



City of Sachse, Texas

Sachse City Hall
3815-B Sachse Road
Sachse, Texas 75048

Meeting Agenda City Council

Monday, September 14, 2015

7:30 PM

Council Chambers

The Mayor and Sachse City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The City Council of the City of Sachse will hold a Special Meeting on Monday, September 14, 2015, at 7:30 p.m. in the Council Chambers at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

Invocation and Pledges of Allegiance to U.S. and Texas Flags.

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

1. CONSENT AGENDA.

ALL ITEMS LISTED ON THE CONSENT AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER OR CITIZEN SO REQUESTS.

[15-2995](#) Approve the minutes of the September 1, 2015 special Council meeting.

Attachments: [09.01.15 Minutes](#)

[15-3014](#) Approve the minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Attachments: [09.01.15 Minutes Workshop](#)

[15-3007](#) Approve a resolution renewing the authorization for an Interlocal Agreement for Food Establishment Inspection and Environmental Health Services between Dallas County, on behalf of Dallas County Health and Human Services, and the City of Sachse.

Attachments: [Resolution](#)

[Interlocal Agreement](#)

[15-3008](#) Approve a resolution renewing the terms and conditions of a Professional Services Agreement, by and between the City of Sachse and the City of Garland for the City of Garland Health Department to

provide immunizations, well child health care and communicable disease investigation services for the City of Sachse.

Executive Summary

This agreement establishes Garland Health Services as our Local Health Authority from October 1, 2015 to September 30, 2017.

Attachments: [Resolution](#)

[Professional Service Agreement](#)

2. MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES, AND LOCAL ACHIEVEMENTS.

[15-2994](#) Proclamation declaring September, 2015 as National Preparedness Month.

Attachments: [Proclamation](#)

[15-2996](#) Presentation of Hancher Library Grant for \$27,000.

3. CITIZEN INPUT.

The public is invited at this time to address the Council. The Mayor will ask you to come to the microphone and state your name and address for the record. If your remarks pertain to a specific Agenda item, please hold them until that item, at which time the Mayor may solicit your comments. Time limit is 3 minutes per speaker.

The City Council is prohibited from discussing any item not on the posted agenda according to the Texas Open Meetings Act.

4. REGULAR AGENDA ITEMS.

[15-3015](#) Consider authorizing the City Manager to execute a purchase order to Motorola Solutions Incorporated for the purchase and acquisition of radios and equipment related to the P-25 Digital Radio Upgrade.

Attachments: [P25 Presentation](#)

[15-2988](#) Discuss and consider an ordinance approving and adopting the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be made in accordance with said budget; appropriating and setting aside the necessary funds out of the general and other revenues for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements of the city; providing a repealing clause; providing a severability clause; and providing an effective date.

Attachments: [Budget Discussion](#)

[Budget Cover Page](#)

[Ordinance](#)

[15-2991](#) Discuss and consider an ordinance levying ad valorem taxes for the year 2015 (Fiscal Year 2015-2016) at a rate of \$0.757279 per one

hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Sachse as of January 1, 2015, to provide revenue for the payment of current expenses; providing for an interest and sinking fund for all outstanding debt of the City of Sachse; providing for due and delinquent dates together with penalties and interest; providing a severability clause; providing a repealing clause; and providing an effective date.

Attachments: [Ordinance](#)

[15-2997](#)

Motion to ratify the property tax increase in the budget for Fiscal Year 2015-2016.

Attachments: [Budget Cover Page](#)

[15-3006](#)

Consider a resolution amending the Master Fee Schedule adopted by Resolution 3433 by amending Solid Waste Rates for residential service effective October 1, 2015.

Attachments: [Republic Services Rate Request 2015](#)

[Resolution](#)

[15-3013](#)

Conduct a public hearing and consider an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.

Attachments: [Zoning Request Presentation](#)

[Ordinance](#)

[Attachment 1 - Ordinance 0342 Planned Development 1983](#)

[Attachment 2 - C-2 Zoning Requirements](#)

[Attachment 3 - Future Land Use Plan](#)

[Attachment 4 - Zoning Map](#)

[Attachment 5 - Property Owner Responses](#)

[15-3012](#)

Conduct a public hearing and consider the application for a Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres of land located at 7030 State Highway 78, for a period of five years.

Attachments: [Presentation](#)

[Attachment 1 - Location Map](#)

[Attachment 2 - Applicant Information](#)

[Attachment 3 - Zoning Map](#)

[15-3017](#)

Conduct a public hearing and consider the application of North Pointe Church, requesting a variance from the Code of Ordinances, Chapter 3, Building Regulations, Section 3-10, Table 1, General Sign Provisions to reduce the required front yard setback for an Institutional Sign from 15 feet to 8 feet in an existing sign easement on the property located at 7010 State Highway 78.

Attachments: [Sign Variance Presentation](#)

[1 Location Map](#)

[2 Variance Request Application Packet](#)

[3 Easement](#)

[4 Letter to Property Owner](#)

[15-3016](#)

Discuss potential development agreement with Sachse 95 LP, a Texas Limited Partnership.

Attachments: [Presentation](#)

[Exhibit A Zoning Concept Plan](#)

[Exhibit B Proportionality Study](#)

[Exhibit C Letter from Developer](#)

5. ADJOURNMENT.

Vision Statement: Sachse is a friendly, vibrant community offering a safe and enjoyable quality of life to all who call Sachse home.

The City of Sachse reserves the right to reconvene, recess or realign the regular session or call Executive Session or order of business at any time prior to adjournment. Note: The Sachse City Council reserves the right to convene into Executive Session pursuant to the Texas Government Code, Chapter 551 regarding posted items on the regular meeting agenda.

State law prohibits the introduction or discussion of any item of business not posted at least seventy-two (72) hours prior to the meeting time. Therefore, during Citizen Input for example, the Council is prohibited by state law to deliberate or take action on any issues introduced by the public other than to take them under advisement. Posted: September 11, 2015; 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Michelle Lewis Sirianni, City Secretary, at (972) 495-1212, 48 business hours prior to the scheduled meeting date. Reasonable accommodations will be made to assist your needs.



Legislation Details (With Text)

File #:	15-2995	Version:	1	Name:	Approve the minutes of the September 1, 2015 special Council meeting.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	9/1/2015	In control:		In control:	City Council
On agenda:	9/14/2015	Final action:		Final action:	
Title:	Approve the minutes of the September 1, 2015 special Council meeting.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	09.01.15 Minutes				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title
Approve the minutes of the September 1, 2015 special Council meeting.

Executive Summary
Minutes of the September 1, 2015 special Council meeting.

Background
Minutes of the September 1, 2015 special Council meeting.

Policy Considerations
None.

Budgetary Considerations
None.

Staff Recommendations
Approve the minutes of the September 1, 2015 special Council meeting.

CITY COUNCIL OF THE CITY OF SACHSE

SPECIAL MEETING MINUTES

September 1, 2015

The City Council of the City of Sachse held a special meeting on Monday, September 1, 2015 at 7:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Brett Franks, Council Members Charlie Ross, Paul Watkins, Bill Adams, Cullen King, and Jeff Bickerstaff. City Manager, Gina Nash; Interim City Secretary, Michelle Lewis Sirianni; City Engineer, Greg Peters; Parks and Recreation Director, Lance Whitworth; Human Resources Manager, Stacy Buckley; Fire Chief, Rick Coleman; Police Chief, Bryan Sylvester; Library Manager, Mignon Morse; and, Finance Director, Teresa Savage.

INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND STATE FLAG: The invocation was offered by Councilman King and the pledges by Councilman Adams.

CONSENT AGENDA: All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a council member or citizen so requests. **15-2982** Approve the minutes of the August 17, 2015 regular meeting. **15-2983** Approve the minutes of the August 22, 2015 special Council meeting. **15-2986** Consider receiving the Monthly Revenue and Expenditure report for the period ending July 31, 2015.

Councilman Bickerstaff made a motion to approve items 15-2982, 15-2983, and 15-2986 as submitted. Councilman King seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES AND LOCAL ACHIEVEMENTS:

Mayor Pro Tem Franks spoke about the Park and Recreation programs within the Guide to Fun and announced that the Senior Center would be hosting a Blue Grass concert on Saturday, September 19 from 7:30 p.m. to 10:30 p.m.

Councilman King stated that the Historical Society has a new exhibit featuring the Sachse Christian Church bell, and encouraged all to visit.

Councilman Bickerstaff announced that the Sachse Public Library would be closed Saturday, September 5 through Monday, September 7 for the Labor Day Holiday. Councilman Bickerstaff also announced the Library will be hosting PAWS to Read Program on Tuesday, September 8 at 6:00 p.m. along with the Fall Crafts program on Tuesday, September 15.

Mayor Felix announced that on Saturday, September 12 from 11:00 a.m. to 1:00 p.m. the Sachse Park Pals will be hosting a memorial dedication at Firefighter's Park.

15-2971 Proclamation declaring September, 2015 as Childhood Cancer Awareness month.

Mayor Felix read the proclamation.

15-2977 Proclamation declaring September, 2015, as Blood Cancer Awareness month.

Mayor Felix read and presented a proclamation to Alyson Joyner representing The Leukemia & Lymphoma Society.

15-2978 Presentation from the Sachse Amateur Radio Association.

Mr. Butch Johns presented the Council with the 2014 Spirit of Sachse award that was given to the Sachse Amateur Radio Association from the Sachse Chamber of Commerce so that it could be displayed at City Hall.

15-2990 Presentation on the Sachse Police Department's "Safe Trade" initiative.

Bryan Sylvester, Police Chief, stated that the Police Department is introducing a new program known as the "Safe Trade" program. This will provide residents with a safe place to trade from transactions or purchases they have made. Chief Sylvester also noted that this is a great place to also do custody exchanges, etc. There will be two marked locations with signs, which will be monitored 24/7. Chief Sylvester displayed the signs for the Council and residents in attendance.

CITIZENS INPUT:

Corrine Smith, 4008 Blossom Drive, inquired about a possible violation of the Open Meetings Act of the Planning and Zoning Commission meeting held August 24, 2015. Ms. Smith stated that an up or down vote was not taken on the agenda item posted 15-2972, and during a motion to table the item a discussion period was opened up. It was during this time that a new business item was introduced for discussion that was not placed on the agenda for that meeting being held. A motion was introduced and passed as a Commercial 1 no Special Use Permit (SUP). She said the citizens would like a record of the up or down vote on the agenda item as posted Commercial 2, Special Use Permit (SUP), and on their next scheduled meeting that the Planning and Zoning introduce on their agenda item the Commercial 1 no Special Use Permit.

Jerry McGrath, 6322 Meadow Crest, stated that the Sachse CERT was at the Sachse Wal-Mart on August 30 to talk about the upcoming Preparedness Month. This year's theme is "Don't Wait, Communicate, Make Your Emergency Plan Today." Fourteen people had signed up to receive

more information about Sachse CERT. Classes will be held on Saturday, September 19 and Sunday, September 20 from 2:00 to 4:00 p.m. at the Fire Administration Building located at 3815-D Sachse Road. This is an educational class to teach you how to be prepared in the event of an emergency. On Saturday, September 26 in conjunction with the Fire Department, the Sachse CERT will have a preparedness booth at Fire Station #1. September 30 is American Preparedness Day. The theme this year is “Be Smart, Take Part and Prepare”. This annual campaign is to encourage Americans to take steps to provide for emergencies in their homes, schools, organizations, businesses, and the community. These events are all held to encourage everyone to be prepared in case of an emergency.

Kathy Cobb, 3820 6th Street, mentioned two observations: One being that while driving Pleasant Valley into the City of Garland and she has noticed at Old Miles Road there was a barricade up for a long time that is no longer there that helps block a cement barricade that someone could run into. Ms. Cobb requested that something be put back up so that the little road is not used. She believes that it is currently used for parking for those who go fishing. Ms. Cobb stated that she has spoken with Public Works regarding this item, but she is not sure where it stands. Ms. Cobb stated that she would like to see a right turn lane added at 190 and Merritt as you approach it and stop going into town to aid in additional traffic as development occurs.

Tricia Lindsey, 3718 Rock House Road, invited all to attend the dedication for the volunteer Fire Department being held on Saturday, September 12 from 11:00 a.m. to 1:00 p.m. by the Sachse Park Pals. The Ladies Auxiliary will provide hot dogs, chips, and bottled water.

REGULAR AGENDA ITEMS:

15-2967 Conduct the second Public Hearing on the Proposed Tax Rate for the 2015-2016 Fiscal Year.

Ms. Savage stated that the council will conduct their second public hearing as needed on the Proposed Tax Rate for the 2015-2016 Fiscal Year.

Mayor Felix opened the public hearing. No comments were made.

Councilman Ross made a motion to close the public hearing. Councilman Bickerstaff seconded that motion and the motion was unanimously approved.

15-2968 Conduct a public hearing on the Proposed Fiscal Year 2015-2016 budget.

Ms. Savage stated that there have been no changes since the last time this item was presented. She stated that council will see an ordinance when this item is adopted.

Mayor Felix opened the public hearing. No comments were made.

Mayor Pro Tem Franks made a motion to close the public hearing. Councilman Adams seconded that motion and the motion was unanimously approved.

15-2987 Conduct a public hearing and consider an ordinance amending Figure 4-1, Thoroughfare Plan of the Sachse Comprehensive Plan.

Mr. Peters introduced this item stating that the proposed amendment will shift the proposed collector road approximately 1,000 feet from Ranch Road to Industrial Drive. The proposed amendment would provide a second access point for the Industrial Park, improve traffic movement and result in a more centrally located collector road within the undeveloped property along Ranch Road. The Planning and Zoning Commission voted unanimously to approve this item at their August 24, 2015 meeting. Mr. Peters commented that future Planning and Development of this area may result in further changes to the Master Thoroughfare Plan in the area, as land use and transportation needs are more clearly defined. Staff recommends approval.

Mayor Felix opened the public hearing. No comments were made.

Councilman Adams made a motion to close the public hearing. Councilman Ross seconded that motion and the motion was unanimously approved.

Councilman Bickerstaff made a motion to approve an ordinance amending Figure 4-1, Thoroughfare Plan of the Sachse Comprehensive Plan. Councilman King seconded that motion and the motion was unanimously approved.

15-2945 Consider a resolution approving an Interlocal Agreement with League City to offer purchase authorization for the Radio Frequency Identification system (RFID).

Ms. Morse introduced this item stating that Council approved funds to purchase the RFID system on May 18, 2015 and an initial resolution was approved to purchase the system through Alpha Data Corporation. However, the supplier relationship with Alpha Data was negated. The City then coordinated with the City of League City in order to purchase the RFID system. There will be no additional costs incurred in order to purchase and Ms. Morse anticipates the system will be installed and operational in the Fall of 2015.

Councilman Watkins asked if the operating system has all been checked to work with the library's current operating system(s). Ms. Morse ensured him that the RFID system will be compatible.

Councilman King made a motion to approve an Interlocal Agreement with the City of League City to allow for the purchase of the RFID system. Councilman Ross seconded that motion and the motion was unanimously approved.

15-2980 Consider a resolution nominating a candidate as a member of the Board of Directors of the Dallas Central Appraisal District.

Ms. Lewis Sirianni presented this item stating that Council has the right to nominate a candidate to the Board of Directors, and this occurs every two years. In years past, the City has nominated

or voted for Mr. Michael Hurtt, who currently serves on the Dallas Central Appraisal District Board.

Councilman Bickerstaff made a motion to nominate Michael Hurtt as a member of the Board of Directors of the Dallas Central Appraisal District. Councilman King seconded that motion and the motion was unanimously approved.

15-2989 Consider a resolution approving the terms and conditions of a Development Agreement by and between the City of Sachse, Texas, and the Trull Foundation; authorizing its execution by the City Manager.

Mr. Peters introduced this item stating that the proposed Development Agreement is related to the capital sewer construction project for the third sanitary sewer connection to the City of Garland. Mr. Peters discussed the location of this project and pointed out that the owner/developer dedicates to the City all necessary sanitary sewer and temporary construction easements for the capital sewer project, they will reimburse the City for \$300,000.00 in construction costs of the sewer project in two installments, and is not required to pay impact fees. However, if the property is sold and developed by another entity, impact fees may be charged by the City to the new entity.

Mayor Pro Tem Franks asked if there was any floodplain. Mr. Peters responded there is no floodplain in this project location.

Councilman Watkins made a motion to approve a Development Agreement with the Trull Foundation. Mayor Pro Tem Franks seconded that motion and the motion was unanimously approved.

15-2984 Discuss a 380 Grant Agreement with First Texas Homes.

Ms. Savage stated that the City has been approached by First Texas Homes regarding a possible Economic Development Agreement with the City. First Texas Homes is seeking a direct sales tax permit and agreements with multiple cities in the Dallas/ Fort Worth area. Ms. Savage stated that First Texas will obtain direct payment sales tax permit and file use tax instead of sales tax. The City gains a total of .95% use tax on building materials delivered to Sachse and First Texas Homes receives a rebate from the City of .8%. Ms. Savage compared sales tax versus use tax, and indicated that rebates would be issued twice a year and would require extensive record-keeping by First Texas Homes and minimal additional work for the City. Ms. Savage stated that allocation of the rebate is possible with a separate Economic Development Agreement if Council chooses to separate the allocation between the City and EDC. The allocation agreement with EDC would result in \$29,558.24 net to the General Fund and \$14,779.13 to EDC. Ms. Savage provided a time outline if Council chooses to move forward with this proposal.

Councilman Ross asked if the percentages mentioned are about the same with other cities or are they negotiated, and if there are any agreements in place with other cities. Ms. Savage stated there

are a few cities that have entered into agreements and some in the process. Ms. Savage indicated that there is no real downside to entering into this agreement.

Council agreed that they would like to bring this back to the next meeting as an action item and would like to see the allocation agreement with EDC.

15-2981 Consider and take action on the appointment of Michelle Lewis Sirianni as City Secretary of the City of Sachse.

Councilman Bickerstaff made a motion to appointment Michelle Lewis Sirianni as City Secretary effective September 2, 2015. Councilman Watkins seconded that motion and the motion was unanimously approved.

ADJOURNMENT:

At 8:51 p.m. Councilman Watkins made a motion to adjourn the meeting. Councilman Ross seconded that motion and the motion was unanimously approved.

ATTEST:

MIKE FELIX, MAYOR

Michelle Lewis Sirianni, Interim City Secretary



Legislation Details (With Text)

File #: 15-3014 **Version:** 1 **Name:** Approve the minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Type: Agenda Item **Status:** Agenda Ready

File created: 9/9/2015 **In control:** City Council

On agenda: 9/14/2015 **Final action:**

Title: Approve the minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [09.01.15 Minutes Workshop](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Approve the minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Executive Summary

Minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Background

Minutes of the September 1, 2015 joint Council and EDC workshop meeting.

Policy Considerations

None.

Budgetary Considerations

None.

Staff Recommendations

Approve the minutes of the September 1, 2015 joint Council and EDC workshop meeting.

CITY COUNCIL OF THE CITY OF SACHSE

JOINT WORKSHOP MEETING MINUTES

September 1, 2015

The City Council and Economic Development Corporation of the City of Sachse held a joint workshop meeting on Tuesday, September 1, 2015 at 6:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Brett Franks, Council Members Charlie Ross, Paul Watkins, Bill Adams, Cullen King, and Jeff Bickerstaff. Economic Development Corporation Board Members Spencer Hauenstein, Suzanne Politz, Ken Thomas, Marcia Harris-Daniel, Karlos McGhee, and Michael VanBuskirk. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; EDC Director, Leslyn Blake, and City Engineer, Greg Peters.

Mayor Felix called the meeting to order at 6:30 p.m.

EXECUTIVE SESSION:

15-2878 The City Council and Economic Development Corporation shall convene into Executive Session pursuant to the provisions of the Texas Government Code, Section §551.072: Real Property: to discuss the potential purchase, exchange, lease or value of real property.

At 6:30 p.m. the City Council and Economic Development Corporation adjourned into Executive Session.

At 7:30 p.m. a motion was made by Councilman Ross to return to open session. Councilman Watkins seconded that motion and the motion was unanimously approved.

No action was taken.

ADJOURNMENT: At 7:31 p.m. Mayor Felix adjourned the meeting.

MIKE FELIX, MAYOR

ATTEST:

Michelle Lewis Sirianni, Interim City Secretary



Legislation Details (With Text)

File #: 15-3007 **Version:** 1 **Name:** ILA Dallas County - Food Establishment Inspection
Type: Agenda Item **Status:** Agenda Ready
File created: 9/3/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**
Title: Approve a resolution renewing the authorization for an Interlocal Agreement for Food Establishment Inspection and Environmental Health Services between Dallas County, on behalf of Dallas County Health and Human Services, and the City of Sachse.

Sponsors:

Indexes:

Code sections:

Attachments: [Resolution](#)
[Interlocal Agreement](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Approve a resolution renewing the authorization for an Interlocal Agreement for Food Establishment Inspection and Environmental Health Services between Dallas County, on behalf of Dallas County Health and Human Services, and the City of Sachse.

Executive Summary

This Interlocal Agreement with Dallas County for Fiscal Year 2016 ensures that Dallas County Health and Human Services will provide inspections of food establishments, as well as provide for vector and/or mosquito control through ground applications. In the event aerial mosquito spraying is implemented in Dallas County, the City of Sachse must provide a written request to participate in the aerial spraying. The proposed services provided and associated fees are identical to the agreement covering FY 2015.

Background

This Interlocal Agreement is renewed on an annual basis and requires City Council approval. As indicated in the Agreement, Dallas County will perform a minimum of two inspections for each food establishment and any additional follow-up inspections. The City will collect and submit to Dallas County a minimum of \$150 from each food establishment and \$75 for each additional follow-up inspection. Additionally, the Agreement also addresses the environmental health services associated with vector and/or mosquito control through ground applications.

Policy Considerations

This Agreement includes two separate services-Food Establishment Inspections and Environmental Health Services. Both are described below:

Food Establishment Inspections

The City of Sachse simply acts as a collection agent for fees associated food establishment inspections. The food establishment pays the fee directly to the City of Sachse and the City then remits the money to Dallas County on an annual basis.

Environmental Health Services

Environmental Health Services address Vector and/or Mosquito Control. These services only include ground application services upon written request by the City of Sachse to Dallas County. Ground application services are limited to ground spraying of pesticides by County vehicles (“adulciding”) and application of larvacide to standing water.

Budgetary Considerations

None.

Staff Recommendations

Approve a resolution renewing the authorization for an Interlocal Agreement for Food Establishment Inspection and Environmental Health Services between Dallas County, on behalf of Dallas County Health and Human Services, and the City of Sachse.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT FOR FOOD ESTABLISHMENT INSPECTION AND ENVIRONMENTAL HEALTH SERVICES BETWEEN DALLAS COUNTY, ON BEHALF OF DALLAS COUNTY HEALTH AND HUMAN SERVICES, AND THE CITY OF SACHSE.

WHEREAS, the City of Sachse has a responsibility to provide inspections to its food establishments and environmental health services for the citizens; and

WHEREAS, the Dallas County Health and Human Services Department has the resources to provide these health services; and

WHEREAS, the Dallas County Health and Human Services Department has the resources to respond to Vector and/or Mosquito Control; and

WHEREAS, the Dallas County Health and Human Services Department has provides these health services in the past.

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

The City Council of the City of Sachse hereby authorizes the City Manager to execute the agreement with Dallas County to provide inspections to all food establishments and environmental health services in the City.

DULY RESOLVED AND ADOPTED by the City Council of the City of Sachse, Texas, this 14th day of September, 2015.

CITY OF SACHSE, TEXAS

Mike Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

STATE OF TEXAS	§	INTERLOCAL AGREEMENT FOR FOOD
	§	ESTABLISHMENT INSPECTION AND
	§	ENVIRONMENTAL HEALTH SERVICES BETWEEN
	§	DALLAS COUNTY, ON BEHALF OF DALLAS
COUNTY OF DALLAS	§	COUNTY HEALTH AND HUMAN SERVICES, AND
	§	CITY OF SACHSE

1. PARTIES

This Interlocal Agreement (“Agreement”) is made by and between the City of Sachse, Texas (“City”), a Texas municipal corporation, and Dallas County, Texas (“County”), on behalf of Dallas County Health and Human Services (“DCHHS”), a governmental entity, pursuant to the authorities granted by Texas Local Government Code Chapter 791, Interlocal Cooperation Act, Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health, along with 25 Texas Administrative Code, Chapter 229, and any other applicable laws, as well as the City ordinance for inspection services of food establishments within City’s jurisdiction and other environmental health services to City.

2. TERM

This Agreement is effective from October 1, 2015 through September 30, 2016 unless otherwise stated in this Agreement.

3. INSPECTION SERVICES AND REQUIREMENTS

- A. County will perform a minimum of two (2) inspections per Agreement Term of each food establishment for which the City has submitted an inspection request and for which a fee has been collected from the said food establishment;
- B. Additional follow-up inspections will be performed as deemed necessary by County;
- C. Any additional request for follow-up inspections by City of food establishments, including food establishments that are closed due to non-compliance with the State and other applicable rules and regulations will be charged additional fees;
- D. Each food establishment inspection will be made by a Registered Professional Sanitarian employed by DCHHS, in compliance with all state laws and regulations;
- E. An examination of the following will be made during each inspection: food and food protection; personnel; food equipment and utensils; water source; sewage; plumbing; toilet and hand-washing facilities; garbage and refuse disposal; insect, rodent, and animal control; floors, walls, and ceiling; light; ventilation; and other operations.

4. BUDGET AND PAYMENT TO COUNTY

- A. City will collect and submit to the County a minimum of One Hundred Fifty and 00/100 Dollars (\$150.00) per Agreement Term.

- B. Beginning with the third food establishment inspection, City will pay a Seventy Five and 00/100 Dollars (\$75.00) fee for each additional inspection requested by City.
- C. City will collect Seventy Five and 00/100 Dollars (\$75.00) to be paid to the County for a re-opening or inspection fee of a food establishment that has been closed due to non-compliance of Chapter 437 of the Texas Health and Safety Code, or any other state rules and regulations.
- D. The fees are subject to change, upon prior written notice to City, if additional cost is associated with the services under this Agreement
- E. City shall pay County the stipulated fees within thirty (30) days of the monthly request for payment, or if County fails to make the payment request, then City shall pay the stipulated fees no later than the last date of this Agreement Term. Any payment not made within thirty (30) days of its due date shall bear interest in accordance with Chapter 2251 of the Texas Government Code.

5. OTHER ENVIRONMENTAL HEALTH SERVICES

- A. Upon written request from City, County will respond to Vector and/or Mosquito Control complaints. Ground application services will include spraying for adult mosquitoes (“adulciding”), and treating standing water (“larvaciding”) services.
- B. In the event aerial spraying is needed to control St. Louis Encephalitis or West Nile virus throughout the County, City will have the option to participate in the County’s emergency aerial mosquito spraying plan. Should City agree to participate in the plan, City must provide written notice to County and agree to the following:
 - 1) Indicate the areas and amount of acres to be sprayed; and
 - 2) Pay City’s proportioned share of the cost based upon the number of acres to be sprayed multiplied by the per-acre spraying cost.

6. RECORDS

City shall have the sole responsibility of responding to requests for records of food inspection results produced under this Agreement. County will make its best effort to forward any requests for such records that it received to City within three business days after County’s receipt of such requests.

7. TERMINATION

- A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon thirty (30) days prior written notice to the other party;
- B. With Cause: The County reserves the right to terminate the Agreement immediately, in whole or in part, at its sole discretion, for the following reasons:
 - 1) Lack of, or reduction in, funding or resources;
 - 2) Non-performance;

- 3) City's improper, misuse or inept use of funds or resources; and/or
- 4) City's submission of data, statements and/or reports that are incorrect, incomplete and/or false in any way.

8. CITY ORDINANCE

In order for this Agreement to be valid, the City must have or adopt a City ordinance that provides for the inspection of food establishments by a Registered Professional Sanitarian. City must require the payment of a fee(s) by each food establishment. Ordinance enforcement shall be the responsibility of the City.

9. INDEMNIFICATION

County and City, including their respective employees and elected officials, agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any governmental immunity available to County or City under Texas and other applicable laws, and without waiving any available defenses under Texas and other applicable laws. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

10. INSURANCE

City agrees that it will at all times during the term of this Agreement maintain in full force and effect insurance, or self-insurance, to the extent permitted by applicable law under a plan of self-insurance, that is also maintained in accordance with sound accounting practices. It is expressly agreed that City will be solely responsible for all cost of such insurance; any and all deductible amounts in any policy; and in the event that the insurance company should deny coverage.

11. NOTICE

Any notice or certification required or permitted to be delivered under this Agreement shall be deemed to have been given when personally delivered, or if mailed, seventy-two (72) hours after deposit of the same in the United States Mail, postage prepaid, certified, or registered, return receipt requested, properly addressed to the contact person shown at the respective addresses set forth below, or at such other addresses as shall be specified by written notice delivered in accordance herewith:

COUNTY

Zachary Thompson, Director
Dallas County Health & Human Svcs.
2377 N. Stemmons Frwy., Suite 600
Dallas, Texas 75207-2710

CITY OF SACHSE

Michelle Lewis Sirianni, City Manager
Attn: Billy Ho, Health Official
3815 Sachse Road, Building B
Sachse, Texas 75048

12. ENTIRE AGREEMENT AND AMENDMENT

This Agreement, including any Exhibits and Attachments, constitutes the entire agreement between

the parties and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written. No modification, amendment, novation, renewal or other alteration of this Agreement shall be effective unless mutually agreed upon in writing and executed by the parties.

13. COUNTERPARTS, NUMBER/GENDER AND HEADINGS

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Words of any gender used in this Agreement shall be held and construed to include any other gender. Any words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise. Headings are for the convenience of reference only and shall not be considered in any interpretation of this Agreement.

14. SEVERABILITY

If any provision of this Agreement is construed to be illegal, invalid, void or unenforceable, this construction will not affect the legality or validity or any of the remaining provisions. The unenforceable or illegal provision will be deemed stricken and deleted, but the remaining provisions shall not be affected or impaired, and such remaining provisions shall remain in full force and effect.

15. FISCAL FUNDING CLAUSE

Notwithstanding any provisions contained in this Agreement, the obligations of the County under this Agreement are expressly contingent upon the availability of funding for each item and obligation for the term of the Agreement and any pertinent extensions. City shall not have a right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time prior to the end of its fiscal year.

16. DEFAULT/CUMULATIVE RIGHTS/MITIGATION

It is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either party's use of 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. Both parties have a duty to mitigate damages.

17. IMMUNITY

This Agreement is expressly made subject to City's and County's Governmental Immunity, including, without limitation, Title 5 of the Texas Civil Remedies Code and all applicable State and federal laws. The parties expressly agree that no provision of this Agreement is in any way intended to constitute a waiver of any immunities from suit or from liability, or a waiver of any tort limitation, that City or County has by operation of law, or otherwise. Nothing in this Agreement is intended to benefit any third party beneficiary.

18. COMPLIANCE OF LAWS AND VENUE

In providing services required by this Agreement, City and County must observe and comply with all licenses, legal certifications, or inspections required for the services, facilities, equipment, or materials, and all applicable federal, State, and local statutes, ordinances, rules, and regulations. Texas law shall govern this Agreement and venue shall lie exclusively in Dallas County, Texas.

19. RELATIONSHIP OF PARTIES

City is an independent contractor and not an agent, servant, joint enterpriser, joint venturer or employee of County. City and County agree and acknowledge that each entity shall be responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the performance of work covered under this Agreement.

20. SIGNATORY WARRANTY

City and County represent that each has the full right, power and authority to enter and perform this Agreement in accordance with all of the terms and conditions, and that the execution and delivery of Agreement have been made by authorized representatives of the parties to validly and legally bind the respective parties to all terms, performances and provisions set forth in this Agreement.

<signatures appear on following page>

COUNTY:

CITY OF SACHSE:

BY: Clay Lewis Jenkins
County Judge

BY: _____
City Manager/Mayor

DATE: _____

DATE: _____

Recommended:

BY: Zachary Thompson
Director, DCHHS

BY: _____
Title: _____

Approved as to Form*:

Approved as to Form:

CRAIG WATKINS
DISTRICT ATTORNEY

TERESA GUERRA SNELSON
CHIEF, CIVIL DIVISION

BY: Melanie Barton
Assistant District Attorney

BY: _____
Title: _____

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).



Legislation Details (With Text)

File #: 15-3008 **Version:** 1 **Name:** ILA City of Garland Health Dept. Services
Type: Agenda Item **Status:** Agenda Ready
File created: 9/3/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**

Title: Approve a resolution renewing the terms and conditions of a Professional Services Agreement, by and between the City of Sachse and the City of Garland for the City of Garland Health Department to provide immunizations, well child health care and communicable disease investigation services for the City of Sachse.

Executive Summary
This agreement establishes Garland Health Services as our Local Health Authority from October 1, 2015 to September 30, 2017.

Sponsors:
Indexes:
Code sections:
Attachments: [Resolution](#)
[Professional Service Agreement](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title
Approve a resolution renewing the terms and conditions of a Professional Services Agreement, by and between the City of Sachse and the City of Garland for the City of Garland Health Department to provide immunizations, well child health care and communicable disease investigation services for the City of Sachse.

Executive Summary
This agreement establishes Garland Health Services as our Local Health Authority from October 1, 2015 to September 30, 2017.

Background
In 2011, the City partnered with the City of Garland Health Department through an Interlocal Agreement for two years to provide said services. In 2013, the agreement was renewed and extended for an additional two years. It should be noted that this agreement does not suggest that the contract and relationship be altered with DCHHS for the food establishments, childcare centers, vector control, and the continuation to regulate on-site sewage facilities. This agreement would complement those services already in place with DCHHS.

The City of Sachse continues to use Dallas County Health and Human Services (DCHHS) to provide

all environmental health services for food establishments, childcare centers, vector control, as well as regulating on-site sewage facilities in the City of Sachse. This also includes assistance with communicable disease investigations and control for all vaccine preventable disease.

Policy Considerations

The purpose of this Professional Services Agreement is to establish an agreement with the City of Garland and the City of Sachse for Garland Health Department to be our Local Health Authority for the City of Sachse. Garland Health Department would provide communicable disease investigations and control for all vaccine preventable disease and enteric illnesses identified within the City of Sachse for its citizens. The City of Garland Health Department will make available to the citizens of Sachse all immunizations and Well Child services offered to the residents of Garland at the same fees as required of Garland residents. This includes providing notifications of all occurrences of foodborne illness outbreaks, reportable communicable diseases as they pertain to food service establishments and childcare centers, and all cases of mosquito-borne illnesses that occur in the City of Sachse, to DCHHS Environmental Health Divisions.

Budgetary Considerations

The cost for this service will be \$1,200.00 (one thousand and two hundred dollars) and will be funded in the FY15-16 budget by the Fire Department.

Staff Recommendations

Approve a resolution renewing the terms and conditions of a Professional Services Agreement, by and between the City of Sachse and the City of Garland for the City of Garland Health Department to provide immunizations, well child health care and communicable disease investigation services for the City of Sachse.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROFESSIONAL SERVICES AGREEMENT, BY AND BETWEEN THE CITY OF SACHSE AND THE CITY OF GARLAND FOR THE CITY OF GARLAND HEALTH DEPARTMENT TO PROVIDE IMMUNIZATIONS, WELL CHILD HEALTH CARE AND COMMUNICABLE DISEASE INVESTIGATION SERVICES FOR THE CITY OF SACHSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of the City of Sachse to provide public health services for the City and its citizens; and

WHEREAS, the City Council for the City of Sachse desires to secure certain public health services; and

WHEREAS, the City Council of the City of Sachse, Texas, has been presented a proposed Professional Services Agreement (“Agreement”) between the City of Sachse and the City of Garland, so that the City of Garland Health Department may provide Immunizations, Well Child Health Care, and Communicable Disease Investigation Services for the City of Sachse and its citizens; and

WHEREAS, upon full review and consideration of the Agreement and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager should be authorized to execute the Agreement on behalf of the City of Sachse, Texas.

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

SECTION 1. The City Council of the City of Sachse hereby authorizes the City Manager to execute the Agreement, attached hereto as Exhibit “A”, with the City of Garland so that the Garland Health Department may provide Immunizations, Well Child Health Care, and Communicable Disease Investigation Services for the City of Sachse and its citizens.

SECTION 2. This resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Sachse, Texas, this 14th day of September, 2015.

CITY OF SACHSE, TEXAS

Mike Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“**AGREEMENT**”) is entered into by and between the City of Sachse, Texas and the City of Garland, Texas acting by and through their authorized representatives.

RECITALS:

WHEREAS, the **City of Sachse** and the **City of Garland** entered into a Professional Services Agreement on or about the 1st day of October, 2015, for the purposes of the **City of Garland** providing Public Health Services (**PHS**) for the **City of Sachse** citizens; and

WHEREAS, the **AGREEMENT** provides for the City of Garland Health Department to provide Immunizations and Communicable Disease Investigation Services for Sachse. The fee for these services is \$1,200.00 payable to the City of Garland by quarterly payments per year. Additionally the City of Sachse agrees to appoint Dr. Timothy Lambert M.D., as Sachse’s Health Authority until contract termination or expiration. City of Sachse residents are responsible for co-pays attached in “Exhibit A” upon delivery of services. The services shall be provided at locations deemed by the City of Garland.

WHEREAS, the **AGREEMENT** is scheduled to terminate on September 30, 2017 unless renewed by both parties.

NOW, THEREFORE, the Parties hereby agree as follows: Nothing in this agreement shall be construed to restrict the authority of the City of Sachse over its health or environmental programs or limit the operations or services of these programs.

ASSURANCES The City of Garland shall operate and supervise the program.

ACCESS TO RECORDS

The City of Garland agrees that upon request that books and records pertaining to the City of Sachse citizens’ services will be available. Both parties agree to all applicable confidentiality provisions as mandated by federal and state law.

TERMINATION

- A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon (30) calendar days prior written notice to the other party.
- B. With Cause: Either party may terminate the Agreement immediately, in whole or part, at its sole discretion, by written notice to the other party for the following reasons:
 - 1. Lack of or reduction in funding or payment;
 - 2. Non-performance of services;

EXECUTED this 14th day of September, 2015.

CITY OF SACHSE, TEXAS

By: _____
GINA NASH, City Manager

ATTEST:

By: _____
Michelle Lewis Sirianni, City Secretary

EXECUTED this _____ day of _____, 2015

CITY OF GARLAND, TEXAS

By: _____
BRYAN BRADFORD, City Manager

ATTEST:

By: _____
Rene Dowl, City Secretary



Legislation Details (With Text)

File #:	15-2994	Version:	1	Name:	National Preparedness Month Proclamation
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	9/1/2015	In control:		In control:	City Council
On agenda:	9/14/2015	Final action:		Final action:	
Title:	Proclamation declaring September, 2015 as National Preparedness Month.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Proclamation				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title
Proclamation declaring September, 2015 as National Preparedness Month.

Executive Summary
Recognize September, 2015 as National Preparedness Month to encourage Americans to make sure they are prepared for disasters or emergencies in their homes, business, and communities.

Background
Led by the Federal Emergency Management Agency's (FEMA) Ready Campaign and Citizen Corps, National Preparedness Month is held each September and is designed to raise awareness and promote action surrounding emergency preparedness among citizens, businesses and communities.

Policy Considerations
None

Budgetary Considerations
None

Staff Recommendations
Proclaim September, 2015 as National Preparedness Month.

PROCLAMATION

WHEREAS: September is National Preparedness Month; and

WHEREAS: Co-sponsoring the effort, the Department of Homeland Security, the American Red Cross and the North Central Texas Emergency Managers state that in order for every community to be prepared for a disaster, “Don’t Wait. Communicate” make your emergency plan today to become disaster-ready; and

WHEREAS: disasters are like pop quizzes – most often they are unpredictable. If you are not prepared, they can be devastating. The more you prepare, the better you will know exactly what to do and where to go.

I, **THEREFORE**, Mike Felix, Mayor of the City of Sachse, do hereby proclaim that September, 2015 as **NATIONAL PREPAREDNESS MONTH** in the City of Sachse in recognition of the important resources that are available for the protection of our lives and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sachse, Texas to be affixed this **14th day of September, 2015**.

Mike Felix, Mayor



Legislation Details (With Text)

File #:	15-2996	Version:	1	Name:	Presentation of Hancher Grant for \$27,000.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	9/1/2015	In control:		In control:	City Council
On agenda:	9/14/2015	Final action:		Final action:	
Title:	Presentation of Hancher Library Grant for \$27,000.				

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Presentation of Hancher Library Grant for \$27,000.

Executive Summary

Presentation of Hancher Grant for \$27,000.

Background

The Hancher Library Foundation provides funding to libraries in cities with a population of 50,000 or less. Funding is not considered for normal operational expenses, salaries, or benefits. Projects are reviewed for their level of educational contribution to the community. This project fits within the foundation's guidelines.

Grant funds will allow the library to build a e-audio book collection and replace the computers in the computer lab. The current computers were purchased in 2011 with BTOP grant funds and they have been used on average 600 hours a month for the last five years. E-book usage has increased significantly in FY 2015 and citizens are asking for e-audio books on a regular basis. Grant funds will be used to build a core eAudio book collection.

Staff worked with Destin Blais from Blais & Associates, a grant writing firm that is assisting all city departments in writing grants to enhance city services.

Policy Considerations

N/A

Budgetary Considerations

No matching funds are required for this grant.

Staff Recommendations
Presentation



Legislation Details (With Text)

File #:	15-3015	Version:	1	Name:	P-25 Motorola Purchase Order
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	9/10/2015	In control:		In control:	City Council
On agenda:		Final action:		Final action:	
Title:	Consider authorizing the City Manager to execute a purchase order to Motorola Solutions Incorporated for the purchase and acquisition of radios and equipment related to the P-25 Digital Radio Upgrade.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	P25 Presentation				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Consider authorizing the City Manager to execute a purchase order to Motorola Solutions Incorporated for the purchase and acquisition of radios and equipment related to the P-25 Digital Radio Upgrade.

Body

The City Manager will execute a purchase order in the amount of \$342,981 for the purchase of radios and additional equipment to begin the P-25 Digital Radio Upgrade.

Background

The City of Sachse entered into an agreement with the City of Garland for the cooperative purchasing of Motorola equipment to include the P-25 Digital Upgrade radios and additional equipment used in conjunction with the radios. The total cost of the upgrade has been quoted at \$943,342. The remainder of the equipment and infrastructure cost (\$600,361) will be addressed at a later date.

Policy Considerations

The cooperative purchasing Inter-Local Agreement must be executed prior to the release of any funds to Motorola.

Budgetary Considerations

\$342,981

Staff Recommendations

Approve purchase order to Motorola Solutions Incorporated.

P25 Radio Project



Overview

- Current Radio System
- What is P25?
- Project Partners
- Project Information
 - History
 - Planning
 - Design
 - Maps
 - Cost
 - Tower Location
- Discussion and Next Steps



Current Radio System

- Current radio system is analog
- System is provided through the City of Garland radio network
- There are known limitations in coverage
 - Coverage gaps throughout the City
 - Limited coverage in our large buildings



What is P25?

- Project 25 (P25) is a public safety communications standard dedicated to ensuring interoperability in communications.
- The system is digital
- P25 is intended to provide fast and secure communications between:
 - Local municipalities
 - State agencies
 - Federal agencies
- The goal of the new standard is to improve protection of the public welfare.



P25 Radio Project Partners



P25 Radio Project

- History
 - In 2010, Garland upgraded the current radio system
 - The U.S. Federal Government made Jan 1, 2017 the official deadline to become P25 compliant
- Planning
 - 2010 - City of Garland began planning for the P25 upgrade
 - 2013 - Garland hired RCC Consultants to provide planning and design services of the new system
 - 2013 - Garland and Mesquite chose to combine radio systems

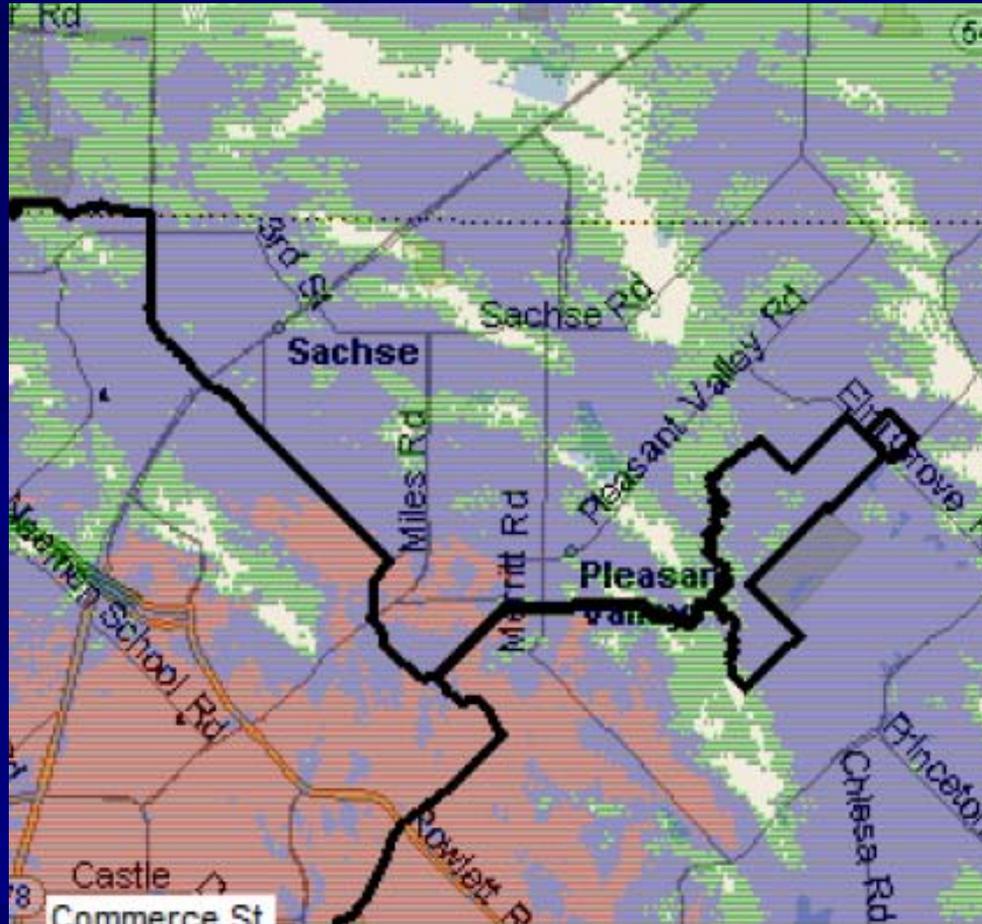


P25 Radio Project

- Design
 - 2014 - Garland issued a request for proposals (RFP) for the construction of the new P25 system
 - 2014 - Motorola and Harris submitted proposals
- Project Goals
 - Interoperability with neighboring cities
 - Interoperability with city/county/state/federal departments
 - **Eliminate all dead areas of current system**
 - Guarantee in building coverage of all major buildings
 - Sachse High School
 - Sachse WalMart



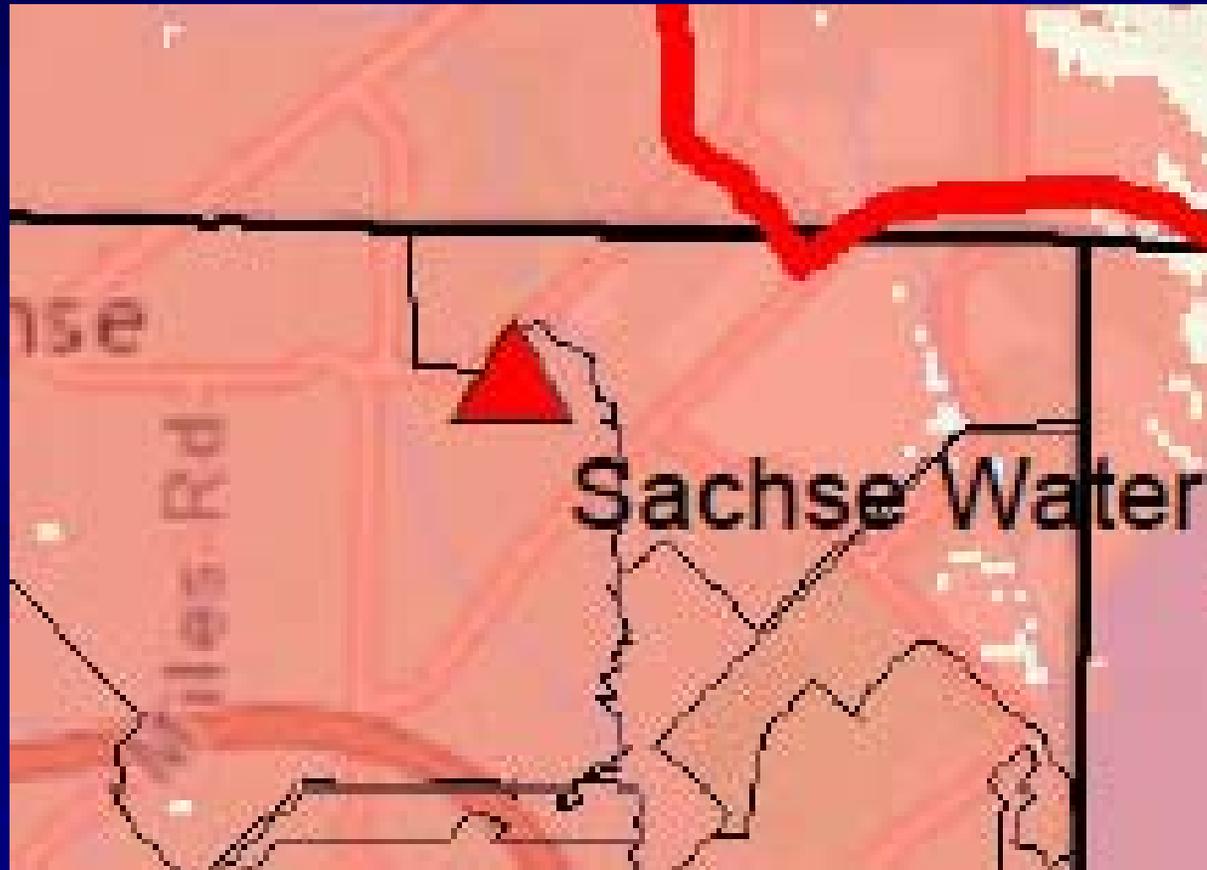
P25 Radio Project



Current Coverage



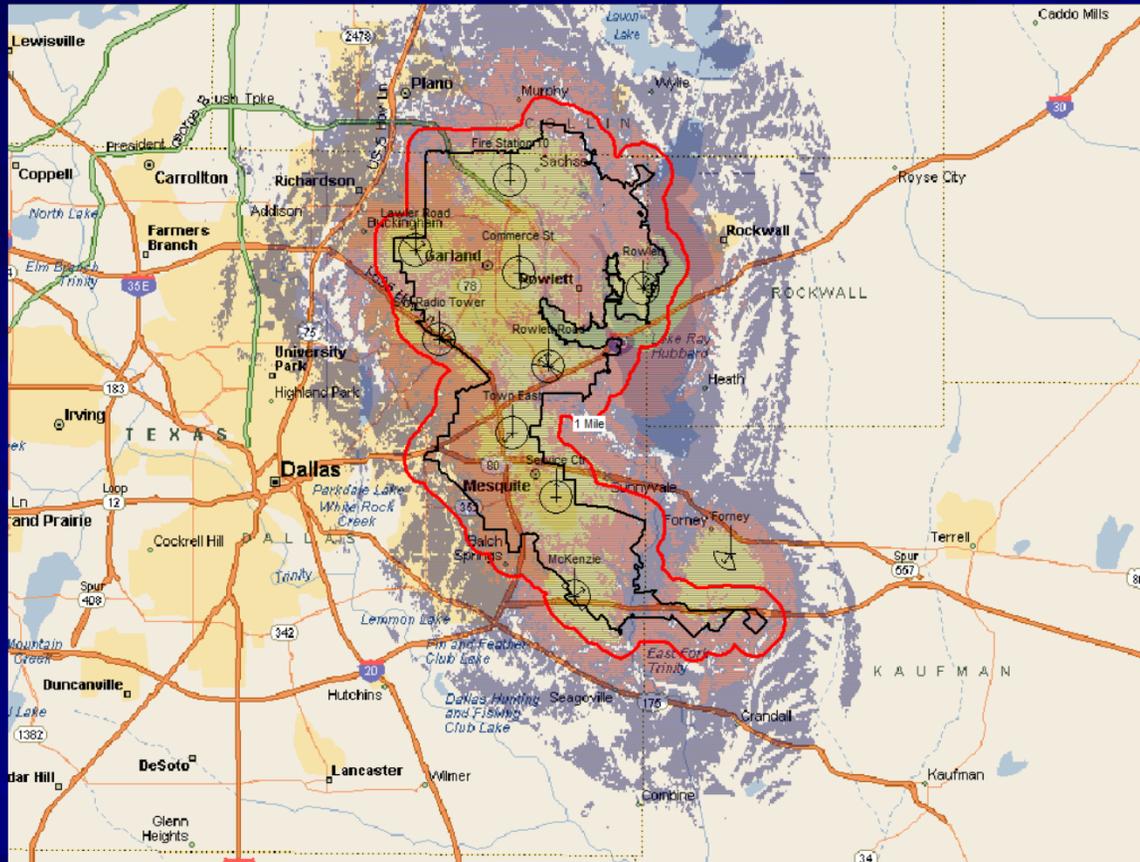
P25 Radio Project



Proposed Coverage



P25 Radio Project



30 dB Building

20 dB Building

10 dB Building

Proposed Building Coverage



COST

Implementation Item

Total Cost

Microwave Spur from Water Tower
Site to Sachse Dispatch -

\$137,832

Sachse Dispatch Consoles -

\$256,067

Sachse Fire Station Alerting -

\$86,222

Additional FSA Scope -

\$55,164

Sachse User Radios -

\$342,981

Systems integration, Freight,
Performance Bond -

\$65,076

Total

\$943,342



System Maintenance Costs Years 3 & 4

Maintenance Item	Sachse Yearly Cost
Infrastructure Equipment -	\$0
Microwave Radio Equipment -	\$854
Dispatch Equipment Mobile, Portable, and Control -	\$3,415
Station Equipment 4-Year Warranty -	\$0
Software Maintenance Agreement -	\$5,364
Optional On-Site Response Service Subtotal -	\$11,954
Total Yearly Maintenance -	\$21,587



System Maintenance Costs

Years 5 -10

Maintenance Item	Sachse Yearly Cost
Infrastructure Equipment -	\$0
Microwave Radio Equipment -	\$854
Dispatch Equipment -	\$3,415
Mobile, Portable, and Control Station Equipment -	\$6,868
Software Maintenance Agreement -	\$5,364
Optional On-Site Response Service Subtotal -	\$11,954
Total Yearly Maintenance -	\$28,455



Radio Tower Needs

- The new system requires a radio tower be constructed in Sachse
- Motorola and Harris agreed that required coverage in Sachse could not be obtained without an additional tower being placed in Sachse
- Motorola and Harris found optimal tower placement at the Sachse Public Works property
- Originally at our expense, negotiated to Garland's expense

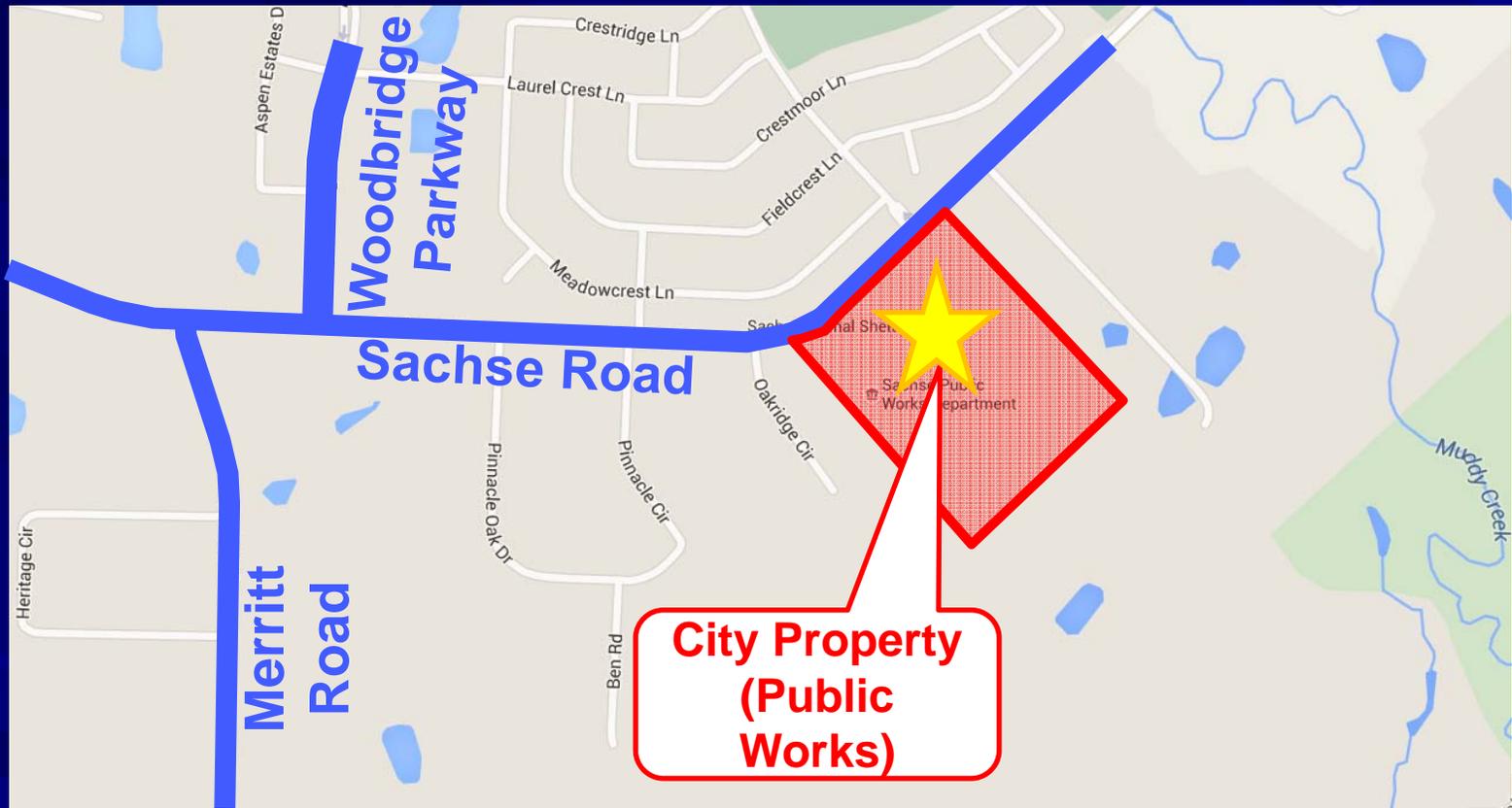


Tower Benefits

- Eliminates dead spots in radio coverage
- Guarantees in-building coverage in large buildings
 - Sachse High School
 - WalMart
- Allows for complete radio interoperability with all surrounding cities, counties, state, and federal agencies



Proposed P-25 Radio Tower Site



Property Information

- Property Owner: City of Sachse
- Property size: 10 Acres
- Current Zoning: PD-26
- Current facilities on the property
 - Animal Shelter Facility
 - Public water facilities – ground storage tanks/pump station
 - Cellular communication tower (not yet constructed)
- Zoning Details
 - Approved by City Council February 17, 2014
 - Allows for the use of the property for a cellular communication tower

The City also owns a 3.42 acre tract of land to the west, which contains the Public Works building and water tower (Special Use Permit by City Ordinance 822, approved 10/2/1989)



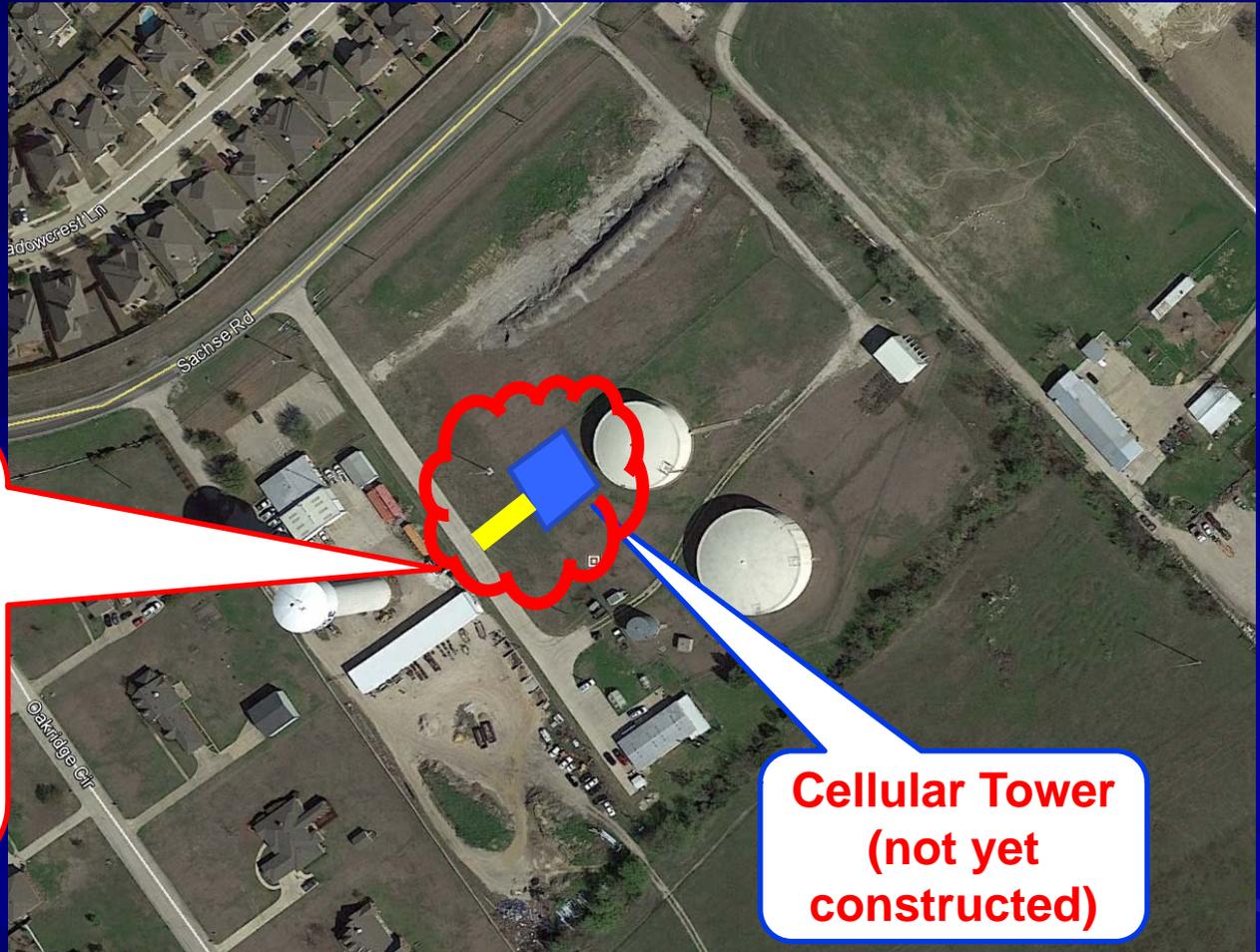
P-25 Radio Tower Details

- Land Requirement: 100-ft x 100-ft (10,000 square feet)
- Tower Height: 300-ft
- Structure to be engineered for extreme weather
- Facilities
 - Tower
 - Small Equipment Building
 - Chain link fence (secure)
 - All weather access drive from Animal Shelter driveway



Proposed P-25 Radio Tower Location

The P-25 Tower is recommended to be located adjacent to the proposed cellular tower (exact location to be determined)



Cellular Tower
(not yet
constructed)



Current View from Sachse Road (looking West)



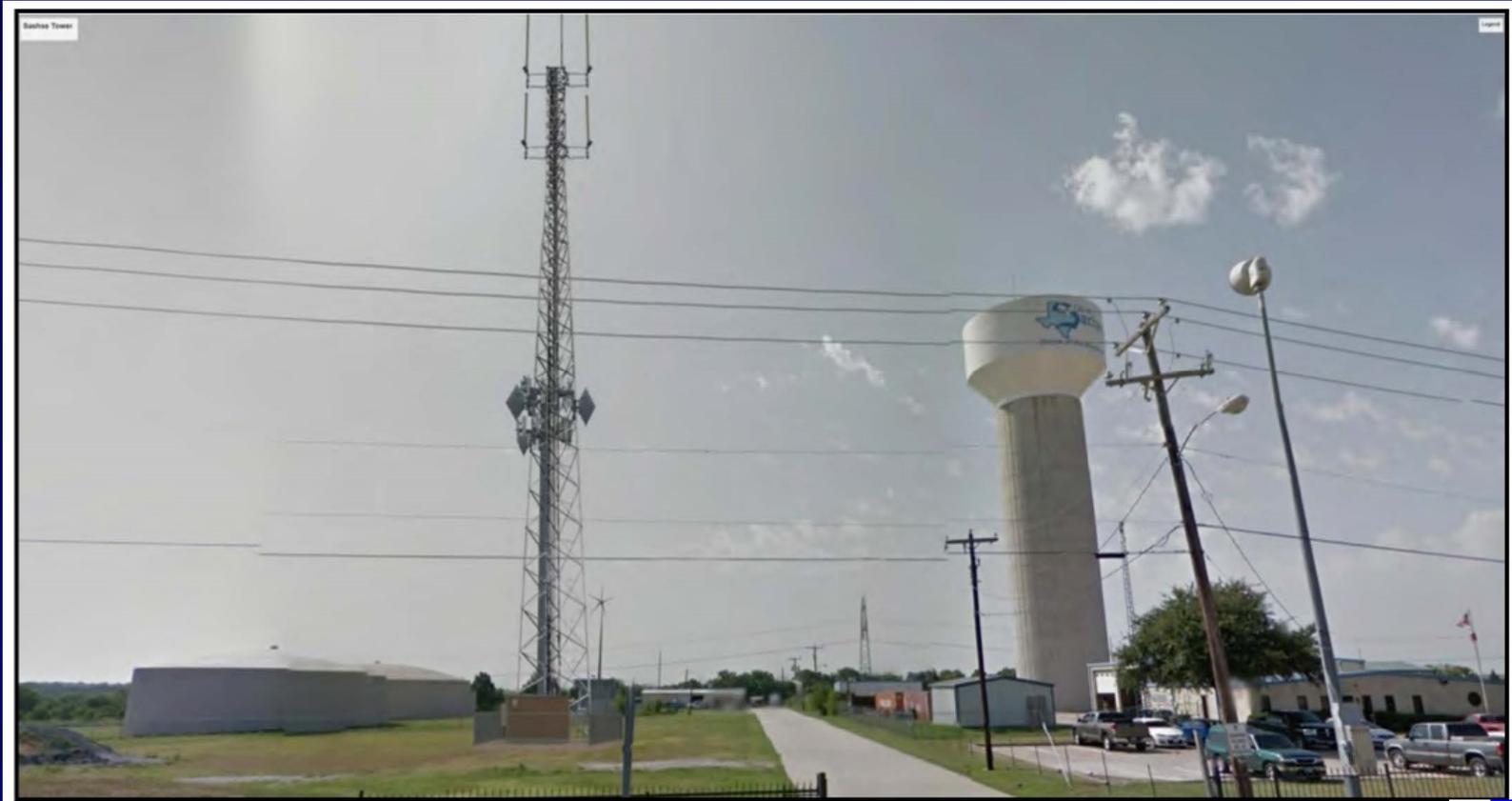
Tower View from Sachse Road (looking West)



Current View Down Existing Driveway (looking South)



Tower View Down Existing Driveway (looking South)



Discussion & Next Steps

- Discussion Items
 - Feedback on tower location
- Next Steps
 - Zoning Process (if Council chooses to move forward)
 - Sachse City staff to prepare a zoning request, for an amendment to the Planned Development (PD-26)
 - Garland City staff to provide necessary exhibits and documents
 - Amended PD to be presented to Planning & Zoning Commission and City Council



Discussion & Next Steps Continued

- Engineering & Construction (if zoning is approved)
 - City of Garland to provide engineering design
 - City of Sachse to review construction plans
 - Construction to take place in 2016



Questions





Legislation Details (With Text)

File #:	15-2988	Version:	1	Name:	2015-2016 Budget Ordinance
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	8/27/2015	In control:		In control:	City Council
On agenda:	9/14/2015	Final action:		Final action:	
Title:	Discuss and consider an ordinance approving and adopting the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be made in accordance with said budget; appropriating and setting aside the necessary funds out of the general and other revenues for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements of the city; providing a repealing clause; providing a severability clause; and providing an effective date.				

Sponsors:

Indexes:

Code sections:

- Attachments:** [Budget Discussion](#)
[Budget Cover Page](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Discuss and Consider an ordinance of the City of Sachse, Texas, approving and adopting the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be made in accordance with said budget; appropriating and setting aside the necessary funds out of the general and other revenues for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements of the city; providing a repealing clause; providing a severability clause; and providing an effective date.

Executive Summary

Discuss and Consider an Ordinance Adopting the Budget for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016.

Background

In accordance with Section 7.05 of the City Charter, the City held a public hearing on the proposed budget of programs and services for the ensuing fiscal years on September 1, 2015. The required "Notices of Public Hearing" were published. In accordance with Section 7.02 of the City Charter, the City Council shall prior to the beginning of the next fiscal year adopt the budget by a favorable majority of the full membership of the City Council. Final adoption of the budget by the City Council shall constitute the official appropriations as proposed by the City Manager for the fiscal year beginning October 1, 2015 and ending

September 30, 2016. Additionally, the General Fund budget of programs and services shall constitute the basis of the official levy of the property tax as the amount of tax to be assessed and collected for the corresponding tax year.

Policy Considerations

This documents sets the financial and operational direction of the City for the next year.

Budgetary Considerations

The proposed tax rate is \$0.757279 per \$100 of assessed value. The proposed FY 15-16 Budgeted Expenditures are as follows:

General Fund	\$14,743,846
Utility Fund	\$ 8,974,698
Debt Service Fund	\$ 3,017,627
Capital Projects Fund	\$ 1,963,012
Special Revenue Fund	\$ 230,200
Impact Fee Fund	\$ 728,000
Street Maintenance Tax Fund	\$ 314,879
Health Insurance Fund	\$ 993,978
Sachse Economic Development Corp.	<u>\$ 599,811</u>
TOTAL	\$ 31,566,051

The total amount includes \$2,377,286 in inter-fund transfers.

Staff Recommendations

Staff recommends approval of an ordinance of the City of Sachse, Texas, approving and adopting the budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be made in accordance with said budget; appropriating and setting aside the necessary funds out of the general and other revenues for said fiscal year for the maintenance and operation of the various departments and for various activities and improvements of the city; providing a repealing clause; providing a severability clause; and providing an effective date.



BUDGET DISCUSSION FY 2015-2016

September 14, 2015

Budget Calendar (remaining)

- September 14** City Council meeting to adopt tax rate and budget (including SEDC Budget); vote to adopt budget must be a record vote. Ratify tax rate included in budget.
- October 1** New fiscal year begins
- Oct. 1-Nov. 30** Budget document finalized and printed for distribution

CERTIFIED ROLLS

TRUTH-IN-TAXATION Texas Property Tax Chapter 26 of Property Tax Code

	2014 Tax Roll (as adjusted)	2015 Certified Tax Rolls	Change in Values from Prior Year	Change
Property Value				
Market Values	1,531,964,234	1,816,823,825	284,859,591	18.59%
Collin County	559,878,404	710,368,435	150,490,031	26.88%
Dallas County	972,085,830	1,106,455,390	134,369,560	13.82%
Taxable Values	1,424,592,045	1,635,609,749	211,017,704	14.81%
Collin County	535,956,193	646,389,562	110,433,369	20.60%
Dallas County	888,635,852	989,220,187	100,584,335	11.32%
New Construction Values	41,432,452	104,390,861	62,958,409	151.95%
Collin County	17,196,696	59,248,454	42,051,758	244.53%
Dallas County	24,235,756	45,142,407	20,906,651	86.26%
Average Single Family Home Value	177,186	196,126	18,940	10.69%
Collin County	216,928	242,548	25,620	11.81%
Dallas County	161,639	177,483	15,844	9.80%

TRUTH IN TAXATION

TRUTH-IN-TAXATION Texas Property Tax Chapter 26 of Property Tax Code

	2014 Tax Roll (as adjusted)	2015 Certified Tax Rolls	Change in Values from Prior Year	Change
Current / Proposed Tax Rate	0.770819	0.757279	(\$0.01354)	-1.76%
Debt Rate	0.211785	0.185000	(\$0.02679)	-12.65%
Operations & Maintenance	0.559034	0.572279	\$0.01325	2.37%
Total Tax Revenue	\$10,830,869	\$12,210,967	\$1,335,003	12.33%
Debt	2,975,816	2,983,087	7,271	0.24%
Operations	7,713,092	9,040,824	1,327,732	17.21%
TIF	141,961	187,057	45,096	31.77%
1¢ on the tax rate (equivalent)	\$140,511	\$161,248	\$20,737	14.76%
Amount of taxes imposed at the proposed tax rate	\$10,830,869	\$12,210,967	\$1,380,099	12.74%

EFFECTIVE / ROLLBACK TAX RATES

**TRUTH-IN-TAXATION
Texas Property Tax
Chapter 26 of Property Tax Code**

	<u>2014</u>	<u>2015</u>
Effective Tax Rate (ETR)	0.718590	0.713377
Rollback Tax Rate (RTR)	0.771246	0.757279

OVERVIEW - GENERAL FUND

REVENUE

2014-2015 Budget \$12,822,525

2015-2016 Proposed Budget \$14,804,345

OVERVIEW - GENERAL FUND

REVENUE BY SOURCE

Property Taxes	\$9,106,824
Sales Tax	\$1,244,094
Franchise Fees	\$1,590,122
Licenses and Permits	\$ 535,500
Fees	\$ 678,700
Fines	\$ 275,000
Interest	\$ 12,000
Allocated Overhead	\$ 986,945
Miscellaneous	\$ 375,160

OVERVIEW - GENERAL FUND

EXPENDITURES

2014-2015 Budget	\$12,719,178
2015-2016 Proposed Budget	\$14,743,846

**Proposed Budget Expenditure Summary
2015-2016 Fiscal Year**

	FY 14-15 Budget	FY 15-16 Proposed	Change
GENERAL FUND			
City Manager	345,708	374,652	28,944
City Secretary	169,012	157,148	-11,864
Human Resources	292,304	294,803	2,499
Finance	552,435	608,428	55,993
Municipal Court	185,400	212,197	26,797
Parks & Recreation	899,087	1,004,375	105,288
Senior Programs	115,061	122,821	7,760
Library Services	327,083	371,686	44,603
Community Development	677,969	810,899	132,930
Streets & Drainage	1,057,273	1,259,147	201,874
Facilities Maintenance	389,947	463,404	73,457
Police	3,808,914	4,566,001	757,087
Animal Control	177,471	225,172	47,701
Fire/EMS	2,869,257	3,295,682	426,425
Combined Services	561,690	677,463	115,773
Engineering	290,568	299,968	9,400
	12,719,178	14,743,846	2,024,668

SUPPLEMENTALS-RECOMMENDED

Department	Description	Amount
Combined	Implement Compensation Study	\$1,165,509
Fire	P25 Radio	200,000
Parks/Rec	2015 Ford replacing 2000 Chevy	35,000
Parks/Rec	2016 Toro Z replacing 2004 Toro Z	11,500
Streets	2016 Ford F650 Diesel dump truck	70,000
Facilities	Replace timeworn pickup truck	25,000
Police	2 Patrol cars	70,000
Animal Ctrl	Truck	27,000
Fire	2 nd Year SCBA upgrade	30,000

SUPPLEMENTALS-RECOMMENDED

Department	Description	Amount
Fire	SCBA fill station	20,000
Combined	Transfer to open Equipment Replacement Fund	100,000
HR	Employee Training and Organizational Development	7,400
Seniors	Reclass bus driver PT Temp to PT Reg	1,509
Facilities	Reclass custodian to FT	37,445
Fire	Part-time to full-time staff	234,877
Combined	Compass Professional Health Services	8,280

SUPPLEMENTALS-RECOMMENDED

Department	Description	Amount
Finance	Grant Management Tracking	8,000
Library	Increase book budget	19,000
Library	Add coin operated color copier	1,092
Streets	Add line item for sidewalk and alleyway repairs	40,000
Facilities	Replace Senior Center kitchen floor	7,500
	TOTAL RECOMMENDED	\$2,119,112

SUPPLEMENTALS

General Fund

	ITEMS	FUNDS
REQUESTED	57	\$3,719,863
RECOMMENDED	21	\$2,119,112
UNFUNDED	36	\$1,600,751

SUMMARY GENERAL FUND

Proposed Revenue	\$14,804,345
Proposed Expenditures with Compensation Study Implementation and Supplemental Requests	(\$14,743,846)
Revenues over Expenditures	\$60,499

FUND BALANCE HISTORY

Fiscal Year	Unreserved Fund Balance	Percent of Operating Expense
2008	3,392,417	35%
2009	3,344,798	33%
2010	3,051,597	29%
2011	3,194,885	30%
2012	3,490,845	34%
2013	4,631,243	41%
2014	5,568,904	54%
2015 est.	5,688,011	44%
2016 est. *	5,748,510	39%

- City fund balance policy target is 25-35%

OVERVIEW - UTILITY FUND

REVENUE

2014-2015 Budgeted Revenue \$8,018,059
 2015-2016 Proposed Revenue \$9,268,945

OVERVIEW - UTILITY FUND

REVENUE BY SOURCE

Water	\$4,839,836
Sewer	\$4,132,115
Fees and Charges	\$ 156,300
Interest	\$ 2,500
Transfer In-Debt Service	\$ 138,194

OVERVIEW - UTILITY FUND

EXPENDITURES

2014-2015 Budget	\$7,794,123
2015-2016 Proposed Budget	\$8,974,698*

*Includes CIP Projects \$436,364

**Proposed Budget Expenditure Summary
2015-2016 Fiscal Year**

	FY 14-15 Budget	FY 15-16 Proposed	Change
Utility Fund			
Utility Administration	262,207	285,823	23,616
Water Operations	4,252,456	5,034,698	782,242
Sewer Operations	3,061,482	3,427,132	365,650
Meter Reading	217,977	227,045	9,068
	7,794,123	8,974,698	1,180,575

**UTILITY FUND
SUPPLEMENTALS**

Department	Description	Amount
Combined	Implement Compensation Study	95,055
Combined	Drainage Study	150,000
Water Operations	Loader backhoe	85,000
Water Operations	Chevy 1500 regular cab pickup	22,000
Meter Services	Panasonic Touchbook laptops	7,308
	TOTAL UTILITY FUND RECOMMENDED	\$359,363

SUMMARY UTILITY FUND

Proposed Revenue	\$9,268,945
Proposed Expenditures with Compensation Adjustment and Supplemental Requests	(\$8,538,334)
CIP Projects	(436,364)
Revenues over Expenditures	\$294,247

COMBINED SUMMARY

FUND	OPERATING	CAPITAL	TOTAL
General	14,543,846	200,000	14,743,846
Utility	8,688,334	436,364	9,124,698
Debt Service	2,992,459		2,992,459
Capital Projects		1,963,012	1,963,012
Special Revenue	230,200		230,200
Impact Fee		728,000	728,000
Street Maintenance		314,879	314,879
Health Ins	993,978		993,978
SEDC	599,811		599,811
TOTAL	\$28,048,628	\$3,642,255	\$31,690,883

**THIS CONCLUDES
TONIGHT'S 2015-2016
BUDGET OVERVIEW**

City of Sachse

Fiscal Year 2015–2016

Budget Cover Page

This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,225,879, which is a 12.24 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$790,560.

The members of the governing body voted on the budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Property Tax Rate Comparison

	2015-2016	2014-2015
Property Tax Rate:	\$0.757279/100	\$0.770819/100
Effective Tax Rate:	\$0.713377/100	\$0.718590/100
Effective Maintenance & Operations Tax Rate:	\$0.514560/100	\$0.503751/100
Rollback Tax Rate:	\$0.757279/100	\$0.771246/100
Debt Rate:	\$0.185000/100	\$0.211785/100

Total debt obligation for City of Sachse secured by property taxes: \$2,992,459

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as required by the City Charter, the City Manager has prepared and submitted to the City Council a proposed budget reflecting financial policies for the year and forecasting revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for the fiscal year beginning October 1, 2015, and ending September 30, 2016; and

WHEREAS, the City Council has received the City Manager's proposed budget, a copy of which and all supporting schedules have been filed with the City Secretary of the City of Sachse, Texas; and

WHEREAS, the City Council has conducted the necessary public hearings as required by law; and

WHEREAS, after full and final consideration, it is the opinion of the Sachse City Council that the 2015-2016 fiscal year budget as hereinafter set forth should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, THAT:

SECTION 1. The proposed budget of the revenue and expenditures necessary for conducting the affairs of the City of Sachse, Texas, said budget being in the amount of \$31,566,051, providing for a complete financial plan for the fiscal year beginning October 1, 2015, and ending September 30, 2016, as submitted to the City Council by the City Manager, a copy of which is on file with the City Secretary's office, be and the same is hereby adopted and approved as the budget of the City of Sachse for the fiscal year beginning October 1, 2015, and ending September 30, 2016.

SECTION 2. The sum of \$31,566,051 is hereby appropriated for payment of the expenditures established in the approved budget for the fiscal year being October 1, 2015, and ending September 30, 2016.

SECTION 3. The expenditures during the fiscal year beginning October 1, 2015, and ending September 30, 2016, shall be made in accordance with the budget approved by this Ordinance unless otherwise authorized by a duly enacted ordinance of the City of Sachse, Texas.

SECTION 4. All budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year 2014 – 2015 are hereby ratified, and the budget approval for fiscal year 2014-2015, heretofore enacted by the City Council, be and the same is hereby amended to the extent of such transfers and amendments for all purposes.

SECTION 5. Specific authority is given to the City Manager to make the following adjustments:

1. Transfer of appropriations budgeted from one account classification to another account classification within the same department.
2. Transfer of appropriations from designated appropriation from one department or activity to another department or activity within the same fund.

SECTION 6. All provisions of ordinances of the City of Sachse, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 7. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance which shall remain in full force and effect.

SECTION 8. This Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the _____ day of September, 2015.

APPROVED:

Mike Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

A handwritten signature in cursive script that reads "Peter G. Smith". The signature is written in black ink and is positioned above a horizontal line.

Peter G. Smith
City Attorney
(PGS:9-9-15:TM 73207)



Legislation Details (With Text)

File #: 15-2991 **Version:** 1 **Name:** Tax Rate Adoption Ordinance
Type: Agenda Item **Status:** Agenda Ready
File created: 8/27/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**
Title: Discuss and consider an ordinance levying ad valorem taxes for the year 2015 (Fiscal Year 2015-2016) at a rate of \$0.757279 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Sachse as of January 1, 2015, to provide revenue for the payment of current expenses; providing for an interest and sinking fund for all outstanding debt of the City of Sachse; providing for due and delinquent dates together with penalties and interest; providing a severability clause; providing a repealing clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Discuss and consider an ordinance of the City of Sachse, Texas levying ad valorem taxes for the year 2015 (Fiscal Year 2015-2016) at a rate of \$0.757279 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the City of Sachse as of January 1, 2015, to provide revenue for the payment of current expenses; providing for an interest and sinking fund for all outstanding debt of the City of Sachse; providing for due and delinquent dates together with penalties and interest; providing a severability clause; providing a repealing clause; and providing an effective date.

Executive Summary

Discuss and consider an Ordinance adopting the tax rate and levying the ad valorem taxes for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

Background

Two public hearings have been conducted on the proposed Fiscal Year 2015-2016 tax rate in "good faith" to comply with Chapter 26 of the State Property Tax Code. The public hearings were advertised and held on August 17th and September 1st. The purpose of this agenda item is for City Council to consider adopting a Tax Rate Ordinance assessing a levy against all taxable properties in the City of Sachse for the purpose of raising revenue to provide payment of current operational expenses and current debt obligations. The tax rate is comprised of two components as follows:

FY 2014-2015

FY 2015-

2016

Debt Service (I&S)	\$0.211785	\$0.185000
Operations (M&O)	<u>\$0.559034</u>	<u>\$0.572279</u>
TOTAL	\$0.770819	\$0.757279

This year's tax levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy, and the proposed tax rate, though lower than the previous year, does exceed the calculated effective tax rate for 2015 and requires specific language in the adoption of the rate which identifies the rate as an *effective* tax increase.

Budgetary Considerations

The property tax rate is sufficient to cover typical general purpose operational expenditures such as public safety and the City's bonded debt service payments due in Fiscal Year 2015-2016.

Staff Recommendations

Approve an ordinance levying ad valorem taxes for the year 2015 (Fiscal Year 2015-2016) at a rate of \$0.757279 per one hundred dollars assessed valuation on all taxable property within the corporate limits of the City of Sachse as of January 1, 2015, to provide revenue for the payment of current expenses; providing for an interest sinking fund for all outstanding debt of the City of Sachse; providing for due and delinquent dates together with penalties and interest; providing a severability clause; providing a repealing clause; and providing an effective date.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, LEVYING AD VALOREM TAXES FOR THE YEAR 2015 (FISCAL YEAR 2015 - 2016) AT A RATE OF \$0.757279 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SACHSE AS OF JANUARY 1, 2015, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF SACHSE; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, THAT:

SECTION 1. There is hereby levied for the tax year 2015 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Sachse, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.757279 on each One Hundred Dollars (\$100) assessed valuation of taxable property, and shall be, apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenditures of the municipal government of the City of Sachse, a tax of \$0.572279 on each and every One Hundred Dollars (\$100) assessed value on all taxable property; and
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities of all outstanding debt of the City of Sachse, not otherwise provided for, a tax of \$0.185000 on each One Hundred Dollars (\$100) assessed value of taxable property within the City of Sachse, and shall be applied to the payment of interest and maturities of all such outstanding debt of the City.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 11.22 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATION ON A \$100,000 HOME BY APPROXIMATELY \$13.25.

SECTION 2. All ad valorem taxes shall become due and payable on October 1, 2015, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2016. There shall be no discount for payment of taxes prior to February 1, 2016. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

- (a) A penalty of six percent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.
- (b) Provided, however, a tax delinquent on July 1, 2016, incurs a total penalty of twelve percent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2015 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2015 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2014 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

SECTION 3. The taxes are payable at the Dallas County Tax Office if the property is located in Dallas County, or, at the Collin County Tax Office if the property is located in Collin County.

SECTION 4. 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 5. The tax roll as presented to the City Council, together with any supplements thereto, be and the same are hereby approved.

SECTION 6. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance which shall remain in full force and effect.

SECTION 7. All ordinances of the City of Sachse, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 8. This Ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the _____ day of September, 2015.

APPROVED:

Mike Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:



Peter G. Smith
City Attorney
(PGS 9-9-15 TM 73206)



Legislation Details (With Text)

File #: 15-2997 **Version:** 1 **Name:** Ratify property tax increase
Type: Agenda Item **Status:** Agenda Ready
File created: 9/1/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**
Title: Motion to ratify the property tax increase in the budget for Fiscal Year 2015-2016.

Sponsors:

Indexes:

Code sections:

Attachments: [Budget Cover Page](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Motion to ratify the property tax increase in the budget for Fiscal Year 2015-2016.

Executive Summary

According to Texas Local Government Code Section 102.007, "Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law."

Background

The Proposed 2015-2016 Fiscal Year Budget calls for \$1,225,879 more in property taxes than the previous year's budget.

Policy Considerations

This action is a required step in adoption of the Budget and Tax Rate.

Budgetary Considerations

None.

Staff Recommendations

Make a motion to ratify the property tax increase in the budget for Fiscal Year 2015-2016.

City of Sachse

Fiscal Year 2015–2016

Budget Cover Page

This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,225,879, which is a 12.24 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$790,560.

The members of the governing body voted on the budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Property Tax Rate Comparison

	2015-2016	2014-2015
Property Tax Rate:	\$0.757279/100	\$0.770819/100
Effective Tax Rate:	\$0.713377/100	\$0.718590/100
Effective Maintenance & Operations Tax Rate:	\$0.514560/100	\$0.503751/100
Rollback Tax Rate:	\$0.757279/100	\$0.771246/100
Debt Rate:	\$0.185000/100	\$0.211785/100

Total debt obligation for City of Sachse secured by property taxes: \$2,992,459



Legislation Details (With Text)

File #: 15-3006 **Version:** 1 **Name:** Ordinance Amending Solid Waste
Type: Agenda Item **Status:** Agenda Ready
File created: 9/2/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**
Title: Consider a resolution amending the Master Fee Schedule adopted by Resolution 3433 by amending Solid Waste Rates for residential service effective October 1, 2015.

Sponsors:

Indexes:

Code sections:

Attachments: [Republic Services Rate Request 2015 Resolution](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Consider a resolution amending the Master Fee Schedule adopted by Resolution 3433 by amending Solid Waste Rates for residential service effective October 1, 2015.

Executive Summary

The current contract for solid waste services with Republic Services states that the fee structure will include a "base rate adjustment for CPI, and Disposal..." and that "any proposed increase will be subject to City Council approval and any justifiable increase shall not be unreasonably withheld." The requested increase is related to disposal cost only associated with a landfill increase; no adjustment for CPI is included.

Background

FISCAL IMPACT:

Residential Service	Proposed Rate	Current Rate	ChangePercent Change	
Solid Waste	7.43	7.37	0.06	0.8%
Recycling	2.47	2.45	0.02	0.8%
Bulk	2.89	2.87	0.02	0.7%
Admin Fee	0.26	0.26	0.00	0.0%
Franchise Fee	0.50	0.50	0.00	0.0%
Sales Tax	<u>1.08</u>	<u>1.08</u>	<u>0.00</u>	<u>0.0%</u>

Total Billing	14.63	14.53	0.10	0.7%
Extra Poly Cart	6.44	6.39	0.05	0.8%

Policy Considerations
None.

Budgetary Considerations

The fees as outlined are pass-through costs, with the exception of franchise and administrative costs, which are not being adjusted at this time.

Staff Recommendations

Approve a resolution amending the Master Fee Schedule adopted by Resolution 3433 by amending Solid Waste Rates for residential service effective October 1, 2015.



August 17, 2015

Gina Nash
City Manager
City of Sachse
3815 Sachse Rd
Sachse, Texas 75048

Dear Ms. Nash:

Allied Waste Services is pleased to be the provider of solid waste and recycling services to the City of Sachse and appreciates your patronage. We enjoy working with community and look forward to continuing our partnership in the years to come.

This letter is to notify you of the annual CPI-U rate adjustment for your city. The most recent copy of the Consumer Price Index for the Dallas area indicates no increase in operations. In addition there has been a landfill increase of 2.53% in January 2015; this would be a combined rate adjustment of 0.76% or \$0.10 per month per household. The following page details our calculations of the increase, with a requested effective date of October 1, 2015.

We hope that you will agree that our service provides your community with superior quality solid waste and recycling collection. We look forward to our continued partnership.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Bernas", with a stylized flourish at the end.

Rick Bernas
Municipal Services Manager

RECEIVED AUG 26 REC'D

CITY OF SACHSE

RATE SCHEDULE

EFFECTIVE OCTOBER 1, 2015

RESIDENTIAL

Solid Waste: 1 x week	\$ 7.43
Recycle: Every other week	\$ 2.47
Brush & Bulk: 1 x mth limit of 12 cu yards special p/u \$95/hr one hour minimum	\$ 2.89
 Extra Trash Cart	 \$ 6.44
Extra Recycle Cart	\$0.00
 Commercial Cart	 \$ 25.01
Extra Cart	\$ 10.74
 Replacement cost for cart: Lost, stolen or destroyed	 \$ 75.00
 Free Service provided to city facilities	 N/C
10 - 30yd rolloff provided three times per year for cleanups	N/C
Christmas tree recycling picked up two times during a 2 week period	N/C

Total
\$ 12.79

Commercial and Industrial : Open Market

City to charge administrative and franchise fees

CITY OF SACHSE

				100.76%	
CPI		Current	New		
May 2015	\$ 218.48	Trash	\$ 7.37	\$ 7.43	
May 2014	\$ 218.48	Recycle	\$ 2.45	\$ 2.47	
change	0.00	Bulk	\$ 2.87	\$ 2.89	\$ 12.79
% change	0.00%		12.69	12.79	0.10 inc/hme
Cost Factor	70.00%				
Net Increase	0.00%	Extra cart	\$ 6.39	\$ 6.44	
Disposal					
Jan 2015	\$ 30.37	Comml H/C	24.82	25.01	
Jan 2014	\$ 29.62	Extra	\$ 10.66	10.74	
change	0.75				
% change	2.53%				
Cost Factor	30.00%				
Net Increase	0.76%				
Total Increase	0.76%				

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AMENDING THE MASTER FEE SCHEDULE ADOPTED BY RESOLUTION 3433 BY AMENDING SOLID WASTE RATES FOR RESIDENTIAL SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Council desires to amend the Master Fee Schedule adopted by Resolution 3433, as provided herein.

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

SECTION 1. The Master Fee Schedule adopted by Resolution 3433 is hereby amended by amending Solid Waste rates for residential service, as set forth in the attached Exhibit "A".

SECTION 2. This Resolution shall take effect immediately from and after its passage, and it is so accordingly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Sachse, Texas, this the 14th day of September, 2015.

CITY OF SACHSE, TEXAS

Mike Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary

**Exhibit A
MASTER FEE SCHEDULE FY 2016**

Effective 10/01/2015

ANIMAL CONTROL	
Adoption fee for cats/kittens and dogs/puppies (Fee includes sterilization/combo vaccine/rabies vaccine and microchip)	\$80.00
Adoption fee for cats/kittens and dogs/puppies already sterilized (Fee includes combo vaccine/rabies vaccine and microchip)	\$25.00
Dangerous dog annual registration	\$100.00
Pot-bellied Pig Permit (annual per animal)	\$20.00
Pigeon permit (fancy or racing loft) (annual)	\$5.00
Dog and Cat Permit & tags	
Application Fee w/o spayed or neutered proof	\$7.00
Application Fee w spayed or neutered proof	\$2.00
Replacement tag (w original registration proof)	\$1.00
BUILDING & BUILDING REGULATIONS	
Care of public trees in street or right of way	Hourly fee based on current hourly wage of City Maint. Workers
BUILDING PERMIT FEE SCHEDULE	
Total Valuation	
\$1.00 to \$500	\$25.00
\$501 to \$2,000	\$25.00 for the first \$500 + \$3.05 for each additional \$100
\$2001 to \$25,000	\$69.25 for the first \$2,000 + \$14 for each additional \$1,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 + \$10 for each additional \$1,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 + \$7 for each additional \$1,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 + \$5.60 for each additional \$1,000
\$501,000 to \$1,000,000	\$3,233.75 for the first \$500,000 + \$4.75 for each additional \$1,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 + \$3.65 for each additional \$1,000
RESIDENTIAL HOMES	
Residential Plan Review fee (New single-family homes)	30% of total building permit fee (based on Building Permit Fee Schedule)
New home construction	\$70.00 per square foot (including garages, porches, and/or patios)
Residential Remodel/Addition	\$70.00 per square foot (including garages, porches, and/or patios)
COMMERCIAL PLANS	
Commercial Plan Review Fee (New Construction & Remodel)	30% of total building permit fee (based on Building Permit Fee Schedule)
LICENSES AND CONTRACTOR REGISTRATION	
Plumber - Master Registration	\$100.00
Electrician - Master Registration	\$100.00
Electrician - Journeyman Registration	\$50.00
Electrician - Residential Specialist	\$25.00
Mechanical - License Holder Registration	\$50.00
Backflow Specialist - Testers Registration	\$50.00
Irrigation License Holder Registration	\$50.00

**MASTER FEE SCHEDULE
FY 2016**

Effective 10/01/2015

SWIMMING POOLS	
Storable Swimming Pool	\$25.00
Above Ground Swimming Pool	\$100.00
In-Ground Swimming Pool	\$250.00
Spa / Hot Tub	\$100.00
PLUMBING PERMITS	
For issuing each permit	\$20.00
For issuing each supplemental permit	\$10.00
<i>Unit Fee Schedule (in addition to initial and supplemental permit fee)</i>	
1. For each fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection device therefore:)	\$7.00
2. For each building sewer and each trailer park sewer	\$15.00
3. Rainwater systems-per drain (inside building)	\$7.00
4. For each cesspool	\$25.00
5. For each private sewage disposal system	\$40.00
6. For each water heater and/or vent	\$15.00
7. For each gas piping system of one to five outlets	\$5.00
8. For each additional gas piping system outlet, per outlet	\$1.00
9. For each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps	\$7.00
10. For each installation, alteration or repair of water piping and/or water treating equipment	\$7.00
11. For each repair or alteration of drainage or vent piping, each fixture	\$7.00
12. For each lawn sprinkler system on any one meter including backflow protection devices	\$7.00
13. For atmospheric-type vacuum breakers not included in item 12	
1 to 5	\$5.00
over 5 (each)	\$1.00
14. For each backflow protective device other than atmospheric type vacuum breakers:	
2-inch diameter and smaller	\$7.00
Over 2-inch diameter	\$15.00
MECHANICAL PERMIT FEE SCHEDULE	
Initial Fee For the issuance of each permit	\$30.00

MASTER FEE SCHEDULE

FY 2016

	Effective 10/01/2015
New (Fee for inspecting heating, ventilating, ductwork, air-conditioning, exhaust, venting, combustion air, pressure, vessel, solar, fuel oil and refrigeration systems and appliance installation)	\$15.00 for the first \$1,000.00 valuation plus \$5.00 for each additional \$1,000.00 or fraction thereof
Repair (Fee for inspecting repairs, alterations and additions to an existing system)	\$10.00 for the first \$1,000.00 valuation plus \$3.00 for each additional \$1,000.00 or fraction thereof
<i>Fee for inspecting boilers (based upon BTU input)</i>	
33,000 BTU (1 BHp) to 165,000 BTU (5 BHp)	\$15.00
165,001 BTU (5 BHp to 330,000 BTU (10 BHp)	\$25.00
330,001 BTU (10 BHp) to 1,165,000 BTU (52 BHp)	\$45.00
1,165,001 BTU (52 BHp) to 3,300,000 BTU (98 BHp)	\$75.00
Over 3,300,000 BTU (98 BHp)	\$100.00
<i>Fee for inspecting fuel-gas piping shall be as follows:</i>	
For each gas-piping system of 1 to 4 outlets	\$8.00
For each gas-piping system, additional outlets over 5 (each)	\$2.00
<i>SIGN PERMITS</i>	
Permanent (per sign)	\$75.00
Temporary (per sign)	\$25.00
Repair (per sign)	\$25.00
Sign Variance	\$150.00
<i>CERTIFICATE OF OCCUPANCY</i>	
	\$50.00
<i>OTHER PERMITS & FEES</i>	
Lawn Irrigation Permit	\$50.00
Antenna Permit - Private	\$35.00
Electrical Permit - Residential	\$40.00
Electrical Permit - Non-Residential	\$50.00
Plumbing Permit - Residential	\$40.00
Plumbing Permit - Non-Residential	\$50.00
Demolition of Residential Structure Permit	\$75.00
Demolition of Commercial Structure Permit	\$75.00
Fence Permit - Residential	\$35.00
Fence Permit - Non-Residential	\$70.00
Screen Wall	\$50.00
Flatwork (patios, driveways, pads, sidewalks)	Based on Valuation of Construction Materials Only - See Building Permit Fee Schedule
Accessory Building in excess of 120 square feet	Based on Valuation of Construction Materials Only - See Building Permit Fee Schedule
Stock Tank	\$50.00
All Other Permits for work that increases value of the property (examples include but are not limited to foundation repair, flag poles, residential roofing)	\$25.00

**MASTER FEE SCHEDULE
FY 2016**

	Effective 10/01/2015
Inspections outside of normal business hours	\$50.00 per hour
Re-inspection Fees	\$50.00 per inspection
Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour
For use of outside consultants for plan checking and inspections or both (actual costs include administrative and overhead costs)	Actual costs
TaxiCab and Limosine Permit per vehicle per year	\$200.00
Massage Establishment (permit per year)	\$400.00
Solitation Registration Fee (not to exceed 90 days)	\$30.00 plus \$10.00 per additional person
Sexually-oriented business license (initial and renewal)	\$500.00
HEALTH AND SANITATION	
Health Permit	\$150.00
Temporary Food Sales	\$50.00
Alcohol Permit	The fee shall equal one-half of the state fee for each permit.
Liquid Waste Transport Permit	\$25.00 each vehicle
FIRE DEPARTMENT	
INSTALLATION/REPLACEMENT/RE-MODEL OF FIRE PROTECTION SYSTEMS	
Plan Review Fee	\$100
Fire Sprinkler Installation Permit (Per building)	
1 to 100 sprinklers	\$275
101 to 200 sprinklers	\$325
201 to 300 sprinklers	\$350
301 to 400 sprinklers	\$375
401 to 500 sprinklers	\$425
Over 500 sprinklers	\$500.00 + \$0.33 each sprinkler over 500
Fire Alarm Installation Permit (Per building)	
Less than 10 devices	\$50.00
11 to 25 devices	\$75.00
25 to 100 devices	\$150.00
100 to 200 devices	\$200.00
More than 200 devices	\$400.00
Fire Alarm Panel Replacement Only	\$100.00
Hydro & Flush (Per System)	\$50.00
Fire Pump (Per System)	\$50.00
Hydrant Flow Test (2 Hydrants)	\$50.00
Work started without a permit	\$100.00 + Required Fee
Fire Dept. Permit Replacement	\$10.00

**MASTER FEE SCHEDULE
FY 2016**

	Effective 10/01/2015
Replacement Job Site plan re-stamp	\$15.00
Vent/Hood/Booth Extinguishing System (Per System)	\$50.00
2nd and subsequent re-inspections Fee	\$50.00 per re-inspection
<i>FIRE DEPARTMENT INSPECTION/OCCUPANCY PERMIT</i>	
Carnivals and Fairs	\$50.00
Exhibits and Trade Shows	\$50.00
Temporary Structures, Tents or Canopies (Used for permits not included in a Community Development permit fee)	\$50.00
In-Home Day Care Certificate of Occupancy	\$50.00
Multi-Family Certificate of Occupancy	\$25.00
Foster Care/Adoption Home Inspection	\$25.00
Dangerous Building Abatement Admin Fee	\$250.00
After Hour Inspection Fee	\$50/hr min 2hr/\$100.00
<i>FIRE DEPARTMENT PERMIT</i>	
Outdoor/Open Burning	\$150.00
Pyrotechnic Special Effects	\$100.00
Hazardous Material Response Reimbursement	\$400.00/hr for each engine and \$200.00/hr for each ambulance plus supplies
Fire Watch/Stand-by	\$50.00 per/hr for each Fire employee
<i>AMBULANCE SERVICE</i>	
ALS (Resident) *Residents. Waive co-pay and deductible	\$650.00
ALS (Non-Resident)	\$650.00
ALS2 (Resident) *Residents. Waive co-pay and deductible	\$750.00
ALS2 (Non-Resident)	\$750.00
SCT	N/A
BLS (Resident) *Residents. Waive co-pay and deductible	\$550.00
BLS (Non-Resident)	\$550.00
Mileage	\$12.00
Oxygen	\$110.00
BLS supplies	\$250.00
ALS supplies	\$350.00
Extrication	\$500.00
Technology fee	\$10.00
No transport	\$150.00
Extra attendant	\$75.00

MASTER FEE SCHEDULE

FY 2016

Effective 10/01/2015

ZONING	
Standard Zoning	\$325.00 per request, plus \$15.00 per acre
Special Use Permit	\$650.00
Planned Development Zoning Request	\$750.00 per request, plus \$15.00 per acre
Planned Development Text Amendment to Ordinance	\$400.00
Temporary Special Use Permit	\$25.00
Zoning Verification Letter	\$150.00
SUBDIVISION / PLAT APPLICATIONS	
Preliminary Plat	\$350.00 per plat, plus \$15.00 per acre
Final Plat, Replat, Conveyance Plat	\$450.00 per plat, plus \$15.00 per acre
Minor Plat, Amending Plat, Vacating Plat	\$350.00 per plat, plus \$15.00 per acre
BOARD OF ADJUSTMENT	
Variance Request	\$200.00
Board of Appeals Request	\$100.00
ENGINEERING	
Traffic Calming Application	\$50.00
Engineering Inspection Fees	4.5% of cost of public improvements
Floodplain Permit	\$100.00
Grading Permit	\$100.00
Construction Plan Review	\$300.00
TEMPORARY RETAIL AND SEASONAL SALES	
Temporary Seasonal Sales (Church, school, civic and city sponsored events are exempt from this permit fee.)	\$200.00
Temporary Food Sales Permit (Must be obtained from the Dallas County Health Department and applies to all applicants that are providing food products.)	See Health & Sanitation Section
Temporary Retail Sales (Five (5) consecutive days, at six (6) month intervals by the same merchant holding Certificate of Occupancy.)	\$50.00
Electrical Fee, if applicable	\$15.00
LIBRARY	
<i>The fees for failure to return library materials within the time allowed:</i>	
Book (per day)	\$0.10
DVD (per day)	\$1.00
CD (per day)	\$0.10
E-book readers (per day)	\$5.00
Copies (Copier)	\$0.10

MASTER FEE SCHEDULE

FY 2016

Effective 10/01/2015	
Copies (Computer printer)	\$0.25
MUNICIPAL COURT	
Building Security Fund (State Statute)	\$3.00
Technology Fund (State Statute)	\$4.00
Granting Defensive Drive Course	Not to exceed \$10.00
Dismissal fee for certain traffic cases	\$10 or \$20 depending on offense type
Warrant Fee	\$50.00
PARKS & RECREATION	
<i>BALL FIELD RESERVATIONS AND DEPOSITS</i>	
Families, churches, businesses, organizations or individuals requesting to reserve ball field(s) shall be charged as follows (based on daily rates)	
Reservation fee	\$ 25.00/field up to 4 hours (Additional \$10.00 per field for each hour over 4 hours)
Light key deposit	\$25.00
Clean-up deposit (For tournaments and/or concession stand use)	\$50.00
<i>COVERED PICNIC FACILITIES AND CITY COMPLEX AMPHITHEATER FEES (BASED ON DAILY RATES)</i>	
Reservation fee	\$ 25.00/rental up to 4 hours (Additional \$10.00 per hour for each hour over 4)
Light key deposit	\$0.00
Reservation fee for restrooms during Amphitheater rental	\$ 25.00/hour
<i>FACILITY FEES</i>	
<i>Library Meeting Room & Old City Hall Meeting Room</i>	
Deposit (without food served)	\$25.00
Deposit (with food served)	\$50.00
Deposit (VGA/Audio Cable) Library Meeting Rm	\$15.00
Room rental (Non-profits)	None
Room rental (groups other than non-profits)	\$25.00
<i>Senior Activity Center Multi-Purpose Room A</i>	
Deposit	\$100.00
Room Rental	\$25.00/hour
<i>SENIOR CENTER</i>	
Senior Center (Resident)	\$ 6.00 per year
Senior Center (Non-Resident)	\$12.00 per year
Daily Pick-Up/Drop-Off for Seniors (Residents only and for locations only within the City)	\$0.50/one way or \$1.00 roundtrip

MASTER FEE SCHEDULE

FY 2016

Effective 10/01/2015

SOLID WASTE	
Residential	
Trash Collection	\$7.43
Recycle Collection	\$2.47
Bulk Collection	\$2.89
Residential Franchise Fees	\$0.50
Additional Polycart	\$6.44
Administrative Fee	\$0.26
Polycart replacement Fee	\$75.00
PARK LAND DEDICATION	
Park Land dedication by developers	\$1,100 per residential lot; \$600 per multi-family dwelling unit
IMPACT FEE (State requires update every 5 years)	
ROADWAY IMPACT FEE	
Land Use Category	
Port and Terminal	
Truck Terminal (acre)	\$15,880.78
Industrial	
General Light Industrial (1,000 SF GFA)	\$2,356.57
General Heavy Industrial (1,000 SF GFA)	\$458.80
Industrial Park (1,000 SF GFA)	\$2,085.46
Warehousing (1,000 SF GFA)	\$771.62
Mini-Warehouse (1,000 SF GFA)	\$625.64
Residential	
Single-Family Detached Housing (Dwelling Unit)	\$2,450.42
Apartment / MultiFamily (Dwelling Unit)	\$1,501.53
Residential Condominium/ Townhome (Dwelling Unit)	\$1,261.70
Mobile Home Park / Manufactured Housing (Dwelling Unit)	\$1,428.54
Senior Adult Housing-Detached (Dwelling Unit)	\$656.92
Senior Adult Housing-Attached (Dwelling Unit)	\$385.81
Assisted Living (Beds)	\$531.79
Lodging	
Hotel (Room)	\$761.55
Motel / Other Lodging Facilities (Room)	\$761.51
Recreational	
Golf Driving Range (Tee)	\$3,034.34
Golf Course (acre)	\$729.91
Recreational Community Center (1,000 SF GFA)	\$2,063.42
Ice Skating Rink (Seats)	\$291.96
Miniature Golf Course (Hole)	\$802.90

MASTER FEE SCHEDULE

FY 2016

	Effective 10/01/2015
Multiplex Movie Theater (Screens)	\$16,076.19
Racquet / Tennis Club (Court)	\$8,122.87
<i>Institutional</i>	
Church (1,000 SF GFA)	\$0
Day Care Center (1,000 SF GFA)	\$2,537.90
Primary / Middle School (1-8) (Students)	\$385.81
High School (Students)	\$312.82
Junior / Community College (Students)	\$291.96
University / College (Students)	\$510.94
<i>Medical</i>	
Clinic (1,000 SF GFA)	\$6,277.74
Hospital (Beds)	\$2,200.15
Nursing Home (Beds)	\$531.79
Animal Hospital / Veterinary Clinic (1,000 SF GFA)	\$4,577.59
<i>Office</i>	
Corporate Headquarters Building (1,000 SF GFA)	\$2,549.48
General Office Building (1,000 SF GFA)	\$2,705.89
Medical-Dental Office Building (1,000 SF GFA)	\$6,287.66
Single Tenant Office Building (1,000 SF GFA)	\$3,143.83
Office Park (1,000 SF GFA)	\$2,690.24
<i>Commercial – Automobile Related</i>	
Automobile Care Center (1,000 SF Occ. GFA)	\$4,921.69
Automobile Parts Sales (1,000 SF GFA)	\$8,258.42
Gasoline / Service Station (Vehicle Fueling Position)	\$19,373.92
Gasoline / Service Station w Conv Market (Vehicle Fueling Position)	\$14,274.97
Gasoline / Service Station w/ Conv Market and Car Wash (Vehicle Fueling Position)	\$14,869.33
New Car Sales (1,000 SF GFA)	\$5,025.96
Quick Lubrication Vehicle Shop (Servicing Bays)	\$6,287.66
Self-Service Car Wash (Stall)	\$6,715.18
Tire Store (1,000 SF GFA)	\$7,246.97
<i>Commercial – Dining</i>	
Fast Food Restaurant with Drive-Thru Window (1,000 SF GFA)	\$12,057.22
Fast Food Restaurant without Drive-Thru Window (1,000 SF GFA)	\$4,441.03
High Turnover (SitDown) Restaurant (1,000 SF GFA)	\$1,903.33
Quality Restaurant (1,000 SF GFA)	\$1,268.79
Coffee / Donut Shop with Drive-Thru Window (1,000 SF GFA)	\$10,788.44
<i>Commercial – Other Retail</i>	
Free-Standing Retail Store (1,000 SF GFA)	\$4,363.83

MASTER FEE SCHEDULE

FY 2016

	Effective 10/01/2015
Nursery (Garden Center) (1,000 SF GFA)	\$3,686.05
Home Improvement Superstore (1,000 SF GFA)	\$1,496.32
Pharmacy / Drugstore without Drive-Thru Window (1,000 SF GFA)	\$4,796.56
Pharmacy / Drugstore with Drive-Thru Window (1,000 SF GFA)	\$6,397.15
Shopping Center (1,000 SF GFA)	\$2,982.21
Supermarket (1,000 SF GFA)	\$8,143.72
Toy / Children's Superstore (1,000 SF GFA)	\$4,233.49
Department Store (1,000 SF GFA)	\$1,511.96
Video Rental Store (1,000 SF GFA)	\$16,485.56
Services	
Walk-In Bank (1,000 SF GFA)	\$17,642.99
Drive-In Bank (Drive-In Lanes)	\$33,179.67
Hair Salon (1,000 SF GFA)	\$2,815.37
WATER IMPACT FEE	
Simple 5/8" X 3/4"	\$2,521.69
Simple-Residential 3/4"	\$2,521.69
Simple-Commercial 3/4"	\$3,782.54
Simple 1"	\$6,304.24
Simple 1 1/2"	\$12,608.48
Simple 2"	\$20,173.57
Compound 2"	\$20,173.57
Turbine 2"	\$25,216.95
Compound 3"	\$40,347.13
Turbine 3"	\$60,520.70
Compound 4"	\$63,042.39
Turbine 4"	\$105,911.22
Compound 6"	\$126,084.78
Turbine 6"	\$231,996.00
Compound 8"	\$201,735.65
Turbine 8"	\$403,471.30
Compound 10"	\$289,995.00
Turbine 10"	\$630,423.91
Turbine 12"	\$832,159.56
WASTEWATER IMPACT FEE (Meter Equivalent)	
Simple 5/8" X 3/4"	\$1,857.68
Simple-Residential 3/4"	\$1,857.68
Simple-Commercial 3/4"	\$2,786.53
Simple 1"	\$4,644.21
Simple 1 1/2"	\$9,288.42
Simple 2"	\$14,861.47
Compound 2"	\$14,861.47
Turbine 2"	\$18,576.83

**MASTER FEE SCHEDULE
FY 2016**

	Effective 10/01/2015
Compound 3"	\$29,722.94
Turbine 3"	\$44,584.40
Compound 4"	\$46,442.09
Turbine 4"	\$78,022.71
Compound 6"	\$92,884.17
Turbine 6"	\$170,906.88
Compound 8"	\$148,614.68
Turbine 8"	\$297,229.36
Compound 10"	\$213,633.60
Turbine 10"	\$464,420.87
Turbine 12"	\$613,035.55

**UTILITY MULTI YEAR
MASTER FEE SCHEDULE**

WATER	Effective 10/01/2015	Effective 10/01/2016	Effective 10/01/2017	Effective 10/01/2018
Water Meter Base Rate by meter size (Residential)				
5/8" - 3/4"	\$12.31	\$14.15	\$15.57	\$16.50
1"	\$12.31	\$14.15	\$15.57	\$16.50
1.5"	\$12.31	\$14.15	\$15.57	\$16.50
2"	\$12.31	\$14.15	\$15.57	\$16.50
Water Meter Base Rate by meter size (Non-Residential)				
5/8" - 3/4"	\$12.31	\$14.15	\$15.57	\$16.50
1"	\$19.46	\$22.38	\$24.62	\$26.10
1.5"	\$31.44	\$36.15	\$39.77	\$42.16
2"	\$45.78	\$52.65	\$57.92	\$61.39
3"	\$85.60	\$85.60	\$85.60	\$85.60
4"	\$114.10	\$114.10	\$114.10	\$114.10
6" and above	\$285.30	\$285.30	\$285.30	\$285.30
Water Meter Base Rate by meter size (Irrigation)				
5/8" - 3/4"	\$12.31	\$14.15	\$15.57	\$16.50
1"	\$19.46	\$22.38	\$24.62	\$26.10
1.5"	\$31.44	\$36.15	\$39.77	\$42.16
2"	\$45.78	\$52.65	\$57.92	\$61.39
3"	\$85.60	\$85.60	\$85.60	\$85.60
4"	\$114.10	\$114.10	\$114.10	\$114.10
6" and above	\$285.30	\$285.30	\$285.30	\$285.30
Tier Rate Detail by water usage per 000's gallons				
0-10,000	\$4.26	\$4.89	\$5.38	\$5.71
10,0001-15,000	\$5.30	\$6.10	\$6.71	\$7.11
15,001-20,000	\$6.38	\$7.34	\$8.07	\$8.56
20,001-30,000	\$7.45	\$8.56	\$9.42	\$9.98
Over 30,000 gallons	\$8.51	\$9.79	\$10.77	\$11.41
Water Meter Deposits				
5/8" - 3/4"	\$100.00	\$100.00	\$100.00	\$100.00
1"	\$150.00	\$150.00	\$150.00	\$150.00
1.5"	\$175.00	\$175.00	\$175.00	\$175.00
2"	\$200.00	\$200.00	\$200.00	\$200.00
3"	\$300.00	\$300.00	\$300.00	\$300.00
Water Meter Deposits				
4"	\$400.00	\$400.00	\$400.00	\$400.00
6" and above	\$600.00	\$600.00	\$600.00	\$600.00
Multi-family Unit	\$100.00	\$100.00	\$100.00	\$100.00
Real Estate properties(per 5 units)	\$150.00	\$150.00	\$150.00	\$150.00
Late Charge	10%. Not to exceed \$50 per statement			
Disconnect/Reconnect Service Fee	\$35.00	\$35.00	\$35.00	\$35.00
Disconnect/Reconnect Fee (after 4 p.m.)	\$75.00	\$75.00	\$75.00	\$75.00
Returned Check Fee	\$35.00	\$35.00	\$35.00	\$35.00
Transfer Fee	\$10.00	\$10.00	\$10.00	\$10.00
Tampering Fee	\$250.00 minimum plus the actual costs of any damage to City property.	\$250.00 minimum plus the actual costs of any damage to City property.	\$250.00 minimum plus the actual costs of any damage to City property.	\$250.00 minimum plus the actual costs of any damage to City property.
Meter Testing	Reimburse the City actual costs of meter testing plus shipping and handling.	Reimburse the City actual costs of meter testing plus shipping and handling.	Reimburse the City actual costs of meter testing plus shipping and handling.	Reimburse the City actual costs of meter testing plus shipping and handling.
Meter Box	\$75.00	\$75.00	\$75.00	\$75.00
Meter Lid	\$25.00	\$25.00	\$25.00	\$25.00

**UTILITY MULTI YEAR
MASTER FEE SCHEDULE**

	Effective 10/01/2015	Effective 10/01/2016	Effective 10/01/2017	Effective 10/01/2018
Trip Charge	\$35.00	\$35.00	\$35.00	\$35.00
Obstruction Charge	\$10.00	\$10.00	\$10.00	\$10.00
Water Meter Installation Fee				
5/8" - 3/4"	\$225.00	\$225.00	\$225.00	\$225.00
1"	\$300.00	\$300.00	\$300.00	\$300.00
1.5"	\$520.00	\$520.00	\$520.00	\$520.00
2"	\$675.00	\$675.00	\$675.00	\$675.00
3" and above	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost
Installation Cost when tap is not present (single family and/or multi-family)				
Water Meter Installation Fee				
5/8" - 3/4"	\$225.00	\$225.00	\$225.00	\$225.00
1"	\$300.00	\$300.00	\$300.00	\$300.00
1.5"	\$520.00	\$520.00	\$520.00	\$520.00
Water Meter Installation Fee				
2"	\$675.00	\$675.00	\$675.00	\$675.00
3" and above	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost
Tap Fee				
5/8" - 3/4"	\$300.00	\$300.00	\$300.00	\$300.00
1"	\$300.00	\$300.00	\$300.00	\$300.00
1.5"	\$322.00	\$322.00	\$322.00	\$322.00
2"	\$345.00	\$345.00	\$345.00	\$345.00
3" and above	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost
Bore Fee				
5/8" - 3/4"	\$450.00	\$450.00	\$450.00	\$450.00
1"	\$500.00	\$500.00	\$500.00	\$500.00
1.5"	\$500.00	\$500.00	\$500.00	\$500.00
2"	\$500.00	\$500.00	\$500.00	\$500.00
3" and above	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost	Developer installs/bears cost
Fire Hydrant Meter				
Fire Hydrant Meter Deposit (refundable)	\$600.00	\$600.00	\$600.00	\$600.00
Fire Hydrant Meter Connect Fee	\$25.00	\$25.00	\$25.00	\$25.00
Fire Hydrant minimum monthly bill	\$25.00	\$25.00	\$25.00	\$25.00
SEWER				
Residential				
Meter	\$10.41	\$10.82	\$11.26	\$11.71
Volume charge per 1,000 gal.	\$5.79	\$6.02	\$6.27	\$6.52
Non-Residential				
5/8" - 3/4"	\$16.82	\$17.49	\$18.19	\$18.92
1"	\$27.51	\$28.61	\$29.76	\$30.95
1.5"	\$40.37	\$41.99	\$43.66	\$45.41
2" and above	\$53.33	\$55.46	\$57.68	\$59.99
Volume charge per 1,000 gal.	\$5.79	\$6.02	\$6.27	\$6.52



Legislation Details (With Text)

File #:	15-3013	Version:	1	Name:	CD - SACHSE CENTER ZONING
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	9/9/2015	In control:		In control:	City Council
On agenda:	9/14/2015	Final action:		Final action:	
Title:	Conduct a public hearing and consider an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.				

Sponsors:

Indexes:

Code sections:

- Attachments:** [Zoning Request Presentation](#)
[Ordinance](#)
[Attachment 1 - Ordinance 0342 Planned Development 1983](#)
[Attachment 2 - C-2 Zoning Requirements](#)
[Attachment 3 - Future Land Use Plan](#)
[Attachment 4 - Zoning Map](#)
[Attachment 5 - Property Owner Responses](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Conduct a public hearing and consider an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.

Executive Summary

The applicant is requesting a change of zoning for the property at 3802 Sachse Road from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use. The proposed property is undeveloped land at the southwest corner of Sachse Road and Miles Road. The Zoning Ordinance requires an SUP for the proposed restaurant with drive-through.

Background

The 1.0492-acre subject property is located at 3802 Sachse Road. The subject property is currently zoned as a Planned Development (PD-4) (see Attachment 1 - PD Ordinance). The applicant is requesting a zoning change to General Commercial (C-2) (See Attachment 2 - C-2 zoning requirements). In addition, the applicant is requesting a Special Use Permit to allow for a Restaurant with Drive-Through in the proposed building.

The current Future Land Use designation for the subject property is Planned Development (PD-4). (see Attachment 3 - Future Land Use Plan) The subject property was zoned as PD-4 upon the approval of Ordinance 342 for Park Lake Estates on August 22, 1983. (see Attachment 4 - Zoning Map) The property to the south and west retain a zoning designation of Planned Development (PD-4). The property was not platted into the development of Park Lake Estates, which developed within PD-4 to the south of the property.

Park Lake Church is located to the west of the subject property, and is the property owner of the tract of land between the subject tract and Blossom Drive. The subject property is bounded on the north by the Sachse Road Right-of-Way and on the east by the Miles Road Right-of Way.

Policy Considerations

The current Zoning Map and Future Land Use designation for the subject property is Planned Development (PD-4). The applicant is requesting a change of zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a Restaurant with Drive-Through use for the property located at 3802 Sachse Road. Pursuant to Schedule I, Permitted Uses of the City of Sachse Zoning Ordinance, a Special Use Permit is required for a Restaurant with Drive-Through use in the General Commercial (C-2) zoning district. A Restaurant use without a drive-through would be permitted in the General Commercial (C-2) zoning district.

The property is located at the corner of Sachse Road and Miles Road, two minor arterial roadways with high traffic volume. The property was included in the zoning change for Park Lake Estates (PD-4), but was never platted into the residential development, creating an orphan tract of land.

There is existing property zoned for commercial use at the northeast corner of Sachse Road and Miles Road, similarly located adjacent to residential property. Due to the location, property size, and adjacent traffic volumes, staff concludes that residential use is not the best use of the subject property. A change in zoning will result in a change to the Future Land Use Plan. Due to the limited size of the subject property (1 lot, 1.0492 acres), a separate agenda item for an amendment to the Future Land Use Plan was not prepared.

Public Notification

Notice of this public hearing was mailed to the property owner and all other property owners within 1,000 feet of the subject property, as indicated by the most recently approved municipal tax roll and as required by Texas Local Government Code and the City of Sachse

Code of Ordinances. A total of 165 notices were mailed on August 13, 2015. As of Wednesday, September 9, 2015, thirty-three responses were returned--two in favor, thirty opposed, and one response being recieved from a property owner outside of the 1,000 foot notice area. See Attachment 5 for returned responses within the notification area.

Budgetary Considerations

None.

Staff Recommendations

Staff recommends approval of an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.



Zoning Request Sachse Center

City Council Meeting
September 14, 2015

Overview

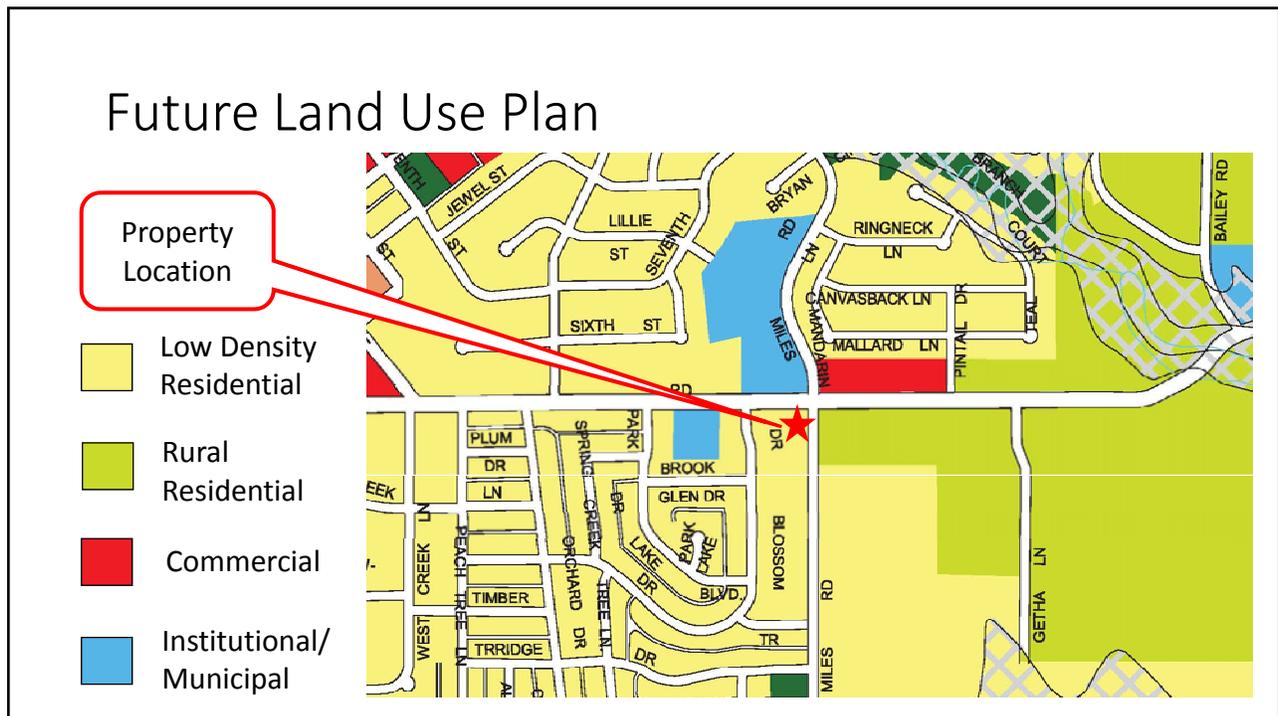
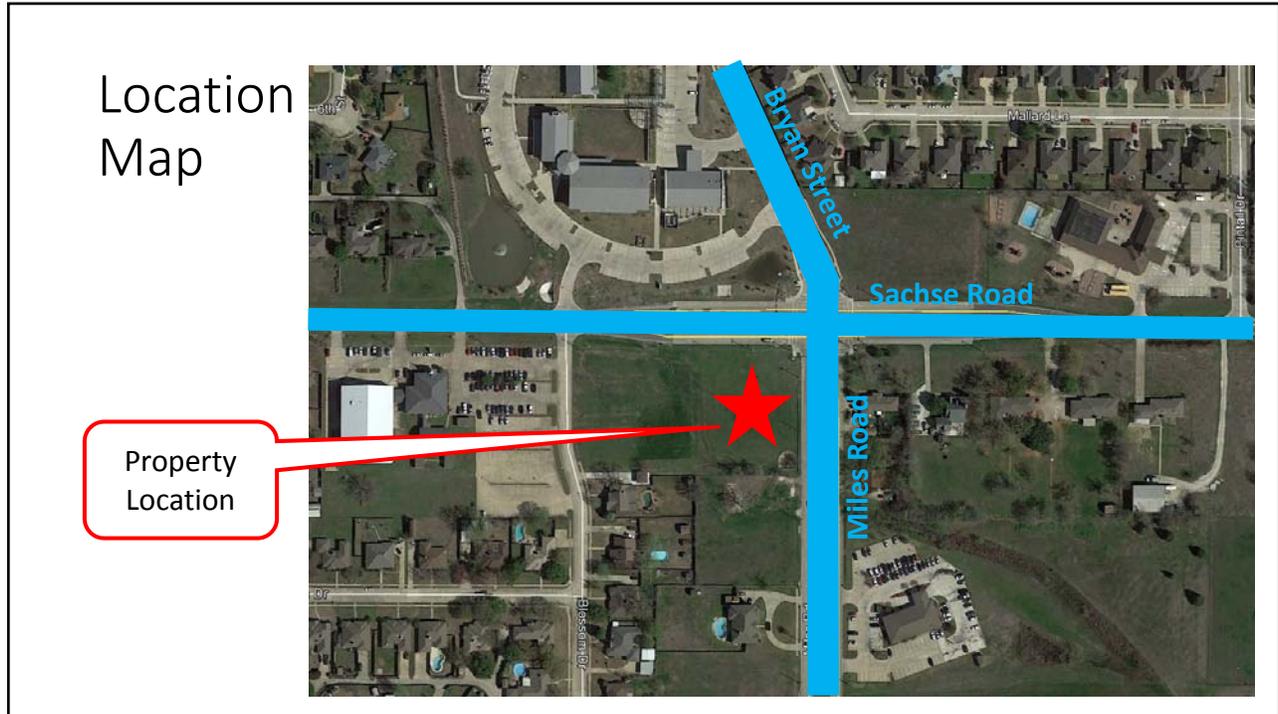
- Request
- Applicant & Property Information
- Location Map
- Future Land Use Plan
- Current Zoning
- Proposed Zoning
- Property Owner Responses
- Staff Findings
- Staff Recommendations
- Public Hearing
- City Council Consideration

Request

- Conduct a public hearing and consider a recommendation to the City Council of the City of Sachse, Texas of an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.

Applicant & Property Information

- Property Owner: Dana Global Investments, Inc.
- Property Size: 1.0492 Acres
- Property Location: 3802 Sachse Road
(Southwest Corner of Sachse Road & Miles Road)
- Proposed Use: 10,000 square feet of commercial use, including:
 - Restaurant with drive thru (drive thru requires a Special Use Permit)
 - Office
 - Retail



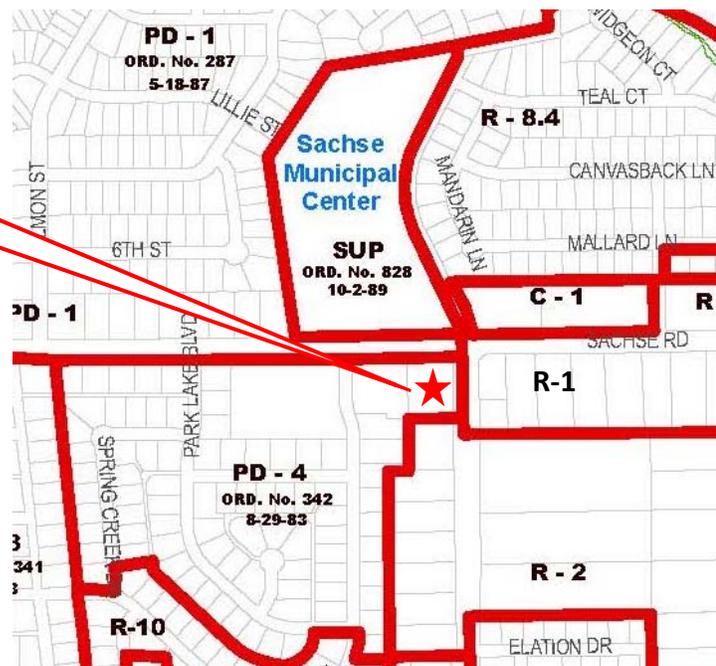
Current Zoning

Property
Location

Current Zoning: PD-4
City Ordinance 342 (8-29-1983)
Planned Development for Residential
(Park Lake Estates)
Underlying Zoning: R-4 (4 lots/acre)

Front Building Line: 25-feet
Side yard Setback: 10% of lot width
35% maximum lot coverage
Maximum Building Height: 2-stories

*Property was never platted with the
residential development of Park Lake Estates



Proposed Zoning

- **C-2 Commercial**
 - Front Yard Setback: 25 feet
 - Side Yard Setback: 15 feet (25 feet for side streets)
 - Rear Yard Setback: 25 feet (adjoining residential)
 - Maximum Building Height: 90 feet
 - City standard landscaping requirements
 - Masonry screen wall required along adjoining residential properties
- **Permitted uses**
 - The proposed uses of restaurant, office and retail are permitted in accordance with Schedule 1 in the Zoning Ordinance
 - The proposed use of a restaurant with drive thru requires a Special Use Permit for a drive thru

Property Owner Responses

- 165 notices sent to surrounding property owners
- As of Wednesday, 9/9/2015, staff received:
 - 2 returned in favor
 - 30 returned opposed
 - 1 from outside of the response area (not included)

Staff Findings

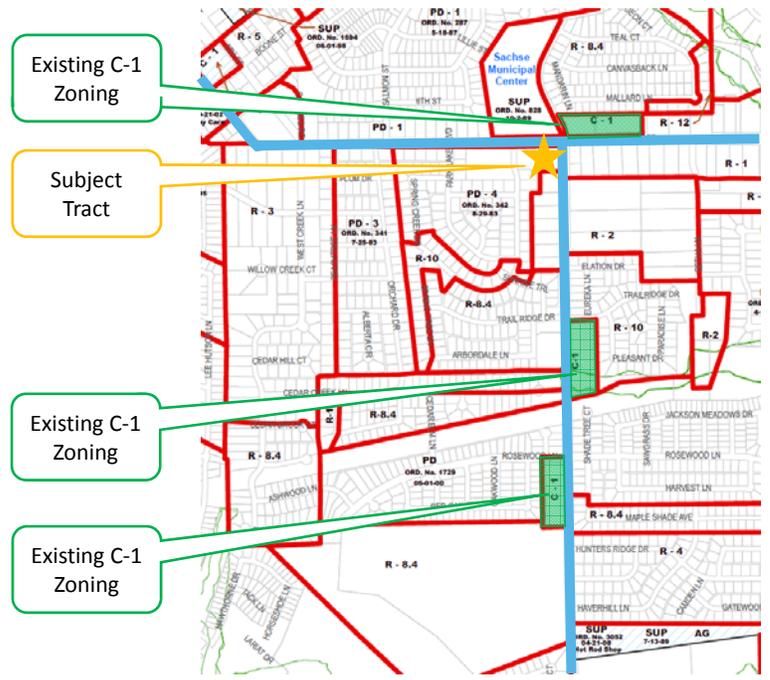
(prior to Planning & Zoning Commission Meeting on August 24th)

- The property is located at the corner of Sachse Road and Miles Road, two minor arterial roadways with high traffic volume.
- The property was included in the zoning change for Park Lake Estates, but was never platted into the residential development, creating an orphan tract of land.
- Due to the location, property size, and adjacent traffic volume, staff concludes that residential is not the best use of the subject property.
- A change in zoning will result in a change to the Future Land Use Plan. Due to the limited size of the property (1 lot, 1.0492 acres), a separate agenda item for a Future Land Use Plan was not prepared.

Planning & Zoning Hearing

- This item was presented to the Planning & Zoning Commission on August 24, 2015.
- The Planning & Zoning Commission voted to recommend to the City Council a zoning change of the property from PD-4 to C-1 without an SUP for a drive-thru.
- Staff has consulted with the City Attorney. The Planning & Zoning Commission is a recommending board and does not approve zoning changes, and thus may make recommendations to the City Council that differ from the Applicant's request.
- The recommendation made by the Planning & Zoning Commission was for a more restrictive zoning (C-1) than the Applicant's Request (C-2 with an SUP).

Locations of Nearby C-1 Zoning



C-1/C-2 Zoning Comparison - Description

C-1 Neighborhood Shopping District

- *4.1 General description. This commercial district is for the conduct of retail trade and personal service enterprises to meet the regular needs and for the convenience of people of adjacent residential areas. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational, and educational uses, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in the C-2 Commercial District.*

C-2 General Commercial District

- *5.1 General description. This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.*

C-1/C-2 Zoning Comparison – Allowable Uses

- The proposed uses identified by the applicant are allowed in both the C-1 and C-2 zoning districts, which include:
 - Restaurant
 - Retail
 - Office
- A drive thru for a restaurant requires an SUP for both C-1 and C-2 zoning districts.

C-1/C-2 Zoning Comparison - Table

C-1 Neighborhood Shopping District

- Maximum building height: 40-ft
- Maximum Building Size: 14,000 SF
- Exterior Walls: Masonry
- Front Yard Setback: 25-ft
- Side Yard Setback: 15-ft
- Side Street Setback: 25-ft
- Rear Yard Setback: 25-ft

C-2 General Commercial District

- Maximum building height: 90-ft
- Maximum Building Size: N/A
- Exterior Walls: Masonry
- Front Yard Setback: 25-ft
- Side Yard Setback: 15-ft
- Side Street Setback: 25-ft
- Rear Yard Setback: 25-ft

Staff Findings: C-1 versus C-2 Zoning District

- Staff finds that the intended uses of the Developer's property fit within the requirements of the C-1 zoning district. An SUP would still be required for the applicant's requested restaurant with drive thru.
- Staff spoke with the applicant after the Planning & Zoning Commission Meeting.
- The Applicant has expressed that they are amenable to a zoning of C-1 with an SUP for a drive thru restaurant, however, in order to maintain their current timeline, they have not modified their original request for C-2 with an SUP for a drive thru restaurant.
- Per the City Attorney, the City Council does have the option of approving a zoning change to C-1, because it is more restrictive than the requested C-2 zoning district.

Staff Recommendations

- Staff recommends approval of an ordinance of the City of Sachse, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with drive-through use on an approximately 1.0492 acre tract of land located at 3802 Sachse Road; providing special conditions; providing a repealing clause; providing a savings clause; providing a severability 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.

Public Hearing

Consideration by
the City Council

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT (PD-4) TO GENERAL COMMERCIAL (C-2) WITH A SPECIAL USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH USE ON AN APPROXIMATELY 1.0492 ACRE TRACT OF LAND LOCATED AT 3802 SACHSE ROAD; PROVIDING SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY 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 Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said zoning ordinance should be amended as provided herein;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby amended to grant a change in zoning from Planned Development (PD-4) to General Commercial (C-2) with a Special Use Permit for a restaurant with a drive through for the property located at 3802 Sachse Road, (hereinafter the "Property"), being situated in the City of Sachse, Dallas County, Texas, and being more particularly described as set forth in Exhibit "A", attached hereto and incorporated as if set forth herein, by reference for all purposes.

SECTION 2. That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, subject to the following special conditions:

1. The Special Use Permit shall be for a restaurant with a drive through.
2. The establishment be constructed and operated in accordance with the site plan attached hereto as Exhibit "B" and incorporated as if set forth herein.

SECTION 3. That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 4. 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 hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. 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 Sachse, 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 7. 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 by the City Council of the City of Sachse, Texas, on the _____ day of _____, 2015.

APPROVED:

Mike Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney

EXHIBIT "A"
Legal Description

EXHIBIT "B"
Site Plan

CITY OF SACHSE, TEXAS
ORDINANCE NO. 342

PARK LAKE ESTATES

An Ordinance amending basic Zoning Ordinance of the City of Sachse as enacted by the City Council by permitting the property described in Exhibit A to the ordinance to be used under Planned Development District No. 4 for single family dwellings. That Planned Development District No. 4 shall be granted regarding the property described in Exhibit A, subject, however, to the special conditions hereinafter more fully expressed; providing for a fine of not more than Two Hundred Dollars (200.00) for each violation thereof; providing for a Severability Clause; and providing for an effective date.

Whereas, the City Planning Commission of the City of Sachse and Governing Body of the City of Sachse, in compliance with the rules and regulations of the City of Sachse and the State Law, with reference to the granting of Planned Development Districts under the Zoning Ordinance Regulations, have given the requisite notices by publications and otherwise and after holding due hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use of improvement of the property described in Exhibit A, the Governing Body of the City of Sachse in of the opinion that said Planned Development District should be granted, subject to the conditions set out therein;

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE:

Section 1. That the basic Zoning Ordinances of the City of Sachse as enacted by the City Council be, and they are hereby amended insofar as they apply to the property described in Exhibit A which shall be used under Planned Development District No.4 for single family dwellings.

Section 2. That this Planned Development District No.4 for single family dwellings with reference to the property described in Exhibit A is approved and granted upon the following express condition, and adopted as part of the City of Sachse Zoning Ordinances.

- (1) Development Plan: There is attached and made part of this ordinance a Development Plan composed of one (1) plat for development titled Development Plan for Park Lake Estates. All development shall be in general conformance with the attached development plat.
- (2) Development Schedule: All development within the Planned Development District shall be in phases. Phase lines shown on the Development Plan are tentative, and may be required to be changed.
- (3) Subdivision Plat: A subdivision plat, meeting the requirement of the City of Sachse Subdivision Ordinances shall be submitted for each phase of development. Said plat shall be filed for record with the County Clerk, Dallas County, Texas.
- (4) Uses: The following lots shall meet the requirements of R-3 zoning, except Section 4.3(a) minimum building size 1800 square foot; Block A lots 1-5; Block C lots 1 and 12; Block E lot 1. All other lots will meet the requirements of R-4 zoning. Minimum building size on these lots will be 1525 square feet.

- (5) Building location: The main part of any building shall not be located closer to the front property line than twenty-five (25') feet. The main part of any building shall be no closer to the side property line than 10% of lot width (said width measured at the building line).
- (6) Maximum height: The maximum height of any building shall not exceed two (2) stories.
- (7) Living area: The minimum heated living area on any dwelling constructed on a single family lot shall be 1525 square feet or greater.
- (8) Entry garage: The entry to garage shall be side and rear entry only. Two car garage minimum.
- (9) Exterior construction: The exterior of any dwelling unit constructed in the Planned Development District shall be a minimum of 75% masonry construction.
- (10) Dedications: A minimum of fifty feet (50') wide street right-of-way shall be dedicated to the public and for public use.
- (11) Paving: All streets within the Planned Development District shall be paved, 29' width back to back of curb in 50' right-of-way widths. 5" thick concrete pavement meeting the requirements of the City of Sachse Specifications.
- (12) Sidewalks: Four foot (4') wide, four inch (4") thick sidewalks are required along each side of the streets constructed in the Planned Development District.
- (13) Utilities and Drainage: All onsite utilities shall be constructed to meet existing ordinances and specifications of the City of Sachse. Utilities will be constructed underground on interior lots within the Planned Development District, above ground where above ground utilities exists.
- (14) Lot Coverage: No less than thirty-five (35%) percent of the total gross land area shall be open space which is not used as building area, or for car traffic, either for maneuvering or parking. This open space shall be used for people, planting and visual appeal.
- (15) Alley Paving: 15' right-of-way with 10' of concrete paving.
- (16) Lot Size: All lots shall meet a minimum of 10,000 square feet in size.
- (17) Lot width without Alleys: The minimum lot width shall be 100 feet on all lots without an alley.

Section 3. That all paved areas, permanent drives, streets, and structures, if any, shall be constructed in a manner consistent with standards of Sachse Specifications adopted for such purpose.

Section 4. That any persons, firm, or corporation violating any of the terms and provisions of this ordinance shall be subject to the penalties provided herein.

Section 5. Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance, and same are deemed severable for this purpose.

Section 6. WHEREAS, it appears that the subject property of this Ordinance is to be used under Planned Development District No. 4 for single family dwelling and this Ordinance shall take effect immediately from and after its passage, in accordance with the provision of the Charter of the City of Sachse and it is accordingly ordained.

PASSED on this 29th day of August, 1983.

[Signature]
Mayor, City of Sachse

[Signature]
Attest: City Secretary, City of Sachse

Recommended for Approval this 22nd day of August, 1983.

[Signature]
Chairman, Planning and Zoning Commission

ORDINANCE NO. 342

All sewer lines and water lines to conform to the City Of Sachse Subdivision Requirements in effect at the time of passage of said Planned Development Zoning, and shall conform to the City's Master Water and Sewer Plan.

Electric, gas, and telephone lines to be placed in Easement Areas and to meet requirements of Subdivision Regulations and Railroad Commission requirements or as Texas Power and Light recommends.

EXHIBIT "A"

PROPERTY DESCRIPTION

Being a tract of land situated in the City of Sachse, Dallas County, Texas and being a part of the Robert McCullough Survey, Abstract No. 928, and being more particularly described as follows:

BEGINNING at the intersection of the South line of Sachse Road (100' ROW) and the West line of Miles Road (60' ROW);

THENCE South, along the West line of said Miles Road, 240.00 feet to an iron stake for corner;

THENCE West, 208.70 feet to an iron stake for corner;

THENCE South, 208.70 to an iron stake for corner;

THENCE West, 77.90 feet to an iron stake for corner;

THENCE South, 760.00 feet to an iron stake for corner;

THENCE East, 286.00 feet to an iron stake in the West line of said Miles Road, for corner;

THENCE South, along the West line of said Miles Road, 990.00 feet to an iron stake for corner;

THENCE N 89° 51' W, 1403.93 feet to an iron stake for corner;

THENCE N 5° 57' W, 2213.12 feet to an iron stake in the South line of said Sachse Road, for corner;

THENCE S 89° 47' E, along the South line of said Sachse Road, 1633.35 feet to the Place of Beginning and containing 70.683 acres of land.

EXHIBIT "A"

Being a tract of land located in the Robert McCullough Survey, Abstract No. 928, in Sachse, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South Line of Old State Highway 78 (also known as the Garland-Sachse-Wylie Road), said point being South 87 Degrees 30 Minutes West 1654.20 feet from the intersection of the West line of Miles Road and said South line of Old State Highway 78;

THENCE South 08 Degrees 52 Minutes 38 Seconds East a distance of 2214.64 feet to a point for a corner;

THENCE South 87 Degrees 08 Minutes 20 Seconds West a distance of 937.75 feet to a point for a corner;

THENCE North 02 Degrees 50 Minutes 10 Seconds West a distance of 2206.93 feet to a point for a corner, said point being in the South line of Old State Highway 78;

THENCE North 87 Degrees 30 Minutes East with the South line of Old State Highway 78 a distance of 704.76 feet to the PLACE OF BEGINNING and CONTAINING 42.56 Acres of land, more or less.

(c) *Accessory buildings.* The color of accessory buildings shall be the same as the main building.

(Ord. No. 2074, § 4, 4-19-04; Ord. No. 3169, § 1, 10-5-09; Ord. No. 3552, § 2, 12-2-13; Ord. No. 3573, § 1, 3-17-14)

Sec. 5. C-2 general commercial district.

5.1 *General description.* This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

5.2 *Uses permitted.*

- (a) Property and buildings in C-2 general commercial districts shall be used for those uses provided for in Schedule I, "Permitted Uses" in the zoning district";
- (b) Buildings, structures and uses customarily incidental to allowed uses, provided that there shall be no manufacture, processing or compounding of products other than such as are customarily incidental and essential to retail establishments;
- (c) Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration, blast or traffic than those enumerated in Schedule I. Except for open display permitted in Schedule I and under subsection 5.3 of this section 5, no article or material stored or offered for sale in connection with permitted uses shall be stored or displayed outside of a building unless it is so screened by permanent ornamental walls, fences or planting (in accordance with article 4, section 2) that it cannot be seen from adjoining streets or lots when viewed by a person standing at ground level; provided, however that no screening in excess of eight feet is required;
- (d) Temporary construction facilities incidental to the development of property as permitted in this district are allowed for so long as construction work is in progress;
- (e) Refuse storage screening: Materials and trash receptacles stored outside shall be screened from public view by a combination wood and masonry fence not to exceed eight feet in height.

5.3 *Open display uses permitted.* The uses indicated accordingly in Schedule I, and reasonably similar uses are permitted open display in the C-2 general commercial district. Service machines, such as those for ice, soft drinks and newspapers may be permanently displayed behind the front building line.

5.4 *Area regulations.* The following requirements shall apply to all uses permitted in this district:

- (a) *Front yard.* All buildings shall set back from the street right-of-way line to provide a front yard having not less than 25 feet in depth.

- (b) *Side yard.* On the side of a lot adjoining a dwelling district, there shall be a side yard of not less than 15 feet. There shall be a side yard setback from intersecting street of not less than 25 feet.
- (c) *Rear yard.* There shall be provided a private alley, service court, rear yard, or combination thereof, of not less than ten feet with not less than 25 feet adjoining a dwelling district.
- (d) *Area for off-street parking.* Buildings shall be provided with a yard area adequate to meet the off-street parking requirements set forth in article 4, section 5.

5.5 *Building regulations.*

- (a) *Height regulations.* No building shall exceed 90 feet in height, except as hereinafter provided in article 4, section 3.
 - (b) *Exterior fire-resistant construction.* All exterior walls of buildings shall be masonry in accordance with the Building Code of the City of Sachse.
 - (c) *Electrical equipment.* Building and pad mounted electrical equipment shall be screened by fencing of wood and masonry or landscaped with shrubs and trees. All screening shall be approved on the site plan.
 - (d) *Exterior lighting.* All exterior lighting shall be directed toward the property where located, and in a downward direction. Lenses shall be of the nonglare type. Light poles for parking lots shall include a decorative fixture and pole according to the city building standard guide.
 - (e) *Accessory buildings.* The color of accessory buildings shall be the same as the main building.
 - (f) *Overhead doors.* No overhead doors shall face the front of the property.
- (Ord. No. 1435, 1-20-97; Ord. No. 2074, §§ 5—7, 4-19-04; Ord. No. 3169, § 1, 10-5-09; Ord. No. 3552, § 2, 12-2-13; Ord. No. 3573, § 1, 3-17-14)

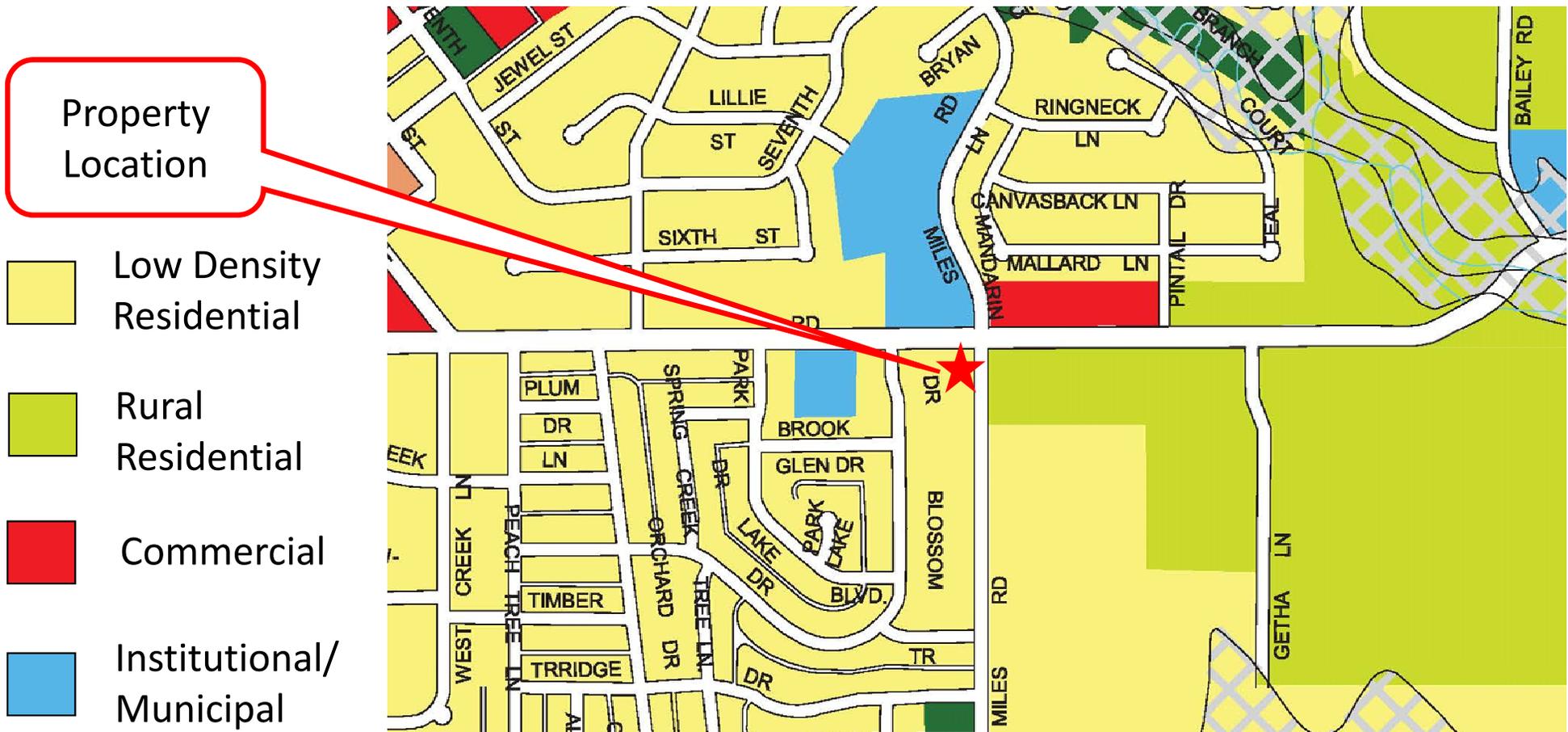
Sec. 6. I-1 restricted manufacturing and warehousing district.

6.1 *General description.* This industrial district is intended primarily for manufacturing and assembly plants and warehousing that are conducted so the noise, odor, dust and glare of each operation is completely confined within an enclosed building. These industries may require direct access to rail, air or street transportation facilities; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of I-2 industrial district. Buildings in this district should be architecturally attractive and surrounded by landscaped yards.

6.2 *Uses permitted.*

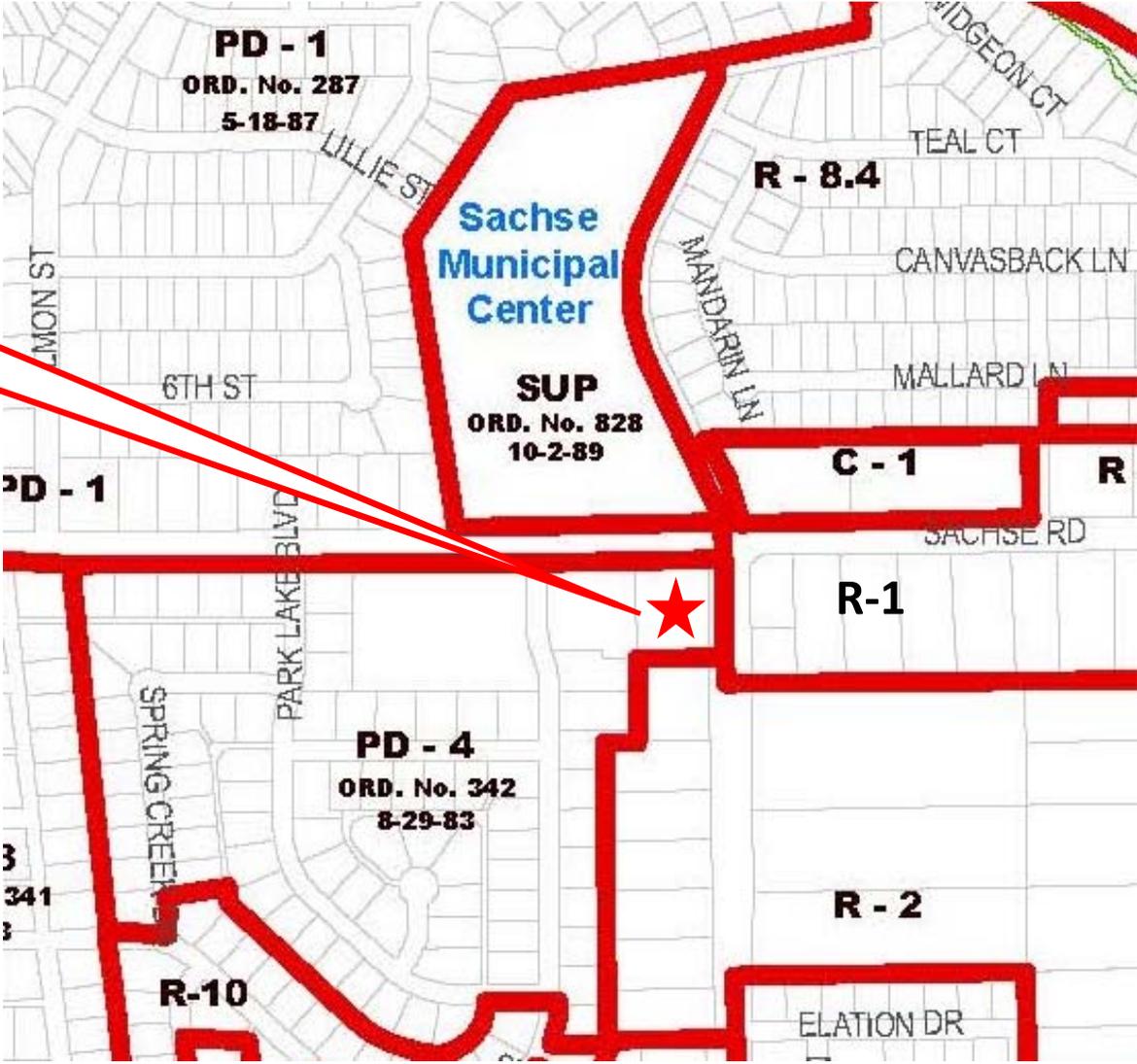
- (a) Any use permitted by Schedule I allowed uses in the district. No dwelling uses, except sleeping facilities for caretakers and night watchmen employed on the premises, is permitted.

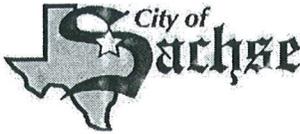
Future Land Use Plan



Current Zoning

Property Location





Community Development Department

AUG 20 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

[X] 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]
PRINTED NAME: MURADISA KRASMIQI
ADDRESS: 3925 BRAMLEY WAY PLANO TX 75093

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



Community Development Department

NOTICE OF PUBLIC HEARING

AUG 24 2015

TO: Property Owner
DATE: August 13, 2015
RE: Special Use Permit for Retail Sales with Gas Pumps
LOCATION: This property is located at the southeast corner of Highway 78 and Woodbridge Parkway

(A location map depicting the 1,000-foot notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Special Use Permit (SUP) to allow for Retail Sales with Gas Pumps for a proposed 7-Eleven Convenience Store in a Planned Development District -11 (PD-11).

- 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]
PRINTED NAME: KHANH THAN
ADDRESS: 7916 Vista Creek Ln Sachse - TX - 75078

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24, 2015.

.Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
FAX: (972) 675-9812



AUG 24 2015

8-24-15cy

Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: It would cause a high volume of traffic on Sachse Rd. Also I don't like the idea of having a place of business in the neighbor. Definitely not a drive-through.

SIGNATURE: [Signature]
PRINTED NAME: Joyce Steadham
ADDRESS: 3650 Sachse Rd

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



8/24cy

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *Height without a restriction can be 90 feet - Not Acceptable. Commercial property across road. Possible alcohol permitted sales is a negative. Traffic counts are already high due to nearby schools. I can imagine drivers cutting through this (over)*

SIGNATURE: Kathleen M. Cobb
PRINTED NAME: Kathleen M. Cobb
ADDRESS: 3820 G Street Sachse, TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

AUG 24 2015

8/24 cy



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

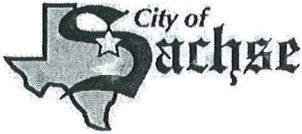
COMMENTS: WHAT IS WRONG WITH C-1 ZONING?
TOO MUCH LIGHT, INCREASED TRAFFIC, CRIME.
C-2 ZONING CAN GO UP TO 90 FEET HIGH.

SIGNATURE: Dennis D. Cobb
PRINTED NAME: DENNIS D. COBB
ADDRESS: 3820 6TH STREET SACHSE, TEXAS

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



Community Development Department

AUG 20 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

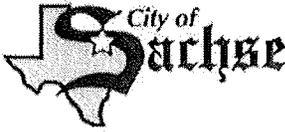
COMMENTS: INCREASED TRAFFIC; HOURS OF OPERATION; TRASH; CRIME; TEENAGE HANGOUT; OUTSIDERS; LIGHT OVERSPILL; NOISE

SIGNATURE: [Handwritten Signature]
PRINTED NAME: CARLOS VIGIL
ADDRESS: 3826 W 31 ST.

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

Table with 2 columns: Contact information for questions and return instructions by fax or mail.



**Community Development
Department**

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: I strongly oppose this change as it will have a negative impact on property values and be an eye sore for the community. The increase in traffic and possible trash, light and noise pollution is also a negative impact.

SIGNATURE: *Timmy Lindamood*
PRINTED NAME: Timmy Lindamood
ADDRESS: 3914 Blossom Drive Sachse

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24, 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	--

TIME RECEIVED
August 23, 2015 12:21:34 PM CDT
05/22/2008 01:27 9725302756

REMOTE CSID
9725302756

DURATION
50

PAGES
1

STATUS
Received

AMERICAN MOLDGUARD

PAGE 01/01



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road. **OPPOSED**

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Testify @ public hearing.
Based on research and facts - given information at this time - ~~was opposed~~ **OPPOSED TO ZONE**

SIGNATURE: Carinne Smith
PRINTED NAME: Carinne Smith **762565017H**
ADDRESS: 4008 Blossom Drive **CHANGE REQUEST C-2 and special use permit**

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812

Greg Peters, P.E.
City Engineer & Interim Director of Community Development
City of Sachse, Texas

How am I doing? Please fill out our [online customer survey](#) with your feedback

From: Gregory Peters
Sent: Sunday, August 23, 2015 6:21 PM
To: Barbara Elkins <belkins@hirs.us>
Subject: Re: Zoning application of Dana Global Investment Inc.

Ms. Elkins,

Thank you for your response. I will include it in my information that is provided to the Commission and subsequently to the City Council.

Sent from my iPhone

On Aug 23, 2015, at 5:55 PM, Barbara Elkins <belkins@hirs.us> wrote:

Unfortunately our Notice of Public Hearing form was misplaced.

Gary and Barbara Elkins
4116 Blossom Drive
Sachse, TX 75048

We are opposed to the request because this is a residential area with schools within a mile of our neighborhood. The commercial facility will not add any value or necessity of our neighborhood. Children walk to school, daycare center within this area, children drive to and from school, we are quiet except for the occasional ambulance. We felt the city center was accepted without any concern of our neighborhood. We are a neighborhood.

We will be attending the meeting.

Gary and Barbara Elkins

Barbara Elkins
Hospitality Internet Revenue Service

AUG 24 2015



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Traffic @ this particular intersection is congested as it is without adding to the problem. We simply already have enough choices in Sachse and need not add more.

SIGNATURE: [Handwritten Signature]
PRINTED NAME: Porfirio Aguilan
ADDRESS: 4306 Sachse Rd. Sachse, TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812

AUG 19 2015



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: See attached comments

SIGNATURE: *Doug Miltenberger*
 PRINTED NAME: DOUG MILTENBERGER
 ADDRESS: 4402 SACHSE RD.

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

AUG 19 2015

Sachse City Council

None of the listed uses of this property is needed or desirable. We already have these conveniences close by—in Sachse and adjoining towns. A strip center or drive-through restaurant would only create more traffic and congestion, which at times now is substantial.

I applied for a change of zoning for property that I owned on Miles Rd. (adjacent to the property in question) a few years back and was rejected by the council. That was the right decision then and I believe that it would be the right decision now for the current subject property. I request that you follow the example set by a former council.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Miltenberger".

Doug Miltenberger
4402 Sachse Rd.

TIME RECEIVED
August 23, 2015 10:21:40 PM CDT
08-23-15;10:10PM;

REMOTE CSID
214 584 5398

DURATION
41

PAGES
1

STATUS
Received
1



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: _____

SIGNATURE: James Hollins
PRINTED NAME: James Hollins
ADDRESS: 4408 CANVASBACK

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	--



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *Increased traffic with subsequent increased ~~and~~ noisy! I bought my house here because there were no retail businesses close by.*

SIGNATURE: Serena Elmore
 PRINTED NAME: SERENA ELMORE
 ADDRESS: 4507 CANVASBACK LANE - SACHSE, TX.

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
 Phone: (469) 429-4781
 Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
 City of Sachse Community Development Dept.
 3815-B Sachse Road
 Sachse, TX 75048
 Fax: 972-675-9812



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

It is too close to residential - traffic would be hindered if it was a fast food.

SIGNATURE: *Christine & Keith Horning*
 PRINTED NAME: CHRISTINE & Keith Horning
 ADDRESS: 4607 Mallard Lane

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

AUG 18 2015



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

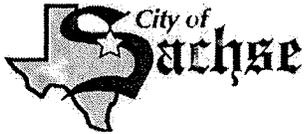
It is too close to residential - traffic would be hindered if it was a fast food.

SIGNATURE: Christine & Keith Horning
PRINTED NAME: CHRISTINE & Keith Horning
ADDRESS: 4607 Meauard Lane

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812



Community Development Department

AUG 27 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

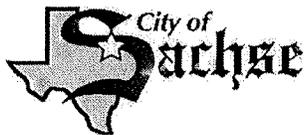
COMMENTS: Depreciation of property value

SIGNATURE: Dan Williams
PRINTED NAME: Darrin Williams
ADDRESS: 4608 mallard Ln. Sachse, TX. 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *This type of zoning will disrupt the peace and quiet that we currently enjoy. This neighborhood is dominantly residential and we pride the quiet and low trafficked.*

SIGNATURE: *Lisa K Willey*
 PRINTED NAME: *Lisa Willey (Weber)*
 ADDRESS: *5304 Park Lake Blvd, Sachse TX 75048*

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
 Phone: (469) 429-4781
 Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
 City of Sachse Community Development Dept.
 3815-B Sachse Road
 Sachse, TX 75048
 Fax: 972-675-9812



AUG 24 2015

8.24.15 cy

Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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 - KEEP IT THAT WAY! THIS will not be a SAFE AREA - I STRONGLY OPPOSE !!

SIGNATURE: P Reeb

PRINTED NAME: PAT REEB

ADDRESS: 5315 PARK LAKE BLVD

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

TIME RECEIVED
August 24, 2015 6:47:34 AM CDT

REMOTE CSID
972-583-4497

DURATION
43

PAGES
1

STATUS
Received

24-Aug-2015 04:47 Ericsson 972-583-4497

1/1



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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 - KEEP IT THAT WAY! THIS WILL NOT BE A SAFE AREA - I STRONGLY OPPOSE !!

SIGNATURE: P Reeb

PRINTED NAME: PAT REEB

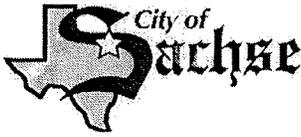
ADDRESS: 5315 PARK LAKE BLVD

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 8815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 8815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
8815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



**Community Development
Department**

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: children walking to school need to cross here, increased traffic, noise, high schoolers jog this area, could bring property value down.

SIGNATURE: Jack Nester

PRINTED NAME: Jack Nester

ADDRESS: 5816 mandarin Lane, Sachse TX

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com	RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812
---	--



AUG 28 2015

Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: _____

SIGNATURE: _____ *CLW*
 PRINTED NAME: _____ *Jenny*
 ADDRESS: _____ *4312 mallard W Sachse TX 75048*

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

TIME RECEIVED
August 24, 2015 6:58:50 AM CDT

REMOTE CSID

DURATION
40

PAGES
1

STATUS
Received

Aug. 24. 2015 6:05AM

No. 9534 P. 1



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
 DATE: August 13, 2015
 RE: Zoning Application of Dana Global Investment Inc.
 LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: We do not want to have a business
(which could be a number of businesses which
we have no control over) in the middle of our
neighborhood.

SIGNATURE: Donna Powell

PRINTED NAME: Donna Powell

ADDRESS: 3811 Brookhaven Dr. Sachse TX

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpcters@cityofsachse.com

RETURN BY FAX OR MAIL,
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



**Community Development
Department**

AUG 24 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: We do not need commercial buildings in a residential neighborhood

SIGNATURE: Larry Roberts

PRINTED NAME: Larry Roberts

ADDRESS: 3911 Sunrise Trail Sachse, Texas 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812

TIME RECEIVED
August 23, 2015 4:56:12 PM CDT

REMOTE CSID
972 692 7678

DURATION
72 PAGES
1

STATUS
Received

Aug 23 15:04:32p HIRS

972-692-7678

p.1



Community Development Department

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Residential neighborhood and don't want commercial facility in our neighborhood.

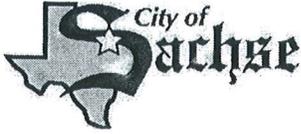
SIGNATURE: Valeria Fair / Tommy Fair
PRINTED NAME: Valeria Fair / Tommy Fair
ADDRESS: 4110 Blossom Drive Sachse TX 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



Community Development Department

NOTICE OF PUBLIC HEARING

AUG 24 2015

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Too much traffic. Sachse is losing small town atmosphere. Starting to feel like Dallas

SIGNATURE: Glendal Proffitt
PRINTED NAME: Glendal Proffitt
ADDRESS: 4304 Sachse Rd Sachse TX

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

Table with 2 columns: Contact information for questions and return address for fax or mail.



Community Development Department

NOTICE OF PUBLIC HEARING

AUG 27 2015

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: Way to close to residential areas. This area can't handle all the traffic

SIGNATURE: [Handwritten Signature]
PRINTED NAME: Rebekah McDonald
ADDRESS: 4420 Mallard Lane Sachse

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



**Community Development
Department**

NOTICE OF PUBLIC HEARING

AUG 24 2015

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: I enjoy the quiet and green environ-
ment in Sachse. Bringing in businesses will bring
with it an increase in noise, traffic, and possibly crime.

SIGNATURE: Gail Bayron

PRINTED NAME: Gail Bayron

ADDRESS: 3938 6th St. Sachse

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department.
Phone: (469) 429-4781
Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812



Community Development Department

AUG 24 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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 Drive-thru on any of the above listed in the neighborhood

SIGNATURE: Anna Cole
PRINTED NAME: ANNA COLE
ADDRESS: 5106 PARK LAKE CT

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com
RETURN BY FAX OR MAIL
City of Sachse Community Development Dept.
3815-B Sachse Road
Sachse, TX 75048
Fax: 972-675-9812

TIME RECEIVED
August 18, 2015 5:03:38 AM CDT

REMOTE CSID
WLSMITH

DURATION PAGES
40 1

STATUS
Received

2015-08-18 04:20

WLSMITH

9725306855 >> City of Sachse

P 1/1



Community Development Department

AUG 18 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: This might B Good dallas & Centa
but Not good for the Neighbor Hood.

SIGNATURE: Jessie Dee Holloway
PRINTED NAME: JESSIE DEE HOLLOWAY
ADDRESS: 5530 SPRING CREEK DR. SACHSE, TX. 75048-4142

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachsc.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---

TIME RECEIVED
August 18, 2015 8:11:04 AM CDT

REMOTE CSID

DURATION
41

PAGES
1

STATUS
Received



Community Development Department

AUG 18 2015

NOTICE OF PUBLIC HEARING

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *This particular intersection is busy enough as it is - lots of kids also walk by due to schools down the street. Don't turn a quiet neighborhood into a 3 ring circus*

SIGNATURE: *Heidi J. Durbin*
PRINTED NAME: Heidi J. Durbin
ADDRESS: 5707 Mandarin Ln

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

<p>If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com</p>	<p>RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812</p>
--	---



Community Development Department

NOTICE OF PUBLIC HEARING

AUG 24 2015

TO: Property Owner
DATE: August 13, 2015
RE: Zoning Application of Dana Global Investment Inc.
LOCATION: The subject property is located on the southwest corner of Sachse Road and Miles Road.

(A location map depicting the subject property and notification area is attached for reference.)

EXPLANATION OF REQUEST: The applicant is requesting a Zoning District change from Planned Development-4 (PD-4) to Commercial-2 (C-2) District generally for a drive thru restaurant, office and retail spaces located in a strip center.

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

I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: This will devalue our property! This needs to stay residential. Sachse has more commercial space on 78 that could be used.

SIGNATURE: Mary Pinson

PRINTED NAME: MARY PINSON

ADDRESS: 3821 Brookgreen Dr Sachse 75048

Your written comments are being solicited in the above case. Additional information is available through the Community Development Department located at 3815-B Sachse Road. The Planning and Zoning Commission will hold a public hearing and offer a formal recommendation of the above request at 7:00pm on Monday, August 24 2015. The meeting will be conducted in the City Council Chambers, located at 3815-B Sachse Road, Sachse, Texas.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Community Development within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, or the property owners own a combined minimum of 20 percent or more of the land area, approval by the City Council shall only occur with a concurring vote of at least three-fourths of the full membership of the City Council.

If you have any questions concerning this request, please contact the Community Development Department. Phone: (469) 429-4781 Email: gpeters@cityofsachse.com

RETURN BY FAX OR MAIL City of Sachse Community Development Dept. 3815-B Sachse Road Sachse, TX 75048 Fax: 972-675-9812



Legislation Details (With Text)

File #: 15-3012 **Version:** 1 **Name:** CD - TSUP North Pointe Church
Type: Agenda Item **Status:** Agenda Ready
File created: 9/9/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**
Title: Conduct a public hearing and consider the application for a Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres of land located at 7030 State Highway 78, for a period of five years.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Presentation](#)
[Attachment 1 - Location Map](#)
[Attachment 2 - Applicant Information](#)
[Attachment 3 - Zoning Map](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Conduct a public hearing and consider the application for a Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres of land located at 7030 State Highway 78, for a period of five years.

Executive Summary

North Pointe Church is seeking to install two portable classroom buildings on the property for a period of five years. A Temporary Special Use Permit is required for the installation of portable school/church buildings.

Background

North Pointe Church of Christ has requested a Temporary Special Use Permit (TSUP) for two temporary portable classroom buildings on approximately 6.114 acres of land located at 7030 State Highway 78, for a period of five years. (see Attachment 1 - Location Map)

Section 11.4 of the Sachse Zoning Ordinance states that a TSUP may be granted by the City Manager or his/her designated representative for a portable school/church building, but that the use may not exceed a period of two years unless approval is obtained from the City Council.

The proposed two portable buildings are 24-feet wide and 64-feet wide. The applicant intends to perform repairs to the existing buildings, and construct a new wood deck and ramp for access in order to comply with the Americans with Disabilities Act (ADA).

The applicant has provided additional information regarding the proposed building location, intent, and building photos. (see Attachment 2 - Applicant Information)

The subject property is currently zoned C-2 and R-4, and is in use as a Church. The surrounding properties are zoned C-2 to the north, R-4 to the west, R-2A to the east, and R-3 to the south. (see Attachment 3 - Zoning Map)

Policy Considerations

Section 11.4 of the Sachse Zoning Ordinance reads as follows:

11.4 Temporary special use permits. A temporary special use permit may be granted by the city manager or his designated representative for uses below or for a reasonably similar use. Hearings and approval by the planning and zoning commission is not required.

(a) Use regulations. Persons intended to operate a temporary use are required to apply for a temporary use permit. Temporary uses include, but are not limited to:

- (1) Produce stands.
- (2) Christmas tree lots.
- (3) Asphalt batching plant.
- (4) Cement batching plant.
- (5) Construction office.
- (6) Real estate office.
- (7) Portable school/church building. May not exceed a period of two years (24 months), unless approval is obtained from the City Council.

A Temporary Special Use Permit is an administrative review and does not constitute a change in zoning. Temporary Special Use Permits may not exceed a period of two years unless approval is obtained from the City Council. The applicant seeks to use the temporary buildings for a period of five years.

Budgetary Considerations

None.

Staff Recommendations

Staff recommends approval of the Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres of land

located at 7030 State Highway 78, for a period of five years.



Temporary Special Use Permit North Pointe Church of Christ

City Council
September 14, 2015

Overview

- Request
- Applicant Information
- Property Location Map
- Proposed Building Locations
- Building Information
- Policy Considerations
- Staff Findings
- Staff Recommendation
- Public Hearing
- City Council Consideration

Request

- The request is to conduct a public hearing and consider a recommendation to the City Council for a Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres located generally on State Highway 78 between Williford Road and Sable Lane (7030 State Highway 78).

Applicant Information

- The Applicant is North Pointe Church of Christ, located at 7030 State Highway 78, Sachse, Texas.
- The Applicant currently owns and operates a church on the subject property.
- The Applicant is seeking to install two temporary buildings for use as classrooms for a period of five years.

Property Location Map



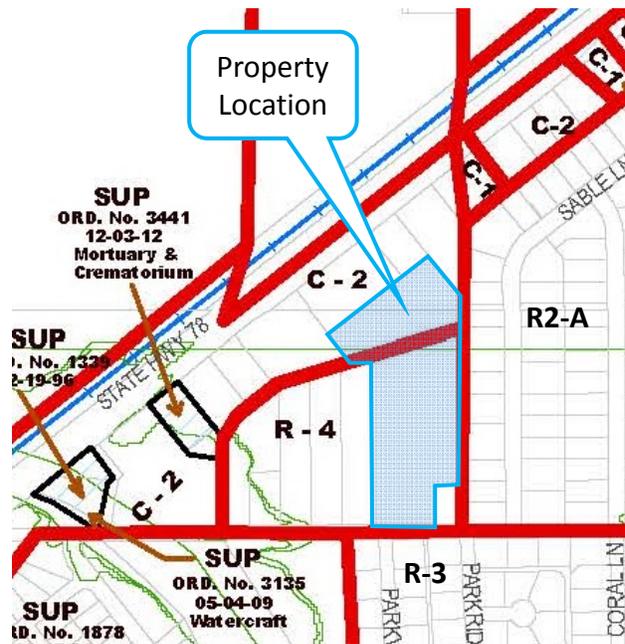
Zoning Map

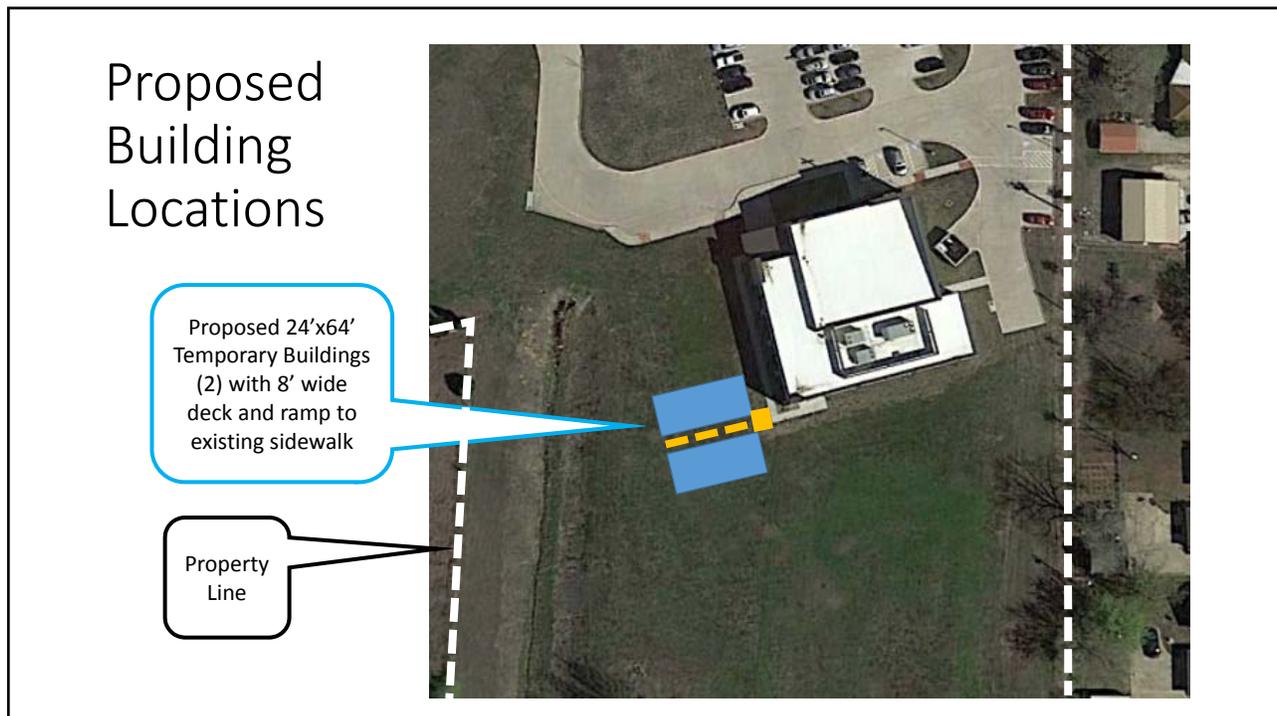
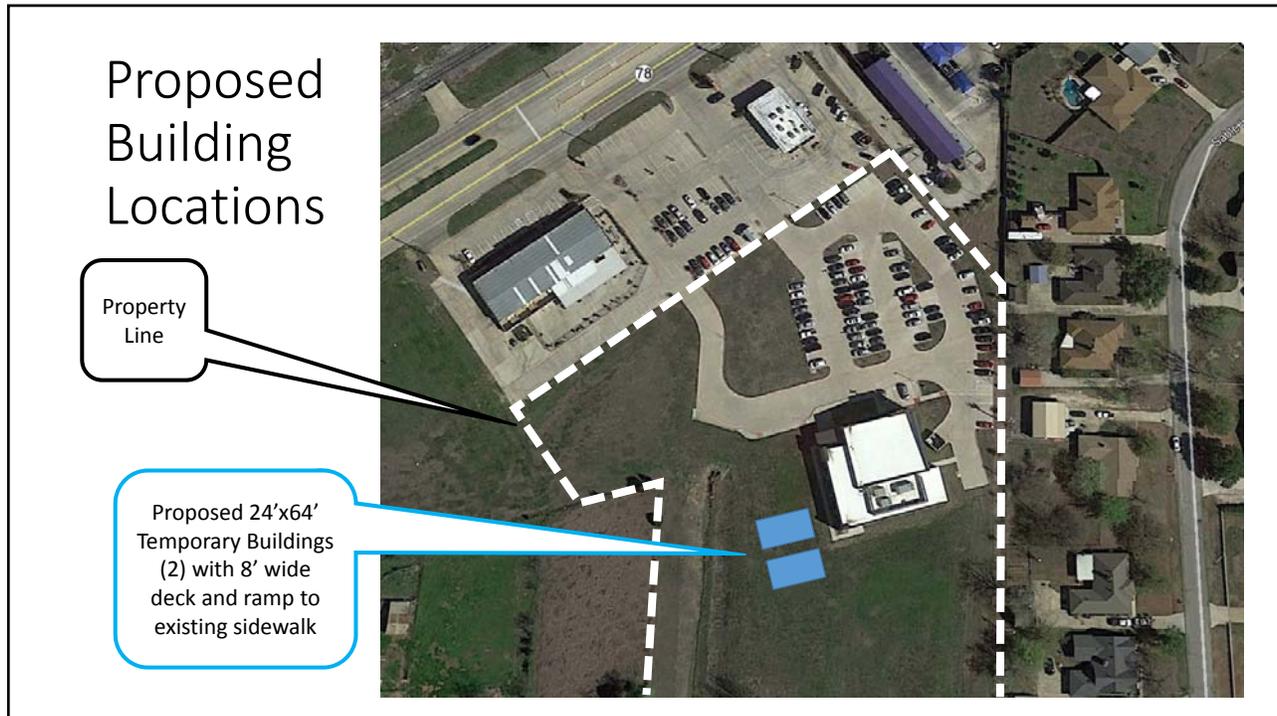
Property Zoning:

- C-2 (Commercial)
- R-4 (Residential)
- The existing Church is an allowed use under current zoning

Surrounding Property Zoning includes:

- C-2 (Commercial)
- R-4 (Residential)
- R2-A (Residential)
- R-3 (Residential)





Building Information (per Applicant)

- The two buildings are proposed to be used as classrooms
- The buildings are currently located in Garland (Saturn Road Church of Christ)
- The buildings have 2 classrooms and a separate a/c & heat unit for each room
- The Applicant plans to construct a new deck & ramp, and complete exterior repairs to the siding, gutters, and paint

Building Information



The two buildings currently located in Garland



Close up of the Buildings Exterior

Policy Considerations

- Section 11.4 of the Sachse Zoning Ordinance
 - 11.4 Temporary Special Use Permits. A temporary special use permit may be granted by the City Manager or his/her designated representative for uses below or for a reasonably similar use. Hearings and approval by the Planning & Zoning Commission is not required.
 - (a) Use Regulations. Persons intended to operate a temporary use are required to apply for a temporary use permit. Temporary uses include, but are not limited to:
 -
 - (7) Portable school/church building. May not exceed a period of two years (24 months), unless approval is obtained from the City Council.

Policy Considerations

- The requested temporary use permit for the temporary buildings could be approved by the City Manager, if the intended period of time was 2 years or less.
- The Applicant is requesting a period of five years, which requires City Council approval.

Staff Findings

- Staff finds that temporary buildings have historically been allowed at other churches in the community for use as classrooms
 - 5-year Temporary SUP for Faith Independence Baptist Church (2009)
 - 5-year Temporary SUP for 1st Baptist Church of Sachse (2000)
- The proposed installation will include a new wood deck and ramp that will satisfy requirements of the Americans with Disabilities Act (ADA)

Staff Recommendation

- Staff recommends approval of a Temporary Special Use Permit for North Pointe Church of Christ for two temporary portable classroom buildings on approximately 6.114 acres located generally on State Highway 78 between Williford Road and Sable Lane (7030 State Highway 78) for a period of five years.

Public Hearing

Consideration by the
City Council

Property Location Map



JUL 29 2015

North Pointe Church of Christ
Request to use two Temporary Buildings for Classrooms
July 2015

Prepared by:
Mike Campbell
Shepherd NPCC
972-898-2547

North Pointe Church of Christ
7030 Highway 78
Sachse, TX

Request to use Temporary Buildings

The following describes our request to the city of Sachse to place on our property and use two temporary classroom buildings.

Our churches need for additional classrooms

The North Pointe Church of Christ began meeting in 2004 in the new Murphy Middle School with about 100 members. We purchased 8 acres at our current location in Sachse in 2008. The property included two houses that were converted to a staff office building and a ministry building currently used for youth and teen classes. This land was completely paid for with member donations and monies from the sale of a church building in Garland. The church family grew and in August 2012 we completed our present building. This building will seat about 300 in the worship center and has 5 children's classrooms and 1 adult classroom. Youth and Teens meet for Sunday Morning classes in the ministry building on our property.

Our current Sunday morning attendance averages 225 with some Sunday's close to 250. Several of our children's classes are at capacity. We offer 2 adult bible classes with one in the auditorium and one in the small adult classroom. We would like to offer an additional adult bible class to support member's spiritual needs. Also, we are planning to go to two Sunday morning services in the near future and this would not be possible without additional classroom space to handle the additional number of children. Currently the middle school and teens classes meet at the ministry building at the far end of our property. This is inconvenient for these youth when the weather is not good for them to walk between the buildings (approximately 500 ft.)

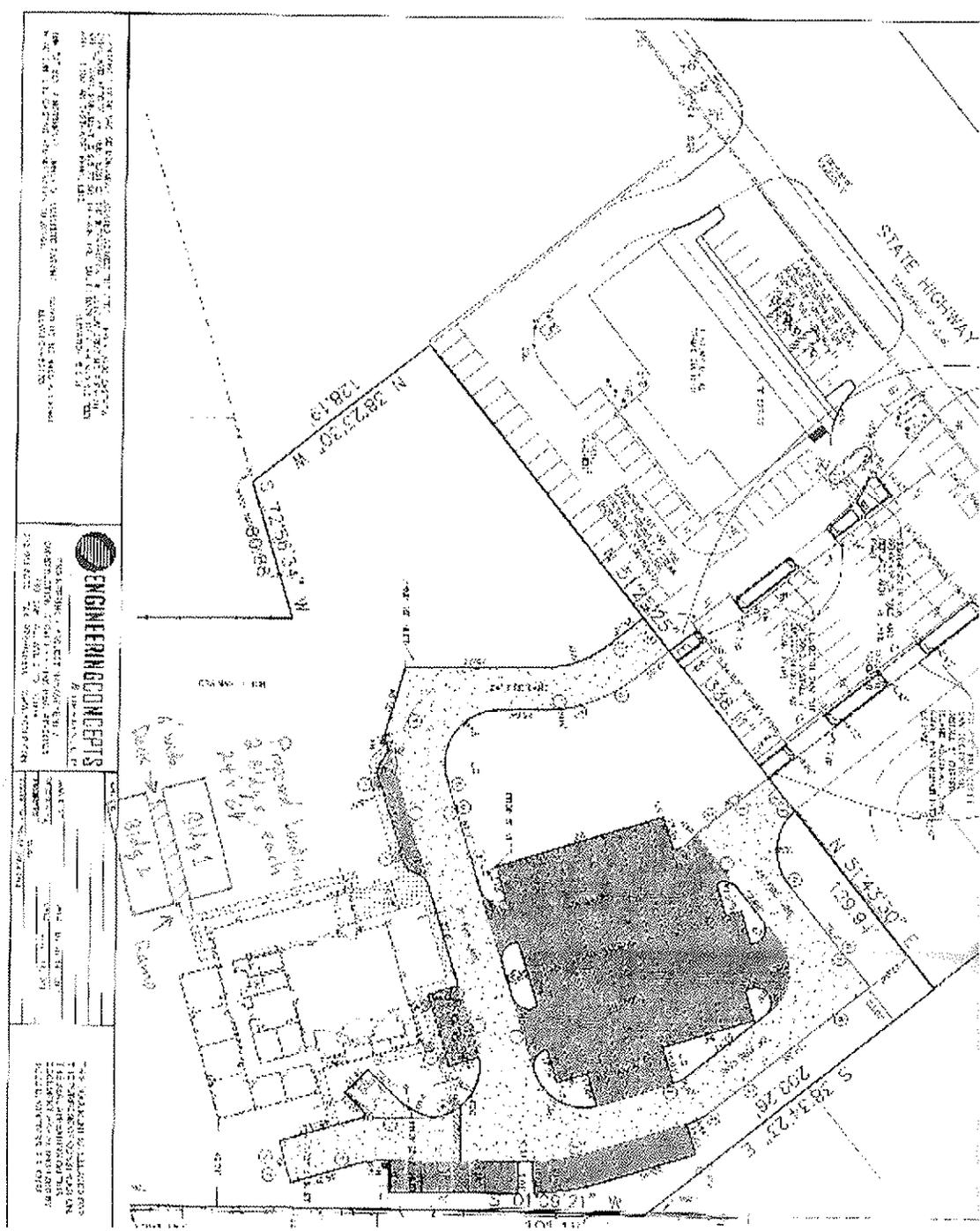
Plans for Permanent Building Addition

Our church has begun a building campaign to raise the funds to add a classroom wing onto our building. We are using a Ministry Strategist with Horizons Stewardship Company. This consultant has advised us that over a 3 year period we could raise the funds needed for a 5000sf addition that would add 8 classrooms. This is based on his interviews with members along with the size and growth of the congregation. This building addition would be completed in the third or fourth quarters of 2018. Two temporary classroom buildings (4 classrooms) would solve our space issues described above until the permanent addition is completed. As shown in the following, the placement of these temporary buildings would not interfere with the construction of the new permanent classrooms.

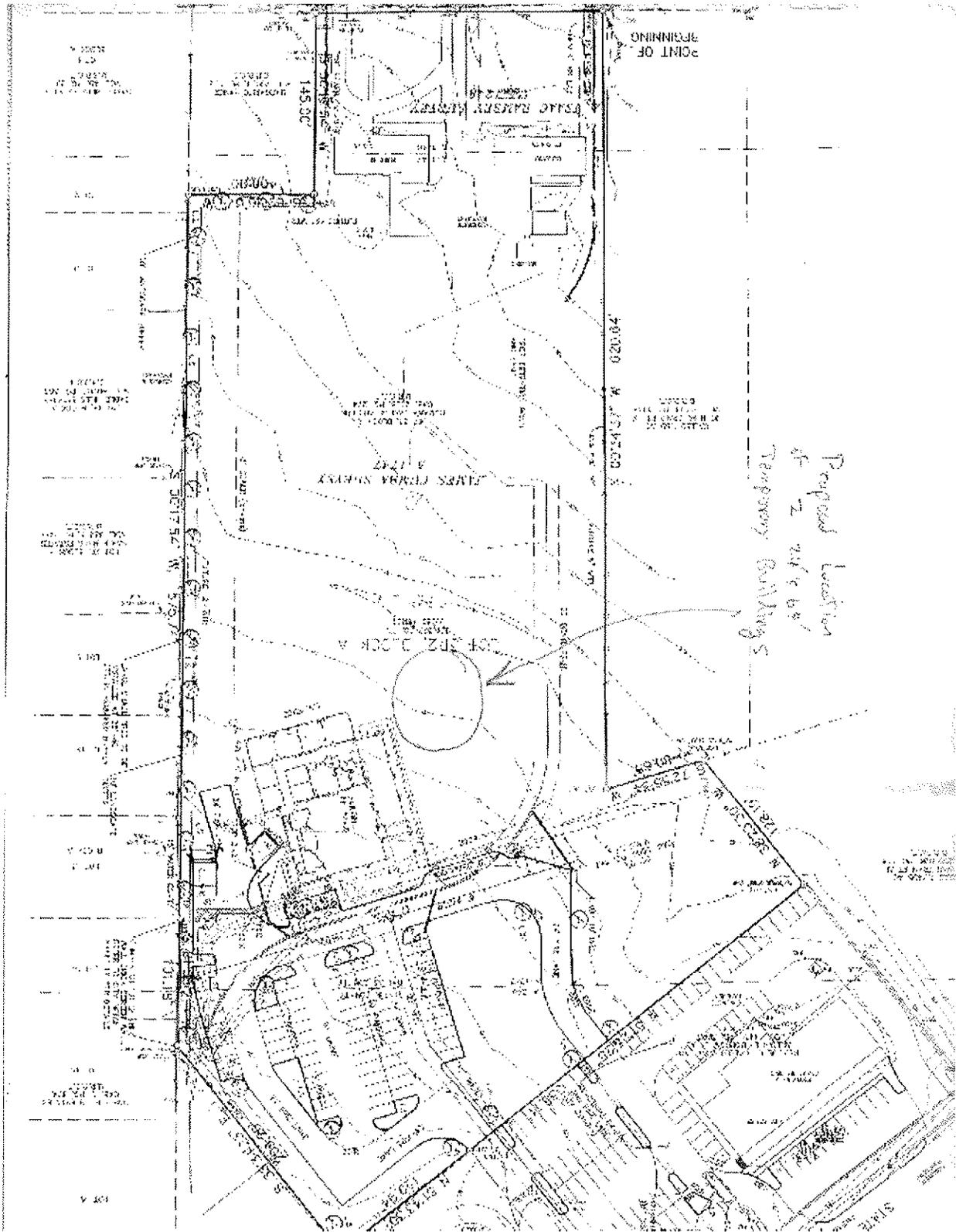
The following picture shows how the building will be located next to our church building.



The following layout shows how the two buildings will be located next to our building. The buildings are placed front to front with a deck in-between. The ramp will connect to our existing walkway at the rear door of our worship center foyer. This side of our building is all glass which makes it convenient for our church parents to watch their children as they go to classes.



The following Site Plan shows the location of these buildings on our church property.



Description of the Temporary Buildings

We are fortunate to have located two buildings that will just meet our interim needs at a church in Garland that no longer needs these buildings as they will be starting a permanent classroom addition. These are two buildings each 24 ft x 64 ft. Each building has two classrooms and has a separate ac/heat unit for each room. The following shows these buildings at the Saturn Road Church of Christ. These buildings will be available for us to move later this summer.



The two buildings currently located in Garland

The cover, deck and ramp will be built new when moved to our location. We have contacted a local moving company that will move, level and anchor these buildings. The buildings do not have restrooms or water. The interior of these buildings looks very nice. The exterior will need trim, some siding repair, gutters, and paint and the cost for this is in our budget. The siding is a P15 architectural panel that looks like stucco.

In addition to helping solve our classroom space problems these buildings can help us expand our ministries to the Sachse community. For example, we have members interested in a Food or Clothing pantry and moving our youth and teen classes to one of the portable buildings will free up the ministry building on our property for this use. Other ministries can benefit from having these buildings.

The following is a close up picture of the exterior. The building will be painted to match our church building.

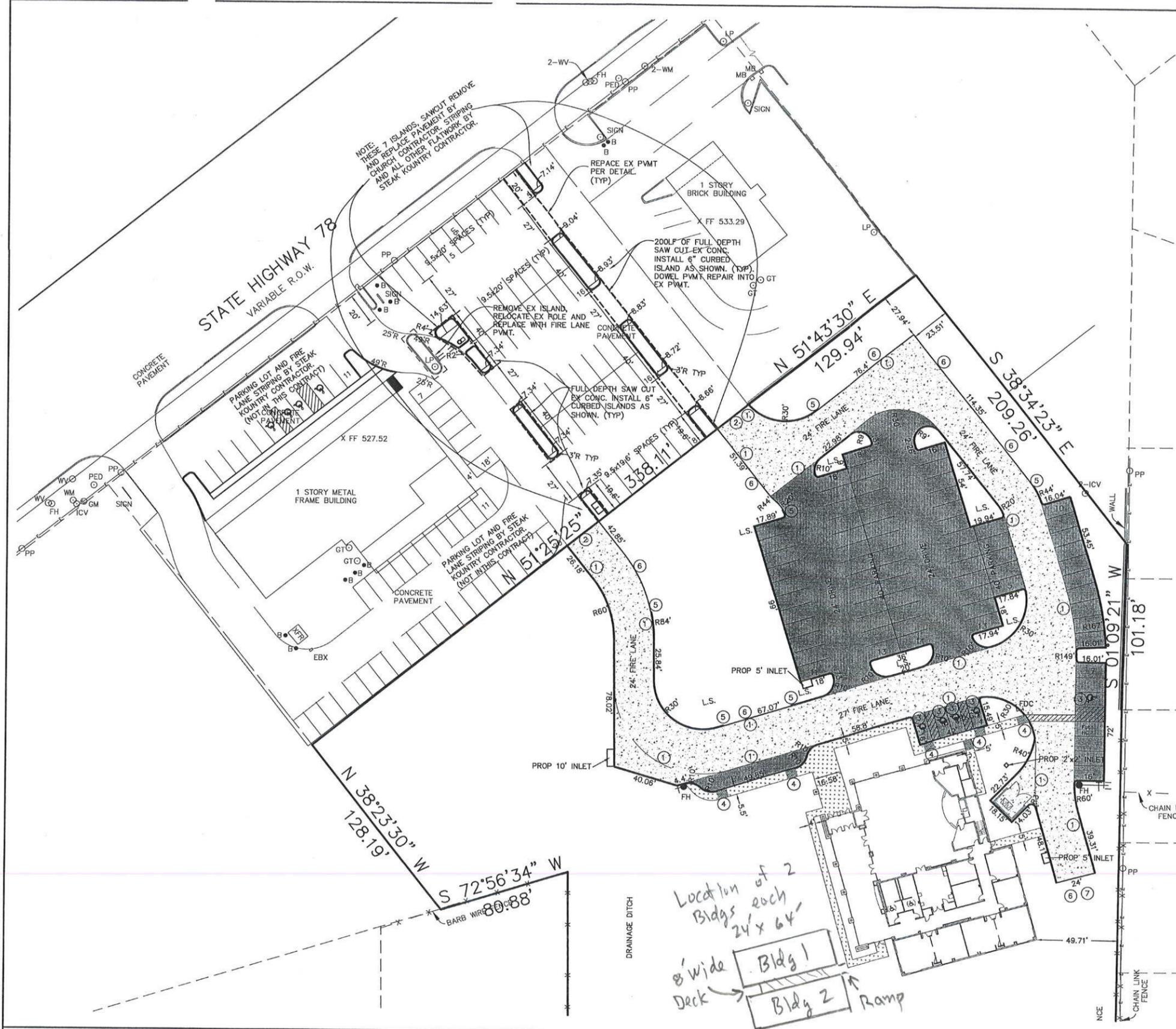
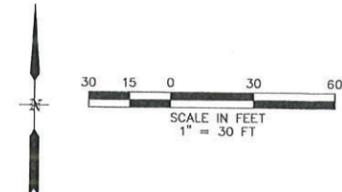


Close up of the Buildings Exterior

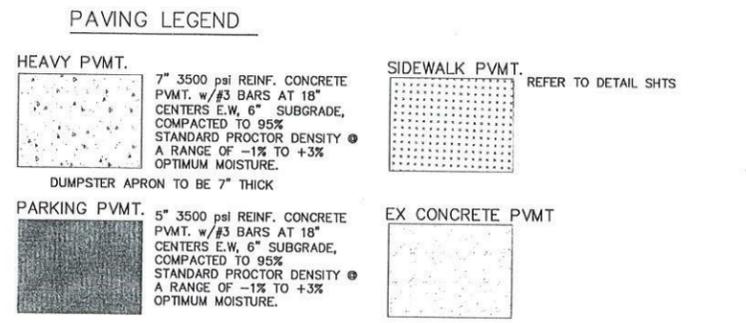
When moved to our location and following our exterior updates the building will look similar to the following building located at the Faith Baptist Church at 2715 Ingram Road. Our buildings will be placed front to front with the same type of ramp and deck shown below. Our buildings do not have the same type of overhang as show below but we will add gutters with a small overhang. We also have included in our budget for new skirting and landscaping.



A Similar Portable Building Located in Sachse on Ingram Road



- GENERAL ON-SITE PAVING NOTES:**
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THESE PLANS AND THE CITY STANDARDS AND SPECIFICATIONS.
 2. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD AND SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH TEXAS, LATEST EDITION, AND ANY SPECIAL PROVISION AS APPROVED BY THE CITY.
 3. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND DOCUMENTS APPROVED BY THE PERMITTING AGENCIES.
 4. DURING THE CONSTRUCTION OF THESE IMPROVEMENTS, ANY INTERPRETATION OF THE STANDARD SPECIFICATIONS FOR THE PUBLIC WORKS CONSTRUCTION AND ANY MATTER WHICH REQUIRES THE APPROVAL OF THE OWNER MUST BE APPROVED BY THE CITY ENGINEER OR HIS DESIGNEE BEFORE ANY CONSTRUCTION INVOLVING DECISION COMMENCES. ASSUMPTIONS ABOUT WHAT THESE DECISIONS MIGHT BE WHICH ARE MADE DURING THE BIDDING PHASE WILL HAVE NO BEARING ON THE DECISION.
 5. ALL CONSTRUCTION WITHIN THE RIGHT-OF-WAY OF S.H. 78 SHALL REQUIRE COMPLIANCE TO TxDOT STANDARD SPECIFICATIONS FOR MATERIALS AND STANDARD PLANS. SPECIFICATIONS ADOPTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, JUNE 1, 2004, SHALL GOVERN IN THE STATE RIGHT-OF-WAY.
 6. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 7. ALL RADII ARE 2' UNLESS OTHERWISE NOTED.
 8. PARKING SPACE ARE 90° UNLESS OTHERWISE NOTED.
 9. REFER TO ARCHITECTURAL PLANS FOR DETAILED BUILDING PLAN DIMENSIONS.



- ① FIRELANE STRIPING REFER TO DETAIL SHT.
 - ② 25LF CONNECTION TO EX. PAVMT DOWEL TO EX PER STD. DETAIL
 - ③ HANDICAP STALL MARKINGS REFER TO DETAIL
 - ④ HANDICAP RAMP. REFER TO DETAILS
 - ⑤ TRANSITION CURB 6" TO 0" IN 1'.
 - ⑥ EDGE OF PAVEMENT (NO CURB)
 - ⑦ STREET HEADER FOR FUTURE PAVMT
- NOTE: ALL PAVEMENT TO HAVE 6" INTEGRAL CURB UNLESS NOTED OTHERWISE.

ALL INTERIOR PARKING ROWS ARE 9'X20'
ALL EXTERIOR PARKING ROWS ARE 9'X18'
ALL DRIVE ISLES ARE 24' UNLESS OTHERWISE NOTED.
ALL PAVMT TO BE CURB AND GUTTER UNLESS OTHERWISE NOTED.

REFER TO GEOTECHNICAL EXPLORATION PREPARED BY:
Terracon Consultants, Inc.
PROJECT NO. 9105044
DATED: July 19, 2010

JUL 29 2015

Location of 2 Bldgs each 24' x 64' 8' wide Deck

Bldg 1
Bldg 2 Ramp

STANDARD CITY OF SACHSE MONUMENT LOCATED ACROSS THE STREET FROM 3400 EASTVIEW DRIVE AND APPROX. 290 FEET EAST OF THE INTERSECTION OF ESTVIEW DRIVE AND PLEASANT VALLEY ROAD, MONUMENT IS 9.8 FT SOUTH FROM THE SOUTH BACK OF CURB AND 9.0 FEET NORTH FROM AN EAST-WEST FENCE LINE. ELEVATION=510.31

TBM "X" SET IN NORTHEAST CORNER OF CONCRETE PARKING LOCATED BEHIND 4405 WILLIFORD ROAD (ON-SITE EXISTING ADMINISTRATION BUILDING). ELEVATION=521.33



ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES - FIRM REG. #F-001145
2801 CAPITAL, WYLIE, TX 75098
972-941-8400 FAX: 972-941-8401 WWW.ECDLP.COM

REVISIONS:	
DRAWN: BT	DATE: March 14, 2011
CHECKED: TW	DATE: March 14, 2011
PROJECT NO.: 08523	
DWG FILE NAME: B523 pave.dwg	

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF CONSTRUCTION. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TODD D. WINTTERS, P.E. 87085



PAVING PLAN
NORTH POINTE CHURCH OF CHRIST
Phase 1 Multipurpose/Education
CITY OF SACHSE, DALLAS COUNTY, TEXAS

SHEET
4
OF

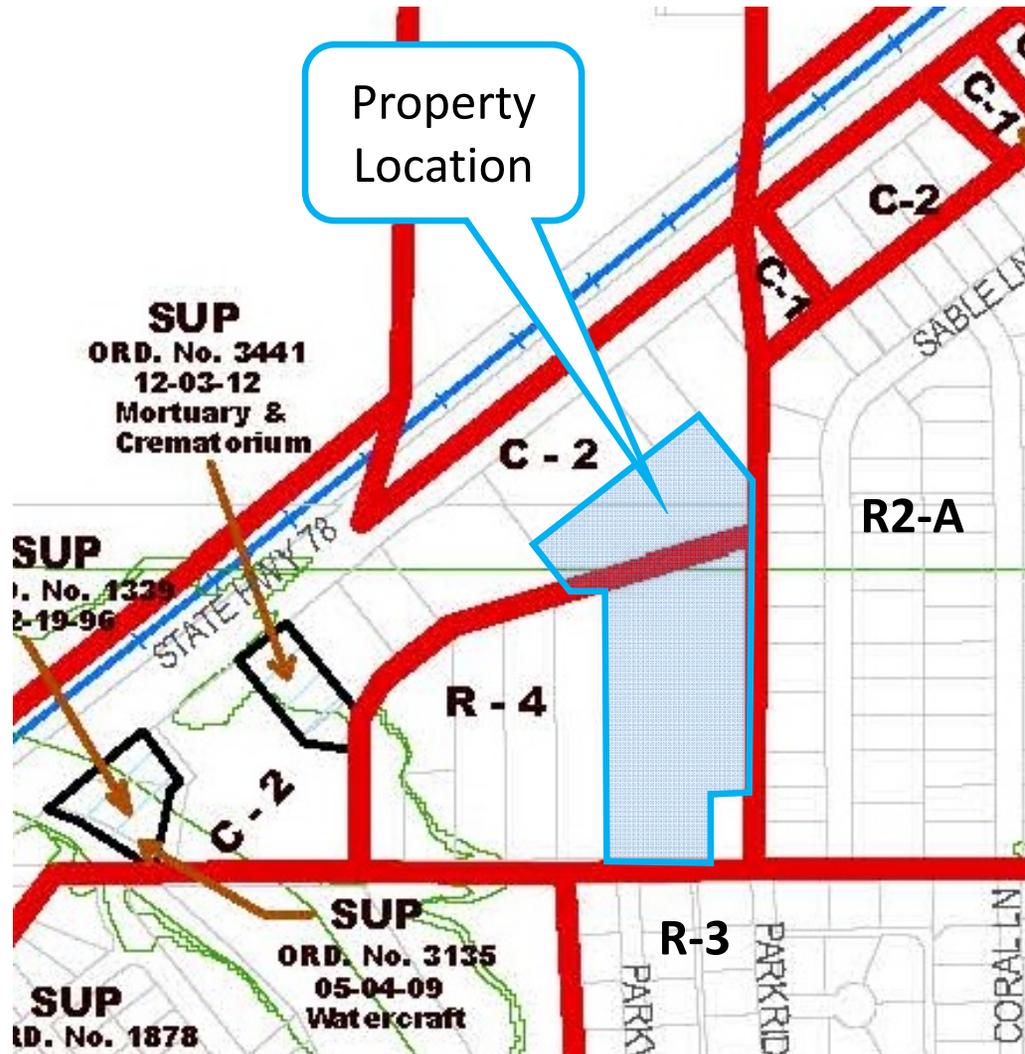
Zoning Map

Property Zoning:

- C-2 (Commercial)
- R-4 (Residential)
- The existing Church is an allowed use under current zoning

Surrounding Property Zoning includes:

- C-2 (Commercial)
- R-4 (Residential)
- R2-A (Residential)
- R-3 (Residential)





Legislation Details (With Text)

File #: 15-3017 **Version:** 1 **Name:** CD - Sign Variance Request for North Pointe Church
Type: Agenda Item **Status:** Agenda Ready
File created: 9/10/2015 **In control:** City Council
On agenda: 9/14/2015 **Final action:**

Title: Conduct a public hearing and consider the application of North Pointe Church, requesting a variance from the Code of Ordinances, Chapter 3, Building Regulations, Section 3-10, Table 1, General Sign Provisions to reduce the required front yard setback for an Institutional Sign from 15 feet to 8 feet in an existing sign easement on the property located at 7010 State Highway 78.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Sign Variance Presentation](#)
[1 Location Map](#)
[2 Variance Request Application Packet](#)
[3 Easement](#)
[4 Letter to Property Owner](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title...

Conduct a public hearing and consider the application of North Pointe Church, requesting a variance from the Code of Ordinances, Chapter 3, Building Regulations, Section 3-10, Table 1, General Sign Provisions to reduce the required front yard setback for an Institutional Sign from 15 feet to 8 feet in an existing sign easement on the property located at 7010 State Highway 78.

Executive Summary

A sign variance is being requested by North Pointe Church to reduce the required 15-foot front yard setback for an institutional sign to 8 feet.

Background...

The existing sign easement associated with the variance request is located on the property located at 7010 State Highway 78. North Pointe Church currently owns and operates a Church facility located at 7030 State Highway 78, which is located behind 7010 State Highway 78(See Attachment 1 - Sign Location Map).

The applicant plans to construct an institutional sign that will display the name of the Church.

(See Attachment 2 - Sign Variance Application Packet)

Since the sign is an institutional sign, and not an advertising sign, it is not considered an off-premise sign as identified in the Sachse Code of Ordinances, Chapter 3 Building Regulations.

Current regulations permit the applicant to install an institutional sign but it must be setback 15 feet from the front property line. The request is to reduce this setback to 8 feet. The proposed sign meets the other requirements for height and size as shown in Table 1, General Sign Provisions within Chapter 3, Building Regulations.

The applicant has provided a copy of the easement, filed of record in Collin County (Attachment 3 - Easement), and a copy of their letter to the property owner of 7010 State Highway 78, making the property owner aware of their intentions to construct a sign in the easement. (Attachment 4 - Letter to Property Owner)

It is important to note that the sign easement is part of a private agreement between two property owners. The City of Sachse is not a party to this agreement, and thus, is not responsible for enforcing or acting upon this agreement. It is the responsibility of the parties identified in the agreement to follow the terms and conditions set forth in the private agreement.

Policy Considerations...

Pursuant to Chapter 3, Section 3-10 (B) (15) of the Code of Ordinances, the applicant is required to provide the following application information:

Name, address and telephone number of the applicant.

Location of building, structure or lot to which or upon which the sign(s) is to be attached or erected.

Position of the sign(s) in relation to nearby buildings or structures, including other signs.

The zoning classification of the property on which the sign(s) is to be located. Also the zoning classification of all property within 250 feet of the sign(s) location.

The specific variation(s) requested and the reasons and justification for such requests.

Ten copies of the signage and site plans shall be required.

Staff has reviewed the information provided by the applicant in light of the aforementioned criteria set forth in the Code of Ordinances. In addition, the applicant has provided a Letter of Intent explaining their justification for the requested variance (See Attachment 4 for the Letter of Intent provided by the applicant).

Sign

Based on the definition of an institutional sign in the Code of Ordinances (see below), this sign would be an institutional sign.

Sign, *institutional* is any sign used to identify schools, churches, hospitals and similar public or quasi-public institutions.

Variance Summary

Based on the applicant's request, a variance from the following section of the Code of Ordinances will be required.

Section 3-10. Table 1. General Sign Provisions. All institutional signs must be located beyond the 15 foot front yard setback.

Variance #1: Permit an institutional sign to be located 8 feet from front property line.

Conclusion

Since the proposed sign is an Institutional Sign and not considered an Advertising Sign, it is not considered an off-premise sign as identified in the Sachse Code of Ordinances, Chapter 3 Building Regulations.

The proposed sign is to be located within a Sign Easement that is an agreement between two private parties, filed of record in Collin County. The City of Sachse is not a party to this agreement, and shall not act on behalf of either party. The Grantee has notified the Grantor of their intent to construct a sign within the easement via phone and in writing.

It is not the responsibility of the City of Sachse to ensure that the Grantee and Grantor of the Sign Easement follow the terms and conditions identified in the private agreement.

The proposed sign is outside of the viewing triangle for motorists in the proposed driveways approaching State Highway 78.

There are two adjacent signs on State Highway 78 in the immediate area that are similarly

placed along the highway. Placing the sign 15-feet away from the front property line per the City Ordinance would result in the sign blocking a significant portion of the existing drive aisle, causing unnecessary impact to traffic in the existing parking lot.

The applicant is seeking to locate the sign within the existing sign easement, where there is an existing parking space. The proposed location would reduce the parking by 1 space, and would be required to have bollards at each corner, to protect the sign from vehicles in the adjacent parking spaces and drive aisles on the property. This location would provide sign visibility to traffic heading in both directions along State Highway 78.

It should be noted that when evaluating variance requests, the City of Sachse Code of Ordinances does not contemplate financial hardship as a means of justification for a variance; variances are considered based upon the physical characteristics of the site and the resultant hardship that may be imposed. Therefore, the discussion in the Conclusion sections above as well as staff's recommendation does not consider financial hardship as a factor.

Budgetary Considerations...

None.

Staff Recommendations...

Given the existing conditions of the State Highway 78 right-of-way and the layout of the site, staff recommends approval of the application by North Pointe Church requesting a variance from the Code of Ordinances, Chapter 3 Building Regulations, Section 3-10, Table 1 General Sign Provisions to permit the reduction of the required front yard setback for an Institutional Sign from 15 feet to 8 feet for North Pointe Church.



Sign Variance Request North Pointe Church

City Council
September 14, 2015

Overview

- Applicant Information
- Project Location
- Current City Ordinance
- Proposed Sign
- Variance Request
- Staff Recommendation

Applicant Information

- The Applicant is North Pointe Church
- The Applicant is currently operating a Church facility at 7030 State Highway 78, located between Williford Road and Sable Lane.
- The Applicant is the “Grantee” of an existing Sign Easement located on the property at 7010 State Highway 78.
- The Sign Easement was part of a Driveway and Parking Easement filed in Collin County on August 22, 2006 (Document # 001203540).
- The Applicant intends to construct an Institutional Sign within the Sign Easement.

Sign Location Map



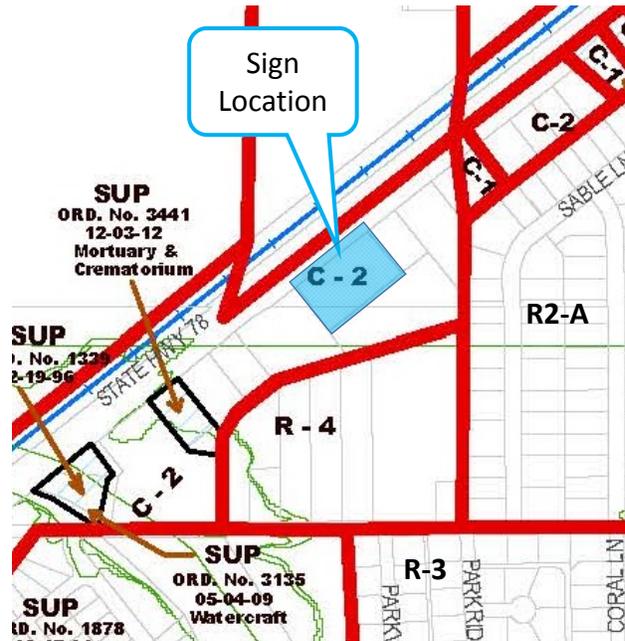
Zoning Map

Property Zoning:

- C-2 (Commercial)

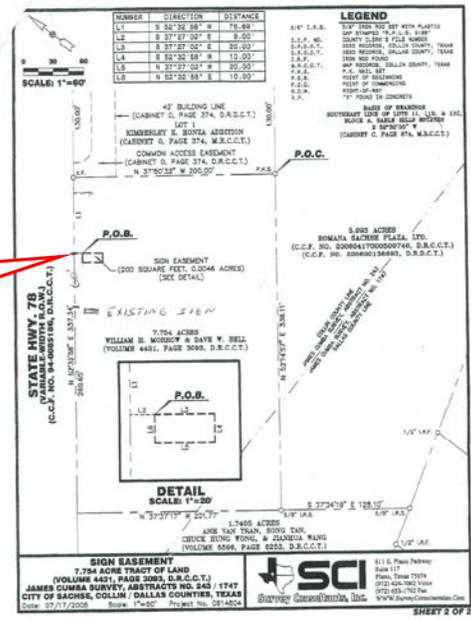
Surrounding Property Zoning includes:

- C-2 (Commercial)
- R-4 (Residential)
- R2-A (Residential)
- R-3 (Residential)



Sign Easement Location

Existing 20'x10' Sign Easement located 8-feet from property line



City Ordinance - Signs

Code of Ordinances, Chapter 3 – Building Regulations

Sign, *institutional* is any sign used to identify schools, churches, hospitals and similar public or quasi-public institutions.

Section 3-10 Table 1 “General Sign Provisions”

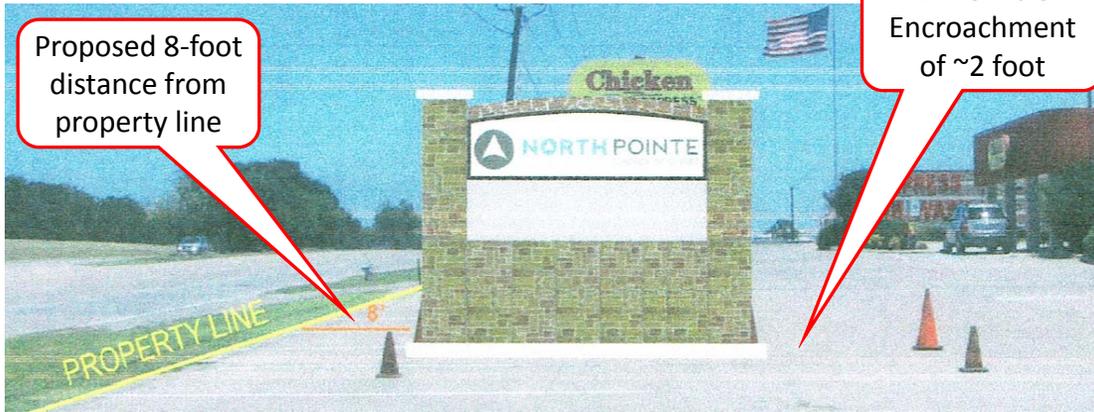
Sign Use	Zone Permitted	Maximum Area (Sq. Ft.)	Maximum Height	Construction Type	Setback Required	Spacing	Maximum Duration
Institutional	All Zones	32	10-feet	Ground	15-feet	1 per street front	Permanent

**Request for
an 8' setback**

Variance Request

- The Applicant is requesting a variance from the required 15-foot setback from the public right-of-way.
- The Applicant is requesting an 8-foot setback from the public right-of-way.
- Staff has reviewed the proposed sign layout and location, and finds the proposed sign to meet all other requirements identified in the Code of Ordinances Code of Ordinances, Chapter 3 – Building Regulations, Section 3-10 “Signs.”

Proposed Sign – 8-feet from Property Line



Note: The Applicant has agreed to install bollards to protect the sign from vehicles

Proposed Sign – 15-feet from Property Line



Note: The existing parking spaces are 18-feet deep, existing drive aisle is 30-feet wide

Adjacent Signs

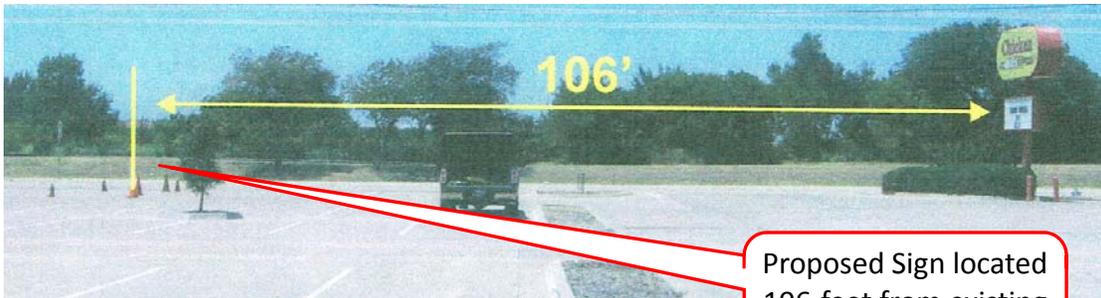


Sign 8-feet from property Line



Sign 8-feet from property line

Distance From Adjacent Signs



Proposed Sign located 106-feet from existing Chicken Express Sign



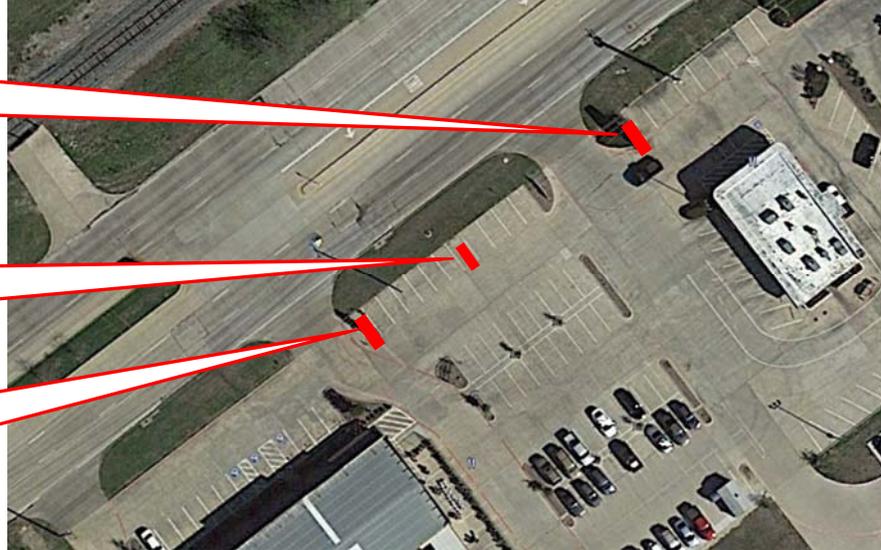
Proposed Sign located 62-feet from existing Laguna Madre Traders Sign

Aerial View – Sign Locations

Existing Chicken
Express Sign

Proposed North
Pointe Church Sign

Existing Laguna
Madre Traders Sign



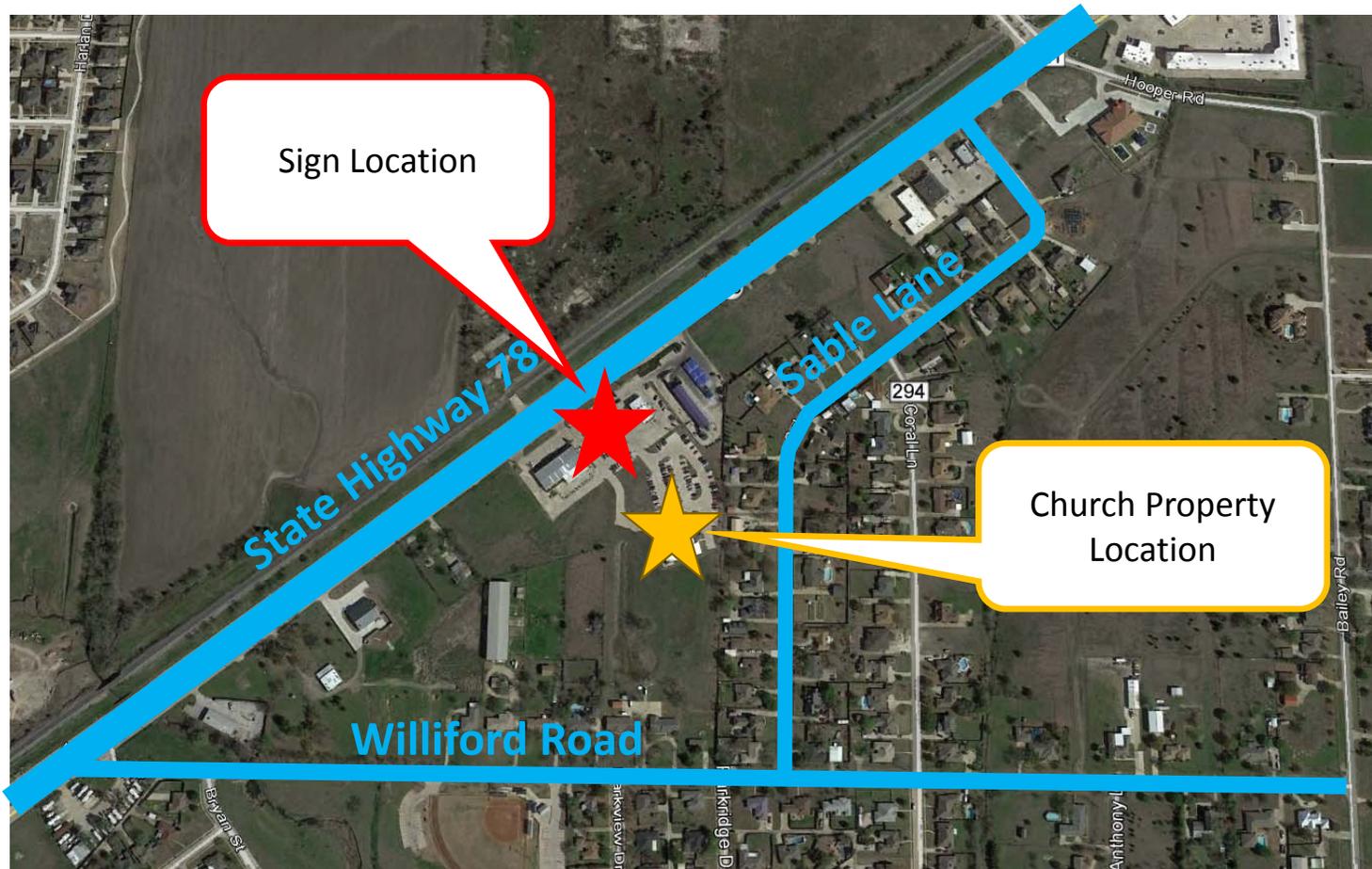
Staff Findings

- Since the proposed sign is an Institutional Sign and not considered an Advertising Sign, it is not considered an off-premise sign as identified in the Sachse Code of Ordinances, Chapter 3 Building Regulations
- **The proposed sign is to be located within a Sign Easement that is an agreement between two private parties, filed of record in Collin County. The City of Sachse is not a party to this agreement, and shall not act on behalf of either party.** The Grantee has notified the Grantor of their intent to construct a sign within the easement via phone and in writing.
- **It is not the responsibility of the City of Sachse to ensure that the Grantee and Grantor of the Sign Easement follow the terms and conditions identified in the private agreement.**
- The proposed sign is outside of the viewing triangle for motorists in the proposed driveways approaching State Highway 78.
- There are two adjacent signs on State Highway 78 in the immediate area that are similarly placed along the highway.
- Bollards shall be installed at each corner of the sign to protect the sign from vehicles.

Staff Recommendation

- Staff recommendation:
 - Staff recommends approval of the application by North Pointe Church requesting a variance from the Code of Ordinances, Chapter 3 Building Regulations, Section 3-10, Table 1 General Sign Provisions to permit the reduction of the required front yard setback for an Institutional Sign from 15 feet to 8 feet for North Pointe Church.

Sign Location Map





UNIFORM DEVELOPMENT APPLICATION

APPLICATION INFORMATION			
Project Name: <u>NORTH POINTIE CHURCH</u>		Total Acreage:	
Location of Property: <u>7030 HWY 78 SACHSE TX</u>		Appraisal District Account Number(s) & County:	
Subdivision/Addition Name: <u>Romana Sachse Addition</u>		Lot: <u>3K</u>	Block: <u>A</u>
Future Land Use Map Designation(s):		Current Zoning Designation(s):	
TYPE OF REQUEST			
		Fees Paid (*For Administrative Use Only)	
<input type="checkbox"/> Rezoning		\$	
<input type="checkbox"/> Planned Development		\$	
<input type="checkbox"/> Special Use Permit (SUP)		\$	
<input type="checkbox"/> Temporary Special Use Permit (SUP)		\$	
<input type="checkbox"/> Temporary Seasonal Sales		\$	
<input type="checkbox"/> Temporary Retail Sales		\$	
<input checked="" type="checkbox"/> Variance		\$	
<input type="checkbox"/> Site Plan		\$	
<input type="checkbox"/> Landscape Plan		\$	
<input type="checkbox"/> Tree Management Plan		\$	
<input type="checkbox"/> Preliminary Plat		\$	
<input type="checkbox"/> Final Plat		\$	
<input type="checkbox"/> Replat		\$	
<input type="checkbox"/> Amending Plat		\$	
<input type="checkbox"/> Minor Plat		\$	
<input type="checkbox"/> Conveyance Plat		\$	
CURRENT PROPERTY OWNER			
Company: <u>LAGUNA MADRE</u>		Name:	
Address: <u>TRADERS</u>		Phone No: <u>972-429-3883</u>	
<u>7010 HWY 78</u>		Fax No:	
City: <u>SACHSE</u>	State: <u>TX</u>	Zip Code: <u>75048</u>	E-Mail: <u>WENDY@SHOP</u>
<u>LAGUNA MADRE.COM</u>			
APPLICANT/CONTRACT PURCHASER			
Company: <u>NORTH POINTIE CHURCH</u>		Name: <u>FRANCIS CAMPBELL</u>	
Address: <u>7030 HWY 78</u>		Phone No: <u>972-989-8533</u>	
		Fax No:	
City: <u>SACHSE</u>	State: <u>TX</u>	Zip Code: <u>75048</u>	E-mail: <u>FRANCIS CAMPBELL@</u>
<u>AOL.COM</u>			
AGENT/REPRESENTATIVE			
Company: <u>BOROUGH'S SIGN CO</u>		Name: <u>TANDY BOROUGHS</u>	
Address: <u>830 DALWORTH</u>		Phone No: <u>972-285-4706</u>	
		Fax No: <u>972-285-8995</u>	
City: <u>MESQUITE</u>	State: <u>TX</u>	Zip Code: <u>75149</u>	E-mail:
For Administrative Use Only			
Date: _____	Case Number: _____	Total Fees Paid: \$ _____	



BOARD OF ADJUSTMENT / VARIANCE REQUEST CHECKLIST

Project Name : NORTH POINTE CHURCH Case # _____

This checklist is provided to assist you in addressing the minimum requirements for a Variance Request submission. An application is incomplete unless all applicable information noted below is submitted to the Department of Community Development. Indicate that all information is included in the submittal by checking the box next to the required information. Checking the box certifies to the City that you have completely and accurately addressed the issue. Return this form at the time of application submittal.

All variance requests must be in accordance with Chapter 11, Section 11-4.D of the City of Sachse Code of Ordinances. Furthermore, please note that any variance or appeal of administrative decision granted or authorized by the Board of Adjustment does not relieve the applicant/property owner from obtaining a building permit from the City of Sachse Building Department.

Chapter 11, Article 2 of the City of Sachse Code of Ordinances defines a variance as "a modification of the literal provisions of the zoning ordinance granted by the board of adjustment when strict enforcement of the zoning ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted."

REQUIRED INFORMATION	
Included	Item Description
<input checked="" type="checkbox"/>	A written narrative describing the following: <ul style="list-style-type: none"> ○ Description of the variance or appeal requested. ○ Description of how the request will not be contrary to the public interest. ○ Due to special conditions, a literal enforcement of the provisions of the Zoning Ordinance WILL RESULT IN UNNECESSARY HARDSHIP (What is the special condition and what is the hardship?). ○ How this request complies with the spirit of the Zoning Ordinance. ○ How substantial justice will be done by granting this application. ○ How the appropriate use of the neighboring property will not be substantially injured.
<input checked="" type="checkbox"/>	Photograph(s) of necessary information related to request
<input checked="" type="checkbox"/>	A plot plan of the property on which the variance is sought together with a design of the area which is contrary to the terms of the Zoning Ordinance.
<input type="checkbox"/>	Letters of petition from adjoining property owners concerning this application (optional).

Preparer's Signature: 

Consent Form

Project Name: North Pointe Church of Christ Submittal Date: 8/7/2015

Application Type (check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Special Use Permit (SUP) |
| <input type="checkbox"/> Temporary Seasonal Sales | <input type="checkbox"/> Temporary Retail Sales | <input type="checkbox"/> Temporary SUP |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Tree Survey / Preservation Plan | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Replat | <input type="checkbox"/> Amending Plat |
| <input type="checkbox"/> Minor Plat | <input type="checkbox"/> Conveyance Plat | |

I hereby give CONSENT to Boroughs Sign Co. (type, stamp or print clearly full name of agent/representative) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the City of Sachse, Texas, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent/representative will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I acknowledge that additional information may be required to process this application. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Current Property Owner Information

Name: Will Dye
Address: 280 Hwy 78 N

Signature: [Signature]
City, State, ZIP: Sachse TX 75048

Agent/Representative Information

Name: BOROUGH'S SIGN CO
Address: 830 DALWORTH

City, State, ZIP: MESQUITE TX 75149

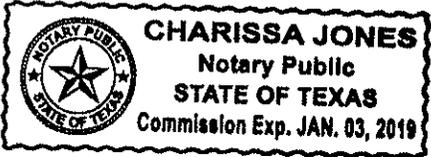
NOTARY PUBLIC INFORMATION

THE STATE OF TEXAS
COUNTY OF _____

The foregoing instrument was acknowledged before me this 7th day of AUGUST 2015 by _____ (name of person acknowledging). He/she is personally known to me or has produced (type of identification) _____ as identification and did/did not take an oath (circle correct response).

Charissa Jones
(Name - type, stamp or print clearly)

[Signature]
(Signature)



NOTARY'S SEAL OR STAMP

For Administrative Use Only
Date: _____ Case Number: _____



830 Dalworth
Mesquite, Texas 75149
972-285-4706
fax 972-285-8995

August 6, 2015

City of Sachse

% Variance Board

Boroughs Sign Company representing North Pointe Church is asking for sign set back variance from property line. We are asking that we be able to have an 8' set back instead of 15' set back as other signs are near same location. See exhibit A, B & G.

Due to this being a church your city ordinance requires that signs be set back 15' from property line. This places the new sign in the middle of the main drive of the parking lot causing loss of parking lot spaces and slowing of traffic. See exhibit D & H.

If given variance to move sign to 8' set back all signs on roadway would be in line, and no infringement on parking or traffic. See exhibit I & J.

This parking lot is used by multiple businesses for drive through due to being in line with the median cut through on Hwy. 78. This will not affect any businesses or public right of away, only making things better in appearance and movement of traffic in parking lot.

Sign meets city ordinance on distance between signs in same location exhibit E & F.

The church sits behind the Laguna Madre Traders parking lot. At the time the church purchased the land, they were given a sign easement on the property to be used for a future sign. Orange cones on picture of exhibit C shows location of sign easement. Also attached to exhibit C is sign easement survey.

Thank you for your assistance on this matter.

Boroughs Sign Company

Tandy Boroughs, President

Exhibit A



Exhibit B



Exhibit H



Exhibit I

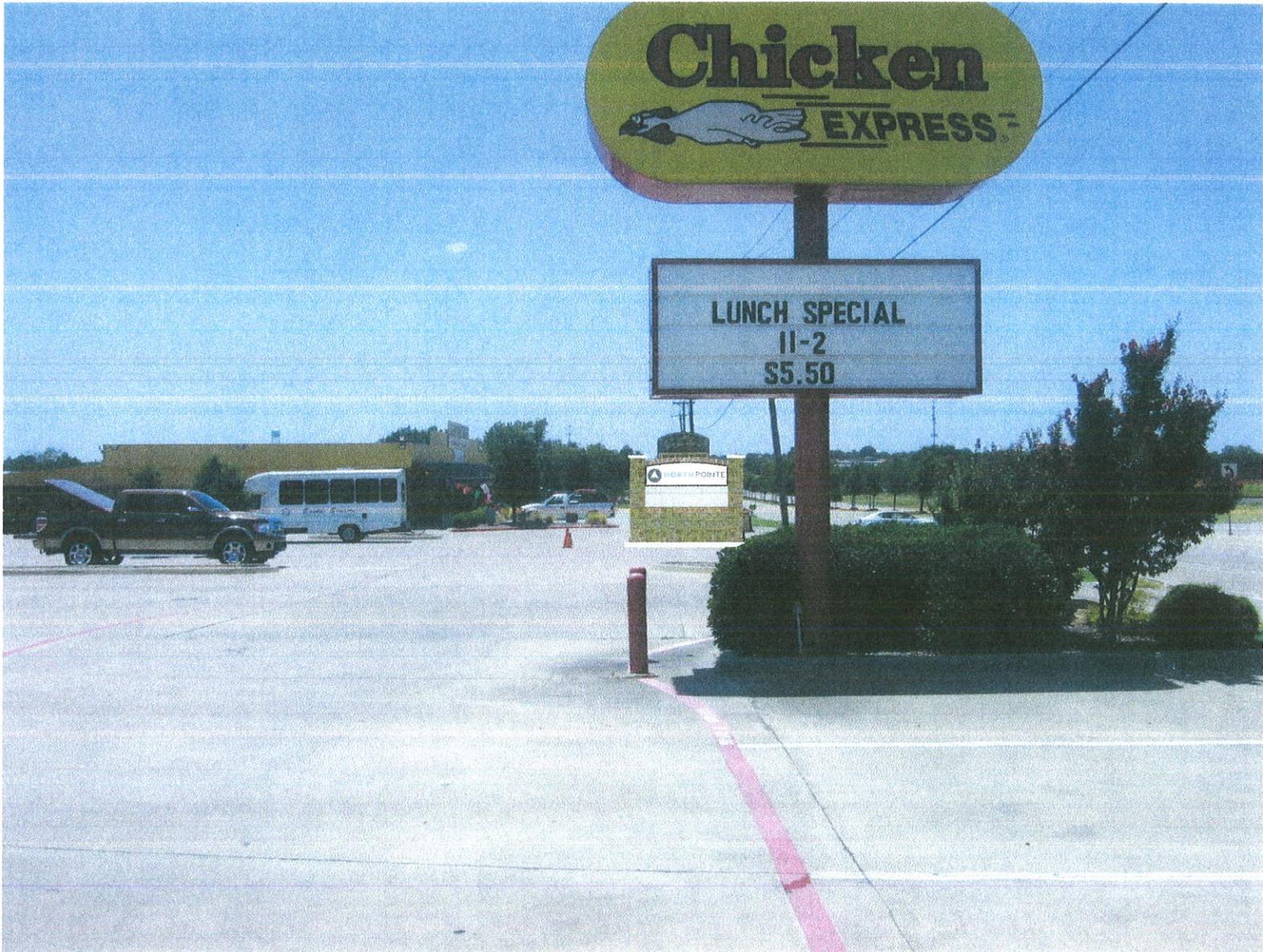


Exhibit J



Exhibit E



Exhibit F

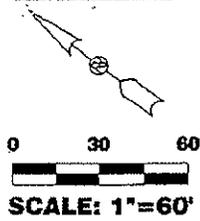


Exhibit C



Exhibit D





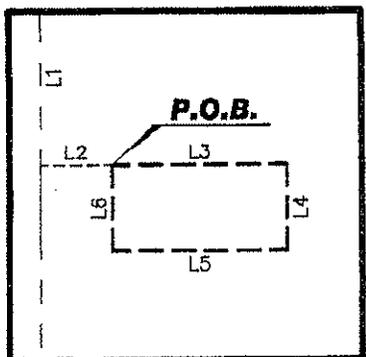
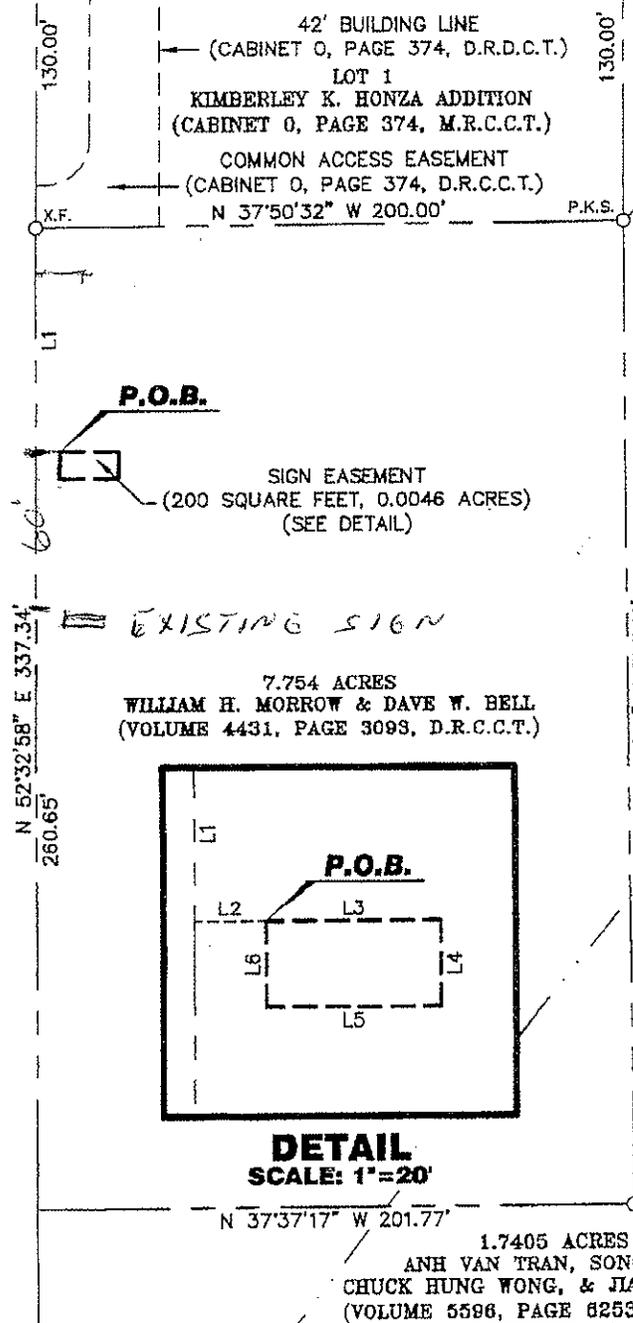
NUMBER	DIRECTION	DISTANCE
L1	S 52°32'58" W	76.69'
L2	S 37°27'02" E	8.00'
L3	S 37°27'02" E	20.00'
L4	S 52°32'58" W	10.00'
L5	N 37°27'02" W	20.00'
L6	N 52°32'58" E	10.00'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199"
- C.C.F. NO. COUNTY CLERK'S FILE NUMBER
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.O.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C, PAGE 87A, M.R.C.C.T.)

STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



SIGN EASEMENT
7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/17/2006 Scale: 1"=60' Project No. 0614804

811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

972-984-8533 FRANCIS CAMPBELL

REPUBLIC TITLE OF TEXAS, INC.
GF # 04R14991 SJ4 FF \$ 32.00

After recording return to:
~~Matthew M. Sanderson~~
15851 Dallas Parkway, Suite 925
~~Addison, Texas 75001~~

Return to: SJ4
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

20060822001203540
08/22/2006 11:10:05 AM ET 1/5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRIVEWAY AND PARKING EASEMENT

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, William Morrow and Dave Bell ("Grantors") hereby grant and convey to Kholoud Shanti, ("Grantee"), her successors and assigns, a perpetual, non-exclusive driveway and parking easement ("Easement") in, under, upon, about, over and through the property described on the attached Exhibit "A," hereto and incorporated herein by reference ("Property").

1. Grant. The easement granted hereby shall run with the land, and the Property shall be used only for parking and as a driveway at its current elevation and for no other purpose.
2. Amendment. This Easement may be amended or terminated only by a written and recorded instrument signed by all of the parties or the then current owner of the Property and the Easement.
3. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.
4. Governing Law. This Easement shall be governed by and construed and enforced in accordance with the laws of the State of Texas.

[Handwritten initials]

SIGNED on this the 29 day of December, 20 04.

GRANTORS

GRANTEE

William Morrow
William Morrow

Kholoud Shanti
Kholoud Shanti

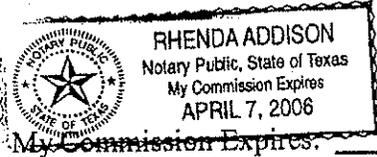
Dave Bell
Dave Bell

STATE OF TEXAS

COUNTY OF Dallas

On this day, William Morrow, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Rhenda Addison
NOTARY PUBLIC

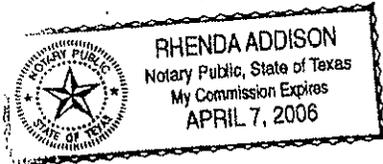


STATE OF TEXAS

COUNTY OF Dallas

On this day, Dave Bell, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Rhenda Addison
NOTARY PUBLIC



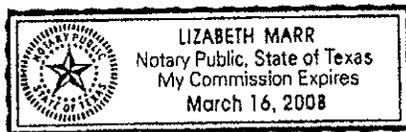
My Commission Expires: _____

STATE OF TEXAS

COUNTY OF DALLAS

On this day, Kholoud Shanti, Grantee, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Lizabeth Marr
NOTARY PUBLIC



My Commission Expires: 03-16-08

**LEGAL DESCRIPTION
EXHIBIT A**

BEING a tract of land situated in the City of Sachse, Collin County, Texas out of the James Cumba Survey, Abstract No. 243 and being part of a 7.754 acre described tract of land conveyed to William H. Morrow & Dave W. Bell according to the deed filed for record in Volume 4431, Page 3093, Deed Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a P.K. nail set in the most westerly northwest line of a 5.093 acre described tract of land conveyed to Romana Sachse Plaza, Ltd. according to the deed filed for record in County Clerk's File Number 20060417000500740, Deed Records, Collin County, Texas and County Clerk's File Number 200600136693, Deed Records, Dallas County, Texas, the southerly corner of Lot 1, Kimberley K. Honza Addition according to the plat thereof recorded in Cabinet 0, Page 374, Map Records, Collin County, Texas;

THENCE, along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 24.00 feet to the **POINT OF BEGINNING**;

THENCE, continuing along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 115.66 feet to a point;

THENCE, departing said northwest line, North 37 degrees, 56 minutes, 50 seconds West, a distance of 157.89 feet to a point;

THENCE, North 47 degrees, 45 minutes, 02 seconds West, a distance of 28.33 feet to a point;

THENCE, North 38 degrees, 09 minutes, 59 seconds West, a distance of 14.97 feet to a point in the southeast right of way line of State Highway 78, the northwest line of said 7.754 acre tract;

THENCE, along said common line, North 52 degrees, 32 minutes, 58 seconds East, a distance of 124.36 feet to a point from which an "X" found in concrete, the westerly corner of said Lot 1, bears North 52 degrees, 32 minutes, 58 seconds East, a distance of 20.55 feet;

THENCE, departing said common line, South 33 degrees, 06 minutes, 49 seconds East, a distance of 41.85 feet to a point;

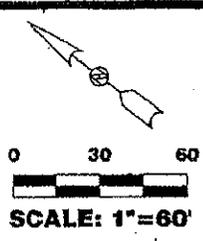
THENCE, South 37 degrees, 50 minutes, 32 seconds East, a distance of 158.39 feet to the **POINT OF BEGINNING** and containing 23,430 square feet or 0.5379 acres of land, more or less.

**DRIVEWAY AND PARKING EASEMENT
7.754 ACRE TRACT OF LAND
(VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
Date: 07/21/2006 Scale: N/A Project No. 0614804**



811 E. Plano Parkway
Suite 117
Plano, Texas 75074
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

SHEET 1 OF 2



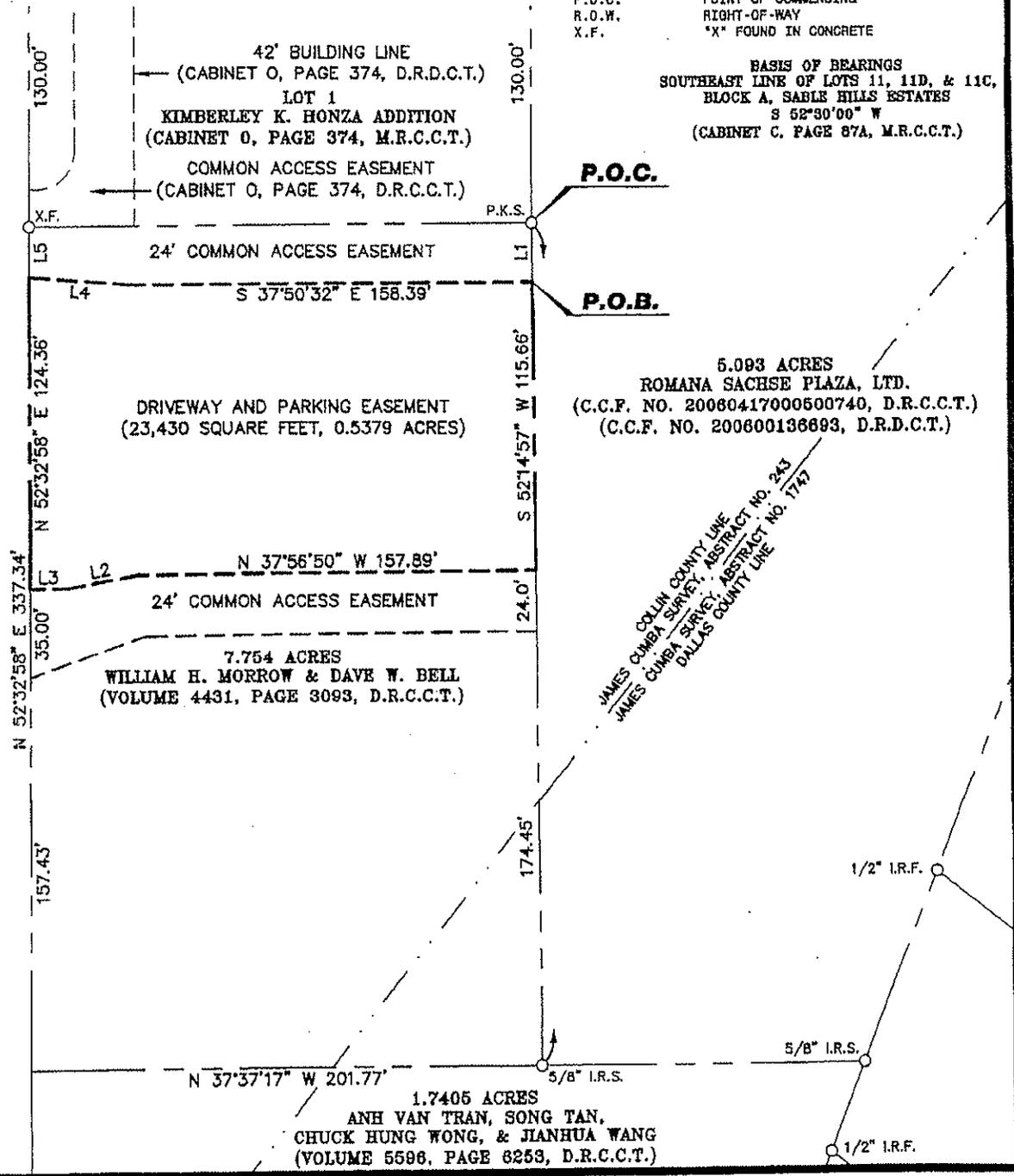
NUMBER	DIRECTION	DISTANCE
L1	S 52°14'57" W	24.00'
L2	N 47°45'02" W	28.93'
L3	N 38°09'59" W	14.97'
L4	S 33°06'49" E	41.85'
L5	N 52°32'58" E	20.55'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199" COUNTY CLERK'S FILE NUMBER
- C.C.F. NO. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C. PAGE 87A, M.R.C.C.T.)

STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



DRIVEWAY AND PARKING EASEMENT
 7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
 JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
 CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/21/2006 Scale: 1"=60' Project No. 0614804



811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

Filed and Recorded
Official Public Records
Brenda Taylor, County Clerk
Collin County, TEXAS
08/22/2006 11:10:05 AM
\$32.00 DLAIRD
20060822001203540



Brenda Taylor

REPUBLIC TITLE OF TEXAS, INC.
GF # 04R14991 SJ4 FF \$ 32.00

After recording return to:
~~Matthew M. Sanderson~~
15851 Dallas Parkway, Suite 925
~~Addison, Texas 75001~~

Return to: SJ4
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

20060822001203540
08/22/2006 11:10:05 AM ET 1/5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRIVEWAY AND PARKING EASEMENT

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, William Morrow and Dave Bell ("Grantors") hereby grant and convey to Kholoud Shanti, ("Grantee"), her successors and assigns, a perpetual, non-exclusive driveway and parking easement ("Easement") in, under, upon, about, over and through the property described on the attached Exhibit "A," hereto and incorporated herein by reference ("Property").

1. Grant. The easement granted hereby shall run with the land, and the Property shall be used only for parking and as a driveway at its current elevation and for no other purpose.
2. Amendment. This Easement may be amended or terminated only by a written and recorded instrument signed by all of the parties or the then current owner of the Property and the Easement.
3. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.
4. Governing Law. This Easement shall be governed by and construed and enforced in accordance with the laws of the State of Texas.

[Handwritten initials]

SIGNED on this the 29 day of December, 2004.

GRANTORS

GRANTEE

William Morrow
William Morrow

Kholoud Shanti
Kholoud Shanti

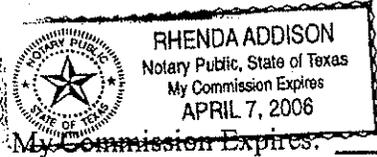
Dave Bell
Dave Bell

STATE OF TEXAS

COUNTY OF Dallas

On this day, William Morrow, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Rhenda Addison
NOTARY PUBLIC

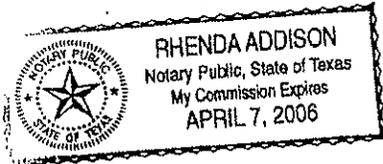


STATE OF TEXAS

COUNTY OF Dallas

On this day, Dave Bell, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Rhenda Addison
NOTARY PUBLIC



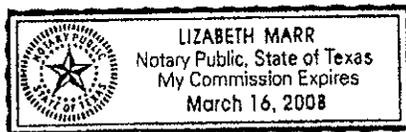
My Commission Expires: _____

STATE OF TEXAS

COUNTY OF DALLAS

On this day, Kholoud Shanti, Grantee, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Lizabeth Marr
NOTARY PUBLIC



My Commission Expires: 03-16-08

**LEGAL DESCRIPTION
EXHIBIT A**

BEING a tract of land situated in the City of Sachse, Collin County, Texas out of the James Cumba Survey, Abstract No. 243 and being part of a 7.754 acre described tract of land conveyed to William H. Morrow & Dave W. Bell according to the deed filed for record in Volume 4431, Page 3093, Deed Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a P.K. nail set in the most westerly northwest line of a 5.093 acre described tract of land conveyed to Romana Sachse Plaza, Ltd. according to the deed filed for record in County Clerk's File Number 20060417000500740, Deed Records, Collin County, Texas and County Clerk's File Number 200600136693, Deed Records, Dallas County, Texas, the southerly corner of Lot 1, Kimberley K. Honza Addition according to the plat thereof recorded in Cabinet 0, Page 374, Map Records, Collin County, Texas;

THENCE, along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 24.00 feet to the **POINT OF BEGINNING**;

THENCE, continuing along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 115.66 feet to a point;

THENCE, departing said northwest line, North 37 degrees, 56 minutes, 50 seconds West, a distance of 157.89 feet to a point;

THENCE, North 47 degrees, 45 minutes, 02 seconds West, a distance of 28.33 feet to a point;

THENCE, North 38 degrees, 09 minutes, 59 seconds West, a distance of 14.97 feet to a point in the southeast right of way line of State Highway 78, the northwest line of said 7.754 acre tract;

THENCE, along said common line, North 52 degrees, 32 minutes, 58 seconds East, a distance of 124.36 feet to a point from which an "X" found in concrete, the westerly corner of said Lot 1, bears North 52 degrees, 32 minutes, 58 seconds East, a distance of 20.55 feet;

THENCE, departing said common line, South 33 degrees, 06 minutes, 49 seconds East, a distance of 41.85 feet to a point;

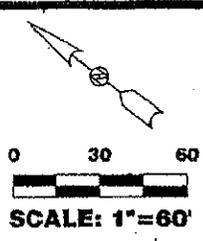
THENCE, South 37 degrees, 50 minutes, 32 seconds East, a distance of 158.39 feet to the **POINT OF BEGINNING** and containing 23,430 square feet or 0.5379 acres of land, more or less.

**DRIVEWAY AND PARKING EASEMENT
7.754 ACRE TRACT OF LAND
(VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
Date: 07/21/2006 Scale: N/A Project No. 0614804**



811 E. Plano Parkway
Suite 117
Plano, Texas 75074
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

SHEET 1 OF 2



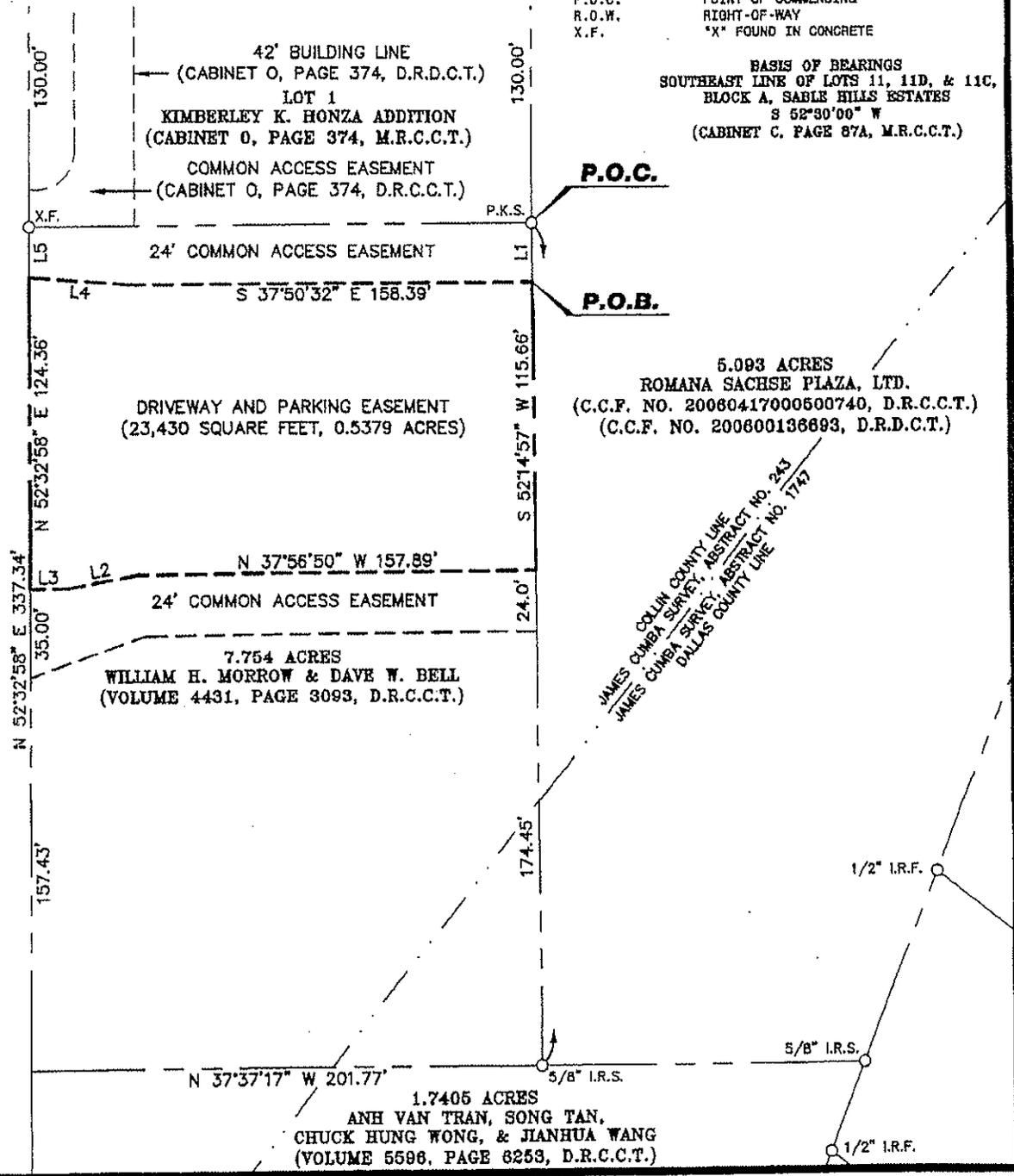
NUMBER	DIRECTION	DISTANCE
L1	S 52°14'57" W	24.00'
L2	N 47°45'02" W	28.93'
L3	N 38°09'59" W	14.97'
L4	S 33°06'49" E	41.85'
L5	N 52°32'58" E	20.55'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199" COUNTY CLERK'S FILE NUMBER
- C.C.F. NO. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C. PAGE 87A, M.R.C.C.T.)

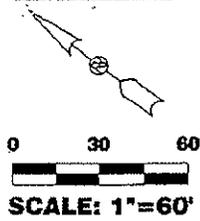
STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



DRIVEWAY AND PARKING EASEMENT
 7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
 JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
 CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/21/2006 Scale: 1"=60' Project No. 0614804



811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com



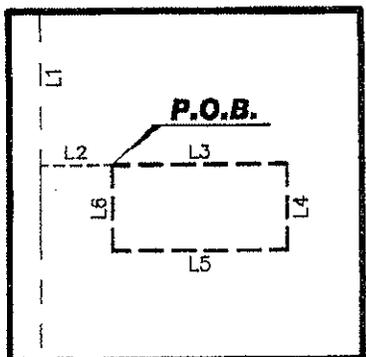
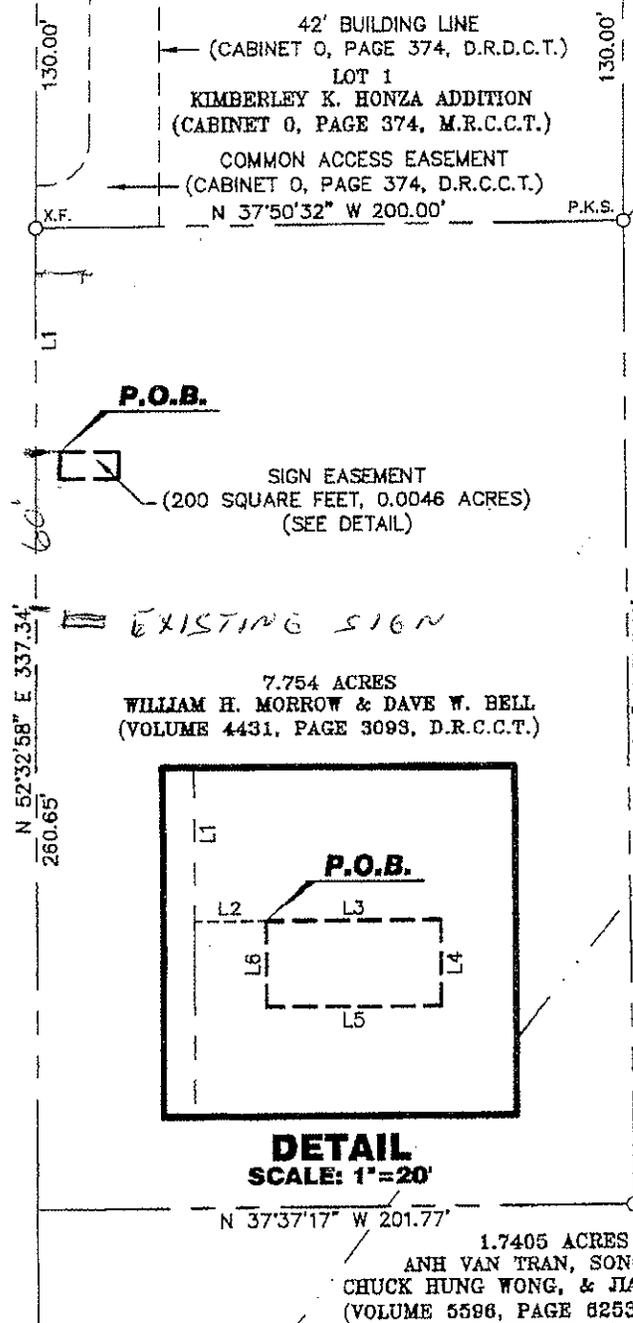
NUMBER	DIRECTION	DISTANCE
L1	S 52°32'58" W	76.69'
L2	S 37°27'02" E	8.00'
L3	S 37°27'02" E	20.00'
L4	S 52°32'58" W	10.00'
L5	N 37°27'02" W	20.00'
L6	N 52°32'58" E	10.00'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199"
- C.C.F. NO. COUNTY CLERK'S FILE NUMBER
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.O.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C, PAGE 87A, M.R.C.C.T.)

STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



SIGN EASEMENT
7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/17/2006 Scale: 1"=60' Project No. 0614804

811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

972-984-8533 FRANCIS CAMPBELL

Filed and Recorded
Official Public Records
Brenda Taylor, County Clerk
Collin County, TEXAS
08/22/2006 11:10:05 AM
\$32.00 DLAIRD
20060822001203540



Brenda Taylor

J. KENT NEWSOM, P.C.
a Professional Corporation
ATTORNEYS AND COUNSELORS
250 S. Highway 78
Wylie, Texas 75098
Telephone (972) 442-3541
Facsimile (214) 442-4162

Catherine Cook Ginn
catherine.ginn@lticao.com

April 16, 2015

Sylvia M. Phillips
2801 S. Highway 377
Cross Roads, TX 76227

RE: Laguna Madre Traders and North Pointe Church of Christ/Sign Easement

Dear Ms. Phillips:

I represent North Pointe Church of Christ. I have reviewed the sign easement ("Easement") regarding the property now owned by LMT Land, Inc. ("LMT") and North Pointe Church of Christ (attached as Exhibit "A"). I understand that LMT and North Pointe Church of Christ may negotiate an amendment to the Easement. I will state the following:

- William Morrow and Dave Bell granted the Easement on the Servient Estate (fully described as Exhibit "B") for the placement of a sign. The Easement is to benefit the Dominant Estate (fully described as Exhibit "C").
- Kholoud Shanti was the original Grantee in the Easement. At the time of the execution of the Easement, Kholoud Shanti owned a larger tract of land; however, it was subdivided into smaller tracts which were sold separately, one of which including the Dominant Estate.
- The Easement does not attach to the Grantee. It attaches to and runs with the properties; therefore the current owners of the Servient Estate and Dominant Estate would have the authority to amend the Easement.
- William Morrow and Dave Bell conveyed the Servient Estate to LMT.
- Kholoud Shanti's interest in the Servient Estate was conveyed to Romana Sachse Plaza, Ltd. who then conveyed to North Pointe Church of Christ.
- Kholoud Shanti also assigned his interest in the easement to North Pointe Church of Christ (see attached Exhibit "D").

It is my opinion that LMT and North Pointe Church of Christ may amend the Easement. My client would consider amending the Easement to place the sign in a different location. It seems this would be in all parties' best interests as to not interrupt the flow of traffic in LMT's parking lot. If LMT does not want to amend the location of the sign, my client will continue with plans to erect a sign based on the Easement location. Further action would not be required. I hope we are able to reach an amicable resolution soon.

Ms. Sylvia M. Phillips

4/17/2015

Page - 2

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Cook Ginn". The signature is written in a cursive style with a large initial "C" and a long, sweeping tail.

Catherine Cook Ginn

REPUBLIC TITLE OF TEXAS, INC.
GF # 04214991 SJ4 FF \$ 32.00

After recording return to:
~~Matthew M. Sanderson~~
15851 Dallas Parkway, Suite 925
~~Addison, Texas 75001~~

Return to: SJ4
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

2
20060822001203560
08/22/2006 11:10:05 AM ET 1/5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SIGN EASEMENT

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, William Morrow and Dave Bell ("Grantors") hereby grant and convey to Kholoud Shanti, ("Grantee"), her successors and assigns, a perpetual, non-exclusive sign easement ("Easement") in, under, upon, about, over and through the property described on the attached Exhibit "A," hereto and incorporated herein by reference ("Property").

1. Grant. The easement granted hereby shall run with the land, and the Property shall be encumbered by the right of Grantee to use the Property, as described herein, for signage benefiting Grantee's property. Grantee shall bear all costs of such signage.
2. Amendment. This Easement may be amended or terminated only by a written and recorded instrument signed by all of the parties or the then current owner of the Property and the Easement.
3. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.
4. Governing Law. This Easement shall be governed by and construed and enforced in accordance with the laws of the State of Texas.

Handwritten signature/initials

SIGNED on this the 29 day of December, 2004.

GRANTORS

GRANTEE

William Morrow
William Morrow

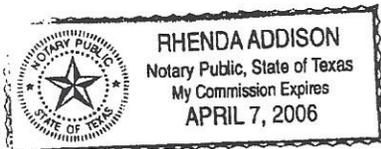
Kholoud Shanti
Kholoud Shanti

Dave Bell
Dave Bell

STATE OF TEXAS

COUNTY OF Dallas

On this day, William Morrow, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.



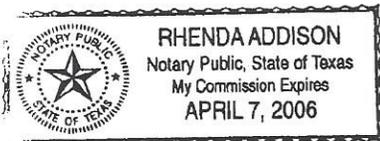
Rhenda Addison
NOTARY PUBLIC

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF Dallas

On this day, Dave Bell, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.



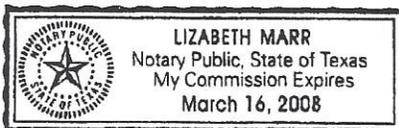
Rhenda Addison
NOTARY PUBLIC

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF DALLAS

On this day, Kholoud Shanti, Grantee, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.



Elizabeth Marr
NOTARY PUBLIC

My Commission Expires: 03-16-08

**LEGAL DESCRIPTION
EXHIBIT A**

BEING a tract of land situated in the City of Sachse, Collin County, Texas out of the James Cumba Survey, Abstract No. 243 and being part of a 7.754 acre described tract of land conveyed to William H. Morrow & Dave W. Bell according to the deed filed for record in Volume 4431, Page 3093, Deed Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a P.K. nail set in the most westerly northwest line of a 5.093 acre described tract of land conveyed to Romana Sachse Plaza, Ltd. according to the deed filed for record in County Clerk's File Number 20060417000500740, Deed Records, Collin County, Texas and County Clerk's File Number 200600136693, Deed Records, Dallas County, Texas, the southerly corner of Lot 1, Kimberley K. Honza Addition according to the plat thereof recorded in Cabinet O, Page 374, Map Records, Collin County, Texas;

THENCE, along the southwest line of said Lot 1, North 37 degrees, 50 minutes, 32 seconds West, a distance of 200.00 feet to an "X" found in concrete in the southeast right of way line of State Highway 78, the northwest line of said 7.754 acre tract, also being the westerly corner of said Lot 1;

THENCE, along said common line, South 52 degrees, 32 minutes, 58 seconds West, a distance of 76.69 feet to a point;

THENCE, departing said common line, South 37 degrees, 27 minutes, 02 seconds East, a distance of 8.00 feet to the **POINT OF BEGINNING**;

THENCE, South 37 degrees, 27 minutes, 02 seconds East, a distance of 20.00 feet to a point;

THENCE, South 52 degrees, 32 minutes, 58 seconds West, a distance of 10.00 feet to a point;

THENCE, North 37 degrees, 27 minutes, 02 seconds West, a distance of 20.00 feet to a point;

THENCE, North 52 degrees, 32 minutes, 58 seconds East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 200 square feet or 0.0046 acres of land, more or less.

SIGN EASEMENT

**7.754 ACRE TRACT OF LAND
(VOLUME 4431, PAGE 3093, D.R.C.C.T.)**

**JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS**

Date: 07/21/2006 Scale: N/A Project No. 0614804

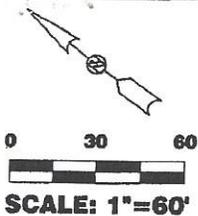


SCI

Survey Consultants, Inc.

811 E. Plano Parkway
Suite 117
Plano, Texas 75074
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

SHEET 1 OF 2



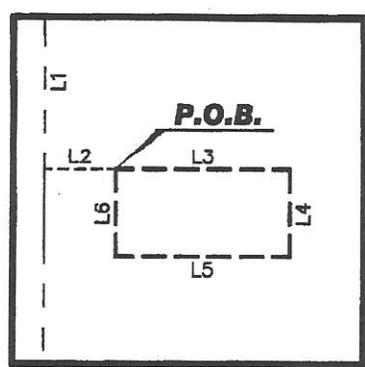
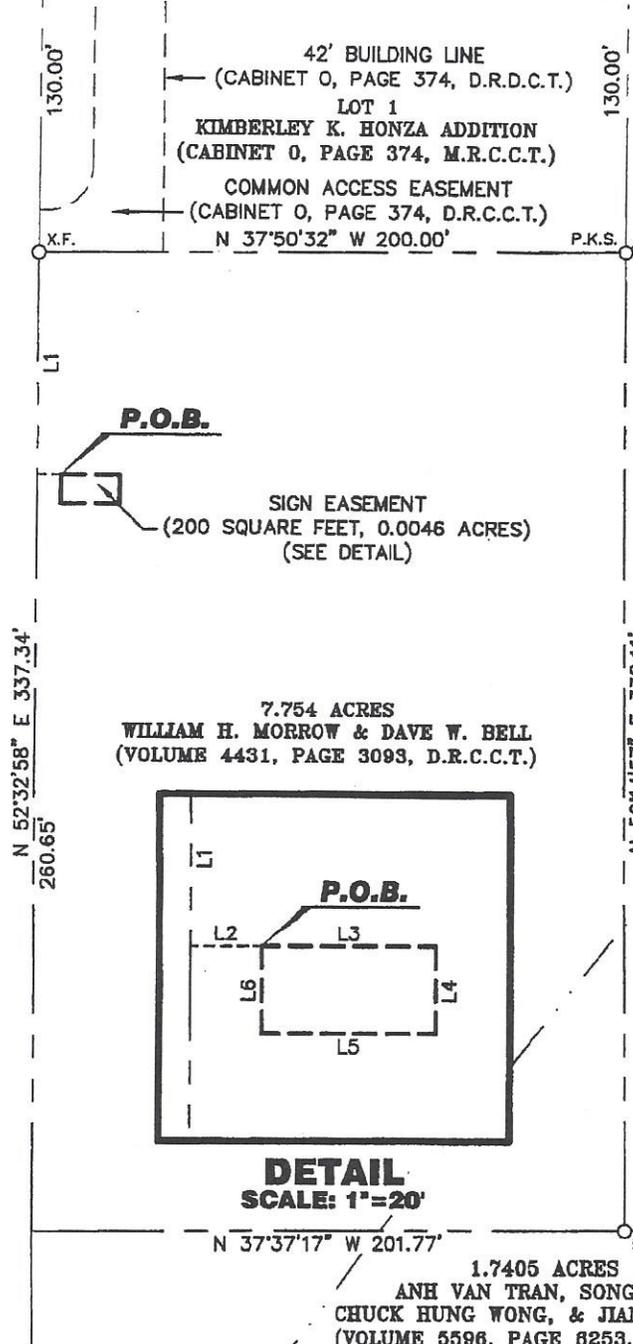
NUMBER	DIRECTION	DISTANCE
L1	S 52°32'58" W	76.69'
L2	S 37°27'02" E	8.00'
L3	S 37°27'02" E	20.00'
L4	S 52°32'58" W	10.00'
L5	N 37°27'02" W	20.00'
L6	N 52°32'58" E	10.00'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199"
- C.C.F. NO. COUNTY CLERK'S FILE NUMBER
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C, PAGE 87A, M.R.C.C.T.)

STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



DETAIL
 SCALE: 1"=20'

SIGN EASEMENT
 7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
 JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
 CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/17/2006 Scale: 1"=60' Project No. 0614804



811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

Filed and Recorded
Official Public Records
Brenda Taylor, County Clerk
Collin County, TEXAS
08/22/2006 11:10:05 AM
\$32.00 DLAIRD
20060822001203560



Brenda Taylor

REPUBLIC TITLE OF TEXAS, INC.
GF # 04R14991 SJ4 FF \$ 32.00

After recording return to:
~~Matthew M. Sanderson~~
15851 Dallas Parkway, Suite 925
~~Addison, Texas 75001~~

Return to: SJ4
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

20090822001203540
08/22/2006 11:10:05 AM EM 1/5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DRIVEWAY AND PARKING EASEMENT

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, William Morrow and Dave Bell ("Grantors") hereby grant and convey to Kholoud Shanti, ("Grantee"), her successors and assigns, a perpetual, non-exclusive driveway and parking easement ("Easement") in, under, upon, about, over and through the property described on the attached Exhibit "A," hereto and incorporated herein by reference ("Property").

1. Grant. The easement granted hereby shall run with the land, and the Property shall be used only for parking and as a driveway at its current elevation and for no other purpose.
2. Amendment. This Easement may be amended or terminated only by a written and recorded instrument signed by all of the parties or the then current owner of the Property and the Easement.
3. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.
4. Governing Law. This Easement shall be governed by and construed and enforced in accordance with the laws of the State of Texas.

Handwritten initials/signature

SIGNED on this the 29 day of December, 2004.

GRANTORS

GRANTEE

William Morrow
William Morrow

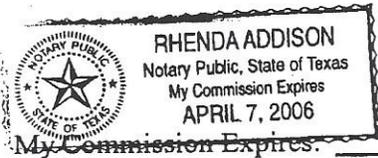
Kholoud Shanti
Kholoud Shanti

Dave Bell
Dave Bell

STATE OF TEXAS

COUNTY OF Dallas

On this day, William Morrow, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

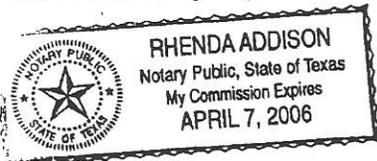


Rhenda Addison
NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF Dallas

On this day, Dave Bell, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.



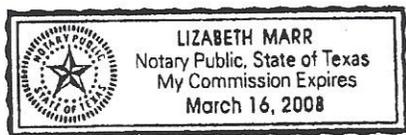
Rhenda Addison
NOTARY PUBLIC

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF DALLAS

On this day, Kholoud Shanti, Grantee, personally appeared before me, the undersigned authority in and for the said County and State, on this 29th day of December, 2004, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.



Elizabeth Marr
NOTARY PUBLIC

My Commission Expires: 03-16-08

**LEGAL DESCRIPTION
EXHIBIT A**

BEING a tract of land situated in the City of Sachse, Collin County, Texas out of the James Cumba Survey, Abstract No. 243 and being part of a 7.754 acre described tract of land conveyed to William H. Morrow & Dave W. Bell according to the deed filed for record in Volume 4431, Page 3093, Deed Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a P.K. nail set in the most westerly northwest line of a 5.093 acre described tract of land conveyed to Romana Sachse Plaza, Ltd. according to the deed filed for record in County Clerk's File Number 20060417000500740, Deed Records, Collin County, Texas and County Clerk's File Number 200600136693, Deed Records, Dallas County, Texas, the southerly corner of Lot 1, Kimberley K. Honza Addition according to the plat thereof recorded in Cabinet 0, Page 374, Map Records, Collin County, Texas;

THENCE, along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 24.00 feet to the **POINT OF BEGINNING**;

THENCE, continuing along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 115.66 feet to a point;

THENCE, departing said northwest line, North 37 degrees, 56 minutes, 50 seconds West, a distance of 157.89 feet to a point;

THENCE, North 47 degrees, 45 minutes, 02 seconds West, a distance of 28.33 feet to a point;

THENCE, North 38 degrees, 09 minutes, 59 seconds West, a distance of 14.97 feet to a point in the southeast right of way line of State Highway 78, the northwest line of said 7.754 acre tract;

THENCE, along said common line, North 52 degrees, 32 minutes, 58 seconds East, a distance of 124.36 feet to a point from which an "X" found in concrete, the westerly corner of said Lot 1, bears North 52 degrees, 32 minutes, 58 seconds East, a distance of 20.55 feet;

THENCE, departing said common line, South 33 degrees, 06 minutes, 49 seconds East, a distance of 41.85 feet to a point;

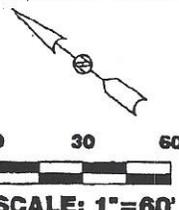
THENCE, South 37 degrees, 50 minutes, 32 seconds East, a distance of 158.39 feet to the **POINT OF BEGINNING** and containing 23,430 square feet or 0.5379 acres of land, more or less.

**DRIVEWAY AND PARKING EASEMENT
7.754 ACRE TRACT OF LAND
(VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
Date: 07/21/2006 Scale: N/A Project No. 0614804**



811 E. Plano Parkway
Suite 117
Plano, Texas 75074
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

SHEET 1 OF 2



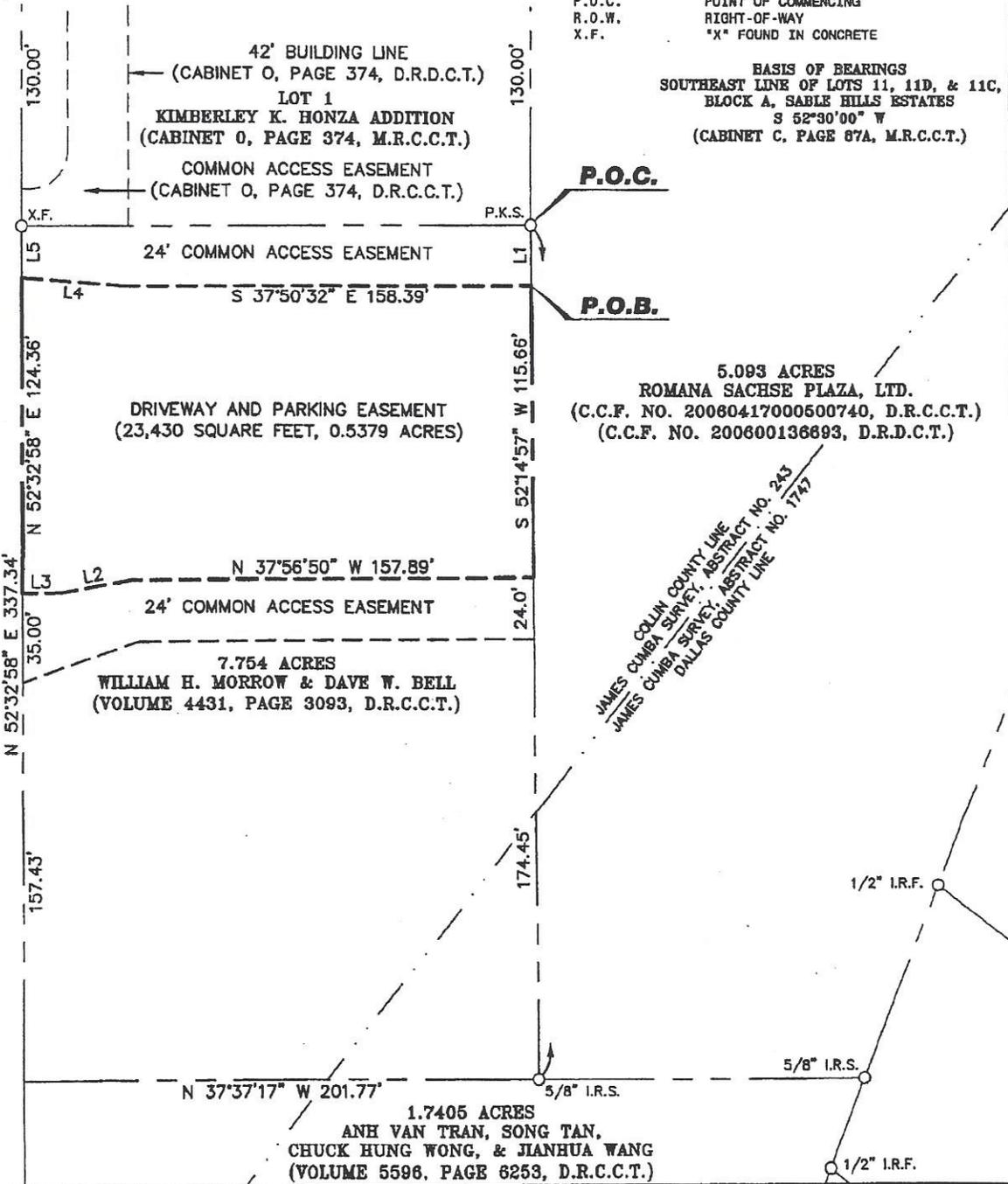
NUMBER	DIRECTION	DISTANCE
L1	S 52°14'57" W	24.00'
L2	N 47°45'02" W	28.33'
L3	N 38°09'59" W	14.97'
L4	S 33°06'49" E	41.85'
L5	N 52°32'58" E	20.55'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199"
- C.C.F. NO. COUNTY CLERK'S FILE NUMBER
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C, PAGE 67A, M.R.C.C.T.)

STATE HWY. 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



DRIVEWAY AND PARKING EASEMENT
7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/21/2006 Scale: 1"=60' Project No. 0614804



811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

Filed and Recorded
Official Public Records
Brenda Taylor, County Clerk
Collin County, TEXAS
08/22/2006 11:10:05 AM
\$32.00 DLAIRD
20060822001203540



Brenda Taylor

REPUBLIC TITLE OF TEXAS, INC.
GF # 04R14991 SJ4 FF\$ 36,00

After recording return to:
Matthew M. Sanderson
Godwin Pappas Langley Ronquillo, LLP
1201 Elm St., Suite 1700
Dallas, Texas 75270

Return to: SJ4
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

20060822001203570 08/22/2006 11:10:05 AM EM 1/6

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

UTILITY EASEMENT

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, William Morrow and Dave Bell ("Grantors") hereby grant and convey to Romana Sachse Plaza, Ltd., ("Grantee"), its successors and assigns, a perpetual, exclusive utility easement in, under, upon, about, over and through the property described on the attached Exhibit "A", hereto and incorporated herein by reference ("Easement").

1. Grant. The Easement granted hereby shall run with the land, and the Easement shall be utilized only for any and all sewer, water, or drainage uses benefiting the property described on Exhibit "B". All costs associated with such designated use shall be the exclusive responsibility of Grantee.
2. Amendment. Grantors hereby give Grantee the right to freely assign this Easement without notice or consent of Grantors to any city, municipality, or governmental entity. However, this Easement may not otherwise be amended or terminated except by a written and recorded instrument signed by all of the parties hereto or the then current owner(s) of both the Property and the Easement.
3. Binding. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.
4. Governing Law. This Easement shall be governed by and construed and enforced in accordance with the laws of the State of Texas.

[Signature pages follow on the next page.]

DWA
RR
Free

SIGNED on this the 20 day of July, 2006.

GRANTORS:

William Morrow
William Morrow

Dave Bell
Dave Bell

GRANTEE:

Romana Sachse Plaza, Ltd.
By: Romana Investment Group, Inc.
Its: General Partner

By: Ahmad A. Skaiti
Name: Ahmad A Skaiti
Its: President

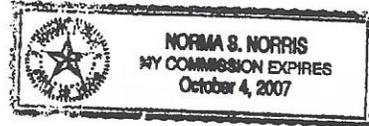
STATE OF TEXAS

COUNTY OF Collin

On this day, William Morrow, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 20 day of July, 2006, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Norma S. Norris
NOTARY PUBLIC

My Commission Expires: 10/4/07



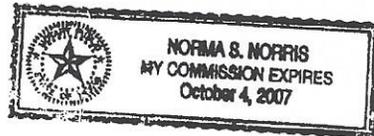
STATE OF TEXAS

COUNTY OF Collin

On this day, Dave Bell, Grantor, personally appeared before me, the undersigned authority in and for the said County and State, on this 20 day of July, 2006, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Norma S. Norris
NOTARY PUBLIC

My Commission Expires: 10/4/07



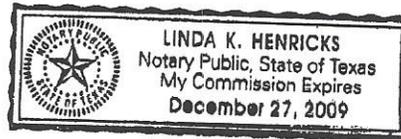
STATE OF TEXAS

COUNTY OF Dallas

On this day, Romana Sachse Plaza, Ltd., Grantee, by its general partner, the Romana Investment Group, Inc., by Ahmad A. Sbaiti, the President of the Romana Investment Group, Inc., personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of July, 2006, within my jurisdiction, who acknowledged that he executed, signed and delivered the above and foregoing instrument on the date there provided.

Linda K. Henricks
NOTARY PUBLIC

My Commission Expires: 12-27-2009



**LEGAL DESCRIPTION
EXHIBIT A**

BEING a tract of land situated in the City of Sachse, Collin and Dallas Counties, Texas out of the James Cumba Survey, Abstract No. 243 and the James Cumba Survey, Abstract No. 1747 and being part of a 7.754 acre described tract of land conveyed to William H. Morrow & Dave W. Bell according to the deed filed for record in Volume 4431, Page 3093, Deed Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" in the north line of a 1.7405 acre described tract of land conveyed to Anh Van Tran, Song Tan, Chuck Hung Wong & Jianhua Wang according to the deed filed for record in Volume 5596, Page 6253, Deed Records, Collin County, Texas, the southwest corner of said 7.754 acre tract, also being the most westerly northwest corner of a 5.093 acre described tract of land conveyed to Romana Sachse Plaza, Ltd. According to the deed filed for record in County Clerk's File Number 20060417000500740, Deed Records, Collin County, Texas and County Clerk's File Number 200600136693, Deed Records, Dallas County, Texas;

THENCE, along the northeast line of said 1.7405 acre tract, North 37 degrees, 37 minutes, 17 seconds West, a distance of 201.77 feet to a point in the southeast right of way line of State Highway 78, the northwest line of said 7.754 acre tract;

THENCE, along said common line, North 52 degrees, 32 minutes, 58 seconds East, a distance of 5.00 feet to a point;

THENCE, departing said common line, South 37 degrees, 37 minutes, 17 seconds East, a distance of 201.74 feet to a point in the most westerly northwest line of said 5.093 acre tract from which a P.K. nail set, an interior corner of said 5.093 acre tract, bears North 52 degrees, 14 minutes, 57 seconds East, a distance of 333.11 feet;

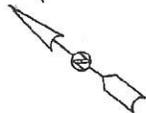
THENCE, along said northwest line, South 52 degrees, 14 minutes, 57 seconds West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 1,009 square feet or 0.0232 acres of land, more or less.

**UTILITY EASEMENT
7.754 ACRE TRACT OF LAND
(VOLUME 4431, PAGE 3093, D.R.C.C.T.)
JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS**
Date: 07/21/2006 Scale: N/A Project No. 0614804



811 E. Plano Parkway
Suite 117
Plano, Texas 75074
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

SHEET 1 OF 2



0 30 60

SCALE: 1"=60'

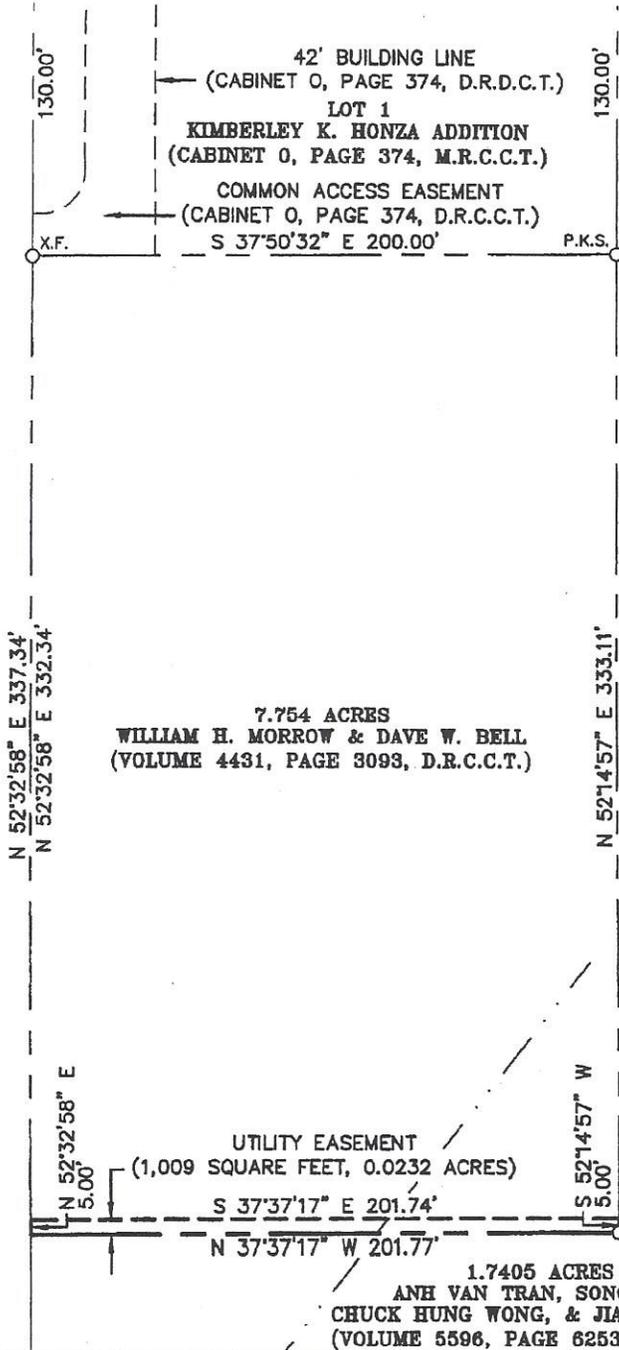
NUMBER	DIRECTION	DISTANCE
L1	N 33°06'49" W	41.85'
L2	N 52°32'58" E	20.55'
L3	N 57°02'38" W	48.54'
L4	S 38°09'59" E	14.97'
L5	S 47°45'02" E	28.33'

LEGEND

- 5/8" I.R.S. 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "R.P.L.S. 5199"
- C.C.F. NO. COUNTY CLERK'S FILE NUMBER
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- I.R.F. IRON ROD FOUND
- M.R.C.C.T. MAP RECORDS, COLLIN COUNTY, TEXAS
- P.K.S. P.K. NAIL SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- R.O.W. RIGHT-OF-WAY
- X.F. "X" FOUND IN CONCRETE

BASIS OF BEARINGS
 SOUTHEAST LINE OF LOTS 11, 11D, & 11C,
 BLOCK A, SABLE HILLS ESTATES
 S 52°30'00" W
 (CABINET C, PAGE 87A, M.R.C.C.T.)

STATE HWY - 78
 (VARIABLE-WIDTH R.O.W.)
 (C.C.F. NO. 94-0085186, D.R.C.C.T.)



UTILITY EASEMENT
 7.754 ACRE TRACT OF LAND
 (VOLUME 4431, PAGE 3093, D.R.C.C.T.)
 JAMES CUMBA SURVEY, ABSTRACTS NO. 243 / 1747
 CITY OF SACHSE, COLLIN / DALLAS COUNTIES, TEXAS
 Date: 07/21/2006 Scale: 1"=60' Project No. 0614804



811 E. Plano Parkway
 Suite 117
 Plano, Texas 75074.
 (972) 424-7002 Voice
 (972) 633-1702 Fax
 WWW.SurveyConsultantsInc.Com

SHEET 2 OF 2

Filed and Recorded
Official Public Records
Brenda Taylor, County Clerk
Collin County, TEXAS
08/22/2006 11:10:05 AM
\$36.00 DLAIRD
20060822001203570



Brenda Taylor



Legislation Details (With Text)

File #: 15-3016 **Version:** 1 **Name:** Discuss Potential Development Agreement for the Dominion of Pleasant Valley Estates

Type: Agenda Item **Status:** Agenda Ready

File created: 9/10/2015 **In control:** City Council

On agenda: 9/14/2015 **Final action:**

Title: Discuss potential development agreement with Sachse 95 LP, a Texas Limited Partnership.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Presentation](#)
[Exhibit A Zoning Concept Plan](#)
[Exhibit B Proportionality Study](#)
[Exhibit C Letter from Developer](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Title

Discuss potential development agreement with Sachse 95 LP, a Texas Limited Partnership.

Executive Summary

The applicant is requesting a development agreement related to the construction of public improvements for the proposed rural residential planned development of a 96.80 acre tract located at the northeast corner of Pleasant Valley Road and Ben Road.

Background

The 96.80-acre subject property is located at the northeast corner of Pleasant Valley Road and Ben Road (Exhibit A). The property was re-zoned to a Planned Development (PD-30) by City Ordinance 3667 on May 4th, 2015.

The Planned Development includes:

- 66 residential lots (Minimum 1-acre)
- Minimum home size of 3,000 square feet
- Additional architectural and landscaping requirements (above City minimums)
- 24' wide concrete local streets with bar ditches for drainage
- 30-ft landscape easement along Pleasant Valley Road
- Homeowners Association (HOA) for the development

The anticipated impact fees from the 66-lot development are:

- Roadway Impact Fees: \$161,700.00
- Water Impact Fees: \$166,386.00

The Developer requested that the City consider a development agreement related to the public infrastructure associated with the proposed development, including water mains and thoroughfares.

City Subdivision Ordinance Information

- The property is adjacent to Pleasant Valley Road, a 2-lane asphalt road that is shown in the 10-year Capital Improvement Plan to be a 4-lane divided minor arterial road. Per the City Subdivision Ordinance, the Developer is responsible for constructing 1/2 of a 45-foot wide road.
- The property contains a proposed future collector road, which is proposed to be 37-feet wide, measured from back of curb to back of curb, as shown in the 10-year Capital Improvement Plan. Per the City Subdivision Ordinance, the Developer is responsible for constructing the entire collector road through the property.
- The 10-year Capital Improvement Plan identifies a 12-inch water main to traverse the property from Pleasant Valley Road up to the northeast, where future extensions will eventually tie the main into the existing water tower on the Public Works property. The development only requires an 8-inch water main. Per the City Subdivision Ordinance, the Developer should construct the 12-inch main and be reimbursed by the City for the upsize from an 8-inch main to a 12-inch main.

Developer's Request

The Developer notified City staff and the City Attorney that he did not agree with the City standard requirements related to the obligations of the Developer to construct the roadway improvements, based upon the proportional share of impact the development would have on the City's infrastructure. The Developer prepared a letter indicating his position, which is attached as Exhibit C. There is State Law regarding proportional share of infrastructure costs

Proportionality Study

Per the City Attorney's recommendation, staff engaged Kimley-Horn & Associates to conduct a proportionality study regarding the City requirements for street improvements related to the development. The Licensed Professional Engineer for Kimley-Horn has experience in reviewing and preparing proportionality studies related to land development and infrastructure for municipalities. The Study was completed on August 24, 2015 and provided to City staff and the Developer for review and discussion (Exhibit B).

The Proportionality Study recommended the following:

- The Developer should construct the 36-foot wide collector road through the development,

and receive impact fee reimbursement for the difference between the City standard street (31') and the collector road (36')

- Due to the development being limited to 66 one acre lots, the construction or escrow for constructing travel lanes on Pleasant Valley Road is above and beyond the proportional share of the impact of the development
- Additional analysis should be completed to determine if turn lanes should be constructed along Pleasant Valley Road for the development. This traffic impact analysis (TIA) would be required by City staff to be completed by the Developer's engineer during the engineering plan preparation, review, and approval.

The developer has agreed to construct the proposed 12-inch water main, with the City reimbursing for the oversize cost between what is needed for the development (8") and what is show in the City of Sachse 10-yr CIP (12"). Historically, the City has paid for the upsize cost for public water main extensions.

The Developer agrees with the proportionality study findings regarding Pleasant Valley Road. The Developer disagrees with the findings of the proportionality study related to the collector road. The Developer is requesting that the City Council consider reimbursing impact fees for the difference between the local street section of the PD (24') and the collector street (36') (anticipated reimbursement of \$175,752.00)

Policy Considerations

The City of Sachse Subdivision Ordinance contains the following sections related to water and thoroughfare obligations of the Developer:

Sec. 8-16. - General requirements and design standards.

A. Streets.

(10) Local residential streets shall be paved 31 feet wide from back of curb to back of curb. Local streets in apartment, commercial, and industrial areas, and collector streets shall be paved 37 feet wide from back of curb to back of curb.

Sec. 8-18. - Street extensions and pro rata charges.

(2) Extensions within property to be developed.

(a) Developers of such property will defray the entire cost of streets within their subdivision. The size and construction of such streets and alleys shall be in conformance with this subdivision regulation and in accordance with the standard specifications and standard construction details of the City of Sachse.

Sec. 8-19. - Street design and construction costs.

B. Street, design construction costs and escrow requirement.

- (1) The owner shall be responsible for the design and construction of all streets within his development and one-half of the same if an unimproved perimeter street.
- (2) The owner shall be responsible for the construction of the following width perimeter streets to his development:
 - (b) When developing land zoned "C-1," "C-2," or "**PD**," the owner shall be responsible for construction of one-half of a 45-foot concrete street or one-half of the actual width of the proposed street, whichever is less.
- (3) The owner shall construct all internal and perimeter streets at the time of development unless, from an engineering standpoint, it is not feasible to do so. Upon such determination, the owner shall be required to place an amount equal to his share of the construction costs plus six percent of such sum for future engineering costs in escrow with the city.
- (4) The owner shall be responsible for all of the engineering and design costs of all internal streets and also of all perimeter streets which are constructed either entirely by the owner or through participation.

Sec. 8-16. - General requirements and design standards.

B. Utilities

2. Water.

- (a) All subdivisions shall be provided with an approved water system designed and constructed in accordance with the master plan when available and in accordance with the standard specifications and standard construction details of the City of Sachse. In the corporate limits of the City of Sachse all subdivisions shall be connected with the City of Sachse water supply distribution system.

Sec. 8-17. - Water and sewer main extensions.

G. Evaluated prices for determination of oversize costs and off-site facilities. All costs for oversized water mains and appurtenances and sanitary sewer mains and appurtenances shall be determined by using the most current market cost for materials and labor, and approved by the city engineer prior to construction.

State Law

September 2005 - 79th Session of Texas Legislature Passes HB 1835 amending Section 212 of the LGC

(a) If a municipality requires as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure

improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by the municipality.

(b) A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality. At the appeal, the developer may present evidence and testimony under procedures adopted by the governing body. After hearing any testimony and reviewing the evidence, the governing body shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.

(c) A developer may appeal the determination of the governing body to a county or district court of the county in which the development project is located within 30 days of the final determination by the governing body.

(d) A municipality may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.

(e) A developer who prevails in an appeal under this section is entitled to applicable costs and to reasonable attorney's fees, including expert witness fees.

(f) This section does not diminish the authority or modify the procedures specified by Chapter 395 [Impact Fees].

Budgetary Considerations

The Developer is requesting that the full amount of roadway impact fees be reimbursed for the construction of the collector road, totaling \$161,700.00. The proportionality study recommends roadway impact fee reimbursement of 5-ft of road width, which is anticipated to cost \$73,230.00.

The City commonly pays for the upsize cost of CIP water mains between the main size shown in the CIP and the main size needed for the development. For this project, the upsize cost from an 8-inch main to a 12-inch main is anticipated to cost \$57,243.00.

Staff Recommendations

- Staff finds that development requirements in the Sachse Subdivision Ordinance may be above and beyond what State Law will allow, when applied to large lot and rural residential development. This is due to the anticipated level of impact on City infrastructure.
- Staff finds that the development requirements in the Sachse Subdivision Ordinance, when applied to low density residential development (10,000 square foot lots and under) and commercial development in the City, are more likely to be consistent with State Law due to higher impacts on City infrastructure.
- Staff finds that the proportionality study prepared by Kimley-Horn should be used for

preparing a Development Agreement for the project.

- Staff recommends that the City Council consider a development agreement for the project with the following:

- Impact Fee reimbursement for the upsize cost of the capital water main from an 8-inch main to a 12-inch main (anticipated reimbursement of \$57,243.00)

- Impact Fee reimbursement for the upsize cost of the collector street per the proportionality study, from the City standard 31-foot local street to the proposed 36-foot collector street with no curbs. (anticipated reimbursement of \$73,230.00)

- If directed by the City Council, and agreed to by the Developer, staff will prepare an agreement with the developer to be considered for future approval by the City Council



Discuss Potential Development Agreement for the Estates of Dominion of Pleasant Valley

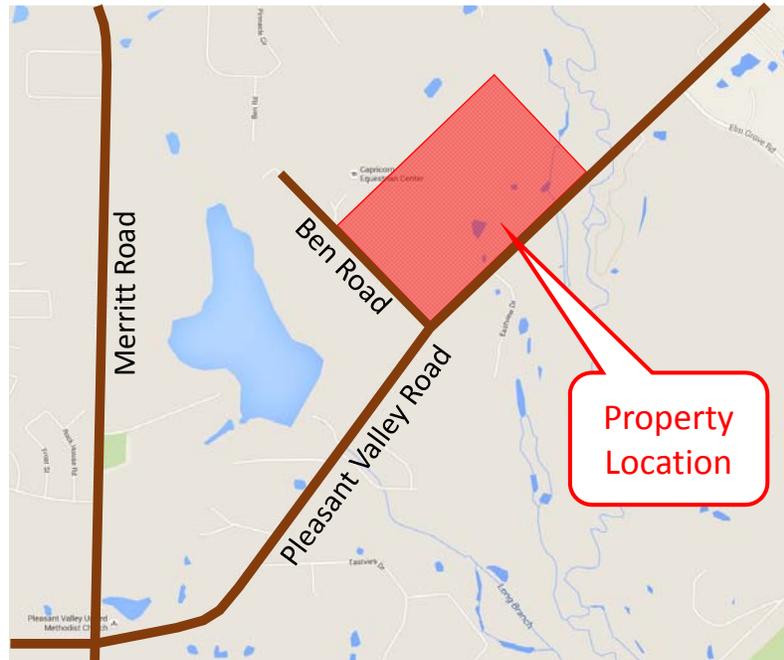
City Council
September 14, 2015

Overview

- Property Location
- Developer Information
- Property & Zoning Information
- Development Concept Plan
- City Standard Requirements
- State Law Regarding Infrastructure
- Proportionality Study
- Anticipated Impact Fees
- Developer Request
- Staff Findings
- Staff Recommendations
- Discussion

Property Location

The property is a 96.80 acre tract of land located at the northeast corner of Pleasant Valley Road and Ben Road



Developer Information

- The Developer for the project is Sachse 95 LP, a Limited Texas Partnership
- The Developer is present to answer any questions that the City Council has regarding the potential agreement

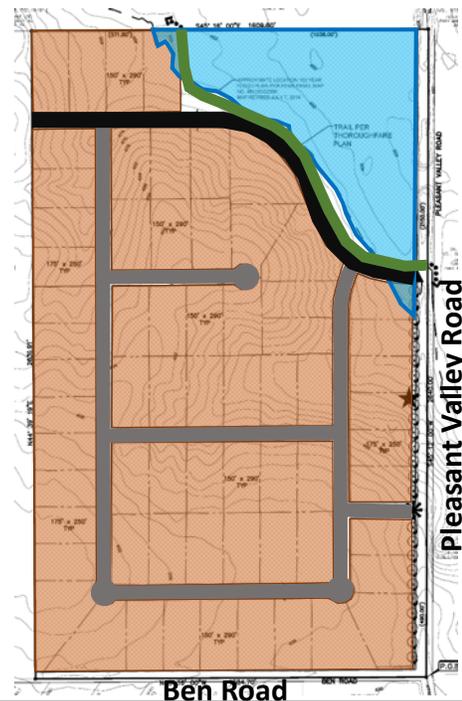


Property & Zoning Information

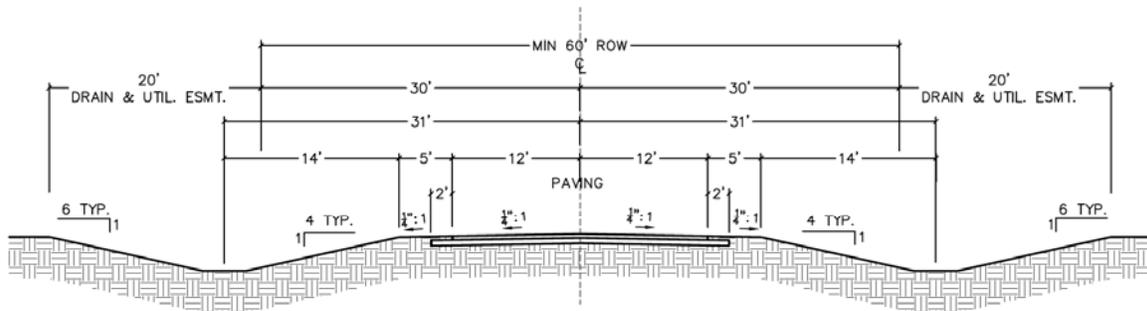
- The 96.8 acre property was rezoned to a Planned Development (PD-30) by City Ordinance 3667 on May 4th, 2015.
- The Planned Development includes:
 - 66 residential lots (Minimum 1-acre)
 - Minimum home size of 3,000 square feet
 - Additional architectural and landscaping requirements (above City minimums)
 - 24' wide concrete local streets with bar ditches for drainage
 - 30-ft landscape easement along Pleasant Valley Road
 - Homeowners Association (HOA) for the development

Development Concept Plan

- 66 lots (minimum 1-acre)
- Floodplain
- 24-foot wide local streets (no curb)
- 36-foot wide collector street (no curb)
- Concrete Hike and Bike Trail



Development Concept Plan – Local Streets



TYPICAL PAVEMENT SECTION
ESTATE RESIDENTIAL (CONCRETE) STREET
 N.T.S.

City Standard Requirements - Streets

Sec. 8-16. - General requirements and design standards.

A. Streets.

(10) Local residential streets shall be paved 31 feet wide from back of curb to back of curb. Local streets in apartment, commercial, and industrial areas, and collector streets shall be paved 37 feet wide from back of curb to back of curb.

City Standard Requirements - Streets

Sec. 8-18. - Street extensions and pro rata charges.

(2) Extensions within property to be developed.

(a) Developers of such property will defray the entire cost of streets within their subdivision. **The size and construction of such streets and alleys shall be in conformance with this subdivision regulation and in accordance with the standard specifications and standard construction details of the City of Sachse.**

City Standard Requirements - Streets

Sec. 8-19. - Street design and construction costs.

B. Street, design construction costs and escrow requirement.

(1) The owner shall be responsible for the design and construction of all streets within his development and one-half of the same if an unimproved perimeter street.

(2) The owner shall be responsible for the construction of the following width perimeter streets to his development:

(b) When developing land zoned "C-1," "C-2," or "PD," the owner shall be responsible for construction of one-half of a 45-foot concrete street or one-half of the actual width of the proposed street, whichever is less.

(3) The owner shall construct all internal and perimeter streets at the time of development unless, from an engineering standpoint, it is not feasible to do so. Upon such determination, the owner shall be required to place an amount equal to his share of the construction costs plus six percent of such sum for future engineering costs in escrow with the city.

(4) The owner shall be responsible for all of the engineering and design costs of all internal streets and also of all perimeter streets which are constructed either entirely by the owner or through participation.

City Standard Requirements - Water

Sec. 8-16. - General requirements and design standards.

B. Utilities

2. Water.

(a) All subdivisions shall be provided with an approved water system designed and constructed in accordance with the master plan when available and in accordance with the standard specifications and standard construction details of the City of Sachse. In the corporate limits of the City of Sachse all subdivisions shall be connected with the City of Sachse water supply distribution system.

Sec. 8-17. - Water and sewer main extensions.

G. Evaluated prices for determination of oversize costs and off-site facilities. All costs for oversized water mains and appurtenances and sanitary sewer mains and appurtenances shall be determined by using the most current market cost for materials and labor, and approved by the city engineer prior to construction.

State Law Regarding Infrastructure

September 2005 – 79th Session of Texas Legislature Passes HB 1835 amending Section 212 of the LGC

(a) If a municipality requires as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, **the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by the municipality.**

(b) A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality. At the appeal, the developer may present evidence and testimony under procedures adopted by the governing body. After hearing any testimony and reviewing the evidence, the governing body shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.

(c) A developer may appeal the determination of the governing body to a county or district court of the county in which the development project is located within 30 days of the final determination by the governing body.

(d) A municipality may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.

(e) A developer who prevails in an appeal under this section is entitled to applicable costs and to reasonable attorney's fees, including expert witness fees.

(f) This section does not diminish the authority or modify the procedures specified by Chapter 395 [Impact Fees].

Proportionality Study

- Staff engaged Kimley-Horn & Associates to conduct a proportionality study regarding the City requirements for street improvements related to the development.
- The Licensed Professional Engineer for Kimley-Horn has experience in reviewing and preparing proportionality studies related to land development and infrastructure for municipalities.
- The Study was completed on August 24, 2015 and provided to City staff and the Developer for review and discussion.

Proportionality Study - Findings

- The Proportionality Study recommended the following:
 - The Developer should construct the 36-foot wide collector road through the development, and receive impact fee reimbursement for the difference between the City standard street (31') and the collector road (36')
 - Due to the development being limited to 66 one acre lots, the construction or escrow for constructing travel lanes on Pleasant Valley Road is above and beyond the proportional share of the impact of the development
 - Additional analysis should be completed to determine if turn lanes should be constructed along Pleasant Valley Road for the development. This traffic impact analysis (TIA) would be required by City staff to be completed by the Developer's engineer during the engineering plan preparation, review, and approval.

Anticipated Impact Fees

- The anticipated impact fees from the 66-lot development are:
 - Roadway Impact Fees: \$161,700.00
 - Water Impact Fees: \$166,386.00

Developer Request

- The developer has agreed to construct the proposed 12-inch water main, with the City reimbursing for the oversize cost between what is needed for the development (8") and what is show in the City of Sachse 10-yr CIP (12"). Historically, the City has paid for the upsize cost for public water main extensions.
- The Developer agrees with the proportionality study findings regarding Pleasant Valley Road.
- The Developer disagrees with the findings of the proportionality study related to the collector road. The Developer is requesting that the City Council consider reimbursing impact fees for the difference between the local street section of the PD (24') and the collector street (36') (anticipated reimbursement of \$175,752.00)

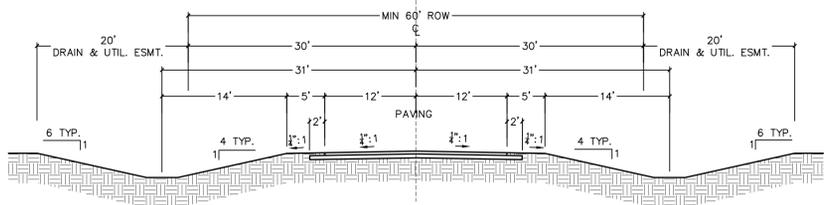
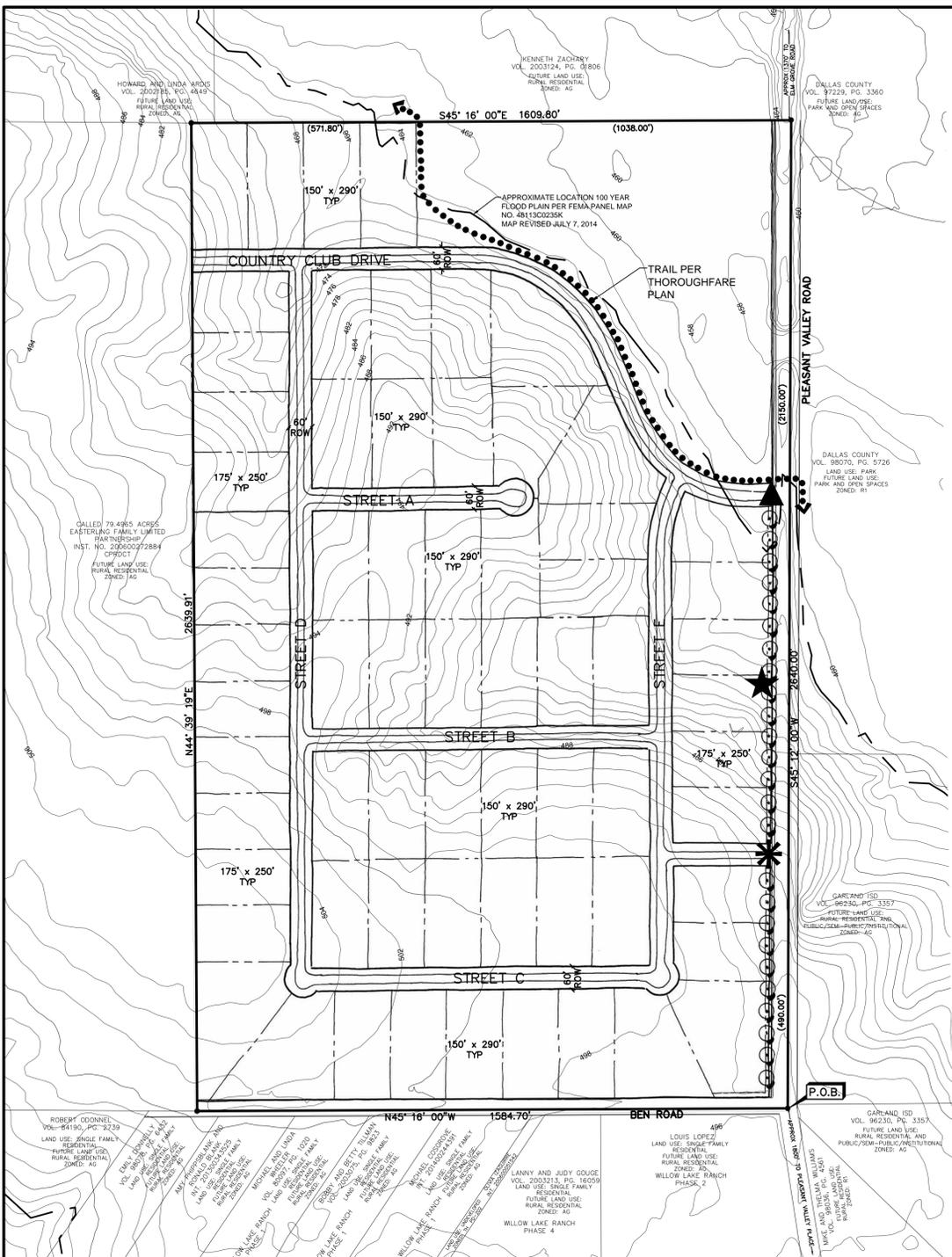
Staff Findings

- Staff finds that development requirements in the Sachse Subdivision Ordinance may be above and beyond what State Law will allow, when applied to large lot and rural residential development. This is due to the anticipated level of impact on City infrastructure.
- Staff finds that the development requirements in the Sachse Subdivision Ordinance, when applied to low density residential development (10,000 square foot lots and under) and commercial development in the City, are more likely to be consistent with State Law due to higher impacts on City infrastructure.
- Staff finds that the proportionality study prepared by Kimley-Horn should be used for preparing a Development Agreement for the project.

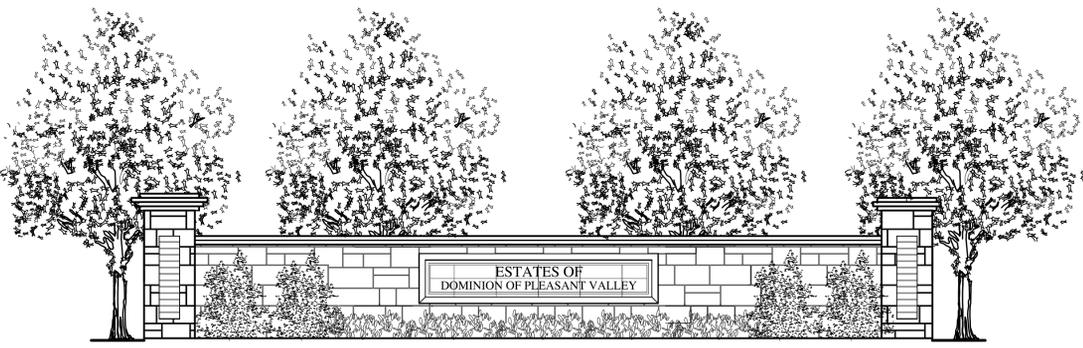
Staff Recommendations

- Staff recommends that the City Council consider a development agreement for the project with the following:
 - Impact Fee reimbursement for the upsize cost of the capital water main from an 8-inch main to a 12-inch main (anticipated reimbursement of \$57,243.00)
 - Impact Fee reimbursement for the upsize cost of the collector street per the proportionality study, from the City standard 31-foot local street to the proposed 36-foot collector street with no curbs. (anticipated reimbursement of \$73,230.00)
- If directed by the City Council, and agreed to by the Developer, staff will prepare an agreement with the developer to be considered for future approval by the City Council

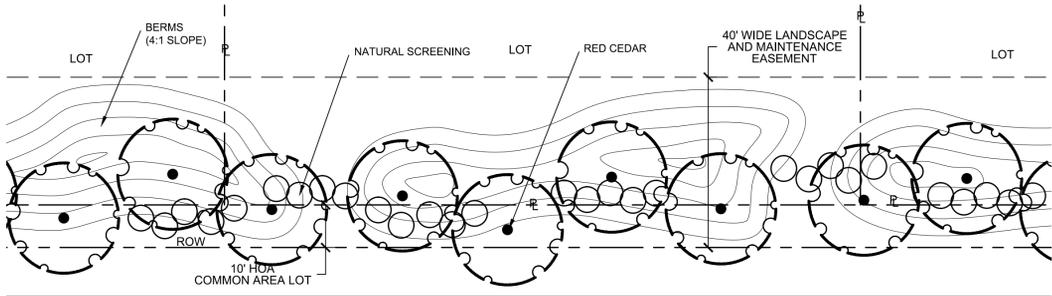
Discussion



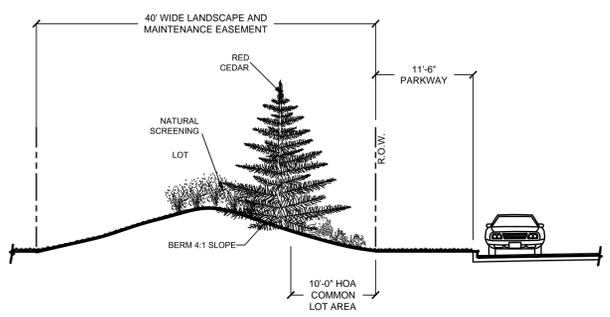
TYPICAL PAVEMENT SECTION
ESTATE RESIDENTIAL (CONCRETE) STREET
N.T.S.



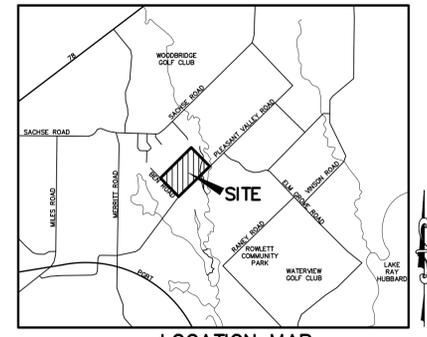
SECONDARY COMMUNITY ENTRANCE
NOT TO SCALE



LANDSCAPE BUFFER
NOT TO SCALE



LANDSCAPE BUFFER ELEVATION
NOT TO SCALE



LOCATION MAP
(NOT TO SCALE)

SITE DATA SUMMARY TABLE

GENERAL		
Case Number		
Name of Project/Development	The Estates of Dominion of Pleasant Valley	
Proposed Use	Single Family Neighborhood	
Future Land Use Designation	Rural Residential	
Proposed Future Land Use Designation	Rural Residential	
Existing Zoning District	AG	
Proposed Zoning District	Planned Development (R-39 Base)	
Applicable Overlays		
Appraisal District Account Numbers and County	DCAD No. 65050213510030000 DCAD No. 65050213510040000 DCAD No. 65050213510040100	
OVERALL SITE		
Gross Site Area	96.80 acres	
Site Frontage (Street)	2,640 ft	
Site Width (Street)	1,584 ft	
Site Depth	2,640 ft	
Impervious Surface Area	N/A	
Pervious Surface Area	N/A	
Accessory Use %	N/A	
Open Space (ac & %)	Flood Plain - 13.6 ac, 14.0%	
Detention/Retention (ac & %)	NA	
Recreation (ac & %)	NA	
Preserve (ac & %)	Flood Plain - 13.6 ac, 14.0%	
Civic (ac & %)	N/A	
Other (ac & %)	N/A	
HOUSING		
Total Gross Density (du/ac)	0.68	
Lot Count by Typical Lot Size	66	
Total Number of Dwelling Units	66	
# Single Family (SF)	66	
# Zero Lot Line (ZLL)	0	
# Townhouse (TH)	0	
# Multifamily (MF)	0	
# Other (specify)	0	
PROPERTY DEVELOPMENT REGULATIONS		
Maximum Lot Coverage (permitted)	N/A	
Maximum Lot Coverage (proposed)	30%	
Minimum Lot Area (required)	43,560 SF	
Minimum Lot Area (proposed)	43,560 SF	
Minimum Lot Width (required)	150 ft	
Minimum Lot Width (proposed)	150 ft (60 ft on cul-de-sacs/elbows)	
Minimum Lot Depth (required)	N/A	
Minimum Lot Depth (proposed)	150 ft (125 ft on cul-de-sacs/elbows)	
	Required	Proposed
Front Setback at Building Line	50 ft	50 ft and 55 ft (alternating)
Side Interior Setback	15 ft	25 ft
Side Street Setback	15 ft	50 ft
Rear Setback	50 FT	30 ft primary structure 20 ft accessory building
Max. Structure Height (permitted & proposed)	35 ft	35 ft
Max. No. Stories/Floors (permitted & proposed)	N/A	2 1/2

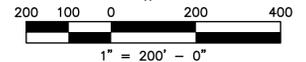


EXHIBIT D - ZONING CONCEPT PLAN

ESTATES OF DOMINION OF PLEASANT VALLEY
4,216,600 SQUARE FEET OR 96.80 ACRES
OUT OF THE THOMAS GOODWIN SURVEY, ABSTRACT 502,
CITY OF SACHSE, DALLAS COUNTY, TEXAS

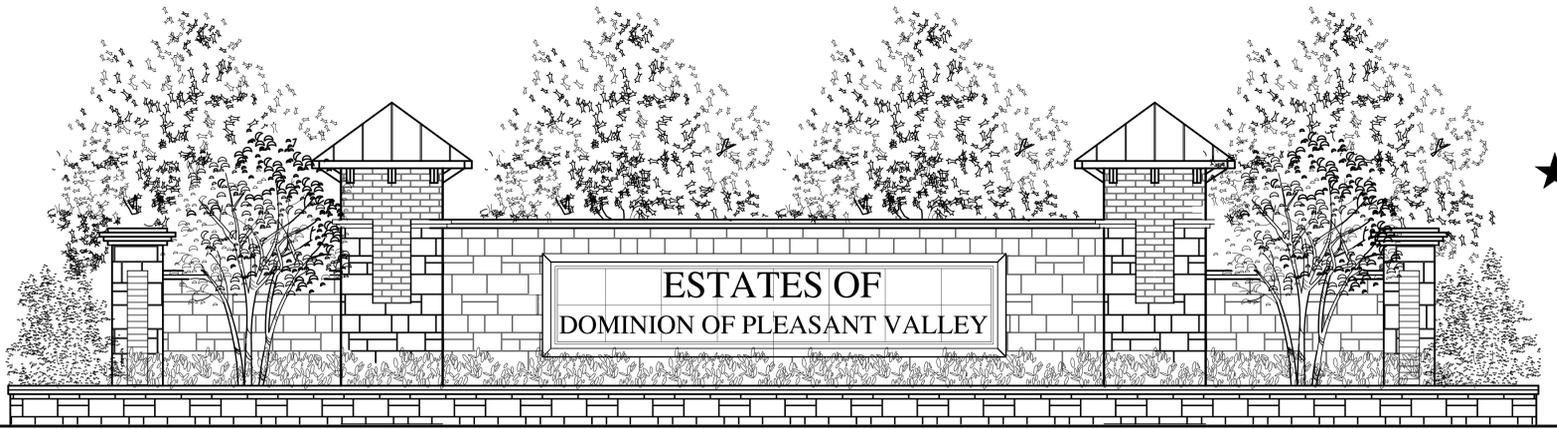
RNH ACQUISITIONS, INC. APPLICANT
8214 Westchester, Suite 650
Dallas, TX 75225
Contact: Ron Haynes (214)673-0574

MARY K JOHNSON OWNER
10325 Sandy Hollow Lane
Bonita Springs, FL 34135

JBI PARTNERS, INC. PLANNER/SURVEYOR/ENGINEER
16301 Quorum Drive, Suite 200 B
Addison, Texas 75001
Contact: Jerry Sylo (972)248-7676
TBPLS No. 10076000 TBPE No. F-438

- NOTES:
1. THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF ENGINEERING PLAN APPROVAL.
 2. DEVIATIONS FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE ZONING BOARD OF ADJUSTMENT (BOA).
 3. ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT REGULATIONS.
 4. THE ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS ZONING CONCEPT PLAN, AS DETERMINED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.
 5. ALL PRIVATE SEWAGE DISPOSAL SYSTEMS SHALL MEET THE REQUIREMENTS OF THE CITY OF SACHSE AND THE TCEQ SETBACKS.

PRIMARY COMMUNITY ENTRANCE
NOT TO SCALE



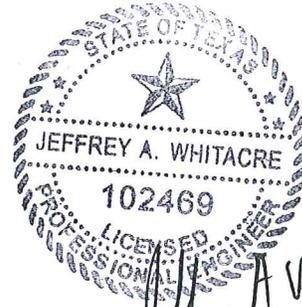
TECHNICAL MEMORANDUM

To: Gregory Peters, P.E.
City Engineer
City of Sachse

From: Jeff Whitacre, P.E., AICP, PTP
Kimley-Horn and Associates, Inc.
TBPE Firm Number F-928

Date: August 24, 2015

Subject: Estates of Dominion of Pleasant Valley Development – Rough
Proportionality Analysis
City of Sachse, Texas



Jeffrey A. Whitacre
8-24-2015

Purpose

The purpose of this memorandum is to provide a “rough proportionality” calculation of the proposed Estates of Dominion of Pleasant Valley Single-Family Development located at the northeast corner of Pleasant Valley Road and Ben Road in the City of Sachse. For roads, the rough proportionality calculation is a comparison of the capacity provided by a development to the traffic impacts of the proposed development.

Proportionality Methodology

Traffic generation of new development impacts the area roadway system by using available capacity. To measure system impacts, an analysis using vehicle-miles of travel in the PM peak hour was conducted. Using vehicle-miles of travel, the capacity provided by roadway improvements can be compared with the traffic generated by a proposed development. For roadway improvements, supply (vehicle-miles) is determined by multiplying the length of the facility by its available capacity.

Capacity values are based on generalized criteria from the Highway Capacity Manual (HCM). For site traffic generation, demand (vehicle-miles) is determined by multiplying an appropriate trip rate for a specific use by an average trip length associated with such use. Trip generation rates and resulting trip estimates are found in the *Institute of Transportation Engineers (ITE)* publication entitled *Trip Generation*, 8th Edition (to be consistent with the Impact Fee Analysis). Trip length information is derived information the national household travel survey that analyzed Home-Work trips as well as aerial photography determining route choice.

Using this supply and demand information, a comparison can be made to determine the rough proportional impact.

Proposed Development and Roadway Improvements

Based upon information provided by the City of Sachse and the applicant, the proposed Estates of Dominion of Pleasant Valley Single-Family Development will ultimately consist of the following land use and intensity:

- 66 Single Family Dwelling Units

According to the Subdivision Ordinance “the owner shall be responsible for the design and construction of all streets with his development and one-half of the same if an improved perimeter street.” The proposed roadway improvements for the development consist of the following (based upon the currently adopted *Master Thoroughfare Plan*):

- Pleasant Valley Road – The Sachse Master Thoroughfare shows this section of Pleasant Valley Road as a Minor Arterial (4-lane divided roadway). The request is to build two additional lanes of Pleasant Valley Road from Ben Road to the property boundary which is estimated to be 2,720’. Note that only two lanes are currently being requested on Pleasant Valley Road.
- Future Collector – The Sachse Master Thoroughfare shows this tract being bisected by a Future Collector (2-lane undivided roadway). The request is to build this collector from Pleasant Valley Road to the property boundary which is estimated to be 1,700’.

Proportionality Calculation

Projected Demand of Proposed Site

The projected vehicle-miles of demand are calculated by multiplying the proposed size of development by its appropriate trip rate and trip length. The PM peak hour trip rate per single-family land use is 1.01 vehicles per hour. This trip rate results in approximately 66 PM peak hour trips for the single-family development.

Trip length data from the Impact Fee Analysis was utilized to calculate the average trip length within the City. The resulting average trip length is approximately 2.35 miles.

- 66 dwelling units x 1.01 trips x 2.35 miles =

156.65 Total vehicle-miles of demand

Capacity Supplied by Proposed Roadway Improvements

This calculation determines the vehicle-miles of supply provided by the proposed roadway improvements and is based on length of improvement and hourly roadway capacity values. Capacity values are based on an area type of suburban residential resulting in hourly capacity values of 425 vehicles per hour per lane (vphpl) for a collector (Country Club Drive) and 650 vehicles per hour per lane (vphpl) for a four-lane divided arterial.

The request is to build Country Club Drive as a 36' collector. If Country Club Drive were not a collector and was a local street the roadway would be designed to 31' cross section. Within the Estates of Dominion of Pleasant Valley this minimum local roadway was changed to 24'. For this analysis it was assumed that the City's request was an additional 12' or one-third (1/3) of the collector. Note, this analysis could be modified to 5' or 13.89% of the collector.

▪ Pleasant Valley Road; 2,720'	
(2,720'/5,280'/mile) x 2 lanes x 650 vphpl =	669.70 vm _s
▪ Future Collector (Country Club Drive); 1,700'	
(1,700'/5,280'/mile) x 2 lanes x (1/3) x 425 vphpl =	91.22 vm _s
Total vehicle-miles supplied	760.92 vm_s

Results

A comparison of projected demand of the site relative to the roadway supply being provided reveals that the projected demand does not exceed the capacity supplied.

$$156.65 \text{ vm}_d < 760.92 \text{ vm}_s \text{ [}\sim 20.5\% \text{]}$$

Since the initial request exceeded the proportional share the request was reduced to only include the Future Collector (Country Club Drive).

▪ Future Collector (Country Club Drive); 1,700'	
(1,700'/5,280'/mile) x 2 lanes x (1/3) x 425 vphpl =	91.22 vm _s
Total vehicle-miles supplied	91.22 vm_s

With only the collector being requested a comparison of projected demand of the site relative to the roadway supply being provided reveals that the projected demand does exceed the capacity supplied and therefore requesting the Future Collector (Country Club Drive) being constructed to a 36' cross section is justified.

$$156.65 \text{ vm}_d > 91.22 \text{ vm}_s \text{ [}\sim 171\% \text{]}$$

Credits for Impact Fees

We recommend the developer receive credit for the oversized participation on Country Club Road for the cost difference between a standard local street (31' cross section) and a collector (36' cross section).

Conclusion

The purpose of this evaluation is to assess the impacts of the proposed development on the City roadway system and to determine the roughly proportional supply of roadway capacity necessary to address the added demand. The analysis reveals that the City is justified in having the developer build the two-lane Future Collector (Country Club Drive). Impact Fee Credits should be received for the oversized participation on Country Club Road for the cost difference between a standard local street (31' cross section) and a collector (36' cross section).

Note further evaluation may need to be completed to determine if left-turn lanes would be necessary along Pleasant Valley Road. This evaluation would be based on requirements from *AASHTO: A Policy on the Geometric Design of Highways and Streets*. If left-turn lanes are determined to be necessary to serve the Estates of Dominion of Pleasant Valley Development, then they would be considered an improvement needed to adequately serve this development and would be a roughly proportional request.

Haynes Development Company



8214 Westchester Street • Dallas, Texas 75225 • Phone: 214-673-0575
E-Mail: rhaynes@haynesdevco.com

May 14th, 2015

Greg Peters
City Engineer
38115 Sachse Road
Sachse, TX 75048

Dan McGinn
Community Development Director
38115 Sachse Road
Sachse, TX 75048

Dan and Greg:

You all asked me to put together a proposal regarding what I am requesting for the proposed development agreement for Estates of Pleasant Valley.

Below is an outline for the proposed development agreement.

First, it is important to understand the role impact fees play in the life of a city. The purpose of impact fees is to spread the cost of road and utility infrastructure evenly and therefore fairly among all properties being developed in the future. In the case of the City of Sachse it hired a consulting firm (Cobb Fendley) to analyze future infrastructure needed and the cost of that infrastructure to support the residences and businesses of the overall City. The consultant also analyzed the future master land use plan to determine approximately how much future development there would be and to the extent possible to determine the number of homes and business that would be developed in the future in order to spread these costs out equitably and therefore fairly via impact fees generated among the various properties to be developed in the future.

The consulting firm (Cobb Fendley) recommended to the City of Sachse the impact fees amounts for future water lines and future roadways and or improved roadways. In 2012 the City Council adopted the following impact fee amounts for single-family residences that would be built in the future.

I. The expected impact fees for Estates of Pleasant Valley (66 homes) is as follows.



Water: \$2,521 (impact fee amount) x 66 homes = \$166,386
Roadway: \$2,450 (impact fee amount) x 66 homes = \$161,700
Total \$4,971

66 homes x \$4,971 = \$328,086

II. The issues the development agreement needs to address are as follows:

1. Sanitary sewer impact fees
2. Water line extension that is called for in the City's master water line plan.
3. Roadways: A collector road bisecting the tract on the east end (extension of Country Club Drive) and Pleasant Valley Road as it is adjacent to the portion of the property that is expected to be platted and developed.

III. Below is a summary of the expected costs of these items as prepared by Jeff Miles at JBI Partners, Inc. (a civil engineering firm). Attached is a breakdown with detail of these costs.

Sanitary Sewer:

Since there is no sanitary sewer accessible in the area of this property and as such the Planning and Zoning Commission and City Council unanimously approved septic systems for this development there is no reason for this project to pay sanitary sewer impact fees since it is not going to be part of the City's sanitary sewer system.

Water line:

The City master water plan calls for a major water line (12" in diameter) to run east west through the property and then to head north towards the City's water storage tanks located near Sachse Road.

Cost of an 8" water line: \$178,486

Cost of a 12" water line: \$235,729

Difference \$57,243

Roadways:



The City currently has an ordinance that requires the developer to either build one half of the adjacent thoroughfare or escrow funds to pay for this. Pleasant Valley Road meets this requirement. In addition, the master thoroughfare plan calls for a collector road to extend from Pleasant Valley Road to Sachse Road. According to City ordinances this development would be required to build the entire collector road that is located within this development of Estates of Pleasant Valley. It is also important to note the following:

1. The 66 homes proposed for this development would not warrant a collector street nor the improvement of Pleasant Valley Road due to the traffic these homes will generate, and
2. Both of these roads are on the City's impact fee CIP; therefore, to require the developer to build (or escrow) for these roads and collect impact fees from my point of view is, to use a cliché, "double dipping" and therefore not fair.

The costs of these roads are as follows:

The Collector Road (extension of Country Club Drive)

A normal residential street section of 24' of pavement:	\$358,535
A collector street section of 36' of pavement:	<u>\$534,287</u>
Difference	\$175,752

Pleasant Valley Road (one half of a 45' wide section): \$615,588

IV. I propose the following:

Sanitary Sewer:

No impact fees since it is not using the City's sanitary sewer system.

Water:

I believe the City should reimburse the developer at completion of each phase (assuming 2 phases) for the size difference between an 8" line and a 12" water line as only an 8" water line is needed to serve homes along its path. This of course assumes we are allowed to extend the water



line internal to the development and tap the line for services to the lots. Projected total cost differential between an 8" line and a 12" line is approximately \$57,243. At the time the developer bids this water line it will ask the bidders for a bid for both an 8" line and a 12" line to determine the exact difference in cost.

Roadway:

The collector street: Since the project is located adjacent to Pleasant Valley Road and there are only 66 home sites the project is not generating the need for the collector street and therefore the collector is not needed for this development. As such the City should pay for the extra pavement via road impact fees as the collector road is serving the greater good of the City and not this particular project. Since the extra cost associated with the collector road verses a normal residential street is almost the same as the expected road impact fees to be generated from the development I propose that the City eliminate road impact fees for the development provided the developer builds the collector road.

Pleasant Valley Road: Since all road impact fees are proposed to be allocated to the collector road (extension of Country Club Drive) as it bisects the development there are no impact fees available for Pleasant Valley Road.

There are also two other very important factors that should be considered with respect to Pleasant Valley Road.

1. Pleasant Valley Road is an "all area" road. It is important to recognize that Pleasant Valley Road is located such that it not only serves the greater good of Sachse but also Wylie, Rowlett, and Garland, not to mention various other cities in the county as trash trucks use it to access the land fill in Rowlett. In addition, the cost to improve the section of Pleasant Valley Road from Muddy Creek to Highway 190 is so large that this road needs to be handled differently than virtually any other road in Sachse. As many know, Dallas County, the regional toll revenue program and the city of Garland are paying approximately \$28MM to improve Pleasant Valley Road in Garland on the other side of Highway 190. *See attached article from the Dallas Morning News.*
2. Fairness. There are other tracts that do not abut Pleasant Valley Road and as such are only required to pay impact fees and not pay specifically for Pleasant Valley Road. It would seem only fair that since the City is collecting road impact fees from all developments that certain tracts not be discriminated against simply because they are adjacent to a future thoroughfare, particularly



Pleasant Valley Road since it serves such a broader area than this development of 66 homes and is not warranted for 66 homes. While a City ordinance requires that this development as it is adjacent to Pleasant Valley Road either build or escrow the funds for one half of the road and pay road impact fees I believe this to be unfair and inconsistent with the purpose for impact fees and is therefore “double dipping.” As stated in the beginning of this letter, the purpose of impact fees is to spread the cost of road and utility infrastructure equitably and therefore fairly among all properties being developed in the future.

I would be happy to meet and discuss all aspects of this letter and anything else you wish to discuss.

Sincerely,

Ronald N. Haynes, Jr.
President



Attached are Cost Estimates Prepared by JBI Engineering



ENGINEER'S OPINION OF PROBABLE COST
PREPARED BY JBI PARTNERS, INC. ON APRIL 21, 2015
8" WATER LINE ALONG AND THROUGH ESTATES OF DPV PROJECT
3,510 LINEAR FEET
CITY OF SACHSE, TEXAS
JBI PROJECT NO. HDC011

Item No.	Description	Unit	Cost	Quantity	Total
1.	8" C900 Class 150 PVC water pipe	LF	\$24.00	3,510	\$84,240
2.	8" Valves	LS	\$2,000.00	8	\$16,000
3.	Fire hydrant assembly, including lead and valve	EA	\$2,500.00	7	\$17,500
4.	Fittings	TN	\$5,000.00	2.5	\$12,500
5.	Connect to existing line	LS	\$1,000.00	1	\$1,000
SUBTOTAL					\$131,240
6.	Testing	%	\$131,240	3	\$3,937
7.	Bonds	%	\$131,240	1.5	\$1,969
8.	Engineering & surveying	%	\$131,240	12	\$15,749
9.	City inspection fee	%	\$131,240	4.5	\$5,906
10.	Contingency	%	\$131,240	15	\$19,686
TOTAL					\$178,486



ENGINEER'S OPINION OF PROBABLE COST
PREPARED BY JBI PARTNERS, INC. ON APRIL 21, 2015
12" WATER LINE ALONG AND THROUGH ESTATES OF DPV PROJECT
3,510 LINEAR FEET
CITY OF SACHSE, TEXAS
JBI PROJECT NO. HDC011

Item No.	Description	Unit	Cost	Quantity	Total
1.	12" C900 Class 150 PVC water pipe	LF	\$33.00	3,510	\$115,830
2.	12" Valves	LS	\$3,000.00	8	\$24,000
3.	Fire hydrant assembly, including lead and valve	EA	\$2,500.00	7	\$17,500
4.	Fittings	TN	\$5,000.00	3	\$15,000
5.	Connect to existing line	LS	\$1,000.00	1	\$1,000
SUBTOTAL					\$173,330
6.	Testing	%	\$173,330	3	\$5,200
7.	Bonds	%	\$173,330	1.5	\$2,600
8.	Engineering & surveying	%	\$173,330	12	\$20,800
9.	City inspection fee	%	\$173,330	4.5	\$7,800
10.	Contingency	%	\$173,330	15	\$26,000
TOTAL					\$235,729



**ENGINEER'S OPINION OF PROBABLE COST
PREPARED BY JBI PARTNERS, INC. ON APRIL 21, 2015
24' RESIDENTIAL STREET THROUGH ESTATES OF DPV
1,860 LINEAR FEET / 24' PAVEMENT
CITY OF SACHSE, TEXAS
JBI PROJECT NO. HDC011**

Item No.	Description	Unit	Cost	Quantity	Total
1.	Excavation / site generated fill	CY	\$5.00	3,306	\$16,530
2.	8"-6% (44lb/sy) lime treated subgrade	LF	\$3.00	5,373	\$16,119
3.	Lime material	TN	\$150.00	118	\$17,700
4.	8"-3500 PSI concrete pavement reinf. w/ #4 bars at 24" oc.	SY	\$43.00	4,960	\$213,280
SUBTOTAL					\$263,629
5.	Testing	%	\$263,629	3	\$7,909
6.	Bonds	%	\$263,629	1.5	\$3,954
7.	Engineering & surveying	%	\$263,629	12	\$31,635
8.	City inspection fee	%	\$263,629	4.5	\$11,863
9.	Contingency	%	\$263,629	15	\$39,544
TOTAL					\$358,535



ENGINEER'S OPINION OF PROBABLE COST
PREPARED BY JBI PARTNERS, INC. ON APRIL 21, 2015
36' COLLECTOR STREET THROUGH ESTATES OF DPV
1,860 LINEAR FEET / 36' PAVEMENT
CITY OF SACHSE, TEXAS
JBI PROJECT NO. HDC011

Item No.	Description	Unit	Cost	Quantity	Total
1.	Excavation / site generated fill	CY	\$5.00	4,960	\$24,800
2.	8"-6% (44lb/sy) lime treated subgrade	LF	\$3.00	7,646	\$22,938
3.	Lime material	TN	\$150.00	168	\$25,200
4.	8"-3500 PSI concrete pavement reinf. w/ #4 bars at 24" oc.	SY	\$43.00	7,440	\$319,920
SUBTOTAL					\$392,858
5.	Testing	%	\$392,858	3	\$11,786
6.	Bonds	%	\$392,858	1.5	\$5,893
7.	Engineering & surveying	%	\$392,858	12	\$47,143
8.	City inspection fee	%	\$392,858	4.5	\$17,679
9.	Contingency	%	\$392,858	15	\$58,929
TOTAL					\$534,287

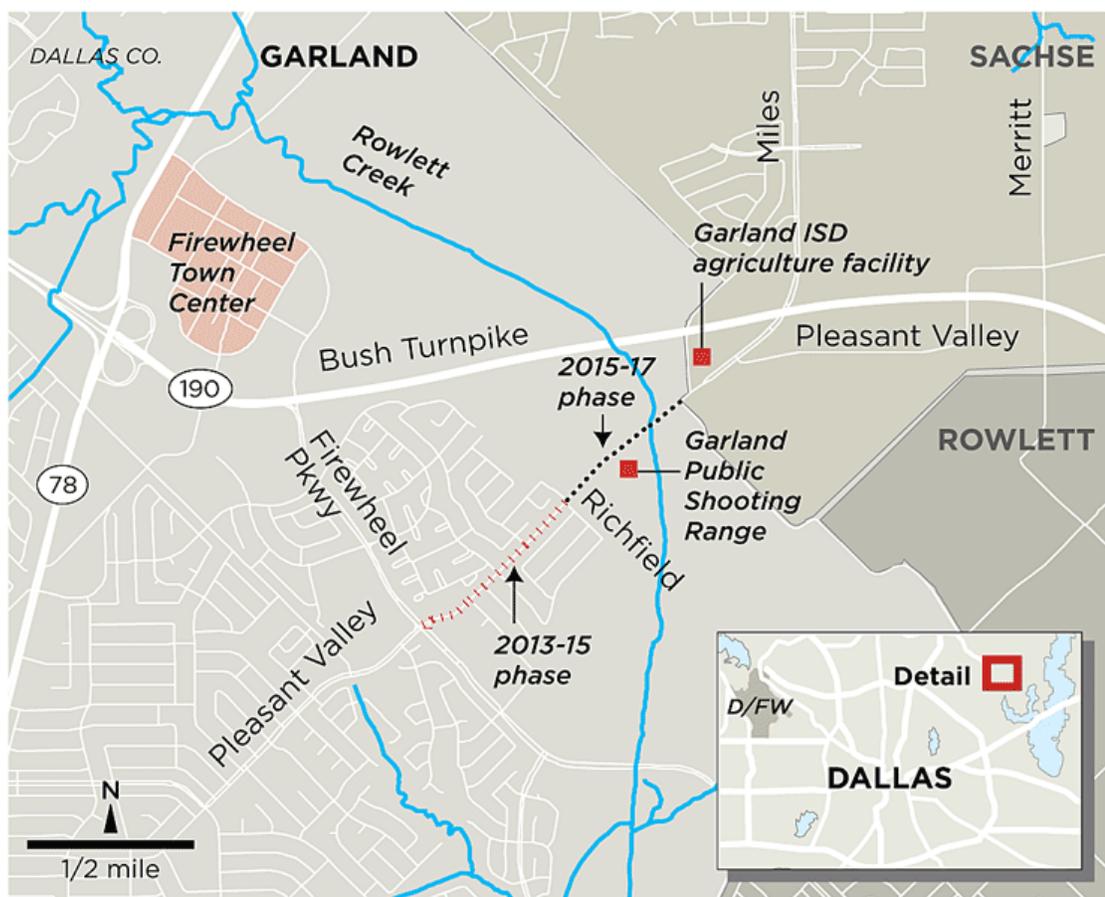


ENGINEER'S OPINION OF PROBABLE COST
PREPARED BY JBI PARTNERS, INC. ON APRIL 21, 2015
1/2 OF PLEASANT VALLEY ROAD ADJACENT TO ESTATES OF DPV PROJECT
1,640 LINEAR FEET / 22.5' PAVEMENT (1/2 - 45' PAVING SECTION)
CITY OF SACHSE, TEXAS
JBI PROJECT NO. HDC011

Item No.	Description	Unit	Cost	Quantity	Total
1.	Traffic control markings / signage	LS	\$5,000.00	1	\$5,000
2.	Erosion control	LF	\$2.00	1,640	\$3,280
3.	Clearing 1/2 right-of-way	STA	\$200.00	16	\$3,200
4.	12' wide flexbase with HMAC surface coat for temporary traffic	SY	\$20.00	2,186	\$43,720
5.	Remove 1/2 existing asphalt road	SY	\$12.00	2,186	\$26,232
6.	Excavation / site generated fill	CY	\$5.00	3,600	\$18,000
7.	24" to 36" storm sewer	LF	\$65.00	1,640	\$106,600
8.	Storm sewer inlets and laterals	EA	\$5,000.00	4	\$20,000
9.	8"-6% (44lb/sy) lime treated subgrade	LF	\$3.00	4,282	\$12,846
10.	Lime material	TN	\$150.00	94	\$14,100
11.	8"-3500 PSI concrete pavement reinf. w/ #4 bars at 24" oc.	SY	\$43.00	4,100	\$176,300
12.	6" Concrete curb	LF	\$1.00	1,640	\$1,640
13.	Backfill curb w/ topsoil / final grading	LS	\$3.00	1,640	\$4,920
14.	Grass sod parkway and disturbed areas	SY	\$3.00	3,600	\$10,800
15.	Water sod - tanker truck	LS	\$3,000.00	1	\$3,000
16.	Pavement markings / traffic signage	LS	\$3,000.00	1	\$3,000
SUBTOTAL					\$452,638
17.	Testing	%	\$452,638	3	\$13,579
18.	Bonds	%	\$452,638	1.5	\$6,790
19.	Engineering & surveying	%	\$452,638	12	\$54,317
19.	City inspection fee	%	\$452,638	4.5	\$20,369
20.	Contingency	%	\$452,638	15	\$67,896
TOTAL					\$615,588



Article from the Dallas Morning News regarding the funding of Pleasant Valley Road on the other side of Highway 190



SOURCES: ESRI; Dallas Morning News research

Tom Setzer/Staff Artist



By RAY LESZCZYNSKI

rleszcynski@dallasnews.com

Staff Writer

Published: 08 March 2015 11:11 PM

Updated: 08 March 2015 11:17 PM

A \$28 million project to take Pleasant Valley Road out of the Rowlett Creek flood plain will provide long-overdue relief to congestion in northeast Dallas County.

Pressure on the former country road accelerated in 2002 when Garland opened the Hinton Landfill. Pleasant Valley was designed to bear the brunt of heavy truck traffic as part of the plan for the landfill.

“That’s one of the reasons this road is in terrible need of repair,” said Michael Polocek, the city’s director of engineering.

“It’s an asphalt road and these two old bridges are in there.”

There’s been nearby rapid development of Garland’s final frontier with the 2005 opening of Firewheel Town Center and the late 2011 eastern extension of the Bush Turnpike.

Sachse has grown to Garland’s doorstep. Miles Road is Sachse’s major north-south connector, four lanes at 45 mph, tying directly to Pleasant Valley. Garland ISD built three schools along Miles, adding 4,400 students to the daily pressure on nearby infrastructure.

Two lanes of asphalt and country bridges won’t cut it any more. Pleasant Valley Road needed to grow up.

“I’m looking forward to it,” said Kyle Clevenger, a 15-year resident of Richfield Drive, the midpoint of the four-year and two-phase improvement to Pleasant Valley. “Not only is there a lot of traffic, these people go way too fast. ... It’s so beat up, you shouldn’t be doing over the speed limit.”

Garland plans to complete the first phase, to Firewheel Parkway, as part of its 2015 Capital Improvements Program. The \$7 million cost for that segment of Pleasant Valley is split with Dallas County. Both phases are designed for large loads.

“We knew we had that truck haul route; that there was going to be heavier equipment driving that direction,” Polocek said. “It is an atypical section for the city of Garland — what we call a beefed-up section.”

The regional toll revenue program is picking up most of the larger cost to lift the road out of the flood plain. About \$5 million fall to the city and county.

“There will be noise, and there’s going to be dust. I bought a new truck about a year ago, Every two or three days, it’s just filthy. What do you do?” Clevenger said. “With the mall and all that, it’s only going to help our property values.”

The county is also heavily involved in a similar project near where Rowlett Creek empties into Lake Ray Hubbard. Half-completed, the four-lane Miller Road bridge is a Garland-Rowlett connector. It’s near a preserve and a nature trail, ways to interact with the creek such as Garland envisions at Pleasant Valley.

Dallas County Commissioner Mike Cantrell, a longtime proponent of both bridge projects, noted the potential for Pleasant Valley.

“We are excited about the city’s plan to provide several aesthetic features such as decorated railings and additional sidewalks to create a connection to their future trail system,” he said.