



Lewisville City Council

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A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
NOVEMBER 6, 2017**

**LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057**

WORKSHOP SESSION - 6:00 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:00 P.M.

- A. Discussion of Stormwater Drainage Utility Operating Rules, Credit Program, and Appeals Process
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Gilmore
- C. **PUBLIC HEARINGS:**
 - 1. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for an Auto Display, Sales (Outdoor) and Repair Facility; on Approximately 4.14-Acres, Legally Described as Lot 2, Block A, The Thompson Addition, Located on the South Side of State Highway 121 Business, Approximately 570 Feet East of East Valley Ridge Boulevard and Zoned Light Industrial District (LI), as Requested by Gregg Kaiser, of Aztec Commercial, on Behalf of New Horizon Commercial, LLC, the Property Owner (Case No. SUP-2017-10-14).

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ADMINISTRATIVE COMMENTS:

L&L Autolink is proposing a new two building development. One building will house an indoor used-car dealership that will offer minor repairs and contain five spaces for occasional vehicle display during normal business hours. Enhanced landscaping, exceeding the minimum requirement, is provided on both the interior of the site and along SH 121 Business. On October 3, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the SUP.

RECOMMENDATION:

That the City Council approve the proposed ordinance as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Gregg Kaiser, Aztec Commercial

2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Heavy Industrial District (HI) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses), on a 15.0 Acre Lot Legally Described as Lot 1, Block A, D/FW Recycling & Disposal Facility Addition, Located at 1600 South Railroad Street, as Requested by Richard A. Dormier, Freeman-Millican, Inc. on Behalf of Guy R. Campbell, Waste Management of Texas, Inc., the Property Owner (Case No. PZ-2017-10-18).**

ADMINISTRATIVE COMMENTS:

The 15.0-acre lot consists of supplementary structures for the adjacent landfill, including an office building, service shop, truck wash, gas plant, storage building, paint shop and maintenance building. The zone change is necessary to accommodate the construction of a new break room and an expansion of the truck wash and service shop. On October 3, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request.

RECOMMENDATION:

That the City Council continue the public hearing to the November 20, 2017 City Council meeting.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Richard Dormier, Freeman-Millican, Inc.

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3. **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Single Family Residential (R-7.5) to Old Town Mixed Use 1 (OTMU1), on Approximately 0.231 Acres, Legally Described as Portions of Lot 3 and Lot 11, Block A, L.M. Kealy Addition, Located on the South Side of Samuel Street Approximately 132 Feet West of South Charles Street, at 230 Samuel Street, as Requested by James and Dawn Moss, the Property Owners (Case No. PZ-2017-10-19).**

ADMINISTRATIVE COMMENTS:

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 2017.

RECOMMENDATION:

That the City Council approve the proposed ordinance as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director

QUESTIONS:

4. **Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC), on an Approximately 0.076-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 150 Feet West of South Poydras Street, at 170 West Main Street, as Requested by The RO Properties, the Property Owner (Case No. PZ-2017-10-22).**

ADMINISTRATIVE COMMENTS:

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 2017.

RECOMMENDATION:

That the City Council approve the proposed ordinance as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director

QUESTIONS:

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5. **Public Hearing:** Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC), on an Approximately 0.089-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 145 Feet West of South Mill Street, at 128 West Main Street, as Requested by Loki Bear Properties, LLC, the Property Owner (Case No. PZ-2017-10-23).

ADMINISTRATIVE COMMENTS:

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 2017.

RECOMMENDATION:

That the City Council approve the proposed ordinance as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS:

6. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for a Communication Tower; on Approximately 0.911 Acres, Legally Described as Lot 1R, Block A of the Fox-IH35E Addition, Located on the Southwest Corner of Fox Avenue and the I-35E Frontage Road and Zoned General Business District (GB), as Requested by Brian Sullivan of Eco-Site, LLC, on Behalf of Jay Remnek, of Highland Lakes, Inc, the Property Owner (Case No. SUP-2017-10-13).

ADMINISTRATIVE COMMENTS:

The applicant is proposing to build a new 1,236 square-foot telecommunication facility on the south side of this lot. The facility will house a 100-foot tower that will help alleviate a gap in T-Mobile's signal strength and allow other carriers to expand their service. Enhanced landscaping is being provided, including five new trees on the site and live screening around the eight-foot tall wrought iron fence surrounding the site. On October 3, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the SUP.

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RECOMMENDATION:

That the City Council approve the proposed ordinance as set forth in the caption above.

AVAILABLE FOR QUESTIONS: - Richard E. Luedke, Planning Director
- Bebb Francis, Attorney for Eco-Site Inc.

- D. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- E. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.
7. **APPROVAL OF MINUTES:** a) City Council Minutes of the September 18, 2017, Workshop Session and Regular Session; and b) City Council Minutes of the October 16, 2017, Workshop Session and Regular Session.
8. **Approval of a Professional Services Agreement with Hawes Hill and Associates LLP, in the Amount of \$70,000, for Services Related to the Expansion and/or Re-Evaluation of the Tax Increment Financing Reinvestment Zones (TIRZ) #1 and #2, Creation of a New TIRZ for the I-35 Corridor; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

The Tax Increment Reinvestment Zone (TIRZ) #1 was established in 2001 in Old Town area, and TIRZ #2 was established in 2009 in the Hebron Station area. Both zones have specific project and financing plans guiding the construction of public projects in each district to stimulate the development of private projects. The agreement will review the benefits of possible expansion of both zones and will provide recommendations on the needed amendments to the project and financing plans for each zone. This review will ensure that the captured revenue increment is used to its fullest potential for stimulating new projects in the zones.

RECOMMENDATION:

That the City Council approve the agreement as set forth in the caption above.

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- 9. Approval of the Revisions to the City of Lewisville Policy Statement 4.0: City Facilities/Events to Include the Lewisville Lake Environmental Learning Area (LLELA) in the List of Facilities Where Alcohol may be Served/Sold.**

ADMINISTRATIVE COMMENTS:

Policy Statement 4.0: makes provisions for the service and sale of alcohol at city facilities, during city sponsored events and within designated areas with parks. The policy was last updated in 2017 but does not include LLELA. In an effort to be consistent with action steps set forth in the Green Centerpiece Master Strategy and provide predictability in the monitoring and usage of alcohol the policy should be updated.

RECOMMENDATION:

That the City Council approve the revisions to the current policy statement as set forth in the caption above.

- 10. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Office of the Governor - Criminal Justice Division to Obtain Funding to Purchase 140 Sets of Rifle-Resistant Body Armor.**

ADMINISTRATIVE COMMENTS:

The Lewisville Police Department is preparing a grant application to obtain funding from the State of Texas, Office of the Governor, Criminal Justice Division to purchase rifle-resistant body armor. The rifle-resistant armor plates and carriers are worn outside the uniform shirt and is in addition to soft body armor worn underneath the uniform and provided by the City. A council resolution is necessary to apply for the grant. The total cost is estimated to be \$53,900 and is covered by the grant if our application is approved. No City match is required.

RECOMMENDATION:

That the City Council approve the proposed resolution as set forth in the caption above.

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F. REGULAR HEARINGS:

- 11. Consideration of a Request for a Variance to the Lewisville City Code, Chapter 6, Article IX, Section 6-181(b), Exterior Finish Requirements, Regarding the Exterior Finish Requirements for a Home Located at 411 Mullins St, as Requested by Steve C. Bowen, President of Carl Franklin Homes.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville requires that on residential construction the aggregate total of all exterior wall elevations, excluding doors and windows, consist of 80% brick veneer with no single wall elevation consisting of less than 60% brick veneer. The property owner is proposing that the home be 100% siding matching with the neighboring homes. The property is located on the north side of West College St, just outside of the Old Town Design District that would allow 100% siding.

RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above.

AVAILABLE FOR QUESTIONS: - Wayne K. Snell Jr., Director of Neighborhood and Inspection Services

- 12. Consideration of an Ordinance Providing for the Rules for the Use, Operation, and Financing of the City's Stormwater Drainage Utility.**

ADMINISTRATIVE COMMENTS:

This item establishes the rules by which the City will operate the Stormwater Utility. The rules establish that the director of the department that administers City water and sewer utilities will administer the stormwater drainage utility system, including calculating charges, overseeing the credit policy, and processing appeals. In addition to the rules adopted by this ordinance, the City will maintain Administrative Directives outlining procedures for application for credits, and methods for maintaining up to date impervious areas and billing information.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

- G. REPORTS: Reports about items of community interest regarding which no action will be taken.**

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- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
 - 1. Section 551.072 (Real Estate): Property Acquisition
 - 2. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- I. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- J. **ADJOURNMENT**

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



STORMWATER UTILITY RULES ORDINANCE

Workshop – November 6, 2017

Status Update

- August 21, 2017 – Resolution passed calling for Public Hearings to establish the Stormwater Drainage Utility
- Proposed ordinances published in full three times prior to holding Public Hearings
- October 2, 2017 – Public Hearings held
 - Ordinance passed establishing Stormwater Drainage Utility
 - Ordinance passed creating fee of \$4.00/ERU & \$1.43/1,000sf of impervious area
- Billing scheduled to begin in January 2018

Rules Ordinance

- Establishes that the Public Services Department will administer the stormwater drainage utility system and the credit policy
- Defines the utility rate classes of single-family residential and non-single-family residential
- Creates the ability for entities to apply for Stormwater Drainage Utility credits
- Outlines the appeals process and time for any disputed charges



ERU Rate Classification

- Single-Family Residential Parcels:

- (Single-family, detached town homes, any individually metered dwelling units)

Fee = Flat rate per ERU* (dwelling unit) per month

- Non-Single-Family Residential Parcels:

- (Commercial, industrial, institutional, governmental, residential properties where multiple dwelling units are served by a single water meter, homeowners' associations)

Fee = Impervious area on the property per 1,000 square feet (SF) multiplied by the non-single-family residential rate

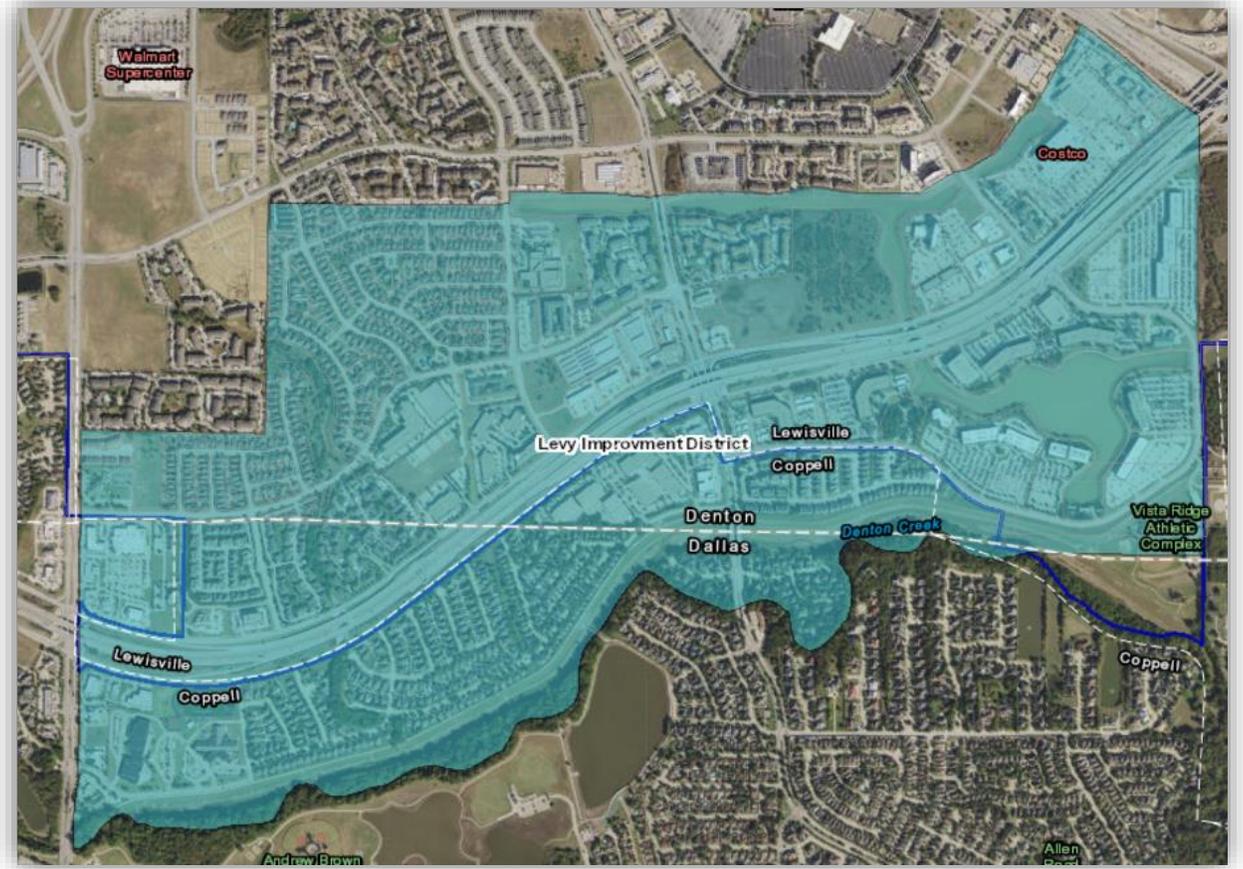
* ERU = Equivalent Residential U

Stormwater Credit Program

- The Rules Ordinance allows for the implementation of a Stormwater Utility Credit Program.
- Establishing a Stormwater Utility Credit Program provides an incentive for rate payers to implement stormwater management measures and offers a pathway for rate reduction.
- Public Services staff will administer the program and coordinate with Utility Billing to apply credits.
- Credits up to 50% will be available for Non-Single-Family Residential properties.
- Single-Family Residential properties are limited to an automatic credit of 25% if they fall within the Denton County Levee Control District.

Stormwater Credit Policy

- Credits for Single-Family Residential will only be applicable for residents located in the Denton County Levee Improvement District.
- Credits would be applied automatically for those properties located in the Levee District and will not require an application or renewal.
- The District collects property taxes from these properties and uses the money for maintenance of some drainage facilities within the District.



Stormwater Credit Policy

- Credits for Non-Single-Family Residential would be available through an application process.
- Credits are based on Best Management Practices (BMPs) and require documentation and self reporting to City staff. Each BMP would be associated with an allowable maximum percent credit for the impervious area served.

Table 2: Non-Single Family Residential

Credit Option	Maximum Percent Credit Allowable	Engineering Documentation	Maintenance	Inspection	Annual Self-Report
1. Adopt-a-Spot Program Credit	5	-	-	-	X
2. Parking Lot Sweeping Credit	5	-	-	-	X
3. Detention or Retention Pond Credit	20	-	X	X	X
4. Zero Discharge Credit	40	X	X	X	X
5. Permanent Structural Controls Credit	40	X	X	X	X
6. Student Education Credit	10	-	-	-	X
7. Industrial Facility Credit	5	-	-	X	X
8. Denton County #1 Levee Improvement District Credit	25	-	-	-	-

Encourage Best Management Practices



Appeals

- Establishes a Stormwater Utility Appeals Process.
- Public Services staff will administer the program and receive written appeals from land owners, or those responsible for the charges.
- The ordinance establishes that appeals must be based on one of the following items:
 - Exempt property assessed a charge
 - An incorrect determination of impervious area
 - Stormwater charges for the same property charged to multiple accounts
 - The property falls outside the City's jurisdictional area.

Appeals Continued

- Residents or businesses that wish to appeal their Stormwater charges have 30 days from the date of the charge they wish to dispute to file a written appeal.
- All appeals will be responded to by the Public Services Director in writing within 30 days of receipt.
- The property owner or account holder then has 30 days to appeal to the City Manager. The decision of the City Manager shall be final.
- The owner or customer filing the appeal shall bear the burden of proving by a preponderance of the evidence for the relief sought in the appeal.

Staff Recommendations

- Pass the ordinance providing for rules for the use, operation, and financing of the City's Stormwater Drainage Utility.
- Provide feedback on provisions for the Stormwater Drainage Utility Charge credit program.



COMMUNITY OUTREACH

Community Outreach

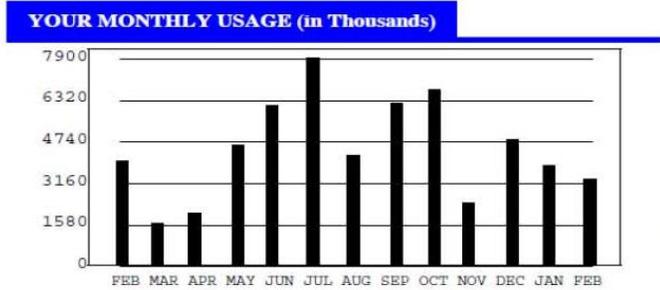
- Staff will send letters to all non-single-family accounts that will receive a bill of \$50 per month or more.
- Information will be included with utility bills.
- Staff has developed a website with information and frequently asked questions, including tools for property owners to determine their impervious area and monthly bills.
- Staff has developed detailed information to be distributed during the development review process.
- Staff will participate in community outreach including MARTY events and provide information to homeowners on the purpose of the Stormwater Drainage Utility.

Billing



151 W. Church Street
 P.O. Box 299002, Lewisville, TX 75029-9002
 Remit to: P.O. Box 731962, Dallas, TX 75373-1962
 (972) 219-3440 * Fax (972) 219-5097

Name
 Address
 LEWISVILLE TX 75077-2921



SPECIAL MESSAGE

****PET OWNERS****The City of Lewisville requires pet owners to register their furry friends. You may register your pet, (dogs, cats or ferrets) in person or by mail. For more information please contact Lewisville Animal Services at 972-219-3478.

- Stormwater Drainage Utility charges will be added to the utility bill beginning in January 2018.
- A special message will be sent with the December billing cycle.

Account

Statement

ACCOUNT INFORMATION

ACCOUNT: 000-0000000-000
 PIN#:
 SERVICE ADDRESS: 764 SUMMIT RIDGE
 SERVICE PERIOD: 12/20/2016 TO: 01/20/2017
 BILLING DATE: 2/7/2017

CURRENT AMOUNT DUE DATE: 2/23/2017

CURRENT ACCOUNT ACTIVITY

Meter/Code	Previous	Current	Usage
WT	1267	1300	3,300

CURRENT CHARGES

Water	18.75
Sewer	13.63
Refuse	11.46
Stormwater	4.00
Sales Tax	0.95

AMOUNT DUE

Current Month Due	48.79
*Voluntary Contributions	0.00
Total Due	48.79

***This contribution is completely voluntary. You may designate an amount to be added to your bill each month. For more information, please call Keep Lewisville Beautiful at (972) 436-5100 or visit us at www.keeplewisvillebeautiful.org.**

Web Based Tools

- Created a website with information and frequently asked questions.
- Tools available will help property owners determine their impervious area and monthly bills.



Stormwater Fee By
Business Name



Stormwater Fee
Finder Map



QUESTIONS?

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: November 6, 2017

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto Display, Sales (Outdoor) and Repair Facility; on Approximately 4.14-Acres, Legally Described as Lot 2, Block A, The Thompson Addition, Located on the South Side of State Highway 121 Business, Approximately 570 Feet East of East Valley Ridge Boulevard and Zoned Light Industrial District (LI); as Requested by Gregg Kaiser, of Aztec Commercial, on Behalf of New Horizon Commercial, LLC, the Property Owner (Case No. SUP-2017-10-14).**

BACKGROUND

L&L Autolink is a car dealership that offers minor automotive repairs and specializes in high-end used cars. The business current operates from 9am-6pm Monday through Friday and 10am-3pm Saturday in Plano, Texas. They have outgrown their current facility and are looking to move to Lewisville where they can expand their business to a larger site. They are proposing to relocate to a 4.14-acre lot on SH 121 Business, east of East Valley Ridge Boulevard, and build two office/warehouse buildings. Five parking spaces outside the main building will be reserved for occasional vehicle display during normal business hours. The Planning and Zoning Commission recommended unanimous approval (6-0) of the requested SUP on October 3, 2017.

ANALYSIS

Buildings

Two buildings are proposed for this site: a main building out of which L&L will operate; and a second building built with the purpose of leasing to a tenant at a later date. Building 1 will have an area of 25,000 square feet, and a height of 20 feet. It will be located on the east side of the lot, and will feature six repair bays on the south end of the building. The proposed building will contain a standing seam metal roof and will primarily feature a cream-colored brick façade. The building design will also feature enhanced architectural elements including a recessed covered main entrance, and corner-clipped covered side entrances with brick columns.

Building 2 will have an area of 12,040 square-feet. This building will not be used by L&L Autolink, but will be leased to other users. It is proposed to have a standing seam metal roof and will be constructed with matching cream-colored brick.

Landscape Improvements

As a part of the Special Use Permit Application, L&L Autolink is providing landscape enhancements to their site. The applicant is proposing to double the width of the required

landscape strip on the north end of the property from 10 feet to 20 feet. This larger strip will feature 13 trees, which is three trees more than required, and a landscaped focal point surrounding the proposed low-profile monument sign. This focal point will feature ground cover with seasonal color. The applicant is also providing fifteen parking lot trees, which is, double the amount of parking lot trees required for the site. 36 of the existing trees on the undeveloped site will remain.

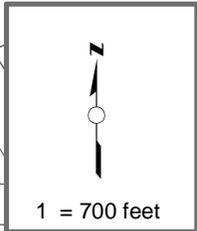
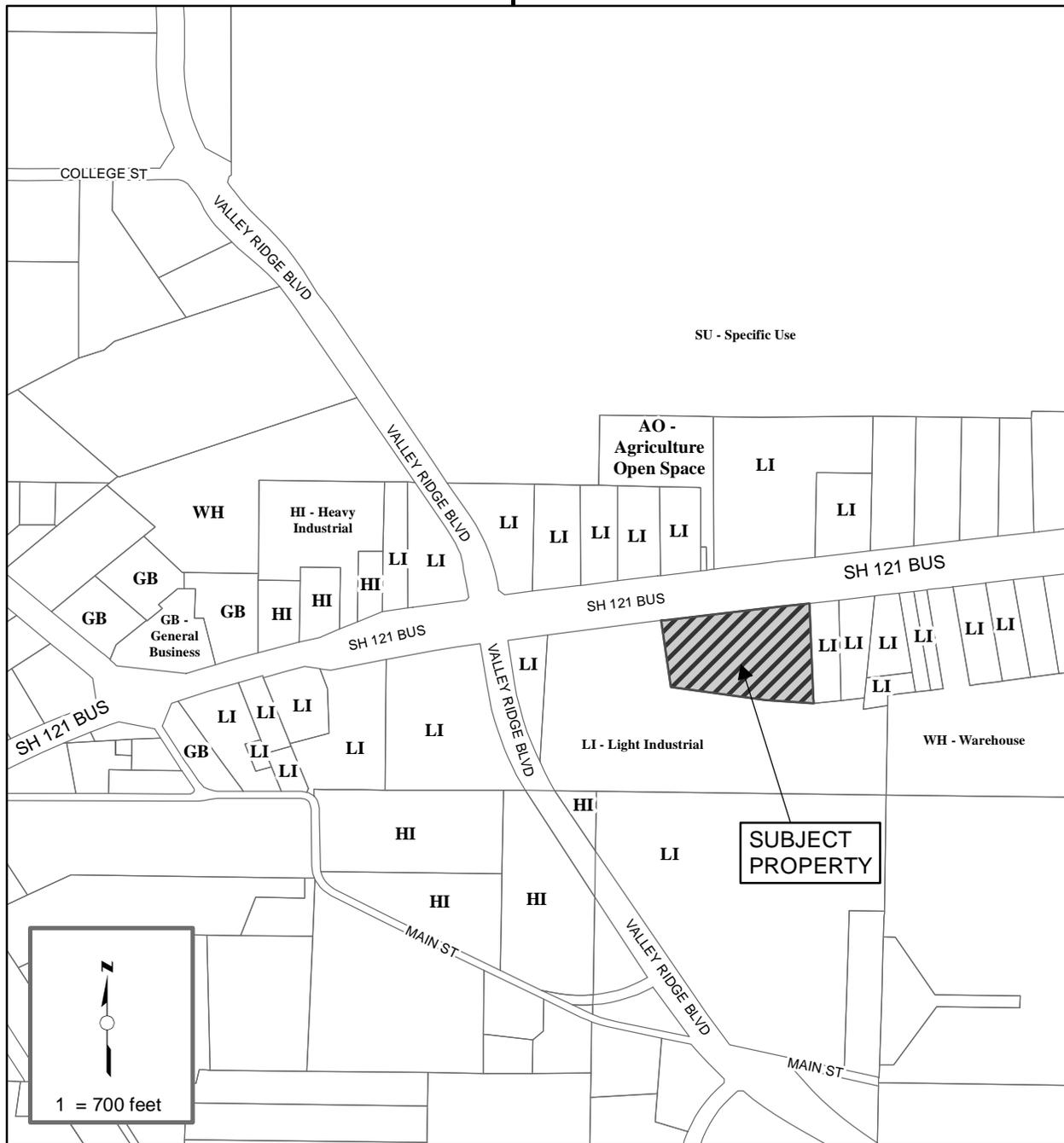
Signage

L&L Autolink has proposed a low-profile monument sign as a part of this application. The six-foot tall, double-sided sign, will feature the L&L Autolink emblem raised by two gray pipes on a base that displays the words “Auto Sales.” The sign will be constructed out of aluminum and steel, and will be located on the north end of the property along Business 121.

RECOMMENDATION

It is City staff’s recommendation that the City Council approve the special use permit as set forth in the caption above.

Location Map - L&L Autolink



CASE NO. SUP-2017-10-14

PROPERTY OWNER: NEW HORIZON COMMERCIAL LLC

APPLICANT NAME: GREGG KAISER, AZTEC

PROPERTY LOCATION: LOT 2, BLOCK A OF THE THOMPSON ADDITION, LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 121 BUSINESS, APPROXIMATELY 570 FEET EAST OF EAST VALLEY RIDGE BOULEVARD (4.14 ACRES)

CURRENT ZONING: LIGHT INDUSTRIAL DISTRICT (LI)

REQUESTED USE: SPECIAL USE PERMIT FOR AN AUTO DISPLAY, SALES, AND REPAIR FACILITY

**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 3, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:31 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Karen Locke and James Davis. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Director; Jonathan Beckham, Planner; and Theresa Ernest, Planning Technician.

Item 4:

Public Hearings for zoning and special use permits were next on the agenda. There were three items for consideration:

- A. **Public Hearing:** Consideration of a Special Use Permit for Auto Sales with Outdoor Display and Minor Automotive Repair; on an Approximately 4.14-Acre Tract of Land, Legally Described as Lot 2, Block A, Thompson Addition, Located on the South Side of State Highway 121 Business, Approximately 570 Feet East of East Valley Ridge Boulevard; as Requested by Gregg Kaiser, of Aztec, on Behalf of Mike Wherley, of L&L Autolink, the Business Owner. (Case No. SUP-2017-10-14).

Staff gave a brief overview of the proposed special use permit request and recommended approval. The applicant was also available to answer any questions. Member James Davis asked if the proposed development adhered to all City's comprehensive plans, which staff affirmed. Member Karen Locke asked if parking at the site would be impacted by vehicles stored outdoors. Staff clarified that the business would be conducted indoors, but six parking spaces would be permitted for display of vehicles solely during hours of operations. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. Member James Davis asked how many employees would work at the proposed site. Gregg Kaiser, the applicant, answered that there would be approximately six full time employees. A motion was made by James Davis to recommend approval of the special use permit request with the following condition: 1) that no overnight outside storage of vehicles shall be allowed. The motion was seconded by William Meredith. The motion passed unanimously (6-0). Staff indicated that the item would be considered by the City Council on November 6th for a final decision.

SECTION 17-23. - "LI" LIGHT INDUSTRIAL DISTRICT REGULATIONS

- (a) *Use.* Buildings and premises may be used for retail, wholesale, office and service uses and campus style light manufacturing and industrial uses provided there is no dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the property on which such use is located, and which produces no noise exceeding in intensity at the boundary of the property the average intensity of noise of street traffic at that point, and no more than ten percent (10%) of the total lot is used for outside storage, and further provided that such use does not create fire or explosive hazards on adjacent property.
- (1) Any use permitted in districts "LC" and "GB" as regulated in said districts.
 - (2) Apparel and other products assembled from finished textiles.
 - (3) Bottling works.
 - (4) Warehouse distribution facilities.
 - (5) Airport/Heliport (SUP required).
 - (6) Auto repair shops including body shops (SUP required).
 - (7) Church worship facilities.
 - (8) Buildings and uses owned or operated by public governmental agencies.
 - (9) Cemetery, mausoleum, crematorium & accessory uses (SUP required).
 - (10) Cosmetic manufacturer.
 - (11) Drugs and pharmaceutical products manufacturing.
 - (12) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (13) Electronic products manufacturing.
 - (14) Fur good manufacture, but not including tanning or dyeing (SUP required).
 - (15) Gas and oil drilling accessory uses (SUP required).
 - (16) Glass products, from previously manufactured glass.
 - (17) Heavy equipment – outdoor rental/sales/display/service (SUP required).
 - (18) Household appliance products assembly and manufacture from prefabricated parts.
 - (19) Industrial and manufacturing plants including the processing or assembling of parts for production of finished equipment.
 - (20) Musical instruments assembly and manufacture.
 - (21) Paint, shellac and varnish manufacture (SUP required).
 - (22) Plastic products manufacture, but not including the processing of raw materials.
 - (23) Racing facilities (SUP required).
 - (24) Recreational Vehicle (RV) Park. (Private) (SUP required).
 - (25) Self storage/mini warehouse facility (SUP required).
 - (26) Shooting Range (indoor or outdoor) (SUP required.).
 - (27) Sporting and athletic equipment manufacture.
 - (28) Testing and research laboratories.
 - (29) Auction yard (vehicle) (SUP required).
 - (30) Communication towers (SUP required).
 - (31) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (32) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (33) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (34) Other uses similar to the above listed uses are allowed by special use permit (SUP) only, except that the following uses are specifically prohibited:
 - a. Acetylene gas manufacture or storage.
 - b. Acid manufacture.
 - c. Alcohol manufacture.
 - d. Ammonia, bleaching powder or chlorine manufacture.
 - e. Arsenal.
 - f. Asphalt manufacture or refining.
 - g. Blast furnace.
 - h. Bag cleaning, unless clearly accessory to the manufacture of bags.

- i. Boiler works.
- j. Brick, tile, pottery or terra cotta manufacture other than the manufacture of handcraft or concrete products.
- k. Reserved.
- l. Celluloid manufacture or treatment.
- m. Cement, lime, gypsum, or plaster of paris manufacture.
- n. Central mixing plant for cement.
- o. Coke ovens.
- p. Cotton gins.
- q. Cottonseed oil manufacture.
- r. Creosote manufacture or treatment.
- s. Disinfectants manufacture.
- t. Distillation of bones, coal or wood.
- u. Dyestuff manufacture.
- v. Exterminator and insect poison manufacture.
- w. Emery cloth and sandpaper manufacture.
- x. Explosives or fireworks manufacture or storage.
- y. Fat rendering.
- z. Fertilizer manufacture.
- aa. Fish smoking and curing.
- bb. Forge plant.
- cc. Garbage, offal or dead animals reduction or dumping.
- dd. Gas manufacture or storage, for heating or illuminating purposes.
- ee. Glue, size or gelatine manufacture.
- ff. Hatchery.
- gg. Iron, steel, brass or copper foundry or fabrication plant.
- hh. Junk, iron or rag storage or baling.
- ii. Match manufacture.
- jj. Lampblack manufacture.
- kk. Oilcloth or linoleum manufacture.
- ll. Oiled rubber goods manufacture.
- mm. Ore reduction.
- nn. Oil or turpentine manufacture.
- oo. Paper and pulp manufacture.
- pp. Petroleum or its products, refining or wholesale storage of.
- qq. Pickle manufacturing.
- rr. Planing mills.
- ss. Potash works.
- tt. Pyroxline manufacture.
- uu. Rock crusher.
- vv. Rolling mill.
- ww. Rubber or gutta-percha manufacture or treatment but not the making of articles out of rubber.
- xx. Sauerkraut manufacture.
- yy. Salt works.
- zz. Shoe polish manufacture.
- aaa. Smelting of tin, copper, zinc, or iron ores.
- bbb. Soap manufacture other than liquid soap.
- ccc. Soda and compound manufacture.
- ddd. Stock yard or slaughter of animals or fowls.
- eee. Stone mill or quarry.
- fff. Storage yard.
- ggg. Stove polish manufacture.
- hhh. Tallow grease or lard manufacture or refining from or of animal fat.
- iii. Tanning, curing or storage of raw hides or skins.
- jjj. Tar distillation or manufacture.
- kkk. Tar roofing or water-proofing manufacture.
- lll. Tobacco (chewing) manufacture or treatment.
- mmm. Vinegar manufacture.

- nnn. Wool pulling or scouring.
- ooo. Yeast plant.

(b) *Height.* No building shall exceed in height the width of the street right-of-way on which it faces plus the depth of the front yard. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

(c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "LI", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required except that a rear yard of not less than fifty (50) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. No parking, storage or similar use shall be allowed in required rear yards in district "LI" within twenty-five (25) feet of the rear property line.

(2) *Reserved.*

(d) *Outside storage regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as "storage yards".

SECTION 17-29.5 - "SUP" SPECIAL USE PERMIT

(a) *Purpose.*

The special use permit (SUP) provides a means for evaluating land uses identified in this ordinance to ensure compatibility with adjacent properties. The intent of the special use permit process is to allow consideration of certain uses that would typically be incompatible or intensely dominate the area in which they are located, but may become compatible with the provision of certain conditions and restrictions.

(b) *Application submittal and approval process.*

(1) Application for an SUP shall be processed like an application for rezoning. An application shall not be complete and shall not be scheduled for a public hearing unless the following are submitted along with the application:

- a. A scaled development plan depicting the items listed in Section 17-29.5(b)(2);
- b. A meets and bounds description of the property boundary;
- c. A narrative explaining how the property and use(s) will function;
- d. Colored elevations of the building and other structures including dimensions and building materials;
- e. A Landscaping Plan, meeting the requirements of Section 6-124 of the Lewisville Code of Ordinances;
- f. A Tree Survey and Mitigation Plan if required by Section 6-125 of the Lewisville Code of Ordinances;
- g. Detailed elevations and descriptions of proposed signage;
- h. An exhibit illustrating any requested variances; and
- i. Any other information, drawings, operating data or expert evaluations that city staff determines are necessary to evaluate the compatibility criteria for the proposed use and development.

(2) The development plan submitted along with an SUP application must include the following:

- a. The layout of the site;
- b. A north arrow;
- c. A title block including project name, addition, lot, block, acreage, and zoning classification of the subject property;
- d. Name, address, and phone number for applicant, developer, owner, builder, engineer, and/or surveyor;
- e. Building location, property lines, and setbacks;
- f. Summary tables listing building square footage, required parking, and required landscaping;
- g. Locations of utility easements, if applicable;
- h. Zoning and ownership of adjacent properties;
- i. Easements, deed restrictions, or encumbrances that impact the property;
- j. Median openings, traffic islands, turning lanes, traffic signals, and acceleration and deceleration lanes;
- k. Streets, alleys, and easements adjacent to the site;
- l. Driveways and sidewalks;
- m. Parking configuration, including maneuvering lanes and loading areas;
- n. Location and details of dumpsters and screening devices; and
- o. Location of all proposed signage.

(3) Variances from the regulations of the city's General Development Ordinance may be granted at the discretion of the city council as part of the SUP approval. The granting of an SUP has no effect on uses permitted by right and does not waive the regulations of the underlying zoning district.

- (4) The planning and zoning commission or the city council may require additional information or drawings, operating data or expert evaluation or testimony concerning the location and characteristics of any building or uses proposed.
- (5) The planning and zoning commission, after holding a public hearing, shall recommend to the city council approval or denial of each SUP along with any recommended conditions. The city council shall review each case on its own merit, apply the compatibility criteria established herein, and if appropriate, grant the special use permit for said use(s).
- (6) Completion of a development plan for the SUP does not waive the requirement to provide an engineering site plan in accordance with the General Development Ordinance.

(c) *Compatibility criteria for approval.*

The planning and zoning commission shall not recommend approval of, and the city council shall not grant an SUP for a use except upon a finding that the use will:

- (1) complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;
- (2) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;
- (3) not be detrimental to the public health, safety, or general welfare; and
- (4) conform in all other respects to all zoning regulations and standards.

(d) *SUP conditions.*

The planning and zoning commission may recommend and the city council may adopt reasonable conditions upon the granting of an SUP consistent with the purpose and compatibility criteria stated in this section. The development plan, however, shall always be attached to and made a condition of the SUP. The other documents submitted with the SUP application may also be made conditions of the SUP.

(e) *Amendments, enlargement, modifications or structural alterations.*

- (1) Except for minor amendments, all amendments, enlargements, modifications or structural alterations or changes to the development plan shall require the approval of a new SUP. The city manager or his designee may authorize minor amendments to the development plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:
 - a. Alter the basic relationship of the proposed development to adjacent property;
 - b. Increase the maximum density or height shown on the original development plan;
 - c. Decrease the number of off-street parking spaces shown on the original development plan; and/or
 - d. Reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan.
- (2) For purposes of this subsection, "original development plan" means the earliest approved development plan that is still in effect, and does not mean a later amended development plan. For example, if a development plan was approved with the specific use permit and then amended through the minor amendment process, the original development plan would be the development plan approved with the specific use permit, not the development plan as amended through the minor amendment process. If, however, the development plan approved with the specific use permit was replaced through the zoning process, then the replacement development plan becomes the original development plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

- (3) Although the city manager or his designee has the authority to grant minor amendments to the development plan, they are not obligated to do so. The city manager or his designee shall always maintain the discretion to require city council approval if he feels that it is within the public's interest that city council consider the amendment, enlargement, modifications, or structural changes at a public hearing.

(f) *Compliance mandatory with written requirements.*

- (1) No special use permit shall be granted unless the applicant, owner, and grantee shall be willing to accept and agree to be bound by and comply with the written requirements attached to the development plan drawings and approved by the city council.
- (2) A special use permit shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, however all regulations and conditions of the SUP shall remain in effect and shall be applicable to the new owner or occupant of the property.

(g) *Timing.*

All development plans submitted for review will be on the city's active list for a period of 90 days from the date of each submittal. After the 90-day period, a project will be considered abandoned and removed from the file. A building permit shall be applied for and secured within 180 days from the time of approval of the special use permit provided that the city may allow a one-time extension of the SUP for another 180 days. A SUP shall expire six months after its approval or extension date if no building permits have been issued for the site or if a building permit has been issued but has subsequently lapsed. Work must be completed and operations commenced within 18 months of approval.

(h) *Zoning map.*

When the city council authorizes granting of a special use permit the official zoning district map shall be amended according to its legend to indicate that the affected area has conditions and limited uses, said amendment to indicate the appropriate zoning district for the approved use, and suffixed by an "SUP" designation. A log of all special use permits shall be kept by the city.

(i) *Rescind and terminate a special use permit.*

City council may rescind and terminate an SUP after a public hearing if any of the following occur:

- (1) That one or more of the conditions imposed by the SUP has not been met or has been violated.
- (2) The SUP was obtained through fraud or deception.
- (3) Ad valorem taxes on the property are delinquent by six months or more.
- (4) Disconnection or discontinuance of water and/or electrical services to the property.
- (5) Abandonment of the structure, lease space, lot, or tract of land for 180 days or more. (For the purpose of this section, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit such property.)

This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE

**SPECIAL USE PERMIT (SUP)
APPLICATION**

Owner/s (name): NANOO PATEL	
Company Name: NEW HORIZON COMMERCIAL, LLC	
Mailing Address: 3905 ACRPULCO ST, IRVING, TX 75062	
Work #: 469-767-3949	Cell #: 469-767-3949
E-Mail: NANOO.PATEL@YAHOO.COM	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <i>Nanoo Patel</i>	Date: 9/27/2017
Printed Name: Nanoo Patel - New Horizon Comm LLC	

Applicant/Agent (name): Gregg Kaiser	
Company Name: AZTEC COMMERCIAL	
Mailing Address: P.O. BOX 292937, LEWISVILLE, TX 75029	
Work #: 972-221-9616	Cell #: 214-674-5895
E-Mail: gregg@aztectx.com	
Applicant/Agent Signature: <i>Gregg Kaiser</i>	Date: 9/27/17
Printed Name: GREGG KAISER	

Current Zoning: _____	Requested Zoning: _____	Acres: _____
Legal Description (Lot/ Block/Tract/Abstract): _____		
Address/Location: _____		

Application and Sign Fees:

Less than 1/2 acre	\$ 150.00
1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00

25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$ 1,000.00
100 acres and more	\$ 1,500.00

Qty: _____	SUP Signs - \$35 each 1 sign required for each 5 acres (max. 5 per site)	\$ _____
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ _____
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L&L Autolink started business in 2007. I am a licensed driving instructor for Porsche and BMW and a lot of my clientele deal with questions based around how to maximize performance and vehicle dynamics as their local sales and service dealerships were unable to assist them. This also led to them asking me where I would recommend they purchase their next vehicle. This eye of opportunity lead me to start L & L Autolink, to provide customers a dynamic experience while buying cars, optimizing any upgrades and supporting them through service. We have many repeat customers who have purchased multiple vehicles from us over the years. I am currently a Car Gurus top rated dealer based on our customer feedback as well as having 100% positive feedback on eBay. Our business model is an indoor show room of high-end vehicle sales and top of the line upgrades. We operate through a worldwide internet base and word of mouth auto sales. Our vehicle inventory is strictly confined indoors and upgrades are also completed in our secure indoor work place. Our insurance is written as such that vehicles must be stored indoors only. We are currently open Monday through Saturday to serve customers with sales and performance.

Our main goal of moving to the Lewisville community is customer satisfaction, effective growth support and a solid investment decision. The location is perfect for our thriving business and is perfectly positioned for easy access to the entire North Texas area and a quality workforce and can provide a superior infrastructure for the community. Our original location was in Wylie TX which we rapidly outgrew. We moved to Plano to be closer to the North Texas region in August of 2013. Once again faced growth, we are tight in our current 20,000 square foot building. As you can see by our renderings, our plan is dedicated to perfection. We will have two state of art buildings at this property on 121 business. We firmly believe we stand apart from other buildings, will enhance this part of the city and support economic partnership.

Our buildings will utilize modern looking materials. It will have brush aluminum window frames, doors and roofing. The rest of the outside will feature a new age style brick to give the building distinctive nature. There will be brick accents throughout the building to build more character and offset the buildings appearance.

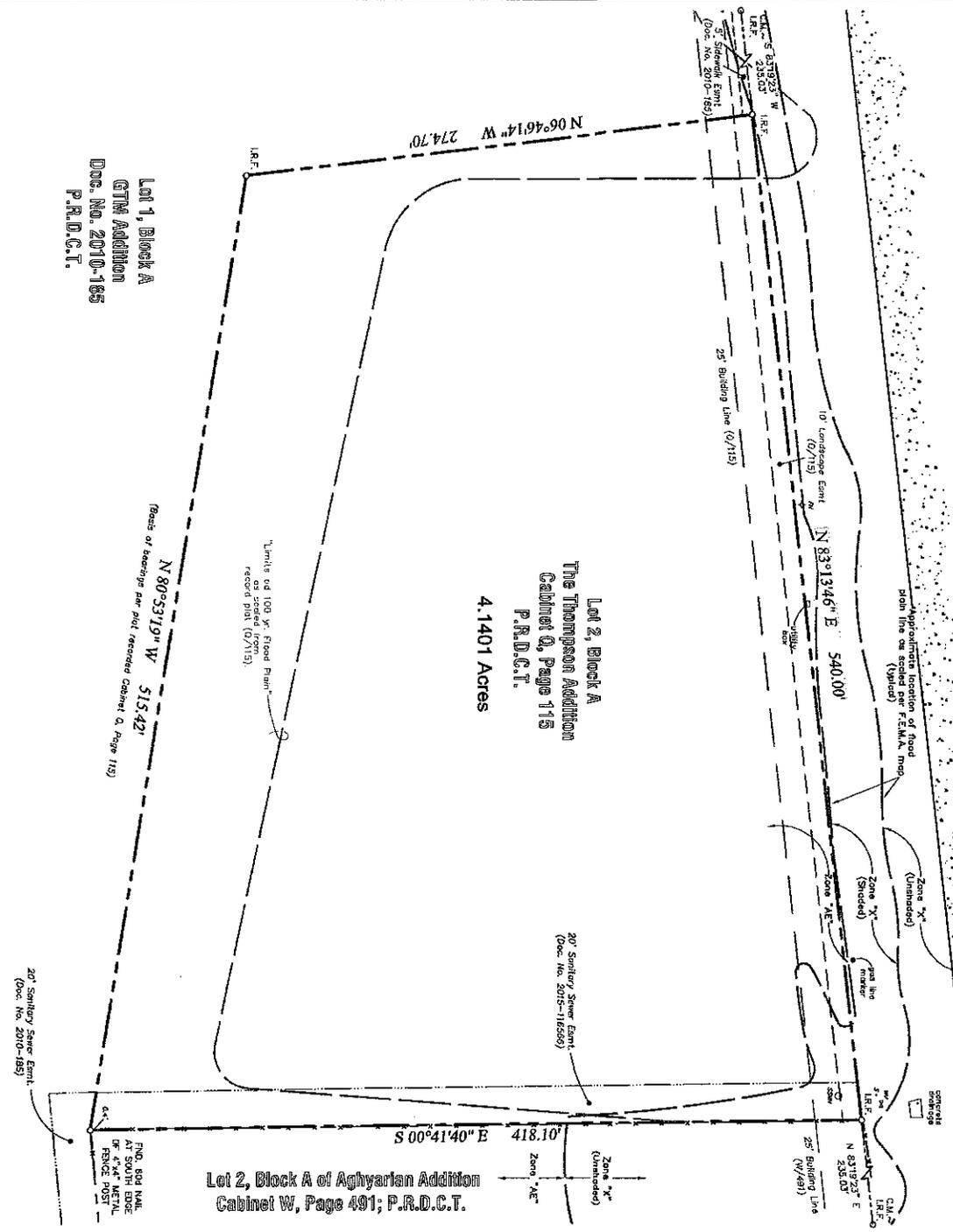
We have also increased the property's landscaping easement to dedicate a 20' landscaping buffer, that will allow us to plant more trees in front. We will be adding 10 more trees to the site than required for a total of 28 trees and we will keep all 36 existing trees. We believe that for the best use color on this site we will be using crepe myrtles for the tree choices. These flowering trees will bring beautiful color in to our landscaping plan. We will also be doing an array of Box Holly and Indian Hawthorne plants in front enhance the area.

L&L Autolink will be using building 1 of this site and building 2 will be dedicated office / warehouse per light industrial use. We have asked for five unobtrusive outdoor parking places that we will occasionally display a vehicle during "normal" business hours.

We have committed to spending four million dollars on this project. We plan to play a vital role in Lewisville's centennial in 2025, we offer the connectivity and sponsorship in community events and feel certain our business structures will enhance the 121-business area.

Regards,
Mike Wherley
Owner
L&L Autolink
972-679-5884
www.llautolink.com

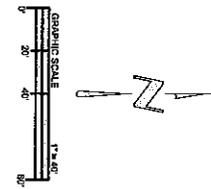
BUSINESS HIGHWAY NO. 121
(Variable Width R.O.W.)



Lot 2, Block A
The Thompson Addition
Cabinet Q, Page 115
P.R.D.C.T.
4.1401 Acres

Lot 1, Block A
GTR Addition
Doc. No. 2010-185
P.R.D.C.T.

Lot 2, Block A of Aghyarian Addition
Cabinet W, Page 491; P.R.D.C.T.



LEGEND

Symbol	Description
—	Survey Boundary
- - -	Adjacent Property Boundary
---	Right-of-Way Boundary
~ ~ ~	Unimproved Right-of-Way
○	Well
□	Structure
△	Corner
●	Survey Station
○	Iron Pipe
○	Aluminum
○	Steel
○	Copper
○	Brass
○	Lead
○	Zinc
○	Nickel
○	Other

BOUNDARY SURVEY
Lot 2, Block A
The Thompson Addition
City of Lewisville,
Denton County, Texas

FCISCR-CLSWM DME 11-11-14 SCALE: 1"=40' A.C. NO: 161204

Arthur Surveying Co.
Professional Land Surveyors
220 Elm St. # 200 - Lewisville, TX 75057
Ph. 972.221.8459 - TNNM 10063800
atl@arthurco.com Established 1986



Business S.H. No. 121
Lewisville, Texas

The undersigned has viewed and reviewed
a copy of this survey.

Date: _____
By: _____
President/Title _____
I hereby certify that I am a duly licensed Professional Land Surveyor in the State of Texas.
My Commission Expires _____
My License No. _____

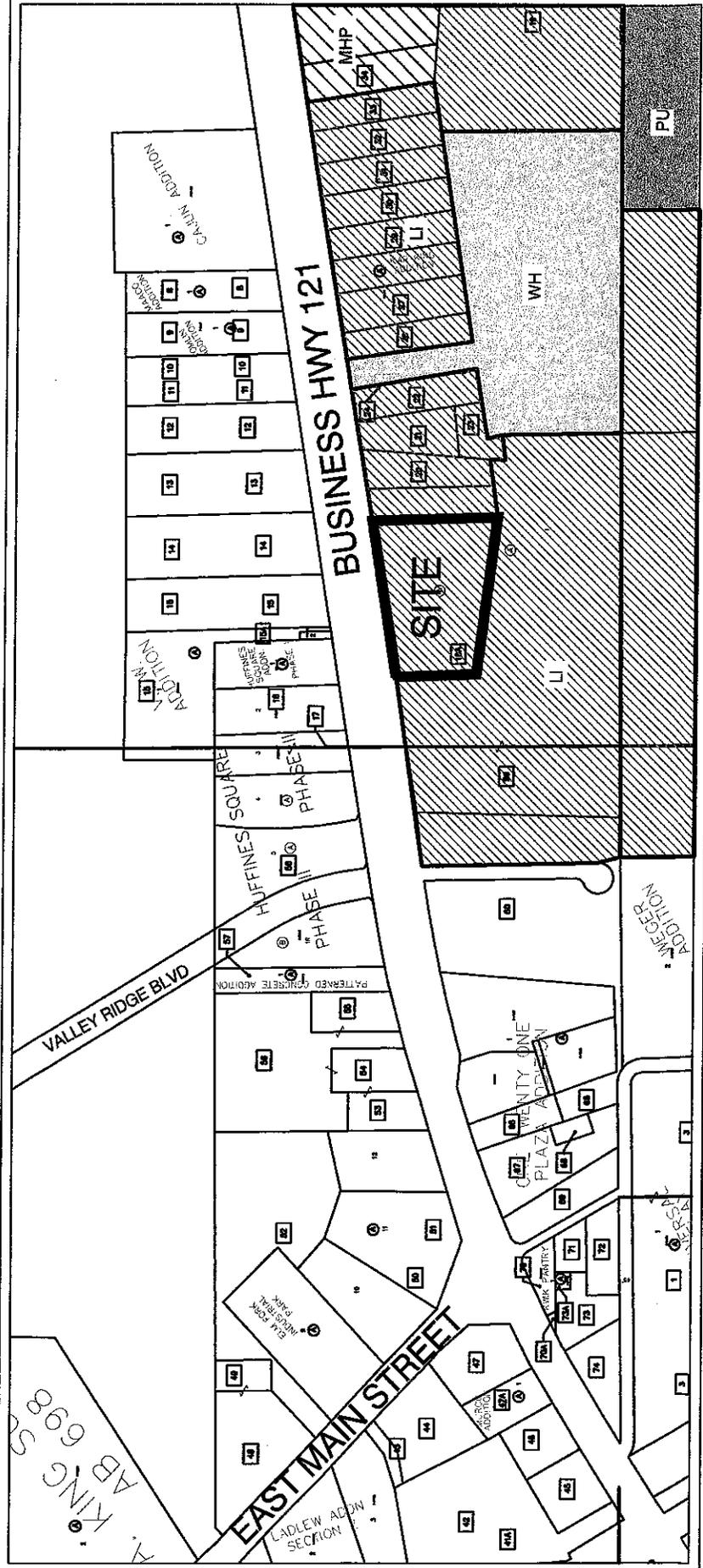
NOTE:
Documents recorded in Volume 423, Page 35
date are shown in red.

PROPERTY DESCRIPTION:

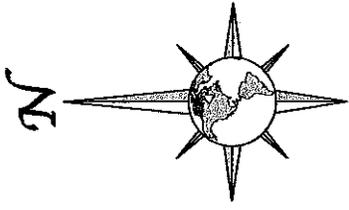
Lot 2, in Block A, of the Thompson Addition, in Addition to the City of Lewisville, Denton County, Texas, according to the plat thereof recorded in Cabinet Q, Page 115, Plat Record, Denton County, Texas.

SURVEYING CERTIFICATIONS: The undersigned is a duly licensed Professional Land Surveyor in the State of Texas, Commission No. 10063800, and this survey was made in accordance with the provisions of the Surveying Act of 1921, as amended, and the rules and regulations thereunder, and the undersigned certifies that this survey was made in accordance with the provisions of the Surveying Act of 1921, as amended, and the rules and regulations thereunder, and the undersigned certifies that this survey was made in accordance with the provisions of the Surveying Act of 1921, as amended, and the rules and regulations thereunder.

FLOOD NOTE: It is my opinion that the property described herein lies in a 100-year flood zone as shown on the Federal Emergency Management Agency Flood Insurance Rate Map Community-Flood No. 49039 0505, dated 08/01/00, and that the property is in Flood Hazard Zone V (Unshaded) Zone "X" (Shaded) and Zone "A".



ZONING DESIGNATIONS:
 LI - LIGHT INDUSTRIAL
 WH = WAREHOUSE



ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR AN AUTO DISPLAY, SALES (OUTDOOR), AND REPAIR FACILITY, ON APPROXIMATELY 4.14 ACRES, LEGALLY DESCRIBED AS LOT 2, BLOCK A, THOMPSON ADDITION, LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 121 BUSINESS, APPROXIMATELY 570 FEET EAST OF EAST VALLEY RIDGE BOULEVARD, AND ZONED LIGHT INDUSTRIAL DISTRICT (LI); PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made requesting approval of a Special Use Permit for an auto display, sales (outdoor), and repair facility by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the Special Use Permit on the 4.14-acre tract, as described in the attached Exhibit “A” (the “Property”), be **approved**; and

WHEREAS, this application for a Special Use Permit comes before the City Council of the City of Lewisville, Texas (the “City Council”) after all legal notices, requirements, conditions and prerequisites have been met; and

WHEREAS, the City Council at a public hearing has determined that the proposed use, subject to the condition(s) stated herein: (1) complements or is compatible with the surrounding uses and community facilities; (2) contributes to, enhances, or promotes the welfare of the area of request and adjacent properties; (3) is not detrimental to the public health, safety, or general welfare; and (4) conforms in all other respects to all zoning regulations and standards.

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

SECTION 1. FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. SPECIAL USE PERMIT GRANTED. Subject to the conditions provided for herein, applicant is granted a Special Use Permit to allow an auto display, sales (outdoor) and repair facility on the Property, which is zoned Light Industrial District (LI).

SECTION 3. CONDITIONS OF SPECIAL USE PERMIT. The Property shall be developed and maintained:

1. in compliance with the narrative, development plan, landscape plan, building elevations, illustrative renderings, and sign detail, attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations; and
3. no pole signs shall be allowed on the site.

SECTION 4. CORRECTING OFFICIAL ZONING MAP. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this Special Use Permit.

SECTION 5. COMPLIANCE WITH ALL OTHER MUNICIPAL REGULATIONS. The Property shall comply with all applicable municipal ordinances, as amended. In no way shall this Special Use Permit be interpreted to be a variance to any municipal ordinance.

SECTION 6. RESCINDING AND TERMINATION. The City Council may rescind and terminate the Special Use Permit after a public hearing if any of the following occur:

1. One or more of the conditions imposed by the Special Use Permit have not been met or have been violated.
2. The Special Use Permit was obtained through fraud or deception.
3. Ad valorem taxes on the property are delinquent by six months or more.
4. Disconnection or discontinuance of water and/or electrical services to the property.
5. Abandonment of the structure, lease space, lot, or tract of land for 180 days or more.

SECTION 7. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

SECTION 8. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 9. PENALTY. Any person, firm or corporation who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 11. EMERGENCY. It being for the public welfare that this Ordinance be passed creates an emergency and public necessity and the rule requiring this Ordinance be read on three separate occasions be, and the same is hereby, waived and this Ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

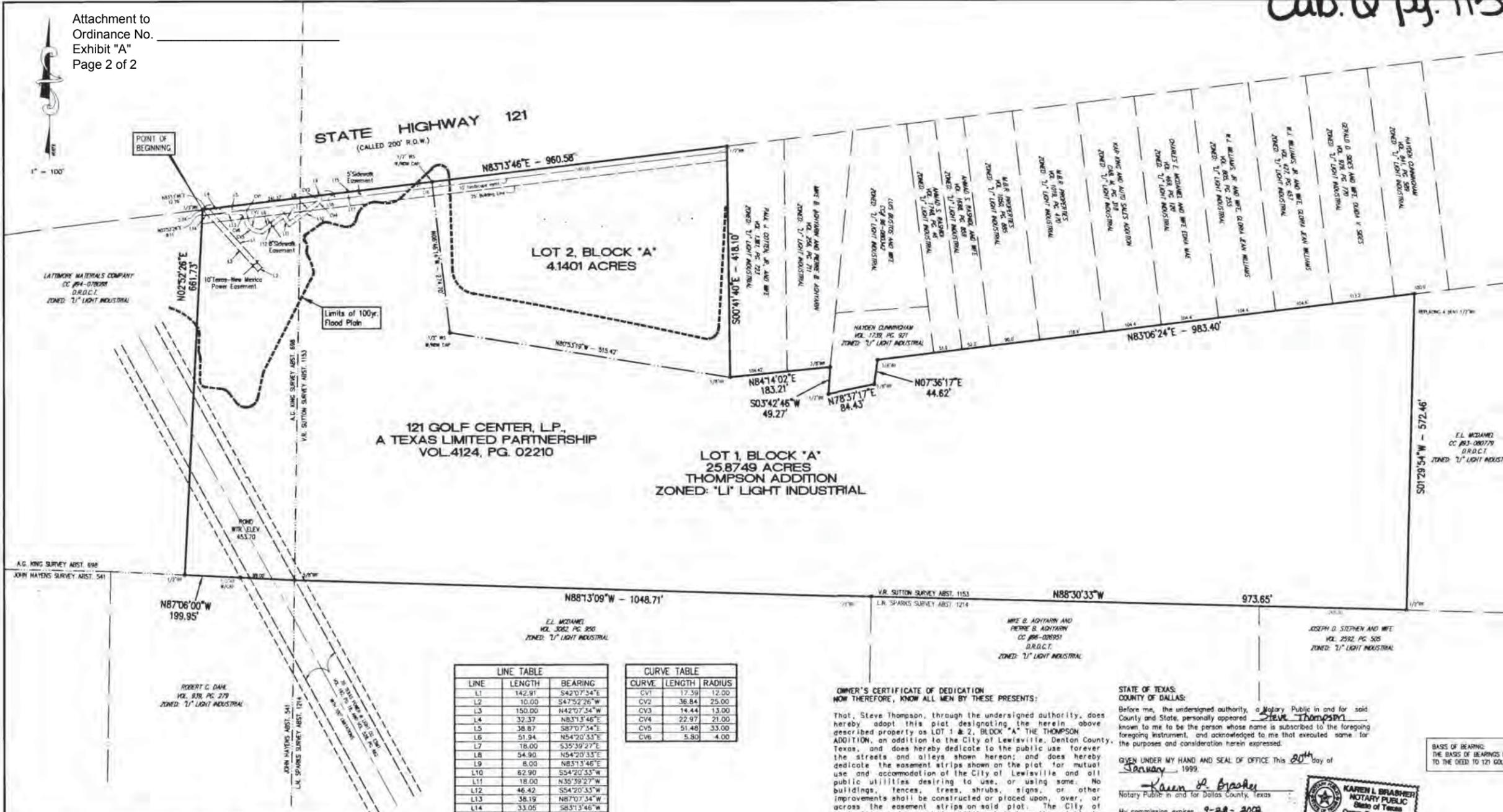
Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

Exhibit B
Narrative
Development Plan
Landscape Plan
Building Elevations
Illustrative Renderings
Sign Detail



STATE OF TEXAS, COUNTY OF DALLAS, OWNER'S CERTIFICATE. Being a tract of land situated in the City of Lewisville, Denton County, Texas, being part of the A.G. King Survey, Abstract No. 698, and the V.R. Sutton Survey, Abstract No. 1153, and being all of the property described in deed to 121 Golf Center, L.P., recorded in Volume 4124, Page 02210 Deed Records of Denton County, Texas (D.R.D.C.T.), and being more particularly described as follows:

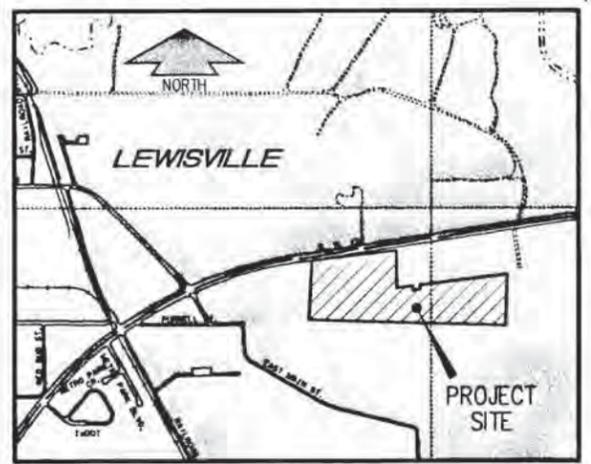
LINE TABLE and CURVE TABLE. The line table lists 18 lines with their lengths and bearings. The curve table lists 6 curves with their lengths and radii.

OWNER'S CERTIFICATE OF DEDICATION. Now therefore, know all men by these presents: That, Steve Thompson, through the undersigned authority, does hereby adopt this plat designating the herein above described property as LOT 1 & 2, BLOCK "A" THE THOMPSON ADDITION, an addition to the City of Lewisville, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon, and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of the City of Lewisville and all public utilities desiring to use, or using same.

STATE OF TEXAS, COUNTY OF DALLAS. Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared Steve Thompson, known to me to be the person whose name is subscribed to the foregoing foregoing instrument, and acknowledged to me that executed same for the purposes and consideration herein expressed.

BASES OF BEARINGS: THE BASIS OF BEARINGS IS THE SOUTHERLY LINE OF STATE HIGHWAY 121 BEING N83°13'46"E ACCORDING TO THE DEED TO 121 GOLF CENTER, L.P., RECORDED IN VOLUME 4124, PAGE 02210 D.R.D.C.T.

FINAL PLAT OF THE THOMPSON ADDITION LOT 1 & 2, BLOCK "A" 30.015 ACRES ZONED: "LI" LIGHT INDUSTRIAL ALL OF 121 GOLF CENTER, L.P. VOLUME 4124, PAGE 02210 D.R.D.C.T. A PORTION OF THE V.R. SUTTON SURVEY, ABSTRACT NO. 1153 & THE A.G. KING SURVEY, ABSTRACT NO. 698



"ALL VARIANCES (IF ANY) FROM THE GENERAL DEVELOPMENT ORDINANCE APPROVED BY THE CITY COUNCIL". TM BLAIR, CHAIRMAN, PLANNING AND ZONING COMMISSION CITY OF LEWISVILLE, TEXAS. THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF LEWISVILLE, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING FINAL PLAT OF THE THOMPSON ADDITION TO THE CITY OF LEWISVILLE WAS SUBMITTED TO THE APPROPRIATE PLANNING & ZONING COMMISSION OR CITY COUNCIL AS REQUIRED BY THE ORDINANCE OF THE CITY OF LEWISVILLE ON THE 24th DAY OF Feb 1999, AND SUCH BODY BY FORMAL ACTION, THEN AND THERE ACCEPTED THE DEDICATION OF STREETS, ALLEYS, PARKS, EASEMENTS, PUBLIC PLACES AND WATER AND SEWER LINES, AS SHOWN AND SET FORTH IN AND UPON SAID PLAT, AND BODY FURTHER AUTHORIZED THE ACCEPTANCE THEREOF BY SIGNING AS HEREIN ABOVE SUBSCRIBED IN THE CAPACITY STATED.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat. All lots in the subdivision shall be sold and developed subject to the building lines shown on the plat.

SURVEYOR'S CERTIFICATE. That I John L. Melton, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this Plat from a actual on the ground survey of the land, and the monuments shown hereon were found and/or placed under my personal supervision in accordance with the platting rules and regulations of the City Plan Commission of the City of Dallas.

STATE OF TEXAS, COUNTY OF DALLAS. Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared John L. Melton, known to me to be the person whose name is subscribed to the foregoing foregoing instrument, and acknowledged to me that executed same for the purposes and consideration herein expressed.

OWNER: STEVE THOMPSON 1520 RICHARDSON, SUITE 1520 RICHARDSON, TEXAS 75080 972-470-0281. ENGINEER AND SURVEYOR: NATHAN D. MAIER, INC. 8080 PARK LANE, SUITE 800 DALLAS, TEXAS 75231 (214)739-4741. NOTICE 9805038 8038PLAT.DWG

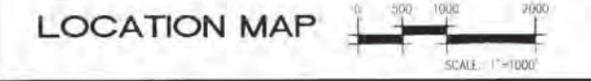




EXHIBIT B

L&L Autolink started business in 2007. I am a licensed driving instructor for Porsche and BMW and a lot of my clientele deal with questions based around how to maximize performance and vehicle dynamics as their local sales and service dealerships were unable to assist them. This also led to them asking me where I would recommend they purchase their next vehicle. This eye of opportunity lead me to start L & L Autolink, to provide customers a dynamic experience while buying cars, optimizing any upgrades and supporting them through service. We have many repeat customers who have purchased multiple vehicles from us over the years. I am currently a Car Gurus top rated dealer based on our customer feedback as well as having 100% positive feedback on eBay. Our business model is an indoor show room of high-end vehicle sales and top of the line upgrades. We operate through a worldwide internet base and word of mouth auto sales. Our vehicle inventory is strictly confined indoors and upgrades are also completed in our secure indoor work place. Our insurance is written as such that vehicles must be stored indoors only. We are currently open Monday through Saturday to serve customers with sales and performance.

Our main goal of moving to the Lewisville community is customer satisfaction, effective growth support and a solid investment decision. The location is perfect for our thriving business and is perfectly positioned for easy access to the entire North Texas area and a quality workforce and can provide a superior infrastructure for the community. Our original location was in Wylie TX which we rapidly outgrew. We moved to Plano to be closer to the North Texas region in August of 2013. Once again faced growth, we are tight in our current 20,000 square foot building. As you can see by our renderings, our plan is dedicated to perfection. We will have two state of art buildings at this property on 121 business. We firmly believe we stand apart from other buildings, will enhance this part of the city and support economic partnership.

Our buildings will utilize modern looking materials. It will have brush aluminum window frames, doors and roofing. The rest of the outside will feature a new age style brick to give the building distinctive nature. There will be brick accents throughout the building to build more character and offset the buildings appearance.

We have also increased the property's landscaping easement to dedicate a 20' landscaping buffer, that will allow us to plant more trees in front. We will be adding 10 more trees to the site than required for a total of 28 trees and we will keep all 36 existing trees. We believe that for the best use color on this site we will be using crepe myrtles for the tree choices. These flowering trees will bring beautiful color in to our landscaping plan. We will also be doing an array of Box Holly and Indian Hawthorne plants in front enhance the area.

L&L Autolink will be using building 1 of this site and building 2 will be dedicated office / warehouse per light industrial use. We have asked for five unobtrusive outdoor parking places that we will occasionally display a vehicle during "normal" business hours.

We have committed to spending four million dollars on this project. We plan to play a vital role in Lewisville's centennial in 2025, we offer the connectivity and sponsorship in community events and feel certain our business structures will enhance the 121-business area.

Regards,
Mike Wherley
Owner
L&L Autolink
972-679-5884
www.llautolink.com



GREG EDWARDS ENGINEERING SERVICES, INC.
GREG EDWARDS, P.E.
 1621 AMANDA CT., POWDER, TX 76259
 P.940.482.2807 F.940.482.8244 www.gregus.com
 FIRM REGISTRATION # F-0046550
 "ENGINEERING WHERE YOU LIVE."

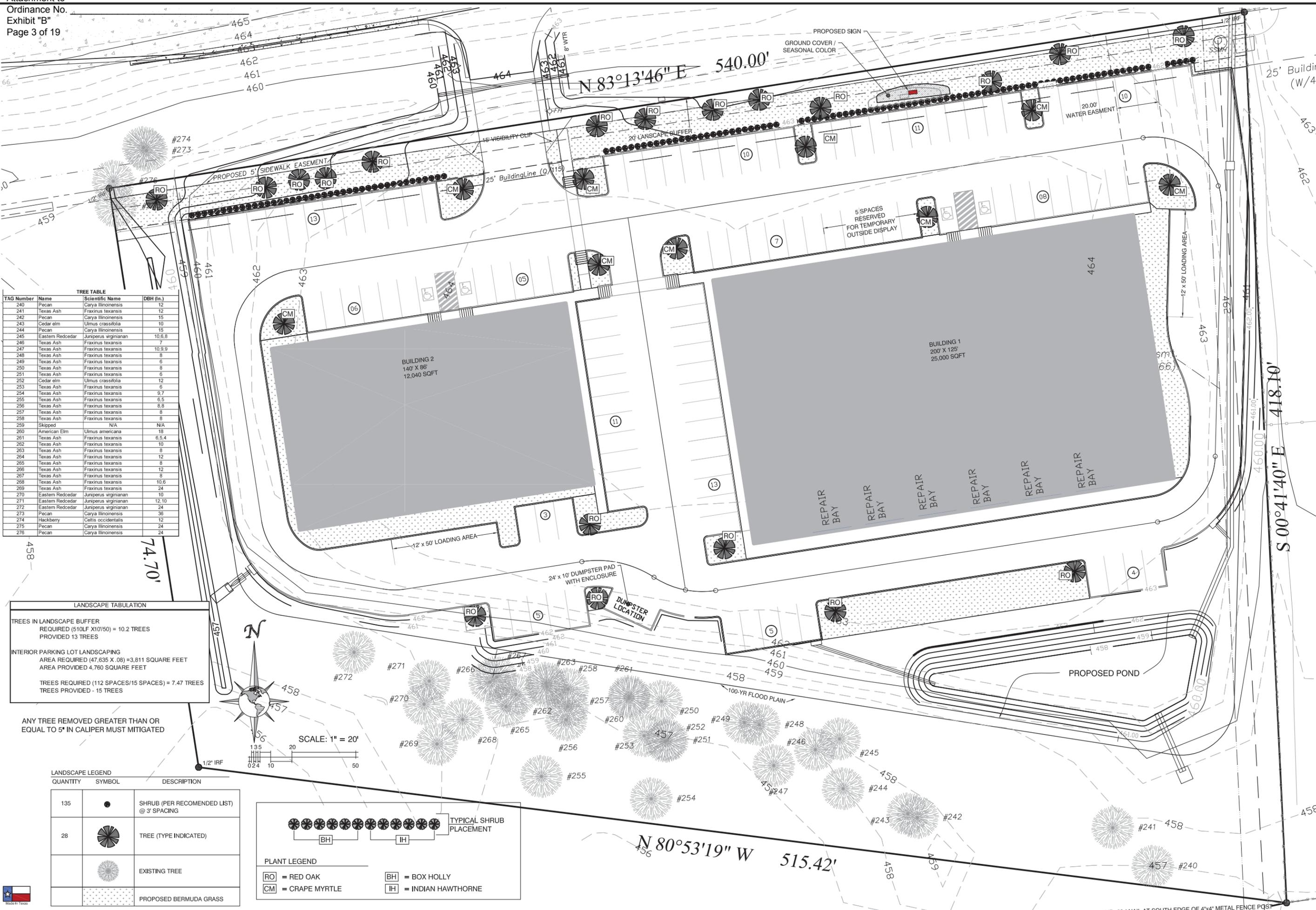
NOT FOR CONSTRUCTION
 THIS PLAN IS THE PROPERTY OF GREG EDWARDS ENGINEERING SERVICES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF GREG EDWARDS ENGINEERING SERVICES, INC.
 DATE: 2017/09/27

Landscape Plan for L & L Auto Links
LOT 2 BLOCK A THE THOMPSON ADDITION
 City of Lewisville, Denton County, Texas
 Owner: Greg Kaiser, AZTEC
 PO Box 292937
 Lewisville, TX 75029-2937

JOB NUMBER
1647

Designed: GKE
 Drawn: Jac, rib
 Checked: GKE

01
 OF
 01



TREE TABLE

TAG Number	Name	Scientific Name	DBH (in.)
240	Pecan	Carya illinensis	12
241	Texas Ash	Fraxinus texensis	12
242	Pecan	Carya illinensis	15
243	Cedar elm	Ulmus crassifolia	10
244	Pecan	Carya illinensis	15
245	Eastern Redcedar	Juniperus virginiana	10,6.8
246	Texas Ash	Fraxinus texensis	7
247	Texas Ash	Fraxinus texensis	10,9.9
248	Texas Ash	Fraxinus texensis	8
249	Texas Ash	Fraxinus texensis	6
250	Texas Ash	Fraxinus texensis	8
251	Texas Ash	Fraxinus texensis	5
252	Cedar elm	Ulmus crassifolia	12
253	Texas Ash	Fraxinus texensis	6
254	Texas Ash	Fraxinus texensis	9.7
255	Texas Ash	Fraxinus texensis	6.5
256	Texas Ash	Fraxinus texensis	8.8
257	Texas Ash	Fraxinus texensis	8
258	Texas Ash	Fraxinus texensis	8
259	Skipped	N/A	N/A
260	American Elm	Ulmus americana	18
261	Texas Ash	Fraxinus texensis	6.5,4
262	Texas Ash	Fraxinus texensis	10
263	Texas Ash	Fraxinus texensis	8
264	Texas Ash	Fraxinus texensis	12
265	Texas Ash	Fraxinus texensis	8
266	Texas Ash	Fraxinus texensis	12
267	Texas Ash	Fraxinus texensis	8
268	Texas Ash	Fraxinus texensis	10.6
269	Texas Ash	Fraxinus texensis	24
270	Eastern Redcedar	Juniperus virginiana	10
271	Eastern Redcedar	Juniperus virginiana	12,10
272	Eastern Redcedar	Juniperus virginiana	24
273	Pecan	Carya illinensis	36
274	Hackberry	Osagea occidentalis	12
275	Pecan	Carya illinensis	24
276	Pecan	Carya illinensis	24

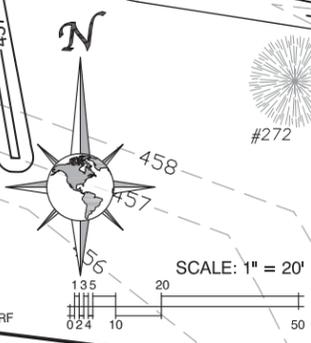
LANDSCAPE TABULATION

TREES IN LANDSCAPE BUFFER
 REQUIRED (510LF X10/50) = 10.2 TREES
 PROVIDED 13 TREES

INTERIOR PARKING LOT LANDSCAPING
 AREA REQUIRED (47,635 X .08) = 3,811 SQUARE FEET
 AREA PROVIDED 4,760 SQUARE FEET

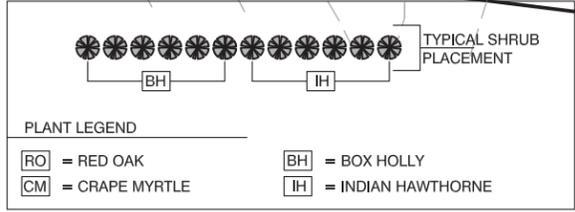
TREES REQUIRED (112 SPACES/15 SPACES) = 7.47 TREES
 TREES PROVIDED - 15 TREES

ANY TREE REMOVED GREATER THAN OR EQUAL TO 5" IN CALIPER MUST MITIGATED



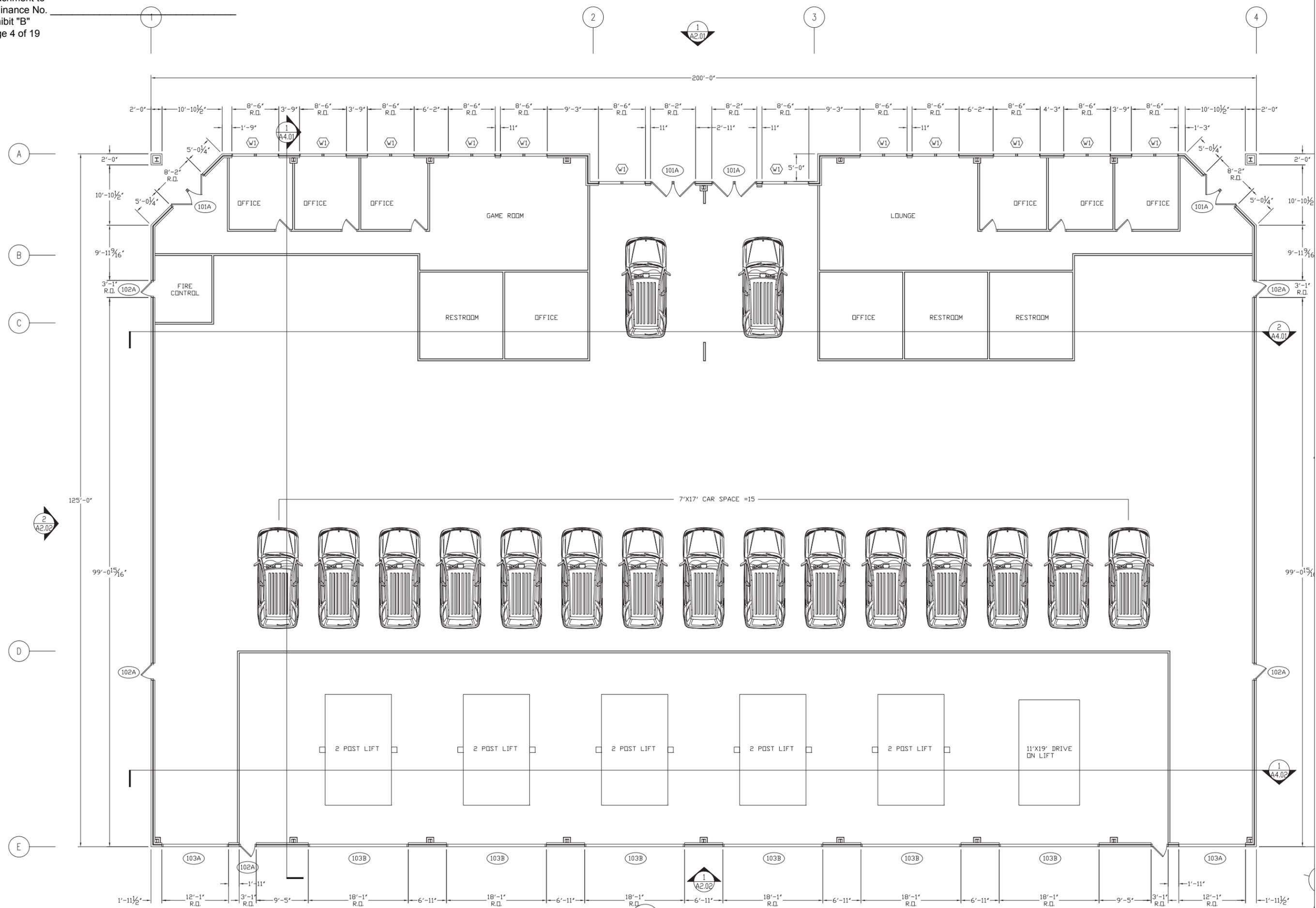
LANDSCAPE LEGEND

QUANTITY	SYMBOL	DESCRIPTION
135	●	SHRUB (PER RECOMMENDED LIST) @ 3' SPACING
28	☼	TREE (TYPE INDICATED)
	☼	EXISTING TREE
	▨	PROPOSED BERMUDA GRASS



DATE & TIME: 08/27/2017 11:40:00 AM
 LAYOUT: LANDSCAPE PLAN FOR LOT 2, BLOCK A, THE THOMPSON ADDITION
 PATH: Z:\ASSET RECORDS\1647\1647-ENG\1647-ENG.DWG

FND: 60d NAIL AT SOUTH EDGE OF 4"x4" METAL FENCE POST



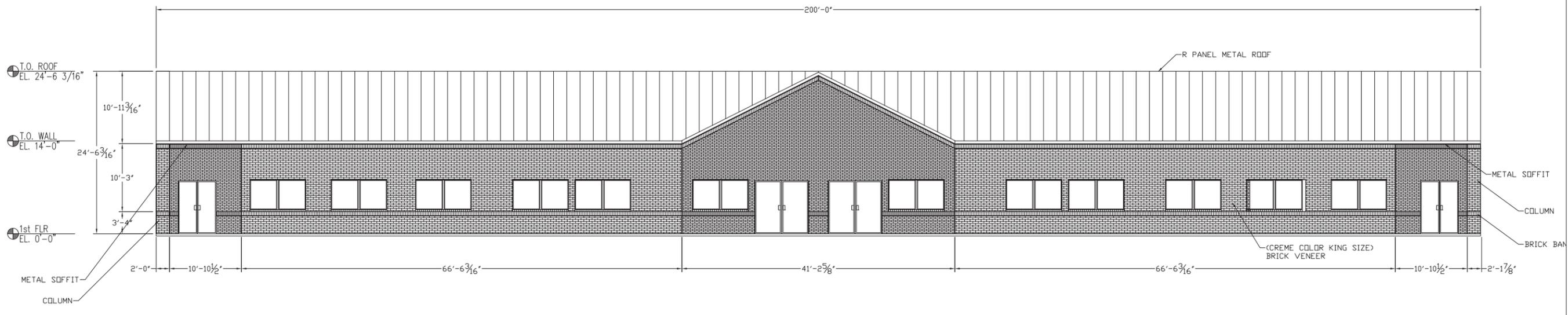
AZTEC

AUTO SALES BUILDING

1 BLD. 1 PLAN VIEW
A1.01 1/8"=1'-0"

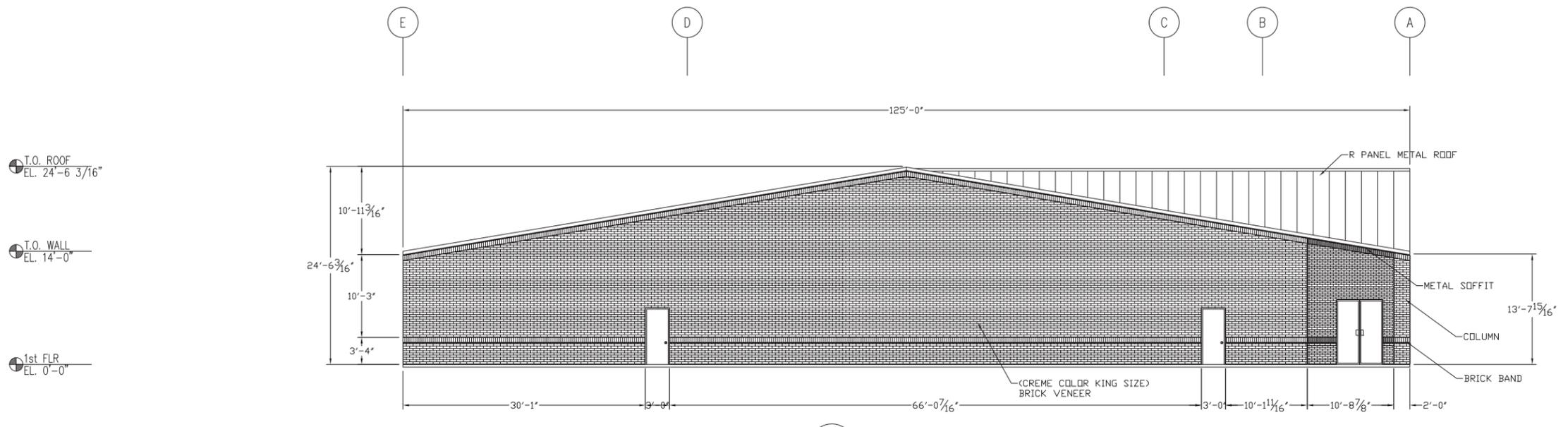
A1.01

EXTERIOR VENEER TABLE:
GA. SQ. FT.: 3392.4065
BRICK SQ. FT.: 2679.2398



1 NORTH ELEVATION
A2.01 1/8" = 1'-0"

EXTERIOR VENEER TABLE:
GA. SQ. FT.: 1458.43
BRICK SQ. FT.: 1416.43

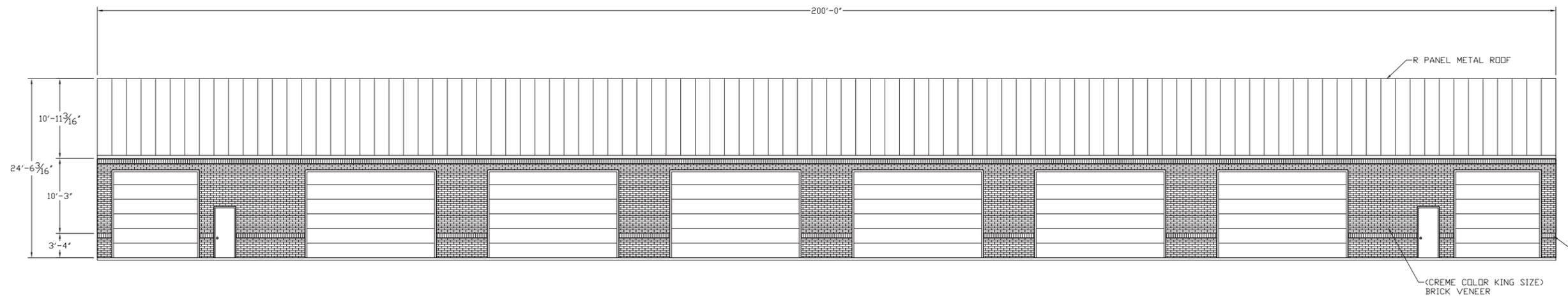


2 EAST ELEVATION
A2.01 1/8" = 1'-0"

AZTEC

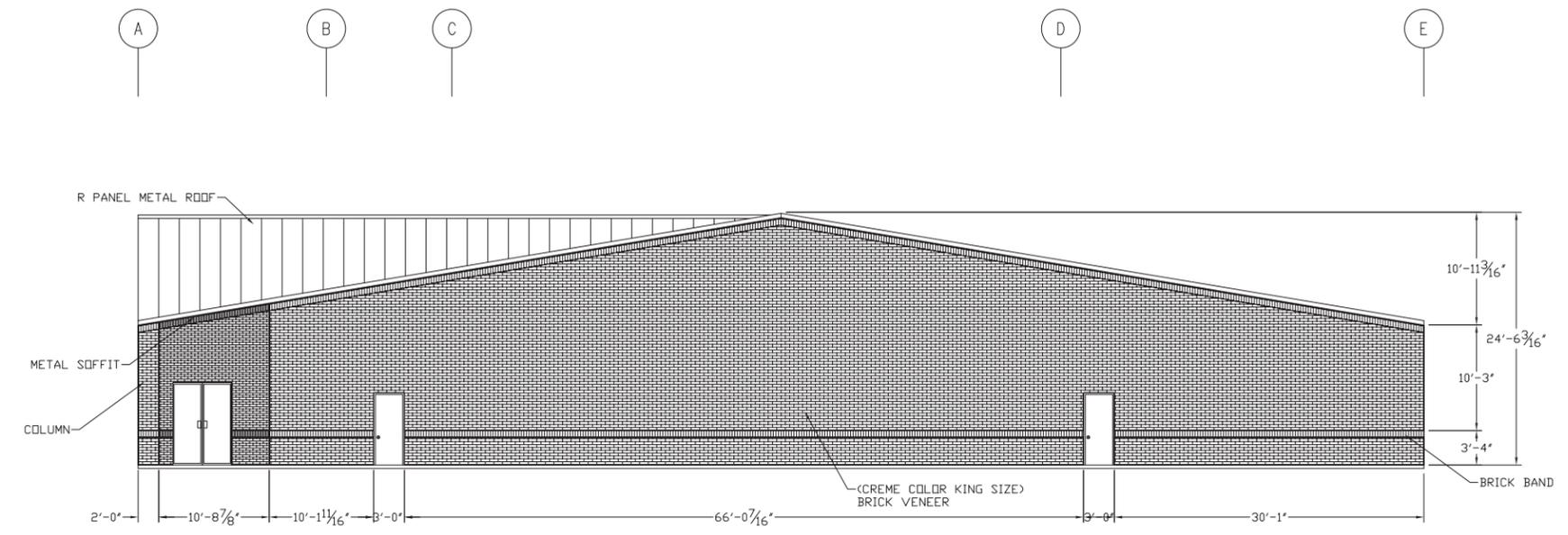
AUTO SALES BUILDING

A2.01



1 SOUTH ELEVATION
A2.02 1/8" = 1'-0"

EXTERIOR VENEER TABLE:	
□ A. SQ. FT.:	1458.43
BRICK SQ. FT.:	1416.43



2 WEST ELEVATION
A2.02 1/8" = 1'-0"

AZTEC

AUTO SALES BUILDING

A2.02



1 ISOMETRIC RENDERING
A2.03 N.T.S.

AZTEC

AUTO SALES BUILDING

A2.03

AZTEC

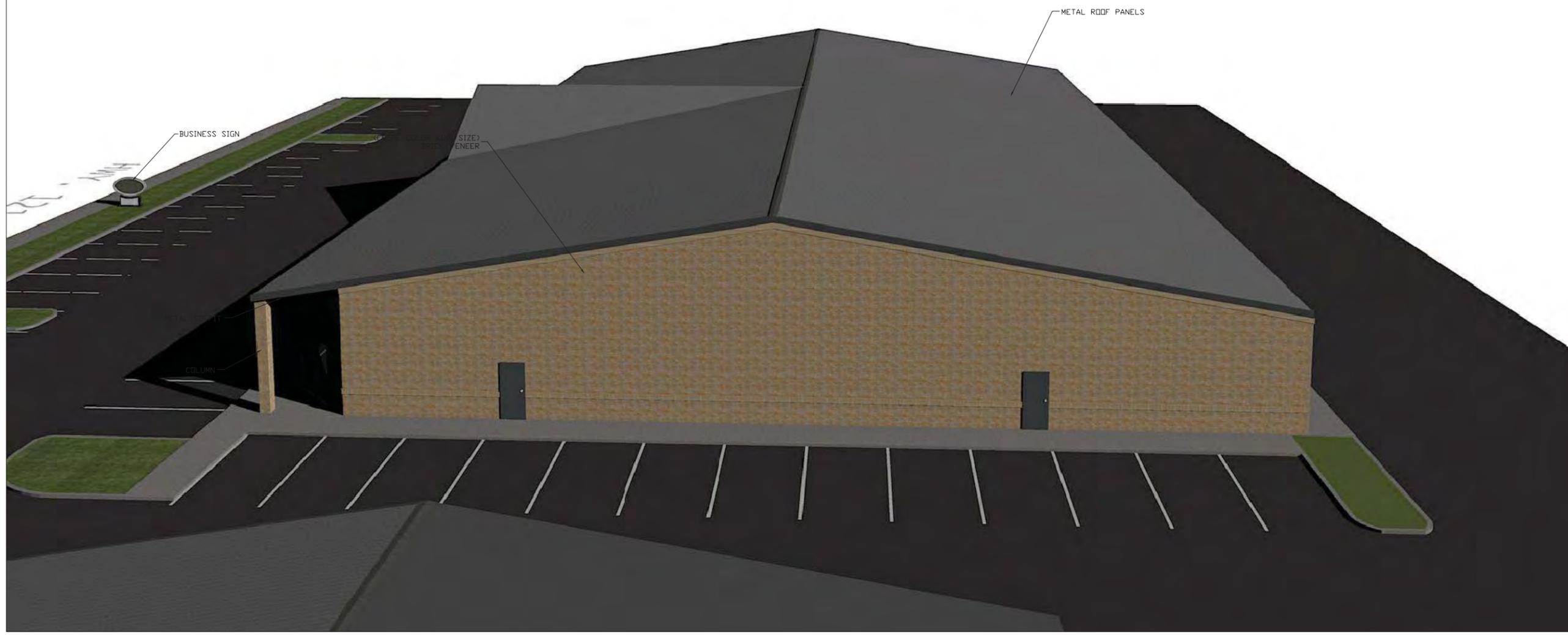
AUTO SALES BUILDING

A2.04



HWY. 121

1 NORTH ISOMETRIC
A2.04 N.T.S.

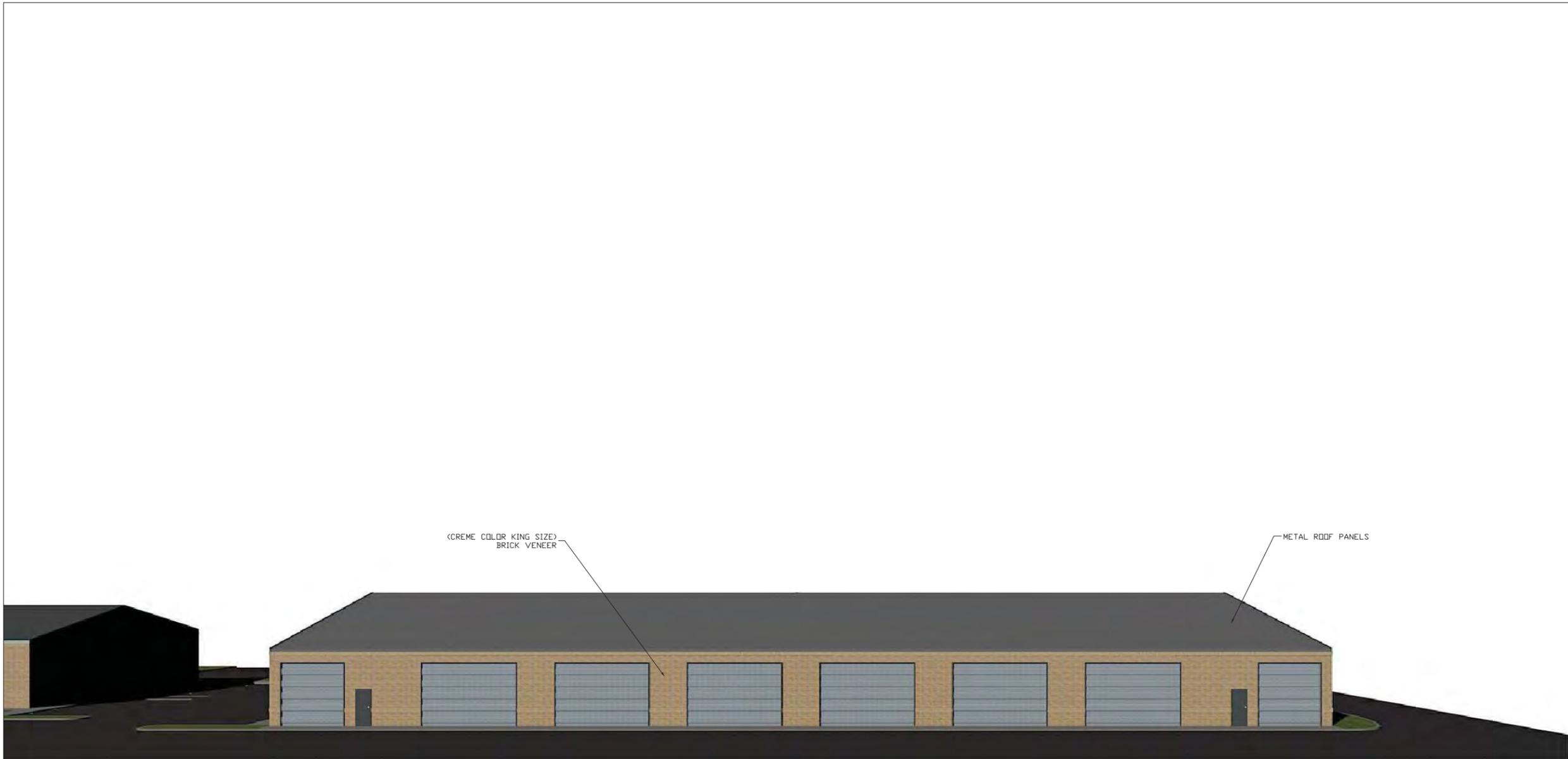


AZTEC

AUTO SALES BUILDING

1 EAST RENDERING
A2.05 N.T.S.

A2.05

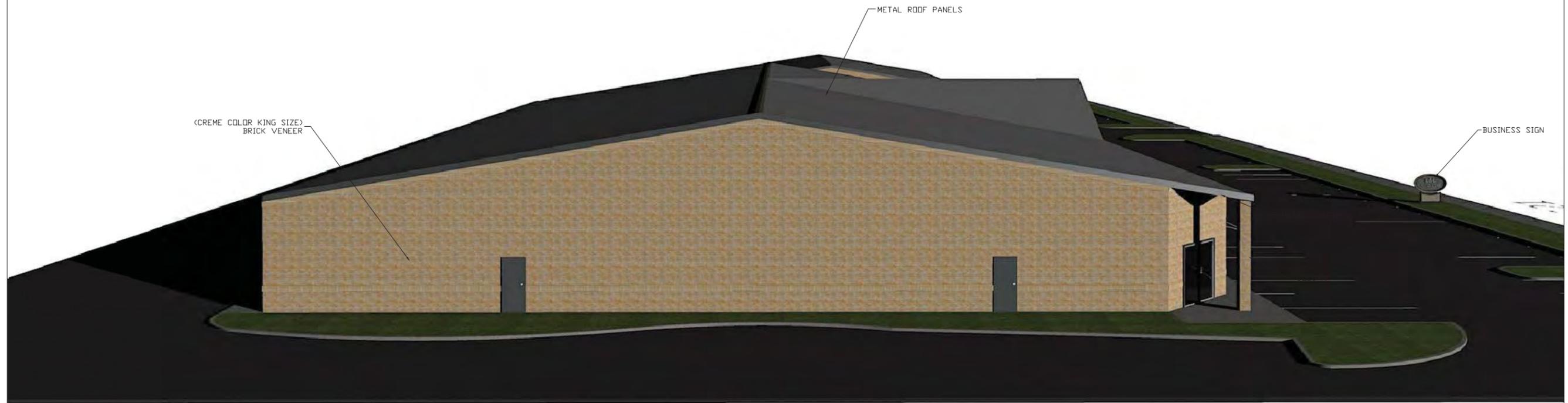


1 SOUTH RENDERING
A2.06 N.T.S.

AZTEC

AUTO SALES BUILDING

A2.06



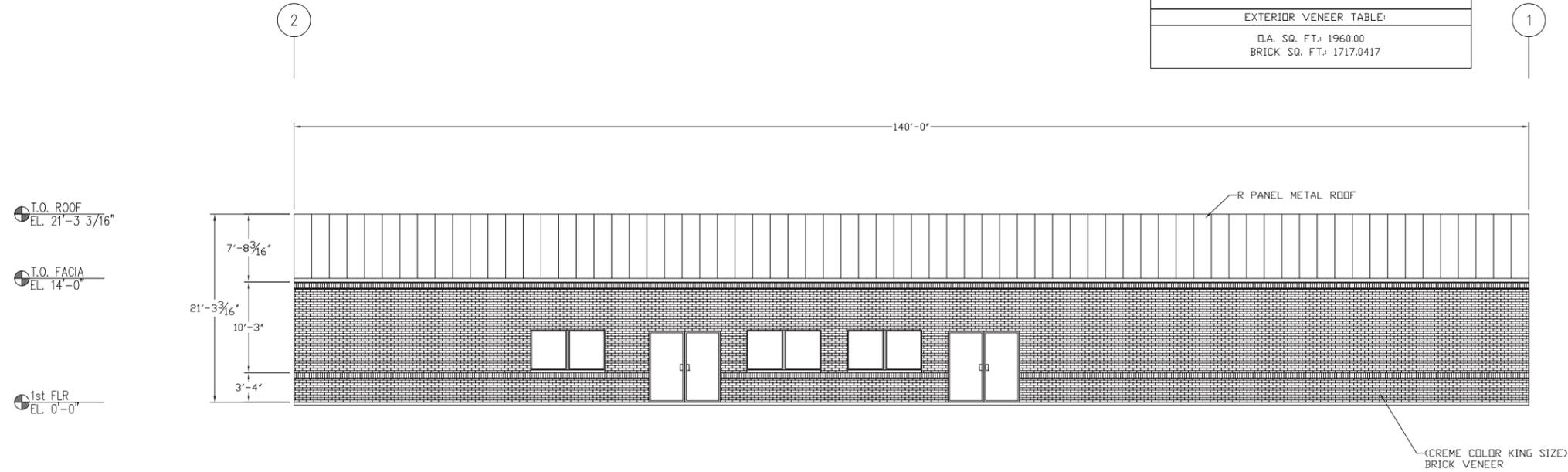
AZTEC

AUTO SALES BUILDING

1 WEST RENDERING
A2.07 N.T.S.

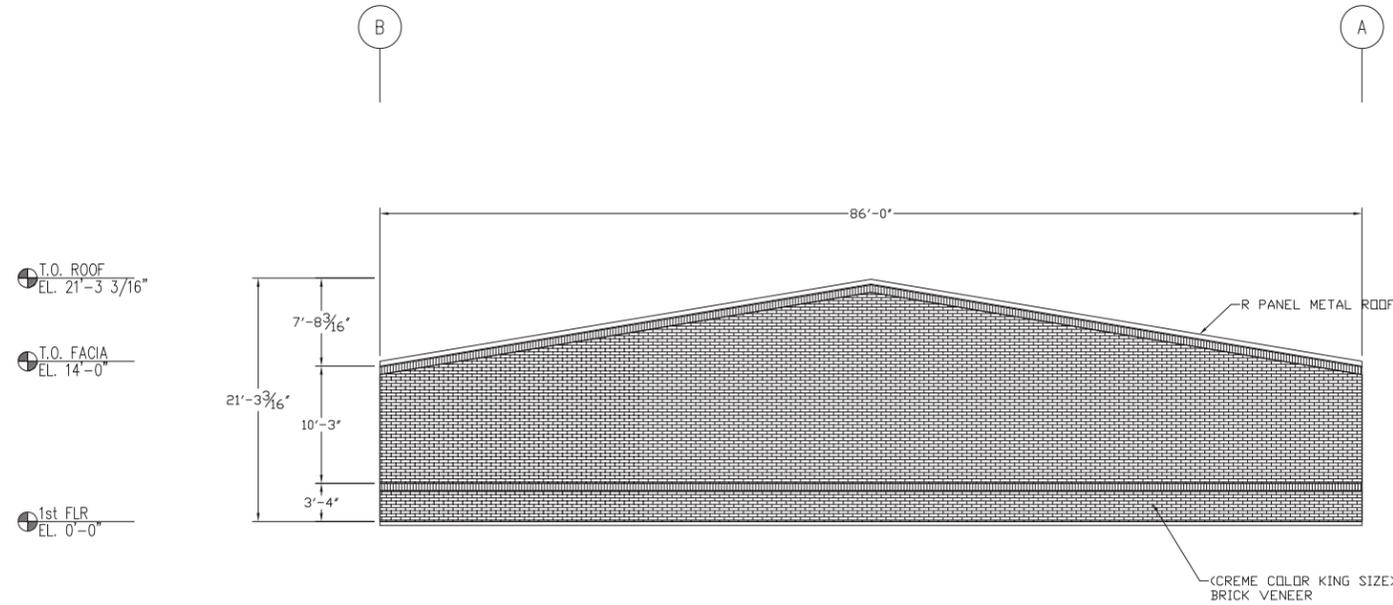
A2.07

Q.A. EXTERIOR VENEER TABLE:
Q.A. SQ. FT.: 7506.0208 BRICK SQ. FT.: 7263.0619
EXTERIOR VENEER TABLE:
Q.A. SQ. FT.: 1960.00 BRICK SQ. FT.: 1717.0417



1 NORTH ELEVATION
A2.01 1/8"=1'-0"

EXTERIOR VENEER TABLE:
Q.A. SQ. FT.: 1793.0104 BRICK SQ. FT.: 1793.0101



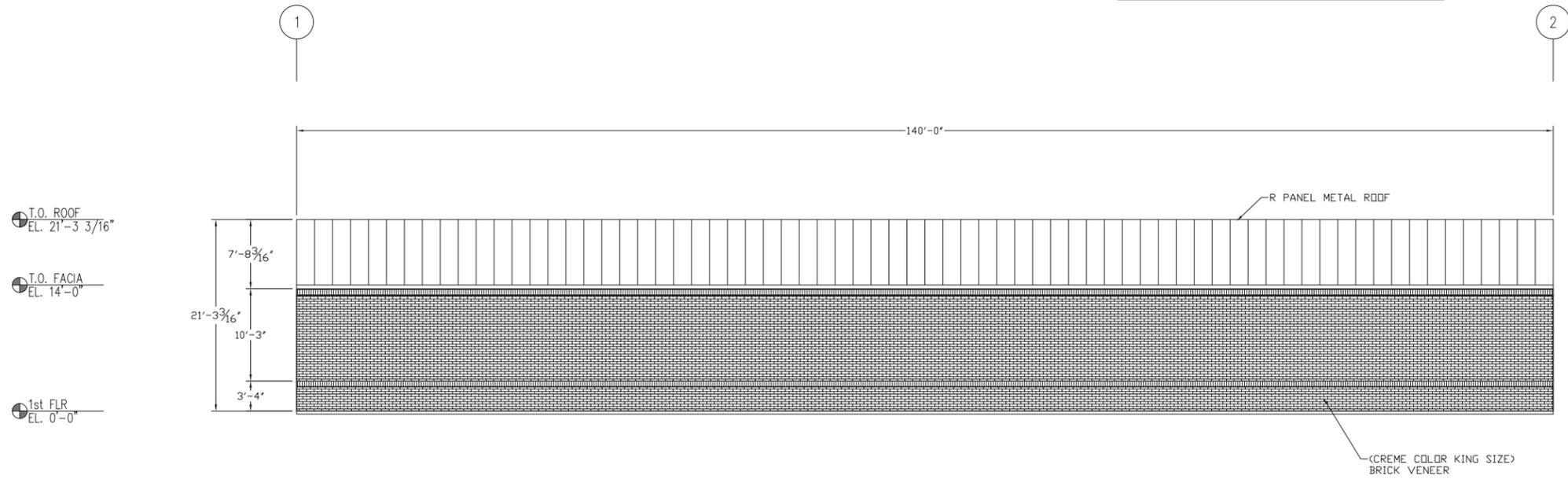
2 EAST ELEVATION
A2.01 1/8"=1'-0"

AZTEC

AUTO SALES BUILDING

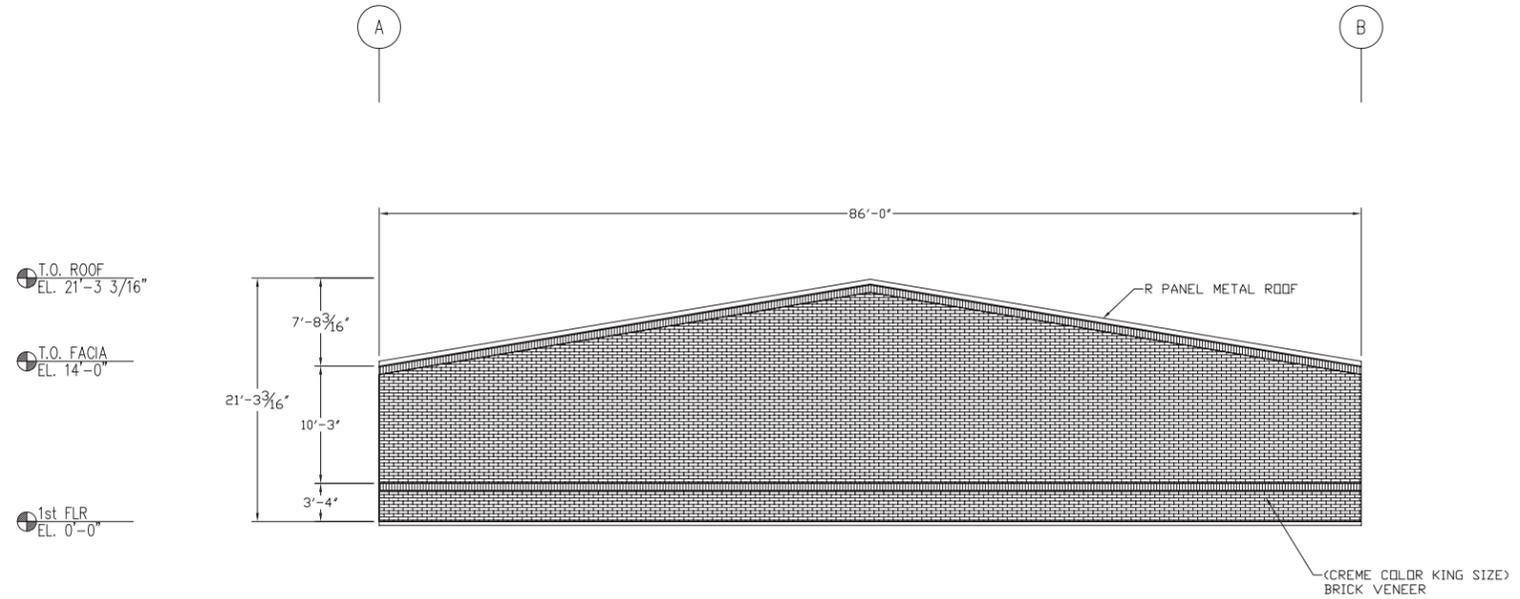
A2.01

EXTERIOR VENEER TABLE:
□A. SQ. FT.: 1960.00
BRICK SQ. FT.: 1960.00



1 SOUTH ELEVATION
A2.02 1/8" = 1'-0"

EXTERIOR VENEER TABLE:
□A. SQ. FT.: 1793.0104
BRICK SQ. FT.: 1793.0101



2 WEST ELEVATION
A2.02 1/8" = 1'-0"

AZTEC

AUTO SALES BUILDING

A2.02

AZTEC

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AUTO SALES BUILDING

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A2.03



BUILDING #1

BUILDING #2

1 ISOMETRIC RENDERING
A2.03 N.T.S.

AZTEC

(CREME COLOR KING SIZE)
BRICK VENEER

METAL ROOF PANELS

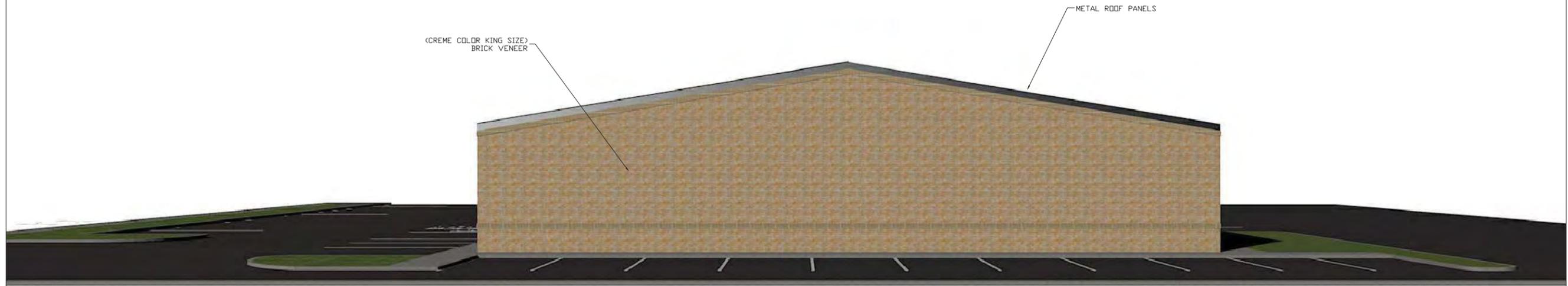


HWY - 121

AUTO SALES BUILDING

1 NORTH ISOMETRIC
A2.04 N.T.S.

A2.04

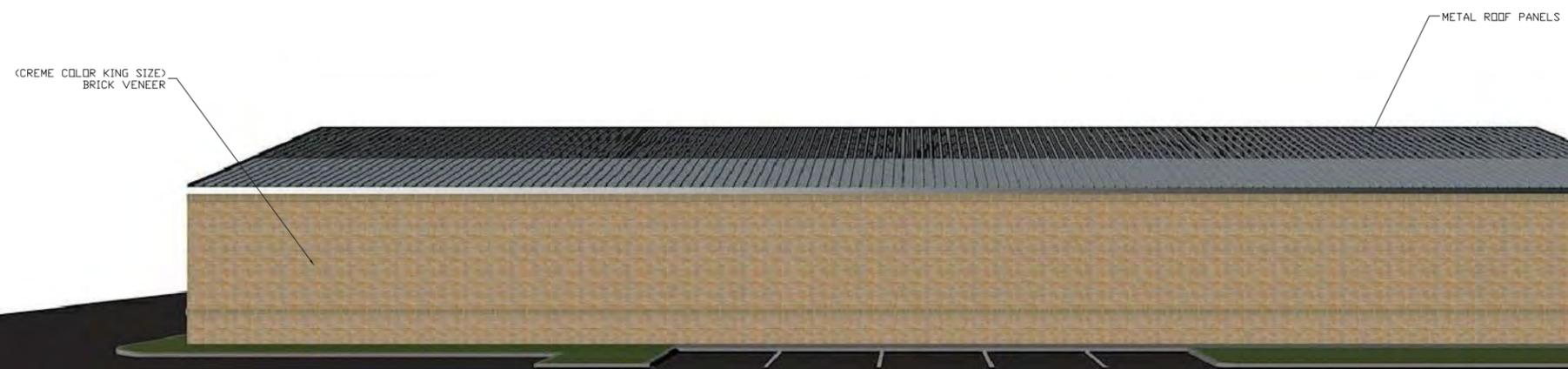


AZTEC

AUTO SALES BUILDING

1 EAST RENDERING
A2.05 N.T.S.

A2.05

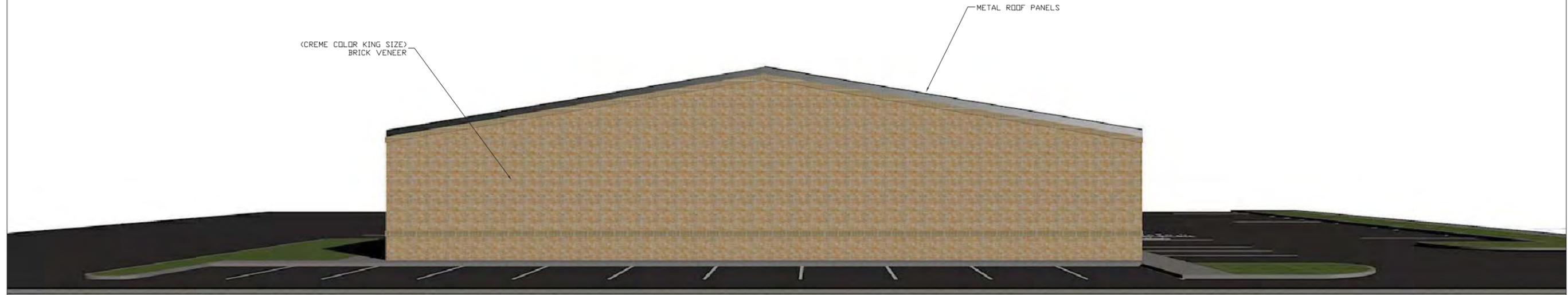


AZTEC

AUTO SALES BUILDING

1 SOUTH RENDERING
A2.06 N.T.S.

A2.06

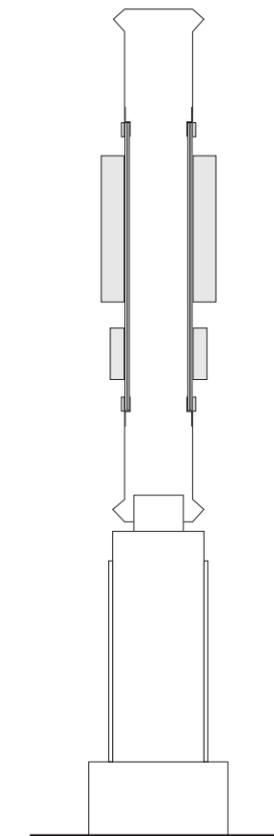


AZTEC

AUTO SALES BUILDING



01) ELEVATION
3/4" = 1'-0"



02) SECTION
3/4" = 1'-0"

NOTES

- 1) BEVELED OVAL FRAME.
- 2) BRUSHED ALUMINUM
- 3) PERFORATED ALUMINUM, BACKED UP WITH DAY NIGHT ACRYLIC
- 4) POLISHED STAINLESS STEEL REVERSE CHANNEL LETTER
- 5) POLISHED STAINLESS STEEL REVERSE CHANNEL LETTER
- 6) POLISHED STAINLESS STEEL ACCENT STRIP
- 7) GUNMETAL GRAY PIPE
- 8) ALUMINUM CABINET. PAINT COLOR TO BE DETERMINED
- 9) GUNMETAL GRAY RAISED PANEL
- 10) PUSH-THRU ACRYLIC LETTERS OR L.E.D. READER BOARD
- 11) SATIN BLACK BASE

ArtOGRAF 2611 Andjon Dallas, Texas 75220 214.349.1075 Phone 214.349.0877 Fax www.artogراف.com	APPROVED BY: _____ DATE: _____	PROJECT: L & L AUTOLINKS CLIENT: L & L AUTOLINKS	DESIGNER: SALESMAN/PM: RICK SANTOYO	REVISIONS: DATE _____	ELECTRICAL: VOLTS: AMPS: CIRCUITS: WET ___ DRY ___	UL LISTED JOB NUMBER: # _____	DESCRIPTION: DATE: _____	FILE NAME: L&L AUTOLINK	SIGN TYPE: 1
	PAGE 1 of 1								

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: November 6, 2017

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Heavy Industrial District (HI) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses); on a 15.0 Acre lot Legally Described as Lot 1, Block A, D/FW Recycling & Disposal Facility Addition, Located at 1600 South Railroad Street; as Requested by Richard A. Dormier, Freeman-Millican, Inc. on Behalf of Guy R. Campbell, Waste Management of Texas, Inc., the Property Owner (Case No. PZ-2017-10-18).**

BACKGROUND

Waste Management DFW Landfill serves the greater Dallas area and is located immediately east of the subject site. The 15.0-acre lot consists of supplementary structures for the landfill, such as an office building, service shop, truck wash, gas plant, storage building, paint shop and maintenance building. This request is for a change of zoning from Heavy Industrial (HI) to Specific Use – Landfill Accessory Use (SU-Landfill Accessory Use), which is in alignment with the existing uses on the site. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request on October 3, 2017.

ANALYSIS

The zone change request for Specific Use District incorporates the submittal of an engineering site plan to show various uses, setbacks and other zoning and development criteria proposed for the site. No variances were requested with the engineering site plan, which has been reviewed by staff and is attached as an exhibit to the zone change. The engineering site plan was submitted for construction of additional buildings to support the accessory use which serves the municipal landfill.

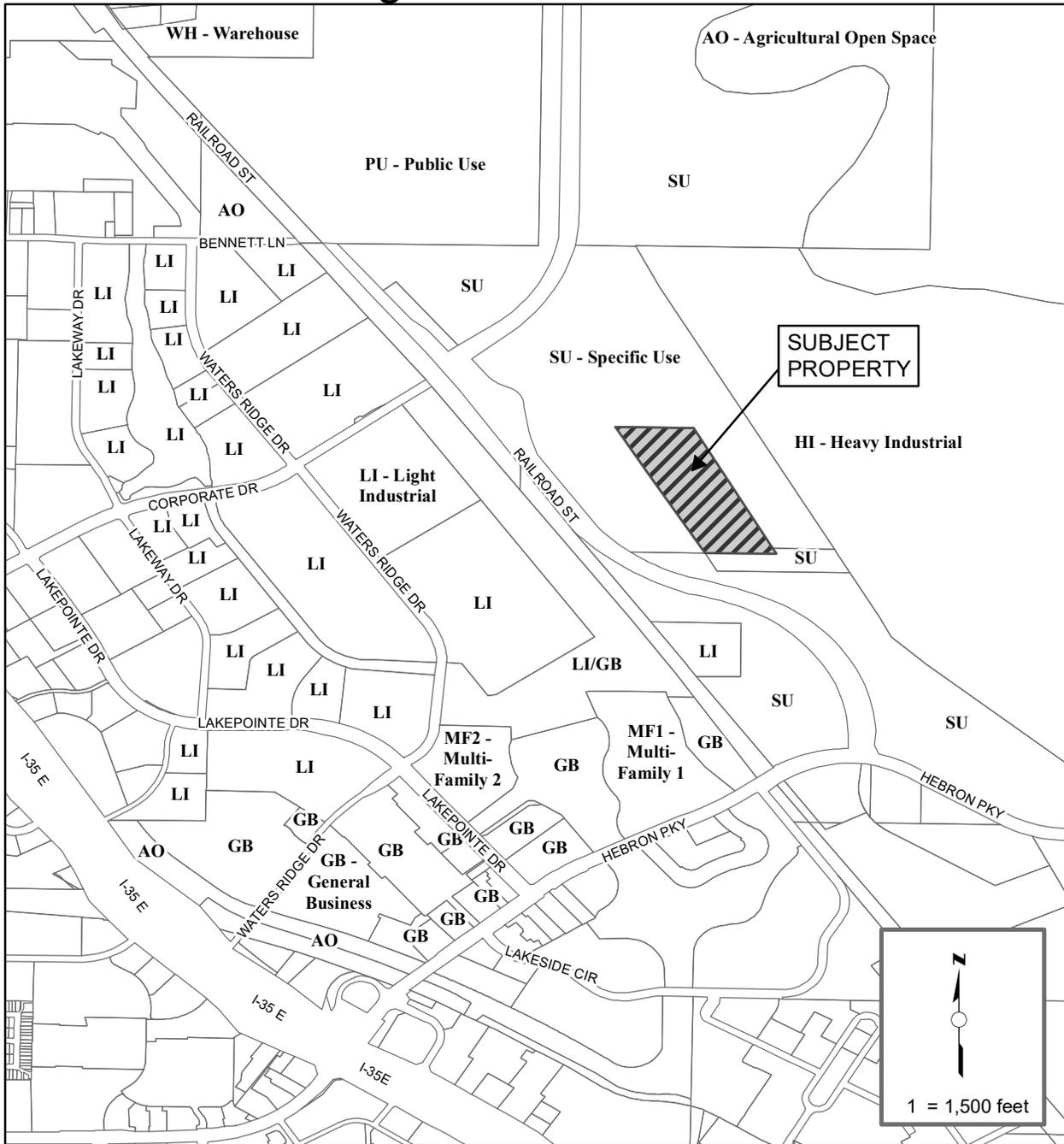
The site is located to the north of Hebron Parkway and east of Railroad Street. It currently houses 6,400 square feet of office building; 8,200 square feet of service shop; 2,160 square feet of truck wash; 11,674 square feet of gas plant; 2,360 feet of storage building; 3,502 square feet of paint shop; and 5,795 square feet of maintenance building. An additional 1,904 square feet of breakroom, 1,770 square feet of truck wash and 11,500 square feet of service shop are proposed. The aggregate total of all exterior walls shall be consisted of 80% masonry in accordance with City requirements. Twenty additional trees are proposed as required. No changes are proposed to existing 8-foot wood screening fence.

The proposed buildings will be located within the boundary of existing lot and will not involve any expansion or changes of boundary lines. The scope of work does not include any changes to the existing landfill.

RECOMMENDATION

It is City staff's recommendation that the City Council continue the public hearing to the November 20, 2017 City Council meeting.

D/FW Waste Management Breakroom - Location Map



ZONING CASE NO.PZ-2017-10-18

PROPERTY OWNER: WASTE MANAGEMENT OF TEXAS, INC

APPLICANT: RICHARD A. DORMIER, FREEMAN-MILLICAN, INC

PROPERTY LOCATION: LOT 1, BLOCK A, D/FW RECYCLING & DISPOSAL FACILITY ADDITION, LOCATED AT 1600 SOUTH RAILROAD STREET (15.00-ACRES)

CURRENT ZONING: HEAVY INDUSTRIAL DISTRICT (HI)

REQUESTED ZONING: SPECIFIC USE DISTRICT (SU) – LANDFILL ACCESSORY USES

D/FW Waste Management Breakroom - Aerial Map



**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 3, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:31 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Karen Locke and James Davis. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Director; Jonathan Beckham, Planner; and Theresa Ernest, Planning Technician.

Item 4:

Public Hearings for zoning and special use permits were next on the agenda. There were three items for consideration:

- B. **Public Hearing:** Consideration of a Zone Change Request From Heavy Industrial (HI) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses); on a 15.0 Acre Lot, Legally Described as Lot 1, Block A, D/FW Recycling & Disposal Facility Addition, Located at 1600 South Railroad Street; as Requested by Richard A. Dormier, Freeman-Millican, Inc. on Behalf of Guy R. Campbell, Waste Management of Texas, Inc., the Property Owner. (Case No. PZ-2017-10-18)

Staff gave a brief overview of the proposed zone change request and recommended approval. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. A motion was made by William Meredith to recommend approval of the zone change request and was seconded by John Lyng. The motion passed unanimously (6-0). Staff indicated that the item would be considered by the City Council on November 6th for a final decision.

SECTION 17-25. - "HI" HEAVY INDUSTRIAL DISTRICT REGULATIONS

- (a) *Use.* Buildings and premises may be used for retail, office and service uses as well as manufacturing and industrial uses. Such uses which produce dust, fumes, gas, noxious odor, smoke, glare or other atmospheric influence beyond the boundaries of the property on which such use is located, and which produce noise exceeding in intensity at the boundary of the property the average intensity of noise of street traffic at that point, and which may create fire or explosive hazards are subject to conformance with all applicable local, state and federal regulations. Uses which fail to comply with such regulations may be required to cease operation. Allowable uses include:
- (1) Any use permitted in district "LI" and "WH" as regulated in said districts.
 - (2) Wrecker service storage yards, auto salvage yards and junk yards, but only on condition that the storage is wholly within an enclosed building or surrounded by a structural screening wall of concrete or reinforced masonry. Such wall shall be a minimum of eight (8) feet in height (SUP required).
 - (3) Storage yards and contractor's yards (SUP required).
 - (4) Church worship facilities.
 - (5) Buildings and uses owned or operated by public governmental agencies.
 - (6) The following uses are permitted only when all portions of the operation or use are located a minimum of two hundred (200) feet from any residentially zoned property, and with a specific use permit (SUP required):
 - a. Acid manufacturing.
 - b. Cement, lime, gypsum or plaster of paris manufacturing.
 - c. Glue manufacturing involving distilling of bones or other organic matter.
 - d. Explosives manufacturing and storage.
 - e. Magnesium manufacturing or processing.
 - f. Fat rendering.
 - g. Paper and pulp manufacturing.
 - h. Refining of or bulk tank storage of petroleum or its products.
 - i. Smelting of tin, copper, zinc or iron ores or other metals.
 - j. Stockyards, slaughter or processing of animals.
 - k. Permanent batch plant (concrete)
 - (7) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (8) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisances. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items. Any use requiring more than 10% outside storage shall require a special use permit (SUP).
 - (9) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (10) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (11) Recycling facility (SUP required).
 - (12) Uses specifically prohibited in zoning district "LI" (SUP required).
- (b) *Height.* No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. In no event, however, shall any building exceed two (2) stories when any portion of the building is located within one hundred fifty (150) feet of any property zoned for residential purposes.
- (c) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in District "HI", except that automobile parking (including automobile dealer display

parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.

- b. *Side yard.* No side yard is required except that a side yard or a side street yard of not less than fifty (50) feet in width shall be provided on the side of a lot adjoining or across the street from any zoning district except Heavy Industrial. No parking, storage or similar use shall be allowed in required side yards or side street yards within twenty-five (25) feet of the property line.
- c. *Rear yard.* No rear yard is required except that a rear yard of not less than fifty (50) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a Residential, "LC" or "GB" District. No parking, storage or similar use shall be allowed in required side yards in District "HI" within twenty-five (25) feet of the property line.

(2) *Reserved.*

- (d) *Outside storage regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as storage yards.

SECTION 17-29. - "SU" SPECIFIC USE DISTRICT REGULATIONS

- (a) *Use.* This district is for the purpose of the uses specifically listed and other unusual uses which are limited in number and which are clearly not allowed in any other zoning district. Zoning shall not be allowed under this district as a way of circumventing the standard provisions of this or any other ordinance of the city. Allowable uses shall include:
 - (1) Criminal or penal institutions.
 - (2) Landfill operations and accessory uses.
 - (3) Mining activities and storage, including sand and gravel mining, and stone quarries.
- (b) All requests for specific use zoning shall be accompanied by an engineering site plan as outlined in the city's general development ordinance. Variances from the regulations in the city's general development ordinance may be granted at the discretion of the city council.
- (c) Any proposed enlargement, structural modification or other significant change to any site which had been granted specific use zoning shall require approval of the city council following a public hearing. Such public hearing shall be conducted after a recommendation is received from the planning and zoning commission. The planning and zoning commission shall consider the request for an amendment after conducting a public hearing in accordance with requirements necessary for any proposed zone change.
- (d) The zoning board of adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the granting, extension, revocation, modification or any other action taken relating to the granting of any specific use zoning.
- (e) Building setbacks and heights shall be consistent with other structures in the immediate area, as determined by the city council.

This Section (Office Use Only)		
Case:		
PZ:		CC:
Sign/s Picked Up By:		



LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

ZONE CHANGE APPLICATION

Owner/s (name): Waste Management of Texas	
Company Name: same	
Mailing Address: 1600 South Railroad Street Lewisville TX 75051	
Work #: 972 459-1202 Johnny Smith	Cell #: 405 417-8124 Guy Campbell
E-Mail:	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): see attached letter	Date:
Printed Name:	

Applicant/Agent (name): Richard A. Dormier	
Company Name: Freeman-Millican, Inc.	
Mailing Address: 12160 Abrams Rd. Suite 508 Dallas, TX 75243	
Work #: 214 503 0555 x 106	Cell #: 972 489-6523
E-Mail: richard@fmi-dallas.com	
Applicant/Agent Signature 	Date: 11-11-16
Printed Name: Richard A. Dormier	

Current Zoning: H I	Requested Zoning: SU- landfill accessory <small>uses</small>	Acres: 15.0
Legal Description (Lot/ Block/Tract/Abstract): Lot 1 Block A D/FW Recycling & Disposal Facility Addition, City of Lewisville, Denton County Texas		
Address/Location: 1600 South Railroad Street, Lewisville, TX		

Application and Sign Fees:

	Less than 1/2 acre	\$ 150.00
	1/2 acre up to 4.99 acres	\$ 250.00
✓	5 acres up to 24.99 acres	\$ 400.00

	25 acres up to 49.99 acres	\$ 750.00
	50 acres up to 99.99 acres	\$1,000.00
	100 acres and more	\$1,500.00

Qty: 3	Zone Change Signs - \$35 each 1 sign required for each 5 acres (max. 3 per site)	\$ 105
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ 505 ⁰⁰
---	----------------------



REQUIRED:

Fully describe the plans for the property

This request for a zoning change is in response to staff review comments. This property was originally zoned H.I. and has been used to provide services in support of landfill operations and collection/hauling of municipal solid waste. Future plans for the property are to continue providing landfill accessory uses.

NOTE:

Items must be staff approved and deemed complete before they will be placed on an agenda.



DFW RECYCLING AND DISPOSAL FACILITY

1600 South Railroad Street
Lewisville, Texas 75057

September 27, 2017

Mr. Richard Luedke
Planning Manager
City of Lewisville
151 W. Church Street
Lewisville, Texas 75057-3927

**SUBJECT: Letter of Authorization (Richard Dormier, P.E.)
DFW Recycling and Disposal Facility**

Mr. Luedke,

Waste Management of Texas, Inc. has authorized Richard Dormier, P.E. with Freeman-Millican, Inc. to act as our agent in matters related to rezoning and replatting of Lot 1 Block A of the D/FW Recycle & Disposal Facility Addition. This would also include applications for grading plans, Engineering Site Plans, and building permits. This authorization would expire on December 31, 2017 unless renewed by a new authorization.

Sincerely,

A handwritten signature in blue ink that reads 'Guy R. Campbell'.

Guy R. Campbell
Engineering Manager-North Texas and Oklahoma
Waste Management of Texas, Inc.
1121 Riverside Dr.
Fort Worth TX 76111
1-405-417-8124

cc: Ross Boring, Waste Management of Texas, Inc.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING 15.0 ACRES, LEGALLY DESCRIBED AS LOT 1, BLOCK A, D/FW RECYCLING & DISPOSAL FACILITY ADDITION, LOCATED ON THE EAST SIDE OF RAILROAD STREET APPROXIMATELY 2,500 FEET NORTH OF HEBRON PARKWAY, AT 1600 RAILROAD STREET, FROM HEAVY INDUSTRIAL DISTRICT (HI) ZONING TO SPECIFIC USE – LANDFILL ACCESSORY USES DISTRICT (SU – LANDFILL ACCESSORY USES) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 15.0-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing

of safety from same; the effect on the promotion of health and the general welfare; effect on adequate light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

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

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **SPECIFIC USE – LANDFILL ACCESSORY USES DISTRICT (SU – LANDFILL ACCESSORY USES) ZONING**; in compliance with the engineering site plan attached hereto as Exhibit “B”.

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the

district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances, except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

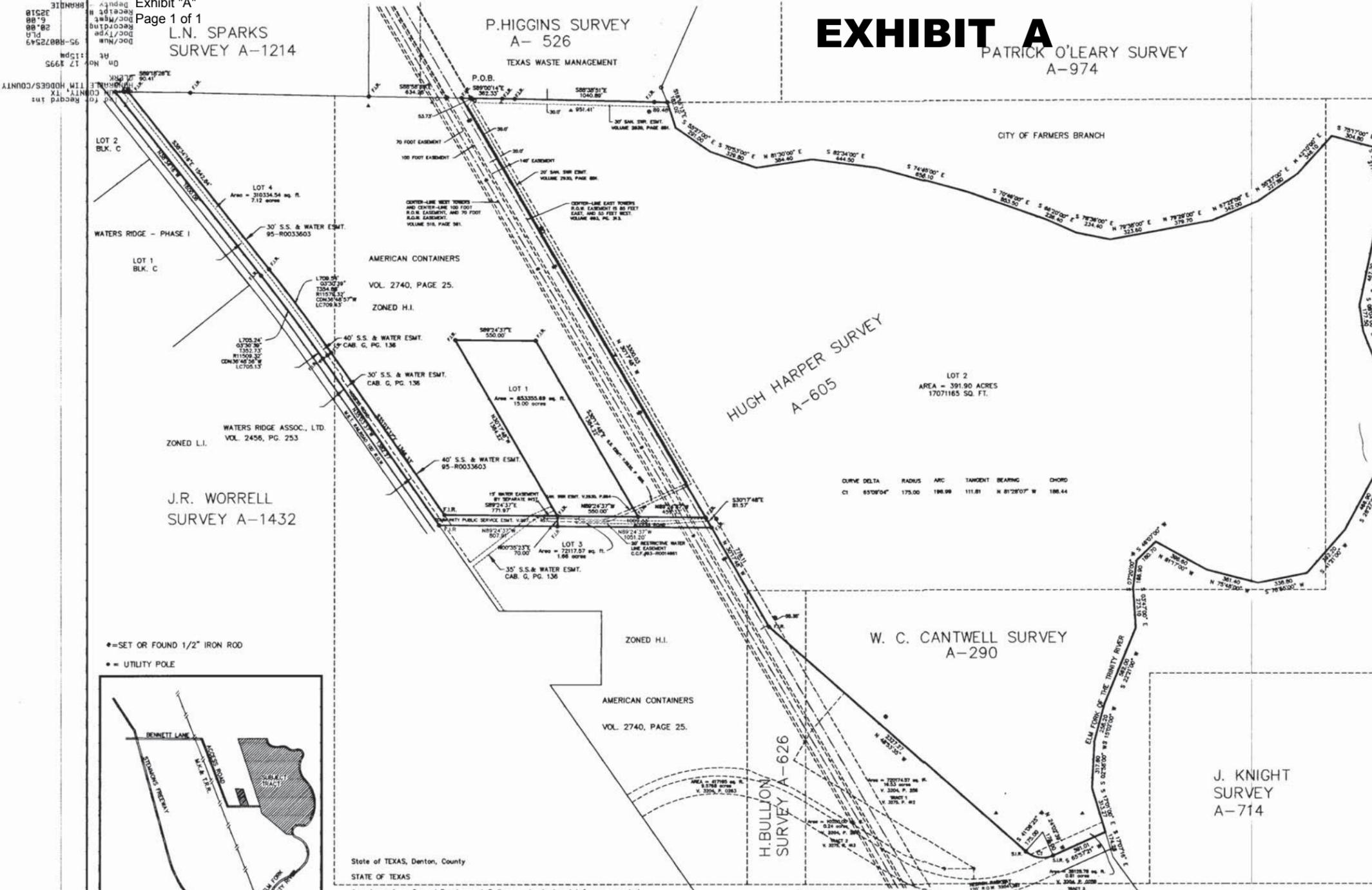
Exhibit A
Property Description

Exhibit B
Engineering Site Plan

EXHIBIT A

PATRICK O'LEARY SURVEY A-974

LAB LP 346



A 415.679 ACRE PARCEL OF LAND SITUATED IN THE HUGH HARPER SURVEY ABSTRACT NO. 605, THE HAYNES AND BULLION SURVEY ABSTRACT NO. 626, J.R. WORRELL SURVEY, ABSTRACT NO. 1432, JAMES CANTWELL SURVEY, ABSTRACT NO. 290, D. COOK SURVEY, ABSTRACT NO. 233, DENTON COUNTY, TEXAS, AND BEING ALL OF LOT 2, BLOCK A, T.W.M. ADDITION, PHASE TWO, AS RECORDED IN CABINET I, Page 195, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE North 48° 53' 35" West, 2327.27 feet to a found 1/2-inch iron rod;

THENCE North 30° 17' 48" West, a distance of 778.11 feet to a 1/2-inch iron rod found at the southerly southwest corner of said Lot 1, Block A, T.W.M. Addition, Phase One;

THENCE North 89° 24' 37" West, 1859.11 feet to an 1/2" iron rod found in the east line of the M.K.&T. Railroad right-of-way (100-foot wide);

THENCE North 35° 03' 37" West, 1382.27 feet along said east line to a 1/2" iron rod found for the beginning of a curve to the left;

THENCE along said curve and said east line having a central angle of 03° 30' 39", a radius of 11,509.32 feet, an arc length of 705.24 feet, and a chord bearing of North 36° 50' 57" West, 705.13 feet to a 1/2" iron rod found for a point of tangent;

THENCE North 38° 34' 16" West, 1600.06 feet along said line to an iron rod found for the northwest corner of said T.W.M. ADDITION, said point also being in the north line of Worrell Survey and the said east line of the M.K.&T. Railroad right-of-way (100-foot wide);

THENCE South 89° 18' 26" East, 90.41 feet along said north line to a 1/2 inch iron rod found for corner;

THENCE South 38° 34' 16" East, 1542.84 feet to a 1/2 inch iron rod found for the beginning of a curve to the right;

THENCE along said curve having a central angle of 03° 30' 39", a radius of 11,579.32 feet, an arc length of 709.54, and a chord bearing of South 36° 48' 57" East, 709.43 feet to a 1/2 inch iron rod found for a point of tangent;

THENCE South 35° 03' 37" East, 1346.33 feet to a 1/2 inch iron rod found for corner;

THENCE South 89° 24' 37" East, 771.97 feet to a 1/2" iron rod found for corner;

THENCE North 30° 17' 48" West, 1384.22 feet to a 1/2" iron rod found for corner;

THENCE South 89° 24' 37" East, 550.00 feet to an 1/2" iron rod found for corner;

THENCE South 30° 17' 48" East, 1384.22 feet to an 1/2" iron rod found for corner;

THENCE South 89° 24' 37" East, 459.33 feet to an 1/2" iron rod found for corner;

THENCE North 30° 17' 48" West a distance of 3300.03 feet to the POINT OF BEGINNING and containing 415.679 acres of land.

Beginning at a 1/2" iron rod found for the northwest corner of said Lot 2, Block A;

THENCE South 89° 00' 14" East, 362.33 feet to a 1/2-inch found iron rod;

THENCE South 88° 38' 51" East, at 951.41 feet passing a 1/2-inch found iron rod and continuing a total distance of 1040.89 feet to the centerline of the Elm Fork of the Trinity River;

THENCE along the centerline of said Elm Fork of the Trinity River, the following courses and distances:

South 18° 16' 13" East, 182.02 feet;
 South 55° 27' 00" East, 291.00 feet;
 South 70° 53' 00" East, 329.80 feet;
 North 81° 30' 00" East, 384.40 feet;
 South 87° 34' 00" East, 444.50 feet;
 South 74° 45' 00" East, 656.10 feet;
 South 70° 49' 00" East, 553.50 feet;
 South 66° 20' 00" East, 226.40 feet;
 South 78° 36' 00" East, 234.40 feet;
 North 79° 38' 00" East, 323.60 feet;
 North 79° 29' 00" East, 379.70 feet;
 North 67° 22' 00" East, 342.00 feet;
 North 55° 27' 00" East, 327.80 feet;
 North 42° 10' 00" East, 346.10 feet;
 South 75° 17' 00" East, 304.80 feet;
 South 22° 23' 00" East, 277.10 feet;
 South 17° 49' 00" West, 376.30 feet;
 South 11° 42' 00" West, 467.20 feet;
 South 08° 04' 00" East, 177.50 feet;
 South 21° 53' 00" East, 494.70 feet;
 South 10° 06' 00" West, 488.10 feet;
 South 28° 27' 00" West, 466.90 feet;
 South 41° 21' 00" West, 392.20 feet;
 South 78° 55' 00" West, 338.80 feet;
 North 75° 48' 00" West, 361.40 feet;
 North 61° 17' 00" West, 396.60 feet;
 South 46° 07' 00" West, 180.70 feet;
 South 07° 20' 00" West, 186.90 feet;
 South 03° 47' 00" East, 273.10 feet;
 South 22° 21' 00" West, 382.10 feet;
 South 15° 02' 00" West, 258.20 feet;
 South 02° 58' 00" West, 317.60 feet;
 and South 17° 01' 00" East, 313.27 feet;

to a point for the southwest corner of said Lot 2, Block A.

THENCE South 65° 57' 21" West, 391.01 feet to a 1/2-inch found iron rod at the point of curvature of a curve to the right;

THENCE with the arc of said curve having a radius of 175.00 feet, a central angle of 65° 09' 04" whose chord bears North 81° 28' 07" West, 188.44 feet, an arc length of 198.99 feet to a 1/2-inch found iron rod.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

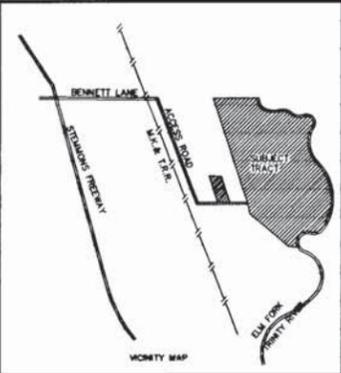
THAT WASTE MANAGEMENT OF TEXAS, INC., OWNER, THROUGH THE UNDERSIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE FINAL PLAT OF D/FW RECYCLING & DISPOSAL FACILITY ADDITION, A REPLAT OF T.W.M. ADDITION PHASE ONE, AND PHASE TWO, AS RECORDED IN CABINET G, PAGE 136, AND CABINET I, PAGE 195 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, AN ADDITION TO THE CITY OF LEWISVILLE, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENT STRIPS SHOWN ON THE PLAT FOR MUTUAL USE AND ACCOMMODATION OF THE CITY OF LEWISVILLE AND ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME, NO BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENT STRIPS ON SAID PLAT.

THE CITY OF LEWISVILLE AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM, ON ANY OF THESE EASEMENT STRIPS, AND THE CITY OF LEWISVILLE AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. A BLANKET EASEMENT OF A THREE (3) FOOT RADIUS FROM THE CENTER POINT OF ALL FIRE HYDRANTS AND A TWO (2) FOOT RADIUS FROM THE CENTER POINT OF ALL OTHER APPURTENANCES (FIRE HYDRANT VALVES, WATER METERS, METER BOXES) IS HEREBY GRANTED TO THE CITY OF LEWISVILLE FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING AND MAINTAINING THE ABOVE NAMED APPURTENANCES.

WE DO FURTHER DEDICATE, SUBJECT TO THE EXCEPTIONS AND RESERVATIONS SET FORTH HEREINAFTER, TO THE PUBLIC USE FOREVER, ALL PUBLIC USE SPACES SHOWN ON THE FACE OF THE PLAT.

ALL LOTS IN THE SUBDIVISION SHALL BE SOLD AND DEVELOPED SUBJECT TO THE BUILDING LINES SHOWN ON THE PLAT.

••=SET OR FOUND 1/2" IRON ROD
•= UTILITY POLE



State of TEXAS, Denton County
 STATE OF TEXAS
 A variance from General Development Ordinance standard replat fee was granted and changed to a \$200.00 (flat fee), and approved by City Council.
 VARIANCE APPROVAL WAS GRANTED ON MAY 15, 1995.
 APPROVED AND ACCEPTED

DEAN UECKERT
 Chairman, Planning and Zoning Commission
 City of Lewisville, Texas

The undersigned, the City Secretary of the City of Lewisville, Texas, hereby certifies that the foregoing final plat of DFW RECYCLING & DISPOSAL FACILITY ADDITION, an Addition to the City of Lewisville was submitted to the appropriate Planning and Zoning Commission or City Council as required by the ordinances of the City of Lewisville on the 27th day of November, 1995 and such body by formal action, then and there, accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

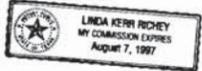
Witness my hand this 15th day of November, 1995
 Marty Hendrix
 City Secretary
 City of Lewisville, Texas

KNOW ALL MEN BY THESE PRESENTS:
 THAT I, ARTHUR DEAN HODDE, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lewisville, Texas.

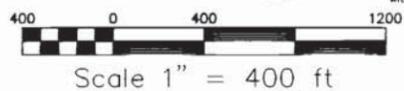
Arthur Dean Hodde
 Registered Professional Land Surveyor #4260

BEFORE ME, a Notary Public, the undersigned authority, a Notary Public in and for said County and State on this day personally appeared ARTHUR DEAN HODDE, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

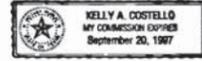
GIVEN UNDER MY HAND AND Seal of Office this 15 day of November, 1995
 Notary Public - State of Texas Comm. Expires 10-23-95



TEXAS NATIONAL SURVEYING
 P.O. BOX 293254
 LEWISVILLE, TEXAS 75029
 PH: 214-539-7676



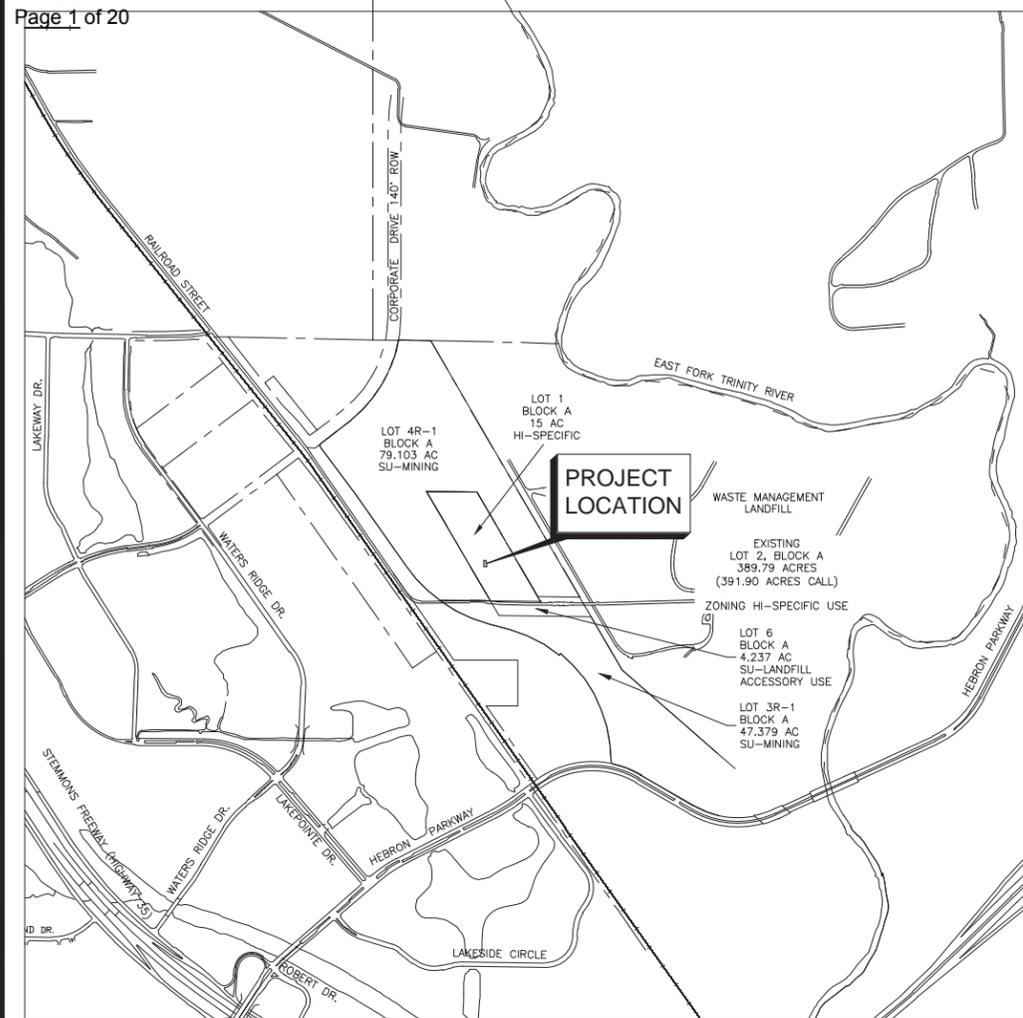
STATE OF TEXAS
 COUNTY OF Dallas
 BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this day personally appeared Dale Sluder, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated and for the purposes and considerations therein expressed.
 GIVEN UNDER MY HAND AND Seal of Office, this 5th day of October, 1995
 Comm. Expires
 Notary Public in and for Dallas County



FINAL PLAT
 D/FW RECYCLING & DISPOSAL FACILITY, ADDITION
 LOTS, 1, 2, 3, AND 4, BLOCK A.
 415.68 ACRES
 ZONING H.I.
 BEING A REPLAT OF T.W.M. ADDITION, PHASE TWO, LOT 2, BLOCK A, AS REC. IN CAB. I, PAGE 195, AND THE T.W.M. ADDITION, PHASE ONE, LOT 1, BLK. A, AS REC. IN CAB. G, PAGE 136, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, BEING PART OF THE J.R. WORRELL SURVEY, A-1432, HUGH HARPER SURVEY, A-605, JAMES CANTWELL SURVEY, A-290, HAYNES & BULLION SURVEY, A-626, D. COOK SURVEY, A-233, CITY OF LEWISVILLE, DENTON COUNTY, TEXAS

RECORDING INFORMATION

DRAWN BY:	APPROVED BY:	REVISIONS:	PROJECT:	SHT. NAME:	SHT. NO.:
DATE: Plot date: 06/09/95 at 07:02	PROJ. NO.:			FILED <u>11-17-95</u>	
DWG. NO.:	DWG. File name: D:\DEAN2\14219510			CABINET <u>L</u> PAGE <u>346</u> W.R.C.T.	

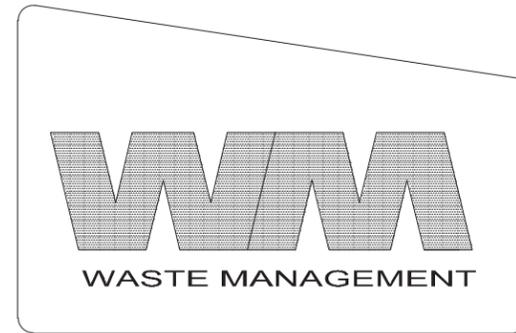


LOCATION MAP
1"=1000'

SHEET LIST TABLE

SHEET #	SHEET TITLE
G 1.0	COVER SHEET
FP1.0	FINAL PLAT
G 1.1	LEGEND & GENERAL NOTES
G 1.2	APPROVED VARIANCE
G 1.3	EXISTING CONDITIONS
G 1.4	TREE SURVEY
C 1.1	SITE PLAN
C 1.2	GRADING PLAN
C 1.3	PERVIOUS AND IMPERVIOUS AREA MAP
C 1.4	PROPOSED UTILITY PLAN
C 1.5	PROPOSED UTILITY PLAN
C 1.6	FLOOD ZONE MAP
D 1.1	DRAINAGE AREA MAP
L 1.1	LANDSCAPE PLAN NORTH
L 1.2	LANDSCAPE PLAN SOUTH
L 1.3	RECORD DRAWING - IRRIGATION PLAN ~ DETAILS SOUTH
L 1.4	RECORD DRAWING - IRRIGATION PLAN ~ DETAILS NORTH
L 1.5	RECORD DRAWING - IRRIGATION PLAN ~ DETAILS NORTH
L 2.1	RECORD DRAWING - LANDSCAPE DETAILS
L 2.2	RECORD DRAWING - LANDSCAPE DETAILS

EXHIBIT B



ENGINEERING SITE PLAN FOR D/FW RECYCLING & DISPOSAL FACILITY ADDITION BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS

**LOT 1, BLOCK A
15.0 ACRES
ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES**

ENGINEERING MANAGER - NORTH TEXAS

Guy R. Campbell
(405) 417-8124

SITE MANAGER D/FW LANDFILL

Ross Boring
(214) 980-5989

ENGINEER CONTACT

Richard A. Dormier, P.E.
FREEMAN-MILLICAN, INC.
12160 N. ABRAMS RD, SUITE 508
DALLAS, TEXAS 75243
(214) 503-0555 EXT. 106



12160 N. ABRAMS RD, SUITE 508 DALLAS, TX 75243 PH: 214.503.0555
TEXAS ENGINEERING FIRM REGISTRATION NO. F-2827



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9.27.2017

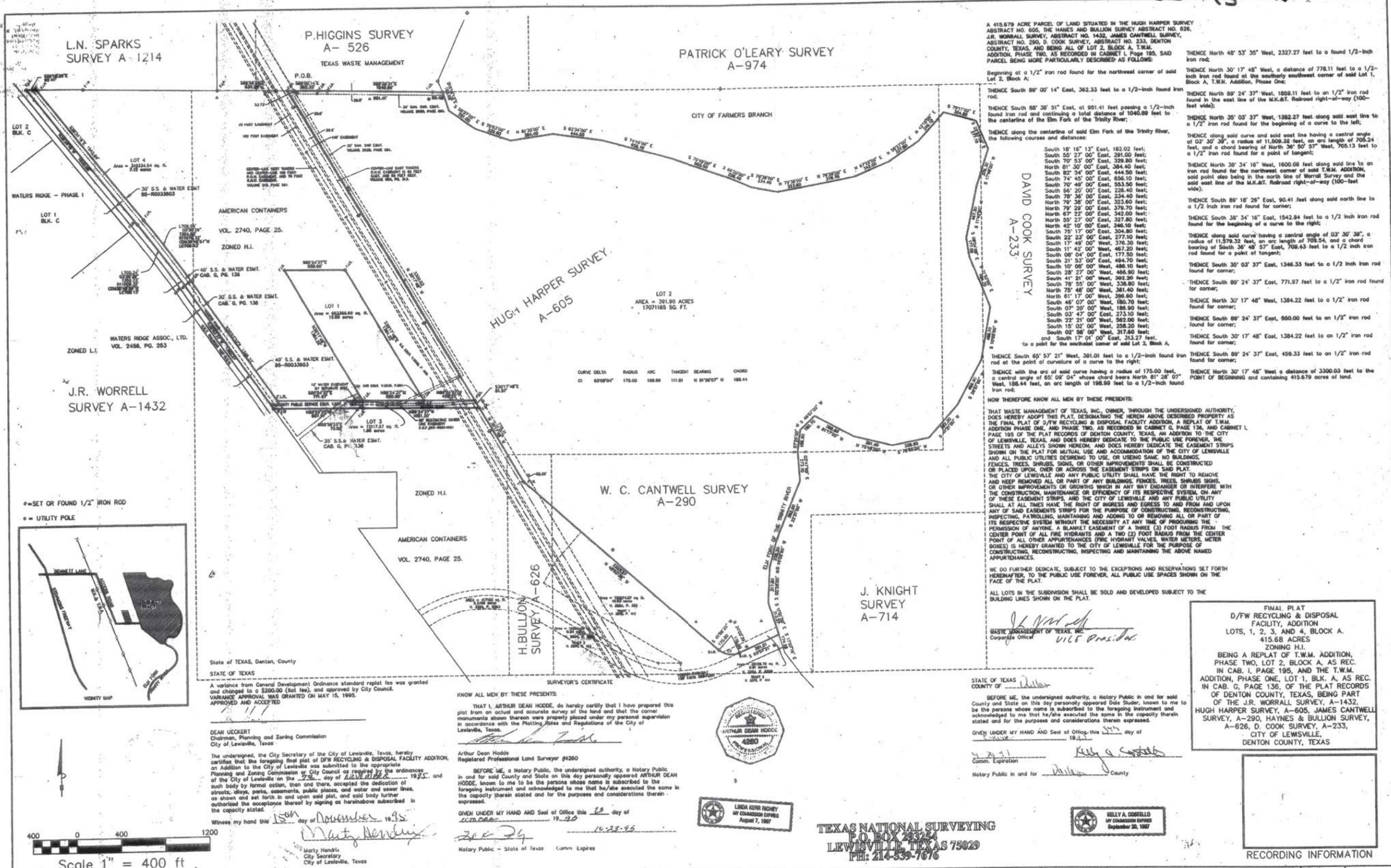
APPROVED FOR CONSTRUCTION*		
CITY DEPARTMENT	DATE	SIGNATURE
PLANNING & ZONING		
ENGINEERING		
BUILDING INSPECTION		
FIRE PREVENTION		
PARKS & LEISURE		
PUBLIC WORKS		
ADA		

APPROVED FOR CONSTRUCTION*			
UTILITY	COMPANY NAME	DATE	SIGNATURE
ELECTRIC			
GAS			
PHONE			
CABLE			
SOLID WASTE			

* SIGNATURES NEEDED FOR APPLICABLE DEPARTMENTS AND COMPANIES ONLY

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00
ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES
BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

100 LPS 546



A 415.679 ACRE PARCEL OF LAND SITUATED IN THE HUGH HARPER SURVEY ABSTRACT NO. 605, THE HAYNES AND BULLION SURVEY ABSTRACT NO. 626, J.R. WORRELL SURVEY, ABSTRACT NO. 1432, JAMES CANTWELL SURVEY, ABSTRACT NO. 290, D. COOK SURVEY, ABSTRACT NO. 233, DENTON COUNTY, TEXAS, AND BEING ALL OF LOT 2, BLOCK A, T.W.M. ADDITION, PHASE TWO, AS RECORDED IN CABINET L, PAGE 195, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a 1/2" iron rod found for the northwest corner of said Lot 2, Block A:

THENCE South 89° 00' 14" East, 362.33 feet to a 1/2-inch found iron rod;

THENCE South 88° 38' 51" East, at 951.41 feet passing a 1/2-inch found iron rod and continuing a total distance of 1040.89 feet to the centerline of the Elm Fork of the Trinity River;

THENCE along the centerline of said Elm Fork of the Trinity River, the following courses and distances:

South 18° 16' 13" East, 182.02 feet;
 South 55° 27' 00" East, 291.00 feet;
 South 70° 53' 00" East, 329.80 feet;
 North 61° 30' 00" East, 384.40 feet;
 South 82° 34' 00" East, 444.50 feet;
 South 74° 45' 00" East, 456.10 feet;
 South 70° 48' 00" East, 553.50 feet;
 South 65° 25' 00" East, 526.40 feet;
 South 78° 36' 00" East, 234.40 feet;
 North 78° 38' 00" East, 323.00 feet;
 North 37° 29' 00" East, 378.70 feet;
 North 67° 22' 00" East, 342.00 feet;
 North 55° 27' 00" East, 327.80 feet;
 North 42° 10' 00" East, 346.10 feet;
 South 75° 17' 00" East, 304.80 feet;
 South 22° 23' 00" East, 277.10 feet;
 South 17° 48' 00" West, 376.30 feet;
 South 11° 42' 00" West, 467.20 feet;
 South 08° 04' 00" East, 177.50 feet;
 South 21° 53' 00" East, 484.70 feet;
 South 10° 05' 00" West, 486.10 feet;
 South 28° 27' 00" West, 466.90 feet;
 North 41° 21' 00" West, 592.90 feet;
 South 78° 55' 00" West, 338.80 feet;
 North 75° 48' 00" West, 361.40 feet;
 North 61° 17' 00" West, 396.60 feet;
 South 46° 07' 00" West, 180.70 feet;
 South 07° 20' 00" West, 188.90 feet;
 South 03° 17' 00" West, 273.10 feet;
 South 22° 21' 00" West, 562.00 feet;
 South 15° 02' 00" West, 258.20 feet;
 and South 17° 01' 00" East, 313.27 feet,
 to a point for the southeast corner of said Lot 2, Block A.

THENCE South 65° 57' 21" West, 391.01 feet to a 1/2-inch found iron rod at the point of curvature of a curve to the right;

THENCE with the arc of said curve having a radius of 175.00 feet, a central angle of 65° 09' 04", whose chord bears North 81° 38' 07" West, 188.44 feet, on an arc length of 198.99 feet to a 1/2-inch found iron rod;

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT WASTE MANAGEMENT OF TEXAS, INC., OWNER, THROUGH THE UNDERSIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE FINAL PLAT OF DFW RECYCLING & DISPOSAL FACILITY ADDITION, A REPLAT OF T.W.M. ADDITION PHASE ONE, AND PHASE TWO, AS RECORDED IN CABINET G, PAGE 136, AND CABINET L, PAGE 195 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, AN ADDITION TO THE CITY OF LEWISVILLE, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENT STRIPS SHOWN ON THE PLAT FOR MUTUAL USE AND ACCOMMODATION OF THE CITY OF LEWISVILLE AND ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAID, NO BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENT STRIPS ON SAID PLAT. THE CITY OF LEWISVILLE AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS OR GROWINGS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM, ON ANY OF THESE EASEMENT STRIPS, AND THE CITY OF LEWISVILLE AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. A BLANKET EASEMENT OF A THREE (3) FOOT RADIUS FROM THE CENTER POINT OF ALL FIRE HYDRANTS AND A TWO (2) FOOT RADIUS FROM THE CENTER POINT OF ALL OTHER APPURTENANCES (PNE. HYDRANT VALVES, WATER METERS, METER BOXES) IS HEREBY GRANTED TO THE CITY OF LEWISVILLE FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING AND MAINTAINING THE ABOVE NAMED APPURTENANCES.

WE DO FURTHER DEDICATE, SUBJECT TO THE EXCEPTIONS AND RESERVATIONS SET FORTH HEREINAFTER, TO THE PUBLIC USE FOREVER, ALL PUBLIC USE SPACES SHOWN ON THE FACE OF THE PLAT.

ALL LOTS IN THE SUBDIVISION SHALL BE SOLD AND DEVELOPED SUBJECT TO THE BUILDING LINES SHOWN ON THE PLAT.

STATE OF TEXAS, Denton County

WE DO FURTHER DEDICATE, SUBJECT TO THE EXCEPTIONS AND RESERVATIONS SET FORTH HEREINAFTER, TO THE PUBLIC USE FOREVER, ALL PUBLIC USE SPACES SHOWN ON THE FACE OF THE PLAT.

ALL LOTS IN THE SUBDIVISION SHALL BE SOLD AND DEVELOPED SUBJECT TO THE BUILDING LINES SHOWN ON THE PLAT.

WASTE MANAGEMENT OF TEXAS, INC.
 Corporate Officer
 W.M. President

STATE OF TEXAS
 COUNTY OF Denton

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this day personally appeared Dale Stuber, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND Seal of Office this 15th day of November, 1995.

Kelly A. Costello
 Notary Public in and for Denton County

FINAL PLAT
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 LOTS 1, 2, 3, AND 4, BLOCK A,
 415.68 ACRES
 ZONING H.I.
 BEING A REPLAT OF T.W.M. ADDITION, PHASE TWO, LOT 2, BLOCK A, AS REC. IN CAB. I, PAGE 195, AND THE T.W.M. ADDITION, PHASE ONE, LOT 1, BLK. A, AS REC. IN CAB. G, PAGE 136, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS, BEING PART OF THE J.R. WORRELL SURVEY, A-1432, HUGH HARPER SURVEY, A-605, JAMES CANTWELL SURVEY, A-290, HAYNES & BULLION SURVEY, A-626, D. COOK SURVEY, A-233, CITY OF LEWISVILLE, DENTON COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, ARTHUR DEAN HODDE, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Plotting Rules and Regulations of the City of Lewisville, Texas.

Arthur Dean Hodde
 Registered Professional Land Surveyor #1260

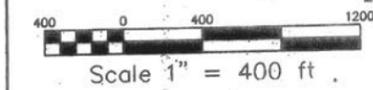
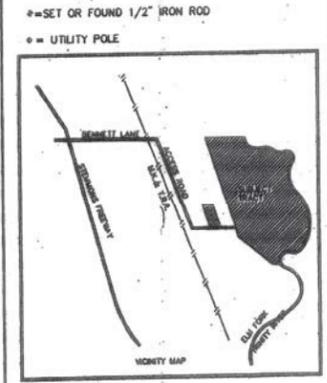
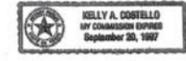
BEFORE ME, a Notary Public, the undersigned authority, a Notary Public in and for said County and State on this day personally appeared ARTHUR DEAN HODDE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND Seal of Office this 15th day of November, 1995.

Marty Hendrix
 Notary Public - State of Texas
 Comm. Expires 10-22-95



TEXAS NATIONAL SURVEYING
 P.O. BOX 233284
 LEWISVILLE, TEXAS 75029
 PH: 214-539-7676



DRAWN BY:	APPROVED BY:	REVISIONS:
DATE: Plot date: 06/09/95 at 07:02	FILE NO.:	
FILE NO.:	FILE name: D:\DEAN2\14219510	

RECORDING INFORMATION

FILED	11-17-95	
CABINET	L	PAGE 346 M.R.D.C.T.

FP1.0

F-364

JUL 13 2007

CITY OF LEWISVILLE

**SUMMARY OF ACTION
BOARD OF ADJUSTMENT
JULY 11, 2007**

**City Council Chambers
151 W. Church St.
Lewisville, Texas
6:30 P.M.**

Consideration of a request to consider the following two (2) variances for Lot 1, Block A, of the DF/W Recycling & Disposal Facility Addition. The property is zoned Heavy Industrial (HI). The request is being made by Richard A. Dormier of Freeman-Millican Inc. with authorization from Waste Management of Texas, Inc., the property owner. (Case No. BA20070702)

1. To allow an encroachment into the side yard setback along the east property line for both buildings and parking.

Request Approved

Request Not Approved

This is an accurate record of the action regarding this variance request heard at the July 11, 2007 meeting of the City of Lewisville Zoning Board of Adjustment.


 _____ Date: July 11, 2007
 James Davis
 VICE - Chairman

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

No.	DATE	REVISION	BY

D/FW RECYCLING & DISPOSAL FACILITY ADDITION
14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

APPROVED VARIANCE

FOR PERMIT



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9.27.2017

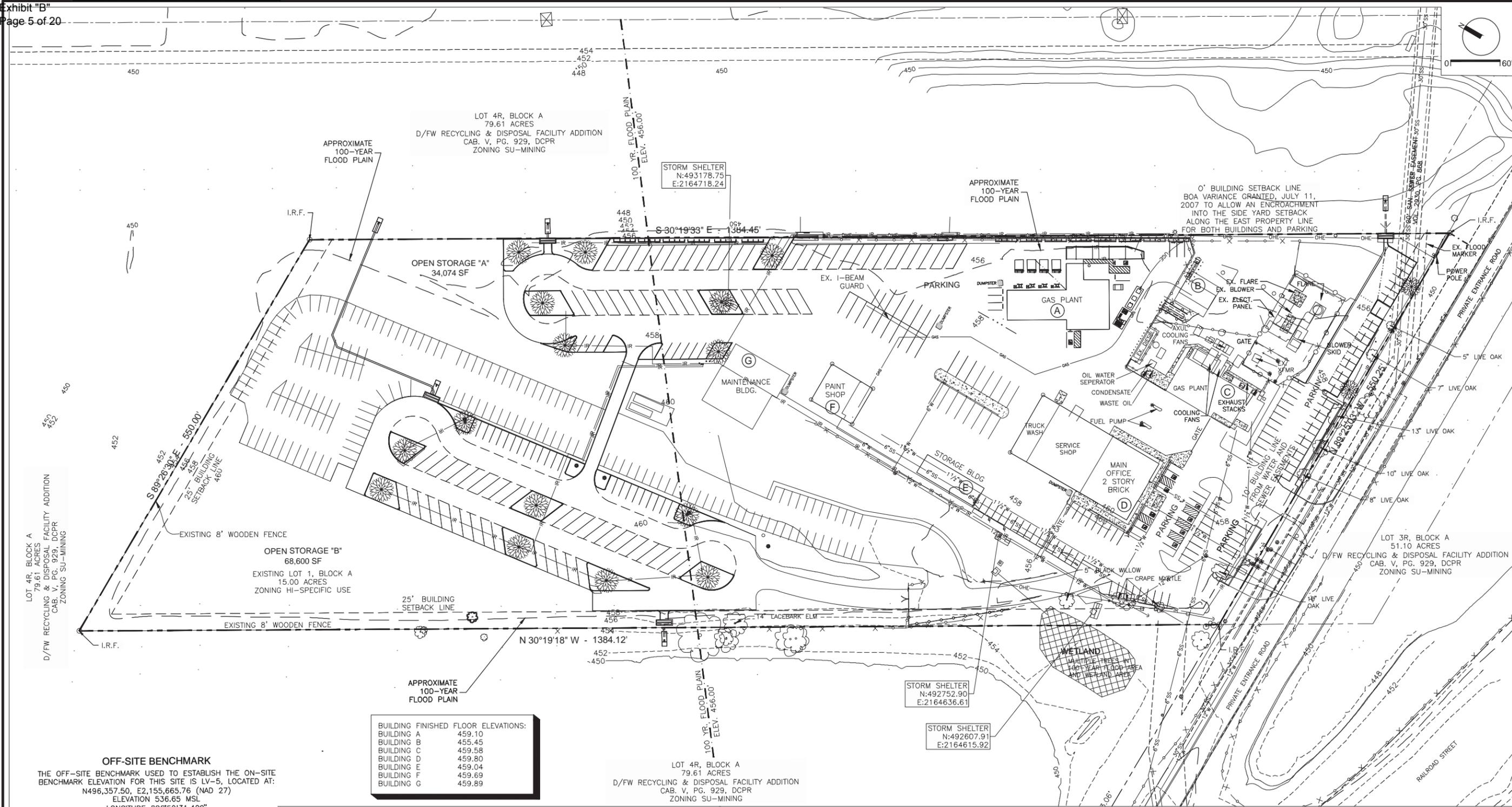
IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007
DESIGNED: FMI
DRAWN: LLK
CHECKED: RAD

SHEET
G 1.2

SHEET 4 OF 8

Freeman-Millican, Inc.
 ENGINEERS - ARCHITECTS - PLANNERS
 1310 N. ARPAUGH, SUITE 600 DALLAS, TX 75243 PH: 214.503.8205 TX REG NO: 000142827



BUILDING FINISHED FLOOR ELEVATIONS:

BUILDING A	459.10
BUILDING B	455.45
BUILDING C	459.58
BUILDING D	459.80
BUILDING E	459.04
BUILDING F	459.69
BUILDING G	459.89

OFF-SITE BENCHMARK
 THE OFF-SITE BENCHMARK USED TO ESTABLISH THE ON-SITE BENCHMARK ELEVATION FOR THIS SITE IS LV-5, LOCATED AT:
 N496,357.50, E2,155,665.76 (NAD 27)
 ELEVATION 536.65 MSL
 LONGITUDE 096°59'31.429"
 LATITUDE 33°01'48.019"

LOCAL SITE BENCHMARK
 BM-1
 N 492,244.12
 E 2,155,794.57
 BRASS CAP IN CONCRETE STAMPED
 ELEV. 454.43

SURFACE AREAS

IMPERVIOUS	PERVIOUS	TOTAL AREA
424,200 SF	229,200 SF	653,400 SF
TOTAL LOT AREA		653,400 SF

OPEN STORAGE

OPEN STORAGE "A"	34,074 SF
OPEN STORAGE "B"	68,600 SF
TOTAL	106,674 SF

FEMA PANEL NO: 48121C0565G
 DATE: APRIL 18, 2011

BUILDING SUMMARY (EXISTING)

EXISTING	AREA	REQD PARKING	PROVIDED PARKING
OFFICE	6,400 SF		
SERVICE SHOP	8,200 SF		
TRUCK WASH	2,160 SF		
GAS PLANT	11,674 SF		
STORAGE BLDG.	2,360 SF		
PAINT SHOP	3,052 SF		
MAINTENANCE BLDG.	5,795 SF		
39,641 SF @ 1 / 250		= 159 PARKING SPACES REQUIRED	303 PARKING SPACES PROVIDED

PARKING SUMMARY TABLE (EXISTING)

TOTAL BUILDING AREA	REQUIRED PARKING [GDO SEC. 6-162(a)(3)]	TOTAL PARKING (EXISTING)
39,641 S.F.	1 SPACE PER 250 BLDG S.F. = 159 CAR SPACES	303 CAR SPACES (9'x18')
	NONE	101 TRUCK SPACES (12'x30')
	8 HC SPACES	4 HC SPACES

ENGINEERING SITE PLAN FOR
 BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
 LOT 1 BLOCK A
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 TOTAL ACREAGE: 15.00
 ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES
 BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

BY	
REVISION	
NO.	
DATE	

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

EXISTING CONDITIONS

FOR PERMIT

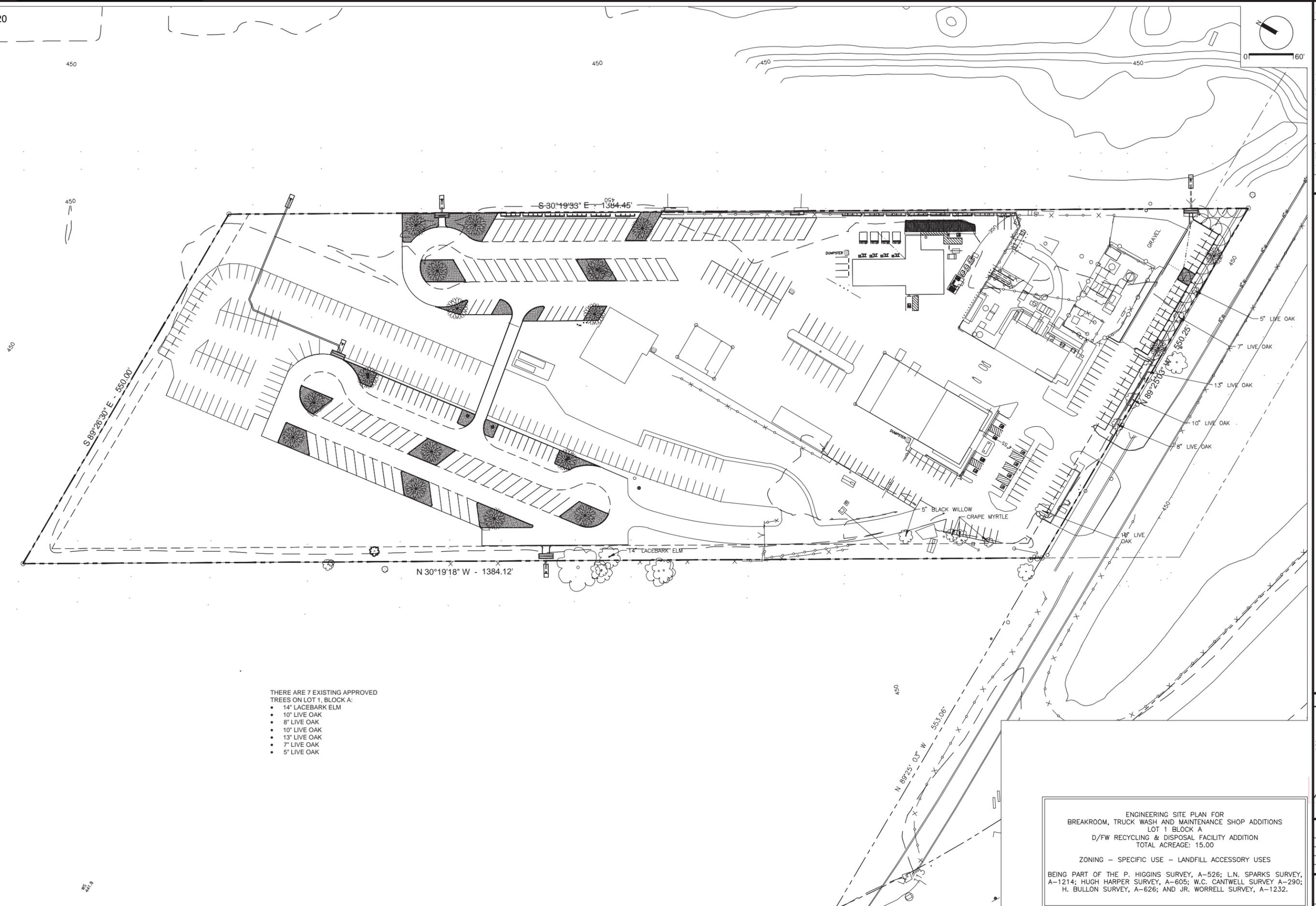
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PROJECT No. 14007
 DESIGNED: FMI
 DRAWN: LLK
 CHECKED: RAD

SHEET
G 1.3
 SHEET 5 OF 8





- THERE ARE 7 EXISTING APPROVED TREES ON LOT 1, BLOCK A:
- 14\"/>

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

No.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

D/FW RECYCLING & DISPOSAL FACILITY ADDITION

TREE SURVEY

FOR PERMIT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9.27.2017

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PROJECT No. 14007

DESIGNED: FMI

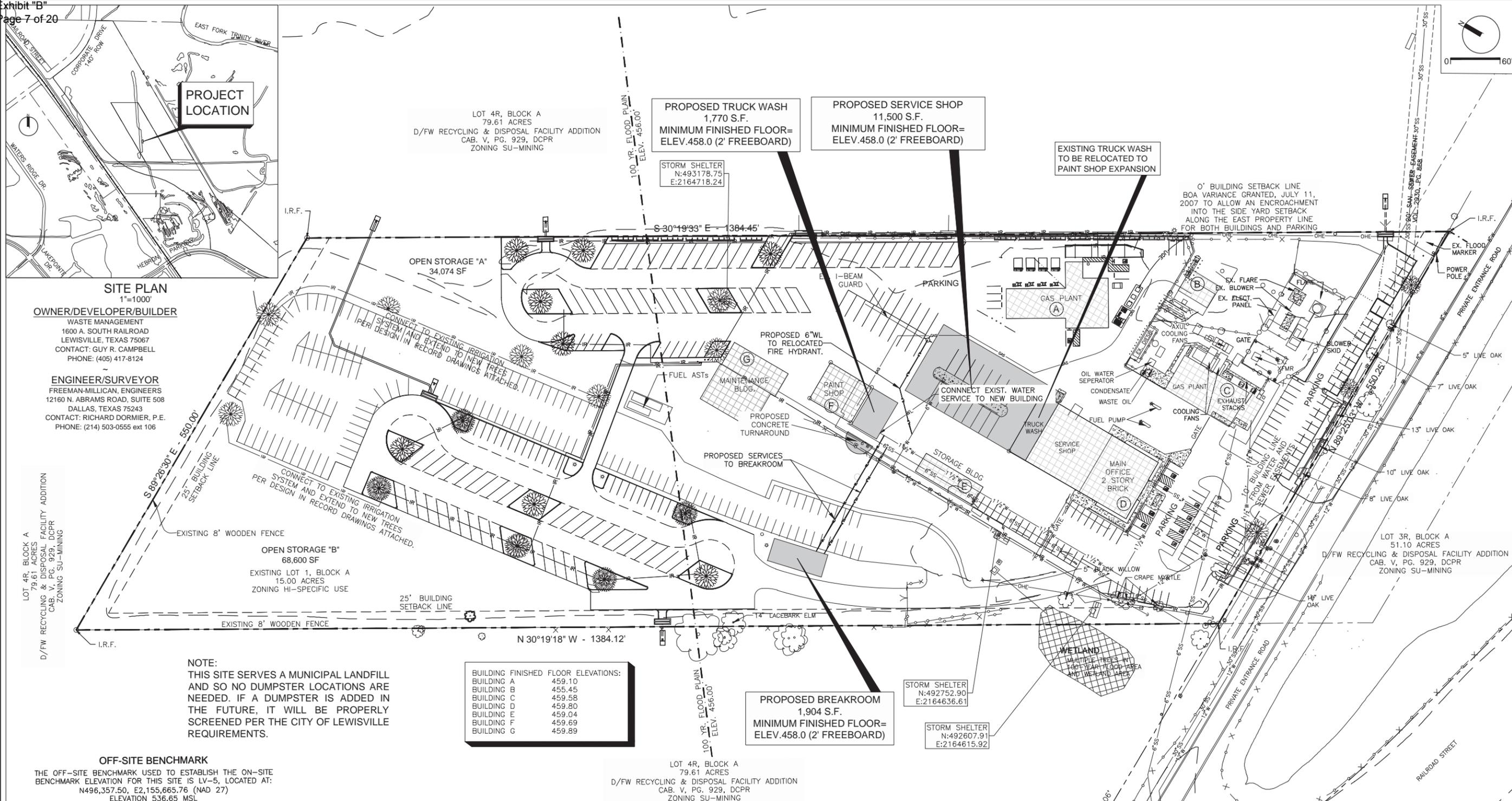
DRAWN: LLK

CHECKED: RAD

SHEET
G 1.4

SHEET 5 OF 8

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
13100 N. ARBANS RD., STE. 600 DALLAS, TX 75243 PH: 214.503.0505 TX REG. ENG. PERM 42827



SITE PLAN
1"=1000'

OWNER/DEVELOPER/BUILDER
WASTE MANAGEMENT
1600 A. SOUTH RAILROAD
LEWISVILLE, TEXAS 75067
CONTACT: GUY R. CAMPBELL
PHONE: (405) 417-8124

ENGINEER/SURVEYOR
FREEMAN-MILLICAN, ENGINEERS
12160 N. ABRAMS ROAD, SUITE 508
DALLAS, TEXAS 75243
CONTACT: RICHARD DORMIER, P.E.
PHONE: (214) 503-0555 ext 106

BUILDING FINISHED FLOOR ELEVATIONS:

BUILDING A	459.10
BUILDING B	455.45
BUILDING C	459.58
BUILDING D	459.80
BUILDING E	459.04
BUILDING F	459.69
BUILDING G	459.89

SURFACE AREAS

IMPERVIOUS	PERVIOUS	TOTAL AREA
426,104 SF	227,296 SF	653,400 SF
TOTAL LOT AREA		653,400 SF

OPEN STORAGE

OPEN STORAGE "A"	AREA
34,074 SF	34,074 SF
OPEN STORAGE "B"	68,600 SF
TOTAL	106,674 SF

BUILDING SUMMARY

EXISTING	AREA	RATIO	REQ'D
OFFICE	6,400 SF	1/200	32
SERVICE SHOP	8,200 SF	1/200	41
TRUCK WASH	2,160 SF	NA	0
GAS PLANT	11,674 SF	1/300	39
STORAGE BLDG.	2,360 SF	1/100	3
PAINT SHOP	3,052 SF	1/200	15
MAINTENANCE BLDG.	5,795 SF	1/200	30
PROPOSED SERVICE SHOP	11,500 SF	1/200	58
PROPOSED BREAKROOM	1,904 SF	1/200	10
PROPOSED TRUCK WASH	1,770 SF	NA	0
TOTAL	56,615 SF	= 228 PARKING SPACES REQUIRED	303 PARKING SPACES PROVIDED

PARKING SUMMARY TABLE (PROPOSED)

TOTAL BUILDING AREA	GDO SEC. 6-162 (a)(1)(3)(15)(28)(29)	TOTAL PARKING (PROPOSED)
56,615 S.F.	228 REQ'D	303 CAR SPACES (9'x18')
	NONE	87 TRUCK SPACES (12'x30')
	8 HC SPACES (MINIMUM 1 TO BE VAN ACCESSIBLE)	8 HC SPACES (ALL VAN ACCESSIBLE)

LEGEND:

PROPOSED IMPROVEMENTS [Solid Grey Box]

EXISTING BUILDINGS [Hatched Box]

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017
SITE PLAN

FOR PERMIT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9/27/2017

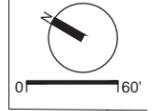
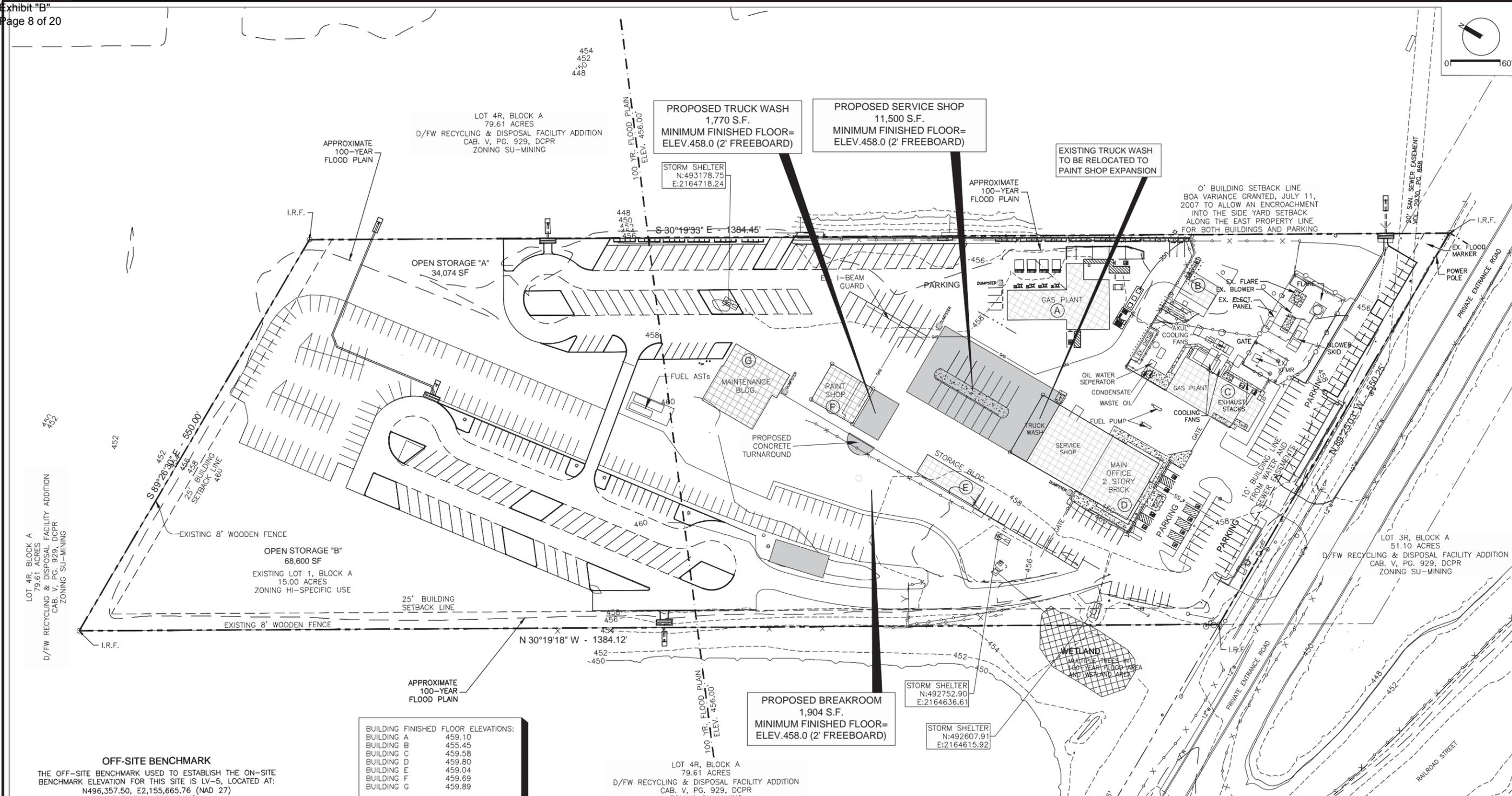
IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007

DESIGNED: FMI
DRAWN: FMI
CHECKED: FMI

SHEET **C 1.1**
SHEET 6 OF 8





PROPOSED TRUCK WASH
1,770 S.F.
MINIMUM FINISHED FLOOR=
ELEV.458.0 (2' FREEBOARD)

PROPOSED SERVICE SHOP
11,500 S.F.
MINIMUM FINISHED FLOOR=
ELEV.458.0 (2' FREEBOARD)

**EXISTING TRUCK WASH
TO BE RELOCATED TO
PAINT SHOP EXPANSION**

PROPOSED BREAKROOM
1,904 S.F.
MINIMUM FINISHED FLOOR=
ELEV.458.0 (2' FREEBOARD)

BUILDING FINISHED FLOOR ELEVATIONS:

BUILDING A	459.10
BUILDING B	455.45
BUILDING C	459.58
BUILDING D	459.80
BUILDING E	459.04
BUILDING F	459.69
BUILDING G	459.89

OFF-SITE BENCHMARK
THE OFF-SITE BENCHMARK USED TO ESTABLISH THE ON-SITE BENCHMARK ELEVATION FOR THIS SITE IS LV-5, LOCATED AT:
N496,357.50, E2,155,665.76 (NAD 27)
ELEVATION 536.65 MSL
LONGITUDE 096°59'31.429"
LATITUDE 33°01'48.019"

LOCAL SITE BENCHMARK
BM-1
N 492,244.12
E 2,155,794.57
BRASS CAP IN CONCRETE STAMPED
ELEV. 454.43

FEMA PANEL NO: 48121C0565G
DATE: APRIL 18, 2011

LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

LOT 3R, BLOCK A
51.10 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING



**ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00**

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NOTE:
THE AGGREGATE TOTAL OF ALL EXTERIOR WALLS (EXCLUDING DOORS, WINDOWS AND GLASS) SHALL CONSIST OF A MIN 80% MASONRY VENEER GDO SEC 6-181(D)

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017
GRADING PLAN

FOR PERMIT

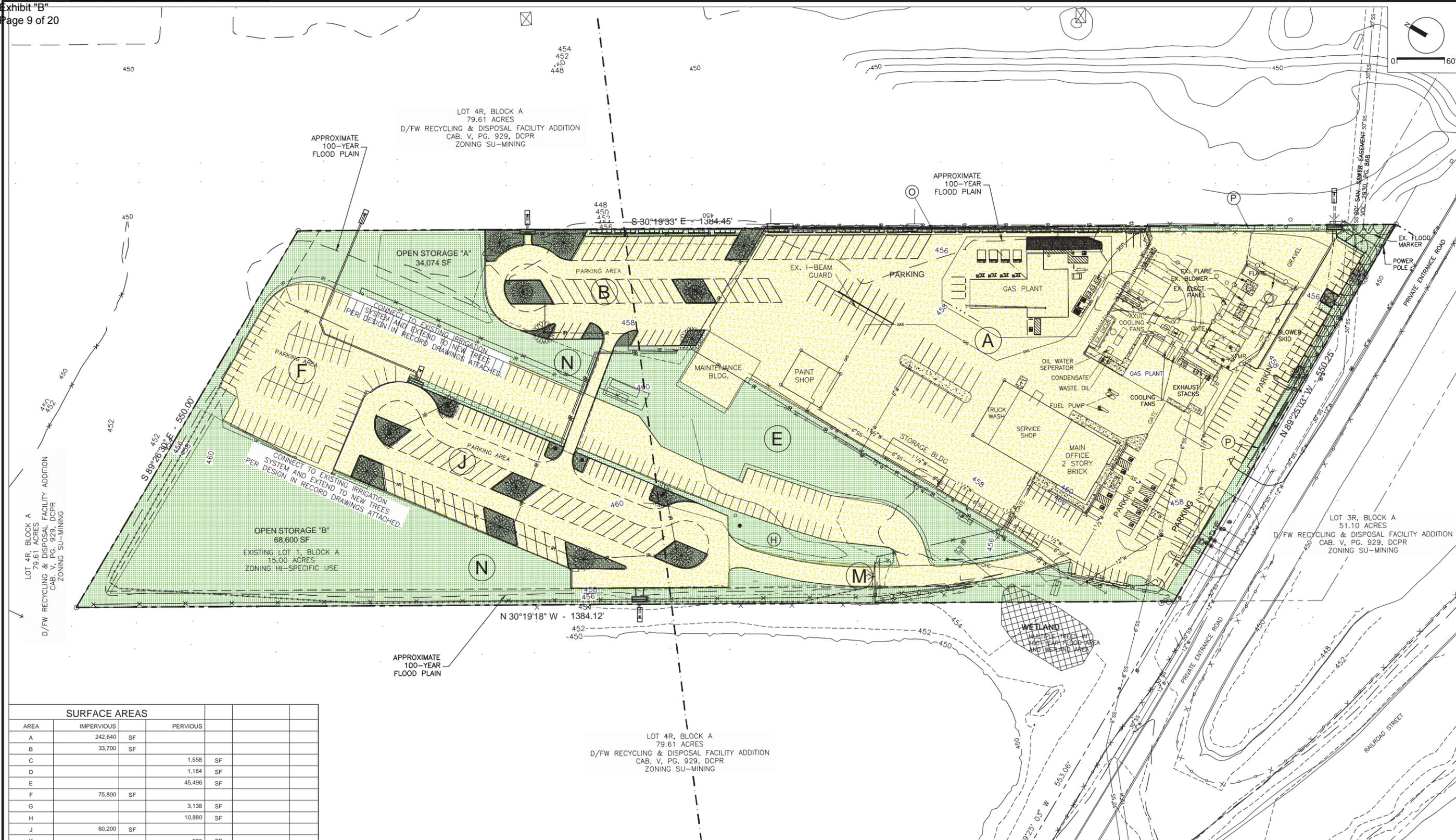
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PROJECT No. 14007
DESIGNED: FMI
DRAWN: FMI
CHECKED: FMI

SHEET
C 1.2
SHEET 6 OF 8

Freeman-Millican, Inc.
ENGINEERS - ARCHITECTS - PLANNERS
13100 N. ARPAHANS RD., STE. 600 DALLAS, TX 75243 PH: 714.503.0505 TX REG NO. 00012827



SURFACE AREAS				
AREA	IMPERVIOUS		PERVIOUS	
A	242,640	SF		
B	33,700	SF		
C			1,558	SF
D			1,164	SF
E			45,496	SF
F	75,800	SF		
G			3,138	SF
H			10,880	SF
J	60,200	SF		
K			958	SF
L			1,251	SF
M	10,510	SF		
N			143,628	SF
O			10,151	SF
P			12,326	SF
TOTALS	422,850	SF	230,550	SF
AREA OF LOT			653,400	SF

ENGINEERING SITE PLAN FOR
 BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
 LOT 1 BLOCK A
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

D/FW RECYCLING & DISPOSAL FACILITY ADDITION

PERVIOUS AND IMPERVIOUS AREAS

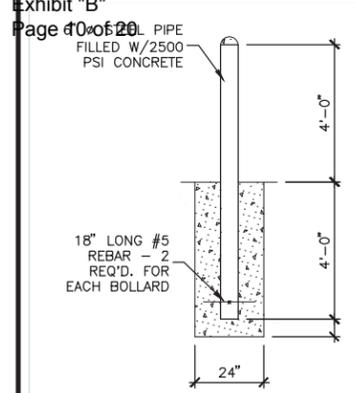
FOR PERMIT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9/27/2017

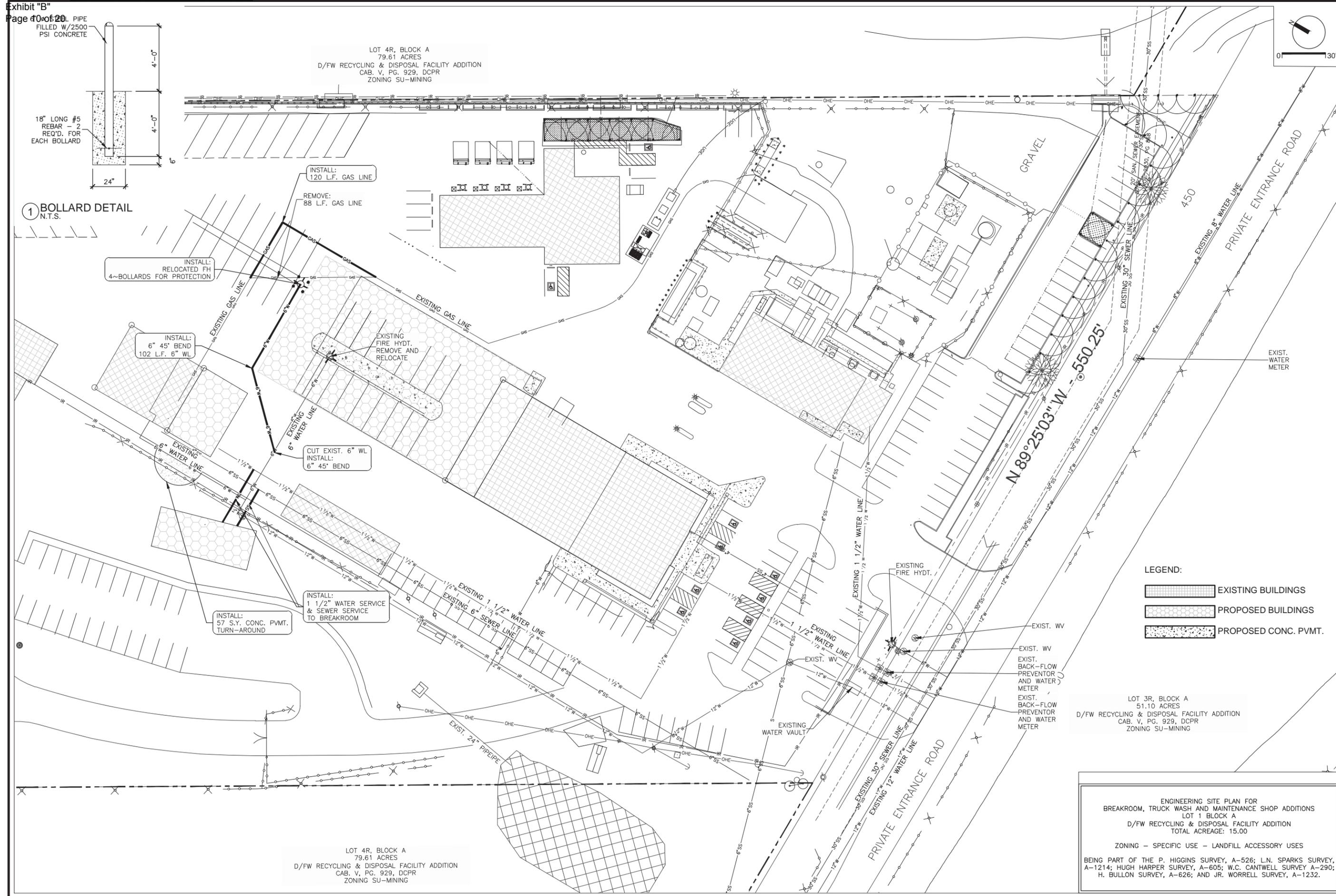
IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007
 DESIGNED: FMI
 DRAWN: LLK
 CHECKED: RAD

SHEET
C 1.3
 SHEET 0 OF 0



1 BOLLARD DETAIL
N.T.S.



LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

- LEGEND:
- EXISTING BUILDINGS
 - PROPOSED BUILDINGS
 - PROPOSED CONC. PVMT.

LOT 3R, BLOCK A
51.10 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY,
A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290;
H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

D/FW RECYCLING & DISPOSAL FACILITY ADDITION

PROPOSED UTILITY PLAN

FOR PERMIT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9.27.2017

IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007

DESIGNED: FMI

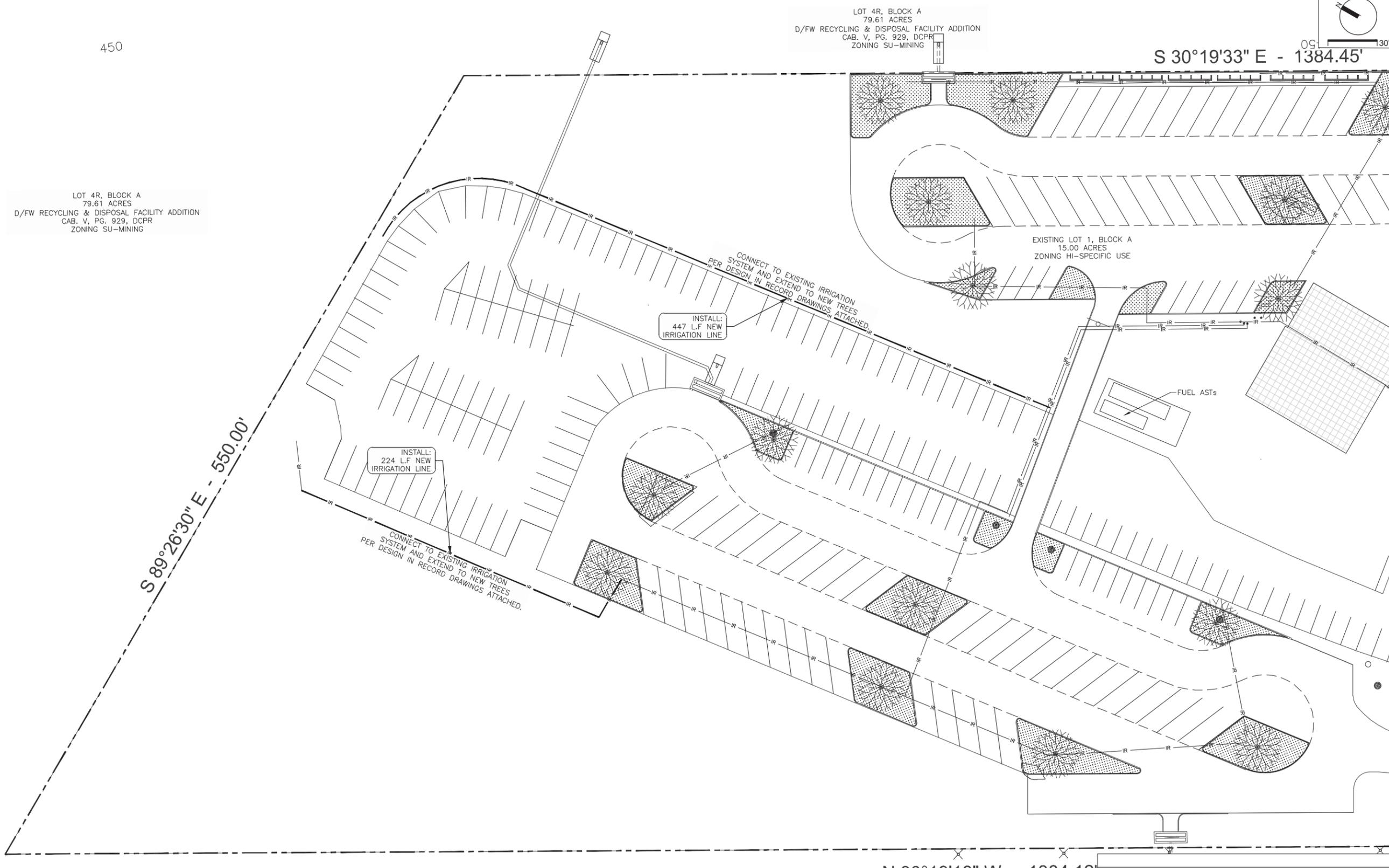
DRAWN: LLK

CHECKED: RAD

SHEET C 1.4

SHEET 9 OF 9

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
13100 N. ARPAJITO, SUITE 600 DALLAS, TX 75243 PH: 714.503.8505 TX REG. NO. 000142827



LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

EXISTING LOT 1, BLOCK A
15.00 ACRES
ZONING HI-SPECIFIC USE

S 89°26'30" E - 550.00'

S 30°19'33" E - 1384.45'

CONNECT TO EXISTING IRRIGATION SYSTEM AND EXTEND TO NEW TREES PER DESIGN IN RECORD DRAWINGS ATTACHED.

INSTALL: 447 L.F. NEW IRRIGATION LINE

INSTALL: 224 L.F. NEW IRRIGATION LINE

FUEL ASTs

N 30°19'18" W - 1384.12'

LOT 4R, BLOCK A
79.61 ACRES
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
CAB. V. PG. 929, DCPR
ZONING SU-MINING

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00
ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES
BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

No.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

D/FW RECYCLING & DISPOSAL FACILITY ADDITION

PROPOSED UTILITY PLAN

FOR PERMIT

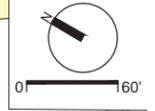
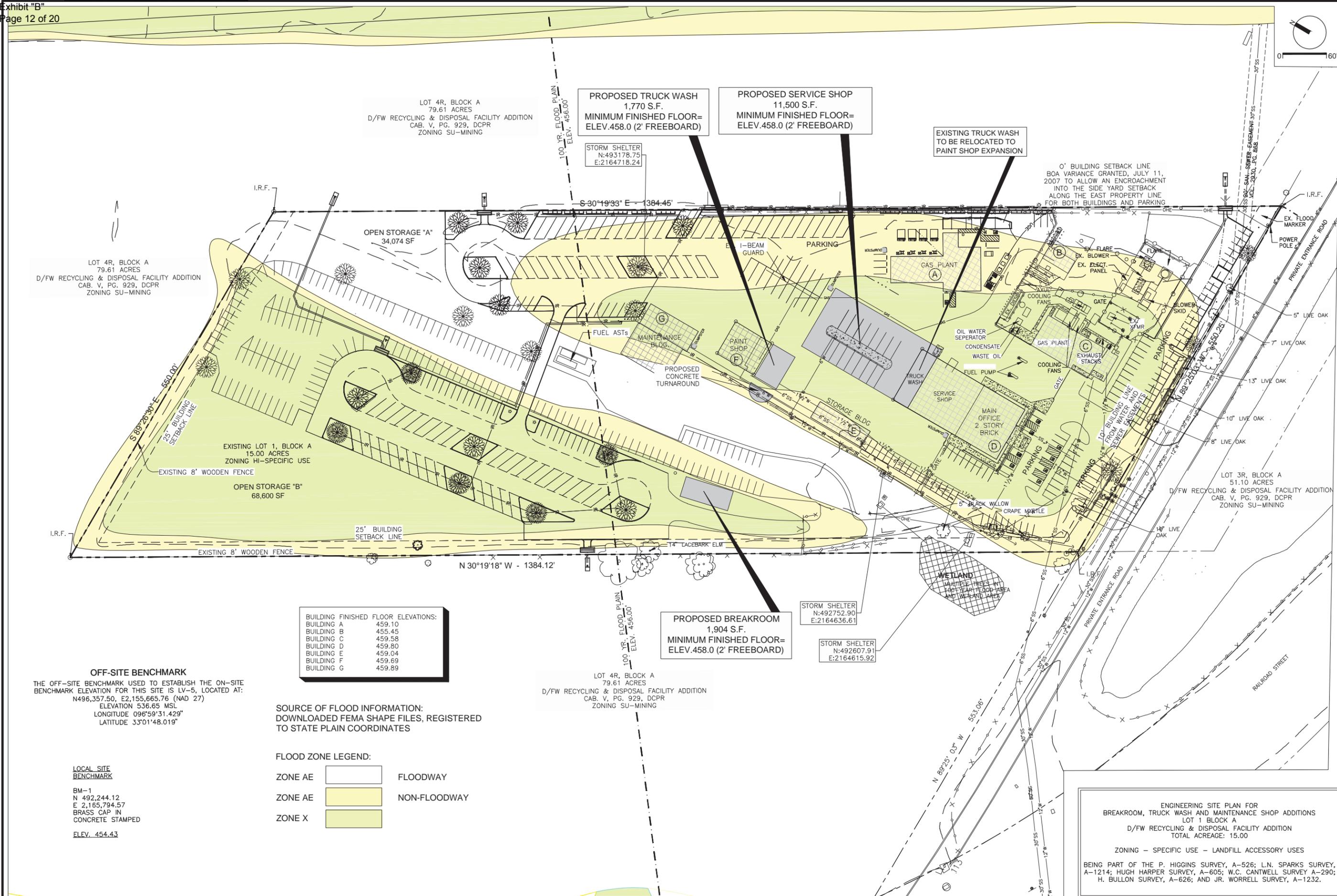
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IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007
DESIGNED: FMI
DRAWN: LLK
CHECKED: RAD

SHEET
C 1.5
SHEET 9 OF 9

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
1200 N. HARRIS RD., STE. 506 DALLAS, TX 75203 PH 214.620.9505 TX REG ENG PRN 02827



BUILDING FINISHED FLOOR ELEVATIONS:	
BUILDING A	459.10
BUILDING B	455.45
BUILDING C	459.58
BUILDING D	459.80
BUILDING E	459.04
BUILDING F	459.69
BUILDING G	459.89

OFF-SITE BENCHMARK
 THE OFF-SITE BENCHMARK USED TO ESTABLISH THE ON-SITE BENCHMARK ELEVATION FOR THIS SITE IS LV-5, LOCATED AT:
 N496,357.50, E2,155,665.76 (NAD 27)
 ELEVATION 536.65 MSL
 LONGITUDE 096°59'31.429"
 LATITUDE 33°01'48.019"

SOURCE OF FLOOD INFORMATION:
 DOWNLOADED FEMA SHAPE FILES, REGISTERED TO STATE PLAIN COORDINATES

FLOOD ZONE LEGEND:

ZONE AE		FLOODWAY
ZONE AE		NON-FLOODWAY
ZONE X		

LOCAL SITE BENCHMARK
 BM-1
 N 492,244.12
 E 2,155,794.57
 BRASS CAP IN CONCRETE STAMPED
 ELEV. 454.43

ENGINEERING SITE PLAN FOR
 BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
 LOT 1 BLOCK A
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 TOTAL ACREAGE: 15.00
 ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES
 BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 FLOOD ZONE MAP
 FREEMAN-MULLICAN, INC.
 ENGINEERS - ARCHITECTS - PLANNERS
 1310 N. ARPAISO, SUITE 600 DALLAS, TX 75243 PH: 714.503.0505 TX REG NO. 16812

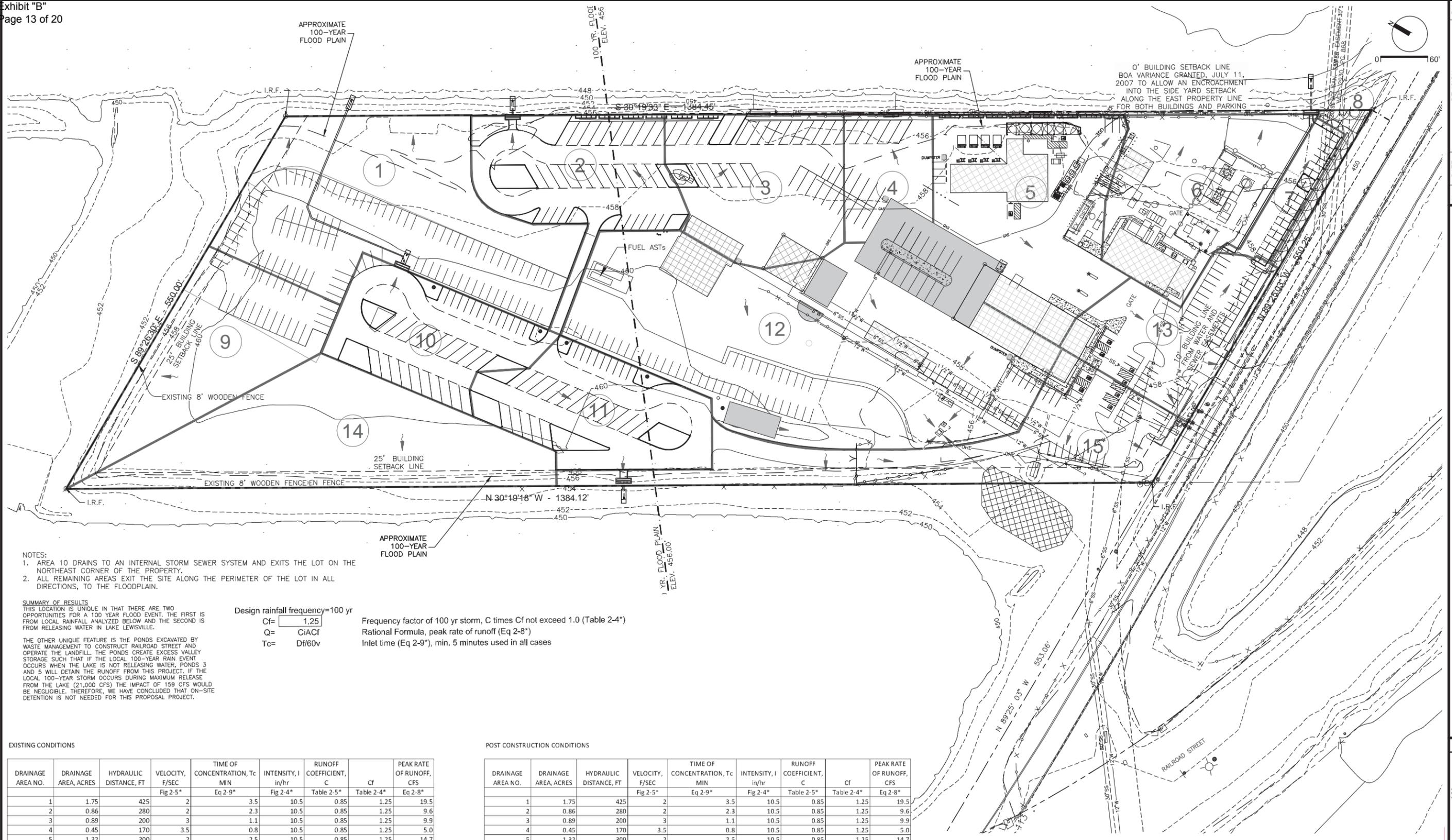
FOR PERMIT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 9.27.2017

IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 14007
 DESIGNED: FMI
 DRAWN: FMI
 CHECKED: FMI

SHEET
C 1.6
 SHEET 6 OF 8



- NOTES:
1. AREA 10 DRAINS TO AN INTERNAL STORM SEWER SYSTEM AND EXITS THE LOT ON THE NORTHEAST CORNER OF THE PROPERTY.
 2. ALL REMAINING AREAS EXIT THE SITE ALONG THE PERIMETER OF THE LOT IN ALL DIRECTIONS, TO THE FLOODPLAIN.

SUMMARY OF RESULTS
 THIS LOCATION IS UNIQUE IN THAT THERE ARE TWO OPPORTUNITIES FOR A 100 YEAR FLOOD EVENT. THE FIRST IS FROM LOCAL RAINFALL ANALYZED BELOW AND THE SECOND IS FROM RELEASING WATER IN LAKE LEWISVILLE.
 THE OTHER UNIQUE FEATURE IS THE PONDS EXCAVATED BY WASTE MANAGEMENT TO CONSTRUCT RAILROAD STREET AND OPERATE THE LANDFILL. THE PONDS CREATE EXCESS VALLEY STORAGE SUCH THAT IF THE LOCAL 100-YEAR RAIN EVENT OCCURS WHEN THE LAKE IS NOT RELEASING WATER, PONDS 3 AND 5 WILL DETAIN THE RUNOFF FROM THIS PROJECT. IF THE LOCAL 100-YEAR STORM OCCURS DURING MAXIMUM RELEASE FROM THE LAKE (21,000 CFS) THE IMPACT OF 150 CFS WOULD BE NEGLIGIBLE. THEREFORE, WE HAVE CONCLUDED THAT ON-SITE DETENTION IS NOT NEEDED FOR THIS PROPOSAL PROJECT.

Design rainfall frequency=100 yr
 $C_f = 1.25$
 $Q = CiACf$
 $T_c = Df/60v$
 Frequency factor of 100 yr storm, C times C_f not exceed 1.0 (Table 2-4*)
 Rational Formula, peak rate of runoff (Eq 2-8*)
 Inlet time (Eq 2-9*), min. 5 minutes used in all cases

EXISTING CONDITIONS

DRAINAGE AREA NO.	DRAINAGE AREA, ACRES	HYDRAULIC DISTANCE, FT	VELOCITY, F/SEC	TIME OF CONCENTRATION, Tc MIN	INTENSITY, I in/hr	RUNOFF COEFFICIENT, C	Cf	PEAK RATE OF RUNOFF, CFS
			Fig 2-5*	Eq 2-9*	Fig 2-4*	Table 2-5*	Table 2-4*	Eq 2-8*
1	1.75	425	2	3.5	10.5	0.85	1.25	19.5
2	0.86	280	2	2.3	10.5	0.85	1.25	9.6
3	0.89	200	3	1.1	10.5	0.85	1.25	9.9
4	0.45	170	3.5	0.8	10.5	0.85	1.25	5.0
5	1.32	300	2	2.5	10.5	0.85	1.25	14.7
6	0.97	250	2	2.1	10.5	0.85	1.25	10.8
7	0.19	40	3.3	0.2	10.5	0.85	1.25	2.1
8	0.09	15	2.5	0.1	10.5	0.85	1.25	1.0
9	0.93	190	2.4	1.3	10.5	0.75	1.25	9.2
10	0.73	200	1.5	2.2	10.5	0.85	1.25	8.1
11	0.81	200	2	1.7	10.5	0.85	1.25	9.0
12	2.8	560	1.6	5.8	10.5	0.75	1.25	27.6
13	0.7	190	1.9	1.7	10.5	0.85	1.25	7.8
14	1.38	160	2.1	1.3	10.5	0.65	1.25	11.8
15	1.13	170	3.5	0.8	10.5	0.85	1.25	12.6
Total	15							158.8

POST CONSTRUCTION CONDITIONS

DRAINAGE AREA NO.	DRAINAGE AREA, ACRES	HYDRAULIC DISTANCE, FT	VELOCITY, F/SEC	TIME OF CONCENTRATION, Tc MIN	INTENSITY, I in/hr	RUNOFF COEFFICIENT, C	Cf	PEAK RATE OF RUNOFF, CFS
			Fig 2-5*	Eq 2-9*	Fig 2-4*	Table 2-5*	Table 2-4*	Eq 2-8*
1	1.75	425	2	3.5	10.5	0.85	1.25	19.5
2	0.86	280	2	2.3	10.5	0.85	1.25	9.6
3	0.89	200	3	1.1	10.5	0.85	1.25	9.9
4	0.45	170	3.5	0.8	10.5	0.85	1.25	5.0
5	1.32	300	2	2.5	10.5	0.85	1.25	14.7
6	0.97	250	2	2.1	10.5	0.85	1.25	10.8
7	0.19	40	3.3	0.2	10.5	0.85	1.25	2.1
8	0.09	15	2.5	0.1	10.5	0.85	1.25	1.0
9	0.93	190	2.4	1.3	10.5	0.75	1.25	9.2
10	0.73	200	1.5	2.2	10.5	0.85	1.25	8.1
11	0.81	200	2	1.7	10.5	0.85	1.25	9.0
12	2.8	560	1.6	5.8	10.5	0.75	1.25	27.6
13	0.7	190	1.9	1.7	10.5	0.85	1.25	7.8
14	1.38	160	2.1	1.3	10.5	0.65	1.25	11.8
15	1.13	170	3.5	0.8	10.5	0.85	1.25	12.6
Total	15							158.8

* Lewisville Drainage Criteria Manual, April 1988

ENGINEERING SITE PLAN FOR
 BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
 LOT 1 BLOCK A
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 TOTAL ACREAGE: 15.00
 ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES
 BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017
 D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 DRAINAGE AREA MAP

FOR PERMIT

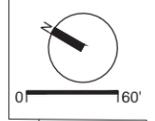
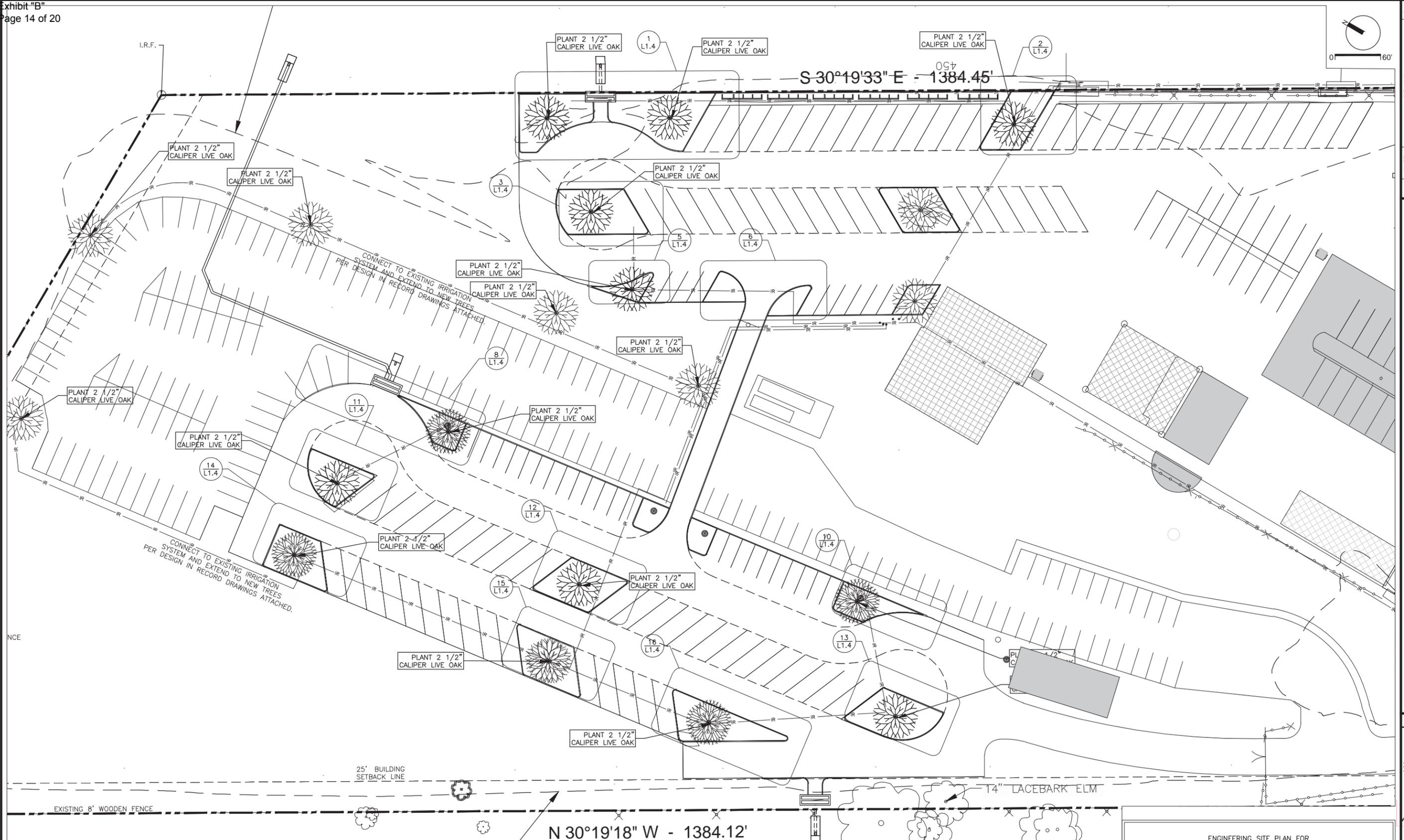
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PROJECT No. 14007
 DESIGNED: FMI
 DRAWN: FMI
 CHECKED: FMI

SHEET
D 1.1
 SHEET 8 OF 8

Freeman-Millican, Inc.
 ENGINEERS - ARCHITECTS - PLANNERS
 1310 N. ARPAHO, SUITE 600 DALLAS, TX 75243 PH: 214.503.8505 TX REG. NO. 00142827



LANDSCAPE SUMMARY TABLE

TOTAL BUILDING AREA	TOTAL PARKING AREA [GDO SEC. 6-123(f)]	PARKING PROVIDED	INTERIOR LANDSCAPING AREA [GDO SEC. 6-123(d)]
50,820 S.F.	277,195 S.F.	303	27,720 S.F. (10% OF PARKING AREA) ONE SHADE TREE PER EACH 15 PARKING SPACES = 20 TREES

TREE SUMMARY TABLE

LOCATION	NUMBER OF PLANTS	SIZE	PLANT NAME
SOUTHEAST PARKING	2	2 1/2" CALIPER	LIVE OAK
NORTHEAST PARKING	5	2 1/2" CALIPER	LIVE OAK
NORTHWEST PARKING	13	2 1/2" CALIPER	LIVE OAK

NOTE:
OTHER LEWISVILLE APPROVED TREES
MAYBE SUBSTITUTED IF LIVE OAK TREES ARE
NOT AVAILABLE

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY,
A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290;
H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

BY: _____
REVISION: _____
DATE: _____
No. _____

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
13100 N. ARMBURG BL., STE. 600 DALLAS, TX 75243 PH: 214.503.0505 TX REG. NO. 00012827

D/FW RECYCLING & DISPOSAL FACILITY ADDITION
14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017

LANDSCAPE PLAN ~ NORTH

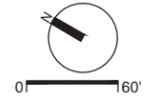
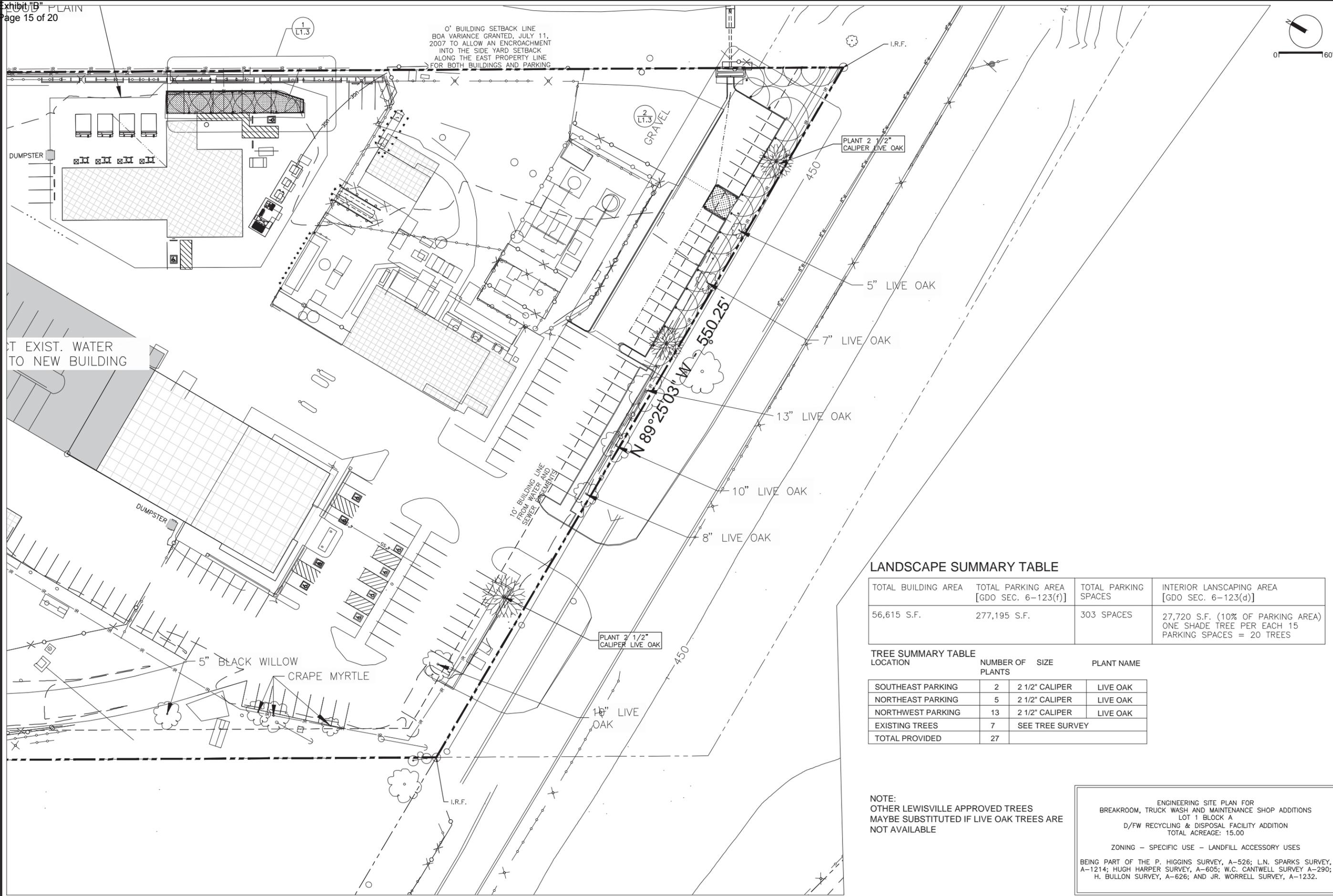
FOR PERMIT

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PROJECT No. 14007
DESIGNED: FMI
DRAWN: LLK
CHECKED: RAD

SHEET
L 1.1
SHEET 5 OF 8



LANDSCAPE SUMMARY TABLE

TOTAL BUILDING AREA	TOTAL PARKING AREA [GDO SEC. 6-123(f)]	TOTAL PARKING SPACES	INTERIOR LANDSCAPING AREA [GDO SEC. 6-123(d)]
56,615 S.F.	277,195 S.F.	303 SPACES	27,720 S.F. (10% OF PARKING AREA) ONE SHADE TREE PER EACH 15 PARKING SPACES = 20 TREES

TREE SUMMARY TABLE

LOCATION	NUMBER OF PLANTS	SIZE	PLANT NAME
SOUTHEAST PARKING	2	2 1/2" CALIPER	LIVE OAK
NORTHEAST PARKING	5	2 1/2" CALIPER	LIVE OAK
NORTHWEST PARKING	13	2 1/2" CALIPER	LIVE OAK
EXISTING TREES	7	SEE TREE SURVEY	
TOTAL PROVIDED	27		

NOTE:
OTHER LEWISVILLE APPROVED TREES
MAYBE SUBSTITUTED IF LIVE OAK TREES ARE
NOT AVAILABLE

ENGINEERING SITE PLAN FOR
BREAKROOM, TRUCK WASH AND MAINTENANCE SHOP ADDITIONS
LOT 1 BLOCK A
D/FW RECYCLING & DISPOSAL FACILITY ADDITION
TOTAL ACREAGE: 15.00

ZONING - SPECIFIC USE - LANDFILL ACCESSORY USES

BEING PART OF THE P. HIGGINS SURVEY, A-526; L.N. SPARKS SURVEY, A-1214; HUGH HARPER SURVEY, A-605; W.C. CANTWELL SURVEY A-290; H. BULLON SURVEY, A-626; AND JR. WORRELL SURVEY, A-1232.

NO.	DATE	REVISION	BY

D/FW RECYCLING & DISPOSAL FACILITY ADDITION
 14007 - WASTE MANAGEMENT - ENGINEERING SITE PLAN - FOR PERMIT - JUNE - 2017
LANDSCAPE PLAN SOUTH

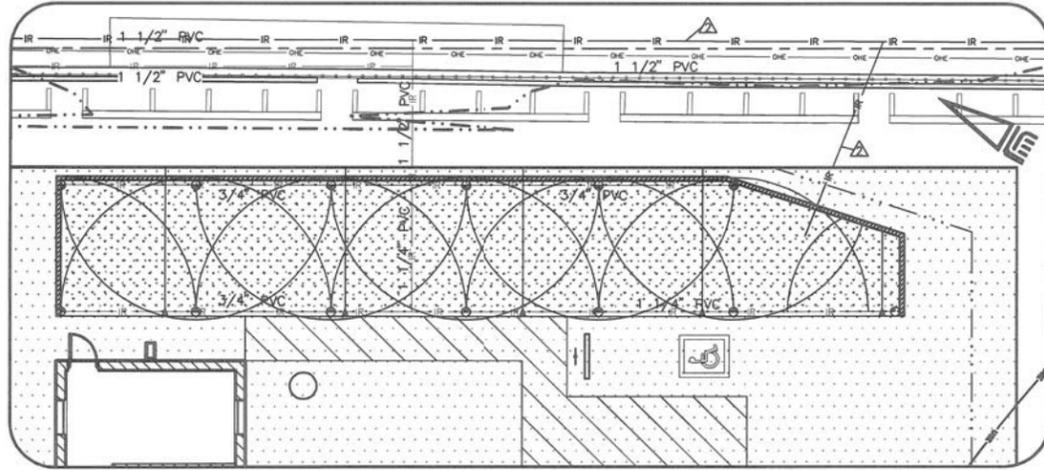
FOR PERMIT

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PROJECT No. 14007
DESIGNED: FMI
DRAWN: LLK
CHECKED: RAD

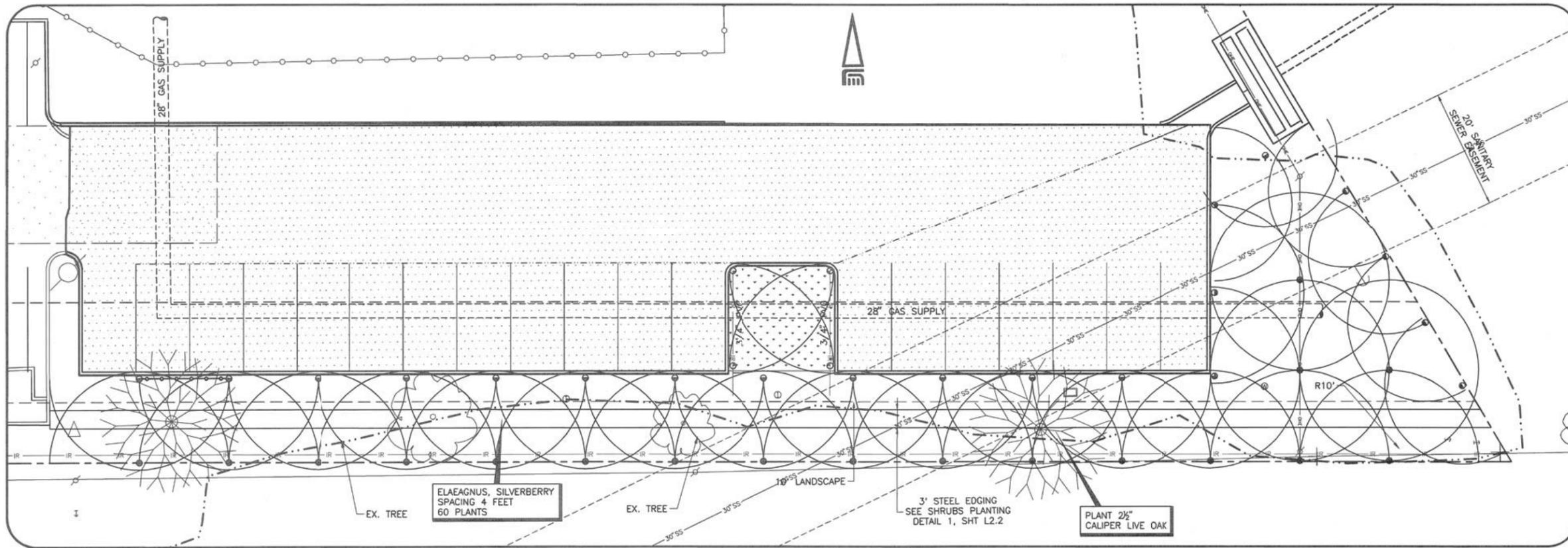
SHEET
L 1.2
SHEET 5 OF 8



① IRRIGATION DETAIL
1"=10'

IRRIGATION LEGEND

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
⊙	10	HUNTER SPRINKER	5500	5520-18	30	2.9	180	15
⊙	2	HUNTER SPRINKER	5500	5520-09	30	1.5	90	15



② IRRIGATION DETAIL
1"=10'

IRRIGATION LEGEND

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
⊙	34	HUNTER SPRINKER	5500	5520-18	30	2.9	180	15
⊙	3	HUNTER SPRINKER	5500	5520-36	30	5.0	180	15

IRRIGATION NOTE:
ALTERNATE DESIGNS BY A LICENSED PROFESSIONAL MEETING THE CITY OF LEWISVILLE REQUIREMENTS MAY BE CONSIDERED. IF SUCH DESIGN IS APPROVED, IT MUST BE INCLUDED WITH THE CONTRACTOR MARKUPS FOR THE RECORD DRAWINGS.

RECORD DOCUMENTS
THESE RECORD DOCUMENTS HAVE BEEN PREPARED BASED ON INFORMATION PROVIDED BY OTHERS. FREEMAN-MILLICAN, INC. HAS NOT VERIFIED THE ACCURACY AND/OR COMPLETENESS OF THIS INFORMATION, UNLESS OTHERWISE NOTED ON THESE DOCUMENTS. FREEMAN-MILLICAN, INC. SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE INCORPORATED AS A RESULT OF ERRONEOUS INFORMATION PROVIDED BY OTHERS.

FREEMAN-MILLICAN, INC.

By: *Rad*
DATE: 10/5/09

ENGINEERING SITE PLAN FOR PARKING IMPROVEMENTS AND GAS RECOVERY PLANT EXPANSION DFW RECYCLING & DISPOSAL FACILITY ADDITION LOT 1, BLOCK A 15.00 ACRES ZONING HI-SPECIFIC USE

NO.	DATE	REVISION	BY
1	7/3/08	ADDRESS CITY'S COMMENTS	FMI
2	7/18/09	RECORD DRAWINGS	FMI

WASTE MANAGEMENT
DFW FACILITY - PARKING IMPROVEMENTS ENGINEERING SITE PLAN
IRRIGATION PLAN - DETAILS
SOUTH

RECORD DRAWINGS

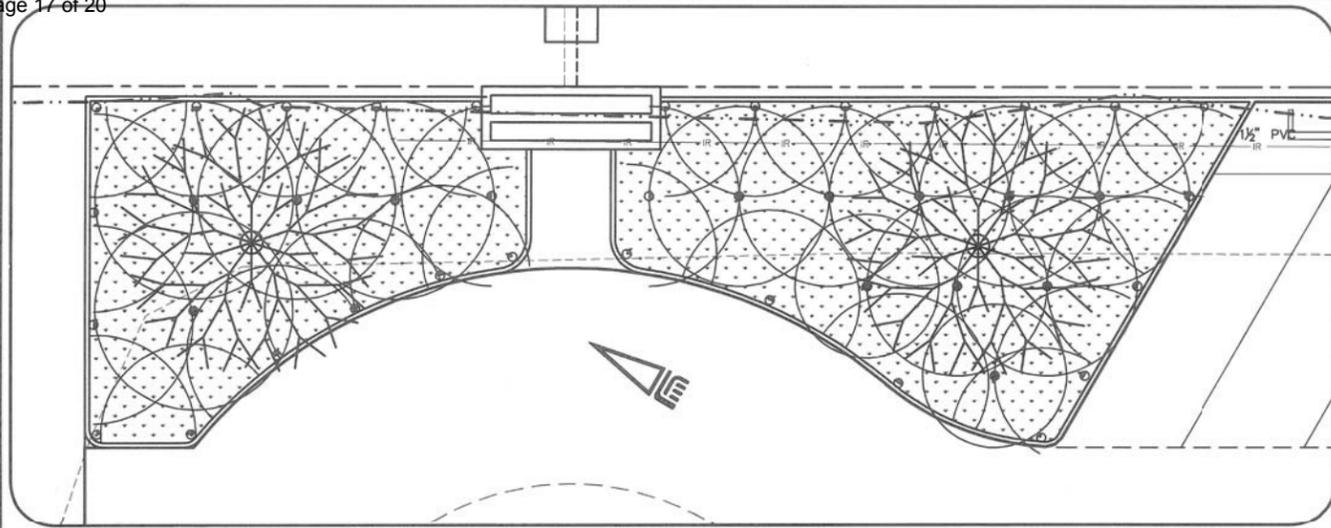


SCALE: 1"=10'

IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

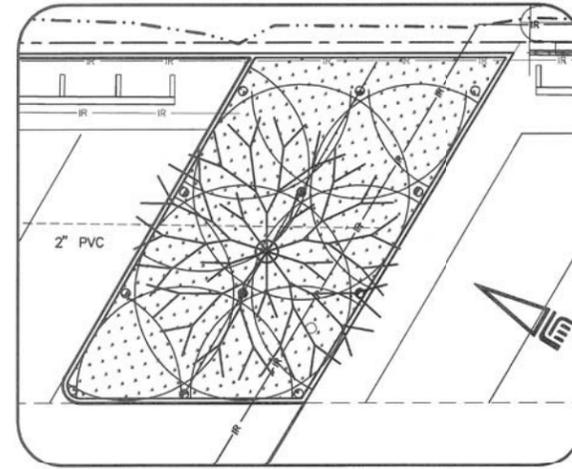
PROJECT No. 06139
DATE: OCT. 2009
DESIGNED: FMI
DRAWN: FMI
CHECKED: RAD
SHEET
L1.3
TOTAL SHEETS: 37

FREEMAN-MILLICAN, INC.
ENGINEERS - ARCHITECTS - PLANNERS
1222 GREENVILLE AVE. SUITE 121 DALLAS, TX 75242 PH: 214.343.6866 TX ENG 000100000000000000



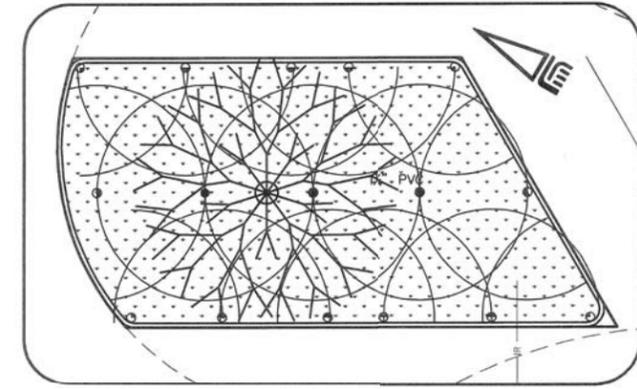
① IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 13	HUNTER SPRINKER	5500	5512-36	30	2.1	360	10
● 21	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
● 8	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



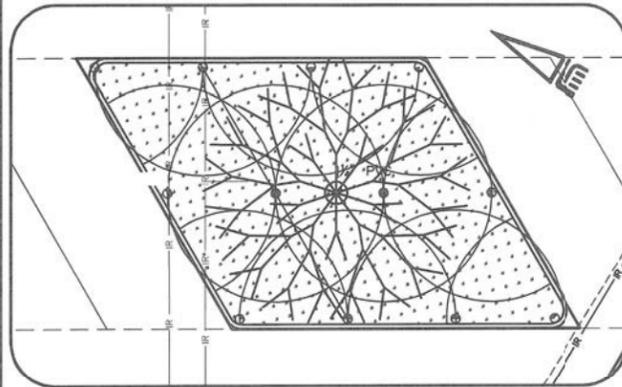
② IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 2	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
● 6	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
● 4	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



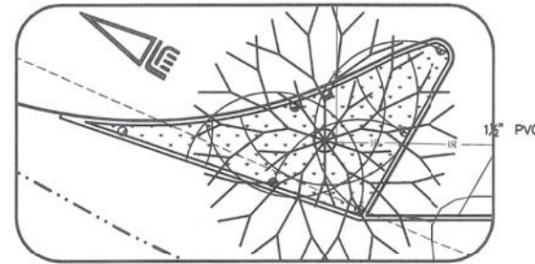
③ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 3	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
● 9	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
● 4	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



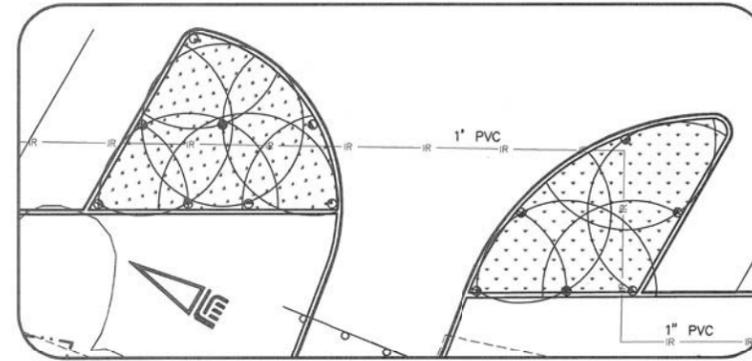
④ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 2	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
● 6	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
● 4	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



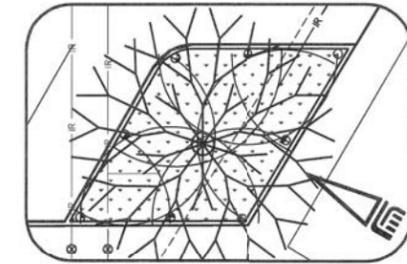
⑤ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 4	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
● 3	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



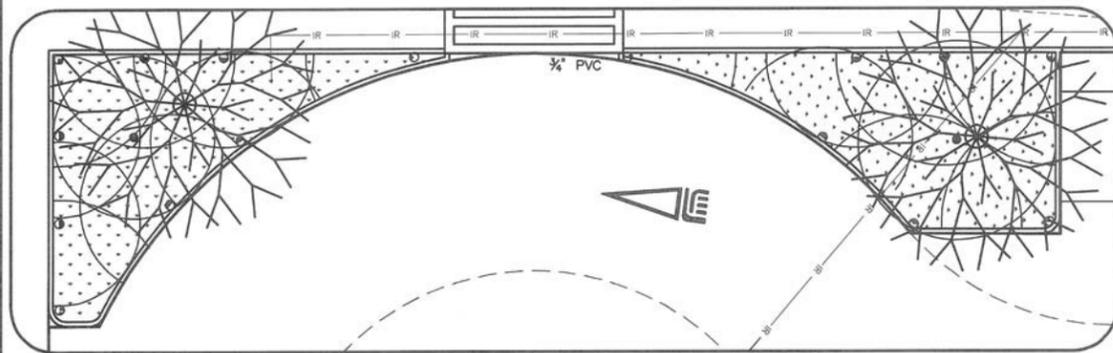
⑥ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 1	HUNTER SPRINKER	5500	5512-36	30	2.1	360	10
● 8	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
● 5	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



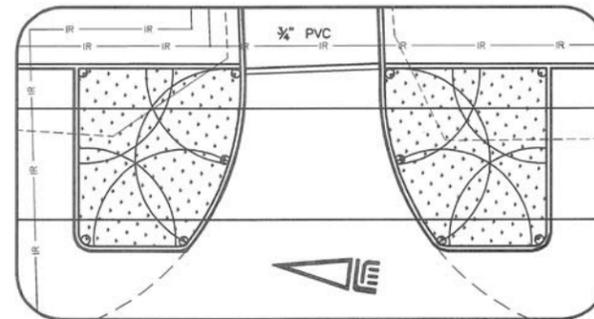
⑦ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 4	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
● 4	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



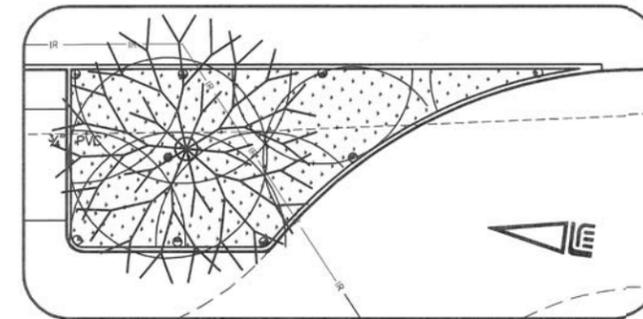
⑧ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 2	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
● 9	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
● 7	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



⑨ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 2	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
● 6	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



⑩ IRRIGATION DETAIL
1"=10'

SYMBOL NUMBER	DISCRPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
● 3	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
● 3	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12

IRRIGATION NOTE:
ALTERNATE DESIGNS BY A LICENSED PROFESSIONAL MEETING THE CITY OF LEWISVILLE REQUIREMENTS MAY BE CONSIDERED. IF SUCH DESIGN IS APPROVED, IT MUST BE INCLUDED WITH THE CONTRACTOR MARKUPS FOR THE RECORD DRAWINGS.

WASTE MANAGEMENT
 PARKING IMPROVEMENTS ENGINEERING SITE PLAN
 IRRIGATION PLAN - DETAILS
 NORTH

NO.	DATE	REVISION	BY
1	7/13/08	ADDRESS CITY'S COMMENTS	FMI

FREEMAN-MILLICAN, INC.
 ENGINEERS - ARCHITECTS - PLANNERS
 5225 GREENVILLE BLVD. SUITE 101 DALLAS, TX 75243 TEL: 972.416.8888 FAX: 972.416.8889

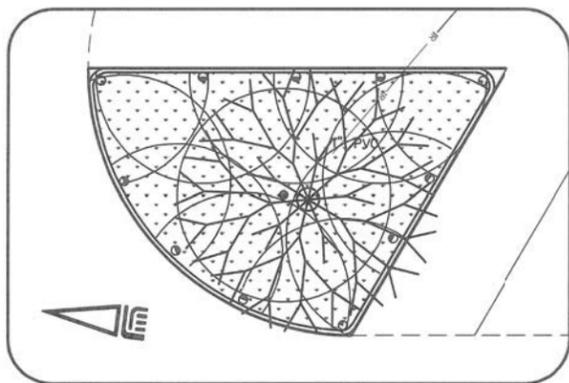
RECORD DRAWINGS



RECORD DOCUMENTS
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 FREEMAN-MILLICAN, INC.
 BY: *RAD*
 DATE: 10/15/09

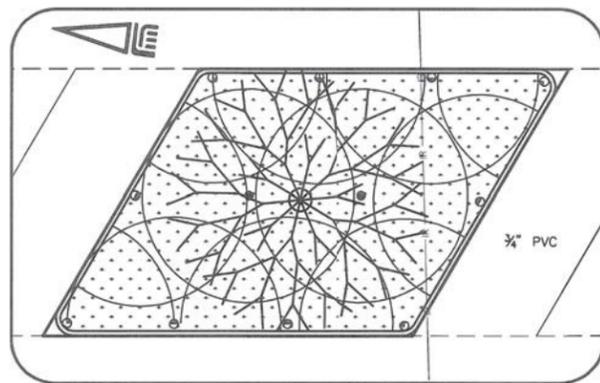
SCALE: 1" = 10'
 IF SHEET IS IN 11" x 17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.
 PROJECT No. 06139
 DATE: OCT. 2009
 DESIGNED: FMI
 DRAWN: FMI
 CHECKED: RAD
 SHEET
L1.4
 TOTAL SHEETS: 37
 ENGINEERING SITE PLAN FOR
 PARKING IMPROVEMENTS AND
 GAS RECOVERY PLANT EXPANSION
 DFW RECYCLING &
 DISPOSAL FACILITY ADDITION
 LOT 1, BLOCK A
 15.00 ACRES
 ZONING HI-SPECIFIC USE

10/15/09 10:00 AM C:\p06139\101\101.dwg PLOT: 10/15/09 10:00 AM



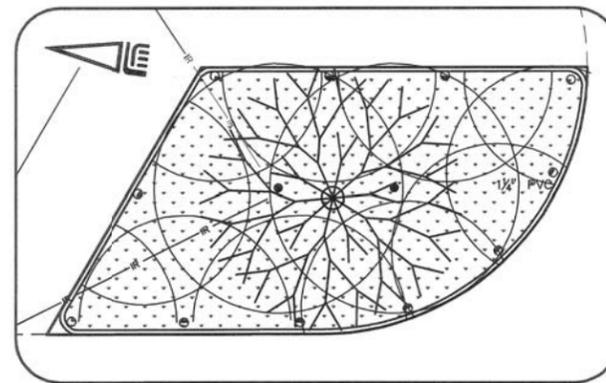
11 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	1	HUNTER SPRINKER	5500	5512-36	30	2.1	360	10
⊙	8	HUNTER SPRINKER	5500	5512-18	30	1.2	180	10
⊚	3	HUNTER SPRINKER	5500	5512-09	30	0.7	90	10



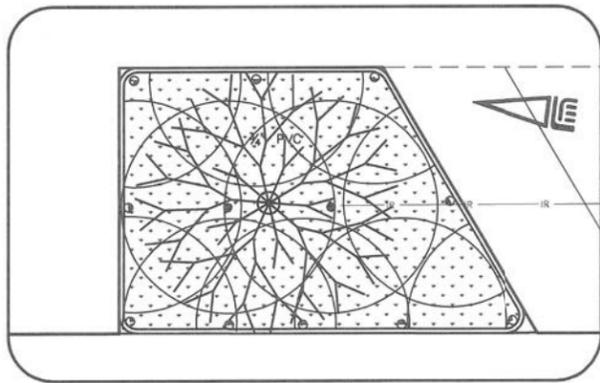
12 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	3	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
⊙	8	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
⊚	2	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



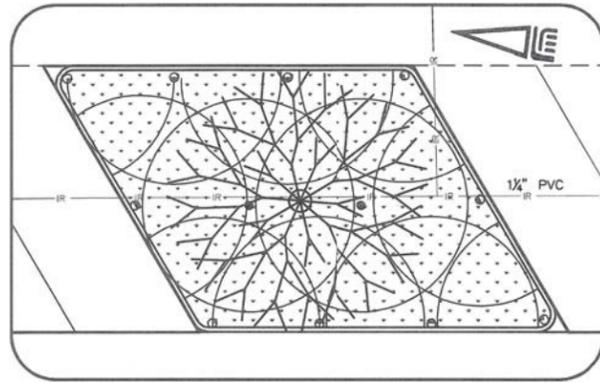
13 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	3	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
⊙	8	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
⊚	3	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



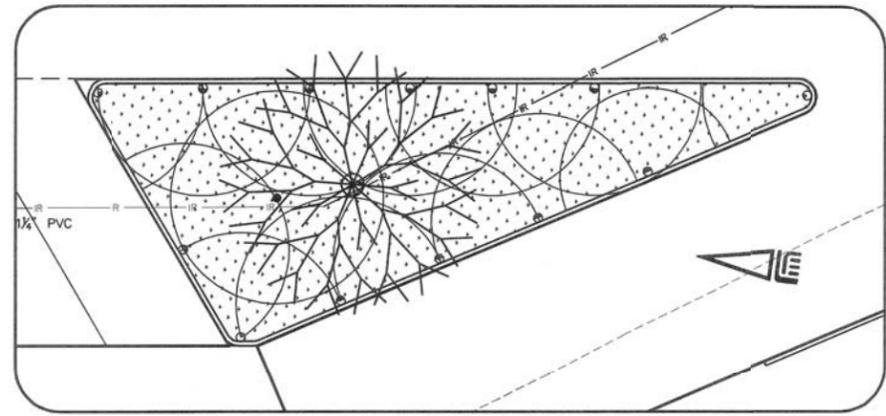
14 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	2	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
⊙	6	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
⊚	4	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



15 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	3	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
⊙	8	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
⊚	2	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12



16 IRRIGATION DETAIL
1"=10'

SYMBOL	NUMBER	DISCRIPTION	SERIES	MODEL	PSI	GPM	ARC DEG	RADIUS FT
●	1	HUNTER SPRINKER	5500	5515-36	30	3.0	360	12
⊙	10	HUNTER SPRINKER	5500	5515-18	30	1.8	180	12
⊚	3	HUNTER SPRINKER	5500	5515-09	30	0.9	90	12

IRRIGATION NOTE:
ALTERNATE DESIGNS BY A LICENSED PROFESSIONAL MEETING THE CITY OF LEWISVILLE REQUIREMENTS MAY BE CONSIDERED. IF SUCH DESIGN IS APPROVED, IT MUST BE INCLUDED WITH THE CONTRACTOR MARKUPS FOR THE RECORD DRAWINGS.

RECORD DOCUMENTS
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FREEMAN-MILLICAN, INC.
BY: *Rad*
DATE: 10/5/09

ENGINEERING SITE PLAN FOR
PARKING IMPROVEMENTS AND
GAS RECOVERY PLANT EXPANSION
DFW RECYCLING &
DISPOSAL FACILITY ADDITION
LOT 1, BLOCK A
15.00 ACRES
ZONING HI-SPECIFIC USE

WASTE MANAGEMENT
 DFW FACILITY - PARKING IMPROVEMENTS ENGINEERING SITE PLAN
 IRRIGATION PLAN - DETAILS
 NORTH

BY	FMI
REVISION	ADDRESS CITY'S COMMENTS
DATE	7/5/08
NO.	1

FREEMAN-MILLICAN, INC.
 ENGINEERS - ARCHITECTS - PLANNERS
 5525 GREENVILLE AVENUE, SUITE 201, DALLAS, TX 75241 PH: 214.633.8888 TX REG #001962401 2007

RECORD DRAWINGS

STATE OF TEXAS
50570
LICENSED PROFESSIONAL ENGINEER
Rad
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 12/03/2009

SCALE: 1"=10'

IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 06139
DATE: OCT. 2009
DESIGNED: FMI
DRAWN: FMI
CHECKED: RAD

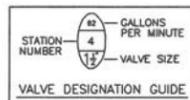
SHEET
L1.5
TOTAL SHEETS: 37

IRRIGATION NOTES:

- THE IRRIGATION SYSTEM HAS BEEN DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF 40 PSI (ROTORS) AND 20 PSI (DRIP IRRIGATION). NOTIFY THE ENGINEER PRIOR TO INSTALLATION IF FIELD CONDITIONS SUCH AS OBSTRUCTIONS OR GRADE DIFFERENCES ARE FOUND, OR WHERE DISCREPANCIES IN EQUIPMENT USAGE, AREA DIMENSIONS, OR STATIC WATER PRESSURE EXIST WHICH MAY AFFECT THE DESIGN. IF THE ENGINEER IS NOT NOTIFIED, THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NEEDED AT NO ADDITIONAL COST TO THE OWNER.
- LOCATIONS OF EXISTING UTILITIES ARE NOT SHOWN ON THIS PLAN. CONTRACTOR IS RESPONSIBLE FOR CONTACTING UTILITY COMPANIES AS NEEDED TO LOCATE UTILITIES WHICH MAY CONFLICT WITH THE WORK.
- HEAD LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE. OBTAIN OWNER'S APPROVAL OF HEAD PLACEMENT PRIOR TO INSTALLATION. ADJUST HEADS AND NOZZLES TO PROVIDE 100% COVERAGE IN THE AREAS SHOWN. HEADS SHOWN ADJACENT TO CONCRETE PAVEMENT SHALL BE PLACED SIX INCHES FROM THE EDGE OF PAVEMENT.
- PIPING ON THIS PLAN IS SHOWN IN DIAGRAMMATIC FORM. MINOR ADJUSTMENTS OF PIPE LOCATIONS TO AVOID CONFLICTS WITH EXISTING TREES OR OTHER SITE FEATURES ARE PERMITTED. DO NOT USE CROSS FITTINGS. OBTAIN ENGINEER'S APPROVAL FOR MAJOR REROUTING OF PIPE.
- ALL MAINLINE PIPING SHALL BE BURIED WITH A MINIMUM 18" OF COVER. ALL LATERAL LINE PIPING DOWNSTREAM OF THE REMOTE CONTROL VALVES SHALL HAVE A MINIMUM COVER OF 12". INCREASE DEPTH OF BURIAL WHERE NECESSARY TO KEEP IRRIGATION LINES BELOW SITE ELECTRICAL CONDUIT OR WIRING.
- UNLESS OTHERWISE INDICATED, PIPING TO A SINGLE SPRAY HEAD SHALL BE 3/4" PVC CL-200.
- INSTALL RAIN AND FREEZE SENSORS PER MANUFACTURER'S INSTRUCTIONS WITH 3/4" RIGID CONDUIT FOR WIRING TO THE SPRINKLER CONTROLLER.
- ALL WIRING FROM THE IRRIGATION CONTROLLER TO THE REMOTE CONTROL VALVES SHALL BE UF-14/1 DIRECT BURIAL CABLE. ALL WIRE SPLICES SHALL BE MADE IN VALVE BOXES ONLY, USING APPROVED CONNECTORS. INSTALL ADDITIONAL WIRES FROM THE CONTROLLER LOCATION TO THE AREAS NOTED ON THE PLAN.
- PRIOR TO FINAL ACCEPTANCE OF THE PROJECT, PROVIDE A RECORD DRAWING TO THE OWNER INDICATING "AS BUILT" CONDITIONS OF THE IRRIGATION SYSTEM. EXECUTE THIS DRAWING ON A MYLAR OR ELECTRONIC BASE MAP PROVIDED BY THE ARCHITECT. HARD COPY OF THE FINISHED RECORD DRAWING SHALL BE ON MYLAR MEDIA.
- THE INSTALLED IRRIGATION SYSTEM SHALL CONFORM TO ALL APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.

LANDSCAPE NOTES:

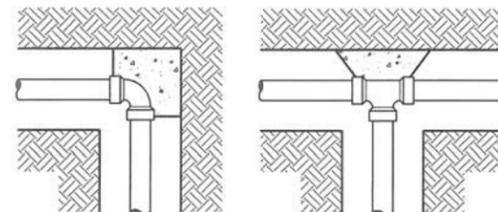
- PLANT LOCATIONS REFER TO LANDSCAPE PLAN FOR PLANTING LOCATIONS OF SHRUBS AND TREES. SPECIFICATIONS.
- COORDINATION LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUB-CONTRACTORS AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
- MAINTENANCE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL SHRUB AND GROUND COVER AREAS IN A WEED AND DEBRIS FREE CONDITION UNTIL FINAL ACCEPTANCE.
- BED AREAS ALL BED AREAS ARE TO BE LEFT 2" ABOVE FINISHED GRADE. ALL BED AREAS SHALL BE ROTOTILLED TO A DEPTH OF 6", ADD PREPARED SOIL MIXTURE, ROTOTILL, RAKE LEVEL, AND PLANT.
- MULCH AFTER SETTLEMENT AND COMPACTION ALL PLANTING BEDS SHALL RECEIVE A MINIMUM 2" LAYER OF SHREDDED HARDWOOD MULCH.
- PLANTING SOIL MIXTURE PLANTING SOIL MIXTURE TO BE AS FOLLOWS:
 SHRUBS AND GROUND COVER
 75% EXISTING SOIL
 25% BACK TO EARTH, VITA EARTH, OR
 10-15 LBS. FERTILIZER/C.Y. OR
 APPROVED EQUAL SOIL CONDITIONER
- FERTILIZER AS RECOMMENDED
 APPLICATION RATE TO BE APPROVED BY ENGINEER FOR GROUND COVER, SHRUBS, AND TREES. REFER TO SPECIFICATIONS.
- WARRANTY ALL PLANT MATERIAL, WITH THE EXCEPTION OF SEASONAL COLOR, TO BE GUARANTEED FOR A PERIOD OF ONE YEAR.
- IRRIGATION ALL SEEDED AREAS TO BE WATERED BY AUTOMATIC IRRIGATION SYSTEM WITH 100% COVERAGE.
- TOPSOIL TOPSOIL SHALL BE NATURAL, FERTILE, FRIABLE SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE PRODUCTIVE SOILS IN THE VICINITY. IT SHALL NOT BE EXCESSIVELY ACID OR ALKALINE OR CONTAIN TOXIC SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE WITHOUT ADMIXTURE OF SUBSOIL AND SHALL CONTAIN A MINIMUM OF LUMPS, STONE, STUMPS, ROOTS OF SIMILAR SUBSTANCES ONE INCH OR MORE IN DIAMETER. TOPSOIL SHALL BE FREE FROM WEEDS AND OTHER NOXIOUS MATERIALS. TOPSOIL SHALL NOT BE STRIPPED, COLLECTED OR DEPOSITED WHILE WET.
- RYERSON STEEL EDGING LOCATE EDGING AS SHOWN ON PLANS AND ALONG ALL CURBS WHICH ARE ADJACENT TO BED AREAS. EDGING SHALL BE MANUFACTURED BY V.T. RYERSON, PAINTED GREEN-BLACK OR APPROVED EQUAL.
- LAWN AREAS ALL IRRIGATED AREAS NOT IN TREES OR SHURBS SHALL BE COMMON BERMUDA GRASS.



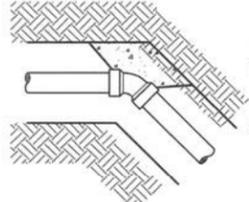
IRRIGATION LEGEND

SYMBOLS	DESCRIPTION
⊗	GATE VALVE FOR MAINLINE ISOLATION (LINE SIZE)
—	CLASS 200 PVC PIPE
⊠	BACKFLOW PREVENTION DEVICE (AS REQUIRED BY CODE AND/OR ORDINANCE AND FOR SAFETY)
Ⓢ	HUNTER CONTROLLER PSC-Z

NOTE: ALL BRAND NAMES SPECIFIED OR APPROVED EQUAL SHALL BE USED.



ELL TEE

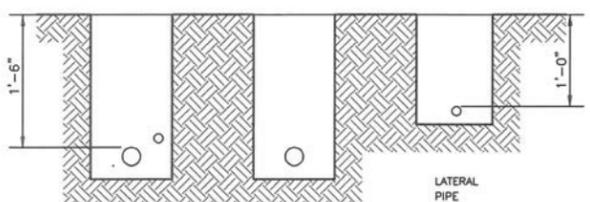


45° BEND THIS DETAIL APPLIES TO IRRIGATION SYSTEM ONLY.

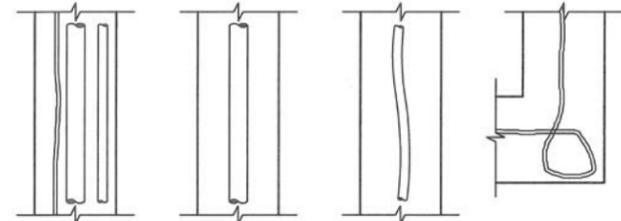
NOTES:

- SUPPLY LINES 2-INCHES IN DIAMETER AND LARGER SHALL RECEIVE CONCRETE THRUST BLOCKS.
- CONCRETE THRUST BLOCKS SHALL CONSIST OF 0.5 CU. FT. OF DRY CONCRETE MIX FOR EACH FITTING.

1 THRUST BLOCKING NO SCALE



SECTION VIEWS

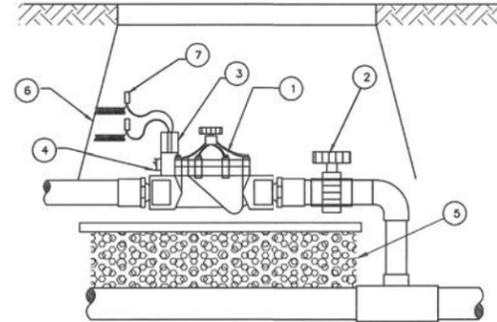


PLAN VIEWS

NOTES:

- SLEEVE BELOW ALL HARDSCAPE ELEMENTS WITH CLASS 200 PVC TWICE THE DIAMETER OF THE PIPE OR WIRE BUNDLE WITHIN.
- FOR PIPE AND WIRE BURIAL DEPTHS SEE SPECIFICATIONS.

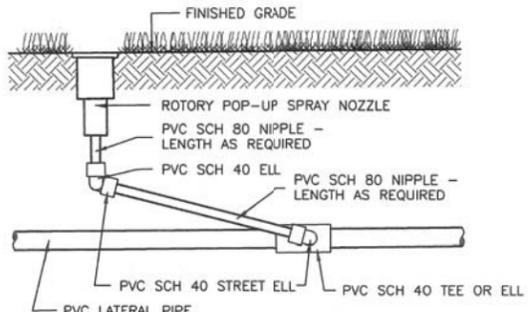
4 IRRIGATION SYSTEM NO SCALE



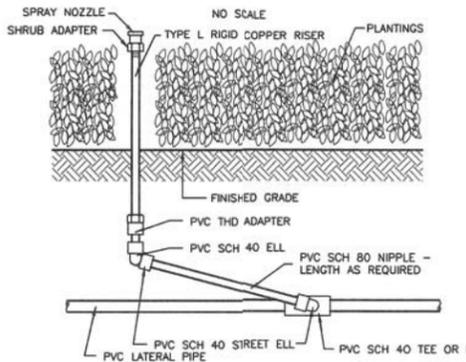
NO SCALE

- REMOTE CONTROL VALVE
- UNION BALL VALVE
- SOLENOID
- MANUAL BLEED LEVER
- 3/4 INCH GRAVEL SUPPORT (3" MIN. DEPTH)
- RECTANGULAR VALVE BOX
- EXPANSION COIL AND WATERPROOF CONNECTOR

2 REMOTE CONTROL VALVE NO SCALE



3 ROTARY POP-UP INSTALLATION DETAIL NO SCALE



5 SHRUB SPRAY NOZZLE INSTALLATION NO SCALE

RECORD DOCUMENTS
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FREEMAN-MILLICAN, INC.
 BY: *Rad*
 DATE: 10/5/09

ENGINEERING SITE PLAN FOR PARKING IMPROVEMENTS AND GAS RECOVERY PLANT EXPANSION
 DFW RECYCLING & DISPOSAL FACILITY ADDITION
 LOT 1, BLOCK A
 15.00 ACRES
 ZONING HI-SPECIFIC USE

BY: _____
 REVISION: _____
 No. DATE: _____
FREEMAN-MILLICAN, INC.
 ENGINEERS - ARCHITECTS - PLANNERS
 5225 GREENVILLE AVENUE, SUITE 171 DALLAS, TX 75243 PH: 214.636.6666 TX REG. NO. 001287

WASTE MANAGEMENT
 DFW FACILITY - PARKING IMPROVEMENTS ENGINEERING SITE PLAN
 LANDSCAPE DETAILS

RECORD DRAWINGS

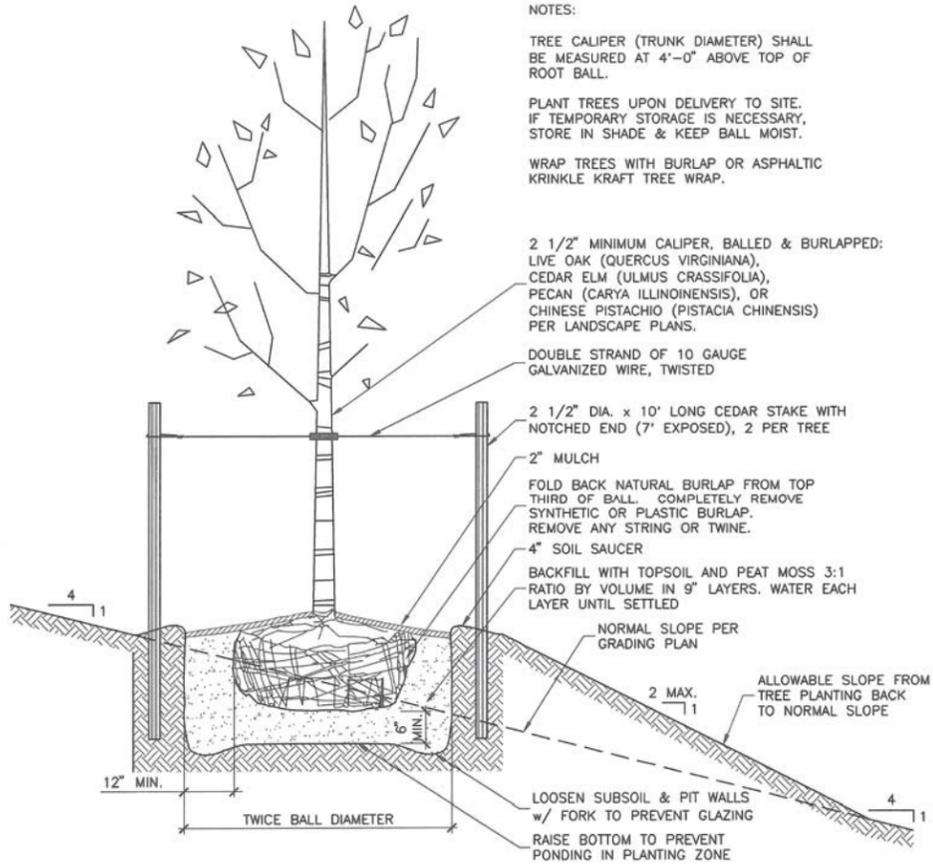


THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RICHARD A. DORMIER, P.E. NO. 50570 ON 10/05/2009

SCALE: _____

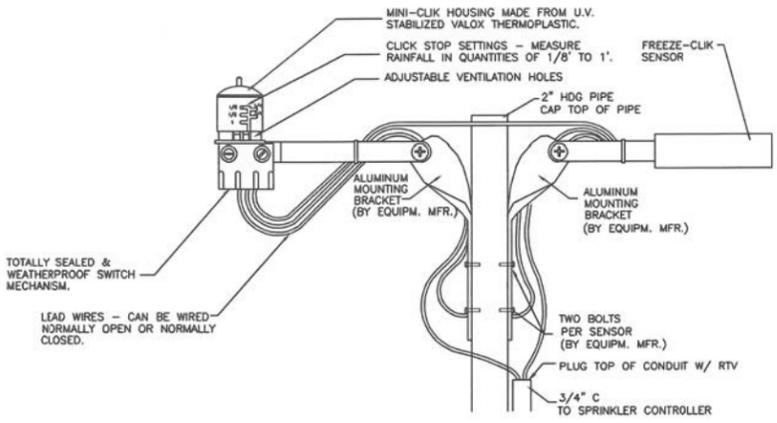
IF SHEET IS IN 11"X17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No.	06139
DATE:	OCT. 2009
DESIGNED:	FMI
DRAWN:	FMI
CHECKED:	RAD
SHEET	L2.1
TOTAL SHEETS:	37

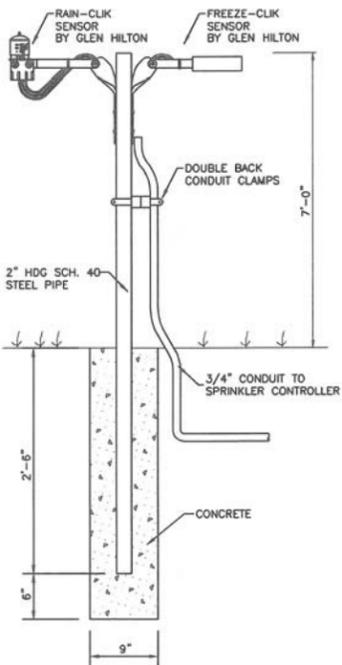


1 TREE PLANTING DETAIL NO SCALE

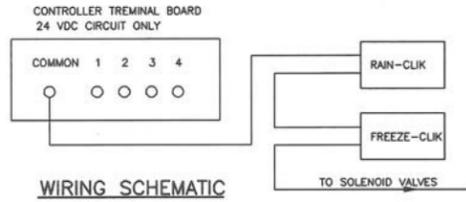
NOTES:
 TREE CALIPER (TRUNK DIAMETER) SHALL BE MEASURED AT 4'-0" ABOVE TOP OF ROOT BALL.
 PLANT TREES UPON DELIVERY TO SITE. IF TEMPORARY STORAGE IS NECESSARY, STORE IN SHADE & KEEP BALL MOIST.
 WRAP TREES WITH BURLAP OR ASPHALTIC KRINKLE KRAFT TREE WRAP.
 2 1/2" MINIMUM CALIPER, BALLED & BURLAPPED: LIVE OAK (QUERCUS VIRGINIANA), CEDAR ELM (ULMUS CRASSIFOLIA), PECAN (CARYA ILLINOINENSIS), OR CHINESE PISTACHIO (PISTACIA CHINENSIS) PER LANDSCAPE PLANS.
 DOUBLE STRAND OF 10 GAUGE GALVANIZED WIRE, TWISTED
 2 1/2" DIA. x 10' LONG CEDAR STAKE WITH NOTCHED END (7' EXPOSED), 2 PER TREE
 2" MULCH
 FOLD BACK NATURAL BURLAP FROM TOP THIRD OF BALL. COMPLETELY REMOVE SYNTHETIC OR PLASTIC BURLAP. REMOVE ANY STRING OR TWINE.
 4" SOIL SAUCER
 BACKFILL WITH TOPSOIL AND PEAT MOSS 3:1 RATIO BY VOLUME IN 9" LAYERS. WATER EACH LAYER UNTIL SETTLED
 NORMAL SLOPE PER GRADING PLAN
 2 MAX. 1:1 ALLOWABLE SLOPE FROM TREE PLANTING BACK TO NORMAL SLOPE
 12" MIN. TWICE BALL DIAMETER
 LOOSEN SUBSOIL & PIT WALLS w/ FORK TO PREVENT GLAZING
 RAISE BOTTOM TO PREVENT PONDING IN PLANTING ZONE



2 FREEZE-CLICK & RAIN-CLICK SENSORS NO SCALE



3 SENSOR MOUNTING DETAIL NO SCALE



WIRING SCHEMATIC

CITY OF LEWISVILLE
 GENERAL DEVELOPMENT ORDINANCE

Sec. 6-123. MULTI-FAMILY AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS.

(a) These standards shall apply to all commercial, industrial and multi-family zoning districts and to all non-residential uses allowed in single family detached and attached residential districts. These standards may be met by saving existing trees on the site or planting new trees from the approved list.
 (b) A landscaped strip shall be provided adjacent to all public and private streets. The landscaped strip shall be a minimum of ten (10) feet, exclusive of street right-of-way. Within the landscaped strip, one (1) shade tree (2.5" caliper minimum) shall be provided per every five hundred (500) square feet, or any portion thereof, of landscaped strip. These trees shall be generally evenly spaced along the street frontage and shall not be clumped. All privacy and security fences must be placed beyond the required landscape strip.
 (c) Where parking lots and drives abut the landscape strip along a street right-of-way, evergreen shrubs must be provided for screening. The shrubs must be a minimum of two (2) feet in height and planted according to the spacing shown below. The screening must extend along the entire street frontage of the parking lot, exclusive of driveways and visibility clips. A landscape berm may be provided in lieu of required shrubs. The berm must be a minimum of 36 inches above the average grade of the street and parking lot curbs with a slope not to exceed 3:1. If a parking lot is located a minimum of 50 feet from the street right-of-way line, no shrubs or berm will be required.

(1) Recommended Shrubbery List:

Botanical Name	Common Name	Spacing
Berberis thunbergii	Barberry, Red	Spacing 2' - 3'
Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	Spacing 2' - 3'
Elaeagnus macrophylla	Elaeagnus, Silverberry (Ebbeni')	Spacing 3' - 4'
Myrica pusilla	Myrtle, Dwarf Wax	Spacing 2' - 3'
Rhapiolepis Indica	Indian Hawthorn	Spacing 2' - 3'
Juniperus sabina 'Tamariscifolia'	Tam Juniper	Spacing 3'

Other varieties complying with height and spacing requirements may be acceptable when approved by the City of Lewisville.

(d) Interior parking areas shall be landscaped in addition to the required landscaped strip. Trees must be provided in each parking lot spaced at a ratio of one (1) shade tree (2.5" inch caliper minimum) for each fifteen (15) parking spaces provided, or any fraction thereof. These trees must be spaced a maximum of 15 parking spaces apart. In the case of mini warehouses, such parking spaces shall be determined by the number of parallel parking spaces contained in the required loading and unloading lanes. Additionally, interior parking lot landscaping shall be provided in accordance with the following table. Interior landscaping for mini warehouse parking may be planted on the interior or the perimeter of the property.

Total Parking Area	Interior Landscape Area
0 - 24,999 square feet	5%
25,000 - 49,999 square feet	8%
50,000 square feet and larger	10%

(e) Except for customer and employee parking, parking lot landscape requirements do not apply to storage or standing parking spaces incidental to uses, such as sales and rental of motor vehicles, mobile homes, boats, trailers or other similar uses.

(f) To calculate the total parking area and the subsequent percentage of required interior lot landscaping, total the square footage of parking spaces, planting islands, curbed areas and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas located outside the parking lot may not be used to meet the interior landscaping requirement.

General Development Ordinance 2003 130

(g) The required landscaping for parking lots shall be more or less evenly distributed throughout the parking lot, although adjustments may be approved by the Community Development Department where the shape or size of the parking lot, the location of existing trees or other natural constraints reasonably prevent such distribution.

(h) All landscaped areas, including the permeable areas and drip lines around trees and planting beds used for visual screening which abut any parking lot or vehicular travel area, shall be protected with curbs, parking blocks or similar barriers sufficient to protect them from vehicular intrusion.

(i) An automatic irrigation system is required for all landscaping. Water conservation is encouraged.

RECORD DOCUMENTS
 THESE RECORD DOCUMENTS HAVE BEEN PREPARED BASED ON INFORMATION PROVIDED BY OTHERS. FREEMAN-MILLICAN, INC. HAS NOT VERIFIED THE ACCURACY AND/OR COMPLETENESS OF THIS INFORMATION, UNLESS OTHERWISE NOTED ON THESE DOCUMENTS. FREEMAN-MILLICAN, INC. SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE INCORPORATED AS A RESULT OF ERRONEOUS INFORMATION PROVIDED BY OTHERS.

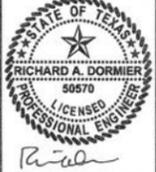
FREEMAN-MILLICAN, INC.
 BY: *Rud*
 DATE: 10/5/09

ENGINEERING SITE PLAN FOR PARKING IMPROVEMENTS AND GAS RECOVERY PLANT EXPANSION DFW RECYCLING & DISPOSAL FACILITY ADDITION LOT 1, BLOCK A 15.00 ACRES ZONING HI-SPECIFIC USE

NO.	DATE	REVISION	BY	FMI
1	7/3/08	ADDRESS CITY'S COMMENTS		

WASTE MANAGEMENT
 DFW FACILITY - PARKING IMPROVEMENTS ENGINEERING SITE PLAN
 LANDSCAPE DETAILS
 FREEMAN-MILLICAN, INC.
 ENGINEERS - ARCHITECTS - PLANNERS
 10225 ORCHARD AVE. SUITE 101 DALLAS, TX 75243 PH: 972.981.6200 FAX: 972.981.6201

RECORD DRAWINGS



THE SEAL APPEARING ON THIS DOCUMENT HAS AUTHORIZED BY RICHARD A. DORMIER, P.E., NO. 50570 ON 10.05.2009

SCALE:
 IF SHEET IS IN 11"x17" FORMAT, DRAWINGS ARE AT 1/2 OF NOTED SCALE.

PROJECT No. 06139
 DATE: OCT. 2009
 DESIGNED: FMI
 DRAWN: FMI
 CHECKED: RAD

SHEET
L2.2
 TOTAL SHEETS: 37

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E. Luedke, Planning Director
DATE: November 06, 2017
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Single Family Residential (R-7.5) to Old Town Mixed Use 1 (OTMU1), on Approximately 0.231 Acres, Legally Described as Portions of Lot 3 and Lot 11, Block A, L.M. Kealy Addition, Located on the South Side of Samuel Street Approximately 132 Feet West of South Charles Street, at 230 Samuel Street, as Requested by James and Dawn Moss, the Property Owners (Case No. PZ-2017-10-19).**

BACKGROUND

The approximately 0.231-acre property is located on the south side of Samuel Street, approximately 132 feet west of South Charles Street. Once rezoning has occurred, the property owner plan to sell the vacant property. The request is consistent with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request on October 17, 2017.

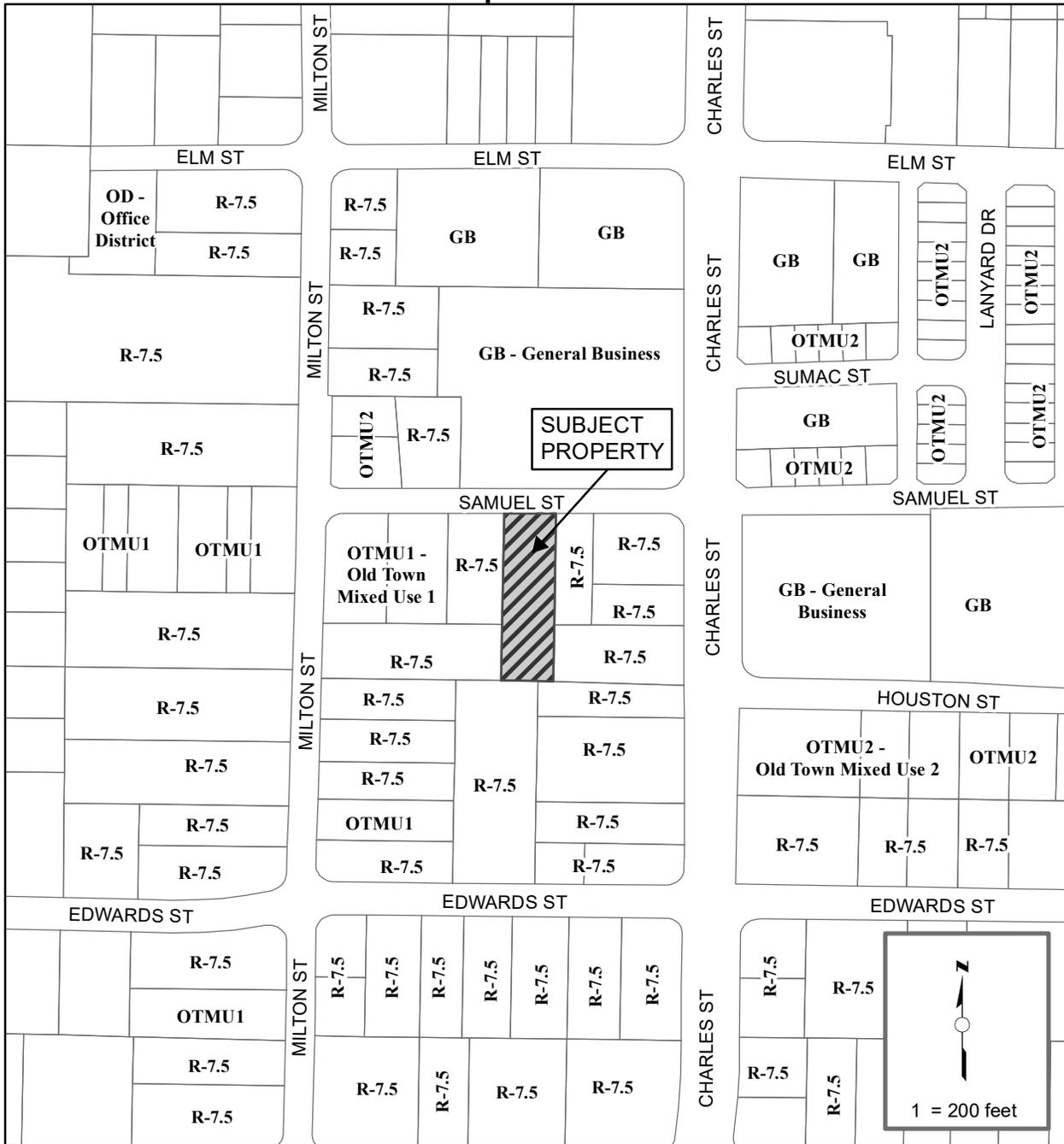
ANALYSIS

The property is currently vacant and is surrounded by single family homes. The proposed Old Town Mixed Use 1 (OTMU1) zoning allows primarily residential uses and limited mixed use opportunities, such as professional offices providing services only with no goods offered for sale. The proposed zone change will bring this property into compliance with the Old Town Master Plan adopted in 2003. The owners have no immediate plans for any development. Once zoning is approved, the applicant plans to put the property on the market. Prior to any development, this property will need to be platted and any new structures will require approval of a letter of design review by the Old Town Design Review Committee.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the ordinance as set forth in the caption above.

Location Map - 230 Samuel St



CASE NO. PZ-2017-10-19

PROPERTY OWNER: JAMES & DAWN MOSS

APPLICANT NAME: JAMES & DAWN MOSS

PROPERTY LOCATION: 230 SAMUEL ST (0.231 ACRES)

CURRENT ZONING: SINGLE FAMILY RESIDENTIAL DISTRICT (R-7.5)

REQUESTED ZONING: OLD TOWN MIXED USE 1 DISTRICT (OTMU1)

Aerial Map - 230 Samuel St



**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 17, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Alvin Turner, Karen Locke and James Davis.

Staff members present: Richard Luedke, Planning Director; June Sin, Planner; Jonathan Beckham, Planner.

Item 6:

Public Hearing Zoning & Special Use Permits were next on the agenda. There were five items for consideration:

- A. **Public Hearing:** Consideration of a Zone Change Request From Single Family Residential (R-7.5) to Old Town Mixed Use 1 (OTMU1), on an Approximately 0.231 Acres, Legally Described as Portions of Lot 3 and Lot 11, Block A, L.M. Kealy Addition, Located at 230 Samuel Street, as Requested by James and Dawn Moss, the Property Owners. (Case No. PZ-2017-10-19).

Staff gave a brief overview of the proposed zone change request and recommended approval. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. A motion was made by James Davis to recommend approval of the zone change request, which was seconded by Alvin Turner. The motion passed unanimously (7-0). Staff indicated that the item would be considered by the City Council on November 6th for a second public hearing and a final decision.

SECTION 17-10. - "R-7.5" SINGLE FAMILY RESIDENTIAL DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for the following purposes:
- (1) Single-family dwellings.
 - (2) Church worship facilities.
 - (3) Buildings and uses owned or operated by public governmental agencies.
 - (4) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement (indoor or outdoor).
 - (5) Farms, nurseries or truck gardens, limited to the propagation and cultivation of plants, provided no retail or wholesale business is conducted on the premises, and provided further that no poultry or livestock other than household pets shall not be located closer to any property line than allowed by city's animal control ordinances.
 - (6) Real estate sales offices during the development of residential subdivisions, but not to exceed two (2) years.
 - (7) Schools, private, with full curriculum accredited by the State of Texas equivalent to that of a public elementary or high school.
 - (8) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (9) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, not involving the conduct of a retail business except as provided herein and for home occupations as defined by this ordinance.
 - (10) A detached private garage with or without storeroom and/or utility room shall be permitted as an accessory building if it meets all requirements of a residential accessory building.
 - (11) A carport shall be permitted as an accessory building if it meets all requirements of a residential accessory building.
 - (12) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (13) Gas and oil drilling accessory uses (SUP required).
 - (14) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
- (b) *Height.* No building shall exceed thirty-five (35) feet or two and one-half (2-1/2) stories in height.
- (c) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.* There shall be a front yard having a depth of not less than thirty (30) feet, except where entrance to the garage is provided from an alley in the rear of the house, in which case the minimum front yard may be twenty-five (25) feet. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.
 - b. *Side yard.* There shall be a side yard on each side of the lot having a width of not less than ten percent (10%) of the lot width. A side yard adjacent to a side street shall not be less than fifteen (15) feet. No side yard for allowable non-residential uses shall be less than twenty-five (25) feet. In no case shall the minimum side yard setback be less than six and one-half (6.5) feet.
 - c. *Rear yard.* There shall be a rear yard having a depth of not less than twenty (20) feet if there is no rear entry from an alley, and a depth of not less than twenty-five (25) feet if there is rear entry from an alley.
 - (2) *Size of lot.*
 - a. *Lot area.* No building shall be constructed on any lot of less than seven thousand five hundred (7,500) square feet.
 - b. *Lot width.* The minimum width of the lot shall not be less than sixty-five (65) feet at the required front and rear building setback lines. The minimum width at the front property line shall be forty (40) feet, or a minimum of fifty (50) feet if there is a driveway in the front.

- c. [Exception] Where a lot having less area, width and/or depth than herein required existed in separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a one-family dwelling thereon.
- (3) *Minimum dwelling size.* The minimum floor area of any dwelling shall be one thousand seven hundred (1,700) square feet, exclusive of garages, breezeways and porches.
- (4) *Lot coverage.* In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SECTION 17-22.6.1. - "OTMU1" OLD TOWN MIXED USE 1 DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for the following purposes:
- (1) Single-family dwellings.
 - (2) Single-family attached dwellings, provided that no more than nine (9) dwelling units are attached in one continuous row or group, and provided that no dwelling unit is constructed above another dwelling unit.
 - (3) Two-family dwellings (duplexes).
 - (4) Multi-family dwellings. Projects shall be a minimum of two (2) acres in area on a single platted lot. A minimum of twenty (20) units must be built in the first phase of construction.
 - (5) Church worship facilities.
 - (6) Buildings and uses owned or operated by public governmental agencies.
 - (7) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (8) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, not involving the conduct of a retail business except as provided herein and for home occupations as defined by this ordinance.
 - (9) A detached private garage with or without storeroom and/or utility room shall be permitted as an accessory building, provide that such garage shall be located not less than sixty (60) feet from the front lot line nor less than five (5) feet from any side or rear lot line and in the case of corner lots not less than the distance required for residences from side streets. A garage or servants' quarters constructed as an integral part of the main building shall be subject to the regulations affecting the main building.
 - (10) A carport shall be permitted provided that such carport is not located in a required front or side yard, not less than five (5) feet from the rear property line, and fully open on the entrance side.
 - (11) Bed and breakfast (SUP required).
 - (12) Professional and administrative offices where only services are provided, no goods are offered for sale, no drive-thru's are allowed and no outside storage is provided on the premises.
 - (13) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (14) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
- (b) *Single-family detached and two-family dwelling requirements.*
- (1) *Maximum height.* No building shall exceed thirty-five (35) feet or two and one-half (2-1/2) stories in height.
 - (2) *Minimum dwelling size.* The minimum floor area of any single-family dwelling shall be one thousand seven hundred (1,700) square feet, exclusive of garages, breezeways and porches.
 - (3) *Front yard.* No front setback is required.
 - (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.
 - (5) *Rear yard.* There shall be a rear yard having a depth of not less than twenty (20) feet.
- (c) *Single-family attached, multi-family and institutional building requirements.*
- (1) *Maximum height.* No building shall exceed shall not exceed forty-five (45) feet in height or three and one-half (3-1/2) stories in height.
 - (2) *Minimum dwelling size.* The minimum floor area of any single-family attached dwelling shall be one thousand four hundred fifty (1,450) square feet. The minimum floor area of any multi-family dwelling shall be (650) square feet, exclusive of garages, breezeways and porches.
 - (3) *Front yard.* No front setback is required.
 - (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.

- (5) *Rear yard.* There shall be a rear yard having a depth of not less than six and one half (6.5) feet except if a residential garage directly adjoins a rear alley, then the rear yard may be four (4) feet.

- (d) *Size of lot.*
 - (1) *Lot area.* No detached single-family dwelling or non-residential building shall be constructed on any lot of less than seven thousand five hundred (7,500) square feet. Attached single-family dwellings shall be constructed on lots with a minimum as illustrated on the adopted concept plan submitted with initial zoning change request. Multi-family dwelling projects shall be constructed on lots of a minimum of two (2) acres in size.
 - (2)
- (e) *Other setbacks.*
 - (1) The old town mixed use 1 district shall not be subject to the following setback provisions contained elsewhere in this ordinance:
 - a. "On a corner lot, the width of the yard along the side street shall not be less than any required front yard on the same side of such street between intersecting streets".
 - b. "...no accessory building shall be...closer than five feet to any rear or side lot line, and, in the case of corner lots, not less than the distance required for buildings from side streets".
 - c. "In any residential or MF district where 25 percent or more of the frontage upon the same side of a street between intersecting streets is occupied or partially occupied by a building or buildings having front yards of greater depth than is required by this chapter, no other lot upon the same side of such street between such intersecting streets shall be occupied by a building with a front yard of less than the least depth of any such existing front yards."
 - (2) There shall be a minimum ten (10) foot setback on the driveway side of a lot when there is not sufficient maneuvering space on site to allow vehicles to exit the lot without backing into the street.

This Section (Office Use Only)		
Case:		
PZ:		CC:
Sign/s Picked Up By:		



LEWISVILLE
 Deep Roots. Broad Wings. Bright Future.

ZONE CHANGE APPLICATION

Owner/s (name): <u>James & Dawn Moss</u>	
Company Name:	
Mailing Address: <u>P.O. Box 1211 Caddo Mills TX 75135</u>	
Work #: <u>N/A</u>	Cell #: <u>469-688-9046</u>
E-Mail: <u>jamesdawnmoss@gmail.com</u>	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <u>James E Moss</u>	Date: <u>9/14/17</u>
Printed Name: <u>James E Moss</u>	

Applicant/Agent (name):	
Company Name:	
Mailing Address:	
Work #:	Cell #:
E-Mail:	
Applicant/Agent Signature	Date:
Printed Name:	

Current Zoning: <u>R7.5</u>	Requested Zoning: <u>OTMU1</u>	Acres: <u>0.231</u>
Legal Description (Lot/ Block/Tract/Abstract): _____		
Address/Location: <u>230 Samuel St. Lewisville, TX</u>		

Application and Sign Fees:

<input checked="" type="checkbox"/>	Less than 1/2 acre	\$ 150.00
<input type="checkbox"/>	1/2 acre up to 4.99 acres	\$ 250.00
<input type="checkbox"/>	5 acres up to 24.99 acres	\$ 400.00

<input type="checkbox"/>	25 acres up to 49.99 acres	\$ 750.00
<input type="checkbox"/>	50 acres up to 99.99 acres	\$1,000.00
<input type="checkbox"/>	100 acres and more	\$1,500.00

Qty: <u>1</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>0</u>
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ <u>0</u>	- Waived, Old Town
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ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING A 0.231-ACRE TRACT OF LAND, LEGALLY DESCRIBED AS PORTIONS OF LOT 3 AND LOT 11, BLOCK A, L.M. KEALY ADDITION, LOCATED ON THE SOUTH SIDE OF SAMUEL STREET APPROXIMATELY 132 FEET WEST OF SOUTH CHARLES STREET, AT 230 SAMUEL STREET, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-7.5) ZONING TO OLD TOWN MIXED USE 1 DISTRICT (OTMU1) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 0.231-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing

of safety from same; the effect on the promotion of health and the general welfare; effect on adequate light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

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

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **OLD TOWN MIXED USE 1 DISTRICT (OTMU1) ZONING.**

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances, except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

ORDINANCE NO. _____

Page 5

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

EXHIBIT A

FIELD NOTE DESCRIPTION:

BEING a 0.231 acre tract of land situated in the City of Lewisville, Denton County, Texas, and being a portion of Lots 3 and 11, Block A of L.M. Kealy's Addition, an addition to the City of Lewisville, according to the Plat recorded in Volume 317, Page 347, of the Plat Records of Denton County, Texas, and being that certain called "0.2331 Acres" as mentioned in deed to James Moss and Dawn Moss, as recorded in Document No. 2014-33378, of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.), and being that same tract of land described by deed to Rudolfo Guerrero, as recorded under County Clerk's File No. 95-R0043175, R.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a ½ inch capped iron rod stamped "ARTHUR SURVEYING COMPANY" set for the northwest corner of the herein described tract, same being the northwest corner of said called 0.2331 Acre tract and Guerrero tract, same being the common north corner of said Lot 3 and of Lot 2 of said Block A, and being in the south line of Samuel Street (a 50 foot wide right-of-way);

THENCE South 90 degrees 00 minutes 00 seconds East, with the south line of said Samuel Street, a distance of 50.00 feet to a ½ inch capped iron rod stamped "ARTHUR SURVEYING COMPANY" set for corner, same being the northwest corner of the "East 41 feet of Lot 3" as described in said deed to Moss;

THENCE South 00 degrees 14 minutes 31 seconds West, traversing over and across said Lot 3 and with the west line of said Moss East 41 feet of Lot 3 tract, passing en route the common north corner of said Lot 11 and of Lot 12 of said Block A, continuing on said course for a total distance of 198.95 feet to a ½ inch iron rod found for corner, same being in the north line of Lot 13 of said Block A;

THENCE North 88 degrees 40 minutes 32 seconds West, with the north line of said Lot 13, passing en route the northeast corner of that certain tract of land described by deed to Barnett & McKee Real Estates, L.L.C., as recorded in Volume 5340, Page 829, same point also being an inner-ell corner of said Lot 11, continuing on said course and traversing over and across said Lot 11 for a total distance of 51.45 feet to a ¾ inch iron pipe found for corner, same being the southeast corner of that certain tract of land described by deed to George Ray Gober, as recorded in Document No. 2014-110499, R.P.R.D.C.T.;

THENCE North 00 degrees 39 minutes 36 seconds East, with the east line of said Gober tract, passing en route the southeast corner of said Lot 2, continuing on said course for a total distance of 197.75 feet to the **POINT OF BEGINNING** and containing a total of 0.231 acres of land, more or less, and being subject to any and all easements that may affect.

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E Luedke, Planning Director
DATE: November 06, 2017
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC); on an Approximately 0.076-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South side of West Main Street Approximately 150 Feet West of South Poydras Street, at 170 West Main Street as Requested by The RO Properties, the Property Owner (Case No. PZ-2017-10-22).**

BACKGROUND

The 0.076-acre property is located on the south side of West Main Street approximately 150 feet west of South Poydras Street. The property owner has recently demolished the previous structure and plans to develop a new three-story mixed-use building. The property is being rezoned to conform to the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request on October 17, 2017.

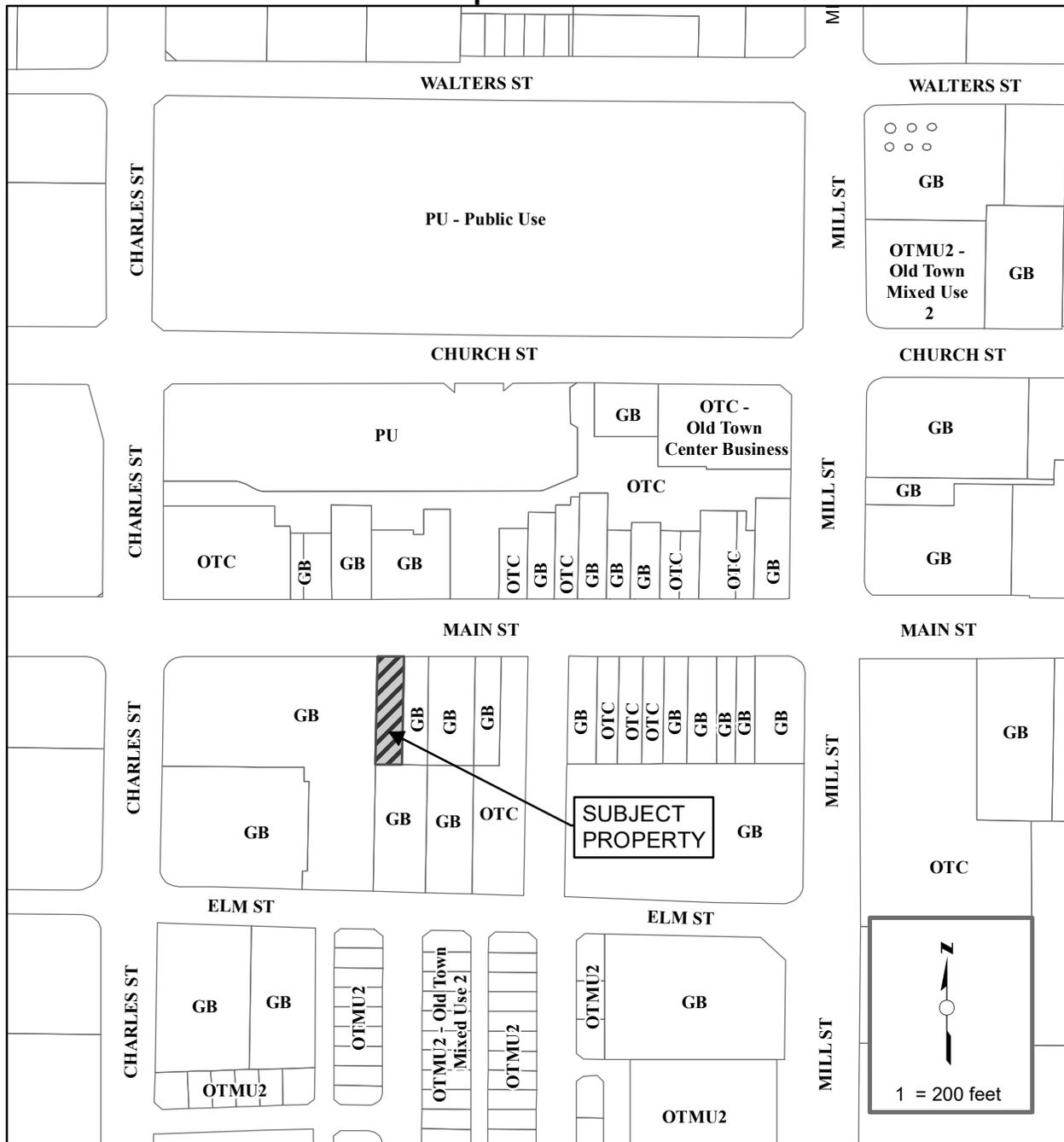
ANALYSIS

The property is located in the heart of Lewisville's Old Town along West Main Street. The OTC allows a variety of commercial uses and mixed-use opportunities and requires the facades of buildings be set at the property line. This zone change will aid in the redevelopment of the area. The proposed zone change to OTC is in compliance with the Old Town Master Plan, which was adopted in 2003.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the ordinance as set forth in the caption above.

Location Map - 170 W. Main St.



CASE NO. PZ-2017-10-22

PROPERTY OWNERS: THE RO PROPERTIES

APPLICANT NAME: THE RO PROPERTIES

PROPERTY LOCATION: 170 WEST MAIN STREET (0.08 ACRES)

CURRENT ZONING: GENERAL BUSINESS DISTRICT (GB)

REQUESTED ZONING: OLD TOWN CENTER BUSINESS DISTRICT (OTC)

Location Map - 170 W. Main St.



**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 17, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Alvin Turner, Karen Locke and James Davis.

Staff members present: Richard Luedke, Planning Director; June Sin, Planner; Jonathan Beckham, Planner.

Item 6:

Public Hearing Zoning & Special Use Permits were next on the agenda. There were five items for consideration:

- B. **Public Hearing:** Consideration of a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC); on an Approximately 0.08-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South side of West Main Street Approximately 150 Feet West of South Poydras Street, at 170 West Main Street as Requested by The RO Properties, the Property Owner. (Case No. PZ-2017-10-22).

Staff gave a brief overview of the proposed zone change request and recommended approval. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. A motion was made by William Meredith to recommend approval of the zone change request, which was seconded by MaryEllen Miksa. The motion passed unanimously (7-0). Staff indicated that the item would be considered by the City Council on November 6th for a second public hearing and a final decision.

SECTION 17-22. - "GB" GENERAL BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Any use permitted in district "LC" as regulated in said district.
 - (2) Auto, boat, motorcycle, recreational vehicle or mobile home display, sales (outdoor) and/or repair (SUP required)
 - (3) Bakeries.
 - (4) Building material sales with outside storage or display, including lumber yards (SUP required).
 - (5) Business or commercial schools.
 - (6) Clinic, medical and dental, and professional offices.
 - (7) Carpentry, painting, plumbing or tinsmithing shop fully enclosed within a building.
 - (8) Cleaning, laundry and dyeing plants fully enclosed within a building.
 - (9) Creamery, ice cream manufacturing and dairy operations fully enclosed within a building.
 - (10) Farm implement display and sales room. (outdoor) (SUP required).
 - (11) Hotels, motels and inns.
 - (12) Mortuaries with or without crematoriums. (SUP required).
 - (13) Office buildings.
 - (14) Pet shops, retail, fully enclosed within a building.
 - (15) Printing, engraving and newspaper plants, fully enclosed within a building.
 - (16) Radio or television broadcasting station or studio with broadcasting towers (SUP required).
 - (17) Retail stores, fully enclosed within a building.
 - (18) Veterinarian or animal hospital with outdoor kennel or exercise runs (SUP required).
 - (19) Bowling alley and other commercial amusement (indoor) uses, fully enclosed within a building.
 - (20) Church worship facilities.
 - (21) Uses similar to the above mentioned permitted uses, provided activities conducted wholly inside a building and observe the requirements of all city ordinances.
 - (22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (23) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor (SUP required).
 - (25) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (27) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (28) Commercial amusement, outdoor (SUP required).
 - (29) Drive-in theater (SUP required).
 - (30) Flea market, outdoor (SUP required).
 - (31) Helipad, helistop or landing strip (SUP required).
 - (32) Kennels with outdoor runs (SUP required).
 - (33) Nightclub, bar. (SUP required).
 - (34) Brewery, distillery, or winery.
 - (35) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.
- (c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "GB", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) Reserved.

- (d) *Outside Storage Regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as storage yards.

SECTION 17-22.6 - "OTC" OLD TOWN CENTER BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Retail establishments including but not limited to: bakeries; book, card, gift and stationary stores; building material sales; clothing; florists; grocery stores; and pet shops or others of a similar nature and subject to the following condition:
 - a. Temporary, portable outside display of merchandise is allowed on a daily basis but is limited to the area directly adjacent to the building occupied by the business and no more than five (5) feet from the building. A clear aisle shall be maintained for pedestrian access. Otherwise, no outside display or storage is permitted.
 - (2) Barber and beauty shops.
 - (3) Buildings and uses owned or operated by public governmental agencies.
 - (4) Business or commercial schools.
 - (5) Church worship facilities.
 - (6) Clinic, medical and dental, and related professional offices.
 - (7) Communication towers, accessory to the primary use, shall be located on a building and may extend a maximum of 15 feet above the building, but must be screened from view.
 - (8) Day nurseries.
 - (9) Dry cleaning and laundry services.
 - (10) Hotels, motels and inns.
 - (11) Professional offices.
 - (12) Restaurants.
 - (13) Veterinarian or animal clinic provided that no kennel or exercise runway shall be located outside the building.
 - (14) Video rental stores and movie theaters.
 - (15) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Dwelling units of 850 square foot minimum size shall be allowed as an accessory use to retail businesses.
 - (16) Non-accessory dwelling units of 650 square foot minimum size when located over a retail, restaurant or similar use on the first floor.
 - (17) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (18) Uses similar to the above mentioned permitted uses; provided activities conducted observe the requirements of all city ordinances.
 - (19) Bed and breakfast establishments (SUP required).
 - (20) Bar (SUP required).
 - (21) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed a maximum height of three (3) stories or forty-five (45) feet excluding parapet walls. Parapet walls shall have a maximum height of eight (8) feet.
- (c) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.* The front facades of buildings shall be set at the front property line. However, a portion of the façade may be set back further in order to create a special entry court or restaurant seating.
 - b. *Side yard.* The façade of a building located on a lot that adjoins a side street shall be located at the property line.

This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE
 Deep Roots. Broad Wings. Bright Future.

ZONE CHANGE APPLICATION

Owner/s (name): <u>Randy Owens, Ponda Owens</u>	
Company Name: <u>The PO Properties</u>	
Mailing Address: <u>PO Box 338, Lewisville TX, 75067</u>	
Work #: <u>972 436 6558</u>	Cell #: <u>972 910 2347</u>
E-Mail: <u>Accounting@ThePOProperties.com</u>	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <u>Randy Owens</u>	Date:
Printed Name: <u>Randy Owens</u>	

Applicant/Agent (name):	
Company Name:	
Mailing Address:	
Work #:	Cell #:
E-Mail:	
Applicant/Agent Signature	Date:
Printed Name:	

Current Zoning: <u>GB</u>	Requested Zoning: <u>HD</u>	Acres: <u>.08</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>A0696A J.W. KING TR 129, .08 ACRES, OLD DCAD TR 1</u>		
Address/Location: <u>170 W MAIN, LEWISVILLE, TX, 75067</u>		

Application and Sign Fees:

Less than 1/2 acre	\$ 150.00
1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00

25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$1,000.00
100 acres and more	\$1,500.00

Qty: _____	Zone Change Signs - \$35 each 1 sign required for each 5 acres (max. 5 per site)	\$ _____
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ _____
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REQUIRED:

Fully describe the plans for the property

*Develop 3 story property. First floor retail,
second floor office space, third floor residential.*

*Current structure will be demolished all the way to
dirt and built back new.*

NOTE:

Items must be staff approved and deemed complete before they will be placed on an agenda.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING A 0.076-ACRE TRACT OF LAND OUT OF THE J.W. KING SURVEY, ABSTRACT NO. 696, LOCATED ON THE SOUTH SIDE OF WEST MAIN STREET APPROXIMATELY 150 FEET WEST OF SOUTH POYDRAS STREET, AT 170 WEST MAIN STREET, FROM GENERAL BUSINESS DISTRICT (GB) ZONING TO OLD TOWN CENTER BUSINESS DISTRICT (OTC) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 0.076-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing of safety from same; the effect on the promotion of health and the general welfare; effect on adequate

light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

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

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **OLD TOWN CENTER BUSINESS DISTRICT (OTC) ZONING.**

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances,

except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

ORDINANCE NO. _____

Page 5

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description



Lot 2, Block A
 Wayne Ferguson
 Plaza Addition
 Doc. No. 2015-438
 R.P.R.D.C.T.
 Zoned: OTC

ZUSDUBB LLC
 Doc. No. 2014-75884
 R.P.R.D.C.T.
 Zoned: GB

ZUSDUBB LLC
 Doc. No. 2009-60097
 R.P.R.D.C.T.
 Zoned: GB

Old Town Flying Pig LLC
 Doc. No. 2004-95815
 R.P.R.D.C.T.
 Zoned: GB

EXHIBIT A

JHAM
 Investments LLC
 Doc. No. 2005-30632
 R.P.R.D.C.T.
 Zoned: GB

Lot 2, Block A
 Wayne Ferguson
 Plaza Addition
 Doc. No. 2015-438
 R.P.R.D.C.T.
 Zoned: OTC

Steven & Caroline Berard
 Doc. No. 2012-142189
 R.P.R.D.C.T.
 Zoned: OTC

Caroline Berard
 Doc. No. 2005-104980
 R.P.R.D.C.T.
 Zoned: GB

State of Texas § County of Denton § Owner's Certificate and Dedication

WHEREAS RO Properties, Ltd. is the owner of a 0.076 acre tract of land situated in the J.W. King Survey, Abstract No. 696, in the City of Lewisville, Denton County, Texas, and being a part of The Original Town of Lewisville, an addition to the City of Lewisville, according to the plat thereof recorded in Volume 75, Page 160, Deed Records, Denton County, Texas, being all of a tract of land described to RO Properties, Ltd., by deed recorded in Document No. 2016-10480, Real Property Records, Denton County, Texas, and being more particularly described by metes and bounds as follows (basis of bearings for this survey is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83), with a combined scale factor of 1.00015063);

BEGINNING at a 2-inch iron pipe found for the northwest corner of said RO Properties, Ltd. tract, same being the northeast corner of a tract of land described as "Tract 1" to Victor Ballas, by deed recorded in Document No. 2014-31544, Real Property Records, Denton County, Texas, and lying on the south right-of-way line of Main Street (80' right-of-way);

THENCE North 89°17'02" East, with the north line of said first-referenced RO Properties, Ltd. tract and the south right-of-way line of said Main Street, a distance of 25.00 feet to a 1/2-inch iron rod with yellow cap stamped "ARTHUR SURVEYING COMPANY" (ASC) set for the northeast corner thereof, same being the northwest corner of a tract of land described to Jack & Ruby Galbraith, by deed recorded in Volume 493, Page 485, Deed Records, Denton County, Texas;

THENCE South 00°54'01" East, departing the south right-of-way line of said Main Street, with the east line of said first-referenced RO Properties, Ltd. tract and the west line said Galbraith tract, a distance of 132.00 feet to a 1/2-inch iron rod with yellow cap stamped (ASC) set for the southeast corner of said RO Properties, Ltd. tract and the southwest corner of said Galbraith tract, and lying in the north line of a tract of land described to RO Properties, Ltd., by deed recorded under Document No. 2017-45, Real Property Records, Denton County, Texas, and from which a 1/2-inch iron rod found for the southeast corner of said Galbraith tract bears North 89°17'02" East, a distance of 25.00 feet;

THENCE South 89°17'02" West, with the south line of said first-referenced RO Properties, Ltd. tract and the north line of said second-referenced RO Properties, Ltd. tract, a distance of 25.00 feet to a 1/2-inch iron rod with yellow cap stamped (ASC) set for the southwest corner of said first-referenced RO Properties, Ltd. tract, the northwest corner of said second-referenced RO Properties, Ltd. tract, and lying in the east line of said Ballas tract;

THENCE North 00°54'01" West, with the east line of said Ballas tract and the west line of said of said first-referenced RO Properties, Ltd. tract, a distance of 132.00 feet to the POINT OF BEGINNING and containing 3,300 square feet or 0.076 acres of land, more or less.

NOW, therefore, know all men by these presents:

THAT RO Properties, Ltd., the undersigned authority, does hereby adopt this plat designating the herein described property as MAIN STREET SOUTH ADDITION, Lot 1, Block A, an addition to the City of Lewisville, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon; and does hereby dedicate the easements strips shown on the plat for mutual use and accommodation of the City of Lewisville and all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs, signs or other improvements shall be constructed or placed upon, over, or across the easement strips on said plat. The City of Lewisville and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements strips, and the City of Lewisville and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. A blanket easements of a five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes, street lights) is hereby granted to the City of Lewisville for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

All lots in the subdivision shall be sold and developed subject to the building lines shown on the plat.

Randy Owens _____ Position _____

State of Texas § County of Denton §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

State of Texas § County of Denton § State of Texas § County of Denton §

BEFORE ME, the undersigned authority, on this day personally appeared Mark N. Peoples, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

PRELIMINARY. FOR REVIEW PURPOSES ONLY. NOT FOR RECORDATION.

Mark N. Peoples, R.P.L.S.
 No. 6443

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2017.

Notary Public in and for the State of Texas

All variances (if any) from the General Development Ordinance approved by City Council.

Kristin Green, Chairman
 Planning & Zoning Commission
 City of Lewisville, Texas

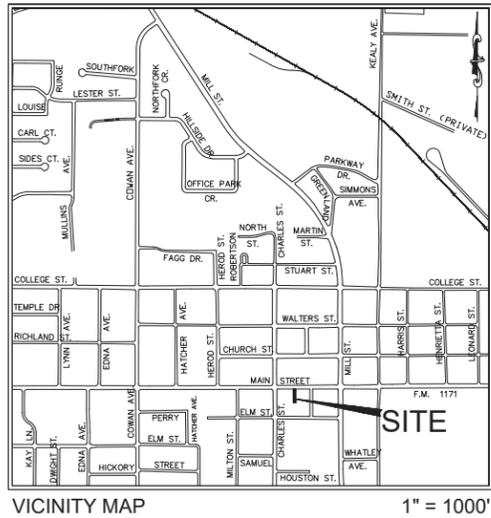
Date _____

The undersigned, City Secretary of the City of Lewisville, Texas, hereby certifies that the foregoing final plat of Main Street South Addition, Lot 1, Block A an addition to the City of Lewisville was submitted to the appropriate Planning & Zoning Commission or City Council as required by the ordinances of the City of Lewisville on the _____ day of _____, 20____, and such body by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

Witness my hand this _____ day of _____, 20____.

Julie Heinze, City Secretary
 City of Lewisville, Texas

FILED: _____
 DOC. NO. _____, P.R.D.C.T.
 FOR DENTON COUNTY USE ONLY

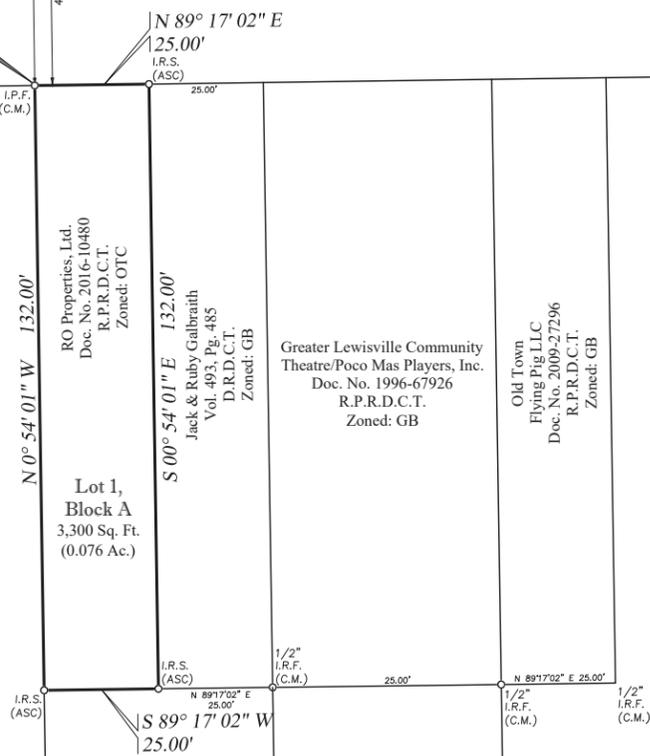


VICINITY MAP 1" = 1000'

"Tract II"
 Victor Ballas
 Doc. No. 2014-31544
 R.P.R.D.C.T.
 Zoned: GB

"Tract I"
 Victor Ballas
 Doc. No. 2014-31544
 R.P.R.D.C.T.
 Zoned: GB

William H. Klazendorf
 Doc. No. 2000-12754
 R.P.R.D.C.T.
 Zoned: GB



S. POYDRAS STREET

LEGEND

ROW	- RIGHT-OF-WAY
ASC	- ARTHUR SURVEYING COMPANY
I.R.S.	- 1/2" IRON ROD SET
I.R.F.	- IRON ROD FOUND
I.R.P.	- IRON PIPE FOUND
C.M.	- CONTROLLING MONUMENT
O	- PROPERTY CORNER
---	- BOUNDARY
---	- ADJOINER

NOTES

- No portion of subject property appears to lie within a Special Flood Hazard Area according to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 480195 0565 G, present effective date of map April 18, 2011, herein property is situated within Zone X (unshaded).
- Bearings shown hereon are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83), with a combined scale factor of 1.00015063.
- Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.
- The purpose of this plat is to create one platted lot from one unplatted tract.

OWNER
 RO Properties, LTD.
 P.O. Box 338
 Lewisville TX 75067
 Contact: Bill Peck
 214-707-0304

SURVEYOR/APPLICANT
Arthur Surveying Co.
 Professional Land Surveyors
 220 Elm St., # 200 - Lewisville, TX 75057
 Ph. 972.221.9439 - TFRN# 10063800
 arthursurveying.com Established 1986

DRAWN BY: MNP DATE: 03/28/2017 SCALE: 1"=20' ASC NO.: 1702484

FINAL PLAT MAIN STREET SOUTH ADDITION

Lot 1, Block A
 Zoned "OTC"
 Being 0.076 Acre of land located in the
 J.W. King Survey, Abstract Number 696
 City of Lewisville, Denton County, Texas

- 2017 -

FOR DENTON COUNTY USE ONLY
 FOR DENTON COUNTY USE ONLY

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E Luedke, Planning Director
DATE: November 06, 2017
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC), on an Approximately 0.089-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 145 Feet West of South Mill Street, at 128 West Main Street, as Requested by Loki Bear Properties, LLC, the Property Owner (Case No. PZ-2017-10-23).**

BACKGROUND

The property, located at 128 West Main Street, is currently in the process of being platted. The applicant plans to renovate the existing building located on this property, as well as add a covered awning to the south end of the building. The property is being rezoned to conform to the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request on October 17, 2017.

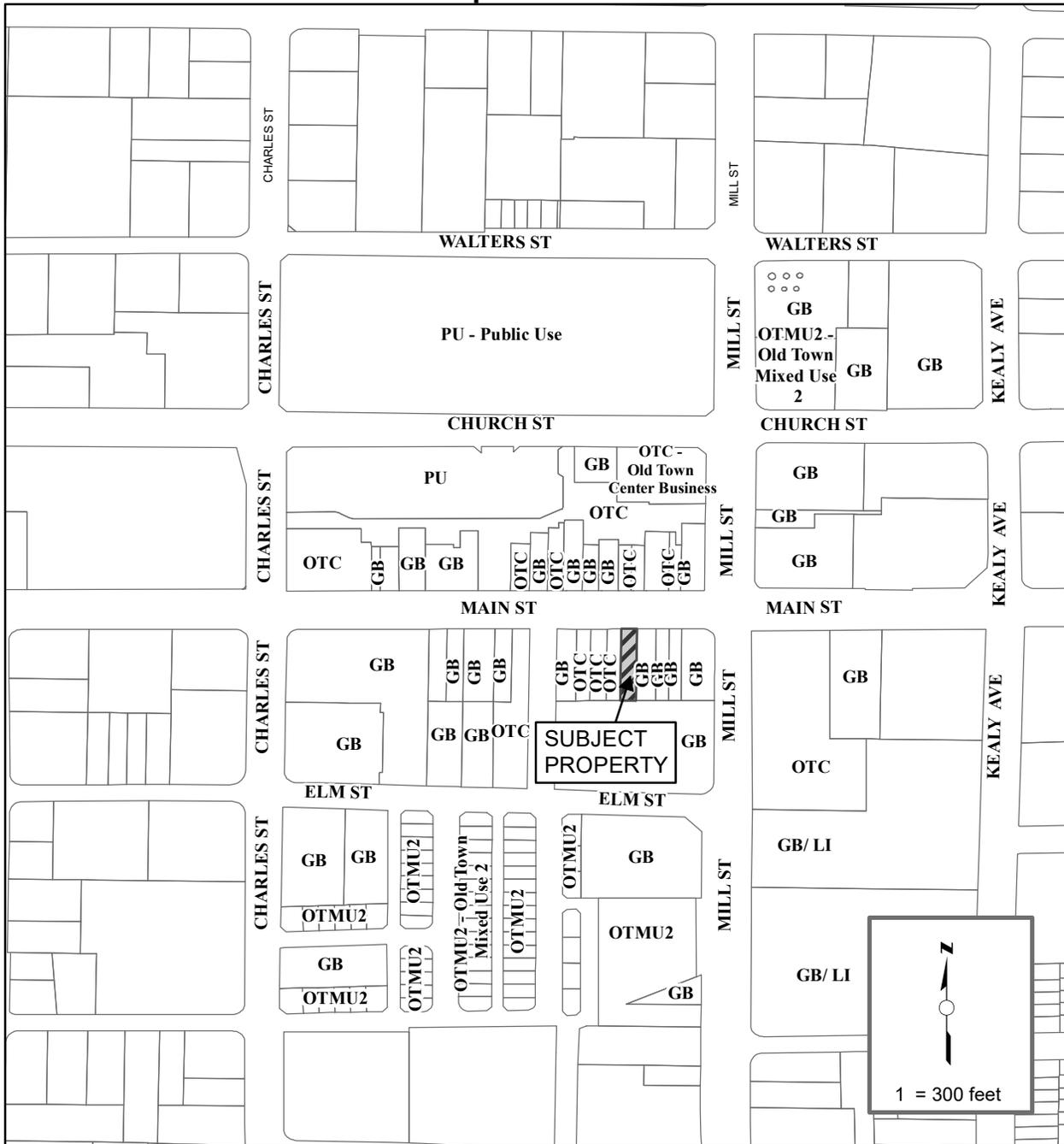
ANALYSIS

The property is located within the Old Town area identified in the Old Town Master Plan as the Old Town Center District. The OTC District allows for office, retail and other service uses.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the ordinance as set forth in the caption above.

Location Map - 128 W. Main St.



CASE NO. PZ-2017-10-23

PROPERTY OWNERS: LOKI BEAR PROPERTIES, LLC

APPLICANT NAME: LOKI BEAR PROPERTIES, LLC

PROPERTY LOCATION: 128 WEST MAIN STREET (0.09 ACRES)

CURRENT ZONING: GENERAL BUSINESS DISTRICT (GB)

REQUESTED ZONING: OLD TOWN CENTER BUSINESS DISTRICT (OTC)

Location Map - 128 W. Main St.



**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 17, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Alvin Turner, Karen Locke and James Davis.

Staff members present: Richard Luedke, Planning Director; June Sin, Planner; Jonathan Beckham, Planner.

Item 6:

Public Hearing Zoning & Special Use Permits were next on the agenda. There were five items for consideration:

- C. **Public Hearing:** Consideration of a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC); on an Approximately 0.09-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 145 Feet West of South Mill Street, at 128 West Main Street; as Requested by Loki Bear Properties, LLC, the Property Owner. (Case No. PZ-2017-10-23).

Staff gave a brief overview of the proposed zone change request and recommended approval. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. A motion was made by William Meredith to recommend approval of the zone change request, which was seconded by James Davis. The motion passed unanimously (7-0). Staff indicated that the item would be considered by the City Council on November 6th for a second public hearing and a final decision

SECTION 17-22. - "GB" GENERAL BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Any use permitted in district "LC" as regulated in said district.
 - (2) Auto, boat, motorcycle, recreational vehicle or mobile home display, sales (outdoor) and/or repair (SUP required)
 - (3) Bakeries.
 - (4) Building material sales with outside storage or display, including lumber yards (SUP required).
 - (5) Business or commercial schools.
 - (6) Clinic, medical and dental, and professional offices.
 - (7) Carpentry, painting, plumbing or tinsmithing shop fully enclosed within a building.
 - (8) Cleaning, laundry and dyeing plants fully enclosed within a building.
 - (9) Creamery, ice cream manufacturing and dairy operations fully enclosed within a building.
 - (10) Farm implement display and sales room. (outdoor) (SUP required).
 - (11) Hotels, motels and inns.
 - (12) Mortuaries with or without crematoriums. (SUP required).
 - (13) Office buildings.
 - (14) Pet shops, retail, fully enclosed within a building.
 - (15) Printing, engraving and newspaper plants, fully enclosed within a building.
 - (16) Radio or television broadcasting station or studio with broadcasting towers (SUP required).
 - (17) Retail stores, fully enclosed within a building.
 - (18) Veterinarian or animal hospital with outdoor kennel or exercise runs (SUP required).
 - (19) Bowling alley and other commercial amusement (indoor) uses, fully enclosed within a building.
 - (20) Church worship facilities.
 - (21) Uses similar to the above mentioned permitted uses, provided activities conducted wholly inside a building and observe the requirements of all city ordinances.
 - (22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (23) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor (SUP required).
 - (25) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (27) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (28) Commercial amusement, outdoor (SUP required).
 - (29) Drive-in theater (SUP required).
 - (30) Flea market, outdoor (SUP required).
 - (31) Helipad, helistop or landing strip (SUP required).
 - (32) Kennels with outdoor runs (SUP required).
 - (33) Nightclub, bar. (SUP required).
 - (34) Brewery, distillery, or winery.
 - (35) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.
- (c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "GB", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) Reserved.

- (d) *Outside Storage Regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as storage yards.

SECTION 17-22.6 - "OTC" OLD TOWN CENTER BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Retail establishments including but not limited to: bakeries; book, card, gift and stationary stores; building material sales; clothing; florists; grocery stores; and pet shops or others of a similar nature and subject to the following condition:
 - a. Temporary, portable outside display of merchandise is allowed on a daily basis but is limited to the area directly adjacent to the building occupied by the business and no more than five (5) feet from the building. A clear aisle shall be maintained for pedestrian access. Otherwise, no outside display or storage is permitted.
 - (2) Barber and beauty shops.
 - (3) Buildings and uses owned or operated by public governmental agencies.
 - (4) Business or commercial schools.
 - (5) Church worship facilities.
 - (6) Clinic, medical and dental, and related professional offices.
 - (7) Communication towers, accessory to the primary use, shall be located on a building and may extend a maximum of 15 feet above the building, but must be screened from view.
 - (8) Day nurseries.
 - (9) Dry cleaning and laundry services.
 - (10) Hotels, motels and inns.
 - (11) Professional offices.
 - (12) Restaurants.
 - (13) Veterinarian or animal clinic provided that no kennel or exercise runway shall be located outside the building.
 - (14) Video rental stores and movie theaters.
 - (15) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Dwelling units of 850 square foot minimum size shall be allowed as an accessory use to retail businesses.
 - (16) Non-accessory dwelling units of 650 square foot minimum size when located over a retail, restaurant or similar use on the first floor.
 - (17) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (18) Uses similar to the above mentioned permitted uses; provided activities conducted observe the requirements of all city ordinances.
 - (19) Bed and breakfast establishments (SUP required).
 - (20) Bar (SUP required).
 - (21) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed a maximum height of three (3) stories or forty-five (45) feet excluding parapet walls. Parapet walls shall have a maximum height of eight (8) feet.
- (c) *Area.*
- (1) *Size of yards.*
 - a. *Front yard.* The front facades of buildings shall be set at the front property line. However, a portion of the façade may be set back further in order to create a special entry court or restaurant seating.
 - b. *Side yard.* The façade of a building located on a lot that adjoins a side street shall be located at the property line.

This Section (Office Use Only)		
Case:		
PZ:		CC:
Sign/s Picked Up By:		



LEWISVILLE

ZONE CHANGE APPLICATION

Owner/s (name): <u>Loki Bear Properties, LLC</u>	
Company Name:	
Mailing Address: <u>132 West Main St. Lewisville TX</u>	
Work #: <u>972 436 8141</u>	Cell #:
E-Mail: <u>Kellie@bfslegal.com</u>	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <i>[Signature]</i>	Date: <u>10.2.17</u>
Printed Name: <u>Kellie Fister Stokes, Manager</u>	

Applicant/Agent (name):	
Company Name:	
Mailing Address:	
Work #:	Cell #:
E-Mail:	
Applicant/Agent Signature	Date:
Printed Name:	

Current Zoning: <u>GB</u>	Requested Zoning: <u>OTC</u>	Acres: <u>less than 1/2 1.09</u>
Legal Description (Lot/Block/Tract/Abstract): <u>A0696A I.W. King, TR 118, .09 Acres, Old DCAD TR 12</u>		
Address/Location: <u>128 West Main St. Lewisville TX</u>		

Application and Sign Fees:

	Less than 1/2 acre	\$ 150.00
	1/2 acre up to 4.99 acres	\$ 250.00
	5 acres up to 24.99 acres	\$ 400.00

	25 acres up to 49.99 acres	\$ 750.00
	50 acres up to 99.99 acres	\$1,000.00
	100 acres and more	\$1,500.00

Qty: _____	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ _____
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ _____
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ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING A 0.089-ACRE TRACT OF LAND OUT OF THE J.W. KING SURVEY, ABSTRACT NO. 696, LOCATED ON THE SOUTH SIDE OF WEST MAIN STREET APPROXIMATELY 145 FEET WEST OF SOUTH MILL STREET, AT 128 WEST MAIN STREET, FROM GENERAL BUSINESS DISTRICT (GB) ZONING TO OLD TOWN CENTER BUSINESS DISTRICT (OTC) ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND THIS ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made to amend the Official Zoning Map of Lewisville, Texas by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has recommended that rezoning of the approximately 0.089-acre property described in the attached Exhibit “A” (the “Property”) be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

WHEREAS, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied: effect on the congestion of the streets; the fire hazards, panics and other dangers possibly present in the securing of safety from same; the effect on the promotion of health and the general welfare; effect on adequate

light and air; the effect on the overcrowding of the land; the effect of the concentration on population; the effect on the transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

WHEREAS, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets; helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the Property since it was originally classified and, therefore, feels that a change in zoning classification for the Property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community.

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

SECTION 1. The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the zoning of the Property is hereby changed to **OLD TOWN CENTER BUSINESS DISTRICT (OTC) ZONING.**

SECTION 2. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this change in zoning.

SECTION 3. That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

SECTION 4. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

SECTION 5. This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances,

except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

SECTION 6. That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the Property shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

SECTION 7. Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

ORDINANCE NO. _____

Page 5

APPROVED:

Rudy Durham, MAYOR

ATTEST:

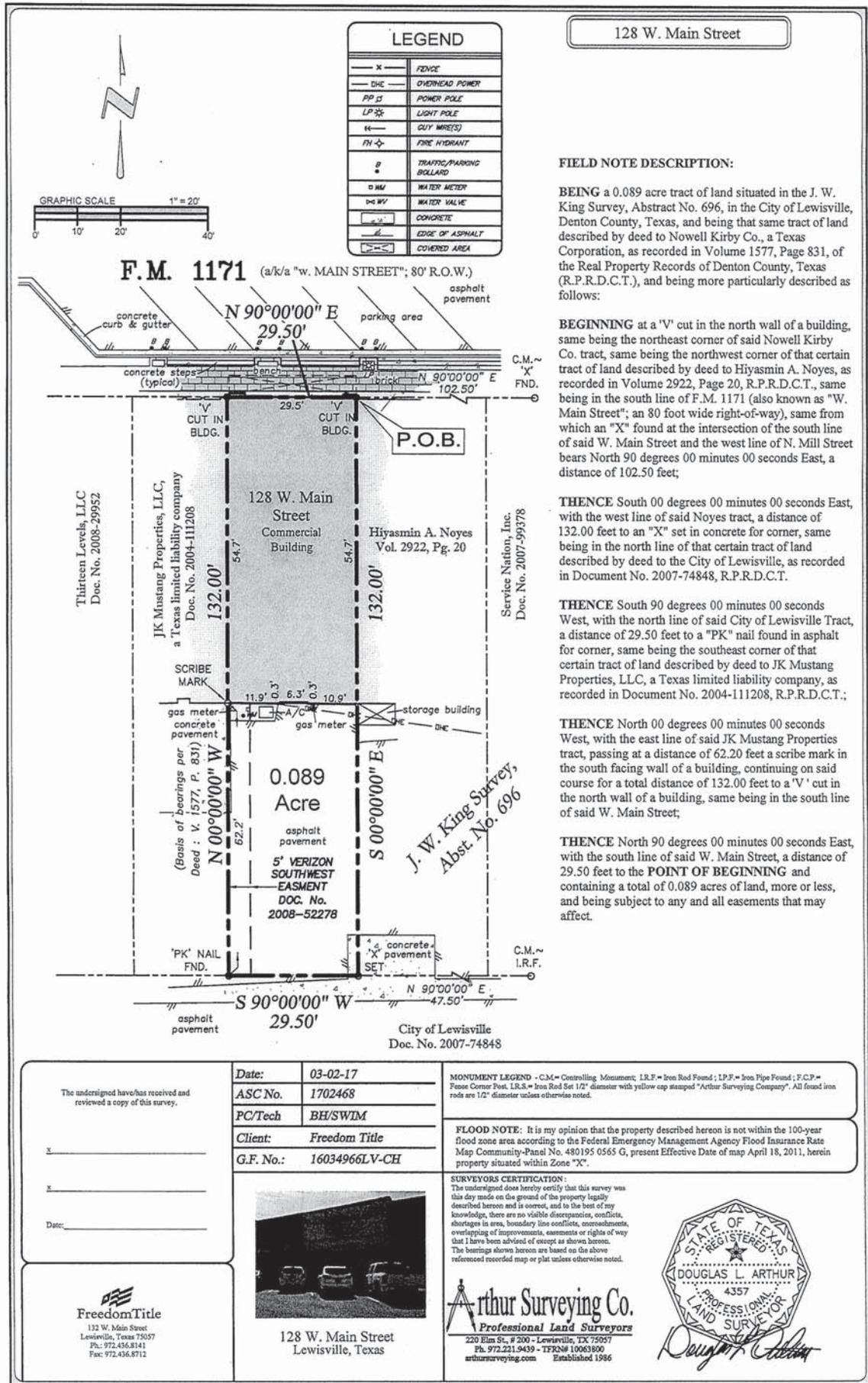
Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

EXHIBIT A



FreedomTitle
 132 W. Main Street
 Lewisville, Texas 75057
 Ph: 972.436.8141
 Fax: 972.436.8712



128 W. Main Street
 Lewisville, Texas

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E. Luedke, Planning Director
DATE: November 6, 2017
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Communication Tower; on Approximately 0.911 Acres, Legally Described as Lot 1R, Block A of the Fox-IH35E Addition, Located on the Southwest Corner of Fox Avenue and the I-35E Frontage Road and Zoned General Business District (GB), as Requested by Brian Sullivan of Eco-Site, LLC, on Behalf of Jay Remnek, of Highland Lakes, Inc, the Property Owner (Case No. SUP-2017-10-13).**

BACKGROUND

Eco-Site is proposing to build a new wireless telecommunications facility to help strengthen T-Mobile's signal strength along the I-35E corridor; as well as maintain access to E911 services, which help tie physical location data to emergency calls. The facility is leasing a 1,236 square-foot area located behind the Chevron which is located on the southwest corner of Fox Avenue and the I-35E Frontage Road. The proposed facility will be situated on the west side of the site where an existing driveway is located. This existing driveway will be removed to accommodate the proposed facility. The special use permit (SUP) regulations adopted in 2013 requires that all new communication towers require approval of an SUP. The Planning and Zoning Commission recommended unanimous approval (6-0) of the requested SUP on October 3, 2017.

ANALYSIS

Height and Area

All monopoles are required to be placed with a minimum 3:1 distance to height ratio from the nearest single family or two family zoned lot or tract. The 100-foot tall cell tower, which must be placed 300 feet from the nearest single family or two family zoned lot or tract; is approximately 775 feet from the closest zoning of this type.

Site

Eco-Site's proposed 1,236 square-foot facility will include a 100-foot tall monopole and an 8'x5' equipment pad. The site will also feature a sliding gate on the southwest portion of the site, giving access to a 10'x15' parking space. An additional 10'x15' area is located on the northwest portion of the facility reserved for future carrier equipment.

Screening and Landscaping

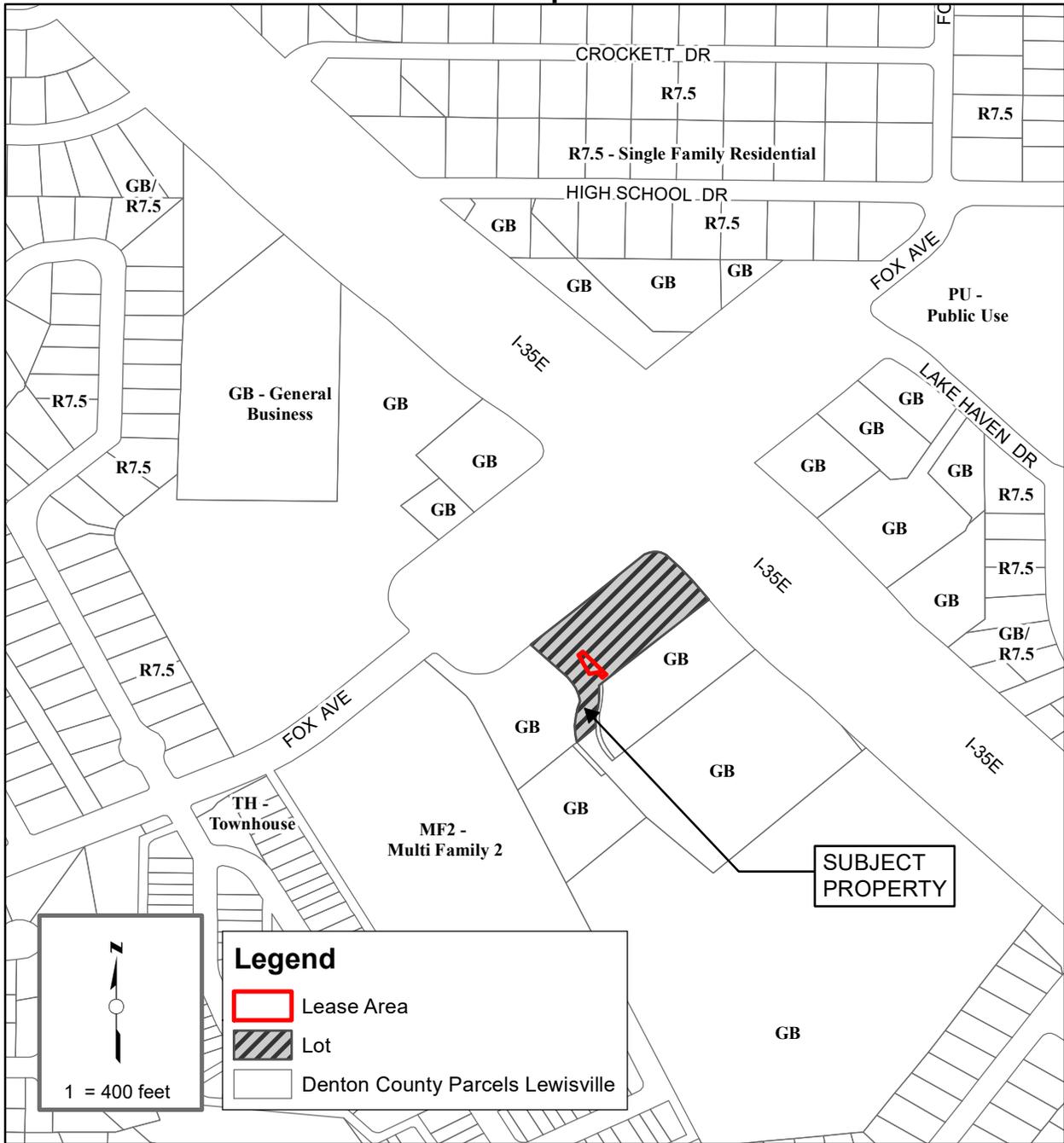
The proposed facility will be screened with an eight-foot tall wrought iron fence. 54 holly shrubs, which will be approximately three feet in height, will surround the wrought iron fence to provide live screening. Eco-Site is proposing to add five additional trees to the gas

station's existing landscaping to help mitigate any negative visual impacts associated with the tower.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the special use permit as set forth in the caption above.

Location Map - Eco Site



CASE NO. SUP-2017-10-13

PROPERTY OWNER: JAY REMNEK, HIGHLAND LAKES, INC.

APPLICANT NAME: BRIAN SULLIVAN, ECO-SITE, INC.

PROPERTY LOCATION: A PORTION OF LOT 1R, BLOCK A, FOX-IH35E ADDITION, LOCATED ON THE SOUTH WEST CORNER OF FOX AVENUE AND THE I-35E FRONTAGE ROAD (0.9111 ACRES)

CURRENT ZONING: GENERAL BUSINESS DISTRICT (GB)

REQUESTED USE: SPECIAL USE PERMIT FOR A COMMUNICATION TOWER

Aerial Map - Eco Site



**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 3, 2017**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:31 pm. Members present: William Meredith, John Lyng, MaryEllen Miksa, Kristin Green, Karen Locke and James Davis. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Director; Jonathan Beckham, Planner; and Theresa Ernest, Planning Technician.

Item 4:

Public Hearings for zoning and special use permits were next on the agenda. There were three items for consideration:

- A. **Public Hearing:** Consideration of a Special Use Permit for a Communication Tower; on Approximately 0.911 Acres, Legally Described as Lot 1R, Block A of the Fox-IH35E Addition, Located on the Southwest Corner of Fox Avenue and the I-35E Frontage Road; as Requested by Brian Sullivan of Eco-Site, Inc., on Behalf of Jay Remnek, of Highland Lakes, Inc, the Property Owner. (Case No. SUP-2017-10-13)

Staff gave a brief overview of the proposed special use permit request and recommended approval. Bebb Francis, the attorney of Eco-Site, gave a presentation and was assisted by Dishant Shah of T-Mobile. Members Karen Locke and John Lyng expressed concerns about the neighboring businesses and pedestrians being impacted by construction and road blockages. John Gatz of Eco-Site elaborated on the proposed driveway closure and explained the construction process. Member James Davis asked for additional details of the maintenance procedure for the proposed communication tower and if a light pole would be added to the site. Mr. Gatz gave further explanation of the single parking space that would be used to maintain the tower and affirmed that a light pole would be added to the site. Member William Meredith asked if the plants proposed as landscaping would include an irrigation system, which staff confirmed, as part of the landscape plan. Chairman Green then opened the public hearing. Paul Amosun, 873 South Stemmons Freeway, came forward to speak in opposition of the proposed special use permit request. He listed his concerns about the negative aesthetics of the tower, traffic congestion due to construction, safety in the event of the tower falling, and health implications of the tower being in proximity to his business, which has customer flow daily. Mr. Gatz responded to Mr. Amosun's concerns, clarifying in detail about the safety measures that Eco-Site has proposed for the communication tower and the containment of the construction solely to the proposed lease area with both live

foliage and wrought-iron fencing as screening measures. Chairman Green asked for an explanation of what would happen if the proposed tower were not approved. John Gatz answered that this site is the only option after the time and resources they have invested, and if they are unable to locate here the gap in coverage for T-Mobile's service will remain. With no further public comment, the public hearing was closed by Chairman Green. *A motion was made by James Davis to recommend approval of the special use permit request and seconded by MaryEllen Miksa. The motion passed unanimously (6-0).* Staff indicated that the item would be going before the City Council on November 6th for a second regular hearing and a final decision.

SECTION 17-22. - "GB" GENERAL BUSINESS DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:
- (1) Any use permitted in district "LC" as regulated in said district.
 - (2) Auto, boat, motorcycle, recreational vehicle or mobile home display, sales (outdoor) and/or repair (SUP required)
 - (3) Bakeries.
 - (4) Building material sales with outside storage or display, including lumber yards (SUP required).
 - (5) Business or commercial schools.
 - (6) Clinic, medical and dental, and professional offices.
 - (7) Carpentry, painting, plumbing or tinsmithing shop fully enclosed within a building.
 - (8) Cleaning, laundry and dyeing plants fully enclosed within a building.
 - (9) Creamery, ice cream manufacturing and dairy operations fully enclosed within a building.
 - (10) Farm implement display and sales room. (outdoor) (SUP required).
 - (11) Hotels, motels and inns.
 - (12) Mortuaries with or without crematoriums. (SUP required).
 - (13) Office buildings.
 - (14) Pet shops, retail, fully enclosed within a building.
 - (15) Printing, engraving and newspaper plants, fully enclosed within a building.
 - (16) Radio or television broadcasting station or studio with broadcasting towers (SUP required).
 - (17) Retail stores, fully enclosed within a building.
 - (18) Veterinarian or animal hospital with outdoor kennel or exercise runs (SUP required).
 - (19) Bowling alley and other commercial amusement (indoor) uses, fully enclosed within a building.
 - (20) Church worship facilities.
 - (21) Uses similar to the above mentioned permitted uses, provided activities conducted wholly inside a building and observe the requirements of all city ordinances.
 - (22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (23) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor (SUP required).
 - (25) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (27) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (28) Commercial amusement, outdoor (SUP required).
 - (29) Drive-in theater (SUP required).
 - (30) Flea market, outdoor (SUP required).
 - (31) Helipad, helistop or landing strip (SUP required).
 - (32) Kennels with outdoor runs (SUP required).
 - (33) Nightclub, bar. (SUP required).
 - (34) Brewery, distillery, or winery.
 - (35) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).
- (b) *Height.* No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.
- (c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "GB", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) Reserved.

- (d) *Outside Storage Regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as storage yards.

SECTION 17-29.5 - "SUP" SPECIAL USE PERMIT

(a) *Purpose.*

The special use permit (SUP) provides a means for evaluating land uses identified in this ordinance to ensure compatibility with adjacent properties. The intent of the special use permit process is to allow consideration of certain uses that would typically be incompatible or intensely dominate the area in which they are located, but may become compatible with the provision of certain conditions and restrictions.

(b) *Application submittal and approval process.*

(1) Application for an SUP shall be processed like an application for rezoning. An application shall not be complete and shall not be scheduled for a public hearing unless the following are submitted along with the application:

- a. A scaled development plan depicting the items listed in Section 17-29.5(b)(2);
- b. A meets and bounds description of the property boundary;
- c. A narrative explaining how the property and use(s) will function;
- d. Colored elevations of the building and other structures including dimensions and building materials;
- e. A Landscaping Plan, meeting the requirements of Section 6-124 of the Lewisville Code of Ordinances;
- f. A Tree Survey and Mitigation Plan if required by Section 6-125 of the Lewisville Code of Ordinances;
- g. Detailed elevations and descriptions of proposed signage;
- h. An exhibit illustrating any requested variances; and
- i. Any other information, drawings, operating data or expert evaluations that city staff determines are necessary to evaluate the compatibility criteria for the proposed use and development.

(2) The development plan submitted along with an SUP application must include the following:

- a. The layout of the site;
- b. A north arrow;
- c. A title block including project name, addition, lot, block, acreage, and zoning classification of the subject property;
- d. Name, address, and phone number for applicant, developer, owner, builder, engineer, and/or surveyor;
- e. Building location, property lines, and setbacks;
- f. Summary tables listing building square footage, required parking, and required landscaping;
- g. Locations of utility easements, if applicable;
- h. Zoning and ownership of adjacent properties;
- i. Easements, deed restrictions, or encumbrances that impact the property;
- j. Median openings, traffic islands, turning lanes, traffic signals, and acceleration and deceleration lanes;
- k. Streets, alleys, and easements adjacent to the site;
- l. Driveways and sidewalks;
- m. Parking configuration, including maneuvering lanes and loading areas;
- n. Location and details of dumpsters and screening devices; and
- o. Location of all proposed signage.

(3) Variances from the regulations of the city's General Development Ordinance may be granted at the discretion of the city council as part of the SUP approval. The granting of an SUP has no effect on uses permitted by right and does not waive the regulations of the underlying zoning district.

- (4) The planning and zoning commission or the city council may require additional information or drawings, operating data or expert evaluation or testimony concerning the location and characteristics of any building or uses proposed.
- (5) The planning and zoning commission, after holding a public hearing, shall recommend to the city council approval or denial of each SUP along with any recommended conditions. The city council shall review each case on its own merit, apply the compatibility criteria established herein, and if appropriate, grant the special use permit for said use(s).
- (6) Completion of a development plan for the SUP does not waive the requirement to provide an engineering site plan in accordance with the General Development Ordinance.

(c) *Compatibility criteria for approval.*

The planning and zoning commission shall not recommend approval of, and the city council shall not grant an SUP for a use except upon a finding that the use will:

- (1) complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;
- (2) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;
- (3) not be detrimental to the public health, safety, or general welfare; and
- (4) conform in all other respects to all zoning regulations and standards.

(d) *SUP conditions.*

The planning and zoning commission may recommend and the city council may adopt reasonable conditions upon the granting of an SUP consistent with the purpose and compatibility criteria stated in this section. The development plan, however, shall always be attached to and made a condition of the SUP. The other documents submitted with the SUP application may also be made conditions of the SUP.

(e) *Amendments, enlargement, modifications or structural alterations.*

- (1) Except for minor amendments, all amendments, enlargements, modifications or structural alterations or changes to the development plan shall require the approval of a new SUP. The city manager or his designee may authorize minor amendments to the development plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:
 - a. Alter the basic relationship of the proposed development to adjacent property;
 - b. Increase the maximum density or height shown on the original development plan;
 - c. Decrease the number of off-street parking spaces shown on the original development plan; and/or
 - d. Reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan.
- (2) For purposes of this subsection, "original development plan" means the earliest approved development plan that is still in effect, and does not mean a later amended development plan. For example, if a development plan was approved with the specific use permit and then amended through the minor amendment process, the original development plan would be the development plan approved with the specific use permit, not the development plan as amended through the minor amendment process. If, however, the development plan approved with the specific use permit was replaced through the zoning process, then the replacement development plan becomes the original development plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

- (3) Although the city manager or his designee has the authority to grant minor amendments to the development plan, they are not obligated to do so. The city manager or his designee shall always maintain the discretion to require city council approval if he feels that it is within the public's interest that city council consider the amendment, enlargement, modifications, or structural changes at a public hearing.

(f) *Compliance mandatory with written requirements.*

- (1) No special use permit shall be granted unless the applicant, owner, and grantee shall be willing to accept and agree to be bound by and comply with the written requirements attached to the development plan drawings and approved by the city council.
- (2) A special use permit shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, however all regulations and conditions of the SUP shall remain in effect and shall be applicable to the new owner or occupant of the property.

(g) *Timing.*

All development plans submitted for review will be on the city's active list for a period of 90 days from the date of each submittal. After the 90-day period, a project will be considered abandoned and removed from the file. A building permit shall be applied for and secured within 180 days from the time of approval of the special use permit provided that the city may allow a one-time extension of the SUP for another 180 days. A SUP shall expire six months after its approval or extension date if no building permits have been issued for the site or if a building permit has been issued but has subsequently lapsed. Work must be completed and operations commenced within 18 months of approval.

(h) *Zoning map.*

When the city council authorizes granting of a special use permit the official zoning district map shall be amended according to its legend to indicate that the affected area has conditions and limited uses, said amendment to indicate the appropriate zoning district for the approved use, and suffixed by an "SUP" designation. A log of all special use permits shall be kept by the city.

(i) *Rescind and terminate a special use permit.*

City council may rescind and terminate an SUP after a public hearing if any of the following occur:

- (1) That one or more of the conditions imposed by the SUP has not been met or has been violated.
- (2) The SUP was obtained through fraud or deception.
- (3) Ad valorem taxes on the property are delinquent by six months or more.
- (4) Disconnection or discontinuance of water and/or electrical services to the property.
- (5) Abandonment of the structure, lease space, lot, or tract of land for 180 days or more. (For the purpose of this section, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit such property.)

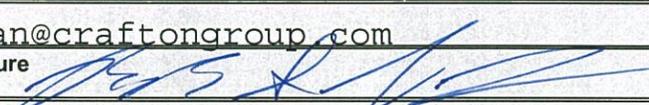
This Section (Office Use Only)		
Case:		
PZ:		CC:
Sign/s Picked Up By:		



LEWISVILLE
 Deep Roots. Broad Wings. Bright Future.

**SPECIAL USE PERMIT (SUP)
 APPLICATION**

Owner/s (name): Jay Remnek	
Company Name: Highland Lakes, Inc.	
Mailing Address: 877 S Stemmons, Lewisville, TX 78077	
Work #: 740-230-4041	Cell #:
E-Mail:	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): Please see enclosed athorization	Date:
Printed Name:	

Applicant/Agent (name): Brian Sullivan	
Company Name: Eco-Site, Inc.	
Mailing Address: 240 Leigh Farm Road, Suite 415, Durham, NC 27707	
Work #: 205-443-3433	Cell #:
E-Mail: bsullivan@craftongroup.com	
Applicant/Agent Signature 	Date: 6/26/17
Printed Name: Brian Sullivan	

Current Zoning: GB	Requested Zoning: GB	Acres: 0.911
Legal Description (Lot/ Block/Tract/Abstract): Lot 1-R, Block A, of Fox-I.H. 35E Addition Lots 1-R&2R, Block A as recorded Cab. M, Pg 310		
Address/Location: 877 S Stemmons, Lewisville, TX 78077		

Application and Sign Fees:

Less than 1/2 acre	\$ 150.00
1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00

25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$1,000.00
100 acres and more	\$1,500.00

Qty: 1	SUP Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ 35
--------	---	-------

Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ 285.00
---	-----------

Eco-Site, LLC
Request for a
Special Use Permit
to Construct a
Telecommunications Tower

Lewisville is Growing

Eco-Site[®]

Lewisville the latest to land a new spec industrial project in DFW



By **Candace Carlisle** – Senior Reporter, Dallas Business Journal

May 19, 2017, 11:36am

ML Realty Partners LLC, a long-term real estate investment firm based in Irving and Illinois, plans to develop a new industrial facility in Lewisville.

This is the latest in [several spec industrial projects in the pipeline](#) in North Texas.

The 121,000-square-foot industrial facility will sit on a tract between State Highway 121 and Midway Road near where the highway turns into the Sam Rayburn Tollway, which is miles from Plano's Legacy West corporate magnet and Nebraska Furniture Mart's \$1.5 billion Grandscape development.

This was an exciting opportunity to develop a Class A industrial building within a five-minute commute to the Dallas North Tollway, said [Matt Smith](#), vice president of ML Realty Partners.

“Between this new facility and the recently completed construction of Park West Crossing Phase II, we are very confident in the market conditions,” Smith added, in a statement.

ML Realty Partners has hired [Dan Spika](#) of Dallas-based Henry S. Miller Brokerage to lease the soon-to-be built facility, which the firm says can accommodate mid-size tenants.

Construction is underway on the project, with the building slated to begin occupancy in spring 2018.

The real estate investment firm has [made a number of acquisitions in North Texas](#), which has strong real estate market fundamentals [driving an uptick of trades for industrial properties](#).

Demand for Wireless

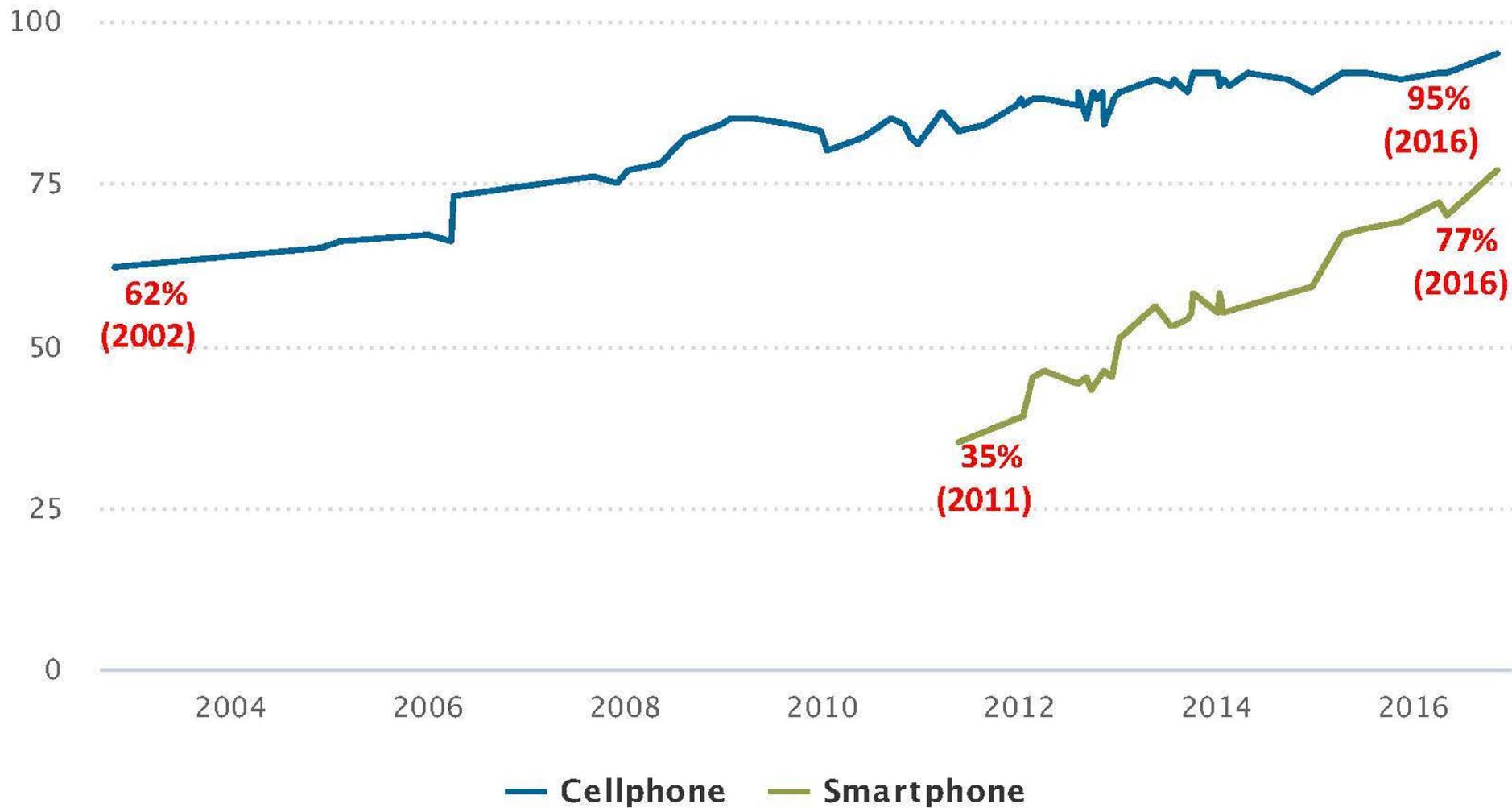
Now, there are more smartphones, laptops and wireless-enabled tablets than people in the U.S.

There are 359.9 million wireless devices, or 1.2 wireless devices for every U.S. resident.

Americans used 13.72 trillion megabytes of data in 2016. This is the equivalent of 1.58 million years of streaming videos, and 35 times the amount the nation used only five years ago.

The Washington Times, May 11, 2017

% of U.S. adults who own the following devices



*Pew Research Center
January 12, 2017*

Lewisville Residents Require Seamless Wireless Connectivity

- The average Lewisville household has more than 5 mobile devices
- Over 50% of households have disconnected landline phone lines
- Smart Utility Meters and Wireless Home Security Systems
- Medical Devices
 - Emergency Apps for people with chronic conditions
 - User GPS location, real-time sensors and medical history available to EMT's

Louisville Residents Need E911 Wireless Connectivity

- Over 85% of E911 Calls are made by wireless devices
- Emergency service and “Reverse E911” alerts

City of Lewisville Mobile Applications



Home > News > Local News > City develops dashboard to track performance

News Local News

City develops dashboard to track performance

By **Steve Southwell** - August 27, 2016

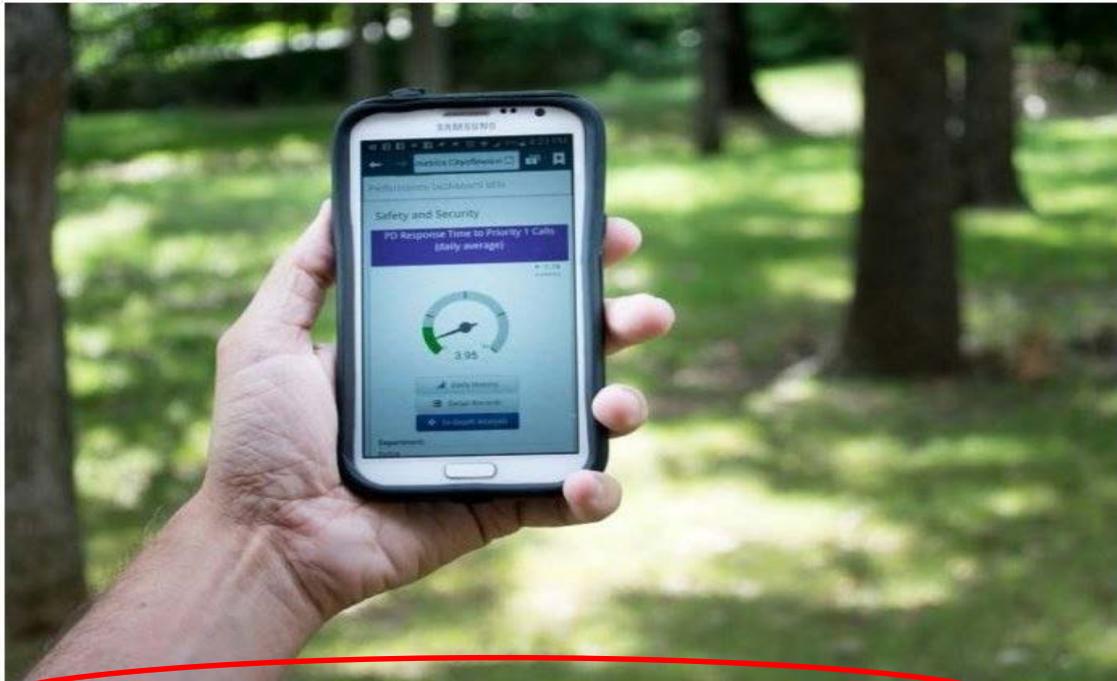
👁 2480 🗨 0

f Share on Facebook

🐦 Tweet on Twitter

G+

p



Lewisville's new performance dashboard is mobile-enabled for info-on-the-go. (Photo by Christina Ulsh)



- Community Relations & Tourism
 - News and Information
 - Latest City News
 - City Cable LTV
 - eNewsletters
 - Feedback Surveys
 - Public Service Videos
 - Social Media
 - Mobile Application**
 - Convention and Visitors Bureau
 - + Special Events & Festivals
 - + MCL Grand
 - Arts Advisory Board
 - Performance Dashboard

[About Us](#) » [City Departments](#) » [Community Relations & Tourism](#) » [News and Information](#) »

MOBILE APPLICATION

Font Size: [Share & Bookmark](#) [Feedback](#) [Print](#)



The City of Lewisville mobile application for smart phones and tablets, gives residents and visitors a convenient way to give and receive information about the city.

The free app is available for iPhone and Android platforms under the name "Lewisville TX."

Download: [iPhone/iPod Touch/iPad](#) - [Android](#)

Some of the services available through the Lewisville mobile app are reporting code violations, street repairs, litter, and other issues needing city attention. The latest city news and information will be a finger-tap away, along with a calendar of public events and details on local entertainment venues.

Residents will be able to access the following from the app:

- report code violations, street repairs, litter and other issues needing city attention
- obtain the latest city news and information
- view trash and recycling information
- updates on the 35Express Project
- pay water bills



Lewisville Citizen Alert System

Get alerted about emergencies and other important community news by signing up for our Emergency Alert Program. This system enables us to provide you with critical information quickly in a variety of situations, such as severe weather, unexpected road closures, missing persons and evacuations of buildings or neighborhoods.

You will receive time-sensitive messages wherever you specify, such as your home, mobile or business phones, email address, text messages and more. You pick where, you pick how.

Login to your account

Username

[Forgot username](#)

Password

[Forgot password](#)

Keep me signed in (Uncheck if on a shared computer)

Login

Don't have an account? [Sign up](#)

City of Lewisville Social Media



Community Relations & Tourism

News and Information

Latest City News

City Cable LTV

eNewsletters

Feedback Surveys

Public Service Videos

Social Media

Mobile Application

Convention and Visitors Bureau

+ Special Events & Festivals

+ MCL Grand

Arts Advisory Board

Performance Dashboard

[About Us](#) » [City Departments](#) » [Community Relations & Tourism](#) » [News and Information](#) »

SOCIAL MEDIA

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The advent and rapid growth of Social Media makes it easier than ever to keep up with important news and notes about your community. The City of Lewisville uses multiple social media outlets to foster two-way communication with its residents, businesses and visitors.



[Lewisville Staff](#) page, which is monitored and updated regularly by a small group of employees in the city's Community Relations Division. Through this page, the city distributes information of interest to the public and also receives and responds to questions and service requests. Users are asked not to post commercial notices to this page, as they will be removed, and also to observe common courtesy and decorum an befitting a public forum.

[LLELA Lewisville Lake](#)
(text and photo posts about activities at Lewisville Lake Environmental Learning Area)

[Lewisville Animal Services](#)
(text and photo posts about pet care and adoptable animals)

[Lewisville City Hall](#)
(real-time updates during City Council meetings and other Council-related information)

[Lewisville Office of Emergency Management](#)
(text and photos about emergency preparation)



[@LewisvilleTexas](#)
This can be a convenient way to keep up with city-related news and notes while on the go. Follow us on Twitter and be "in the know" about city information.

[@LewisvilleCourt](#)
Lewisville Warrants

[@LewisvilleFire](#)
Lewisville Fire Department

[@LewisvilleTxLib](#)
Lewisville Library

[@LewisvilleOEM](#)
Office of Emergency Management

[@Lew_fm_teencrt](#)
Lewisville/Flower Mound Teen Court



Lewisville Office of
Emergency
Management
@LewisvilleOEM

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Like Share ...

Sign Up

Message

Posts

 **Lewisville Office of Emergency Management**
September 22 at 5:44am · 🌐

Disasters don't #PlanAhead, but you can. Get the @fema app with weather alerts for up to 5 locations: www.fema.gov/mobile-app #NatIPrep

Like Comment

Heather Graham likes this.

 **Lewisville Office of Emergency Management** shared North Texas Tollway Authority's post.
September 21 at 6:08am · 🌐

Be aware if your travels take you through Plano this weekend

Government Organization in Lewisville, Texas
4.6 ★★★★★ · Always Open

Community See All

Like 3,248 people like this

Follow 3,219 people follow this

Location 2 people have visited

About See All





Tweets 4,026 Following 272 Followers 5,527 Likes 431 Lists 3

Follow

City Of Lewisville

@LewisvilleTexas

Lewisville, Texas -- Deep Roots. Broad Wings. Bright Future.

Lewisville, Texas

cityoflewisville.com

43.6K Vine Loops

Joined April 2009

790 Photos and videos

Tweets Tweets & replies Media

City Of Lewisville @LewisvilleTexas · 3h
Lewisville City Council meeting tonight 7 pm, Lewisville City Hall, 151 W. Church Street - for agenda and back visit cityoflewisville.com/about-us/city-...

2

City Of Lewisville Retweeted
Major League Eating @eatingcontest · Sep 30
YOUR @LewisvilleTexas @MarketStreet_TX 2017 results!

Congratulations to the great Geoffrey Esper!

New to Twitter?

Sign up now to get your own personalized timeline!

Sign up

You may also like · Refresh

Town of Flower Mound @flower_mound

Lewisville Independent School District

Technology

- ▶ Welcome to Technology
- ▶ Student Data Privacy
- + Technology Services
- 1:X iPad/Learning Device
 - ▶ [Summer Technology Care and Repair](#)
 - ▶ [Bring Your Own Technology \(BYOT\)](#)
 - ▶ [Digital Instructional Materials](#)
 - ▶ [Q & A](#)
 - ▶ [Resources & Handbook](#)
 - ▶ [Unapproved Apps](#)
- ▶ Digital Learning

Home > Departments

The 1:X initiative guarantees that all students have access to the devices needed to participate. 1:X is a trademarked program based on the understanding that students will have the right device for the task at hand. The 1 represents the student and X is a variable representing the type of device(s) used simultaneously to best complete a task to demonstrate learning. The devices listed below are the ones currently being employed by Lewisville ISD.



- The iPad provides mobile access to a device that allows students to not only access information, but to create content at school and at home.
- The MacBook Air allows students to move to a more powerful laptop to create complex media-rich content, iBooks, Google Sites and more. This allows students to combine files and complete more complex tasks.
- The Chromebook allows a low cost access to digital resources and the collaboration tools in Google Apps for EDU that are used across the district. While it requires Internet access and cannot produce media-rich content, the Chromebook is an outstanding tool to complete the device options in a 1:X environment.
- Students may bring their own devices (BYOT) from home to use in conjunction with their 1:X device or in lieu of a district issued device.

To learn more about 1:X, please select a link from the navigation menu, where you will find a detailed Q&A, helpful resources, learning device forms, and more.

Current LISD approved iOS Version: 11.0.1

Lewisville ISD Digital Instructional Materials

- Lewisville ISD App Store Information for the 2016-2017 School Year

Lewisville ISD remains committed to providing digital access for learning. After many discussions with LISD parents, teachers, administrators and Technology Department, in 2015 the district launched an LISD App Store for elementary students. In addition, LISD has developed iPad guidelines for secondary students. For more information, [Click Here](#).

Technology

- ▶ Welcome to Technology
- ▶ Student Data Privacy
- + Technology Services
- 1:X iPad/Learning Device
 - ▶ Summer Technology Care and Repair
 - ▶ Bring Your Own Technology (BYOT)
 - ▶ **Digital Instructional Materials**
 - ▶ Q & A
 - ▶ Resources & Handbook
 - ▶ Unapproved Apps
- ▶ Digital Learning

Home > Departments

Digital Instruction Materials

Lewisville ISD is committed to providing digital access for learning through online materials, resources, and applications. This page is designed to provide information related to the digital resources that are used and accessed within LISD.

Google Apps for Education (GAPE)

Students in the Lewisville Independent School District are supplied with a resource, Google Apps for Education (GAPE). Google Apps is a set of online tools for communication, collaboration, time-management, and document storage provided by Google to the district at no cost. Click on the link below to get more info on these tools:

[LISD's Google Apps Overview](#)

Web-based resources accessed through the Learning Hub (LHub)

There are a variety of resources and strategies that we use for learning in our classroom, including instructional materials that are both digital and traditional. What we knew as "textbooks" are now a large variety of instructional materials, and the digital resources are portable and much more interactive than traditional texts. LISD wants to make sure we provide information to parents and guardians of what will be used in class and what you should see at home. To see a full list of resources that are available through a web browser and accompany district adopted instructional materials click on the link below:

<http://studentapplications.lisd.net>

Elementary LISD App Store



CENTRAL ELEMENTARY

Home of the Cowboys!



Skyward



Menus



Calendar



Contact Us

Home

About Us

Academics

Activities

Resources



Welcome to Central!



District Alerts

Upcoming Events

OCT 9

Holiday

News & Announcements

Twitter Feed

Facebook

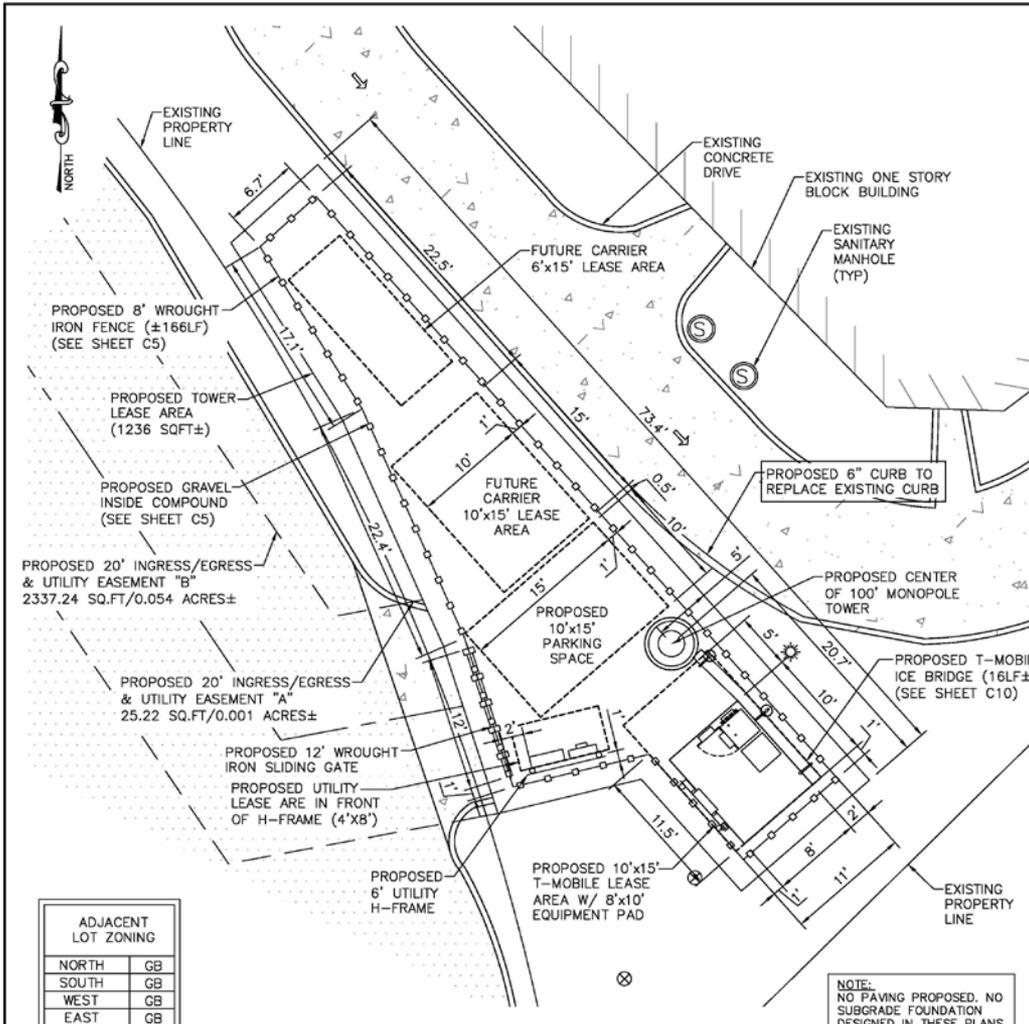
Helpful Parent Guides

Find useful information regarding bullying and cyberbullying, reporting child abuse, dating violence and more.

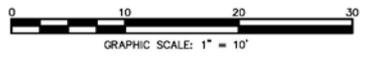
Parents, we need your input. Desearíamos escuchar sus sugerencias.

Meet with the school principal to give your feedback.

Site Plans



ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1 SITE PLAN
C2 SCALE: 1" = 10'

NOTE:
NO PAVING PROPOSED. NO
SUBGRADE FOUNDATION
DESIGNED IN THESE PLANS.



TEXAS ONE-CALL
STATE WIDE: 811
CALL BEFORE YOU DIG

GENERAL NOTES:

1. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND ECO-SITE SPECIFICATIONS, THE ECO-SITE CONSTRUCTION MANAGER SHOULD BE CONTACTED FOR CLARIFICATION.
 3. ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE CONSTRUCTION MANAGER AND/OR ENGINEERS.
 4. CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
 5. WAVEGUIDE BRIDGE AND PRE-FAB SHELTER ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE PRE-ENGINEERED DRAWINGS FOR SPECIFIC INFORMATION INCLUDING FOOTINGS AND WAVEGUIDE BRIDGE LOCATION.
 6. ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
 7. THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED IN ADVANCE OF THE INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. GASSES AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE. SEE DESIGN DRAWING BY OTHERS. DO NOT SCALE. NOTIFY ENGINEER OR ECO-SITE CONSTRUCTION MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS FROM ECO-SITE CONSTRUCTION MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
 8. THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
 9. UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
 10. THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "STATE 811" 48 NUMBER OF HOURS IN ADVANCE OF PERFORMING ANY WORK. ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
 11. CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
 12. CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY ECO-SITE CONSTRUCTION MANAGER.
 13. NO LIGHTING DESIGN PROPOSED IN THESE DRAWINGS.
- SURVEY NOTE:**
1. ECO-SITE STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
 2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY SMW ENGINEERING GROUP DATED 01/19/2017 AND SITE VISIT ON 01/09/2017.
- COAX NOTE:**
1. ROUTE COAX UP TOWER PER TOWER DESIGN DRAWING BY TOWER OWNER.

APPLICANT/OWNER



240 LEIGH FARM ROAD
SUITE 415
DURHAM, NC 27707
OFFICE: (919)858-6448

PREPARED BY:



ENGINEERING GROUP, INC.
TOGETHER PLANNING A BETTER TOMORROW
158 BUSINESS CENTER DRIVE
BIRMINGHAM, AL 35244
TEL: 205-252-6985 www.smweng.com

REVISIONS

REV	DATE	DESCRIPTION	BY
2	03/21/17	REVISED PER CLIENT COMMENTS	JOS
3	07/26/17	REVISED PER CLIENT COMMENTS	JOS
4	08/07/17	REVISED PER MONOPOLE	JOS
5	08/15/17	REVISED PER CLIENT COMMENTS	JOS
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7	08/28/17	REVISED PER CLIENT COMMENTS	JOS
8	09/15/17	REVISED PER CLIENT COMMENTS	JOS
9	09/28/17	REVISED PER LANDSCAPING	JOS

SCALE: CA#: TX F-9617



09/28/2017

IF BE A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT. UNLESS EXPLICITLY AGREED TO BY THE ENGINEER IN WRITING, THE ENGINEER DISCLAIMS ALL LIABILITY ASSOCIATED WITH THE REUSE, ALTERATION OR MODIFICATION OF THE CONTENTS HEREIN.

PROJECT LOCATION:

RALDON LAKE
DAG3509C
877 S STEMMONS FWY
LEWISVILLE, TX 75067

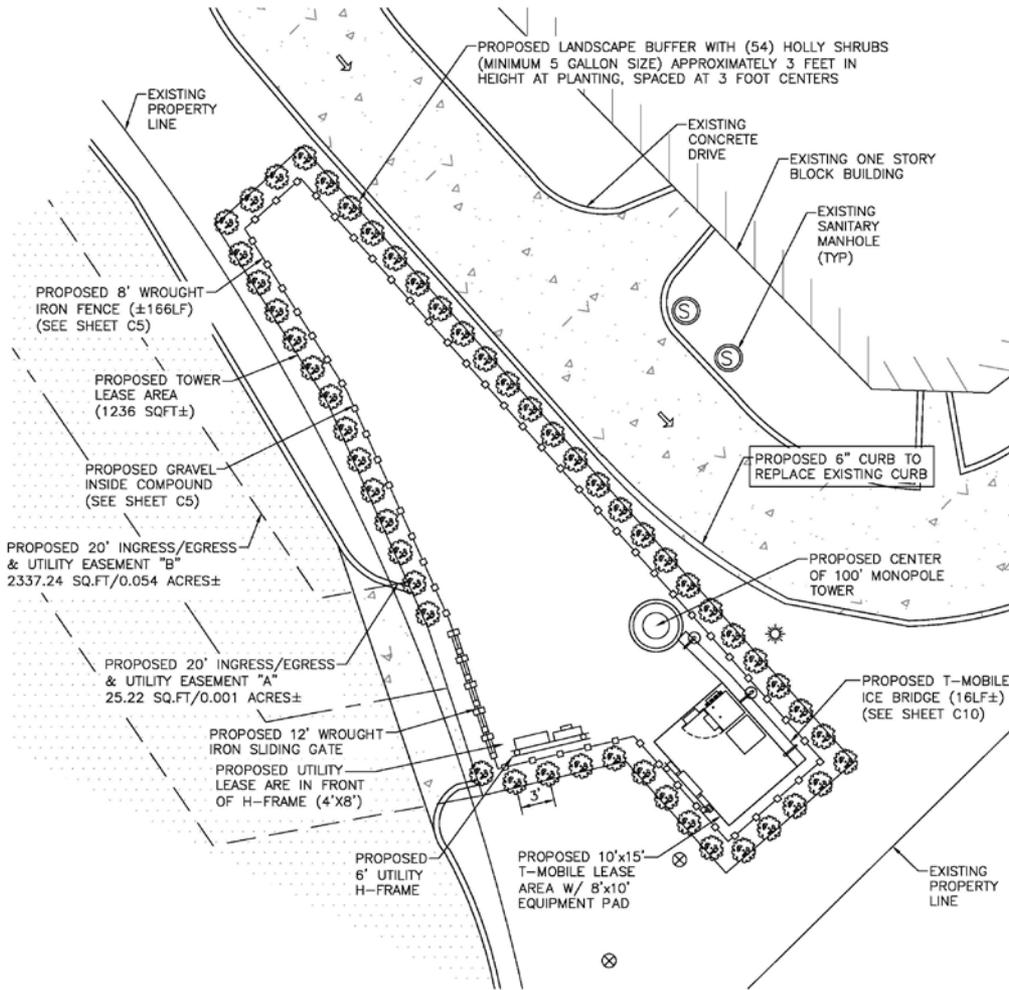
DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT # 17-0071 ECO-SITE PROJECT # TX-0048

DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: DEVELOPMENT PLAN

C2 9



ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1
C2.2 ENLARGED LANDSCAPING PLAN
SCALE: 1" = 10'



TEXAS ONE-CALL
STATE WIDE: 811
CALL BEFORE YOU DIG

APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
SUITE 415
DURHAM, NC 27707
OFFICE: (919)858-6448

PREPARED BY:

SMW
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SCALE: CA#: TX F-9617



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RALDON LAKE
DAG3508C
877 S. STEMMONS FWY
LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT # 17-0071 ECO-SITE PROJECT # TX-0048

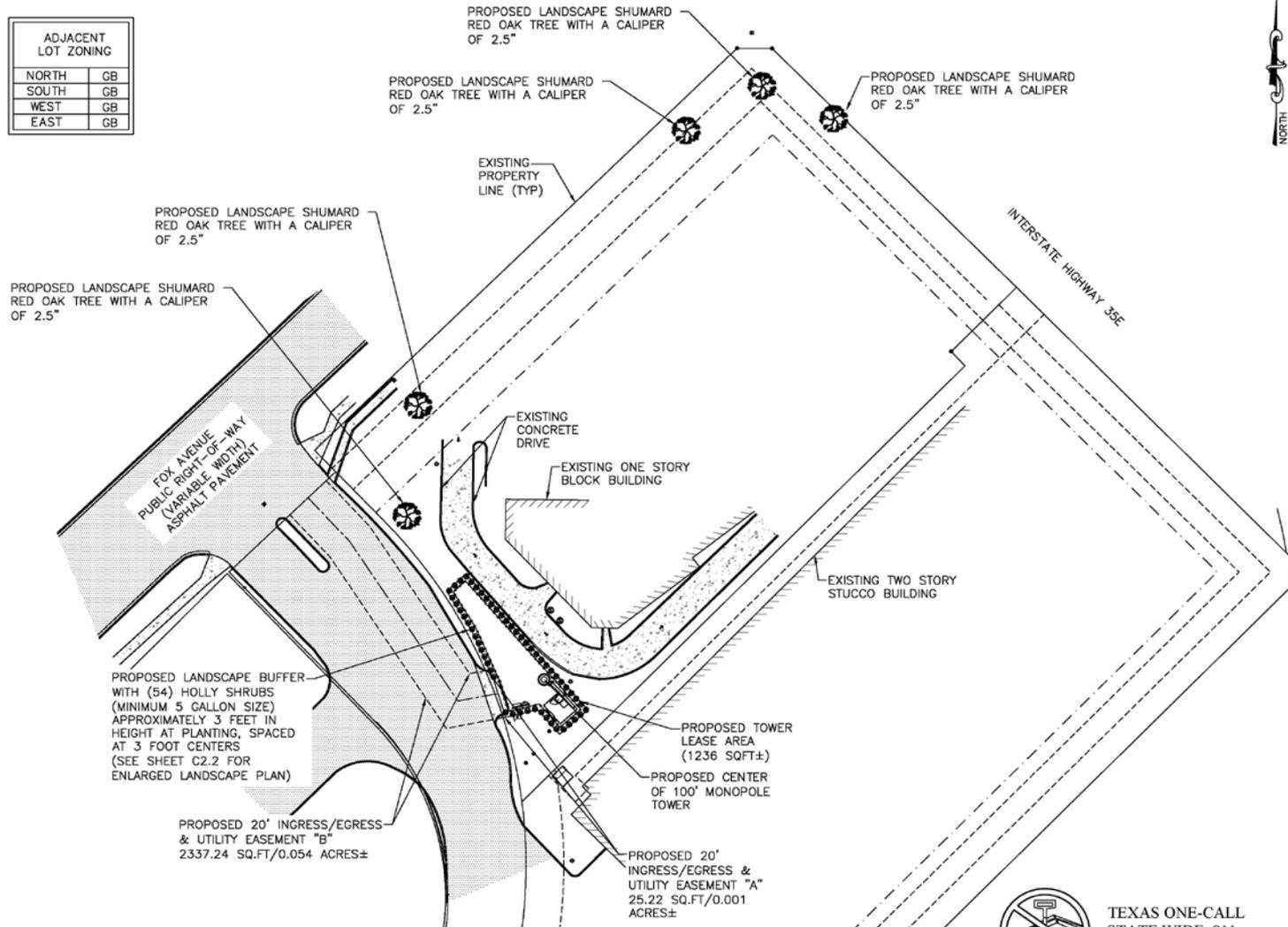
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: ENLARGED LANDSCAPING PLAN

C2.2

9

ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1 OVERALL LANDSCAPING PLAN
SCALE: 1" = 40'



TEXAS ONE-CALL
STATE WIDE: 811
CALL BEFORE YOU DIG



APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
SUITE 415
DURHAM, NC 27707
OFFICE: (919)858-6448

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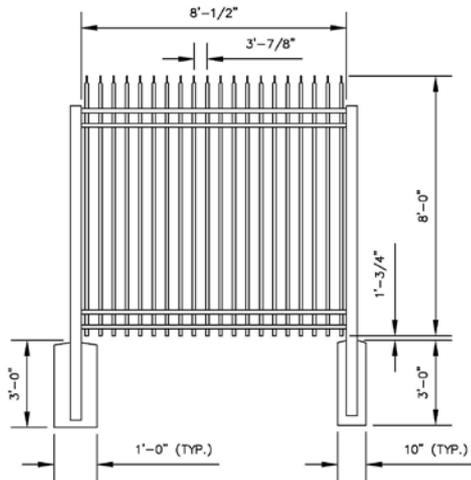
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LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS
SMW PROJECT # 17-0071 ECO-SITE PROJECT # TX-0048

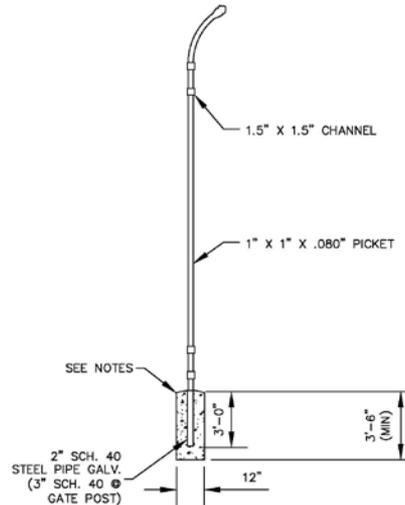
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: OVERALL LANDSCAPING PLAN
C2.1

REVISION: **9**



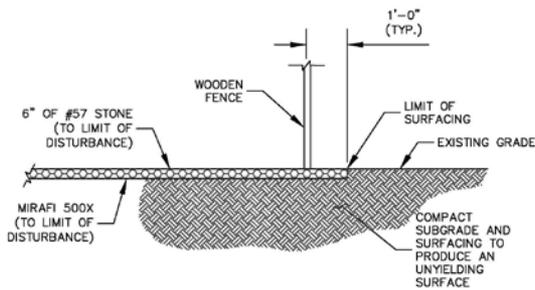
1
C5
WROUGHT IRON FENCE ELEVATION
NOT TO SCALE



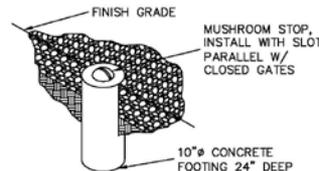
2
C5
SIDE ELEVATION VIEW
NOT TO SCALE

FENCE NOTES:

1. USE 3000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNER AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. ALL WOOD SHALL BE SOUTHERN YELLOW PINE OR SPRUCE PINE FIR, NO. 2 OR BTR AND PRESSURE TREATED.



3
C5
SITE COMPOUND SURFACE DETAIL
NOT TO SCALE



4
C5
MUSHROOM STOP
NOT TO SCALE

APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
SUITE 415
DURHAM, NC 27707
OFFICE: (919)858-6448

PREPARED BY:

SMW
ENGINEERING GROUP, INC.

TOGETHER PLANNING A BETTER TOMORROW
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SEAL CA#: TX F-9617



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PROJECT LOCATION:

RALDON LAKE
DAG3508C
877 S. STEMMONS FWY
LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT # 17-0071 ECO-SITE PROJECT # TX-0048

DATE: 02/15/2017

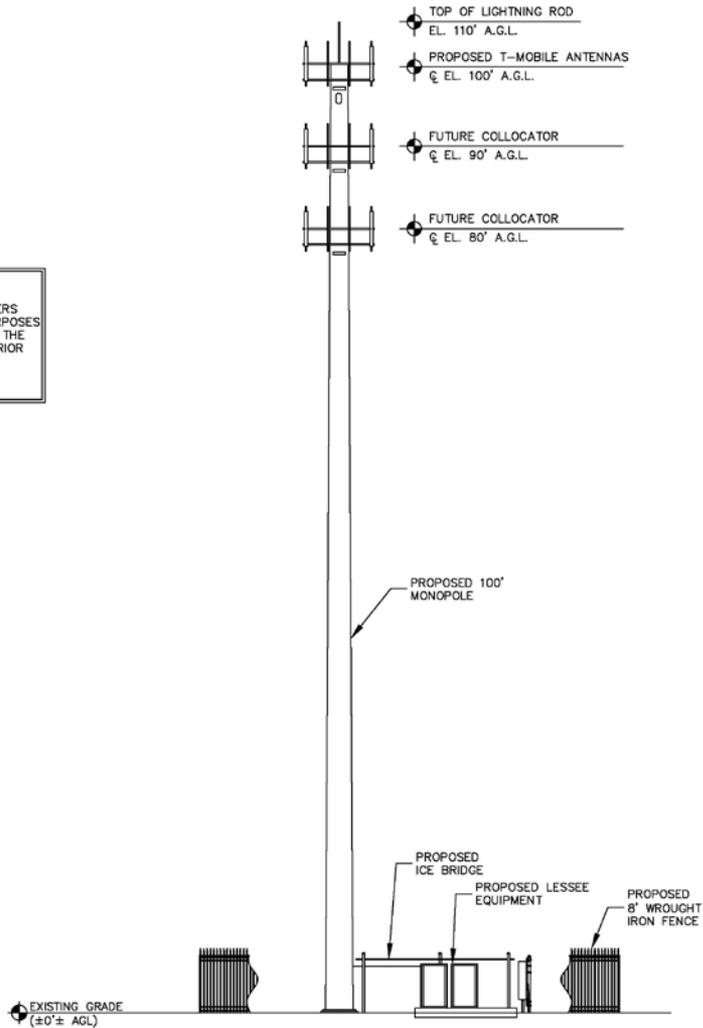
DESCRIPTION / SHEET NUMBER: REVISION

FENCE GATE AND COMPOUND DETAILS

C5

9

NOTE:
 ALL INFORMATION ON THIS PAGE IS PROVIDED BY ECO-SITE AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE ECO-SITE CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA MOUNT, AND COAX CABLE INFORMATION.



1
C11

MONOPOLE ELEVATION

NOT TO SCALE

APPLICATION OWNER



240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:



TOGETHER PLANNING A BETTER TOMORROW
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SMW PROJECT # 17-0071 ECO-SITE PROJECT # TX-0048

DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER REVISION

ANTENNA AND TOWER ELEVATION DETAILS

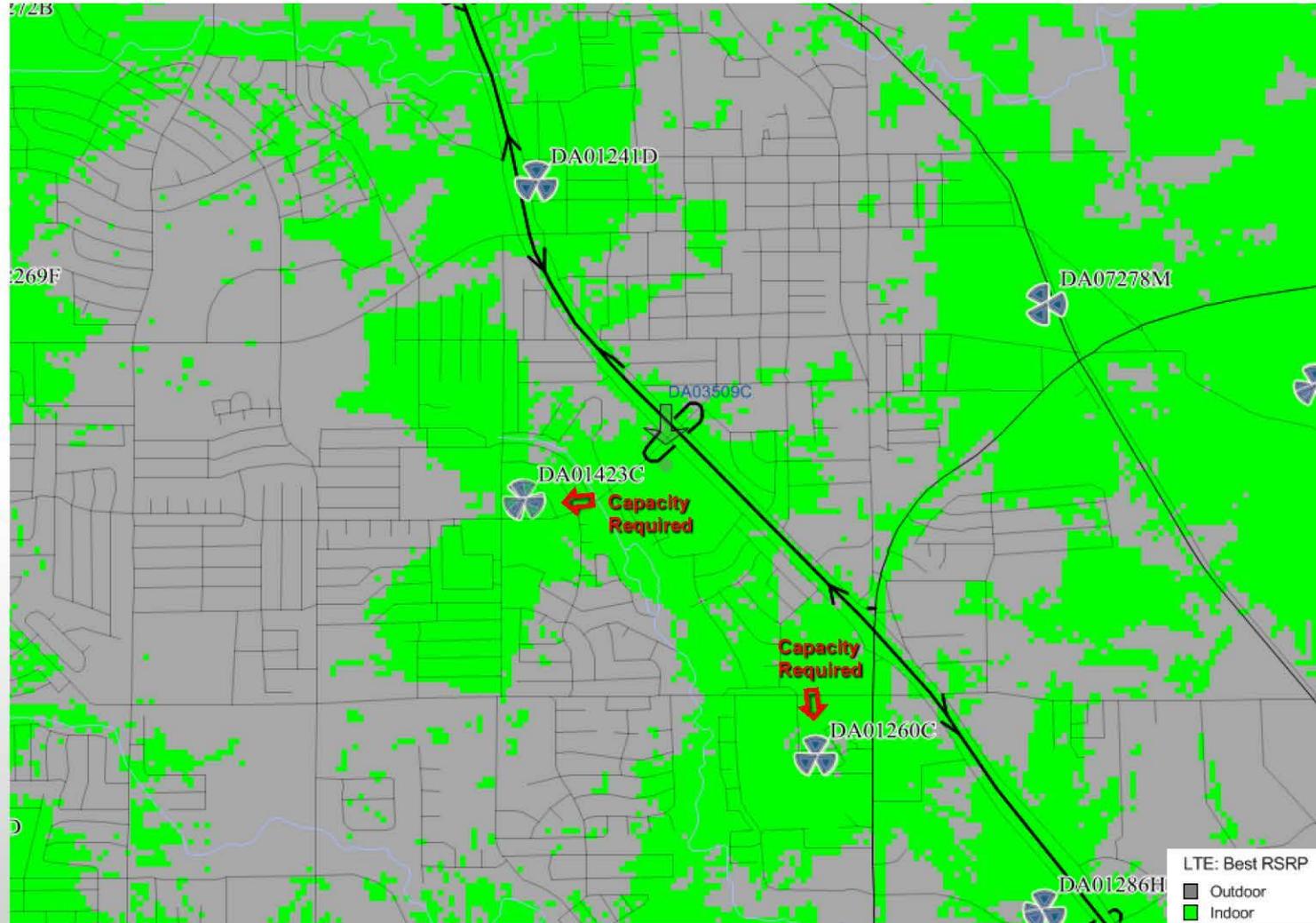
C11

9

T-Mobile Wireless Service Maps

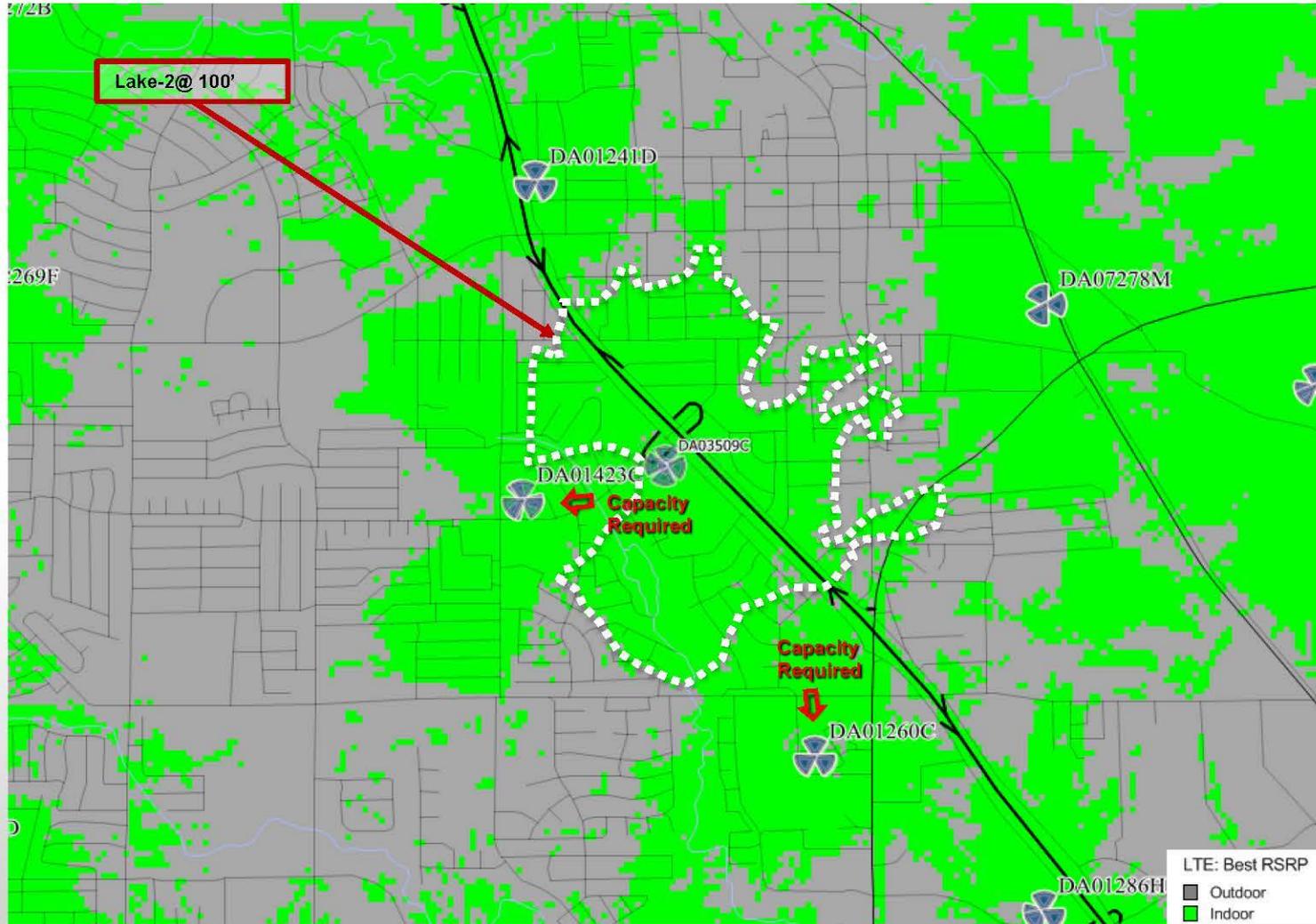
DA03509 – ACTUAL ZONE COVERAGE (RSRP)

CURRENT RSRP



DA03509C - Lake-2 – NEW COVERAGE @ 100' (RSRP)

NEW RSRP





Economic Development & Planning
City of Lewisville
151 W Church Street
Lewisville, TX 75057

July 21, 2017

Subject: City of Lewisville Ordinance
Site Address: 877 S. Stemmons Fwy
Eco-Site/ T-Mobile Site Number: TX-0048 / DA03667C

To Whom It May Concern:

T-Mobile South LLC ("T-Mobile") respectfully submits this letter in an effort to site a new telecommunications tower at 877 S. Stemmons Fwy, Lewisville, TX. The proposed new monopole is required to provide adequate RF signal strength for the T-Mobile network within the City of Lewisville 877 South Stemmons.

T-Mobile Engineering has determined that the proposed site is needed in order to provide in-building signal strength to the residential and commercial buildings located southwest of I-77 327 and north of N Shore Pl along Fox Ave. Previous optimization efforts in the area were not able to improve the area coverage and T-Mobile developed a search area for a new site to maintain our network coverage.

The search area included a 1/2 mile radius from the target area. This area commences south west on Fox Ave as well as south east on I-77. This Site will also provide highly need coverage along I-77 thus assisting with any 911 calls that can originate in this high traffic area.

T Mobile looks for co-location opportunities and has made every effort to utilize existing infrastructure to support its network. Given the geographic area in which the T-Mobile Engineering Team determined that the base station needs to be located, there were no opportunities to co-locate on existing structures. The following are the results of a thorough evaluation of this area:

Co-location was not an option, as there were no existing towers or other structures within the 1/4 mile radius from the proposed site required to meet T-Mobile's engineering needs.

Additionally, this new site will maintain access to T Mobile's enhanced E911 services as required by the FCC and local PSAP and maintain safety to the citizens of the City of Lewisville, Texas.

If you have any further technical questions related to this application, you may contact me at:

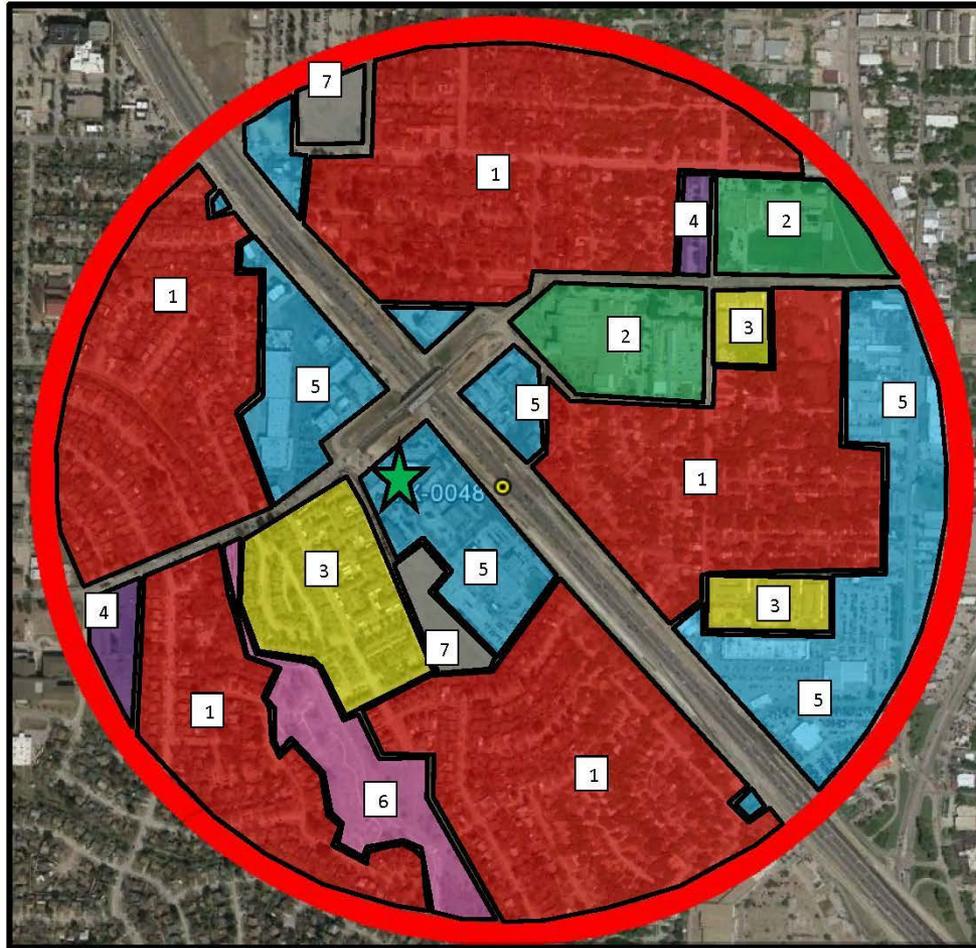
Sincerely,

A handwritten signature in black ink, appearing to read 'Dishant Shah', with a long horizontal flourish extending to the right.

Dishant Shah

Analysis of Surrounding Properties

Aerial Map



Federal Telecommunications Act

“(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.”

HERE IS HOW DIFFERENT DEVICES COMPARE TO THE FCC REQUIREMENT:



World Health Organization

- Mobile towers have been in existence in the west for over 50 years now, and the World Health Organization (WHO) has analyzed over 35,000 papers over the years, before concluding that there is no correlation between emissions from mobile towers and public health. *WHO and Daily News & Analysis*
- “There is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects.” *WHO*

Former Health Communications Specialist – John Hopkins University

- According to India's telecom secretary and former health communications specialist with the Johns Hopkins University, J.S. Deepak states that cell towers emit less radiation than sunlight and are "absolutely safe." *August 24, 2016 Daily News & Analysis*

American Cancer Society and USDA

- “Most scientists agree that cell phone antennas or towers are unlikely to cause cancer.” *ACS*
- “No increased health risk due to radio-frequency (RF) energy.” *USDA*

Eco-Site, LLC
Respectfully Requests
Approval of a
Special Use Permit
to Construct a
Telecommunications Tower

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR A COMMUNICATION TOWER, ON APPROXIMATELY 0.911 ACRES, LEGALLY DESCRIBED AS LOT 1R, BLOCK A, FOX-IH35E ADDITION, LOCATED ON THE SOUTHWEST CORNER OF FOX AVENUE AND THE I-35E FRONTAGE ROAD AND ZONED GENERAL BUSINESS DISTRICT (GB); PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made requesting approval of a Special Use Permit for a communications tower by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the Special Use Permit on the 0.911-acre tract, as described in the attached Exhibit “A” (the “Property”), be **approved**; and

WHEREAS, this application for a Special Use Permit comes before the City Council of the City of Lewisville, Texas (the “City Council”) after all legal notices, requirements, conditions and prerequisites have been met; and

WHEREAS, the City Council at a public hearing has determined that the proposed use, subject to the condition(s) stated herein: (1) complements or is compatible with the surrounding uses and community facilities; (2) contributes to, enhances, or promotes the welfare of the area of request and adjacent properties; (3) is not detrimental to the public health, safety, or general welfare; and (4) conforms in all other respects to all zoning regulations and standards.

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

SECTION 1. FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. SPECIAL USE PERMIT GRANTED. Subject to the conditions provided for herein, applicant is granted a Special Use Permit to allow a communication tower on the Property, which is zoned General Business District (GB).

SECTION 3. CONDITIONS OF SPECIAL USE PERMIT. The Property shall be developed and maintained:

1. in compliance with the narrative; development plan; landscape plan; fence, gate and compound details; antenna and tower elevation details; photo simulation and wireless service maps, attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations.

SECTION 4. CORRECTING OFFICIAL ZONING MAP. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this Special Use Permit.

SECTION 5. COMPLIANCE WITH ALL OTHER MUNICIPAL REGULATIONS. The Property shall comply with all applicable municipal ordinances, as amended. In no way shall this Special Use Permit be interpreted to be a variance to any municipal ordinance.

SECTION 6. RESCINDING AND TERMINATION. The City Council may rescind and terminate the Special Use Permit after a public hearing if any of the following occur:

1. One or more of the conditions imposed by the Special Use Permit have not been met or have been violated.
2. The Special Use Permit was obtained through fraud or deception.
3. Ad valorem taxes on the property are delinquent by six months or more.
4. Disconnection or discontinuance of water and/or electrical services to the property.
5. Abandonment of the structure, lease space, lot, or tract of land for 180 days or more.

SECTION 7. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

SECTION 8. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 9. PENALTY. Any person, firm or corporation who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 11. EMERGENCY. It being for the public welfare that this Ordinance be passed creates an emergency and public necessity and the rule requiring this Ordinance be read on three separate occasions be, and the same is hereby, waived and this Ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

ORDINANCE NO. _____

Page 5

Exhibit A
Property Description

Exhibit B
Narrative
Development Plan
Landscape Plan
Fence, Gate and Compound Details
Antenna and Tower Elevation Details
Photo Simulation
Wireless Service Maps

PARENT TRACT:(PER TITLE COMMITMENT)

EXHIBIT A

Tract 1:
 Being 39,687 square feet or 0.9111 acre tract of land situated in the Jesse Sutton Survey, Abstract No. 1165, Denton County, Texas, said tract being all of Lot 1-R, Block A of Lots 1-R and 2-R, Block A of Fox I.H. 35E Addition, an addition to the City of Lewisville, Denton County, Texas according to the plat thereof recorded in Cabinet M, Page 310, Plat Records of Denton County, Texas and being more particularly described as follows:
 Beginning at a set "X" cut on concrete pavement for a corner in the southwest line of Interstate Highway 35E (a variable width right of way), said point being the east corner of a right of way corner clip at the intersection of the southwest line of Interstate Highway 35E with the southeast line of Fox Avenue (a variable width right of way) and said point being the most easterly north corner of said Lot 1-R; Thence, South 43 degrees 47 minutes 54 seconds East, with the southwest line of Interstate Highway 35E, a distance of 136.50 feet to a found 1/2 inch iron rod with a cap for a corner at the common north corner of said Lot 1-R and Lot 3, Block A of Fox I.H. 35E Addition, an addition to the City of Lewisville, Texas according to the plat thereof recorded in Cabinet K, Page 167, Plat Records of Denton County, Texas;
 Thence South 46 degrees 12 minutes 06 seconds West, departing the southwest line of Interstate Highway 35E and with the common line of said Lot 1-R and said Lot 3, a distance of 37.00 feet to a found 1/2 inch iron rod for a corner; Thence South 43 degrees 47 minutes 54 seconds East, continuing with the said common line, a distance of 8.00 feet to a found 1/2 inch iron rod for a corner;
 Thence South 46 degrees 12 minutes 06 seconds West, continuing with the said common line, a distance of 249.47 feet to a found 1/2 inch iron rod for a corner in the common line of said Lot 1-R and Lot 4, Block A of the Fox I.H. 35E Addition, said point the beginning of a non-tangent curve to the left with a central angle of 36 degrees 42 minutes 30 seconds, a radius of 200.00 feet, a chord bearing of North 24 degrees 31 minutes 45 seconds West and a chord distance of 125.98 feet; Thence, Northwesterly, with the common line of said Lot 1-R and Lot 4 and along said curve, an arc distance of 128.14 feet to a found 1/2 inch iron rod at the point of tangency; Thence, North 42 degrees 53 minutes 00 seconds West, continuing with the said common line, a distance of 40.01 feet to a set 1/2 inch iron rod for a corner in the southeast line of Fox Avenue, said point being the common north corner of said Lot 1-R and Lot 4; Thence North 47 degrees 07 minutes 00 seconds East, with the southeast line of Fox Avenue, a distance of 233.79 feet to a set 1/2 inch iron rod for a corner, said point being the west corner of the above said right of way corner clip; Thence, South 88 degrees 20 minutes 27 seconds East, with the said right of way corner clip, a distance of 14.97 feet to the point of beginning.

Tract 2 (Easement Estate):
 Being 24,344 square feet or 0.5589 acre tract of land situated in the Jesse Sutton Survey, Abstract No. 1165, Denton County, Texas, said tract being a Mutual Access Easement granted to Yogi Development, Ltd. by Fox Lewisville, L.P. by instrument recorded in Volume 4093, Page 1556, Deed Records of Denton County, Texas, said tract being part of a tract of land described in deed recorded in Volume 2557, Page 142, Deed Records of Denton County, Texas, and being part of Lot 4, Block A of Fox I.H. 35E Addition, an addition to the City of Lewisville, Texas according to the plat thereof recorded in Cabinet K, Page 167, Plat Records of Denton County, Texas, and being more particularly described as follows:
 Beginning at a point for corner in the northeast line of Fox Avenue (a variable width right of way) said point being the north corner of said Lot 4 and in the southwest line of Lot 1-R, Block A of Lots 1-R and Lot 2-R, Block A of Fox I.H. 35E Addition, an addition to the City of Lewisville, Texas, according to the plat thereof recorded in Cabinet M, Page 310, Plat Records of Denton County, Texas, said point being South 47 degrees 07 minutes 00 seconds East, a distance of 233.79 feet and South 42 degrees 53 minutes 00 seconds East, a distance of 12.00 feet from the west corner of a right of way corner clip at the intersection of the southwest line of Interstate Highway 35E with the Southwest line of Interstate Highway 35E with the southeast line of Fox Avenue, and said point being the north corner of the same mutual access easement; Thence, the following courses and distances with the northeast line of the said mutual access easement; South 42 degrees 53 minutes 00 seconds East, departing the northeast line of Fox Avenue, a distance of 28.01 feet to a found 1/2 inch iron rod at the beginning of a tangent curve to the right with a central angle of 55 degrees 01 minute 04 seconds, a radius of 200.00 feet, a chord bearing of South 15 degrees 22 minutes 28 seconds East and a chord distance of 184.75 feet; Southeasterly, along said curve, an arc distance of 192.05 feet to a found 1/2 inch iron rod at the beginning of a tangent curve to the left with a central angle of 55 degrees 55 minutes 58 seconds, a radius of 134.50 feet, a chord bearing of South 15 degrees 49 minutes 54 seconds East and a chord distance of 128.15 feet; Southeasterly, along said curve, an arc distance of 131.30 feet to a found 1/2 inch iron rod at the point of tangency; South 43 degrees 47 minutes 54 seconds East, a distance of 340.00 feet to a found 1/2 inch iron rod for a corner, said point being the east corner of the said mutual access easement; Thence, South 46 degrees 12 minutes 06 seconds West, with the southeast line of the said mutual access easement, a distance of 31.00 feet to a point for a corner, said point being the south corner of the said mutual access easement; Thence, the following courses and distances with the southwest line of the said mutual access easement; North 43 degrees 47 minutes 54 seconds West, a distance of 340.00 feet to a point at the beginning of a tangent curve to the right with a central angle of 56 degrees 02 minutes 55 seconds, a radius of 165.50 feet, a chord bearing of North 15 degrees 46 minutes 27 seconds West and a chord distance of 165.52 feet; Northwesterly, along said curve, an arc distance of 161.90 feet to a point at the beginning of a tangent curve to the left with a central angle of 55 degrees 08 minutes 01 second, a radius of 100.00 feet, a chord bearing of North 15 degrees 19 minutes 59 seconds West and a chord distance of 92.56 feet; Northwesterly, along said curve, an arc distance of 96.23 feet to the point of tangency; North 42 degrees 53 minutes 00 seconds West, a distance of 84.23 feet to a found 1/2 inch iron rod for a corner in the northeast line of Fox Avenue; Thence North 47 degrees 07 minutes 00 seconds East, with the northeast line of Fox Avenue, a distance of 60.00 feet to the Point of Beginning.

LEASE AREA: (AS SURVEYED)

A portion of Lot 1-R, Block A, of Fox-I.H. 35E Addition Lots 1-R&2R, Block A as recorded in Cab M, Page 310 as recorded in the Office of the Clerk for Denton County, Texas being out if J. Sutton Survey, Abstract No. 1155, being more particularly described as follows:
 Commence at 1/2" rebar found in place marking the most southerly corner of said Lot 1-R; thence N 44°59'52" E along the southwesterly line of said Lot 1-R a distance of 29.33 feet to a point; thence N 41°24'11" W leaving said line a distance of 8.70 feet to a 5/8" rebar set and the Point of Beginning; thence continuing N 41°24'11" W a distance of 13.33 feet to a 5/8" rebar set; thence S 76°21'04" W a distance of 12.97 feet to a 5/8" rebar set; thence N 17°47'22" W a distance of 15.75 feet to a 5/8" rebar set; thence N 23°44'38" W a distance of 22.12 feet to a 5/8" rebar set; thence N 31°46'21" W a distance of 18.57 feet to a 5/8" rebar set; thence N 47°30'54" E a distance of 10.35 feet to a 5/8" rebar set; thence S 41°24'11" E a distance of 73.39 feet to a 5/8" rebar set; thence S 48°35'49" W a distance of 15.00 feet to the Point of Beginning.
 Said lease area contains 1235.39 square feet/0.028 acres, more or less.

20' INGRESS/EGRESS & UTILITY EASEMENT "A": (AS SURVEYED)

A portion of Lot 1-R, Block A, of Fox-I.H. 35E Addition Lots 1-R&2R, Block A as recorded in Cab M, Page 310 as recorded in the Office of the Clerk for Denton County, Texas being out if J. Sutton Survey, Abstract No. 1155, being more particularly described as follows:
 Commence at 1/2" rebar found in place marking the most southerly corner of said Lot 1-R; thence N 44°59'52" E along the southwesterly line of said Lot 1-R a distance of 29.33 feet to a point; thence N 41°24'11" W leaving said line a distance of 8.70 feet to a 5/8" rebar set thence continuing N 41°24'11" W a distance of 13.33 feet to a 5/8" rebar set; thence S 76°21'04" W a distance of 12.97 feet to a 5/8" rebar set; thence N 17°47'22" W a distance of 10.08 feet to the Point of Beginning of an Ingress/Egress & Utility Easement being 20 feet wide and lying 10 feet each side of the following described centerline; thence S 79°16'48" W a distance of 1.22 feet, more or less to the common line between said Lot 1-R and Lot 6R, Block A, of Fox-I.H. 35E Addition Lots 4R-1, 5R, and the Point of Ending.
 Said easement contains 25.22 Sq. Ft./0.001 Acres, more or less.

20' INGRESS/EGRESS & UTILITY EASEMENT "B": (AS SURVEYED)

A portion of Lot 6R, Block A, of Fox-I.H. 35E Addition Lots 4R-1, 5R as recorded in Cab O, Page 190 as recorded in the Officer of the Clerk for Denton County, Texas being out if J. Sutton Survey, Abstract No. 1155, being more particularly described as follows:
 Commence at 1/2" rebar found in place marking the most southerly corner of Lot 1-R Block A, of Fox-I.H. 35E Addition Lots 1-R&2R, Block A as recorded in Cab M, Page 310 in said Clerk's Office; thence N 44°59'52" E along the southwesterly line of said Lot 1-R a distance of 29.33 feet to a point; thence N 41°24'11" W leaving said line a distance of 8.70 feet to a 5/8" rebar set thence N 41°24'11" W a distance of 13.33 feet to a 5/8" rebar set; thence S 76°21'04" W a distance of 12.97 feet to a 5/8" rebar set; thence N 17°47'22" W a distance of 10.08 feet to a point; thence S 79°16'48" W a distance of 1.22 feet, more or less to the common line between said Lot 1-R and Lot 6R to the Point of Beginning of an Ingress/Egress & Utility Easement being 20 feet wide and lying 10 feet each side of the following described centerline; thence continuing S 79°16'48" W a distance of 15.06 feet to a point; thence N 33°42'26" W a distance of 77.56 feet to a point; thence N 43°04'52" W a distance of 24.33 feet, more or less to the southeasterly right-of-way line of Fox Avenue and the Point of Ending.
 Said easement contains 2337.24 Sq. Ft./0.054 Acres, more or less.

SURVEYOR'S CERTIFICATION

I hereby certify to Eco-Site and Chicago Title Insurance Company that a Survey was made by me, or under my direct supervision, on the grounds of the Lease Area, and Associated Easement premises herein described, and the results of said survey are represented hereon to the best of my professional knowledge and belief.



William H. Sommerville, III
 William H. Sommerville, III
 Texas License No. 6094

NO.	1.	REVISION	DATE	BY
		COMMENTS	2/24/17	JS
PROJECT NO. 17-0071				
DRAWN BY: JS				
CHECKED BY: AAK				
FIELD CREW: WBS				
APPROVED BY: RB				
DATE: 01/19/17				
SCALE: N/A				
SHEET 3 OF 3				
RAW LAND TOWER SURVEY				
FOR: 240 Leigh Farm Road Suite 415 Durham, NC 27707				
Eco-Site				
SMW Engineering Group, Inc. 158 Business Center Drive Birmingham, Alabama 35244 Ph: 205-252-6986 www.smweng.com				
ENGINEERING GROUP, INC.				

RALDON LAKE
 TX-0048
JESSE SUTTON SURVEY, A-1155
 DENTON COUNTY, TEXAS

EXHIBIT B

CITY OF LEWISVILLE

Case #216138

PROJECT NARRATIVE

Eco-Site, LLC ("Eco-Site") has entered into a lease agreement with Highland Lakes, Inc. (the "Property Owner") for an approximate 1,235 square foot lease tract (the "Lease Tract") situated in the City of Lewisville, Texas (the "City") and being described in the Survey and Site Plans submitted to the City. Eco-Site proposes to construct and operate a 100 foot monopole telecommunications tower (the "Tower") within the Lease Tract.

In order to create a buffer between the Tower and S. Stemmons Freeway, representatives of Eco-Site and the Property Owner worked to locate the Lease Tract directly behind the Property Owner's existing gas station/convenience store.

As noted in the July 21, 2017 letter from Mr. Dishant Shah, T-Mobile Radio Frequency Engineer, to the City of Lewisville,

"T-Mobile Engineering has determined that the proposed site is needed in order to provide in-building signal strength to the residential and commercial buildings located southwest of I-77 327 and north of N Shore Pl along Fox Ave. Previous optimization efforts in the area were not able to improve the area coverage and T-Mobile developed a search area for a new site to maintain our network coverage."

"Additionally, this new site will maintain access to T-Mobile's enhanced E911 services as required by the FCC and local PSAP and maintain safety to the citizens of the City of Lewisville, Texas."

Further, please refer to the T-Mobile coverage and capacity maps which have been provided to the City. These maps and the testimony that will be presented at the meetings will substantiate that the Tower will allow T-Mobile to resolve the significant gap in its wireless service for this area of the City.

In addition to T-Mobile, the facility is being designed and engineered with additional space to accommodate the collocation of two additional wireless providers' antennas on the Tower and ground equipment within the Lease Area, thereby significantly reducing the proliferation of telecommunications within the City.

The necessity of pursuing a standard monopole installation with a height of 100 feet is required to:

- Provide flexibility to our wireless tenants as the industry evolves
- Provide the height required for the intended coverage areas of our tenants
- Reduce the future need for additional towers in the area as the customer base grows

As shown in detail on the Site Plans, Eco-Site has worked closely with City Staff in the design of the wrought iron fencing and landscaping for the Lease Area.

SURVEY NOTE:

1. ECO-SITE STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY SMW ENGINEERING GROUP DATED 01/19/2017 AND SITE VISIT ON 01/09/2017.

NOTE:
 SITE IS LOCATED WITHIN FEMA FLOOD MAP 48121C0545G, DATED (04/18/2011) AND IS IN THE BASE FLOOD ZONE "X" AND IS NOT IN A FLOOD HAZARD AREA.

SEE 2/C1 FOR TOWER RADIUS

TOWER SETBACKS TO PROPERTY LINES (FROM TOWER CENTER)	
NORTHWEST	130.2'
NORTHEAST	245.3'
SOUTHWEST	50.2'
SOUTHEAST	28.7'

FOX AVENUE
 PUBLIC RIGHT-OF-WAY
 (VARIABLE WIDTH)
 ASPHALT PAVEMENT

LOT 6R
 BLOCK A
 FOX-I.H. 35E ADDITIONS
 LOTS 4R-1, 5R, AND 6R, BLOCK A
 CAB O, PAGE 190
 "TRACT II"
 MUTUAL ACCESS EASEMENT
 BOOK 4093, PAGE 1556
 BOOK 5228, PAGE 1983
 0.5589 ACRES
 CBOCS TEXAS LTD
 PROPERTY ID: 174227
 DEED NO 3209
 PARCEL 207107
 ZONED GB (GENERAL BUSINESS)

PROPOSED 20' INGRESS/EGRESS & UTILITY EASEMENT "B"
 2337.24 SQ.FT/0.054 ACRES±

ARC=128.14'
 R=200.00'
 CH BRG=N 24°31'45" W
 CH=125.96'

PARENT TRACT
 HIGHLAND LAKES, INC
 PROPERTY ID: 174223
 "TRACT I"
 BOOK 5228, PAGE 1983
 0.9111 ACRES±
 LOT 1-R
 BLOCK A
 FOX-I.H. 35E ADDITIONS
 LOTS 1-R & 2-R, BLOCK A
 CAB M, PAGE 310
 PARCEL 174223
 ZONED GB (GENERAL BUSINESS)

LOT 2-R
 BLOCK A
 FOX-I.H. 35E ADDITIONS
 LOTS 1-R & 2-R, BLOCK A
 CAB M, PAGE 310

NMD LODGING HOSPITALITY LLC
 PROPERTY ID: 174225
 NO DEED RECORD
 ZONING CLASS: GB

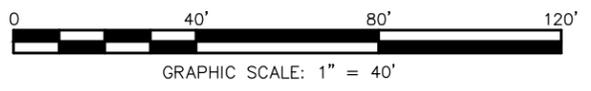
PARCEL 174225
 ZONED GB (GENERAL BUSINESS)

PROPOSED TOWER
 LEASE AREA
 (1236 SQFT±)

PROPOSED CENTER
 OF 100' MONOPOLE
 TOWER

PROPOSED 20' INGRESS/EGRESS & UTILITY EASEMENT "A"
 25.22 SQ.FT/0.001 ACRES±

PARCEL 174225
 ZONED GB (GENERAL BUSINESS)



1
C1.1
OVERALL SITE PLAN
 SCALE : 1" = 60'



APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:

SMW
ENGINEERING GROUP, INC.
 TOGETHER PLANNING A BETTER TOMORROW
 158 BUSINESS CENTER DRIVE
 BIRMINGHAM, AL 35244
 TEL: 205-252-6985 www.smweng.com

REVISIONS

REV	DATE	DESCRIPTION	BY
2	03/21/17	REVISED PER CLIENT COMMENTS	JDS
3	07/28/17	REVISED PER CLIENT COMMENTS	JDS
4	08/07/17	REVISED PER MONOPOLE	JDS
5	08/15/17	REVISED PER CLIENT COMMENTS	JDS
6	08/21/17	REVISED PER CLIENT COMMENTS	JDS
7	08/28/17	REVISED PER CLIENT COMMENTS	JDS
8	09/15/17	REVISED PER CLIENT COMMENTS	JDS
9	09/28/17	REVISED PER LANDSCAPING	JDS

SEAL CA#: TX F-9617

09/28/2017

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PROJECT LOCATION:
 RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
 LEWISVILLE, TX 75067

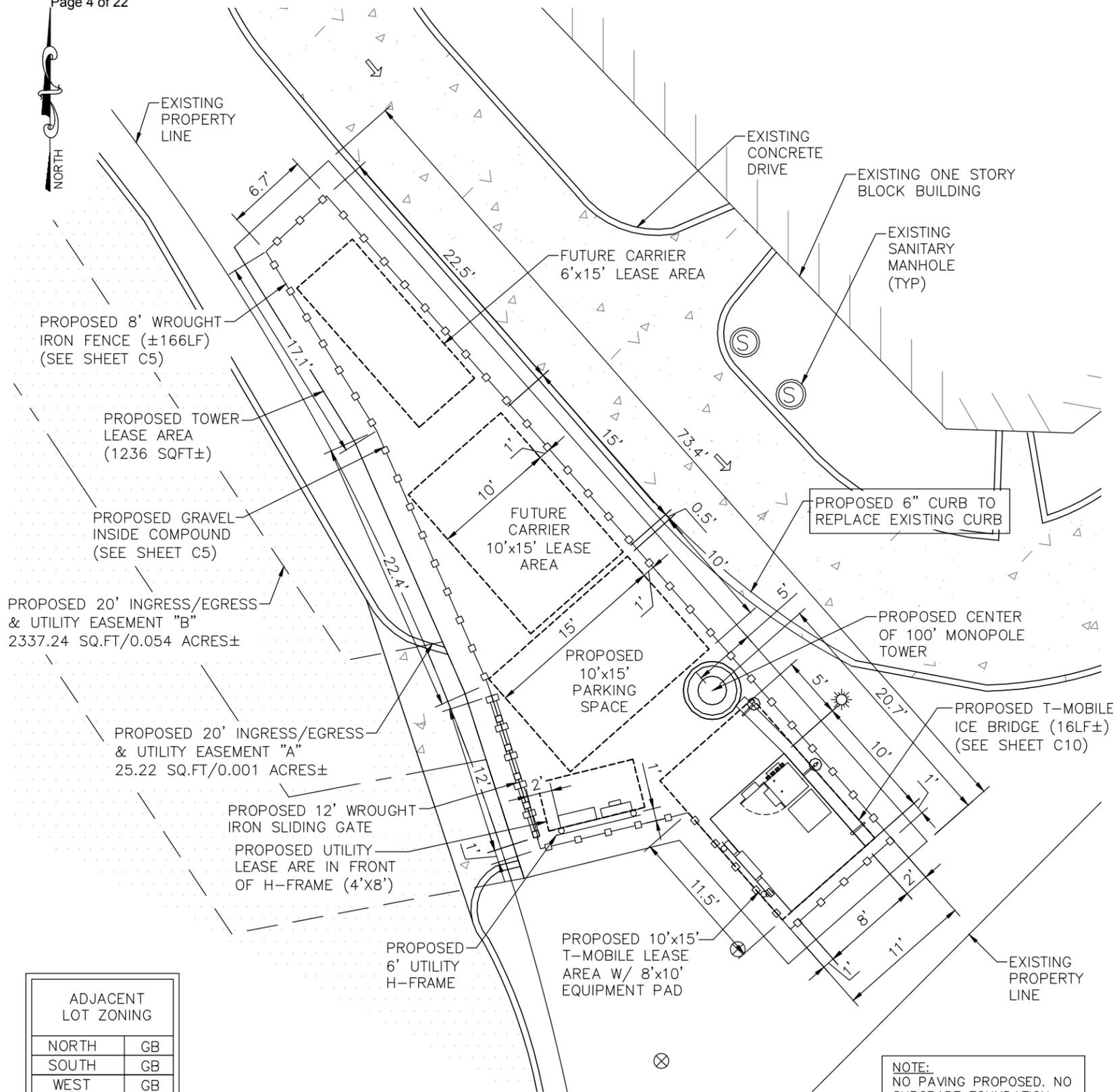
DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT #: 17-0071 ECO-SITE PROJECT #: TX-0048

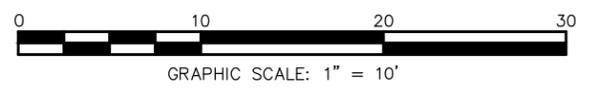
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER:
DEVELOPMENT PLAN
- OVERALL SITE
C1.1

REVISION:
9



ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1 **SITE PLAN**
C2 **SCALE : 1" = 10'**



NOTE:
 NO PAVING PROPOSED. NO SUBGRADE FOUNDATION DESIGNED IN THESE PLANS.

TEXAS ONE-CALL
STATE WIDE: 811
CALL BEFORE YOU DIG

GENERAL NOTES:

- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND ECO-SITE SPECIFICATIONS, THE ECO-SITE CONSTRUCTION MANAGER SHOULD BE CONTACTED FOR CLARIFICATION.
- ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE CONSTRUCTION MANAGER AND/OR ENGINEER.
- CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- WAVEGUIDE BRIDGE AND PRE-FAB SHELTER ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE PRE-ENGINEERED DRAWINGS FOR SPECIFIC INFORMATION INCLUDING FOOTINGS AND WAVEGUIDE BRIDGE LOCATION.
- ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CAISSONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWINGS BY OTHERS. DO NOT SCALE. NOTIFY ENGINEER OR ECO-SITE CONSTRUCTION MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS FROM ECO-SITE CONSTRUCTION MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "STATE 811" 48 HOURS IN ADVANCE OF PERFORMING ANY WORK. ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY ECO-SITE CONSTRUCTION MANAGER.
- NO LIGHTING DESIGN PROPOSED IN THESE DRAWINGS.

SURVEY NOTE:

- ECO-SITE STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
- PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY SMW ENGINEERING GROUP DATED 01/19/2017 AND SITE VISIT ON 01/09/2017.

COAX NOTE:

- ROUTE COAX UP TOWER PER TOWER DESIGN DRAWING BY TOWER OWNER.

APPLICANT/OWNER

240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:

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 TEL: 205-252-6985 www.smweng.com

REVISIONS

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9	09/28/17	REVISED PER LANDSCAPING	JDS

SEAL CA#: TX F-9617

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PROJECT LOCATION:
 RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
 LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS

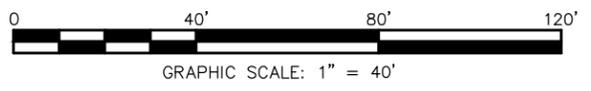
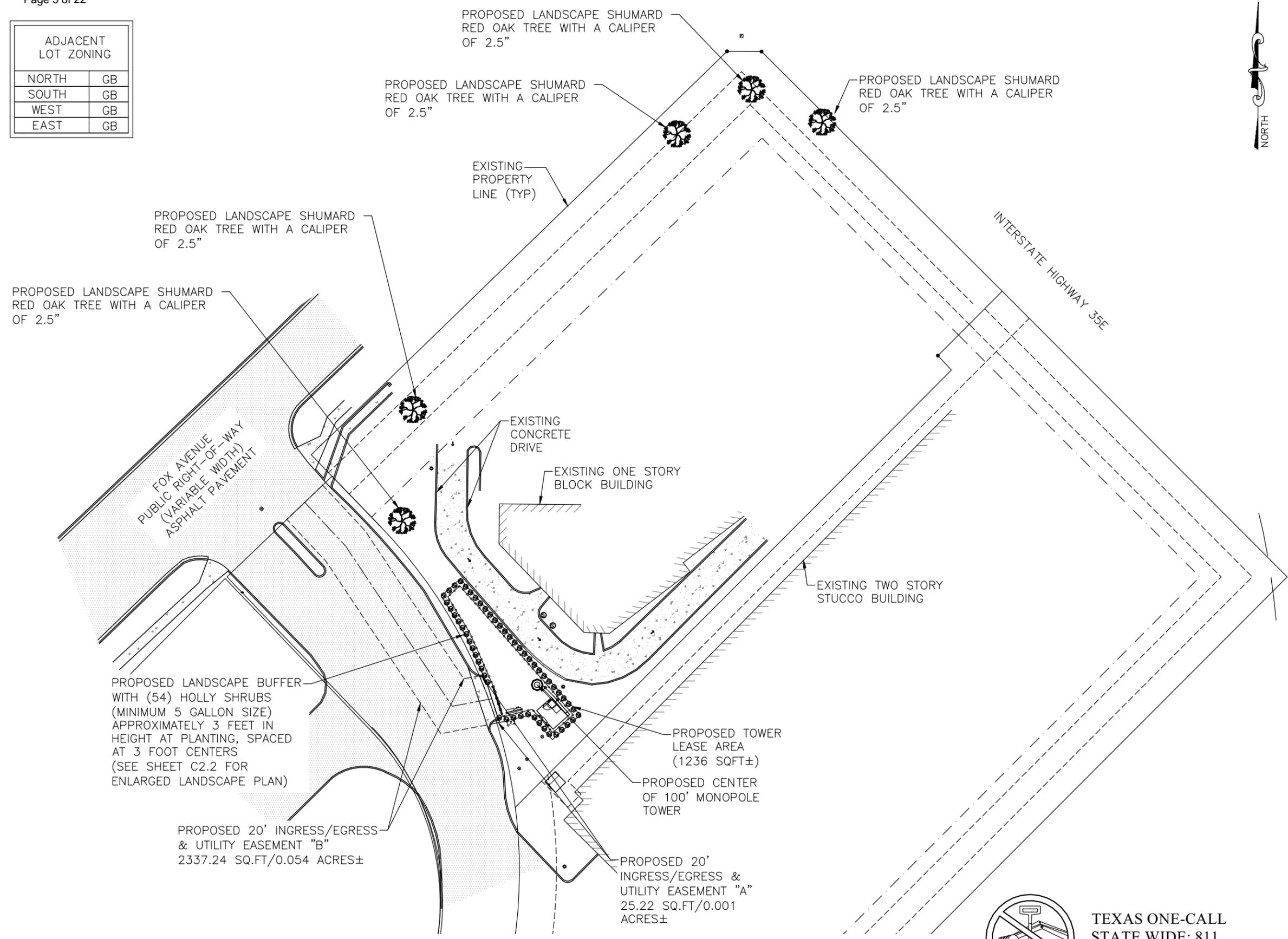
SMW PROJECT #: 17-0071 ECO-SITE PROJECT #: TX-0048

DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: **DEVELOPMENT PLAN** REVISION:

C2 **9**

ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1
C2.1 **OVERALL LANDSCAPING PLAN**
 SCALE : 1" = 40'



TEXAS ONE-CALL
 STATE WIDE: 811
 CALL BEFORE YOU DIG



APPLICANT/OWNER



240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:



SMW
ENGINEERING GROUP, INC.
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 158 BUSINESS CENTER DRIVE
 BIRMINGHAM, AL 35244
 TEL: 205-252-6985 www.smweng.com

REVISIONS

REV	DATE	DESCRIPTION	BY
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SEAL CA#: TX F-9617



09/28/2017

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PROJECT LOCATION:
 RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
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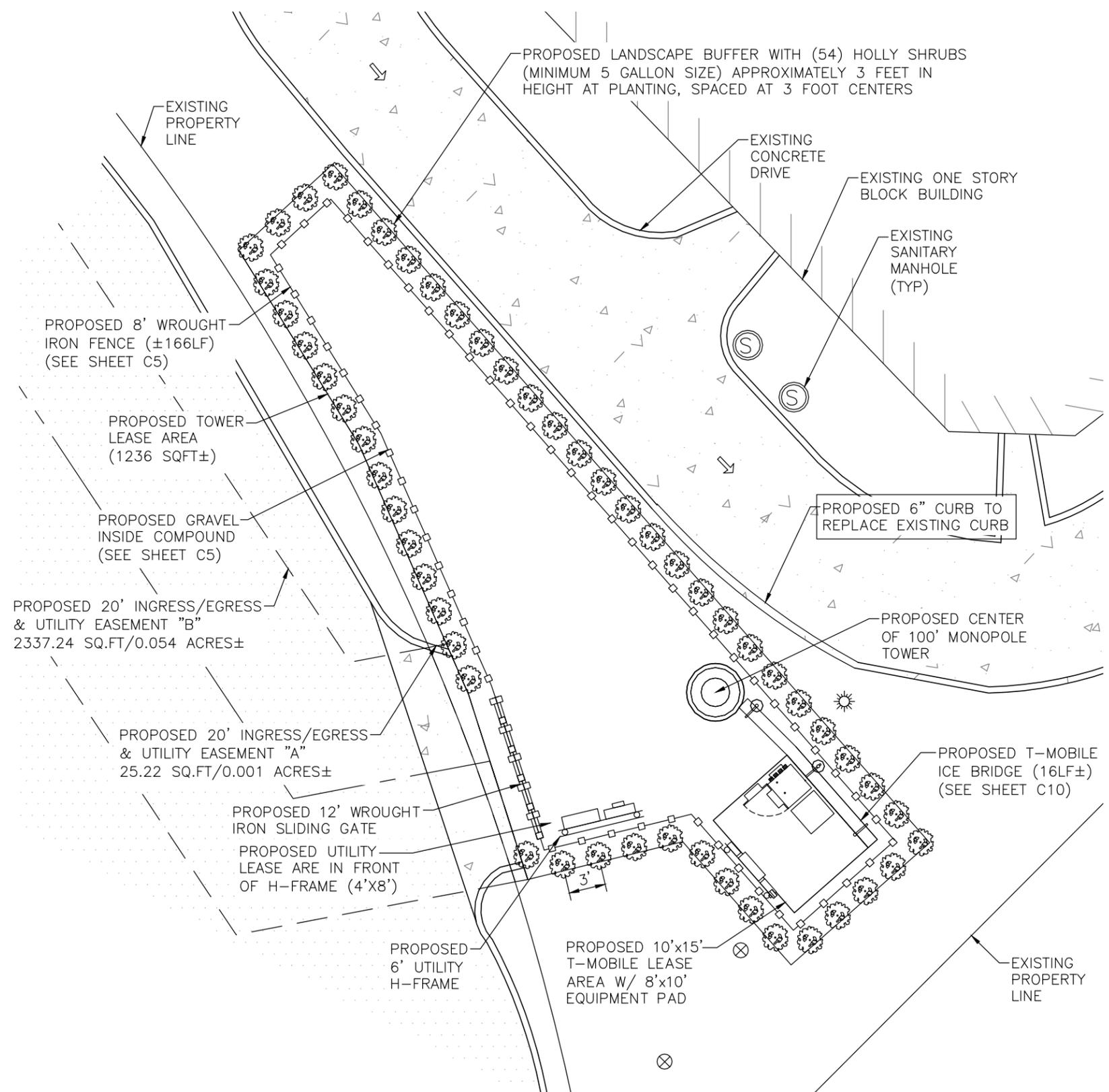
DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT #: 17-0071	ECO-SITE PROJECT #: TX-0048
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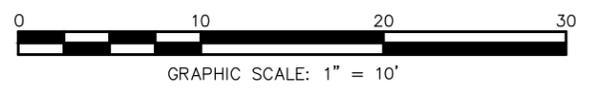
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: OVERALL LANDSCAPING PLAN C2.1	REVISION: 9
---	-----------------------

NORTH



ADJACENT LOT ZONING	
NORTH	GB
SOUTH	GB
WEST	GB
EAST	GB



1 ENLARGED LANDSCAPING PLAN
 C2.2 SCALE : 1" = 10'



TEXAS ONE-CALL
 STATE WIDE: 811
 CALL BEFORE YOU DIG

APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:

SMW
 ENGINEERING GROUP, INC.
 TOGETHER PLANNING A BETTER TOMORROW
 158 BUSINESS CENTER DRIVE
 BIRMINGHAM, AL 35244
 TEL: 205-252-6985 www.smweng.com

REVISIONS

REV	DATE	DESCRIPTION	BY
2	03/21/17	REVISED PER CLIENT COMMENTS	JDS
3	07/28/17	REVISED PER CLIENT COMMENTS	JDS
4	08/07/17	REVISED PER MONOPOLE	JDS
5	08/15/17	REVISED PER CLIENT COMMENTS	JDS
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7	08/28/17	REVISED PER CLIENT COMMENTS	JDS
8	09/15/17	REVISED PER CLIENT COMMENTS	JDS
9	09/28/17	REVISED PER LANDSCAPING	JDS

SEAL CA#: TX F-9617

09/28/2017

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PROJECT LOCATION:
 RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
 LEWISVILLE, TX 75067

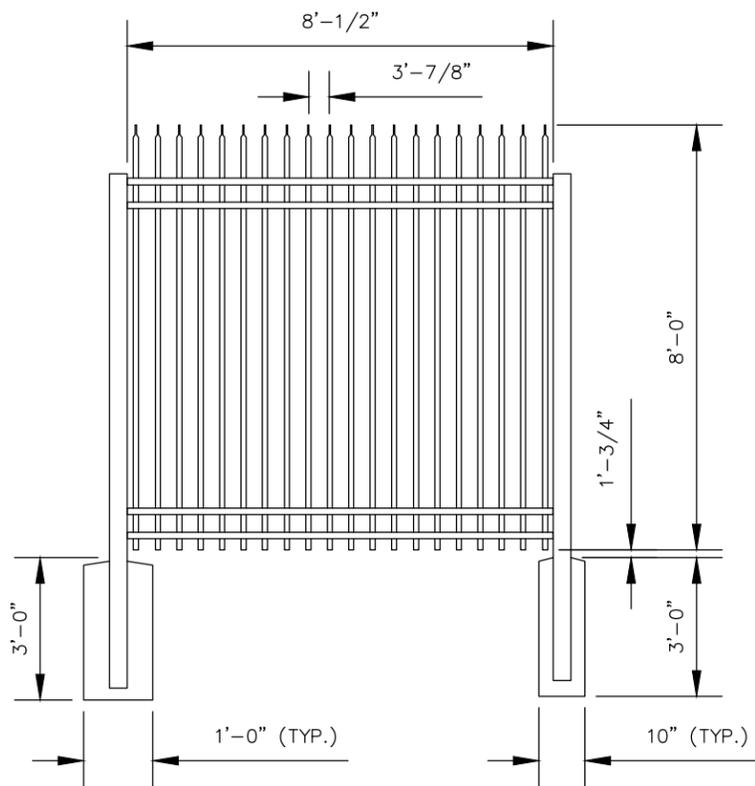
DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT #: 17-0071 ECO-SITE PROJECT #: TX-0048

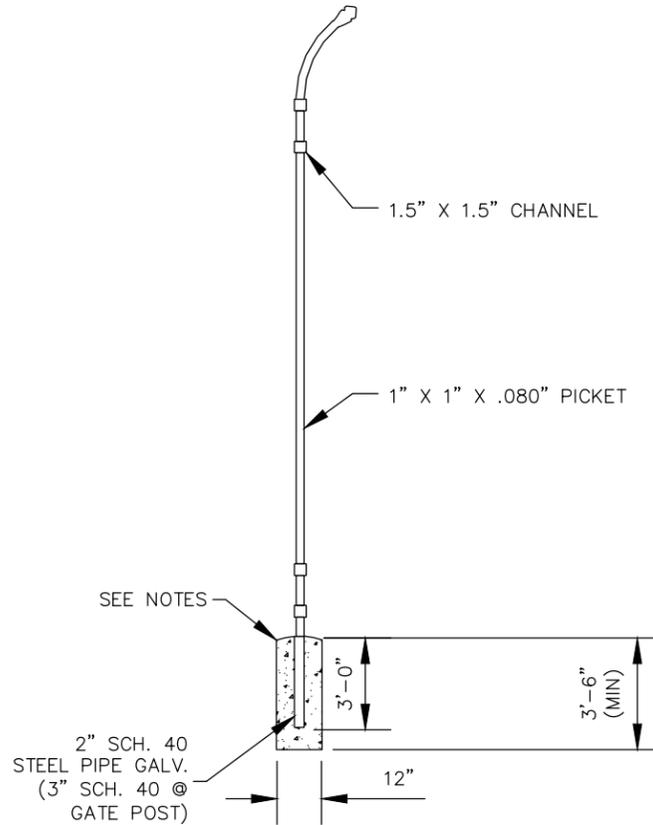
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER:
ENLARGED LANDSCAPING PLAN
C2.2

REVISION:
9



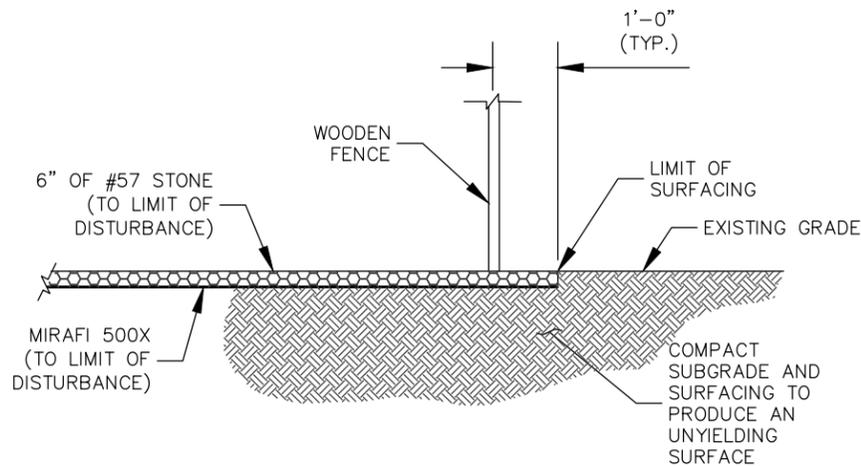
1
C5 **WROUGHT IRON FENCE ELEVATION**
 NOT TO SCALE



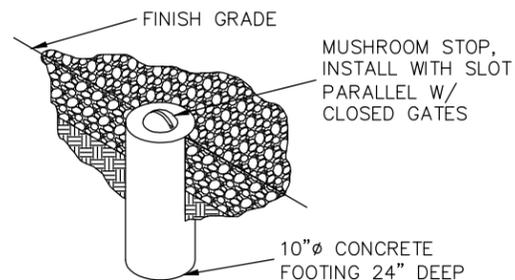
2
C5 **SIDE ELEVATION VIEW**
 NOT TO SCALE

FENCE NOTES:

1. USE 3000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNER AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. ALL WOOD SHALL BE SOUTHERN YELLOW PINE OR SPRUCE PINE FIR, NO. 2 OR BTR AND PRESSURE TREATED.



3
C5 **SITE COMPOUND SURFACE DETAIL**
 NOT TO SCALE



4
C5 **MUSHROOM STOP**
 NOT TO SCALE

APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:

SMW
ENGINEERING GROUP, INC.

TOGETHER PLANNING A BETTER TOMORROW
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SEAL CA#: TX F-9617



09/28/2017

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PROJECT LOCATION:

RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
 LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT #: 17-0071 ECO-SITE PROJECT #: TX-0048

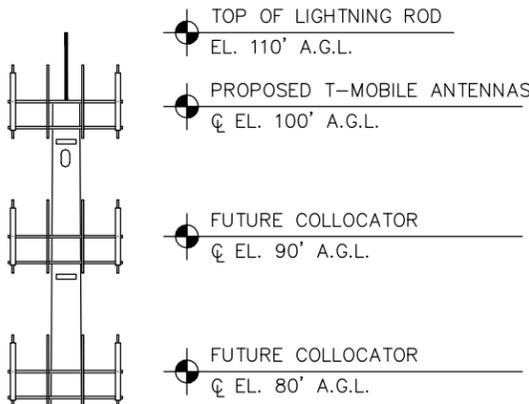
DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: REVISION:

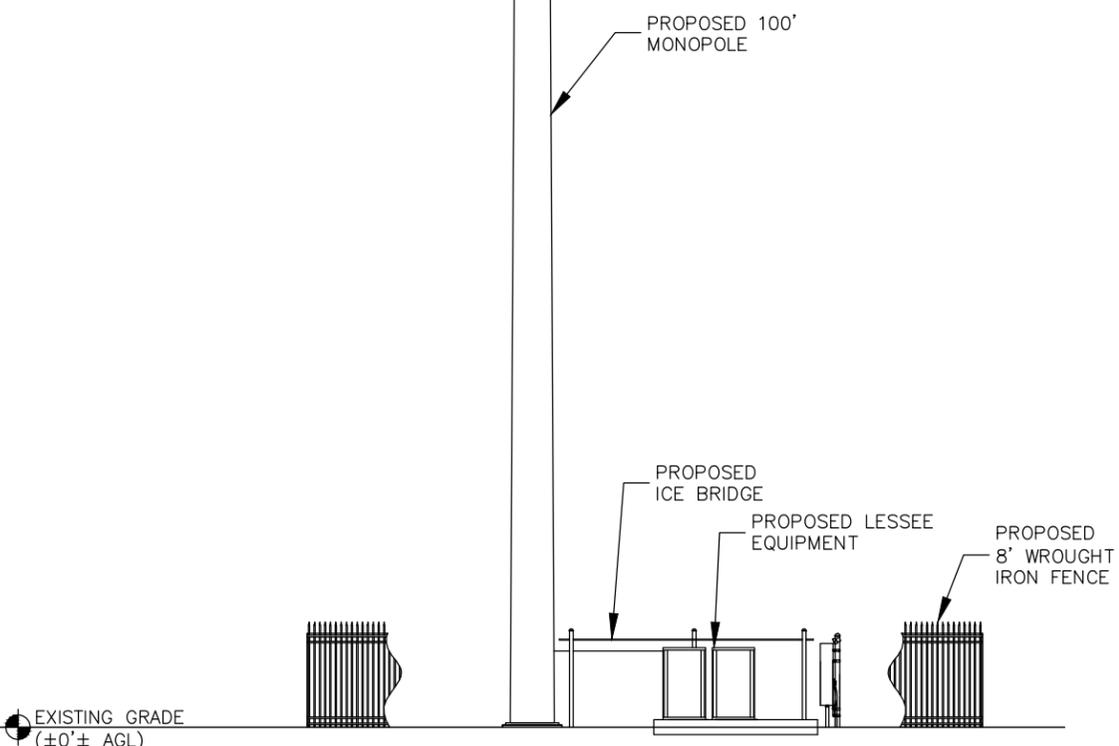
FENCE GATE AND COMPOUND DETAILS

C5

9



NOTE:
 ALL INFORMATION ON THIS PAGE IS PROVIDED BY ECO-SITE AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE ECO-SITE CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA, MOUNT, AND COAX CABLE INFORMATION.



1
 C11

MONOPOLE ELEVATION

NOT TO SCALE

APPLICANT/OWNER

Eco-Site

240 LEIGH FARM ROAD
 SUITE 415
 DURHAM, NC 27707
 OFFICE: (919)858-6448

PREPARED BY:

SMW
 ENGINEERING GROUP, INC.

TOGETHER PLANNING A BETTER TOMORROW

158 BUSINESS CENTER DRIVE
 BIRMINGHAM, AL 35244
 TEL: 205-252-6985 www.smweng.com

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09/28/2017

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PROJECT LOCATION:

RALDON LAKE
 DA03509C
 877 S STEMMONS FWY
 LEWISVILLE, TX 75067

DRAWN BY: DTT CHECKED BY: JDS

SMW PROJECT #: 17-0071 ECO-SITE PROJECT #: TX-0048

DATE: 02/15/2017

DESCRIPTION / SHEET NUMBER: **ANTENNA AND TOWER ELEVATION DETAILS**

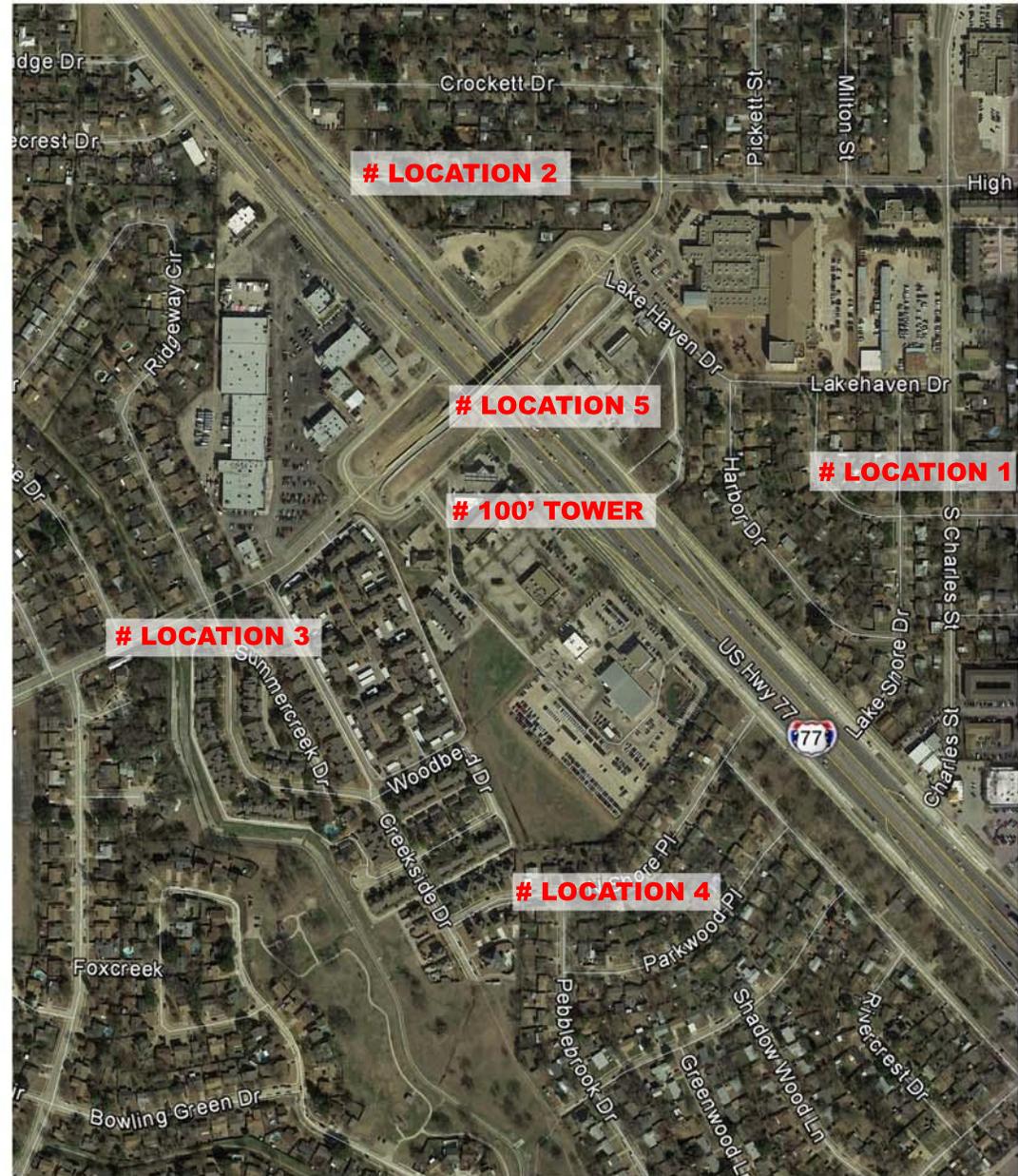
C11

REVISION: **9**

SITE LOCATION MAP

PHOTOGRAPHIC SIMULATION
PROPOSED WIRELESS COMMUNICATIONS FACILITY

SITE NAME: TX-0048
SITE LOCATION: RALDON LAKE
DA03509C
LEWISVILLE, TEXAS, 75067
DATE: 06/13/2017
APPLICANT: ECO-SITE
240 LEIGH FARM ROAD
DURHAM, NC 27707
CONTACT: PHONE: (919) 858-6448



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 1
NOT SEEN FROM THIS VIEW**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 2
EXISTING VIEW WITH BALLOON TEST**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 2
PROPOSED 100' MONOPOLE WITH 10' LIGHTNING ROD**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 3
EXISTING VIEW WITH BALLOON TEST**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 3
PROPOSED 100' MONOPOLE WITH 10' LIGHTNING ROD**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 4
EXISTING VIEW WITH BALLOON TEST**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



LOCATION 4
PROPOSED 100' MONOPOLE WITH 10' LIGHTNING ROD



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



**LOCATION 5
EXISTING VIEW WITH BALLOON TEST**



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

DRAWN BY: MM

SMW# 17-0071



LOCATION 5
PROPOSED 100' MONOPOLE WITH 10' LIGHTNING ROD



TX-0048

PHOTO SIMULATION

For visual reference only. Actual visibility is dependant upon weather conditions, season, sunlight and viewer location.



DATE: 06/13/17

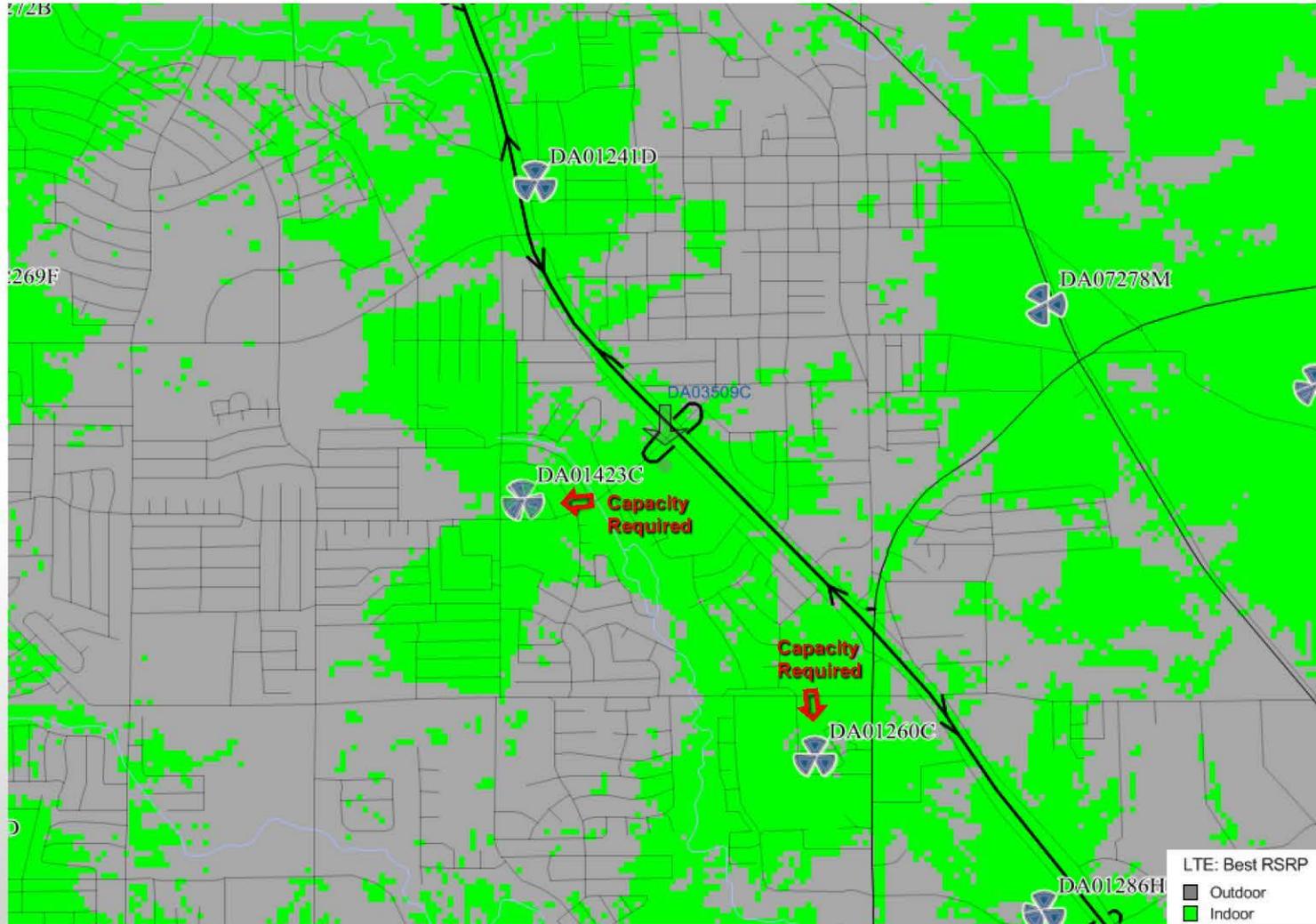
DRAWN BY: MM

SMW# 17-0071

T-Mobile Wireless Service Maps

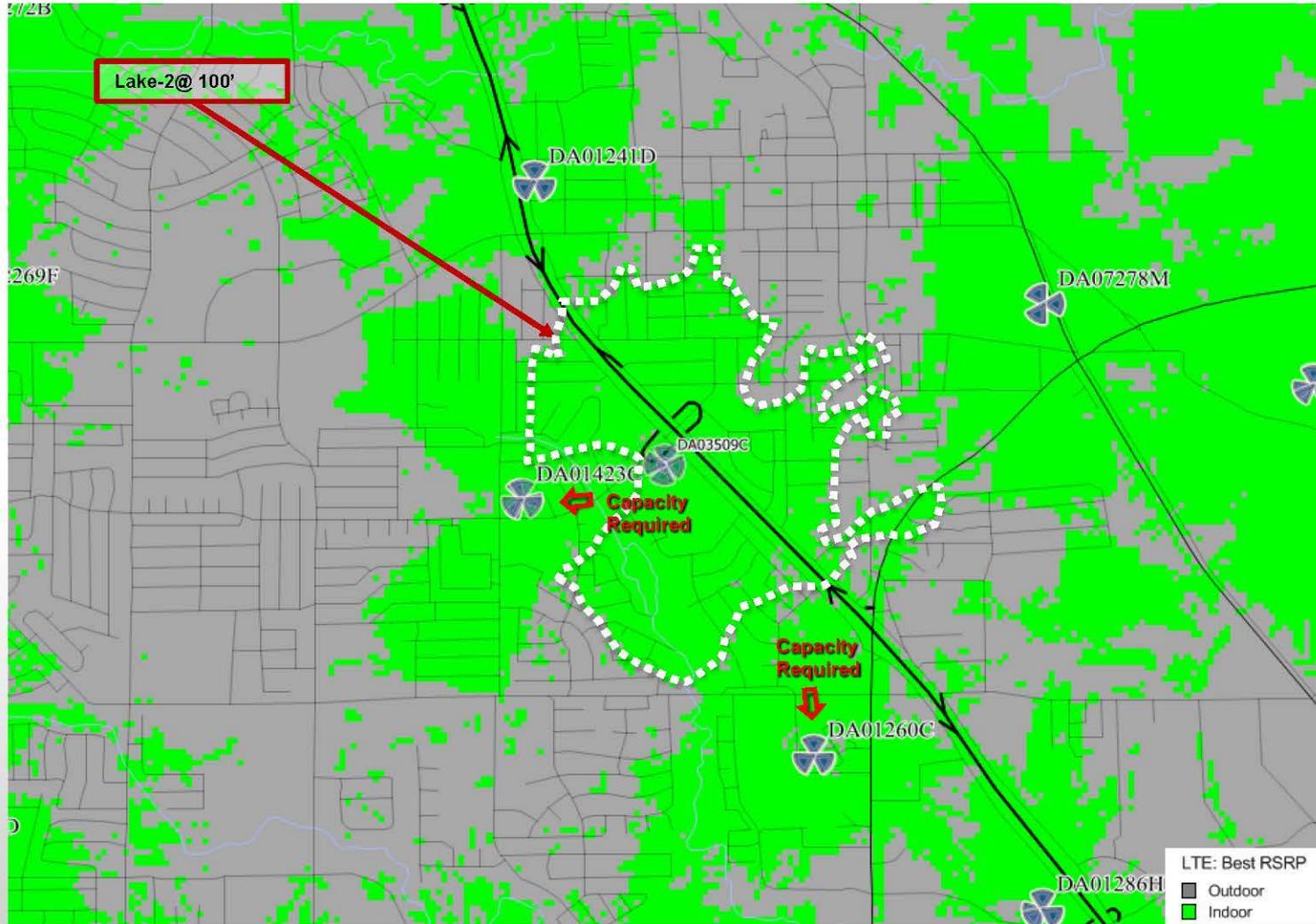
DA03509 – ACTUAL ZONE COVERAGE (RSRP)

CURRENT RSRP



DA03509C - Lake-2 – NEW COVERAGE @ 100' (RSRP)

NEW RSRP





Economic Development & Planning
City of Lewisville
151 W Church Street
Lewisville, TX 75057

July 21, 2017

Subject: City of Lewisville Ordinance
Site Address: 877 S. Stemmons Fwy
Eco-Site/ T-Mobile Site Number: TX-0048 / DA03667C

To Whom It May Concern:

T-Mobile South LLC ("T-Mobile") respectfully submits this letter in an effort to site a new telecommunications tower at 877 S. Stemmons Fwy, Lewisville, TX. The proposed new monopole is required to provide adequate RF signal strength for the T-Mobile network within the City of Lewisville 877 South Stemmons.

T-Mobile Engineering has determined that the proposed site is needed in order to provide in-building signal strength to the residential and commercial buildings located southwest of I-77 327 and north of N Shore Pl along Fox Ave. Previous optimization efforts in the area were not able to improve the area coverage and T-Mobile developed a search area for a new site to maintain our network coverage.

The search area included a 1/2 mile radius from the target area. This area commences south west on Fox Ave as well as south east on I-77. This Site will also provide highly need coverage along I-77 thus assisting with any 911 calls that can originate in this high traffic area.

T Mobile looks for co-location opportunities and has made every effort to utilize existing infrastructure to support its network. Given the geographic area in which the T-Mobile Engineering Team determined that the base station needs to be located, there were no opportunities to co-locate on existing structures. The following are the results of a thorough evaluation of this area:

Co-location was not an option, as there were no existing towers or other structures within the 1/4 mile radius from the proposed site required to meet T-Mobile's engineering needs.

Additionally, this new site will maintain access to T Mobile's enhanced E911 services as required by the FCC and local PSAP and maintain safety to the citizens of the City of Lewisville, Texas.

If you have any further technical questions related to this application, you may contact me at:

Sincerely,

A handwritten signature in black ink, appearing to read 'Dishant Shah', with a long horizontal flourish extending to the right.

Dishant Shah

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Nika Reinecke, Director of Economic Development
DATE: October 24, 2017
SUBJECT: **Approval of a Professional Services Agreement with Hawes Hill and Associates LLP, in the Amount of \$ 70,000, for Services Related to the Expansion and/or Re-Evaluation of the Tax Increment Financing Reinvestment Zones (TIRZ) #1 and #2, Creation of a New TIRZ for the I-35 Corridor; and Authorization for the City Manager to Execute the Contract.**

BACKGROUND

The Tax Increment Reinvestment Zone (TIRZ) #1 was established in 2001 for the Old Town area and TIRZ #2 was established in 2009 for the Hebron Station area. Both zones have specific project and financing plans guiding the construction of public projects in each district to stimulate the development of private projects. The agreement will review the benefits of possible expansion of both zones and will provide recommendations on the needed amendments to the project and financing plans for each zone. The agreement also will look at establishing a new zone along the I-35 corridor to correspond with the I-35 Overlay District in order to capture the revenue increment on new and re-development projects along the corridor and to aid in revitalization of the land along I-35 for positive economic development.

ANALYSIS

This review will ensure that the captured revenue increment is used to its fullest potential for stimulating new projects in the zones. Phase I will include the analysis of the proposed expansion area for both zones and preparation of a recommended boundary map. Phase II will include stakeholder meetings including the two Boards and the Denton County Commissioners, and presentations at the public hearings. The consultant will review compliance requirements in accordance with the TIRZ statute prior to expansion of the zones. Phase III will involve the amendments to the project plan and financing plans for the zones and preparation of ordinances for adoption by the City Council.

The above phases are also necessary to set up a new zone for the I-35 corridor. The creation of a new zone will involve analysis of the proposed land uses, review of ad valorem values and the estimated value capture for the term of the zone. The analysis of the new zone's impact on the general fund will also be a part of the analysis.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement as set forth in the caption above.

**AGREEMENT BY AND BETWEEN
CITY OF LEWISVILLE, TEXAS,
AND HAWES HILL & ASSOCIATES, LLP**

This agreement is made by and between CITY OF LEWISVILLE (the "Client") and HAWES HILL & ASSOCIATES, LLP (the "Consultant").

WITNESSETH:

WHEREAS, the Client desires that the Consultant provide certain professional services related to the expansion of a Tax Increment Reinvestment Zones One and Two, and the creation of a Tax Increment Reinvestment Zone along the I-35 corridor;

WHEREAS, the Consultant has the employees, office operations, and knowledge to ably provide the professional services required by the Client;

NOW THEREFORE, Client and Consultant, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, do agree as follows:

I.
Services

The Consultant hereby agrees to provide, furnish, or perform certain professional services with respect to the expansion of Tax Increment Reinvestment Zones No. 1 and 2 (the "Zones"), City of Lewisville, including amendment of its Project Plan and Project Financing Plan as described in Exhibit A, attached hereto, and with respect to the creation of a Tax Increment Reinvestment Zone along the I-35 corridor, as described in Exhibit B, attached hereto. Such services herein collectively referred to as the "Services."

II.
Performance of Services

Consultant shall have the right to determine the method, details, and means of performing the Services. The Client, however, shall be entitled to ensure satisfactory performance, including the rights to inspect, to stop work, to make suggestions or recommendations as to the details of the work, and to propose modifications to the Services. Consultant will provide all required resources and personnel to complete the Services and use its best efforts to accommodate work schedule requests in a timely manner.

III.
Compensation and Reimbursement to Consultant

For and in consideration of the professional services rendered by the Consultant as specified in Exhibit "A," *Scope of Professional Consulting*, of this Agreement, the Client agrees to pay the Consultant a fixed fee of SEVENTY THOUSAND NO/100 DOLLARS (\$70,000.00) according to the following schedule of payments:

- (1) TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00) due upon execution of this Agreement;

- (2) FOURTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) payable in monthly installments of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per month for four (4) months commencing on execution of this Agreement;
- (3) TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) due upon completion of work outlined in Exhibits A and B.

Reimbursable out-of-pocket expenses and other expenses and charges incurred by the Consultant in performing the Services under this Agreement shall be made on a monthly basis upon submission by the Consultant of invoices and other documentation setting forth such expenses and charges; *provided, however,* all expenses and charges proposed to be incurred by the Consultant for the performance of the Services shall be subject to the Client's prior written approval. The *Schedule of Maximum Charges and Rates of Hawes Hill and Associates, LLP* for the performance of the Services by the Consultant under this Agreement as set forth on Exhibit "C" attached hereto for reference are hereby approved by the Client. The Client expressly disclaims any liability for reimbursement to the Consultant of any amounts in excess of those approved in writing by the Client.

Consultant shall tender to the Client a detailed invoice of the services performed and the allowable reimbursable expenses incurred to the Client each month during the term of this Agreement. Payments on account of services rendered and for reimbursable expenses incurred shall be made within thirty (30) days after the Client receives Consultant's detailed invoice therefore. In the event of a disputed or contested invoice, the Client may withhold any such disputed or contested amount without penalty.

IV.

Right of Ownership

All data, information, maps, books, reports, files, photography, artwork, software, equipment, and materials purchased, created or maintained by the Client or purchased, created or maintained by the Consultant on behalf of the Client shall remain the property of the Client. It shall be clearly marked as property of the Client in such manner that it may at any time be removed from the premises of the Consultant.

V.

Laws to be Observed

In performing its obligations under this Agreement, the Consultant at all times shall observe and comply with all federal and state laws, local laws, ordinances, orders, and regulations of the federal, state, county, or city governments. The federal, state, and local laws, ordinances, and regulations which affect those engaged or employed in the work, or the equipment used in the work, or which in any way affects the conduct of the work, shall be at all times in effect, and no pleas of misunderstanding will be considered on account of ignorance thereof.

VI.

Successors and Assigns

This Agreement shall bind and benefit the respective parties and their legal successors, and shall not be assignable, in whole or in part, by any party hereto without first obtaining the written consent of the other party. Nothing herein shall be construed as creating any personal liability on the part of any officer or director of the proposed Zone or Authority.

VII.

Independent Contractors

The Consultant shall be an independent contractor to the Client, and nothing in this Agreement shall be deemed to cause this Agreement to create an agency, partnership, or joint venture between the parties. This Agreement shall not be interpreted or construed as creating or establishing the relationship of employer and employee between the Client and the Consultant, or any of the Consultant's employees or agents.

VIII.

Conflict of Interest

In keeping with Consultant's duties to the Client, Consultant agrees that it shall not, directly or indirectly, become involved in any conflict of interest, or upon discovery thereof, allow such a conflict to continue. Moreover, Consultant agrees that it shall promptly disclose to the Client any facts which might involve any reasonable possibility of a conflict of interest.

IX.

Term and Termination

This Agreement shall become effective as of the date executed by the Client and the Consultant as set forth on the signature page hereof. Either party may terminate this Agreement at any time by giving the other party at least thirty (30) days' prior written notice thereof, specifying in such notice the effective date of such termination. In the event of termination, it is understood and agreed that only the amounts due the Consultant for services provided and expenses incurred to the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement.

X.

Amendment or Modification

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only upon the written consent of the parties hereto, executed by authorized representatives of both parties to this Agreement.

XI.

Miscellaneous

1. Choice of Law. This Agreement shall be construed and given effect in accordance with the laws of the State of Texas, including all matters of construction, validity, performance and enforcement.
2. Binding Effect; Assignment. This Agreement shall be binding upon and inure to the benefit of the Client and the Consultant, their respective successors and assigns; provided however, that neither party hereto may assign or transfer any of its rights or obligations hereunder without the prior written consent of the other party.
3. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral or written representations or modifications concerning this Agreement shall be of no force or effect except for a subsequent modification in writing signed by all parties thereto.
4. Waiver. A waiver by either party of a breach of any of the terms or provisions of this Agreement shall not operate or be construed as a waiver of any subsequent breach.

(EXECUTION PAGE FOLLOWS)

XII.

Acceptance

This instrument is being executed in two (2) counterpart originals, each of which has the full force and effect of an original. Execution of this agreement also indicates acceptance that the payment will be due for services rendered, including those instances where the municipality decides, for whatever reason, NOT to expand Tax Increment Reinvestment Zones No. 1 and 2 and/or NOT to create a reinvestment zone.

This Agreement is made and entered into in Denton County, Texas, and venue for all purposes shall be in Denton County, Texas.

AGREED AND ACCEPTED THIS _____ DAY OF _____, 2017

On Behalf of the CITY OF LEWISVILLE:

By: _____
Name: _____
Title: _____
Address: _____
City/State/Zip _____

On Behalf of HAWES HILL & ASSOCIATES:

By:  _____
David W. Hawes
Hawes Hill & Associates, LLP
PO Box 22167
Houston TX 77227-2167
Telephone 713-595-1200

Fax 281-888-6314

E-mail: dhawes@haweshill.com

Exhibit "A"

Scope of Professional Consulting Services Expansion of Tax Increment Reinvestment Zones One & Two

A project team comprising David Hawes, Principal, Naina Magon, and Patrick Horton of the Consultant's professional staff will carry out the scope of professional consulting services described below. These services apply to both Tax Increment Reinvestment Zones 1 and 2 and are broken down into three distinct Phases: (I) activities associated with the preparation of the preliminary analyses and studies supporting the proposed expansion; (II) activities necessary to inform and educate public officials and stakeholders on the proposed expansion of the zones and to gather additional information that may be needed to refine the final proposed Amended Project Plans and Project Financing Plans; and (III) approval of the expansion proposals and Amended Project Plans and Financing Plans by the City of Lewisville.

Phase I: Analysis and preparation of documentation to initiate expansion of the Zones (1 and 2) and amend their current Project Plans and Project Financing Plans

- Perform an initial analysis of the proposed expansion area. The analysis will include: a) a complete review of all ad valorem values in the proposed area; b) existing land uses; c) documentation of blighted conditions; d) identification of tracts where development is impeded due to faulty lot layout; e) analysis of any other relevant factors impeding development or redevelopment of the area.
- Prepare a recommended boundary map of the area and related map set for the proposed expansion area detailing land uses, utilities, infrastructure (current and proposed) and other CIP information (if available).
- Working with the City, prepare all GIS mapping and data analyses required as we work toward the finalization of the expansion boundary, including all maps required by statute for amending the Project Plan and Reinvestment Zone Financing Plan.
- Prepare an Amended Project Plan and Reinvestment Zone Financing Plan for use in briefings on the proposed zone's expansion, including costs of all proposed public improvements. The amended plan will include the following: a) maps showing the existing uses and conditions of real property in the zone and maps showing proposed improvements to and use of that property; b) proposed changes to any ordinances applicable to the area; c) a list of the estimated non-project costs; and, d) a statement of the method of relocating persons to be displaced as a result of the implementation of the project plan. The amended financing plan will include: a) a detailed list of the estimated project costs of the zone, including administrative expenses; b) a statement of listing the kind, number, and location of all proposed public works or public improvements in the zone; c) the estimated amount of bonded indebtedness to be incurred; d) the time when related costs or monetary obligations are to be incurred; e) a description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone.

Phase II: Preparation of preliminary documents required for expansion of the Zones and amendment of its Project Plans and Project Financing Plans

- With Board's authorization to proceed, conduct meetings with all of the elected officials/staffs from all proposed participating jurisdictions regarding the zone expansion/development strategy. Provide financial impact information to each, and work with any elected body committees to review the proposed expansion and how it will impact the jurisdiction's tax base and further each jurisdiction's economic development goals and objectives.

- Conduct meetings, when necessary, with all area stakeholders regarding the proposed redevelopment via expansion of the tax increment district. Garner their input and feed back regarding the redevelopment needs in the area and factor those needs into the development of a preliminary Amended Project and Reinvestment Zone Financing Plan.
- Develop and submit to the City all documents needed to issue a 60-day notification to all area taxing jurisdictions regarding the proposed expansion of the reinvestment zone. Notice will be placed in the area newspaper of greatest circulation for maximum notification. Copies of the public notice will also be mailed to all recommended media outlets including minority-based periodicals.
- Conduct a workshop (if needed or required) with the City Council on the expansion of the zone. Present the proposed redevelopment strategy, the process for expanding the reinvestment zone, and the administrative issues associated with implementation of the Amended Project Plan and Reinvestment Zone Financing Plan and serve as support staff to City staff in their role as advisors to the elected leadership.
- Make any recommended revisions to the Amended Project Plan and Reinvestment Zone Financing Plan prior to the public hearing. Changes will include revisions to the proposed boundaries, adjustments to related data sets associated with the area targeted for redevelopment, types and locations of proposed improvements, and any other changes required.
- Prepare and deliver to City Secretary the public notice of the hearing and provide copies of the amended project plan and project financing plan for distribution to all other taxing jurisdictions with the notice. Serve as the point of contact for any questions/issues that arise related to the hearing before the hearing is held.
- Prepare presentations for and deliver the same to all other taxing jurisdictions regarding the expansion of the reinvestment zone. These presentations are required by the statute and must be made prior to the City's expansion of the reinvestment zone. We will attempt to conduct a single briefing with all jurisdictions if possible. If necessary, we will provide the required briefing before each body independently.
- Assist the City in conducting a public hearing on the expansion of the tax increment reinvestment zone. We will either conduct the hearing on the City's behalf, or be present to serve as technical advisor to the City during the hearing.
- Prepare a Final Amended Project Plan and Reinvestment Zone Financing Plan for presentation to the Client's Board of Directors, incorporating any changes based on the public hearing process, for their consideration and approval.

Phase III: Preparation and submission of final documentation with regards to the expansion ordinance and Amended Project Plans and Project Financing Plans to the City of Lewisville

- Prepare and submit to the City Legal Department an ordinance to approve the zone's expansion and the amended project plan and reinvestment zone financing plan.
- Transmit the approved plan to all taxing jurisdictions.
- Negotiate final participation agreements with other taxing jurisdictions. Each agreement will set forth the rate of participation for the jurisdiction, the term of the agreement, and any special negotiated provisions required by the jurisdiction for their participation in the TIRZ.

- Present agreements to the Client's Board of Directors for approval.
- Prepare ordinances to submit to the City Legal Department to approve the participation agreements for other taxing jurisdictions.

Exhibit “B”

**Scope of Professional Consulting Services
Creation of a Reinvestment Zone along I-35**

A project team comprising David Hawes, Principal, Naina Magon, and Patrick Horton of the Consultant’s professional staff will carry out the scope of professional consulting services described below. The services are broken down into three distinct goals: a) pre-creation activities, or those activities associated with the preparation of the preliminary project plan and reinvestment zone financing plan; b) the creation activities, or all actions required by the statute in order to create the reinvestment zone; and c) the proposed creation and activation of a redevelopment authority that will work with the City and the TIRZ to implement the zone project plan and reinvestment zone financing plan.

Phase I: Pre-Creation Activities for the Reinvestment Zone

- Prepare an initial analysis of the proposed reinvestment zone area. The analysis will include: a) a complete review of all ad valorem values in the proposed area; b) existing land uses; c) documentation of blighted conditions; d) identify tracts where development is impeded due to faulty lot layout or improper zoning; e) analysis of any other relevant factors impeding development or redevelopment of the area.
- Prepare a recommended boundary map of the area and related map set for the proposed reinvestment zone. Land uses, utilities, infrastructure (current and proposed) and other CIP information (if available).
- Working with the City the firm will prepare all GIS mapping and data analysis required as we work toward the finalization of a zone boundary, including all maps required by the statute for both the preliminary and final project and reinvestment zone financing plan.
- Prepare a preliminary project plan and reinvestment zone financing plan for use in briefings on the proposed zone’s creation, including costs of all proposed public improvements. The preliminary plan will include the following: a) maps showing the existing uses and conditions of real property in the zone and maps showing proposed improvements to and use of that property; b) proposed changes to any zoning ordinances applicable to the area; c) a list of the estimated non-project costs; and, d) a statement of the method of relocating persons to be displaced as a result of the implementation of the project plan. The preliminary financing plan will include: a) a detailed list of the estimated project costs of the zone, including administrative expenses; b) a statement of listing the kind, number, and location of all proposed public works or public improvements in the zone; c) the estimated amount of bonded indebtedness to be incurred; d) the time when related costs or monetary obligations are to be incurred; e) a description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone.
- Conduct meetings with all of the elected officials/staffs from all proposed participating jurisdictions regarding the zone creation/development strategy. Provide financial impact information to each, and work with any elected body committees to review the proposed creation and how it will impact the jurisdiction’s tax base and further each jurisdiction’s economic development goals and objectives.
- Conduct meetings, when necessary, with all area stakeholders regarding the proposed redevelopment via the tax increment district. Garner their input and feedback regarding the redevelopment needs in the area and factor those needs into the development of a preliminary project and reinvestment zone financing plan.

- Develop and submit to the City all documents needed to issue a 60-day notification to all area taxing jurisdictions regarding the proposed creation of the reinvestment zone. Notice will be placed in the area newspaper of greatest circulation for maximum notification. Copies of the public notice will also be mailed to all recommended media outlets including minority-based periodicals.
- Conduct a workshop with the City Council on the creation of the zone. Present the proposed redevelopment strategy, the process for creating the reinvestment zone, and the administrative issues associated with implementation of the project plan and reinvestment zone financing plan and serve support staff to City staff in their role as advisors to the elected leadership.
- Make any recommended revisions to the preliminary project plan and reinvestment zone financing plan prior to the public hearing. Changes will include revisions to the proposed boundaries, adjustments to related data sets associated with the area targeted for redevelopment, types and locations of proposed improvements, and any other changes required.
- Prepare and deliver to City Secretary the public notice of the hearing and provide copies of the preliminary project plan for distribution to all other taxing jurisdictions with the notice. Serve as the point of contact for any questions/issues that arise related to the hearing before the hearing is held.
- Prepare presentations for and deliver the same to all other taxing jurisdictions regarding the creation of the reinvestment zone. We will attempt to conduct a single briefing with all jurisdictions if possible. If necessary, we will provide the required briefing before each body independently.
- Assist the City with the conducting of the public hearing on the creation of the tax increment reinvestment zone. We will either conduct the hearing on the City's behalf, or be present to serve as technical advisor to the City during the hearing.

Phase II: Creation of the Tax Increment Reinvestment Zone

- Prepare and deliver to the City Legal Department the creation ordinance for the reinvestment zone. The ordinance will make all the required statutory findings required in Chapter 311 of the Property Tax Code.
- Work with the City to nominate and appoint the TIRZ board of directors.
- Prepare a final project plan and reinvestment zone financing plan for presentation to the TIRZ board. Should any changes to the plan be required based on the public hearing process, we will incorporate the necessary changes into the document and make it ready for presentation to the TIRZ board for their consideration and approval.
- Prepare and submit to the City Legal Department an ordinance to approve the project plan and reinvestment zone financing plan.
- Transmit the approved plan to all taxing jurisdictions.
- Negotiate final participation agreements with other taxing jurisdictions. Each agreement will set forth the rate of participation for the jurisdiction, the term of the agreement, and any special negotiated provisions required by the jurisdiction for their participation in the TIRZ.
- Present agreements to the TIRZ board for approval.

- Prepare ordinances to submit to the City Legal Department to approve the participation agreements for other taxing jurisdictions.

Creation of the Redevelopment Authority (Optional, Recommended)

- Prepare an application to the City for the creation of a Redevelopment Authority.
- Prepare the resolution for the TIRZ board to adopt related to the creation of a Redevelopment Authority pursuant to Chapter 431 of the Transportation Code, and 396 of the Local Government Code. The package will also include the preparation of Articles of Incorporation and By-Laws for the Authority.
- File all required documents with both the City and the Texas Secretary of State on the creation of the Authority.
- Prepare a tri-party agreement between the City, the TIRZ, and the Authority. The agreement will set forth the terms under which the Authority will act on behalf of both the City and the TIRZ to implement the project plan and reinvestment zone financing plan.
- Present the Tri-party agreement to the redevelopment authority board; clarify an issues related to the agreement and the role of the Authority vis-à-vis the TIRZ and secure board approval of the agreement.
- Submit the agreement to the City Legal Department for presentation to the City Council. Work with the City Staff to secure Council approval of the agreement.

Exhibit "C"

**Schedule of Maximum Charges and Rates of
Hawes Hill & Associates, LLP**

Professional consulting	Total contract: \$70,000
• Due upon execution of agreement	\$20,000
• Payable in monthly installments of \$10,000/month for 4 months	\$40,000
• Due upon completion of work	\$10,000
Out-of-pocket expenses including, without limitation, the following:	Actual cost (see below)
• prints, photocopies, reproductions, graphics, art supplies	
• postage, deliveries	
• posting, filing and submittal fees	
• publication of public notices	
• parking fees and tolls	
• travel, lodging and incidentals	

Automobile mileage directly attributable to this project shall be charged at the current rate allowable under Internal Revenue Service regulations.

*REIMBURSABLE PRINTS, PHOTOCOPIES, REPRODUCTIONS, GRAPHICS
(The following schedule is effective August 1, 2014)

Telephone calls/faxes	No charge for local or domestic long distance calls or faxes
In-house photocopies	<i>Black & white</i> 8½ x 11, \$0.15 per page 8½ x 14, \$0.20 per page 11 x 14, \$0.25 per page <i>Color</i> 8½ x 11, \$0.50 per page 8½ x 14, \$0.65 per page 11 x 14, \$0.70 per page
Data copies	Flash Drive -- \$20.00
GIS mapping	\$150.00 per hour plus actual costs for printing, paper, ink and special mounting
Binding supplies	<i>Cover stock and binding combs</i> \$1.00 per set
Supplies	Special supplies required for a specific project are billed at actual cost
Delivery services	Billed at actual cost
Postage	Billed at actual cost
Mileage	Maximum rate per mile allowed under IRS regulations

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
 Hawes Hill & Associates LLP
 Houston, TX United States

Certificate Number:
 2017-278751

Date Filed:
 11/01/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
 City of Lewisville, Texas

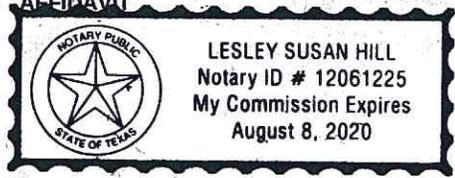
Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
 11/06/2017
 economic development consulting services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Elisa Rodriguez
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Elisa Rodriguez, this the 1st day of November 20 17, to certify which, witness my hand and seal of office.

Lesley Hill Lesley S. Hill Notary
 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Stacie Anaya, Director of Parks and Recreation

DATE: October 23, 2017

SUBJECT: **Approval of the Revisions to the City of Lewisville Policy Statement 4.0: City Facilities/Events to Include the Lewisville Lake Environmental Learning Area (LLELA) in the List of Facilities Where Alcohol may be Served/Sold.**

BACKGROUND

The current policy became effective on August 16, 2010 and was updated in 2017. It makes provisions for the service and sale of alcohol at city facilities and during city events.

Since the implementation of this policy, the City of Lewisville has become a partner at LLELA and is listed on the United States Corps of Engineers lease for the property. The City's partnership with the University of North Texas and Lewisville Independent School District has led to an increase in the number and types of educational and recreational programs at LLELA. In November, over 100 researchers, professionals, growers, teachers and land managers will enjoy a three-day conference at the University of North Texas and LLELA at the TXSER Annual Conference: Resilience and Connectivity at Our Roots. LLELA will host the Friday portion of the conference with tours, education sessions and a dinner for attendees. The conferences coordinators would like to serve beer and wine during dinner.

The Green Centerpiece Master Strategy establishes action steps for the construction of a Nature Center and potential partnership with the Audubon Society to operate and maintain the facility. One of the strategies for sustaining the operations at the Nature Center will be periodic fundraisers and events that will include the service and sale of alcohol. This is one of the primary strategies implemented by the Society at their Trinity River site in south Dallas.

ANALYSIS

In effort to be consist with action steps set forth in the Green Centerpiece Master Strategy and provide predictability in the monitoring and usage of alcohol within City managed parks and, the policy should be updated.

RECOMMENDATION

City Staff recommends amending the current policy to include LLELA in the list of facilities where alcohol may be served and sold by a licensed caterer/provider.

Effective Date:
Approval: _____

**CITY OF LEWISVILLE
POLICY STATEMENTS**

TOPIC: 4.0 - CITY FACILITIES/EVENTS
REFERENCE: SECTION I – FACILITY/EVENT

I. DEFINITIONS

- A. **Smoking**: The act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind including the use of electronic nicotine or vapor delivery devices.
- B. **Smokeless tobacco**: Tobacco that is chewed or snuffed rather than smoked by the user.

II. FACILITY/EVENT

- A. The City Council determines at which City facilities alcohol may be served. Alcohol may be served at:
 - 1. Community Room;
 - 2. Hedrick House;
 - 4. Lake Park Pavilions / Picnic Areas;
 - 5. Central Park Pavilions;
 - 6. City Hall Reception Floor;
 - 7. Lewisville Arts Center;
 - 8. Animal Adoption Center;
 - 9. Parks and Streets used for City Events;
 - 10. Lewisville Rodeo Arena;
 - 11. Lewisville Visitor Information Center;
 - 12. Wayne Ferguson Plaza
 - 13. Lewisville Lake Environmental Learning Area
- B. Alcohol may be sold at the Western Days Event, Lewisville Rodeo Arena, the Arts Center, Lewisville Lake Environmental Learning Area and Wayne Ferguson Plaza.
- C. The City Council must approve the selling of alcohol at any additional City events and in any other City facility. Once approved by the Council, the event is deemed to be added to the event list above.

- D. Smoking and smokeless tobacco is strictly prohibited at all times within City-owned, operated, or managed facilities including, but not limited to, private offices, hallways, restrooms, elevators, meeting rooms, break areas, and recreation centers or within fifteen feet of any door, operable window/vent or other opening to a place where smoking is prohibited.

- E. Smoking is prohibited at designated areas of outdoor recreation facilities including:
 - 1. Smoking is prohibited at the tennis complex, including courts and bleachers.
 - 2. Smoking is prohibited in the restrooms and concession rooms and within fifteen feet of dugouts, team benches, playing fields and bleachers at Lake Park, Railroad Park, and Vista Ridge Park athletic complexes.
 - 3. Smoking and smokeless tobacco products are prohibited at municipal pools.
 - 4. Smoking and smokeless tobacco products are prohibited at Wayne Ferguson Plaza.

II. GENERAL PROVISIONS

The City of Lewisville reserves the right to change, modify, amend, revoke or rescind all or part of this policy in the future.

MEMORANDUM

TO: Melinda Galler, Assistant City Manager

FROM: Russ Kerbow, Police Chief

DATE: November 6, 2017

SUBJECT: **Approval of a Resolution Authorizing the City to Submit a Grant Application to the State of Texas, Criminal Justice Division to Obtain Funding to Purchase Rifle-Resistant Body Armor for all Police Officers Not Currently Issued this Armor**

BACKGROUND

The Lewisville Police Department is preparing a grant application to the Office of the Governor – Criminal Justice Division. A resolution is required as part of the grant application. The State of Texas will manage the grant.

ANALYSIS

The application seeks to fund the purchase of 140 sets of rifle-resistant body armor to provide additional protection for officers responding to emergency situations. The rifle-resistant armor plates and carriers are worn outside the uniform shirt and is in addition to soft body armor worn underneath the uniform and provided by the City. The total cost is \$53,900 and includes ballistic plates and plate carriers. There is no City match for this grant.

This grant is the legislature's effort to equip all Texas peace officers with rifle-resistant body armor in response to the Dallas attack on law enforcement on July 7, 2016. If our grant application is approved, this body armor will provide officers with additional protection from high velocity rifle ammunition. There are no on-going costs associated with this initial purchase. The Department will add the cost of providing rifle-resistant body armor, \$385 per officer, for all new police officer positions authorized if this grant is awarded. The Grant Review Committee pursuant to administrative directive 3.6.0., Grant Administration, reviewed this grant and recommends application.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the proposed resolution as set forth in the caption above.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE OFFICE OF THE GOVERNOR, TEXAS CRIMINAL JUSTICE DIVISION, FOR THE RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM.

WHEREAS, the City of Lewisville finds it in the best interest of the citizens of Lewisville that the Rifle-Resistant Body Armor Grant Program (BAGP) be utilized for the 2017/2018 fiscal year; and

WHEREAS, the City of Lewisville agrees to provide applicable matching funds for said program as required by the Office of the Governor – Criminal Justice Division grant application; and

WHEREAS, the City of Lewisville agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Lewisville assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City of Lewisville designates Donna Barron, City Manager, as the authorized official for all grant purposes. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1. The above and foregoing recitals to this resolution are true and correct and are incorporated into this resolution and made a part hereof for all purposes.

SECTION 2. The City of Lewisville approves submission of the grant application for the BAGP to the Office of the Governor.

SECTION 3. The City of Lewisville designates Donna Barron, City Manager, as the authorized official for all grant purposes.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, ON THIS THE 6TH DAY OF NOVEMBER, 2017.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

MEMORANDUM

TO: Donna Baron, City Manager

FROM: George Babineaux II, Assistant Building Official

VIA: Wayne K. Snell Jr., Director of Neighborhood & Inspection Services

DATE: October 24, 2017

SUBJECT: **Consideration of a Request for a Variance to the Lewisville City Code, Chapter 6, Article IX, Section 6-181(b), Exterior Finish Requirements, Regarding the Exterior Finish Requirements for a Home Located at 411 Mullins St, as Requested by Steve C. Bowen, President of Carl Franklin Homes and Builder for Green Extreme Homes.**

BACKGROUND

The property owner is Green Extreme Homes, a local nonprofit whose mission is to build healthy, stronger neighborhoods by providing green, energy efficient affordable housing options. The owner builds homes that meet the Department of Energy's (DOE) "Zero Energy Ready Home" guidelines, including WaterSense, IndoorAirPlus, and SmartHome criteria. For three years in a row, Green Extreme Homes has been the CDC winner of the Department of Energy's Innovation in Housing Award.

Green Extreme Homes has received a \$450,000 donation from Bank of America to build another home, and they have decided to build this new home on College Street. Once built, the home will be leased to a local veteran. The owner intends to keep the rent low enough to qualify as affordable housing. It will primarily utilize solar energy for electricity and will include a greenhouse with hydroponics for growing fruits, vegetables, herbs, and cut flowers. The home is also intended to serve as a showcase for sustainable design in the North Texas region.

The proposed home meets all code provisions other than the exterior finish requirements. The owner is asking for a variance to allow 100% siding rather than brick veneer. The City of Lewisville requires that on residential construction the aggregate total of all exterior wall elevations, excluding doors and windows, consist of 80% brick veneer with no single wall elevation consisting of less than 60% brick veneer.

ANALYSIS

The owner wants to build a craftsman-style home that matches the aesthetics of the existing neighborhood and reflects the design requirements in the Old Town Design District.

Properties on the south side of College Street can have siding because they are located within the Old Town Design District boundaries. Properties on the north side (where this property is located) are outside of the district and, therefore, must meet our normal brick veneer requirements.

City staff is currently researching whether the Old Town Design District should be extended to at least encompass both sides of College Street. Many of the original homes on both sides of College are built with siding, but as the area develops, the current boundaries of the Old Town Design District mean that the south side homes will reflect designs from the 1920's, while the north side could end up being more modern in design. Staff believes uniformity on College Street is beneficial. Rather than extend the Old Town Design District now, staff is waiting for the small area plan for Old Town North (where the property is located) to be completed. Until that plan is in place, we recommend addressing these exterior finish issues through variances. As such, staff supports this variance.

RECOMMENDATION

It is the City staff's recommendation that the City Council approve the ordinance amendment as set forth in the caption above.

CARL FRANKLIN HOMES, L.C.
GREEN EXTREME HOMES, CDC

September 13, 2017

Reference: 411 Mullins St.

Lot 1, Block A, Prairie Heights, Lewisville, Tx.

To Whom It May Concern:

Please let the letter serve as a formal request for a variance of Sec 6-181(b) of the City Code of Ordinances regarding masonry.

The property on Mullins (referenced above) is located on the north side of College Street, just across the street from the Old Town Design District. This property is surrounded by houses built in the early to mid-century. We are requesting that you allow us to respect the design of the neighboring homes and use 100% siding on the structure. We are proposing to use James Hardie cementitious siding, or equal, to respect the high standards and longevity that the city's ordinance is written to uphold.

While this home will blend into the neighborhood, it is being designed under the Department of Energy's "Zero Energy Ready Home" guidelines, including WaterSense, IndoorAirPlus, and SmartHome criteria.

Your attention to this matter is greatly appreciated.

Sincerely,

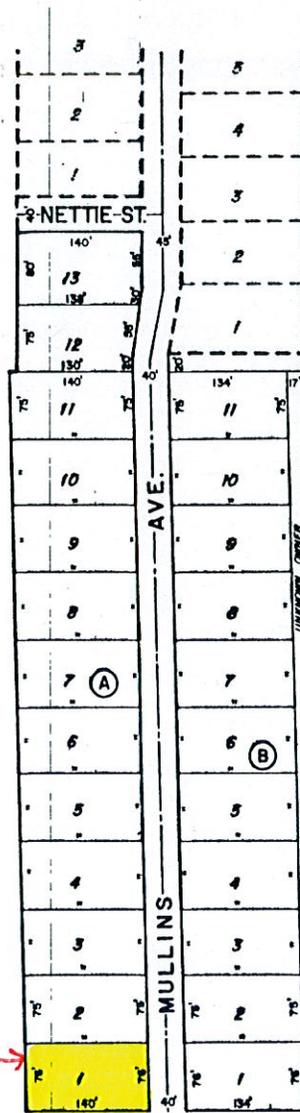


Steve C. Brown

President

Carl Franklin Homes, L.C. and Green Extreme Homes, CDC

PROJECT LOCATION →





1 ELEVATION
SCALE: 1/4" = 1'-0"



2 ELEVATION
SCALE: 1/4" = 1'-0"



09-25-2017

These plans are intended to provide the basic construction information necessary to substantially complete this structure. These construction documents must be verified and checked by the builder or person in authority of this project. Any discrepancy, error, and/or omission shall be the responsibility of the contractor. It is recommended that the owner or builder obtain complete engineering services for foundation, HVAC, and structural, prior to construction. The contractor shall be responsible for obtaining all necessary permits and shall be responsible for any part of these construction documents which may conflict with same, and must be strictly obeyed and followed before and during construction. WILLIAM PECK & ASSOCIATES, INC. AND ARE NOT TO BE TRADED, REUSED OR REPRODUCED IN ANY WAY, BY ANY MEANS, WITHOUT THE EXPRESSED OR WRITTEN PERMISSION OF WILLIAM PECK & ASSOCIATES, INC. ALL RIGHTS RESERVED.

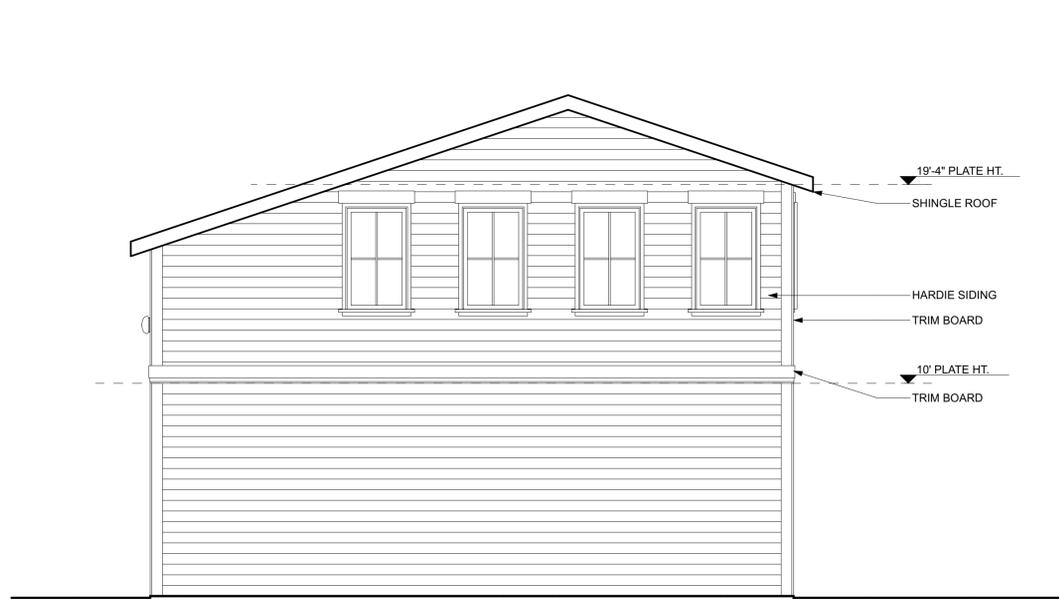
411 MULLINS AVENUE
411 MULLINS AVENUE
LEWISVILLE, TX

WILLIAM PECK & ASSOCIATES, INC.
ARCHITECTS
Lewisville, TX
972) 221-1424

REVISIONS
DATE

ISSUE DATE: 11-07-2017

Scale: REF. PLAN
Drawn: JU
Job: 411M
Sheet Number:
A-201
SHEET 9 OF 15



2 BACK ELEVATION
SCALE: 1/4" = 1'-0"



1 ELEVATION FROM MULLINS AVENUE
SCALE: 1/4" = 1'-0"



3 BACK SIDE ELEVATION
SCALE: 1/4" = 1'-0"



09-25-2017

These plans are intended to provide the basic construction information necessary to substantially complete this structure. These construction documents must be verified and checked by the builder or person in authority of this project. Any discrepancy, error, and/or omission in these documents is the responsibility of the owner. It is recommended that the owner or builder obtain complete engineering services for foundation, HVAC, and structural, prior to construction. The architect does not assume any responsibility for the accuracy of the information or for any discrepancy over any part of these construction documents which may conflict with same, and must be strictly obeyed and followed before and during construction. WILLIAM PECK & ASSOCIATES, INC. AND ARE NOT TO BE TRADED, REUSED OR REPRODUCED IN ANY WAY, BY ANY MEANS, WITHOUT THE EXPRESSED, WRITTEN PERMISSION OF WILLIAM PECK & ASSOCIATES, INC. ALL RIGHTS RESERVED.

411 MULLINS AVENUE

**411 MULLINS AVENUE
LEWISVILLE, TX**

**WILLIAM PECK &
ASSOCIATES, INC.
ARCHITECTS**
Lewisville, TX
972) 221-1424

REVISIONS	
DATE	

ISSUE DATE: 11-07-2017

Scale: REF. PLAN

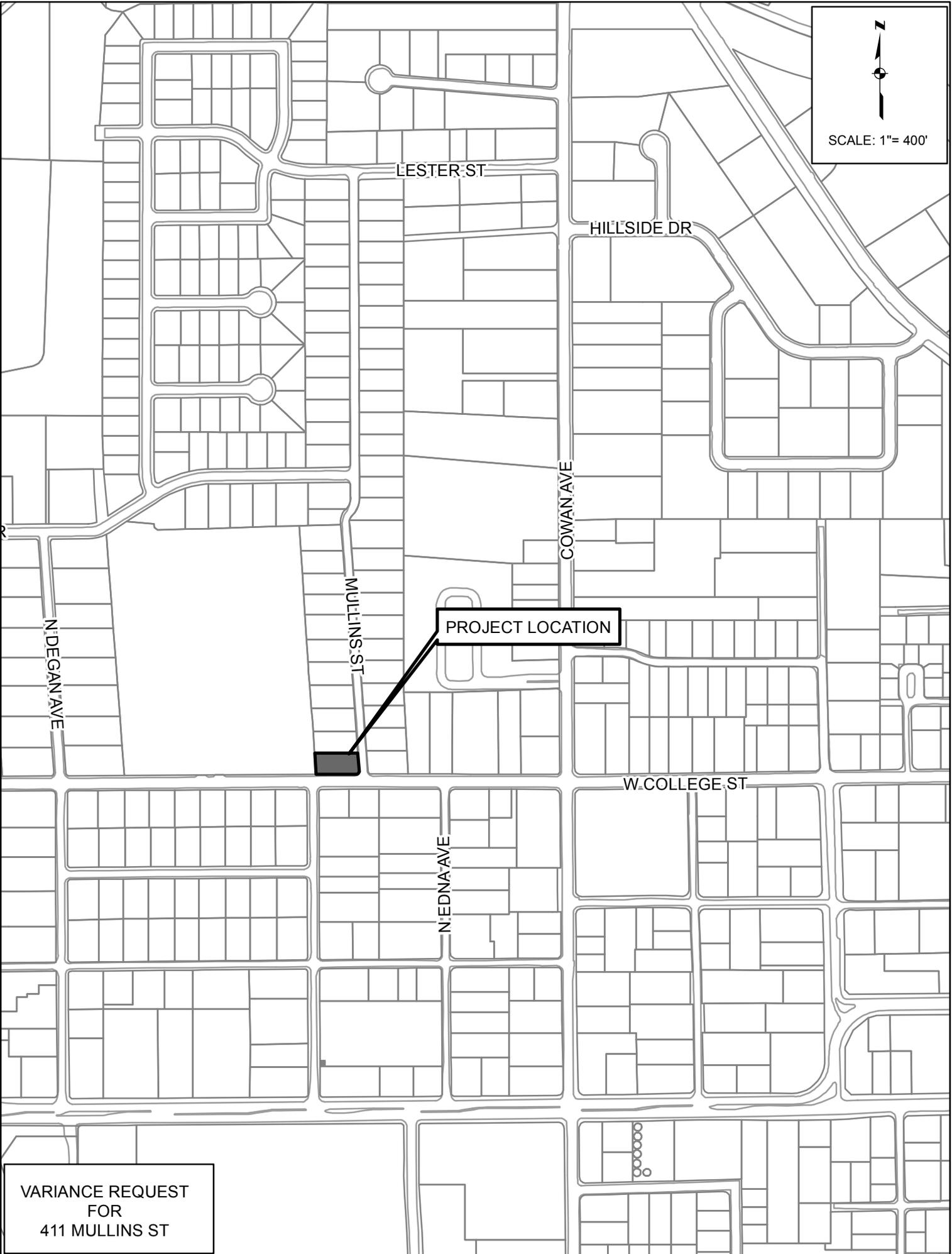
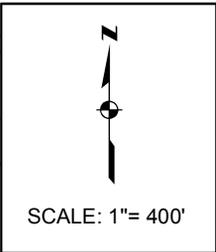
Drawn: JU

Job: 411M

Sheet Number:

A-202

SHEET 10 OF 15



PROJECT LOCATION

VARIANCE REQUEST
FOR
411 MULLINS ST



SCALE: 1" = 400'

LESTER ST

HILLSIDE DR

COWAN AVE

PROJECT LOCATION

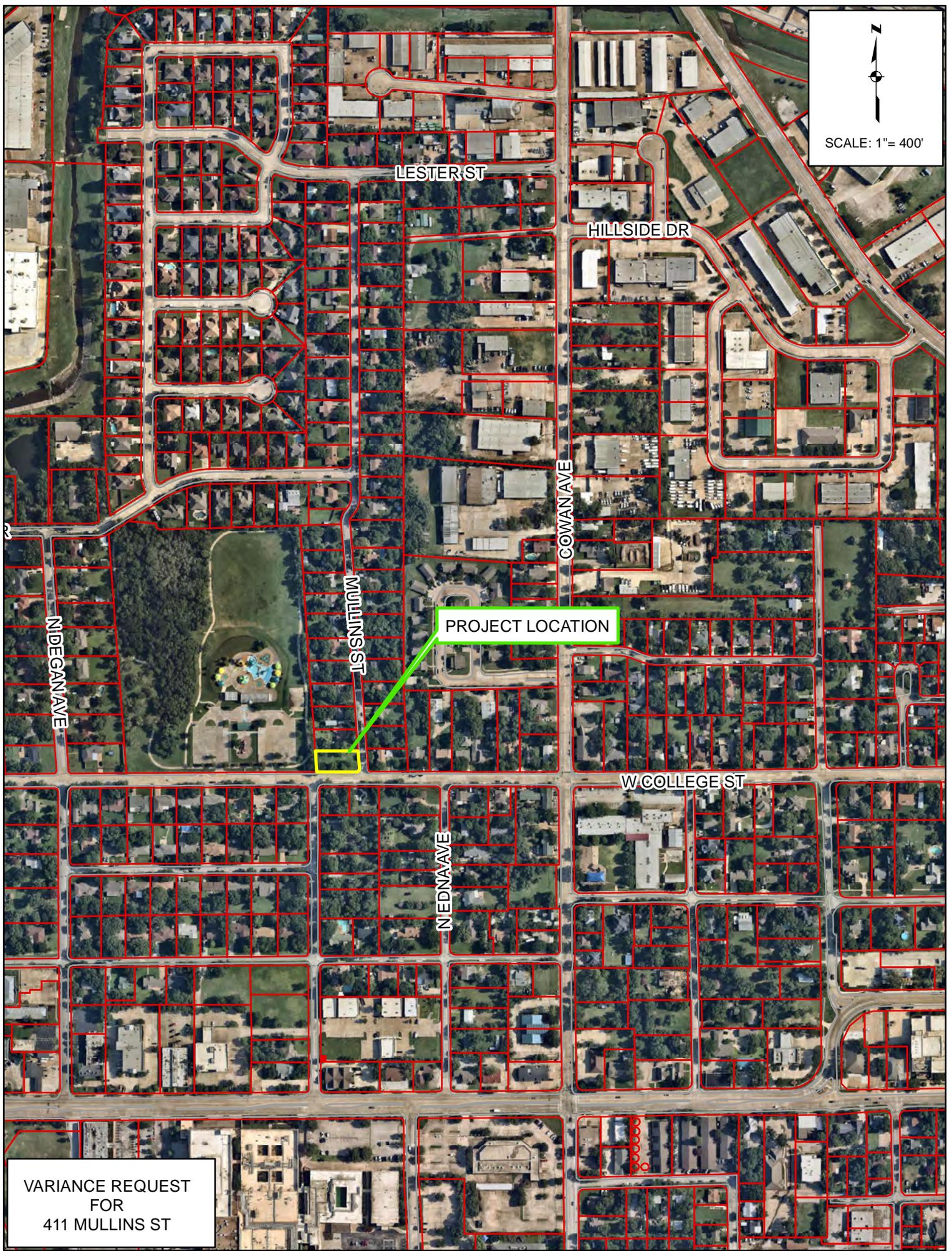
MULLINS ST

N DEGAN AVE

W COLLEGE ST

N EDNA AVE

VARIANCE REQUEST
FOR
411 MULLINS ST



MEMORANDUM

TO: Donna Barron, City Manager

FROM: Keith Marvin, P.E., Director of Public Services

DATE: October 23, 2017

SUBJECT: **Consideration of an Ordinance Providing for the Rules for the Use, Operation, and Financing of the City's Stormwater Drainage Utility.**

BACKGROUND

During the October 2, 2017 City Council meeting two Public Hearings were held, and City Council subsequently adopted ordinances that established and set rates for a Stormwater Drainage Utility. Residents and businesses within the city will receive utility bills for this new utility beginning in January 2018. Single-family residential properties will be billed at a rate of \$4.00 per lot, and non-single-family residential properties will be billed at a rate of \$1.43 per 1,000 square feet of impervious area.

Funds collected through this utility will be used initially to fund drainage improvements that are needed because of erosion, flooding, and other on-going capital project needs in Lewisville. The City of Lewisville has a list of drainage projects totaling over \$33,700,000 worth of needed repairs, restoration, and capacity improvements. Based on input from the Blue Ribbon Bond Committee, these projects were not included in the November 2015 bond election. Once the backlog of drainage projects is cleared, funds from the utility can be used for stormwater public education and operation and maintenance of the stormwater drainage system.

ANALYSIS

Approval of this ordinance establishes the rules by which the Stormwater Utility will operate. The ordinance includes definitions of terms associated with the operation and charges of the utility, methodology used in calculating charges, the establishment of a credit policy, exemptions to the charges, and an appeals process.

The City's Stormwater Drainage Utility is similar to those adopted by other North Texas municipalities. The rules establish that the director of the department that administers City water and sewer utilities will administer the stormwater drainage utility system.

In addition to the rules adopted by this ordinance, the City will maintain Administrative Directives dealing with procedures for application, inspection, and operation of the credit policy adopted by this ordinance, and the internal procedures for ensuring the impervious area calculations are accurate, and included in the utility billing system in an up to date manner.

The rules establish that a credit of up to 50% of the stormwater utility charge can be applied to a non-single-family parcel that employs a combination of best management practices that improves the stormwater runoff quality, or reduces the volume of stormwater leaving the developed property. These credits are available for both physical construction techniques, such as bio-swales, detention facilities, and other permanent structural controls; as well as best practices for operation and maintenance such as parking lot sweeping, participation in the Adopt-a-Spot program, and student education credits. All items available for credit are intended to reduce the burden on the drainage utility, therefore offsetting an operational cost.

The only credit proposed for single-family properties is an automatic credit of 25% for those properties that lie within the Denton County Levee Improvement District (DCLID). The district levees taxes on those parcels and uses that money to maintain much of the drainage infrastructure within the district.

The Public Services Department will provide oversight of the credit program. Forms will be provided for both initial application and renewal of credits. Applications associated with permanent structural controls will require supporting documentation from an engineer or other qualified designer. The renewal process will require submission of documentation that operation and maintenance is being performed for all credit items. The process will also include annual inspections by Public Services staff. A draft copy of the Administrative Directive concerning the credit program is included for your review.

The rules ordinance establishes exemptions. Entities to which a mandatory exemption is provided under section 580.003(a) of the Texas Local Government Code shall be exempt from payment of the stormwater drainage utility fee. The ordinance also exempts city rights-of-way, including streets, sidewalks, and alleys. City owned parking lots, buildings, and flatwork associated with city facilities is not exempt from the fee, and will be assessed on a lot by lot basis.

The rules ordinance also outlines the appeals process. Appeals are limited to the following circumstances:

- (1) Exempt property has been assessed a stormwater drainage utility charge.
- (2) Stormwater drainage utility charge for an individual property is based on an incorrect determination of the property's impervious area.

(3) Stormwater drainage utility charge for an individual property is assessed on more than one utility account.

(4) Stormwater drainage utility charge is assessed to individual property outside the City's jurisdictional area.

Appeals are to be directed to the Public Services Director within 30 days of the date of receipt of the billing statement with the charge to be disputed. The appeal shall be in writing, and shall contain a statement of the matter to be disputed. The department director shall render a written decision within 30 days of receipt of the appeal. If the property owner disagrees with the decision of the Public Services Director, they then have 10 days to appeal to the City Manager. The City Manager shall have 30 days to render a final written decision. The decision of the City Manager shall be final.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the ordinance as set forth in the caption above.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL PROVIDING FOR RULES FOR THE USE, OPERATION, AND FINANCING OF THE CITY'S STORMWATER DRAINAGE UTILITY; PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Lewisville, Texas ("City") is a home rule municipality having the full power of local self-government pursuant to its charter, article XI, section 5 of the Texas Constitution, and chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council created a stormwater drainage utility as authorized by the Texas Local Government Code, Chapter 552, Subchapter C, "Municipal Drainage Utility Systems" (the "Act"), within the City's municipal boundaries; and

WHEREAS, among other things, the Act authorizes the City to adopt and enforce rules by ordinance which it considers appropriate to operate the stormwater drainage utility; and

WHEREAS, the City desires by this ordinance to establish rules for the use, operation, and financing of the City's stormwater drainage utility system.

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

SECTION 1. RECITALS. The above and foregoing recitals and premises to this ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. ESTABLISHMENT OF RULES. The City hereby establishes rules for the use, operation, and financing of the City's stormwater drainage utility as set forth in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. REPEALER. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance.

SECTION 4. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective from and after its passage and approval and its publication as may be required by law, including but not limited to the City Charter and ordinances.

SECTION 6. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full force and effect from and after its passage and approval.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 6th DAY OF NOVEMBER, 2017.

Rudy Durham, Mayor

ATTEST:

By: _____
Julie Worster, City Secretary

APPROVED AS TO FORM:

By: _____
Lizbeth Plaster, City Attorney

EXHIBIT A**STORMWATER DRAINAGE UTILITY SYSTEM RULES****DIVISION 1. GENERALLY****Section 1 - Definitions.**

The following definitions shall apply to the establishment and operation of the stormwater drainage utility system:

Act means Chapter 552, Subchapter C (entitled “Municipal Drainage Utility Systems”) of the Texas Local Government Code, as amended.

Benefitted property means an improved parcel within the service area.

City means the City of Lewisville, Texas.

Customer means an individual who is recorded as the customer of, or the person using, stormwater drainage utility or other service(s) for a parcel based on the records of the City.

Equivalent Residential Unit (ERU) means a unit of measurement of impervious surface area calculated for the average single-family residential property within the service area, as measured in square feet, including the residential structure, garage, out buildings and an allocation for the driveway, sidewalks, patios and any other impervious surface.

Impervious area means a measurement in square feet of impervious surface by which the amount of stormwater drainage runoff potential for a benefitted property within a Customer class is estimated.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is resistant to penetration by water. An impervious surface includes, but is not limited to, compacted soil with a surface treatment, gravel, crushed stone surface or soil compacted by vehicle traffic, asphalt or concrete pavement, a parking lot, a driveway, a sidewalk or private roadway, a building or artificial structure, or any surface that changes the natural landscape and increases, concentrates, pollutes, or otherwise alters the flow or amount of stormwater drainage runoff.

Improved parcel means a parcel that has a building, or other structure, or other improvement, on it that causes or creates an impervious surface.

Owner means the person(s) or entity(ies) listed as the owner of a parcel in the Denton County Appraisal District’s records, the Dallas County Appraisal District’s records, or the City’s records.

Parcel means a platted lot, or other tract of land that is separately described (by metes and bounds or otherwise), including a leased tract of land.

Person means an individual, sole proprietorship, partnership, limited partnership, joint venture, limited liability company, corporation, business trust, estate, association, and any other legal entity.

Service area means the geographic area within the incorporated limits of the City.

Stormwater runoff potential means the relative potential for causing stormwater drainage runoff quantities, qualities, or velocities from an improved parcel based on the type of development or land use on the improved parcel and the size of the improved parcel.

Stormwater drainage utility means the stormwater drainage utility system owned or directly controlled by the City, in whole or in part, including the City’s existing stormwater drainage facilities, materials, and supplies and any stormwater drainage facilities, materials, and supplies hereafter constructed or utilized, and dedicated to the service of benefitted property, including future additions to the system.

Stormwater drainage utility charge means the fee or charge established by the City that is levied against an Owner or Customer of a benefitted property for stormwater drainage utility services provided by the stormwater drainage utility system.

Section 2 - Administration.

(a) *Utility administration.* The director of the department which administers City water and sewer utilities shall administer the stormwater drainage utility system.

(b) *Program implementation.* By the adoption of these rules, the City makes no representation that all stormwater drainage problems may or will be remedied, and the city council has and retains full discretion in establishing the priorities in expending funds as they become available to meet the City’s stormwater drainage utility needs. The adoption of these rules does not and shall not be construed to relieve private land owners, developers or other individuals or entities from providing stormwater drainage improvements pursuant to the ordinances, rules, codes, and regulations of the City, and federal or state laws and regulations.

(c) *Access to benefitted properties.* City employees shall have access to a benefitted property within the service area to inspect, maintain, repair, or enforce the city code or state laws or regulations relating to stormwater drainage.

Section 3 - Stormwater Drainage Utility Charge Rate Classes.

(a) *Stormwater drainage utility charge rate classes.* A benefitted property shall be classified and charged a stormwater drainage utility charge based on the stormwater drainage

utility rate determined by the property's rate class and relative size compared to the equivalent residential unit (ERU). Depending on the use of the benefitted property, the property shall be classified as one of the following rate classes:

- (1) Single-family residential property: any improved parcel upon which the following is located: a detached single-family dwelling, as defined by this code Section 17-3; attached single-family or two-family dwellings as defined by Lewisville City Code Section 17-3 that are individually metered for water utility service; condominium units that are individually metered for water utility service; or an improved parcel owned by a homeowners association, upon which improvements were made in order to support dwelling units; or
- (2) Non-single-family residential property: any improved parcel that is not a single-family residential property, including improved parcels used primarily for retail, commercial, industrial, institutional, or governmental uses, and apartment complexes. A condominium, attached single-family or two-family dwelling as defined by Lewisville City Code Section 17-3, manufactured housing, or mixed-use property that is master metered for water utility service shall be treated as a non-single-family residential property for the purposes of calculating stormwater drainage utility charges.

(b) *Responsible Party.* If there is no active customer account for water, wastewater, or solid waste/refuse service for a benefitted property recorded in the City's utility or other billing system, or if a benefitted property is considered by the City to be vacant, either on a temporary or permanent basis, the City may bill the Owner of the benefitted property for the stormwater drainage utility charge.

Section 4 - Calculation of Stormwater Drainage Utility Charges.

(a) *Fee Calculation.* The stormwater drainage utility charge shall be set by the city council in section 2-201, and shall be based on an inventory of parcels within the service area. The inventory shall evaluate the stormwater runoff potential for improved parcels within the service area based on their impervious area using approved tax plats and assessment rolls. The stormwater runoff potential shall be used to establish a rate for residential properties and non-residential properties based on the square feet of impervious area per parcel. The stormwater runoff potential shall be nondiscriminatory and shall be equitably and proportionately distributed between classes and among the parcels within each class of benefitted properties relative to the contribution of each class to stormwater drainage runoff.

(b) *Property Values.* In calculating the stormwater drainage utility charge and rates, property values may not be used.

Section 5 - Stormwater Drainage Utility Charge Credit.

(a) Any property on which stormwater drainage runoff mitigation measures or best management practices (BMPs) have been implemented or which has on file with the City an approved individual stormwater drainage management permit issued by the Texas Commission on Environmental Quality (TCEQ) may be eligible for a credit to the stormwater drainage utility charge. BMPs that were required as part of development plan approval will not be eligible for such credits.

(b) The credit methodology shall be set forth in an administrative directive to be developed and maintained by the City.

(c) The application for credit shall be in writing and shall include documentation that the department director over the stormwater drainage utility or his designee deems necessary to properly evaluate the rationale for determining the credit for the approved stormwater drainage management techniques. Stormwater drainage credits will begin upon completion and inspection of the approved mitigation measures on the property.

(d) Any property served by a private stormwater drainage facility that is maintained by the City shall not receive a credit and shall be charged the normal monthly stormwater drainage utility charge.

(e) The credit will be only for the impervious area within the total parcel area of the property that receives the stormwater drainage management technique.

(f) The maximum credits available with appropriate documentation and approval by the department director over the stormwater drainage utility or his designee shall be limited to 50% of the total bill applicable to the improved parcel. Credits available are as follows:

- (1) Mitigation efforts impacting stormwater drainage quality are worth up to forty percent (40%) credit against the original charge;
- (2) Mitigation efforts impacting stormwater drainage quantity are worth up to forty percent (40%) credit against the original charge.

(g) The department director over the stormwater drainage utility or his designee shall have the right to inspect a mitigation measure or BMP at any reasonable time to determine if it is in compliance with the approved design and continues to be capable of functioning properly. If the measure's performance is affected because it fails to meet the proper operating standards, has been altered, or is in disrepair, the user or customer shall pay the monthly stormwater drainage utility charge at the normal rate, without benefit of reduction, until such time that the facility is brought into total compliance as determined by the director or his designee.

Section 6 - Stormwater Drainage Utility Fund.

(a) *Stormwater Drainage Utility Fund.* A stormwater drainage utility fund is established and may consist of one or more accounts. All stormwater drainage utility fees shall be deposited as collected and received into this fund and shall be used for the following:

- (1) Any cost of service as defined in Texas Local Government Code Section 552.044(2);
- (2) To the extent permitted by law, the cost of constructing, sampling, monitoring, building, inspecting and maintaining structures needed for the City's compliance with state or federal regulations and permitting requirements for providing stormwater quality improvements for benefitted property; and
- (3) Contribution to the funding of future stormwater drainage system construction by the City.

(b) *Stormwater Drainage Utility Fund Accounting.*

- (1) The revenues collected from stormwater drainage utility charges shall be segregated and completely identifiable from other City funds and accounts.
- (2) Funds and revenues in the stormwater drainage utility fund may be transferred to the City's general fund for stormwater drainage costs and expenses as allowed by law.

Section 7 - Exemptions.

(a) *Mandatory Exemptions.* Entities to which a mandatory exemption under section 580.003(a) of the Texas Local Government Code applies and any property to which a mandatory exemption under Section 552.053 of the Act applies shall be exempt from payment of the stormwater drainage utility fees.

(b) *Permissible Exemptions.* City rights-of-way, including streets, sidewalks, and alleys shall be exempt from payment of stormwater drainage utility fees.

(c) *Proof of Exemption.* If a user or customer asserts that a parcel is exempt pursuant to this section or any other applicable law, such individual has the burden to assert such exemption by filing notice of eligibility for such exemption and sufficient evidence of entitlement to such exemption with the department director over the stormwater drainage utility or his designee. If the exemption is not granted, the owner may appeal using the procedures provided for in section 8 of these rules.

Section 8 – Appeals.

(a) Appeals shall be directed to the department director over the stormwater utility or his designee for evaluation and determination. An appeal shall be in writing and submitted to the director within 30 calendar days after the public utility billing statement containing the matter to be disputed. During all periods of appeal, the person or entity who owns or occupies the property and/or the account holder shall be responsible for payment of the charges in full. Appeals may be due to the following reasons:

- (1) Exempt property has been assessed a stormwater drainage utility charge.
- (2) Stormwater drainage utility charge for an individual property is based on an incorrect determination of the property's impervious area, as established in section 2-201 of this code.
- (3) Stormwater drainage utility charge for an individual property is assessed on more than one utility account.
- (4) Stormwater drainage utility charge is assessed to individual property outside the City's jurisdictional area.

(b) The department director over the stormwater drainage utility or his designee shall render a written decision on such appeals within 30 calendar days after receiving a written notice of appeal from the landowner. The director or his designee shall deliver a copy of the appeal decision to the person or entity who owns or occupies the benefitted property and/or the account holder by certified mail to the address of the landowner/account holder according to the most recent records in the possession of the City.

(c) Any person or entity who owns or occupies the benefitted property and/or the account holder who disagrees with the decision of the public services director or his designee may appeal such decision to the city manager in writing within ten calendar days after receipt of the decision. The city manager shall render a written decision within 30 calendar days after receipt of a timely appeal. The decision of the city manager shall be final.

(d) No appeal for the same or substantially the same issue on the same parcel shall be allowed. If, however, the owner or customer asserts a material change of circumstances on a parcel that was the subject of a previous appeal, the owner or customer must perfect a new appeal; and in such an appeal, the owner or customer shall bear the burden of proving by a preponderance of the evidence the existence of a material change of circumstances.

(e) The owner or customer filing the appeal shall bear the burden of proving by a preponderance of the evidence for the relief sought in the appeal.

Effective Date: _____

Approval: _____

ADMINISTRATIVE DIRECTIVE

SECTION: STORMWATER
TOPIC: STORMWATER UTILITY CREDIT PROGRAM
REFERENCE: 1.1

I. Directive

The City of Lewisville (City) adopted an ordinance on October 6, 2017 declaring stormwater (drainage) to be a public utility in order to provide a stable and equitable funding source for its stormwater management program. Benefitted properties (as defined in the ordinance) are charged monthly based on the amount of impervious area on each property. The Stormwater Utility Fee for a property may be allocated to several utility billing customers or tenants who use only a portion of the property.

The ordinance establishing the Stormwater Utility gives the Director of Public Services, or his designee (Administrator), the authority to grant credits to rate payers, who voluntarily use effective stormwater management techniques, or Best Management Practices (BMPs), to offset the impacts of stormwater runoff quantity and quality from their property. These credits are applied as a discount to the regular, monthly Stormwater Utility Fee calculated with the current prevailing rate.

The purpose of this Administrative Directive is to establish the conditions that must be achieved to qualify for these credits and to establish the administrative procedures for applying the credits to individual properties. This Policy is adopted in accordance with Section _____ of the City's Code of Ordinances.

II. Eligibility

Both single-family residential and non-residential properties are eligible for a Stormwater Utility Fee credit.

III. Administration of Program

The Administrator will be responsible for the overall administration of this Directive. The Administrator will review (or cause to be reviewed) and determine whether or not to approve applications for the Stormwater Utility Fee Credits and, if approved, certify the total amount of credit associated with each application. The Administrator will annually certify that credits should be extended or terminated. If the Administrator denies an application, the applicant may appeal the denial to the City Manager. A determination by the City Manager is final.

The Administrator will be responsible for amending the stormwater account records to reflect changes in credits.

The Administrator will receive and review annual self-reports and may conduct independent inspections of stormwater control features (BMPs), as appropriate, to ensure that these facilities are being maintained properly and in accordance with adopted maintenance plans.

IV. Application

In order to be considered for a credit, a property owner or the owner's authorized agent (applicant) must submit an application for a Stormwater Utility Fee Credit to the City on a form approved by the City (see Attachment 1). No fees are required to submit an application for a Stormwater Utility Fee Credit. The cost of administering this Stormwater Utility Fee credit program will be borne solely by the City through its Storm Water Management Program. The costs of preparing the application for a Stormwater Utility Fee Credit shall be borne by the applicant.

Industrial facilities applying for the Industrial Permit Compliance Credit must also complete the Supplemental Industrial Permit Information Form (see Attachment 2). All required attachments indicated in the forms or specified above must be included for the application to be considered complete.

This program, and all matters related hereto, is subject to modification by City. The program in effect at the time an application, report, document, or other information submitted to the City shall control the review and processing, and implementation in connection with such application, report, document, or other information.

V. Application Review

The initial review of Stormwater Utility Fee Credit applications will be completed within 60 days of the receipt of the application form and all required documentation. The application forms will be reviewed for completeness and accuracy. If deficiencies are found during the review, a deficiency letter will be sent to the applicant's contact person. Upon receipt of required additional information, the review will resume and be completed within 60 days of receipt of such additional information.

For certain credits, an inspection may be required. Where this is required, a City inspector will contact the applicant to schedule an initial facility inspection to determine current compliance status. Upon initial qualification, a letter will be sent to the applicant notifying them of approval of the credit. The fee reduction will be applied to the next regular billing cycle. The credits are valid for one year, unless the property in question has been determined to be in non-compliance with this program.

VI. Engineering Documentation

Technical information may be required from a Professional Engineer licensed to practice in the State of Texas and qualified in Civil Engineering to establish the impervious area that is served by a particular BMP, as well as to document compliance with the City's design standards. The City may require such technical information from an applicant (at the applicant's expense) as a

condition to receiving and reviewing an application or any other information or report from the applicant.

VII. Inspections

Upon application for a Stormwater Utility Fee Credit (or in connection with an annual self-report (see Section IX, below)), the applicant shall grant the City a right-of-entry to inspect the site that is the subject of the application at any time in order to verify the information submitted and to confirm compliance with applicable program requirements set forth in this Administrative Directive. If, after its review or inspection, the City finds the application (or annual self-report) to be inaccurate or the BMP(s) to be out of compliance, a written Notice of Non-compliance will be issued. All requirements associated with a Notice of Non-Compliance (see Section X) must be satisfied in order to avoid suspension of the Stormwater Utility Fee Credit.

VIII. Renewal Application

If a property receives a Stormwater Utility Fee credit pursuant to this program, the applicant must, on an annual basis, submit to the City a renewal application on a form approved by the City (see Attachment 1), in order to continue to receive the credit. The renewal application must be received no later than the anniversary date of the initial credit approval, and must be accompanied by an annual self-report. The renewal application shall not be submitted more than sixty (60) days prior to the deadline. If the renewal application is not submitted to the City by the deadline, the property shall be considered to be in non-compliance with the Stormwater Utility Fee credit program requirements; and, the Stormwater Utility Fee Credit will be suspended. The Stormwater Utility Fee Credit suspension will remain in effect for a minimum of three (3) months and will not be reinstated until the renewal application is submitted to the City with documentation, to the City's satisfaction, that the program is being implemented as intended. The costs of performing compliance activities and preparing and submitting any renewal application shall be borne by the applicant.

IX. Annual Self-Reporting

The applicant shall submit a self-report, which documents maintenance activities, for each credit being requested with the annual renewal application. The self-report must document compliance, to the City's satisfaction, with all program requirements for the preceding 12-month period. An inspection may also be required depending on the type of credit. If, after its review or inspection, the City finds the self-report to be inaccurate or the BMP(s) to be out of compliance, a written Notice of Non-Compliance will be issued. All requirements associated with a Notice of Non-Compliance (see Section X) must be satisfied in order to avoid suspension of the Stormwater Utility Fee Credit.

X. Notice of Non-compliance

If, after its review or inspection, the City finds the application (or annual self-report) to be inaccurate or the BMP(s) to be out of compliance, the applicant will be notified in writing (Notice) and given up to forty-five (45) days to correct the inaccuracy, non-compliance, or to have an approved plan of action in place. The City will determine the amount of time provided to correct the deficiency based on the type and severity of the non-compliance. For example, a

structural BMP that requires maintenance or an engineered solution will be given more time than a documentation error or a good housekeeping BMP, such as parking lot sweeping.

Within the deadline established by the City, the applicant must provide to the City written documentation and evidence (Notice Response) satisfactory to the City that the application (or annual self-report) has been corrected and/or that the BMP(s) is in compliance with all applicable program requirements. If the inaccuracy in an application (or annual self-report) has not been corrected or the BMP(s) is not in compliance as required by the Notice and this Policy (as determined by the City), or if the applicant fails to provide a Notice Response to the City by the deadline, the Stormwater Utility Fee Credit will be suspended on the following utility billing cycle. The credit suspension will remain in effect for six (6) months, after which time the applicant may reapply for the Stormwater Utility Fee Credit. The reapplication must include evidence satisfactory to the City that the inaccuracy in an application (or annual self-report) has been corrected and/or that the BMP(s) has been in compliance with the program requirements for at least three (3) months prior to reapplication.

XI. Types of Credits

A. Single-Family Residential

Individual lots or tracts can be eligible for municipal credits up to a maximum total credit per lot or tract of 25%. Individual credits are available for the following BMP, and the credit requirements of the BMP are listed below:

Table 1: Single-Family Residential

Credit Option	Maximum Percent Credit Allowable	Engineering Documentation	Maintenance	Inspection	Annual Self-Report
1. Denton County #1 Levee Improvement District Credit	25	-	-	-	-

1. Properties within the Denton County #1 Levee Improvement District

A 25% Stormwater Utility Fee Credit shall be given to properties within the boundaries of the Denton County #1 Levee Improvement District (DCLID) for the mitigative effects of the levee, sump and pump station system that affords the City of Lewisville additional flood control capacity, as well as water quality and erosion control capabilities above what would be available without the system. This credit is applied automatically and does not require an application or annual renewal.

B. Non-Single Family Residential

Individual lots or tracts can be eligible for municipal credits up to a maximum total credit per lot or tract of 50%. Individual credits are available for the following BMPs, and the credit requirements of each BMP are listed below:

Table 2: Non-Single Family Residential

Credit Option	Maximum Percent Credit Allowable	Engineering Documentation	Maintenance	Inspection	Annual Self-Report
1. Adopt-a-Spot Program Credit	5	-	-	-	X
2. Parking Lot Sweeping Credit	5	-	-	-	X
3. Detention or Retention Pond Credit	20	-	X	X	X
4. Zero Discharge Credit	40	X	X	X	X
5. Permanent Structural Controls Credit	40	X	X	X	X
6. Student Education Credit	10	-	-	-	X
7. Industrial Facility Credit	5	-	-	X	X
8. Denton County #1 Levee Improvement District Credit	25	-	-	-	-

1. Adpot-a-Spot Program Credit

Businesses that participate in the Keep Lewisville Beautiful (KLB) Adopt-A-Spot program are eligible to receive a 5% credit. Civic groups that participate in the KLB Adopt-a-Spot program have the ability to identify a benefactor landowner to receive a 5% credit. Annual self-reporting is required by the business or benefactor to ensure that the program is in good standing. The City may also verify that the program is in good standing with KLB.

2. Parking Lot Sweeping Credit

A 5% credit will be given when the entire parking lot is swept at least monthly, and all debris is collected and properly disposed. Annual self-reporting is required to document coverage, sweeping frequency and disposal.

3. Detention or Retention Pond Credit

Up to 20% credit will be given for developments that choose to design their detention or retention ponds in a manner that conforms to Chapter 6 *Land Development Regulations*, Section 6-96 *Drainage* of the Lewisville Code of Ordinances, as it exists or may be amended. The amount of the credit is prorated based on the percentage of the impervious area that is served by the BMP. It is the responsibility of the applicant to determine what percentage of the impervious area is served by the BMP. Annual self-reporting, including maintenance and inspection documentation is required.

4. Zero Discharge Credit

Up to 40% credit will be given for impervious areas that drain to permanent structural controls which are designed to infiltrate, evapotranspire or re-use stormwater runoff so that it will not be discharged from the property. The credit amount will be prorated based on the percent of the lot or tract that does not drain into the City’s storm sewer system and the frequency of the storm even that can be retained on-site. Engineering documentation is required. It is the

responsibility of the applicant to determine what percentage of the lot or tract does not drain to the City’s storm sewer system. Annual self-reporting, including maintenance and inspection documentation is required. The following is the maximum allowable credit for the full retention of runoff based on the storm even frequency:

1. 20% for 1-year, 24-hour storm event*
2. 30% for 2-year, 24-hour storm event*
3. 40% for 5-year, 24-hour storm event*

* See City of Lewisville Drainage Criteria Manual for point rainfall amounts.

5. Permanent Structural Controls Credit

Up to a 40% credit will be given for impervious areas that are treated with BMPs in the categories listed in Table 3. Engineering documentation is required to show that these BMPs are designed and constructed in accordance with City standards. Where no standards exist, the North Central Texas Council of Governments (NCTCOG) integrated Storm Water Management (iSWM) Technical Manual for Site Development Controls, as it exists or may be amended, shall govern. Annual self-reporting, including maintenance and inspection documentation is required.

Table 3: Permanent Structural Control Credit Tiers

Level	Maximum Credit	Permanent Structural Controls
Tier 1	40%	-Bioretention Areas -Enhanced Dry Swales -Enhanced Wet Swale -Organic Filter -Planter Boxes -Sand Filters /Underground Sand Filters -Infiltration Trench -Wet Ponds -Stormwater Wetlands
Tier 2	10%	-Grass Channel -Filter Strip -Dry Retention -Inlet Trash Collectors -Gravity (Oil-Grit) Separator

Permanent Structural Controls not included in Table 3 shall be submitted to the Administrator for review and approval.

6. Student Education Credit

A 10% credit will be given for impervious areas contained within public or private educational facilities for K-12 grades, where an average of one hour/student of age appropriate storm water-related teaching is provided each year. Eligible topics include flood protection, public safety and environmental stewardship related to storm water runoff. Annual self-reporting is required, and must specify the curriculums for the various grades, as well as the number of

students reached.

7. Industrial Facility Credit

Industrial facilities in the City of Lewisville that are required by TCEQ to obtain coverage under the Multi-Sector General Permit (TXR050000) for storm water discharges, or another applicable storm water general permit (TXG110000, TXG 340000) or individual permit, may be eligible for a 5% credit applied to the Stormwater Utility Fee, if:

- (a) The industrial facility is consistently in compliance with all permit requirements;
- (b) Permit-required water quality testing results are consistently at or below their benchmark levels or permit-required effluent limits during each sampling event. For results that exceed benchmarks or effluent limits, appropriate actions, documented in the Storm Water Pollution Prevention Plan, must be taken to reduce pollutant discharge. Continued elevated levels may result in suspension from the fee credit program;
- (c) Copies of the water quality test results are submitted to the City; and
- (d) A copy of the facility's annual compliance evaluation report and copy of the facility Storm Water Pollution Prevention Plan are provided to the City.

Facilities with a No Exposure Certification (NEC) also are eligible for the fee credit if compliance with all NEC requirements are maintained.

8. Properties within the Denton County #1 Levee Improvement District

A 25% Stormwater Utility Fee Credit shall be given to properties within the boundaries of the Denton County #1 Levee Improvement District (LID) for the mitigative effects of the levee, sump and pump station system that affords the City of Lewisville additional flood control capacity, as well as water quality and erosion control capabilities above what would be available without the system. This credit is applied automatically and does not require an application or annual renewal.

	<h2>Application for Stormwater Utility Fee Credit</h2>	
Check One: <input type="checkbox"/> Initial application <input type="checkbox"/> Renewal application		
Part I		
A. Facility Information		
1. Facility Name:		
2. Physical Address of Facility		
Street Number:	Street Name:	Zip Code:
3. Mailing Address - Same as physical address? <input type="checkbox"/> Yes <input type="checkbox"/> If No, provide information below:		
Street Number:	Street Name:	
City:	State:	Zip Code:
B. Applicant Contact Information		
1. Name:	2. Title:	
3. Phone No.: ()	Ext:	
4. Email Address:		
C. Credits Applied For (check all that apply)		
<input type="checkbox"/> Adopt-A-Spot – submit information regarding proposed cleanup project, including location of area adopted. <input type="checkbox"/> Parking Lot Sweeping – submit map and schedule showing areas and frequency of sweeping to be accomplished. <input type="checkbox"/> Detention or Retention Pond – submit maintenance plan. <input type="checkbox"/> Zero Discharge – submit drainage study by licensed Professional Engineer. <input type="checkbox"/> Permanent Storm Water Control – submit as-built plans stamped by licensed Professional Engineer and maintenance plan. <input type="checkbox"/> Student Education – submit information regarding curriculum and student hours. <input type="checkbox"/> Industrial Facility – complete Supplemental Industrial Permit Information form and include all required attachments.		
Part II Signature and Approval		
I hereby certify that the information in this application, including all attachments and supplemental forms, is true to the best of my knowledge and acknowledge that any attempt to purposely supply incorrect information may result in denial of the credit application. I further understand the review of the documents submitted by me may take up to sixty (60) days to complete and that submissions which do not contain the correct information or that are otherwise incomplete will be delayed an additional sixty (60) days after the date the corrected or missing information is provided to the City.		
_____ Signature of applicant	_____ Title	_____ Date
Submit application and all attachments to: City of Lewisville Storm Water Division P.O. Box 299002 Lewisville, TX 75029-9002 Attn: Stormwater Utility Fee Review	To be completed by City of Lewisville Case No. _____ SW Acct. No. _____ Credits approved: _____ % Approved by: _____ Date: _____	

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	<h2>Supplemental Industrial Permit Information Form</h2>
A. Facility Information	
1. Facility Name: (as listed on NOI or NEC)	
2. TPDES Permit Number: _____ Primary SIC Code: _____ Industrial Sector: _____	
3. Date Industrial Operations Began: _____ Date NOI or NEC filed with TCEQ: _____ (for current owner/operator)	
B. Compliance with Current TPDES Storm Water Permit	
<p>Have all schedules of the current permit relating to monitoring, training, implementation of Best Management Practices (BMPs) and compliance with the Storm Water Pollution Prevention Plan (SWPPP) been met for the preceding 12-month period?</p> <p>-or-</p> <p>For Facilities with a No Exposure Certification (NEC), have all of the no exposure requirements been met for the preceding 12-month period?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If the answer is No, provide a summary description (on a separate page) of the current permit requirements/schedule that has not been met, cause for non-attainment, compliance schedule, and current efforts to complete this activity.</p>	
C. Attachments	
<p>All required attachments must be included for the application to be considered complete (not required for facilities with No Exposure Certification).</p>	
<u>Attachment 1</u>	A copy of the Storm Water Pollution Prevention Plan: Include records for spills, Best Management Practice (BMP) maintenance, training, employee education, periodic inspections, and quarterly visual monitoring for the previous 12-month period.
<u>Attachment 2</u>	A copy of the most recent Annual Comprehensive Site Compliance Evaluation Report.
<u>Attachment 3</u>	Annual Hazardous Metals Monitoring (Numeric Effluent Limitations) Have you obtained a waiver from hazardous metals testing for all or a portion of the metals and outfalls? Waivers may be obtained on a metal by metal basis, or on an outfall by outfall basis. <p><input type="checkbox"/> A waiver has been obtained for all metals at all outfalls. Attach a copy of the signed waiver (form TCEQ-10425).</p> <p><input type="checkbox"/> A waiver has been obtained for only a portion of the metals and/or outfalls. Attach a copy of the signed waiver (form TCEQ-10425) and a copy of your most recent results (use EPA form 3320-1).</p> <p><input type="checkbox"/> A waiver has not been obtained. Attach a copy of your most recent results (use EPA form 3320-1).</p>
<u>Attachment 4</u>	Benchmark Monitoring Report, if applicable Not all facilities must conduct benchmark monitoring. No SIC codes in Sectors I, P, R, V, W, X, Z, AB, AC, or AD require benchmarking sampling. Is Benchmark Monitoring required for your facility? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a copy of you most recent Report of Benchmark Monitoring Data submitted to TCEQ

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