetscapes; and contributes to the neighborhood and community character.

Exterior building design, as well as architectural details related to color, type and application of materials and building form shall be coordinated for all elevations of a building to achieve continuity of design.

The rear and sides of buildings shall be of an architectural character comparable with the front of the building.

Buildings with multiple entrances and/or that face onto more than one street shall have a coordinated and unifying façade design for all such entrances to achieve harmony and continuity of design.

Architectural design features, techniques, patterns, materials and colors shall be used with sufficient variety to create visual interest in the façade of buildings, provided that such elements are incorporated into an overall site design or unifying theme.

Recessed entryways and windows, grouping of windows, horizontal and vertical articulation, reveals and three dimensional details between surface planes, shall be used to create shadow lines and break up flat wall areas facing a street. For buildings oriented perpendicular to a street, these guidelines shall apply for a distance equaling 1/5 of the building wall or a maximum of 100 feet extending from the street facing façade towards the interior of the site.

Reveals, vertical offsets and changes in color or materials shall be used to enhance the interior wall sections not facing toward a street.

To facilitate the general public and emergency service response, all building facades shall contain conspicuously placed street address numbers that are sized appropriately to be seen from public rights-of-way and emergency service access. Address signs shall consist of materials and styles compatible with the character of the building.

**Roof Architecture**

Long continuous mansard roofs, false mansard roofs, and long veneer parapets without variation of horizontal line shall be discouraged.

Rooflines approaching an adjacent street shall vary in height and setback to reduce the apparent scale of the building, break up long continuous horizontal facades and minimize the overall visual impact of the building.

**EXHIBIT D**  
**CONCEPT PLAN**

Flat roofs shall be used in conjunction with other roof styles consistent with a particular style of architecture and shall incorporate decorative parapet forms and walls that are an integral part of the overall architecture of the building.

Parapet walls shall be designed and constructed in a manner to appear as a solid, three dimensional form, rather than a veneer.

Roof-top plumbing, vents, ducts, air conditioning equipment, antennae and any other mechanical or electrical equipment mounted on a roof shall be screened in an architecturally integral fashion to the building and screened in a manner so as not to be visible from five feet (5') above the street pavement surface of Houston School Road, Cedardale Road, and from adjacent property lines.

Chimneys, roof flashing, rain gutters, downspouts and other roof protrusions should be painted and finished to match the color of the adjacent surface, unless such protrusions are being used as an accent element or decorative feature.

**Colors and Materials**

The use of accent colors shall be encouraged to provide a dignified and lively streetscape.

Colors that are compatible with the general environment of the community and that reduce reflected heat and glare are encouraged.

The use of bright or intense primary colors should be used sparingly and only as primary elements for buildings fronting Dallas Avenue.

More subtle, less intense colors should be used for facades facing Telephone Road, Dizzy Dean Road, and adjacent properties.

Color should be used to accent entryways and special architectural features.

A change in the use of a building material on a structure should reflect a change in the plane of the structure.

Materials applied to a building elevation should wrap around onto adjoining walls and provide design continuity to the building.

Building materials shall not be composed of such a large variety that a visually cluttered affect is created.

**Window and Door Placement**

Windows and doors should be aligned and sized to bring order to the building façade.

Windows and doors should be sufficiently recessed, and/or placed or varied to create façade patterns that add variety and visual interest to the building design.

***EXHIBIT D***  
***CONCEPT PLAN***

Along Dallas Avenue and Telephone Road, window and door placement shall be sufficiently recessed and/or placed or varied to create shadows and provide noticeable breaks in facades.

Doors and entryways should be designed and located to provide immediate identification of the building's entryways.

**Site Details**

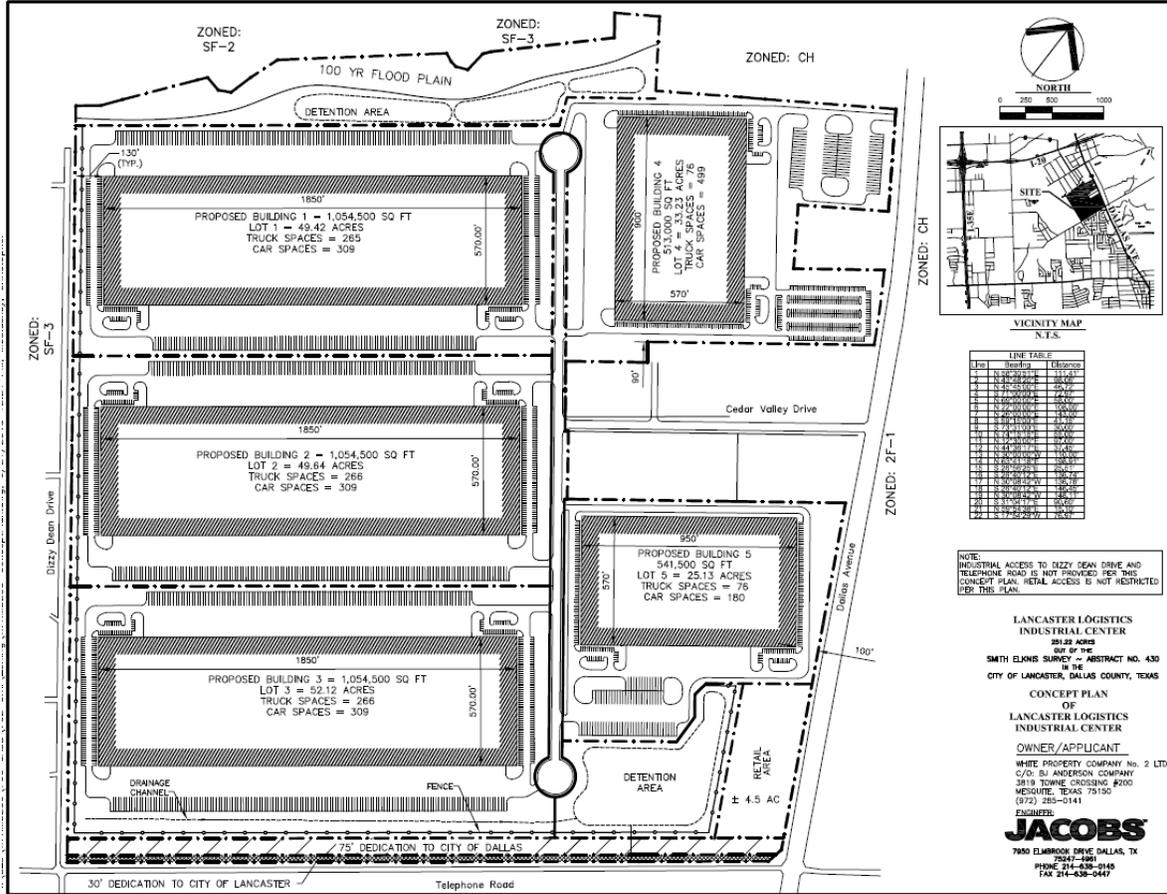
Utility boxes, transformers, generators, chillers, mailboxes, trash and refuse receptacles, air conditioners, compressors, outside storage areas and other mechanical/electrical/support features should be integrated into the overall design of the building and development.

Ground level devices described above should be accessible for servicing and screened from view of vehicular entrances, streets and pedestrian areas.

**Special Conditions – Dallas Avenue**

Building facades along Dallas Avenue should be used in manner to present an office, institutional and/or corporate headquarters appearance. Building materials, roof design, horizontal and vertical articulation, the use of eaves and overhangs, window and doorway treatments should be enhanced along these corridors to enhance the visual appeal of the development and to minimize potential negative impact to adjacent and nearby properties.

# EXHIBIT D CONCEPT PLAN





**WORKSESSION AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF LANCASTER, TEXAS  
MUNICIPAL CENTER  
CITY COUNCIL CHAMBERS  
211 N. HENRY STREET, LANCASTER, TEXAS  
TUESDAY, AUGUST 6, 2013 – 6:00 P.M.**



Chair, Quinnie Wright  
Vice-Chair, Lawrence Prothro

Commissioner Genevieve Robinson  
Commissioner James Mitchell  
Commissioner Tom Barnett

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As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Lancaster reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

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6:00 P.M.

**WORKSESSION AGENDA**

**CALL TO ORDER**

**DISCUSSION**

1. **Z13-01** Discuss a comprehensive plan amendment to Light Industrial (LI) and a rezoning request from PD-MU, Planned Development-Mixed Use to PD-LI – Planned Development-Light Industrial. The property is located at North-West corner of Telephone Road and N Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.

**ADJOURNMENT**

**ACCESSIBILITY STATEMENT**

The Municipal Building is wheelchair accessible. If you plan to attend the meeting and have a physical impairment, which requires special arrangements or require sign interpretive services, please contact the City Secretary's Office 72 hours prior to the meeting at (972) 218-1310 or TDD 1-800-735-2988. Reasonable accommodations will be made to assist your needs.

**CERTIFICATE**

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall,

August 2, 2013 @ 5:00 a.m./p.m.

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**Surupa Sen, Senior Planner,  
Public Works and Development Services**



**NOTICE OF MEETING AGENDA  
PLANNING & ZONING COMMISSION  
CITY OF LANCASTER, TEXAS  
MUNICIPAL CENTER  
CITY COUNCIL CHAMBERS  
211 N. HENRY STREET, LANCASTER, TEXAS  
TUESDAY, AUGUST 6, 2013 – 7:00 P.M.**



**Chair, Quinnie Wright  
Vice-Chair, Lawrence Prothro**

**Commissioner Genevieve Robinson  
Commissioner James Mitchell  
Commissioner Tom Barnett**

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**As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.**

**The City of Lancaster reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.**

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**7:00 P.M.**

**AGENDA**

**CALL TO ORDER**

**CITIZENS COMMENTS** (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda)

**PUBLIC HEARING**

1. **Z13-01** Conduct a Public Hearing and consider a comprehensive plan amendment to Light Industrial (LI) and a rezoning request from PD-MU, Planned Development-Mixed Use to PD-LI – Planned Development-Light Industrial. The property is located at North-West corner of Telephone Road and N Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.

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**CERTIFICATE**

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall,

August 2, 2013 @ 5:00 am/pm.

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**Surupa Sen, Senior Planner,  
Public Works and Development Services**

PLANNING & ZONING COMMISSION  
Agenda Communication for  
August 6, 2013

#1

**Z13-01 Conduct a Public Hearing and Consider a Comprehensive Plan Amendment to Light Industrial (LI) and a Rezoning request from PD – Planned Development MU (Mixed Use with Residential, Retail and Commercial Uses) to PD – Planned Development LI (Light Industrial). The Property is located on the Northwest corner of Telephone Road and North Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.**

**Background**

1. **Location and Size:** The property is located on the northwest corner of Telephone Road and Dallas Avenue. The property contains 251.31 acres of land and is currently undeveloped.
2. **Current Zoning:** The subject property is currently zoned PD-MU, Planned Development – Mixed Use with residential, retail and commercial uses on the eastern portion of the property fronting N. Dallas Avenue.
3. **Adjacent Properties:**  
North: SF-5 and SF-6, Single Family Residential and CH, Commercial Highway  
South: SF-5 and SF-6, Single Family Residential; 2F-6, Two Family Residential and NS, Neighborhood Services  
East: NS, Neighborhood Services; LI, Light Industrial  
West: SF-5, Single Family Residential
4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this area with a mixture of land use designations including Retail at Telephone Road and Dallas Avenue, Light Industrial along Telephone Road and Medium Density Residential towards northwest portion of this property. The proposed use of the site contains both elements that appear compatible and those that do not match the Comprehensive Plan.
5. **Public Notification:** On Wednesday, July 24, 2013, a notice for this public hearing appeared in the Focus Daily Newspaper. Notifications of this public hearing were mailed to all property owners that are within 200 feet of the subject property on July 24, 2013. Zoning signs were placed on the subject property. Of the one hundred and thirty-four (134) property owner notifications mailed, two (2) responses have been received in favor of this request and two (2) in opposition of this request. This application was postponed at the July 2<sup>nd</sup> Planning and Zoning Commission meeting. The application was

scheduled again for July 23<sup>rd</sup> Planning and Zoning Commission meeting that got cancelled. Two public hearings were scheduled and notices were sent out accordingly. During these notice processes, a total of twelve (12) responses were received in favor of this request and thirteen (13) in opposition of this request.

A property owner who does not reside within the 200' notification area had requested a blank copy of the hearing notification and has gathered and submitted to the City 20 opposition responses for the July 2<sup>nd</sup> hearing and 24 opposition responses for the July 23<sup>rd</sup> public hearing.

**6. Case History:**

Date	Body	Action
12/07/04	P&Z	Z05-03 Charleston Park PD favorable recommendation
12/13/04	CC	Z05-03 Charleston Park PD denied
07/05/05	P&Z	Z05-22 Summerfield PD favorable recommendation
08/08/05	CC	Z05-22 Summerfield PD approved
09/06/11	P&Z	Z11-08 Lancaster Trade Center – straight zoning to LI negative recommendation
	CC	Z11-08 Lancaster Trade Center – straight zoning to LI applicant withdrew request
07/02/13	P&Z	Z13-01 Lancaster Logistics Industrial Center PD postponed no action taken
07/23/13	P&Z	Meeting Canceled

**Considerations**

This is a request to rezone the subject property from PD-MU, Planned Development - Mixed Use to PD-LI, Planned Development - Light Industrial. The purpose of this zoning request is to develop a Logistics Business Park with warehouse and distribution facilities. The subject property is located on the west side of N. Dallas Avenue approximately one mile south of Interstate 20.

Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Following is an analysis of these considerations:

**Consistency with the Comprehensive Plan:** The future land use map of the Lancaster Comprehensive Plan identifies this site as a mix of uses including Medium Density Residential, Retail, and Industrial land use. The requested zoning and land use contains both elements that appear compatible and those that do not match the Comprehensive Plan. This application is also a request for an amendment to the Lancaster Comprehensive Plan allowing the Light Industrial (LI) land use component instead of the Medium Density Residential land use. It is critical to understand that a FLUP is not a zoning map and does not create a legally binding contract, nor does it assign rights to property which may be construed as vested rights. Generally, the FLUP is a map of intended uses for areas throughout the City and the City's extraterritorial jurisdiction (ETJ).

The comprehensive plan amendment request is under concurrent consideration with the zoning change request. The comprehensive plan amendment request has to be considered in the

Planning and Zoning Commission recommendation. As per Lancaster Development Code, Section 14.1002, the PD Concept Plan “should be generally consistent with City’s Comprehensive Plan (as such plan may be amended prior to or concurrently with approval of the PD District).”

**Potential Impact on Adjacent Development:** This property is currently undeveloped. The applicant has proposed the following traffic circulation, landscaping and screening solutions to assist with reducing the impact of noise, visibility and traffic on adjacent neighborhoods. The applicant has proposed the following:

1. At no time will trucks be allowed to ingress or egress onto Telephone Road or Dizzy Dean Lane. Only car traffic from the Retail area shown on the master plan shall have access onto Telephone Road.
2. Perimeter screening from Dizzy Dean Road will consist of a 6’ -8’ masonry screening wall and on Telephone Road will consist of a 6’ -8’ tall stained wood fence, with masonry columns spaced approximately 100 feet apart.
3. Street trees, at a minimum of 3 caliper inches, will be required along Dizzy Dean Road and Telephone Road frontage spaced in two staggered rows approximately every 30’ except; when in front of the masonry columns, adjacent to drainage or other features, and in areas which will interfere with traffic visibility triangles.
4. The screening wall and fence along Telephone Road and Dizzy Dean shall be placed on a 3’ to 1’ berm to further enhance the screening from adjacent residential neighborhoods.

The perimeter screening and buffering is intended to physically screen the buildings and create a restricted visibility corridor for the proposed building within the Lancaster Logistics Industrial Center.

**Availability of utilities and access:** The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan at this time. The applicant has requested a waiver for the requirement of providing a sidewalk along Dizzy Dean, Telephone Road and N. Dallas Avenue. Also a waiver has been requested for median improvements along N. Dallas Avenue. Staff is agreeable with these requests. As stated previously, the subject property only has access from N. Dallas Avenue.

**Site conditions such as vegetation, topography and flood plain:** The subject property 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. The City Engineer, who is the City’s Certified Floodplain Manager (CFM) has reviewed this zoning change proposal. Once civil review plans are submitted, the applicant will be required to meet the City’s General Design and Construction Manual, Storm-Water Design Manual, and the Subdivision Ordinance requirements. A tree survey would be required as part of the site plan approval process. The applicant will be required to submit a drainage study and any on-site detention shall be landscaped and treated as an amenity per Lancaster Development Code.

**Timing of Development as it relates to Lancaster’s Capital Improvement Plan:** The City of Lancaster Capital Improvement Plan (CIP) does not include any immediate improvement along Dizzy Dean, Telephone Road, and N. Dallas Avenue. However, the applicant will be required to dedicate adequate right-of-way on all adjacent roadways as per City of Lancaster Thoroughfare Plan.

### **Quality Development**

One of the strategic goals and objectives of the City of Lancaster is to promote Quality Development within the City. This planned development has incorporated landscaping, architectural and site orientation standards to encourage high quality logistics and distribution center users. The visual, noise, and traffic impact on neighboring properties have been tactfully minimized by providing enhanced set backs, three to one feet berm, two staggered rows of large street trees, masonry walls along Dizzy Dean Road and wood fence with masonry columns along Telephone Road. Moreover there is building articulation, façade templates, roof design guidelines included in the PD ordinance to eliminate the big-box appearance of these buildings. The building exteriors will be similar to large corporate commercial buildings with creative use of building form, scale, height, glass facades and design elements (elevation template attached).

After careful review of the zoning application and associated documents, staff is of the opinion that this proposed project meets Lancaster Development Code and other applicable ordinances at this stage of development. With creative application of architectural standards, site orientation, parking layout, traffic circulation and enhanced buffer and screening requirements, this proposal has served the purpose and intent of promoting quality non-residential development goals of the City of Lancaster.

### **Options/Alternatives**

- 1) Recommend approval of the comprehensive plan amendment and rezoning request
- 2) Recommend approval of the comprehensive plan amendment and rezoning request with stipulations and state those for the record
- 3) Recommend denial of the comprehensive plan amendment and rezoning request
- 4) Table the comprehensive plan amendment and rezoning request and direct staff

### **Staff Recommendation**

Staff recommends **approval** of the application as presented.

### **Approval Process**

Upon recommendation by the Planning and Zoning Commission, the City Council will conduct a public hearing and render a final decision for this item at their August 26, 2013, regular meeting.

### **Attachments**

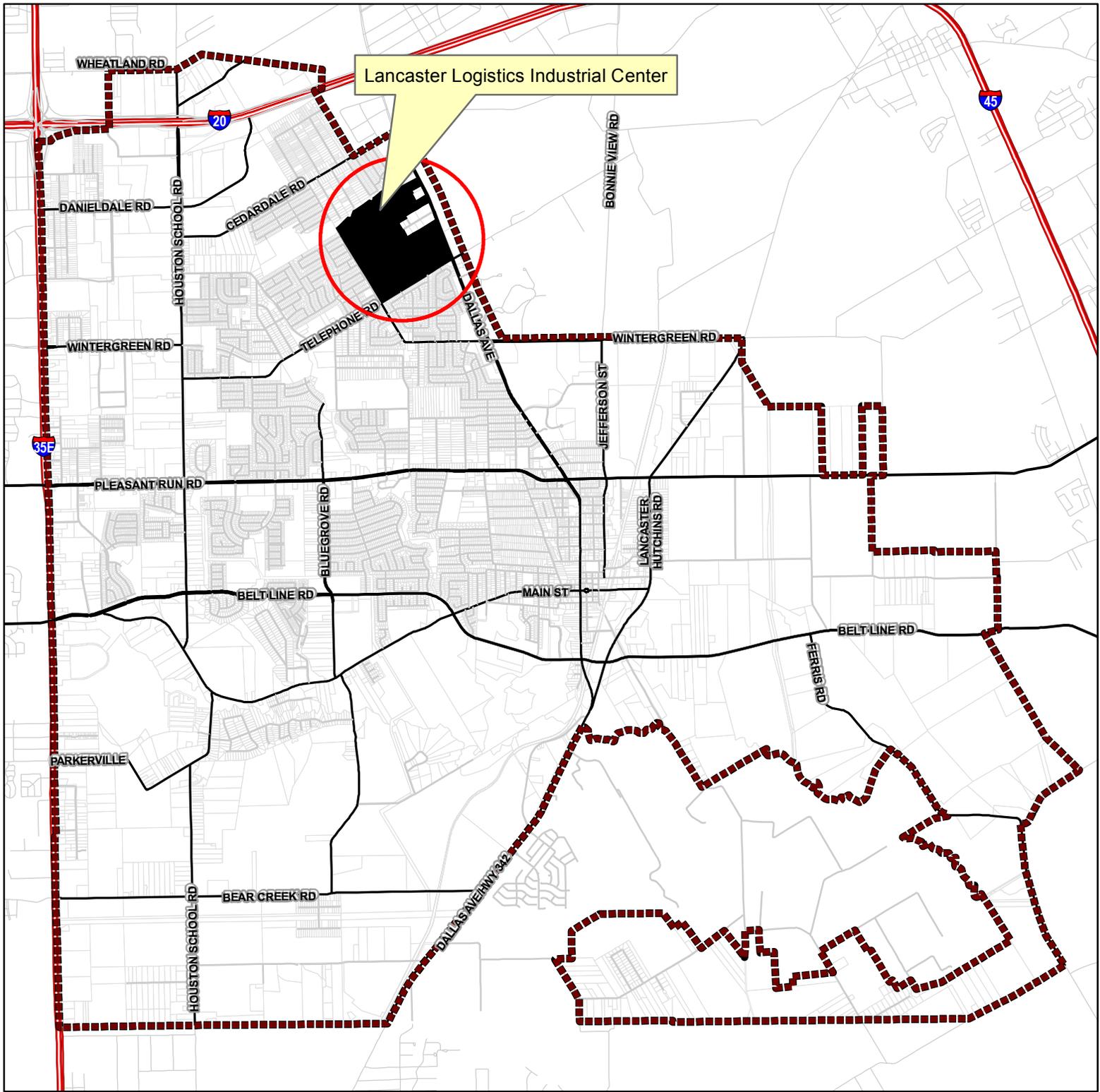
- Location Map
- Zoning Map
- Future Land Use Plan
- Draft PD Ordinance
- Aerial and Master Plan Graphics
- Street Views
- Cross-sections
- Proposed Building Exteriors
- Grading Plan
- Concept Plan
- Utility Map

- Responses from property owners.

**Prepared By and Submitted By:**

Surupa Sen  
Senior Planner, Public Works and Development Services

**Date:** August 6, 2013



**Legend**

-  Lancaster Logistics Industrial Center
-  City Limits
-  Parcels

Location Map  
 Lancaster Logistics Industrial Center  
 NWC of Telephone Rd and N Dallas Ave

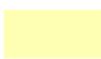
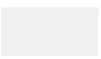
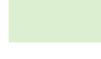
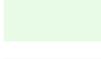
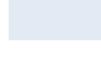
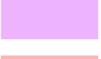




0 0.045 0.09 0.18 Miles

## Zoning Map with Aerial Proposed Lancaster Logistics Industrial Center at SEC of Telephone Road and N Dallas Avenue

### Legend

 Lancaster Logistics Industrial Center	 CS (Commercial Services)	 SF-4 (Residential Low)
 Parcels	 LI (Light Industrial)	 SF-5 (Residential Medium)
 City Limits	 MI (Medium Industrial)	 SF-6 (Residential High)
<b>Zoning</b>	 MF-16 (Multifamily)	 SF-E (Single Family Estate)
 MZ (Multi-Zoning)	 MH (Mobile Home)	 TC (Town Center)
 2F-6 (2 Family Residential)	 NS (Neighborhood Service)	 TH-16 (Town Home)
 A-O (Agricultural Open)	 ORT (Office)	 TND (Residential)
 CH (Commercial Hwy)	 PD (Planned Development)	 ZL-7 (Zero Lot Line Res)
	 R (Retail)	



# CITY OF LANCASTER COMPREHENSIVE PLAN

LANCASTER LOGISTICS INDUSTRIAL CENTER

- Legend**
- proposed Lancaster Logistics Industrial Center
  - City Limits
  - Parcels
- Special Overlay Districts**
- District Name**
- CAMPUS DISTRICT
  - HISTORIC DISTRICT
  - LANPORT DISTRICT
  - MEDICAL DISTRICT
  - MILLS BRANCH DISTRICT
  - SUNDIAL CENTER DISTRICT
- Comprehensive Plan Zoning**
- AIRPORT INDUSTRIAL
  - COMMERCIAL
  - COMMERCIAL HIGHWAY
  - COMMERCIAL REDEVELOPMENT AREA
  - HISTORIC TOWN SQUARE
  - INDUSTRIAL
  - LIGHT INDUSTRIAL
  - MIXED USE
  - MOTOR FREIGHT TERMINALS
  - PARKS AND OPEN SPACES
  - PUBLIC & SEMI-PUBLIC
  - RESIDENTIAL - HIGH DENSITY
  - RESIDENTIAL - LOW DENSITY
  - RESIDENTIAL - MEDIUM DENSITY
  - RETAIL

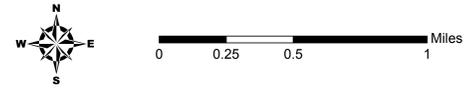


EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

**Lancaster Logistics Industrial Center**  
Planned Development Regulations

**Purpose and Intent**

The purpose and intent of this Planned Development is to provide regulations for the development of the subject property as a master-planned business park. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth and protect property values in the area.

**Applicability**

The development regulations contained herein shall apply when the City considers a subdivision plat, a detailed site plan and/or a building permit application.

**General Layout and Street Configuration**

The building and street configurations shown on the attached Concept Plan labeled Exhibit "B" are just that, a concept. As the development proceeds, Detailed Site Plans shall be submitted for further clarification and staff approval. At no time will trucks be allowed to have ingress or egress onto Telephone Road or Dizzy Dean Drive. On the contrary, car traffic from area labeled "Retail Area" in Exhibit "B" shall have ingress or egress onto Telephone Road.

**Permitted Uses**

Any use allowed in the NS – Neighborhood Service, R – Retail, CH – Commercial Highway, CS – Commercial Service, ORT – Office Research Technology, or LI – Light Industrial Zoning districts.

**Lot Requirements**

For the purposes of these regulations; "Front" shall refer to all site boundaries along a public right-of-way; "Side" shall refer to all site boundaries which intersect with a public right-of-way; and "Rear" shall refer to all other site boundaries.

**Minimum Building Setback**

Front Setback	25'
Side Setback	15'
Rear Setback	15'

**Maximum Lot coverage by Building**

60% (For single use sites)  
75% (For combination use sites)

**Structure Requirements**

**Maximum Building Height**

Height of Buildings	140' above finished floor elevation but no greater than 50' within 50' of a property line that is adjacent to a residentially zoned property
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EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

**Building Articulation**

Building Articulation

Vertical and horizontal articulation is recommended, but will not be required with the use of other architectural elements such as reveals, alternating paint schemes, faux windows and other features to minimize the "flat-box" look. The intent is to make the buildings more aesthetically pleasing when viewed from Dallas Avenue, Dizzy Dean Road, and Telephone Road.

**Exterior Material Requirements**

All building facades shall be 100% masonry. Masonry is defined as brick, stone, standard concrete block (painted), split-faced concrete block, fluted concrete block, burnished concrete block, stucco, pre-cast concrete panels, cast-in-place concrete (painted), tilt-up concrete panels which will have any one or combination of the following finishes; painted exposed aggregate, sandblasted, and/or stained. The area of doors and window openings shall not be included in the calculation of this requirement.

**Building Orientation Requirements**

Trucks courts, loading docks and service courts shall be allowed in any orientation but will have screening that will help keep these area less visible from Dallas Avenue, Dizzy Dean, or Telephone Road.

**Parking Requirements**

Off-street parking shall comply with the provisions set forth in the Lancaster Development Code, as amended, except where otherwise provided in this subsection.

- No on-street parking (Parking within a street Right-of-Way) will be permitted
- Automobile parking stalls shall be a minimum of 9' wide x 18' long.
- Warehouse and Distribution: Minimum 1 parking space (facilitating either a truck or car) per 2,500 s.f. of warehouse space for buildings comprising less than 100,000 s.f.; or minimum 1 parking space (facilitating either a truck or car) per 5,000 s.f.: of warehouse space for buildings equal to or greater than 100,000 s.f. Parking for the office portion shall be 1 parking space (facilitating only cars) per 300 s.f. of office area.

**Outdoor Storage**

Outdoor storage of raw materials, finished goods, commodities or other such items shall be permitted provided the storage is incidental to the principal use of the property. Such outdoor storage shall be subject to the following regulations:

The area used for outdoor storage:

- shall not be located in the front 1/3 of the lot; and,
- shall not exceed 30% of the lot area; and,

EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

- shall be screened from view from all sides, public and private, by a minimum 6-foot high opaque screen consisting of anyone or a combination of the following:
  - Wood Fence
  - Masonry Wall
  - Vegetation
  - Berm
- and at all times the stored materials must be one foot (1') below the opaque screen.

**Sidewalks**

Standard City of Lancaster pedestrian sidewalks will be required along the perimeter of this development adjacent to existing road right-of-ways and will be constructed at the time of final plat and construction for the adjacent platted lot.

**Landscaping and Open Space**

Required Landscape Areas and Trees:

- Perimeter screening from Dizzy Dean Road and Telephone Road will consist of a 6-8' masonry screenwall, with masonry accent columns spaced approximately 100 feet. Additionally, street trees, minimum 3 caliper inches, will be required along Dizzy Dean Road and Telephone Road frontage spaced in two staggered rows approximately every 30' except; when in front of masonry columns for screening fence, adjacent to drainage or other features, and in areas which cause intersection visibility issues or traffic concerns. The perimeter screening is intending to buffer the buildings and create a restricted visibility corridor to the proposed building within the Lancaster Logistics Industrial Center. Also, the screening wall along Telephone Road and Dizzy Dean shall be placed on a 3' berm to further increase the building screening from adjacent residential. Construction of perimeter screening will be required at the time of final platting for the adjacent lot to Dizzy Dean Road or Telephone Road.
- Open space areas within the development will be maintained by a property owner's association.
- All other Landscaping and Open Space requirements will be Per City of Lancaster Development Code, Article 14.800.

**General Architectural Guidelines**

**Purpose**

The character, image and identification of the City of Lancaster and the Lancaster Logistics Industrial Center is based, in large part, upon the architecture of its buildings; and how well those buildings are located and oriented on the site to relate to one another and the surrounding elements. The following guidelines are intended for the use with site plan submittals to encourage excellence in the design of buildings proposed for this development.

**Building Form/Scale/Bulk/Height/Rhythm**

EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

Architectural design shall be encouraged throughout the development with the design reflecting a general continuity and harmony consistent with the general style and character of the community, while at the same time providing new, creative, forward-looking and dynamic approaches to design.

Buildings along Dallas Avenue should be image making and designed to reflect their significance as primary entry and focal point.

Structures immediately adjacent to residential areas or adjacent thoroughfares identified on the City's Thoroughfare Plan should be designed to create transitions to surrounding developments through the use of structural enhancements, landscaping or building placement.

Buildings within the Lancaster Logistics Industrial Center shall be designed and grouped to create a cohesive, visual relationship among buildings.

Building design shall consider solar orientation and existing topography.

Monotonous look-alike structures and over-zealous repetition shall be discouraged. This shall not preclude the use of unifying design themes to the extent that a "structural rhythm" is established.

Stylized buildings and "trademark" architecture that are used as a form of advertising shall be discouraged.

Theme architecture or historically relevant design elements may be used provided it generally reflects and is consistent with architectural elements consistent with the history of the community, and demonstrated in actual use within the community.

Building design and orientation shall encourage safety and privacy of adjacent outdoor spaces and shall be intended to reduce noise and odor impacts received from, or generated by the development.

**Building Facades**

Building facades shall reflect the design intent of the structures, while at the same time provide an architectural face that relates to surrounding land uses and streetscapes; and contributes to the neighborhood and community character.

Exterior building design, as well as architectural details related to color, type and application of materials and building form shall be coordinated for all elevations of a building to achieve continuity of design.

The rear and sides of buildings shall be of an architectural character comparable with the front of the building.

EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

Buildings with multiple entrances and/or that face onto more than one street shall have a coordinated and unifying façade design for all such entrances to achieve harmony and continuity of design.

Architectural design features, techniques, patterns, materials and colors shall be used with sufficient variety to create visual interest in the façade of buildings, provided that such elements are incorporated into an overall site design or unifying theme.

Recessed entryways and windows, grouping of windows, horizontal and vertical articulation, reveals and three dimensional details between surface planes, shall be used to create shadow lines and break up flat wall areas facing a street. For buildings oriented perpendicular to a street, these guidelines shall apply for a distance equaling 1/5 of the building wall or a maximum of 100 feet extending from the street facing façade towards the interior of the site.

Reveals, vertical offsets and changes in color or materials shall be used to enhance the interior wall sections not facing toward a street.

To facilitate the general public and emergency service response, all building facades shall contain conspicuously placed street address numbers that are sized appropriately to be seen from public rights-of-way and emergency service access. Address signs shall consist of materials and styles compatible with the character of the building.

**Roof Architecture**

Long continuous mansard roofs, false mansard roofs, and long veneer parapets without variation of horizontal line shall be discouraged.

Rooflines approaching an adjacent street shall vary in height and setback to reduce the apparent scale of the building, break up long continuous horizontal facades and minimize the overall visual impact of the building.

Flat roofs shall be used in conjunction with other roof styles consistent with a particular style of architecture and shall incorporate decorative parapet forms and walls that are an integral part of the overall architecture of the building.

Parapet walls shall be designed and constructed in a manner to appear as a solid, three dimensional form, rather than a veneer.

Roof-top plumbing, vents, ducts, air conditioning equipment, antennae and any other mechanical or electrical equipment mounted on a roof shall be screened in an architecturally integral fashion to the building and screened in a manner so as not to be visible from five feet (5') above the street pavement surface of Houston School Road, Cedardale Road, and from adjacent property lines.

EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

Chimneys, roof flashing, rain gutters, downspouts and other roof protrusions should be painted and finished to match the color of the adjacent surface, unless such protrusions are being used as an accent element or decorative feature.

**Colors and Materials**

The use of accent colors shall be encouraged to provide a dignified and lively streetscapoe,

Colors that are compatible with the general environment of the community and that reduce reflected heat and glare are encouraged.

The use of bright or intense primary colors should be used sparingly and only as primary elements for buildings fronting Dallas Avenue.

More subtle, less intense colors should be used for facades facing Telephone Road, Dizzy Dean Road, and adjacent properties.

Color should be used to accent entryways and special architectural features.

A change in the use of a building material on a structure should reflect a change in the plane of the structure.

Materials applied to a building elevation should wrap around onto adjoining walls and provide design continuity to the building.

Building materials shall not be composed of such a large variety that a visually cluttered affect is created.

**Window and Door Placement**

Windows and doors should be aligned and sized to bring order to the building façade.

Windows and doors should be sufficiently recessed, and/or placed or varied to create façade patterns that add variety and visual interest to the building design.

Along Dallas Avenue and Telephone Road, window and door placement shall be sufficiently recessed and/or placed or varied to create shadows and provide noticeable breaks in facades.

Doors and entryways should be designed and located to provide immediate identification of the building's entryways.

**Site Details**

Utility boxes, transformers, generators, chillers, mailboxes, trash and refuse receptacles, air conditioners, compressors, outside storage areas and other mechanical/electrical/support features should be integrated into the overall design of the building and development.

EXHIBIT "A"  
PLANNED DEVELOPMENT REGULATIONS

Ground level devices described above should be accessible for servicing and screened from view of vehicular entrances, streets and pedestrian areas.

**Special Conditions – Dallas Avenue**

Building facades along Dallas Avenue should be used in manner to present an office, institutional and/or corporate headquarters appearance. Building materials, roof design, horizontal and vertical articulation, the use of eaves and overhangs, window and doorway treatments should be enhanced along these corridors to enhance the visual appeal of the development and to minimize potential negative impact to adjacent and nearby properties.

I:\S.D.\WFXM3200\700 CADD\702 Civil\Zoning\WFXM3200-ConceptPlan.dwg, 6/21/2013 12:21 PM, McCluskey, Christopher

ZONED:  
SF-3

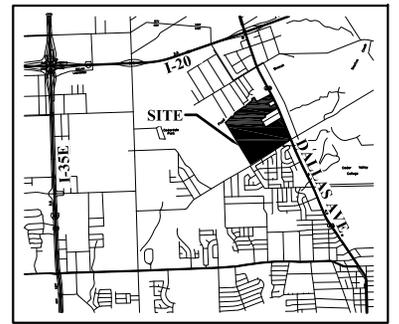
ZONED:  
SF-2

ZONED:  
SF-3

ZONED: CH

ZONED: CH

ZONED: 2F-1



VICINITY MAP  
N.T.S.

Line	Bearing	Distance
1	N 58°30'51"E	111.41'
2	N 43°48'20"E	98.06'
3	N 45°45'00"E	46.72'
4	S 71°00'00"E	72.97'
5	N 69°00'00"E	58.00'
6	N 22°00'00"E	108.00'
7	N 26°00'00"E	143.00'
8	S 69°15'00"E	41.15'
9	S 73°31'00"E	30.00'
10	N 74°15'15"E	55.00'
11	N 12°30'00"E	37.00'
12	N 44°38'17"E	37.45'
13	N 30°00'00"W	110.00'
14	N 63°41'18"E	198.91'
15	S 26°59'25"E	26.81'
16	S 26°40'19"E	136.74'
17	N 30°08'42"W	136.78'
18	S 26°40'19"E	146.45'
19	N 30°08'42"W	146.50'
20	S 31°04'17"E	90.60'
21	N 59°54'38"E	15.10'
22	S 17°54'29"W	76.37'

NOTE:  
INDUSTRIAL ACCESS TO DIZZY DEAN DRIVE AND  
TELEPHONE ROAD IS NOT PROVIDED FOR THIS  
CONCEPT PLAN. RETAIL ACCESS IS NOT RESTRICTED  
FOR THIS PLAN.

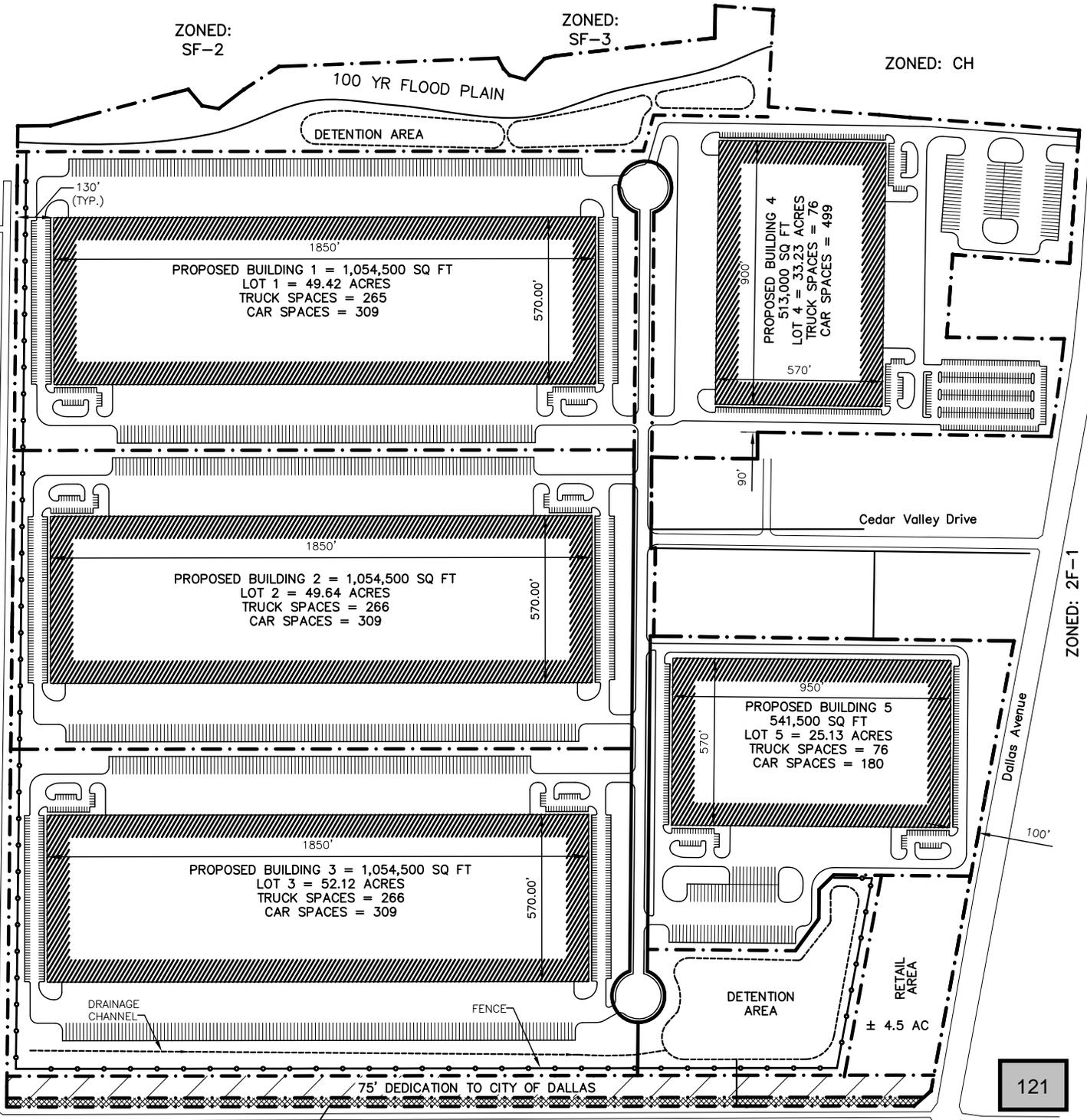
LANCASTER LOGISTICS  
INDUSTRIAL CENTER  
261.22 ACRES  
OUT OF THE  
SMITH ELKNIS SURVEY ~ ABSTRACT NO. 430  
IN THE  
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

CONCEPT PLAN  
OF  
LANCASTER LOGISTICS  
INDUSTRIAL CENTER

OWNER/APPLICANT  
WHITE PROPERTY COMPANY No. 2 LTD  
C/O: BJ ANDERSON COMPANY  
3819 TOWNE CROSSING #200  
MESQUITE, TEXAS 75150  
(972) 285-0141

ENGINEER:  
**JACOBS**  
7950 ELMBROOK DRIVE DALLAS, TX  
75247-4861  
PHONE 214-638-0145  
FAX 214-638-0447

EXHIBIT



121

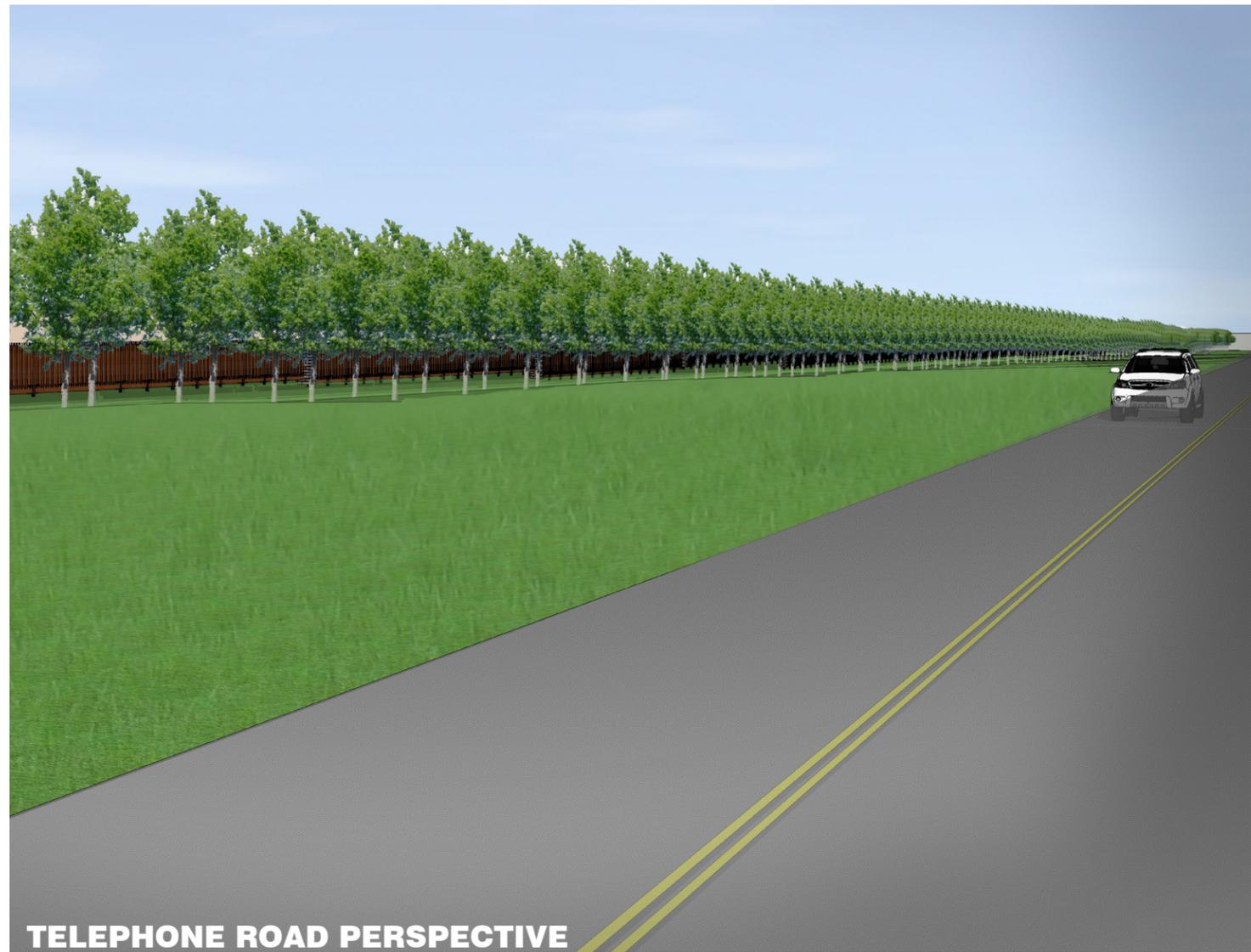


**MASTER PLAN RENDERING  
LANCASTER LOGISTICS INDUSTRIAL CENTER**



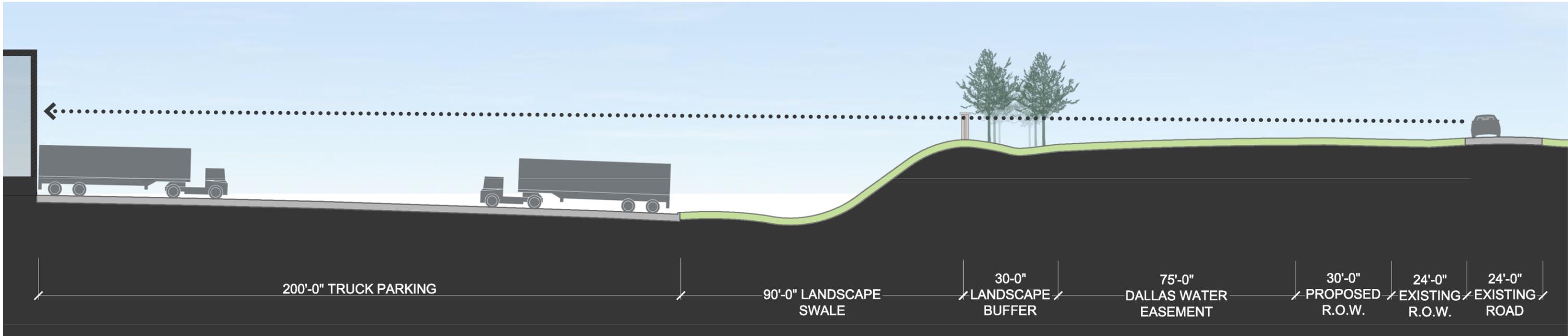


**DIZZY DEAN ROAD PERSPECTIVE**

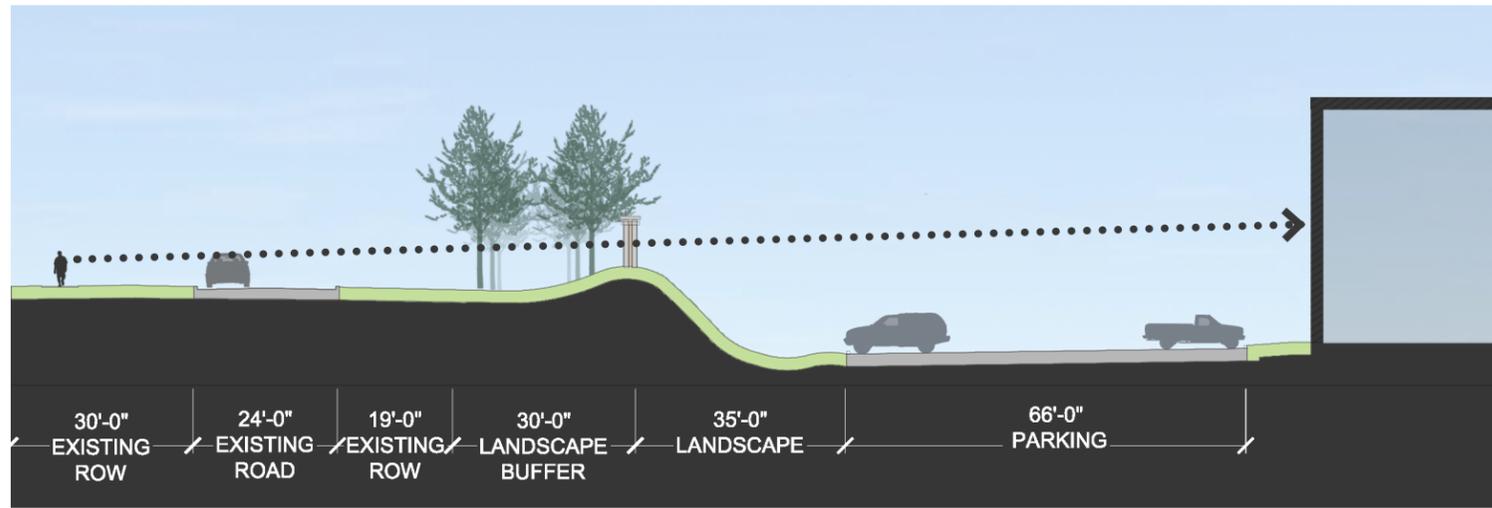


**TELEPHONE ROAD PERSPECTIVE**

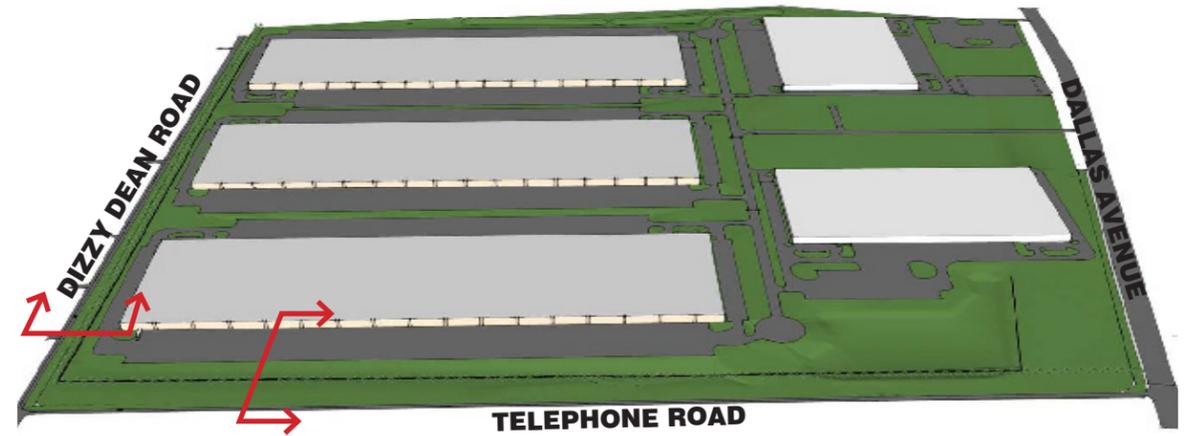




**TELEPHONE ROAD SECTION**



**DIZZY DEAN ROAD SECTION**









# City of Lancaster Planning Division



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*More jobs*

**SIGNATURE:**

*Earl Waters*

**ADDRESS:**

*1005 Badger Ln*

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, August 6, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 26, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

Please legibly respond in ink. If the signature and/or address is missing, your comments will not be recorded. Your response must be received in the Planning Division by 5 pm on Wednesday, 07/31/2013 for your comments to be included in the Planning and Zoning Commission's 08/06/2013 packet. Responses received after that time will be forwarded to the Commission at the public hearing.

If you have any questions concerning this request, please contact the Planning Division  
 Phone 972-218-1240  
 FAX 972-227-7220

**RETURN BY FAX OR MAIL**  
 City of Lancaster  
 Planning Division  
 Lancaster, TX 75146-0940



# City of Lancaster Planning Division



## NOTICE OF PUBLIC HEARING

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** *[Handwritten Signature]*

**ADDRESS:** 1040 CEDAR VALLEY

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134 notices were sent out on 07/24/2013



# City of Lancaster Planning Division



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** A Logistics Center should not be close to a neighborhood, the Lancaster area already has about 3 to 4 of these center

**SIGNATURE:** Sandra J. Jarrard

**ADDRESS:** 1005 Hollow Oak Rd - Lancaster TX 75134

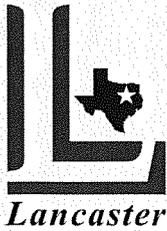
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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*This is a residential area  
that's why I bought a house here  
& it should stay  
residential*

**SIGNATURE:** *J. Hayes*

**ADDRESS:** *3021 E Pepperidge Dr  
Lancaster TX 75134*

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# City of Lancaster Planning Department



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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

**SIGNATURE:**

**ADDRESS:**

*Margie Horn*  
 13403 Alchester Ln  
 Houston TX 77019

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:** 1040 Cedar Valley

**ADDRESS:** LANCASTER TX 75134

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# City of Lancaster Planning Department



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I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** *[Handwritten signature]*

**SIGNATURE:** *[Handwritten signature]*

**ADDRESS:** *[Handwritten address]*

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# City of Lancaster Planning Department



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**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:  
 I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Jobs for Local Residents.  
Bring it on.

**SIGNATURE:** J. A. Long  
**ADDRESS:** 1035 Cresthaven Dr. 75134

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

Please legibly respond in ink. If the signature and/or address is missing, your comments will not be recorded. Your response must be received in the Department of Planning by 5 pm on Wednesday, 07/17/2013 for your comments to be included in the Planning and Zoning Commission's 07/23/2013 packet. Responses received after that time will be forwarded to the Commission at the public hearing.

If you have any questions concerning this request, please contact the Planning Division  
 Phone 972-218-1240  
 FAX 972-227-7220

**RETURN BY FAX OR MAIL**  
 City of Lancaster  
 Planning Division  
 Lancaster, TX 75146-0940



City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Best & only use

**SIGNATURE:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

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Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** It may have a negative impact on the home values in our development.

**SIGNATURE:** Rebecca Galesenau <sup>7-16-2013</sup>

**ADDRESS:** owner of: 902 Wintergreen  
Lancaster, TX 75134

*mailing address: 4006 Panay Drive  
Mechanicsburg, PA 1705*

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*This is not appropriate in this area  
Not good for the homeowners*

**SIGNATURE:**

*Shana M. (Shano)*

**ADDRESS:**

*3021 E Pepperidge Dr. Lancaster TX 75134*

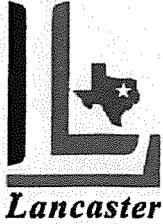
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City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940

134 notices were sent out on 07/12/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

Positive economic development is better than no economic development.

**SIGNATURE:**

*Carl Singletto*

**ADDRESS:**

1015 Clear Stream Dr., Lancaster, TX 75134-4628

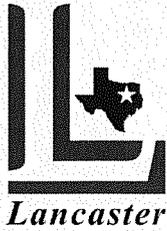
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Planning Department  
Lancaster, TX 75146-0940

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# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** This will bring New Jobs for our Lancaster citizens, But keep the Noise Factor in mind when permits are Issued.

**SIGNATURE:** Jayne Long, Sherman Long

**ADDRESS:** 1035 Cresthaven Dr. 75134

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

**SIGNATURE:**

*[Handwritten Signature]* Douglas W. Hunt

**ADDRESS:**

1640 CEDAR VALLEY  
214-236-7474

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Lancaster, TX 75146-0940



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** ~~NEED TO KNOW DATE SETTING~~

**SIGNATURE:** Clyde Z. Hargreaves

**ADDRESS:** \_\_\_\_\_

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Lancaster, TX 75146-0940

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** \_\_\_\_\_

**SIGNATURE:** DAVID HARGROVE *David Hargrove*

**ADDRESS:** 101 UPLLEY RIDGE DR.  
RED OAK, TX 75154

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*John Hengeman*

**ADDRESS:**

101 VALLEY RIDGE DR.  
RED OAK, TX 75154

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** HIGHEST, BEST + ONLY USE OF PROPERTY

**SIGNATURE:** Cheryl R. Bauger

**ADDRESS:** 101 UMNEY RIDGE  
RED OAK, TX 75154

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# City of Lancaster Planning Department



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## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** It will have a negative impact on the home values in our development.

**SIGNATURE:** Rebecca Gatesman 6-25-2013. Mailing Address: 4006 Pamaq Drive  
**ADDRESS:** owner of property: 902 Wintergreen  
Lancaster, TX 75134  
Mechanicsburg, PA 17050

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** TOD MUCH TRAFFIC & NOISE.

**SIGNATURE:** *Adrian Anderson*

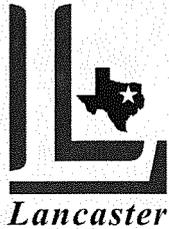
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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Absolutely NO. This request would take away from the neighborhood and create noise and disturbance*

**SIGNATURE:**

*James T. Neal*

**ADDRESS:**

*1010 Weslover Drive  
Lancaster, TX 75134*

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**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** I am opposed to the request.

**SIGNATURE:** Jerry Clain

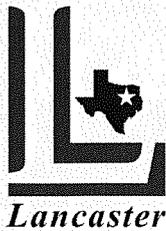
**ADDRESS:** 1006 Graystone Lancaster 75134

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on 07/02/2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on 07/22/2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

Please legibly respond in ink. If the signature and/or address is missing, your comments will not be recorded. Your response must be received in the Department of Planning by 5 pm on Wednesday, 06/26/2013 for your comments to be included in the Planning and Zoning Commission's 07/02/2013 packet. Responses received after that time will be forwarded to the Commission at the public hearing.

<p>If you have any questions concerning this request, please contact the          Planning Department          Phone 972-218-1240          FAX 972-227-7220</p>	<p><b>RETURN BY FAX OR MAIL</b>          City of Lancaster          Planning Department          Lancaster, TX 75146-0940</p>
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134 notices were sent out on 06/18/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** *Too Many Kids in Meadowcreek to have more traffic in area. Telephone is a two lane; traffic is heavy already*

**SIGNATURE:** *Rita A. Light*

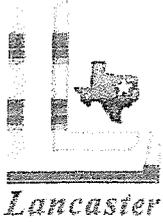
**ADDRESS:** *1001 Wild Horse way  
Lancaster, TX 75134*

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Planning Department  
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FAX 972-227-7220

**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Department  
Lancaster, TX 75146-0940



City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** It bring down the property value.

**SIGNATURE:**

Northel Thomas

**ADDRESS:**

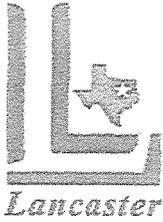
1022 WESTOVER DR

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**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** No more traffic

**SIGNATURE:** Raymond & Haven Reese

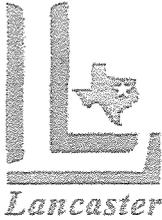
**ADDRESS:** 1023 April Shower Ln.

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** No More traffic

**SIGNATURE:**

*John E. Mack*

**ADDRESS:**

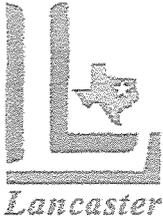
1030 April Showers Ln.

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Planning Department  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** Juliana Blair

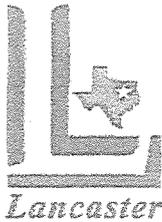
**ADDRESS:** 1022 April Shower LN

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134 notices were sent out on 06/18/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** WE HAVE MORE THAN ENOUGH DISTRIBUTION  
CENTERS IN LANCASTER, TX! THE 18 WHEELER TRUCKS  
WILL DESTROY OUR STREETS!

**SIGNATURE:**

**ADDRESS:**

*Shirley F. South*  
10210 APRIL SHOWERS LANE  
LANCASTER, TEXAS 75134

*Jackie*

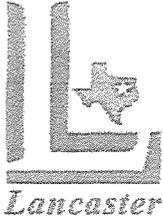
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**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Department  
Lancaster, TX 75146-0940

134 notices were sent out on 06/18/2013



City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner  
**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)  
**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.  
**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Due to various roads having potholes. We do not need more. This is ridiculous

**SIGNATURE:** Mrs. Mrs. Anthony Cook  
**ADDRESS:** 1029 Blackberry Trail  
Lancaster, TX 75134

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City of Lancaster  
Planning Department  
Lancaster, TX 75146-0940

134 notices were sent out on 06/18/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** The storm and waste water management plans are not mature or in accord with NCTCOG practices

**SIGNATURE:** Jeff Melcher **JEFF MELCHER**

**ADDRESS:** 1520 Golden Grass  
Lancaster Tx 75134

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** This is inconsistent with current streets, parks, stormwater, and retail development plans. This should not be first change but last.

**SIGNATURE:** Diana M. [Signature]

**ADDRESS:** 1520 Golden Grass Dr.  
Lancaster, TX 75134

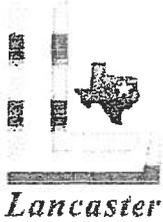
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City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940

134 notices were sent out on 07/12/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Better fast food spots, stores, mu

**SIGNATURE:** Jhanique Jolley

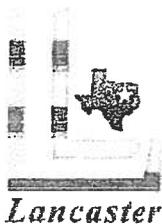
**ADDRESS:** 1048 Bumble Bee Lancaster, Tx. 75134

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City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** prefer houses

**SIGNATURE:** Carrie Malone

**ADDRESS:** 932 Westview Lancaster, TX 75134

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

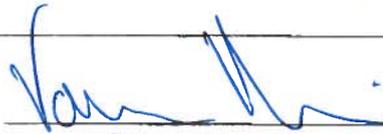
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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Do not want commercial noise and the like around neighborhood

**SIGNATURE:** 

**ADDRESS:** 1045 Badger Run

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<p>If you have any questions concerning this request, please contact the Planning Division Phone 972-218-1240 FAX 972-227-7220</p>	<p><b>RETURN BY FAX OR MAIL</b> City of Lancaster Planning Division Lancaster, TX 75146-0940</p>
--	--

134 notices were sent out on 07/12/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*Adala Rawls*

**ADDRESS:**

*1010 Graystone Dr Lancaster TX 75131*

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**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940

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City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:**

*Carl Burns*

**ADDRESS:**

*1005 Hollow Oak Rd*

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# City of Lancaster Planning Department



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**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*A Sherman*

**ADDRESS:**

*1002 Blackberry Trail Lancaster, TX 75134*

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Planning Division  
Lancaster, TX 75146-0940

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Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:** *Juan Carlos*

**ADDRESS:** 100 Harbor Oak Rd.  
Lancaster, TX 75134

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Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** inappropriate use of land  
for a neighborhood

**SIGNATURE:** [Handwritten Signature]

**ADDRESS:** 1416 Golden Grass

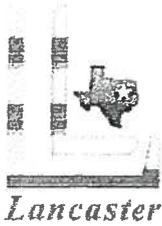
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Lancaster, TX 75146-0940

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# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** Delia A. Hodge

**ADDRESS:** 1009 Bumble Bee Dr., Lancaster, Tx. 75134

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# City of Lancaster Planning Department



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**COMMENTS:**

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**SIGNATURE:** Ristene Chapman

**ADDRESS:** 1028 Wild Horse Way

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Planning Department



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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** no more trucks

**SIGNATURE:** Pandra Sewer

**ADDRESS:** 904 Chesthaven Dr.

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** *Kusha Ashby*

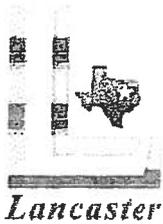
**ADDRESS:** *2922 Valley Circle  
LANCASTER TX 75134*

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Lancaster, TX 75146-0940



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Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:**

*Stanley Ardley Sr*

**ADDRESS:**

*2922 Valley Circle*

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Planning Department



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**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*Stephanie Brooks*

**ADDRESS:**

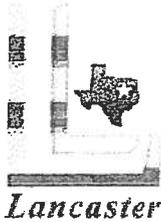
*1039 Cresthaven Dr*

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Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** I am not for this project.

**SIGNATURE:** Rodney E. Fuller

**ADDRESS:** 1015 CRESTHAVEN DR.

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City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner  
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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** Shel Williams  
**ADDRESS:** 3010 Pepperidge

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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If you have any questions concerning this request, please contact the Planning Division  
Phone 972-218-1240  
FAX 972-227-7220

**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940

134 notices were sent out on 07/12/2013



City of Lancaster  
Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Never notified of planned development.

**SIGNATURE:** [Handwritten Signature]

**ADDRESS:** 921 Westover Dr Lancaster TX 75134

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:** RonnZell

**ADDRESS:** 30814 Broussard Ln.

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Not A good Ideal.*

**SIGNATURE:**

*J. Glasa*

**ADDRESS:**

*3021 E Pepperidge Dr.  
Lancaster TX 75134*

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

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**SIGNATURE:**

*Kimberly Johnson*

**ADDRESS:**

*907 Creekside Dr.  
Lancaster, TX 75139*

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Lancaster, TX 75146-0940

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Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*John Henry*

**ADDRESS:**

*1001 Badger Run*

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Lancaster, TX 75146-0940

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Planning Department



**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

**SIGNATURE:**

*Carey Lynn*

**ADDRESS:**

*1411 Bauger Run Lancaster 7589*

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Patti Jones / Patti Jones*

**SIGNATURE:**

*Patti Jones*

**ADDRESS:**

*1532 Golden Grass Dr. / 75134*

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on 07/02/2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on 07/22/2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

Please legibly respond in ink. If the signature and/or address is missing, your comments will not be recorded. Your response must be received in the Department of Planning by 5 pm on Wednesday, 06/26/2013 for your comments to be included in the Planning and Zoning Commission's 07/02/2013 packet. Responses received after that time will be forwarded to the Commission at the public hearing.

If you have any questions concerning this request, please contact the  
 Planning Department  
 Phone 972-218-1240  
 FAX 972-227-7220

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 City of Lancaster  
 Planning Department  
 Lancaster, TX 75146-0940

134 notices were sent out on 06/18/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Too many truck stops. We need more parks.*

**SIGNATURE:**

*Willie J. Hunt*

**ADDRESS:**

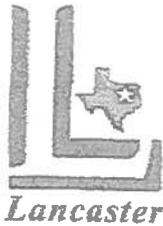
*1440 Golden Grass Dr.  
Lancaster, TX 75134*

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City of Lancaster  
Planning Department  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Application to rezone property zoned Planned Development – Single Family (PD-SF) to Planned Development - Light Industrial (PD-LI)

**LOCATION:** Northwest corner of Telephone Road and Dallas Avenue. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*We need more parks. We are never informed or given time for information on the planning.*

**SIGNATURE:** *Harriette J. Hunter*

**ADDRESS:** *1440 Golden Grass Drive  
Lancaster, TX 75134*

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Lancaster, TX 75146-0940

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# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** Due to traffic and safety of our children  
I feel this will not benefit our neighborhood.

**SIGNATURE:** Dana Jolley

**ADDRESS:** 1436 Honeybee Lane

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 Lancaster, TX 75146-0940



City of Lancaster  
Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SIGNATURE:** Lakesha Brown

**ADDRESS:** 1032 Wildhorse Way

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*Jylene Leibel*

**ADDRESS:**

*1525 Honey Bee Ln*

Your written comments are being solicited in the above case. Additional information is available in the Department of Planning at 700 E. Main. The Planning and Zoning Commission will hold a public hearing and take action on the above case at their meeting on Tuesday, July 23, 2013 at 7:00 pm. The City Council will hold a public hearing and take action on the above case at their meeting on Monday, August 12, 2013 at 7:00 pm. Meetings are typically held in the City Council Chambers, City of Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas.

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**NOTICE OF PUBLIC HEARING**

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Bad for home area*

**SIGNATURE:**

*J. C. [Signature]*

**ADDRESS:**

*911 WESTOVER*

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**NOTICE OF PUBLIC HEARING**

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

**LOCATION:** The property is located at North-West corner of Telephone Road and Dallas Avenue. The property is approximately 251 acres, described as Tracts 3, 3.2, 4, 5, 5.1, 6, 7, 7.1 of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas. A location map depicting the property and the 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

**EXPLANATION OF REQUEST:** The Applicant requests to rezone this property for the purpose of developing a Logistics Industrial Center. [Case No. – Z13-01]

- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:** James Clark

**ADDRESS:** 2929 Goldenrod Dr.

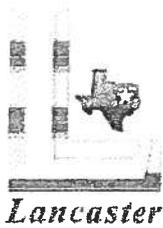
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please contact the Planning Division  
Phone 972-218-1240  
FAX 972-227-7220

**RETURN BY FAX OR MAIL**  
City of Lancaster  
Planning Division  
Lancaster, TX 75146-0940

134 notices were sent out on 07/12/2013



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

**TO:** Property Owner

**RE:** Consider an application to amend the Comprehensive Plan to Light Industrial (LI) and rezone property zoned Planned Development – Mixed Use (PD-MU) to Planned Development - Light Industrial (PD-LI).

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:** Denise Dews

**ADDRESS:** 1026 West Over Dr

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# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*was never made aware of this and don't agree with moving a truck center in my area. This is for [unclear]*

**SIGNATURE:**

*Jimmy Jam [unclear]*

**ADDRESS:**

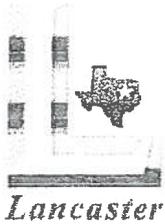
*921 Westover Dr.  
Lancaster TX 75134*

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



## NOTICE OF PUBLIC HEARING

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

*Do not need this*

**SIGNATURE:**

*Bridget Wilson, Owner*

**ADDRESS:**

*1023 Mayflower Dr*

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**NOTICE OF PUBLIC HEARING**

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**COMMENTS:**

*Do Not Like it*

**SIGNATURE:**

*Jacalyn*

**ADDRESS:**

*11023 Mayflower*

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**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

Natasha Jones

**ADDRESS:**

1045 Bumble Bee Dr.

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Lancaster, TX 75146-0940



# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
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**COMMENTS:**

---

**SIGNATURE:**

**ADDRESS:**

1040 Bumble Bee Lancaster, TX 75134

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** I do not want the distribution  
Center in our area

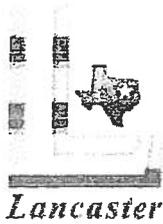
**SIGNATURE:** Jerry D. Taylor  
**ADDRESS:** 1037 Bumble Bee Dr

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Planning Division  
Lancaster, TX 75146-0940



# City of Lancaster Planning Department



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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:** I do not want any type of industrial  
planning in the meadow estate.

**SIGNATURE:** [Handwritten Signature]

**ADDRESS:** 1012 Babbling Brook Ln.  
Lancaster, TX. 75134

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Planning Department



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**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:** Juliecia Hofner

**ADDRESS:** 1033 Bumble Bee Dr  
Lancaster, Tx 75134

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**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*Melvin Carter*

**ADDRESS:**

*1031 Clear Stream Dr*

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- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

**COMMENTS:**

\_\_\_\_\_

**SIGNATURE:**

*Shirley Summers*

**ADDRESS:**

*2019 Goldenrod Drive*

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**COMMENTS:**

---

---

**SIGNATURE:**

*Rona Holt*

**ADDRESS:**

1024 Bumble Bee Dr. 75134

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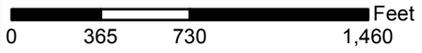
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Lancaster, TX 75146-0940

134 notices were sent out on 07/12/2013



- Subject Property
- Notification Parcels
- 200' Notification Area
- Property Owners in Support of the Zoning Change
- Property Owners in Opposition of the Zoning Change



**Case # Z 13-01**  
**Zoning Change Application**  
**NWC Telephone Rd. and S Dallas Ave.**

200

# LANCASTER CITY COUNCIL

## Agenda Communication

Monday, August 26, 2013

Item 12

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**Conduct a public hearing and consider an ordinance of the City of Lancaster, Texas levying ad valorem taxes for fiscal year 2013/2014 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption; and providing an effective date.**

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**This request supports the City Council 2012-2013 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **Background**

State Truth-in-Taxation law, Local Government Code and the City Charter require that an ordinance levying the ad valorem taxes be read and a public hearing held at a regular or special meeting of the Lancaster City Council.

The total tax revenue will decrease from properties on the tax roll in the preceding tax year by 0.76% (percentage by which the tax rate will be lower than effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may decrease at a rate greater or lesser or even increase depending on the change in the taxable value of each property.

### **Considerations**

- **Operational** - A tax of eighty-six seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property to be apportioned and distributed as follows: \$0.6012 for the purpose of maintenance and operations, and \$0.2663 for interest and sinking fund requirements.
- **Legal** - The required notice and vote are being held in accordance with state law and the City Charter. The ordinance was reviewed and approved as to form by the City Attorney.
- **Financial** - The proposed tax rate is to cover the cost of the maintenance and operations and interest and sinking fund requirements.

- **Public Information** - Public notices were published in the official City publication of record, Focus Daily News on Sunday, August 18, 2013 and information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

### **Options/Alternatives**

1. Close the public hearing and place the item on the September 9, 2013 regular meeting agenda for consideration.
2. Close the public hearing and approve the ordinance as presented.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the September 9, 2013 regular meeting agenda for consideration.

### **Attachments**

- Ordinance
- 

### **Submitted by:**

Opal Mauldin Robertson, City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2013/2014 AT \$0.8675 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT MAINTENANCE AND OPERATION EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PENALTIES AND INTEREST; PROVIDING A HOMESTEAD EXEMPTION AND DISABILITY EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS THAT:

**SECTION 1.** There be and is hereby levied for the fiscal year 2013/2014 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lancaster, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of eighty-six and seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows: \$0.6012 for the purpose of paying maintenance and operation, and, defraying the expenses of current operations, and \$0.2663 for interest and sinking fund requirements of the municipal government of the City.

**SECTION 2.** THAT THIS TAX RATE WILL RAISE LESS TAXES FOR MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING FUND REQUIREMENTS THAN LAST YEAR'S TAX RATE.

**SECTION 3.** THAT THE TAX REVENUE WILL DECREASE FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING TAX YEAR BY 0.76% (PERCENTAGE BY WHICH TAX RATE WILL BE LOWER THAN EFFECTIVE TAX RATE CALCULATED UNDER CHAPTER 26, TAX CODE.)

**SECTION 4.** All ad valorem taxes shall become due and payable on October 1, 2013, and all ad valorem taxes for fiscal year 2013/2014 shall become delinquent after January 31, 2014. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2014, the penalties and interest as set forth under Section 33.01 of the Texas State Property Tax Code shall apply.

**SECTION 5.** Taxes are payable to the Dallas County Tax Assessor-Collector, Records Building, Dallas, Texas, by contract dated November 12, 2001. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

**SECTION 6.** The tax rolls as presented to the City Council, together with any supplement thereto, be and the same are hereby approved.

**SECTION 7.** All delinquent taxes shall accrue interest at the rate of one percent (1%) per month, in addition to the penalties provided for herein. All taxes that remain delinquent on July 1st of the year in which they become delinquent shall incur an additional penalty to defray costs of collection, of an amount not to exceed 20% of the amount of taxes, penalty and interest due.

**SECTION 8.** In accordance with the Texas State Property Tax Code, and effective with the passage of the ordinance, there is hereby provided an exemption of \$30,000 on homestead property for those head-of-household persons who have attained the age of 65 years prior to January 1, 2014 and an exemption of \$30,000 on disability designations.

**SECTION 9.** This Ordinance shall become effective upon its adoption as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Lancaster, Texas, on this the 9<sup>th</sup> day of September 2013.

**APPROVED:**

\_\_\_\_\_  
Marcus E. Knight, Mayor

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

# LANCASTER CITY COUNCIL

## Agenda Communication

Monday, August 26, 2013

Item 13

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**Conduct a public hearing on the proposed Fiscal Year 2013-2014 budget and discuss an ordinance of the City of Lancaster, Texas, approving and adopting a budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014; providing that expenditures for said fiscal year shall be in accordance with said budget.**

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This request supports the City Council 2012-2013 Policy Agenda.

**Goal: Financially Sound City Government**

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### **Background**

City Charter requires the City of Lancaster to conduct a public hearing on the proposed annual budget for FY 2013-2014. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 cents per \$100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2013-2014 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at a work session held on Monday, August 5, 2013 and August 19, 2013.

This is the first of two public hearings on the proposed budget. The second and final public hearing and consideration of adoption of the proposed budget is scheduled on Monday, September 9, 2013 during the Lancaster City Council Regular Meeting. A copy of the proposed budget is available for public review in the City Secretary's office.

### **Considerations**

- **Operational** - The proposed tax rate is \$0.8675 per \$100 assessed valuation to be assessed on taxable property is to generate revenues for the maintenance, operations, interest and sinking fund requirements. The proposed maintenance and operations fund requirements (\$0.6012) and the interest and sinking fund requirements (\$0.2663) will remain the same.
- **Legal** - The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The proposed budget is a plan for revenues and expenditures related to the operations of the City.

- **Public Information** - Notice regarding the public hearings was posted in accordance with state law in the City's newspaper of record, Focus Daily News on August 18, 2013 and on the City of Lancaster website.

### **Options/Alternatives**

Close the public hearing and announce date, time, and location of the final public hearing and vote on the proposed FY 2013-2014 budget Monday, September 9, 2013 at 7:00 p.m. at Lancaster Municipal Center (City Hall) 211 N. Henry Street, Lancaster, Texas.

### **Recommendation**

Staff recommends closing the public hearing and announcing the final public hearing will be held on Monday, September 9, 2013 at 7:00 p.m. The proposed budget will be considered for adoption on Monday, September 9, 2013 at 7:00 p.m. in the Municipal Center Council Chambers located at 211 North Henry Street, Lancaster, Texas.

### **Attachments**

- Ordinance
- 

### **Submitted by:**

Opal Mauldin Robertson, City Manager

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager of the City of Lancaster has submitted to the City Council a proposed budget of the revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for fiscal year 2013-2014; and

**WHEREAS**, the City Council has received the City Manager's proposed budget, a copy of which proposed budget has been filed with the City Secretary of the City of Lancaster;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2013 and ending September 30, 2014, as submitted by the City Manager, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

**SECTION 2.** That the appropriation for the fiscal year including the budgets of the Lancaster Economic Development Corporation (Type A) and Lancaster Recreational Development Corporation (Type B), which are hereby approved beginning October 1, 2013, and ending September 30, 2014, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

<b>Fund</b>	<b>2013-2014 Budget Expenditures</b>
General Fund	\$19,784,942
G.O. Debt Service	\$4,075,064
WaterWastewater	\$12,844,342
Airport	\$439,873
HotelMotel	\$48,758
LEDC/4A	\$912,962
LRDC/4B	\$2,883,255
Golf Course	\$134,429
Sanitation	\$1,776,200
HAP	\$34,224
E911	\$126,681
Stormwater	\$1,196,987
<b>Total</b>	<b>\$ 44,257,717</b>

**SECTION 3.** Those expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance and made part hereof for all purposes unless otherwise authorized by a duly enacted ordinance of the City.

**SECTION 4.** That all notices and public hearings required by law have been duly completed.

**SECTION 5.** That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 9<sup>th</sup> day of September 2013.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

## CITY-WIDE OPERATING FUND TOTALS

TOTAL REVENUES		2011	2012	2013		2014
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	20,735,533	21,364,816	18,241,746	18,752,803	19,233,587
2	G.O. Debt Service	4,255,302	17,311,333	4,132,411	4,175,748	4,179,827
5	WaterWastewater	11,902,006	14,222,923	12,425,864	12,749,750	13,976,742
9	Airport	2,451,975	639,611	377,462	483,750	420,750
14	HotelMotel	79,783	110,001	70,534	84,035	63,875
16	LEDC/4A	941,902	1,144,870	914,448	900,190	900,190
17	LRDC/4B	3,075,579	3,430,415	2,639,838	2,698,708	2,639,487
18	Golf Course	84,744	95,065	77,873	84,404	132,260
19	Sanitation	2,105,899	2,095,917	1,756,398	1,739,999	1,732,557
20	HAP	8,842,183	8,408,176	1,361,145	8,590,710	70,000
21	E911	313,794	271,580	217,364	215,984	215,984
53	Stormwater	1,980,918	1,238,121	1,092,052	1,260,000	1,300,000
Total		\$ 56,769,619	\$ 70,332,829	\$ 43,307,136	\$ 51,736,081	\$ 44,865,259

TOTAL EXPENDITURES		2011	2012	2013		2014
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	19,937,975	19,124,221	15,620,166	19,613,051	19,784,942
2	G.O. Debt Service	5,145,540	17,717,010	4,518,405	3,948,547	4,075,064
5	WaterWastewater	10,937,606	12,303,701	8,394,072	13,011,992	12,844,342
9	Airport	466,262	495,306	290,340	413,807	439,873
14	HotelMotel	54,387	63,180	40,598	45,276	48,758
16	LEDC/4A	534,514	802,738	660,515	1,118,674	912,962
17	LRDC/4B	2,612,373	2,380,171	1,729,198	2,644,259	2,883,255
18	Golf Course	91,362	146,621	87,938	138,224	134,429
19	Sanitation	2,356,063	2,528,245	1,552,128	1,539,275	1,776,200
20	HAP	8,694,330	8,555,008	2,105,737	8,075,026	34,224
21	E911	103,758	116,558	46,932	455,243	126,681
53	Stormwater	1,764,557	872,899	927,187	1,116,388	1,196,987
Total		\$ 52,698,726	\$ 65,105,658	\$ 35,973,218	\$ 52,119,762	\$ 44,257,717

Net Gain (Loss)	\$ 4,070,893	\$ 5,227,171	\$ 7,333,918	\$ (383,681)	\$ 607,542
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# GENERAL FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	PROPERTY TAX	10,152,163	9,165,421	8,715,154	8,689,229	8,783,909
	SALES TAX	4,693,061	5,676,841	4,557,733	4,635,000	4,635,000
	FRANCHISE TAX	1,690,292	2,210,481	1,105,323	1,722,467	1,795,467
	OTHER TAXES	40,625	46,987	25,746	30,000	32,000
	LICENSES AND PERMITS	571,119	707,872	791,413	447,214	602,308
	INTERGOVERNMENTAL	350,154	139,691	2,507	213,000	213,000
	CHARGES FOR SERVICES	648,479	804,297	629,567	601,340	659,850
	FINES AND FORFEITURES	729,583	703,727	563,509	686,500	690,500
	INTEREST	5,021	6,045	4,169	4,000	4,000
	MISCELLANEOUS	256,569	229,358	87,033	60,150	65,650
	OPERATING TRANSFERS IN	1,598,236	1,598,236	1,753,072	1,648,903	1,736,903
	GRANT & Other Income	231	75,861	6,522	15,000	15,000
	<b>Total</b>	<b>\$ 20,735,533</b>	<b>\$ 21,364,816</b>	<b>\$ 18,241,746</b>	<b>\$ 18,752,803</b>	<b>\$ 19,233,587</b>

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
1	City Council	87,118	47,738	45,453	70,842	66,098
2	City Manager's Office	686,786	473,276	478,149	508,462	583,399
5	Legal	116,885	151,670	81,121	150,000	151,000
6	Building Services	877,596	1,081,948	464,141	721,338	917,655
8	Municipal Court	454,184	450,078	374,793	455,517	518,631
9	Building Inspections	278,994	345,509	212,675	273,206	302,288
10	Vehicle Maintenance	260,546	256,700	195,556	262,903	267,228
12	Streets Operations	785,285	758,026	560,803	737,975	416,402
13	Parks	537,853	537,094	490,795	592,998	584,093
13	Parks Prison Labor	1,546	6,701	2,915	6,360	3,700
14	Police	5,589,531	5,552,194	4,563,684	5,499,979	5,461,234
14	Police COPS Grant	103,389	114,174	65,571	163,958	143,747
14	Police-FBI Hwy Interdiction Grant	-	-	952	15,000	11,347
15	Fire	5,679,488	5,473,588	4,744,817	5,606,199	5,709,806
15	Emergency Management	43,304	35,192	43,346	47,580	64,660
16	Non-Departmental	845,427	612,140	585,781	964,587	949,549
17	Planning	92,263	82,939	43,989	82,460	178,286
18	City Secretary	173,555	178,917	147,622	190,076	189,385
19	Finance	538,880	482,484	407,021	547,733	554,715
24	Animal Services	148,015	138,261	123,442	152,729	184,750
29	Purchasing	108,637	112,192	89,465	113,522	114,024
31	Human Resources	326,071	327,562	253,107	310,872	344,985
32	Civil Service	5,563	6,130	7,103	7,850	7,350
34	Emergency Communications	675,752	677,027	611,920	772,003	775,486
35	Code Compliance	264,535	254,642	161,864	273,013	267,449
36	Development Services	179,802	114,451	88,153	131,352	148,488
37	Information Technology	379,813	343,487	388,157	528,016	490,636
38	Fire Marshal	96,914	59,976	116,240	156,520	178,552
80	Transfers Out	600,000	450,000	270,000	270,000	200,000
	<b>Total</b>	<b>19,937,975</b>	<b>19,124,221</b>	<b>15,620,166</b>	<b>19,613,051</b>	<b>19,784,942</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	797,558	2,240,594	2,621,580	(860,248)	(551,355)
	Beginning Balance	3,595,837	4,393,395	6,633,990	9,255,570	8,395,322
	Ending Balance	4,393,395	6,633,990	9,255,570	8,395,322	7,843,967
	Ending Balance as % of Expenditures	22.04%	34.69%	59.25%	42.80%	39.65%

## DEBT SERVICE FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Property Taxes	3,364,709	4,003,083	3,847,856	3,889,048	3,893,227
	Interest	1,477	2,010	405	2,550	2,550
	Transfers In	889,116	238,652	284,150	284,150	284,050
	Bond Proceeds	-	13,067,588	-	-	-
	<b>Total</b>	<b>\$ 4,255,302</b>	<b>\$ 17,311,333</b>	<b>\$ 4,132,411</b>	<b>\$ 4,175,748</b>	<b>\$ 4,179,827</b>

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
	50 Debt Service	5,145,540	17,717,010	4,518,405	3,948,547	4,075,064
	<b>Total</b>	<b>\$ 5,145,540</b>	<b>\$ 17,717,010</b>	<b>\$ 4,518,405</b>	<b>\$ 3,948,547</b>	<b>\$ 4,075,064</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(890,237)	(405,676)	(385,994)	227,201	104,763

## WATER AND WASTEWATER FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Water	5,186,446	6,429,656	5,354,883	5,500,000	6,440,892
	Wastewater	5,429,750	7,028,243	6,075,966	6,700,000	7,000,000
	Fees	426,929	304,045	574,061	164,750	150,850
	Impact Fees	101,481	97,133	232,031	80,000	80,000
	Other Revenue	742,630	350,003	176,260	293,000	293,000
	Interest	14,770	13,843	12,663	12,000	12,000
	<b>Total</b>	<b>\$ 11,902,006</b>	<b>\$ 14,222,923</b>	<b>\$ 12,425,864</b>	<b>\$ 12,749,750</b>	<b>\$ 13,976,742</b>

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
	2 Public Works Administration	747,351	535,376	477,878	620,906	645,500
	20 Utility Billing	493,166	512,263	466,153	456,743	570,848
	21 Water Operations	660,183	666,202	403,904	713,778	737,608
	22 Non-Departmental	1,599,063	1,567,527	22,753	184,677	12,177
	27 Meter Reading	138,472	155,523	327,045	370,342	274,746
	30 Wastewater Operations	503,103	387,013	459,853	648,067	643,134
	42 Wholesale Costs	4,996,473	6,262,091	4,103,194	6,736,959	6,843,979
	50 Debt Service	375,559	793,471	709,055	1,813,557	1,649,388
	80 Transfers Out	1,424,236	1,424,236	1,424,236	1,466,963	1,466,963
	<b>Total</b>	<b>\$ 10,937,606</b>	<b>\$ 12,303,701</b>	<b>\$ 8,394,072</b>	<b>\$ 13,011,992</b>	<b>\$ 12,844,342</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	964,400	1,919,222	4,031,792	(262,242)	1,132,400

## AIRPORT FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Airport Operations	228,227	237,682	193,420	230,000	223,000
	Net Fuel Sale	30,871	42,902	79,990	150,000	94,000
	Other Revenue	42,445	59,027	61,428	53,750	53,750
	Transfers In	2,100,343	300,000	-	-	-
	Grant Revenue	50,089	-	42,624	50,000	50,000
	<b>Total</b>	<b>\$ 2,451,975</b>	<b>\$ 639,611</b>	<b>\$ 377,462</b>	<b>\$ 483,750</b>	<b>\$ 420,750</b>

EXPENDITURES		2011	2012	2013		2014
Departments No		Actual	Actual	Year to Date	Budget	Proposed
	0 Non-Departmental	304	395	539	-	-
	40 AIRPORT	452,486	484,641	281,843	376,359	402,874
	50 DEBT SERVICE	13,472	10,271	7,958	37,448	36,998
	<b>Total</b>	<b>\$ 466,262</b>	<b>\$ 495,306</b>	<b>\$ 290,340</b>	<b>\$ 413,807</b>	<b>\$ 439,873</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	1,985,714	144,305	87,122	69,943	(19,123)

## HOTEL/MOTEL TAX FUND

### HOTEL TAX FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	HOTEL/MOTEL TAX	63,905	94,121	57,282	68,160	48,000
	RENTAL INCOME	15,600	15,600	13,000	15,600	15,600
	INTEREST	278	280	252	275	275
	Total	\$ 79,783	\$ 110,001	\$ 70,534	\$ 84,035	\$ 63,875

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
46	HOTEL/MOTEL	37,866	43,815	27,425	30,000	30,000
52	Visitor Center	16,521	19,365	13,173	15,276	18,758
	Total	\$ 54,387	\$ 63,180	\$ 40,598	\$ 45,276	\$ 48,758

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	25,396	46,822	29,936	38,758	15,117

## SALES TAX 4A-ECONOMIC DEVELOPMENT

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	SALES TAXES	938,612	1,141,631	911,547	899,190	899,190
	INTEREST	3,290	3,240	2,901	1,000	1,000
	Total	\$ 941,902	\$ 1,144,870	\$ 914,448	\$ 900,190	\$ 900,190

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
	2 ECON DEV ADMINISTRATION	180,148	179,031	145,911	181,617	180,427
	50 4A DEBT SERVICE	227,750	228,126	443,406	456,300	456,100
	60 MARKETING AND ADVERTISING	8,282	6,850	6,363	21,600	21,600
	63 INCENTIVE PROGRAMS	68,333	338,730	10,000	404,322	200,000
	80 TRANSFERS OUT	50,000	50,000	54,835	54,835	54,835
	Total	\$ 534,514	\$ 802,738	\$ 660,515	\$ 1,118,674	\$ 912,962

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	407,389	342,133	253,933	(218,484)	(12,772)

## SALES TAX 4B-CULTURAL/RECREATIONAL

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	0 SALES TAXES	1,877,225	2,270,736	1,823,093	1,800,000	1,800,000
	56 RECREATION	483,891	592,108	442,237	572,000	587,000
	54 LIFE CENTER	13,832	(7,848)	37,034	43,623	15,137
	7 LIBRARY	100,348	124,491	55,949	12,085	36,350
	0 OTHER	283	(4)	10,213	-	-
	0 TRANSFERS IN	600,000	450,000	270,000	270,000	200,000
	0 INTEREST	-	932	1,313	1,000	1,000
	<b>Total</b>	<b>\$ 3,075,579</b>	<b>\$ 3,430,415</b>	<b>\$ 2,639,838</b>	<b>\$ 2,698,708</b>	<b>\$ 2,639,487</b>

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
	2 REC ADMINISTRATION	195,522	213,424	180,240	225,097	227,806
	7 LIBRARY	574,064	511,610	384,700	534,948	541,427
	13 PARKS AND RECREATION	884	237	271	-	-
	16 NON-DEPARTMENTAL	-	25	44,771	25,385	25,385
	50 4B DEBT SERVICE	909,564	673,420	290,400	730,400	736,450
	54 SENIOR LIFE CENTER	97,106	99,277	141,482	191,360	167,266
	56 RECREATION CENTER	794,030	812,474	637,734	866,884	1,118,439
	56 DAY CAMP	12,749	41,106	36,600	42,186	34,983
	57 COMMUNITY PARK	15,394	15,598	-	15,000	18,500
	80 TRANSFERS OUT	13,000	13,000	13,000	13,000	13,000
	<b>Total</b>	<b>\$ 2,612,373</b>	<b>\$ 2,380,171</b>	<b>\$ 1,729,198</b>	<b>\$ 2,644,259</b>	<b>\$ 2,883,255</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	463,206	1,009,138	910,640	54,449	(243,768)

## GOLF COURSE FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	GOLF COURSE REVENUE	84,744	95,065	77,873	84,404	132,260
	Total	\$ 84,744	\$ 95,065	\$ 77,873	\$ 84,404	\$ 132,260

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
39	GOLF COURSE	84,362	139,621	24,938	75,224	71,429
50	DEBT SERVICE	-	-	56,000	56,000	56,000
80	TRANSFERS OUT	7,000	7,000	7,000	7,000	7,000
	Total	\$ 91,362	\$ 146,621	\$ 87,938	\$ 138,224	\$ 134,429

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(6,618)	(51,556)	(10,065)	(53,820)	(2,169)

**SANITATION FUND**  
**TRASH & RECYCLING SERVICE FUND**

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Garbage Collection	2,103,188	2,095,035	1,755,755	1,736,158	1,732,011
	Other	2,576	853	643	3,841	546
	Interest	135	29	-	-	-
	<b>Total</b>	<b>\$ 2,105,899</b>	<b>2,095,917</b>	<b>\$ 1,756,398</b>	<b>\$ 1,739,999</b>	<b>\$ 1,732,557</b>

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
	0 FRANCHISE-WASTE HAULERS	-	-	(74,400)	(70,000)	-
	2 ADMINISTRATION	39,454	41,396	5,335	29,275	20,000
	11 REFUSE SERVICE	2,013,083	1,945,940	1,379,331	1,310,000	1,486,200
	12 STREET MAINTENANCE	195,229	216,170	91,507	200,000	200,000
	15 FIRE	-	-	-	-	-
	43 NON-DEPARTMENTAL	108,296	324,739	355	70,000	70,000
	80 TRANSFERS OUT	-	-	150,000	-	-
	<b>Total</b>	<b>\$ 2,356,063</b>	<b>\$ 2,528,245</b>	<b>\$ 1,552,128</b>	<b>\$ 1,539,275</b>	<b>1,776,200</b>

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(250,164)	(432,329)	204,270	200,724	(43,643)

## LANCASTER HOUSING AGENCY-HUD

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
0	ADMINISTRATIVE REVENUE	826,402	754,783	174,676	604,710	70,000
25	ADMINISTRATIVE REVENUE	33,300	-	-	-	-
71	HAP PAYMENT REVENUE	7,982,481	7,653,394	1,186,469	7,986,000	-
Total		\$ 8,842,183	\$ 8,408,176	\$ 1,361,145	\$ 8,590,710	\$ 70,000

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
25	HOUSING ADMINISTRATION	727,194	761,885	99,809	513,026	18,600
71	HOUSING ASSISTANCE PAYMENTS	7,905,136	7,731,123	1,943,929	7,500,000	-
80	TRANSFERS OUT	62,000	62,000	62,000	62,000	15,624
Total		\$ 8,694,330	\$ 8,555,008	\$ 2,105,737	\$ 8,075,026	\$ 34,224

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
Net Gain (Loss)		147,853	(146,832)	(744,592)	515,684	35,776

## E-911 FUND

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	E911 INCOME	313,746	271,274	216,987	215,000	215,000
	INTEREST	48	306	377	984	984
	Total	\$ 313,794	\$ 271,580	\$ 217,364	\$ 215,984	\$ 215,984

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
14	Police	-	1,775	-	-	-
15	Fire	-	1,775	-	-	-
47	9-1-1-E	103,758	113,008	46,932	455,243	126,681
	Total	\$ 103,758	\$ 116,558	\$ 46,932	\$ 455,243	\$ 126,681

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	210,036	155,022	170,432	(239,259)	89,303

## STORM WATER DRAINAGE

REVENUES		2011	2012	2013		2014
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
0	Drainage Fee	1,256,646	1,201,744	1,091,466	1,260,000	1,300,000
0	Other Revenue	421	525	586	-	-
4	Grant Income	723,851	35,852	-	-	-
Total		\$ 1,980,918	\$ 1,238,121	\$ 1,092,052	\$ 1,260,000	\$ 1,300,000

EXPENDITURES		2011	2012	2013		2014
Department No		Actual	Actual	Year to Date	Budget	Proposed
2	ADMINISTRATION	73,678	102	2,696	-	-
4	STORMWATER OPERATIONS	1,599,866	782,655	830,142	1,022,806	1,093,874
22	NON-DEPARTMENTAL	-	5	8,088	4,569	10,200
50	STORM WATER DEBT SERVICE	49,013	48,138	44,261	47,013	50,913
80	TRANSFERS OUT	42,000	42,000	42,000	42,000	42,000
Total		\$ 1,764,557	\$ 872,899	\$ 927,187	\$ 1,116,388	\$ 1,196,987

BALANCES		2011	2012	2013		2014
		Actual	Actual	Year to Date	Budget	Proposed
Net Gain (Loss)		216,360	365,222	164,865	143,612	103,013



# LANCASTER CITY COUNCIL

## Agenda Communication

August 26, 2013

Item 14

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**Consider a resolution providing for the adoption of the new Master Fee Schedule for all fees and charges assessed and collected by the City.**

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This request supports the City Council 2012-2013 Policy Agenda.

**Goal: Financially Sound City Government**

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### **Background**

At the August 5, 2013 work session, City Council discussed proposed changes to the City's Master Fee Schedule. No changes were suggested to the proposed the Fee Schedule. The Master Fee Schedule is adopted by resolution. Changes to the fee schedule may be made throughout the year, as needed, by resolution.

### **Considerations**

A summary of proposed changes is listed below. The redlined fee schedule is attached.

#### ***Article 4.000 Business Related Fees*** (reference page 11)

Sec. 4.500 Temporary Food Permit Application Fee

Temporary food permit application fee of \$75 has been added. This is a pass-through cost from Dallas County Department of Health and Human Services.

#### ***Article 5.000 Fire Services Fees*** (reference pages start on page 13)

The article on fire services fees has been reformatted to reduce the extensive listing of fees for fire department response items and now references the current, adopted FEMA Schedule of Equipment Rates. To provide additional clarity, various permits fees have been outlined.

#### ***Article 8.000 Library Fines and Fees*** (reference pages 19, 20 & 21)

Charges for overdue materials for books, magazines, audio tapes, CD's and interlibrary loans have been increased to \$0.20 per day up to the cost. Supply items such as blank disks, DVD's, headphones, batteries and flash drives have been struck; the Library no longer offers these supplies.

Postage for interlibrary loan services is proposed at \$3 instead of \$1 due to increased postal rates. A non-profit rate for the Library meeting room rental and deposit have been proposed at \$50 for the deposit and a rental rate of \$30 per hour.

A chart comparing charges by survey cities is attached.

**Article 10.000 Utility Related Fees** (reference page 23)

Sec. 10.600 (2) Residential – bore, tap and relocate fees:

(2)	Residential – Bore, Tap and Relocate Fees	
	Road bore	<del>3 1/2%</del> of the cost of the job
	Water tap fee (3/4" up to 2")	<del>\$300</del> \$450
	Sewer tap fee (4" up to 8")	\$400
	Relocate meter costs	same cost as installation

Contractor is responsible for preparing area and City will make the tap. Contractor is responsible for pavement & concrete cuts, bore, encase and grouting underneath a road. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

<del>(3)</del>	<del>Commercial – 3/4 inch</del>	<del>\$125.00 + \$10.00 = \$135.00</del>
<del>(4)</del>	<del>1 inch</del>	<del>\$150.00 + \$10.00 = \$160.00</del>
<del>(5)</del>	<del>1 1/2 inch</del>	<del>\$200.00 + \$10.00 = \$210.00</del>
<del>(6)</del>	<del>2 inch</del>	<del>\$300.00 + \$10.00 = \$310.00</del>
<del>(7)</del>	<del>3 inch to compound meter</del>	<del>\$300.00 + \$10.00 = \$310.00</del>

(3) Third Party contractor is responsible for all commercial taps within the City. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

A survey of tap fees is attached.

Sec. 10.1400 Inspections (reference page 27)

Item (a) backflow fee struck. The City does not charge a backflow inspection fee.

**Article 11.000 Planning and Zoning Related Fees** (reference page 28)

Sec. 11.200 specifically adds the \$100 fee for an HLPC Certificate of Appropriateness which was being charged under a miscellaneous fee code. The fee is authorized under the Lancaster Development Code, but previously had not been specifically identified in the Master Fee Schedule. This clearly identifies the HLPC Certificate fee for citizens.

**Article 15.000 Parks and Recreation** (reference pages start on page 34 )

Restructuring of the swim fees has been proposed to include non-resident fees and seasonal swim pass fees for individuals 16 years and younger, 17 years through adult, and a family (4+) swim pass as follows:

8. Open Swim Admission	\$5/ day Resident \$7/day Non Resident	Provides access to use of pool during designated hours
9. Daily Fitness Swim Admission (17 years and older)	\$3/ day Resident \$5/day Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
10. Monthly Fitness Swim Membership (17 yrs and older)	\$15 Resident \$20 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
11. Seasonal Swim Pass (Summer) Individual (16 yrs and younger)	\$60 Resident \$70 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
12. Seasonal Swim Pass (Summer) Individual (17 yrs and older)	\$70 Resident \$80 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
13. Seasonal Swim Pass (Summer) Family 4+	\$180 Resident \$200 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).

Proposed increases to the Community House rental rates include:

(b) Community House

4 hour rental Resident	<del>\$175.00</del> \$200.00
4 hour rental Non Resident	<del>\$250.00</del> \$225.00
6 hour rental Resident	<del>\$225.00</del> \$300.00
6 hour rental Non Resident	<del>\$300.00</del> \$325.00

Fees for the use of the projector screens, podium and sound system at the Grand Hall have been proposed. (reference page 38)

(f) Recreation Center (Grand Hall)

Projector Screen/Podium/Sound System Rental

Deposit	\$200.00 Resident	\$300 Non Resident
1 screen	\$65/day Resident	\$75/day Non Resident

2 screens	\$75/day Resident	\$100/day Non Resident
Podium	\$35/day Resident	\$40/day Non Resident
Portable Sound System	\$200/day Resident	\$275/day Non Resident

Non-resident charges for non-profit group rentals have been proposed:

Non-Profit - For meetings only

		Non-Resident
(1) Deposit	\$75.00/hour	\$75.00
(2) Classroom/Youth Room	\$20.00/hour	\$25.00
(3) <del>3,300</del> 1,100 square feet (Grand Hall)	\$50.00/hour	\$75.00
(4) Conference Room	\$10.00/hour	\$20.00

Rental rates for the new amphitheater have been proposed:

(k) Amphitheater Rental

	Resident	Non Resident
Deposit	\$150.00	\$250.00
4 hour rental	\$150.00	\$300.00
6 hour rental	\$225.00	\$375.00
8 hour rental	\$300.00	\$450.00
Each additional hour after 8 hrs.	\$ 25.00	\$ 35.00

A recreation/facility fee survey is attached.

**Article 16.000 Airport Fees** (reference page 39)

An incremental increase is proposed for hangar rentals. Increases are based on survey of similar type airports within a 50 mile radius of the Lancaster Regional Airport. Also, a monthly tie down fee of \$30 is proposed. The survey is attached.

(a) Monthly Hangar Rental

956 sq. ft. (small T-hangar)	<del>\$170.00</del>	\$180.00	\$0.19 per sq ft
1,018.25 sq. ft. (medium T-hangar)	<del>\$192.00</del>	\$205.00	\$0.20 per sq ft
1,624.33 sq. ft. (large T-hangar)	<del>\$280.00</del>	\$290.00	\$0.18 per sq ft

(b) Community Hangar Rental

956 sq. ft. (small T-hangar)	<del>\$85.00</del>	\$ 90.00	\$0.10 per sq ft
1,018.25 sq. ft. (medium T-hangar)	<del>\$96.00</del>	\$103.00	\$0.09 per sq ft
1,624.33 sq. ft. (large T-hangar)	<del>\$140.00</del>	\$145.00	\$0.09 per sq ft

(c) Other Airport Fees

Monthly Tie Down Fee \$30.00 per month

**Options/Alternatives**

1. Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of October 1, 2013.
2. Council may modify proposed fee(s) and approve the resolution.
3. Council may deny the resolution. Updated fees proposed in the Master Fee Schedule are part of the revenue projections used for the proposed FY 2013-2014 budget.

**Recommendation**

Staff recommends approval of the Master Fee Schedule as presented with an effective date of October 1, 2013.

**Attachments**

- Resolution
- Redlined Master Fee Schedule
- Airport Fee Survey
- Tap Fee Survey
- Library Fee Survey
- Recreation/Facilities Survey

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**Submitted by:**

Dolle K. Downe, City Secretary

**RESOLUTION NO. 2013-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, PROVIDING FOR ADOPTION OF THE NEW MASTER FEE SCHEDULE FOR ALL FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster desires to adopt an updated Master Fee Schedule to provide for the fees and charges assessed and collected by the City; and

**WHEREAS**, after consideration and review, the City Council finds that the Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," should be adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS THAT:**

Section 1. That a Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," be, and the same is, hereby adopted to provide for fees and charges assessed and collected by the City.

Section 2. That all provisions of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

Section 3. This Resolution shall become effective October 1, 2013, from and after its passage, as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas on this the 26<sup>th</sup> day of August 2013.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

# CITY OF LANCASTER FEE SCHEDULE

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*Effective ~~October 1, 2012~~ **October 1, 2013**  
Resolution ~~2012-08-69~~ **2013-08-\_\_***

**CITY OF LANCASTER FEE SCHEDULE**  
**ARTICLE 1.000 911 EMERGENCY TELEPHONE SERVICE FEE**

There is hereby imposed on each telephone subscriber's local exchange access line, or its equivalent, in the City of Lancaster, a 911 emergency service fee of eighty-two cents (\$0.82) per month for each residential line, and one dollar and fifty-two cents (\$1.52) per month for each business line, or two dollars and fifty cents (\$2.50) per month for each business trunk line. Such fees shall be used only to provide for the purchase, installation, operating and maintenance expenses of 911 emergency services, including required personnel. (Ordinance 2007-08-38, adopted 8/13/07)

**ARTICLE 2.000 ANIMAL CONTROL FEES**

**Sec. 2.100 General**

- (a) Animal Impound Fee
  - (1) 1st Offense \$45.00
  - (2) 2nd Offense \$55.00
  - (3) 3rd Offense \$85.00
  - (4) 4th Offense \$110.00
  - (5) Each subsequent offense is increased by \$50.00
- (b) Boarding While Impounded \$10.00 per day
- (c) Rabies and Quarantine Observation Fee \$15.00 per day
- (d) Adoption Fees
  - (1) Small Dogs and Puppies \$15.00
  - (2) Large Dogs \$25.00
  - (3) Cats \$15.00
- (e) Surrender of Animal
  - (1) Residential Surrender Fee \$20.00 per animal or litter
  - (2) Nonresidential Surrender Fee \$25.00
- (f) Euthanization/Dogs & Cats Only
  - (1) At Owner's Request \$30.00
- (g) Pick Up Deceased Animal for Owner \$30.00
- (h) Microchip and/or Registration Fee
  - \$15.00 if spayed/neutered
  - \$25.00 not spayed/neutered

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 2.200 Dangerous Dog Registration Fee

The required annual fee for the registration of a dangerous dog shall be fifty dollars (\$50.00).  
(1994 Code of Ordinances, Chapter 2, Article 2.600, Section 2.604)

## ARTICLE 3.000 BUILDING RELATED FEES

### Sec. 3.100 Fees Adopted

(a) Moving Permit Fees

- |   |               |
|---|---------------|
| (1) Base Fee (structures 200 sq. ft. and over)                    | Per Table 1-A |
| (2) Inspection Fee (plus .35 cents per mile to building location) | Per Table 1-A |

(b) Residential Portable/Storage Building Permit Fees

- |                                 |               |
|---------------------------------|---------------|
| (1) Under 200 sq. ft. base fees | Per Table 1-A |
| (2) Over 200 sq. ft.            | Per Table 1-A |

(c) Fence Permit Fees

- |  |               |
|--|---------------|
| (1) Residential Zoning (New/Replacement) | Per Table 1-A |
| (2) Nonresidential                       | Per Table 1-A |
| (3) A-O Zoning (Agricultural Fencing)    | \$25.00       |

Accessory Structures less than 400 sq. ft. \$50.00

Accessory Structures greater than 400 sq. ft. \$100.00

All other construction and related additions or remodeling work will be permitted and charged in accordance with Table 1-A

(d) Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees(Bond Required)

- |   |                         |
|---|-------------------------|
| (1) Residential zones, new/repair/replacement | Per Table 1-A           |
| (2) Nonresidential zones, per approach        | \$25.00 + per Table 1-A |

(e) Paving Private/Commercial Property Permit Fees

## CITY OF LANCASTER FEE SCHEDULE

- (1) Residential zones, new construction                      Per Table 1-A
- (2) Nonresidential zones, per approach                      Per Table 1-A
- (3) Commercial Parking Lots                                      Per Table 1-A
- (f)        Permit Fees

- (1) Residential zones, new/repair/replacement  
Per Table 1-A
- (2) Single family residence, duplex, multi-family,  
apartment, condominium townhouse,  
commercial and remodels per Table 1-A. Fee  
assessed per address.

**TABLE 1-A**

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$25.00 (minimum permit fee)
\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof

## CITY OF LANCASTER FEE SCHEDULE

(g) Sewer/Water/Gas Lines & Replacements

(1)	Sewer line repair/install	Per Table 1-A
(2)	Sewer line replacement	Per Table 1-A
(3)	Water line repair/install	Per Table 1-A
(4)	Water line replacement	Per Table 1-A
(5)	Gas line repair/install	Per Table 1-A
	Additional charge per outlet	
(6)	Gas line Replacement	Per Table 1-A
	Additional charge per outlet (this fee will be included in the total fee)	
(7)	Drainage, vent system repair/replacement	Per Table 1-A
(8)	Water heater replacement	Per Table 1-A
(9)	Fixtures, addition/replacement	Per Table 1-A
(10)	Grease trap, sand trap, grit trap and other Approved catch basins	Per Table 1-A
(11)	Water treatment/water softener	Per Table 1-A
(12)	Solar heater	Per Table 1-A
(13)	Others as may be required	Per Table 1-A

(h) Electrical Fees

(1)	Temporary service pole (not related to construction permit)	Per Table 1-A / \$25.00
	To and including 200 amp	Per Table 1-A
	Over 200 amp to 1,000 amp	Per Table 1-A
	Over 1,000 amp and up	Per Table 1-A
(2)	Receptacle, switch and lighting circuits	Per Table 1-A / \$25.00 min.
(3)	Lighting fixture and lamp holding device	Per Table 1-A
(4)	Residential use appliances (fixed appliances or outlets for same)	Per Table 1-A
(5)	Building Rewire	Per Table 1-A

## CITY OF LANCASTER FEE SCHEDULE

- |      |   |               |
|------|---|---------------|
| (6)  | Nonresidential Use Appliances   | Per Table 1-A |
|      | [Nonresidential use appliances not exceeding 2 horsepower (hp), kilowatt (kw) or kilowatt ampere(kva)]  |               |
| (7)  | Power Apparatus (Base Fee)  | Per Table 1-A |
|      | Motor over 1 hp, transformer, generator, heating/air conditioning units, heat pumps, cooking/baking   |               |
| (8)  | Equipment – Rated in hp, kw, kva, kvar  |               |
|      | Up to and including 1   | Per Table 1-A |
|      | Over 1-10   | Per Table 1-A |
|      | Over 10-50  | Per Table 1-A |
|      | Over 50-100   | Per Table 1-A |
|      | Over 100  | Per Table 1-A |
|      | Minimum fee   | Per Table 1-A |
| (9)  | Signs   |               |
|      | Initial CKT   | Per Table 1-A |
|      | Each additional CKT   | Per Table 1-A |
| (10) | Busways   |               |
|      | Initial 100 feet  | Per Table 1-A |
|      | Each additional 100 feet or fraction thereof  | Per Table 1-A |
| (11) | Subpanels   |               |
|      | Initial panel   | Per Table 1-A |
|      | Each subsequent panel   | Per Table 1-A |
|      | Service change charge does not include additional circuits required.  |               |
| (i)  | <u>HVAC Installation Fees</u>   |               |
| (1)  | Installing/replacing HVAC system (condensing unit, evaporator, coil, furnace and piping) up to and including 5 tons of air conditioning, and/or 200,000 Btu input of heating per system | Per Table 1-A |
| (2)  | Installing/replacing HVAC system over 5 tons of air conditioning and/or over 200,000 Btu input of heating per system  | Per Table 1-A |

## CITY OF LANCASTER FEE SCHEDULE

- |     |  |                            |
|-----|--|----------------------------|
| (3) | Component Installation/Replacement.  |                            |
|     | Condensing unit up to 5 tons   | Per Table 1-A              |
|     | Over 5 tons, \$10.00, plus per ton   | Per Table 1-A              |
|     | Furnace up to 200,000 Btu input  | Per Table 1-A              |
|     | Over 200,000 Btu input, \$10.00 plus per 100,000   | Per Table 1-A              |
| (4) | Unit heater/suspended heater/duct heater   | Per Table 1-A              |
| (5) | Ventilation/exhaust fans/hoods – Type I, Type II, Hoods, Exhaust Fans, each                | Per Table 1-A              |
| (6) | Boilers  | Per Table 1-A              |
| (7) | Other as may be required by mechanical code  | Per Table 1-A              |
| (j) | <u>Swimming Pool/Spa/Hot Tub Permit Fees.</u>  | Per Table 1-A              |
| (1) | In ground pool   | Per Table 1-A              |
| (2) | Above ground pool  | Per Table 1-A              |
| (3) | Spa/hot tub  | Per Table 1-A              |
|     | (Above permits include electric and plumbing work, trades must validate)                   |                            |
| (k) | <u>Mobile/HUD Manufactured Home Permit Fees</u>  |                            |
| (1) | Pre-June 1976  | Per Table 1-A              |
| (2) | June 1976 to present   | Per Table 1-A              |
| (l) | <u>Industrialized Home Permit Fee</u>  | Per Table 1-A              |
| (m) | <u>Apartment Registration and Inspection Fee</u>   | \$15.00 per apartment unit |
| (n) | <u>Satellite Dish Permit Fees</u>  |                            |
|     | Pole style or roof mount   | Per Table 1-A              |
| (o) | <u>Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals</u> |                            |
| (1) | Storage tank permit fees   | Per Table 1-A              |
| (p) | <u>Repair of Underground Fuel Storage Tank and/or Lines Permit Fees</u>                    |                            |

## CITY OF LANCASTER FEE SCHEDULE

- |      |   |               |
|------|---|---------------|
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Repairs of underground fuel storage tanks (base fee)  | Per Table 1-A |
| <br> |   |               |
| (q)  | <u>Above Ground LPG Storage Tank System Permit Fees</u>   |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base fee (per tank)   | Per Table 1-A |
| <br> |   |               |
| (r)  | <u>Fire Sprinkler and/or Standpipe System Permit Fees</u>   |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base Fee  | Per Table 1-A |
| <br> |   |               |
| (s)  | <u>Fire Alarm Fees</u>  |               |
| (1)  | Base Fees   | Per Table 1-A |
| <br> |   |               |
| (t)  | <u>Fixed Fire-Extinguishing System Permit Fees</u>  |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base Fee  | Per Table 1 A |
| <br> |   |               |
| (u)  | <u>Tents and/or Air Support System Permit Fees</u>  |               |
| (1)  | 200 sq. ft. or larger   | Per Table 1-A |
| <br> |   |               |
| (v)  | <u>Grading Filling and Excavating Permit Fees</u>   |               |
| (1)  | Base Fee  | Per Table 1-A |
| <br> |   |               |
| (w)  | <u>Fee Assessment for Traffic Signals.</u> There shall be an assessment of thirty-five dollars \$35.00 per acre for each acre of development so as to provide for future traffic signalization. |               |
| (1)  | New Construction  | \$75.00       |
| (2)  | Existing Structure  | \$75.00       |
| <br> |   |               |
| (x)  | <u>Certificate of Occupancy Fees</u>  |               |
| (1)  | New Construction  | \$75.00       |
| (2)  | Existing Structure  | \$75.00       |
| <br> |   |               |
| (y)  | <u>Concrete Permit</u>  |               |
| (1)  | All contractors' must submit \$300,000.00 liability insurance made out with the City of Lancaster as a certificate holder.  |               |

## **CITY OF LANCASTER FEE SCHEDULE**

(z)	<u>Irrigation Permit Fee</u>	\$125.00
(aa)	<u>Administrative Plan Review-Residential</u>	\$250.00
(bb)	<u>Administrative Plan Review-Commercial</u>	65% of permit fee
(cc)	<u>Utility Verification Permit</u>	\$50.00
(dd)	<u>After Hours Inspections</u>	\$47.00 per hour, minimum 2 hours
(ee)	<u>Sign Permit Fees</u>	Per Table 1-A
(ff)	<u>Wind Energy System Permit Fee</u>	Per Table 1-A
(gg)	Hotel/Motel Property Inspection Fee	\$50.00 per rental unit annually

### **Contractor Registration Fees**

(1)	Building Contractor Registration	\$100.00 Annually
(2)	Plumbing Business Registration	\$100.00 Annually
(3)	Electrical Contractor Registration	\$100.00 Annually
	(a) Master License Registration	\$30.00 Annually
	(b) Journeyman License Registration	\$20.00 Annually
	(c) House Wireman License Registration	\$10.00 Annually
(4)	HVAC Contractor Registration	\$100.00 Annually
	(a) Type A License Registration	\$30.00 Annually
	(b) Type B License Registration	\$30.00 Annually
(5)	General Contractor Registration	\$100.00 Annually
(6)	Fence Contractor Registration	\$100.00 Annually
(7)	Sign Contractor Registration	\$100.00 Annually
(8)	Concrete Contractor Registration	\$100.00 Annually

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 3.200 When Fees Doubled**

Where work for which a permit is required is started or proceeded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

### **Sec. 3.300 Second Inspections**

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with city codes, and a second inspection is required, an additional fee of fifty dollars (\$50.00) shall be charged for re-inspection and will increase by \$25.00 for each subsequent re-inspection.

### **Sec. 3.400 Public Schools Exempt From Fee Requirements**

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster.

(Ordinance 13-00 adopted 4/24/00)

### **Sec. 3.500 Excavation Fees**

Permit Fees. Permit fees shall be fifty dollars (\$50.00) minimum with a maximum of 2.5% of the construction contract cost. Such fee if paid by check, money order, bank draft or other negotiable instrument, shall be made payable to the city treasurer. If paid by cash, such cash shall be remitted daily to the city treasurer, who shall deposit it to the credit of the general fund. Construction bond for work in a city right-of-way shall be \$10,000.00 bond amount; \$2,000.00 bond amount where work not to exceed \$2,000.00 in value for any one permit that may be acquired for that work within the right-of-way.

(Ordinance 38-99 adopted 11/8/99)

### **Sec. 3.600 Backflow Prevention Assembly Testers Fees**

An annual registration fee of one hundred dollars (\$100.00) shall be paid by each contractor or business for the first certified tester/employee prior to any work commencing with the city. Each additional employee (who is a certified tester) working for a contractor that is registered in the city shall pay an additional fifty dollars (\$50.00) registration fee per tester. (Ordinance 29-00 adopted 7/24/00)

## **ARTICLE 4.000 BUSINESS RELATED FEES**

### **Sec. 4.100 Peddlers, Solicitors and Itinerant Vendors**

(a) Investigation Fee Each and every person seeking a permit under the provisions of the Lancaster Code of Ordinances, Chapter 4, Article 4.100 "Peddlers, Solicitors and Itinerant Vendors" shall pay a fee of twenty-five dollar (\$25.00) per year for investigation of such application. Such fee shall be

## CITY OF LANCASTER FEE SCHEDULE

prorated, shall be paid in case at the time such application is made and shall not be returned to the applicant regardless of whether or not such permit is issued or denied. Persons representing firms or corporations shall be required to obtain separate permits, but shall pay only a single investigation fee. Persons involved in interstate commerce shall be exempt from payment of the investigation fee, but shall be required to obtain a permit and otherwise fully comply with all provisions of Chapter 4, Article 4.100.

(b) The permit fee for itinerant vendors on private property is twenty dollars (\$20.00). The City will not require payment of this permit fee by locally-based charitable organizations or organizations engaged in activities such as bake sales or car washes. The permit is issued for a minimum of five (5) days, but not to exceed forty-five (45) days. Each eligible property may only allow use of the property for a temporary business for a maximum of forty-five (45) days per calendar year in accordance with Chapter 4, Article 4.100, Section 4.114.

(c) Replacement Permits. Should a permittee lose the permit or otherwise need to obtain a replacement permit from the city, the cost of such replacement permit shall be fifteen dollars (\$15.00).

(Ordinance 2008-06-24; adopted June 23, 2008)

### **Sec. 4.200 Coin-Operated Machine Fees**

(a) Every owner or operator who owns, controls, possesses, exhibits, displays or permits to be exhibited or displayed in this city any coin-operated machine shall pay and there is hereby levied on each coin-operated machine an annual occupation tax in the amount of twenty-five dollars (\$25.00).

(Ordinance 2002-10-38 adopted 10/14/02)

### **Sec. 4.300 Reserved for Future Use**

### **Sec. 4.400 Food Service Establishments**

The City of Lancaster shall issue a food service permit to the applicant if its inspection reveals that the proposed food service establishment complies with the requirements of Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health. The permit shall be issued upon payment of a one hundred fifty dollar (\$150.00) annual inspection fee (includes two (2) inspections) set by the Dallas County Department of Health and Human Services plus an administrative fee of fifty dollars (\$50.00), which shall be due and payable on or before October 1 of each year. Such permit shall expire on September 30 of the succeeding year. Such permit shall be payable in full if the permit is issued at the beginning of the fiscal year or prorated as deemed appropriate by staff depending upon when it is issued within the year. All food service establishment permits shall expire on September 30 of each year and be issued upon inspection and payment of the required fee, to be effective on October 1. Beginning with the third food establishment inspection or any other food inspection outside of the two yearly inspections, a seventy-five dollar (\$75.00) fee will be assessed for each additional inspection.

### **Sec. 4.500 ~~Reserved for Future Use~~**

Temporary Food Permit Application \$75.00  
(Set by the Dallas County Department of Health and Human Services.)

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 4.600 Reserved for Future Use**

### **Sec. 4.700 Temporary Building Use Fees**

The permit fees for administering temporary uses within the city shall be as follows:

(1) Real estate sales office	\$100.00
(2) Construction office	\$100.00
(3) Asphalt batching plant	\$100.00
(4) Cement hatching plant	\$100.00
(5) Portable church building	\$100.00
(6) Portable school building	\$100.00
(7) Other temporary use as determined by City Manager (or his/her designated representative)	\$100.00
(8) Cargo container for construction purposes	\$150.00

### **Sec. 4.800 Taxicab Permits**

Each applicant for a license to operate a vehicle for transporting of passengers for hire within the city shall pay a non-refundable fee in the sum of one hundred dollars (\$100.00) to cover the cost of processing the application.

### **Sec. 4.900 Emergency Ambulance Service Permit**

Each applicant shall pay to the City of Lancaster upon submission of his application a non-refundable two hundred dollar (\$200.00) permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

### **Sec. 4.1000 Limousine Operator Permit**

Each limousine service operator shall be subject to a one hundred dollar (\$100.00) non-refundable permit application fee to cover the cost of processing the application.

(Ordinance 13-00 adopted 4/24/00)

### **Sec. 4.1100 Alcoholic Beverage Permit**

The City shall assess a local permit fee for each Alcoholic Beverage Permit not to exceed one-half the amount of the state fee in accordance with the Texas Alcoholic Beverage Code. Said fee shall be non-refundable.

(Ordinance No. 2010-11-26, adopted 11/08/10; Resolution 2010-11-93, adopted 11/08/10)

# CITY OF LANCASTER FEE SCHEDULE

## ARTICLE 5.000 FIRE SERVICES FEES

**Sec. 5.100**     Apartment Registration and Inspection Fee     \$15.00 per apartment unit

**Sec. 5.200**     Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals

(1)     Storage tank permit fees     Per Table 1-A

Repair of Underground Fuel Storage Tank and/or Lines Permit Fees

(1)     Contractor's Registration (per year)     \$100.00  
(2)     Repairs of underground fuel storage tanks (base fee)     Per Table 1-A

Above Ground LPG Storage Tank System Permit Fees

(1)     Contractor's Registration (per year)     \$100.00  
(2)     Base fees (per tank)     Per Table 1-A

**Sec. 5.300**     Fire Sprinkler and/or Standpipe System Permit Fees

(1)     Contractor's Registration (per year)     \$100.00  
(2)     Base fees     Per Table 1-A

**Sec. 5.400**     Fire Alarm Fees

(1)     Base fees     Per Table 1-A

Fixed Fire-Extinguishing System Permit Fees

(1)     Contractor's Registration (per year)     \$100.00  
(2)     Base Fees     Per Table 1-A

**Sec. 5.500**     Tents and/or Air Support System Permit Fees

(1)     200 sq. ft. or larger     \$ 25.00

**Sec. 5.600**     When Fees Doubled

Where work for which a permit is required is started or proceeded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

# CITY OF LANCASTER FEE SCHEDULE

## **Sec. 5.700 Second Inspections**

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with City codes, and a second inspection is required, an additional fee of fifty dollars (\$50.00) shall be charged for re-inspection and will increase by \$25.00 for each subsequent re-inspection.

## **Sec. 5.800 Public Schools Exempt From Fee Requirements**

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster.

(Ordinance 13-00 adopted 4/24/00)

## **Sec. 5.900 Emergency Ambulance Service Permit**

Upon submission of application, each applicant shall pay to the City of Lancaster a non-refundable two hundred dollar (\$200.00) permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

<b>Sec. 5.1000</b>	<b><u>Residential Fire Alarm Permit Fee</u></b>	\$ 25.00 Annually
	(No Charge if Burglar Alarm Permit is taken out with Police Department)	
	Senior Rate (65 or older)	Exempt

<b>Sec. 5.2000</b>	<b><u>Commercial Fire Alarm Permit Fee</u></b>	\$100.00 Annually
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## **Sec. 5.3000 Required Annual Operational Permit Fees**

1	Aerosol products	\$ 25.00
2	Amusement buildings	\$100.00
3	Assisted living operations	\$ 50.00
4	Aviation facilities	\$ 25.00
5	Carnivals and fairs	\$ 75.00
6	Cellulose nitrate film	\$ 25.00
7	Combustible dust-producing operations	\$ 25.00
8	Combustible fibers	\$ 25.00
9	Compressed gases	\$ 25.00

## CITY OF LANCASTER FEE SCHEDULE

10	Covered mall buildings	\$ 25.00
11	Cryogenic fluids	\$100.00
12	Cutting and welding	\$ 25.00
13	Day care operations	\$ 25.00
14	Dry cleaning plants	\$ 25.00
15	Exhibits and trade shows	\$ 25.00
16	Explosives	\$500.00
17	Fire hydrants and valves	\$ 25.00
18	Flammable and combustible liquids	\$ 25.00
19	Floor finishing	\$ 0.00
20	Foster home operations	\$ 25.00
21	Fruit and crop ripening	\$ 25.00
22	Fumigation and thermal insecticidal Fogging	\$ 25.00
23	Group home operations	\$ 50.00
24	Half-way home operations	\$ 50.00
25	Hazardous materials	\$200.00
26	HPM facilities	\$100.00
27	High-piled storage	\$100.00
28	Hot work operations	\$ 0.00
29	Industrial ovens	\$ 25.00
30	Lumber yards and woodworking plants	\$ 25.00
31	Liquid- or gas-fueled vehicles or equipment in assembly buildings	\$ 25.00
32	LP-gas	\$ 25.00
33	Magnesium	\$ 25.00
34	Miscellaneous combustible storage	\$ 25.00

## CITY OF LANCASTER FEE SCHEDULE

35	Open burning (Exception: Recreational fires)	\$ 25.00 per burn
36	Open flames and torches	\$ 0.00
37	Open flames and candles	\$ 0.00
38	Organic coatings	\$ 25.00
39	Places of assembly	\$ 0.00
40	Private fire hydrant installation	\$ 25.00 per hydrant
41	Pyrotechnic special effects material	\$100.00
42	Pyroxylin plastics	\$100.00
43	Refrigeration equipment	\$ 25.00
44	Repair garages and motor fuel-dispensing facilities.	\$ 0.00
45	Rooftop heliports	\$ 25.00
46	Spraying or dipping	\$ 25.00
47	Storage of scrap tires and tire byproducts	\$200.00
48	Temporary membrane structures, tents and canopies.	\$ 25.00
49	Tire-rebuilding plants	\$100.00
50	Waste handling	\$200.00
51	Wood products	\$ 25.00

### **Required Construction Permits**

1	Automatic fire-extinguishing systems	Per Table 1-A
2	Battery systems	\$ 25.00
3	Compressed gases	Per Table 1-A
4	Fire alarm and detection systems and related equipment.	Per Table 1-A
5	Fire pumps and related equipment	\$ 25.00

## **CITY OF LANCASTER FEE SCHEDULE**

6	Flammable and combustible liquids	Per Table 1-A
7	Hazardous materials	Per Table 1-A
8	Industrial ovens	Per Table 1-A
9	LP-gas	Per Table 1-A
10	Private fire hydrants	\$ 25.00 per hydrant
11	Spraying or dipping	Per Table 1-A
12	Standpipe systems	\$ 25.00
13	Temporary membrane structures, tents and canopies.	\$ 25.00

### **Sec. 5.4000 Ambulance Fees**

(1)	ALS Emergency Mileage	\$ 15.00
(2)	ALS Non-Emergency Mileage	\$ 15.00
(3)	ALS Supplies – IV Therapy	\$ 100.00
(4)	ALS1 Emergency, Non-Resident	\$ 800.00
(5)	ALS1 Emergency, Resident	\$ 750.00
(6)	ALS2, Non-Resident	\$1,000.00
(7)	ALS2, Resident	\$ 950.00
(8)	BLS Emergency, Non-Resident	\$ 650.00
(9)	BLS Emergency, Resident	\$ 600.00
(10)	BLS Emergency Mileage	\$ 15.00
(11)	Treatment / No-Transport	\$ 150.00

Any resident or non-resident delivered by helicopter transportation shall be charged fees accumulated as if delivered to a medical facility. This is in addition to the fee from the helicopter company

### **Sec. 5.5000 Local EMS Services**

(1)	Extra Attendant	\$ 100.00
(2)	Ambulance Stand-By	\$ 200.00 per hour

### **Sec. 5.6000 Fire Department Response Fees**

(1)	Absorbent for Cleanup	\$ 40.00 per bag
(2)	Absorbent Pads	\$ 50.00 each

## CITY OF LANCASTER FEE SCHEDULE

(3) Aerial Ladder Truck	\$600.00 per hour on-scene
(4) Air Truck with Cascades System	\$300.00 per hour used
(5) Boat Rescue	\$ 50.00 per hour
(6) Brush Truck	\$300.00 per hour
(7) Decon Pond/Spill Containment	\$100.00 per each used
(8) Extrication Tools	\$100.00 per each used
(9) Foam	\$ 50.00 per gallon
(10) On-Scene Labor	\$ 48.00 per hour
(11) Engine/Pumper	\$500.00 per hour
(12) Engine/Pumper #2	\$500.00 per hour
(13) Engine/Pumper #3	\$500.00 per hour
(14) Rescue Truck	\$400.00 per hour
(15) Sand	\$400.00 per truck load
(16) Tanker Truck	\$500.00 per hour
(17) Utility Truck	\$150.00 per hour
(18) Firefighting equipment damaged or destroyed as a result of response to the incident or contaminated with hazardous materials will be replaced at cost.	

*For applicable disasters and emergencies declared by the Mayor, Governor or President, the current adopted FEMA Schedule of Equipment Rates will apply. Information regarding the Fee Schedule can be found at [www.fema.gov/schedule-equipment-rates](http://www.fema.gov/schedule-equipment-rates). Information regarding the use of the Schedule is contained in 44 CFR § 206.228 Allowable Costs.*

**Sec. 5.7000 False Alarms with Permit within 12 month period:**

1-3	No Charge
4-5	\$ 50.00
6-7	\$ 75.00
8 or more	\$100.00 each

**False Alarms without Permit within 12 month period:**

1-3 Residential	\$ 50.00 each
1-3 Commercial	\$100.00 each
4-5 Residential	\$ 75.00 each
4-5 Commercial	\$200.00 each
6-7 Residential	\$100.00 each
6-7 Commercial	\$250.00 each
8 or more – Residential	\$200.00 each

## **CITY OF LANCASTER FEE SCHEDULE**

8 or more – Commercial \$300.00 each

Late Payment for non-payment within 30 days after notification \$ 25.00

### **Sec. 5.8000 Dallas County Response Fees**

(1) Ambulance (In-County Calls) \$375.00 per ambulance run

(2) Dallas County Assisted Fire Run \$395.00 per fire run

### **ARTICLE 6.000 ABATEMENT OF PROPERTY MAINTENANCE NUISANCE**

The expenses incurred for abatement of the nuisance may be assessed against the real estate on which the work is done or improvements made. To obtain a lien against the property, the mayor, municipal health authority or code enforcement officer must file a statement of expenses with the county clerk of Dallas County, including the name of the property owner, if known, and the legal description of the property. The actual cost of abatement shall include an administrative fee of one hundred fifty dollars (\$150.00). In the event there are obstructions such as trees, shrubs, bushes, excavations, foundations, demolished structures or any similar obstructions, an additional charge shall be levied, assessed and collected against such premises. The lien obtained is security for the expenses and interest accrued thereon at the rate of ten percent (10%) annually on the total amount from the date of payment by the city. The lien is inferior only to tax liens and liens for street improvements. The city may bring a suit for foreclosure of the lien to recover the expenses and interest due. The state of expenses or certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements. This remedy is cumulative of the fine authorized for violation hereof by Section 1.109 of the code of ordinances.

(Ordinance 13-00 adopted 4/24/00)

### **ARTICLE 7.000 LIQUID WASTE TRANSPORT PERMIT**

The city shall not issue a permit to an applicant until the appropriate fee is paid. Initially, a person shall pay a fee of one hundred dollars (\$100.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle operated by the person. Each permit must be renewed annually at a rate of seventy-five dollars (\$75.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle.

(Ordinance 13-00 adopted 4/24/00)

### **ARTICLE 8.000 LIBRARY FINES AND FEES**

(a) Charges for overdue materials

(1) Books/Magazines ~~\$0.10~~ \$0.20 per day up to cost

(2) Audio Tapes/CDs ~~\$0.10~~ \$0.20 per day up to

## CITY OF LANCASTER FEE SCHEDULE

	cost
(3) Interlibrary Loans	<del>\$1.00</del> <b>\$0.20</b> per day up to cost
(4) Special Reference	<del>\$1.00</del> per day up to cost
(4) Video Tapes/DVDs	<del>\$1.00</del> per day up to cost
(b) <u>Lost or Damaged Beyond Repair</u>	\$5.00 + replacement cost
(c) <u>Copies</u>	
(1) Single	\$0.10 per page
(2) Microfilm	\$0.25 per page
(3) Computer Printout	\$0.10 per page
(4) Color Copies	\$1.00 per page
(d) <u>Nonresident Library Card</u>	\$20.00 Picture id required
(e) <u>Lost Card</u>	\$1.00 replacement
(f) <u>Recovery Fee</u>	\$10.00 - if account is sent to third party for collection (value of material + \$10.00)
(g) <u>Non-cardholder one (1) Hour Internet Access</u>	\$3.00 per hour
<del>(h) <u>Blank Disk - floppy or CD</u></del>	<del>\$1.00 each</del>
<del>(i) <u>Blank DVD</u></del>	<del>\$2.00 each</del>
<del>(j) <u>Headphones or earbuds</u></del>	<del>\$2.50 each set</del>
<del>(k)</del> (h) <u>Microfilm / microfiche rental</u>	Actual cost, plus shipping and \$1.00 handling fee per order
<del>(l) <u>Battery (AAA or AA)</u></del>	<del>\$ 1.00 each</del>
<del>(m)</del> (i) <u>Interlibrary loan service - Postage</u>	<del>\$1.00</del> <b>\$3.00</b> per item
<del>(n) <u>Flash drive, USB port, thumb drive, (2gb)</u></del>	<del>\$12.00 each</del>
<del>(o) <u>Flash drive, USB port, thumb drive (4gb)</u></del>	<del>\$16.00 each</del>
<del>(p)</del> (j) <u>Library meeting room (900 square feet) [during operating hours]</u>	
Deposit, resident/non-resident	\$250
<b>Deposit, non-profit</b>	<b>\$ 50</b>

## CITY OF LANCASTER FEE SCHEDULE

Rental	\$35/hour, resident <del>\$250 deposit</del> \$55/hour, non-resident <del>\$250 deposit</del> <b>\$30/hour, non-profit</b>
Kitchen use per hour	\$25/hour
Set up Fee	\$50
Projector with screen	\$65/hour, resident; \$75/hour, non-resident

### **ARTICLE 9.000 MUNICIPAL DRAINAGE UTILITY SYSTEM FEES**

Account Classification	Rate/SFLUE per Month	Minimum Fee per month	Maximum Fee per Month
Single Family Residential	\$7.97	\$7.97	\$7.97
Multi-Family Residential	\$7.97	\$7.97	\$7.97
Residents Age 65 and Over	\$3.98	\$3.98	\$3.98
Permanently Disabled Residents	\$3.98	\$3.98	\$3.98
Commercial	\$7.97     ( $\leq 3$ ) \$6.09     ( $>3-5$ ) \$5.42     ( $>5-10$ ) \$4.73     ( $>10-32$ ) \$4.62     ( $>32$ )	\$7.97	N/A
City and Other Political Subdivision of the State	\$7.97	\$7.97	\$100.00
Fire Hydrant	\$0	\$0	\$0
Religious Institutions	\$7.97	\$7.97	\$100.00
Lancaster Independent School Dist.	\$7.97	\$7.97	\$100.00 Per each school property

(Ordinance No. 2002-10-41, adopted 10/14/02)  
 (Resolution No. 2010-02-11, corrected fees per ordinance)  
 (Resolution No. 2010-03-27, adopted 03/22/10)

### **ARTICLE 10.000 UTILITY RELATED FEES**

#### **Sec. 10.100 Water and Sewer Extensions**

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 10.200 Water Meter

- (a) Tampering and Criminal Mischief Damages
  - (1) Damaged meter only \$200.00 plus cost of meter
  - (2) Damaged service line \$250.00 plus cost of meter
- (b) Broken Lock on Meter \$25.00
- (c) Pulled Meter \$200.00
- (d) Reread Meter \$20.00
- (e) Check for Leaks \$20.00
- (f) Meter Testing by manufacturer if requested by customer; no charge if meter is found defective \$50.00

### Sec. 10.300 Extension of Mains into New Areas

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

### Sec. 10.400 Industrial Discharge Fee

The City of Lancaster shall pass through to industrial customers the cost of testing services for discharged wastewater into the City's collection system as contracted through the Trinity River Authority (TRA) in accordance with the Fiscal Year 2013 Technical Services Fee Schedule for laboratory analyses, Industrial Inspections and Industrial Sampling, attached to the Master Fee Schedule as Appendix "A" attached hereto.

### Sec. 10.500 Charges for Water Service Connections

The city shall maintain all water service connections in streets, alleys, or easements within the city limits. The property owner or developer shall install the approved meter, per city materials and specifications, after paying the required permits and fees, all at owner's expense.

### Sec. 10.600 Deposits for Water and/or Sewer

After the application for water and/or sewer service is received, the applicant shall pay to the city a deposit in the amount indicated below:

	New Fees with Activation Fee
(1) Residential Owners – ¾ inch	\$90.00 + \$10.00 = \$100.00
Residential Renter – ¾ inch	\$150.00 + \$10.00 = \$160.00
*Temporary (30 day) clean up	\$40.00 + \$10.00 = \$50.00

\* (For owners of properties and/or realtors that need the water for a short period of time.)

## CITY OF LANCASTER FEE SCHEDULE

Guidelines in order for customers to receive a refund/credit to their accounts prior to terminating utility service:

- (a) The customer will have to make the request in writing.
- (b) The account will have to be in good standing for a period of two consecutive years before a refund is granted. (The account will have no arrears, penalties or returned checks posted during that time.)
- (c) The refund will be made to the person listed on the account.

(2) Residential – Bore, Tap and Relocate Fees

<del>Road bore</del>	<del>3½% of the cost of the job</del>
Water tap fee (3/4" up to 2")	\$300 <del>\$450</del>
Sewer tap fee (4" <del>up to 8"</del> )	\$400
Relocate meter costs	same cost as installation

Contractor is responsible for preparing area and City will make the tap. Contractor is responsible for pavement & concrete cuts, bore, encase and grouting underneath a road. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

<del>(3) Commercial 3/4 inch</del>	<del>\$125.00 + \$10.00 = \$135.00</del>
<del>(4) 1 inch</del>	<del>\$150.00 + \$10.00 = \$160.00</del>
<del>(5) 1 ½ inch</del>	<del>\$200.00 + \$10.00 = \$210.00</del>
<del>(6) 2 inch</del>	<del>\$300.00 + \$10.00 = \$310.00</del>
<del>(7) 3 inch to compound meter</del>	<del>\$300.00 + \$10.00 = \$310.00</del>

(3) Third Party contractor is responsible for all commercial taps within the City. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

~~(8)~~(4) Public schools and county community colleges are subject to commercial rates, but shall not be required to make a water and/or sewer deposit as required by this section.

~~(9)~~(5) Fire Hydrant Meter

(A) Deposit	\$1,500.00
(B) Monthly	\$25.00
(C) Usage	\$2.75/1,000 gallons

### Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2011:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

	Equivalent	Minimum Monthly
Meter Size:	Units	Meter Charge:

## CITY OF LANCASTER FEE SCHEDULE

5/8 or 3/4 inch water	1	\$19.60
1-inch water meter	2.5	\$49.00
1 1/2 inch water meter	5	\$98.00
2-inch water meter	8	\$156.80
3-inch water meter	16	\$313.60
4-inch water meter	25	\$490.00
6-inch water meter	50	\$980.00
8-inch water meter	80	\$ 1,568.00
10-inch water meter	125	\$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of  
 (a) the minimum bill for a 5/8 inch meter, multiplied by the number of units, or  
 (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and fifty cents (\$2.50) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:  
 Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

Min. charge for 8" meter	\$1,568.00	
200 units @ \$19.60 each	0.00	\$3,920.00
600,000 gallons @ \$2.50/1000	\$1,500.00	\$1,500.00
	\$3,068.00	\$5,420.00

Therefore \$5,420.00 would be billed. ( $\$5,420.00 \div 200 = \$27.10$ )

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 14,999 gallons	\$2.50 per 1,000
15,000 to 29,999 gallons	\$3.10 per 1,000
30,000 gallons or more	\$3.90 per 1,000

(5) A discount for senior citizens (age 65 or over) of \$1.74 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

## CITY OF LANCASTER FEE SCHEDULE

### **Sec. 10.800 Water Rates-Outside City**

Effective with the first billing cycle of October 1992, the rates or sales of water to customers outside the city limits of Lancaster, Texas, will be determined by multiplication of the rates set out in Chapter 13, Article 13.500, Section 13.504 by one hundred fifteen (115) percent. (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.505).

### **Sec. 10.900 Imposition of Lien for Water Service Charges**

In the event that payment of charges for water and/or sewer services furnished by the city is not made by the date specified for cutoff in accordance with the notice sent pursuant to Chapter 13, Article 13.500, Section 13.508, service shall be discontinued. Any customer whose water and/or sewer services are discontinued due to nonpayment may have services resumed by paying all accrued and overdue charges, including the late charge penalty and a reconnection charge as follows: (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.509).

(1)	Reconnect Fee (Cutoff)	\$45.00
(2)	Reconnect Fee (Cutoff) After 5 p.m.	\$55.00
(3)	Late Fee	7% of balance due
(4)	NSF Check	\$35.00
(5)	Extra Trip Charge (New Connects and Reconnects)	\$25.00

(Ordinance No. 2007-01-01 adopted 01/22/07)

### **Sec. 10.1000 Wastewater Treatment Services User Charges**

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October 2011:

- (1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten cents (\$14.10) per connection.
- (2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and twenty-five cents (\$7.25) per unit.
- (3) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and twenty-five cents (\$7.25).
- (4) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

## **CITY OF LANCASTER FEE SCHEDULE**

(5) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(6) A discount for senior citizens (age 65 or over) of \$0.76 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

### **Sec. 10.1100 Water Impact Fee**

(Reference Tables 1, 2, 3 and 11 of Ordinance)

(Ordinance 2004-09-27 adopted 9/27/04)

Water Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Water Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for water systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

### **Sec. 10.1200 Sewer Impact Fee**

(Reference Table 3.5 of Ordinance)

(Ordinance 2006-07-22 adopted 7/10/06)

Sewer (Wastewater) Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Sewer Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for sewer systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

### **Sec. 10.1300 Roadway Impact Fee**

(Reference Exhibit B of Ordinance)

(Ordinance 2003-12-42 adopted 12/8/03)

Roadway Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Roadway Impact Fees are calculated using Service Units, which are a standardized measure of consumption or use (supply and demand) of the roads in the city by new development and are calculated in accordance with generally accepted engineering or planning standards for Roadway Systems' capital improvements or facility expansion. The total impact fee due is determined by the land use, the location of the development, and the square footage of the building.

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 10.1400 Inspections

(a) <del>Backflow</del>	\$ 25.00
(b) (a) Sewer	\$150.00
(c) (b) Final Televised lateral inspection	\$ 50.00

### Sec. 10.1500 Calibrations

(a) Pipe < 1 inch	\$ 50.00	
(b) Pipe < 1 inch and < 3 inches	\$ 50.00	
(c) Pipe ≥ 3 inches	\$100.00	Contracted price plus 25%

(Ordinance 2002-10-38 adopted 10/14/02)

### Sec. 10.1600 Reserved for future use.

### Sec. 10.1700 Garbage Collection Fees

(a)	Residential Once weekly refuse collection/disposal Every other month brush/bulk item collection Bi-weekly recycling collection/processing	\$13.84
(b)	Administrative Processing Fee	\$ 2.50
(c)	Extra cart <i>Effective 01/01/2010</i> 2 <sup>nd</sup> cart 3 <sup>rd</sup> cart 4 <sup>th</sup> cart	\$10.00 \$15.00 \$20.00
(d)	Commercial Hand Collect Once weekly refuse collection/disposal	\$17.96
(e)	Special Pick Up	\$65.00 minimum

(f) Commercial Containers

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.61	\$119.56	\$166.30	\$206.03	\$239.79	\$268.55	\$27.69
3YD	\$73.89	\$136.72	\$190.18	\$235.64	\$274.26	\$307.19	\$41.54
4YD	\$92.38	\$170.98	\$237.76	\$294.61	\$342.95	\$384.06	\$55.38
6YD	\$110.94	\$205.29	\$285.54	\$353.85	\$411.92	\$461.38	\$69.21
8YD	\$138.71	\$256.66	\$357.05	\$442.43	\$515.06	\$576.88	\$83.06

(Resolution 2012-09-76 adopted 09/10/12, effective 10/01/12)

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 10.1800 Wastewater Discharge

There is hereby established a wastewater discharge permit fee of \$450.00 for a three year term by the Water/Wastewater Superintendent of the City of Lancaster. (1994 Code of Ordinances, Chapter 1, Article 11.1300, Section 11.1300)

## Sec. 10.1900 Fees for Cuts to Streets, Alleys, Sidewalks and Drainage Structures

In the event any street, highway or roadway must have an open cut and is approved by the City Engineer in writing for the purpose of installing water or wastewater laterals, or utility repair by a Franchise Utility Company or their subcontractor, a fee of four dollars and fifty cents (\$4.50 sq. ft.) per square foot, with a minimum one hundred dollar (\$100.00) fee will be charged in advance for replacement of such open cut by the city. This fee will be reimbursed if the excavation is restored to like or better condition.

## ARTICLE 11.000 PLANNING AND ZONING RELATED FEES

### Sec. 11.100 Reserved for Future Use

Sec. 11.200 ~~Reserved for Future Use~~  
HLPC Application Review (Certificate of Appropriateness) \$100.00

### Sec. 11.300 Zoning Board of Adjustment

(a) Variance Request \$250.00

### Sec. 11.400 Plats

(a) Preliminary Plat  
50 acres or less \$500.00 + \$50.00 per acre  
More than 50 acres \$1000.00 + \$100.00 per acre  
(b) Final Plat \$500.00 + \$10.00 per lot  
(c) Re Plat  
With property owner notification \$575.00 + \$35.00 per acre  
Without property owner notification \$450.00 + \$35.00 per acre  
(d) Amended Plat \$200.00 + \$10.00 per acre  
(e) Minor Plat \$400.00  
(f) Plat Vacations \$500.00

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 11.500 Zoning**

(a) General Zoning Change	\$500.00 + \$10.00 per acre
(b) Specific Use Permit	\$500.00 + \$10.00 per acre
(c) Private Club Permit	\$350.00
(d) Amendment to SUP	\$500.00 + \$10.00 per acre
(e) Planned Development	\$1500.00 + \$10.00 per acre
(f) Amendment to Planned Development	\$1,500.00 + 10.00 per acre
(g) Exceptions	\$250.00

### **Sec. 11.600 Other Planning & Zoning Fees**

(a) Site Plan Review	\$250.00 + \$10.00 per acre
(b) Tree Survey Review	\$25.00
(c) Illegal Tree Cutting Fine	\$125.00 per diameter inch
(d) Dedication/Abandonment of Right-of-Way or Easements	\$150.00 per development for first 5 + \$25.00 for each additional document
(e) Consultant Fees	Hourly Rate of Consultant
(f) Zoning Verification Letter	\$50.00
(h) Subsequent Legal Notices after 1 <sup>st</sup>	\$15.00 per additional notice

### **Sec. 11.700 Maps, Publications and Miscellaneous Fees**

(a) Comprehensive Plan	\$48.00
(b) Copying – 8½" x 11", or 8½" x 14"	\$0.10 per page. Any request for more than 20 pages may be sent to an outside duplicating facility at requestor expense.
(c) Lancaster Development Code (Zoning Ordinance and Subdivision Regulations)	\$45.00
(d) Zoning Map (24" x 36")	\$20.00

## **ARTICLE 12.000 MUNICIPAL COURT**

### **Sec. 12.100 Municipal Court Building Security Fund**

Any defendant convicted in the municipal court of the City of Lancaster of a misdemeanor offense that occurs after September, 1997 or the passage of this article, shall pay a \$3.00 security fee as a cost of

## **CITY OF LANCASTER FEE SCHEDULE**

court. The term “convicted” includes any convictions obtained by way of a plea of guilty, a trial and any cases, deferred adjudication, probation or pretrial diversion in order for the defendant to take advantage of one of the alternative programs offered by the municipal court including, but not limited to a driving safety course, deferred adjudication, alcohol awareness and shoplifters alternative. (1994 Code of Ordinances, Chapter 8, Article 8.100, Section 8.1600)

### **Sec. 12.200 Municipal Court Technology Fund**

A defendant convicted of a misdemeanor offense in the municipal court in the City of Lancaster shall pay a technology fee not to exceed four dollars for each conviction as a cost of court. The Municipal Court Clerk shall collect the costs and pay the funds to the Finance Director for deposit in a fund to be known as the “Municipal Court Technology Fund”.

(Ordinance 2002-03-12 adopted 3/2/02)

## **ARTICLE 13.000 ADMINISTRATIVE FEES**

### **Public Information Charges**

(a) copies, standard paper copy \$0.10 per page

For standard paper copies reproduced by means of an office machine copier or a computer printer. Each side that has recorded information is considered a page.

(b) copies, nonstandard copy. The charges in this section are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette	\$1.00
(B) Magnetic tape	actual cost
(C) Data cartridge	actual cost
(D) Tape cartridge	actual cost
(E) Rewritable CD (CD-RW)	\$1.00
(F) Non-rewritable CD (CD-R)	\$1.00
(G) Digital video disc (DVD)	\$3.00
(H) JAZ drive	actual cost
(I) Other electronic media	actual cost
(J) VHS video cassette	\$2.50
(K) Audio cassette	\$1.00
(L) Oversize paper copy	\$0.50
(11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)	
(M) Specialty paper	actual cost
(Mylar, blueprint, blueline, map, photographic)	
(c) Microfiche and Microfilm	actual cost of reproduction
From Master copy of Microfilm	\$0.10 per page
(d) Computer Resource Charge	
Mainframe	\$10 per CPU minute

## CITY OF LANCASTER FEE SCHEDULE

Midsize	\$1.50 per CPU minute
Client/Server	\$2.20 per clock hour
PC or LAN	\$1.00 per clock hour
(e) Other Public Information Charges	
(A) Computer Programmer	\$28.50 per hour
(B) Personnel Charge (50 or more pages)	\$15.00 per hour
(C) Overhead Charge (50 or more pages)	20% of personnel charge
(D) Remote Document Retrieval Charge	actual cost
(E) Miscellaneous Supplies (labels, boxes)	actual cost
(F) Postage and Shipping Charge	actual cost
(G) Miscellaneous (credit card transaction fee)	actual cost
(f) Certified or Attestation under City Seal	\$2.50
(g) Finance	
(1) Return Check Fee	\$35.00 per check
(2) Budget Book	\$106.00 per book
(3) CAFR	\$50.00 per book
(4) Copies – printouts (computer generated)	\$0.25 per page
(h) Special Events	
(1) Application Fee	\$25.00 (applications submitted 31 days prior to event)
(2) Expedited Review Fee	\$25.00 (expedited fee for applications received within 30 days of the event)
(3) Street Barricade Rental Fee	1 to 25 barricades \$15.00 25 to 50 barricades \$30.00 50+ barricades; will require contract services
(4) Street Cones Rental Fee	1 to 25 cones \$10.00 25 to 50 cones \$20.00 50+ cones; will require contract services
(5) Barricade Replacement Fee	\$62.00 per barricade
(6) Cone Replacement Fee	\$39.00 per cone
(7) Reimbursable Costs: Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed.	

(Ordinance 2004-06-18 adopted 6/14/04)

# CITY OF LANCASTER FEE SCHEDULE

## ARTICLE 14.000 POLICE DEPARTMENT

### (a) Alarm System Permit Fees

#### Alarm System Permit Fees

Registration Fee – Residential	\$ 50.00
Registration Fee – Commercial	\$100.00
Senior Rate (65 or older) – Residential only	Exempt*
Renewal Fee – Residential	\$ 50.00
Renewal Fee – Commercial	\$100.00
Senior Rate (65 or older) – Residential only	Exempt*
Late Fee after 30 days notice for registration	\$ 25.00
Late Fee After 30 days notice for renewal	\$ 25.00

#### False Alarms with Permit within 12 month period:

1-3	No Charge
4-5	\$ 50.00
6-7	\$ 75.00
8 or more	\$100.00 each

#### False Alarms without Permit within 12 month period:

1-3 Residential	\$100.00 each
1-3 Commercial	\$200.00 each
4-5 Commercial	\$250.00 each
6-7 Residential	\$175.00 each
6-7 Commercial	\$275.00 each
8 or more – Residential	\$200.00 each
8 or more – Commercial	\$300.00 each

Late Payment for Non-payment within 30 days after notification \$25.00

#### False Robbery Alarms within 12 month period:

1-3	\$100.00
4 or more	\$200.00

Late Fee for Each False Robbery Alarm not paid within 30 days after notification \$25.00

## CITY OF LANCASTER FEE SCHEDULE

Appeal:

Appeal Hearing Fee\* \$25.00

\*(Fee shall be refunded, in its entirety, if appeal is upheld)

Reinstatement:

Reinstatement Fee \$50.00

(Resolution 2007-02-22 adopted 2/26/07)

(b) Accident Reports

- (1) Regular Copy \$6.00 per report
- (2) Certificate of Regular Copy Addl. \$2.00 per report
- (3) Certificate with no information or report on file \$6.00 per report

(c) Offense Reports \$0.10 per page

(d) Fingerprinting

- (1) First two (2) fingerprint cards \$10.00
- (2) Per fingerprint card thereafter \$ 5.00

(Resolution 2004-12-102 adopted 12/13/04)

### ARTICLE 15.000 PARKS AND RECREATION

**Sec. 15.100 Memberships**

(a) Annual Membership Fees (Valid for 1 year from date of purchase)

1. Recreation (JR) ID Card – (Under 5 yrs)	Free w/ purchase of adult rec ID card	Must be accompanied by an adult over 18 years of age
2. Recreation ID Card - Youth (5-16 yrs)	\$10/yr Resident  \$20 <del>\$20</del> \$15/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
3. Recreation ID Card - Adult (17-49 yrs)	\$20/yr Resident  \$30/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
4. Seniors (50 + years)	\$15/yr Resident  \$20/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.

## CITY OF LANCASTER FEE SCHEDULE

5. Daily Fitness Atrium Admission (17 years and older)	\$5/day	Provides access to fitness atrium during designated hours. Must have current recreation ID card.
6. Monthly Fitness Atrium Membership (17 years and older)	\$20 Resident \$25 Non Resident	Provides access to the fitness atrium during designated hours. Must have current recreation ID card to purchase a fitness membership.
7. Annual Fitness Atrium Membership (17 years and older)	\$160 Resident \$200 Non Resident	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. Annual Fitness Atrium membership includes recreation ID card.
8. Open Swim Admission	\$5/ day Resident  \$7/day Non Resident	Provides access to use of pool during designated hours
9. Daily Fitness Swim Admission (17 years and older)	\$3/ day Resident  \$5/day Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
10. Monthly Fitness Swim Membership (17 yrs and older)	\$15 Resident \$20 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
11. Seasonal Swim Pass (Summer) Individual (16 yrs and younger)	\$60 Resident \$70 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
12. Seasonal Swim Pass (Summer) Individual (17 yrs through adult)	\$70 Resident \$80 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
13. Seasonal Swim Pass (Summer) Family 4+	\$180 Resident \$200 Non Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
<del>14.</del> 14. Annual Fitness Swim Membership (17 years and older)	\$120 Resident \$160 Non Resident	Provides access to use of pool during designated hours. Annual Fitness Swim membership includes recreation ID card.
<del>15.</del> 15. Annual Senior Center Membership (50 + years)	\$3 Resident \$5 Non Resident	Provides access to the Senior Center facility and programming.

(b) Corporate Membership Rates

	Agency	Individual
(1) Corporate A (5-9)	\$125.00	\$100.00



## CITY OF LANCASTER FEE SCHEDULE

(1) ½ Gym	\$50/hour Resident	4 hours min. after operating hours.
	\$65/ hour Non Resident	
(2) Full Gym	\$75/hour Resident	4 hours min. after operating hours.
	\$90/ hour Non Resident	
(3) Full Gym Tournament Fee	\$100/hour Resident	4 hours minimum after operating hours. Allows gate fees charged by renter. Must reserve entire gymnasium.
	\$125/ hour Non Resident	

(d) Outdoor Facility

Deposit	Resident	\$75.00	Nonresident	\$100.00
---------	----------	---------	-------------	----------

(1) City Park Pavilion 1

8 am - 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(2) City Park Pavilion 2

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(3) Community Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(4) Heritage Park Gazebo

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$50.00
(B) Non Resident	\$75.00

## CITY OF LANCASTER FEE SCHEDULE

(5) Kid Square Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

- |                  |          |
|------------------|----------|
| (A) Resident     | \$75.00  |
| (B) Non Resident | \$100.00 |

(6) Bear Creek Park Pavilion

- |                  |          |
|------------------|----------|
| (A) Resident     | \$75.00  |
| (B) Non Resident | \$100.00 |

(7) Rocky Crest Park Pavilion

- |                  |         |
|------------------|---------|
| (A) Resident     | \$50.00 |
| (B) Non Resident | \$75.00 |

(8) Meadowcreek Park Pavilion

- |                  |         |
|------------------|---------|
| (A) Resident     | \$50.00 |
| (B) Non Resident | \$75.00 |

(8) JA Dewberry Park Pavilion

- |                  |         |
|------------------|---------|
| (A) Resident     | \$50.00 |
| (B) Non Resident | \$75.00 |

(e) Pool

(1) Indoor Pool Reservations

	Resident	Non Resident
<u>Deposit</u>	\$75.00	\$75.00
(A) Party Room (Semi-Private) 2 hr	\$100.00	\$125.00
(B) Private Party A (1-50) 2 hr	\$200.00	\$250.00
(C) Private Party B (51-100) 2 hr	\$250.00	\$300.00
(D) Private Party C (101-150) 2 hr	\$300.00	\$350.00
(E) Private Party D (151 +) 2 hr	\$350.00	\$400.00

(f) Recreation Center

(1) Grand Banquet Hall

	Resident	Non Resident
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## CITY OF LANCASTER FEE SCHEDULE

### (c) Other Airport Fees

- |  |                                 |
|--|---------------------------------|
| (1) Ground Lease (Improved)                          | \$0.30 per square foot per year |
| (2) Ground Lease (Unimproved)                        | \$0.20 per square foot per year |
| (3) <del>Tenant</del> Terminal Building Office Lease | \$12 per square foot per year   |
| (4) Monthly Tie Down Fee                             | \$30.00 per month               |
| (5) Fuel Flowage Fee                                 | \$0.20 per delivered gallon     |
| (6) Café Sales                                       | 5% of Gross Sales               |

(Ordinance 2003-10-32 adopted 10/27/03) (Resolution 2009-04-41 adopted April 13, 2009)

**CITY OF LANCASTER FEE SCHEDULE  
ARTICLE 17.000 DEVELOPMENT FEES**

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(a) <u>Abandonment</u>			
<u>Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (bond required)</u>			
(1) Residential Zones Repair/Replacement	\$25.00	N/A	N/A
(2) Residential Zones, New Construction	\$35.00	N/A	N/A
(3) Nonresidential Zones, per Approach	\$35.00	N/A	N/A
(b) <u>Annexations</u>	N/A	N/A	\$1,000.00 plus filing fee
(c) <u>Appeals to Zoning Board of Adjustments</u>	N/A	N/A	N/A
(d) <u>Building Permits</u> Single-Family Residence, Duplex, Multi-Family, Apartment, Condominium & Townhouse, Commercial and remodels) Fees Assessed Per Address			
(e) <u>Consultant Fee-Supplemental</u>	N/A	N/A	N/A

## CITY OF LANCASTER FEE SCHEDULE

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
<b>(f) <u>Design/Plan Review</u></b>			
Commercial and Industrial Projects Amendments (Commercial & Industrial) Residential Projects, Amendments (Residential), Minor Design Review	65% of the building permit fee. Section titled "Building Permit" in this schedule	N/A	N/A
<b>(g) <u>Plats</u></b>			
<b>(1) <u>Preliminary Plat</u></b>			
Fifty (50) acres or less			\$500.00 + \$50.00/acre
More than fifty (50) acres			\$1,000.00 + \$100.00/acre
	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
<b>(2) <u>Final Plat</u></b>			
			\$500.00 + \$10.00/lot
<b>(3) <u>Re-Plats</u></b>			
Plat revision with property owner notification			\$575.00 + \$35.00/acre
Plat revision without property owner notification			\$450.00 + \$35.00/acre
<b>(4) <u>Amended Plats</u></b>			
Amended Plats Correcting Errors			\$400.00

## CITY OF LANCASTER FEE SCHEDULE

(5) Plat Vacations

Plat Vacation increasing lots	\$200.00 + \$10.00/acre
All other plat vacations	\$500.00

(6) Miscellaneous Plat Items

Dallas County Clerk's Recording Fee	\$33.00 1 <sup>st</sup> page \$10.00 subsequent page
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(7) Re-Plats

\$400.00

(1994 Code of Ordinance, Chapter 9, Article 9.100, Section 9.106)

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(h) <u>Development Inspection Fees</u>			
(1)	Special Inspection \$47.00 per hour, minimum 2 hours	1.5%-3.5% estimated cost of improvements intended for dedication to the city for water, sewer and streets. Effectively Immediately = 1.5% Effective January 1, 2004 = 3.5% Each additional hour \$47.00 per hour	N/A
	1. Inspection 2 hours - Travel time of job site and return time to be included outside of normal business hours (min. charge) \$47.00 per hour	N/A	N/A
	2. Re-inspection fees assessed under provisions of Section 305.8 \$47.00 per hour	N/A	N/A

## CITY OF LANCASTER FEE SCHEDULE

3. Inspection for which no fee is specifically indicated (min. charge – one half hour) \$47.00 per hour	N/A	N/A	N/A
4. Additional plan review required by changes, additions or revisions to plans (min. charge-one-half hour) \$47.00 per hour	N/A	N/A	N/A
(2) <u>Miscellaneous Case</u>	N/A	N/A	\$100.00
(3) <u>Planned Development Review</u>	N/A	N/A	\$1,500.00 plus \$10.00 per acre
(4) <u>Park Fee in Lieu of</u>	<u>Building Fee</u> N/A	<u>Engineering Fee</u> N/A	<u>Planning Fee</u> \$1,400.00 per dwelling unit
<u>Dedication</u>  (including single-family, dual family, and multi-family residential areas)			(Ord. 2006-10-41 adopted 10/23/06)
(h) <u>Signs</u> (Sec. 3.100 Fee Adopted – Lancaster City Code)			
(1) Permanent Signs, Per Face Based on Sign Area	Table A	N/A	N/A
(2) Temporary Portable Signs, Flags, banners, etc. (good for two weeks)	\$25.00	N/A	N/A

**CITY OF LANCASTER FEE SCHEDULE**

(3) Sign contractor registration	\$100.00	N/A	N/A
(i) <u>Site Plan Review</u>	N/A	N/A	\$250.00 plus \$10 per acre
(l) <u>Subdivision Name Change</u>	N/A	N/A	\$200.00
(m) <u>Street Lighting Escrow</u>	N/A	N/A	N/A
(n) <u>Tree Survey/Preservation Plan</u>	N/A	N/A	\$25.00 administration processing fee with \$125.00 per inch mitigation fee

# CITY OF LANCASTER FEE SCHEDULE

## Revision References

*Effective October 1, 2007 (annual update)*  
*Resolution 2007-09-108*

*Revised January 14, 2008 (revised water/waste water services rate)*  
*Resolution 2008-01-07*

*Revised June 23, 2008 (revised garbage collection fees)*  
*Resolution 2008-06-54*

*Revised September 8, 2008 (revised water service rate)*  
*Resolution 2008-09-82*

*Revised September 8, 2008 (revised waste water service rate)*  
*Resolution 2008-09-83*

*Effective October 1, 2008 (annual update)*  
*Resolution 2008-09-84*

*Revised October 27, 2008 (Multi-Family Rental Property Registration and Inspection Fee)*  
*Resolution 2008-10-91*

*Revised November 10, 2008 (Food Inspections & Administrative Fee)*  
*Resolution 2008-11-100*

*Revised December 8, 2008 (Irrigation Permit Fee)*  
*Resolution 2008-12-105*

*Revised April 13, 2009*  
*Resolution 2009-04-41 (Municipal Airport Fees)*

*Revised April 27, 2009*  
*Resolution 2009-04-51 (Cargo Container Fees)*

*Effective October 1, 2009 (annual update)*  
*Resolution 2009-08-84*

## CITY OF LANCASTER FEE SCHEDULE

*Revised October 26, 2009*

*Resolution 2009-10-102 (revised park land dedication fee per ordinance 2006-10-41)*

*Revised December 14, 2009*

*Resolution 2009-12-125 (revised Sec. 10.1700 Garbage Collection Fees)*

*Amended February 8, 2010*

*Resolution 2010-02-11 (amended Article 9.000 Drainage Utility Systems Fees to reflect Rates as adopted 10/14/02 Ordinance No. 2002-10-41)*

*Revised March 22, 2010*

*Resolution 2010-03-27 (revised Article 9.000 Drainage Utility System Fees)*

*Revised June 28, 2010*

*Resolution 2010-06-58 (repealed cargo container fee for agricultural purposes)*

*Revised June 28, 2010*

*Resolution 2010-06-59 (established Wind Energy System Permit Fee; Ordinance No. 2010-04-09)*

~~*Resolution 2010-09-75 (repealed in its entirety)*~~

*Effective October 1, 2010 (annual update)*

*Resolution 2010-09-82 (corrected Section 10.700 Water Rates – Within City)*

*Revised November 8, 2010*

*Resolution 2010-11-93 (adds fee for Local Alcohol Permit)*

*Revised September 12, 2011*

*Resolution 2011-09-79 (revised Sec. 10.1700 Garbage Collection Rates)*

*Revised September 12, 2011*

*Resolution 2011-09-80 (revised Sec. 10.700 Water Rates – Within City and Sec. 10.1000 Wastewater Treatment Services User Charges)*

*Effective October 1, 2011 (annual update)*

*Resolution 2011-09-81*

*Effective October 10, 2011 (revised Sec. 4.400 Food Service Establishments fees)*

## CITY OF LANCASTER FEE SCHEDULE

*Resolution 2011-10-86*

*Effective February 27, 2012*

*Resolution 2012-02-17 (revised Article 16.000 Airport Fees to add rental rates for community hangars)*

*Effective October 1, 2012 (annual update)*

*Resolution 2012-08-69*

*Effective December 1, 2012*

*Resolution 2012-09-79 (Industrial Discharge Fee – reference Appendix “A”)*

*Effective October 1, 2013 (annual update)*

*Resolution 2013-08-*

*Effective January 1, 2014*

*Resolution 2013-07-61 (Hotel/Motel Property Annual Inspection Fee) (adopted 7-8-13)*

**TECHNICAL SERVICES FEE SCHEDULE  
FOR  
LABORATORY ANALYSES,  
INDUSTRIAL INSPECTIONS  
AND  
INDUSTRIAL SAMPLING**

**FISCAL YEAR 2013**

**December 1, 2012 through November 30, 2013**

**NELAP CERTIFICATE T104704287-10-TX**

**CHEMICAL ANALYSES**

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**Liquid Samples**

Alkalinity:	
Total (*) (**)	\$10.75
Biochemical Oxygen Demand:	
5-Day (*)	\$27.00
5-Day Carbonaceous (*)	\$28.00
5-Day Filtered (Dissolved)	\$35.00
7-Day	\$32.00
Extra Dilution (Each)	\$ 2.50
Chlorophyll "a"	\$17.50
Chlorophyll "a" and Pheophytin	\$22.70
Chemical Oxygen Demand (*)	\$15.25
Chloride (*)	\$12.00
Conductance, Specific (*) (**)	\$ 9.00
Cyanide	
Total (*)	\$37.80
Amenable to Chlorination (*)	\$50.00
Fluoride, Total (**)	\$12.00
Glycols	\$13.50
Hardness (*) (**)	\$15.25
Nitrogen:	
Ammonia (*)	\$12.80
Ammonia by Distillation (*)	\$21.50
Kjeldahl, Total (*)	\$23.50
Nitrate (*)	\$12.00
Nitrite (*)	\$12.00
Total	\$35.50
Oil and Grease (*)	\$50.50
Organic Carbon:	
Dissolved	\$19.00
Total (*) (**)	\$17.00
pH (*)	\$10.00

Phosphorus:	
Ortho (*)	\$12.00
Total (*)	\$21.00

Solids ( Gravimetric):	
Total (TS)	\$13.00
Total Dissolved (TDS) (*)	\$19.00
Total Suspended (TSS) (*)	\$17.50
Volatile Suspended (VSS) (*)	\$ 9.00
(after TSS)	
Percent Solids, Total and Volatile	\$13.45

Sulfate (*)	\$12.00
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Turbidity (*) (**)	\$10.00
UV254	\$20.00

Mercury (*) (**)	\$22.25
------------------	---------

Metals (EPA 200.8) (*) (**) (***)	\$12.00 each
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Aluminum	Lead
Arsenic	Manganese
Antimony	Molybdenum
Barium	Nickel
Beryllium	Selenium
Boron	Silver
Cadmium	Thallium
Chromium	Tin
Cobalt	Vanadium
Copper	Zinc
Iron	

Minerals (*)	\$12.00 each
--------------	--------------

Calcium
Magnesium
Potassium (***)
Silica
Sodium

**Solid Samples**

Ammonia (***)	\$29.80
Chemical Oxygen Demand	\$36.50
Nitrogen, Kjeldahl, Total	\$28.00
Phosphorus, Total (***)	\$25.00
pH (***)	\$13.00
Mercury (***)	\$53.50
Metals Preparation	\$29.25

NELAC Accreditation  
 \*Non-Potable Water  
 \*\*Drinking Water  
 \*\*\* Solids

## MICROBIOLOGICAL ANALYSES

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### Drinking Water:

Total Coliform (MMO/MUG) (**)	\$ 13.75
Heterotrophic Plate Count	\$ 15.75

### Other:

Coliform, Fecal (Membrane Filter) (*)	\$ 15.25
Coliform, Fecal (MPN) (***)	\$ 45.00
Coliform, Total (MPN-Q Tray)	\$ 16.50
E. Coli (MPN-Q Tray) (*)	\$ 16.50
Streptococcus, Fecal (Membrane Filter) (*)	\$ 16.00
Heterotrophic Plate Count	\$ 15.75
Microscopic General Examination	\$ 19.80

## TRACE ORGANIC (GC-GC/MS) ANALYSES

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		Pesticides/PCB	
EPA 624 (*)		Extraction/Preparation	
14 Day (preserved)	\$120.00	Liquids	\$87.00
3 Day (unpreserved)	\$180.00	Solids	\$40.00
BTEX (only)	\$105.00	EPA 608 (*)	
Trip Blanks	\$ 55.00	Full List	\$ 95.00
EPA 625(*)		Chlorinated Pesticides (only)	\$ 85.50
Total Semi-Volatiles	\$200.00	PCB (aqueous&solid)	\$ 95.00
\$ 95.00		EPA 8141	
Semi-volatile Trip Blank	\$175.00	Diazinon	\$ 85.00
EPA 525		EPA 8082	
Atrazine	\$150.00	Polychlorinated Biphenyls (PCB)	\$ 95.00

## BY QUOTE

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Chromium Hexavalent  
 Oil and Grease (solids)  
 Organophosphate Pesticide  
 Phenols  
 TCLP Metals  
 TCLP Organic Compounds  
 Total Petroleum Hydrocarbons (solids and liquids)

## TOXICITY TESTING

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Chronic, <u>C. dubia</u> (3 Brood) (*)	\$650.00
Chronic, <u>P. promelas</u> (Fathead Minnow – 7 Day) (*)	\$675.00
24 hr. Acute <u>C. dubia</u> (*)	\$200.00
24 hr. Acute <u>P. promelas</u> (Fathead Minnow) (*)	\$200.00
48 hr. Acute <u>C. dubia</u>	\$250.00
48 hr. Acute <u>P. promelas</u> (Fathead Minnow)	\$250.00

NELAC Accreditation  
 \*Non-Potable Water  
 \*\*Drinking Water  
 \*\*\* Solids

**INDUSTRIAL PRETREATMENT SERVICES**

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**SAMPLING**

Composite Sample	\$ 115.00
Additional Composite Sample	\$ 40.00
Grab Sample	\$ 48.00
Additional Grab Sample	\$ 11.00
Field pH	\$ 6.50
Field Measurement	\$ 11.00
Field Surveillance Event	\$ 260.00
pH or DO only	\$ 53.00
Sampling Event Cost for a Failed Sample	\$ 58.00
Industry Split Sample	\$ 20.00
Boat Fee	\$ 40.00
QA/QC Fee	\$ 10.00

- ~Grab Sampling
- ~Delivery to TRA Laboratory
- ~Field Testing Available
- ~Sample Preservation
- ~Proper Chain of Custody

**INSPECTION**

On-Site	\$ 120.00
On site unpermitted	\$ 100.00
Permit Preparation (New)	\$ 170.00
Permit Renewal	\$ 105.00

- ~Installation of Automatic Composite Samplers
- ~Verification of Application Data
- ~Consultation with Industries on Industrial Pretreatment
- ~Chemical Inventory Review
- ~Industry Split Sampling

NELAC Accreditation  
 \*Non-Potable Water  
 \*\*Drinking Water  
 \*\*\* Solids

Airport	T-Hangars																Tie Down Spot	Ground Lease		Fuel Flowage Fee (per gal)
	Small				Medium				Large				Box					Improved \$/sqft per yr	Unimproved \$/sqft per yr	
	Wing-span	Sqft	Rent/mo	Sqft rate	Wing-span	Sqft	Rent/mo	Sqft rate	Wing-span	Sqft	Rent/mo	Sqft rate	Wing-span	Sqft	Rent/mo	Sqft rate	Rent/mo			
Addison	No response																			
Arlington	36ft	890	\$215	\$0.24	37ft	1050	\$315	\$0.30	n/a	n/a	n/a	#VALUE!	n/a	n/a	n/a	#VALUE!	\$45	\$0.31-0.36	\$0.20-0.26	*
Cleburne	No response																			
Dallas Exec.	No response																			
Denton	No response																			
Grand Prairie	39ft	978	\$200	\$0.20	41ft	1090	\$289	\$0.27	47ft	1438	\$416	\$0.29	?	5616	\$2.25	\$0.00	\$30	\$0.135	\$0.165	\$0.20 ◊
GPM Cont'd	41ft	987	\$210	\$0.21	41ft	1509	\$388	\$0.26	47ft	1950	\$549	\$0.28	?	2808	\$2.25	\$0.00	n/a	n/a	n/a	20% ♦
Lancaster	36ft	956	\$170	\$0.18	40ft	1018	\$192	\$0.19	50ft	1624	\$280	\$0.17	n/a	n/a	n/a	#VALUE!	\$25	\$0.25	\$0.15	\$0.10
FY14 LNC	36ft	956	\$180	\$0.19	40ft	1018	\$205	\$0.20	50ft	1624	\$290	\$0.18	n/a	n/a	n/a	#VALUE!	\$30	\$0.30	\$0.20	\$0.20
Mckinney	40ft	n/a	\$398	#VALUE!	50ft	n/a	\$585	#VALUE!	60ft	n/a	\$650	#VALUE!	59ft	2,714	\$1,000	\$0.37	\$75	\$0.30	\$0.30	\$0.12
Mecham	40ft	907	\$350	\$0.39	41ft	983	\$350	\$0.36	41ft	997	\$350	\$0.35	n/a	n/a	n/a	#VALUE!	\$80	\$0.32 <sup>-</sup>		\$0.12
Mesquite	40ft	910	\$220	\$0.24	42ft	1300	\$250	\$0.19	45ft	1428-1680	\$320-410	#VALUE!	55-60ft	3600+	\$800-\$1250	#VALUE!	\$75	N/A	N/A	N/A
Midway	n/a	n/a	n/a	#VALUE!	40ft	1419	\$210	\$0.15	46ft	1584	\$247	\$0.16	66ft	3111-4620	\$774-\$1545	#VALUE!	\$40	\$0.14	n/a	\$0.05
Spinks	n/a	n/a	n/a	#VALUE!	n/a	n/a	n/a	#VALUE!	n/a	n/a	n/a	#VALUE!	n/a	n/a	n/a	#VALUE!	n/a	\$0.27 <sup>+</sup>	\$0.20 <sup>+</sup>	

**Notes:**

\*KGGY FBO, Harrison Aviation, pays an annual lump sum "right to sell" fuel fee of \$23,216.81

~KFTW does not differentiate between improved and unimproved

† & ‡ KFWS †West side; ‡East Side -- lower rate as an incentive to develop on the East side (do not differentiate between improved and unimproved)

◊ based on the highest of the last 3 invoices from FBO

♦ Self-Fueling 20%

Updated rates in red Rates in magenta, blue and green are similar type hangars in size and amenities

	CITY	WATER		SEWER 4" only	NOTES	
		5/8"	3/4"			
1	City of Pflugerville	\$250.00		\$250.00	each	
2	Haltom City	\$900.00		\$200.00	(+ \$1000.00 concrete cut)	
3	City of Rowlett	n/a		n/a	n/a	
4	Cedar Hill	\$300.00 + 40 Dep.		\$375.00	(contractor prepares area, city does tap)	
5	The Colony	\$475.00	\$595.00	\$570.00	none	
6	City of Burleson	\$1,061		\$472.00	\$866	4" sewer tap only (easement \$472.00 Pavement \$866.00)
7	City of Coppell	n/a		n/a	n/a	
8	City of Keller	\$450.00	\$475.00	\$350.00	includes price of meter in water tap	
9	City of Duncanville	1" - \$400+ pavement Repair		\$450.00	none	
10	City of Desoto	\$260.00		\$70.00	none	

n/a - Not available Data

City of Pflugerville	250	250
Haltom City	900	200
City of Rowlett	0	0
Cedar Hill	340	375
The Colony	595	570
City of Burleson	1061	472
City of Coppell	0	0
City of Keller	475	350
City of Duncanville	400	450
City of Desoto	260	70
	428.1	273.7

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Resident	Non Resident	Cedar Hill	Resident	Non Resident	Coppell	Resident	Non Resident	Desoto	Resident	Non Resident	Duncanville	Haltom City	Resident	Non Resident	Keller	Resident	Non Resident	Pflugerville	Resident	Non Resident	Rockwall	Rowlett	The Colony			
<b>Library Fines and Fees</b>																																		
Charges for Overdue Materials																																		
Books/Magazines	\$0.10 per day up to cost			.20 per day up to cost			\$ 0.25			.20/day			.10/day			.25/day			.25/day	.20/day			.20/day			\$ -			.15/day	.20/day	\$0.00			
Magazines only				.20 per day up to cost			\$ 0.25			.20/day			.10/day			.25/day			.25/day	.20/day			.20/day			\$ -		Don't checkout	.20/day	\$0.00				
Audio Tapes/CDs	\$0.10 per day up to cost			.20 per day up to cost			\$ 0.25			.20/day			.10/day			.25/day			.25/day	.20/day			.20/day			\$ -		.15/day	.20/day	\$0.00				
Interlibrary Loans	\$1.00 per day up to cost			.20 per day up to cost			\$ 0.25			.20/day			no charge			\$0.00			.25/day	.20/day			.20/day			\$ -		.15/day	.20/day	\$0.00				
Special Reference - No longer exists	\$1.00 per day up to cost			N/A															n/a	n/a								n/a	n/a	\$0.00				
Video Tapes/DVDs	\$1.00 per day up to cost			no change			\$ 1.00			\$1.00/day			\$1.00/day			.25/day			\$2.00 per item per day up to cost of item	.20/day			\$1.00/day			\$ -		.50/day	.20/day	\$0.00				
Lost or Damaged Beyond Repair	\$5.00 + Replacement Cost			no change			\$5.00 + replacement						cost of item			\$5.00 + replacement cost			5.00 + replacement cost	cost of item						\$5 for damaged items/ if lost cost of book +\$10		7.00 + replacement	cost of item + \$15	<b>Variable: See chart at right</b>	<b>The Colony Lost/Damaged fees</b>			
Copies																																		
Single	\$0.10 per page			no change			\$ 0.10			\$ 0.10			\$ 0.15			\$ 0.10			\$0.10	\$ 0.10			\$ 0.10			\$ 0.10		\$ 0.15	\$0.15					
Microfilm	\$0.25 per page			no change			\$ 0.20			n/a			\$ 0.15			n/a			n/a	n/a			\$ 0.10			n/a		\$ 0.15	n/a					
Computer Printout	\$0.10 per page			no change			\$ 0.10			\$ 0.10			\$ 0.15			\$ 0.10			\$0.10	\$ 0.10			\$ 0.10			\$ 0.10		\$ 0.15	\$0.15					
Color Copies	\$1.00 per page			no change			\$ 0.50			\$ 0.50			\$ 0.25			\$1.00			n/a	\$ 0.50			\$ 0.25			\$ 1.00		n/a	\$1.00					
Non Resident Library Cared	\$20.00 Picture ID Required			no change			\$25/ yr or 5hrs volunteer work			\$20/yr but give everyone with a tax id a Lib card.			\$ 40.00			\$15.00			\$35.00/year	free			\$25/hr			25/yr		\$30 per household	free	\$ -				
Lost Card	\$1.00 Replacement			no change			\$ 1.00			\$ 2.00			\$ 1.00			\$1.00			\$5.00	\$ 2.00			\$ 0.50			\$ 1.00		\$ 3.00	\$ 1.00	\$	2.00			
					</																													

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Resident	Non Resident	Cedar Hill	Resident	Non Resident	Coppell	Resident	Non Resident	Desoto	Resident	Non Resident	Duncanville	Haltom City	Resident	Non Resident	Keller	Resident	Non Resident	Pflugerville	Resident	Non Resident	Rockwall	Rowlett	The Colony	
Recovery Fee	\$10.00 - If account is sent to third party for collection (value of material + \$10.00)			no change			don't do			don't do			n/a			\$10.00			n/a	n/a			n/a						n/a	n/a	no 3rd party collection	DVDs; MP3 Books; Children's kits (CD/Book); Blu-ray disc \$20.00 \$5.00
Non-Cardholder One (1) Hour Internet Access	\$3.00 per hour			no change			no charge			Free - gives out guest pass. Must be 18 yrs or older			\$ -			\$1.00			\$20.00/yea r for computer-use-only card	n/a			free			no charge,free to all users			\$10 annual/pe r person	free	no fee	Books: Non-Fiction (hardbound), Large Print Fiction \$28.00 \$5.00
Blank Disk - Floppy or CD *	\$1.00 each																															Polaroid Cameras; Audiocasset te Players \$30.00 \$5.00
Blank DVD *	\$2.00 each																															Playaway Audiobook s; Early Literacy Kits \$60.00 \$5.00
Headphones or Earbuds *	\$2.50 each set																															Equipment (AV, laptop computer) Actual cost \$5.00
Microfilm/Microfiche Rental	Actual Cost, plus shipping and \$1.00 handling fee per order			no change						Do not offer			\$ -			n/a																Partial loss: % of lost/ruined fee Missing processing items: current catalog price
Battery (AAA or AA) *	-\$1.00 each																															Repairable damage: minimum charge:
Interlibrary Loan Service - Postage	\$1.00 per item			3.00 per item			no charge			\$ 2.25			\$ -			\$ 1.75			\$ 3.00	\$ 3.00			no charge			Library covers up to \$5. If over \$5, patron pays balance over \$5			\$ 3.00	free	actual postage cost to return	
Flash Drive, USB Port, Thumb Drive (2gb) *	-\$12.00 each																															
Flash Drive, USB Port, Thumb Drive (4gb) *	-\$16.00 each																															
Library Meeting Room Rental (During Operating Hours)		\$35/hr Non-Prof	\$55/hr Non-Prof					Conference Room seats 12 - \$20 with library card. \$30 without card.						none		none				n/a						free - only reserve for NP or civic org like Rotary 2 hr limit per month per group			\$ 50.00			no meeting room

City of Lancaster Fee Schedule

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Deposit		\$250/\$50 non-prof	\$250/\$50 non-prof		\$50/\$50 non-prof	\$50/\$50 non-prof	no charge	no charge	no charge	No charge			no charge			n/a			n/a		\$50	\$50		none	none	None required. They require 501C3 cert. and one member of org must be resident. Requ they leave TDL or car keys.			\$ 150.00	\$ 25.00	no meeting room
Kitchen Use Per Hour	\$25/hr						no charge	no charge	no charge	n/a			no charge			n/a			n/a					included	included				no chge	\$ 50.00	no meeting room
Set up Fee	\$50						no charge	no charge	no charge	n/a			no charge			n/a			n/a		don't do	don't do		none	none	no charge			no chge	n/a	no meeting room
Projector with Screen		\$65/hr	\$75/hr				none	no charge	no charge	n/a			no charge			n/a			n/a		free	free		included	included	no charge			no chage	n/a	no meeting room

\* = Services no longer providing in Lancaster  
 Burleson - Room rental rate is based on whether renter has library card or not, regardless of being resident or non-resident.  
 Coppel - meeting room for Non-Profit only. No charge.  
 DeSoto has no library meeting rooms.  
 Duncanville - has two types of non-resident cards: full privileges for \$35/year, or computer use only for \$20/year.  
 No meetings rooms. Rec Center next door has rooms for rental.  
 Haltom City Room rental includes use of kitchen  
 Pflugerville eliminated fines July 2012.  
 Pflugerville has 7 meeting rooms, 5 with AV.  
 Pflugerville overdue policy: if more than 10 days overdue, account is blocked. If 90 days overdue, declared lost, charge patron cost of item + \$10  
 Pflugerville: ILL library covers up to \$5 in postage. If cost is over 5\$, library passes on to customer.  
 Rockwall - meeting room rental is for non-profit only. A/V is included.  
 The Colony eliminated non-resident fees and book fines.

no meeting room

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
<b>Parks and Recreation</b>																	
<b>Memberships</b>																	
Annual Membership Fees									\$250 R \$500 NR								\$10 R \$45 NR Individual
(Valid for 1 year from date of purchase)									Family \$500 R \$1000 NR								\$45 R \$115 NR Family
Recreation (JR) ID Card - (Under 5 yrs.)	Free w/purchase of Adult Rec ID Card	FREE	FREE		No Change	No Change	Ages 3-15 \$210 R \$284 NR	FREE		\$10			\$209 R \$230 NR	\$50 R \$70 NR	NA	NA	NA
Recreation ID Card - Youth (5-16 yrs.)		\$10/yr.	\$20/yr.		No Change	No Change		Ages 7-17 \$100	\$250 R \$500 NR	\$10	\$65 R \$290 NR	\$3 R \$50 NR				NA	NA
Recreation ID Card - Adult (17-49 yrs.)		\$20/yr.	\$30/yr.		No Change	No Change	\$294 R \$397 NR	Ages 18 - 54 \$150	\$250 R \$500 NR	\$5	\$65 R \$290 NR	\$3 R \$50 NR	\$354R \$450 NR	\$75 R \$110 NR		\$10 R \$144 NR	
Seniors (50+ yrs.)		\$15/yr.	\$20/yr.		No Change	No Change	\$252 R \$340 NR	\$55 R \$100 NR	\$150 R \$300 NR	\$5	\$45 R \$260 NR	\$3 R \$50 NR	\$244 R \$310 NR	\$75 R \$110 NR			
Daily Fitness Atrium Admission (17 yrs. and older)		\$5/day	\$5/day		No Change	No Change		\$5	FREE	\$10					NA	\$5	
Monthly Fitness Atrium Membership (17 yrs. and older)		\$20	\$25		No Change	No Change	Free to Members		FREE	\$16		\$10 R \$20 NR	NA	NA	NA	\$10.75 R \$19.75 NR	\$35 (6 Month) R \$55 (6 Month) NR
Annual Fitness Atrium Membership (17 yrs. and older)		\$160	\$200		No Change	No Change	Free to Members		FREE	\$168		\$75 R \$140 NR				\$101 R \$202 NR	\$60 R \$85 NR
Open Swim Admission		\$5/day	\$5/day		\$5	\$7	\$7 R	\$2	\$4 R	\$4 Adult R \$2 Youth R	NA	NA	\$8 R	\$2 Adult R \$1 Youth R	\$2 (Youth) \$3 (Adult) \$5 (Family)	\$7.50/yr. \$8.50yr.	\$2 R \$4 NR
Daily Fitness Swim Admission (17 yrs. and older)		\$3/day	\$3/day		\$3	\$5	\$11 NR	NA	\$8 NR	\$5 Adult NR \$4 Youth NR	NA	NA	\$10 NR	\$3 Adult NR /\$2 Youth NR	NA	\$8.50/yr.(R) \$9.50/yr. (NR)	
Monthly Fitness Swim Membership (17 yrs. and older)		\$15	\$20		\$15	\$20											
Seasonal Swim Pass (Summer) Ind (17 yrs. and younger)					\$60	\$70											
Seasonal Swim Pass (Summer) (17 yrs. and older)					\$70	\$80											
Seasonal Swim Pass (Summer) Family 4 +					\$130	\$160											

**City of Lancaster Fee Schedule**

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony	
Annual Fitness Swim Membership (17 yrs. and older)		\$120	\$160		No change	No Change	NA	NA	NA	\$65 R \$90 NR	NA	NA	NA	\$50 Child/\$75 Adult/\$200 Family R	NA		\$36 R \$71 NR	
Annual Senior Center Membership (50+ yrs.)		\$3	\$5		No Fee Change	No Fee Change	No Fee	No Fee	Resident \$10/yr. Non Resident \$20/yr.	No Fee	Resident \$15/yr. Non Resident \$20/yr.	No Fee	No Fee	Resident \$3/yr. Non Resident \$5/yr.	No Fee	Resident \$5/yr. Non Resident \$10/yr.	Resident \$10/yr. Non Resident \$18/yr.	
<b>Corporate Membership Rates</b>																		
Corporate A (5 - 9)	Agency \$125 Individual \$100				No change	No change	Adult (16-61) \$260 Senior (62+) \$226 Family \$404	\$500		\$75 Agency \$125 Individual	\$825 Agency		No Available					\$435 Individual
Corporate B (10+)	Agency \$225 Individual \$100				No change	No change				\$325 Agency \$95 Individual								
<b>Rental Facilities</b>																		
<b>Athletic Fields</b>																		
Deposit		\$50	\$50								\$50							\$60
Cedardale Field Rental/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$30 per/Field/hr.	\$40 Per/Field/hr.		No Policy in Place	Do not rent fields	NA	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR (w/lights)		\$10/hr. (w/lights)	\$25/hr. (w/lights)	\$30/hr. w/lights	
City Park Field Rental/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$30 per/Field/hr.	\$40 Per/Field/hr.				\$75/hr.	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR		\$10/hr.	#20/hr.	\$30/hr. w/lights	
Royce Clayton Ballpark/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$30 per/Field/hr.	\$40 Per/Field/hr.	\$10R \$15 NR (no lights)			NA	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR				\$30/hr. w/lights	
Youth Football/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$30 per/Field/hr.	\$40 Per/Field/hr.					\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$30/per player		\$10/hr.	\$250	\$30/hr. w/lights	
Soccer Field/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$30 per/Field/hr.	\$40 Per/Field/hr.											\$30/hr. w/lights	
Additional fees for field rentals (i.e., lights, lining fields, concessions, etc.) will be determined by the Parks and Recreation Director, based on cost incurred by the City.																		
<b>Community House</b>																		

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Deposit		\$150	\$150		No change	No change			NA						\$25		
4 Hour Rental		\$175	\$250		\$ 200.00	\$ 275.00			NA						\$40		
6 Hour Rental		\$225	\$300		\$ 250.00	\$ 325.00			NA					\$40 (Six hrs.)			
<u>Gymnasium</u>																	
Deposit		\$100	\$100		No change	No change	\$50					\$50					
1/2 Gym		\$50/hr.	\$65/hr.		No change	No change	\$25 R \$46 NR	\$30	\$40 M \$45 NM \$50 NR	\$50/hr.			\$35 R \$43 NR				\$50
Full Gym		\$75/hr.	\$90/hr.		No change	No change	\$35 R \$61 NR	\$60		\$75/hr.		\$50/hr.	\$55 R \$71 NR			\$100	\$80
Full Gym Tournament Fee		\$100/hr.	\$125/hr.		No change	No change	\$65 R \$108 NR										
<u>Outdoor Facility</u>																	
Deposit		\$75	\$100		No change	No change				\$50	\$100					\$ -	
City Park Pavilion 1								\$25/hr.	\$150/4 hrs.				\$30 R \$40 NR			Only Residents	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR			\$125 R \$150 NR	Only Residents	\$50 M \$50 NM \$70 R \$140 NR	\$100 R \$125 NR
<u>City Park Pavilion 2</u>																	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR			\$60 (6 per person)	\$100 R \$125 NR
<u>Community Park Pavilion</u>																	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR		Only Residents	\$60 (6 per person)	\$100 R \$125 NR
<u>Heritage Park Gazebo</u>																	
8am - 12Noon or 1pm - 5pm		\$50	\$75		No change	No change				\$100 R \$150 NR	\$20 R \$40 NR		\$30 R \$40 NR	\$50 R \$75 NR	\$25/rental		\$100 R \$125 NR
<u>Kid Square Park Pavilion</u>																	

**City of Lancaster Fee Schedule**

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$50 R \$75 NR		\$30 R 40 NR		\$125 R \$150 NR	\$60 (6 per person)	\$100 R \$125 NR
<u>Bear Creek Park Pavilion</u>		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR	\$125 R \$150 NR		\$60 (6 per person)	\$100 R \$125 NR
<u>Rocky Crest Park Pavilion</u>		\$50	\$75		No change	No change				\$100 R \$150 NR	\$20 R \$40 NR		\$30 R \$40 NR			\$60 (6 per person)	
<u>Meadowcreek Park Pavilion</u>		\$50	\$75		No change	No change				\$100 R \$150 NR	\$10 R \$20 NR		\$30 R \$40 NR			\$60 (6 per person)	
<u>JA Dewberry Park Pavilion</u>		\$50	\$75		No change	No change				\$100 R \$150 NR			\$30 R \$40 NR			\$60 (6 per person)	
<u>Pool</u>																	
<u>Indoor Pool Reservations</u>																	
Deposit		\$75	\$75		No change	No change	\$75	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit		
Party Room (Semi-Private) 2hours		\$100	\$125		No change	No change											
Private Party A (1-50) 2 hours		\$200	\$250		No change	No change	\$100 R	\$150	\$120 Member	\$175 for 10 Guests	NA	NA	NA	NA	\$50/hr.		
					No change	No change	\$162 NR		\$150 Non Member	\$10 Additional Per Guests	NA	NA	NA	NA			
Private Party B (51-100) 2 hours									\$170 Non Resident		NA	NA	NA	NA			
Private Party C (101-150) 2 hours		\$250	\$300		No change	No change	NA	NA	NA	NA	NA	NA	NA	NA	\$50/hr.		
Private Party D (151+) 2 hours		\$300	\$350		No change	No change											
		\$350	\$400		No change	No change											
<u>Recreation Center</u>																	
<u>Grand Banquet Hall</u>																	

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Deposit		\$250	\$250		No change	No change	\$100 R \$100 NR	\$150 M \$200 NM \$250 NR	\$100	\$100	\$250	\$ -			\$200	\$100	
Set-up Fee		\$50	\$50		No change	No change						\$ -			\$ -		
Kitchen		\$30/hr.	\$30/hr.		\$35/hr	\$40/hr		\$30	\$30 M \$35 NM \$40 NR	\$40 M \$50 MN \$45 R \$75 NR		\$ -		\$ -	\$ -	\$75 Deposit \$20 R \$30 NR	
1,100 sq. ft.		\$50/hr.	\$75/hr.		No change	No change	\$45 R \$61 NR	\$135/hr.	\$130 M \$140 NM \$170 NR	7a-4p \$95 R \$120 NR 6p - 10p \$140 R \$180 NR		\$30 Deposit \$20/hr.	\$145 R \$170 NR (2 hrs.)		\$40 R \$65 NR		\$30
2,200 sq. ft.		\$75/hr.	\$100/hr.		No change	No change		\$150/hr.	\$90 M \$100 NM \$110 NR	\$190-\$240 R \$280- \$260 NR	\$75 R \$125 NR	\$50 Deposit \$40/hr.	\$240 R \$260 NR (2 hrs.)				
3,300 sq. ft.		\$100/hr.	\$125/hr.		No change	No change	\$80 R \$108 NR	\$170/hr.	\$105 M \$115 NM \$125 NR	\$285-\$360 R \$420- \$540 NR	\$100 R \$150 NR		\$320 R \$340 NR (2 hrs.)		\$80 R \$125 NR	\$65 R \$130 NR	
Aerobic Dance Room/hour		\$40/hr.	\$60/hr.		No change	No change		Ages 0 - 30 \$30/hr.									
Classroom/hour		\$30/hr.	\$50/hr.		No change	No change			\$ 55 M \$60 NM \$65 NR								
Conference Room/hour		\$20/hr.	\$40/hr.		No change	No change			\$ 55 M \$60 NM \$65 NR								
Senior Life Center																	
Kitchen		\$30/hr.	\$30/hr.		\$30/hr.	\$35/hr.	None	Non Rental	None	Non Rental	Non Rental	Non Rental	Non Rental	Non Rental	None	Non Rental	None
Deposit		\$250	\$250		No change	No change	\$75 both Resident & Non Resident		\$400 both Resident & Non Resident							\$200 both Resident & Non Resident	
4 Hour Rental		\$400	\$500		No change	No change											

**City of Lancaster Fee Schedule**

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
6 Hour Rental		\$600	\$750		No change	No change											
<u>Non-Profit - For Meetings Only</u>																	
Deposit		\$75/hr.	\$75/hr.		No change	No change											
Classroom/Youth Room		\$20/hr.	\$20/hr.		No change	\$ 25.00			\$100 M \$140 NM \$170 NR			\$40/hr.					\$30 R \$40 NR
1100 square feet		\$50/hr.	\$50/hr.		No change	\$ 75.00											
Conference Room		\$10/hr.	\$10/hr.		No change	\$ 20.00			\$55 M \$60 NM \$65 NR								
<u>Lancaster Youth and Adult Sports Association Fee</u>																	
(All Participants must purchase Recreation ID Card)					No change	No change	\$10	NA	10% Adult Revenue	\$10 R	?	NA	NA	NA	\$0 R	NA	\$10 R
Player participation fee per season		\$15	\$15		No change	\$20			20% Youth Revenue	\$30 NR	?	NA	NA	NA	\$30 NR	NA	\$20 NR
<u>Programs</u>							Free w/Member ship Range	\$4 per Child /Uses a Staff Member	NA	NA	NA	Free w/Member ship Range	\$5 per Child per day Range	\$2/hr. Range	NA Range	\$3 per Day or \$20 Punch Card Range	Included in Membershi p Range
Individual Recreation Classes		Range from\$5 - \$25 per class/per day	Range from \$5 - \$25 per class/per day		No Change	No Change	Range from \$R25- \$115 per Class/per day		Range from \$50 - \$150 per class/per day		Range from \$35-\$75 per class/per day	Range from \$45- \$100 per class/per day	Range from \$65- \$200 per class/per day	Range from \$35- \$90 per class/per day	Range from \$89- \$160 per class/per day	Range from \$35- \$110 per class/per day	Range from \$60- \$150 per class/per day
Individual Recreation Classes		Range from\$15 - \$100 per class/per day	Range from\$15 - \$100 per class/per day		No Change	No Change	Range from \$25- \$75 per class/per Month Drop-ins are \$10	Range from \$25- \$70 per class/per Month	Range from \$30- \$180 per class/per Month	Range from \$35- \$75 per class/per month	Range from \$20-\$50 per class/per month	Range from \$25- \$75 per class/per month	Range from \$45- \$150 per class/per month	Range from \$35- \$85 per class/per month Drop-ins are \$7 a class	Range from \$25- \$75 per class/per month significant discount for resident	Range from \$25- \$54 per class/per month	Range from \$40- \$100 per class/per month

City of Lancaster Fee Schedule

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
<b>Amphitheater Rental</b>							Cedar Hill	Euless	Round Rock	City of Collage Station	Carrollton						
Deposit					\$ 150.00	\$ 250.00	\$200.00	\$250.00	required	\$100 - \$600	\$100.00						
					4hrs / \$150	4hrs/ \$300	\$20.00/hr R	4hrs/\$150 R	4hrs/\$150 R	Class A Mon - Thurs \$500	\$20.00/hr R						
					6hrs/ \$225	6hrs/ \$375	\$30.00 /hr NR	4hrs/\$300 NR	4hrs/\$250 NR	Class A Fri - Sun \$600	\$30.00 /hr NR						
					8hrs/ \$300	8hrs/\$450	3K sq ft	Each add. Hr \$20.00		Class B Mon - Thurs \$750							
					Each add hr \$25	Each add hr \$35				Class B Fri - Sun \$900							
										Class C Mon - Thurs \$1000							
										Class C Fri - Sun \$1200							
<b>Projector / Screen Rental Grand Hall</b>																	
Deposit	-	-			\$200	\$300		Do Not Rent their equipment		Do Not Rent their equipment	Do Not Rent their equipment						
1 Screen					\$50/day	\$75/day											
2 Screen					\$75/day	\$100/day											
Podium					\$35/day	\$40/day											
Portable Sound system					\$200/day	\$275/day											

**City of Lancaster Fee Schedule**

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony

# LANCASTER CITY COUNCIL

## Agenda Communication

Monday, August 26, 2013

Item 15

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### Discuss and consider a resolution approving a Consumer Price Index (CPI) rate increase request by Republic (Allied) Waste Service.

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This request supports the City Council 2013-2014 Policy Agenda.

**Goal: Financially Sound City Government**

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#### Background

On December 14, 2009, the City of Lancaster amended the February 19, 2001 contract, as amended December 12, 2005, with Allied Waste Services to provide refuse, recyclable materials, bulk and brush collection within the City.

In the contract, Section 14.02, Modification of Rates, allows Allied Waste to petition the City for an increase or decrease in the rates, based on the annual Consumer Price Index. A copy of Allied Waste's rate increase request is attached for review. Staff proposes this customer price index increase be absorbed by the City for residential customers.

#### Considerations

- **Operational** – Council is being asked to consider authorizing the CPI rate adjustment as allowed by contract with no change in service.
- **Legal** – This rate increase is allowed by contract.
- **Financial** - Allied Waste submitted a request for a rate increase based on the Consumer Price Index (CPI) for 2013. The Consumer Price Index for the Dallas area indicates an increase of 2.70% over the last twelve months. Per the contract, the trash hauling rate is 70% of the base rate to the customer. The new residential rate to the City will be \$14.22, a \$0.26 increase over the current residential rate of \$13.96. The \$2.50 administrative processing fee remains the same. Commercial hand-collect accounts increase \$0.34 from \$18.12 to \$18.46. Commercial/Industrial rates increase as detailed on the attached rate sheet and include a 10% franchise fee. The new cart rate to the City will be \$7.40 for the second cart and \$10.58 for the third and up cart. The customer rate for additional carts will remain the same as set effective October 1, 2010, at \$10.00 for the second cart, \$15.00 for the third cart and \$20.00 for the fourth cart.
- **Public Information** - There are no public notice requirements.

**Options/Alternatives**

Council may adopt the resolution authorizing the CPI rate adjustment as presented.

**Recommendation**

Staff recommends approval of the CPI rate adjustment as authorized by contract without increase to residential customers. The effective date is October 1, 2013.

**Attachments**

- Resolution with Exhibit "A", Republic's (Allied Waste) Rate Schedule to City
  - Republic's (Allied Waste) Request for Modification to Rates
  - Section 14.02, Modification to Rates, of existing contract
- 

**Submitted by:**

Opal Mauldin Robertson, City Manager

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING A CONSUMER PRICE INDEX (CPI) RATE INCREASE REQUEST BY ALLIED WASTE SERVICES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 14.02, Modification to Rates, of the February 19, 2001 contract, as amended December 12, 2005 and December 14, 2009, with Allied Waste Services provides for consideration of rate adjustments based on the Consumer Price Index; and

**WHEREAS**, the Lancaster City Council has determined that the requested rates meet the guidelines of the contract; and

**WHEREAS**, the Lancaster City Council has determined the rate increase to be a necessary cost of providing refuse and recyclable materials collection within the City;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:**

**Section 1.** The contract with Allied Waste Services dated February 19, 2001, as amended, is hereby amended with new rates charged to the City of Lancaster effective October 1, 2013, which is attached hereto and incorporated herein as Exhibit A.

**Section 2.** This Resolution shall take effect immediately from and after its adoption with the new rates charged to the City of Lancaster effective October 1, 2013 and it is so resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 26th day of August 2013.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

# CITY OF LANCASTER

## RATE SCHEDULE

**EFFECTIVE OCTOBER 1, 2013**

**I. Residential \$ 14.22**

Once weekly refuse collection/disposal  
 Every other month brush/bulk item collection  
 Every other week recycling collection/processing  
 Recycle Bank Incentive Program

Extra cart 2nd cart \$7.40  
 3rd Cart and up \$ 10.58

**II. Commercial Hand Collect \$ 18.46**

Once weekly refuse collection/disposal

**III. Commercial Containers With 10% Franchise Fee**

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$65.83	\$121.82	\$169.45	\$209.93	\$244.33	\$273.63	\$28.21
3YD	\$75.29	\$139.31	\$193.78	\$240.10	\$279.45	\$313.00	\$42.33
4YD	\$94.13	\$174.22	\$242.26	\$300.19	\$349.44	\$391.33	\$56.43
6YD	\$113.04	\$209.18	\$290.94	\$360.55	\$419.72	\$470.11	\$70.52
8YD	\$141.34	\$261.52	\$363.81	\$450.80	\$524.81	\$587.80	\$84.63



August 19, 2013

Opal Mauldin Robertson  
City Manager  
City of Lancaster  
211 N. Henry  
Lancaster, TX 75146

Re: Modification to Rates

Dear Ms. Robertson,

Allied Waste Services (AWS) is pleased to be the provider of solid waste and recycling services to the City of Lancaster and appreciate your patronage. We enjoy working with the community and look forward to continuing our partnership in the years to come.

This letter is to notify you of the annual CPI rate adjustment for your city. The most recent copy of the Consumer Price Index for the Dallas area indicates an increase of 2.70% over the last twelve months. The rate increase is calculated on 70% of the base rate which equals to 1.89%. The following page details our calculations of the increase.

Thank you for providing AWS with the opportunity to serve the City of Lancaster's solid waste and recycling needs. AWS will continue to provide your community with superior quality waste and recycling services.

Sincerely,

Brenda Lalonde  
Manager, Business Development  
Municipal Services

- (b) For special collection provided by the Contractor pursuant to Section 4.01 (f), the charges are to be negotiated between the Contractor and Producer prior to collection. If agreement cannot be reached, the matter may be submitted to the City for determination of a reasonable fee.
- (c) The Refuse collection charges provided by Sections 14.01 (a)-(e) shall include all disposal costs.
- (d) The rates will be adjusted by a Resolution of the City Council.

14.02 Modification to Rates – Base rate adjustments will be considered by the City one month following the first year of the primary term of the contract. Contractor may petition the City, in writing, for an increase or decrease in the rates established hereunder by submitting any such request for a rate increase to the City in the same or similar format as “Exhibit A” but not more than once a calendar year during the life of the contract. The change in the Consumer Price Index (United States, all Wage Earners) during each 12-month period (from October to October of each year) shall be used to adjust the HAULING portion of the Base Rate. The LANDFILL portion of the base rate shall be determined using the following formula:

Hauling Portion equals 70% of the Base Rate  
Landfill Portion equals 30% of the Base Rate

The Landfill portion of the Base Rate shall be adjusted during October of each year to reflect any increase or decrease, in the actual landfill cost for the waste collected as a result of this Contract. Documentation will be required to demonstrate the need for any change in the landfill portion of the Base Rate.

Contractor may petition the City Council from time to time for adjustments to reimburse the Contractor for the reasonable costs to Contractor of any capital and/or operation expenditures including taxes, fees, and surcharges required or imposed solely by federal or state law, regulation, rule, permit, or permit condition, that was not imposed because of the action or inaction of the Contractor.

- 14.03 Contractor to Act as Collector – The Contractor shall submit statements to and collect from all Industrial Units for services provided.
- 14.04 Contractor Billings to City – City shall provide billing and collection services for Residential, Commercial Hand Collect, and Commercial Containers. For such services, it is understood and agreed that the City may increase the charges to the Contractor’s customers in whatever amount is deemed necessary by the City to cover the costs of billing and collection services, disposal fees, and other associated solid waste collection and disposal costs. The City shall, on or before the 10<sup>th</sup> day of each month, remit to Contractor, for services rendered during the preceding month, the net compensation due and payable per the current Contractor’s compensation. The City shall withhold \$.10 per residential customer per month based on the house count provided by the City in the form of a recycling rebate.