

LEWISVILLE CITY COUNCIL

REGULAR SESSION

OCTOBER 2, 2017

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore
Bob Troyer
R Neil Ferguson
Brent Daniels, Mayor Pro Tem
Brandon Jones, Deputy Mayor Pro Tem

City Staff:

Donna Barron, City Manager
Eric Ferris, Deputy City Manager
Claire Swann, Assistant City Manager (Absent)
Melinda Galler, Assistant City Manager
Julie Worster, City Secretary
Lizbeth Plaster, City Attorney

WORKSHOP SESSION – 5:45 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 5:45 p.m. on Monday, October 2, 2017, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

**City Values Statement Presentation by the
Culture Committee**

(Agenda Item A)

At the request of City Manager Barron, Director of Library Services Carolyn Booker and members of the City's Cultural Committee Team conducted the attached PowerPoint Presentation for City Council consideration.

**Discussion of Regular Agenda Items and
Consent Agenda Items**

(Agenda Item B)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

WORKSHOP SESSION – 5:45 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item C, Proclamations: 1) Declaring Friday, October 6, 2017 as “Say No to Bullying Day”, 2) Declaring the Week of October 1 – 7, 2017 as “Power Up at Your Library Week”, and 3) Declaring the Month of October 2017 as “Community Planning Month”. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-1, Continued Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH), on Approximately 6.68 Acres Legally Described as Lots 11 & 12, Block A, ARTX Park Addition, Bounded by East Valley Ridge Boulevard on the Northeast Side and Mario Court on the West Side, and an Ordinance Granting a Special Use Permit and Four Associated Variances to Allow a Wholesale Establishment With Outside Storage on More Than 10% of the Platted Lot on the Above-Referenced Land, Both Requested by Richard DeOtte, DeOtte Inc., on Behalf of Jim Bedworth Jr., of REW Gray Properties, LLC, the Property Owner (Case No. PZ-2017-07-15 and Case No. SUP-2017-07-11). City Attorney Lizbeth Plaster stated she would like to go into Closed Session regarding this item at the conclusion of Agenda Review for Attorney Client discussion. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item D-2, Public Hearing: Consideration of a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17). At the request of City Manager Barron, Director of Planning Richard Luedke reviewed this item utilizing the backup material for City Council consideration. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item D-3, Public Hearing: Consideration of an Ordinance Amending Chapter 16 (Utilities) of the Lewisville City Code; Declaring Stormwater Drainage of the City of Lewisville to be a Public Utility; and Providing for the Establishment and Calculation of Stormwater Drainage Utility Charges and Credits. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-4, Public Hearing: Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201, Fee Schedule by Adding Stormwater Drainage Utility Charges. There was no discussion on this item.

WORKSHOP SESSION – 5:45 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item E, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-5, Approval of a Contract for Construction Materials Testing to Alpha Testing, Inc., Dallas, Texas, for Approximately \$50,000; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-6, Approval of the Following Amendments to a Construction Manager at Risk Contract for the Construction of Fire Stations No. 3 & 8 with Thos. S. Byrne, Fort Worth, Texas; General Conditions of \$898,145; Construction Management Services of \$494,008; Establishing a Guaranteed Maximum Price of \$10,036,999 (Which Includes a 5% Contingency for the City's use); and Authorization for the City Manager to Execute the Amendments. At the request of City Manager Barron, Purchasing Manager Todd White conducted the attached PowerPoint for City Council consideration. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item F-7, Approval of a Resolution to Change the Name of a Portion of Treatment Plant Road to Valley Ridge Boulevard, as Requested by City Staff. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Consideration of a Preliminary Plat With Three Associated Variances for Highland Terraces, a Proposed Residential Development With 32 Single Family Detached Lots and Three Open Space Lots Zoned Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of Four Variances to the Lewisville City Code, Associated With Proposed Fire Station No 8, Located on the Southwest Corner of Lakewood Hills Drive and Josey Lane, Legally Described as Lot 1, Block T, Lakewood Hills West Addition, as Requested by The City of Lewisville, the Property Owner. There was no discussion on this item.

WORKSHOP SESSION – 5:45 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-10, Consideration of a Variance to the Lewisville City Code Section 6-103 (Access Management) Deceleration Lane Modifications, Located Along Midway Road Adjacent to the Midway Pump Station, as Requested by A. Greg Gerbig, Pacheco Koch, on Behalf of the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of Four Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Spacing and Control of Access and Section 6-92 (Paving) Regarding the Owner Constructing a Right Turn Lane for the Property Located at the Southeast Corner of East Vista Ridge Mall Drive and MacArthur Boulevard, as Requested by Josh Barton, G&A Consultants, Inc., on Behalf of the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I-Closed Session. There was no discussion on this item.

Mayor Durham adjourned the workshop session of the Lewisville City Council into Closed Session at 6:32 p.m. Monday, October 2, 2017, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.071 (Consultation with Attorney), the Lewisville City Council convened into Closed Session at 6:34p.m. on Monday, October 2, 2017, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

Agenda Item D-1, Continued Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH), on Approximately 6.68 Acres Legally Described as Lots 11 & 12, Block A, ARTX Park Addition, Bounded by East Valley Ridge Boulevard on the Northeast Side and Mario Court on the West Side, and an Ordinance Granting a Special Use Permit and Four Associated Variances to Allow a Wholesale Establishment With Outside Storage on More Than 10% of the Platted Lot on the Above-Referenced Land, Both Requested by Richard DeOtte, DeOtte Inc., on Behalf of Jim Bedworth Jr., of REW Gray Properties, LLC, the Property Owner (Case No. PZ-2017-07-15 and Case No. SUP-2017-07-11).

The Closed Session was adjourned at 6:37 p.m. on Monday, October 2, 2017.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Closed Session**

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 6:37 p.m. on Monday, October 2, 2017, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:38 p.m. on Monday, October 2, 2017.

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, October 2, 2017, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Durham, Deputy Mayor Pro Tem Jones gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Councilman Troyer gave the pledge to the American and Texas flags.

**Proclamation: Declaring Friday, October 6,
2017 as “Say No to Bullying Day”**

(Agenda Item C-1)

Councilman Gilmore read and presented a proclamation declaring Friday, October 6, 2017 as “Say No to Bullying Day” to Say No to Bullying Representative Ronn Hicks.

**Proclamation: Declaring the Week of
October 1 – 7, 2017 as “Power Up at Your
Library Week”**

(Agenda Item C-2)

Councilman Gilmore read and presented a proclamation declaring the week of October 1 – 7, 2017 as “Power Up at Your Library Week” to representatives from the Library Advisory Board and Library staff.

**Proclamation: Declaring the Month of
October 2017 as “Community Planning
Month”**

(Agenda Item C-3)

Councilman Gilmore read and presented a proclamation declaring the month of October 2017 as “Community Planning Month to Planning Director Richard Luedke.

**Continued Public Hearing: Consideration of
an Ordinance Granting a Zone Change
Request From Light Industrial District (LI)
to Warehouse District (WH), on
Approximately 6.68 Acres Legally Described
as Lots 11 & 12, Block A, ARTX Park
Addition, Bounded by East Valley Ridge
Boulevard on the Northeast Side and Mario
Court on the West Side, and an Ordinance
Granting a Special Use Permit and Four
Associated Variances to Allow a Wholesale
Establishment With Outside Storage on
More Than 10% of the Platted Lot on the
Above-Referenced Land, Both Requested by
Richard DeOtte, DeOtte Inc., on Behalf of
Jim Bedworth Jr., of REW Gray Properties,
LLC, the Property Owner (Case No. PZ-
2017-07-15 and Case No. SUP-2017-07-11)**

(Agenda Item D-1)

Staff is requesting that the City Council continue this public hearing to the October 16, 2017 City Council Meeting.

The City staff’s recommendation was that the City Council continue this public hearing to the October 16, 2017 City Council Meeting.

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Troyer and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to continue the public hearing to the October 16, 2017 City Council Meeting. The motion carried.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17)

(Agenda Item D-2)

The applicant plans to purchase this property from Vista Ridge United Methodist Church and is requesting a zone change in order to build a development with 32 single-family detached homes. The Planning and Zoning Commission recommended approval of the zone change request by a vote of 4 to 1 on September 5, 2017.

The City staff's recommendation was that the City Council approve the proposed ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Richard E. Luedke, Planning Director, utilizing the attached PowerPoint Presentation gave a presentation reviewing this request for the City Council.

Adam Buczek, Skorburg Company, 8214 Westchester Drive, Ste 710, Dallas, Texas 75225, reviewed the timeline and the meetings that had been held with the property owners in this area as well as the City. Mr. Buczek explained that the submitted plan included the changes that had been agreed to during these discussions.

Noah Flabiano, Skorburg Company, 8214 Westchester Drive, Ste 710, Dallas, Texas 75225, utilizing the attached PowerPoint Presentation reviewed their request for the City Council.

At the request of Mayor Durham, City Secretary Julie Worster advised the following individuals had submitted cards indicating their support of this item:

Mark E. Packer, 805 Sunny Gove Drive, Lewisville, Texas 75067
Kevin Matthew Devine Jr., 1345 Wentworth Drive, Lewisville, Texas 75067
John Perkins, 3409 Mary Court, Flower Mound, Texas 75022
Claude Gilliam, 248 Ridge Haven Dr. Lewisville, Texas 75067
Kathryn Gilliam, 248 Ridge Haven Dr., Lewisville, Texas 75067

**Public Hearing: Consideration of Ordinance
No. 4424-10-2017 (Z) a Zone Change Request
From Single Family Residential District (R-
5) to Estate Townhome District (ETH) on
Approximately 4.204 Acres Legally
Described as Lot 1R3, Block A, Vista Ridge
United Methodist Church Addition; Located
on the North Side of Highland Drive,
Approximately 495 Feet East of Denton Tap
Road; as Requested by Noah Flabiano,
Skorburg Company on Behalf of Vista Ridge
United Methodist Church, the Property
Owner (Case No. PZ-2017-09-17) (cont'd)**

(Agenda Item D-2)

Laurie Kunke, 424 Crestview Point, Lewisville, Texas 75067
David Fortune, 2805 Vista View Drive, Lewisville, Texas 75067
Johnny Swaim, Vista Ridge UMC
Della Swaim, 1628 Thomas Lane, Vista Ridge UMC, Carrollton, Texas
Cindy Elrod, 2000 Camelot Drive, Lewisville, Texas 75067
Vera Jo Bell, 916 Dallas, Lewisville, Texas 75067
Nancy J. Kenyon, 5616 Suncreek Path, Flower Mound, Texas 75028
Robert Kenyon, 5616 Suncreek Path, Flower Mound, Texas 75028
Stephen Gosling, Vista Ridge UMC
William J. Burden, Jr., 172 High School Drive, Lewisville, Texas 75057
Wanda Swichtenberg, 104 Chelsea Ct., Lewisville, Texas 75067
Fred Swichtenberg, 104 Chelsea Ct., Lewisville, Texas 75067
Franklin Richards, 1845 Santa Fe, Lewisville, Texas 75077
Scott King, 7038 Rockridge, Aubrey, Texas 76227
Jeanne Sweeten, 1109 Babbling Brook Drive, Lewisville, Texas 75067
David Gley, 2013 Woven Trl., Lewisville Texas 75067
Judy Glen, 2013 Woven Trail, Lewisville, Texas 75067
Robin Wright, 704 Glen Garry Drive, Flower Mound, Texas 75022
Sindy Berhanu, 249 Ridge Cover Drive, Lewisville, Texas 75067
Bobbie Collier, 501 Highland Drive, #213, Lewisville, Texas 75067
Cassandra Williams, 1291 Tiffany Lane, Lewisville, Texas 75067
Glyn Elrod, 2000 Camelot Drive, Lewisville, Texas 75067
Nebiyou Belayneh, 249 Ridge Cover Drive, Lewisville, Texas 75067
Carolyn Dennison, 713 Summit Ridge, Lewisville, Texas 75077
Norman Schmidtke, 166 Villa Park Drive, Highland Village, Texas 75077
Jim White, 437 Price, Lewisville, Texas
Tammie Barber, 237 Ridge Haven Drive, Lewisville, Texas 75067
Michelle Williams, 2853 Ridgedale Drive, Lewisville, Texas 75067
Robin Frye, 2874 Ridgedale Drive, Lewisville, Texas 75067

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

The following individuals spoke before the City Council regarding this item:

Ray Hackman, 2870 Ridgedale Drive, Lewisville, Texas 75067, spoke in opposition to this item. Mr. Hackman expressed concern that the developer had stated misinformation, especially in regard to the communication with the residents. He indicated that really only those affected were on Ridgedale Drive and none of the individuals speaking or in support of this item lived on Ridgedale Drive. Mr. Hackman expressed concern that he felt this development was shoehorned into this property. He further stated that they have never supported any type of townhome development during any of their discussions with the developer. He expressed concern regarding the proximity of the townhomes to the homes on Ridgedale Drive and that this would lower their property values by 5 - 10% or more because the townhomes would be right in their face. Mr. Hackman advised the church by their own admission has run into financial difficulties so they need to sell the property, which is zoned R.5; and when they purchased their property they understood R.5 lots would be built to enhance their property values, not take away from it. He indicated his feelings that their financial issues should not have a bearing to change the zoning allow them to sell. He further expressed concern that the church could have sliced off more land on their east side to have built R.5 zoned lots with a little more effort.

William Tabor, 231 Roma Drive, Lewisville, Texas 75067, spoke in support of this item. Mr. Tabor referencing the zoning map that had been previously shown advised that he lived in a townhome/condominium that is just east of the General Business on Highland. He indicated that the area he lived had a high density and property values had increased with the different types of products that were looked for in the Vision 2025 Plan. He stated that he felt this project was meeting the diversity of housing options and the creation of another potential thriving neighborhood, and that this proposed project fits within the vision of the City. He stated that he felt this development fit within the 2025 Plan.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

Bruce Sauls, 2878 Ridgedale, Lewisville, Texas 75067, spoke in opposition of this item. Mr. Sauls advised he was opposed primarily for the reasons that Mr. Hackman had stated. He stated that he had brought this property with the understanding that the property would remain R.5.

Dianne King, 7038 Rockridge Trail, Aubrey, Texas 76227, spoke in support of this item. Ms. King advised that she had started her home and family in Lewisville Texas and has been attending the church for 22 years and was the Lay Leader. She stated that the single family detached zoning is the highest and best use of this remnant property. She indicated that she felt the proposed zoning use was consistent with the new neighborhood choices of the Big Move in the 2025 Vision Plan and that this project would add an additional \$10,000,000 or more on the city's tax base for a property that was currently tax exempt. She reiterated statements by the developer that they had met with the residents of Vista Ridge Estates four times and that the developer had altered the property significantly in an attempt to accommodate the neighbors. Ms. King stated that the HOA had given approval of the rezoning. Ms. King reviewed the community efforts of the Vista Ridge United Methodist Church.

Jim Mustain, 367 Dublin Street, Lewisville, Texas 75067, spoke in support of this item. Mr. Mustain spoke to the value of the Vista Ridge United Methodist Church and their good work in the community.

Ken Cooley, 625 East Vista Ridge Mall Drive, Lewisville, Texas 75067, spoke in support of this item on behalf of the Trustees Committee of the Vista Ridge United Methodist Church. Mr. Cooley advised this committee was involved in the land transaction of this project. He requested City Council consideration of this item.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

Jan Brady, 2869 Ridgedale Drive, Lewisville, Texas 75067, spoke in opposition of this item. Ms. Brady stated that she wanted to correct the statement that the HOA had approved this, that this was a false statement. Ms. Brady indicated she wanted to direct questions to the members of the Church; however, as this was not allowed, she advised she was not going to get to say what the Lord was leading her to say. Ms. Brady stated she felt as a church you are to witness to people, one of the things the Lord tells us to do. She advised that she had lived in this location since June of 2013 and not one member from this church had come to her door, had sent anything in the mail, and she did not feel that witnessing was something she felt had been done. Ms. Brady indicated her feelings of suffering that because the church was not growing and had financial issues that she and her neighbors were experiencing. She further indicated that she will have to look at these townhomes where now she sees the church from her living room. She requested that the City Council vote no on this request. She thanked the City Council for listening.

Mary Beth Hardesty-Crouch, 1325 Falcon Drive, Lewisville, Texas 75077, spoke in support of this item. Ms. Hardesty-Crouch advised that she had been a long-time on/off resident of Lewisville and was the Pastor of Vista Ridge United Methodist Church. Ms. Hardesty-Crouch advised that when the building was built 20 years ago there was very little in this area and since then it has become an extraordinary gateway community for Lewisville. She stated they were proud of being a gateway property and see themselves as one of the first welcoming places as you come in from Sam Rayburn. She further stated they are vibrant, healthy, and are paying their bills and are not seeking to sell this property in order to solve a financial crisis, they just felt it was the best use for the property at this time. She stated they felt it was in keeping with the Vision 2025 Plan for the City of Lewisville and they were excited about having new neighbors. She concluded by stating they were in favor of the change in zoning and as a resident of Lewisville she encouraged the City Council to vote in favor of the change.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

Barry Sykes, 6410 Frontier Drive, Flower Mound, Texas 75022, spoke in support of this item as a member of the Core Leadership of Vista Ridge United Methodist Church. He advised when they purchased this property in 1996 the plan was to put in a large sanctuary and they would grow to that point. Mr. Syke indicated that they have not grown to the point where they need a massive sanctuary that had been in the building plan. Mr. Sykes advised in 2010 they had met with a local soccer club to use this property for fields; however, there was opposition with the neighbors. In 2012 they had met with a high-end townhome builder; however, ran into opposition. He advised they then met with the current developer in 2016 and have been working on this for a year. He indicated that they had given up \$100,000's of profits by making changes to what we thought would best meet the area property owners' requests without going to R.5 zoning. He stated that they had work as best they could and had come up with the best solution possible.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Councilman Ferguson stated that he appreciated everyone that had come tonight regardless of their position. He stated that taxable value is not a decision point for him, that he was well aware there would be taxable value; he made his decision made based on a fundamental highest and best use for this property that represents the best opportunity for all sides. He advised that it had been mentioned that the new houses would have a 6-foot side yard and the existing houses have a 13-foot side yard which was not a big difference. He pointed out there was a 65-foot space from the back of the townhomes to the back of the closest house in the existing neighborhood and by the time you count in both backyards and the alley and the addition of the 8-foot privacy board on board fence that creates quite a bit of separation from the two neighborhoods, and if they were currently thirteen feet from their neighbors you already have a house closer by, so that agreement only goes so far. Councilman Ferguson advised he would be in favor of this request as he felt it was not unreasonable and was a good use of the property and the developer has tried to make an effort to accommodate the neighborhood.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

Councilman Ferguson indicated that the church has made more than one effort to try and sell this property and they certainly have the right to sell this property, as anyone does, and the profit motive does not factor into this. Councilman Ferguson stated from history there was no reason to expect it to hurt property values as that has not been the case with properties in Lewisville. He pointed out that this was a single-family product just a difference in the side and backyards.

Councilman Troyer echoed Councilman Ferguson's comments and thanked all that had come out and spoken on this item. He advised that this appeared to be the best use of the property.

Councilman Gilmore acknowledged Councilman Ferguson for his thorough comments and for covering many of the points he had considered. Councilman Gilmore advised he felt due diligence had been done by the existing owner and there had been a tremendous amount of outreach and he appreciated that.

Deputy Mayor Pro Tem Jones thanked everyone for their comments. He also acknowledged Councilman Ferguson's comments. He stated that a property owner has the right to sell their property and profit motive is not the issue. He pointed out that the developer did reach out and tried to reach accommodations.

Mayor Pro Tem Daniels questioned Mr. Hackman if he had done any studies or contacted anyone regarding the property values lowering once this project was built. He stated that he felt they would raise once it had been built. Mr. Hackman indicated he had not spoken with an appraiser; however, he was a real estate agent and had experience.

Public Hearing: Consideration of Ordinance No. 4424-10-2017 (Z) a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17) (cont'd)

(Agenda Item D-2)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning Approximately 4.204 Acres, Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition Phase I, Located on the North Side of Highland Drive Approximately 495 Feet East of Denton Tap Road; From Single Family Residential District (R-5) Zoning to Estate Townhouse Residential District (ETH) 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.”

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4424-10-2017 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4425-10-2017 Amending Chapter 16
(Utilities) of the Lewisville City Code;
Declaring Stormwater Drainage of the City
of Lewisville to be a Public Utility; and
Providing for the Establishment and
Calculation of Stormwater Drainage Utility
Charges and Credits**

(Agenda Item D-3)

This public hearing is to receive input from the residents and businesses of Lewisville on the establishment of the Stormwater Utility. The public hearing was advertised in the Denton Record Chronicle on August 31st, September 14th, and again on September 28th. All advertisements included printing of the full ordinance. Adoption of this ordinance will establish the Stormwater Utility.

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

Mayor Durham opened the public hearing.

Keith Marvin, P.E., Director of Public Services conducted the attached Stormwater Utility Establishment PowerPoint Presentation for City Council consideration. (This presentation was for Agenda Item D-3 and D-4).

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Mayor Pro Tem Daniels, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council Amending Chapter 16 (Utilities) of the Lewisville City Code by Adding Article X, Stormwater Drainage Utility System, Declaring the Adoption of the Municipal Drainage Utility Systems Act, Subchapter C of Chapter 552, Texas Local Government Code, and Declaring Stormwater Drainage to be a Public Utility; Establishing a Municipal Stormwater Drainage Utility System; Providing for the Establishment and Calculation of Stormwater Drainage Utility Charges and Credits; Providing Penalties and Remedies for Nonpayment of Charges; Providing for a Repealer and Severability; and Declaring an Emergency."

**Public Hearing: Consideration of Ordinance
No. 4425-10-2017 Amending Chapter 16
(Utilities) of the Lewisville City Code;
Declaring Stormwater Drainage of the City
of Lewisville to be a Public Utility; and
Providing for the Establishment and
Calculation of Stormwater Drainage Utility
Charges and Credits (cont'd)**

(Agenda Item D-3)

Councilman Gilmore stated he was glad the City was doing this; however, he wanted everyone to understand that this water shed extended into Double Oak, Copper Canyon, Lantana, Flower Mound past the high school and that is impervious surface the City does not have control over and as those areas continue to build out we get more and more water. He stated that at Timber Creek the original gabion wall project was amazing, but not cheap. He explained that gabion wall is protecting those residents and resources in that area. He further explained the erosion is pushed down the water shed so putting this in place will help to mitigate that. He stated he was proud of Council for doing this, engineering staff and other City staff, this was something that the City needed to have to protect those properties.

MOTION: Upon a motion made by Mayor Pro Tem Daniels and seconded by Deputy Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4425-10-2017**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4426-10-2017 Amending the Lewisville
Code of Ordinances, Chapter 2, Article VIII,
Section 2-201, Fee Schedule by Adding
Stormwater Drainage Utility Charges**

(Agenda Item D-4)

This public hearing is to receive input from the residents and businesses of Lewisville on the charges associated with the Stormwater Utility. The public hearing was advertised in the Denton Record Chronicle on August 31st, September 14th, and again on September 28th. All advertisements included printing of the full ordinance and proposed fee structure. By establishing a \$4.00 ERU, the Stormwater Drainage Utility will ensure that the currently unfunded \$33,700,000 priority drainage projects can be completed in 12 to 19 years depending upon cash and/or bond funding. Staff is recommending the stormwater fee to be evaluated annually to ensure capital project completion.

The City staff’s recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

**Public Hearing: Consideration of Ordinance
No. 4426-10-2017 Amending the Lewisville
Code of Ordinances, Chapter 2, Article VIII,
Section 2-201, Fee Schedule by Adding
Stormwater Drainage Utility Charges
(cont'd)**

(Agenda Item D-4)

MOTION: Upon a motion made by Councilman Gilmore and seconded by Deputy Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the Lewisville City Council Amending the Lewisville City Code, Chapter 2 Article VIII, Fees, Section 2-201, Fee Schedule by Adding Stormwater Drainage Utility Charges; Providing for a Repealer, Severability and an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Troyer and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4426-10-2017**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

Alexander Linde, 1518 Springaire Lane, Lewisville, Texas, 75077, spoke before the City Council to advise the sidewalks on Springaire Lane and Summerset have cracks and need to be looked at and fixed. Mayor Durham requested that City staff meet with Mr. Linde to discuss the issue and see what can be done.

Chris Nelson, 422 Mullins, Lewisville, Texas 75057, spoke before the City Council to thank various City employees for their assistance and explanation on topics he was concerned about. He also requested that when streets are going to be closed for events that the actual dates be listed and that notification be given in advance when 5Ks are going to be going through their neighborhood. Mr. Nelson thanked the City Council for listening to him.

Judy Wolters, 7221 Creekwood Court, Lewisville, Texas 75067, spoke before the City Council to request that Walter Street signs be changed to the correct spelling of Wolters, as it was a misspelling. Mayor Durham indicated that he had received her correspondence to that affect and had attempted to find documentation showing that. Mayor Durham further indicated, as he was not able to locate anything, he requested that she get with City staff with legal documentation, such as a plat, showing that it had been misspelled. City Manager Barron requested that Director of Communications and Tourism James Kunke speak with Ms. Wolters.

Visitors/Citizens Forum (cont'd)

(Agenda Item E)

Bonnie Boyd Chapman, 301 Parkland Place, Lewisville, Texas 75067, spoke before the City Council regarding the lack of a signal light west of the bridge on Fox near the shopping center. She indicated that she felt this was a safety hazard and that she had seen numerous individuals almost hit at that area. Ms. Chapman requested that consideration be given to installing a signal light there. Ms. Chapman also expressed concern regarding senior citizen bullying. She advised the Police had been trying to help with the bullying she has been experiencing. Ms. Chapman advised she would love the City Council and the citizen's to look after the senior citizens in the area. City Manager Barron requested the Assistant Police Chief Jay Powell speak with Ms. Chapman.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Troyer, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt all items on the Consent Agenda, as recommended and as follows:

5. Approval of a Contract for Construction Materials Testing to Alpha Testing, Inc., Dallas, Texas, for Approximately \$50,000; and Authorization for the City Manager to Execute the Contract.
6. Approval of the Following Amendments to a Construction Manager at Risk Contract for the Construction of Fire Stations No. 3 & 8 with Thos. S. Byrne, Fort Worth, Texas; General Conditions of \$898,145; Construction Management Services of \$494,008; Establishing a Guaranteed Maximum Price of \$10,036,999 (Which Includes a 5% Contingency for the City's use); and Authorization for the City Manager to Execute the Amendments.
7. Approval of Resolution No. 4427-10-2017 to Change the Name of a Portion of Treatment Plant Road to Valley Ridge Boulevard, as Requested by City Staff.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Preliminary Plat With Three Associated Variances for Highland Terraces, a Proposed Residential Development With 32 Single Family Detached Lots and Three Open Space Lots Zoned Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner

(Agenda Item G-8)

This preliminary plat is a companion item to the zone change from Single Family Residential District (R-5) to Estate Townhome District (ETH) requested for the subject site. The following three variances are requested: a) to waive the alley requirement and allow front entry; b) to decrease the right-of-way width from the required 50 feet to 40 feet; and c) to allow tubular steel fencing with live screening along the western boundary line in lieu of the required 6-foot masonry screening wall. The Planning and Zoning Commission recommended approval of the proposed preliminary plat by a vote of 4 to 1 on September 5, 2017.

The City staff's recommendation was that the City Council approve the preliminary plat and associated variance requests as set forth in the caption above.

Richard E. Luedke, Planning Director and Noah Flabiano, Skorburg Company, 8214 Westminster Drive, Suite 710, Dallas, Texas 75225 were both present to address any questions posed by the City Council.

Consideration of a Preliminary Plat With Three Associated Variances for Highland Terraces, a Proposed Residential Development With 32 Single Family Detached Lots and Three Open Space Lots Zoned Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (cont'd)

(Agenda Item G-8)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to approve a Preliminary Plat with following three associated variances for Highland Terraces, a proposed residential development with 32 single family detached lots and three open space lots zoned Estate Townhome District (ETH) on approximately 4.204 acres legally described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; located on the North Side of Highland Drive, approximately 495 feet east of Denton Tap Road: a) to waive the alley requirement and allow front entry; b) to decrease the right-of-way width from the required 50 feet to 40 feet; and c) to allow tubular steel fencing with live screening along the western boundary line in lieu of the required 6-foot masonry screening wall; along with the agreement the developer will provide an 8-foot board on board privacy fence across the east side of the property and a tree in each backyard on the east side of the property; as requested by Noah Flabiano, Skorburg Company on behalf of Vista Ridge United Methodist Church, the property owner. The motion carried.

Consideration of Four Variances to the Lewisville City Code, Associated With Proposed Fire Station No 8, Located on the Southwest Corner of Lakewood Hills Drive and Josey Lane, Legally Described as Lot 1, Block T, Lakewood Hills West Addition, as Requested by The City of Lewisville, the Property Owner

(Agenda Item G-9)

The proposed fire station will serve residents and businesses in the eastern part of the city. The following four variances are requested: a) to allow an alternative screening fence of tubular steel with shrubs in lieu of the required masonry wall adjacent to the residential zoning along the western property line; b) to allow a commercial driveway width of 57 feet wide; c) to allow a control of access of 15.74 feet from a residential road; and d) to waive the screening wall requirement along the southern property line adjacent to the amenity center lot.

The City staff's recommendation was that the City Council approve the requested variances as set forth in the caption above.

Richard E. Luedke, Planning Director, was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Councilman Troyer, the Council voted five (5) "ayes" and no (0) "nays" to approve the following four variances to the Lewisville City Code, associated with proposed Fire Station No 8, located on the Southwest Corner of Lakewood Hills Drive and Josey Lane, legally described as Lot 1, Block T, Lakewood Hills West Addition: a) to allow an alternative screening fence of tubular steel with shrubs in lieu of the required masonry wall adjacent to the residential zoning along the western property line; b) to allow a commercial driveway width of 57 feet wide; c) to allow a control of access of 15.74 feet from a residential road; and d) to waive the screening wall requirement along the southern property line adjacent to the amenity center lot, as requested by the City of Lewisville, the property owner. The motion carried.

Consideration of a Variance to the Lewisville City Code Section 6-103 (Access Management) Deceleration Lane Modifications, Located Along Midway Road Adjacent to the Midway Pump Station, as Requested by A. Greg Gerbig, Pacheco Koch, on Behalf of the Owner

(Agenda Item G-10)

The subject site currently owned by Billy & Raymond Meyers is a 65.7-acre lot zoned Agricultural Open Space (AO) within the South Hayden Survey. The proposed developer, First Industrial Realty Trust, Inc., wants to purchase the property to build four large warehouses, a total of approximately 736,000 sf. The property will be served by three driveways along Midway Road. The developer is proposing the following variance to allow a modified deceleration lane configuration. If the variance is approved the developer will plat, re-zone the property, and submit an Engineering Site Plan for the necessary site improvements.

The City staff's recommendation was that the City Council approve the variance as set forth in the caption above with a condition that the developer submits a plat and engineering site plan generally conforming with the attached site plan exhibit within 6 months.

David Salmon, P.E., City Engineer, and Robert Allen, First Industrial, 2475 Merritt Drive, Garland, Texas 75041, were present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Mayor Pro Tem Daniels and seconded by Councilman Troyer, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Section 6-103 (Access Management) Deceleration Lane Modifications, located along Midway Road adjacent to the Midway Pump Station to allow a modified deceleration lane configuration, as requested by A. Greg Gerbig, Pacheco Koch, on behalf of the owner. The motion carried.

Consideration of Four Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Spacing and Control of Access and Section 6-92 (Paving) Regarding the Owner Constructing a Right Turn Lane for the Property Located at the Southeast Corner of East Vista Ridge Mall Drive and MacArthur Boulevard, as Requested by Josh Barton, G&A Consultants, Inc., on Behalf of the Owner

(Agenda Item G-11)

The subject site is a 2.3-acre lot zoned General Business (GB) within the Manors at Vista Ridge I Addition. The developer/owner, Allegheny Land Company, is proposing to construct three office buildings with multiple suites per building. The total office area will be approximately 28,500 sf. The developer is proposing to build driveways along MacArthur Boulevard and East Vista Ridge Mall Drive, both with deceleration lanes. The applicant is asking for the following variances: a) to waive the requirement of constructing a right turn lane at the intersection of Mac Arthur and Vista Ridge Mall Dr., b) to allow driveway spacing between adjacent lots to be less than 230 feet apart, c) to allow a commercial driveway to be less than 250 feet from an intersection (MacArthur Blvd.) d) to allow a commercial driveway to be less than 250 feet from an intersection (East Vista Ridge Mall Dr.). Staff is reviewing the Engineering Site Plan.

The City staff's recommendation was that the City Council approve the variances as set forth in the caption above.

David Salmon, P.E., City Engineer, was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve the following four variances to the Lewisville City Code Section 6-103 (Access Management) regarding Driveway Spacing and Control of Access and Section 6-92 (Paving) regarding the owner constructing a right turn lane for the property located at the southeast corner of East Vista Ridge Mall Drive and MacArthur Boulevard: a) to waive the requirement of constructing a right turn lane at the intersection of Mac Arthur and Vista Ridge Mall Dr., b) to allow driveway spacing between adjacent lots to be less than 230 feet apart, c) to allow a commercial driveway to be less than 250 feet from an intersection (MacArthur Blvd.) d) to allow a commercial driveway to be less than 250 feet from an intersection (East Vista Ridge Mall Dr.), as requested by Josh Barton, G&A Consultants, Inc., on behalf of the owner. The motion carried.

Reports

(Agenda Item H)

- Director of Parks and Recreation Stacie Anaya reminded everyone of the Open House for the Master Plan being held at the Municipal Annex on October 11th.
- Fire Chief Tim Tittle reminded everyone of the upcoming Fire Department Open House at Central Fire Station.
- Assistant Police Chief Jay Powell advised of the National Night Out.
- Director of Public Services Keith Marvin gave an update on the status of the lake.
- Mayor Durham thanked Finance Director Brenda Martin for her assistance with Mr. Nelson.
- City Engineer David Salmon gave an update on the Valley Ridge Ribbon Cutting Ceremony.
- Mayor Pro Tem Daniels thanked everyone involved in the recently held Western Days and stated it had been a great event and acknowledged who ever had been Willie the Water Drop had done a great job! Finance Director Brenda Martin advised that had been City of Lewisville Auditor Renee Panella.
- Deputy Mayor Pro Tem Jones thanked staff for the great Western Days.
- Councilman Gilmore dittoed the Western Day comments and how quickly staff got up and took down the barricades. He also gave an update of events being held at LLELA.
- City Manager Barron thanked staff for all their hard work at Western Days.
- Councilman Ferguson gave an update on upcoming events at the MCL Grand.
- Councilman Troyer dittoed the comments on Western Days.
- Mayor Durham thanked the Police Officers present for their presence.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:56 p.m. Monday, October 2, 2017, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:56 p.m. on Monday, October 2, 2017, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (Economic Development):

2. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 9:12 p.m. on Monday, October 2, 2017.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Closed Session**

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 8:56 p.m. on Monday, October 2, 2017, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session.

MOTION: Upon a motion made by Councilman Troyer and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to authorize the City Manager or her designee to sign all documents necessary to purchase the approximately .76 acres located at 912 Timber Creek, Lewisville, Texas, known as Timbercreek Acres, Block B, Lot 12-A, in Lewisville, Denton County, Texas for \$25,000 and to purchase the approximately .46 acres located at 914 Timber Creek, Lewisville, Texas, known as Timbercreek Acres, Block B, Lot 11, in Lewisville Denton County, Texas for \$20,000. The motion carried.

There was no additional action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item K)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Troyer, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 9:12 p.m. on Monday, October 2, 2017. The motion carried.

These minutes approved by the Lewisville City Council on the 20th day of November, 2017.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Worster
CITY SECRETARY

COMPETITIVE SEALED PROPOSAL (CSP)

VS.

CONSTRUCTION MANAGER AT RISK
(CMAR)

Competitive Sealed Proposals (CSP)

- A historical perspective ...
- Begins with architect and statement of probable cost
- Create CSP with categories and weights
- Pitfalls – pricing / quality of the bidder
- Open invitation to all

CM at RISK (CMAR) – 2 STEP METHOD

- **Step One – Issue Request for Qualifications**
 - Qualification of team, experience of company;
 - Subcontractor relationships, pending claims, bond capacity, change order management, etc.
- **Step Two – Issue Request for Proposals & Interview**
 - Cost to become our General Contractor
 - Pre-construction services; fee and general conditions; insurance and bonds
 - Points allotted for comprehensive interview

Value Added by CMAR Process

<u>Description</u>	<u>CSP</u>	<u>CMAR</u>
■ Most Traditional Method	√	
■ Input During Design		√
■ Sharing of Cost Responsibility		√
■ Best Advance Notice > Subs		√
■ Best Transparency of Sub Bids		√
■ Least Adversarial Method		√

Sub Bidding: CSP vs. CMAR Option

- 100% of Work is priced competitively in both options
- Only the CMAR option:
 - Has complete transparency of sub bids to City staff
 - Gives CMAR the time needed to evaluate sub bids
 - Allows CMAR the benefit of re-bidding if needed

Best Method – Examples of Value

10.0	10" Concrete Paving ILO of 8" Conc Paving	N/A	N/A	Excluded	37,409	Not required per geotech report; decision made on 09 JAN for FS # 03, and 18 JAN for FS # 08 Base scope includes brick at all exterior masonry veneer; Base & all Alts have cast stone accent banding included
11.0	Masonry Veneer Alternates					
11.1	Add Limestone Veneer per 100% SD Docs	21,483	21,483			
	Add Manufactured Stone Veneer in lieu of					

Item Number	Description
1.01	New Fire Station - Base Building Cost
1.02	Alternate 1 - Front Bay Doors and SF
1.03	Alternate 2.1 - Covered Entries (Front)
1.04	Alternate 2.2 - Covered Entries (Rear)
1.04	Alternate 3 - Training Room (Accepted 11 JAN 2017)
1.05	Alternate 5 - Storage Mezzanine (Accepted 11 JAN 2017)
1.06	Alternate 11.2 - Add Manufactured Stone Veneer at Water Table
1.07	Alternate 9 - Dumpster Enclosures (Accepted 05 APR 2017)

Budget on 13 SEP 2017	
Proposed GMP Budget	Delta Above or (Below) 30 AUG
9,496,121	(676,065)

Contingency in Final GMP

Subs Costs +
CMAR's Verifiable
On Site Costs

CMAR's
Contingency

Cost of Work Subtotal		\$	8,782,686
Contractor's Contingency	1.00%	\$	87,827
Building Permit, Water/Sewer Tap Fees	0.00%		By Owner
Construction Costs Subtotal		\$	8,870,513
CGL & Umbrella Insurance	0.78%	\$	74,561
Builder's Risk	0.10%	\$	9,177
Professional Liability	0.15%	\$	14,243
Payment & Performance Bond	0.84%	\$	80,105
Maintenance Bond	0.17%	\$	16,442
Construction Costs & Insurance Subtotal		\$	9,065,039
Preconstruction Fee		\$	15,000
Fee	5.40%	\$	479,008
CMAR's Cost of Work + Fee		\$	9,559,047
Owner's Contingency		\$	477,952
CMAR's GMP, Including Owner's Contingency		\$	10,036,999

CMAR's Fee

Owner's
Contingency

Conclusion – CMAR Process is Best

- Better chance to select a quality contractor
- Better estimates of cost & value options during design
- Validation of true cost by sub bid transparency



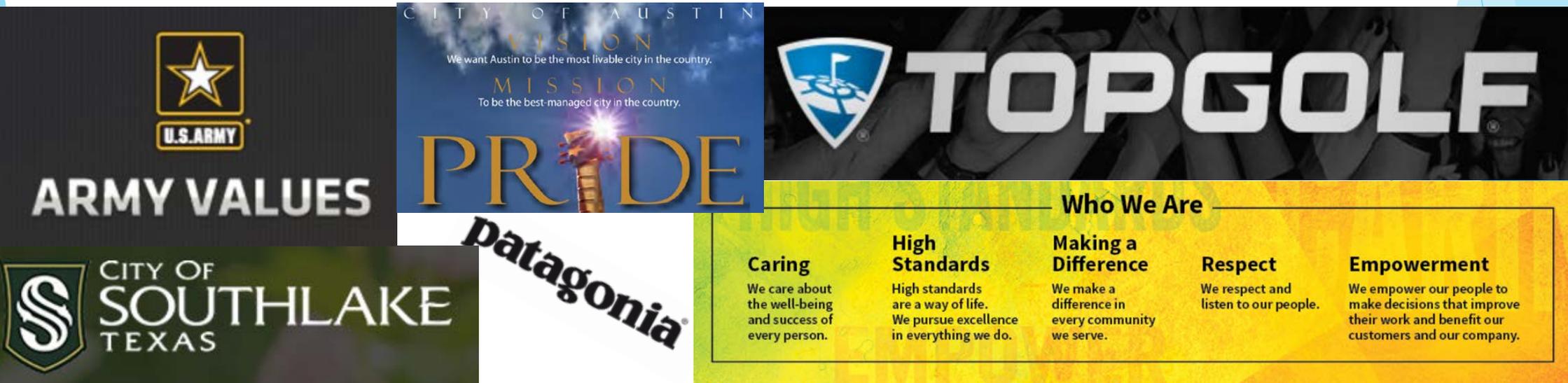
THE LEWISVILLE WAY

VALUE | SERVE | BUILD

Citywide Values and Communication Plan

Where the committee started

- ▶ Our Charge: To define, preserve and enhance the City of Lewisville culture to ensure sustainability over time.
- ▶ Book Discussion of Everybody Matters
- ▶ Gathered Values Statements to compare styles and preferences



ARMY VALUES

CITY OF AUSTIN
VISION
We want Austin to be the most livable city in the country.
MISSION
To be the best-managed city in the country.
PRIDE

TOPGOLF

Who We Are

Caring We care about the well-being and success of every person.	High Standards High standards are a way of life. We pursue excellence in everything we do.	Making a Difference We make a difference in every community we serve.	Respect We respect and listen to our people.	Empowerment We empower our people to make decisions that improve their work and benefit our customers and our company.
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CITY OF SOUTHLAKE TEXAS

Patagonia



THE
LEWISVILLE WAY

VALUE | SERVE | BUILD

The committee consists of:

- ▶ Andy Barbara, Neighborhood Services
- ▶ Hilary Boen & David Garrett, Parks
- ▶ Carolyn Booker, Library
- ▶ Tamara Brooks, Human Resources
- ▶ Joaquin Criner & Teran Moore, Fire
- ▶ Kevin Deaver & Lee Noble, Police
- ▶ Clifford Howard & Tracey Ogurek, Finance
- ▶ Melinda Galler, City Manager's Office
- ▶ Matt Martucci, Community Relations
- ▶ Elizabeth Labori, Municipal Court
- ▶ Elizabeth Mayes, Information Technology
- ▶ Crystal Palmer, Animal Services
- ▶ Kelly Rouse & Malcom Texeira, Public Services
- ▶ Pam Sarvis was our representative from Engineering
- ▶ Facilitated by Randy Pennington



Organizational *Values*

What we live by; what we stand for – *fuel*

Communication
Competence
Customer Service
Efficiency
Enthusiasm
Innovation
Integrity
Teamwork
Trust





THE LEWISVILLE WAY

VALUE | SERVE | BUILD

Value people

We are stronger together because our relationships and diversity create the foundation for commitment and success.

Serve every day

We take pride in serving our community through teamwork, communication, and integrity.

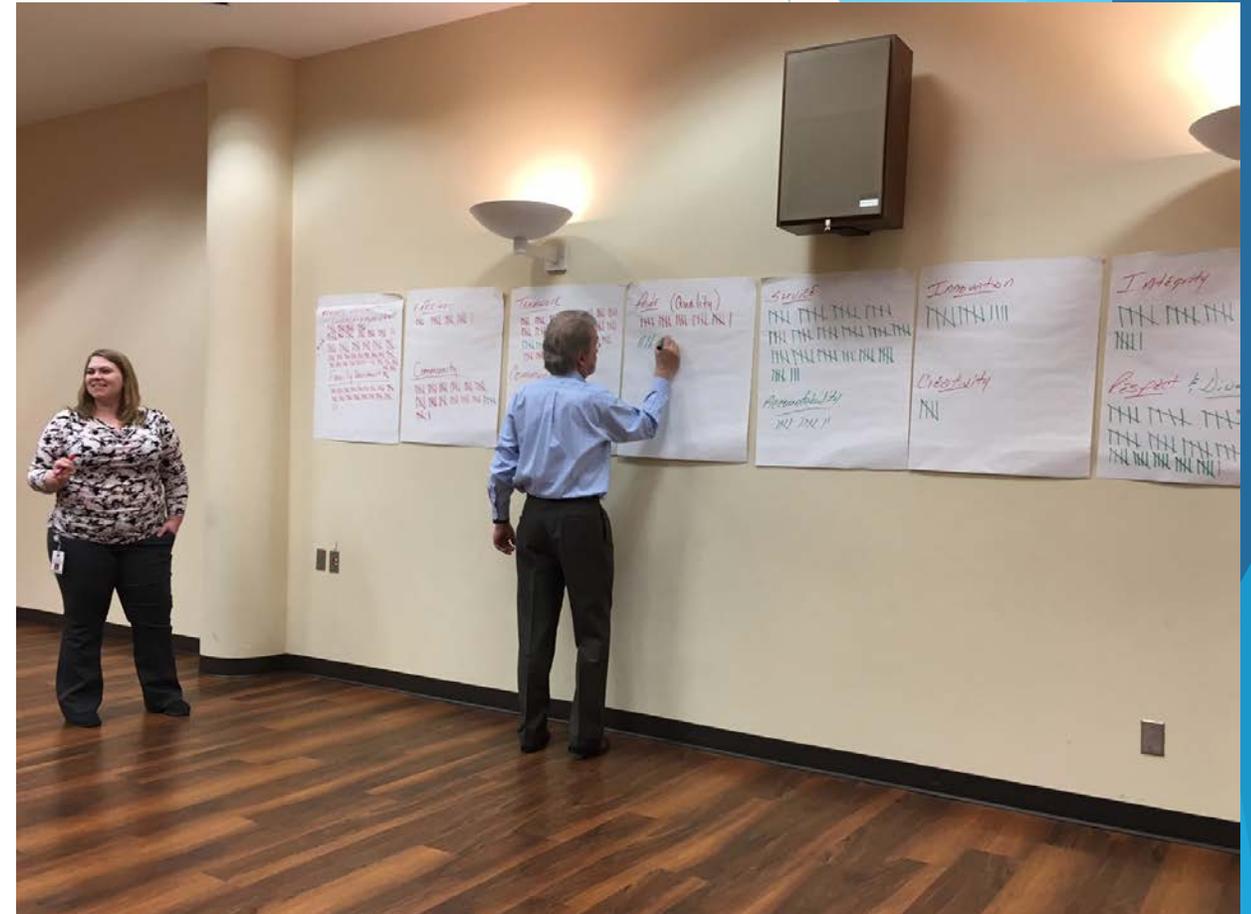
Build our future

We create positive change, embrace innovation, and develop our people to grow and thrive.



What we heard

- ▶ Challenges and Opportunities
 - ▶ Departmental Feedback
 - ▶ Narrowing down the feedback, but maintaining emphasis on what was important
 - ▶ Integrity, respect & diversity, service, pride & quality, communication, teamwork, community & family environment, feeling valued & engaged
 - ▶ Designing the style of the values statement
 - ▶ Honest conversations and disagreement





THE LEWISVILLE WAY

VALUE | SERVE | BUILD

Seeing Culture in Action

- ▶ CMA, Community Management Associates
- ▶ Sewell
- ▶ Southwest Airlines

GOLDEN STANDARDS

We will be thoroughly professional and genuinely caring. The highest ethical standards will guide all that we do.

1. Be on time
2. Wear your name tag
3. Acknowledge all within 10 feet - The "10 Foot" Rule
4. Open and hold doors for others
5. Use our customer's name and appropriate title
6. Escort customers to and from locations
7. Use polite language in all interactions
8. Keep your workspace clean and tidy
9. Offer to carry items for others
10. Refrain from eating, drinking, chewing gum, wearing sunglasses, or using cell phones in front of our customers

CMA'S VALUES

- We respect the individual, and believe that individuals who are treated with respect and their best.
- We require complete honesty and integrity in everything we do.
- We make commitments with care, and then live up to them. In all things, we do what we say.
- Work is an important part of life, and it should be fun. Being a good business person does not mean you have to work hard.
- We are frugal. We guard and conserve the company's, as well as each association's, resources. (Actually more!)
- We insist on giving our best effort in everything we undertake. Furthermore, we see a high effort, bad result and "bad mistakes" (sloppiness or lack of effort).
- Clarity in understanding our mission, our goals, and what we expect from each other is essential.
- We are believers in the Golden Rule. In all our dealings we will strive to be friendly and fair.
- We feel a sense of urgency on any matters related to our clients. We own problem areas.
- We support and encourage individuals who desire to continue their education.
- We believe in charity of the heart.

SEWELL



Welcome to the Southwest Airlines® Corporate Campus!

We strive to create a workspace that fosters Culture, collaboration, and value to all our Employees and Guests. This guide is designed to familiarize you with the Headquarters and showcase our Company's history, as featured throughout our Culture Centers.

What is a Culture Center?

These open spaces throughout the Southwest Campus are designed to give Employees areas in which to collaborate away from the office. They are used for quick Team get-togethers and celebrations at the long-shaped kitchen island or take a break from the office. In each independent work area, we celebrate our Employees and the Southwest, each center has a unique theme—a big idea—the aspect of what Southwest is all about.

Conference rooms are an extension of the Culture Centers. Each room features the theme and décor of each unique area. Images of the Culture Centers are featured in a Culture Center is part of our Corporate History. Collectively, thousands of other pieces of our Company history are preserved and preserved for future use.

Preserving Our History

As we look to the future, let's look at the Culture Centers in the past. Together we can make it happen!



Southwest



THE
LEWISVILLE WAY
VALUE | SERVE | BUILD

Employee Roll Out

- ▶ Conduct a kick off training event on The Lewisville Way all employees, November 2
 - ▶ Video from Donna
 - ▶ Statement of Director and Manager Support
 - ▶ Involvement of Values Committee members to share information and answer questions
 - ▶ Video from Values Committee
- ▶ Conduct Departmental kick off training events November 6-10.
- ▶ Posters and other communication tools to reinforce the values

Communication Plan

- ▶ Relaunch the employee newsletter
- ▶ Connect all City training programs to a component of The Lewisville Way
- ▶ Establish interview questions for all positions and provide training on using
- ▶ Incorporate The Lewisville Way into our SPOT awards
- ▶ Utilize and expand the FISH team as the Culture Team



THE
LEWISVILLE WAY
VALUE | SERVE | BUILD

Communication Plan - Medium Term

- ▶ Create a more formal onboarding process
- ▶ Create a process to share success stories across the city and encourage sharing stories within teams
- ▶ Share information on the value of total compensation with employees
- ▶ Set goals for training and track training hours for all staff
- ▶ Ensure that our culture is incorporated into recognition awards
- ▶ Ensure that the values are incorporated into the performance evaluation process



THE
LEWISVILLE WAY
VALUE | SERVE | BUILD

Communication Plan - Long Term

- ▶ Conduct ongoing refresher classes about The Lewisville Way
- ▶ Conduct regular employee Town Hall meetings
- ▶ Develop metrics to track the values, that ensure consistency and accountability
- ▶ Provide employee cross training including interdepartmental training assignments, to promote development



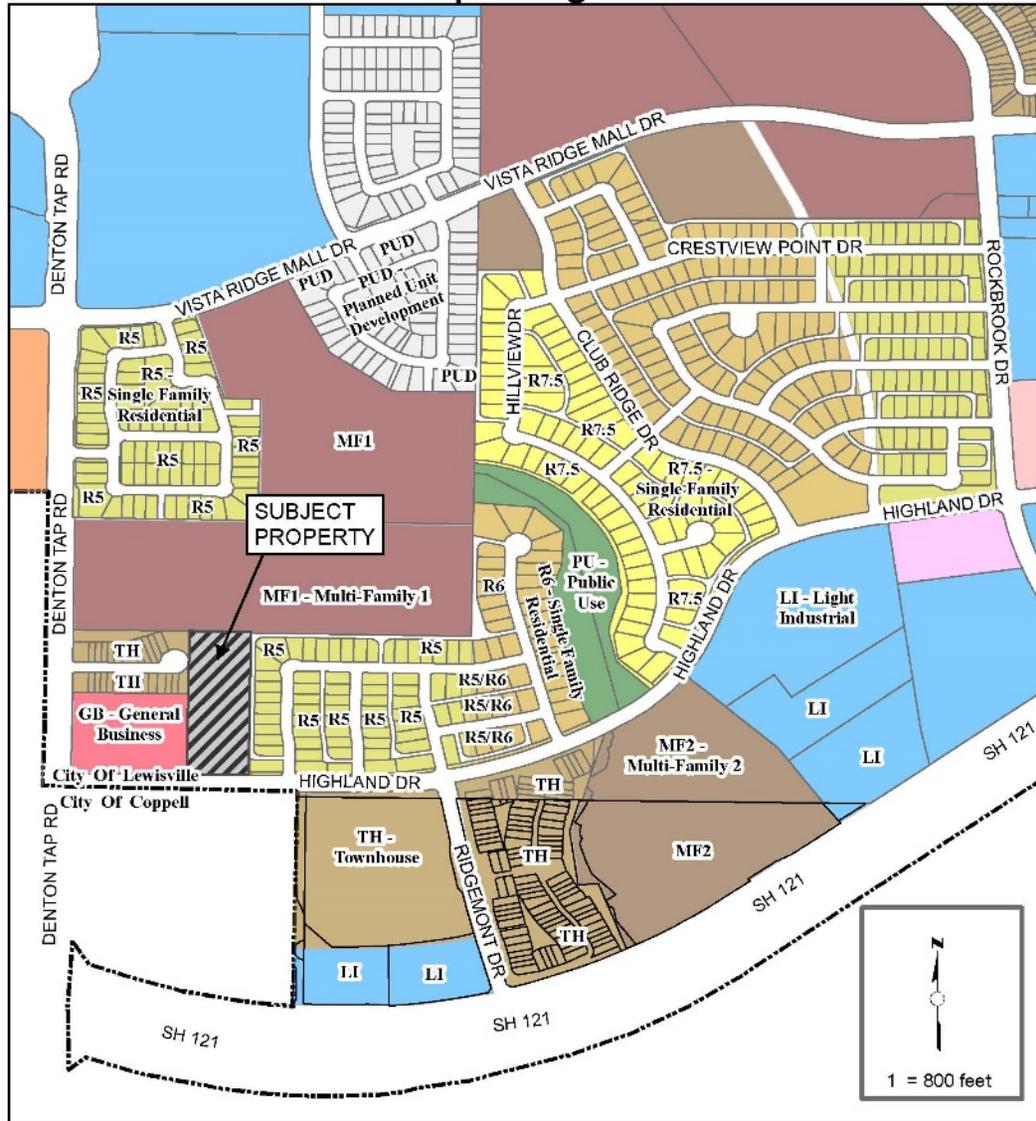
We want people to...

...know	...what The Lewisville Way is - and able to recite it back ...how we arrived where we are - the process we used ...this is the beginning of the journey - other things will follow ...management is 100% supportive of this process
...feel	...excited ...respected ...included ...that I can do this/I am doing these things now
...do this:	Live our values See the connection to what I do today Hold self and others accountable Provide feedback on ways to continue the momentum/make our values come to life



Proposed Highland Terraces Development

Location Map - Highland Terrace



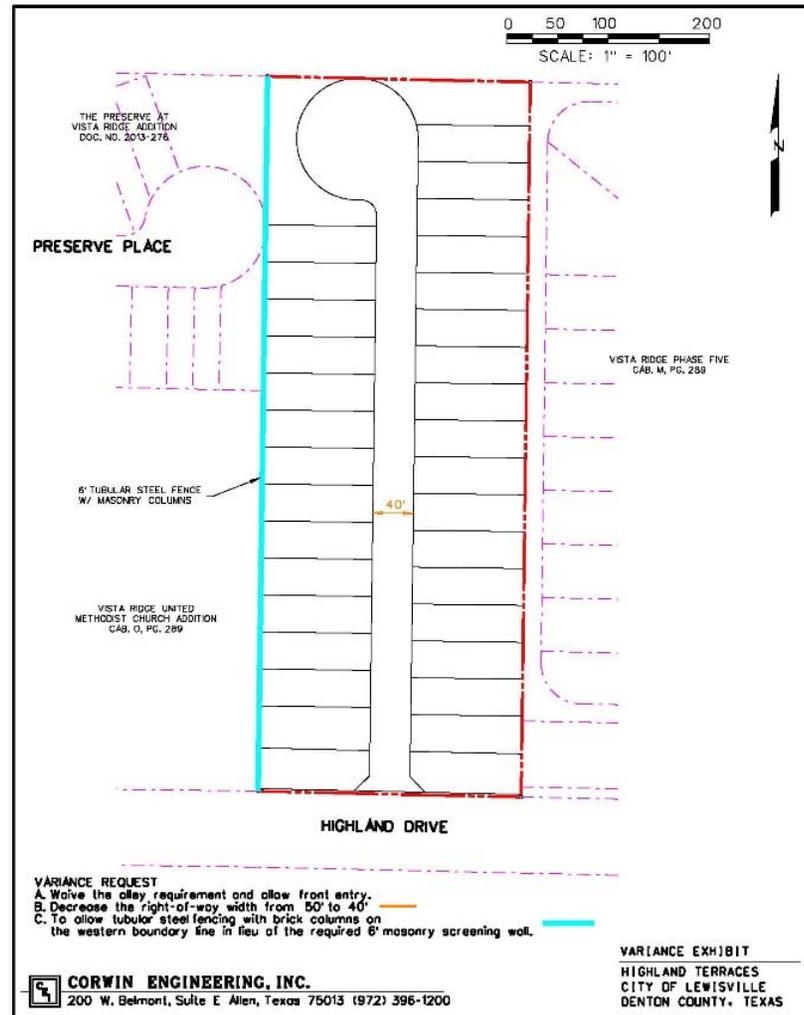
Location Map - Highland Terrace



Proposed Development:

	Existing	Proposed
Zoning	R-5	ETH
Minimum Lot Size	5,000 Square Feet	4,000 Square Feet
Minimum Lot Width	50 Feet	36 Feet
Minimum Front Setback	25 Feet	20 Feet
Minimum Rear Setback	25 Feet with Alley or 20 Feet with no Alley	10 Feet
Minimum Dwelling Unit Size	1,450 Square Feet	2,000 Square Feet

Variance Requests:



Highland Terraces



City Council Meeting

Lewisville, Texas

October 2, 2017



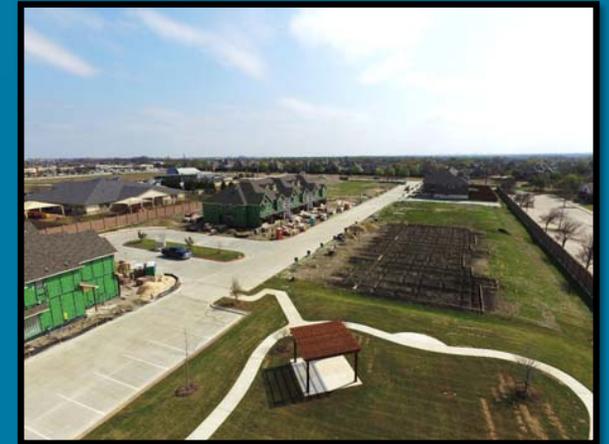
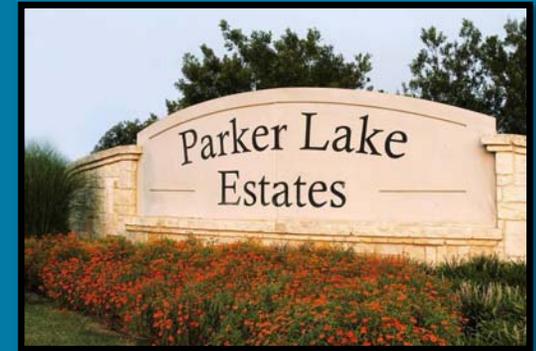
Table of Contents

- Skorburg Company History & Example Projects
- Subject Property & Zoning Request
- Quality Product
- Proposed Development Standards
- Projected Price Points
- Meetings with Neighbors

SKORBURG COMPANY HISTORY & EXAMPLE PROJECTS

The Skorburg Company

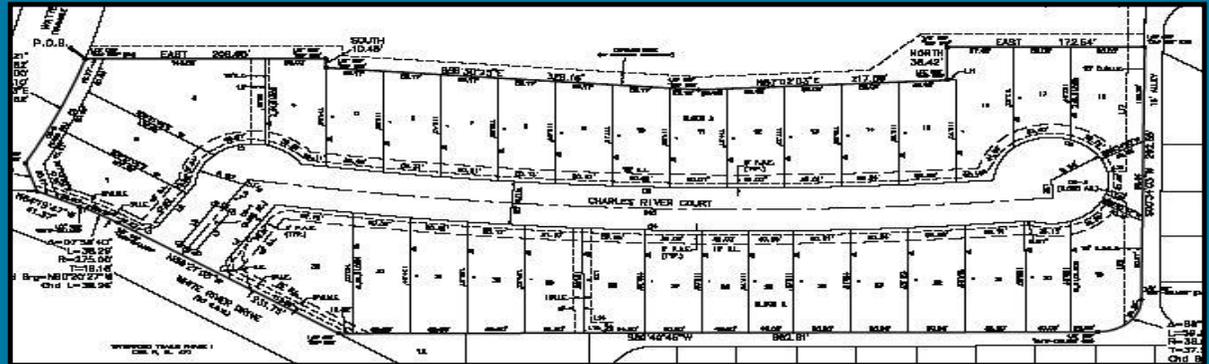
- Local, privately owned development firm with 35 years of experience
- Over 90 development projects in more than 25 different cities around DFW
- More than 20 current projects in active development
- Reputation for building high quality, long lasting communities
- Projects range from small, infill locations to 800 acre master plans



Cambridge at Watters Crossing – Allen, Texas

Community Facts:

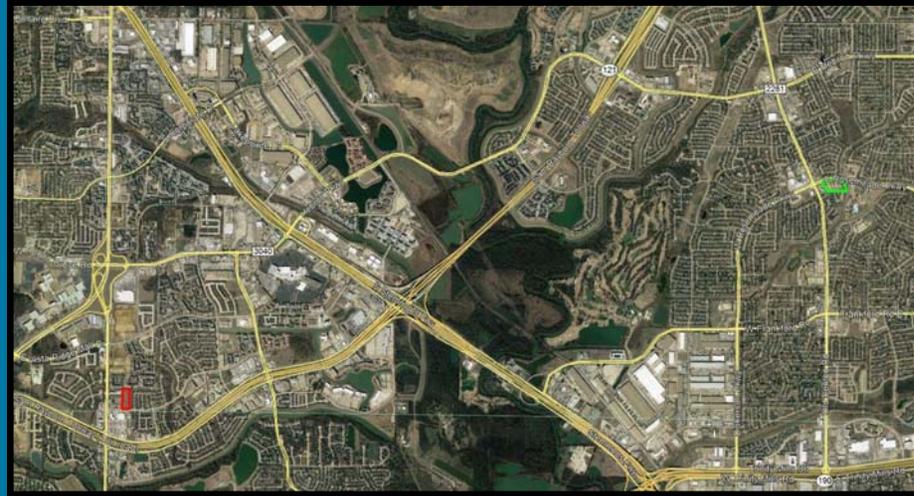
- Size:
 - 6 acres, 33 Patio Home Lots
- Location:
 - Allen, TX
- Builder:
 - Cambridge Homes
- Home Price:
 - \$400's
- Typical Lot Size:
 - 5,000sf



Rosemeade Villas – Carrollton, Texas

Community Facts:

- Size:
 - 6.4 acres, 46 Lots
- Location:
 - Carrollton, TX
- Builder:
 - Megatel Homes
- Home Price:
 - Low \$300's to Mid \$300's
- Typical Lot Size:
 - Townhomes



Stone Creek Phase V – Rockwall, Texas

Community Facts:

- Size:
 - 10 acres, 52 Lots
- Location:
 - Rockwall, TX
- Builders:
 - Windsor Homes
 - Megatel Homes
- Home Price:
 - Low \$300s to High \$300s
- Typical Lot Size:
 - 50' x 120'

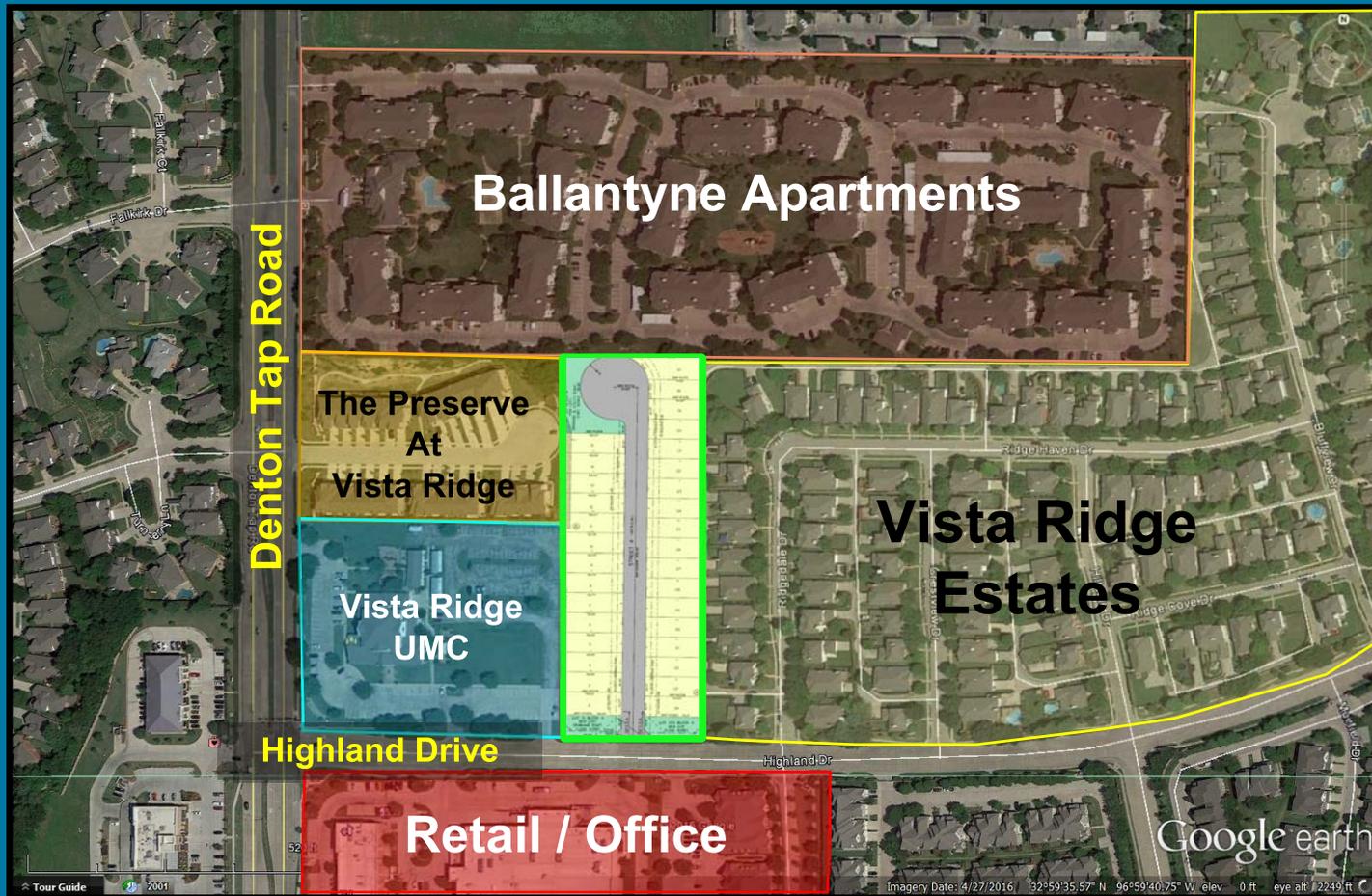


SUBJECT PROPERTY & ZONING REQUEST

Subject Property Location

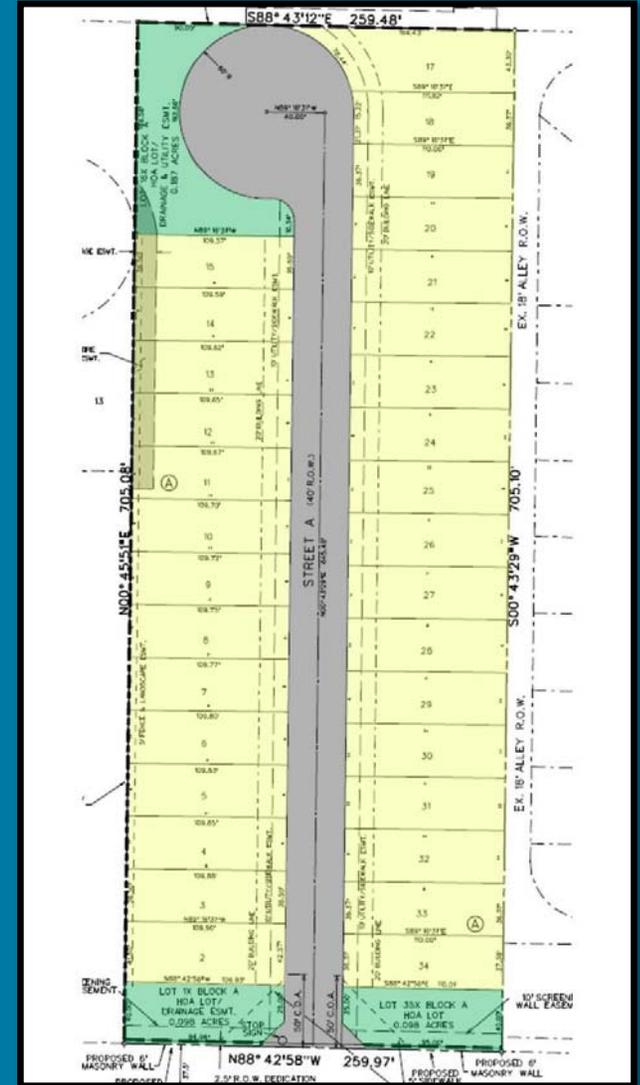


Subject Property Location



Zoning Request

- 32 single-family *detached* homes
- Typical lot size of 36.5' x 110'
 - Estate Townhome Zoning (ETH)
- High-quality and high price point homes
- Subject Property is ± 4.2 acres



Zoning Request

- Logical transition from existing single-family to the higher intensity multi-family, townhomes, church, and retail
- High-quality housing that will enhance surrounding property values
- Highest and best use for the ± 4.2 acres



QUALITY PRODUCT

Representative Product



Representative Product



Representative Product



Representative Product



Representative Product



Representative Product



Representative Product



Representative Product



PROPOSED DEVELOPMENT STANDARDS

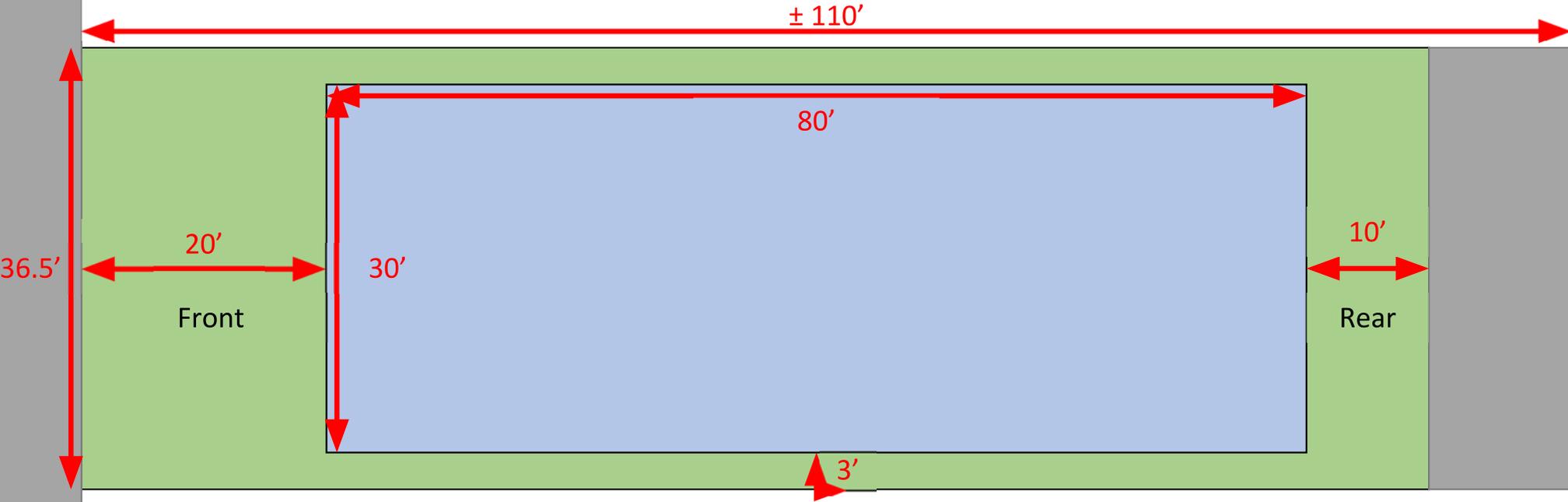
Proposed Development Standards

	Estate Townhome (ETH)	Highland Terraces
Minimum Lot Area	4,000 sqft	4,000 sqft
Minimum Lot Width	20 feet	36.5 feet
Front Yard Setback	20 feet	20 feet
Rear Yard Setback	0 feet	10 feet
Side Yard Setback	0 feet	3 feet

Proposed Development Standards

	Estate Townhome (ETH)	Highland Terraces
Minimum Dwelling Size	2,000 sqft	2,000 sqft
Maximum Lot Coverage	80%	± 60%
Maximum Building Height	35' or 2 ½ stories	35' or 2 ½ stories

CURRENT PROPOSED PAD / LOT DIMENSIONS



PROJECTED PRICE POINTS

Projected Price Points

Projected Price	Projected Home Size	Projected Price per SF
\$340,000	2,000 sqft	\$170
\$360,000	2,400 sqft	\$150
\$380,000	2,800 sqft	\$136

MEETINGS WITH NEIGHBORS

Meetings with Neighbors Prior to Commencing Zoning Process

- **4 Meetings held as follows:**

- December 15, 2016 (adjacent neighbors)
- May 24, 2017 (adjacent neighbors)
- June 22, 2017 (adjacent neighbors)
- July 27, 2017 (entire Vista Ridge Estates HOA)

Changes to Plan through Neighbor Input

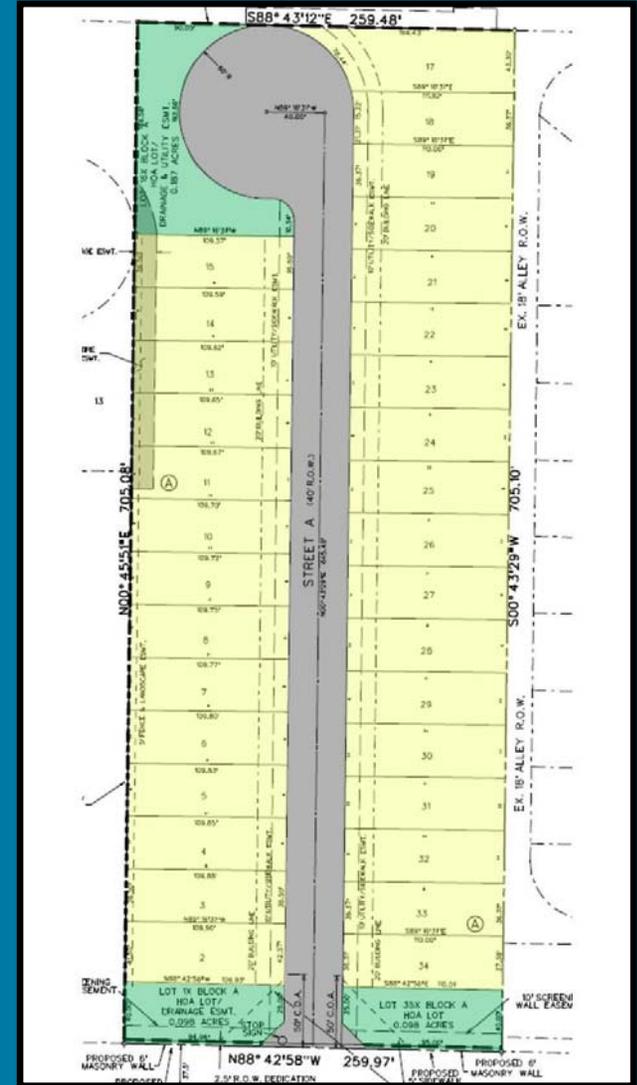
- Originally proposed 44 attached townhome units, but modified to 32 detached single-family homes
- Proposing 8' fence on Highland Terrace homes adjacent to Vista Ridge Estates existing homes
- Proposing planting at least one tree in every Highland Terrace backyard that is adjacent to Vista Ridge Estates existing homes

END

APPENDIX

Variations Requested

- Alley waiver to enable front entry
- Decrease right-of-way width from 50 feet to 40 feet to provide lot depth (made up by putting utility/sidewalk easement in front of lots)
- To allow tubular steel fencing with brick columns on the western boundary line in lieu of 6' masonry screening wall at Church's request



EAST SIDE CROSS SECTION

Highland
Terrace
Home

Vista Ridge
Estates
Home

Total 53' between houses

Backyard
10' **Minimum**

25' Building Line (driveway)

8' Fence

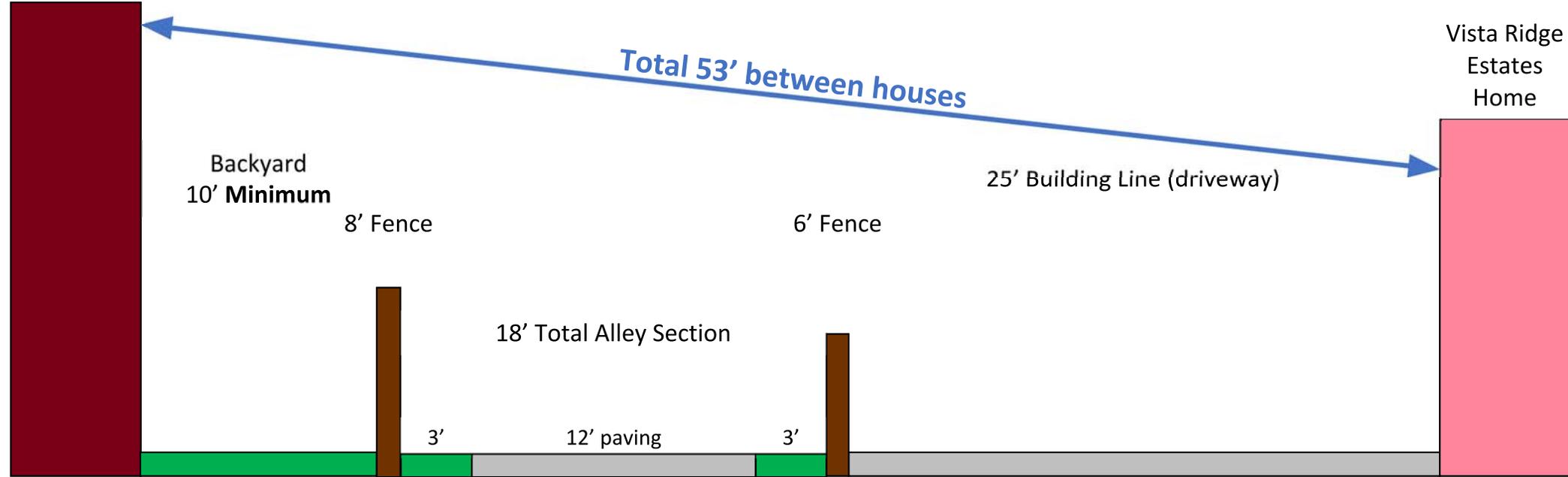
6' Fence

18' Total Alley Section

3'

12' paving

3'



Timeline of Events



Vista Ridge Estates HOA President at the September 5th P&Z Meeting

“The Homeowners’ Association does not have a formal opinion, as an entity, but, in general, my impression with my neighbors that I have spoken to... generally the people who live up against the development are opposed and most of the neighbors we have spoken with that don’t live up against that development are in favor.”



<https://www.youtube.com/watch?v=buWuPuYZUls&feature=youtu.be&t=1h1m03s>