



Lewisville City Council

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A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JANUARY 8, 2018**

**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. Update on Visitor Marketing Efforts in Old Town Lewisville
- 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 Troyer

C. **PUBLIC HEARINGS:**

- 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).

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

ADMINISTRATIVE COMMENTS:

The property owner, REW, is proposing to relocate from their current site on South Mill Street to the subject site in ARTX Park. The zone change is necessary to consider a Special Use Permit. The following four variances are requested: a) to allow a reduction in exterior material requirements from 80% brick veneer to 71% brick veneer on the west elevation of the main building and 100% stucco on the north, south and east elevations; b) to allow a reduction in exterior material requirements from 80% brick veneer to 0% brick veneer for the two three-sided storage sheds except for 100% stucco on the east elevation of the eastern storage building; c) to allow storage to exceed the height of the screening wall; and d) to allow precast panel screening wall within 25 feet of the street right-of-way in lieu of the required brick or stone screening wall. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request and the SUP request at their meeting on July 18, 2017.

RECOMMENDATION:

That the City Council approve the ordinances and associated variances as set forth in the caption above.

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

2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change from Agriculture Open Space District (AO) to Light Industrial District (LI) on an Approximately 84.172-Acre Tract of Land out of the S.M. Hayden Survey, Abstract No. 537 and the H. Young Survey, Abstract No. 1448, Located on the South Side of Midway Road Approximately 800 Feet West of F.M. 544; as Requested by Robert Allen of First Industrial Realty Trust, Inc. on Behalf of Billy J. Myers and Raymond L. Myers, the Property Owners (Case No. PZ-2017-12-25).**

ADMINISTRATIVE COMMENTS:

The applicant plans to construct an office/warehouse development on the subject property, which has been used by the current property owners for agricultural purposes for many decades. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on December 19, 2017.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

RECOMMENDATION:

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

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Robert Allen, First Industrial Realty Trust

- 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.
3. **APPROVAL OF MINUTES:** City Council Minutes of the December 18, 2017, Workshop Session and Regular Session.
4. **Approval of a Professional Services Agreement with Kimley-Horn & Associates in the Amount of \$314,895 for Final Design and Construction Services Relating to Kealy Avenue from Main Street to Purnell Street; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Kealy Avenue (Main Street – Purnell Street) project consists of approximately 1,500 linear feet of removal of the existing asphalt street and construction of a 37-foot concrete street with curb and gutter. The project will also replace aging sanitary sewer and storm drain lines. Additional right-of-way and easements will be needed with this project. Funding was provided in the 2015 Bond Program approved by voters in November 2015. Staff has negotiated an agreement with Kimley-Horn & Associates in the amount of \$314,895 to include final design, survey, geotechnical, subsurface utility exploration, TDLR permitting and construction services.

RECOMMENDATION:

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

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

- 5. Approval of an Economic Development Agreement Between the City of Lewisville and Mallard Supply, L. P., d/b/a REW Materials; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

REW, a distributor of interior and exterior construction products, has leased the facility at 535 S. Mill Street for over seventeen years. The company has outgrown the facility on Mill Street and would like to relocate to a site within Lewisville that will be conducive to business growth. This agreement calls for REW to invest \$3,500,000 in total capital investments and \$3,000,000 in business personal property. This agreement calls for an annual grant of \$50,000 per year for a 10-year period and a one-time start up grant not to exceed \$50,000.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager to execute the agreement as set forth in the caption above.

- 6. Approval of Pledges of Commitment to Participate in the 2018 It's Time Texas Community Challenge.**

ADMINISTRATIVE COMMENTS:

The It's Time Texas Community Challenge is an 8-week program between communities throughout the State of Texas to determine who can make the biggest commitment to health. The Challenge occurs January 8 through March 4. Communities can earn points when individuals, businesses, schools and local officials make commitments to build healthier communities, exercise, eat healthy and track their progress throughout the program. Winning communities are invited to the Capitol for a recognition ceremony and are eligible for a small grant. By signing the pledges, the Mayor and City Council will earn 12,500 points for the City of Lewisville.

RECOMMENDATION:

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

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

F. REGULAR HEARINGS:

- 7. Consideration of an Ordinance Amending Chapter 15, Traffic and Vehicles, Article IV, Parking Regulations, of the Lewisville City Code by Repealing and Replacing the Chapter in its Entirety; and Adding Article IX, Parking Violations in The Old Town Entertainment District; and Amending Chapter 2, Article VIII, Section 2-201 Fee Schedule, by Adding Several Fees Related to Parking Citations.**

ADMINISTRATIVE COMMENTS:

The purpose of this ordinance is to amend Chapter 15, Traffic and Vehicles, by adding a new Article IX which creates special parking requirements that apply only to the Old Town Entertainment District. In addition to back-in parking, Article IX creates two-hour parking requirements, twenty-minute designated spaces, and loading zones. Article IX also creates an administrative adjudication process for all citations issued under the Article. In addition, Chapter 2, Article VIII, Section 2-201 will be amended to add several fees related to parking citations.

RECOMMENDATION:

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

- 8. Consideration of an Ordinance Amending Chapter 5, Article III (Fire Prevention Standards), Section 5-94.5 of the Lewisville City Code by Adding a Section Requiring Automatic Sprinkler Systems Throughout the Historic District.**

ADMINISTRATIVE COMMENTS:

In October, 2014, City Council approved funding a program to install automatic fire sprinkler systems in the City's Historic District. This ordinance will mandate the installation in all buildings in the Historic District whether a building owner accepts the City funding or chooses to install the required fire sprinkler system at their own expense. Further, this ordinance will require an automatic fire sprinkler system to be installed and maintained in any future buildings or remodels of existing buildings.

RECOMMENDATION:

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

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

AVAILABLE FOR QUESTIONS: - Tim Ippolito, Fire Marshal

- 9. Consideration of an Ordinance Amending Sections 6-91(o) and 9.5-91(o), Record Drawings, of the Lewisville City Code by Repealing Both Sections and Replacing Them with New Language.**

ADMINISTRATIVE COMMENTS:

With the implementation of the Drainage Utility, it has become even more important to accurately record the details of new development and infrastructure projects. Historically, as-built drawings have been submitted in Tagged Image File Format (tiff files) which can not be directly imported into GIS. Section 6-91(o) and 9.5-91(o) of the City Code, Record Drawings, should also include a requirement to provide as-built plans in Computer Aided Design File Format (CAD files) in addition to tiff files. CAD files can be more easily and accurately imported into GIS. The new requirements will help enable City staff to properly maintain its record retention files and GIS data and mapping. The revised ordinance also provides more detailed information on the formats and requirements for record drawings required at the completion of development projects within the City.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Jeff Kelly, Assistant City Engineer

- 10. Consideration of Acceptance of Resignation of Ken Judkins From Place No. 3 on the Lewisville Parks and Library Development Corporation (4B); Declare a Vacancy Exists on the 4B; and Consideration of an Appointment to Place No. 3 on the 4B.**

ADMINISTRATIVE COMMENTS:

Due to his recent move out of the City of Lewisville, Ken Judkins has advised City staff of his resignation from Place No. 3 on the Lewisville Parks and Library Development Corporation. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Corporation have been included for City Council review.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above

- 11. Consideration of Acceptance of Resignation of Andrea Fowler From Place No. 4 on the Old Town Design Review Committee (OTDRC); Declare a Vacancy Exists on the OTDRC; and Consideration of an Appointment to Place No. 4 on the OTDRC.**

ADMINISTRATIVE COMMENTS:

Due to her recent move out of the City of Lewisville, Andrea Fowler has advised City staff of her resignation from Place No. 4 on the Old Town Design Review Committee (OTDRC). The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Committee have been included for City Council review.

RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above

- 12. Consideration of Vacancy of Place No. 9 on the Lewisville 2025 Advisory Board; and Consideration of an Appointment to Place No. 9 on the Lewisville 2025 Advisory Board.**

ADMINISTRATIVE COMMENTS:

Due to Ray Hernandez's recent resignation from the Lewisville Chamber of Commerce, he is no longer eligible to serve on the Lewisville 2025 Advisory Board. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Board have been included for City Council review.

RECOMMENDATION:

That the City Council declare a vacancy and consider an appointment as set forth in the caption above.

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

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 8, 2018**

- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
 2. Section 551.071 (Consultation with Attorney): Legal Issues regarding DFW Sanitary Landfill's Request for Expansion
- 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).

A photograph of a modern plaza featuring a stone wall with a sign that reads "WAYNE FERGUSON PLAZA". In the foreground, there is a rectangular water fountain with a wooden deck on one side and a paved walkway on the other. The background shows a large brick building with a dome and a clock tower under a clear blue sky.

WAYNE FERGUSON PLAZA

Old Town Visitor Marketing Plan



Visitor Marketing Plan

- ❑ Local marketing firm Mixed Media Creations retained in November 2016 to develop a two-year marketing plan
- ❑ Surveys and interviews conducted in January-March to understand public perception of the Old Town district
- ❑ Draft plan completed in May; final plan presented in July
- ❑ Recommendations are divided into short-term (1-3 months), near-term (3-6 months), and long-term (6-24 months)
- ❑ Total projected cost of all recommendations is \$846,935; the 2017-18 budget includes \$146,700 for Old Town marketing efforts, so staff has to prioritize the recommendations



Short-Term Plans

- Move penny press machine to Visitor Center lobby [done]
- Ensure digital billboards have a URL and call to action [done]
- Standardize look of information kiosk posters for event listings and dining listings [in progress]
- Old Town Bingo game, with branded promotional items as prizes, to promote visitor amenities [working with a vendor on a social media scavenger hunt to launch during early 2018]
- Create a series of four 30-second videos highlighting visitor amenities [planned for early 2018]
- Old Town Walking Tour audio file [scripting under way, recording and launch planned for early 2018]



Short-Term Plans

- ❑ Heritage Street Name project [first sign currently being designed]

Lewisville, Texas - Heritage Streets

WALTERS STREET

Photo
here

Named after the Wolters family, who were part of a late 1800s wave of German settlers in the area. The family's name was misspelled on early county plats and has remained in use to this day. Family patriarch Fred Wolters (1860-1929) was prominent in church and civic life. He helped build Round Grove Church, and is buried at the church cemetery.

cityoflewisville.com/history





Near-Term Plans

- Introduce a refreshed Old Town brand with a rack card, bi-fold brochure, and flyer or social media cards [not yet scheduled]
- Design an ebrochure posted to the city and CVB websites, updated regularly and shared regularly on social media [not yet scheduled]
- Create dedicated social media accounts for Old Town [working with a vendor to implement this as early as January 2018]
- Develop a media opportunities schedule [will be developed in early 2018, will start with a media fam tour in the spring]
- Review design of vertical pole banners to present the refreshed Old Town brand [not yet scheduled]



Near-Term Plans

- Create a dedicated electronic newsletter for Old Town, to be distributed monthly [not yet scheduled]
- Add sign toppers to existing Old Town wayfinding signs [not yet scheduled]





Long-Term Plans

- Identify opportunities for paid advertising in local, regional, and statewide publications [currently negotiating agreements]
- Rent billboards in Carrollton, Gainesville, and Grapevine to spread the Old Town Lewisville brand [lowest priority due to cost]
- Launch a dedicated Old Town website [currently reviewing RFP responses related to an Old Town website; estimated to take six months to develop once a vendor is selected]
- Schedule monthly tours for bloggers and vloggers to highlight various visitor attractions [not yet scheduled]
- Install permanent monument or gateway signage at Old Town access points on Main Street [not yet being considered]



Long-Term Plans

- ❑ Work with property owners and artists to encourage installation of murals in Old Town [also addressed in Public Art Master Plan; already reviewing one proposal]
- ❑ Create a quarterly “art walk” in Old Town [not yet being considered]
- ❑ Establish Old Town as a Cultural District through the Texas Commission on the Arts [research has started on the qualifications, process, and benefits or obstacles]
- ❑ Establish a rotating schedule of history exhibits at the Visitor Information Center [working with Denton County on this, and have a series of public meetings planned for February]



Other Initiatives

- ❑ A direct-mail postcard was sent to all Lewisville and Castle Hills residential addresses in August; next one scheduled for March



Old Town Lewisville is a treasured part of both Lewisville's past and its future. With structures dating back to the 1880s, Old Town's beautiful historic buildings show off its architecturally rich heritage, while contemporary amenities offer delight for the entire family.

Old Town features Medical City Lewisville Grand Theater, Wayne Ferguson Plaza, and a variety of shopping and dining options. The lively entertainment district offers live music, fine and performing arts, festivals, and visitor attractions.

Take a new look
at Old Town Lewisville.

Plan your experience at
VisitLewisville.com



151 W. Church Street
Lewisville, TX 75057

PRESORTED
STANDARD
US POSTAGE PAID
LEWISVILLE, TX
PERMIT NO. 25

*****ECRWSSDDM*****
Postal Customer



Other Initiatives

- ❑ Research findings from the plan influenced the Old Town content included in the Dallas Morning News special section published in October





Other Initiatives

- ❑ Continuing to rotate Old Town messages on digital billboards at six locations; this is in addition to MCL Grand and special event messages

SHOP • DINE • ENJOY



Old Town Lewisville



Exit 452, Turn East



Enjoy the spirits
of Old Town Lewisville
Cobra Brewing
Larue Vineyards
Witherspoon Distillery



Exit 452 East • VisitLewisville.com

Dine Tonight
in Old Town Lewisville
Cavalli Pizza
The Perc Coffeehouse



Exit 452 East • VisitLewisville.com

Dine Tonight
in Old Town Lewisville
Prohibition Chicken
Old Town Market
Main Street Cafe

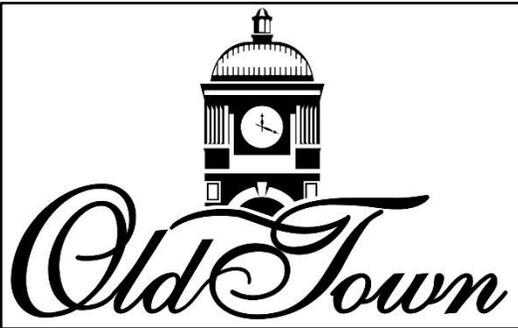


Exit 452 East • VisitLewisville.com

Dine Tonight
in Old Town Lewisville
Twisted Root Burger Co.
Tierney's Cafe & Tavern



Exit 452 East • VisitLewisville.com



Other Initiatives

- ❑ Concerts and special events drew more than 75,000 attendees to Old Town during 2017





Other Initiatives

- ❑ Activities at MCL Grand drew more than 30,000 attendees to Old Town during 2017





Other Initiatives

- ❑ Staff met with Old Town Development and representatives of the three Church Street restaurants in December to discuss marketing efforts
- ❑ The restaurant operators proposed working together with a single marketing firm to develop a short-term boost for Old Town visitation
- ❑ Old Town Development is working with the restaurant operators to identify a suitable firm with experience marketing a specialized district within a city; no firm has been selected at this time
- ❑ Separately, CivicBrand was recommended to the City by Catalyst based on previous success; staff is working with CivicBrand on a three-month program that would start in January with extensive social media and one direct-mail postcard, promoting Old Town overall



Visitor Marketing Plan

Questions?

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: January 8, 2018

SUBJECT: 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).

BACKGROUND

REW, a national supplier of drywall and related building products, has been in operation for over 50 years, 17 of those at their current location in Lewisville at the northwest corner of Purnell Street and Mill Street. The company has outgrown this facility and needs a location that can accommodate current operations. REW proposes to relocate to ARTX Park and build a new office warehouse building along with additional outside storage sheds. This site is located on the north entrance of the industrial park and consists of two vacant lots. The zone change is necessary since a distribution warehouse establishment with outside storage on more than 10 percent of the platted lot is only allowed in the WH District with the approval of a special use permit (SUP). The proposed SUP shows approximately 17.4% of the area to be used for the outside storage of building material supplies. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of July 18, 2017. At the applicant's request, this item was continued from the September 11, 2017 City Council meeting to the January 8, 2018 City Council meeting.

ANALYSIS

Zoning

The proposed zoning classification of Warehouse District (WH) is an appropriate use of the property as a wholesale establishment and allows for expanded outside storage. The location is surrounded by a combination of heavy industrial, warehouse and light industrial zoning and provides good access to SH 121.

Building

The proposed building consists of a 3,300-square foot office with an attached 31,000-square foot warehouse. The main office will face Mario Court and consist of a combination of split face block with smooth face CMU accents on approximately 71% of the west elevation. The remainder of the building will consist of 100% stucco finish. The main entrance to the office will contain a cantilevered metal awning and the building will be covered by a metal roof.

Screening

The proposed office and warehouse building will act as screening along a portion of the western limits. A storage area located at the northern portion of the site will be screened with an earthen berm and an eight-foot tall concrete panel screening wall. The eight-foot tall concrete panel screening wall will wrap around the Valley Ridge Boulevard frontage and will be offset from the overhead powerlines. Additional landscaping along Valley Ridge Boulevard will screen the outside storage visible from the Valley Ridge Boulevard.

Landscape Improvements

The landscaping plan for this site illustrates a berm to be constructed at the northern tip of the site where Mario Court and Valley Ridge Boulevard intersect. A combination of crepe myrtle, cedar elm and maidengrass will provide a living screen adjacent to the ornamental fence proposed along the Mario Court frontage. Additional Cedar Elm trees are provided in the landscape buffer which is approximately 20 feet in width along the Mario Court frontage. Live oaks and crepe myrtles are also provided at the two front gates to the property. The Valley Ridge Boulevard frontage has major challenges since an existing 100-foot power line easement cuts through the eastern portion of the lot in a skewed configuration. The trees required along this frontage have been grouped towards the northern portion of the site and shorter (six-foot tall) evergreen species will be placed along the landscape strip beneath the overhead power lines. These will not only provide landscaping, but will also help screen the outside storage located behind the concrete panel wall that is located beyond the 100-foot electric easement as illustrated in the exhibit.

Signage

The applicant proposes a monument sign to be located at the Mario Court and Valley Ridge Boulevard intersection with a note stating that there will be no pole signs on site. Any additional wall signage must comply with the city sign ordinance. The sign is illustrated as a five-foot tall by five-foot wide monument sign with the company logo and background that matches the building colors.

Storage Areas

Four outdoor storage areas are proposed in addition to the 31,000-square foot warehouse. The northern portion of the site has a designated outside storage area of approximately 6,500 square feet behind a concrete panel wall with storage limited to the height of the wall. A second storage area will be located behind the warehouse building and is approximately 23,000 square feet in area. The applicant is requesting that the outdoor storage in this area be allowed to exceed the height of the 8-foot wall for a maximum height of 24 feet. To help minimize the visibility of the 24-foot tall storage materials; additional evergreen landscaping along Valley Ridge Boulevard has been added to help screen the outside storage as illustrated in the Site Cross Section Exhibit. The setback of the storage area, which ranges from approximately 35 feet to approximately 130 feet

from Valley Ridge Boulevard, will also help minimize visibility of the storage area. Additional storage will be contained under two three-sided sheds located on the southern portion of the lot. These sheds are proposed to be clad with painted metal in colors matching the main building.

Variances

The following four variances are associated with this item:

a) to allow a reduction in exterior material requirements from 80% brick veneer to 71% brick veneer on the west elevation of the main building and 100% stucco on the north, south and east elevations;

Section 6-181(d)(1) Exterior Finish Requirements on Brick Veneer Gateways

The General Development Ordinance states that the aggregate total of all exterior wall elevations (excluding door, windows and glass) of all buildings shall consist of 80 percent brick veneer. The applicant has proposed a two-toned combination of split faced block CMU and stucco on the west elevation with a total finish of approximately 71% brick veneer. The applicant intended to meet the 80% brick veneer requirement on this elevation, but could only provide 71% due to the wall area above the roofline of the office being unable to support the weight of the split-faced block. The other 3 sides (north, south and east) will consist of 100% stucco since these elevations will have reduced visibility due to strategically placed landscaping, berms and screening walls. Staff has no objection to this request.

b) to allow a reduction in exterior material requirements from 80% brick veneer to 0% brick veneer for the two three-sided storage sheds except for the east wall of the eastern storage building, which will consist of 100% stucco;

Section 6-181(d)(1) Exterior Finish Requirements on Brick Veneer Gateways

The General Development Ordinance states that the aggregate total of all exterior wall elevations (excluding door, windows and glass) of all buildings shall consist of 80% brick veneer. The owner has proposed no brick veneer for the three-sided structures for outside storage; but instead, will use a Nucor silicone polyester paint system colored in "light stone" on exterior metal except for the east elevation of the eastern storage building, which will consist of 100% stucco. Since the majority of the three-sided structures will have limited visibility, staff has no objection to the use of exterior painted metal for all elevations except the eastern wall of the eastern storage building.

c) to allow storage to exceed the height of the screening wall;

Section 6-148 Screening Requirement for Outside Storage

The General Development Ordinance requires materials and supplies not to be stacked higher than the height of the screening wall. A variable width landscape buffer is proposed along Valley Ridge Boulevard over an existing 100-foot electrical easement. The additional landscaping along Valley Ridge Boulevard will help screen the outside storage as illustrated in the Site Cross Section Exhibit.

d) to allow precast panel screening wall within 25 feet of the street right-of-way in lieu of the required brick or stone screening wall.

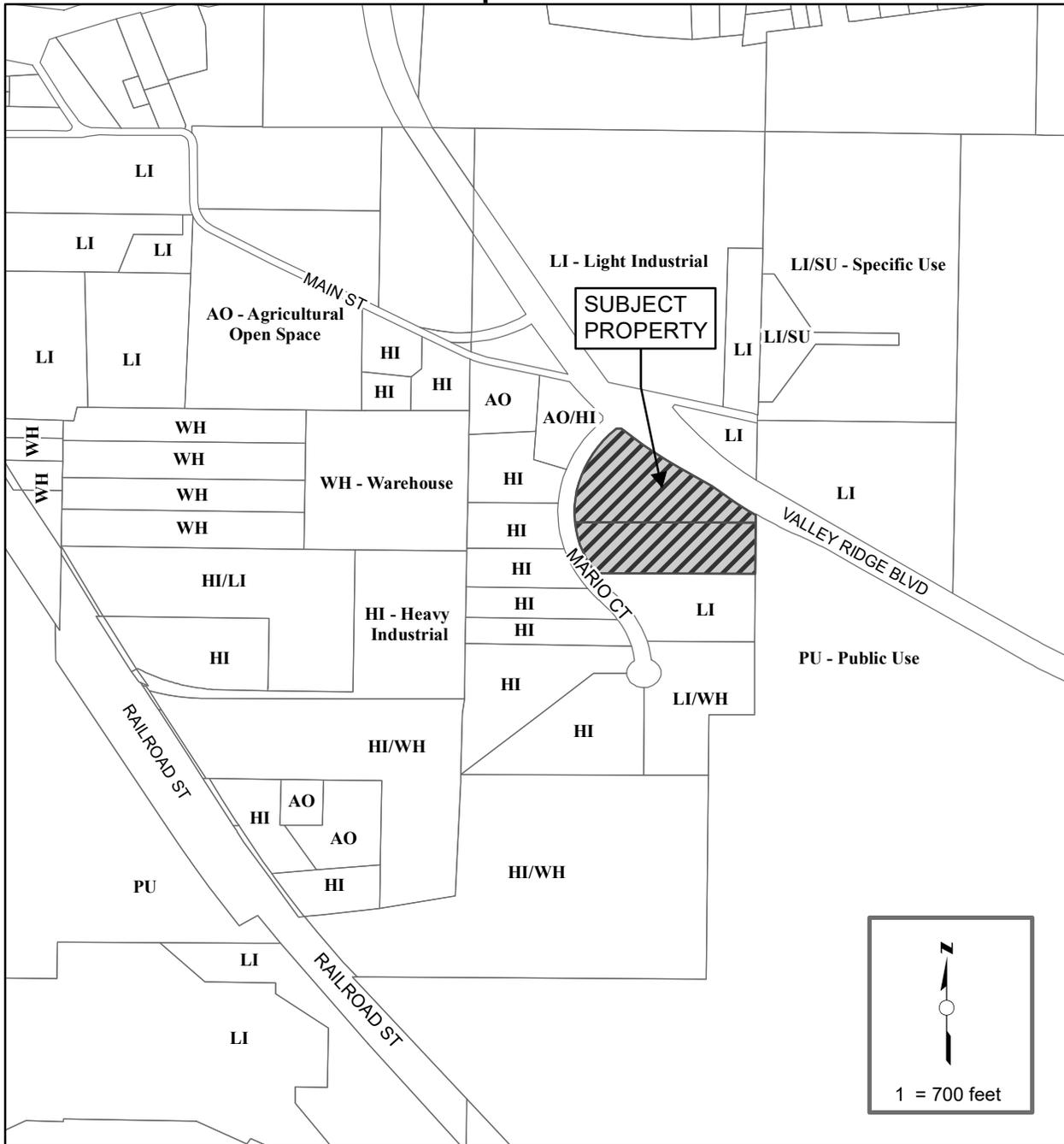
Section 6-148 Screening Devices

The General Development Ordinance requires brick, stone or decorative block screening walls within 25 feet of a public street. Areas beyond 25 feet of a public street are allowed to be screened with a solid, opaque fence. The applicant proposes an eight-foot tall concrete panel wall along Valley Ridge Boulevard which will wrap around the site along Mario Court to screen the outside storage. Staff has no objection to the request since one consistent type of screening wall would improve site aesthetics compared to a short stretch of brick screening wall flanked with longer stretches of wood fence. The enhanced landscape area provided at the intersection will be placed in front of the proposed wall to enhance site aesthetics. The proposed evergreen plantings along Valley Ridge Boulevard will also be placed in front of the proposed screening wall to improve site aesthetics.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the ordinances and the associated variances as set forth in the caption above.

Location Map - REW Materials



CASE NO. PZ-2017-07-15

PROPERTY OWNER: JIM BEDSWORTH JR., REW GRAY PROPERTIES, LLC

APPLICANT NAME: RICHARD DEOTTE, DEOTTE INC.

PROPERTY LOCATION: 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 (6.68 ACRES)

CURRENT ZONING: LIGHT INDUSTRIAL DISTRICT (LI)

REQUESTED ZONING: WAREHOUSE DISTRICT (WH)

Aerial Map - REW Materials



**MINUTES
PLANNING AND ZONING COMMISSION
JULY 18, 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, Karen Locke and James Davis. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Director 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 Zone Change Request From Light Industrial Zoning District (LI) to Warehouse Zoning District (WH); on an Approximately 6.68-Acre Tract of Land, 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; as 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).
- B. **Public Hearing:** Consideration of a Special Use Permit for a Wholesale Establishment With Outside Storage on More Than 10% of the Platted lot; on an Approximately 6.68-Acre Tract of Land, Legally Described as Lots 11 & 12, Block A of the ARTX Park Addition, Bounded by East Valley Ridge Boulevard on the Northeast Side and Mario Court on the West Side; as Requested by Richard DeOtte, of DeOtte Inc., on Behalf of Jim Bedworth Jr., of REW Gray Properties, LLC, the Property Owner. (Case No. SUP-2017-07-11).

Items 4A and 4B were read and discussed together. Staff gave a brief overview of the proposed zone change request and special use permit request, recommending approval. Member James Davis asked if the company was relocating from an existing facility in the city. Staff confirmed that the current facility is located at the northwest corner of South Mill Street and West Purnell Street. Chairman Green asked for clarification on the requested height variance and expressed concern for the location of a storage area over a sewer easement. The applicant explained that any storage exceeding the height of the wall will be screened with vegetation. He further clarified that the storage over the sewer easement would not affect the maintenance or use of any sewer line located within the easement. Chairman Green opened the joint public hearing for items 4A and 4B. With no one coming forward to speak, the public hearing was then closed. A motion was made by MaryEllen Miksa to recommend approval of item 4A, the zone change request from Light Industrial District (LI) zoning to Warehouse District (WH) zoning, which was seconded by Karen Locke. The motion passed unanimously (6-0). A motion was made by William Meredith to recommend approval of item 4B, the SUP request for a wholesale establishment with outside storage on more than 10% of the platted lot, which was seconded by John Lyng. The motion passed unanimously (6-0). Staff indicated that items 4A and 4B would be going before the City Council on August 21st for a second public hearing and 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 17-24. - "WH" WAREHOUSE DISTRICT REGULATIONS

- (a) *Use.* A building or premises shall be used only for the following purposes:
- (1) Bakery or bottling works, if fully enclosed in a building.
 - (2) Wholesale establishments, if fully enclosed in a building.
 - (3) Storage warehouses with open storage yards (SUP required).
 - (4) Contractor's yard (SUP required).
 - (5) Manufacturing uses - outside storage is limited to ten (10) percent of the lot for storage of equipment, materials or products.
 - (6) Truck parking lot (SUP required).
 - (7) Offices.
 - (8) Laboratory.
 - (9) Auto repair shops, including body shops (SUP required).
 - (10) Church worship facilities.
 - (11) Travel trailer/boat/RV storage (Outdoor) (SUP required).
 - (12) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (13) Gas and oil drilling accessory uses (SUP required).
 - (14) Cemetery, mausoleum, crematorium and accessory uses (SUP required).
 - (15) Buildings and uses owned or operated by public governmental agencies.
 - (16) Communication towers (SUP required).
 - (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) 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).
 - (19) Motor Freight Terminal (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 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 "WH", 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 "WH" 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

ZONE CHANGE APPLICATION

Owner/s (name): <u>Jim Bedsworth, Jr.</u>	
Company Name: <u>REW Gray Properties, LLC</u>	
Mailing Address: <u>15720 W. 108th St, Suite 100 Lenexa, Kansas 66219</u>	
Work #: <u>913-438-4142</u>	Cell #:
E-Mail: <u>jbedsj@kcg-inc.com</u>	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): 	Date: <u>4-6-2017</u>
Printed Name: <u>Jim Bedsworth, Jr.</u>	

Applicant/Agent (name): <u>Rich DeOtte</u>	
Company Name: <u>DeOtte, Inc.</u>	
Mailing Address: <u>420 Johnson Rd, Suite 303 Keller, Tx 76248</u>	
Work #: <u>817-337-8899</u>	Cell #:
E-Mail: <u>richdeotte@deotte.com</u>	
Applicant/Agent Signature 	Date: <u>4-6-2017</u>
Printed Name: <u>Richard W. DeOtte</u>	

Current Zoning: <u>H1 + L1</u>	Requested Zoning: <u>WH</u>	Acres: <u>6.68</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>Lots 11+12, Block A</u> <u>ARTX Park Addition</u>		
Address/Location: _____		

Application and Sign Fees:

	Less than 1/2 acre	\$ 150.00
	1/2 acre up to 4.99 acres	\$ 250.00
1	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: <u>2</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>70</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>470⁰⁰</u>
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April 6, 2017

Mr. Richard Luedke, AICP
Planning Manager
151 W. Church Street
Lewisville, Texas 75057

Re: REW Materials Site Relocation
Mario Court at East Valley Ridge Drive

Dear Mr. Luedke:

On behalf of our client, KCG, Inc. we are submitting this zoning change request and Special Use Permit to develop the site in a way to expand and improve the operations of the underlying existing business in Lewisville.

The site has two zoning classifications including LI (light industrial) and HI (Heavy Industrial). The proposed zoning is Warehouse and we are submitting an SUP for the City's consideration.

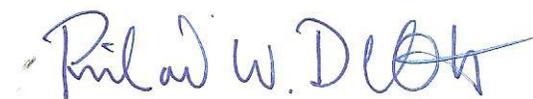
KCG, Inc has owned and operated REW Materials in Lewisville for 17 years. KCG, Inc is a family owned business that is over 50 years old. We are the 4th largest supplier of drywall and related building products in the US with our Lewisville location distributing more metal stud products than any other facility in the country, including our competition. This makes us a vital contributor to the growth in Lewisville and surrounding areas. With our sales volume, we're also a great support in the tax base for Lewisville. The one thing that stood out in our initial presentation is we employ approximately 30 employees with an average salary of approximately \$90,000 per year.

The proposed zoning change and SUP allow for the site to develop in a way to expand their business operations and increase the efficiency of the operation as well.

REW has enjoyed a good relationship with the City of Lewisville for many years and we believe that this relocation/expansion will be good for the City as well as REW materials to continue to have a great relationship into the future.

Sincerely,

DeOtte, Inc.



Richard W. DeOtte, P.E., CFM

This Section (Office Use Only)	
Case:	
PZ:	CC:
Signs Picked Up By:	



LEWISVILLE

**SPECIAL USE PERMIT (SUP)
APPLICATION**

Owner's (name): <u>Jim Bedsworth, Jr.</u>	
Company Name: <u>REW Gray Properties, LLC</u>	
Mailing Address: <u>15720 W. 108th St., Suite 100 Lenexa, Kansas 66219</u>	
Work #: <u>913-438-4142</u>	Cell #:
E-Mail: <u>jbedsj@keg-inc.com</u>	
Owner Signature (Owner's Must Sign or Submit Letter of Authorization): 	Date: <u>4-6-2017</u>
Printed Name: <u>Jim Bedsworth, Jr.</u>	

Applicant/Agent (name): <u>Rich DeOtte</u>	
Company Name: <u>DeOtte, Inc.</u>	
Mailing Address: <u>420 Johnson Rd, Suite 303 Keller, Tx 76248</u>	
Work #: <u>817-337-8899</u>	Cell #:
E-Mail: <u>richdeotte@deotte.com</u>	
Applicant/Agent Signature 	Date: <u>4/6-2017</u>
Printed Name: <u>Richard W. DeOtte</u>	

Current Zoning: <u>H1 & L1</u>	Requested Zoning: <u>WH</u>	Acres: <u>10.68</u>
Legal Description (Lot/Block/Tract/Abstract): <u>Lots 11+12, Block A ARTX Park Addition</u>		
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

26 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

City: <u>2</u>	SUP Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>70</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>470⁰⁰</u>
--	----------------------------

April 6, 2017

Mr. Richard Luedke, AICP
Planning Manager
151 W. Church Street
Lewisville, Texas 75057

Re: REW Materials Site Relocation
Mario Court at East Valley Ridge Drive

Dear Mr. Luedke:

On behalf of our client, KCG, Inc. we are submitting this zoning change request and Special Use Permit to develop the site in a way to expand and improve the operations of the underlying existing business in Lewisville.

The site has two zoning classifications including LI (light industrial) and HI (Heavy Industrial). The proposed zoning is Warehouse and we are submitting an SUP for the City's consideration.

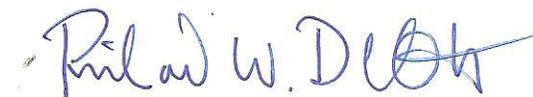
KCG, Inc has owned and operated REW Materials in Lewisville for 17 years. KCG, Inc is a family owned business that is over 50 years old. We are the 4th largest supplier of drywall and related building products in the US with our Lewisville location distributing more metal stud products than any other facility in the country, including our competition. This makes us a vital contributor to the growth in Lewisville and surrounding areas. With our sales volume, we're also a great support in the tax base for Lewisville. The one thing that stood out in our initial presentation is we employ approximately 30 employees with an average salary of approximately \$90,000 per year.

The proposed zoning change and SUP allow for the site to develop in a way to expand their business operations and increase the efficiency of the operation as well.

REW has enjoyed a good relationship with the City of Lewisville for many years and we believe that this relocation/expansion will be good for the City as well as REW materials to continue to have a great relationship into the future.

Sincerely,

DeOtte, Inc.



Richard W. DeOtte, P.E., CFM

June 28, 2017

Mr. Richard Luedke, AICP
Planning Manager
151 W. Church Street
Lewisville, Texas 75057

Re: REW Materials Site Relocation
Mario Court at East Valley Ridge Drive
Variance requests

Dear Mr. Luedke:

On behalf of our client, KCG, Inc. we are submitting this list of variance requests as part of the site's rezoning and SUP submittal.

A. Variance from section 6-181. - Exterior Finish Requirements

To allow a reduction in exterior material requirements from the 80% brick veneer to 71% brick/stone veneer on the west elevation and 100% stucco on the north, south and east elevations. Construction of two adjoining on-site structures that are shown on the site plan as the main warehouse and office for the business. This building, which is the main structure on the site, will be a stucco finish on the north, south and east faces of the building and 71% brick/stone veneer on the west face facing Mario Court. The percent coverage is 74% if the sides of the office extension, which will be finished with brick/masonry as well, is included in the calculation. Greater detail in the coverage and types are available on the elevations drawings provided with the overall submittal. We believe this variance request is consistent with the intent of the ordinance.

B. Variance from section 6-181. - Exterior Finish Requirements

To allow a reduction in exterior material requirements from the 80% brick veneer to 0% brick veneer on two outside storage three-sided sheds and 100% stucco on the eastern elevation of the eastern shed. Construction of two three-sided structures to shelter outside storage. The two outside sheltered storage structures will be constructed of metal panels. One will be prefinished with Nucor silicone polyester paint system colored "light stone" and the roof panels will be prefinished with the same material colored "polar white" which will be colored to match the other structures on the site. The eastern face of the most eastern structure will be finished with stucco. Most of the exterior of these structures will face away from the main thoroughfare. We believe this variance request is consistent with the intent of the ordinance.

C. Variance from section 6-148. - Screening requirement for outside storage.

To allow storage above the height of the screening wall. Screening shall be a decorative concrete panel wall running along the west edge of the 100-foot wide high-tension electric line easement and slightly within the existing 30-foot sewer easement along the property. Storage will be higher than the 8-foot height which is consistent with other uses in the area and is needed because of the restrictions placed on the property by the existing Oncor high voltage electric easement. Visually, the area's aesthetic is governed by the existing electric towers and power lines. The impact of this variance is mitigated by the open space provided on the property under the easement which severely restricts use of the underlying property. Since:

Mr. Richard Luedke, AICP

September 29, 2017

Page 2

1. the site fronts on Mario Drive;
2. the site is distant from the thoroughfare due to the large electric easement;
3. frontage trees have been upgraded to provide year-round live screening with live oak trees where possible along the frontage of E. Valley Ridge outside the electric easement;
4. all other options for development that still allow expected use of the property have been exhausted;
5. the electric easement imposes extensive restriction on the use of the site and location of various screening options;

we believe this variance request substantially complies with the intent of the ordinance.

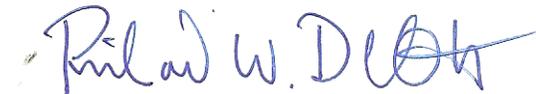
D. Variance from section 6-148. – Screening Wall Requirements

To allow precast panel screening wall within 25 feet of the street right-of-way construction Most of the screening wall is precast panel since it is outside of a 25-foot setback from the right of way but a short portion is within that limit. This variance will allow the fence construction to be consistent throughout the project and we believe it is consistent with the intent of the ordinance.

Please call if you have any questions.

Sincerely,

DeOtte, Inc.

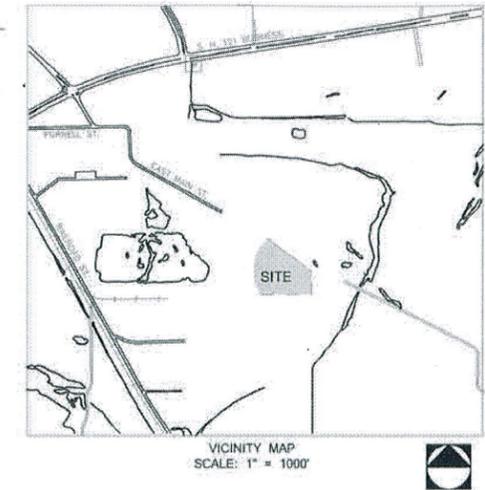
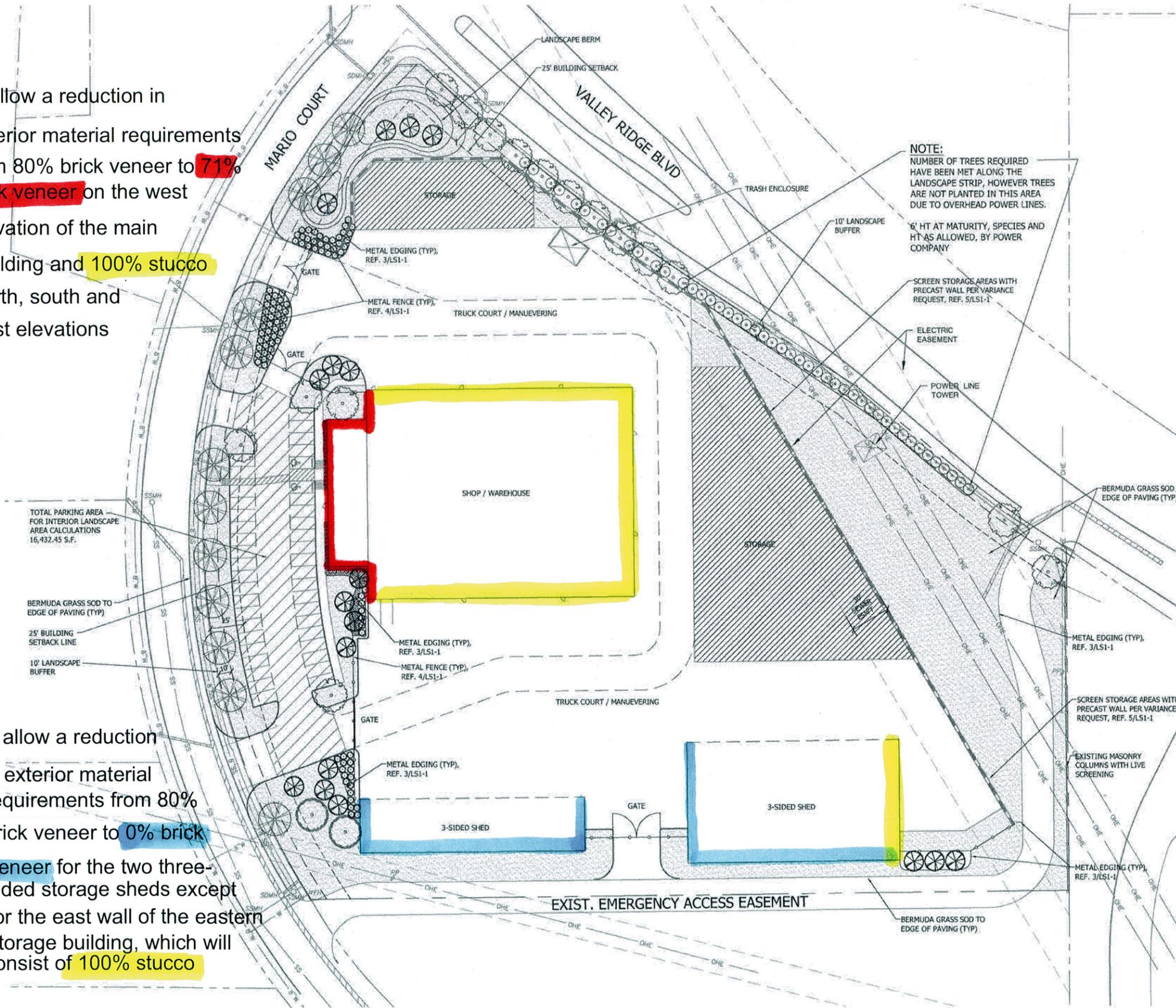


Richard W. DeOtte, P.E., CFM

VARIANCE REQUEST EXHIBIT

a) to allow a reduction in exterior material requirements from 80% brick veneer to **71% brick veneer** on the west elevation of the main building and **100% stucco** north, south and east elevations

b) to allow a reduction in exterior material requirements from 80% brick veneer to **0% brick veneer** for the two three-sided storage sheds except for the east wall of the eastern storage building, which will consist of **100% stucco**



LANDSCAPE REQUIREMENTS

- 1 - 2.5" CAL. TREE PER 50 LF OF 10' LANDSCAPE BUFFER
565 L.F. ALONG MARIO CT = 12 TREES REQUIRED
12 TREES PROVIDED
- 585 L.F. ALONG VALLEY RIDGE BLVD =
12 TREES REQUIRED
12 TREES PROVIDED

- 1 - 2.5" CAL. TREE PER 15 PARKING SPACES
42 PARKING SPACES = 3 TREES REQUIRED
4 TREES PROVIDED

INTERIOR LANDSCAPING REQUIREMENTS

- TOTAL PARKING AREA = 16,432.45 S.F.
INTERIOR LANDSCAPE AREA = 5%
- REQUIRED INTERIOR LANDSCAPE = 822 S.F.
PROVIDED INTERIOR LANDSCAPE = 2,634 S.F.

Landscape Legend

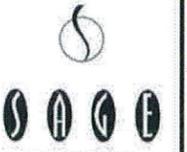
- Shumard Red Oak
Quercus shumardii
- Live Oak
Quercus virginiana
- Cedar Elm
Ulmus crassifolia
- Crape Myrtle 'Natchez'
Lagerstromia indica 'Natchez'
- 'Nellie R Stevens' Holly
Ilex x 'Nellie R Stevens'
- Maidengrass
Miscanthus sinensis 'Gracillimus'
- 'Gulf Stream' Nandina
Nandina domestica 'Gulf Stream'
- 'Big Blue' Liriope
Liriope muscari 'Big Blue'
- Bermudagrass sod
Cynodon dactylon
- Decorative stone / gravel

NOTE:

ALL LANDSCAPED AREAS WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM, DESIGNED BY A LICENSED IRRIGATOR.

1 LANDSCAPE PLAN
PLAN

0 40' 80' 160'
1" = 40'-0"



SAGE GROUP, INC.
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL 817-424-2626

Master Planning
Urban Design
Architecture
Landscape Architecture

FOR BIDDING AND REVIEW PURPOSES ONLY. THESE DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.

KELLEE D. LEE
RLA 2424

APPLICANT

DEOTTE, INC.
420 JOHNSON ROAD, SUITE 303
KELLER, TX 76248
Phone: 817-337-8899
Contact: RICH DEOTTE

REW MATERIALS
LEWISVILLE, TEXAS

Issued
MAR 31, 2017

Revisions

- 5/8/17 revised civil base
- 5/12/17 city comments
- 5/16/17 screening wall change
- 6/9/17 city comments
- 6/28/17 city comments

LANDSCAPE
PLAN

SHEET

LS1-0

VARIANCE REQUEST EXHIBIT

 c) to allow storage above the height of the screening wall (max 24 feet).

 d) to allow 8-foot precast panel screening wall within 25 feet of the street right-of-way in lieu of brick/stone/block wall (approximately 270 linear feet).

 8-foot precast panel screening wall proposed by applicant in lieu of wood fence (approximately 570 linear feet):

 New trees to enhance screening efforts



LANDSCAPE REQUIREMENTS

1 - 2.5" CAL. TREE PER 50 LF OF 10' LANDSCAPE BUFFER
565 L.F. ALONG MARIO CT = 12 TREES REQUIRED
12 TREES PROVIDED
585 L.F. ALONG VALLEY RIDGE BLVD = 12 TREES REQUIRED
12 TREES PROVIDED

1 - 2.5" CAL. TREE PER 15 PARKING SPACES
42 PARKING SPACES = 3 TREES REQUIRED
4 TREES PROVIDED

INTERIOR LANDSCAPING REQUIREMENTS

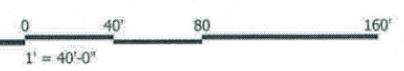
TOTAL PARKING AREA = 16,432.45 S.F.
INTERIOR LANDSCAPE AREA = 5%
REQUIRED INTERIOR LANDSCAPE = 822 S.F.
PROVIDED INTERIOR LANDSCAPE = 2,634 S.F.

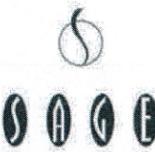
Landscape Legend

-  Shumard Red Oak
Quercus shumardii
-  Live Oak
Quercus virginiana
-  Cedar Elm
Ulmus crassifolia
-  Crape Myrtle 'Natchez'
Lagerstromia indica 'Natchez'
-  'Nellie R Stevens' Holly
Ilex x 'Nellie R Stevens'
-  Maidengrass
Miscanthus sinensis 'Gracillimus'
-  'Gulf Stream' Nandina
Nandina domestica 'Gulf Stream'
-  'Big Blue' Liriope
Liriope muscari 'Big Blue'
-  Bermudagrass sod
Cynodon dactylon
-  Decorative stone / gravel

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1 LANDSCAPE PLAN
PLAN





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1130 N. Carroll Ave., Ste. 200
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Master Planning
Urban Design
Architecture
Landscape Architecture

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APPLICANT

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REW MATERIALS
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5/8/17	revised civil base
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5/16/17	screening wall change
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6/28/17	city comments

LANDSCAPE PLAN

SHEET
LS1-0

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING APPROXIMATELY 6.68 ACRES OUT OF THE L.N. SPARKS SURVEY, ABSTRACT NO. 1214, LEGALLY DESCRIBED AS LOTS 11 AND 12, BLOCK A, ARTX PARK ADDITION, BOUNDED BY EAST VALLEY RIDGE BOULEVARD ON THE NORTHEAST AND MARIO COURT ON THE WEST; FROM LIGHT INDUSTRIAL DISTRICT (LI) ZONING TO WAREHOUSE DISTRICT (WH) 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 6.68-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 **WAREHOUSE DISTRICT (WH) 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 8TH DAY OF JANUARY, 2018.

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

LEGAL DESCRIPTION: Being a tract of land out of the J. H. Havens Survey, Abstract No. 541 and situated in the City of Lewisville, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in March 2017, said tract being Lot 11 and Lot 12, Block A, ARTX Park Addition, An Addition to the City of Lewisville, Texas according to the plat thereof recorded in Volume 2012, Page 56 of the Plat Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a cross in concrete found for the northeast corner of said Lot 12, said cross being in the southwesterly right-of-way line of Valley Ridge Boulevard;

THENCE South 00 degrees 33 minutes 45 seconds East with the easterly boundary line of said Block A a distance of 255.63 feet to a ½ inch capped steel rod found for the southeast corner of said Lot 11;

THENCE South 89 degrees 26 minutes 15 seconds West with the southerly boundary line of said Lot 11 a distance of 573.80 feet to a ½ inch capped steel rod found for the southwest corner thereof, said rod being in the easterly right-of-way line of Mario Court, and also being the beginning of a curve to the right with a radius of 495.00 feet and whose chord bears North 05 degrees 54 minutes 03 seconds East at 623.24 feet;

THENCE northerly with the westerly boundary line said of Block A and said easterly right-of-way and with said curve along an arc length of 674.15 feet to the end of said curve;

THENCE North 44 degrees 55 minutes 00 seconds East continuing with said westerly boundary line and said easterly right-of-way a distance of 3.72 feet to a ½ inch capped steel rod found for the westerly end of a corner clip for said easterly right-of-way line and said southwesterly right-of-way line;

THENCE North 89 degrees 12 minutes 19 seconds East with said corner clip a distance of 17.18 feet to a ½ inch capped steel rod found for the easterly end thereof, said rod being in the said southwesterly right-of-way, and also the beginning of a curve to the left with a radius of 1450.00 feet and whose chord bears South 51 degrees 56 minutes 18 seconds East at 262.59 feet;

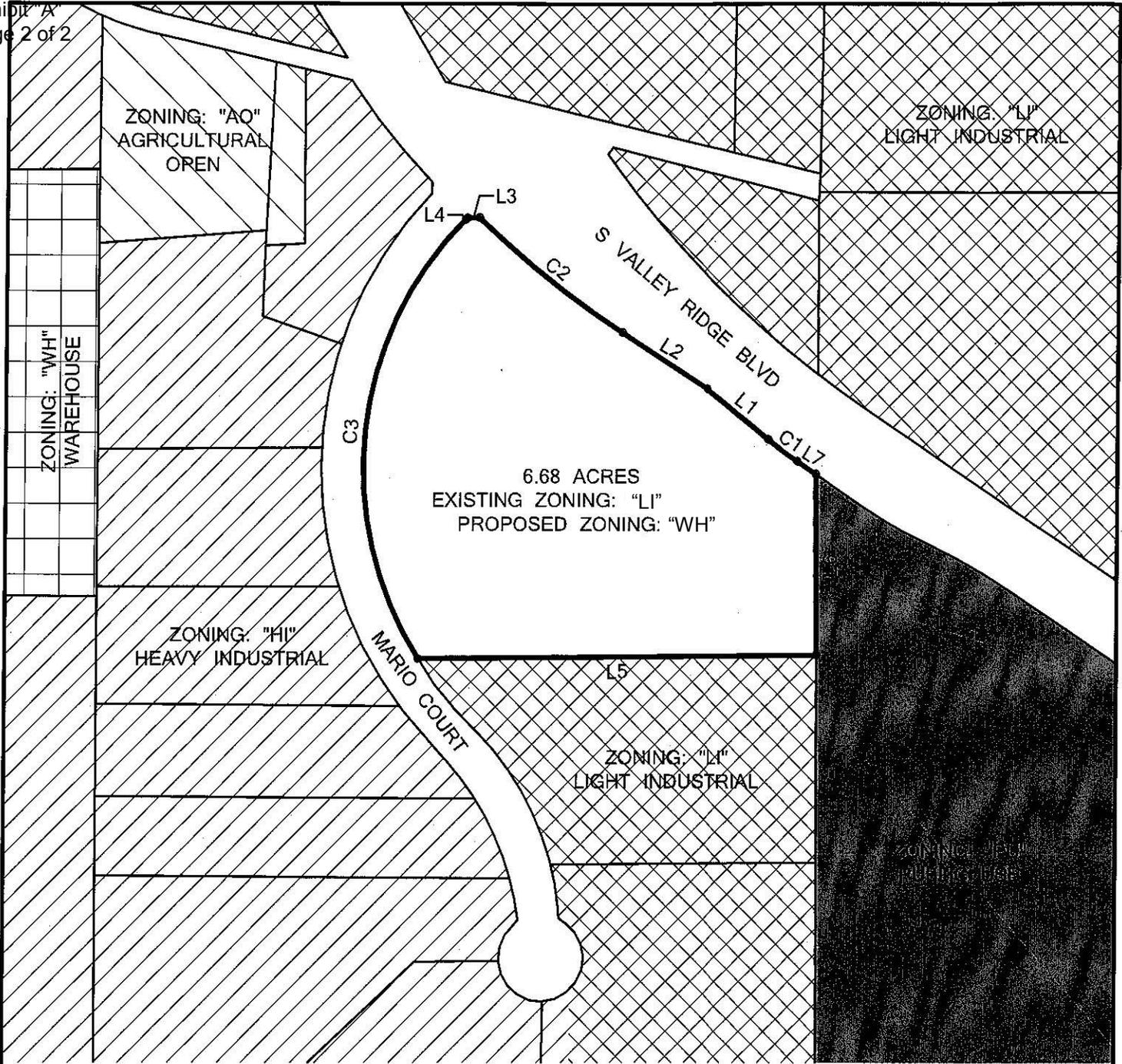
THENCE Southeasterly with the northeasterly boundary line of said Lot 12 and said southwesterly right-of-way and with said curve along an arc length of 262.95 feet to a fence post found for the end of said curve;

THENCE South 57 degrees 08 minutes 00 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 146.07 feet to a cross in concrete found;

THENCE South 50 degrees 47 minutes 40 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 113.30 feet to a cross in concrete found, for the beginning of a curve the left with the radius of 475.00 feet and whose chord bears South 53 degrees 57 minutes 50 seconds East at 52.52 feet;

THENCE Southeasterly with said northeasterly boundary line and said southwesterly right-of-way and with said curve along an arc of 52.55 feet to a cross in concrete found for the end of said curve;

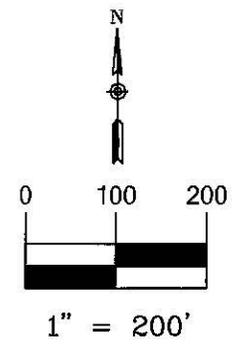
THENCE South 57 degrees 08 minutes 00 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 32.96 feet to the point of beginning and containing 6.6784 acres of land more or less.



6.68 ACRES
EXISTING ZONING: "LI"
PROPOSED ZONING: "WH"

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N50°47'40"W	113.30'
L2	N57°08'00"W	146.07'
L3	S89°12'19"W	17.18'
L4	S44°55'00"W	3.72'
L5	N89°26'15"E	573.80'
L6	N00°33'45"W	255.63'
L7	N57°08'00"W	32.96'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CH DIRECTION	CH LENGTH	
C1	52.55'	475.00'	6°20'20"	N53°57'50"W	52.52'	
C2	262.95'	1450.00'	10°23'25"	N51°56'18"W	262.59'	
C3	674.15'	495.00'	78°01'54"	S05°54'03"W	623.24'	



THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
BY: Richard W. DeOtte
Reg. No.: 74232
Date: 04/03/2017

REW MATERIALS
ZONING EXHIBIT
LEWISVILLE, TEXAS

DEOTTE, INC.
CIVIL ENGINEERING FIRM REGISTRATION # P-160316 (TX) WWW.DEOTTEINC.COM

430 Johnson Road, Suite 303
Keller, Texas 76248
Ph: 817-337-5133 Fax: 817-337-8899

DRAWN BY: DSM	SCALE: 1"=200'	DATE: 4/03/2017	PROJECT NO.: 201710700	SHEET: 1 OF 1
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ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR A WHOLESALE ESTABLISHMENT WITH OUTSIDE STORAGE ON MORE THAN TEN PERCENT OF THE PLATTED LOT ON A 6.68-ACRE TRACT OF LAND OUT OF THE L.N. SPARKS SURVEY, ABSTRACT NO. 1214, LEGALLY DESCRIBED AS LOTS 11 AND 12, BLOCK A, ARTX PARK ADDITION, BOUNDED BY EAST VALLEY RIDGE BOULEVARD ON THE NORTHEAST AND MARIO COURT ON THE WEST; AND ZONED WAREHOUSE DISTRICT (WH); PROVIDING FOR A REPEALER, SEVERABILITY, PENALTY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made requesting approval of a Special Use Permit for a wholesale establishment with outside storage on more than ten percent (10%) of the platted lot 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 6.68-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 warehouse distribution facility with outside storage on more than ten percent (10%) of the platted lot on the Property, which is zoned Warehouse District (WH).

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, and site cross sections, attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations; and
3. upon the completion of construction of a second sanitary sewer force main across the Property, the Property owner at the time shall be responsible for any concrete replacement within the existing 30-foot sanitary sewer easement; and
4. with no pole signs allowed.

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 8TH DAY OF JANUARY, 2018.

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
Building Elevations
Site Cross Sections

EXHIBIT A

LEGAL DESCRIPTION: Being a tract of land out of the J. H. Havens Survey, Abstract No. 541 and situated in the City of Lewisville, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in March 2017, said tract being Lot 11 and Lot 12, Block A, ARTX Park Addition, An Addition to the City of Lewisville, Texas according to the plat thereof recorded in Volume 2012, Page 56 of the Plat Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a cross in concrete found for the northeast corner of said Lot 12, said cross being in the southwesterly right-of-way line of Valley Ridge Boulevard;

THENCE South 00 degrees 33 minutes 45 seconds East with the easterly boundary line of said Block A a distance of 255.63 feet to a ½ inch capped steel rod found for the southeast corner of said Lot 11;

THENCE South 89 degrees 26 minutes 15 seconds West with the southerly boundary line of said Lot 11 a distance of 573.80 feet to a ½ inch capped steel rod found for the southwest corner thereof, said rod being in the easterly right-of-way line of Mario Court, and also being the beginning of a curve to the right with a radius of 495.00 feet and whose chord bears North 05 degrees 54 minutes 03 seconds East at 623.24 feet;

THENCE northerly with the westerly boundary line said of Block A and said easterly right-of-way and with said curve along an arc length of 674.15 feet to the end of said curve;

THENCE North 44 degrees 55 minutes 00 seconds East continuing with said westerly boundary line and said easterly right-of-way a distance of 3.72 feet to a ½ inch capped steel rod found for the westerly end of a corner clip for said easterly right-of-way line and said southwesterly right-of-way line;

THENCE North 89 degrees 12 minutes 19 seconds East with said corner clip a distance of 17.18 feet to a ½ inch capped steel rod found for the easterly end thereof, said rod being in the said southwesterly right-of-way, and also the beginning of a curve to the left with a radius of 1450.00 feet and whose chord bears South 51 degrees 56 minutes 18 seconds East at 262.59 feet;

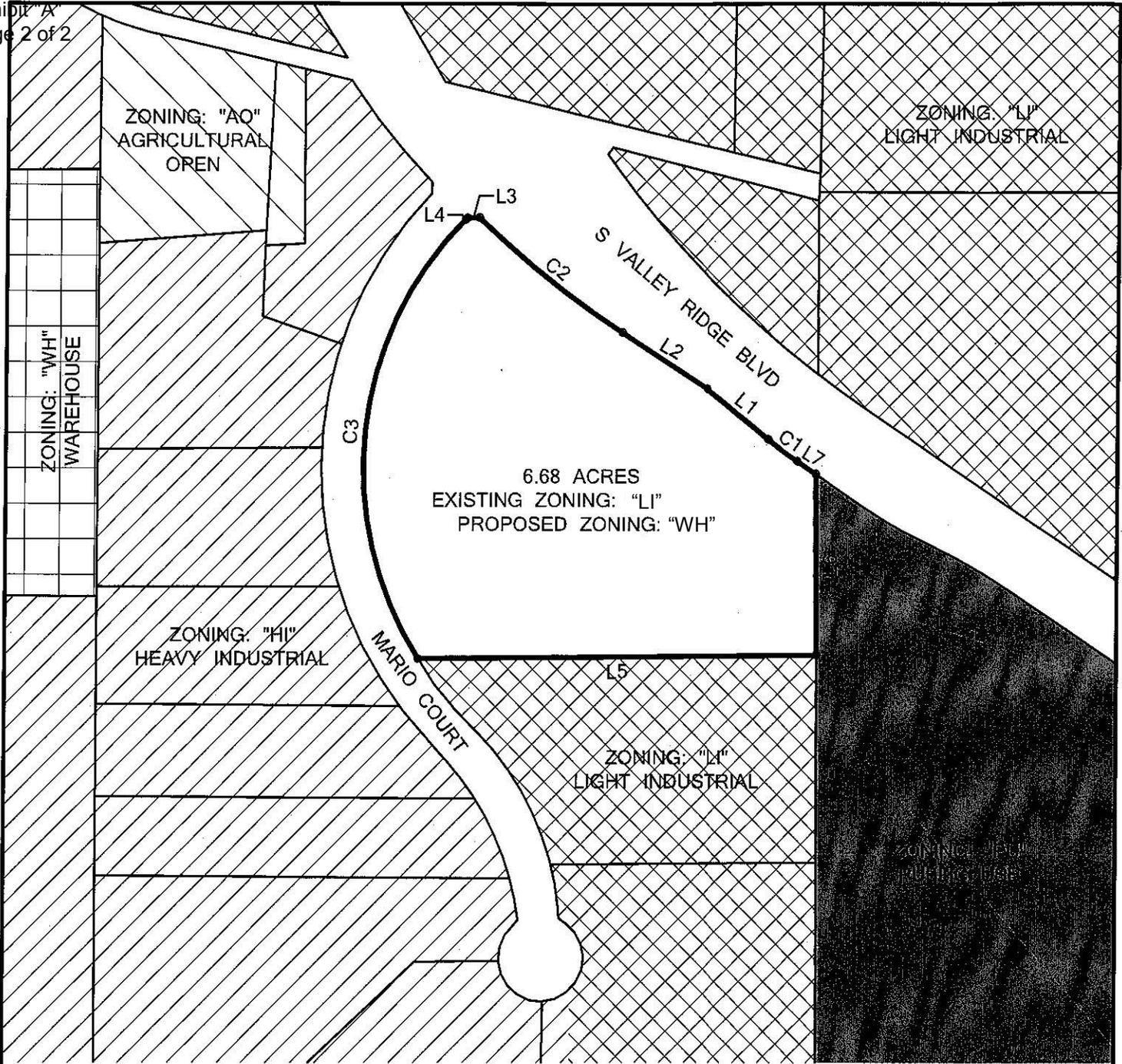
THENCE Southeasterly with the northeasterly boundary line of said Lot 12 and said southwesterly right-of-way and with said curve along an arc length of 262.95 feet to a fence post found for the end of said curve;

THENCE South 57 degrees 08 minutes 00 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 146.07 feet to a cross in concrete found;

THENCE South 50 degrees 47 minutes 40 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 113.30 feet to a cross in concrete found, for the beginning of a curve the left with the radius of 475.00 feet and whose chord bears South 53 degrees 57 minutes 50 seconds East at 52.52 feet;

THENCE Southeasterly with said northeasterly boundary line and said southwesterly right-of-way and with said curve along an arc of 52.55 feet to a cross in concrete found for the end of said curve;

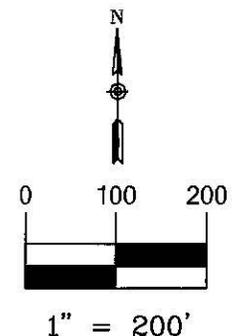
THENCE South 57 degrees 08 minutes 00 seconds East continuing with said northeasterly boundary line and said southwesterly right-of-way a distance of 32.96 feet to the point of beginning and containing 6.6784 acres of land more or less.



6.68 ACRES
EXISTING ZONING: "LI"
PROPOSED ZONING: "WH"

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N50°47'40"W	113.30'
L2	N57°08'00"W	146.07'
L3	S89°12'19"W	17.18'
L4	S44°55'00"W	3.72'
L5	N89°26'15"E	573.80'
L6	N00°33'45"W	255.63'
L7	N57°08'00"W	32.96'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CH DIRECTION	CH LENGTH	
C1	52.55'	475.00'	6°20'20"	N53°57'50"W	52.52'	
C2	262.95'	1450.00'	10°23'25"	N51°56'18"W	262.59'	
C3	674.15'	495.00'	78°01'54"	S05°54'03"W	623.24'	



THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
BY: Richard W. DeOtte
Reg. No.: 74232
Date: 04/03/2017

REW MATERIALS
ZONING EXHIBIT
LEWISVILLE, TEXAS

DEOTTE, INC.
CIVIL ENGINEERING FIRM REGISTRATION # P-160316 (TX) WWW.DEOTTEINC.COM

430 Johnson Road, Suite 303
Keller, Texas 76248
Ph: 817-337-5133 Fax: 817-337-8899

DRAWN BY: DSM	SCALE: 1"=200'	DATE: 4/03/2017	PROJECT NO.: 201710700	SHEET: 1 OF 1
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July 7, 2017

Mr. Richard Luedke, AICP
Planning Manager
151 W. Church Street
Lewisville, Texas 75057

Re: REW Materials Site Relocation
Mario Court at East Valley Ridge Drive

Dear Mr. Luedke:

On behalf of our client, KCG, Inc. we are submitting this zoning change request and Special Use Permit to develop the site in a way to expand and improve the operations of the underlying existing business in Lewisville.

The site is currently zoned LI (light industrial). The proposed zoning is Warehouse and we are submitting an SUP for the City's consideration.

KCG, Inc has owned and operated REW Materials in Lewisville for 17 years. KCG, Inc is a family owned business that is over 50 years old. They are the 4th largest supplier of drywall and related building products in the US with our Lewisville location distributing more metal stud products than any other facility in the country, including our competition. This makes us a vital contributor to the growth in Lewisville and surrounding areas. With our sales volume, we're also a great support in the tax base for Lewisville. The one thing that stood out in our initial presentation is we employ approximately 30 employees with an average salary of approximately \$90,000 per year.

REW Materials is pleased to relocate within the City of Lewisville to a new location to improve their operation.

The proposed zoning change and SUP allow for the site to develop in a way to expand their business operations and increase the efficiency of the operation as well.

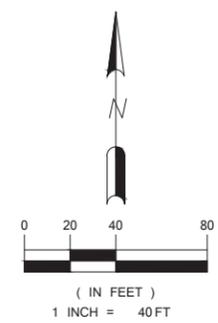
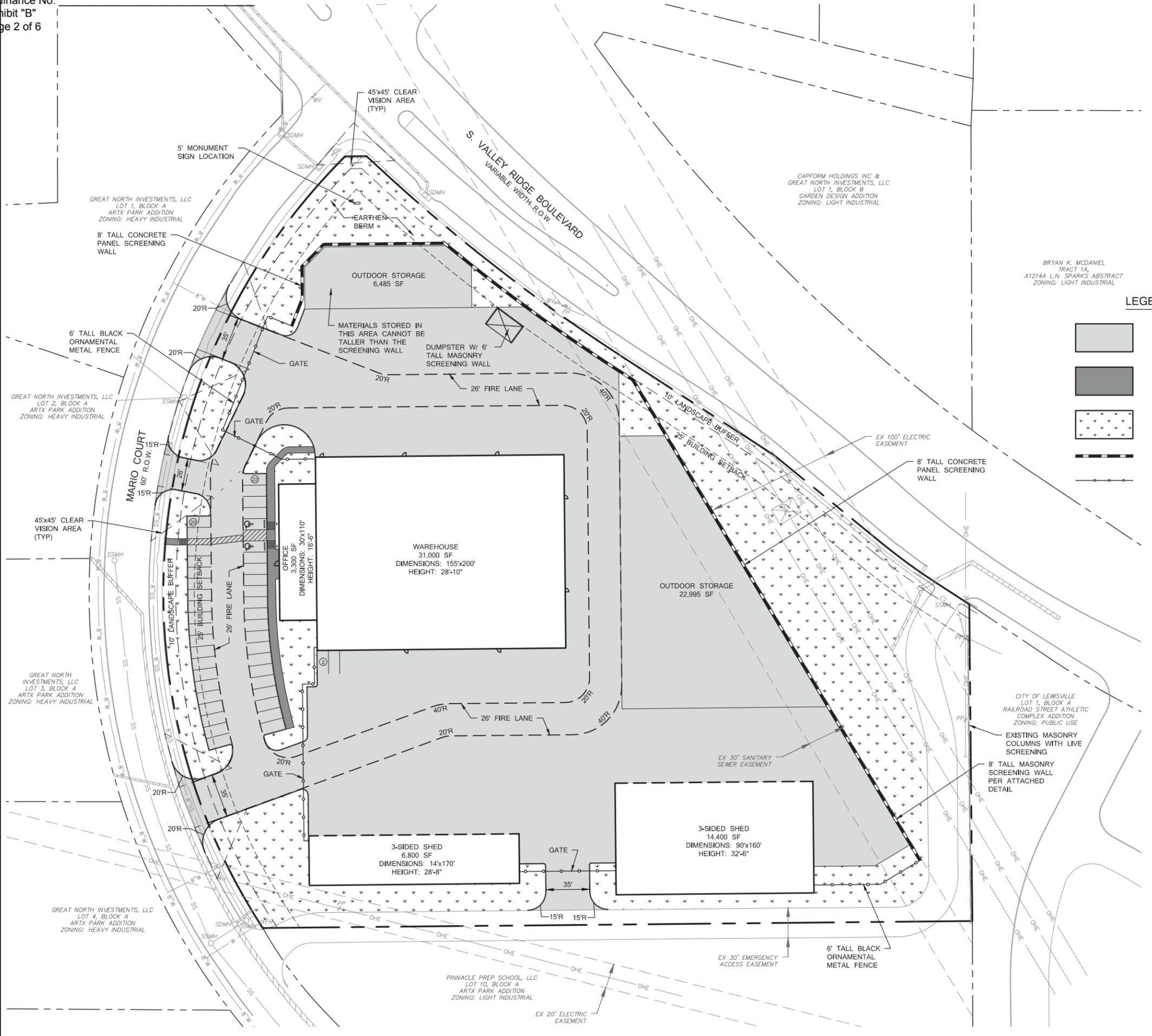
REW has enjoyed a good relationship with the City of Lewisville for many years and we believe that this relocation/expansion will be good for the City as well as REW materials to continue to have a great relationship into the future.

Sincerely,

DeOtte, Inc.

A handwritten signature in blue ink that reads "Richard W. DeOtte".

Richard W. DeOtte, P.E., CFM



VICINITY MAP
SCALE: 1" = 1000'

BRYAN K. MCDANIEL
TRACT 1A,
A1214A L.N. SPARKS ABSTRACT
ZONING: LIGHT INDUSTRIAL

LEGEND

-  PROPOSED CONCRETE PAVEMENT
-  PROPOSED CONCRETE SIDEWALK
-  PROPOSED LANDSCAPING
-  8' TALL CONCRETE PANEL SCREENING WALL
-  6' TALL BLACK ORNAMENTAL METAL FENCE

SITE DATA	
LOT AREA	290,913 SF (6.68 AC)
EXISTING ZONING	LIGHT INDUSTRIAL (LI)
PROPOSED ZONING	WAREHOUSE (WH)
EXISTING USE	VACANT
PROPOSED USE	WAREHOUSE & OUTSIDE STORAGE
BUILDING AREA	3,300 SF OFFICE 31,000 SF WAREHOUSE
BUILDING HEIGHT	OFFICE: 16'-6" WAREHOUSE: 28'-10"
IMPERVIOUS AREA	218,490 SF (75.1%)
PARKING REQUIRED	33 SPACES (INCLUDING 2 ADA SPACES) OFFICE = 1/200 SF = 17 SPACES WAREHOUSE = 1/2,000 SF = 16 SPACES
PARKING PROVIDED	44 SPACES (42 REGULAR & 2 ADA)
OUTDOOR STORAGE	50,680 SF (17.4%)

NOTES:

1. ALL PARKING SPACES ARE 9' WIDE x 19' DEEP
2. ALL FIRE LANES ARE MINIMUM 26' WIDE WITH INSIDE RADII MEASURING 20' AND OUTSIDE RADII MEASURING 40'
3. NO POLE SIGNS ON SITE. 6' MONUMENT SIGN AND ALL WALL SIGNAGE WILL MEET SIGN ORDINANCE
4. THE OWNER WILL BE RESPONSIBLE FOR CONCRETE REPLACEMENT WITHIN THE 30-FOOT SANITARY SEWER EASEMENT AT THE TIME THE FUTURE SECOND SANITARY SEWER FORCE MAIN IS INSTALLED.

VARIANCES APPROVED BY CITY COUNCIL ON _____, 2017

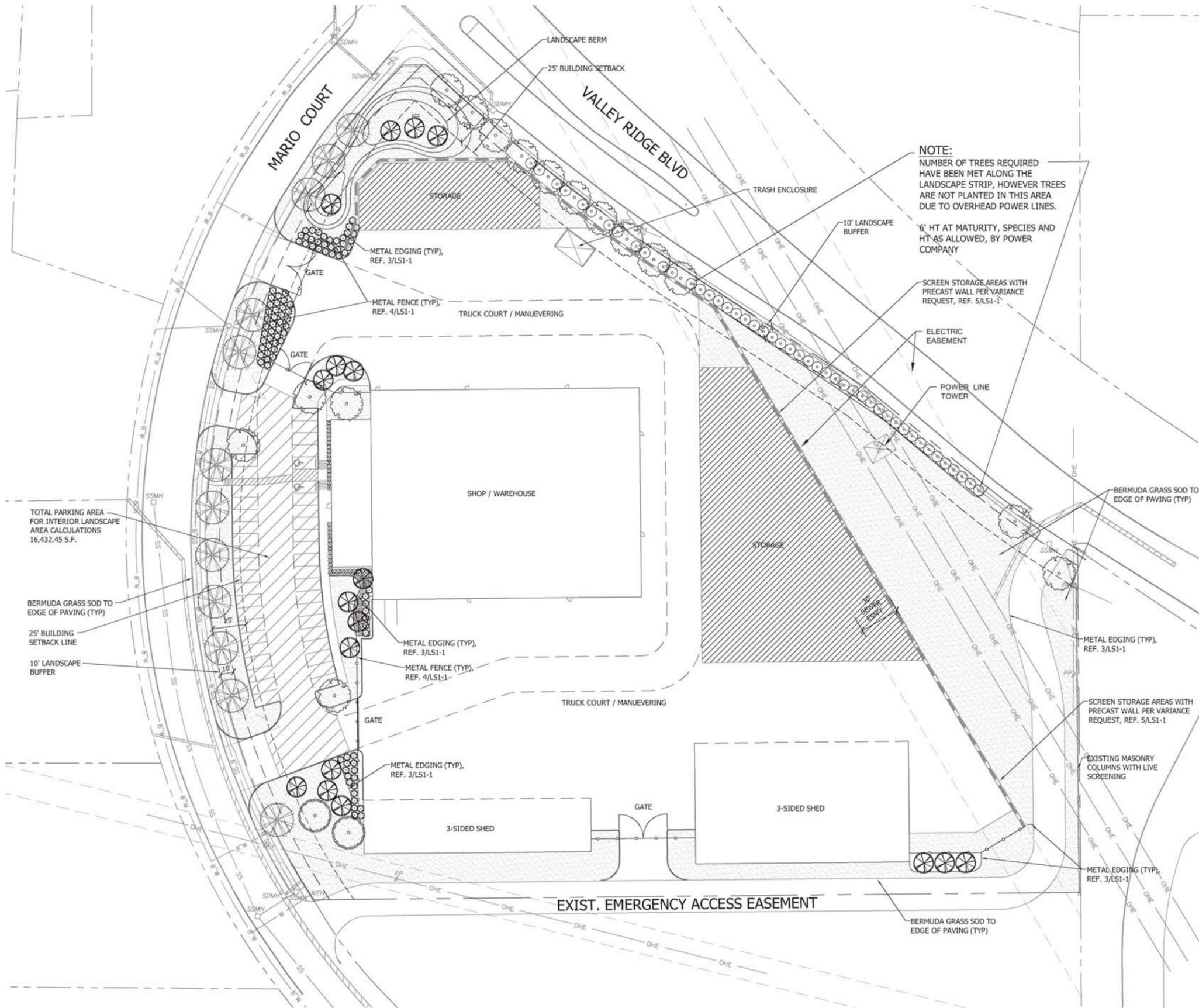
- A. TO ALLOW A REDUCTION IN EXTERIOR MATERIAL REQUIREMENTS FROM THE 80% BRICK VENEER TO 30% BRICK VENEER ON THE WEST ELEVATION AND 100% STUCCO ON THE NORTH, SOUTH AND EAST ELEVATIONS OF THE MAIN BUILDING.
- B. TO ALLOW A REDUCTION IN EXTERIOR MATERIAL REQUIREMENTS FROM THE 80% BRICK VENEER TO 0% BRICK VENEER ON TWO OUTSIDE STORAGE THREE-SIDED SHEDS AND 100% STUCCO ON THE EASTERN ELEVATION OF THE EASTERN SHED.
- C. TO ALLOW STORAGE ABOVE THE HEIGHT OF THE SCREENING WALL.
- D. TO ALLOW PRECAST PANEL SCREENING WALL WITHIN 25 FEET OF THE STREET RIGHT-OF-WAY CONSTRUCTION.

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
BY: Richard W. DeOtte
Reg. No.: 74232
Date: 9/29/2017

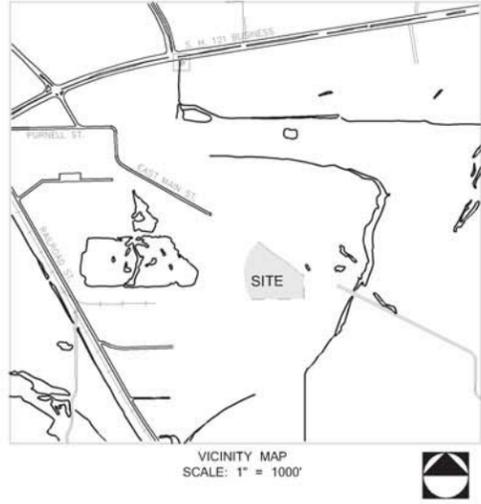
OWNER:
REW GRAY PROPERTIES, LLC
15720 W 108TH STREET, SUITE 100
LENEXA, KANSAS 66219
(913) 438-4142
CONTACT: JIM BEDSWORTH, JR.

SITE PLAN PREPARER:
DEOTTE, INC.
420 JOHNSON RD, SUITE 303
KELLER, TEXAS 76248
(817) 337-8899

**DEVELOPMENT PLAN FOR
R.E.W. MATERIALS**
LOTS 11 & 12, BLOCK A
OF THE ARTX PARK ADDITION
6.68 ACRES
EXISTING ZONING: LI
PROPOSED ZONING - WH



NOTE:
 NUMBER OF TREES REQUIRED HAVE BEEN MET ALONG THE LANDSCAPE STRIP, HOWEVER TREES ARE NOT PLANTED IN THIS AREA DUE TO OVERHEAD POWER LINES.
 6' HT AT MATURITY, SPECIES AND HT AS ALLOWED, BY POWER COMPANY



LANDSCAPE REQUIREMENTS

- 1 - 2.5" CAL. TREE PER 50 LF OF 10' LANDSCAPE BUFFER
 565 L.F. ALONG MARIO CT = 12 TREES REQUIRED
 12 TREES PROVIDED
- 585 L.F. ALONG VALLEY RIDGE BLVD =
 12 TREES REQUIRED
 12 TREES PROVIDED
- 1 - 2.5" CAL. TREE PER 15 PARKING SPACES
 42 PARKING SPACES = 3 TREES REQUIRED
 4 TREES PROVIDED

INTERIOR LANDSCAPING REQUIREMENTS

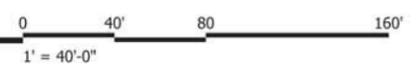
TOTAL PARKING AREA = 16,432.45 S.F.
 INTERIOR LANDSCAPE AREA = 5%
 REQUIRED INTERIOR LANDSCAPE = 822 S.F.
 PROVIDED INTERIOR LANDSCAPE = 2,634 S.F.

Landscape Legend

- Shumard Red Oak *Quercus shumardii*
- Live Oak *Quercus virginiana*
- Cedar Elm *Ulmus crassifolia*
- Crape Myrtle 'Natchez' *Lagerstromia indica 'Natchez'*
- 'Nellie R. Stevens' Holly *Ilex x 'Nellie R. Stevens'*
- Maidengrass *Miscanthus sinensis 'Gracillimus'*
- 'Gulf Stream' Nandina *Nandina domestica 'Gulf Stream'*
- 'Big Blue' Liriope *Liriope muscari 'Big Blue'*
- Bermudagrass sod *Cynodon dactylon*
- Decorative stone / gravel

NOTE:
 ALL LANDSCAPED AREAS WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM, DESIGNED BY A LICENSED IRRIGATOR.

1 LANDSCAPE PLAN
PLAN



SAGE GROUP, INC.
 1130 N. Carroll Ave., Ste. 200
 Southlake, Texas 76092
 TEL 817-424-2626

Master Planning
 Urban Design
 Architecture
 Landscape Architecture

FOR BIDDING AND REVIEW PURPOSES ONLY. THESE DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.

KELLEE D. LEE
 RLA 2424

APPLICANT
 DEOTTE, INC.
 420 JOHNSON ROAD, SUITE 303
 KELLER, TX 76248
 Phone: 817-337-8899
 Contact: RICH DEOTTE

REW MATERIALS
LEWISVILLE, TEXAS

Issued
 MAR 31, 2017

Revisions

5/8/17 revised civil base
5/12/17 city comments
5/16/17 screening wall change
6/9/17 city comments
6/28/17 city comments

LANDSCAPE PLAN

SHEET
LS1-0

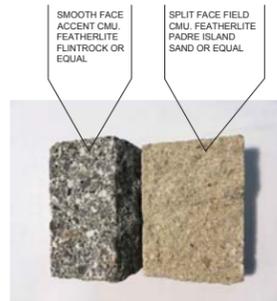


GRAPHIC EXAMPLE

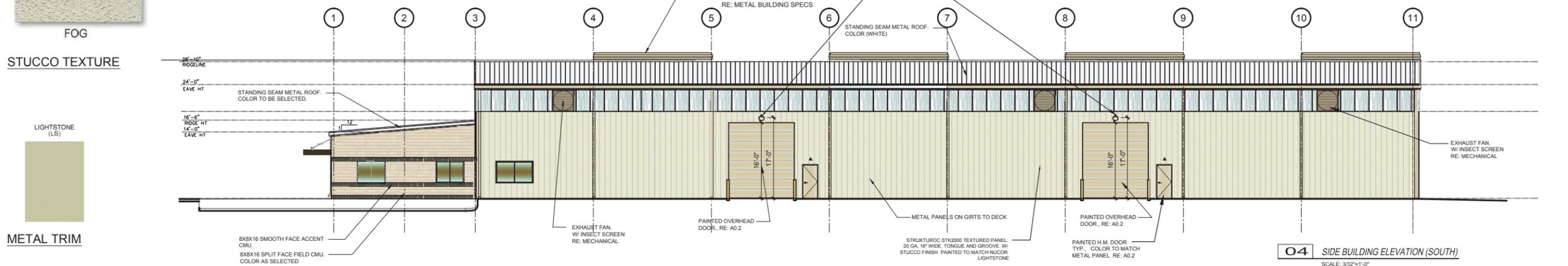
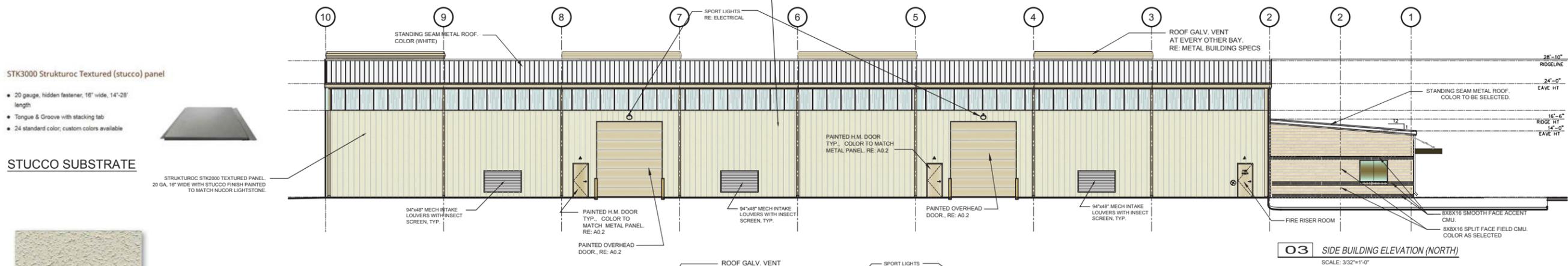
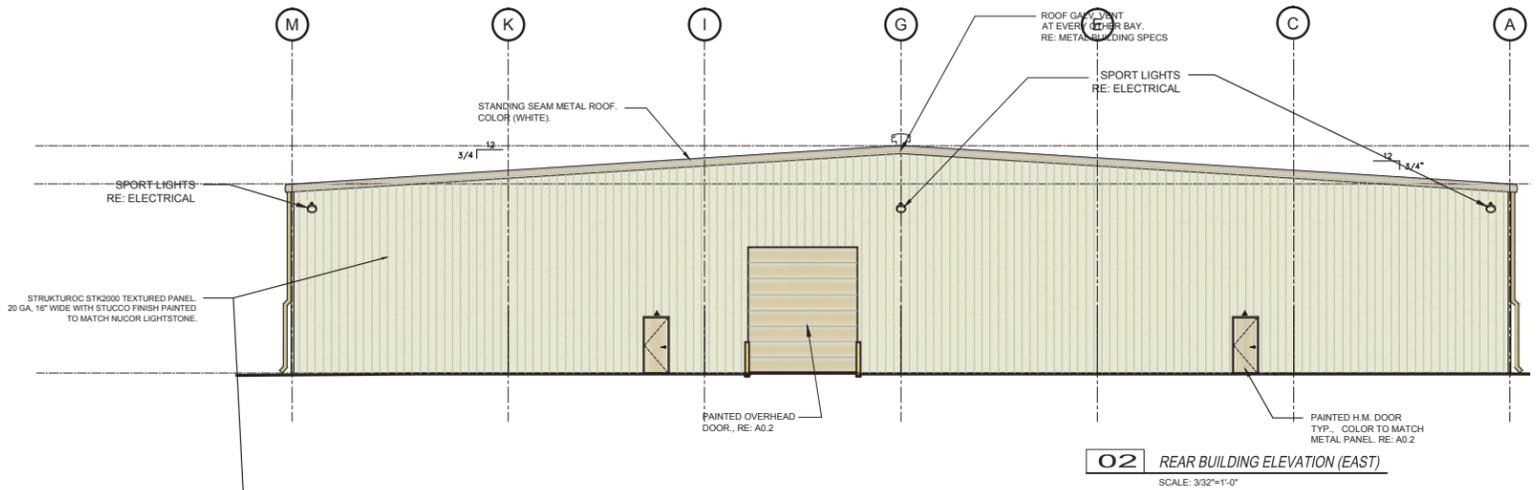
	TOTAL AREA (SF)	CMU / GLASS(SF)	%	STUCCO/PNL(SF)	%	OTHER(SF)	%	Total Check	%
SHOP/OFFICE									
NORTH WALL	5257	427	8%	3065	58%	1765	34%	5257	100%
SOUTH WALL	5257	427	8%	3194	61%	1636	31%	5257	100%
EAST WALL	3942	0	0%	3781	96%	161	4%	3942	100%
WEST WALL	3567	1039	29%	0	0%	0	0%	3567	100%
TOTALS>	18023	3382	19%	11079	62%	3562	20%	18023	100%

Note: Front elevation of 71% masonry on orthogonal view should include sidewalls of office. With masonry sidewalls of office included, the front elevation consists of 78% masonry. Structure is not capable of masonry suspension over office roof.

Note: "Other" finishes include trim, clerestory, painted metal doors



WALL AREA BREAKDOWN



STUCCO SUBSTRATE

STUCCO TEXTURE

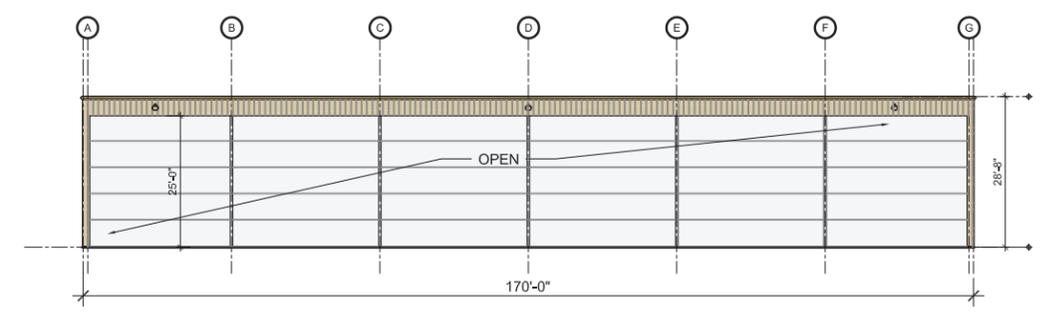
METAL TRIM



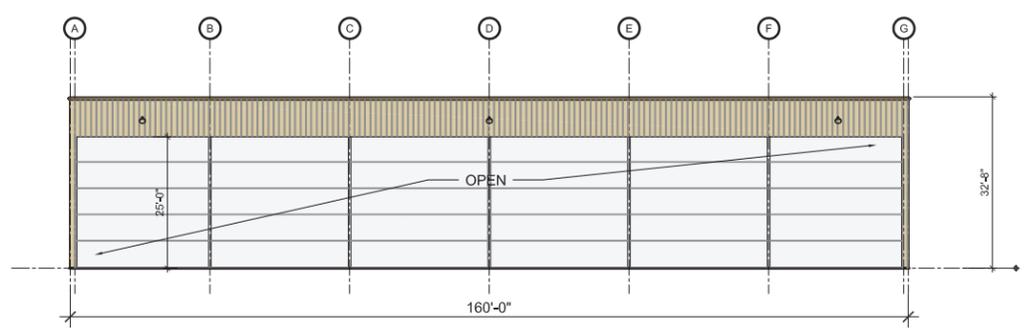
ISSUE AND REVISION LOG

DATE	ACTIVITY
09-27-17	PERMIT ISSUE
5-9-17	CITY REVIEW RESPONSE
6-14-17	CITY REVIEW RESPONSE
9-26-17	CITY REVIEW RESPONSE

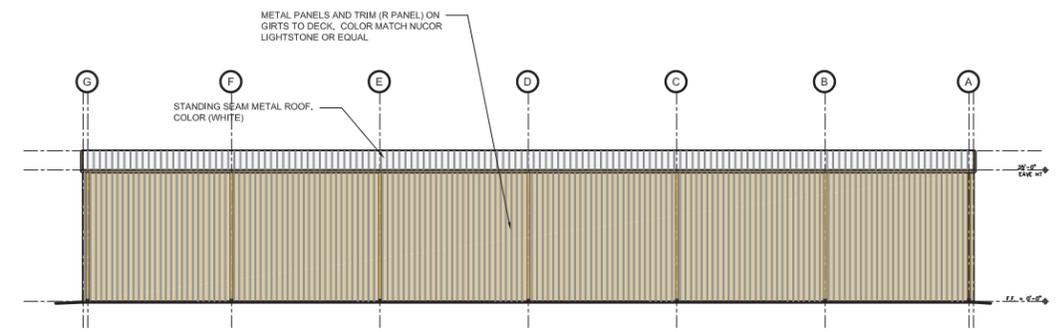
SPECIFIC TO THIS PROJECT. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED. THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND MAY BE COPIED ONLY BY WRITTEN PERMISSION.



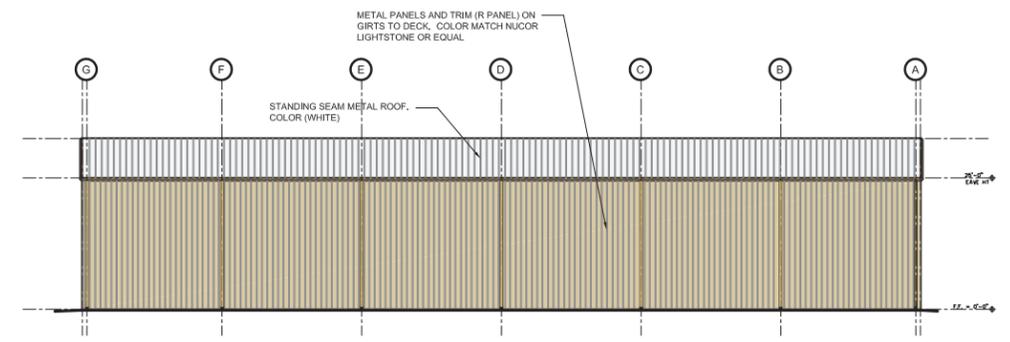
05 SHED 2 FRONT ELEVATION
SCALE: 1/16"=1'-0"



01 SHED 1 FRONT (NORTH) ELEVATION
SCALE: 1/16"=1'-0"



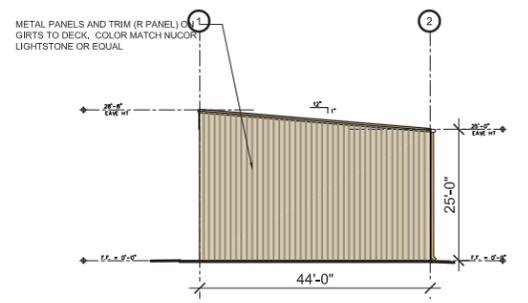
07 SHED 2 REAR ELEVATION
SCALE: 1/16"=1'-0"



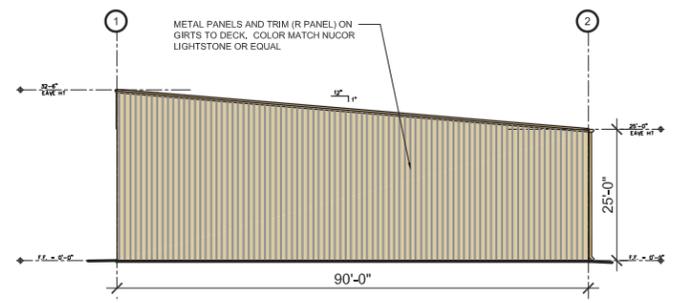
02 SHED 1 REAR (SOUTH) ELEVATION
SCALE: 1/16"=1'-0"

MATERIAL CALCULATION:
100% OF THE BUILDING CONSISTS OF PRE-FINISHED 24 GAUGE METAL "R" PANEL.

MATERIAL CALCULATION:
100% OF THE BUILDING CONSISTS OF PRE-FINISHED 24 GAUGE METAL "R" PANEL.



08 SHED 2 SIDE ELEVATION (TYP)
SCALE: 1/16"=1'-0"

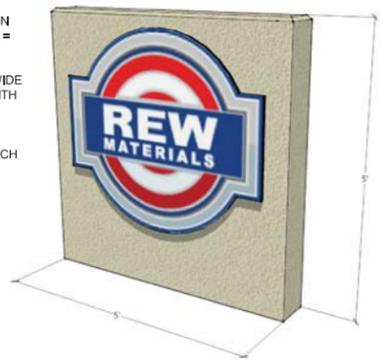


03 SHED 1 SIDE (WEST) ELEVATION (TYP)
SCALE: 1/16"=1'-0"

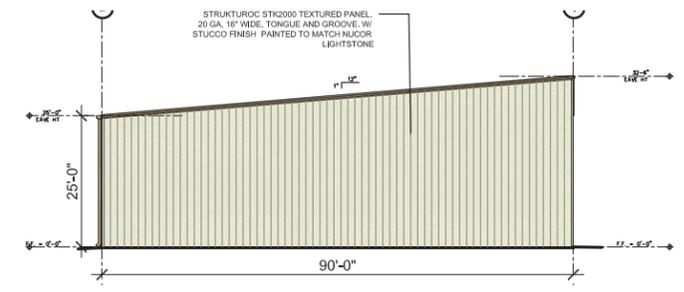
MONUMENT SIGN SIZE ALLOWED BASED ON 744' BUILDING PERIMETER X 1.5 SF PER LF = 1116 SF ALLOWED

PROPOSED MONUMENT CONSISTS OF 5' WIDE X 5' HIGH (20 SF) CONCRETE PEDESTAL WITH SURFACE MOUNTED CORPORATE LOCO - ILLUMINATION TO BE SELECTED

COLOR OF MONUMENT PEDESTAL TO MATCH BUILDING.



09 MONUMENT SIGNAGE
SCALE: N.T.S.



04 SHED 1 SIDE (EAST) ELEVATION (TYP)
SCALE: 1/16"=1'-0"

urban
CONSTRUCTION
SOUTHWEST, Inc.
2537 S. Gessner, Suite 220
Houston, Texas 77063
713.339.5389 Ph. 713.339.5389 Fx



ISSUE AND REVISION LOG

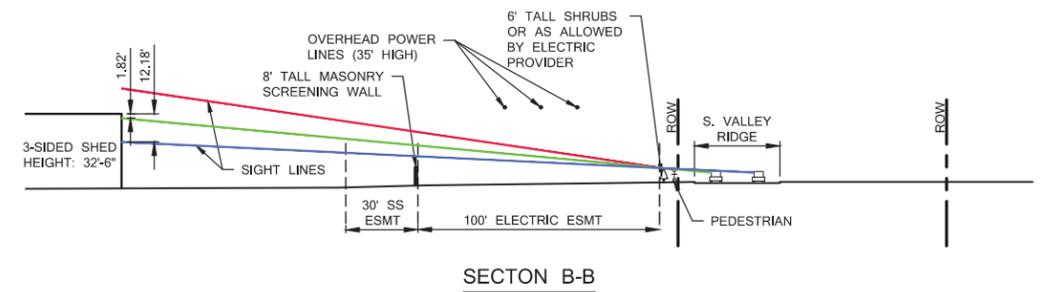
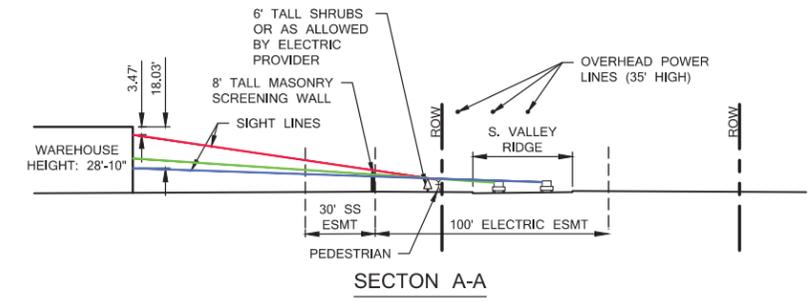
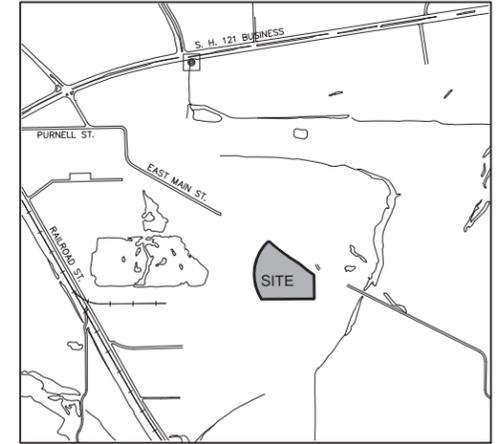
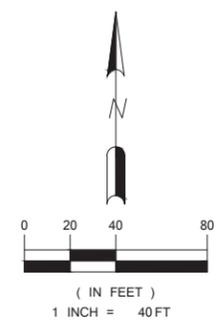
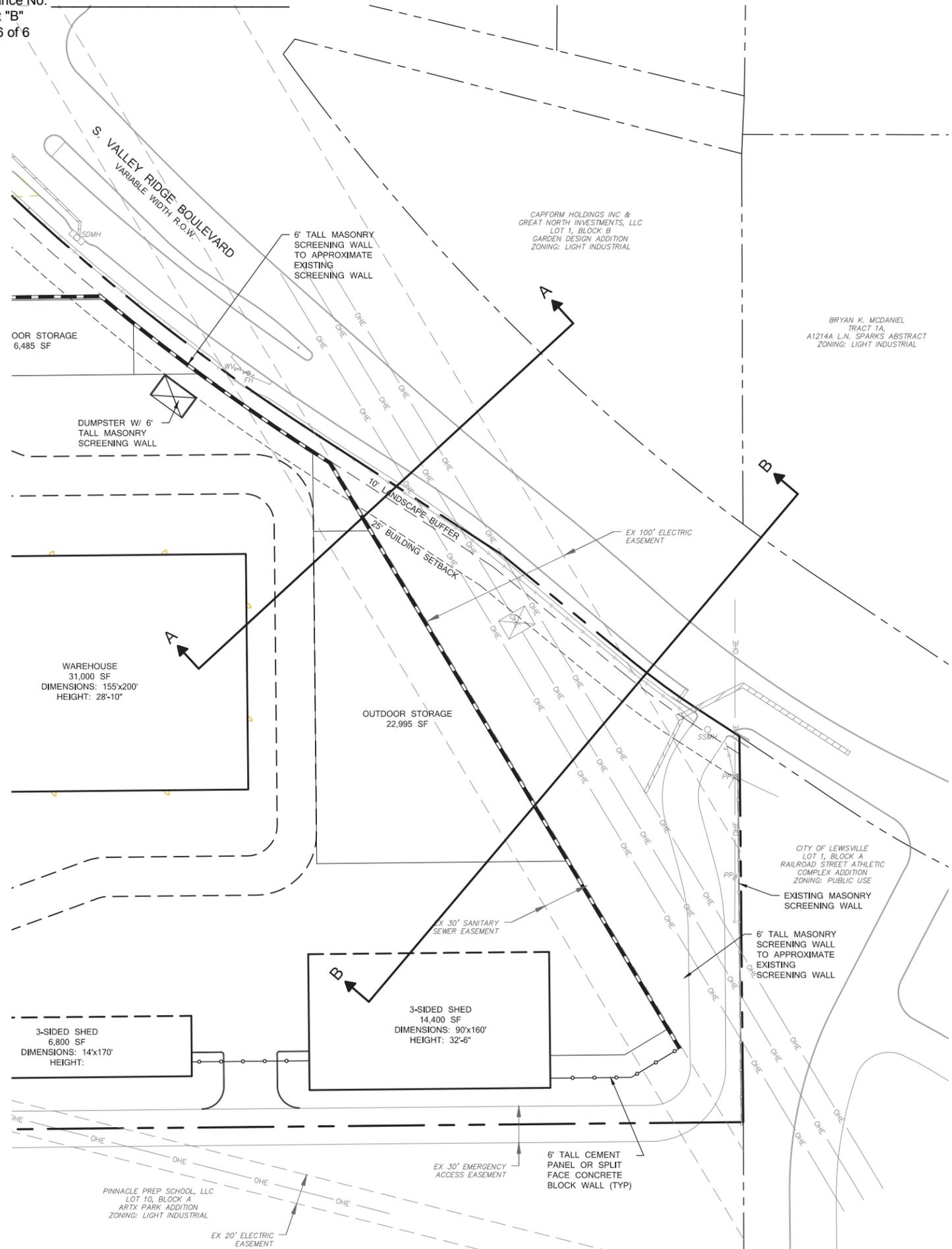
DATE	ACTIVITY
09-27-17	PERMIT ISSUE
5-9-17	CITY REVIEW RESPONSE
6-13-17	CITY REVIEW RESPONSE
9-26-17	CITY REVIEW RESPONSE

R.E.W.
Lewisville, TX

**SHED 1
EXTERIOR
ELEVATIONS**

SCALE: AS NOTED

A3.2



THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
 BY: Richard W. DeOtte
 Reg. No.: 74232
 Date: 07/07/2017

SITE CROSS SECTIONS FOR R.E.W. MATERIALS
 LOTS 11 & 12, BLOCK A
 OF THE ARTX PARK ADDITION
 6.68 ACRES
 EXISTING ZONING: LI & HI
 PROPOSED ZONING - WH

MEMORANDUM

TO: Donna Barron, City Manager
FROM: Richard E. Luedke, Planning Director
DATE: January 8, 2018
SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change from Agriculture Open Space District (AO) to Light Industrial District (LI) on an Approximately 84.172-Acre Tract of Land out of the S.M. Hayden Survey, Abstract No. 537 and the H. Young Survey, Abstract No. 1448, Located on the South Side of Midway Road Approximately 800 Feet West of F.M. 544; as Requested by Robert Allen of First Industrial Realty Trust, Inc. on Behalf of Billy J. Myers and Raymond L. Myers, the Property Owners (Case No. PZ-2017-12-25).**

BACKGROUND

The property is located to the east of the Coyote Theater and is primarily used for agricultural purposes. The applicant plans to develop an industrial park on the property which is currently zoned Agriculture Open Space District (AO). The applicant is requesting Light Industrial District (LI) zoning which would allow light industrial uses. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of December 19, 2017.

ANALYSIS

The subject property consists of four parcels bounded by Holfords Prairie Road to the west and Midway Road to the north. The applicant plans to develop an industrial park containing four office/warehouse buildings ranging from approximately 125,000 square feet to 250,000 square feet. The two northern buildings will be constructed during Phase 1 and the remaining buildings will be built in phase two.

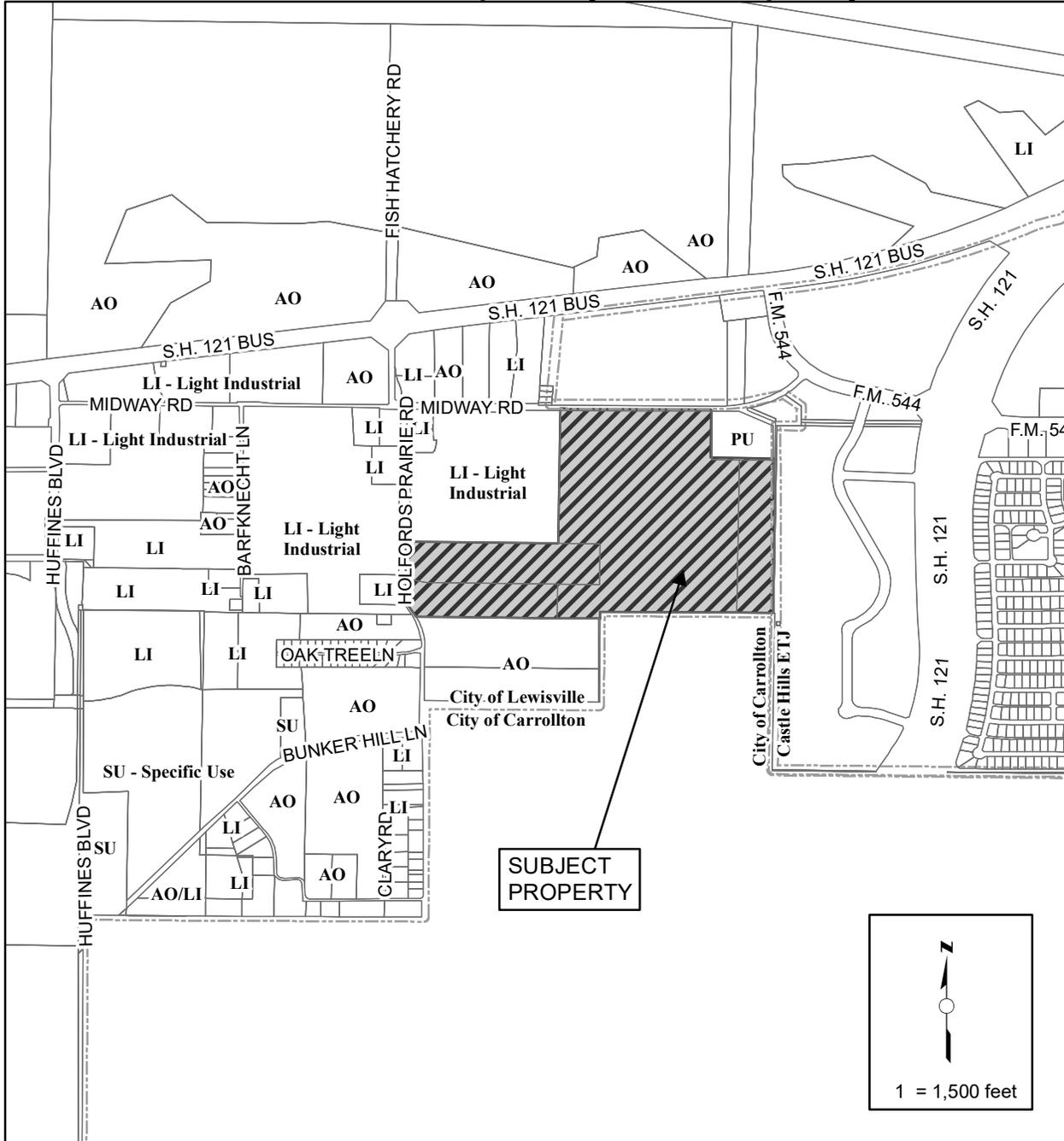
This site is adjoined by properties zoned LI to the west, which includes a drive-in theater, automotive and industrial uses. The property at the northeast corner of the subject property is zoned Public Use (PU). The property is adjoined by City of Lewisville ETJ to the north and east, and by City of Carrollton to the south.

The request for a zone change to LI is compatible with the surrounding area and is consistent with the Lewisville 2025 Plan Big Move # 6 - Employment Centers.

RECOMMENDATION

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

Location Map - Myers Property



CASE NO. PZ-2017-12-25

PROPERTY OWNER: BILLY J. MYERS AND RAYMOND L. MYERS

APPLICANT NAME: ROBERT ALLEN, FIRST INDUSTRIAL REALTY TRUST, INC.

PROPERTY LOCATION: SOUTH SIDE OF MIDWAY ROAD APPROXIMATELY 800 FEET WEST OF FM 544 (84.172-ACRES)

CURRENT ZONING: AGRICULTURE OPEN SPACE DISTRICT (AO)

REQUESTED ZONING: LIGHT INDUSTRIAL DISTRICT (LI)

Aerial Map - Myers Property



**MINUTES
PLANNING AND ZONING COMMISSION
DECEMBER 19, 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, James Davis and Karen Locke. Member Alvin Turner was absent.

Staff members present: Richard Luedke, Planning Director.

Item 2:

The second item on the agenda was to approve the minutes from the December 5, 2017, meeting. A motion was made by Karen Locke to approve the minutes, seconded by John Lyng. The motion passed unanimously (6-0).

Item 3:

Public Hearing Zoning & Special Use Permits were next on the agenda. There was one item for consideration:

- A. **Public Hearing:** Consideration of a Zone Change Request from Agriculture Open Space District (AO) to Light Industrial District (LI); on an Approximately 84.172-Acre Tract of Land out of the S.M. Hayden Survey, Abstract No. 537 and the H. Young Survey, Abstract No. 1448; Located on the South Side of Midway Road; Approximately 800 Feet West of F.M. 544; as Requested by Robert Allen of First Industrial Realty Trust, Inc. on Behalf of Billy J. Myers and Raymond L. Myers, the Property Owners. (Case No. PZ-2017-12-25).

Staff gave a brief overview of the proposed zone change request and recommended approval, stating the applicant was present and available to answer questions. Chairman Green asked how many jobs would be created by the proposed development. The applicant answered that the exact number depended on future tenants, but an estimate could be upwards of 200 jobs. With no further questions, 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, seconded by James Davis. The motion passed unanimously (6-0) Staff indicated that the item would be considered by the City Council on January 8, 2018 for a second public hearing and a final decision.

There being no other business to discuss, the meeting was adjourned at 6:38 p.m.

Respectfully Submitted,

Approved

Richard E. Luedke, AICP
Planning Director

Kristin Green, Chairman
Planning and Zoning Commission

SECTION 17-6. - "AO" AGRICULTURE – OPEN SPACE DISTRICT REGULATIONS

- (a) *Use.* A building or premise shall be used only for the following purposes:
- (1) All general and special agricultural, farming, ranching, stock and poultry raising, dairy and other related uses so long as same does not cause a hazard to health by reason of unsanitary conditions; and are not offensive by reason of odors, dust, fumes, noise or vibration; and are not otherwise detrimental to the public welfare; and in all cases poultry or livestock shall be kept as per the city's animal control ordinances.
 - (2) Public parks and recreation areas.
 - (3) Single-family dwellings on building lots of one (1) acre or more in areas where such dwellings can be served by city water and/or sanitary sewer services if practical or can be adequately served by water wells and/or septic tanks located on the building lot. The minimum floor area of any dwelling shall be one thousand four hundred (1400) square feet, exclusive of garages, breezeways and porches.
 - (4) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement (indoor or outdoor)..
 - (5) Buildings and uses owned or operated by public governmental agencies.
 - (6) Church worship facilities.
 - (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) Accessory dwelling unit (SUP required).
 - (11) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (12) Gas and oil drilling accessory uses (SUP required).
 - (13) 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.* All front, side, and rear yards shall have a dimension of not less than one hundred (100) feet.
 - (2) *Size of Lot.* No lot shall have an area of less than one (1) acre.
 - (3) *Lot Coverage.* In no case shall more than ten percent (10%) of the total area of the lot be covered by the combined area of the main buildings and accessory buildings.

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".

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>Billy J. Myers and Raymond L. Myers</u>	
Company Name:	
Mailing Address: <u>PO Box 110206, Carrollton, TX, 75011</u>	
Work #: <u>972-245-9400</u>	Cell #:
E-Mail:	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): <u>See attached letter of Authorization</u>	Date:
Printed Name: <u>Billy J. Myers</u> <u>Raymond L. Myers</u>	

Applicant/Agent (name): <u>Robert Allen</u>	
Company Name: <u>First Industrial Realty Trust, Inc.</u>	
Mailing Address: <u>2475 Merritt Drive, Garland, TX 75041</u>	
Work #: <u>972-419-5715</u>	Cell #: <u>214-288-8684</u>
E-Mail: <u>rallen@firstindustrial.com</u>	
Applicant/Agent Signature 	Date: <u>11-14-17</u>
Printed Name: <u>Robert Allen</u>	

Current Zoning: <u>AO</u>	Requested Zoning: <u>LI</u>	Acres: <u>84.1720</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>please see attached.</u>		
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: <u>5</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>175.00</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>1,175.00</u>
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REQUIRED:

Fully describe the plans for the property

We plan to develop a Class A Industrial Park similar to our recent developments in Arlington and Dallas.

Please see attached for photos and plans of our two most recent buildings we developed in Arlington.

NOTE:

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

October 24, 2017

First Industrial Realty Trust, Inc.
Robert Allen
2475 Merritt Drive
Garland, TX 75041

RE: Letter of Authorization to Rezone Myers Property

Dear Mr. Allen,

We hereby give First Industrial approval to rezone the parcel of land described on the attached from Agricultural Open to Light Industrial.

Sincerely,



Billy L. Myers
PO Box 110206
Carrollton, TX 75011

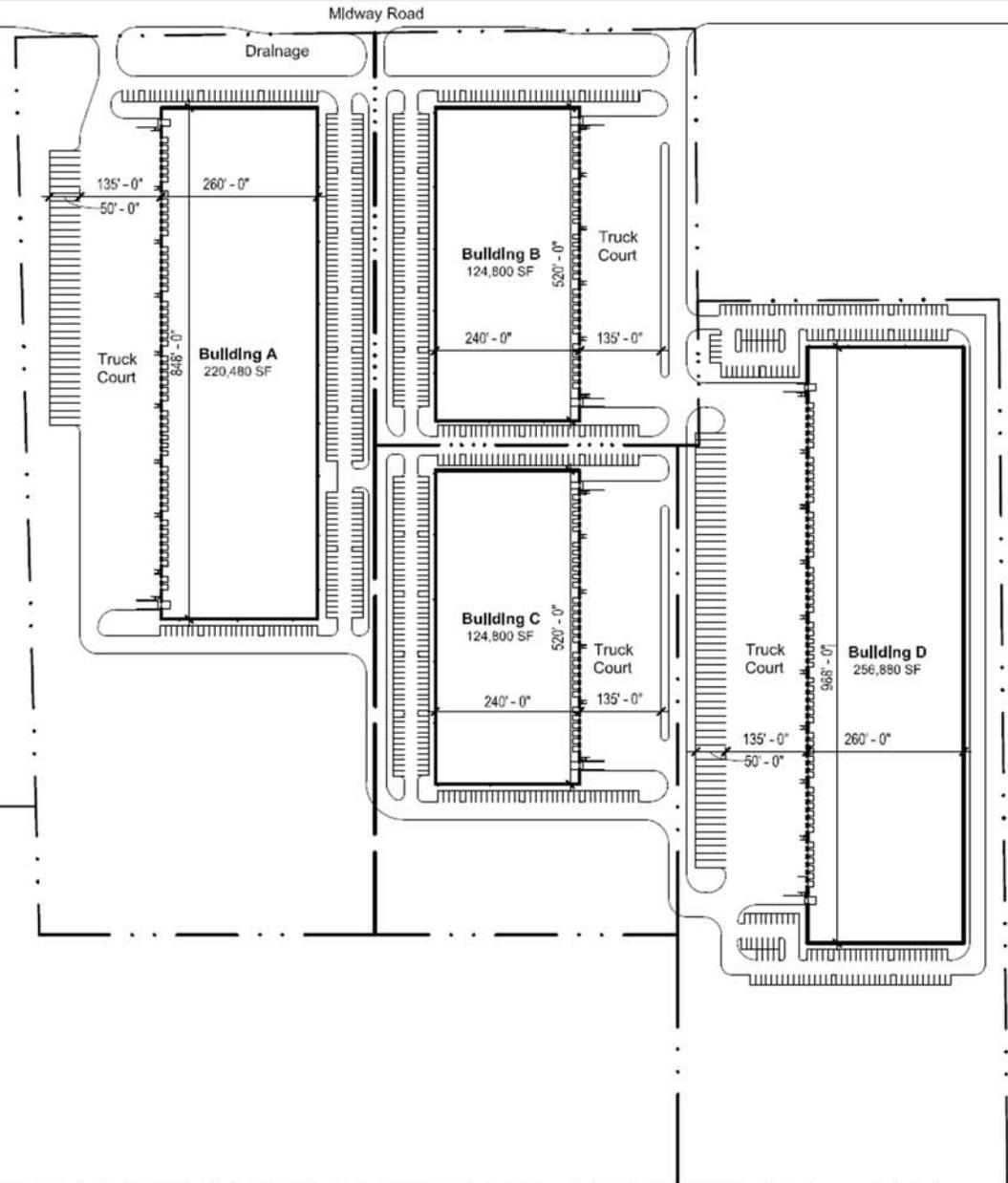


Raymond L. Myers
PO Box 116813
Carrollton, TX 75011

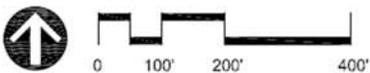
CONCEPT PLAN Lewisville, Texas

Tabulations

Building SF=	220,480	Building SF=	124,800
Car Parking =	222	Car Parking =	1
Trailer Parking =	38	9' x 10' Dock Door =	
9' x 10' Dock Door =	50	12' x 14' Ramp Door =	
12' x 14' Ramp Door =	2		
Building B		Building D	
Total Acreage =	8.54	Total Acreage =	18.
Building SF=	124,800	Building SF=	256,800
Car Parking =	168	Car Parking =	1
9' x 10' Dock Door =	29	Trailer Parking =	
12' x 14' Ramp Door =	2	9' x 10' Dock Door =	
		12' x 14' Ramp Door =	
Total Acreage =	84.172		
Building SF=	726,960		

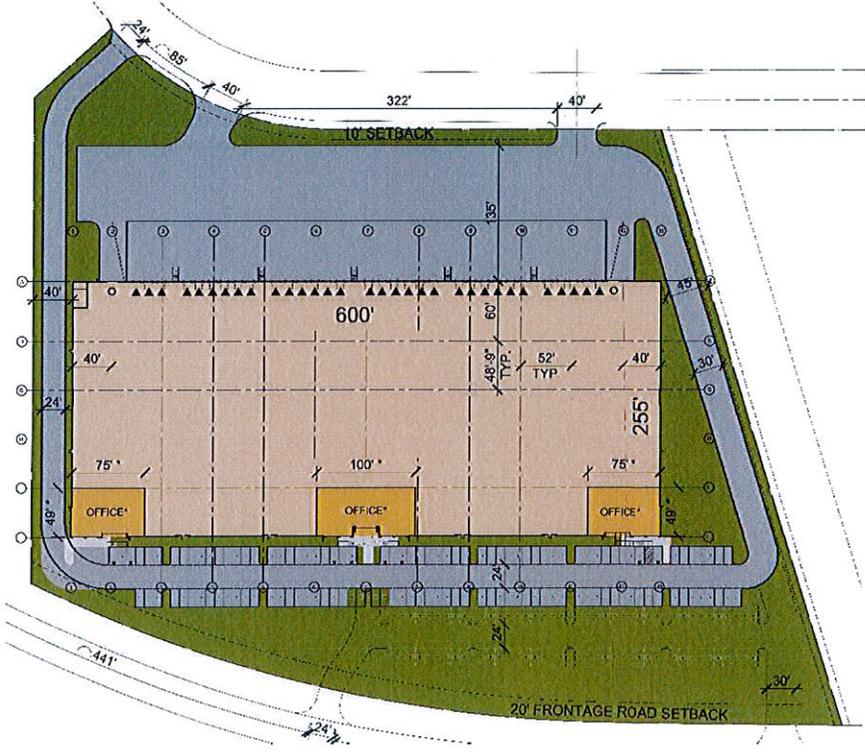


Undeveloped
27,972 ac

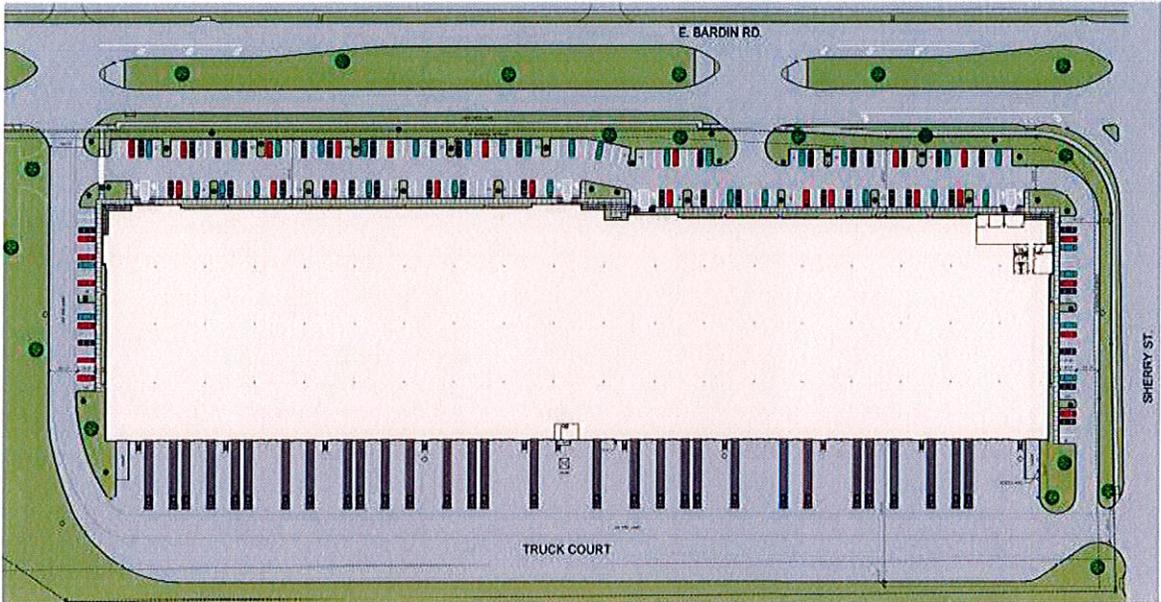


Examples of Our Other Recent Class A Buildings

3996 Scientific



2250 E. Bardin Road



ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING AN APPROXIMATELY 84.172-ACRE TRACT OF LAND OUT OF THE S.M. HAYDEN SURVEY, ABSTRACT NO. 537 AND THE H. YOUNG SURVEY, ABSTRACT NO. 1448, LOCATED ON THE SOUTH SIDE OF MIDWAY ROAD APPROXIMATELY 800 FEET WEST OF FM 544, FROM AGRICULTURE OPEN SPACE DISTRICT (AO) ZONING TO LIGHT INDUSTRIAL DISTRICT (LI) 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, A PENALTY, AND AN EFFECTIVE DATE; 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 84.172-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 **LIGHT INDUSTRIAL DISTRICT (LI) 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. 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 9. 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 passage and approval and publication, as the law in such cases provides, 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 8TH DAY OF
JANUARY, 2018.**

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

EXHIBIT A

AS-SURVEYED LEGAL DESCRIPTION

All that certain tract or parcel of land situated in the S. M. Haydon Survey, Abstract 537 and the H. Young Survey, Abstract 1448, Denton County, Texas being part of a certain (called) 126.36 acre tract deeded by L. D. Blair at et ux to W. L. Grimes on September 7, 1945 recorded in Volume 314, Page 358 Deed Records of Denton County, Texas, also being Tracts 1 and 2 described in a Special Warranty Deed recorded in Volume 4067, Page 1388, Deed Records of Denton County, Texas, also being all that certain tract or parcel of land situated in S. M. Haydon Survey, Abstract 537 (hereby referenced as Tract 3), described in a Deed of Trust recorded in Volume 1443, Page 94, of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with cap stamped "Half" in the South right-of-way line of Midway Road, a variable width public right-of-way, for the Northwest corner of the herein described tract of land, also being the Northeast corner of Lot 1, Block A of Coyote Theater Addition, recorded in Document No. 2016-32, of the Plat Records of Denton County, Texas. Said corner bears N 88°38'23"W, at a distance of 1023.62' from the Northwesternmost corner of said Lot 1, Block A of the Coyote theater addition;

THENCE S 88°52'46"E, following along the South right-of-way line of said Midway Road, a distance of 1128.94' to a 1/2" iron rod found with cap, for the Northeast corner of the herein described tract, also being the Northwest corner of Lot 1, Block A, Midway Pump Station Addition, recorded in Document No. 2009-126, of the Plat Records of Denton County, Texas;

THENCE S 01°16'22"W, along the West line of said Lot 1, Block A of Midway Pump Station Addition, a distance of 451.77' to a 1/2" iron rod found with cap stamped "B.H. & C." for an interior corner of the herein described tract, also being the Southwest corner of said Lot 1, Block A, Midway Pump Station Addition;

THENCE S 88°28'21"E, along the South line of said Lot 1, Block A of Midway Pump Station Addition, a distance of 499.91' to a 1/2" iron rod found with cap for an Easterly corner of the herein described tract, also being the Southeast corner of said Lot 1, Block A, Midway Pump Station Addition;

THENCE S 01°28'03"W, along a 69.6405 acres tract of land out of the H. Young Survey, Abstract 1448 described in a deed recorded in Document No. 2006-153340 for a distance of 1480.93' to a 10" wood fence post found for the Southeast corner of the herein described tract, said corner also being the Southeast corner of said 126.36 acre tract, said corner also being the Northeast corner of Lot 1, Block A of the Mansions at Sunset Ridge, recorded in Cabinet Y, Slide 591 of the Plat Records of Denton County, Texas;

THENCE N 87°41'45"W, along the North line of said Lot 1, Block A of the Mansions at Sunset Ridge, a distance of 1358.11' to a 1/2" iron rod found with cap in the South line of the herein described tract, also being the Northwest corner of said Lot 1, Block A of the Mansions at Sunset Ridge, also being the Northeast corner of a .13.69 acres tract out of the H. Young Survey, Abst. 1448 described in a deed recorded in Document No. 2016-100454;

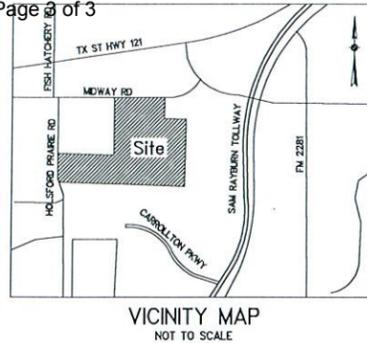
THENCE N 88°25'16"W, along the North line of said 13.69 acres tract, a distance of 1340.55' to a wood fence post found for a Southerly corner of the herein described tract, also being the Northwest corner of said 13.69 acres tract;

THENCE N 76°43'47"W, along the South line of said Tract 3, a distance of 171.46' to a 1/2" iron rod found for the Southwest corner of the herein described tract, also being the Southwest corner of said Tract 3, also being in the right-of-way of Holford's Prairie Road, a variable width public right-of-way;

THENCE N 01°25'33"E, along the West lines of said Tracts 2 and 3, a distance of 597.09' to a 1/2" iron rod found for a Westerly corner of the herein described tract, said corner also being the Northwest corner of said Tract 2, also being the Southwest corner of said Lot 1, Block A, Coyote Theater Addition;

THENCE S 88°22'21"E, along the South line of said Lot 1, Block A, Coyote Theater Addition, a distance of 1257.92' to a point for corner for an interior corner of the herein described tract, also being the Northeast corner of said Tract 2 from which a wood fence post found for reference bears S 88°22'21"E, a distance of 4.53' being the Southeast corner of said Lot 1, Block A, Coyote Theater Addition;

THENCE N 00°30'06"E, along the West line of said Tract 2, a distance of 1275.47' to the POINT OF BEGINNING and containing 3,666,534 square feet or 84.1720 acres, more or less.



FLOOD NOTE
By graphic plotting only, this property is in Zone "X" and Zone "A" of the Flood Insurance Rate Map, Community Flood Map No. 4801-C (07/00), which bears an effective date of April 18, 2011 and is PARTIALLY in a Special Flood Hazard area. On rare occasions, greater flooding can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

UTILITY STATEMENT
The visible utilities shown have been plotted from field survey information and/or provided drawings. The Surveyor makes no guarantee that the visible utilities shown are correct or that there are no other utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible.

POTENTIAL ENCROACHMENTS

- Building encroaches onto 100' building line.
- Building encroaches over 100' building line by up to 41'
- Building encroaches over 100' building line by up to 5.1'
- Building encroaches over 100' building line by up to 20.2'
- Wood shed encroaches onto 100' building line.
- Asphalt Road leading into Easement side of property varies in width from 9.2' to 11.3' and stretches up to 2414' onto property. Leading to asphalt driveway.

AS-SURVEYED LEGAL DESCRIPTION

All that certain tract or parcel of land situated in the S. M. Hayden Survey, Abstract 537 and the H. Young Survey, Abstract 1448, Denton County, Texas, being part of a certain (colored) 126.36 acre tract created by L. D. Blair et al. at his will, W. L. Grimes on September 7, 1945 recorded in Volume 314, Page 358 Deed Records of Denton County, Texas, also being Tracts 1 and 2 described in a Special Warranty Deed recorded in Volume 4037, Page 1388, Deed Records of Denton County, Texas, also being that certain tract or parcel of land situated in S. M. Hayden Survey, Abstract 537 (hereby referred to as Tract 3), described in a Deed of Trust recorded in Volume 1443, Page 94, of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING of a 1/2" iron rod found with cap stamped "Haff" in the South right-of-way line of Midway Road, a variable width public right-of-way, for the Northeast corner of the herein described tract, also being the Northeast corner of Lot 1, Block A, of Coyote Theater Addition, recorded in Document No. 2016-32, of the Plat Records of Denton County, Texas. Said corner bears N 88°58'23"W, at a distance of 1023.62' from the Northwesternmost corner of said Lot 1, Block A of the Coyote Theater Addition.

THENCE S 88°52'46"E, following along the South right-of-way line of said Midway Road, a distance of 1128.94' to a 1/2" iron rod found with cap, for the Northeast corner of the herein described tract, also being the Northeast corner of Lot 1, Block A, Midway Pump Station Addition, recorded in Document No. 2009-126, of the Plat Records of Denton County, Texas;

THENCE S 01°16'22"W, along the West line of said Lot 1, Block A of Midway Pump Station Addition, a distance of 4517.7' to a 1/2" iron rod found with cap stamped "B.H. & C." for an interior corner of the herein described tract, also being the Southwest corner of said Lot 1, Block A, Midway Pump Station Addition;

THENCE S 88°28'21"E, along the South line of said Lot 1, Block A of Midway Pump Station Addition, a distance of 499.91' to a 1/2" iron rod found with cap for an Eastern corner of the herein described tract, also being the Southeast corner of said Lot 1, Block A, Midway Pump Station Addition;

THENCE S 01°28'03"W, along a 69.6405 acre tract of land out of the H. Young Survey, Abstract 1448 described in a deed recorded in Document No. 2006-15340 for a distance of 1480.93' to a 6" wood fence post found for the Southeast corner of the herein described tract, said corner also being the Southeast corner of said 126.36 acre tract, said corner also being the Northeast corner of Lot 1, Block A of the Mansions at Sunset Ridge, recorded in Cabinet Y, Slide 591 of the Plat Records of Denton County, Texas;

THENCE N 87°41'45"W, along the North line of said Lot 1, Block A of the Mansions at Sunset Ridge, a distance of 1358.11' to a 1/2" iron rod found with cap in the South line of the herein described tract, also being the Northeast corner of said Lot 1, Block A of the Mansions at Sunset Ridge, also being the Northeast corner of a 13.69 acres tract out of the H. Young Survey, Abst. 1448 described in a deed recorded in Document No. 2016-100454;

THENCE N 88°25'16"W, along the North line of said 13.69 acres tract, a distance of 1340.55' to a wood fence post found for a Southern corner of the herein described tract, also being the Northwest corner of said 13.69 acres tract;

THENCE N 76°43'47"W, along the South line of said Tract 3, a distance of 1714.6' to a 1/2" iron rod found for the Southwest corner of the herein described tract, also being the Southwest corner of said Tract 3, also being in the right-of-way of Halfords Prairie Road, a variable width public right-of-way;

THENCE N 01°25'33"E, along the West line of said Tracts 2 and 3, a distance of 597.09' to a 1/2" iron rod found for a Western corner of the herein described tract, said corner also being the Northwest corner of said Tract 2, also being the Southwest corner of said Lot 1, Block A, Coyote Theater Addition;

THENCE S 88°22'21"E, along the South line of said Lot 1, Block A, Coyote Theater Addition, a distance of 1257.92' to a point for corner for an interior corner of the herein described tract, also being the Northeast corner of said Tract 2 from which a wood fence post found for reference bears S 88°22'21"E, at a distance of 4.53' being the Southeast corner of said Lot 1, Block A, Coyote Theater Addition;

THENCE N 00°30'06"E, along the West line of said Tract 2, a distance of 1275.47' to the POINT OF BEGINNING and containing 3166.534 square feet or 64.1720 acres, more or less.

SURVEYORS NOTE

- The nearest intersection is as shown hereon.
- There was no observable evidence of cemeteries found at the time of this survey.
- There was no observable evidence of current earth moving work, building construction and additions in or on the property, or evidence of recent street or sidewalk construction or repairs. There was no observable evidence of changes in right-of-way lines.
- There was no observable evidence of site being used as a solid waste dump, sump or sanitary landfill.
- The property has access to Midway Road and Halfords Prairie Road, which are both public rights-of-way.
- The property is designated as Denton CAD Account No. 112258, 19917, 19910, & 18420.
- The property described hereon is the same as the property described in Stewart Title Insurance Company's Commitment of No. 17000332180, issued with an effective date of September 10, 2017 and all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
- The property address at the time of survey was 2150 Midway Road.
- There was no observed evidence of shared party walls located on the subject property.
- The wetlands were not delineated/tagged by the appropriate authorities/experts at the time of survey.
- Professional Liability insurance policy obtained by the surveyor in the minimum amount of \$1,000,000 to be in effect throughout the contract term.
- All field measurements matched recorded dimensions within the precision requirements of ALTA/NSPS specifications unless otherwise shown.
- There are 0 regular parking spaces and 0 handicapped spaces on the property.
- The Basis of Bearings as shown hereon is based on the meridian and bounds recorded in a deed dated November 18, 1993 recorded in Tract 1 of Volume 4037, Page 1388, Deed Records, Denton County, Texas.
- The surveyor found multiple misclosures and errors within the original deeds filed with the County.
- The boundary lines shown hereon are a product of the monuments found in the field at the time of survey, all lines represent the boundary lines called for in and on surrounding plats and deeds filed with the County.

CALLED LINE TABLE

LINE	BEARING	DISTANCE
(1)	(S 01°13'00"W)	(141.04')
(2)	(S 88°52'46"E)	(166.60')
(3)	(N 00°08'36"E)	(376.74')
(3)	(S 00°31'36"W)	(376.74')
(4)	(N 88°44'00"W)	(232.37')
(5)	(N 00°13'11"E)	(256.13')
(5)	(S 00°13'11"W)	(257.22')
(6)	(N 76°05'25"W)	(170.43')
(7)	(N 87°00'03"W)	(232.95')

MEASURED LINE TABLE

LINE	BEARING	DISTANCE
L3	N 00°02'22"E	373.88'
L4	N 89°10'13"W	237.22'
L5	N 00°30'06"E	260.17'
L6	N 76°43'47"W	1714.6'



TEXAS EXCAVATION SAFETY SERVICES
1-800-344-8377

LEGEND

- Controlling Monument
- Found Iron Rod (FR)
- Fence Post Found (FND FNC POST)
- Not Found (NFD)
- Point for Corner (PTC)
- Record Bearing and Distance
- Utility Pole
- Gas Meter
- A/C Condenser
- Light Pole
- Water Meter
- Fire Hydrant
- Sanitary Sewer Manhole
- Electric Manhole
- Storm Manhole
- Cleanout
- Gas Meter
- Mailbox
- Sign
- Wood Fence
- Chain Linked Fence
- Metal Wire Fence
- Overhead Power Line

BOUNDARY TEXT LEGEND

- Field Measured Boundary
- County Recorded Subject Deed
- County Recorded Adjoiner Deed/Plat

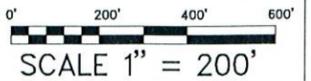
NOTES CORRESPONDING TO SCHEDULE B ITEMS

- The following was obtained from Title Commitment of No. 17000332180, issued by Stewart Title Insurance Company with an effective date of September 10, 2017.
- 106. Easement, Right of Way and/or Agreement by and between Raymond Lee Myers and Billy Jim Myers and the City of Lewisville, Texas, by instrument dated 7/19/1996, filed 7/25/1996, recorded in Under Clerk's File No. 96-10050729, Real Property Records, Denton County, Texas. SHOWN HEREON.
 - 106. Easement, Right of Way and/or Agreement by and between Raymond Lee Myers and the City of Lewisville, Texas, by instrument dated 7/19/1996, filed 7/25/1996, recorded in Under Clerk's File No. 96-10050727, Real Property Records, Denton County, Texas. SHOWN HEREON.
 - 106. Easement, Right of Way and/or Agreement by and between Raymond L. Myers and Billy J. Myers and the City of Lewisville, Texas, a municipal corporation, by instrument dated 12/3/1999, filed 12/8/1999, recorded in Under Volume 4480, Page 2567, Real Property Records, Denton County, Texas. SHOWN HEREON.
 - 101. Easement, Right of Way and/or Agreement by and between Billy Myers and Raymond Myers and the City of Lewisville, Texas, by instrument dated 1/25/2017, filed 1/27/2017, recorded in Under Clerk's File No. 2017-10541, Real Property Records, Denton County, Texas. SHOWN HEREON.
 - 106. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. NOT A SURVEY MATTER.

ZONING

DATE:	09/20/17	Zoned:	AO
ITEM	REQUIRED	OBSERVED	
PERMITTED USE	AGRICULTURAL OPEN SPACE	AGRICULTURE WITH RESIDENCES	
MIN. LOT AREA	NO REQUIREMENT	43,664,587 sq. ft.	
MIN. FRONTAGE	NO REQUIREMENT	579.09'	
MAX. BLDG. COVERAGE	10%	0.7%	
MIN. SETBACKS FRONT	100'	354.9'	
MIN. SETBACKS SIDE	100'	79.8' (EAST)	
MIN. SETBACK REAR	100'	125.5'	
MAX. BUILDING HEIGHT	35'	15.0'	
PARKING REGULAR	UNKNOWN	0	
PARKING HANDICAP	UNKNOWN	0	
PARKING TOTAL	UNKNOWN	0	

Zoning information provided in a report by Bock & Clark Zoning
Project No: 720700783
Dated: July 05, 2017



LEGAL DESCRIPTION

Tract 1
All that certain tract or parcel of land situated in the S. M. Hayden Survey, Abstract 537 and the H. Young Survey, Abstract 1448, Denton County, Texas, being part of a certain (colored) 126.36 acre tract created by L. D. Blair et al. at his will, W. L. Grimes on September 7, 1945 recorded in Volume 314, Page 358 Deed Records of Denton County, Texas, and being more particularly described as follows:
BEGINNING at the Southeast corner of said 126.36 acre tract in the middle of an abandoned road, a fence corner in said Young Survey;
THENCE North 87 degrees 50' West along and near a fence of 303.0 feet pass the Southeast corner of said Hayden Survey, same being an inside corner of said Young Survey, a total distance of 15919 feet to a steel pin for a corner in the South line of said 126.36 acre tract;
THENCE North 0 degrees 16' East across said tract 1938.4 feet to a corner in the middle of a public road on the North line of said 126.36 acre tract there being a steel pin set in the fence on the South side of said road;
THENCE South 88 degrees 50' East with the North line of said tract 1881.1 feet to the North Northeast corner of said 126.36 acre tract on the West line of the patented and improved J. McWhorter Survey, Abstract 1690;
THENCE South 1 degree 15' West with the East line of said 126.36 acre tract 140.0 feet to an inside corner of said tract;
THENCE South 88 degrees 50' East with a North line of said tract crossing the line between said Hayden and Young Surveys 435.7 feet to the East Northeast corner of said 126.36 acre tract in a public road;
THENCE South 1 degree 15' West with a fence in the middle of an abandoned road, on the East line of said tract 1825.9 feet to the Place of Beginning, containing in all 70.640 acres of land.
SAVE AND EXCEPT: That portion thereof conveyed from Billy J. Myers and wife, Mary Louise Myers and Raymond Lee Myers, a single person to City of Lewisville, by instrument dated 3/20/2009, filed 3/25/2009, recorded in Under Clerk's File No. 2009-35607, Real Property Records, Denton County, Texas.
SAVE AND EXCEPT: That portion thereof conveyed from W.C. Myers to Billy Jim Myers and wife, Mary Louise Myers, by instrument dated 4/5/1971, filed 5/3/1971, recorded in Under Volume 520, Page 541, Real Property Records, Denton County, Texas.

Tract 2
All that certain tract or parcel of land situated in the S. M. Hayden Survey, Abstract 537, Denton County, Texas, being part of a 126.36 acre tract conveyed to W. L. Grimes by L. D. Blair et al., as recorded in Volume 314, Page 358, Deed Records of Denton County, Texas, and being more particularly described as follows:
BEGINNING at a point on the South line of the above mentioned Grimes tract, said point being 1288.9 feet West of the Southwest corner of the Hayden Survey and 15919 feet West of the Southwest corner of the above mentioned Grimes tract, the Southwest corner of a 70.64 acre tract surveyed on the ground October 1963, an iron pin for corner;
THENCE N 88° 05' W, along the South line of the above mentioned Grimes tract and the South line of the Hayden Survey a distance of 1131.1 feet to the most Southernly Southwest corner of the above mentioned Grimes tract, an iron pin for corner;
THENCE N 60° 16' W, a distance of 963.6 feet to the most Westernly Southwest corner of the above mentioned Grimes tract on the East line of a tract of land conveyed to Woodrow Wilson Webb et al. and Raymond Lee Grimes, by Colborne B. Grimes, recorded in Volume 495, Page 685, Deed Records of Denton County, said point also being 18615 feet South of the Northwest corner of said Grimes tract;
THENCE N 2° 10' E, a distance of 5571.1 feet along the center line of a public road to a point for corner;
THENCE S 87° 560 30" E, passing at 21 feet a fence corner and continuing on said course a total distance of 1260.8 feet to an iron pin for corner on a fence line, said point being on the West line of the above mentioned 70.64 acre tract;
THENCE S 0° 46' W, along a fence line and the West line of the above mentioned 70.64 acre tract a distance of 630.5 feet to the Place of Beginning, containing in all 18.273 acres of land.
SAVE AND EXCEPT: That portion thereof conveyed from Claudio Juarez Jimenez, individually and Independent Executor of the Estate of W. C. Myers, Deceased and Billy Jim Myers to Raymond Lee Myers, by instrument dated 1/30/1984, filed 2/8/1984, recorded in Under Volume 1338, Page 852, Real Property Records, Denton County, Texas.

Tract 3:
BEING all that certain lot, tract or parcel of land situated in the S.M. Hayden Survey, Abstract No. 537, Denton County, Texas, being part of a 126.36 acre tract conveyed to W.L. Grimes by L.D. Blair, et al., as recorded in Volume 314, Page 358, Deed Records, Denton County, Texas and being more particularly described as follows:
COMMENCING at the Northwest corner of said 126.36 acre tract in the center of a public road known as Fish Hatchery Road;
THENCE South 01 degree 59 minutes 28 seconds West, 1304.40 feet on or near the center of said Road to an iron rod at the Point of Beginning;
THENCE South 88 degrees 21 minutes 00 seconds East, a distance of 1497.68 feet to an iron rod for corner; **THENCE** South 00 degrees 31 minutes 35 seconds West, a distance of 376.74 feet to a fence post for corner;
THENCE North 87 degrees 00 minutes 05 seconds West, a distance of 232.95 feet to an iron rod for corner;
THENCE North 88 degrees 21 minutes 00 seconds West, a distance of 107.62 feet to a wood fence post for corner;
THENCE North 76 degrees 05 minutes 25 seconds West, a distance of 1704.43 feet (called 163.6 feet) to an iron rod for corner;
THENCE North 01 degree 59 minutes 28 seconds East, a distance of 335.00 feet on or near the center of Fish Hatchery Road to the POINT OF BEGINNING, and containing 555,294 square feet or 12.748 acres of land, more or less.
The above legal description is the same as described in Title Commitment of No. 17000332180, issued by Stewart Title Insurance Company with an effective date of September 10, 2017.

ALTA/NSPS Land Title Survey

for
Lewisville TX Property
Project #17-1504-Site #001
Halfords Prairie Rd and Midway Rd
Lewisville, TX 75056
County of Denton
Surveyor Certification
Survey Performed By:
Benchmark Group of Texas, Inc.
899 Presidential Drive, Suite 110
Richardson, TX 75081
License No. 10120700
commblg@gmail.com

To: Stewart Title Guaranty Company; First Industrial Acquisitions II, LLC; Billy Jim Myers a/k/a Billy J. Meyers and Raymond Lee Myers a/k/a Raymond L. Myers; and CREsurveys, LTD.
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 6b, 7a, 7b(1), 7c, 8, 9, 10a, 13, 14, 15, 17, 18, 19, 20 of Table A thereof.
The field work was completed on June 12, 2017.
The date of this map or plat is: June 20, 2017.
PRELIMINARY
THIS SURVEY IS FOR REVIEW PURPOSES ONLY,
NOT TO BE RECORDED FOR ANY PURPOSE.
David M. Henderson
Registered Professional Land Surveyor No. 4489
in the State of Texas
Date of Last Revision: 10/26/17-MC
Dwg. No.: 1749526
Ref. No.: 17-1504-001
Drawn By: MC

PLEASE DIRECT ALL INQUIRIES FOR THIS SURVEY TO:
CRESURVEYS
PHONE: (330) 777-0502
EMAIL: INFO@CRESURVEYS.COM
24 N. High Street, Suite 103, Akron, OH 44308

CreSurveys (330)777-0502

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon, P.E., City Engineer

VIA: Eric Ferris, Deputy City Manager

DATE: December 20, 2017

SUBJECT: **Approval of a Professional Services Agreement with Kimley-Horn & Associates in the Amount of \$314,895 for Final Design and Construction Services Relating to Kealy Avenue from Main Street to Purnell Street; and Authorization for the City Manager to Execute the Agreement.**

BACKGROUND

The project consists of final design survey, geotechnical, subsurface utility services and construction phase services for 1500 feet of Kealy Avenue from Main Street to Purnell Street as a two-lane collector street with a 37-foot wide street in a 60-foot Right-of-Way. The existing street is asphalt pavement of varying width and no curb & gutter or sidewalk. The project will also replace aging sanitary sewer, and storm drain lines. Funding for this project was included in the 2015 Bond Program approved by voters in November 2015. Existing sidewalks will be replaced with new, ADA compliant sidewalks and ramps. Additional sidewalks and ramps will be added so that there is pedestrian access along both sides of the street within the project area.

Staff is recommending replacing the sanitary sewer utilities south of Whatley Avenue due to the age of the existing system. The sanitary sewer north of Whatley Avenue was replaced in 2013 as part of the Purnell Street Sanitary Sewer Improvements Phase 3 project. The water main was replaced in 2017 as part of the 2014 Water Line Replacement project. The engineering consultant will design storm drain improvements to replace the existing ditches and culverts.

Staff has negotiated a Professional Services Agreement with Kimley-Horn & Associates in the amount of \$314,895.00 to include design, survey, R.O.W. determination, geotechnical, subsurface utility exploration, TDLR permitting and construction services.

ANALYSIS

Staff has negotiated a Professional Services Agreement with Kimley-Horn & Associates in the amount of \$314,895.00 for the Professional Services Agreement for Kealy Avenue to include final design services, supplemental topography surveying, preparation of legal descriptions for needed R.O.W. and easement, geotechnical services, construction phase services, subsurface utility exploration, TDLR permitting and construction phase services. The project will be designed such that construction can be performed in multiple phases allowing the street to remain open during construction and to allow residents and businesses to have access to their driveways throughout construction. The design timeline for the completion of the Kealy Avenue design is 196 calendar days from notice to proceed and is exclusive of time for City staff reviews. The proposed fee is commensurate with a project of this size and scope.

Subject: PSA with Kimley- Horn & Associates for Kealy Ave. (Main St. – Purnell St.)
December 20, 2017
Page 2

It should be noted that Kealy Avenue from Mill Street to Main Street recently had maintenance improvements including asphalt grind and relay. This maintenance was a result of road deterioration associated with private construction and utility work in the immediate area. Although this work appears to be permanent, it is considered temporary until ultimate construction of a new concrete street, utility replacement, drainage and sidewalk improvements can be done. Staff accelerated this temporary maintenance due to the condition of the roadway and complaints received. Although the interval is short between this temporary maintenance repair and permanent construction commencement, approximately one year from now, staff recommends proceeding with the design and construction relating to Kealy Avenue. Staff will meet with affected property owners during design of the project.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the Professional Services Agreement with Kimley-Horn & Associates and approve a total project design amount as set forth in the caption above; and authorize the City Manager to execute the agreement.

PROFESSIONAL SERVICES AGREEMENT
for
KEALY AVENUE (MAIN STREET TO PURNELL STREET)

The City of Lewisville, Texas, hereinafter called City, hereby engages Kimley-Horn and Associates, Inc., hereinafter called Consultant, to perform professional civil design services in connection with Kealy Avenue Reconstruction, hereinafter called Project.

I. PROJECT. The Project is described as follows:

The Consultant will provide professional civil design services for improvements along Kealy Avenue from Purnell Street to Main Street. The improvements will connect to existing concrete pavement at the north edge of the Purnell Street intersection and will not reconstruct the Purnell Street intersection. Main Street improvements are currently under design by another engineering firm.

II. SCOPE OF SERVICES.

The City of Lewisville will coordinate with their consultant for paving and sidewalk connections at Main Street and provide that information to the Consultant for tie-in coordination. All other tee or crossing intersections within the limits of the Project will be considered in the design for this Project. The Project will conform to the City of Lewisville design standards as well as utilize guidelines as applicable as set forth by the Americans with Disabilities Act (ADA), Texas Accessibility Standards (TAS), and the Public Right-of-Way Accessibility Guidelines (PROWAG), and AASHTO Roadway Design Guidelines.

Existing right-of-way (ROW) widths vary through the Project corridor. A ROW strip map will be prepared for determining ROW requirements. Consideration of existing structures, existing driveways, drainage design, utilities, grading, and potential ROW acquisition will be included in preparing the proposed roadway alignment. The proposed design will be a 37' back-of-curb to back-of-curb roadway section. A narrower section may be considered depending on ROW availability. On-street parking will be evaluated throughout the corridor and will be included where space will allow. Mountable curbs may also be considered for properties with front entry parking. Five foot (5-ft) wide sidewalks will be constructed on one side of Kealy Avenue. The location of the proposed sidewalk will be dependent upon right-of-way availability.

Based on visual field observations, widening the roadway may require short retaining walls in some areas. Design of the walls is included in this scope. Geotechnical recommendations will be provided for all structural designs.

The Project corridor includes access to residential, commercial, and industrial facilities. However, performing a traffic study is beyond the scope of this Project. City staff have indicated that no geotechnical recommendations for pavement design will be necessary for this Project and will not be included. Direction regarding the proposed pavement section will be provided by City staff.

The existing corridor does not include a complete underground storm drainage system. An underground storm drainage system will be designed as a part of this Project. Existing water

and wastewater facilities are located within the Project limits. Storm drainage design will attempt to avoid conflicts with other utilities, but some relocations of existing facilities may be required. In addition, modifications to the existing storm water culvert headwall just north of Legends Drive may be required to accommodate the proposed roadway section. Structural design for necessary modifications is included in this Project. Geotechnical recommendations will be provided for all structural elements that will be designed.

Existing water and sanitary sewer facilities have been replaced in some areas of the Project. Existing sanitary sewer will be replaced from Whatley Avenue to Purnell Street. No other water or sanitary sewer facility improvements are included in this Project.

The existing corridor contains numerous franchise utilities. Level B and Level C Subsurface Utility Engineering will be provided under this contract. Additionally, up to three Level A potholes will be included to be used as necessary.

Topographic design survey, preparation of exhibits and descriptions for acquiring additional right of-way, drainage easements, and temporary construction easements is also included in this scope. Staking of the Right-of-Way and easements for franchise utilities and property appraisal is included in this scope. Survey and document preparation for easement and right-of-way acquisition will be provided at a unit cost. For the purposes of this scope, a total number of twenty-four (24) documents will be assumed for fee purposes. Only the number of documents prepared will be invoiced. If the number of documents needed exceeds the number assumed for the purposes of this scope, those additional documents will be invoiced at the same unit cost described in Section V, Compensation, below. Topographic survey through the corridor will be limited to the face of nearest existing structures measured from the centerline of the existing roadway.

The Consultant will attend one public meeting at the completion of thirty percent design to support the City of Lewisville in communicating Project details to citizens, council members, and other stakeholders.

Landscaping will consist of sod only. No tree or other landscaping improvements will be included. Trees will be preserved to the extent possible but any trees conflicting with the proposed improvements will be shown to be removed at the City's discretion.

Existing street lighting will be evaluated to determine current conformance to minimum City Standards. Modifications will be recommended as needed. It is assumed that any additional lighting will be placed on existing poles and that work will be coordinated separate from this Project by the City.

Striping plans will be included to conform to City Standards.

Construction phasing and temporary pedestrian detours will be prepared as a part of the pre-final design submittal.

II.A. Scope of Services: Project Basic Services

Preliminary Design (30%)

A. Project Management

1. Conduct up to Three (3) meetings with the City regarding Project status and coordination issues. The first meeting being the Project kick-off meeting;
2. Participate in up to One (1) public meeting.
3. Develop Project schedule and interim milestones (coordinate with City staff at the Project kick-off meeting).

B. Data Collection as Applicable (City to provide hard copy and electronic format if available)

1. Roadway

- a) City design criteria;
- b) City standard details;
- c) Other applicable City ordinances;
- d) Construction contract document standards;
- e) City infrastructure and master thoroughfare plan (MTP) requirements;
- f) Proposed / existing development plats and traffic impact analysis reports for properties adjacent to the Project;
- g) Barrier free ramp standard details.

2. Drainage

- a) City drainage manual;
- b) Storm drainage master plan (if available);
- c) Existing storm drainage facilities / record drawings;
- d) Existing hydraulic models for concrete lined drainage channel (if available).

3. Utilities

- a) Existing water line locations / record drawings;
- b) Water master plan requirements;
- c) Existing sanitary sewer line locations / record drawings;
- d) Sanitary sewer master plan requirements;
- e) City utility relocation requirements (if applicable).

4. Streetscape

- a) City standards regarding crosswalks, plantings, irrigation, street lighting, etc.

5. Traffic

- a) Record drawings for existing signals.

C. Project site visits (up to two (2) trips).

D. Roadway

1. Prepare one (1) preliminary roadway alignment.

- a) Prepare typical sections:
 - (1) Existing and Proposed;
 - (2) Preliminary subgrade and pavement design based on City standards and input.
- b) Prepare preliminary plan and profile (roll plot format, 1" = 40' scale).
Items to be included:

(1) Plan:

- (a) Control data;
- (b) Existing / proposed right-of-way;
- (c) Existing topography;
- (d) Existing pavement;
- (e) Proposed centerline alignment and horizontal curve data;
- (f) Proposed face of curb;
- (g) Proposed transition pavement tie-ins to existing pavement;
- (h) Proposed storm sewer and culvert alignments and sizes;
- (i) Existing trees to remain (if possible);
- (j) Existing trees to be removed;
- (k) Existing driveway locations;
- (l) Proposed driveways and parking areas (including on street parking);
- (m) Existing storm drain locations;
- (n) Existing water line locations (based on available information);
- (o) Existing sanitary sewer line locations (based on available information);
- (p) Existing franchise utility locations (relying upon information provided by franchise utilities and SUE);
- (q) Proposed site retaining wall locations.

(2) Profile: Existing Ground Profile and Proposed Vertical Alignment; Super-elevation Data.

E. Drainage

1. Compile the hydrological and hydraulic data.
2. Develop the Project drainage area map:
 - a) Determine conveyance paths, channel slopes, time of concentration, and runoff coefficients to calculate design-year flows;
 - b) Subdivide the overall drainage areas into sub-areas and calculate the discharge at each inlet. Analyze inlet capacities and adjust inlet locations and sub-areas as needed to meet City design criteria.
3. Analyze drainage improvements to accommodate the new roadway. Evaluate the need for any offsite drainage improvements and report to the City. The design of any offsite drainage improvements is not a part of this scope and will be considered as *Additional Services* and will be performed only upon written authorization of the City under a separate scope.
4. Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements.
5. Evaluate existing headwall for modifications as required to include possible horizontal culvert extension, vertical headwall extension, and site grading adjustments.

F. Utilities

1. Public:
 - a) Establish the location of existing public utilities based upon information provided by the City, field survey information, and SUE;

- b) Prepare preliminary horizontal alignment for existing waste water from Whatley Avenue to Purnell Street.
- c) Franchise Utility Coordination:
 - (1) Utility conflicts, and the need for relocation, will be identified and provided to the City of Lewisville for coordinating with the affected utilities. Consultant will attend a utility coordination meeting with franchise utility companies to discuss conflicts and planning related to this Project if needed for development of schematic or cost opinions.

G. Streetscape

1. Preliminary Design

a) Hardscape

- (1) Pedestrian Facilities: Locate pedestrian sidewalk (5-foot width)
- (2) Lighting: Existing street lighting will be evaluated to determine current conformance to minimum City Standards. Modifications will be recommended as needed. It is assumed that any additional lighting will be placed on existing poles and that work will be coordinated separate from this Project by the City.

b) Softscape

- (1) Landscape: Layout will consist of proposed seed and sod locations and existing trees to be removed as necessary.

H. Traffic

- 1. Traffic Signals: The design of traffic signals is beyond the scope of this Project. Traffic signals can be designed as *Additional Services*, only upon written City authorization under a separate scope.

2. Traffic Control Plans

a) Develop initial construction sequence narrative describing:

- (1) Travel lanes and construction areas for each phase of construction;
- (2) Temporary signing and striping, barricades, and other channelization devices;
- (3) Utility construction phasing;
- (4) Vehicle and pedestrian detour routing during construction.
- (5) Proposed plan for mail, sanitation, and emergency vehicle access.

I. Compile and prepare a preliminary opinion of probable construction cost (OPCC).

J. Preliminary design submittal

- 1. Submit three (3) copies to the City for review and comment and one (1) electronic .PDF copy.

Development Design (60%)

K. Project Management

1. Project Communication

- a) Conduct progress meetings to monitor the development of the Project. During this phase of the Project, conduct up to:
 - (1) One (1) Project meeting with the City;

L. Roadway

- 1. Incorporate the previous design submittal review comments.

2. Prepare plan / profile sheets (22"x34" plan sheets at a scale of 1" = 20' horizontal, and 1" = 4' vertical).
 - a) Include the following items in addition to those included in the preliminary design submittal:
 - (1) Proposed ROW and easement locations (if any);
 - (2) Proposed sidewalk locations;
 - (3) Proposed residential driveways;
 - (4) Barrier free ramps;
 - (5) Retaining walls (if applicable);
 - (6) Street grading plan;
 - (7) Intersection grading plan.
3. Analyze all driveways within the Project and develop preliminary driveway profiles as needed. Driveways will be defined vertically by spot elevations.
4. Prepare preliminary side street tie-ins. Side street reconstruction will not include more than 50' beyond the main street right-of-way. The side street improvements will be defined vertically by spot elevations. No plan and profile will be prepared for side street construction.
5. Develop preliminary design cross-sections:
 - a) Develop on 50' station intervals and at driveway centerlines;
 - b) Show pavement and subgrade, right-of-way limits, side slopes, pavement cross slopes, curbs, sidewalks, and retaining walls (if applicable);
 - c) Cross-sections will be provided in the bid documents.
6. In locations where the elevation difference between the roadway and adjacent property warrants, provide preliminary design details to construct retaining walls.
7. Prepare roadway preliminary details to clarify intent of design.
8. Compile applicable City standard details.

M. Drainage

1. Incorporate the previous design submittal review comments.
2. Perform storm sewer sizing and alignment design. Prepare inlet design sheets and hydraulic design sheets for inclusion in the plans.
3. Prepare preliminary storm sewer plan / profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings, and the hydraulic grade lines.
4. Prepare preliminary profiles for the proposed storm drain laterals.
5. Provide preliminary plan sheets and details to construct storm sewer outfalls.
6. Determine preliminary headwall modifications.
7. Prepare preliminary drainage details to clarify intent of design. Compile applicable City standard details.
8. Create preliminary details for connections to existing system (where applicable).
9. Prepare preliminary erosion control plan.

N. Utilities

1. Sewer
 - a) Prepare the preliminary plan and profile plan for the sanitary sewer main.
2. Franchise Utility Coordination

- a) Further utility conflicts, and the need for relocation, will be identified and provided to the City of Lewisville for coordinating with the affected utilities.
 - 3. Prepare utility preliminary details to clarify intent of design.
 - 4. Compile applicable City standard details.
- O. Streetscape
 - 1. Incorporate the previous design submittal review comments.
 - 2. Pedestrian Facilities: Prepare preliminary layout to be included in roadway paving plans for the sidewalk.
 - 3. Street Lighting: Existing street lighting will be evaluated to determine current conformance to minimum City Standards. Modifications will be recommended as needed. It is assumed that any additional lighting will be placed on existing poles and that work will be coordinated separate from this Project by the City.
 - 4. Landscape: Prepare preliminary layout for proposed seed and sod areas and include in erosion control plan.
- P. Traffic
 - 1. Traffic Control Plans (to be prepared by the Contractor and reviewed by Engineer during construction)
 - a) Update narrative of the sequence of construction.
 - 2. Pavement Markers and Marking Plans
 - a) Prepare pavement markers and marking layouts in accordance with City design standards and the Texas Manual of Uniform Traffic Control Devices (TMUTCD).
 - b) Prepare preliminary details to clarify intent of design.
 - c) Compile applicable City standard details.
 - d) Signing layout and design will not be provided.
- Q. Prepare preliminary general notes and specification data. Identify and prepare special specifications and/or special provisions applicable to the Project.
- R. Compile and update the overall opinion of probable construction cost.
- S. Development design submittal
 - 1. Submit two (2) copies of half size (11"x17") and two (2) full size (22"x34") to the City for review and comment as well as one (1) .PDF electronic copy.
 - 2. Submittal shall include the following:
 - a) Development design plans;
 - b) Preliminary bid items (City Standard Format);
 - c) Preliminary special provisions;
 - d) Preliminary technical specifications;
 - e) Development Design opinion of probable construction cost;

Pre-Final Design (90%)

T. Project Management

- 1. Project Communication
 - a) Conduct progress meetings to monitor the development of the Project. During this phase of the Project, conduct up to:
 - (1) One (1) Project meeting with the City;

U. Roadway

1. Incorporate the previous design submittal review comments.
2. Prepare plan / profile sheets (22"x34" plan sheets at a scale of 1" = 20' horizontal, and 1" = 4' vertical).
 - a) Include the following items in addition to those included in the previous design submittal:
 - (1) Proposed ROW and easement locations (if any);
 - (2) Proposed sidewalk locations;
 - (3) Proposed residential driveways;
 - (4) Barrier free ramps;
 - (5) Retaining walls (if applicable);
 - (6) Street grading plan;
 - (7) Intersection grading plan.
3. Analyze all driveways within the Project and develop driveway profiles as needed. Driveways will be defined vertically by spot elevations.
4. Prepare side street tie-ins. Side street reconstruction will not include more than 50' beyond the main street right-of-way. The side street improvements will be defined vertically by spot elevations. No plan and profile will be prepared for side street construction.
5. Develop design cross-sections:
 - a) Develop on 50' station intervals and at driveway centerlines;
 - b) Show pavement and subgrade, right-of-way limits, side slopes, pavement cross slopes, curbs, sidewalks, and retaining walls (if applicable);
 - c) Cross-sections will be provided in the bid documents.
6. In locations where the elevation difference between the roadway and adjacent property warrants, provide design details to construct retaining walls.
7. Prepare roadway details to clarify intent of design.
8. Compile applicable City standard details.

V. Drainage

1. Incorporate the previous design submittal review comments.
2. Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
3. Prepare storm sewer plan / profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings, and the hydraulic grade lines.
4. Prepare profiles for the proposed storm drain laterals.
5. Provide plan sheets and details to construct storm sewer outfalls.
6. Determine final headwall modifications.
7. Prepare drainage details to clarify intent of design. Compile applicable City standard details.
8. Create details for connections to existing system (where applicable).
9. Prepare erosion control plan.

W. Utilities

1. Sewer
 - a) Prepare the plan and profile plan for the sanitary sewer main.
2. Franchise Utility Coordination

- a) Further utility conflicts, and the need for relocation, will be identified and provided to the City of Lewisville for coordinating with the affected utilities.
 - 3. Prepare utility details to clarify intent of design.
 - 4. Compile applicable City standard details.
- X. Streetscape
- 1. Incorporate the previous design submittal review comments.
 - 2. Pedestrian Facilities: Prepare layout to be included in roadway paving plans for the sidewalk.
 - 3. Street Lighting: Existing street lighting will be evaluated to determine current conformance to minimum City Standards. Modifications will be recommended as needed. It is assumed that any additional lighting will be placed on existing poles and that work will be coordinated separate from this Project by the City.
 - 4. Landscape: Prepare layout for proposed seed and sod areas and include in erosion control plan.
- Y. Traffic
- 1. Traffic Control Plans (to be prepared by the Contractor and reviewed by Engineer during construction)
 - a) Update narrative of the sequence of construction.
 - 2. Pavement Markers and Marking Plans
 - a) Prepare pavement markers and marking layouts in accordance with City design standards and the Texas Manual of Uniform Traffic Control Devices (TMUTCD).
 - b) Prepare details to clarify intent of design.
 - c) Compile applicable City standard details.
 - d) Signing layout and design will not be provided.
- Z. Prepare general notes and specification data. Identify and prepare special specifications and/or special provisions applicable to the Project.
- AA. Compile and update the overall opinion of probable construction cost.
- BB. Prepare opinion for construction duration.
- CC. Pre-Final design submittal
- 1. Submit two (2) copies of half size (11"x17") and two (2) full size (22"x34") to the City for review and comment as well as one (1) .PDF electronic copy.
 - 2. Submittal shall include the following:
 - a) Pre-Final design plans;
 - b) Proposed Bid Items (City Format);
 - c) Special provisions;
 - d) Technical specifications;
 - e) Opinion of probable construction cost;
- Final Design (100%)**
- DD. Incorporate the pre-final design submittal review comments.
- EE. Prepare the final opinion of probable construction cost.
- FF. Final design submittal

1. Submit three (3) full size and three (3) half size sets of plans and specifications to the City as well as one (1) .PDF electronic copy. Plan sheets will be 1"=20' horizontal and 1"=4' vertical.
2. Submittal shall include the following:
 - a) Final design plans to include street and intersection grading plans;
 - b) Proposed bid items (City Format);
 - c) Special provisions;
 - d) Technical specifications;
3. Provide a completed application and submit to the Texas Department of Licensing and Regulation (along with one of the plan sets) for review in accordance with the Elimination of Architectural Barriers Act. The application fees will be paid directly by the Consultant.

Bidding Phase

GG. Consultant will provide one (1) full size set of plans and one (1) half size set of plans (22"x34" plan sheets at a scale of 1" = 20' horizontal, and 1"=4' vertical). for the City's use in bidding. Consultant will also provide a CD with PDF files in 11"x17" and 22"x34" of the Project drawings. Other specific tasks the Consultant will provide during bidding include:

1. Attend Pre-bid Conference.
2. Address Bidder questions and provide information to City for preparation of addenda as necessary.
3. Post addenda to develop a conformed set of plans for construction.

Construction Contract Administration

HH. Consultant will provide limited Construction Administration as outlined in this section. Only specific tasks described below are included as a part of this scope. Specific tasks under this scope include:

1. Attend Pre-Construction Conference.
2. Respond to and process RFIs. Such clarifications, interpretations, and plan revisions will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.
3. Review and respond to up to 20 product submittals or shop drawings. Review and respond to up to five (5) Project resubmittals or resubmittals of shop drawings.
4. Provide Construction Observation: Perform one (1) visit per month for site specific observation/questions. It is assumed this work will take place over eight (8) months. Therefore, up to eight (8) site visits will be performed for this work.
 - a) Observations are to be limited to general observation of the Work based on Consultant's exercise of professional judgment. Based on information obtained during such visits and such observations, Consultant will determine if Contractor's work is generally proceeding in accordance with the Contract Documents, and Consultant shall keep City informed of the general progress of the Work.
 - b) The purpose of Consultant's visits to the site will be to enable Consultant to better carry out the duties and responsibilities assigned in this

Agreement to Consultant during the construction phase by City, and, in addition, by the exercise of Consultant's efforts, to provide City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. Consultant shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Consultant have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its services in accordance with the Contract Documents.

5. Review of pay applications and approvals are not a part of this scope.
6. Recommend to City that Contractor's services be disapproved and rejected while it is in progress if, on the basis of such observations, Consultant believes that such services will not produce a completed Project that conforms generally to Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
7. Recommend up to three (3) Change Orders to City, as appropriate. Review and make recommendations related to Change Orders submitted or proposed by the Contractor.
8. Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with City and Contractor, conduct one (1) site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of City, Consultant considers the Work substantially complete, Consultant shall notify City and Contractor.
9. Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. Consultant shall not have the authority or responsibility to stop the work of any Contractor.
10. Following construction, Consultant will notify TDLR for inspection.
11. Consultant will attend one (1) final Project walkthrough.
12. Consultant will prepare record drawings based on information provided by the Contractor. Record drawings will be prepared on full size 22"x34" sheets. One electronic copy of all sheets will be provided and individual sheets will be prepared in TIFF format.

III. ADDITIONAL SERVICES

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City. Such services shall include, but are not limited to, the following:

- A. Construction staking.
- B. Title Research.
- C. Geotechnical recommendations for pavement and subgrade.
- D. Design of any offsite drainage improvements beyond the improvements identified in the scope.
- E. Design of specialized inlets.
- F. Preparation for and attendance at additional public meetings.
- G. Furnish additional copies of review documents and/or bid documents in excess of the number of the same identified above.
- H. Assist the City as an expert witness in litigation in connection with the Project or in hearings before approving and regulatory agencies.
- I. Redesign to reflect Project scope changes requested by the City, required to address changed conditions or change in direction previously approved by the City, mandated by changing governmental laws, or necessitated by the City's acceptance of substitutions proposed by the contractor.
- J. Traffic studies.
- K. Street lighting design.
- L. Design for street signs, way-finding or other special signs.
- M. Signal improvements will be included in the Project.
- N. Franchise utility coordination.
- O. Pavement design.
- P. Construction phase services that exceed the specific description of services identified above.

IV. SPECIAL SERVICES

Survey (provided by sub-consultant)

- A. Data Collection and Property Research
 - 1. Gather existing plat information.
 - 2. Collect property owner and record information.
 - 3. Gather existing right-of-way and easement information. Identify easements available through typical research methodologies (i.e. plats, court house filings, etc.). Undocumented easements may not be identified.
 - 4. Coordinate with Texas811 to locate and mark existing franchise and public utilities prior to performing the field survey.
 - 5. The Consultant will arrange and make all provisions for access to perform the services specified within this scope. The surveyor will provide the City with Right of Entry letters for the Consultants' distribution.
- B. ROW and easement staking for franchise utilities and property appraisal.
- C. Design Survey

1. The limits of the survey will be from E. Purnell Street to E. Main Street. Topographic survey through the corridor will be limited to the face of nearest existing structures. The following areas will also be surveyed:
 - a) 50 feet east and west along all side streets intersecting S. Kealy Avenue within the Project limits (E. Purnell Street, Thomas Street, Lily Lane and Legends Drive).
 - b) 50 feet east along concrete lined drainage channel north of Legends Drive.
2. Establish horizontal control points.
3. Establish a vertical control benchmark circuit as needed throughout the Project. City to provide established monument information for the area.
4. Set control points, which will be based on NAD-83, approximately every 500 feet on alternate sides of the roadway. Before setting the control points, the surveyor will submit sketches and specifications to the City for approval.
5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor including, but not limited to the following:
 6. Property corner monumentation;
 7. Existing pavement, curbs, sidewalks, barrier free ramps, etc.;
 8. Roadway and lane striping;
 9. Driveways;
 10. Existing storm sewer inlets, manholes, junction boxes (including culvert sizes and invert elevations);
 11. Outfalls and erosion control;
 12. Existing driveway culverts and swales;
 13. Guardrail;
 14. Utility manholes, vaults, water valves, water meters, sprinkler heads, telephone poles, power poles, utility markers, other public utilities, and franchise utilities;
 15. Traffic signal poles, cabinets, and other signal equipment;
 16. Signs (excluding temporary signs);
 17. Trees, including species and caliper (for 3" caliper and up);
 18. Buildings and permanent structures;
 19. Retaining walls;
 20. Fence limits and material types (excluding temporary fences);
 21. Other applicable physical features that could impact design.
22. Perform cross-sections throughout Project limits at 50-foot intervals and at grade breaks.
 - a) Prepare cross-section field notes.
 - b) Prepare a right-of-way strip map.
 - c) The right-of-way strip map will be contained on standard size plan sheet (22"x34") at a scale not smaller than 1" = 30', and will contain the following:
 - (1) Standard City title page including location map;
 - (2) Summary sheet listing all parcels to be acquired, property owners, gross area of property, square footage and type of easements, net area of property after acquisition, a column for volume and page of filing, and current volume and page;
 - (3) Corners of all parcels tied to the centerline;

- (4) Location of all existing property pins, including station and offset to the centerline;
 - (5) Location of all new property pins, including station and offset to the centerline;
 - (6) Parcel number;
 - (7) Area required;
 - (8) Area remaining;
 - (9) Current owner;
 - (10) Any existing platted easements or easements filed by separate instrument including easements provided by utility companies.
23. Prepare a final topographic drawing in digital format (including contours and break-lines) showing the features located in the field as well as right-of-way strip map information, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.
- D. The performance of traffic studies is beyond the scope of this Project.

Right-of-Way / Easement Instruments of Conveyance

- E. Prepare right-of-way instruments (narrative and graphic exhibits of right-of-way takes) and setting new property corners in the field. Up to twenty-four (24) parcels are included.
- F. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.). Up to twenty-four (24) parcels are included.
- G. Individual parcel exhibits will be on 8 ½"x11" paper, will be sealed, dated, and signed by a Registered Professional Land Surveyor and will contain the following:
 1. Parcel number;
 2. Area required;
 3. Area remaining;
 4. Legal description;
 5. Current owner;
 6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies;
 7. All physical features;
 8. Metes and bounds description of parcel to be acquired. The description will be provided on a separate sheet from the exhibit. Each type of easement will be described separately.
- H. Upon written notification by the City of acceptance of the right-of-way strip map, exhibits and instruments, and as directed by the City, the surveyor will set all corners and points of curvature for the proposed right-of-way and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference.
- I. Engineer will send out by regular mail Right of Entry letters for the affected addresses within the Project limits. If after two weeks any letters have not been returned signed, we will resend to those addresses a second copy of the Right of Entry letter by certified mail. If after an additional two weeks the certified letters are not returned signed, we will forward that information to the City for their action to address any unresolved Right of Entry issues.

Geotechnical (provided by subconsultant)

J. Subsurface Exploration

1. Experienced drillers and technicians will evaluate subsurface conditions with a total of five (5) sample borings extended to a depth of 15 feet below existing grades.
2. The field personnel will drill the borings using truck-mounted equipment. Cohesive and non-cohesive soil samples will be obtained using 3-inch diameter Shelby tube samplers and 2-inch diameter standard split-spoon samplers, respectively. In addition, rock encountered will be evaluated by use of Texas Department of Transportation (TXDOT) cone penetration tests. A soils logger will extrude the samples in the field, check the samples for consistency with a hand penetrometer, carefully wrap them to preserve their condition, and return them to the laboratory for testing. A log of each boring will be prepared to document field activities and results.
3. Personnel will stake the boring locations using normal taping procedures. Approximate locations of the borings will be shown on the plan of borings. These services may be provided as Additional Services upon request. At the completion of drilling operations, boreholes will be backfilled with drill cuttings and patched with concrete.

K. Laboratory Services

1. Considering the planned facilities, anticipated soil conditions and geology, laboratory tests will be required for classification purposes, and to determine strength characteristics. The following types of tests are therefore recommended:
 - a) moisture content and soil identification
 - b) liquid and plastic limit determinations
 - c) unconfined compressive strength on soil
 - d) unit weight determinations
 - e) absorption pressure and/or one-point pressure swell test
2. The specific types and quantities of tests will be determined. based on geologic conditions encountered in the borings.
3. Engineering Services
 - a) An engineering report will be prepared to present the results of the field and laboratory data together with analyses of the results and recommendations. The report will address:
 - (1) general soil and ground-water conditions
 - (2) recommendations for headwall foundation type, depth and allowable loading
 - (3) foundation construction requirements
 - (4) recommended lateral pressures for the design of below-grade walls and retaining structures
 - (5) an evaluation of the swell characteristics of the subgrade soils
 - (6) comments on general soil and rock excavatability and utility installation conditions
 - (7) earthwork recommendations

Subsurface Utility Engineering

- L. As part of the Records Research the following will be performed:

1. Contact the applicable “one call” agency and acquire records from all available utility owners including local municipalities (cities, counties, etc.), and Client.
 2. Perform in-field visual site inspection. Compare utility record information with actual field conditions. Record indications of additional utility infrastructure and visual discrepancies with record drawings.
 3. Interview available utility owners for needed clarification, resolution of found discrepancies, and details not provided on the record drawings.
- M. As part of the Designating Effort the following will be performed:
1. Select and employ the appropriate suite of industry standard geophysical equipment to search for existing utilities within the limits specified on the Project. For metallic/conductive utilities (e.g. steel pipe, electrical cable, telephone cable) electromagnetic induction, and magnetic equipment will be employed. We will attempt to designate non-metallic/non-conductive utilities using other proven methods, such as rodding, probing, and Ground Penetrating Radar (GPR). As agreed to with the Client, this scope of work includes mapping of the following utilities: water, wastewater, natural gas, gas/oil pipelines, electric, telephone, fiber, duct banks, cable TV, and storm sewer. Unless specifically requested, utility service lines and irrigation lines are not included in this scope.
 2. Interpret the surface geophysics, and mark the indications of utilities with paint or pin flags on the ground surface for subsequent depiction on deliverable utility maps.
 3. Record all marks on electronic field sketches and correlate such data with utility records and above ground appurtenances obtained from visual inspection to resolve differences and discrepancies. Denote any utilities found where ownership/utility type is not available from records as “unknown” facilities.
 4. Survey the existing utility designating marks and above ground utility appurtenances according to the Project control and record the data for subsequent depiction on the plan deliverables.
 5. We do not anticipate maintenance of traffic for lane closures will be required for completion of designating (Quality Level B) work on this Project. Normal traffic control, included within Quality Level B service, is considered standard placement of traffic cones and freestanding warning signage. Traffic control requiring lane closures, traffic detouring, police support, flag persons, etc. is considered additional and may be added to the scope of work at the request of the client.
- N. As part of the Locating Effort the following will be performed:
1. Employ vacuum excavation to verify the horizontal and vertical location of the existing utilities at the three (3) test hole locations estimated on the Project at Client approved locations.
 2. Once each utility is located, subconsultant will record the utility type, size, material, depth to top and general direction.
 3. Each test hole will be assigned a unique ID number and will be marked with rebar/cap. Test hole numbers will be painted in the field next to each completed test hole. A survey lath labeled with the test hole ID number and other pertinent utility information will be placed at each test hole location.
 4. If rock or concrete is encountered during the excavation and we are not able to excavate through our normal test hole procedures, the client will be immediately

notified of the field condition. Excavation in rock or to a depth greater than 15 feet is considered beyond the scope of this proposal and can be estimated for the Client on a case by case basis.

5. We will vacuum down to obtain the required information, and then replace material removed, mechanically-tamped in 6-inch lifts.
6. Asphalt surfaces will be repaired with asphalt cold patch and concrete cores will be epoxied back in place, flush with surrounding surface.
7. If restoration efforts are needed beyond what is described above, we shall be notified in writing prior to mobilizing to the field.

O. Exclusions

1. We do not anticipate excavation permits from the City will be required for completion of test holes on this Project.
2. We do not anticipate maintenance of traffic for lane closures and sidewalk closures will be required for completion of test holes on this Project. Normal traffic control, included within Quality Level A service, is considered standard placement of traffic cones and freestanding warning signage. Traffic control requiring lane closures, traffic detouring, police support, flag persons, etc. is considered additional and may be added to the scope of work at the request of the client.
3. We do anticipate coring of asphalt/concrete pavement will be required.
4. HCI's field crews and equipment are not equipped or prepared to work in any area that possibly are, or may have been contaminated with hazardous materials at any time.

V. **COMPENSATION.**

BASIC SERVICES

Consultant will perform Basic Services for the total lump sum fee below. Individual task amounts are informational only. All permitting, application and similar Project fees will be paid directly by the City.

Preliminary Design – 30%	\$ 47,800
Design Development – 60%	\$ 59,800
Pre-Final Design – 90%	\$ 39,000
Final Design - 100%	\$ 39,000
Bidding Phase	\$ 5,300
Construction Phase	\$ 29,100
Total Lump Sum Fee	\$ 220,000

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

ADDITIONAL SERVICES

Consultant will perform Additional Services as outlined in Section III, above, on a labor fee plus expense (reimbursable) basis with the maximum fee, including labor and expenses, to be agreed to by City and Consultant through separate agreement.

SPECIAL SERVICES

Consultant will perform Special Services as outlined in Section IV, above, on a labor fee plus expense (reimbursable) basis with the maximum fee shown below, including labor and expenses. Consultant will not exceed the total maximum fee shown without authorization from the Client. Individual task amounts are provided for budgeting purposes only. Consultant reserves the right to reallocate amounts among tasks as necessary.

Survey	\$ 25,000
Right of Way and Easement Instruments of Conveyance (Based on 24 EA at \$725 EA)	\$ 17,400
Geotechnical Engineering	\$ 10,200
<u>Subsurface Utility Engineering</u>	<u>\$ 27,300</u>
Total Reimbursable Fee	\$ 79,900

Labor fee will be billed on an hourly basis according to our then-current rates. As to these tasks, direct reimbursable expenses such as subconsultant fees, express delivery services, fees, air travel, and other direct expenses will be billed at 1.10 times cost. A percentage of labor fee will be added to each invoice to cover certain other expenses as to these tasks such as telecommunications, in-house reproduction, postage, supplies, Project related computer time, and local mileage. Administrative time related to the Project may be billed hourly. All permitting, application, and similar Project fees will be paid directly by the Client. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Consultant Project number.

INVOICES

Invoices shall be submitted by cover letter from the Project engineer. The letter shall certify that the invoice properly represents work actually done. The City reserves the right to request additional justification prior to payment of any invoice. If satisfactory justification is not received, the City reserves the right to amend the invoice or to refuse to make payment without incurring penalty or interest. Invoices shall be based on percentage of work completed per identifiable unit of work. The City agrees to make prompt payments for all approved invoices and agrees to pay interest at the rate approved by law for approved invoices not paid within 30 days from the date of approval.

- VI. INSURANCE.** The Consultant agrees to maintain insurance throughout the term of the contract, in accordance with Attachment "A". All Certificates of Insurance shall be kept current and shall be forwarded to the Purchasing Division of the City by cover letter from the

Consultant. Insurance certificate must be received and approved prior to commencement of work. The Consultant shall also review and forward certificates covering sub-consultants.

- VII. REUSE OF DOCUMENTS.** All documents, including drawings and specifications prepared by the Consultant pursuant to this Agreement, are instruments of service in respect of the Project. They are not intended or represented to be suitable for reuse by the City or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by the Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to the Consultant from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle the Consultant to further compensation at rates to be agreed upon the City and the Consultant.
- VIII. OWNERSHIP OF DOCUMENTS.** Original documents, plans, designs, reports and survey notes developed in connection with services performed hereunder belong to, and remain the property of the City, in consideration of which it is mutually agreed that the City will use them solely in connection with the Project, save with the express consent of the Consultant. The Consultant shall retain reproducible copies or electronic files of such documents for at least five (5) years and shall furnish copies to the City for reimbursable costs, if so requested.
- IX. THE CONSULTANT AGREES TO DEFEND, INDEMNIFY AND HOLD THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, HARMLESS AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT IS CAUSED BY OR RESULTS FROM ANY NEGLIGENT ACT OR OMISSION, INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY CONSULTANT, ITS AGENT, EMPLOYEE, CONSULTANT UNDER CONTRACT, OR ANY OTHER ENTITY OVER WHICH THE CONSULTANT EXERCISES CONTROL, IN THE PERFORMANCE OF THIS AGREEMENT; EXCEPT THAT THE INDEMNITY AND DEFENSE PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OR FAULT OF THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONSULTANTS OR CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRING NEGLIGENCE OR FAULT OF THE CONSULTANT AND THE CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED IN ACCORDANCE WITH THE LAW OF THE STATE OF TEXAS, WITHOUT WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. THE DUTY TO DEFEND SHALL NOT APPLY IN THE CASE OF A CLAIM BASED WHOLLY OR PARTLY ON THE NEGLIGENCE OF, FAULT OF, OR BREACH OF CONTRACT BY THE CITY, ITS AGENTS OR EMPLOYEES, OR OTHER ENTITY (EXCLUDING THE CONSULTANT OR ITS AGENT, EMPLOYEE, CONSULTANT UNDER**

CONTRACT, OR ANY OTHER ENTITY OVER WHICH THE CONSULTANT EXERCISES CONTROL) OVER WHICH THE CITY EXERCISES CONTROL, IN WHICH INSTANCE THE CITY'S REASONABLE ATTORNEY'S FEES SHALL BE REIMBURSED BY CONSULTANT IN PROPORTION TO THE CONSULTANT'S LIABILITY. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY.

- X. TERMINATION.** This Agreement may be terminated without cause at any time prior to completion of the Consultant's services by the City, or by the Consultant with cause, upon seven days written notice to the City at the address of record. Termination shall release each party from all obligations of this Agreement, except as specified in Paragraphs VII, VIII and IX, above. Upon notice of termination, the Consultant shall prepare and submit to City a final invoice within 15 days.
- XI. TIME OF COMPLETION.** A Project schedule, shown in Attachment "A" is hereby included in this Professional Services Agreement by reference. The Consultant agrees to perform the services in accordance with the schedule, to the extent over which the Consultant has control.
- XII. PROTECTION OF RESIDENT WORKERS.** Protection of Resident Workers: The City of Lewisville actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Consultant shall establish appropriate procedures and controls so no services under the Contract Documents will be performed by any worker who is not legally eligible to perform such services or employment. The City reserves the right to audit consultant's employment records to verify the existence of a completed Employment Eligibility Verification Form (I-9) for every worker performing services under the Contract Documents. The audit will be at the City's expense.
- XIII. IMMIGRATION REFORM AND CONTROL ACT.** Immigration Reform and Control Act (8 U.S.C. §1324a): The City of Lewisville supports the Immigration Reform and Control Act (IRCA) which is a comprehensive scheme prohibiting the employment of unauthorized aliens in the United States. The Consultant shall submit a declaration signed under penalty of perjury of the laws of the State of Texas stating that it has not been found in violation of IRCA by the United States Attorney General or Secretary of Homeland Security in the preceding five (5) years. The Consultant shall ensure that its Subcontractors submit a declaration signed under penalty of perjury of the laws of the State of Texas stating that they have not been found in violation of IRCA by the United States Attorney General or Secretary of Homeland Security in the preceding five (5) years. The Consultant and its Subcontractors shall at all times during the term of the contract with the City comply with the requirements of IRCA and

shall notify the City within fifteen (15) working days of receiving notice of a violation of IRCA. The City may terminate a contract with the Consultant if the City determines that (a) the Consultant or its Subcontractors have been untruthful regarding IRCA violations in the preceding five (5) years; (b) if the Consultant fails to ensure that its Subcontractors submit the aforementioned declaration; or (c) the Consultant or its Subcontractors fail to timely notify the City of an IRCA violation.

XIV. ADA COMPLIANCE. All goods and services provided to the City must be compliant with the Americans with Disabilities Act ("ADA") and all regulations promulgated pursuant to the ADA. Consultant will be required to certify compliance, if applicable.

XV. SUCCESSORS AND ASSIGNS. The City and Consultant each binds itself and its partners, successors, executors, administrators and assigns to the other party of this Agreement and to partners, successors, executors, administrators and assigns of each other in party in respect to all covenants of this Agreement. Neither the City nor the Consultant shall assign, sublet or transfer its interest in this Agreement without the written consent of the other. Nothing herein shall be construed as giving any right or benefits hereunder to anyone other than the City and the Consultant.

XVI. DISCLOSURE. Pursuant to Chapter 176 of the Texas Local Government Code, a person or agent of a person who contracts or seeks to contract with the City of Lewisville must complete a conflict of interest questionnaire if the person or agent has an affiliation or business relationship that might cause a conflict of interest with the City. The conflict of interest questionnaire, which is available online at ethics.state.tx.us, must be filed with the City Secretary of the City of Lewisville no later than the seventh business day after the person or agent begins contract discussions or negotiations with the City of Lewisville or submits to the City of Lewisville an application, response to a request for proposal or bid, correspondence, or another writing related to a potential agreement with the City of Lewisville. An updated conflict of interest questionnaire must be filed in accordance with Chapter 176 of the Local Government Code.

Said person should consult with legal counsel if they have questions regarding its compliance with the requirements of Chapter 176. It is the responsibility of each person or agent who is contracting or seeking to contract with the City of Lewisville to comply with the filing requirements of Chapter 176.

XVII. TEXAS GOVERNMENT CODE CHAPTER 2270. Pursuant to Texas Government Code Chapter 2270, Contractor affirms that execution of this Agreement serves as written verification that Contractor: (1) does not boycott Israel, as defined by Texas Government Code Section 808.001; and (2) will not boycott Israel during the term of the Agreement.

XVIII. TEXAS GOVERNMENT CODE CHAPTER 2252. Pursuant to Texas Government Code Chapter 2252, Subchapter F, Contractor affirms, by entering into this Agreement, that it is not identified on a list created by the Texas Comptroller of Public Accounts as a company known to have contracts with or provide supplies or services to Iran, Sudan, or a foreign terrorist organization.

XIX. PERFORMANCE. In compliance with Texas Local Government Code 271.904, the Contractor agrees to perform the services outlined herein with the professional skill and care ordinarily provided by competent engineers practicing in the same or similar locality as the City and under the same or similar circumstances and professional license; and to perform the services outlined herein as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer, under the schedule as referenced in Section XIII of this Agreement.

XX. CLOSURE. By signature below, the parties to this Agreement hereby bind themselves to the terms stated herein, including all attachments referred to herein.

CITY OF LEWISVILLE, TEXAS
Approved by the Lewisville City
Council _____

By: _____
Donna Barron, City Manager

By: _____

Date: _____

Date: _____

Attest: _____
Julie Worster

Attest: _____

CITY OF LEWISVILLE
151 West Church Street
Lewisville, Texas 75057

APPROVED AS TO FORM:

Lizbeth Plaster, City Attorney

ATTACHMENT A

Design Phase Schedule

Preliminary Design (30%)	11 weeks
Design Development (60%)	08 weeks
Pre-Final Design (90%)	05 weeks
Final Design (100%)	04 weeks

This time is independent of City review time and public/stakeholder input and coordination time



LOCATION MAP
FOR
KEALY AVE
(MAIN ST - PURNELL ST)

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Nika Reinecke, Director of Economic Development

DATE: January 8, 2018

SUBJECT: **Approval of an Economic Development Agreement Between the City of Lewisville and Mallard Supply, L. P., d/b/a REW Materials; and Authorization for the City Manager to Execute the Agreement.**

BACKGROUND

REW has leased the facility at 535 S. Mill Street for over seventeen years in Lewisville. The company distributes interior and exterior construction products. Due to the construction boom over the past several years, the company has had an increase in demand of products sold by the business. REW has outgrown the facility on Mill Street and needs a location where they can expand and grow. REW is planning to relocate to a suitable industrial location within the City of Lewisville that will be conducive to expanding its business and allow for future growth.

This agreement provides incentives allowing REW to remain in Lewisville and to construct a new facility. This would also allow the business to relocate to an area better suited for business expansion. This agreement calls for REW to invest \$3,500,000 in total capital investments in the project. In addition, the company will invest \$3,000,000 in business personal property. The new facility is expected to be completed by December 30, 2019.

ANALYSIS

Staff has conducted a cost-benefit analysis and consulted with the City Council regarding the economic impact of this project. Based on the project scope, this project will bring a positive economic investment to Lewisville. The proposed agreement provides for the following incentives to REW:

- An annual grant based on the sales and property taxes generated from the new facility, but not to exceed a maximum amount of \$50,000 per year, for a 10-year period
- A one-time start up grant for permit fees and for infrastructure construction for the project not to exceed \$50,000

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement and authorize the City Manager to execute the agreement as set forth in the caption above.

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the City of Lewisville, Texas, a home rule municipality duly acting by and through its City Manager, (hereinafter called "City") and Mallard Supply, L. P., a Texas limited partnership, d/b/a REW Materials (hereinafter called "REW").

WITNESSETH:

WHEREAS, pursuant to Chapter 380 of the Texas Local Government Code (hereinafter referred to as "Statute"), the City adopted an Economic Incentive Policy for making economic development incentives and grants on August 16, 2010 (hereinafter referred to as "the Policy Statement"); and

WHEREAS, the Policy Statement constitutes appropriate guidelines and criteria governing economic development agreements to be entered into by the City as contemplated by the Statute; and

WHEREAS, in order to maintain and/or enhance the commercial, economic, and employment base of the Lewisville area to the long-term interest and benefit of the City, in accordance with said Statute, the City desires to enter into this Agreement; and

WHEREAS, on the ____ day of _____, 2018, the City Council of the City of Lewisville, Texas, authorized this Agreement pursuant to the Statute; and

WHEREAS, REW has, for over seventeen years, leased property, which is located at 535 S. Mill Street, Lewisville, Texas and further described on Attachment "A" attached hereto (the "Current Property"); and

WHEREAS, REW wishes to relocate to a suitable industrial location in the City of Lewisville that will be conducive to expanding its business, thus furthering economic growth and development of the City; and

WHEREAS, the City desires to provide, pursuant to the Statute, an incentive to REW to remain in Lewisville and to occupy an existing vacant facility or construct a new facility within the City to accommodate the growth and expansion of REW; and

WHEREAS, REW agrees to relocate to a suitable existing facility or construct a new facility to accommodate the growth and expansion of REW in a manner consistent with the City of Lewisville zoning ordinance and in compliance with all City rules, regulations and guidelines pertaining to development and vacate the Current Property; and

WHEREAS, the City finds that the administration of an economic development agreement to provide incentives to REW in return for relocating REW within the City will promote local economic development and stimulate business and commercial activity within the municipality and would directly establish a public purpose; and

WHEREAS, the City has determined that this Agreement contains sufficient controls to ensure that the above-mentioned public purposes are carried out in all transactions involving the use of public funds and resources in the establishment and administration of the Agreement; and

WHEREAS, the City wishes to continue to implement the Old Town Master Plan through updating land use, and where possible, zoning district designations.

NOW, THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the Parties do mutually agree as follows:

ARTICLE I TERM

This Agreement shall be effective on the last date that this Agreement is executed by either of the Parties (“Effective Date”) and shall continue for ten (10) years from the date on which the first Annual Grant payment is made to REW by the City under Section 4.1 of this Agreement, unless sooner terminated as provided herein (“Term”). This Agreement shall terminate automatically on December 31, 2019, if REW has not substantially completed the New Facility. The date of substantial completion of the New Facility shall be defined as the date that REW receives a certificate of occupancy for the New Facility.

ARTICLE II DEFINITIONS

Wherever used in this Agreement, the following terms shall have the meanings ascribed to them:

“**Agreement**” has the meaning set forth in the introductory paragraph of this Agreement.

“**Annual Grant**” shall mean an economic development grant as defined in Section 4.1 of this Agreement.

“**Business Personal Property Improvements**” shall mean tangible personal property, other than inventory or supplies, that is classified by the Denton Central Appraisal District as business personal property, that is owned or leased by REW, and that is added to the New Facility subsequent to the execution of this Agreement, including, but not limited to, equipment, furniture and fixtures.

“**City**” has the meaning set forth in the introductory paragraph of this Agreement.

“**Current Property**” has the meaning set forth in the declarations of this Agreement.

“**Effective Date**” shall mean the date established in Article I of this Agreement.

“Eligible Infrastructure Costs” means engineering, design and construction costs necessary to complete public infrastructure improvements associated with the New Facility in accordance with the City’s development ordinances, rules, guidelines and recommendations.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of REW, including without limitation, acts of God or the public enemy, war, riot, terrorism, civil commotion, insurrection, governmental or de facto governmental action including, but not limited to, government actions pertaining to the determination of flood zones or FEMA actions (unless caused by acts or omissions of REW), fire, explosion or flood, and strikes.

“New Facility” shall mean a newly constructed facility within the City of Lewisville, or an existing vacant industrial facility within the City of Lewisville and any real property improvements made by REW thereupon. In any case, the facility shall measure at least 30,000 square feet and shall be at a location agreed to in writing by the City, whose approval will not be unreasonably withheld.

“OTMU2” means the Old Town Mixed Use 2 zoning classification as described in the City of Lewisville Zoning Ordinance.

“REW” has the meaning set forth in the introductory paragraph of this Agreement.

“Start-Up Grant” shall mean an economic development grant as defined in Section 4.2 of this Agreement.

“Term” means the term established in Article I of this Agreement.

ARTICLE III GENERAL PROVISIONS

3.1 As soon as practical after the Effective Date of this Agreement, REW shall commence with the following:

a. investment in the New Facility at a total capital investment of at least three million five hundred thousand dollars (\$3,500,000.00), including the purchase and renovation of an existing facility or the purchase of land and construction of a facility thereupon; and

b. installation of Business Personal Property Improvements in or on the New Facility and the property upon which it is then located at a total investment of at least three million dollars (\$3,000,000.00).

3.2 REW shall substantially complete the New Facility and installation of the Business Personal Property Improvements by December 30, 2019. In the event of Force Majeure or, if in

the reasonable opinion of the City, REW has made substantial progress toward substantial completion by the above date, additional time may be granted at the City's discretion. Substantial completion of the New Facility shall be defined as the date that the City issues a certificate of occupancy for the New Facility.

3.3 REW may continue to operate its current use on the Current Property until December 30, 2019, or the date when REW vacates the Current Property, whichever is earlier. Thereafter, REW, and any sub-lessees, shall limit the use of the Current Property to only those uses authorized by right in the OTMU2 zoning district, as outlined in the Lewisville zoning ordinance on the Effective Date.

a. REW agrees to make a good faith effort to sublease the Current Property to a sublessee for a use authorized by right in the OTMU2 zoning district, as outlined in the Lewisville zoning ordinance on the Effective Date.

b. The City agrees to provide a grant to REW equal to fifty percent (50%) of the lease payment or the increment between the amount paid by the sublessee and the lease payment from January 1, 2020 to February 28, 2021, but such grant shall not exceed \$70,000 in total.

3.4 Should REW, or any entity controlled by REW, become the owner of the Current Property, REW, within thirty (30) days after closing on the purchase of same, will submit a rezoning application to the City requesting that the Current Property be rezoned to OTMU2. The City will waive all re-zoning fees associated with the requirement to request rezoning of the Current Property.

3.5 REW shall provide written notice to the City 180 days prior to termination of its lease for the Current Property. No later than 90 days prior to the termination of the lease for the Current Property, REW shall, if directed in writing by the City to do so, exercise the purchase option set forth in the lease by executing the Commercial Contract of Sale in the form attached to said lease. Should the City direct, in writing, REW to exercise the purchase option set forth in the lease of the Current Property, REW agrees to immediately sell the Current Property to the City, and the City agrees to purchase, for the purchase price set forth in the lease of the Current Property. The City agrees to pay all closing costs, including title opinions, surveys, and one-half of any commission associated with the sales and transfers of the Current Property.

3.6 REW will notify, in writing, the City of any proposed sale or transfer of the Current Property as soon as reasonably practicable, but no later than ten (10) working days, after such knowledge has been obtained.

3.7 REW shall not amend or terminate its lease for the Current Property without written approval of the City.

**ARTICLE IV
ECONOMIC DEVELOPMENT INCENTIVES**

4.1. Annual Grant: Subject to the Parties' continued satisfaction of the terms and conditions of this Agreement, the City shall provide a grant to REW as follows:

a. Starting one year after the issuance of a certificate of occupancy for the New Facility, the City shall make an annual grant to REW in an amount equal to the real property taxes, business personal property taxes, and sales taxes assessed and due to the City by REW and on the New Facility during the previous year, up to a maximum annual grant of \$50,000 ("Annual Grant"). The Annual Grant shall continue for ten (10) years from the date of the first payment.

b. The total amount of Annual Grant funds granted to REW shall not exceed \$500,000 during the Term of this Agreement.

c. The City will disburse the Annual Grant annually on a date to be selected by the City, upon City verification of payment of City-assessed real property taxes, business personal property taxes, and sales taxes by REW. The selected date shall be within thirty (30) days of the anniversary of the date of the issuance of the certificate of occupancy for the New Facility.

4.2 Start-Up Grant: Subject to the Parties' continued satisfaction of the terms and conditions of this Agreement, the City shall provide a grant to REW as follows ("Start-Up Grant"):

a. Upon notification to the City by REW, the City shall grant to REW a one-time development fee credit equivalent to the City development fees paid by REW which are directly related to the construction of the New Facility, in an amount not to exceed fifty thousand dollars (\$50,000.00). The City, at its discretion, may choose to waive certain development fees in lieu of payment by REW and subsequent rebate by the City. In no event, however, will the amount of fees waived for or granted to REW under this section exceed fifty thousand dollars (\$50,000.00).

b. The total Start-Up Grant shall not exceed fifty thousand dollars (\$50,000.00).

c. In recognition that REW Gray Properties, LLC, a Kansas limited liability company, will develop the New Facility, leasing it back to REW, the Parties agree that the Start-Up Grant may be fully assigned to REW-Gray Properties, LLC.

d. REW shall provide the City with documentation of all fees paid no later than the date upon which the certificate of occupancy for the New Facility is issued. The Start-Up Grant will be disbursed to REW within thirty (30) days of the issuance of the certificate of occupancy for the New Facility.

e. If the amount waived for or granted to REW under 4.2.a. is less than fifty thousand dollars (\$50,000.00), the remaining amount shall be granted to REW as a one-time grant to assist with Eligible Infrastructure Improvement Costs which are subject to the City Engineer's review and approval of actual invoices paid by REW.

ARTICLE V AGREEMENT CONDITIONS

To be eligible for any incentives under this Agreement, REW must comply with all of the following agreement conditions.

5.1 Minimum Use Condition. During the Term of this Agreement following the issuance of a certificate of occupancy to REW for the New Facility, REW agrees to occupy the New Facility and operate an industrial manufacturing business and ancillary facilities and improvements.

5.2 Minimum Investment Condition. REW must make, by December 30, 2019 or within such additional time as may be granted by the City at its sole discretion, the following total capital investment including land, real property, and business personal property:

- a. Three million five hundred thousand dollars (\$3,500,000) in a New Facility, either through the purchase and renovation of an existing facility or the purchase of land and construction of a facility thereupon; and
- b. Three million dollars (\$3,000,000) for the purchase and installation of the Business Personal Property Improvements.

The total capital investment in the first year of the Term of this Agreement shall be determined by documentation provided by REW as part of the Annual Compliance Report (see section 5.5 of this Agreement) and reviewed for sufficiency by the City. For each subsequent year of the Term, the capital investment shall be determined by the increase in appraisal value from the value on the Effective Date, as established by the Denton County Appraisal District.

5.3. Minimum Sales Sourced from New Facility. During each year of the Term of this Agreement, following the issuance of a certificate of occupancy to REW for the New Facility, the total amount of sales sourced from the New Facility according to the Texas Comptroller which are subject to the City's sales tax shall be at least forty-five million dollars (\$45,000,000.00). Should the total amount of sales for any given year be less than forty-five million dollars, the City's Annual Grant will be reduced proportionally. Should the sales from the facility fall below \$30,000,000 in any given year, the grant shall not be applicable for the year. Should the sales from the facility fall below \$30,000,000 for three (3) consecutive years, this Agreement shall terminate or shall be renegotiated and approved by the City Council.

5.4 Use of Current Property. REW and any sub-lessee shall limit the use of the Current Property to those uses authorized by right in the OTMU2 zoning district, as outlined in the Lewisville zoning ordinance on the Effective Date. Notwithstanding this section, REW may continue its current operations on the Current Property until December 30, 2019 or the date when REW vacates the Current Property, whichever is earlier.

5.5 Certification. REW must certify annually to the governing body of the City as to its attainment of the stated goals described in Article V of this Agreement by submitting an Annual Compliance Report (Attachment "B") and any supporting documentation for the Compliance Report if requested by the City, no later than May 30th of each year after the issuance of the certificate of occupancy and continuing until the expiration of the Agreement, to the City's Director of Economic Development.

ARTICLE VI TERMINATION

This Agreement may be terminated upon any one of the following:

1. By written agreement of the parties;
2. Expiration of the Term;
3. By any of the parties in the event the other party breaches any of the terms or conditions of this Agreement and such breach is not cured within sixty (60) days after written notice thereof;
4. By City, if REW suffers an Event of Bankruptcy; and
5. By City, if any taxes, assessments or payments owed to the City or the State of Texas by REW shall become delinquent and not cured within sixty (60) days after written notice thereof (provided, however, that REW retain the right to timely and properly protest and contest any such taxes or assessments).

In the event the Agreement is terminated by the City pursuant to this Article (3), (4), or (5), REW shall be ineligible for further grants pursuant to this Agreement and shall be required to refund all funds granted by the City under this Agreement up to the date of termination.

ARTICLE VII MISCELLANEOUS

7.1 The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. This Agreement cannot be assigned by REW unless written permission is first granted by the City, which consent shall not be unreasonably withheld, so long as REW's assignee agrees to be bound by all terms and conditions of this Agreement. It is understood and agreed between the parties that REW in performing their obligations thereunder, are acting independently, and the City assumes no responsibility or liabilities in connection therewith to third parties; it is further understood and agreed between the parties that the City, in

performing its obligations hereunder, is acting independently, and REW assume no responsibilities in connection therewith to third parties.

7.2 REW further agree that the City, its agents and employees, shall have reasonable rights of access to the Current Property, New Facility, and the property upon which the New Facility is located for inspection purposes in order to ensure that the construction of and/or improvements to the New Facility are in accordance with all applicable agreements with the City, including this Agreement, and all applicable state and local laws and regulations, as well as the continuing right, subject to REW's reasonable security requirements, to inspect the New Facility and Current Property to ensure that the New Facility and Current Property are thereafter maintained, operated, and occupied in accordance with all applicable agreements with the City, provided that with respect to matters concerning this Agreement (i) the City must give REW reasonable prior telephone or written notice of any such inspection, and (ii) a representative of REW shall have the right to accompany the agent or employee of the City who is conducting such inspection. The City represents and warrants that the New Facility does not and will not include any property that is owned by a member of the City Council having responsibility for the approval of this Agreement.

7.3 Notices required to be given to any party to this Agreement shall be given personally or by certified mail, return receipt requested, postage prepaid, addressed to the party at its address as set forth below, and, if given by mail, shall be deemed delivered three (3) days after the date deposited in the United States' mail:

For City by notice to:

City of Lewisville
Attn: Economic Development Director
151 W. Church Street
P.O. Box 299002
Lewisville, Texas 75057

For REW by notice to:

Mr. Jeff Butts
KCG, Inc.
15720 W. 108th St.
Lenexa, KS 66219
(913) 927-5118
jbutts@kcg-inc.com

With copies to:
Lewis C. Miltenberger
The Miltenberger Law Firm, PLLC
1190 N. Carroll Ave.

Southlake, TX 76092
(817)251-4500
lcm@miltenbergerlawfirm.com

Any party may change the address to which notices are to be sent by giving the other parties written notice in the manner provided in this paragraph.

7.4 No claim or right arising out of a breach of this Agreement can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved.

7.5 This Agreement may be modified or rescinded only by a writing signed by all of the parties or their duly authorized agents.

7.6 Venue for any litigation arising from this Agreement shall lie in Denton County, Texas.

7.7 REW AGREES TO DEFEND, INDEMNIFY AND HOLD CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, HARMLESS AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY REW'S BREACH OF THIS AGREEMENT OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT OR OMISSION BY REW GRAY PROPERTIES, LLC, REW, ITS OFFICERS, AGENTS, EMPLOYEES OR SUBCONTRACTORS, IN THE PERFORMANCE OF THIS AGREEMENT. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. THIS PARAGRAPH SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

7.8 This Agreement may be executed in multiple counterparts, each of which shall constitute an original, but all of which in the aggregate shall constitute one agreement.

7.9 If any provision contained in this Agreement is held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof. In lieu of each invalid, illegal or unenforceable provision, there shall be

added a new provision by agreement of the parties as similar in terms to such invalid, illegal or unenforceable provision as may be possible and yet be valid, legal and enforceable.

7.10 Whenever the context requires, all words herein shall be deemed to include the male, female, and neuter gender, singular words shall include the plural, and vice versa.

7.11 This Agreement was authorized by action of the City Council, authorizing the City Manager to execute the Agreement on behalf of the City.

DATED this the ____ day of January, 2018.

CITY OF LEWISVILLE, TEXAS

Donna Barron, City Manager

ATTEST:

Julie Worster, City Secretary

APPROVED TO FORM:

Lizbeth Plaster, City Attorney

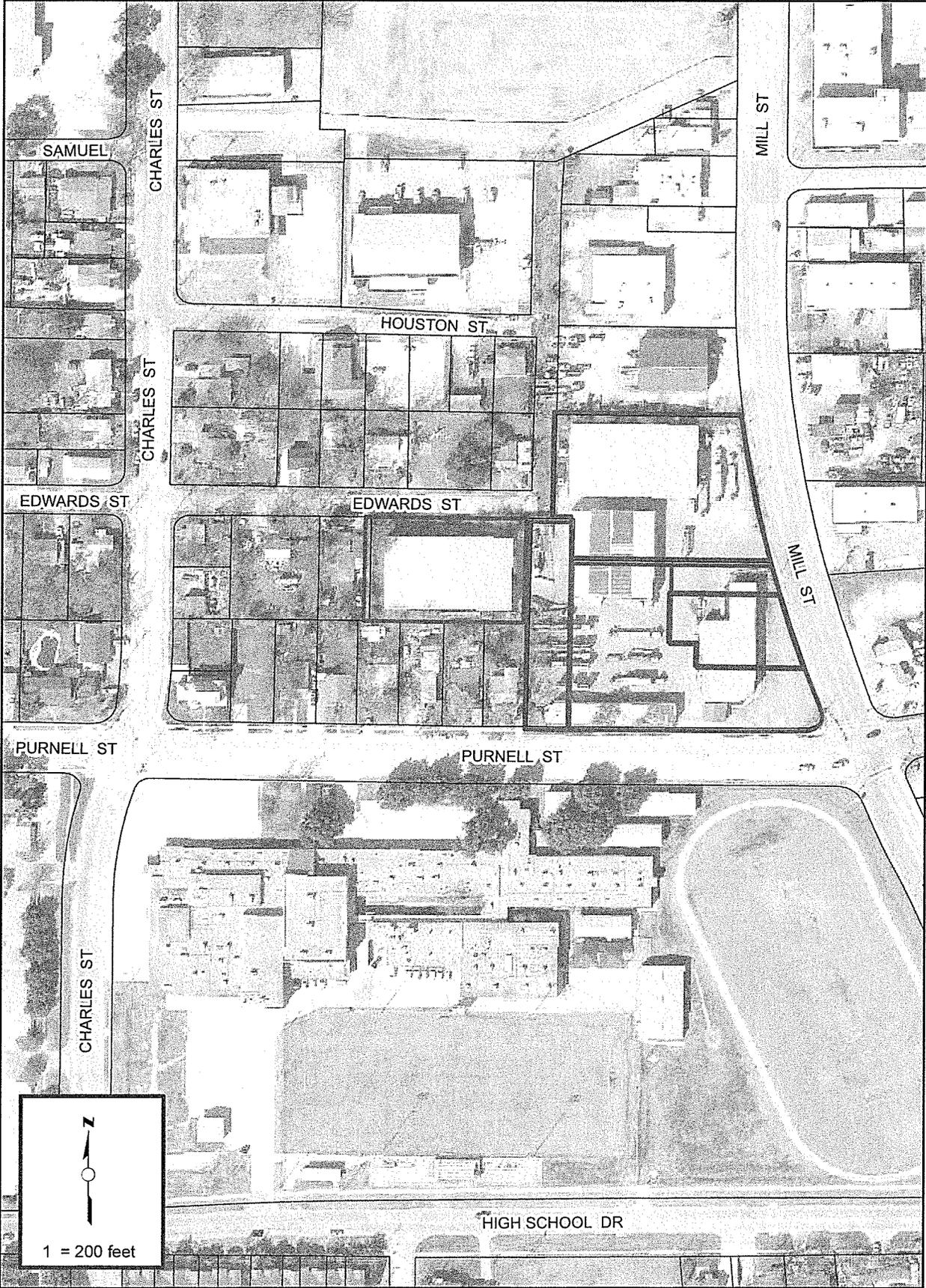
**MALLARD SUPPLY, L. P.,
a Texas limited partnership d/b/a REW MATERIALS**



Rick Rew
CEO/Officer

Attachment "A"
Property Location Map
535 S. Mill Street

Location Map - 535 S. Mill Street



PARCELS:
R03016, R19215
R19221, R19224
R19226, R164853

Attachment "B"
ANNUAL COMPLIANCE REPORT



City of Lewisville Annual Compliance Report

Company Name: _____

Company Address: _____

Capital Investment Value – 1st Year (documentation required):

Capital Investment Value – Reporting Year (documentation required):

Date on which Certificate of Occupancy was received:

Donation Amount in Support of a City Sponsored Event or Program Annually:

Membership in the Lewisville Chamber of Commerce (Y/N):

Please list the dollar amount for the following:

Current Year Appraised Real Property Value – Land	
Current Year Appraised Real Property Value – Improvements	
Current Year Appraised Business Personal Property Value – Machinery, Equipment and Other BPP	
Current Year Appraised Inventory Value	
Property Taxes Paid (City amount only) – Real Property	
Property Taxes Paid (City amount only) – Business Personal Property	
Property Taxes Paid (City amount only) – Inventory Tax	



LEWISVILLE

City of Lewisville Annual Compliance Report

Please provide a copy of your Quarterly Payroll Report along with the following information if applicable per agreement provisions

	Part Time	Full Time
Total Current Employees at End of Reporting Period		
Number of New Employees Added During Reporting Period		

Annual Payroll During Reporting Period:

Average Salary During Reporting Period:

Has construction/installation of planned improvements commenced? Yes No

Has construction/installation of planned improvements been completed? Yes No

Construction Dollars Spent This Reporting Period:

Additional Information to be Attached:
Quarterly Payroll Report
Brief Narrative Highlighting the Progress of the project
If Applicable, a Statement Addressing any Failure to Meet Requirements of the Economic Development Agreement
Letter of Request re: the Economic Development Agreement Grant plus supporting documents

I certify that, to the best of my knowledge, the information and attachments provided herein are true and accurate and in compliance with the terms of the Economic Development agreement with the City Of Lewisville.

_____	_____
Name of Certifying Officer	Title
_____	_____
Signature of Certifying Officer	Date

Telephone:

Fax:

E-mail:

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Stacie Anaya, Director of Parks and Recreation

DATE: December 28, 2017

SUBJECT: **Approval of Pledges of Commitment to Participate in the 2018 It's Time Texas Community Challenge.**

BACKGROUND

The Parks & Recreation and Human Resources Departments identified It's Time Texas as a resource for promoting, supporting and inspiring health and wellness for residents and employees of the City of Lewisville in 2017. It's Time Texas (ITT) is a non-profit organization that works closely with state and local governments, school districts, business and individuals to empower Texans to lead healthier lives and build healthier communities.

Park staff participated in the ITT Texas Walks campaign on October 20 by hosting 10-minute walks at 10 a.m. to demonstrate that exercise can easily be incorporated into the work days.

ITT's most comprehensive initiative is the Community Challenge an 8-week program between communities throughout the State of Texas to determine who can make the biggest commitment to health. The Challenge occurs January through March. Communities can earn points when individuals, businesses, schools and local officials make commitments to exercise, eat healthy and track their progress throughout the program. Winning communities are invited to the Capitol for a recognition ceremony and are eligible for a small grant.

This year's challenge will run from January 8 through March 4th. Communities earn points when:

- Mayors and Council members pledge to participate in the Challenge, produce a Challenge video and (via staff) host a Community-wide event to encourage all residents to participate;
- School District leadership pledges to participate, individual schools host events and coordinate initiatives for students and faculty;
- Businesses and Churches pledge to participate and conduct work-site wellness audits to determine the "health" of their respective offices
- Individuals pledge to participate, adopting healthy habits and document their activity via "selfie" during the Challenge.

A flyer demonstrating the various points earned for each action is attached for your review.

By taking pictures holding the Mayor and City Council Pledge Cards, leadership can earn the City 12,500 points for the Challenge. And to earn another 15,000 points, the Parks & Recreation

staff will coordinate with the Public Information Office to create a script for the Mayor and City Council's Challenge video. This will be filmed, edited and uploaded in late January.

The Parks & Recreation Department will be hosting the City of Lewisville Community Event on January 13 at Herring Recreation Center from 10:00 am to 2:00 pm. The Lewisville Ninja Warrior Course will challenge participants of all levels of physical fitness. Throughout the duration of the Challenge the Department will encourage all participants in the programs to log their activity and earn additional points for the City.

ANALYSIS

The It's Time Texas Community Challenge is a low-cost way to encourage both employees and residents to adopt healthier lifestyles and promote community pride as we take on other cities the size of Lewisville. The winning communities throughout the State are traditionally invited to the Capitol to celebrate their success and meet ITT and State Officials who recognize that our future depends on our collective health.

RECOMMENDATION

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

A BIG PICTURE LOOK AT THE 2018 IT'S TIME TEXAS COMMUNITY CHALLENGE

The 2018 IT'S TIME TEXAS Community Challenge launches on January 8th and runs through March 4th at 5pm!

Wondering how you can step up? There are many ways Texans can earn points for their communities:

First, register! All participants earn 500 points for their communities by creating an account on the Community Challenge website.



INDIVIDUALS CAN:

- » Take a Healthy Selfie whenever you're eating healthy, or participating in a physical activity! ----- 200 points
At least one person must be present in the photo.
- » Utilize the Fitness Tracker daily, or Sync with Map My Fitness/Fit Ranking! ----- 50 points
You may earn points for tracking your physical activity up to 2x per day.
- » Utilize the Weight Tracker to track your weight weekly! ----- 100 points
- » Watch the Living Healthier Video Lesson and answer some questions! ----- 200 points
- » Host a Community Event! This must be a free, public, fitness-focused event the entire community can enjoy. 250 points



MAYORS & ELECTED OFFICIALS CAN:

- » Sign the Mayor's Pledge! This digital pledge lives on the Challenge site. ----- 10,000 points
- » Sign the City Council Pledge! One pledge may be submitted per Council. ----- 2,500 points
- » Create a Mayor's Challenge Video! ----- 15,000 points
Upload a video announcing a personal goal and challenging another Texas community to step up.
- » Establish or Strengthen a Citywide Health Collaborative! ----- 20,000 points
- » Host an IT'S TIME TEXAS Sanctioned Event with mayoral participation! ----- 5,000 points
Communities may host one event per month.



SCHOOL/DISTRICT REPRESENTATIVES CAN:

- » Sign the Pledge: • District School Board - 2,000 • Superintendent Pledge - 2,000 points • District Health & Wellness Coordinator Pledge - 1,000 points • District SHAC Leader Member Pledge (one per SHAC) - 500 points • Principal Pledge - 500 points • PTA Pledge - 250 points • Teacher Pledge - 200 points
- » Implement a Teach Healthier Activity from the Teach Healthier App! ----- 500 points
Educators can earn points for one Teach Healthier lesson per day.
- » Organize a Healthy Staff Activity! Three staff members must attend, one photo per activity ----- 200 points
- » Implement the Teach Healthier MyPlate Lesson! ----- 20 points
One picture per student holding their MyPlate activity card.



BUSINESSES & ORGANIZATIONS REPRESENTATIVES CAN:

- » Sign the Work Healthier Pledge or Nonprofit Leader Pledge! ----- 250 points
- » Complete the Work Healthier Assessment on behalf of your workplace! ----- 200 points
- » Organize a Healthy Workplace Event at work! ----- 200 points
This must be a group fitness or nutrition activity with at least three staff members present.



FAITH-BASED ORGANIZATION REPRESENTATIVES CAN:

- » Sign the Faith-Based Leadership Pledge! ----- 250 points
- » Organize a Healthy Group Activity! ----- 200 points
This must be a group fitness or nutrition activity with at least three participants.

Please read the full requirements for each activity on the Challenge site before submitting.

If you still have questions, feel free to contact us at coco@itstimetexas.org!

MAYOR PLEDGE

In Support of the 2018 IT'S TIME TEXAS Community Challenge,

I, Mayor _____, of _____, Texas

Pledge to:



Kick off the IT'S TIME TEXAS Community Challenge by declaring my support and encouraging my constituents to participate!

To Earn Challenge Points For My Community, I Will:



E-mail a photo of myself holding the Pledge to mayorpledge@itstimetexas.org to be featured on the Challenge website (Required, 10,000 points)



Ask City Council members to sign and upload a photo of the group holding the Pledge on the Challenge site (2,500 points)



Create and upload a short video that promotes the IT'S TIME TEXAS Community Challenge and calls on another Texas Mayor to compete (15,000 points)



Establish or strengthen a Mayor's Health and Fitness Council in my community (20,000 points)



Host and speak at an IT'S TIME TEXAS-sanctioned event in my community that promotes healthy living and the Community Challenge (5,000 points)

I recognize that a healthy community is more united, more productive, and more prosperous.

I am committed to the health of my community and pledge to make our community a model for others to follow.

My community is up to the Challenge!

Mayor's Signature:

Signed _____

Date _____

Let your community know you've signed your pledge by taking a photo holding your signed pledge and posting it to social media with the hashtag #CommunityChallenge!



CITY COUNCIL'S PLEDGE

In Support of the IT'S TIME TEXAS Community Challenge,
We, the City Council of _____, Texas

Pledge to:

- Kick off the IT'S TIME TEXAS Community Challenge by declaring our support and encouraging our constituents to participate!
- To Earn Challenge Points For Our Community, We Will:
 - Declare our support by signing the pledge and by uploading a picture of the group holding the pledge to the Challenge site. (For 2,500 points)
 - Encourage our Mayor to sign the Community Challenge Pledge if it hasn't been submitted.
 - Establish or strengthen a Mayor's Health and Fitness Council or Citywide Health Collaborative (Optional, for 20,000 points)

We recognize that a healthy community is more united, more productive, and more prosperous. As a result, I am committed to the health of my community and pledge to make our community a model for others to follow.

Our city is up to the Challenge!

Council Members Signatures:

Sign: _____

Date: _____



Lewisville Parks and Recreation &
It's Time Texas Community Event Present:

LEWISVILLE
NINJA
WARRIOR

2018

IT'S A WARRIOR'S
EDUCATION

Do you have
what it takes to
complete our
obstacle course?

Saturday, Jan. 13

10 a.m. – 2 p.m.

Frederick P. Herring Recreation Center



LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

cityoflewisville.com



FIND US ON FACEBOOK
LEWISVILLE PARKS AND RECREATION

LEWISVILLE PARKS & RECREATION

AND

IT'S TIME TEXAS PRESENT:



It's Time Lewisville! Help us bring home the title and make healthy easier. Go to ittcommunitychallenge.com and register as a Lewisville participant to demonstrate healthy lifestyles and earn points for our city. Registration on the website will begin Jan. 8.

Lewisville Ninja Warrior: Family Edition

Jan. 13 | 10 a.m.-2 p.m.
Fredrick P. Herring Recreation Center



LEWISVILLE PARKS AND RECREATION

COUCH POTATO



JAN. 27-APR. 7

This program is geared to help individuals who are currently less active get up and move. In 10 weeks we will gradually increase the physical activity. The program will begin Jan. 27 and conclude with the participation in the Denton County Dash 5K Walk/Run on Apr. 7.

Information and registration packets can be picked up at Memorial Park Recreation Center or Fredrick P. Herring Recreation Center.



LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

cityoflewisville.com



Find us on Facebook

Lewisville Parks & Recreation

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Melinda Galler, Assistant City Manager

DATE: December 27, 2017

SUBJECT: **Consideration of an Ordinance Amending Chapter 15, Traffic and Vehicles, Article IV, Parking Regulations, of the Lewisville City Code by Repealing and Replacing the Chapter in its Entirety; and Adding Article IX, Parking Violations in The Old Town Entertainment District; and Amending Chapter 2, Article VIII, Section 2-201 Fee Schedule, by Adding Several Fees Related to Parking Citations.**

BACKGROUND

City staff has been working with the businesses in Old Town and the Main & Mill Association for the last eighteen months to develop a parking ordinance to address issues related to parking in Old Town. Chief Kerbow presented his initial recommendations to Council on May 16, 2016, in a Council Workshop and then to the Main & Mill Association on June 14, 2016.

With the Main and Mill's input, staff has finalized the ordinance as presented to Council at the Special Workshop on October 30, 2017.

ANALYSIS

Staff is recommending an ordinance to amend Chapter 15, Traffic and Vehicles, by adding a new Article IX that creates special parking requirements that apply only to the Old Town Entertainment District. Requirements for back-in parking were moved to Article IX along with the following new parking regulations:

- Adding a two-hour parking limitation between 8:00 a.m. and 5:00 p.m., Monday through Friday, for parking spots along East and West Main Street from Kealy Street to Charles Street; on West Church Street from North Mill Street to North Charles Street; on North Mill Street from West Church Street to West Main Street, west side of North Mill Street only; and in the alley north of West Main Street and South of the Wayne Ferguson Plaza.
- Creating twenty-minute designated parking spaces between 8:00 a.m. and 5:00 p.m. Monday through Saturday along East and West Main Street between Kealy Street and

Subject: Amending Ordinance Chapter 15 and Chapter 2
Date: December 27, 2017
Page 2

Charles Street and in the alley north of West Main Street, south of the Wayne Ferguson Plaza. These spaces can be used by customers who are picking up or dropping off to the businesses in Old Town.

- Restricting overnight parking in public parking lots between the hours of 7:00 p.m. and 7:00 a.m. in lots where signs are posted.
- Creating twenty-minute loading zones along West Main Street between Charles Street and Mill Street with the exception of 7:00 a.m. – 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on Mondays through Fridays.

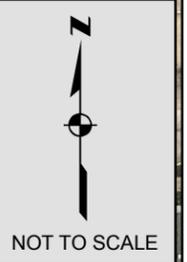
In addition, Article IX creates an administrative adjudication process for all citations issued under Article IX. The City Manager is authorized to appoint a hearing officer to hear the citations under this article. The City Secretary and her staff will be responsible for the administrative hearing process.

Anyone receiving a citation may appeal the hearing officer's determination to the Municipal Court by filing a petition and a cash bond with the Municipal Court within 30 days of the determination. The Fee Schedule is being amended to create a \$25.00 fine for any parking violation under Article IV and a \$35.00 late fee for failure to pay within thirty calendar days unless an appeal has been filed.

Citations for violations under Article IX can be issued by peace officers or civilian parking enforcement officers appointed by the Chief of Police. One full-time and one part-time parking enforcement officer will enforce the requirements under Article IX. These positions are being funded through salary savings from dispatch and jail positions. This enforcement activity will be monitored over the next several months and a budget package developed for FY 18-19.

RECOMMENDATION

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



CHURCH ST.

CHARLES ST.

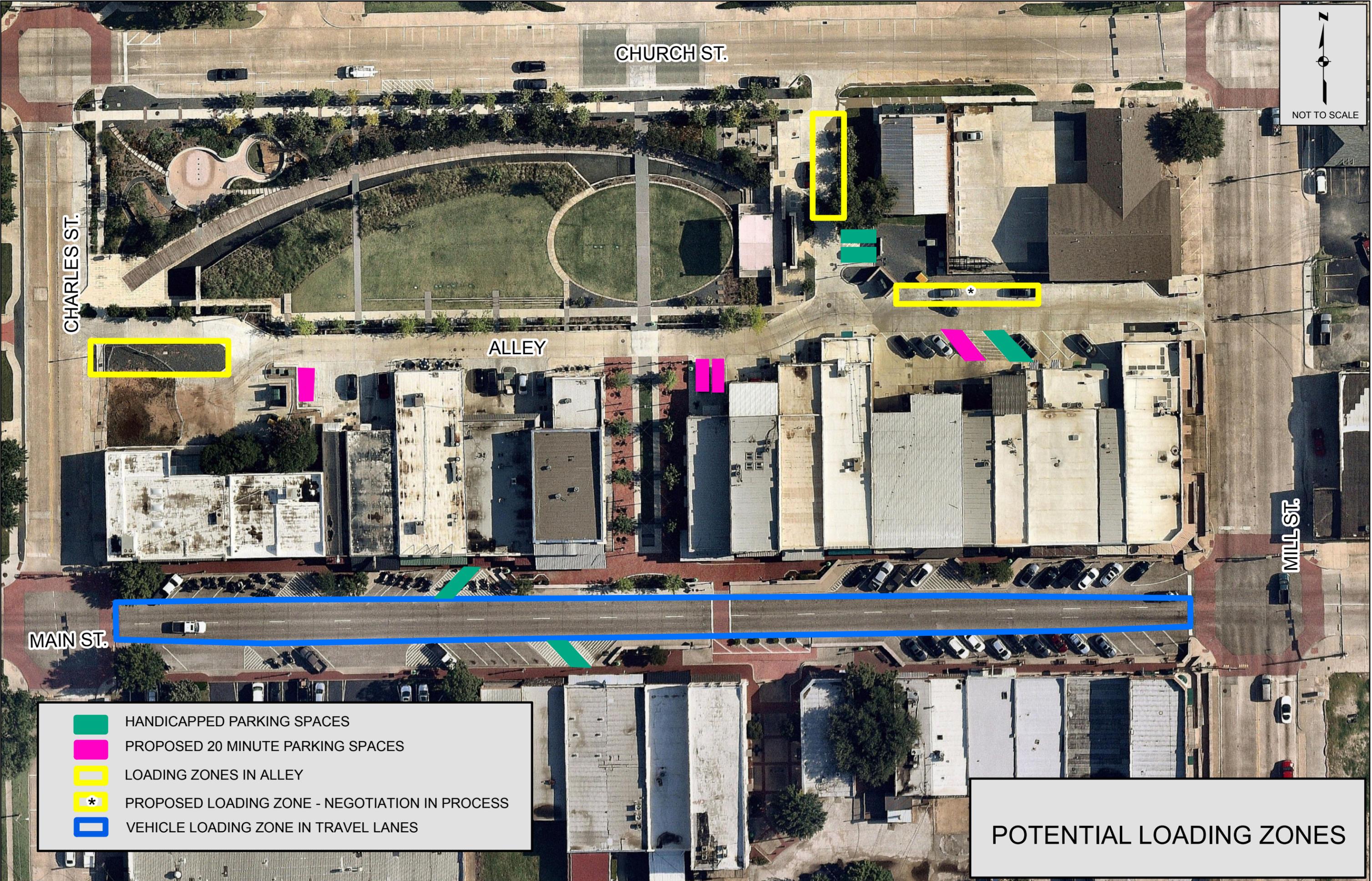
ALLEY

MILL ST.

MAIN ST.

-  HANDICAPPED PARKING SPACES
-  PROPOSED 20 MINUTE PARKING SPACES
-  LOADING ZONES IN ALLEY
-  PROPOSED LOADING ZONE - NEGOTIATION IN PROCESS
-  VEHICLE LOADING ZONE IN TRAVEL LANES

POTENTIAL LOADING ZONES



ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING CHAPTER 15, TRAFFIC AND VEHICLES, ARTICLE IV, PARKING REGULATIONS, OF THE LEWISVILLE CITY CODE BY REPEALING AND REPLACING THE ARTICLE IN ITS ENTIRETY; AMENDING CHAPTER 15 BY ADDING ARTICLE IX, PARKING VIOLATIONS IN THE OLD TOWN ENTERTAINMENT DISTRICT; AND AMENDING CHAPTER 2, ARTICLE VIII, SECTION 2-201 FEE SCHEDULE, BY ADDING SEVERAL FEES RELATED TO PARKING CITATIONS; PROVIDING A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Lewisville is a home rule municipal corporation organized and existing by virtue of the Constitution and laws of the State of Texas and by its Home Rule Charter; and,

WHEREAS, the City of Lewisville has the authority to regulate parking within its City limits and upon its property; and,

WHEREAS, the City recognizes that the ability to safely and conveniently park and utilize the City's rights-of-way is vital to all citizens of Lewisville; and,

WHEREAS, the City of Lewisville seeks to ensure that all citizens have the opportunity to enjoy the City's Old Town Entertainment District and utilize the available public and street parking; and,

WHEREAS, the City wishes to keep the Old Town Entertainment District rights-of-way clear for both the convenience and safety of the citizens who seek to enjoy and work in the District; and,

WHEREAS, state law authorizes the City to utilize the assistance of civilians to enforce parking regulations.

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

SECTION I. Lewisville City Code, Chapter 15, Traffic and Vehicles, Article IV, Parking Regulations, is hereby repealed in its entirety and in its place the attached new Article IV, Parking Regulations, is inserted as set forth in Exhibit “A.”

SECTION II. Lewisville City Code, Chapter 15, Traffic and Vehicles, is hereby amended by adding the attached new Article IX, Parking Violations in the Old Town Entertainment District, as set forth in Exhibit “A.”

SECTION III. Lewisville City Code, Chapter 2, Article VIII, Section 2-201, Fee Schedule, is hereby amended by inserting the following new fees:

Fee	Amount
MUNICIPAL COURT:	
Appellate filing fee for parking citation	25.00
CITY SECRETARY’S OFFICE:	
Late payment fee for parking citation	35.00
POLICE DIVISION:	
Parking Violations in Old Town Entertainment District	
Two-hour parking violation	25.00
Twenty-minute parking violation	25.00

Overnight parking violation	25.00
Back-in parking violation	25.00
Loading zone violation	25.00
Loading/Unloading on specific portion of West Main Street violation	25.00
Improper parking in marked space/Failure to park in marked space	25.00
Immobilization device fee (parking violations in Old Town Entertainment District)	50.00

SECTION IV. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION V. 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 VI. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be subject to a fine of not more than \$500.00 for each offense, unless the violation relates to fire safety, zoning or public health and sanitation in which case the fine shall not exceed \$2,000.00. Each continuing day’s violation shall constitute a separate offense.

SECTION VII. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

SECTION VIII. 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 8TH DAY OF JANUARY, 2018.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

EXHIBIT "A"

ARTICLE IV. - PARKING REGULATIONS

Sec. 15-126. - Stopping, standing, or parking prohibited on specific streets.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to stop, stand, or park upon the following streets or portions thereof at any time when markings on the streets or signs designate no-stopping, no-standing, and/or no-parking zones:

Street	Extent
Ace Lane	From State Highway 121 (Business) to F.M. 3040, both sides of Ace Lane
Applegate Drive	From the west curb line of Old Orchard Lane to a point 60 feet west of the west curb of Old Orchard Lane, the south side of Applegate Drive only
Archer Avenue	From F.M. 407 to Moccassin Trail, both sides of Archer Avenue
Babbling Brook Drive	From Old Orchard Lane to Hidden Trail Drive, both sides of Babbling Brook Drive
Bedford Lane	From Valley Ridge Boulevard to Colgate Drive, the east side of Bedford Lane only
Bellaire Boulevard	From Garden Ridge Boulevard to Interstate Highway 35E southbound Frontage Road, both sides of Bellaire Boulevard; save and except the north side of Bellaire Boulevard from the alley 150 feet east of Catalina Drive to a point 20 feet west of the curb line of Edmonds Lane
Bluffview Drive	From Highland Drive to Ridge Cove Drive, the west side of Bluffview Drive only
Bogard Lane	From McGee Lane to Interstate Highway 35E southbound Frontage Road, both sides of Bogard Lane
Bosbury Drive	From Wentworth Drive, 100 feet south, both sides of Bosbury Drive

Brazos Boulevard	From the north city limits to Garden Ridge Boulevard, both sides of Brazos Boulevard
	From Garden Ridge Boulevard east curb line to a point 400 feet east, the south side of Brazos Boulevard only
Breezewood Drive	From Toronto Drive to Old Orchard Lane, both sides of Breezewood Drive
Cain Drive	From Mimosa Lane to F.M. 407, both sides of Cain Drive
Canterbury Lane	From Kirkpatrick Lane to Yorkshire Terrace, the north side of Canterbury Lane only
	From Kirkpatrick Lane to 600 feet east, the south side of Canterbury Lane only
Catalina Drive	From Tiffany Lane to Monaco Drive, both sides of Catalina Drive
Charles Street	From the Frontage Road of Interstate Highway 35E north to the north property line of 197 Yale Avenue
Charles Street	Southbound from the north curb line of Lake Haven Drive to the intersection of the Frontage Road of Interstate Highway 35E
Church Street	From a point 75 feet west of the west curb line of Charles Street to the west curb line of Charles Street, the south side of Church Street only
Cindy Lane	From Autumn Trail to Corporate Drive, both sides of Cindy Lane
Civic Circle Drive	From F.M. 1171 to Summit Avenue, both sides of Civic Circle Drive
Clydesdale Drive	From Kirkpatrick Lane to Yorkshire Terrace, both sides of Clydesdale Drive
Colgate Drive	From Fairfield Court to McGee Lane, the north side of Colgate Drive only

College Parkway	From Kirkpatrick Lane to Reno Street, the north side of College Parkway only
	From Old Orchard Lane to Interstate Highway 35E southbound Frontage Road, both sides of College Parkway, save and except the north side of College Parkway from Old Orchard Lane to Valley Parkway
College Street	From Mill Street to Valley Ridge Boulevard, both sides of College Street
Continental Drive	From State Highway 121 (Business), 200 feet west, both sides of Continental Drive
	From Valley View Drive to 100 feet north of Timber Way Drive, the west side of Continental Drive only
Corporate Drive	From the west city limits to Waters Ridge Drive, both sides of Corporate Drive
Country Ridge Road	From Southwest Parkway to Interstate Highway 35E, both sides of Country Ridge Road
Cowan Avenue	From Hillside Drive to Mill Street, both sides of Cowan Avenue
	From Perry Street to a point 200 feet north of F.M. 1171 (Main Street), both sides of Cowan Avenue
Creekview Drive	From Old Orchard Lane 400 feet west, the north side of Creekview Drive only
Crestview Point Drive	From Club Ridge Drive, 150 feet east, both sides of Crestview Point Drive
Crosshaven Drive	From Valley Ridge Boulevard to Yosemite Drive, the east side of Crosshaven Drive only

Deer Run	From F.M. 3040 to Corporate Drive, both sides of Deer Run, save and except the section of Deer Run from Antler Trail South to Antler Trail North
Degan Street	From Main Street to Richland Avenue, both sides of Degan Street
Denton Tap Road	From the south city limits to State Highway 121 (Business), both sides of Denton Tap Road
Drexel Drive	From Columbia Drive to College Parkway, the east side of Drexel Drive only
East Hill Park Road	From State Highway 121 (Business) to a point 1,500 feet northwest of the north line of State Highway 121, both sides of East Hill Park Road
Edmonds Lane	From Denton Tap Road to F.M. 1171 (Main Street), both sides of Edmonds Lane
Edna Avenue	From Elm Street to F.M. 1171 (Main Street), both sides of Edna Avenue
Elm Street	From Interstate Highway 35E northbound Frontage Road to Edna Avenue, both sides of Elm Street
	From 200 feet west of Charles Street to 200 feet east of Charles Street, both sides of Elm Street
F.M. 407 (Justin Road)	From the west city limits to Lake Park Road, both sides of F.M. 407
F.M. 544	From State Highway 121 (Business) to the east city limits, both sides of F.M. 544
F.M. 1171 (Main Street)	From Garden Ridge Boulevard to State Highway 121 (Business), both sides of F.M. 1171, except from Charles Street to Kealy Avenue
F.M. 2281 (Old Denton Road)	From the south city limits to State Highway 121 (Bypass), both sides of F.M. 2281

F.M. 3040 (Round Grove Road)	From the west city limits to Interstate Highway 35E centerline, both sides of F.M. 3040
F.M. 3504 (Mill Street)	From State Highway 121 (Business) to F.M. 1171 (Main Street), both sides of Mill Street
Forestbrook Drive	From State Highway 121 (Business) to Oakbend Drive, both sides of Forestbrook Drive
Fox Avenue	From Garden Ridge Boulevard to High School Drive, both sides of Fox Avenue
	From High School Drive to Purnell Street, the west side of Fox Avenue only
Garden Ridge Boulevard	From Corporate Drive to Interstate Highway 35E, both sides of Garden Ridge Boulevard
Grandy's Lane	From McGee Lane to Interstate Highway 35E southbound Frontage Road, both sides of Grandy's Lane
Green Slopes Drive	From Rock Point Drive to F.M. 407, both sides of Green Slopes Drive
Grove Drive	From Knollridge Drive to Valley Parkway, the north side of Grove Drive only
	From Valley Parkway to Summit Ridge, both sides of Grove Drive
Harris Street	From the north line of Church Street to a point 150 feet north, both sides of Harris Street
Hawthorne Drive	From Hawthorne Court to Valley Ridge Boulevard, the east side of Hawthorne Drive only
Hebron Parkway	From the Interstate highway 35E centerline to the east city limits, both sides of Hebron Parkway
Helen Lane	From Edmonds Lane, 100 feet north, the west side of Helen Lane only

Hembry Street	From McKenzie Street to Birch Street, both sides of Hembry Street
Henrietta Street	From Main Street to 180 feet south of Main Street, the east side of Henrietta Street only
Highland Drive	From Denton Tap Road to MacArthur Boulevard, both sides of Highland Drive
Highpoint Drive	From Garden Ridge Boulevard to Daffodil Lane, both sides of Highpoint Drive
Hilldale Drive	From Highland Drive to Ridge Cove Drive, the east side of Hilldale Drive only
Hobart Lane	From Edmonds Lane to Helen Lane, the east side of Hobart Lane only
Holford's Prairie Road	From Midway Road to State Highway 121 (Business), both sides of Holford's Prairie Road
Houston Street	From the east curb line of Charles Street to a point 300 feet east, both sides of Houston Street
Huffines Boulevard	From Corporate Drive to State Highway 121 (Business), both sides of Huffines Boulevard
Huffines Street	From Interstate Highway 35E northbound Frontage Road to F.M. 3504 (Mill Street), both sides of Huffines Street
Interstate Highway 35E (Stemmons Freeway)	From the south city limits to the north city limits, both northbound and southbound freeway lanes, ramps, shoulders, frontage roads, all ramps and connecting roadways in the Interstate Highway 35E/State Highway 121 (Bypass) Interchange, Interstate Highway 35E/F.M. 3040/Hebron Parkway Interchange, Interstate Highway 35E/Corporate Drive Interchange, Interstate Highway 35E/State Highway 121 (Business) Interchange, Interstate Highway 35E/Fox Avenue Interchange, Interstate Highway 35E/Valley Ridge Boulevard Interchange, Interstate Highway 35E/F.M. 407 Interchange, Interstate Highway 35E/Garden Ridge Boulevard Interchange, shoulders, frontage roads and all areas within the Interstate Highway 35E right-of-way

Jones Street	From Interstate Highway 35E northbound Frontage Road to Kealy Avenue, both sides of Jones Street
Kathy Lane	From Alice Lane to Valley Parkway, both sides of Kathy Lane
Kay Lane	From the north curb line of Purnell Street to a point 300 feet north, both sides of Kay Lane
Kealy Avenue	From F.M. 3504 (Mill Street) to Jones Street, both sides of Kealy Avenue
Keeson Trail	From McGee Lane, 100 feet north, the west side of Keeson Trail only
Kent Street	From Edmonds Lane to Huntington Drive, both sides of Kent Street
Kingston Drive	From Westwood Drive to Valley Parkway, the north side of Kingston Drive only
Lake Park Road	From Interstate Highway 35E northbound Frontage Road to a point 500 feet east of the centerline of Mill Street, both sides of Lake Park Road
Lake Vista Drive	From MacArthur Boulevard to Vista Ridge Mall Drive, both sides of Lake Vista Drive
Lakepointe Drive	From Hebron Parkway to Interstate Highway 35E northbound Frontage Road, both sides of Lakepointe Drive
Lakeside Circle	From Hebron Parkway (500 feet west of Lakepointe Drive) to Hebron Parkway (2,000 feet east of Lakepointe Drive), both sides of Lakeside Circle
Lakeway Drive	From Corporate Drive to Bennett Lane, both sides of Lakeway Drive
Lakeway Drive	From Lakepointe Drive to a point 100 feet north on both sides and 50 feet on either side of any existing driveway
Lakeway Drive	From Lakepointe Drive to Corporate Drive
Len Mar Drive	From Christopher Lane to Summit Avenue, both sides of Len Mar Drive

Lindsey Trail	From McGee lane to Brittany Place, the east side of Lindsey Trail only
MacArthur Boulevard	From the south city limits to F.M. 3040, both sides of MacArthur Boulevard
Marblehead Drive	From Valley Parkway to Laguna Bay, the north side of Marblehead Drive only
McCartt Drive	From Country Ridge Road to State Highway 121, both sides of McCartt Drive
McGee Lane	From Valley Ridge Boulevard to Bogard Lane, both sides of McGee Lane
McKenzie Street	From Mill Street to Lone Oak Street, both sides of McKenzie Street
Meadowglen Drive	From F.M. 3040 to Kirkwood Drive, both sides of Meadowglen Drive
Mesquite Street	From Mill Street to Hembry Street, both sides of Mesquite Street
Midway Road	From Huffines Boulevard to F.M. 544, both sides of Midway Road
Mill Street	From the north curb line of Walters Street to a point 400 feet north of the centerline of Lake Park Road, both sides of North Mill Street
Moccassin Trail	From Garden Ridge Boulevard to Interstate Highway 35E southbound Frontage Road
Monarch Drive	From Valley Parkway to Kamla Drive, the north side of Monarch Drive only
North Cowan Avenue	From a point 400 feet south of the south curb line of Morningside Drive on the west side of North Cowan Ave, continuing around the cul-de-sac, to a point 490 feet south of the south curb line of Morningside Drive on the east side of North Cowan Avenue
Oak Knoll Circle	From State Highway 121 (Business) to the east end, both sides of Oak Knoll Circle

Oakbend Drive	From F.M. 3040 to Interstate Highway 35E southbound Frontage Road, both sides of Oakbend Drive
Oakridge Boulevard	From Lake Park Road to Marcus Drive, both sides of Oakridge Boulevard
Oaks of Bellaire	From Bellaire Boulevard to Clear Creek Drive, both sides of Oaks of Bellaire
Oak Tree Lane	On or within 25 feet of the bridge located approximately 300 feet west of Holford's Prairie Road
Oakwood Lane	From State Highway 121 (Business) to Bellaire Boulevard, both sides of Oakwood Lane
Old Orchard Lane	From FM 3040 to Valley Ridge Boulevard, both sides of Old Orchard Lane, save and except the east side from Settler's Way north approximately 420 feet;and, save and except the east side from Grove Drive to Juniper Lane; and, save and except the west side from Juniper Lane to Valley Parkway; and, save and except the east side from Valley Parkway to Summit Run
Olympic Court	From Parkside Trail to a point 120 feet north of Parkside Trail, the west side of Olympic Court only
Orchid Drive	From Edmonds Lane, 100 feet west, both sides of Orchid Drive
Palisades Drive	From the east curb line of Tahoe Drive to a point 150 feet east, the north curb line of Palisades Drive only
Park Vista Drive	From Vista View Drive to Club Ridge Drive, both sides of Park Vista Drive
Parkside Trail	From a point 150 feet west of Olympic Court to Olympic Court, the south side of Parkside Trail only
Peachtree Lane	From F.M. 3040 to Shady Elm Lane, the east side of Peachtree Lane only

Poydras Street	From Elm Street to Church Street, the east side of Poydras Street only
Princeton Street	From Valley Parkway to Drexel Drive, both sides of Princeton Street
Purnell Street	From 200 feet west of Mill Street to Kealy Avenue, both sides of Purnell Street
	From Hardy Street to Railroad Street, both sides of Purnell Street
	From Interstate Highway 35E northbound Frontage Road 250 feet east, both sides of Purnell Street
Quaker Lane	From Hershey Lane to McGee Lane, the south side of Quaker Lane only
Raldon Street	From the east curb line of Edmonds Lane to a point 200 feet east, both sides of Raldon Street
Richland Street	From Interstate Highway 35E northbound Frontage Road to Degan Street, both sides of Richland Street
Ridge Point Drive	From Club Ridge Drive to Ridge Point Drive, the south side of Ridge Point Drive only
Ridgegate Drive	From Highland Drive to Vista Bluff Boulevard, both sides of Ridgegate Drive
Ridgemont Drive	From State Highway 121 (Bypass) (Spur 553) to Highland Drive, both sides of Ridgemont Drive
Roberts Drive	From Interstate Highway 35E northbound Frontage Road to Hebron Parkway, both sides of Roberts Drive
Rockbrook Drive	From State Highway 121 (Bypass) (Spur 553) to Uecker Drive, both sides of Rockbrook Drive
Samuel Street	From the west curb line of Charles Street to a point 200 feet west, the north side of Samuel Street only

Savage Street	From Oakridge Boulevard to Point Drive, the east side of Savage Street only; and from 350 feet south of Sandra Drive to Oakridge Boulevard, the west side of Savage Street only
Seneca Place	From Stillwater Place to Valley Parkway, the south side of Seneca Place only
Seneca Way	From Valley Parkway to Kamla Drive, the south side of Seneca Way only
Settlers Way	From Old Orchard Lane, 120 feet east, the north side of Settlers Way only
Shannon Drive	From Waterford Drive to Niagara Boulevard, both sides of Shannon Drive
South Shore Place	From the Interstate Highway 35E southbound Frontage Road to a point 100 feet west, the south side of South Shore Place only, and from Interstate Highway 35E southbound Frontage Road to Ridgecrest Drive, the north side of South Shore Place only
Southwest Parkway	From Corporate Drive to Bellaire Boulevard, both sides of Southwest Parkway
Spinks Road	From Duncan lane to Valley Parkway, both sides of Spinks Road
Springwood Street	From Valley Parkway to Sweetbriar Drive, both sides of Springwood Street
St. Gallen Lane	From Bregenz Lane to Bellaire Boulevard, the north side of St. Gallen Lane only
Stanford Lane	From Purdue Drive and Summit Avenue, the north side of Stanford Lane only
Starling Lane	From Oriole Drive to McGee Lane, both sides of Starling Lane

State Highway 121 (State Highway 121 Business)	From the south city limits to the east city limits, both sides of State Highway 121 and including all ramps and connecting roadways in the State Highway 121/F.M. 3040 Interchange and in the State Highway 121/Interstate Highway 35E Interchange
State Highway 121 (State Highway 121 Bypass) (Spur 533)	From Denton Tap Road to the east city limits, both eastbound and westbound freeway lanes, ramp lanes, shoulders, frontage roads and all areas within the State Highway 121 right-of-way
Sterling Drive	From Kirkpatrick Lane to Yorkshire Terrace, both sides of Sterling Drive
Summerwind Lane	From Garden Ridge Boulevard to Summerwind Court, the north side of Summerwind Lane only
Summit Avenue	From F.M. 1171 (Main Street) to Moccassin Trail, both sides of Summit Avenue
Summit Park	From Summit Pointe to Summit Avenue, the north side of Summit Park only
Summit Run	From Old Orchard Lane, 100 feet east, the south side of Summit Run only
Summit Trail	From Courtney Lane to Summit Avenue, both sides of Summit Trail
Sunset Lane	From Wentworth Drive to Mustang Drive, the east side of Sunset Lane only
Sunswept Terrace	From Garden Ridge Boulevard to Mayflower Lane, the south side of Sunswept Terrace only
Surf Street	From the south curb line of F.M. 1171 (Main Street) to a point 300 feet south, both sides of Surf Street
Tahoe Drive	From Monaco Drive to Palisades Drive, both sides of Tahoe Drive
	From Palisades Drive to Marblehead Drive, the west side of Tahoe Drive only

Taylor Lane	From Valley Ridge Boulevard to Jennifer Place, both sides of Taylor Lane
Tennie Drive	From Oakwood Drive to Mill Street, both sides of Tennie Drive
Texas Street	From Pine Street to State Highway 121, both sides of Texas Street
Tiburon Bend	From Clarendon Drive to Abilene Drive, the east and north sides of Tiburon Bend only
Tucson Drive	From Kirkpatrick Lane to Reno Street, both sides of Tucson Drive
Uecker Drive	From Rockbrook Drive to Corporate Drive, both sides of Uecker Drive
Uecker Lane	From Oakbend Drive to Rockbrook Drive, both sides of Uecker Lane
Valley Oaks Drive	From Oak View Place to Valley Parkway, the south side of Valley Oaks Drive only
Valley Parkway	From the east curb line of Olympic Court to the west curb line of Garden Ridge Boulevard, the south side of Valley Parkway only
	From Edmonds Lane to Garden Ridge Boulevard, both sides of Valley Parkway, save and except the west side of Valley Parkway from Springwood Drive to a point 150 feet north of the centerline of Kathy Lane; and, save and except the west side of Valley Parkway from Grove Drive to Laramie Drive
	From Kirkpatrick Lane to Autumn Breeze Lane, the north side of Valley Parkway only
Valley Ridge Boulevard	From the west city limits to Mill Street, both sides of Valley Ridge Boulevard
Valley Ridge Circle	From Interstate Highway 35E northbound Frontage Road to Valley Ridge Boulevard, both sides of Valley Ridge Circle
Valley View Drive	From State Highway 121 (Business), 1,300 feet west, both sides of Valley View Drive

Valleybrook Drive	From Edmonds Lane to Wallbrook Drive, both sides of Valleybrook Drive
Village Drive	From Pleasant Run Drive to Fox Avenue, the east side of Village Drive only
Vista Drive	From F.M. 3040 to Cassion Drive, both sides of Vista Drive
Vista Ridge Mall Drive	From Denton Tap Road to Interstate Highway 35E southbound Frontage Road, both sides of Vista Ridge Mall Drive
Waters Ridge Drive	From Interstate Highway 35E northbound Frontage Road to Bennett Lane, both sides of Waters Ridge Drive
Whatley Street	From Mill Street to Kealy Avenue, the northside of Whatley Street only
Willow Grove Drive	From F.M. 3040 to Golden Grove Drive, both sides of Willow Grove Drive
Willow Springs Drive	From Edmonds Lane to Ridgeway Circle, the south side of Willow Springs Drive only
Willow Street	From the south curb line of Purnell Street to a point 200 feet south, both sides of Willow Street
Willowross Drive	From Valley Parkway to Mayflower Lane, the west side of Willowross Drive only
Winnipeg Drive	From Valley Ridge Boulevard, 150 feet west, the south side of Winnipeg Drive only

Sec. 15-126.5. - Prohibiting parking in proximity to driveways and other areas.

It shall be unlawful for any person to cause, allow, or permit any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon streets or street intersections or in certain lanes that serve a turning vehicle:

- (1) On a sidewalk;
- (2) On or within 20 feet of a crosswalk at an intersection;
- (3) On a railroad track;

- (4) In front of or within 25 feet of a private driveway (except in front of residential driveways), private-gated streets and public street or street-alley intersections;
- (5) Within 15 feet of a fire hydrant;
- (6) Within 200 feet on the approach to a flashing signal or traffic-control signal located at a street intersection;
- (7) Within a right-turn deceleration lane that does not serve through-vehicles including the taper-length of the deceleration lane;
- (8) Within 25 feet of the driveway entrance to a fire station; and
- (9) Where an official sign prohibits parking.

Sec. 15-127. - Prohibited parking on specific streets during specific hours.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession to be or remain parked upon the following streets between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, when markings on the streets or signs designating limited parking, are clearly visible.

Street	Extent
Bennett Lane	Interstate Highway 35E Service Road to Railroad Street

Sec. 15-128. - Prohibited parking in front of mailboxes during specific hours.

It shall be unlawful for any person to cause, allow, permit, or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession to be or remain parked, upon any street, within ten feet of any mailbox between 9:00 a.m. and 5:00 p.m. on regular mail delivery days.

Sec. 15-129. - Prohibiting parking in excess of 48 hours.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked on any street, road, highway or public property for a period in excess of 48 hours.

Sec. 15-130. - Private parking areas.

- (a) Prohibition of parking. A person commits an offense if he stops, stands or parks a vehicle or trailer having a manufacturer's rated carrying capacity in excess of 2,000 pounds located within any private parking area in the city in violation of authorized signs which have been erected prohibiting or restricting stopping, standing or parking within such private parking area.

- (b) Erection of signs. The owner or operator of any private parking area is authorized to erect clearly legible signs of uniform size and design upon approval of the city manager or his designated representative, which shall be placed in the parking area advising the public of the limits of the parking regulations which are set forth in subsection (a) above. The provisions of subsection (a) shall not be effective until such signs are so placed.
- (c) Violations for unattended vehicles. If a vehicle or trailer is found unattended or unoccupied within a parking area covered by this section when parking is prohibited, the registered owner of the vehicle or trailer shall be presumed to be the person who illegally parked it. The records of the state highway department or the county highway license department showing the name of the person to whom the state highway license was issued shall constitute prima facie evidence of ownership by the named individual.
- (d) Enforcement. Only a police officer of the city shall be authorized to issue citations for offenses in violation of this section.
- (e) Not mandatory. Compliance with the provisions of this section are not mandatory upon the owner or operator of any private parking area.

Sec. 15-131. - Selling of vehicles in a signed parking facility.

- (a) Definition. Parking facility shall have the same meaning as currently assigned in Texas Occupations Code § 2308.002, as it now exists or may be hereafter amended.
- (b) Prohibition of parking. A person commits an offense if he knowingly stops, stands or parks a vehicle in a parking facility to offer the vehicle for sale, lease or trade and the parking facility bears authorized signs prohibiting such stopping, standing or parking. Stopping, standing or parking a vehicle to offer the vehicle for sale, lease or trade shall be unauthorized parking.
- (c) Erection of signs. The owner or operator of any parking facility is authorized to erect clearly legible signs prohibiting unauthorized parking to sell a vehicle. Such signs shall be placed in the parking facility advising the public of the parking restriction set forth in subsection (b) above and it shall not be effective until such signs are erected.
- (d) General requirements for signs prohibiting unauthorized parking to sell vehicles. Signs prohibiting unauthorized parking shall conform to the following requirements:
 - (1) Face and be conspicuously visible to drivers entering a parking facility;
 - (2) Be situated on the right side of each driveway or curb cut through which a vehicle can enter the facility, including an entry from an alley abutting the facility;
 - (3) Be permanently mounted on a pole or post;
 - (4) Be installed so that the bottom edge of the sign is no lower than five feet and no higher than eight feet above ground;
 - (5) Be constructed of weather-resistant material;
 - (6) Bear the words "NO PARKING OF VEHICLES FOR SALE OR TRADE" in at least two-inch letters, black or blue in color with a white background.
- (e) Presumptions. In a prosecution for an offense under this section, it shall be presumed that:

- (1) The registered owner of the vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred.
 - (2) The parked vehicle is for sale, lease or trade if the vehicle or the area immediately surrounding the vehicle bears inscriptions, signs, placards, markings, symbols or language commonly accepted as an offer to sell, lease, trade or otherwise vend the vehicle.
- (f) Enforcement. Only a police officer or code enforcement officer of the city shall be authorized to issue citations for offenses in violation of this section. This section does not affect any regulation regarding the towing, removal, impoundment or capturing of a parked vehicle.

Sec. 15-132. - Obedience to no parking signs.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon public property when markings on said property or signs prohibiting, regulating, or restricting parking are clearly visible.

Sec. 15-132.5 - Parking within designated spaces.

(a) It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be parked on public property unless the vehicle or trailer is parked in a marked parking space.

(b) It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be parked in any public parking space in a manner such that any part of the motor vehicle or trailer extends over any sidewalk, into any lane of traffic, including a bike lane, on or across a line marking a parking space, or over any driveway.

Sec. 15-133. - Parking buses, recreational vehicles, trailers, etc., on public streets.

(a) Definitions. As used in this section, the following definitions shall apply:

Bus shall mean a motor-driven passenger vehicle, 25 feet or greater in length, which has the capacity to accommodate more than 15 persons.

Recreational vehicle shall mean any vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and which is primarily designed to serve as temporary living accommodations for recreational, camping or travel use and including, but not limited to, travel trailers, camping trailers, converted buses and self-propelled motor homes. This definition does not include pickup trucks equipped with camper units, pickup trucks with bed caps or vans that have a manufacturer's rated carrying capacity of three-fourths ton or less.

Semitrailer shall mean every vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.

Trailer shall mean every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle, including those vehicles described in section 15-101.

- (b) Parking prohibited; exceptions. It shall be unlawful for any person to park or store any bus, recreational vehicle, trailer, or semitrailer on a public street within the city. This provision shall not prevent the temporary parking or standing of such vehicles engaged in the loading or unloading of passengers or contents which does not exceed twenty (20) minutes. This section shall not apply to street construction, maintenance and repair equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities, other vehicles when actually parked at a designated loading zone, municipal vehicles in the course of a performance of city business, or when it is lawful to park a commercial motor vehicle for the sole purpose of accepting or delivering portable goods.

Sec. 15-134. - Special vehicles, recreational vehicles and other vehicle storage or parking in single-family zoned districts.

- (a) Definitions:

Distinguishable border shall mean a permanent curbing of concrete, wood or brick, which shall form a perimeter at least one foot greater than the stored or parked vehicle. All area within said curbing shall be filled in with concrete, asphalt, paving stones, brick, gravel, or crushed rock.

Improved driveway shall mean a location that is built of concrete or asphalt and is in the required front yard.

Main structure shall mean a building in which the principal use of the lot on which it is located is conducted.

Mobile home/trailer coach shall mean any registered vehicle within the State of Texas having no foundation other than wheels and so designed and constructed as to permit occupancy for dwelling or sleeping purposes, and so used, or a house trailer that is used as a permanent residence and is not capable of being moved without a state permit from the Texas Department of Transportation and does not have the ability to be self-propelled; and shall abide by Chapter 7—Licenses and Business Regulations, Section 7-125, of the Code of Ordinances of the City of Lewisville, Texas.

Parking surface (PAD) shall mean a location that is built as concrete or asphalt located in the required front yard setbacks or built as concrete, asphalt, paving stones, brick, gravel, or crushed rock with a distinguishable border with dimensions of one foot greater than the exterior dimensions of the vehicle being stored or parked, located in other areas of the property except front yard setbacks.

Recreational vehicle shall mean any vehicle used for leisure-time activity or entertainment.

Required front yard shall mean a "yard" that extends along a lot line and at right angles to such a lot line to a depth or width specified in the yard regulations of the zoning districts in which such building is located.

Special vehicle shall mean any camper, travel trailer, mobile home/trailer coach, bus, boat or any other special or recreational vehicle.

Vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved exclusively by human power.

- (b) [Unlawful parking.] It shall be unlawful for any person to park or allow to be parked on any property under his/her control any vehicle, including recreational or special vehicles, as defined herein, on any portion of a lot in any single-family, attached or detached, or two-family zoned district, except by compliance with the following:
- (1) No special vehicle or recreational vehicle may be parked or stored on public streets, easements, or rights-of-way, except as stated in Chapter 15—Traffic and Vehicles, Section 15-133—Parking buses, recreational vehicles, trailers, etc., on public streets, of this Code.
 - (2) No part of a special vehicle or recreational vehicle may extend over a public right-of-way.
 - (3) No special vehicle, recreational vehicle, or other vehicle stored on a single-family, attached or detached, or two-family zoned district lot, may be used for housekeeping, living, sleeping quarters, storage, or office use.
 - (4) All vehicle licensing and registration shall comply with state laws relating to Abandoned Motor Vehicles, V.T.C.A. 4477-9a, as it now exists or may hereafter be amended.
 - (5) Stored special vehicles, recreational vehicles, and all other vehicles shall be secured with wheel-stops or maintained so as not to present a safety problem.
 - (6) Special vehicles, recreational vehicles, and all other vehicles shall be stored or parked on an all-weather parking surface pad with a distinguishable border. Gravel or crushed rock may be used in the side or rear yards and shall have a distinguishable border. All access drives and parking areas in the required front yard shall be concrete or asphalt, with the exception of existing legal nonconforming, all-weather driveways. All access drives behind the required front yard shall be constructed of concrete, asphalt, paving stones, brick, gravel, or crushed rock. It shall be unlawful for any owner of property used for detached single family or duplex residential use to allow a driveway or parking surface in the required front yard setback to exceed 27 feet in width on lots 60 feet wide or greater or 45 percent of the lot width for lots less than 60 feet in width. For purposes of this requirement, the lot width shall mean the width of the lot measured at the front yard setback. In no case shall the parking or driveway area cover more than 45 percent of the required front yard of the lot. Driveways shall be paved with concrete except that expansion of an existing driveway may be with concrete or a continuation of an existing non-conforming material adjacent to the side of the driveway being expanded, provided that the total parking area complies with the width requirement herein and not more than 45 percent of the required front yard shall be used for parking. Access drives and parking surfaces shall be maintained in good repair at all times. A permit is required for all driveway and parking surface improvements.
 - (7) Special vehicles, recreational vehicles and vehicles in excess of 22 feet in length shall be stored behind the required front yard.

- (8) All parking in the required front yard shall be on an all-weather parking surface pad, provided that access to the pad is in compliance with subsection (6) hereinabove. The all-weather surface shall be one foot greater than the exterior dimensions of the vehicle being stored or parked, with a distinguishable border.
- (9) All special vehicles, recreational vehicles, and vehicles exceeding the minimum of 22 feet in length shall have a minimum setback of ten feet from the main structure.
- (10) No parking is allowed in the front yard unless there is access from a legal front-entry driveway.

Sec. 15-135. - Stopping, standing, or parking prohibited in alleys.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall stop, stand or park a vehicle in any alley.

Sec. 15-136. - Stopping, standing or parking prohibited in fire lanes; right to remove vehicle; assessment of costs.

- (a) It shall be unlawful for any person to park, stop or stand a vehicle in a fire lane.
- (b) Exceptions: Subsection (a) shall not apply if the vehicle is being used for the immediate loading or unloading of passengers or merchandise; nor shall subsection (a) apply to authorized emergency vehicles operated by the fire department, police department or other governmental divisions needed to assist in public safety activities.
- (c) It shall be unlawful for the owner of property to permit or allow a vehicle, other than those specifically excepted, to be left parked, stopped or standing in a designated fire lane.
- (d) Pursuant to Transportation Code §§ 684.011 and 684.012, the owner of the premises shall have the right to remove, or cause to be removed, any vehicle illegally parked, stopped or standing in a fire lane.
- (e) The city shall have the right to remove, or caused to be removed, any vehicle illegally parked, stopped or standing in a fire lane and to assess any costs for removal against the owner of the vehicle.

Sec. 15-137. - Transportation Code presumption.

In a prosecution for an offense under state law involving the stopping, standing, or parking of an unattended motor vehicle, it shall be presumed that the registered owner of the motor vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred.

ARTICLE IX –PARKING VIOLATIONS IN THE OLD TOWN ENTERTAINMENT DISTRICT

Sec. 15-209. – Applicability

A violation of any provision of this article related to the parking or stopping of a motor vehicle or trailer occurring in the Old Town Entertainment District, as defined in section 9-1 of the city code, is a civil offense governed by this article.

Sec. 15-210. - Two-hour parking on specific streets and alleys.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon the following streets or portions thereof for a longer period of time than two hours, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, when markings on the streets or signs designating two-hour parking, are clearly visible:

Street	Extent
East and West Main Street	From the west curb line of Kealy Street, to the east curb line of Charles Street, both sides of East and West Main Street, unless otherwise provided in section 15-211
West Church Street	From the west curb line of North Mill Street, to the east curb line of North Charles Street, unless otherwise provided in section 15-211
North Mill Street	From the south curb line of West Church Street to the north curb line of West Main Street, west side of North Mill Street only
Alley north of West Main Street and South of the Wayne Ferguson Plaza	From the west curb line of North Mill Street, to the east curb line of North Charles Street, unless otherwise provided in section 15-211

Sec. 15-211. - Twenty-minute parking in marked spaces and alleys.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon the following streets or portions thereof for a longer period of time than twenty minutes, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday, when markings on the streets or signs designating twenty-minute parking, are clearly visible:

Street	Extent
East and West Main Street	From the west curb line of Kealy Street, to the east curb line of Charles Street, both sides of East and West Main Street, in marked spaces only
Alley north of West Main Street and South of the Wayne Ferguson Plaza	From the west curb line of North Mill Street, to the east curb line of North Charles Street, in marked spaces only

Sec. 15-212. – Overnight parking prohibited.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked in any public parking lot continuously between the hours of 7:00 p.m. and 7:00 a.m. when signs are posted.

Sec. 15-213. - Back-in parking.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon any street or portions thereof in any manner other than by backing into the parking space, when markings on the streets or signs designating back-in parking are clearly visible.

Sec. 15-214. – Loading zones.

It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to stop, stand or park in a loading zone for a longer period of time than twenty minutes when markings on the streets or alleys, or signs designating loading zones are clearly visible.

Sec. 15-215. – Vehicles loading or unloading on a specific portion of West Main Street:

- (a) Between 7:00 am to 9:00 am and 4:00 pm to 6:00 pm on Mondays through Fridays, it shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to load or unload said vehicle or trailer from a travel lane on West Main Street between the east curb line of Charles Street and the west curb line of Mill Street.
- (b) At all days and times other than the days and times specified in subsection (a), it shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to load or unload said vehicle or trailer from a travel lane on West Main Street between the east curb line of Charles Street and the west curb line of Mill Street for a longer period of time than twenty minutes.
- (c) While loading or unloading a motor vehicle or trailer as allowed in this section, it shall be unlawful for any person to cause, allow, permit or suffer said vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to:
 - (1) block any portion of an adjacent travel lane; or
 - (2) stand the vehicle or trailer in such a manner that it along with another vehicle or trailer loading or unloading from the adjacent travel lane block all the travel lanes to through traffic.

Sec. 15-216. - Imposition of civil penalty for parking violations.

- (a) A person found to be in violation of any provision of this article related to the parking or stopping of a motor vehicle or trailer occurring in the Old Town Entertainment District shall be liable to the city and shall owe a civil administrative penalty in an amount not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00).
- (b) A hearing officer may, or upon proper appeal, the municipal judge, may assess a parking violation fee in an amount greater than or less than that established by the promulgated schedule of parking violation fees found in section 2-201 of this code; but said fee may not exceed the limits established by subsection (a).

Sec. 15-217. - Hearing officers.

- (a) The city manager or her designee shall appoint one or more hearing officers to administratively adjudicate parking violations for which a parking citation is issued under this article.

- (b) Hearing officers shall have the authority to administer oaths and to issue orders compelling the attendance of witnesses and the production of documents.
- (c) An order compelling the attendance of witnesses or the production of documents may be enforced by the municipal court.

Sec. 15-218. - Citation.

- (a) A citation for parking or stopping violations may be issued by a peace officer or a parking control officer on a form provided by the chief of police or his designee. Parking control officers shall include any person designated by the city manager or her designee to enforce the provisions of this article in regard to the parking or stopping of motor vehicles or trailers.
- (b) The citation shall contain all information required by Texas Transportation Code Section 682.006 as it now appears or as it may be amended.
- (c) If the owner or operator of the vehicle is not present at the time of issuance of the citation, the citation may be issued by affixing the citation to the vehicle in a conspicuous place. The original and all copies, including electronic copies, of a citation are prima facie evidence that the citation was issued and that an attempt at service was made in accordance with this section.
- (d) The citation shall provide that the owner or operator of the vehicle charged with a parking or stopping offense shall have the right to an administrative adjudication hearing or an instanter hearing to determine the issue of liability for the charged offense. Said hearing shall be held within thirty (30) calendar days of the date of the citation.
- (e) Payment of civil fines, costs, and fees assessed under this article operates as an admission of liability for the parking or stopping violation and is the final disposition of the violation charge.
- (f) The original or any copy of the citation or summons is a record kept in the ordinary course of business in the city and is rebuttable proof of the facts it contains.

Sec. 15-219. - Presumption of ownership.

- (a) In a hearing under this article, it is presumed that the registered owner of the vehicle is the person who parked or stopped the vehicle at the time and place of the offense charged. The Texas Department of Transportation's computer generated record of the registered vehicle owner is prima facie evidence of the contents of the record.
- (b) A registered owner is not liable if, not later than the thirtieth (30th) calendar day after the date upon which the citation was issued, the owner provides to the parking adjudication office:
 - (1) An affidavit and documents that establish that the vehicle was sold prior to the date and time of the violation; or
 - (2) A copy of the police report and an affidavit stating that the vehicle was stolen at the time of the violation.

- (c) A registered owner engaged in the business of renting or leasing vehicles under written rental or leasing agreements is not liable if, not later than the thirtieth (30th) calendar day after the date of the citation, the owner provides to the parking adjudication office:
 - (1) An affidavit stating the name, address, and driver's license number with state of issuance, of the person in possession of the vehicle at the time the parking citation was issued, or
 - (2) A copy of the lease or rental agreement in effect at the time the parking citation was issued that includes the name, address, and driver's license number of the person that leased the vehicle, along with an affidavit.
- (d) If the registered owner provides the information required in subsection (c), it is presumed that the individual renting or leasing the motor vehicle committed the violation alleged in the citation and a citation may be sent to that individual at the address provided by the owner of the motor vehicle.
- (e) A registered owner engaged in the business of renting or leasing vehicles who fails to comply with subsection (c) is liable for civil fines, costs, and fees as the registered owner of a vehicle.

Sec. 15-220. – Answering the citation.

A person issued a citation shall answer the citation in one of the following ways:

- (a) Not later than the thirtieth (30th) calendar day after the date of the citation, pay the applicable civil fine and any additional fees which may apply. A person may pay in person, by mail, or by other method of payment provided for by the city manager or her designee;
- (b) Not later than the thirtieth (30th) calendar day after the date of the citation, appear before a hearing officer at a hearing at the time and place provided for in the citation; or
- (c) Not later than the thirtieth (30th) calendar day after the date of the citation, appear before a hearing officer at an instanter hearing.

Sec. 15-221. – Hearings.

- (a) At a hearing before the hearing officer, the owner or operator of the vehicle may either admit or deny the alleged infraction.
- (b) The Texas Rules of Evidence do not apply to a hearing under this article.
- (c) At a hearing, the issues must be proven by a preponderance of the evidence.
- (d) No formal or sworn complaint shall be necessary. The hearing officer shall examine the contents of the citation and the evidence related to ownership of the vehicle in question, and shall hear and review the testimony and evidence presented by the owner or operator of the vehicle and the individual who issued the citation, if present. The person who issued the citation or summons is not required to attend the hearing.

- (d) At the conclusion of the hearing, the hearing officer shall issue an order stating whether or not the person charged is liable for the violation of any provision of this article related to the parking or stopping of a motor vehicle or trailer and the amount of any civil penalties, costs, or fees assessed against the person. The order shall be filed with the city secretary's office and kept in a separate index and file, in compliance with Texas Transportation Code Section 682.009 as it now appears or as it may be amended. All such orders shall be kept in a separate index or file by the city secretary using appropriate data processing techniques.
- (e) A person who is found liable for a violation of any provision of this article related to the parking or stopping of a motor vehicle or trailer after a hearing shall pay the civil penalty and fees and costs, if any, within thirty (30) calendar days of the hearing unless an appeal has been filed. A late payment fee shall be due for failure to pay within said thirty (30) calendar days unless an appeal has been filed.

Sec. 15-222. – Failure to appear.

- (a) Failure to appear at a hearing within thirty (30) calendar days of the date on the citation shall constitute an admission of liability for the charged offense (i.e., administrative default).
- (b) A person who is found liable for a civil penalty by administrative default shall pay the civil penalty and fees and costs, if any, within thirty (30) calendar days of the finding of administrative default. A late payment fee shall be due for failure to pay within said thirty (30) calendar days.

Sec. 15-223. - Appeal of the administrative hearing.

- (a) An administrative default may not be appealed to municipal court.
- (b) A person may appeal the hearing officer's determination to the municipal court of the city by filing a petition and a cash bond with the clerk of the municipal court not later than the thirtieth (30th) calendar day after the date of the hearing officer's order. The amount of the cash bond shall include the civil penalty, fees and costs, if any, and an additional appellate filing fee.
- (c) After receiving a petition for appeal and the cash bond, the municipal clerk shall schedule a hearing before the municipal judge and notify all parties of the date, time, and place of the hearing.
- (d) The appeal hearing shall be a trial de novo. The municipal court judge shall examine any evidence presented and if the municipal judge determines by the preponderance of the evidence that the violation was committed by the owner or operator of the vehicle, the municipal court judge shall find the owner or operator of the vehicle liable therefore. A person who is found liable upon appeal shall pay the civil penalty, fees and costs within ten (10) calendar days of

the hearing. The cash bond provided may be used to pay any civil penalties, fees or costs assessed.

Sec. 15-224. - Enforcement.

An order filed by a hearing officer under this article finding liability or a fine, cost, or fee imposed under this article following an administrative default may be enforced by:

- (1) Impounding the vehicle if the offender has committed three or more vehicle parking or stopping offenses in a calendar year;
- (2) Placing a device on the vehicle that prohibits the movement of a motor vehicle if the offender has committed two or more vehicle parking or stopping offenses in a calendar year;
- (3) Imposing an additional fine to a civil fine not paid within the specified time;
- (4) Denying issuance of or revoking a parking or operating permit, as applicable; or
- (5) Filing an action to collect the fine, cost, or fee in a court of competent jurisdiction.

Sec. 15.225. - Procedures for immobilization and/or impoundment.

- (a) When a vehicle is found parked, whether legally or illegally, at any time upon a public street or public property in the city and such vehicle has met the criteria for immobilization or impoundment as provided in section 15-224, any police officer may immobilize the vehicle by the installation on or attachment to the vehicle of a device designed to prohibit the movement of the vehicle. In the alternative, such vehicle may be towed and impounded, provided that the towing and impoundment is authorized at the direction of a peace officer.
- (b) At the time of immobilization, the police officer shall also conspicuously attach to the vehicle a written notice on a form provided by the city; said notice to contain the following information:
 - (1) Notice that the vehicle has been immobilized pursuant to this article, and that attempted movement may cause damage to the vehicle;
 - (2) That release of the vehicle may be obtained at a designated place;
 - (3) That the owner may request a meeting regarding the immobilization; and
 - (4) That the vehicle may be towed and impounded after a designated period of time.
- (c) Any vehicle which remains immobilized at 4:00 p.m. on the day it was immobilized may be towed and impounded, provided that the towing and impoundment is authorized at the direction of a peace officer.
- (d) In the event that a vehicle is towed and impounded, the owner of the vehicle shall be responsible for payment of applicable fees for towing, impoundment, and storage in addition to the fines, costs, and fees provided for under this article. Towed vehicles that are not redeemed within thirty (30) days shall be subject to disposition in the manner provided by state law.

- (e) This section is to be cumulative of existing law, and nothing herein shall be construed to restrict or limit the right to tow and impound vehicles under other applicable law.

Sec. 15-226. – Immobilization device removal and payment of towing fees.

- (a) The registered owner of an immobilized or impounded vehicle, or other authorized person, may secure the release of the vehicle upon payment of fines and fees or the posting of a cash bond in the amount of the fine, fees, if any, and costs, if any, for each delinquent parking citation in addition to an immobilization device fee, if applicable.
- (b) If, prior to release of the vehicle from impoundment, or prior to removal of the immobilization device, the owner or operator of the vehicle posts a cash bond in the total amount of the fine and all fees for each parking citation and the immobilization device fee, if applicable, the posting of the bond shall constitute a notice of appeal. If after the hours of operation of the municipal court clerk's office, the bond may be posted with the police department on a bond form approved by the city manager or her designee. The municipal court, shall within thirty (30) days after the posting of cash bond, provide the owner or operator of the vehicle with notice of the time, date and place of an administrative hearing.
- (c) If a vehicle has been towed, the owner or authorized person shall be responsible to the towing company for all towing and storage fees.
- (d) Payment of the fines, fees, and immobilization device fee (if applicable) without first posting a bond shall constitute a waiver of the right to contest such fines and fees.

Sec. 15-227. - Certain conduct unlawful.

- (a) It shall be unlawful for any person, other than an officer or employee of the city acting in the course and scope of his duties under this article, to remove or attempt to remove or to tamper in any manner with an immobilization device installed on any vehicle pursuant to this article.
- (b) It shall be unlawful for any person, except under the direction of a peace officer, to tow or move or to cause to be towed or moved any vehicle on which an immobilization device is then installed pursuant to this article from the place where it was immobilized.
- (c) It shall be unlawful for any person, other than an officer or employee of the city acting in the course and scope of his duties or the owner or operator of the vehicle of an immobilized vehicle, to remove or relocate any notice placed upon an immobilized vehicle pursuant to this article.
- (d) Any violation of this section shall be punished in accordance with section 1-15 of this code.

Secs. 15-228—15-230. - Reserved.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Tim Ippolito, Fire Marshal

VIA: Claire Swann, Assistant City Manager

DATE: December 5, 2017

SUBJECT: **Consideration of an Ordinance Amending Chapter 5, Article III (Fire Prevention Standards), Section 5-94.5 of the Lewisville City Code by Adding a Section Requiring Automatic Sprinkler Systems Throughout the Historic District.**

BACKGROUND

In October, 2014, City Council approved funding a program to install automatic fire sprinkler systems in the City's Historic District. This ordinance will mandate the installation in all buildings in the Historic District whether a building owner accepts the City funding or chooses to install the required fire sprinkler system at their own expense. Further, this ordinance will require any future buildings or remodels of existing buildings install or maintain an automatic fire sprinkler system.

ANALYSIS

In October, 2014, City Council approved funding, in the amount of \$869,390, to pay for the initial installation of automatic fire sprinkler and fire detection systems in the buildings in our Historic District. The program was placed on hold for a considerable amount of time awaiting the completion of the Wayne Ferguson Plaza project. Since that time, staff has been working with the owners of the buildings in the Historic District to voluntarily agree to the installation of the fire protection systems in their buildings. Additionally, staff hired a fire protection engineer to develop the design documents for the systems.

This ordinance will serve two purposes. First, the ordinance will require that all buildings in the Historic District be protected with automatic fire sprinkler and fire detection systems. While the large majority of building owners voluntarily agreed to accept City funding and allow for the installation of the fire protection systems, this ordinance will require the installation of the fire protection systems whether the building owner agrees to participate in the City-sponsored program or not. In order to provide public funding for the project, all buildings in the Historic District must have the required fire protection systems.

Secondly, this ordinance will require that all future new buildings, or remodeling of existing buildings, be protected with the automatic fire suppression and detection systems.

Historic District Fire Sprinkler Ordinance
December 5, 2017
Page 2

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 CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, AMENDING CHAPTER 5, ARTICLE III (FIRE PREVENTION STANDARDS), SECTION 5-94.5 OF THE LEWISVILLE CITY CODE BY ADDING A SECTION REQUIRING AUTOMATIC SPRINKLER SYSTEMS THROUGHOUT THE HISTORIC DISTRICT; PROVIDING A REPEALER, SEVERABILITY CLAUSE, PENALTY AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the close placement and connection of the buildings in Old Town Lewisville and the historic nature of the buildings makes those structures more susceptible to fire that can spread quickly from building to building; and

WHEREAS, containing a large structure fire to a single building in Old Town Lewisville with manual firefighting only would be both dangerous to firefighters and unlikely to succeed, thus endangering an entire quadrant of historic buildings; and

WHEREAS, fire suppression improvements, including fire alarms and fire suppression sprinklers, can greatly reduce the risk of a fire in one building spreading to closely-spaced adjacent or connected buildings, thus protecting the historic buildings in Old Town Lewisville; and

WHEREAS, the City Council of the City of Lewisville has determined that to safeguard life, health, property, and public welfare, certain amendments to Chapter 5, Article III, Fire Prevention Standards, of the Code of Ordinances of the City of Lewisville are necessary.

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

SECTION 1. Chapter 5, Article III, Section 5-94.5 (Amendments to the International Fire Code 2015 Edition) of the Lewisville City Code is hereby amended by adding the following new section:

Section 903.2.13; change to add a new section to read as follows:

903.2.13 Historic District. An automatic sprinkler system conforming to Section 903.3.1.1 of this code shall be installed throughout all buildings in the Historic District, regardless of size, use, or occupancy classification.

1. For purposes of this section only, the Historic District shall include all lots or parcels which adjoin (a) the north side of West Main Street between and including buildings currently addressed as 101 through 191 West Main Street; (b) the south side of West Main Street between and including buildings currently addressed as 102 through 170 West Main Street; and (c) North Poydras Street.
2. Buildings located in the Historic District on the date of passage of this ordinance shall have the required automatic fire sprinkler system installed by June 30th, 2018 unless the owner of that building has entered into a written agreement with the city to participate in the city's Old Town Fire Suppression Program by that date, in which case the required automatic fire sprinkler system must be installed by the completion date of that program as declared by the City.

SECTION 2. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 3. 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 4. PENALTY. Any person, firm or corporation violating any provision of this Ordinance shall be punished upon conviction by a fine not to exceed \$500.00 for each offense, unless the violation relates to fire safety, zoning or public health and sanitation, in which case the fine shall not exceed \$2,000.00 for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

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 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 8TH DAY OF JANUARY, 2018.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon, PE, City Engineer

VIA: Eric Ferris, Deputy City Manager

DATE: December 20, 2017

SUBJECT: **Consideration of an Ordinance Amending Sections 6-91(o) and 9.5-91(o), Record Drawings, of the Lewisville City Code by Repealing Both Sections and Replacing Them with New Language.**

BACKGROUND

With the implementation of the Drainage Utility, it has become even more important to accurately record the details of new development and infrastructure projects. Historically, as-built drawings have been submitted in Tagged Image File Format (tiff files) which can't be directly imported into GIS. Section 6-91(o) and 9.5-91(o) of the City Code, Record Drawings, should also include a requirement to provide as-built plans in Computer Aided Design File Format (CAD files) in addition to tiff files. CAD files can be more easily and accurately imported into GIS. The new requirements will help enable City staff to properly maintain its record retention files and GIS data and mapping. The revised ordinance provides for more detailed information on the formats and requirements for record drawings required at the completion of development projects within the City.

ANALYSIS

The proposed record drawing requirements provide more clarity on the types of electronic images and quality needed for City staff to store record drawings and accurately import them into GIS. The current ordinance only requires tiff images for record drawings with very little detail about the resolution or quality of the images. Including specific tiff standards in the ordinance should result in higher quality "first submittal" record drawings thus fewer rejected submittals. The addition of CAD files will not cause additional work for engineers submitting the record drawings. Drawings are created in CAD format and must be converted to tiff format before submittal. The proposed requirements do not require the engineer to produce an additional product.

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 AMENDING SECTIONS 6-91(o) AND 9.5-91(o), RECORD DRAWINGS, OF THE LEWISVILLE CITY CODE BY REPEALING BOTH SECTIONS IN THEIR ENTIRETY AND REPLACING THEM WITH NEW LANGUAGE; PROVIDING FOR A REPEALER, SEVERABILITY, A PENALTY AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens, amendments to Lewisville City Code sections 6-91(o) and 9.5-91(o) are necessary.

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

SECTION 1. Lewisville City Code, Chapter 6, Article V, Public Improvements, Section 6-91, Construction standards, subsection (o), Record drawings, is hereby repealed and replaced with the following new language:

- (o) *Record drawings.* In order to receive final acceptance, the design engineer must submit a final set of record drawings including revisions made during construction.
 - (1) The record drawings shall comply with the Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure and the Policy Advisory Opinions issued by the Texas Board of Engineers.
 - (2) Record drawings final set must include a digital submittal of record drawings in the form of a CD labeled with the name of the subdivision or construction project name and the name of the entity that prepared and submitted data.
 - (3) The CD of the record drawings must contain the following:
 - a. Separate TIF file for each individual plan sheet of the record drawings (DO NOT combine sheets in one TIF file).
 - 1. TIF file resolution should be 300 DPI or best resolution for legibility, black and white scan with no color or gray scale scan and file size cannot exceed 3 MB.
 - 2. Label each TIF file according to the title of the plan sheet, including corresponding sheet numbers, i.e. C1-Paving Plan, C2-Water Plan, C3-Grading Plan, etc.

3. The order of the TIF files should match the same order on the cover page of the record drawings.
4. The cover page of the engineering site plan shall have the staff signatures.
- b. ONE CAD drawing with public infrastructure and plat information within the same drawing in DGN or DWG format.
 1. For purposes of this section,
 - A. Public infrastructure shall include the following: fire hydrants, water mains, water valves, water meters, water annotation: pipe sizes, material types, sewer mains, manholes, cleanouts, sewer annotation: pipe sizes, material types, storm mains, inlets, headwalls, outfalls, other drainage structures (valley gutters, etc.), storm annotation: pipe sizes, material types, buildings, paving: edge of pavement, parking area, striping.
 - B. Plat information shall include the following: subdivision boundary, parcel lot lines, street centerlines, ROW lines, easements, street labels and easement types and sizes.
 2. Requirements for CAD Submittal of Record Drawings. The following requirements for submittal of CAD data have been prepared for the purpose of incorporating the digital submittal information into the city's Geographic Information System (GIS) base mapping, so that accurate data may become available to emergency responders, construction inspectors, city planners, engineers, and the larger development community.
 - A. The CAD file must contain public infrastructure and plat information within a single drawing in DGN or DWG format. Files in DXF or DWF format are not acceptable. Drawing must be "stand-alone" without the necessity of attaching Reference or XREF files, or modifying levels and layers.
 - B. The CAD data is not meant to be printed. As such, it should not be all inclusive of the information displayed on the plan sheets. Objects normally set up in the layout tab ("paper space") for the purposes of plotting plan sheets, such as title blocks, page borders, legends, vicinity maps, and north arrows, should NOT be included in the CAD file. Callout detail boxes also should not be included.
 - C. CAD data must be drawn at full scale (1:1) and oriented to true north.
 - D. The data must be tied to city monumentation data, in real world coordinates, and spatially referenced to

the city's GIS projected coordinate system: North American Datum 1983 (NAD83), Texas State Plane, North Central FIPS 4202; Units: US Feet.

- E. All polygons must close without overlaps. All lines must be snapped at their endpoints and free of gaps or dangles. Annotation text that breaks the continuity of lines should be shifted out of the way of the line.
- F. Public infrastructure and plat information must be organized into separate layers according to feature type, and drawn as polylines (except for annotation). All layers must be turned on and visible/unfrozen. **IMPORTANT:** Layer names should be intuitive and descriptive of the objects on that layer. Features must be cleanly segregated into their appropriate layer, and not appear on other unrelated layers. Remnants of lines or points used in the development of the drawing but not representative of actual real-world features (trim lines, transit points, etc.) should be removed from the drawing. Existing infrastructure should be on separate layers from proposed infrastructure and should be differentiated as such in layer names (i.e. "EXIST_WATER_MAIN" versus "PROP_WATER_MAIN"). Any additional features not listed are optional and must also be on separate layers with clear, understandable layer names.

SECTION 2. Lewisville City Code, Chapter 9.5, Article VI, Public Improvements, Section 9.5-91, Construction standards, subsection (o), Record drawings, is hereby repealed and replaced with the following new language:

- (o) *Record drawings.* In order to receive final acceptance, the design engineer must submit a final set of record drawings including revisions made during construction.
 - (1) The record drawings shall comply with the Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure and the Policy Advisory Opinions issued by the Texas Board of Engineers.
 - (2) Record drawings final set must include a digital submittal of record drawings in the form of a CD labeled with the name of the subdivision or construction project name and the name of the entity that prepared and submitted data.
 - (3) The CD of the record drawings must contain the following:
 - a. Separate TIF file for each individual plan sheet of the record drawings (DO NOT combine sheets in one TIF file).

1. TIF file resolution should be 300 DPI or best resolution for legibility, black and white scan with no color or gray scale scan and file size cannot exceed 3 MB.
 2. Label each TIF file according to the title of the plan sheet, including corresponding sheet numbers, i.e. C1-Paving Plan, C2-Water Plan, C3-Grading Plan, etc.
 3. The order of the TIF files should match the same order on the cover page of the record drawings.
 4. The cover page of the engineering site plan shall have the staff signatures.
- b. ONE CAD drawing with public infrastructure and plat information within the same drawing in DGN or DWG format.
1. For purposes of this section,
 - A. Public infrastructure shall include the following: fire hydrants, water mains, water valves, water meters, water annotation: pipe sizes, material types, sewer mains, manholes, cleanouts, sewer annotation: pipe sizes, material types, storm mains, inlets, headwalls, outfalls, other drainage structures (valley gutters, etc.), storm annotation: pipe sizes, material types, buildings, paving: edge of pavement, parking area, striping.
 - B. Plat information shall include the following: subdivision boundary, parcel lot lines, street centerlines, ROW lines, easements, street labels and easement types and sizes.
 2. Requirements for CAD Submittal of Record Drawings. The following requirements for submittal of CAD data have been prepared for the purpose of incorporating the digital submittal information into the city's Geographic Information System (GIS) base mapping, so that accurate data may become available to emergency responders, construction inspectors, city planners, engineers, and the larger development community.
 - A. The CAD file must contain public infrastructure and plat information within a single drawing in DGN or DWG format. Files in DXF or DWF format are not acceptable. Drawing must be "stand-alone" without the necessity of attaching Reference or XREF files, or modifying levels and layers.
 - B. The CAD data is not meant to be printed. As such, it should not be all inclusive of the information displayed on the plan sheets. Objects normally set up in the layout tab ("paper space") for the purposes of plotting plan sheets, such as title blocks, page borders, legends, vicinity maps, and north arrows,

- should NOT be included in the CAD file. Callout detail boxes also should not be included.
- C. CAD data must be drawn at full scale (1:1) and oriented to true north.
 - D. The data must be tied to city monumentation data, in real world coordinates, and spatially referenced to the city's GIS projected coordinate system: North American Datum 1983 (NAD83), Texas State Plane, North Central FIPS 4202; Units: US Feet.
 - E. All polygons must close without overlaps. All lines must be snapped at their endpoints and free of gaps or dangles. Annotation text that breaks the continuity of lines should be shifted out of the way of the line.
 - F. Public infrastructure and plat information must be organized into separate layers according to feature type, and drawn as polylines (except for annotation). All layers must be turned on and visible/unfrozen. IMPORTANT: Layer names should be intuitive and descriptive of the objects on that layer. Features must be cleanly segregated into their appropriate layer, and not appear on other unrelated layers. Remnants of lines or points used in the development of the drawing but not representative of actual real-world features (trim lines, transit points, etc.) should be removed from the drawing. Existing infrastructure should be on separate layers from proposed infrastructure and should be differentiated as such in layer names (i.e. "EXIST_WATER_MAIN" versus "PROP_WATER_MAIN"). Any additional features not listed are optional and must also be on separate layers with clear, understandable layer names.

SECTION 3. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be subject to a fine of not more than \$500.00 for each offense, unless the violation relates to fire safety, zoning or public health and sanitation in which case the fine shall not exceed \$2,000.00. Each continuing day's violation shall constitute a separate offense.

SECTION 4. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance shall for any reason 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 6. REMEDIES. Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Lewisville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Lewisville City Code.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

SECTION 8. 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 8TH DAY OF JANUARY, 2018.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY



LEWISVILLE

Deep Roots. Broad Wings. Bright Future.

MEMORANDUM

TO: Mayor Rudy Durham
Mayor Pro Tem Brent Daniels
Deputy Mayor Pro Tem Brandon Jones
Councilman Bob Troyer
Councilman R Neil Ferguson
Councilman TJ Gilmore

FROM: Julie Worster, City Secretary

DATE: January 3, 2018

SUBJECT: **Consideration of Acceptance of Resignation of Ken Judkins From Place No. 3 on the Lewisville Parks and Library Development Corporation (4B); Declare a Vacancy Exists on the 4B; and Consideration of an Appointment to Place No. 3 on the 4B.**

BACKGROUND

Due to his recent move out of the City of Lewisville, Ken Judkins has advised City staff of his resignation from Place No. 3 on the Lewisville Parks and Library Development Corporation. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Council will see that there are a number of applicants that currently serve on other City boards/commissions. It is staff's thought they wish to remain on these boards/commissions while being considered for this corporation in addition to their current position.

ANALYSIS

The following data sheets of applicants interested in serving on this Corporation have been included for City Council review:

Peter Taggart – (2025 1st choice / 4B 2nd choice)
Walter Jimenez (Arts Board – 1st choice / 4B – 2nd choice)
Justin Moeller (4B – 1st choice / OTDRC – 2nd choice)
Gail Robison (currently serves on Library Board)
Kathleen Rodriguez (currently serves on Library Board)
Michael Pope (currently serves on Park Board)
Rich Oropeza (currently serves on Park Board)

RECOMMENDATION

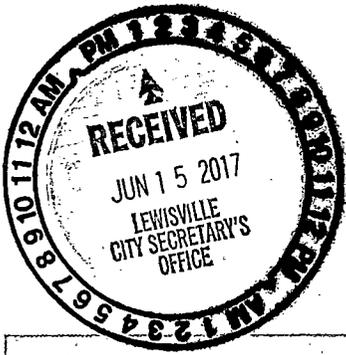
It is City staff's recommendation that the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above.

**Lewisville Parks
and
Library Development Corporation
Roster/Terms of Office**

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
TJ Gilmore 724 Juniper Ln. Lewisville, TX 75077 469-322-9432 (c) tgilmore@cityoflewisville.com	Place No. 1	11/05/2012	6/19/2017	6/30/2019
Robert Solete 1737 Mystic Hollow Dr. Lewisville, TX 75067 972-821-2988 (c) rsolete@2020companies.com	Place No. 2 Vice President	7/15/2013	6/19/2017	6/30/2019
Ken Judkins 1375 Daffodil Ln. Lewisville, TX 75077 972-317-2369 (h) 214-766-2614 (c) kjudkins@verizon.net	Place No. 3	11/4/2002	6/19/2017	6/30/2019
R. Neil Ferguson 1097 Holly Ln. Lewisville, TX 75067 972-315-8367 (h) 469-502-8492 (c) nferguson@cityoflewisville.com	Place No. 4 Secretary	7/15/2013	6/19/2017	6/30/2019
Brandon Jones 936 S. Old Orchard Lane. Lewisville, TX 75067 214-516-2026 (c) bjones@cityoflewisville.com	Place No. 5	05/01/2017	6/19/2017	6/30/2019

**Lewisville Parks
and
Library Development Corporation
Roster/Terms of Office**

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
Rudy Durham 1011 Timber Creek Dr. Lewisville, TX 75077 214-317-9099 (c) rdurham@cityoflewisville.com	Place No. 6 President	7/12/2004	6/19/2017	6/30/2019
Derik Hayenga 1661 Castle Rock Lewisville, TX 75077 737-203-1171 (c) drhayenga@gmail.com	Place No. 7	6/19/2017		6/30/2019



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BOARDS AND COMMISSIONS APPLICATION

Name: Peter J Taggart
Address: 612 Marcus Dr 75057
E-mail Address: taggart.peter.j@gmail.com
Home Phone: 972 436 0874 Cell Phone: 972 880 1987 Work Phone: —
Occupation: Consultant Employer: Self

Are you a resident of Lewisville? Yes No Length of residency: 2.5 years + 4 years
Are you a registered voter? Yes No Voter registration number: —

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment?
 Yes No If yes, explain: —

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service?
 Yes No If yes, explain: —

Please indicate your preferences for membership by numbering (1-15) each Board or Commission, with 1 being your first selection. This will assist Council if first choice is not available.

- | | |
|---|--|
| <input type="checkbox"/> Arts Advisory Board | <u>1</u> Park Board |
| <input type="checkbox"/> Animal Services Advisory Committee | <input type="checkbox"/> Planning & Zoning Commission (also serves as: Transportation Board & Capital Improvements Advisory Committee) – Do you own real property in the City of Lewisville <u>—</u> |
| <u>4</u> Charter Review Commission | <input type="checkbox"/> Tax Increment Reinvestment Zone, Number One Board of Directors |
| <input type="checkbox"/> Community Development Block Grant Advisory Committee | <input type="checkbox"/> Tax Increment Reinvestment Zone, Number Two Board of Directors |
| <input type="checkbox"/> Lewisville Housing Finance Corporation | <input type="checkbox"/> Zoning Board of Adjustment |
| <input type="checkbox"/> Lewisville Industrial Development Corporation | <input type="checkbox"/> Oil and Gas Advisory Board |
| <u>3</u> Library Board | |
| <u>2</u> Lewisville Parks & Library Development Corporation | |
| <input type="checkbox"/> Old Town Design Review Committee | |

Background

Education: High School College - Course Study: —
 Other - explain —

What is your occupational experience? 29 year educator; 19 as an administrator; 15 as a principal — lots of policy implementation + review

Areas of Interest: Education Exercise Recreation Policy



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Previous and current volunteer/community service:	Dates:	Office(s) held:
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Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held. Additional information may be attached.

Phi Delta Kappa	1993 - 2002	President, Treasurer
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Texas Assoc of Secondary School Principals	1997 - 2015	
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HV Trails Committee	2002 - 2005	
---------------------	-------------	--

Texas PTA	1994 - 2015	Life Time Member (x3)
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Are you involved in any community activities? Summit Club, Charity Cycling

Have you attended one or more meetings of the board/commission/committee for which you have applied? Please check box, if the answer is yes. No

* **Reasons for seeking appointment:** Please attach a brief narrative outlining your interests and qualifications for seeking appointment. You may also add a resume or additional information. Please check box, if resume attached

What do you hope to accomplish by serving on a board or commission? serve the public
interest

What else would you like to tell us about yourself? I am very level headed. I
listen more than I talk. I am very logical.
I am good with policy

Please return the completed form to the City Secretary's Office, City Hall, 151 West Church Street, Lewisville, Texas 75057, fax to (972) 219-3412, or e-mail to pdominguez@cityoflewisville.com by **May 15th** to be considered for appointment. Applications are kept on file for a period of one (1) year. After that time it will be necessary to reapply and update the information herein if you wish to be considered for appointment.

By signing below, you certify that all information on this form is represented accurately. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein. All information provided is considered public pursuant to the Texas Public Information Act.

Signature: [Handwritten Signature] Date: _____

To: Rudy Durham, Mayor; City of Lewisville Council Members
From: Peter J. Taggart
Re: Seeking Appointment to Lewisville City Board(s)

My name is Peter J. Taggart. I am a resident of Lewisville. My wife and I reside at 612 Marcus Drive in the Oakridge Estates addition, just west of Lake Park. I am a retired educator and administrator, an educational consultant, and a market and operations director for the Kiefer Team. As each of these is a part-time situation, I have room in my schedule to serve the city as well.

I have lived in Lewisville, Highland Village and Flower Mound for 29 years. Until 2016 when I retired, my entire time here was spent employed by Lewisville ISD as a teacher, coach, and building level administrator. During this time, I developed knowledge and skills in a variety of areas, including athletics, recreation, building usage, resource allocation, logistics, problem solving and the development, interpretation and implementations of governmental policy and law. This knowledge base has been developed in collaboration with people of all ages.

While our residency in Lewisville is only for about eight of these past 29 years, I have been and remain very connected to the city in a variety of ways. I twice worked for Wayne Pickett at Parks and Leisure Services as a swim coach; 1989 and again in 1999-2000. I collaborated with Teddy Gibbs at Parks and Leisure Services as a coach at LHS in 1991 and as a building principal at Hedrick Middle School from 2001-2008.

Our family has attended and continues to attend public events in the city through our residency in the area. My sons participated in the City Basketball Leagues from 1996-2000. They also participated in a variety of athletic programs on the fields at Lake Park. We golf at Lake Park. I am an avid cyclist who utilizes the cycling lanes and paths throughout the city.

When I think about my skill set, and compare them to the list of boards and commissions, I rank the following as suitable matches:

1. Park Board
2. Lewisville Parks & Library Development Corporation
3. Library Board
4. Charter Review Commission

I look forward to hearing from council about all the upcoming appointments, and I hope to be included in them.

PJT 

City of Lewisville, TX - Boards and Commissions Application

Name: Walter Jimenez II

Address: 300 E. Round Grove 911, Lewisville 75067

E-mail Address: jimenezw@lisd.net

Home Phone: 903-259-4587

Cell Phone: 903-259-4587

Work Phone: 469-713-5203

Occupation: Teacher

Employer: Lewisville ISD

Are you a resident of Lewisville? Yes **Length of Residency:** 5 years years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 1

Park Board: 4

Animal Services Advisory Committee: 5

Planning & Zoning Commission: 11

CDBG Advisory Committee: 6

TIRZ #1: 12

Lewisville Housing Finance Corporation: 9

TIRZ #2: 12

Lewisville Industrial Development Corp: 10

Zoning Board of Adjustment: 14

Lewisville 2025 Advisory Board: 7

Oil and Gas Advisory Board: 13

Library Board: 3

Lewisville Parks & Library Dev Corp: 2

Old Town Design Review Committee: 8

Background

Education: College

College – Course Study: Masters in Education with an emphasis on Special Education

Other – explain:

What is your occupational experience? 5 years teaching in Lewisville, 11 years total

Areas of Interest: Creating programs and events for the special needs community

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: None

Are you involved in any community activities? Creator of the LISD Starfish Comic and Gaming Expo & the LISD Special Needs Street Hockey Tournament, volunteer with Love for Kids LISD event

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have been creating events for the special needs community through LISD for 3 years. I've come to the point where I want to do more and reach more people but do not have the resources through the district.

What do you hope to accomplish by serving on a Board or Commission? More integration. It begins by proving to families of special needs that events are safe and fun then integrating the general public with events of similar interests.

What else would you like to tell us about yourself? I am currently a Doctoral student with a focus on the special needs community and integration.

City of Lewisville, TX - Boards and Commissions Application

Name: Justin Moeller

Address: 1457 Lakecrest Lane , Lewisville 75057

E-mail Address: justinmoeller22@gmail.com

Home Phone: 817-680-0264

Cell Phone: 817-680-0264

Work Phone: 817-680-0264

Occupation: Civil Engineering Technician

Employer: Allison Engineering Group

Are you a resident of Lewisville? Yes Length of Residency: 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 7

Animal Services Advisory Committee: 11

CDBG Advisory Committee: 8

Lewisville Housing Finance Corporation: 9

Lewisville Industrial Development Corp: 5

Lewisville 2025 Advisory Board: 6

Library Board: 10

Lewisville Parks & Library Dev Corp: 1

Old Town Design Review Committee: 2

Park Board: 3

Planning & Zoning Commission: 4

TIRZ #1: 12

TIRZ #2: 12

Zoning Board of Adjustment: 14

Oil and Gas Advisory Board: 15

Background

Education: High School

College – Course Study: General studies

Other – explain: Partial credit at community college (NCTC) until injury caused me to leave

What is your occupational experience? Civil engineering

Areas of Interest: engineering, design, cycling, community development, volunteering, outdoor activities

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Former co-chair of Emerging Professional Committee with US Green Building Council

Are you involved in any community activities? Keep Lewisville Beautiful, Clean Stream Team, volunteered at LLELA prior to City taking ownership.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: With a decade of experience in civil infrastructure and land planning, as well as a deep interest in public service and education/outreach, I believe that I could be a valuable asset to a number of city committees and advisory boards. As a father, I have a commitment to creating and cultivating a beneficial and enjoyable environment for him (and all other residents) to grow and thrive in. I have always had a passion for public service and volunteering, as well as responsible land development and recreation. As an avid outdoorsman I also believe that I can provide valuable input regarding the Lewisville 2025 plan and the LLELA/Lake Lewisville areas. I have a long history with cycling (road, mountain, bmx) and would love to help Lewisville secure its place on the list of cycling friendly places to live/visit.

What do you hope to accomplish by serving on a Board or Commission? Greater involvement in city activities, growth of local parks and trails network, increase cycling and pedestrian infrastructure, greater community awareness of recreation and leisure.

What else would you like to tell us about yourself? I have adopted a small section of creek along Valley Ridge Greenbelt and pick up trash, very involved over the years with local issues and cycling. Volunteer at least twice a year with KLB on community cleanup efforts, formerly volunteered at LLELA (prior to city ownership).

City of Lewisville, TX - Boards and Commissions Application

Name: Gail T Robison

Address: 915 Royal Oaks Dr , Lewisville 75067

E-mail Address: dimples4143@verizon.net

Home Phone: 972-315-2833 **Cell Phone:** 214-695-3694 **Work Phone:**

Occupation: Retired/Volunteer **Employer:** N/A - Volunteer at Medical City
Lewisville & Northview Baptist Church

Are you a resident of Lewisville? Yes **Length of Residency:** 22 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 5

Animal Services Advisory Committee: 3

CDBG Advisory Committee: 11

Lewisville Housing Finance Corporation: 6

Lewisville Industrial Development Corp: 4

Lewisville 2025 Advisory Board: 10

Library Board: 1

Lewisville Parks & Library Dev Corp: 2

Old Town Design Review Committee: 7

Park Board: 9

Planning & Zoning Commission: 8

TIRZ #1: 12

TIRZ #2: 12

Zoning Board of Adjustment: 15

Oil and Gas Advisory Board: 14

Background

Education: High School, College
HS

College – Course Study: Human Service, Associate Degree in

Other – explain: Various management and computer classes while employed with the IRS

What is your occupational experience? Poultry Farmer, various retail positions; 27 years as an IRS employee in various positions, retiring as a Program Analyst in 2008

Areas of Interest: Art, travel, family, volunteering

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: On the Library Board for about a year. (Guess I filled a vacant position? thought my

appointment was for 2 years) No other local government boards. Graduate of the 1st City of Lewisville University.

Are you involved in any community activities? Attend various civic, cultural and just plain fun events in Lewisville. Work in my neighborhood with Neighbors Leading Neighbors; community volunteer - at MCL since 2009 (over 3500 hours) and NBC since 2010 (or so) as part of their Hand to Hand Ministries

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: Interested in being a part of the growth of Lewisville. As a military dependent and government employee I have rarely been in any location longer than a few years. Exceptions were as a poultry farmer in De for 12 years and being here in Lewisville for 22 years.

What do you hope to accomplish by serving on a Board or Commission? Continue to enhance opportunities for our residents to take advantage of the programs and events available to them by helping to find ways to get more residents aware of the programs available.

What else would you like to tell us about yourself? I am dependable, articulate, and offer a senior perspective to opportunities for our senior residents and their use of the library facility.. Would like to stay on the Library Board.

City of Lewisville, TX - Boards and Commissions Application

Name: Kathaleen Rodriguez

Address: 151 Campbell , Lewisville 75057

E-mail Address: rodriguezkat2000@yahoo.com

Home Phone: 214-507-0228

Cell Phone: 214-507-0228

Work Phone: 214-507-0228

Occupation: Teacher/Orientation and Mobility Specialist
Melissa ISD

Employer: Coppell ISD,

Are you a resident of Lewisville? Yes **Length of Residency:** 9 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 6

Animal Services Advisory Committee: 10

CDBG Advisory Committee: 7

Lewisville Housing Finance Corporation: 5

Lewisville Industrial Development Corp: 14

Lewisville 2025 Advisory Board: 2

Library Board: 8

Lewisville Parks & Library Dev Corp: 1

Old Town Design Review Committee: 9

Park Board: 11

Planning & Zoning Commission: 3

TIRZ #1: 4

TIRZ #2: 4

Zoning Board of Adjustment: 3

Oil and Gas Advisory Board: 13

Background

Education: College

College – Course Study: accounting/finance; Education Administration

Other – explain:

What is your occupational experience? Teacher of Visually Impaired

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Library Board 6 years- Chairman 2 terms

Are you involved in any community activities? Yes

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have special expertise on how to make the library accessible to the visually impaired,

What do you hope to accomplish by serving on a Board or Commission? I enjoy community service and would like to continue to work with the board to improve services to Lewisville residents.

What else would you like to tell us about yourself? My husband and I are real estate investors. We own a number of rental homes in the Lewisville community.

City of Lewisville, TX - Boards and Commissions Application

Name: Michael Pope

Address: 1391 Forest Hill Circle , Lewisville 75067

E-mail Address: mikepope@prodigy.net

Home Phone: 972-221-7815

Cell Phone: 469-516-9829

Work Phone: 972-221-7815

Occupation: Retired

Employer: Self employed

Are you a resident of Lewisville? Yes **Length of Residency:** 21 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 4

Animal Services Advisory Committee: 11

CDBG Advisory Committee: 13

Lewisville Housing Finance Corporation: 10

Lewisville Industrial Development Corp: 9

Lewisville 2025 Advisory Board: 12

Library Board: 3

Lewisville Parks & Library Dev Corp: 2

Old Town Design Review Committee: 14

Park Board: 1

Planning & Zoning Commission: 6

TIRZ #1: 7

TIRZ #2: 7

Zoning Board of Adjustment: 5

Oil and Gas Advisory Board: 15

Background

Education: College

College – Course Study: B.A. Psychology

Other – explain:

What is your occupational experience? Retail management and Sales

Areas of Interest: Marathon runner

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Park Board 3 terms 2011- present , 2025 Committee 2015 ,Vision 2025 PAC

Are you involved in any community activities? Yes. I am involved with as many Parks activities as possible (Spooktacular , Doggy Dive-in, Senior Lunches and many others). I worked very hard for Yes Lewisville! A Vision for 2025 committee to get Nov. 2015 bond election passed.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I would like to continue to serve on the Park board for another term. I am very proud of our accomplishments in the area of parks and recreations. I have had the privilege of working with Bob Monaghan and I hope to be able to assist the new director.

What do you hope to accomplish by serving on a Board or Commission? I hope to serve Lewisville in any way that I can. I hope that I can bring a perspective of an ordinary citizen of Lewisville. I am very satisfied with the things we have recently been able to get accomplished. I would hope that I would be able to gain more knowledge about the operations of the city and then to make sure that we stay on track to our vision 2025.

What else would you like to tell us about yourself? I hope that I will be considered for the Park Board. I enjoy my involvement in this board, but I would also hope that you will consider me for other boards as well. I have come to recognize that the decisions made about our city are made by a relatively small group of people who very hard to be involved and to have their voices heard. I want to be part of that group and I want to make sure that my voice is heard.

City of Lewisville, TX - Boards and Commissions Application

Name: Rich Oropeza

Address: 1366 Forest Creek Drive , Lewisville 75067

E-mail Address: hankless@verizon.net

Home Phone: 972-219-1886

Cell Phone: 214-995-8771

Work Phone: 972-455-0749

Occupation: Preowned Service Manager

Employer: Sewell Automotive Group

Are you a resident of Lewisville? Yes **Length of Residency:** 20 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 9

Park Board: 1

Animal Services Advisory Committee: 5

Planning & Zoning Commission: 6

CDBG Advisory Committee: 15

TIRZ #1: 13

Lewisville Housing Finance Corporation: 10

TIRZ #2: 13

Lewisville Industrial Development Corp: 7

Zoning Board of Adjustment: 11

Lewisville 2025 Advisory Board: 8

Oil and Gas Advisory Board: 12

Library Board: 3

Lewisville Parks & Library Dev Corp: 2

Old Town Design Review Committee: 4

Background

Education: College

College – Course Study: Business-MKT

Other – explain:

What is your occupational experience? My department reconditions preowned luxury vehicles to make them mechanically sound and cosmetically attractive-Lewisville's parks and recreation department does the same thing for its residents and visitors with its attractive parks/green spaces and sports venues

Areas of Interest: To continue to improve and expand upon the park system for Lewisville-specifically the trail system throughout the city and its connectivity to those park areas as well as the surrounding communities

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission

that you have held: I joined the Park Board several years ago after learning about it from my neighbor who was already a member of the board

Are you involved in any community activities? My oldest daughter is a member of the Lewisville High School Band--a drum major-I regularly volunteer to support them by working concessions at the football games, assist at marching contests, home coming events and Western Days in old town. My youngest daughter is at Hedrick Middle School and will attend LHS next year and be in the band-I will continue to volunteer as needed

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I chose to make Lewisville my home because of the diversity of its residents-we have people from all walks of life here-my wife and I appreciate its history and its impact on the area-I want to continue learning and being a part of the improvements to Lewisville

What do you hope to accomplish by serving on a Board or Commission? Continue to improve the park system for Lewisville residents

What else would you like to tell us about yourself? I am a runner and cyclist-I want to be able to visit our parks and lake areas by the safest routes possible-the trail system is a positive move in that direction. I will be an avid user and supporter of the Multigenerational Center



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MEMORANDUM

TO: Mayor Rudy Durham
Mayor Pro Tem Brent Daniels
Deputy Mayor Pro Tem Brandon Jones
Councilman Bob Troyer
Councilman R Neil Ferguson
Councilman TJ Gilmore

FROM: Julie Worster, City Secretary

DATE: January 3, 2018

SUBJECT: **Consideration of Acceptance of Resignation of Andrea Fowler From Place No. 4 on the Old Town Design Review Committee (OTDRC); Declare a Vacancy Exists on the OTDRC; and Consideration of an Appointment to Place No. 4 on the OTDRC.**

BACKGROUND

Due to her recent move out of the City of Lewisville, Andrea Fowler has advised City staff of her resignation from Place No. 4 on the Old Town Design Review Committee (OTDRC). The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Council will see that there are a number of applicants that currently serve on other City boards/commissions. It is staff's thought they wish to remain on these boards/commissions while being considered for this board in addition to their current position.

ANALYSIS

The following data sheets of applicants interested in serving on this committee have been included for City Council review:

Jack Joseph Miller (OTDRC – 1st choice / 2025 2nd choice)
Justin Moeller (4B – 1st choice / OTDRC – 2nd choice)
Christopher Davidson (2025 Committee – 1st choice / OTDRC – 2nd choice)
Patricia Esselborn (currently serves on Oil and Gas Advisory Board)
Derik Hayenga (currently serves on 4B and Lewisville 2025)
Mary Hampton (currently serves on Arts Advisory Board)
Eric Bowman (currently serves on Arts Advisory Board)

RECOMMENDATION

It is City staff's recommendation that the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above.

**Old Town Design Review Committee
Roster/Terms of Office**

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
<p>Erum Ali Lewisville Resident 1456 Ashby Dr. Lewisville, TX 75067 972-353-3100 (h) 214-755-8353 (c) erum.realestate@gmail.com</p>	Place No. 1	6/19/2017		6/30/2019
<p>Amanda Ferguson Old Town Business Owner 937 Timber Creek Dr. Lewisville, TX 75067 469-955-8017 (h) 972-436-0800 (w) weplusyou@me.com</p>	Place No. 2 Chairman	7/7/2008	6/20/2016	6/30/2018
<p>Sharon Ellis Old Town Resident 340 W. Walters St. Lewisville, TX 75057 972-436-4806 (h) 214-662-0084 (c) kentgellis@msn.com</p>	Place No. 3 Vice Chairman	7/02/2007	6/19/2017	6/30/2019
<p>Andrea Fowler Lewisville Resident 2436 S. Valley Parkway #9303 Lewisville, TX 75067 318-224-0956 (c) Atflower88@gmail.com</p>	Place No. 4	6/16/2014	6/20/2016	6/30/2018
<p>Jack Tidwell Lewisville Resident 401 Dumas Ct. Lewisville, TX 75067 972-839-8546 (c) jetidwelljr@outlook.com</p>	Place No. 5	6/19/2017		6/30/2019

**Old Town Design Review Committee
Roster/Terms of Office**

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
Bill Peck Architect 105 W. Main St. Lewisville, TX 75057 214-707-0304 (c) bill@peckarchitects.com	Architect	7/21/2003	6/19/2017	6/30/2019

City of Lewisville, TX - Boards and Commissions Application

Name: Jack Joseph Miller

Address: 204 Briar Lane , Hickory Creek 75065

E-mail Address: jmill@nbreadymix.com

Home Phone: 972-310-2347

Cell Phone: 214-277-4414

Work Phone: 972-310-2347

Occupation: Controller

Employer: Nelson Bros Ready Mix

Are you a resident of Lewisville? No **Length of Residency:** years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain: Nelson Bros Ready Mix has a contract with the city for 2017 concrete work

Applicate Board Preferences

Arts Advisory Board: 15

Animal Services Advisory Committee: 15

CDBG Advisory Committee: 15

Lewisville Housing Finance Corporation: 15

Lewisville Industrial Development Corp: 15

Lewisville 2025 Advisory Board: 15

Library Board: 15

Lewisville Parks & Library Dev Corp: 15

Old Town Design Review Committee: 1

Park Board: 15

Planning & Zoning Commission: 15

TIRZ #1: 15

TIRZ #2: 15

Zoning Board of Adjustment: 15

Oil and Gas Advisory Board: 15

Background

Education: College

College – Course Study: Accounting

Other – explain:

What is your occupational experience? Accounting & Controller functions

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Treasurer for several NP's

Are you involved in any community activities? Main and Mill Association

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: Served on several NP boards as Treasurer. Industries span from medical research, poverty alleviation, 501c6's and a few others.

What do you hope to accomplish by serving on a Board or Commission? I am looking to extend my community involvement past our local business league (Main and Mill Assoc / OTBA) as well as contribute to the implementation of proper growth in Old Town.

What else would you like to tell us about yourself? I am invested in Old Town!

City of Lewisville, TX - Boards and Commissions Application

Name: Justin Moeller

Address: 1457 Lakecrest Lane , Lewisville 75057

E-mail Address: justinmoeller22@gmail.com

Home Phone: 817-680-0264

Cell Phone: 817-680-0264

Work Phone: 817-680-0264

Occupation: Civil Engineering Technician

Employer: Allison Engineering Group

Are you a resident of Lewisville? Yes Length of Residency: 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 7

Animal Services Advisory Committee: 11

CDBG Advisory Committee: 8

Lewisville Housing Finance Corporation: 9

Lewisville Industrial Development Corp: 5

Lewisville 2025 Advisory Board: 6

Library Board: 10

Lewisville Parks & Library Dev Corp: 1

Old Town Design Review Committee: 2

Park Board: 3

Planning & Zoning Commission: 4

TIRZ #1: 12

TIRZ #2: 12

Zoning Board of Adjustment: 14

Oil and Gas Advisory Board: 15

Background

Education: High School

College – Course Study: General studies

Other – explain: Partial credit at community college (NCTC) until injury caused me to leave

What is your occupational experience? Civil engineering

Areas of Interest: engineering, design, cycling, community development, volunteering, outdoor activities

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Former co-chair of Emerging Professional Committee with US Green Building Council

Are you involved in any community activities? Keep Lewisville Beautiful, Clean Stream Team, volunteered at LLELA prior to City taking ownership.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: With a decade of experience in civil infrastructure and land planning, as well as a deep interest in public service and education/outreach, I believe that I could be a valuable asset to a number of city committees and advisory boards. As a father, I have a commitment to creating and cultivating a beneficial and enjoyable environment for him (and all other residents) to grow and thrive in. I have always had a passion for public service and volunteering, as well as responsible land development and recreation. As an avid outdoorsman I also believe that I can provide valuable input regarding the Lewisville 2025 plan and the LLELA/Lake Lewisville areas. I have a long history with cycling (road, mountain, bmx) and would love to help Lewisville secure its place on the list of cycling friendly places to live/visit.

What do you hope to accomplish by serving on a Board or Commission? Greater involvement in city activities, growth of local parks and trails network, increase cycling and pedestrian infrastructure, greater community awareness of recreation and leisure.

What else would you like to tell us about yourself? I have adopted a small section of creek along Valley Ridge Greenbelt and pick up trash, very involved over the years with local issues and cycling. Volunteer at least twice a year with KLB on community cleanup efforts, formerly volunteered at LLELA (prior to city ownership).

City of Lewisville, TX - Boards and Commissions Application

Name: Christopher Davidson

Address: 1307 Maplewood Drive , Lewisville 75067

E-mail Address: iamchrismichael@gmail.com

Home Phone: 972-607-6438 Cell Phone: 972-607-6438 Work Phone: 972-607-6438

Occupation: Software Engineer/Consulting Employer: Rosetree Solutions LLC

Are you a resident of Lewisville? Yes Length of Residency: 5 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

- | | |
|---|---------------------------------|
| Arts Advisory Board: 15 | Park Board: 12 |
| Animal Services Advisory Committee: 14 | Planning & Zoning Commission: 9 |
| CDBG Advisory Committee: 4 | TIRZ #1: 8 |
| Lewisville Housing Finance Corporation: 5 | TIRZ #2: 8 |
| Lewisville Industrial Development Corp: 6 | Zoning Board of Adjustment: 3 |
| Lewisville 2025 Advisory Board: 1 | Oil and Gas Advisory Board: 6 |
| Library Board: 13 | |
| Lewisville Parks & Library Dev Corp: 10 | |
| Old Town Design Review Committee: 2 | |

Background

Education: College College – Course Study: Computer Science

Other – explain:

What is your occupational experience? I am a programmer who now works as a Software Consultant/Engineer.

Areas of Interest: Public Service

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: None

Are you involved in any community activities?

My fiance and I have a passion for giving back to the community that has given us so much. I

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I find public service in your community to be one of the highest honors. As a homeowner in Lewisville, I would like to represent the good people of our town and their interests.

I bring years of experience in creating software that streamlines business practices for large companies. This unique experience allows me to look at government process' from an analytical point of view. Allowing me to offer simple solutions to complex problems.

What do you hope to accomplish by serving on a Board or Commission? I hope to represent the people of Lewisville and accomplish the goals of our community. Helping the under privileged, and improving conditions for the people of Lewisville general. I believe I could be a key component on the 2025 Council but would be honored to serve in any capacity.

What else would you like to tell us about yourself? I am willing to work hard and serve my community

City of Lewisville, TX - Boards and Commissions Application

Name: Patricia Esselborn

Address: 326 N. Hatcher Street , Lewisville 75057

E-mail Address: esselbornpatricia@gmail.com

Home Phone: 214-450-8685

Cell Phone: 214-450-8685

Work Phone: 214-450-8685

Occupation: Executive Assistant
Dallas

Employer: TOG Properties/Crowne Plaza

Are you a resident of Lewisville? Yes **Length of Residency:** 1.5 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 11

Animal Services Advisory Committee: 10

CDBG Advisory Committee: 12

Lewisville Housing Finance Corporation: 15

Lewisville Industrial Development Corp: 14

Lewisville 2025 Advisory Board: 13

Library Board: 10

Lewisville Parks & Library Dev Corp: 9

Old Town Design Review Committee: 1

Park Board: 6

Planning & Zoning Commission: 5

TIRZ #1: 4

TIRZ #2: 4

Zoning Board of Adjustment: 3

Oil and Gas Advisory Board: 3

Background

Education: College

College – Course Study: Medical Tech

Other – explain:

What is your occupational experience? Hospitality Management

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: NA

Are you involved in any community activities? Not yet

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I just purchased a home in old town, built in 1942. My interests lie in preserving old town.

What do you hope to accomplish by serving on a Board or Commission? To keep the old town charm

What else would you like to tell us about yourself? I have just moved to old town and would like the chance to get involved.

City of Lewisville, TX - Boards and Commissions Application

Name: Derik Hayenga

Address: 1661 Castle Rock , Lewisville 75077

E-mail Address: drhayenga@gmail.com

Home Phone: 737-203-1171

Cell Phone: 737-203-1171

Work Phone: 737-203-1171

Occupation: Labor Management

Employer: Independent Educators Association

Are you a resident of Lewisville? Yes **Length of Residency:** 11 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 9

Park Board: 5

Animal Services Advisory Committee: 10

Planning & Zoning Commission: 7

CDBG Advisory Committee: 3

TIRZ #1: 13

Lewisville Housing Finance Corporation: 4

TIRZ #2: 14

Lewisville Industrial Development Corp: 11

Zoning Board of Adjustment: 15

Lewisville 2025 Advisory Board: 1

Oil and Gas Advisory Board: 12

Library Board: 5

Lewisville Parks & Library Dev Corp: 2

Old Town Design Review Committee: 2

Background

Education: College

College – Course Study: Education Administration Doctorate

Other – explain:

What is your occupational experience? Labor Managment

Areas of Interest: Community, Parks, Development

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: 2025 Co Chair, current. United Way Tarrant County Education Council Chair 2013-2015

Are you involved in any community activities? Organized-no

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: Serving is a responsibility of citizenship.

What do you hope to accomplish by serving on a Board or Commission? Further 2025

What else would you like to tell us about yourself? I am dedicated to Lewisville and am excited about the future of our community

City of Lewisville, TX - Boards and Commissions Application

Name: Mary Hampton

Address: 208 Wildfire Drive , Lewisville 75067

E-mail Address: mary.hampton@gmail.com

Home Phone: 972-436-3342 **Cell Phone:** **Work Phone:**

Occupation: Retired **Employer:** Retired - LISD

Are you a resident of Lewisville? Yes **Length of Residency:** 40 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 1

Animal Services Advisory Committee: 15

CDBG Advisory Committee: 15

Lewisville Housing Finance Corporation: 15

Lewisville Industrial Development Corp: 15

Lewisville 2025 Advisory Board: 15

Library Board: 15

Lewisville Parks & Library Dev Corp: 15

Old Town Design Review Committee: 2

Park Board: 15

Planning & Zoning Commission: 15

TIRZ #1: 15

TIRZ #2: 15

Zoning Board of Adjustment: 15

Oil and Gas Advisory Board: 15

Background

Education: College **College – Course Study:** University of Texas at Austin (Liberal Arts-French and English); University of Texas at Arlington (Spanish and Government); UNT (Accounting); Richland Community College (British Literature).

Other – explain:

What is your occupational experience? No one industry....diversity by design. Hedge fund (8 years); Healthcare billing contractor (3 years); Manufacturer of thermal engineering and thermal management solutions including heat sink products (7 years); Auto transport company (3 years); Semiconductor manufacturer (9 years).

Areas of Interest: Art; Music; Landscape art

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission

that you have held: I'd like to see more and younger residents participate in the discussion process. I'd like to see more residents from other cultures have a voice and get involved so they can be represented. We need to include more youth and diversity. The art consultants at the recent art workshop at the MCL Grand presented a slideshow that included public art from some of our neighbor cities. I would like to see it again and/or take an art field trip to look at their art and maybe discuss it. Did the consultant advise them or how was the acquisition decision made? Just curious how other communities accomplish their goals.

Are you involved in any community activities? Arts Worskhop at MCL Grand; NLN gatherings; Council meetings; Property Enhancement Program.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied? No - been interested for two or three years; however, have not attended a meeting.

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I am interested in art and the message it communicates about Lewisville. We can step it up from Big John and purple Martins and I would like to be involved in discussion and recommendation of work submitted to the City for acquisition. Id' like to see more residents get enthusiastic about public art and the message it conveys about our history and personality.

What do you hope to accomplish by serving on a Board or Commission? Only to preserve and improve the Old Town for future generations to know and see old and new can work together.

What else would you like to tell us about yourself?

City of Lewisville, TX - Boards and Commissions Application

Name: Eric Bowman

Address: 1665 Yosemite Dr. , Lewisville 75077

E-mail Address: hello@velcrokid.com

Home Phone: 817-521-7123 **Cell Phone:** 817-521-7123 **Work Phone:** 817-521-7123

Occupation: Freelance Creative Director & Graphic Designer **Employer:** Velcrokid Design Co. - Founder

Are you a resident of Lewisville? Yes **Length of Residency:** 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? Yes

If yes, explain: I'm a co-owner of a small creative studio in Old Town Lewisville. I could foresee projects or collaborations with artist in the area that might come before the board.

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? Yes

If yes, explain: Currently, the answer to this is no. My company Velcrokid Design Co. works on branding, design

Applicate Board Preferences

and marketing materials for businesses and organization. In the future I could see doing work for City events, etc if asked.

Arts Advisory Board: 1

Animal Services Advisory Committee:

CDBG Advisory Committee:

Lewisville Housing Finance Corporation:

Lewisville Industrial Development Corp:

Lewisville 2025 Advisory Board:

Library Board:

Lewisville Parks & Library Dev Corp:

Old Town Design Review Committee: 2

Park Board:

Planning & Zoning Commission:

TIRZ #1:

TIRZ #2:

Zoning Board of Adjustment:

Oil and Gas Advisory Board:

Background

Education: College **College – Course Study:** Certificate for Graphic Design & Communications

Other – explain:

What is your occupational experience? I served as an Art Director for 7 years before starting my own design company which I've run for 3 1/2 years.

Areas of Interest: Music, Design, Art, Culture Care

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: I worked for The Village Church for 7 years.

Are you involved in any community activities? I run a monthly gathering for Denton County Artist and Creative Entrepreneurs called Connecting Things.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I've spent the majority of my life being an advocate for the arts. 7 years touring and working in the music industry. 7 years working at an art director. 3 1/2 years of running a freelance design company. Over the past year I helped start up a co-working creative space in Old Town Lewisville for artist and makers and started a monthly gathering for artist and creative entrepreneurs. I'm very interested in the visual arts, music and seeing the impact they can have on our city.

What do you hope to accomplish by serving on a Board or Commission? "A well-nurtured culture becomes an environment in which people and creativity thrive." - Makoto Fujimara I believe that art is a powerful gift that has the ability to transcend. It can help us see beyond ourselves, stir us up to take action and move us to love. Because of this belief I want to serve in anyway that I can to cultivate the arts in our area and partner with others to culturally care for our city.

What else would you like to tell us about yourself? Serving on the board or not, I will continue to do my best to be an encourager of the arts, connect local creatives and culturally care for my city.



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MEMORANDUM

TO: Mayor Rudy Durham
Mayor Pro Tem Brent Daniels
Deputy Mayor Pro Tem Brandon Jones
Councilman Bob Troyer
Councilman R Neil Ferguson
Councilman TJ Gilmore

FROM: Julie Worster, City Secretary

DATE: January 3, 2018

SUBJECT: Consideration of Vacancy of Place No. 9 on the Lewisville 2025 Advisory Board; and Consideration of an Appointment to Place No. 9 on the Lewisville 2025 Advisory Board.

BACKGROUND

Due to Ray Hernandez's recent resignation from the Lewisville Chamber of Commerce, he is no longer eligible to serve on the Lewisville 2025 Advisory Board. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Board have been included for City Council review. Council will see that there are a number of applicants that currently serve on other City boards/commissions. It is staff's thought they wish to remain on these boards/commissions while being considered for this board in addition to their current position.

ANALYSIS

The following data sheets of applicants interested in serving on this Board have been included for City Council review:

Peter Taggart – (2025 1st choice / 4B 2nd choice)
Jack Joseph Miller (2025 1st choice / OTDRC 2nd choice)
Sharon Ellis (currently serves on OTDRC)
Kathaleen Rodriguez (currently serves on Library Board)
Debbie Fu (currently serves on Library Board)
Angela Lewallen (currently serves on Library Board)
Bobby Dollak (currently serves on the Oil and Gas Advisory Board)
J. Alexander Clark (Park Board 1st choice / 2025 2nd choice)
Carolyn Wright (CDBG 1st choice / 2025 2nd choice)
Jack Ablon (2025 1st choice / CDBG 2nd choice)
Christopher Davidson (2025 1st choice / OTDRC 2nd choice)
Ginger Amador (Animal Services 1st choice / 2025 2nd choice)

RECOMMENDATION

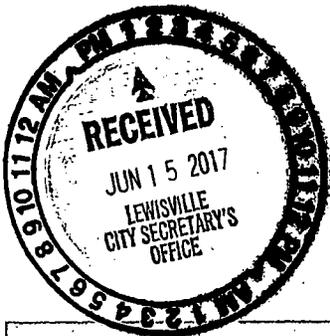
It is City staff's recommendation that the City Council declare a vacancy and consider an appointment as set forth in the caption above.

Lewisville 2025 Advisory Board Roster/ Terms of Office

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
Derik Hayenga 1661 Castle Rock Lewisville TX 75077 817-808-0461 (c) Drhayenga@gmail.com	Place No. 1	10/06/2014	6/19/2017	6/30/2019
Elena Claros 2025 Lakepointe Dr. 14G Lewisville, TX 75057 817-233-9188 (c) ekclaros@gmail.com	Place No. 2	6/19/2017		6/30/2018
Robert Solete 1737 Mystic Hollow Drive Lewisville TX 75067 972-821-2988 (c) rsolete@2020companies.com	Place No. 3	10/06/2014	6/19/2017	6/30/2019
Amanda Ferguson 135 West Main Street Lewisville, TX 75057 469-955-8017 (c) weplusyou@me.com	Place No. 4	10/06/2014	7/18/2016	6/30/2018
Tamela Bowie 1636 Niagara Blvd Lewisville TX 75077 214-478-0293 (c) tamelabowie@aol.com	Place No. 5	10/06/2014	6/19/2017	6/30/2019

**Lewisville 2025 Advisory Board
Roster/ Terms of Office**

<u>Name</u>	<u>Place No.</u>	<u>Appointed</u>	<u>Reappointed</u>	<u>Expires</u>
Kristin Green 305 W. College St. Lewisville, TX 75057 214-729-8733 (c) kristin@placemakersdesign.com	Place No. 6	10/06/2014	7/18/2016	6/30/2018
Toya Gant 2794 Vista View Drive Lewisville, TX 75067 972-315-6136 (h) Luvjones25@msn.com	Place No. 7	10/06/2014	6/19/2017	6/30/2019
Karen Locke 1420 Bobing Drive Lewisville, TX 75067 972-221-2586 (h) 214-733-2795 (c) lockekk@gmail.com	Place No. 8	10/06/2014	7/18/2016	6/30/2018
Vacant	Place No. 9			



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BOARDS AND COMMISSIONS APPLICATION

Name: Peter J Taggart

Address: 612 Marcus Dr 75057

E-mail Address: taggart.peter.j@gmail.com

Home Phone: 972 436 0874 Cell Phone: 972 880 1987 Work Phone: —

Occupation: Consultant Employer: Self

Are you a resident of Lewisville? Yes No Length of residency: 2.5 years + 4 years

Are you a registered voter? Yes No Voter registration number: —

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment?

Yes No If yes, explain: —

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service?

Yes No If yes, explain: —

Please indicate your preferences for membership by numbering (1-15) each Board or Commission, with 1 being your first selection. This will assist Council if first choice is not available.

- Arts Advisory Board
- Animal Services Advisory Committee
- Charter Review Commission
- Community Development Block Grant Advisory Committee
- Lewisville Housing Finance Corporation
- Lewisville Industrial Development Corporation
- Library Board
- Lewisville Parks & Library Development Corporation
- Old Town Design Review Committee
- Park Board
- Planning & Zoning Commission (also serves as: Transportation Board & Capital Improvements Advisory Committee) - Do you own real property in the City of Lewisville —
- Tax Increment Reinvestment Zone, Number One Board of Directors
- Tax Increment Reinvestment Zone, Number Two Board of Directors
- Zoning Board of Adjustment
- Oil and Gas Advisory Board
- Lewisville 2025 Advisory

Background

Education: High School College - Course Study: —

Other - explain —

What is your occupational experience? 29 year educator; 19 as an administrator; 15 as a principal - lots of policy implementation + review

Areas of Interest: Education Exercise Recreation Policy



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Previous and current volunteer/community service:	Dates:	Office(s) held:
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Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held. Additional information may be attached.

Phi Delta Kappa	1993 - 2002	President, Treasurer
Texas Assoc of Secondary School Principals	1997 - 2015	
HV Trails Committee	2002 - 2005	
Texas PTA	1994 - 2015	Life Time Member (x3)

Are you involved in any community activities? Summit Club, Chervity Cycling

Have you attended one or more meetings of the board/commission/committee for which you have applied? Please check box, if the answer is yes. no

* **Reasons for seeking appointment:** Please attach a brief narrative outlining your interests and qualifications for seeking appointment. You may also add a resume or additional information. Please check box, if resume attached

What do you hope to accomplish by serving on a board or commission? serve the public interest

What else would you like to tell us about yourself? I am very level headed. I listen more than I talk. I am very logical. I am good with policy

Please return the completed form to the City Secretary's Office, City Hall, 151 West Church Street, Lewisville, Texas 75057, fax to (972) 219-3412, or e-mail to pdominguez@cityoflewisville.com by **May 15th** to be considered for appointment. Applications are kept on file for a period of one (1) year. After that time it will be necessary to reapply and update the information herein if you wish to be considered for appointment.

By signing below, you certify that all information on this form is represented accurately. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein. All information provided is considered public pursuant to the Texas Public Information Act.

Signature: [Handwritten Signature] Date: _____

To: Rudy Durham, Mayor; City of Lewisville Council Members

From: Peter J. Taggart

Re: Seeking Appointment to Lewisville City Board(s)

My name is Peter J. Taggart. I am a resident of Lewisville. My wife and I reside at 612 Marcus Drive in the Oakridge Estates addition, just west of Lake Park. I am a retired educator and administrator, an educational consultant, and a market and operations director for the Kiefer Team. As each of these is a part-time situation, I have room in my schedule to serve the city as well.

I have lived in Lewisville, Highland Village and Flower Mound for 29 years. Until 2016 when I retired, my entire time here was spent employed by Lewisville ISD as a teacher, coach, and building level administrator. During this time, I developed knowledge and skills in a variety of areas, including athletics, recreation, building usage, resource allocation, logistics, problem solving and the development, interpretation and implementations of governmental policy and law. This knowledge base has been developed in collaboration with people of all ages.

While our residency in Lewisville is only for about eight of these past 29 years, I have been and remain very connected to the city in a variety of ways. I twice worked for Wayne Pickett at Parks and Leisure Services as a swim coach; 1989 and again in 1999-2000. I collaborated with Teddy Gibbs at Parks and Leisure Services as a coach at LHS in 1991 and as a building principal at Hedrick Middle School from 2001-2008.

Our family has attended and continues to attend public events in the city through our residency in the area. My sons participated in the City Basketball Leagues from 1996-2000. They also participated in a variety of athletic programs on the fields at Lake Park. We golf at Lake Park. I am an avid cyclist who utilizes the cycling lanes and paths throughout the city.

When I think about my skill set, and compare them to the list of boards and commissions, I rank the following as suitable matches:

1. Park Board
2. Lewisville Parks & Library Development Corporation
3. Library Board
4. Charter Review Commission

I look forward to hearing from council about all the upcoming appointments, and I hope to be included in them.

PJT 

City of Lewisville, TX - Boards and Commissions Application

Name: Jack Joseph Miller

Address: 343 College Street , Lewisville 75057

E-mail Address: accounting@jackjosephfinancial.com

Home Phone: 972-310-2347 Cell Phone: 972-310-2347 Work Phone: 972-310-2347

Occupation: Financial Controller Employer: RO Properties / Nelson Bros Ready Mix / Perc Coffeeshouse

Are you a resident of Lewisville? Yes Length of Residency: 2 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? Yes

If yes, explain: We own a property development company that is heavily invested in land / buildings in Old Town Lewisville.

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? Yes

If yes, explain:

Applicate Board Preferences

Arts Advisory Board:

Park Board:

Animal Services Advisory Committee:

Planning & Zoning Commission:

CDBG Advisory Committee:

TIRZ #1:

Lewisville Housing Finance Corporation:

TIRZ #2:

Lewisville Industrial Development Corp:

Zoning Board of Adjustment:

Lewisville 2025 Advisory Board: 2

Oil and Gas Advisory Board:

Library Board:

Lewisville Parks & Library Dev Corp:

Old Town Design Review Committee: 1

Background

Education: College College – Course Study: Accounting & Finance

Other – explain:

What is your occupational experience? 5 years as a Financial Controller for multiple companies.

Areas of Interest: Accounting | Technology | Software Development | Construction | Finance

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Main and Mill Association - Treasurer

Are you involved in any community activities? Only through our businesses in Old Town.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment:

www.linkedin.com/in/jackjosephmiller

Resume will be sent to pdominguez@cityoflewisville.com

What do you hope to accomplish by serving on a Board or Commission? Optimize the business communities contribution to executing the 2025 plan.

What else would you like to tell us about yourself? I have unique and diverse work experience and skills that I believe could contribute to the 2025 Advisory board.

City of Lewisville, TX - Boards and Commissions Application

Name: Sharon Ellis

Address: 340 W. Walters St. , Lewisville 75057

E-mail Address: kentgellis@msn.com

Home Phone: 9724364806 **Cell Phone:** 214-662-0084 **Work Phone:**

Occupation: retired **Employer:** none

Are you a resident of Lewisville? Yes **Length of Residency:** 45 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 15	Park Board: 8
Animal Services Advisory Committee: 14	Planning & Zoning Commission: 3
CDBG Advisory Committee: 13	TIRZ #1: 15
Lewisville Housing Finance Corporation: 12	TIRZ #2: 15
Lewisville Industrial Development Corp: 11	Zoning Board of Adjustment: 15
Lewisville 2025 Advisory Board: 2	Oil and Gas Advisory Board: 15
Library Board: 10	
Lewisville Parks & Library Dev Corp: 9	
Old Town Design Review Committee: 1	

Background

Education: College **College – Course Study:** history

Other – explain:

What is your occupational experience? teacher

Areas of Interest: Old Town Preservation Society

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: O.T.P.S., Main and Mill, 2025 committee co-chair, Planning and Zoning, Master Planning committee

Are you involved in any community activities? yes

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have been in Lewisville for 45 years. My family background is here and I have worked to preserve the history of our town for the past 20 years. I have work on a number of committees over the years to preserve our history the best we can in these times.

What do you hope to accomplish by serving on a Board or Commission? Only to preserve and improve the Old Town for future generations to know and see old and new can work together.

What else would you like to tell us about yourself? I love this committee, what we are doing, and hope I can continue to be apart of it's future.

Current Member: Yes

City of Lewisville, TX - Boards and Commissions Application

Name: Kathaleen Rodriguez

Address: 151 Campbell , Lewisville 75057

E-mail Address: rodriguezkat2000@yahoo.com

Home Phone: 214-507-0228

Cell Phone: 214-507-0228

Work Phone: 214-507-0228

Occupation: Teacher/Orientation and Mobility Specialist
Melissa ISD

Employer: Coppell ISD,

Are you a resident of Lewisville? Yes **Length of Residency:** 9 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 6

Park Board: 11

Animal Services Advisory Committee: 10

Planning & Zoning Commission: 3

CDBG Advisory Committee: 7

TIRZ #1: 4

Lewisville Housing Finance Corporation: 5

TIRZ #2: 4

Lewisville Industrial Development Corp: 14

Zoning Board of Adjustment: 3

Lewisville 2025 Advisory Board: 2

Oil and Gas Advisory Board: 13

Library Board: 8

Lewisville Parks & Library Dev Corp: 1

Old Town Design Review Committee: 9

Background

Education: College

College – Course Study: accounting/finance; Education Administration

Other – explain:

What is your occupational experience? Teacher of Visually Impaired

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Library Board 6 years- Chairman 2 terms

Are you involved in any community activities? Yes

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have special expertise on how to make the library accessible to the visually impaired,

What do you hope to accomplish by serving on a Board or Commission? I enjoy community service and would like to continue to work with the board to improve services to Lewisville residents.

What else would you like to tell us about yourself? My husband and I are real estate investors. We own a number of rental homes in the Lewisville community.

City of Lewisville, TX - Boards and Commissions Application

Name: Debbie Fu

Address: 1750 Clarendon Dr. , Lewisville 75067

E-mail Address: debbie.fu@gmail.com

Home Phone: 469-733-3760 Cell Phone: 469-733-3760 Work Phone: 469-733-3760

Occupation: IT Controls and Reporting Employer: PepsiCo

Are you a resident of Lewisville? Yes Length of Residency: 36 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

- | | |
|--|----------------------------------|
| Arts Advisory Board: 7 | Park Board: 4 |
| Animal Services Advisory Committee: 8 | Planning & Zoning Commission: 11 |
| CDBG Advisory Committee: 1 | TIRZ #1: 12 |
| Lewisville Housing Finance Corporation: 9 | TIRZ #2: 12 |
| Lewisville Industrial Development Corp: 10 | Zoning Board of Adjustment: 14 |
| Lewisville 2025 Advisory Board: 2 | Oil and Gas Advisory Board: 15 |
| Library Board: 6 | |
| Lewisville Parks & Library Dev Corp: 5 | |
| Old Town Design Review Committee: 3 | |

Background

Education: College College – Course Study: MIS

Other – explain:

What is your occupational experience?

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: CDBG Vice Chair

Vision 2025 Diversity Subcommittee

Are you involved in any community activities? n/a

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I've been a lifelong citizen of Lewisville and I value the opportunity to advise Council on how the City should address the most dire needs in our community. My qualifications include experience on the CDBG Advisory Committee (since 2014) and a detail-oriented mindset.

What do you hope to accomplish by serving on a Board or Commission? I hope to continue to learn about our community through the presentations and grant applications, as well as from the various perspectives of fellow Committee members.

What else would you like to tell us about yourself? I would be eager and honored to continue to serve on the CDBG committee.

City of Lewisville, TX - Boards and Commissions Application

Name: Angela Lewallen

Address: 507 N Charles St , Lewisville 75057

E-mail Address: lewallena@lisd.net

Home Phone: 214-636-7082 **Cell Phone:** 214-636-7082 **Work Phone:** 214-636-7082

Occupation: Teacher **Employer:** Lewisville ISD

Are you a resident of Lewisville? Yes **Length of Residency:** 37 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 7

Park Board: 2

Animal Services Advisory Committee: 10

Planning & Zoning Commission: 6

CDBG Advisory Committee: 8

TIRZ #1: 14

Lewisville Housing Finance Corporation: 9

TIRZ #2: 15

Lewisville Industrial Development Corp: 11

Zoning Board of Adjustment: 13

Lewisville 2025 Advisory Board: 1

Oil and Gas Advisory Board: 12

Library Board: 3

Lewisville Parks & Library Dev Corp: 4

Old Town Design Review Committee: 5

Background

Education: College

College – Course Study: English, Anthropology, Education

Other – explain: completed 40 hours in Texas Basic Mediation Training; completed education and advanced training components of Texas Master Naturalist training with the Backland Prairie chapter

What is your occupational experience? elementary and secondary teacher

Areas of Interest: encouraging kids and families to get outdoors * recognizing that diversity is an asset to our community * belief that access to city services can level the playing field for children in poverty

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: College Street Elementary PTA Board 2008 - 2014

Habitat for Humanity Board of Directors, several terms between 2000 & 2012

Are you involved in any community activities? I serve as the National Junior Honor Society co-sponsor and as the teacher representative on the Superintendent's Teacher Advisory Council for Forestwood Middle School. I have volunteered for Monarch Watch outreach and plan to volunteer with LLELA beginni

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I believe Lewisville is a great place to live and has developed plans that will make us even better. I am interested in serving the residents of Lewisville by learning and making informed decisions that will contribute to those goals.

What do you hope to accomplish by serving on a Board or Commission? I hope to give back to my community by listening to and considering the needs of all residents, making sure that these needs are reflected in board or commission decisions.

What else would you like to tell us about yourself? I have deep ties to Lewisville: I attended Central Elementary and graduated from Lewisville High School; I taught at DeLay Middle School and College Street Elementary; I live in Old Town, and my sons attended College Street. I want to continue to see Lewisville as a city that serves its residents -- from my aging parents to my teenage sons -- with its focus on parks and natural spaces, library and recreation services, and safe neighborhoods.

City of Lewisville, TX - Boards and Commissions Application

Name: Bobby Dollak

Address: 1601 Castle Rock Dr , Lewisville 75077

E-mail Address: bobby@gacon.com

Home Phone: 817-832-6410

Cell Phone: 817-832-6410

Work Phone: 972-436-97112

Occupation: Civil Engineer

Employer: G&A Consultant LLC

Are you a resident of Lewisville? Yes **Length of Residency:** 21 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? Yes

If yes, explain: I signed a gas lease for my lot and receive \$'s abot once a year for < \$20

Also, G&A Consultants has help permit gas pad site in and around Lewisville in the past.

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? Yes

If yes, explain: G&A has been a consultant for the City in the past, including Survey services, Engineering

Applicate Board Preferences

services and Landscape Services

Arts Advisory Board: 9

Park Board: 4

Animal Services Advisory Committee: 8

Planning & Zoning Commission: 15

CDBG Advisory Committee: 5

TIRZ #1: 12

Lewisville Housing Finance Corporation: 6

TIRZ #2: 13

Lewisville Industrial Development Corp: 7

Zoning Board of Adjustment: 14

Lewisville 2025 Advisory Board: 2

Oil and Gas Advisory Board: 1

Library Board: 10

Lewisville Parks & Library Dev Corp: 11

Old Town Design Review Committee: 3

Background

Education: College

College – Course Study: Bachelor of Science - Civil Engineering

Other – explain:

What is your occupational experience? 24 years of site design experience

Areas of Interest: people

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: have been on the Oil and Gas Advisory board in the past

Are you involved in any community activities? Rotarian

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have a working knowledge of gas drilling and site selection that could bring an important perspective to the oil and gas board when making recommendations to the Council

What do you hope to accomplish by serving on a Board or Commission? serving my community

What else would you like to tell us about yourself? Wife is a Graduate of LISD High School and both my daughter are Fighting Farmers also

City of Lewisville, TX - Boards and Commissions Application

Name: J. Alexander Clark

Address: 409 W. Round Grove Rd. 102, Lewisville 75067

E-mail Address: j.alexanderclark7@gmail.com

Home Phone: 9724892632

Cell Phone: 9724892632

Work Phone: 9724892632

Occupation: Children's Ministry Assistant
Church

Employer: Prince of Peace Lutheran

Are you a resident of Lewisville? Yes **Length of Residency:** 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 15

Animal Services Advisory Committee: 3

CDBG Advisory Committee: 11

Lewisville Housing Finance Corporation: 9

Lewisville Industrial Development Corp: 12

Lewisville 2025 Advisory Board: 2

Library Board: 8

Lewisville Parks & Library Dev Corp: 13

Old Town Design Review Committee: 7

Park Board: 1

Planning & Zoning Commission: 14

TIRZ #1: 10

TIRZ #2: 6

Zoning Board of Adjustment: 5

Oil and Gas Advisory Board: 4

Background

Education: High School

College – Course Study:

Other – explain:

What is your occupational experience?

Areas of Interest:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: N/A. This will be my first.

Are you involved in any community activities? I am looking to start getting involved as much as possible.

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I don't have many qualifications considering I turned 18 in February, but as a person who is aspiring to be a politician I feel like this would be a great step forward in getting my foot ever so slightly into the door of politics. My interests were outlined above, but my biggest interest overall is getting to know my hometown more and learn what I can do to make it a better place for everyone.

What do you hope to accomplish by serving on a Board or Commission? I hope to accomplish one major thing in particular, to safely say that I did my part to help my fellow citizens have the utmost pride and respect in their hometown. Whether I play a large role or a small one, as long as I can definitively say I did everything I could to make sure Lewisville is in tip-top shape, then I will have accomplished my goal.

What else would you like to tell us about yourself? I just graduated from Lewisville High School, and I plan on attending Brookhaven Community College in the fall. I am going to double major in Political Science and Economics with a minor in Mass Communications. I want to get my Masters degree from Southern Methodist University. I have a lot to learn about the field and I believe that every experience is a valuable one. You can never be too involved with your community and this would be a big first step for me.

City of Lewisville, TX - Boards and Commissions Application

Name: Carolyn Wright

Address: 1107 Seneca Place , Lewisville 75067

E-mail Address: itspippy@gmail.com

Home Phone: 214.995.1927 Cell Phone: 214.995.1927 Work Phone: 214.995.1927

Occupation: Entrepreneur Employer: Self-employed

Are you a resident of Lewisville? Yes Length of Residency: 30 years years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

- Arts Advisory Board: 4
- Animal Services Advisory Committee: 4
- CDBG Advisory Committee: 1
- Lewisville Housing Finance Corporation: 5
- Lewisville Industrial Development Corp: 5
- Lewisville 2025 Advisory Board: 2
- Library Board: 6
- Lewisville Parks & Library Dev Corp: 3
- Old Town Design Review Committee: 7
- Park Board: 8
- Planning & Zoning Commission: 9
- TIRZ #1:
- TIRZ #2:
- Zoning Board of Adjustment: 10
- Oil and Gas Advisory Board:

Background

Education: College College – Course Study: Criminal Justice

Other – explain:

What is your occupational experience? Management and leadership skill-set, international business acumen, community development, capacity building, team-lead and player, community engagement

Areas of Interest: Assets based community development, smart growth and development, safe neighbors, and affordable housing.

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Lewisville Chamber of Commerce- (2015-17, member), Lewisville Morning Rotary Club- (2016-17, president) Salvation Army - current volunteer, Christian Community Action- current volunteer, City of

Lewisville-(household hazardous waste, holiday stroll and colorpalooza, and Keep Lewisville Beautiful), Central Elementary - current volunteer and Lakeland Elementary current volunteer

Are you involved in any community activities? Yes

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I have traveled extensively within the US and abroad, and have worked with various businesses and organizations in the field of capacity building. Working nationally and internationally enabled me to better understand both the dynamics of humans and cultures.

Over the years I have spearheaded community based projects, and today those communities are vibrant and thriving. Through technology I have implemented innovative projects that are being modeled by various communities globally.

It is my interest to bring the same skills-set to Lewisville to help implement Vision 2025 in moving the city forward.

What do you hope to accomplish by serving on a Board or Commission? To help advance Lewisville and ensure that it's a better place to live, work and visit for generations to come.

What else would you like to tell us about yourself? I am a very proud resident for over 30 years and considers it a privilege to live, work and enjoy life in the city of Lewisville. Over the years I have participated and contribute in many ways and I will to continue to give back and help this great community in any ways I can! I am a business owner with a passion for serving young woman and girls who have the desire to become game changers of their lives, community and in the world.

City of Lewisville, TX - Boards and Commissions Application

Name: Jack H. Ablon

Address: 2197 s. Uecker Lane #1624 , Lewisville 75067

E-mail Address: jackablon.1@gmail.com

Home Phone: 972-459-1166 not used Cell Phone: 214-562-1166 Work Phone: none

Occupation: Semi-retired Architect Employer: NONE at the moment

Are you a resident of Lewisville? Yes Length of Residency: 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 3

Animal Services Advisory Committee:

CDBG Advisory Committee: 2

Lewisville Housing Finance Corporation:

Lewisville Industrial Development Corp: 6

Lewisville 2025 Advisory Board: 1

Library Board:

Lewisville Parks & Library Dev Corp: 5

Old Town Design Review Committee: 4

Park Board: 7

Planning & Zoning Commission: 8

TIRZ #1:

TIRZ #2:

Zoning Board of Adjustment:

Oil and Gas Advisory Board:

Background

Education: High School, College

College – Course Study: Architecture

Other – explain:

What is your occupational experience? over \$500,000,000.00 in design and construction as a Licensed Architect

Areas of Interest: all facets of our City!

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Building Code Board (dissolved) 2 terms, Park Board, 3 Terms, Lewisville Industrial Development Corporation, Sec. several terms, Chaired 2 Ordinance Committees, Lewisville City Council 2000-2001,

Are you involved in any community activities? Scouting, Denton County Childrens Advocacy Center, Advisory board,

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?
Yes

Please write a brief narrative outlining your interests and qualifications for seeking appointment: My interest is in serving our community and maintaining a flow of Citizen involvement.

What do you hope to accomplish by serving on a Board or Commission? Contribute my experience.

What else would you like to tell us about yourself? I jave the time to serve.

City of Lewisville, TX - Boards and Commissions Application

Name: Christopher Davidson

Address: 1307 Maplewood Drive , Lewisville 75067

E-mail Address: iamchrismichael@gmail.com

Home Phone: 972-607-6438

Cell Phone: 972-607-6438

Work Phone: 972-607-6438

Occupation: Software Engineer/Consulting

Employer: Rosetree Solutions LLC

Are you a resident of Lewisville? Yes Length of Residency: 5 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

Arts Advisory Board: 15

Animal Services Advisory Committee: 14

CDBG Advisory Committee: 4

Lewisville Housing Finance Corporation: 5

Lewisville Industrial Development Corp: 6

Lewisville 2025 Advisory Board: 1

Library Board: 13

Lewisville Parks & Library Dev Corp: 10

Old Town Design Review Committee: 2

Park Board: 12

Planning & Zoning Commission: 9

TIRZ #1: 8

TIRZ #2: 8

Zoning Board of Adjustment: 3

Oil and Gas Advisory Board: 6

Background

Education: College

College – Course Study: Computer Science

Other – explain:

What is your occupational experience? I am a programmer who now works as a Software Consultant/Engineer.

Areas of Interest: Public Service

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: None

Are you involved in any community activities?

My fiance and I have a passion for giving back to the community that has given us so much. I

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I find public service in your community to be one of the highest honors. As a homeowner in Lewisville, I would like to represent the good people of our town and their interests.

I bring years of experience in creating software that streamlines business practices for large companies. This unique experience allows me to look at government process' from an analytical point of view. Allowing me to offer simple solutions to complex problems.

What do you hope to accomplish by serving on a Board or Commission? I hope to represent the people of Lewisville and accomplish the goals of our community. Helping the under privileged, and improving conditions for the people of Lewisville general. I believe I could be a key component on the 2025 Council but would be honored to serve in any capacity.

What else would you like to tell us about yourself? I am willing to work hard and serve my community

City of Lewisville, TX - Boards and Commissions Application

Name: Ginger Amador

Address: 1621 Oak Creek Dr. , Lewisville 75077

E-mail Address: ginger.slavens@gmail.com

Home Phone: 903-436-3388 Cell Phone: 903-436-3388 Work Phone: N/A

Occupation: Marketing Analyst Employer: Ansira

Are you a resident of Lewisville? Yes Length of Residency: 0 years

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board and Commission to which you seek appointment? No

If yes, explain:

Do you, your spouse or your employer have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or service? No

If yes, explain:

Applicate Board Preferences

- | | |
|---|----------------------------------|
| Arts Advisory Board: 4 | Park Board: 10 |
| Animal Services Advisory Committee: 1 | Planning & Zoning Commission: 11 |
| CDBG Advisory Committee: 5 | TIRZ #1: 13 |
| Lewisville Housing Finance Corporation: 8 | TIRZ #2: 13 |
| Lewisville Industrial Development Corp: 3 | Zoning Board of Adjustment: 14 |
| Lewisville 2025 Advisory Board: 2 | Oil and Gas Advisory Board: 15 |
| Library Board: 6 | |
| Lewisville Parks & Library Dev Corp: 7 | |
| Old Town Design Review Committee: 9 | |

Background

Education: College College – Course Study: Bachelor of Business Administration in Marketing

Other – explain: Minor in Economics

What is your occupational experience? Digital Marketing, Google, Ecommerce

Areas of Interest: Animal Services; Parks & Rec; 2025 Lewisville Project

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held: Harvey Small Animal Rescue: August 20th 2017 - September 4 2017 - Organizer; Ansira In Action: February 27th - Present - Volunteer;

Are you involved in any community activities? Volunteer Match

Have you attended one or more meetings of the Boards/Commission/Committee for which you have applied?

No

Please write a brief narrative outlining your interests and qualifications for seeking appointment: I would like to get more involved with the city of Lewisville as a women, wife and city citizen. My husband and I made the decision to live here and we are planning on staying long term. With the potential growth that Lewisville is facing in the next 10 years, I would like to be involved by assisting in those decisions. We as a community have a chance to put Lewisville on the Map, and with my expert marketing background, I have a great talent for seeing the big picture and how to make it marketable. I am in my mid 30's, and there is an opportunity for Lewisville to become more trendy and appealing to the new waves of prospects moving in from out of state. The surrounding areas, Plano, Frisco, Little Elm, and The Colony are all progressing very well due to the availability of allowable change. I feel that Lewisville will miss the mark, if we do not adapt to towards a more progressive and adaptable style, while keeping the roots of Lewisville embedded. Flower Mound and Highland Village are progressing as well, but Lewisville still struggles to find their voice among the rising cities. There is a chance for Lewisville to stick out and be the next up and coming town, and to build wealth within this city, but it will take a team of committed citizens to bring that vision together.

What do you hope to accomplish by serving on a Board or Commission? I would hope that I would be able to show a vision outside the box to the existing members, while keeping true to who Lewisville represents. We need to make Lewisville's brand stand out and be heard among the other surrounding cities.

What else would you like to tell us about yourself? I have a wealth of knowledge when it comes to online marketing, social media, etc. I would be able to incorporate those skill sets to move Lewisville forward in the digital communication streamline.