Lewisville City Council

The agenda and backup items follow in one continuous document. However, to view documents individually, click on the bookmark tab at the left of the screen. A list of all documents contained in the packet should appear in a screen to the left. If it does not, click on the "Show/Hide Navigation Pane" button in the toolbar at the top of the page.

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A G E N D A

LEWISVILLE CITY COUNCIL MEETING
JULY 2, 2018

LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057

WORKSHOP SESSION - 6:30 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

****Items discussed during Workshop Session may be continued during the Regular Session after Reports if time does not permit holding or completing discussion of the item during Workshop Session.**

A. Discussion of Multi-Generational Recreation Center Committee Name Recommendation, Construction, and Logistical Consideration Regarding Existing Activities

B. Discussion of Rodeo Arena

C. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

A. **INVOCATION:** Mayor Pro Tem Daniels

B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Troyer

C. **PROCLAMATION:** Declaring the Month of July as "Park and Recreation Month"

D. **PUBLIC HEARINGS:**

1. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Local Commercial District (LC) to Multi-Family One District (MF-1); on Approximately 1.13 Acres, Being Lot 2R-B, Block C, Country Ridge Addition, Located on the North Side of Southwest Parkway, Approximately 840 Feet West of South State Highway 121 Business; as Requested by Steven Homeyer, of Homeyer Engineering, Inc., on Behalf of John Gillespie, of WAK/285SWP, LLC, the Property Owner (Case No. PZ-2018-06-04).**

ADMINISTRATIVE COMMENTS:

The subject property is currently undeveloped. The applicant desires to expand Autumn Breeze, the apartment complex adjacent to the north, onto this property by adding a three-story building with 18 dwelling units. This rezoning is not consistent with Big Move #5 of Lewisville's 2025 plan which identifies appropriate locations and types of multi-family housing. The Planning and Zoning Commission recommended unanimous denial (6-0) of the zone change request at their meeting on June 5, 2018. A supermajority (4 of 5) vote by City Council is required to approve this Ordinance.

RECOMMENDATION:

That the City Council deny the zone change request.

PRESENTATION: John Gillespie, the Property Owner

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

2. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Communication Tower; on Approximately 24.619 Acres, Legally Described as Lot 16, Block A, Fairway Business Park Addition, Located off at the Northern Terminus of Fairway Drive, Approximately 390 Feet North of East Jones Street, and West of North Mill Street; as Requested by Shawn Rockenbaugh of Teague, Nall & Perkins, Inc., on Behalf of Brazos Electric Power Cooperative, the Property Owner. (Case No. SUP-2018-06-10)**

ADMINISTRATIVE COMMENTS:

The proposed 112-foot communication tower will be located on the north side of an existing electrical substation. The new tower will help facilitate monitoring and communication to this site. Safety concerns and regulations prevented the collocation on existing towers. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on June 5, 2018.

RECOMMENDATION:

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

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

3. Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto Display and Sales Facility and Five Associated Variances; on an Approximately 0.883-Acre Tract of Land, out of the E. Pickett Survey Abstract No. 1014; Located at the Southwest Corner of South Mill Street and Harvard Avenue, at 901 and 903 South Mill Street, Zoned General Business District (GB); as Requested by Darrell Moseley of Bruce Properties, LLC., the Property Owner (Case No. SUP-2018-06-09).

ADMINISTRATIVE COMMENTS:

The request is for the expansion of the existing Moseley Auto dealership located on the southwest corner of South Mill Street and Harvard Avenue. The applicant plans to upgrade the building currently occupied by a tire shop by enclosing two overhead doors facing Mill Street and installing new glazing windows. The applicant plans to make other improvements to the site including landscaping enhancement and closing of driveways facing Mill Street. The following five variances are being requested with this development that will be considered by City Council in conjunction with the SUP: (a) to reduce the control of access of 75-feet along South Mill Street, (b) to allow a variable width landscape buffer, (c) to allow ornamental trees in the required landscape buffer, (d) to reduce the required stacking depth of 40 feet to 24.3 feet, and (e) to allow a six-foot board on board wood fence in lieu of required six-foot masonry screening. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on June 5, 2018.

RECOMMENDATION:

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

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

4. Public Hearing: Consider the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan.

ADMINISTRATIVE COMMENTS:

In 2014, the City adopted the *Lewisville 2025 Plan*. One action recommendation in this plan was to use more detailed plans, focused on specific parts of the Lewisville community, to refine and detail the steps to achieve the vision of Lewisville 2025 in those areas. The Small Area Plans were developed through a process including analysis and evaluation of the areas by City staff and a consultant team. Residents, property owners and other interested stakeholders participated in the development of these plans through community open house and workshop sessions and by providing online input. Council reviewed the policy direction at their retreat in February 2018. The plans have been refined based on stakeholder feedback. The Planning and Zoning Commission recommended unanimous approval (6-0) at their meeting on June 19, 2018.

RECOMMENDATION:

That the City Council adopt the plans as set forth in the caption above.

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

E. **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.

F. **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.

5. <u>APPROVAL OF MINUTES</u>: City Council Minutes of the June 18, 2018, Workshop Session and Regular Session.

6. Approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc., Dallas, Texas, for Professional Engineering Services Related to Designing a Traffic Network Master Communication Plan in the Amount of $223,186; and Authorization for the City Manager to Execute the Agreement.

<u>ADMINISTRATIVE COMMENTS</u>:

A total of forty-seven (47) requests for qualifications were downloaded from Bidsync.com. Three (3) statements of qualifications were received and opened January 8, 2018. This contract provides for design services of a Traffic Communication Master Plan to address the replacement of a legacy network that fails to meet current and futures needs of the City. Qualification statements were evaluated with regards to qualifications and experience of the firm, performance on past representative projects, knowledge of critical design elements, and experience of designing multiple types of communication plans. Kimley-Horn and Associates, Inc. is being recommend for award based on receiving the highest evaluation score. Funding is available in the Traffic Signal Study Capital project.

<u>RECOMMENDATION</u>:

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

7. Approval of the Following Amendments to a Construction Manager at Risk Contract for the Construction of the Multigenerational Recreation Center with Thos. S. Byrne, Fort Worth, Texas: General Conditions of $1,393,032; Construction Management Services of $975,781; Establishing a Guaranteed Maximum Price of $37,215,781 (Which Includes a 7.2% Contingency for the City's use During Construction); Approval to Purchase Alternate Items That Have Been bid With Contingency Money as it Becomes Available for an Amount not to Exceed $3,000,000; and Authorization for the City Manager to Execute the Amendments.

ADMINISTRATIVE COMMENTS:

A total of fifty-two (52) Request for Qualifications were downloaded from Bidsync.com. Five (5) firms submitted their qualifications for consideration. Three (3) firms were selected for interviews and were asked to provide pricing for pre-construction services, general conditions and construction management services. Byrne Construction received the overall highest evaluation score and was selected to provide pre-construction services for the project. The guaranteed maximum price for construction of this project is $37,215,781 with an overall approved budget of $46,100,000. Funding is available in the Multi-Generational Center Capital project.

RECOMMENDATION:

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

8. Approval of a Contract with Bolivar Bronze in the Amount of $90,000 for Creation and Installation of a Bronze Sculpture in Wayne Ferguson Plaza; Acceptance and Appropriation of a $50,000 Donation Toward the Project; and Authorization for the City Manager to Sign the Agreement.

ADMINISTRATIVE COMMENTS:

In May, City Council approved creation and placement of a bronze sculpture in Wayne Ferguson Plaza, using a design from Denton County artist David Iles and 50 percent funded by private donors. A contract has been drafted and requires Council approval to proceed. The total project budget is $100,000 to cover incidental sitework costs, such as lighting and signage. Council also needs to accept a $50,000 donation coordinated by Alex Buck and appropriate it into the Public Art Project in the CIP, which is the source of the city's match.

RECOMMENDATION:

That the City Council approve the contract as set forth in the caption above; and accept and appropriate a $50,000 donation toward the project.

G. **REGULAR HEARINGS:**

9. Tabled Item: Consideration of a Variance to the Lewisville, City Code, Section 6-103 (E), Access Management, Auxiliary Lanes for First Baptist Church Lewisville, a 19.9-Acre Parcel Zoned Single-Family Residential (R-6), Located at the North West corner of Valley Ridge Boulevard and McGee Lane Requested by Jerry Fang, RLG Consulting Engineers, Inc., on Behalf of the Owner.

ADMINISTRATIVE COMMENTS:

The First Baptist Church recently removed 4 portable buildings and is planning to replace them with a new permanent building expanding the total square footage on the site by 14,500 square feet. The proposed building will include classrooms and offices. The First Baptist Church has seven driveways along the frontage of McGee Lane and Valley Ridge Boulevard. None of the existing driveways have deceleration lanes which would be required under the General Development Ordinance Section 6-103 Access Management Policy based on the size lot. The Church hired a consultant to provide a Traffic Impact Analysis (TIA) for City Staff to review. The TIA showed during peak traffic times the church does not have a negative impact on the abutting roadways regarding traffic congestion.

RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above with a condition that should the church expand to any K-12 curriculum or other academic school, the site traffic circulation and driveways will be re-evaluated and if required by the City, additional on-site and/or off-site improvements sufficient to mitigate negative traffic impacts will be constructed.

AVAILABLE FOR QUESTIONS: - David Salmon, P.E., City Engineer

10. Tabled Item: Considering an Ordinance of the Lewisville City Council Amending Chapter 6, Article II, Division I of the Lewisville City Code by Making Provisions for a Park Fee Consisting of a Parkland Dedication Requirement and Park Development Fee on Residential Development and Other Related Requirements; Amending Chapter 2, Article VIII, Section 2-201 by Amending the Park Development Fee Rate.

ADMINISTRATIVE COMMENTS:

The 2018 update to the Parks, Recreation and Open Space Master Plan calls for a periodic review and update of the Parkland Dedication Ordinance to provide a realistic mechanism for acquiring and developing parkland to meet the recreation needs of the community. Based on an evaluation of current level of service and the estimated population growth, staff recommends amending the ordinance to include a parkland dedication requirement, a cash-in-lieu of land option and increasing the park development fee to reflect the cost of improving the park system to accommodate the recreation needs of the community.

RECOMMENDATION:

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

11. Consideration of Appointment to the Lewisville High School INCubator Board of Directors

ADMINISTRATIVE COMMENTS:

Lewisville Independent School District has requested that the City of Lewisville appoint one council member to the Lewisville High School INCubator Board of Directors and one other council member as an alternate member.

RECOMMENDATION:

That the City Council consider appointment of one council member to the Lewisville High School INCubator Board of Directors and one other council member as an alternate member.

12. Consideration of Establishing the Name of the Multi-Generational Recreation Center.

ADMINISTRATIVE COMMENTS:

On April 2, 2018 City Council was presented with a potential name for the new Multi-Generational Recreation Center (MGC). City Council requested staff bring back a selection of names for consideration. A naming committee was appointed by City Council on May 21, 2018. The committee members worked with Brandera to narrow down name options, along with logos and taglines to present to City Council.

RECOMMENDATION:

That the City Council select the name for the multi-generational recreation center.

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

I. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,

1. Section 551.074 (Personnel): Discussion of Election of Mayor Pro Tem and Deputy Mayor Pro Tem

2. Section 551.072 (Real Estate): Property Acquisition

3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

J. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

K. **ADJOURNMENT**

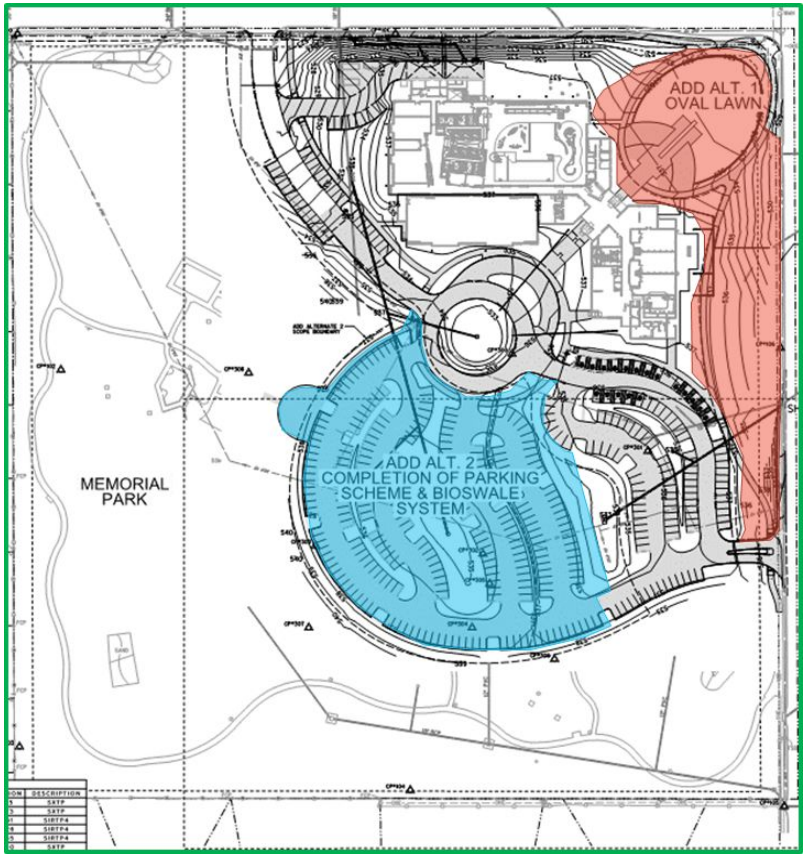
The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations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

Multi-Generational Center Update

City Council Workshop
July 3, 2018

Guaranteed Maximum Price

- Project Budget - $46.1m
  - Construction (Byrne)
  - Design (BRS)
  - Permitting, testing, etc.
- Construction costs
  - Base design - $37.2m
  - Additive Alternates - $3m
    - North lawn
    - Entire parking lot
    - Acoustic panels (2)
    - Dichroic glass wall
    - King steel frame in aquatic center
    - Electric charging stations
    - Lighting protection and electric metering

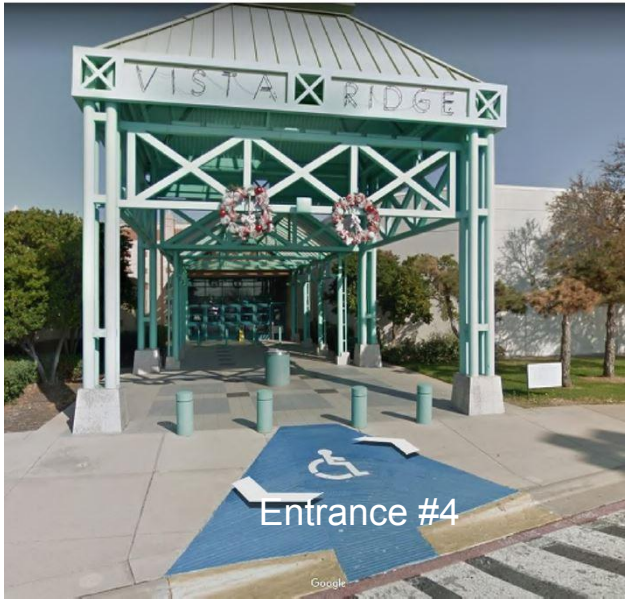


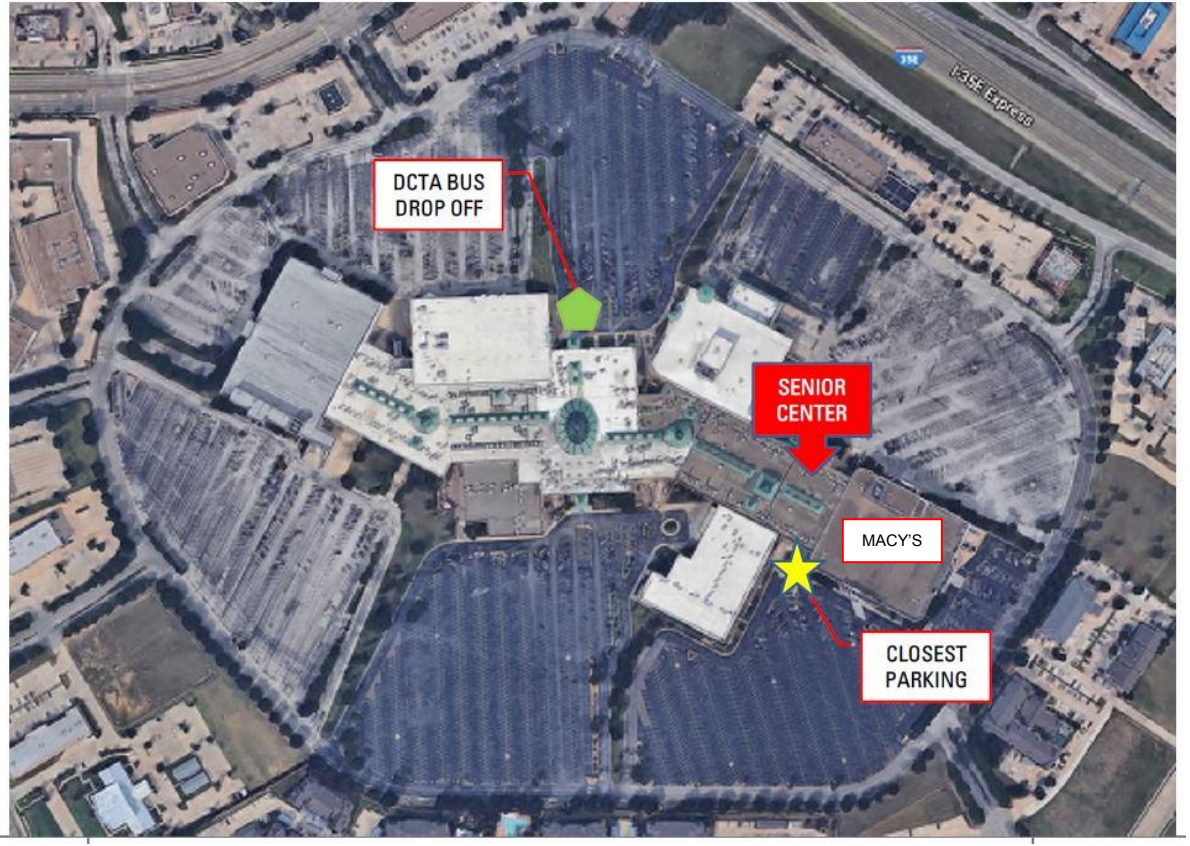
Interim Operations

- Memorial Park Recreation Center
  - Herring Recreation Center
  - MCL Grand
  - LISD sites
- Senior Activity Center
  - Music City Mall
    - July 23
  - Community Room
    - July 9 - 20
  - Additional activities
- Recreation Center Staff
  - PARD Administrative Offices
  - PARD Conference Room

Senior Activity Center

@ Music City Mall





Visionworks
Optometrist
Visionworks
Optometr
KEEP OFF STAGE
View from suite

Senior Activity Center @ Music City Mall

Senior Activity Center @ Music City Mall

- Large multi-purpose room
- 2 break out classrooms
- Staff offices and storage
- Billiards Room

SENIOR PROGRAMMING SHIFTED TO COMMUNITY ROOM 7/9-20

MONDAYS

10 a.m. Bingo
12:10 p.m. Bridge

TUESDAYS

10 a.m. Mah Johgg
1 p.m. Chair Volleyball Team Practice
3 p.m. Chair Volleyball Open Play
5:30 p.m. Bingo

WEDNESDAYS

9 a.m. Pinochle
12:30 p.m. Bunco
4 p.m. Dancing

THURSDAYS

10 a.m. Bingo
3 p.m. Chair Volleyball Team Practice
5 p.m. Dominoes

FRIDAYS

Mexican Train (1 p.m. on 7/13, 11:30 a.m. on 7/20)
Volunteer Luncheon (7/13 only)

SATURDAY (7/14 only)

9 a.m. Bingo
10:30 a.m. Chair Volleyball

All senior fitness and ceramics classes will move to FHRC during this time as well. Ceramics will remain at FHRC until the MGC opens. Pool tables will be available at the Frederick P. Herring Recreation Center for all Senior Activity Center card holders.

Naming a MGC

Timeline

- April 4
  - Rise
  - City Council requested options
- May 22
  - MGC naming committee selected
    - 2025 Committee
    - City Council
    - Parks & Recreation Advisory Board
    - Youth Action Council
  - Questionnaire to all members of represented bodies
- June 11
  - First committee meeting
  - Narrowed list of 29 to 2 names
- June 26
  - Reviewed 12 potential logos and 29 Taglines

BRANDERA

What's in a name?

- The Multi-Generational Center is not the name
  - It is a descriptor of the facility

- Memorable name
  - Spark interest in the center
  - Market the center for use
  - Create a brand for center

- Encompass the spirit and essence of the facility
  - Connection to nature
  - Link to Lewisville's direction
  - Energetic and alive

thrive

thrive

thrive
thrive
thrive

RISE

RISE

RISE

RISE

thrive

Where Life Gets Better.

RISE

thrive

Play Together. Grow Together.

Next Steps

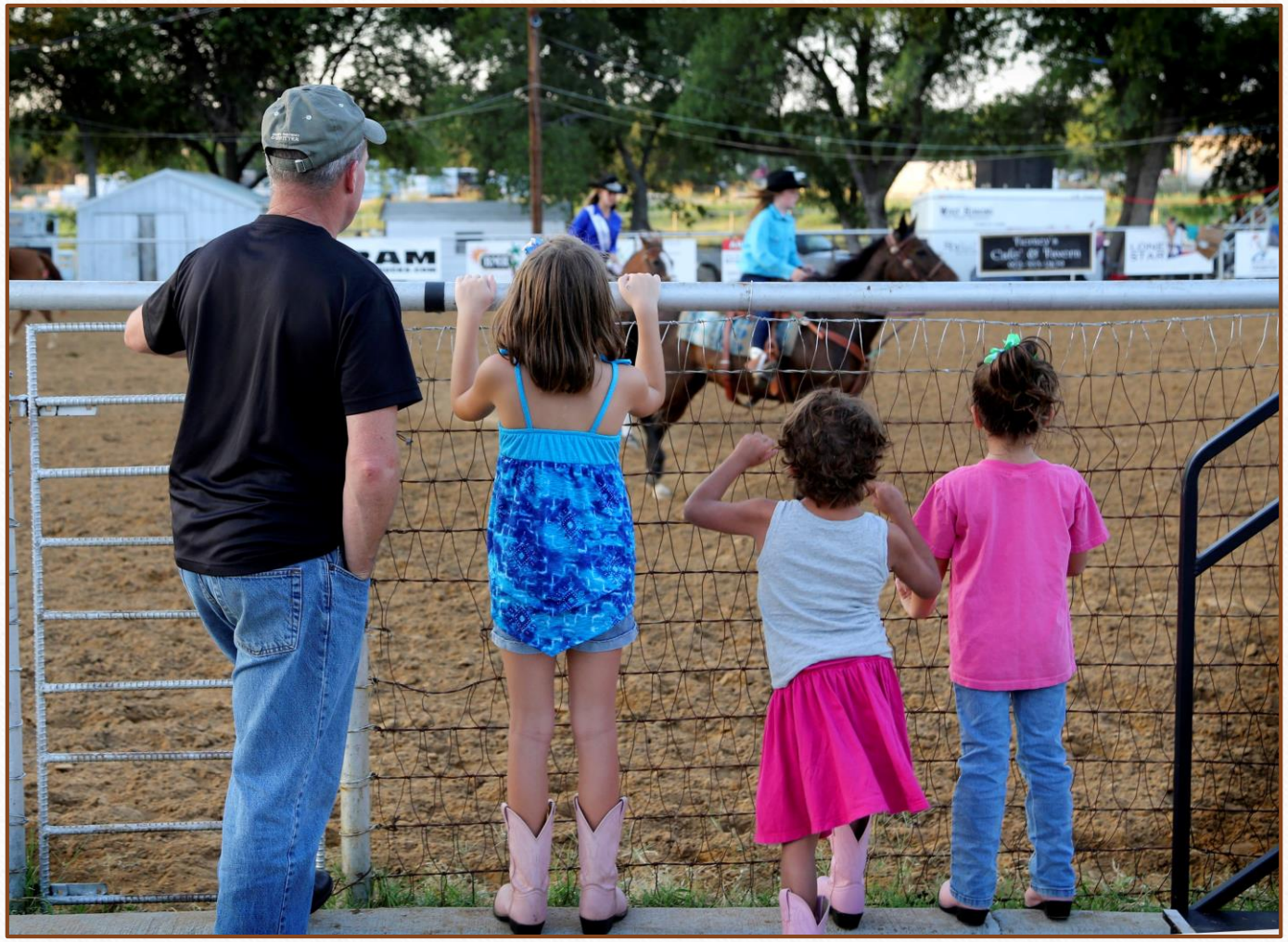
- July 2 - City Council Meeting
  - GMP and Additive Alternates
  - Selection of name, logo and tagline
- July 6 and 7 - last days of operation for SAC and MRPC
- July 9 - 20 - Interim Operations of SAC in Community Room
- July 16 - Byrne begins move-in to site
- July 20 - Groundbreaking
- July 23 - Senior Activity Center at Music City Mall begins operation
- July - August - Develop a marketing plan for the facility

Lewisville Rodeo Arena

Ownership Assignment Option

July 2, 2018

Home of the three-day Labor Day Rodeo, held each year since 1965 by the Lewisville Saddle Club.



Also used in May 2018 for the first Fiesta Charra event.

TIMELINE

1959 - City acquired land north of Parkway between Kealy and Mill

1962 - Lewisville Saddle Club formed, associated with "Mounted Square Dance Group" and the "American Association of Sheriffs Posse & Riding Club"

1965 - City signs a lease with Lewisville Saddle Club for use of the property; Saddle Club builds the arena, and the first Labor Day Weekend Rodeo is held that year. The lease is renewed at different intervals for the next 49 years

1995 - Lewisville Saddle Club appears before City Council several times regarding a new lease. As a result of numerous meetings with staff, the club made several maintenance and facility improvements, including bleacher improvements and painting buildings

2012 - City staff identifies significant ADA issues related to bleachers and paved access at the arena; City Council approves $473,000 to install new metal bleachers and pave parking spaces and public access areas. New engineering site plan places all properties in a single plat, including abandoned Lewisville Jaycee's area

Nightly capacity is 2,250 people; total annual attendance is between 4,500 and 6,000 people.

LEASE TERMS

Current lease was signed April 15, 2013, and expires December 31, 2018, with a 90-day vacate period

Lewisville Saddle Club pays an annual base rent of $3,500 in four quarterly payments; also pays utilities

Lewisville Saddle Club gets exclusive use of the arena for up to 30 days per year, according to a schedule submitted for City approval in December. Use is limited to rodeo-related activities including the Labor Day Rodeo and monthly play dates. Any rodeo-related use beyond 30 days in a calendar year carries a $100 per day rental fee

City can schedule events at the arena on open dates (such as Fiesta Charra in May 2018)

Lewisville Saddle Club owns and maintains the ticket booth, concession stand, chute, pens, arena fence, announcing stand, accessory buildings, arena sand, and the Mill Street sign; City owns the land, paving improvements, bleachers, and perimeter fence

Saddle Club is to provide at least 10 riders in the Cattle Drive Parade and Huffines Christmas Parade

CURRENT ISSUES

After the 2016 rodeo, which saw one equine fatality and one horse that broke through the arena fence into the seating area, city staff was directed to perform a full safety assessment of the arena and of rodeo processes. Inspections were performed by TML, city staff, and Lewisville Saddle Club officers

In February 2017, a list of needed repairs and upgrades was sent to Lewisville Saddle Club. The list included items related to electric wiring, safety of the announcing stand, lighting, and fencing

The highest priority repairs were completed by August, prior to the 2017 Labor Day Rodeo, but additional repairs were identified as still needed

In January 2018, the Saddle Club president told city staff that the club was not able to afford the needed repairs and planned to seek assistance from the city. The club president was told that the city could not make repairs to fixtures and structures that belong to the Lewisville Saddle Club

Later in January 2018, the Lewisville Saddle Club board voted to transfer ownership of all arena fixtures and equipment to the city

CURRENT ISSUES

City staff from multiple departments performed in-depth inspections of the Rodeo Arena, specifically identifying needed repairs and upgrades the city would have to make and gathering price estimates. Those items were detailed in a May 17 report from Wayne Snell

Total cost of all needed repairs and replacements is estimated to be $835,000. Because of the cost, staff has prioritized the project into Immediate, Short-Term, and Long-Term needs.

IMMEDIATE NEEDS

Arena Sand – the depth of the arena sand is less than six inches, which creates safety concerns for animals and people, especially horses. Staff recommends removing the existing sand, delivering and spreading approximately 100 yards of new arena sand, and grading the arena and corrals to drain.

Estimated Cost: $45,000

Fencing – existing fencing at the site is failing in many areas and does not provide adequate protection for participants or audience members. Staff proposes removing all existing no-climb fencing, installing new 2-inch pipe on 12-inch centers, installing sheet metal for the bottom 24 inches, repairing or replacing all gates and chutes, raising the corral fence to recommended height, and repainting all metal surfaces. This does not include the fence around the arena floor itself, which is addressed in a Short-Term Needs item.

Estimated Cost: $130,000

Announcing Stand – The structure is in need of major repairs. Staff recommends replacing interior and exterior wood as needed, replacing the roof, and painting all surfaces.

Estimated Cost: $35,000

IMMEDIATE NEEDS

Electric Wiring and Lights – This presents the greatest safety concern. Wiring has been added at various times throughout the years to address specific needs. Not all wiring has been installed according to expected safety standards. Some repairs and upgrades were made by Lewisville Saddle Club last year, but the entire system needs to be replaced with new wiring that meets current code and safety standards. At a minimum, staff recommends replacing damaged poles and all wiring and lighting. The preference is to replace all poles.

Estimated Cost: $190,000
Estimated Cost: $215,000 (full)

Staff's opinion is that the sand and fencing must be addressed before the 2018 Labor Day Rodeo because of safety concerns. The announcing stand and electric wiring are not considered safe for use during the rodeo, but the Special Events team has identified a temporary alternative to use a portable announcing stand and portable light poles with generators, for a total cost of about $20,000. This could be an option for the 2018 event, but staff does not recommend this as a sustainable option for future events.

Total cost of Immediate Need items = $425,000
Total cost of Immediate Need items without announcing stand and electric wiring = $175,000

SHORT-TERM NEEDS

Arena Fencing – existing fence around the arena is failing in many areas. Temporary repairs already made are sufficient for the 2018 rodeo if desired, but do not offer long-term durability. Staff proposes replacing that fence with a design and materials that meet current safety standards.

Estimated Cost: $100,000

Electric Wiring and Lights (if not addressed among Immediate Needs) – At a minimum, staff recommends replacing damaged poles and all wiring and lighting. The preference is to replace all poles.

Estimated Cost: $190,000
Estimated Cost: $215,000 (full)

Announcing Stand (if not addressed among Immediate Needs) – The structure is in need of major repairs. Staff recommends replacing interior and exterior wood as needed, replacing the roof, and painting all surfaces.

Estimated Cost: $35,000

Total cost of Short-Term Need items = $100,000 for Arena Fencing
Total cost of Short-Term Need items = $350,000 for all three items

LONG-TERM NEEDS

Concessions Stand – The current building is substandard in several areas, which creates health and safety concerns. Lewisville Saddle Club has not used the stand for at least the past two years, bringing in food trucks that set up on the east end of the bleachers. Staff recommends demolition of the concession stand, although it can remain in place so long as it is not being used to serve the public.

Estimated Cost: $10,000

Restroom Building – The arena has no permanent restroom building. Lewisville Saddle Club rents seven portable bathrooms for the rodeo under the Special Events Ordinance. This can be sufficient for the rodeo, but is an impediment to increased use of the arena for other activities. Adding a restroom building has been cost prohibitive in the past because there is no sewer connection available. However, if the concession stand is removed, the water and sewer connections there might be usable. The price estimate is based on a pre-fab building with 12 stalls (six men's, six women's). It might be more cost-effective to build new on the existing foundation, but cost should be similar.

Estimated Cost: $300,000

Total cost of Long-Term Need items = $310,000

TOTAL COMMITMENT

Immediate Needs:	
Arena Sand	$45,000
Fencing	$130,000
Announcing Stand	$35,000
Electric Wiring and Lights	$215,000
Short-Term Needs:	
Arena Fencing	$100,000
Long-Term Needs:	
Concession Stand Demo	$10,000
Restroom Building	$300,000
Total Estimated Cost	$835,000

OTHER CONSIDERATIONS

Small Area Plan – Lewisville Rodeo Arena is within the boundaries of the Small Area Plan for Old Town North. The plan does address potential improvements and uses for the arena site, mostly focusing on parks and trails. Making an investment in the arena would require adapting the Small Area Plan recommendations to accommodate continued use of the east half of site as an arena.

Future Maintenance – Assuming ownership of the arena fixtures and equipment would make future maintenance a responsibility of the Parks and Recreation Department, which will carry ongoing costs and workload for that department. Routine care estimated to cost about $15,000 annually (mowing, trash, etc.)

Lewisville Saddle Club Lease – The current lease expires at the end of this year so a new lease will be needed with or without the ownership transfer. If the transfer is approved, the lease will treat LSC as a rental tenant of the arena. Many terms of the current lease would be changed to reflect the new ownership. Current annual payment of $10,000 in Hotel Fund money for rodeo marketing would be codified in the lease.

OTHER CONSIDERATIONS

High School Rodeo Club – The rodeo club for Lewisville and Marcus high schools has been practicing at Lewisville Rodeo Arena through an arrangement with Lewisville Saddle Club, by which the students became members of LSC and were covered under the club's insurance. This is needed because the rodeo club is not an LISD-sponsored activity, so is not insured by the district. If Lewisville Saddle Club becomes a rental tenant, the high school rodeo club would have to make other insurance arrangements that might be cost prohibitive.

Programming – The ownership change, and subsequent City investment in the arena, would create opportunity for additional programming at the facility. This could include rodeo-related events as well as smaller festivals and concerts (maximum crowd of perhaps 3,000 people). Increased programming at the rodeo arena would carry costs to the city, and also would increase traffic and parking impacts on the adjacent residential neighborhood.

City Insurance - The premium for insuring the property will increase because of the expanded ownership and the increased value of the buildings and fixtures. Liability insurance will be required of all rental clients, and all City-run events carry insurance. The city's annual premium for general liability and errors and omissions would increase by about $2,958 next year.

FUNDNIG SOURCES

Staff has identified possible funding sources for the $835,000 needed to address all identified needs.

$240,000	accumulated Park Development Fee funding
$300,000	4B ongoing park improvement funding
$120,000	accumulated Recreation Fund CIP funding
$175,000	4B reserves
$835,000	Potential funding for Rodeo Arena repairs and improvements

While these funding sources have not been directly appropriated to other projects, using them for this project could impact or delay other park-related needs.

COUNCIL DECISION POINTS

Are you interested in assuming ownership of the Lewisville Rodeo Arena buildings, fixtures, and equipment?

If yes, a capital project needs to be created. How much money are you prepared to commit to the Immediate, Short-Term, and Long-Term repair needs?

What timing do you prefer for the repairs – staggered over time, or immediate?

Proclamation

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Lewisville, Texas; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Lewisville recognizes the benefits derived from parks and recreation resources and has made a commitment to protect our Green Centerpiece and Extend the Green so all of our residents are within a 10-Minute Walk to a Park.

NOW THEREFORE, I, Rudy Durham, Mayor of the City of Lewisville, Texas, and on behalf of the Lewisville City Council, do hereby proclaim that July is recognized as:

"Park and Recreation Month"

in the City of Lewisville.

PROCLAIMED this the 2nd day of July, 2018.

_____

Rudy Durham, Mayor
City of Lewisville

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: July 2, 2018

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Local Commercial District (LC) to Multi-Family One District (MF-1); on Approximately 1.13 Acres, Being Lot 2R-B, Block C, Country Ridge Addition, Located on the North Side of Southwest Parkway, Approximately 840 Feet West of South State Highway 121 Business; as Requested by Steven Homeyer, of Homeyer Engineering, Inc., on Behalf of John Gillespie, of WAK/285SWP, LLC, the Property Owner (Case No. PZ-2018-06-04).**

BACKGROUND

The 1.13-acre property is located on the north side of Southwest Parkway, west of State Highway 121 Business. The property is zoned Local Commercial (LC) and is currently vacant. The current owner purchased the lot in 2015 and constructed an access drive to the Autumn Breeze Apartments, the apartment complex adjacent to the north, in 2016. The applicant desires to expand Autumn Breeze apartments onto this property. The Autumn Breeze apartments were constructed in 1979 and originally called Timber Creek Apartments. This expansion would require the subject property to be rezoned to Multi-Family.

Prior to receiving the official zone change request application, staff informed the applicant the staff recommendation would be for denial as the request does not meet the Lewisville 2025 Plan. Since the late 1990's staff has not supported expansion of existing multi-family or new multi-family projects, except near Transit-Oriented Developments. The Planning and Zoning Commission recommended unanimous denial (6-0) of the zone change request at their meeting on June 5, 2018. A supermajority (4 of 5) vote by City Council is required to approve this Ordinance.

ANALYSIS

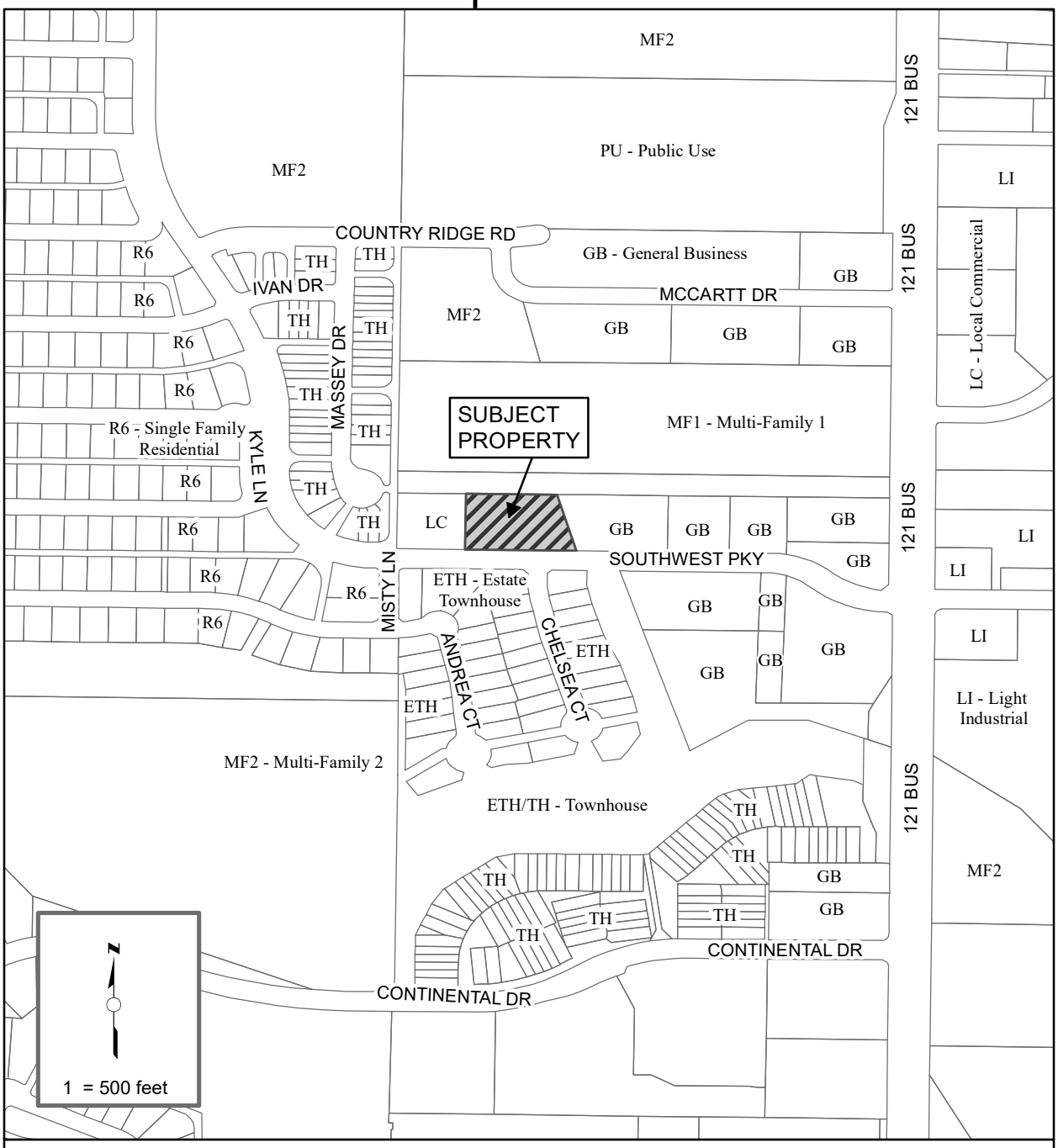
The subject property is adjacent to a Local Commercial (LC) zoned property to the west, General Business (GB) zoned property to the east, and a Multi-Family One (MF-1) zoned property to the north. Estate Townhouse (ETH) zoned property is located across the street to the south. The applicant plans to build a three story multi-family building on this lot. The building will include 18 dwelling units and will be located on the southern portion of the lot.

The Lewisville 2025 Plan, Big Move #5 – New Neighborhood Choices identifies the high level of multi-family properties currently present in the Lewisville. The plan prescribes that all new multi-family developments include mixed use elements or be located next to light-rail amenities.

RECOMMENDATION

It is City staff's recommendation that the City Council deny the zone change request.

Location Map - Autumn Breeze



CASE NO. PZ-2018-06-04

PROPERTY OWNER: JOHN GILLESPIE, WAK/285SWP, LLC

APPLICANT NAME: STEVEN HOMEYER, HOMEYER ENGINEERING, INC.

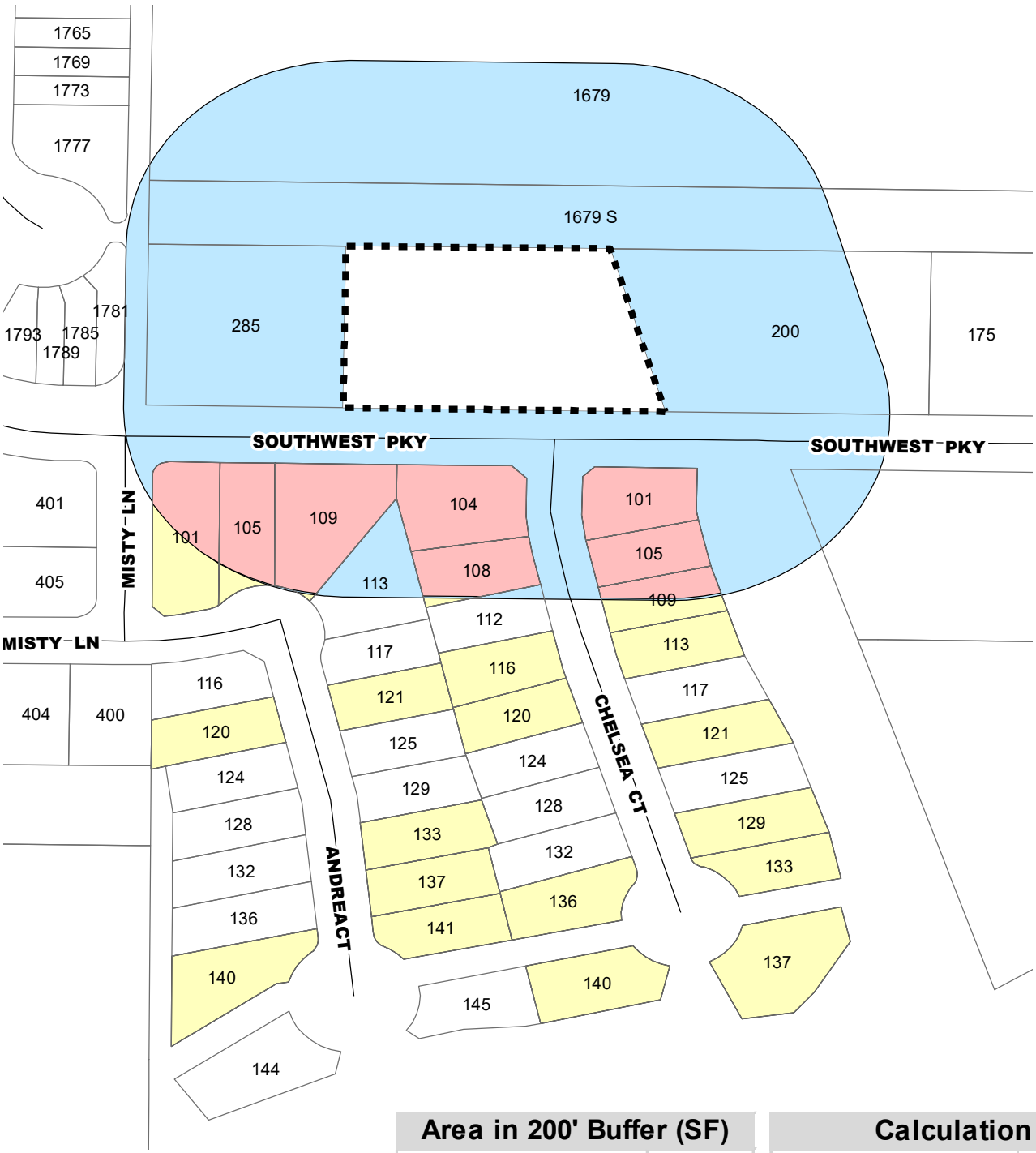
PROPERTY LOCATION: NORTH SIDE OF SOUTHWEST PARKWAY, APPROXIMATELY 840 FEET WEST OF STATE HIGHWAY 121 BUSINESS (1.13-ACRES)

CURRENT ZONING: LOCAL COMMERCIAL DISTRICT (LC)

REQUESTED ZONING: MULTI-FAMILY ONE DISTRICT (MF-1)

Aerial Map - Autumn Breeze

Zone Change Protest
Local Commercial to Multi-Family One



Legend

- Subject Property
- 200 Foot Buffer
- Protest in Buffer
- Protest

Area in 200' Buffer (SF)	
109 Chelsea Ct	2438
108 Chelsea Ct	5752
105 Chelsea Ct	5283
105 Andrea Ct	6000
109 Andrea Ct	11404
104 Chelsea Ct	9491
101 Chelsea Ct	6845
101 Andrea Ct	4824

Calculation	
Protest Total (SF)	52037
Buffer Total (SF)	297936
Percentage	**17.47**

0 50 100 200 Feet

N

MINUTES
PLANNING AND ZONING COMMISSION
JUNE 5, 2018

Item 1:

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

Staff members present: Michele Berry, Planning Manager; Jonathan Beckham, Planner; June Sin, Planner and Theresa Ernest, Planning Technician.

Item 4:

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

C. **Public Hearing:** Consideration of a Zone Change Request From Local Commercial District (LC) to Multi-Family One District (MF-1); on Approximately 1.13 Acres, Being Lot 2R-B, Block C, Country Ridge Addition, Located on the North Side of Southwest Parkway, Approximately 840 Feet West of South State Highway 121 Business; as Requested by Steven Homeyer, of Homeyer Engineering, Inc., on Behalf of John Gillespie, of WAK/285SWP, LLC, the Property Owner. (Case No. PZ-2018-06-04).

Staff gave a brief overview of the proposed zone change request and recommended denial as the proposal does not comply with The Lewisville 2025 Plan, Big Move #5 – New Neighborhood Choices, which prescribes that all new multi-family developments include mixed use elements or be located next to light-rail amenities. The applicant gave a brief presentation on the history of the Autumn Breeze apartments and their purchase of the subject property and was available for questions. Chairman Green then opened the public hearing. The following residents spoke in opposition to the zone change request, citing concerns such as traffic congestion, safety and a lack of compatibility with surrounding properties:

- Michael Mariani – 424 Misty Lane
- Robert Anderson – 137 Chelsea Court
- Sanjeev Aryal – 120 Chelsea Court
- John Yi – 105 Chelsea Court
- Fred Swichtenberg – 104 Chelsea Court
- Shi Xu – 113 Chelsea Court

The following spoke in favor of the zone change request, stating that the proposal would provide beneficial housing options for Lewisville residents:

- Anthony Moreno – Resident of the Autumn Breeze Apartments

John Gillespie, the applicant, responded to the residents' concerns. He clarified that parking for the proposed building would be located at the rear of the building and that the proposal would meet City parking requirements. Mr. Gillespie stated that the proposal would be a suitable use and will improve the existing vacant property. Member Alvin Turner asked how many parking spaces the proposed building would have, and the applicant answered 36 in total or two per unit. With no one else coming forward to speak, the public hearing was then closed. Chairman Green and Member Karen Locke expressed that they could not support the zone change as it doesn't meet The Lewisville 2025 criteria. *A motion was made by James Davis to recommend denial of the proposed zone change request. The motion was seconded by MaryEllen Miksa. The motion passed unanimously (6-0).* Staff indicated that this item would appear before the City Council on July 2nd for a second public hearing and a final decision.

SECTION 17-21. - "LC" LOCAL COMMERCIAL DISTRICT REGULATIONS

(a) *Use.* A building or premise shall be used only for indoor, neighborhood office, retail, and services which are primarily retail in nature, including, but not limited to:

(1) Any use permitted in district "OD" as regulated in said district.
(2) Grocery stores.
(3) Barber and beauty shops.
(4) Book, card, gift and stationary stores.
(5) Dry cleaning and laundry services.
(6) Gasoline service stations (SUP required).
(7) Minor automobile services including tune-up and repair services, tire stores and car washes, providing there is no overnight outside storage of vehicles (not including transmission or body shops) (SUP required).
(8) Restaurants.
(9) Florists.
(10) Video rental stores, movie theaters and other indoor amusements.
(11) Church worship facilities.
(12) Buildings and uses owned or operated by public governmental agencies.
(13) Other retail, office and service uses of a similar nature provided that the business establishment supplies the everyday needs of the immediate neighborhood and is subject to the following conditions:
   a. There is no outside display and storage of merchandise or vehicles, except for the incidental and occasional sale of merchandise outside the building for periods not to exceed thirty (30) days (i.e. Christmas tree sales and sidewalk sales, etc.).
   b. That required yards not be used for display, sale or storage of merchandise, or for the storage of vehicles, equipment, containers or waste material.
   c. That such use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.
(14) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
(15) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, dust, noise, vibration or similar nuisance.
(16) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
(17) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
(18) Beverage container recycling collection facility (SUP required).
(19) Kiosks, including water and ice sales (SUP required).
(20) Private stadium/arena/sports field (SUP required).
(21) Communication Towers (SUP required).
(22) Plant Nursery (Retail Sales) (Indoor)
(23) Plant Nursery (Retail Sales) (With Outdoor Display or Storage) (SUP required).

(b) *Height*. No building shall exceed forty-five (45) feet or three (3) stories in height, except that a building may be erected to a height of eighty (80) feet and eight (8) stories if set back from all required yard lines a distance of one (1) foot for each two (2) feet of additional height above forty-five (45) feet. 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 "LC", except that automobile parking will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.

b. *Side yard*. A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in

width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.

c. *Rear yard*. No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) *Reserved*.

SECTION 17-15. - "MF-1" MULTI-FAMILY ONE DISTRICT REGULATIONS

(a) *Use*. A building or premise shall be used only for the following purposes:

(1) Multi-family dwellings.
(2) Dormitories for students.
(3) Fraternity or sorority house.
(4) Nursing and convalescent homes.
(5) Day nurseries.
(6) Church worship facilities.
(7) Buildings and uses owned or operated by public governmental agencies.
(8) Schools, private, with full curriculum accredited by the State of Texas equivalent to that of a public elementary or high school.
(9) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
(10) 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.
(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 (2) stories in height except that a building may be erected to a height of eighty (80) feet and eight (8) stories if set back from all required yard lines a distance of one (1) foot for each two (2) feet of additional height above thirty-five (35) feet.

(c) *Area*.

(1) *Size of yards.*

a. *Front yard.* There shall be a front yard having a required depth of not less than twenty-five (25) feet. Furthermore, required parking shall not be allowed within the required front yard.

b. *Side yard.* There shall be a side yard on each side of the lot having a width of not less than twenty-five (25) feet.

c. *Rear yard.* There shall be a rear yard having a depth of not less than twenty-five (25) feet.

(2) Size of lot.

a. *Lot area.* No building shall be constructed on any lot of less than forty-five hundred (4,500) square feet. No building containing two (2) or more dwelling units shall be constructed or any lot of less than nine thousand (9,000) square feet.

b. *Lot Width*. The width of the lot shall not be less than fifty (50) feet at the front street building line, nor shall its average width be less than fifty (50) feet.

c. *Lot Depth.* The average depth of the lot shall not be less than one hundred (100) feet, except that a corner lot, having a minimum width of not less than eighty (80) feet, may have an average depth of less than one hundred (100) feet provided that the minimum depth is no less than eight (80) feet.

d. [*Exception*] Where a lot having less area, width and/or depth than herein required existed in separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a one-family dwelling thereon.

(3) *Minimum dwelling size.*

a. The minimum floor area of each two (2), three (3), or four (4) family dwelling unit shall contain a minimum of eight hundred (800) square feet of livable floor space,

exclusive of garages, porches, breezeways, entry hallways or incidental storage, for each family to be housed in said building.

b. Every other building or portion thereof hereafter erected, reconstructed, altered or enlarged, shall contain an average of eight hundred (800) square feet and a minimum of six hundred fifty (650) feet square feet of liveable floor space, exclusive of garages, porches, breezeways, entry halls or incidental storage, for each family to be housed in said building.

c. The eight hundred (800) square foot average shall apply to the total number of units to be constructed under the same building permit where five (5) or more buildings are to be erected under the same building permit.

(4) *Lot coverage.* In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

(5) *Density*. In no case shall the density of units per platted acre exceed twenty (20) units per acre. Drainage right-of-way which is dedicated to the city as a condition for development may be included in the total area for computing density. Otherwise, density shall be based on the size of the platted lot.

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): JOHN GILLESPIE	
Company Name: WAK/285SWP, LLC	
Mailing Address: 1422 W. MAIN STREET #104, LEWISVILLE, TX 75067	
Work #: 214-222-7461	Cell #:
E-Mail: JOHNGILLESPIE@WMCI.BIZ	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): SEE ATTACHED LETTER	Date:
Printed Name: JOHN GILLESPIE	

Applicant/Agent (name): STEVEN HOMEYER	
Company Name: HOMEYER ENGINEERING, INC	
Mailing Address: PO BOX 294527, LEWISVILLE, TX 75029	
Work #: 972-906-9985	Cell #: 214-755-4694
E-Mail: SHOMEYER@HEI.US.COM	
Applicant/Agent Signature	Date: 5-4-18
Printed Name: STEVEN HOMEYER	

Current Zoning: LC Requested Zoning: MF1 Acres: 1.13

Legal Description (Lot/ Block/Tract/Abstract): LOT 2R-B, COUNTRY RIDGE ADDITION

Address/Location: SOUTHWEST PARKWAY

Application and Sign Fees:

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

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

Qty: 1	**Zone Change Signs - $35 each.** 1 sign required for each 5 acres (max. 5 per site)	$ 35.00

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

Amount Due (application & sign fee)	$ 285.00

LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

REQUIRED:

Fully describe the plans for the property

EXPAND THE EXISTING APARTMENT COMPLEX ON TO PROPERTY CURRENTLY OWNED BY THE SAME OWNERSHIP GROUP

NOTE:

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

WAK
MANAGEMENT

TO: City of Lewisville Planning Department

From: John Gillespie

Date: April 27, 2018

To Whom It May Concern:

I, John Gillespie, authorize Homeyer Engineering, Inc. to submit development plans and documents to the City of Lewisville on behalf of WAK/285SWP LLC and/or WAK Management Company, Inc.

If you have any questions, you can contact me at 214.222.7461 or johngillespie@wmci.biz.

Sincerely,

John Gillespie
President

1422 W. Main Street, #104, Lewisville, TX 75067
214-222-7461

WAK MANAGEMENT

TO: Ms. Theresa Ernest
Planning Technician
Economic Development & Planning
City Of Lewisville

From: John Gillespie

Date: June 20, 2018

RE: Rezoning for Lot 2R-B, Block C, County Ridge Addition, 285 Southwest Parkway

Ms. Ernest

I was in your office today to discuss a slideshow that was prepared by Commercial Real Estate Brokers with Sperry Van Ness SVN/Dunn Commercial. I have attached an electronic version of the slideshow and I request that you distribute it to the Council Members prior to the July 2, 2018 Public Hearing. I would also request to be able to present the slideshow at the public hearing so that other interested observers can see it.

We believe that the slideshow presents a compelling case for the city to approve the zoning request as the best use for the vacant lot in question. In essence, we wish to improve the appearance of the area, provide sidewalks and install and maintain attractive landscaping that will be much more attractive than the vacant lot, the garages of neighboring townhouses, the half vacant office buildings or the carwash. The new building will be an adjunct to an existing multifamily property, Autumn Breeze Apartments, and it will provide 18 three bedroom apartments that are in very short supply in the area. The building will also add considerably to the property tax base compared to an empty lot.

Please distribute the attached slideshow as well as a copy of this transmittal document to the Council members.

Thank you for your assistance.

1422 W. Main Street, #104, Lewisville, TX 75067
214-222-7461

ZONING REQUEST

LC 1->MF 1

AUTUMN BREEZE

Lewisville
City Council

1679 S. State Highway 121
Lewisville, Texas 75067

Prepared for: John Gillespie
WAK Management Company

YHP
YACHT HARBOR PROPERTIES

Table of Contents

Zoning Consideration Request	2
Project Rendering	3
Objectives & Conclusions	5
Project Aerial & Location Map	7
Project Location Map	8
Project Aerials	9
Project Photos	11
Existing Surveys	27
Exhibit C	29
Demographics	31
City Data	33
Office Statistical Data	36
Retail Statistical Data	46
Contact Information	53

AUTUMN BREEZE

Zoning Consideration Request Evaluation

Yacht Harbor Properties has been given the task of evaluating the contemplated expansion of an 18-3BR units for the Autumn Breeze Apartments in Lewisville, Texas.

This report is in consideration of a Zone Change Request from Local Commercial District (LC) to Multi-Family One District One. The property is located on the North Side of Southwest Parkway, approximately 840 feet west of South State Highway 121 Business. This request is being made by Stephen Homeyer of Homeyer Engineering, Inc. on behalf of John Gillespie of WAK/285SWP, LLC.

The subsequent report is being submitted in preparation for the July 2nd Lewisville City Council Meeting. A detailed investigative study of current market conditions as reported by Costar (an international real estate data provider source) was conducted. Based upon this data as set forth in the exhibits hereafter, we strongly support the approval of this 18 unit expansion of the existing property on the southwest property line on the 1.13 Acre Land tract.

YHP

YACHT HARBOR PROPERTIES

A View of the Proposed 18 Unit 3 BR Expansion Units

YHP

YACHT HARBOR PROPERTIES

The Autumn Breeze Expansion Features Stone Exteriors

YHP
YACHT HARBOR PROPERTIES

Summary of Objectives, Observations and Conclusions

AUTUMN BREEZE

1. Existing Ownership of Autumn Breeze has been headquartered in Lewisville for 30 years.
2. Existing Ownership of Autumn Breeze Investment has a valuation of $16,808,531 and an annual tax bill of $349,852.
3. Existing Ownership desires to upgrade property by adding an additional 18 3-BR Units units (downsized from original 30 unit expansion proposal). This would increase valuation by approximately $1,520,00 and an increased tax bill of $31,221.
4. The Proposed 18 Unit Expansion is designed to upgrade visual street appeal on Southwest Parkway and additionally create an attractive visual buffer from the existing 30 year old apartment community for neighborhood residential homeowners.
5. There are currently only 750 3-BR Units available in the 16,081 existing Lewisville multi-family inventory. This represents 4.66%.
6. Strong demand on Lewisville 3-BR Units is reflected in an overall occupancy level of 94.6% and an average monthly rent of $1,583 highest in the market.
7. Both Retail and Office and Medical Office are experiencing increasing vacancy and have not proven historically successful along SW Parkway. This trend is evidenced by the vacant medical office to the West and vacant retail Space to the East.
8. Anticipated Tax Valuation Increase is contemplated for the City of Lewisville with this zoning request approval. Tax Valuation should approximate $1,520,000 [1.31 Acres] as compared to the western commercial office neighbor at $763,891 [0.98 Acres] and the eastern carwash neighbor valuation of $328,725 [0.574 Acres]

Respectfully submitted 7/2/2018 by

YHP

YACHT HARBOR PROPERTIES

NEIGHBORHOOD & MARKET DATA TOUR

AUTUMN BREEZE

Lewisville
City Council

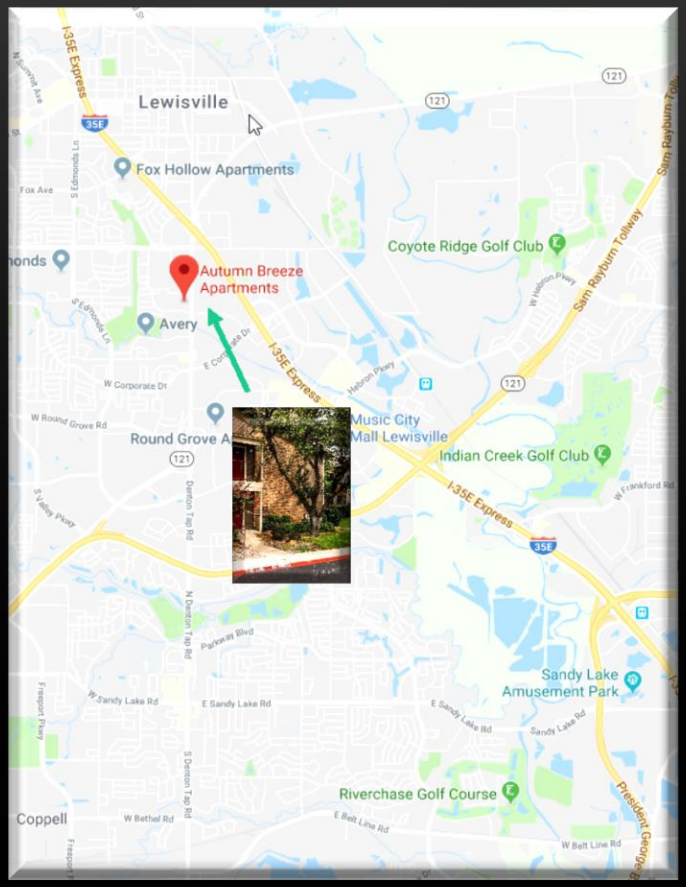
1679 S. State Highway 121
Lewisville, Texas 75067

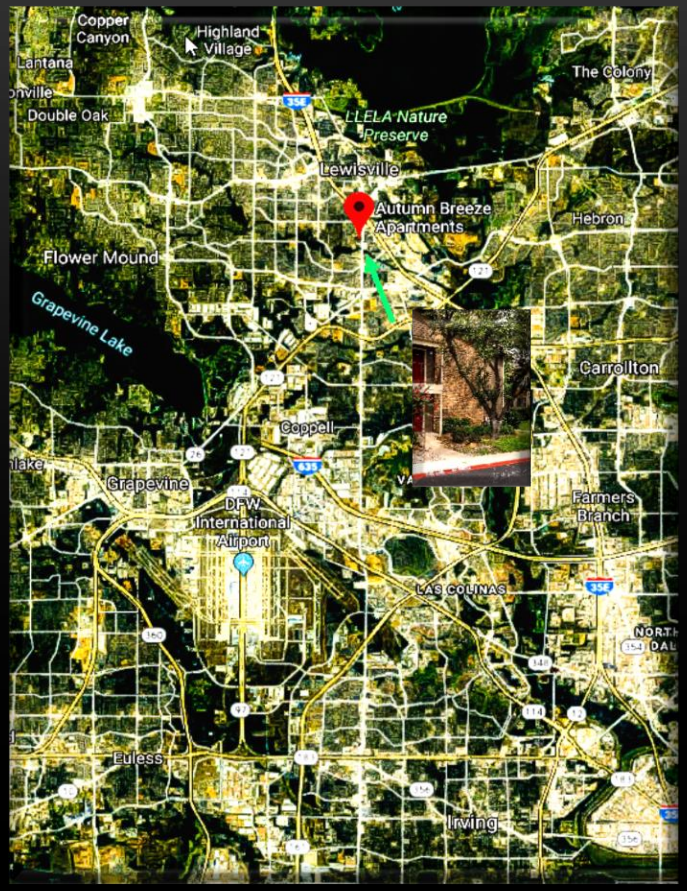
Prepared for: John Gillespie
WAK Management Company

YHP
YACHT HARBOR PROPERTIES

Locational Map & Aerial

AUTUMN BREEZE





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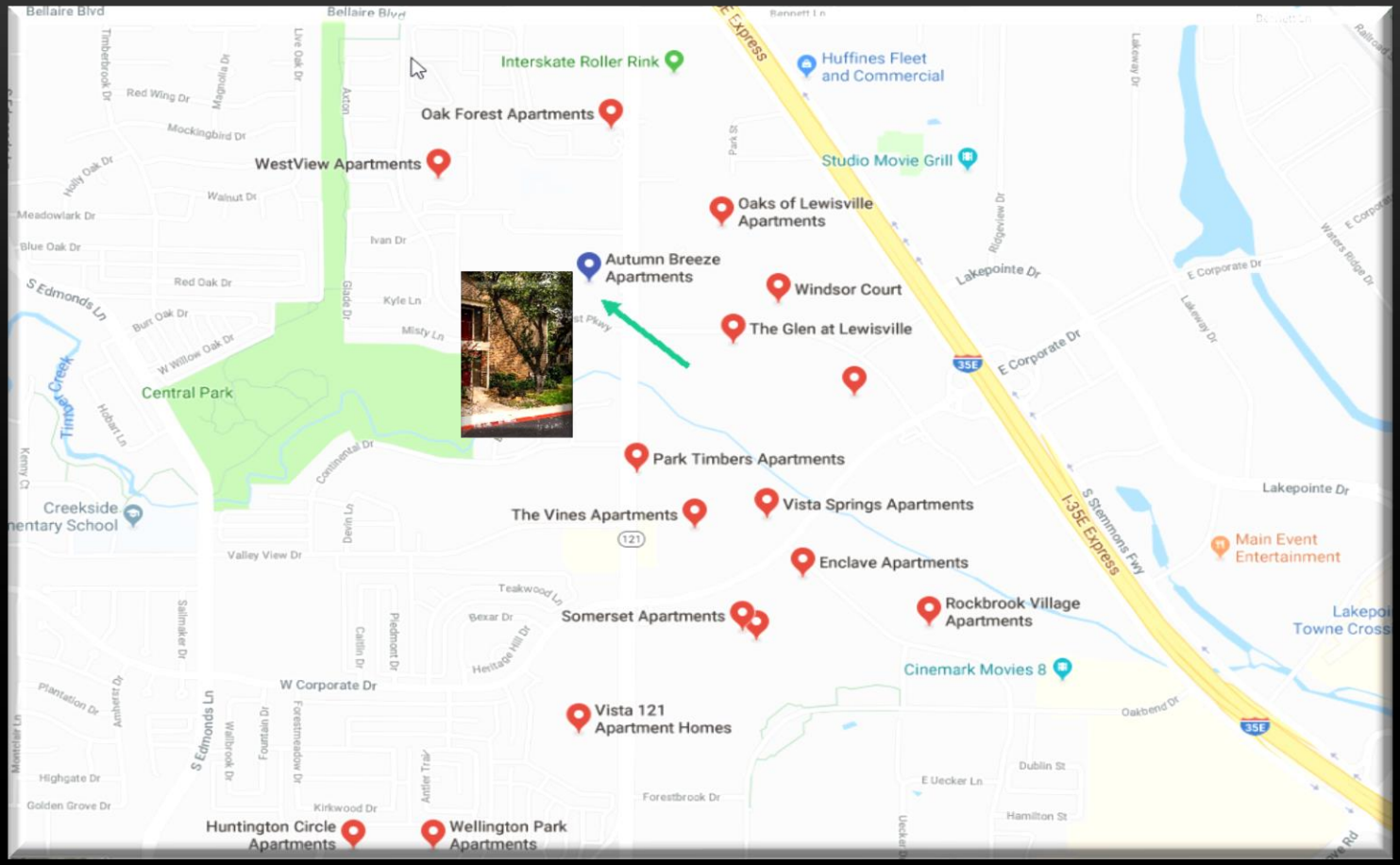
YACHT HARBOR PROPERTIES

Location Map

AUTUMN BREEZE

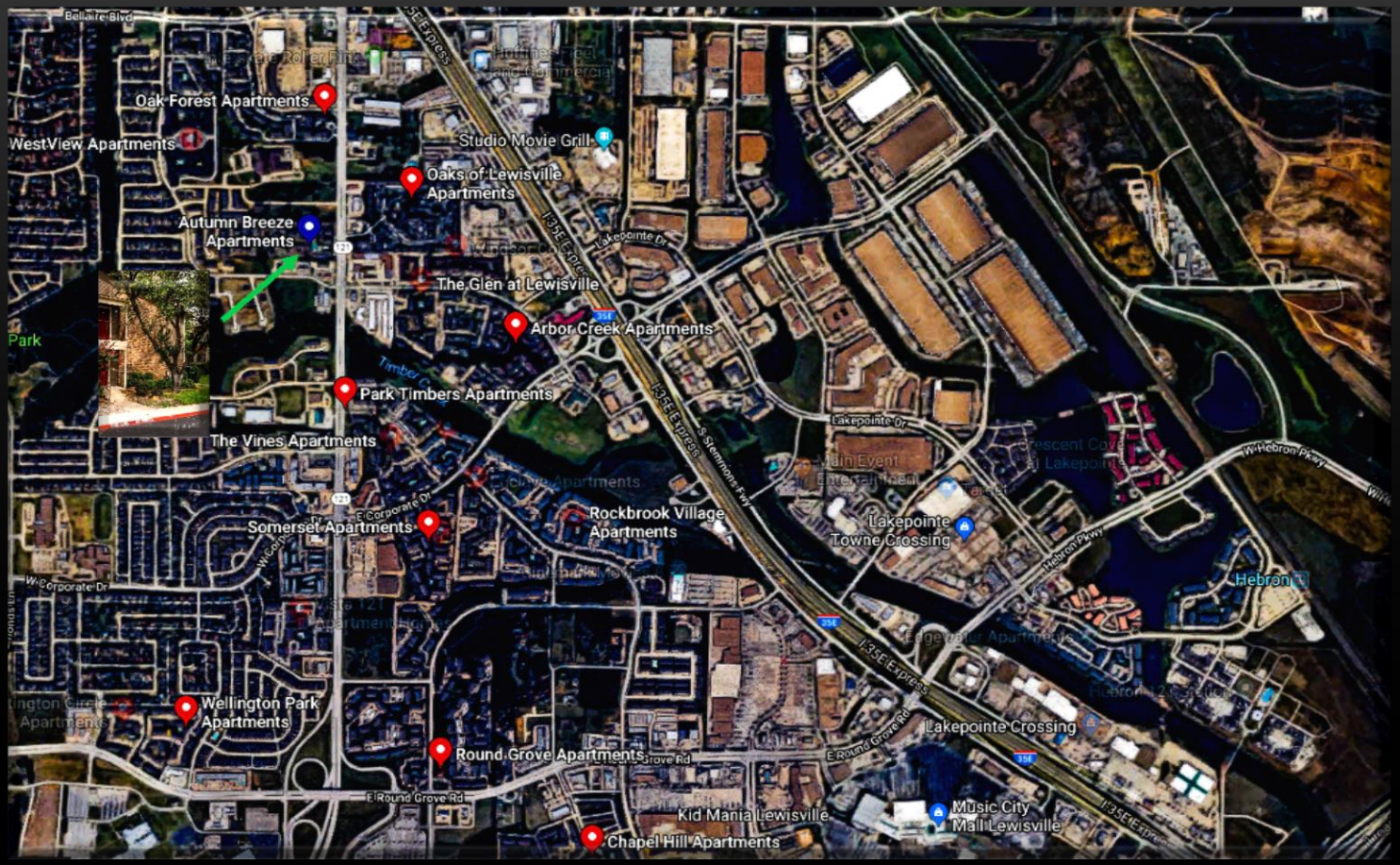


YHP

YACHT HARBOR PROPERTIES

Aerial View

AUTUMN BREEZE



YHP

YACHT HARBOR PROPERTIES

Aerial View

AUTUMN BREEZE

YHP

YACHT HARBOR PROPERTIES

Looking to the North at the Autumn Breeze Apartment Homes

YHP

YACHT HARBOR PROPERTIES

Attractive Project Signage at Autumn Breeze

YHP

YACHT HARBOR PROPERTIES

A view of the Autumn Breeze Attractive Landscaping

YHP

YACHT HARBOR PROPERTIES

Looking to the South at the Autumn Breeze Property

YHP

YACHT HARBOR PROPERTIES

Autumn Breeze features lush landscaping for its residents.

YHP

YACHT HARBOR PROPERTIES

A view of Autumn Breeze looking Northwest

YHP

YACHT HARBOR PROPERTIES

Ownership voluntarily installed a fire lane exit on the property.

YHP

YACHT HARBOR PROPERTIES

Looking at the Vacant Southwestern Land Tract of 1.13 Acres

YHP

YACHT HARBOR PROPERTIES

1.13 Acres of Land for 18 Unit 3-BR Expansion of Autumn Breeze

YHP

YACHT HARBOR PROPERTIES

High Density Residential Garages facing Southwest Parkway to the West.

YHP

YACHT HARBOR PROPERTIES

Attractive Visual Upgrade Being Created Through 18 Unit Expansion

YHP

YACHT HARBOR PROPERTIES

Existing Medical Office Vacancy to the West.

YHP

YACHT HARBOR PROPERTIES

Existing Retail Vacancy to the East on Southwest Parkway

YHP

YACHT HARBOR PROPERTIES

Looking at the 1.13 Acres of Land towards South SH 121

YHP

YACHT HARBOR PROPERTIES

Existing Carwash to the Southeast

YHP
YACHT HARBOR PROPERTIES

EXISTING SURVEYS

AUTUMN BREEZE

Lewisville
City Council

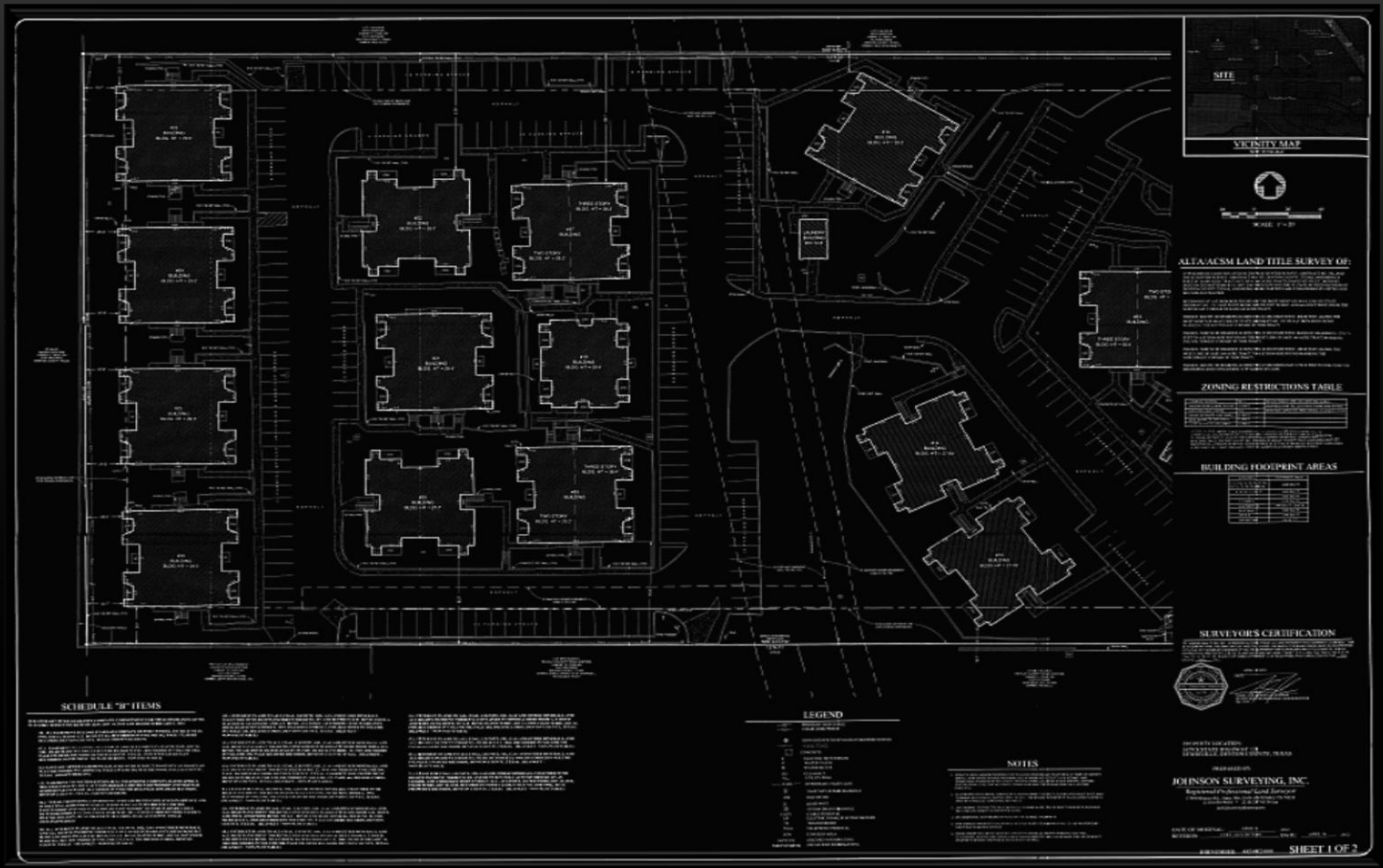
1679 S. State Highway 121
Lewisville, Texas 75067

Prepared for: John Gillespie
WAK Management Company

YHP
YACHT HARBOR PROPERTIES

Survey Page 1

AUTUMN BREEZE



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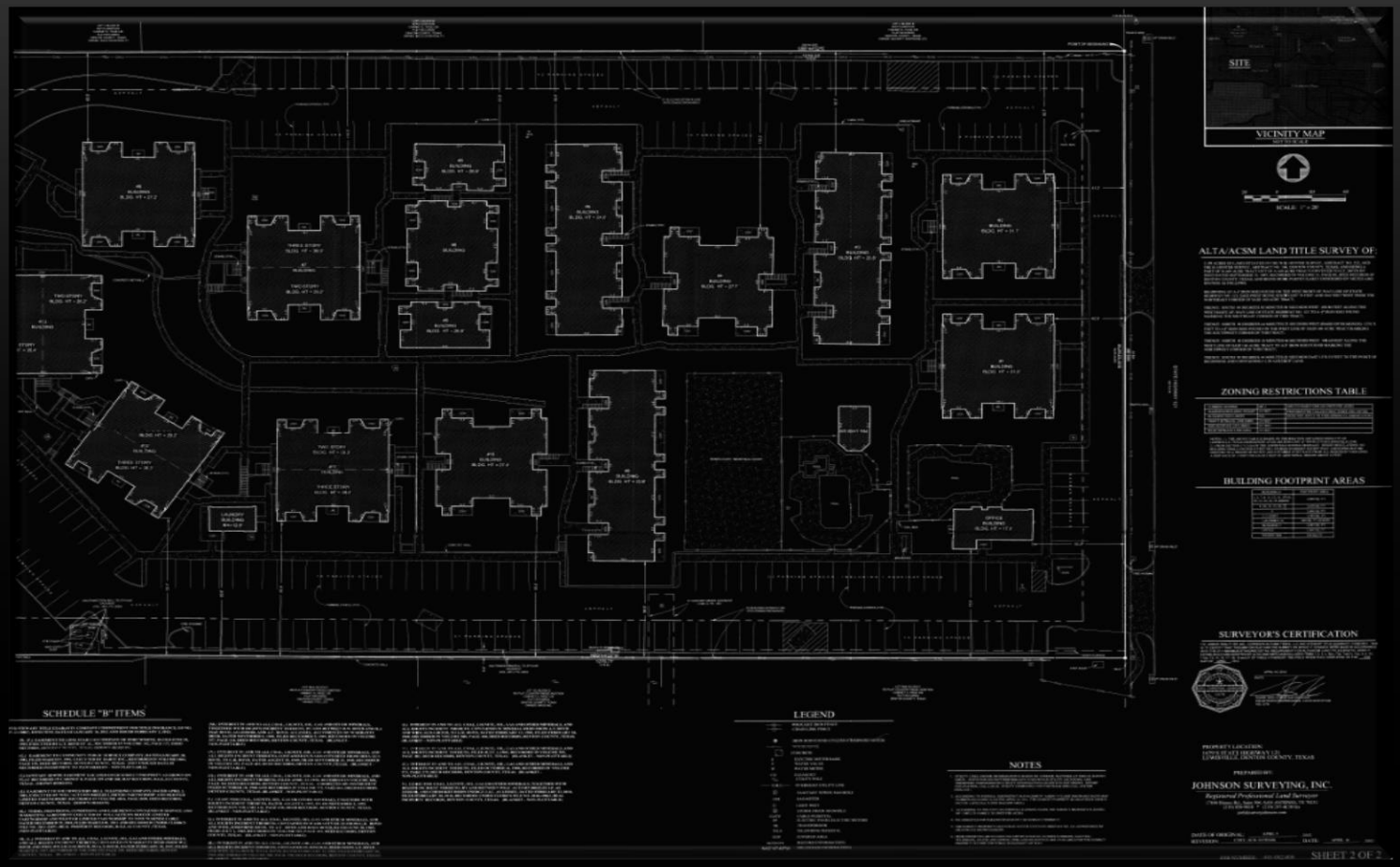
YACHT HARBOR PROPERTIES

Survey Page 2

AUTUMN BREEZE

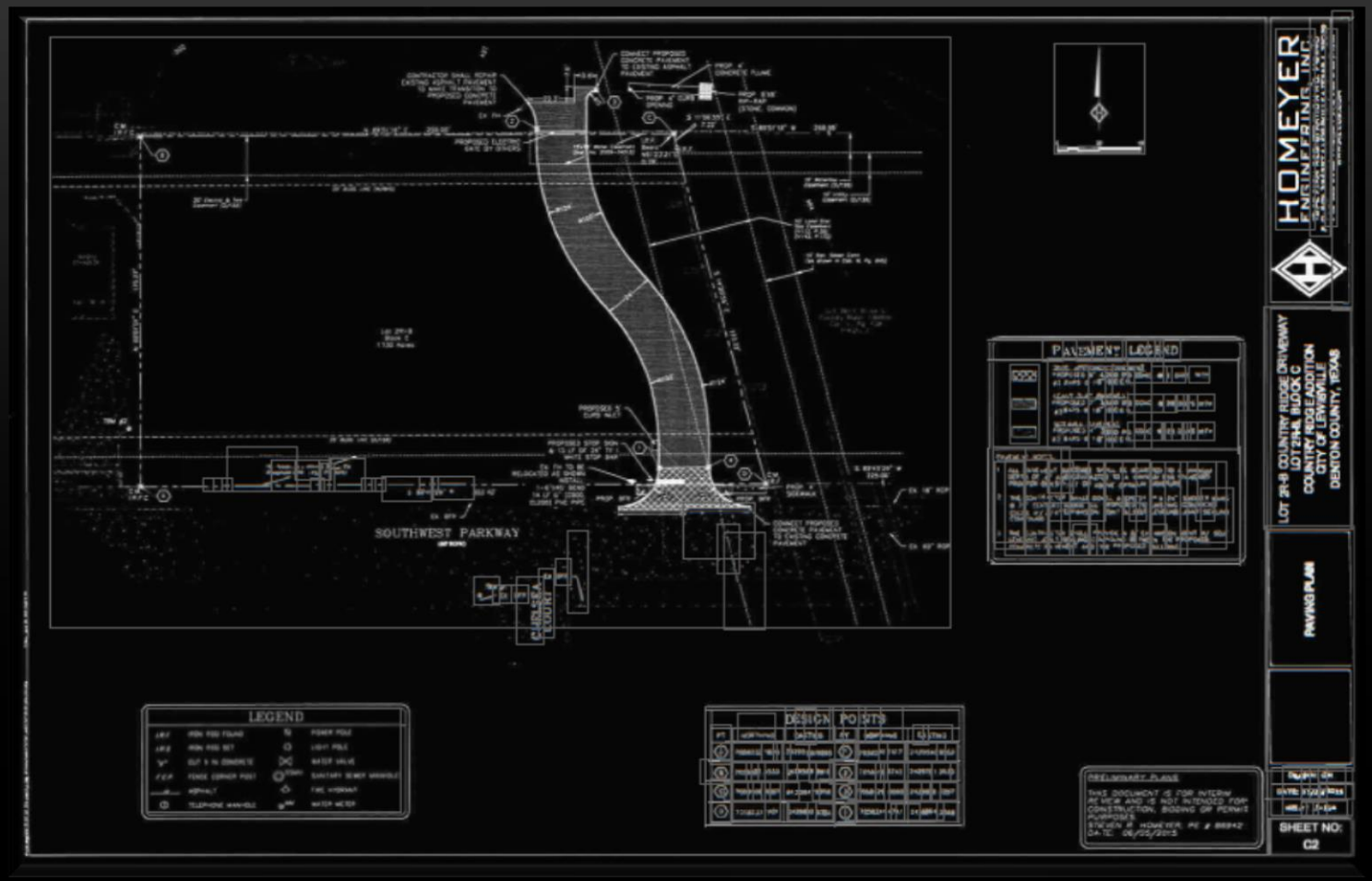


YHP

YACHT HARBOR PROPERTIES

Exhibit C

AUTUMN BREEZE



YHP

YACHT HARBOR PROPERTIES

Contact Information

AUTUMN BREEZE

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Tel 214-261-6306
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YHP
YACHT HARBOR PROPERTIES

For Further Information Contact:

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YHP
YACHT HARBOR PROPERTIES

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY REZONING APPROXIMATELY 1.13 ACRES, LEGALLY DESCRIBED AS LOT 2R-B, BLOCK C, COUNTRY RIDGE ADDITION, LOCATED ON THE NORTH SIDE OF SOUTHWEST PARKWAY, APPROXIMATELY 840 FEET WEST OF SOUTH STATE HIGHWAY 121 BUSINESS, FROM LOCAL COMMERCIAL DISTRICT (LC) ZONING TO MULTI-FAMILY ONE DISTRICT (MF-1) 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 1.13-acre property described in the attached Exhibit "A" (the "Property") be **denied**, 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 **MULTI-FAMILY ONE DISTRICT (MF-1) 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 2ND DAY OF JULY, 2018.

APPROVED:

_____
Rudy Durham, MAYOR

ATTEST:

_____
Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

_____
Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

EXHIBIT A

Metes and Bounds Description
Lot 2R-B, Block C, Country Ridge Addition

BEING a tract of land situated in the B. Hunter Survey, Abstract No. 553, in the City of Lewisville, Denton County, Texas, and also being called Lot 2R-B, Block C, Country Ridge Addition, an addition to the City of Lewisville, Denton County, Texas, according to the Plat thereof recorded in Cabinet W, Page 845, of the Plat Records of Denton County, Texas (P.R.D.C.T), and being more particularly described as follows:

BEGINNING at an iron rod set for the southwest corner of the herein described tract, same point being the southeast corner of Lot 2R-A, Block C, Country Ridge Addition, an addition to the City of Lewisville, Denton County, Texas, according to the Plat thereof recorded in Cabinet W, Page 845, P.R.D.C.T., same point also being in the north line of Southwest Parkway (a 60 foot right-of-way);

THENCE North 00 degrees 01 minutes 01 seconds East, along the west line of said Lot 2R-B, a distance of 175.27 feet to an iron rod for corner, same point being the northeast corner of said Lot 2R-A, same point being in the south property line of a tract of land conveyed to WILC/Autumn Breeze Limited Partnership and MLD/TGR Limited Partnership, as described by deed recorded in Volume 4230, Page 248;

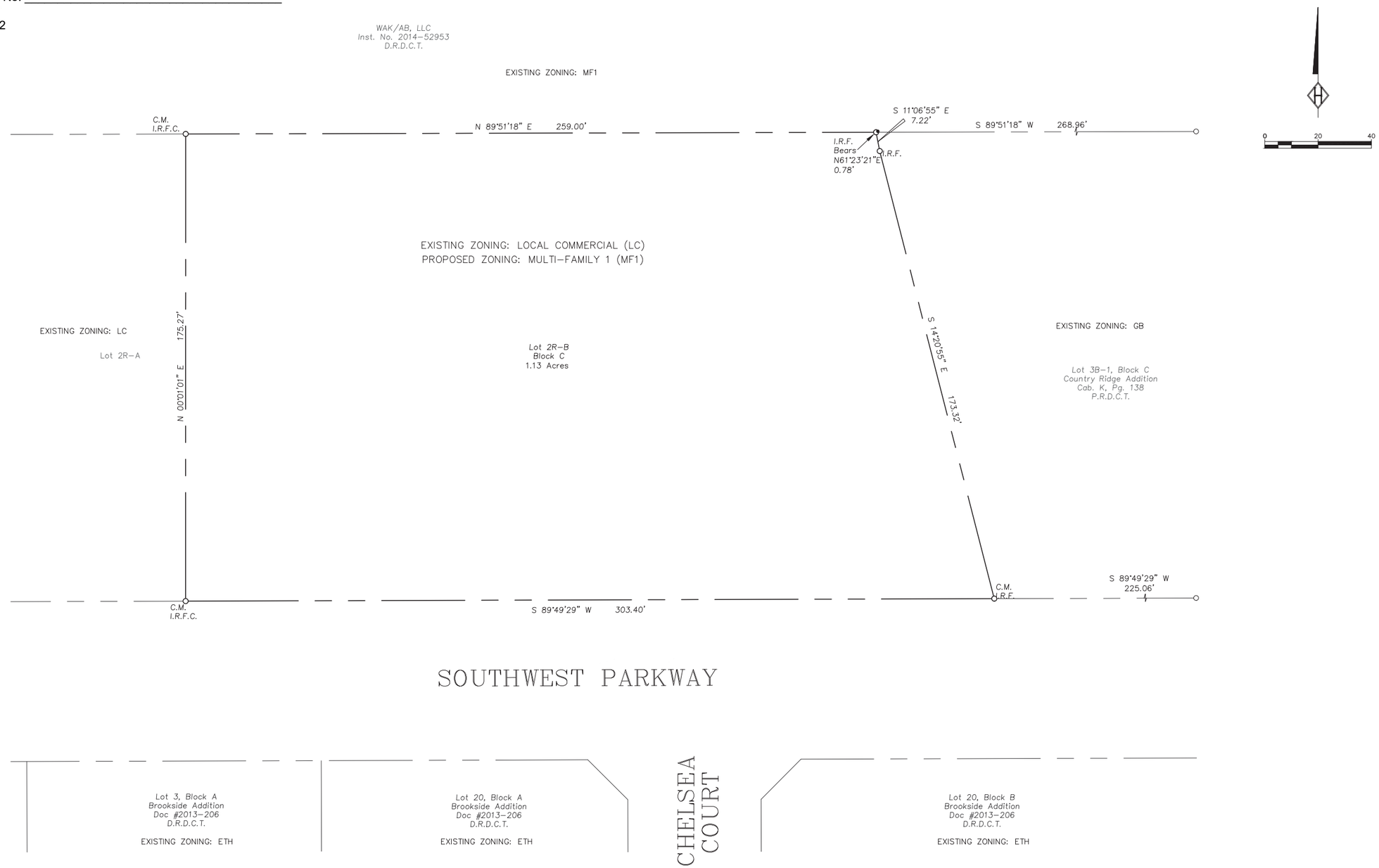
THENCE North 89 degrees 51 minutes 18 seconds East, along the south line of said WILC/Autumn Breeze Limited Partnership and MLD/TGR Limited Partnership tract, a distance of 259.00 feet to an iron rod for corner, same point being the northwest corner of Lot 3B-1 of Country Ridge Addition, an addition to the City of Lewisville, Denton County, Texas, according to the Plat thereof recorded in Cabinet K, Page 138, P.R.D.C.T.;

THENCE South 11 degrees 06 minutes 55 seconds East, along the west line of said Lot 3B-1, a distance of 7.22 feet to an iron rod for corner;

THENCE South 14 degrees 20 minutes 55 seconds East, continuing along the west line of said Lot 3B-1, a distance of 173.32 feet to an iron rod for the southeast corner of the herein described tract, same point being the southwest corner of Lot 3B-1 of Country Ridge Addition, an addition to the City of Lewisville, Denton County, Texas; according to the Plat thereof, recorded in Cabinet K, Page 138, P.R.D.C.T., same point being in the north line of Southwest Parkway (a 60 foot right-of-way);

THENCE South 89 degrees 49 minutes 29 seconds West, along the north line of said Southwest Parkway, a distance of 303.40 feet, to the POINT OF BEGINNING and containing a total of 1.13 acres of land, more or less.

Attachment to
Ordinance No. _____
Exhibit "A"
Page 2 of 2



LEGEND

I.R.F.	IRON ROD FOUND		POWER POLE
I.R.S.	IRON ROD SET		LIGHT POLE
"X"	CUT X IN CONCRETE		WATER VALVE
F.C.P.	FENCE CORNER POST	SSMH	SANITARY SEWER MANHOLE
	ASPHALT		FIRE HYDRANT
	TELEPHONE MANHOLE	WM	WATER METER

PRELIMINARY PLANS

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
STEVEN R. HOMEYER, PE # 86942
DATE: 05/04/2018

HOMEYER
ENGINEERING, INC.
TBPE FIRM REGISTRATION NO. F-8440
P.O. BOX 294527 ♦ LEWISVILLE ♦ TEXAS ♦ 75029
972-906-9985 PHONE ♦ 972-906-9987 FAX
WWW.HEI.US.COM

AUTUMN BREEZE APARTMENTS
LOT 2R-B, BLOCK C
COUNTRY RIDGE ADDITION
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

ZONING EXHIBIT

DRAWN: SRH
DATE: 11/17/17
HEI #: 17-160

SHEET NO:
ZE-1

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke

DATE: July 2, 2018

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Communication Tower; on Approximately 24.619 Acres, Legally Described as Lot 16, Block A, Fairway Business Park Addition, Located at the Northern Terminus of Fairway Drive, Approximately 390 Feet North of East Jones Street, and West of North Mill Street; as Requested by Shawn Rockenbaugh of Teague, Nall & Perkins, Inc., on Behalf of Brazos Electric Power Cooperative, the Property Owner (Case No. SUP-2018-06-10).**

BACKGROUND

The Brazos Electric Power Cooperative is proposing to build a new wireless telecommunications facility. The existing 65-foot communication monopole is becoming obsolete and will be removed. The new 112-foot tower will allow the enhancement of power monitoring, power metering, Supervisory Control and Data Acquisition (SCADA) and ethernet communications to this facility. This new tower will incorporate this site into the power cooperative's main microwave system. This will increase the capacity and speed of communication to this site and other substations in the surrounding area. All communication towers require the approval of a Special Use Permit. The Planning and Zoning Commission recommended unanimous approval (6-0) of the requested SUP on June 5, 2018

ANALYSIS

Height and Area
The proposed 112-foot tall cell tower must be placed 336 feet away from the nearest single family or two family zoned lot or tract to comply with the 3:1 distance to height ratio requirement. The nearest single family or two family zoned lot is approximately 960 feet from the monopole's proposed location.

Site, Screening and Landscaping
The proposed tower will be located on the northern portion of this site. An existing storage building and fence will be relocated 50 feet west to allow space for this communication tower. Due to the location of the site and the nature of the business, no new landscaping or screening is proposed.

Collocation
Safety concerns prevented Brazos Electric Power Cooperative from collocating on existing communication towers. The North American Electric Reliability Corporation (NERC), a not-for-profit international regulatory authority, requires that all critical infrastructure site

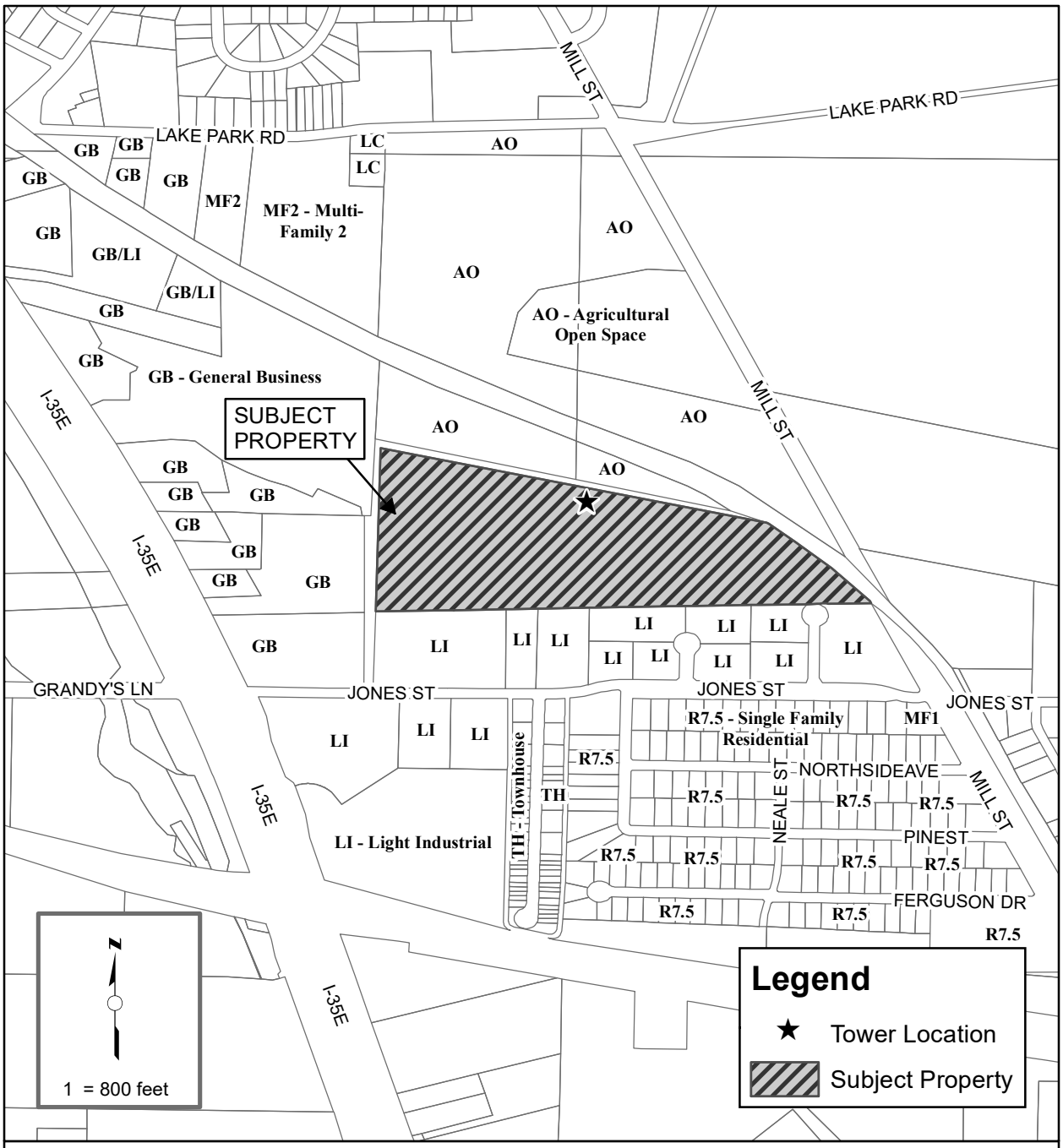
communication be isolated from the public. To meet these standards, the electric cooperative has implemented security measures such as extremely limited site access and 24/7 monitoring.

Summary
The proposed 112-foot communication tower will be located on the north side of the existing electrical substation. The new tower will help facilitate monitoring and communication to this site. Safety concerns and regulations prevented the collocation on existing towers.

RECOMMENDATION

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

Location Map - Brazos Switch Station Communication Tower



ZONING CASE NO. SUP-2018-06-08

APPLICANT:	SHAWN ROCKENBAUGH OF TEAGUE, NALL & PERKINS, INC.
PROPERTY OWNER:	BRAZOS ELECTRIC POWER COOPERATIVE
PROPERTY LOCATION:	LOT 16, BLOCK A, FAIRWAY BUSINESS PARK ADDITION (24.619-ACRES) LOCATED AT THE NORTHERN TERMINUS OF FAIRWAY DRIVE, APPROXIMATELY 390 FEET NORTH OF EAST JONES STREET AND WEST OF NORTH MILL STREET
CURRENT ZONING:	LIGHT INDUSTRIAL DISTRICT (LI) AND WAREHOUSE DISTRICT (WH)
REQUESTED USE:	A SPECIAL USE PERMIT (SUP) FOR A COMMUNICATION TOWER

Aerial Map - Brazos Switch Station Communication Tower

MINUTES
PLANNING AND ZONING COMMISSION
JUNE 5, 2018

Item 1:

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

Staff members present: Michele Berry, Planning Manager; Jonathan Beckham, Planner; June Sin, Planner and Theresa Ernest, Planning Technician.

Item 4:

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

A. **Public Hearing:** Consideration of a Special Use Permit for a Communication Tower; on Approximately 24.619 Acres, Legally Described as a Lot 16, Block A of the Fairway Business Park Addition, Located off at the Northern Terminus of Fairway Drive, Approximately 390 Feet North of East Jones Street, and West of North Mill Street; as Requested by Shawn Rockenbaugh of Teague, Nall & Perkins, Inc., on Brazos Electric Power Cooperative, the Property Owner. (Case No. SUP-2018-06-10).

Staff gave a brief overview of the proposed special use permit request and recommended approval. Justin Walton of Teague, Nall & Perkins, Inc. was present and available to answer any 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 Karen Locke to recommend approval of the proposed special use permit request. The motion was seconded by James Davis. The motion passed unanimously (6-0).* Staff indicated that this item would appear before the City Council on July 2nd 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 17-29.5 - "SUP" SPECIAL USE PERMIT

(a) *Purpose.*

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

(b) *Application submittal and approval process.*

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

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

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

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

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

(4) The planning and zoning commission or the city council may require additional information or drawings, operating data or expert evaluation or testimony concerning the location and characteristics of any building or uses proposed.

(5) The planning and zoning commission, after holding a public hearing, shall recommend to the city council approval or denial of each SUP along with any recommended conditions. The city council shall review each case on its own merit, apply the compatibility criteria established herein, and if appropriate, grant the special use permit for said use(s).

(6) Completion of a development plan for the SUP does not waive the requirement to provide an engineering site plan in accordance with the General Development Ordinance.

(c) *Compatibility criteria for approval.*

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

(1) complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;

(2) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(3) not be detrimental to the public health, safety, or general welfare; and

(4) conform in all other respects to all zoning regulations and standards.

(d) *SUP conditions.*

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

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

(1) Except for minor amendments, all amendments, enlargements, modifications or structural alterations or changes to the development plan shall require the approval of a new SUP. The city manager or his designee may authorize minor amendments to the development plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

a. Alter the basic relationship of the proposed development to adjacent property;
b. Increase the maximum density or height shown on the original development plan;
c. Decrease the number of off-street parking spaces shown on the original development plan; and/or
d. Reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan.

(2) For purposes of this subsection, "original development plan" means the earliest approved development plan that is still in effect, and does not mean a later amended development plan. For example, if a development plan was approved with the specific use permit and then amended through the minor amendment process, the original development plan would be the development plan approved with the specific use permit, not the development plan as amended through the minor amendment process. If, however, the development plan approved with the specific use permit was replaced through the zoning process, then the replacement development plan becomes the original development plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

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

(f) *Compliance mandatory with written requirements.*

(1) No special use permit shall be granted unless the applicant, owner, and grantee shall be willing to accept and agree to be bound by and comply with the written requirements attached to the development plan drawings and approved by the city council.

(2) A special use permit shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, however all regulations and conditions of the SUP shall remain in effect and shall be applicable to the new owner or occupant of the property.

(g) *Timing.*

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

(h) *Zoning map.*

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

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

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

(1) That one or more of the conditions imposed by the SUP has not been met or has been violated.

(2) The SUP was obtained through fraud or deception.

(3) Ad valorem taxes on the property are delinquent by six months or more.

(4) Disconnection or discontinuance of water and/or electrical services to the property.

(5) Abandonment of the structure, lease space, lot, or tract of land for 180 days or more. (For the purpose of this section, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit such property.)

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

LEWISVILLE

SPECIAL USE PERMIT (SUP) APPLICATION

Owner/s (name): Johnny York	
Company Name: Brazos Electric Power Cooperative	
Mailing Address: 7616 Bagby Avenue, Waco, Texas 76712	
Work #: 254-750-6500	**Cell #:**
E-Mail:	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): Johnny York	**Date:** 4/9/18
Printed Name: Johnny York	

Applicant/Agent (name): Shawn Rockenbaugh, P.E.	
Company Name: Teague, Nall & Perkins, Inc.	
Mailing Address: 825 Watters Creek Blvd., Suite M300, Allen, Texas 75013	
Work #: 214-461-9867	**Cell #:**
E-Mail: srockenbaugh@tnpinc.com	
Applicant/Agent Signature Shawn Rockenbaugh	**Date:** 4/9/2018
Printed Name: Shawn Rockenbaugh, P.E.	

Current Zoning: LI & WH **Requested Zoning:** _____ **Acres:** 24.619

Legal Description (Lot/ Block/Tract/Abstract): Stephen Riggs Survey Abst. No. 1088 and John Wagner Survey Abst. No. 1399, Block A Lot 16

Address/Location: 1510 Fairway Drive, Lewisville, Texas 75057

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: 5	**SUP Signs - $35 each.** 1 sign required for each 5 acres (max. 5 per site)	$ 175

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

Amount Due (application & sign fee)	$ 575

LEWISVILLE

REQUIRED:

Fully describe the plans for the property

The installation of a 100 foot communication tower is proposed at the existing electrical switch station site. The tower will be located near the existing control buildings in the North-central area of the site, and will have a 12 foot lightning rod for an overall height of 112 feet. The existing 12x16 foot storage building and surrounding chain link fence will be relocated approximately 50 feet to the East to accommodate the proposed tower.

NOTE:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR A COMMUNICATION TOWER, ON APPROXIMATELY 24.619 ACRES, LEGALLY DESCRIBED AS LOT 16, BLOCK A, FAIRWAY BUSINESS PARK ADDITION, LOCATED AT THE NORTHERN TERMINUS OF FAIRWAY DRIVE, APPROXIMATELY 390 FEET NORTH OF EAST JONES STREET, AND WEST OF NORTH MILL STREET AND ZONED LIGHT INDUSTRIAL DISTRICT (LI) AND 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 communications tower by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the Special Use Permit on the 24.619-acre tract, as described in the attached Exhibit "A" (the "Property"), be **approved**; and

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

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

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

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

SECTION 2. SPECIAL USE PERMIT GRANTED. Subject to the conditions provided for herein, applicant is granted a Special Use Permit to allow a communication tower on the Property, which is zoned Warehouse District (WH) and Light Industrial District (LI).

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

1. in compliance with the narrative; development plan; and tower elevations, attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations.

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

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

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

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

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

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

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

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

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE 2ND DAY OF JULY, 2018.

APPROVED:

_____
Rudy Durham, MAYOR

ATTEST:

_____
Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

_____
Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

Exhibit B
Narrative
Development Plan
Tower Elevations

Exhibit "A"

Property Description

The Stephen Riggs Survey, Abstract No. 1088 and The John Wagner Survey, Abstract No. 1399, Denton County, Texas

BEING a 24.6301 acre tract of land situated in the Stephen Riggs Survey, Abstract No. 1088, and the John Wagner Survey, Abstract No. 1399, Denton County, Texas, said tract being a portion of a called 46.30 acre tract of land described in the Warranty Deed to Bob Lee Minyard, Trustee of the BLM Separate Property Trust, dated December 28, 1990, as recorded in Volume 2908, Page 185, Real Property Records, Denton County, Texas, said 24.6301 acre portion being further described by metes and bounds as follows;

BEGINNING at a ½ inch diameter iron rod found located at the northwest corner of said Minyard Tract, said point also being the southwest corner of Tract A-1, U.S. Army Corps of Engineers Property as described in the Final Judgment, Civil Action No. 705, as recorded March 13, 1956 in Volume 420, Page 98, Deed Records, Denton County, Texas, said beginning point also being the northwest corner of the herein described 24.6301 acre tract;

THENCE South 77 degrees 18 minutes 09 seconds East with the common boundary line of said Minyard and said Corps of Engineers Tracts, 1644.10 feet to a concrete U.S. Army Corps of Engineers property monument no. A-1-2 found at the northeast corner of said Minyard Tract, said point also being located in the southwesterly right-of-way line of the relocated M.K.& T. Railroad, a private right-of-way of 100.0 feet in width;

THENCE southeasterly with said railroad right-of-way, and continuing with said Corps of Engineers Boundary line, and with a curve to the right whose radius point bears South 35 degrees 38 minutes 16 seconds West at 2864.93 feet, through a central angle of 11 degrees 47 minutes 01 seconds, a total arc distance of 589.21 feet (long chord bears South 48 degrees 28 minutes 13 seconds East, 588.17 feet) to a ¾ inch diameter capped iron rod set stamped 'Brazos Electric-Boundary' located in the centerline of an existing 100.0 feet wide Texas Utilities electric transmission right-of-way as described in the Judgment in Case No. 4263 recorded in Volume 12, Page 634, Minutes of

the County Court, Denton County, Texas, for the southeast corner of the herein described tract, from said point a concrete U.S. Army Corps of Engineers property monument no. A-1-1 found at the southeasterly corner of said Corps Tract A-1 is located southerly continuing with said curve, a total arc distance of 56.79 feet and at 2.47 feet left of the arc, and a concrete U.S. Army Corps of Engineers property monument no. A-2-2 found at the most southerly corner of Corps of Engineers Tract A-2 described in said Final Judgment is located southerly continuing with said curve, a total arc distance of 802.76 feet (long chord bears South 34 degrees 33 minutes 04 seconds East, 800.14 feet);

THENCE South 88 degrees 20 minutes 04 seconds West departing said railroad right-of-way, said Corps of Engineers boundary line, and said Arc, and with said transmission centerline, 2057.58 feet to a ¾ inch diameter capped iron rod set stamped 'Brazos Electric-Boundary' in the west property line of said Minyard Tract;

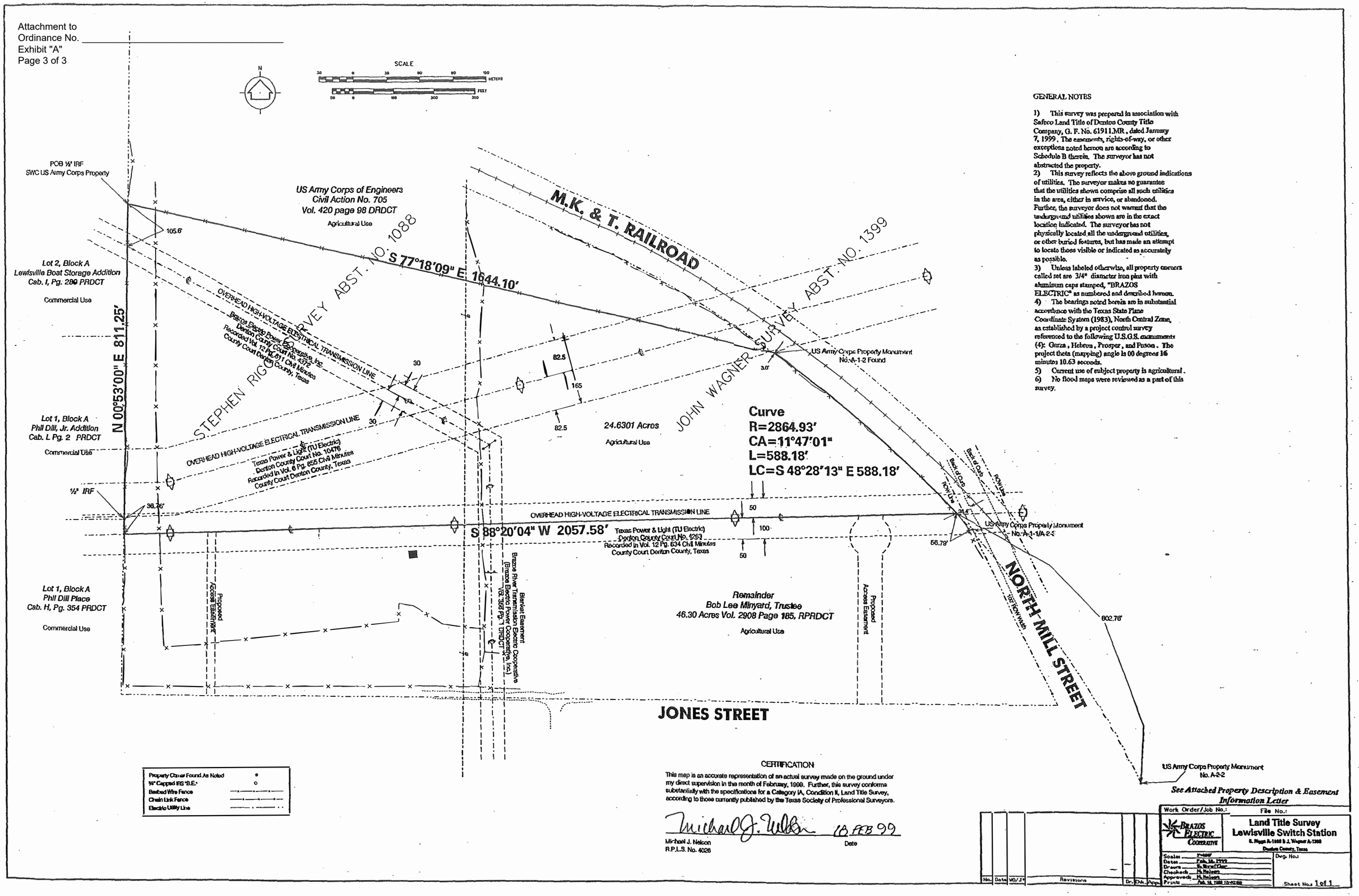
THENCE North 00 degrees 53 minutes 00 seconds East with said west property line, at 36.76 feet passing a ½ inch diameter iron rod found in said west boundary line, and continuing a total distance of 811.25 feet **to the place of beginning and containing** 24.6301 acres of land, as surveyed on the ground by Brazos Electric Power Cooperative, Inc., in the month of February, 1999.

The bearings noted herein are in substantial accordance with The Texas State Plane Coordinate System (1983), North Central Zone, as established by a project control survey referenced to the following U.S.G.S. monumentation (4): GARZA, HEBRON, PROSPER, and FUSON. The project mapping (theta) angle is +00 degrees 16 minutes 10.63 seconds.

See Attached Map of Survey dated February 18, 1999
and revised March 15, 1999.

18 FEB 99

Attachment to
Ordinance No. _____
Exhibit "A"
Page 3 of 3



GENERAL NOTES

1) This survey was prepared in association with Safeco Land Title of Denton County Title Company, G. F. No. 61911.MR, dated January 7, 1999. The easements, rights-of-way, or other exceptions noted hereon are according to Schedule B therein. The surveyor has not abstracted the property.
2) This survey reflects the above ground indications of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. The surveyor has not physically located all the underground utilities, or other buried features, but has made an attempt to locate those visible or indicated as accurately as possible.
3) Unless labeled otherwise, all property corners called set are 3/4" diameter iron pins with aluminum caps stamped, "BRAZOS ELECTRIC" as numbered and described hereon.
4) The bearings noted herein are in substantial accordance with the Texas State Plane Coordinate System (1983), North Central Zone, as established by a project control survey referenced to the following U.S.G.S. monuments (4): Garza, Hebron, Prosper, and Fuson. The project theta (mapping) angle is 00 degrees 16 minutes 10.63 seconds.
5) Current use of subject property is agricultural.
6) No flood maps were reviewed as a part of this survey.

Property Corner Found As Noted	●
¾" Capped IRS "B.E."	○
Barbed Wire Fence	—x—x—
Chain Link Fence	—+—+—
Electric Utility Line	—/—/—

CERTIFICATION

This map is an accurate representation of an actual survey made on the ground under my direct supervision in the month of February, 1999. Further, this survey conforms substantially with the specifications for a Category IA, Condition II, Land Title Survey, according to those currently published by the Texas Society of Professional Surveyors.

Michael J. Nelson 10 FEB 99
Michael J. Nelson
R.P.L.S. No. 4026
Date

No.	Date	WO/JN	Revisions	Dr.	Ck.	App.

BRAZOS ELECTRIC COOPERATIVE

Work Order/Job No.: File No.:

Land Title Survey
Lewisville Switch Station
B. Riggs A-1088 & J. Wagner A-1399
Denton County, Texas

Scale: 1"=100'
Date: Feb. 10, 1999
Drawn: M. Nelson
Checked: M. Nelson
Approved: M. Nelson
Print: Feb. 10, 1999 12:02:00

Dwg. No.:

Sheet No.: 1 of 1

h:\survey\sam\lewisville\topo2d.dgn

BRAZOS ELECTRIC COOPERATIVE

BRAZOS ELECTRIC POWER COOPERATIVE, INC.
P.O. Box 2585, Waco, Texas 76702-2585
7616 Bagby Ave., Waco, Texas 76712
(254) 750-6500

Narrative

Brazos Electric's Lewisville Switch Station
Definition, Purpose and Justification

Justification:

Brazos Electric Cooperative (Brazos) is requesting this Special Use Permit (SUP) to allow the installation of a 112' tall self-support communications tower (100' tower with 12' lightning rod) with antennas for advanced technology communications capabilities at this site. Brazos' existing communications at this site is becoming obsolete due to more accurate technological advances in power monitoring, power metering, Supervisory Control and Data Acquisition (SCADA) and Ethernet communication development. The existing facilities (65' monopole) are not adequate for these communications upgrades.

Definition:

Brazos' Lewisville Switch Station consists of actually two different types of electrical substations in one confined area, an electrical "transmission switching station" and an electrical "distribution substation".

The switch station is primarily a 345 / 138 kilovolt transmission station integrating high voltage electrical transmission lines via protective devices and switches for multiple electric companies to the Texas ERCOT transmission system grid. This switching station is a critical site for grid power interchange and support in the Lewisville area.

The distribution substation is primarily a 138 kilovolt to lower "distribution" level voltages to allow CoServ Electric to serve the residential and commercial electrical loads of the Lewisville area.

Brazos' private microwave communications system consists of multiple FCC licensed and unlicensed microwave radio paths that are used to monitor all of Brazos' electrical generation, transmission, switch station and substation facilities for proper operation and utilization of the entire Brazos electrical power system. The microwave system consists of approximately 300 communications towers and monopoles in approximately 70 Texas counties. The structures range from 15' above ground level (AGL) to 480' AGL, depending on each site location, elevation and surrounding topography which directly affects the height of each structure and the center line elevations of each antenna.

Microwave Communications System Purpose:

Brazos utilizes the microwave communications system to monitor and operate all Brazos owned power plants, natural gas pipe lines, transmission lines and electrical substations that make up Brazos' total electrical system. Brazos collects system data (SCADA) from all of its facilities and uses it for analyzing performance of the system, predicting future requirements of the system and operating equipment in the field to protect and maximize efficiency of the electrical system. The communications system also allows a level of control of the electrical system equipment for protection and operation of the electrical system. This data is also provided to Brazos' 16 member distribution electrical cooperatives through this microwave system to aid in their electrical distribution systems operations to their consumers. It also provides private emergency communications for employees without having to rely on the operation of the local telephone or cellular systems.

Communications Justification:

Justification of Brazos' microwave communications system is to allow effective and proper operation of the electrical system, ERCOT (Electric Reliability Council of Texas)* monitoring and operating requirements, NERC (North American Electric Reliability Corporation) monitoring and operating requirements and other federal and state agency regulations.**

*** The Electric Reliability Council of Texas (ERCOT) manages the flow of electric power to approximately 24 million Texas consumers -- representing about 90 percent of the state's total electric load.**

**** The North American Electric Reliability Corporation (NERC) is a not-for-profit international regulatory authority whose mission is to assure the reliability and security of the bulk power system in North America.**

Lewisville Switch Microwave Tower Height Justification:

Brazos desires to establish higher capacity licensed private microwave communications to the Lewisville Switch station from Brazos' existing Corinth microwave site located 5.1 miles northwest of the Lewisville Switch site. This site is a preferred location for Brazos to provide technologically advanced microwave communications to several existing electrical substations in the Lewisville geographic area. These line-of-site communications paths require antenna centerline elevations on this tower to be at 95', 90', 75' and 40' AGL to allow proper path clearance to the each of the preferred substation sites. These heights are determined by surveying the paths, analyzing the path elevations, topography and path obstructions and designing each path for proper Fresnel zone clearance. The

main path from the existing Corinth tower to the requested Lewisville Switch tower requires a 95' antenna centerline. This path will incorporate this site into Brazos' main microwave system and will allow a communications capacity and speed increase to this site and several substations in the Lewisville area.

BRAZOS ELECTRIC COOPERATIVE

BRAZOS ELECTRIC POWER COOPERATIVE, INC.
P.O. Box 2585, Waco, Texas 76702-2585
7616 Bagby Ave., Waco, Texas 76712
(254) 750-6500

Brazos Electric Lewisville Switch Station
Explanation and Justification for Communications Isolation

Definition:

Brazos' Lewisville Switch station is primarily a 345 / 138 kilovolt transmission station integrating high voltage electrical transmission lines via protective devices and switches for multiple electric companies and provides controlled access to the Texas ERCOT electrical transmission system grid. This switching station is a critical site for grid power interchange and support in the Lewisville area and is governed by Electric Reliability Council of Texas (ERCOT), which manages the flow of electric power to approximately 24 million Texas consumers -- representing about 90 percent of the state's total electric load, and the North American Electric Reliability Corporation (NERC), a not-for-profit international regulatory authority whose mission is to assure the reliability and security of the bulk power system in North America.

Brazos' private microwave communications system consists of multiple FCC licensed and unlicensed microwave radio paths that are used to monitor all of Brazos' electrical generation, transmission, switch station and substation facilities for proper operation and utilization of the entire Brazos electrical power system.

Microwave Communications System Purpose:

Brazos utilizes the microwave communications system to monitor and operate all Brazos owned power plants, natural gas pipe lines, transmission lines and electrical substations that make up Brazos' total electrical system. Brazos collects system data (SCADA) from all of its facilities and uses it for analyzing performance of the system, predicting future requirements of the system and operating equipment in the field to protect and maximize efficiency of the electrical system. The communications system also allows a level of control of the electrical system equipment for protection and operation of the electrical system. This data is also provided to Brazos' 16 member distribution electrical cooperatives through this microwave system to aid in their electrical distribution systems operations to their consumers. It also provides private emergency communications for employees without having to rely on the operation of the local telephone or cellular systems.

Communications Isolation Justification:

Justification of Brazos' microwave communications system is to allow effective and proper operation of the Brazos electrical system, to allow ERCOT metering, monitoring and operating requirements of Brazos' system, NERC monitoring and operating laws, rules and regulations, and other federal and state agency regulations while minimizing any security violations and communications intrusions by any outside entity attempting to interrupt service of the Texas electric grid and / or any electric utility connected to the Texas grid.

NERC law requires Brazos to keep all critical infrastructure site communications isolated from the general public due to the security required to protect the Texas grid. ERCOT is also governed by NERC'S laws, rules and regulations and requires ERCOT and all of its members to adhere these laws.

To satisfy these requirements, Brazos is obligated to install severe security measures at these critical infrastructure sites including security systems, personnel background checks, clearances and training, extremely limited site access and 24 / 7 monitoring of these security measures.

Brazos is also required by law to provide limited personal access to the station buildings, equipment and communications systems to protect the integrity of the power system.

Due to these regulations, Brazos is requesting this SUP to allow installation of this 112' tall self-supporting communications tower (100' tower with 12' lightning rod) and associated antennas to provide proper modern secure communications of required confidential information at this site. This installation will also allow Brazos to improve electrical reliability and communications at this site and several other substations in the Lewisville area.

DEVELOPMENT PLAN

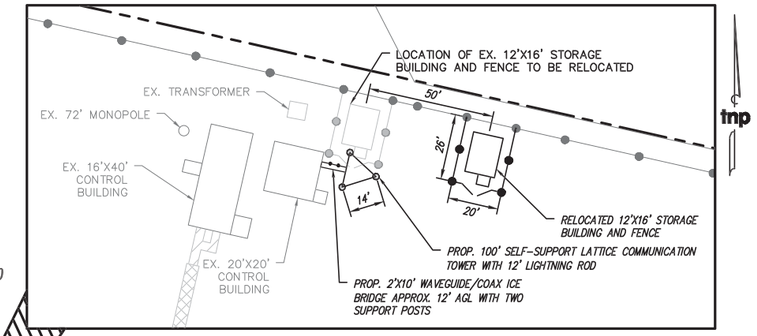
FOR
LEWISVILLE SWITCH STATION
FAIRWAY BUSINESS PARK ADDITION
LOT 16, BLOCK A
BRAZOS ELECTRIC POWER COOPERATIVE
CITY OF LEWISVILLE, DENTON COUNTY, TEXAS
24.619 ACRES
JOHN WAGNER SURVEY ABST. NO. 1399
STEPHEN RIGGS SURVEY ABST. NO. 1088
ZONED WH & LI

SITE DATA	
TOWER FOOTPRINT AREA:	97 SF
OVERALL TOWER HEIGHT:	112 FT
LOT AREA:	24.619 ACRES;1,072,403.64 SF
TOTAL AREA OF BUILDINGS:	1,872 SF
TOTAL IMPERVIOUS AREA:	692,289 SF

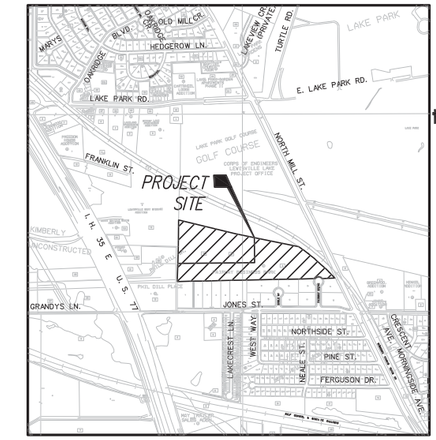
OWNER/APPLICANT:
BRAZOS ELECTRIC POWER COOPERATIVE
7616 BAGBY AVENUE
WACO, TEXAS 76712
PHONE: 254.750.6500

PREPARED BY:
TEAGUE NALL & PERKINS, INC.
825 WATTERS CREEK BLVD., SUITE M300
ALLEN, TEXAS 75013
PHONE: 214.461.9867
CONTACT: SHAWN ROCKENBAUGH

DATE PREPARED:
APRIL 2018



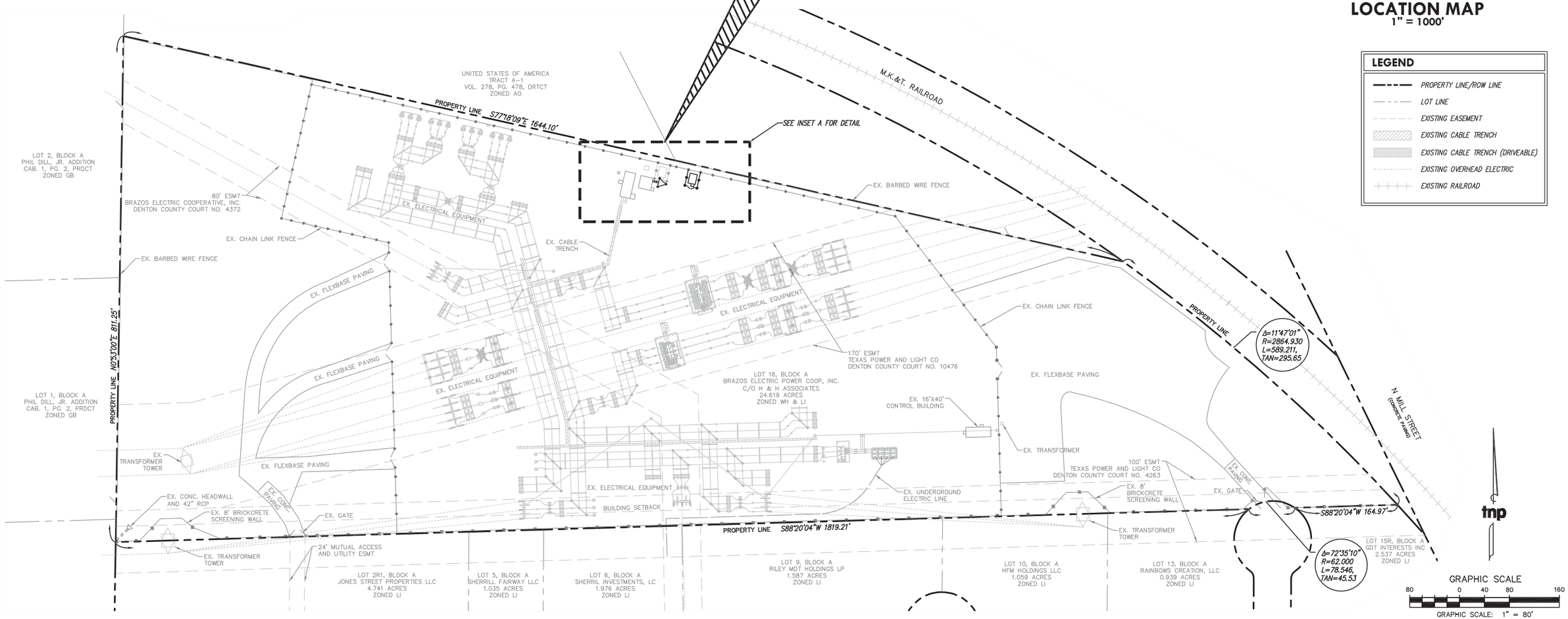
INSET A
1" = 30'



LOCATION MAP
1" = 1000'

LEGEND

- PROPERTY LINE/ROW LINE
- LOT LINE
- EXISTING EASEMENT
- EXISTING CABLE TRENCH
- EXISTING CABLE TRENCH (DRIVEABLE)
- EXISTING OVERHEAD ELECTRIC
- EXISTING RAILROAD



no.	revision	by	date

teague nall and perkins, inc
825 Watters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
www.tnpinc.com
TBPE: F-230; TBPLS: 10011600, 10011601, 10194381

BRAZOS ELECTRIC COOPERATIVE
7616 Bagby Ave. Waco, TX 76712 (254)750 6500

scale
when bar is 1 inch long
horiz 1"=80'
vert N/A
MAY 2018

This document is for interim review and is not intended for construction or permit purposes.

Shawn Rockenbaugh, P.E. Date: MAY 23, 2018

Tx. Reg. # 85566

City of Lewisville, Texas
Brazos Electric Power Cooperative, Inc.
Lewisville Switch Station SUP
DEVELOPMENT PLAN

tnp project BEC18069
drawing no. 758C
sheet **EX**

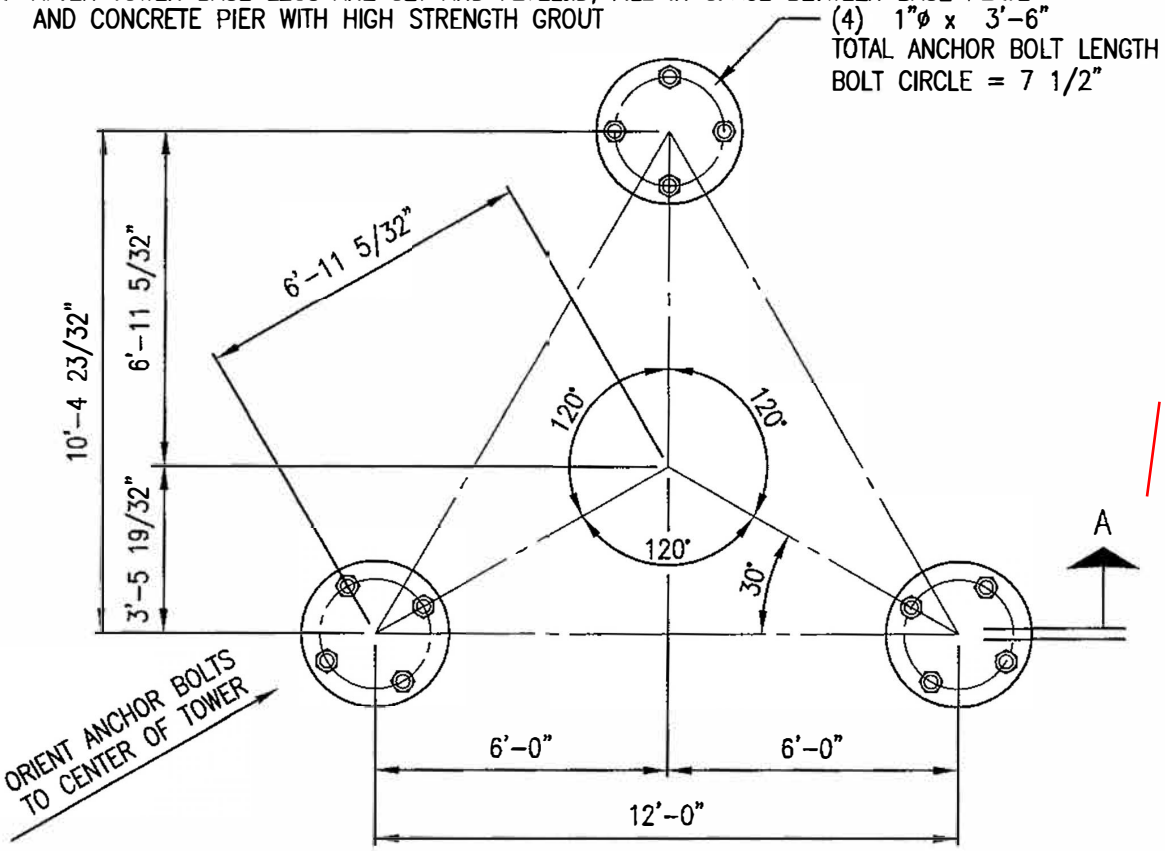
Drawing: G:\Projects\BEC 18069\CAD\Sheets\01.04 SITE PLAN.dwg at May 23, 2018-10:37am by CadIT_B
Layout: SITE PLAN Xrefs: XREF-BORDER.dwg - XJD-BASE.dwg - XREF-BLDG.dwg - XJD-WKS.dwg - XJD-SD.dwg

FIELD NOTES:

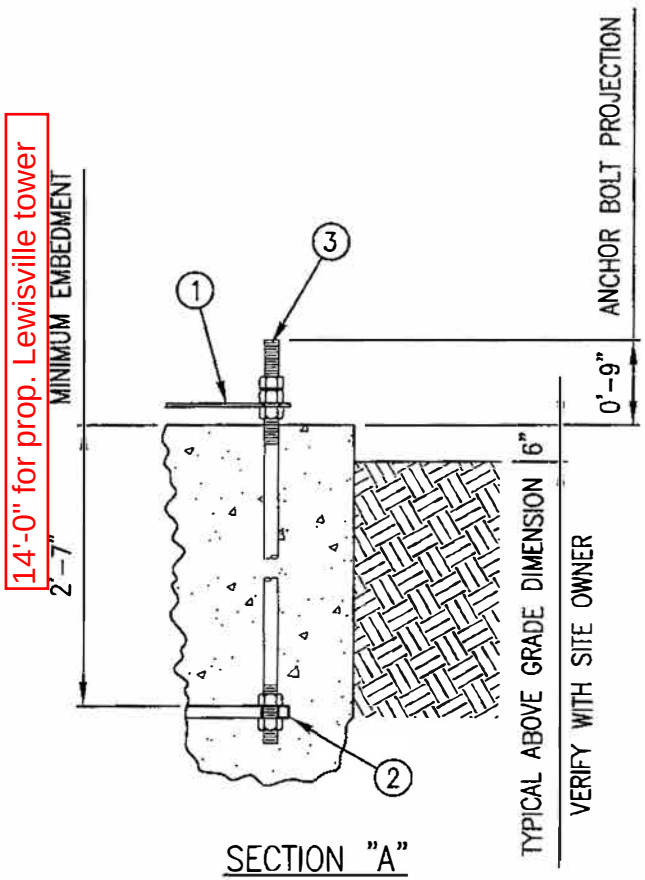
1. VERIFY TOWER ORIENTATION WITH CUSTOMER.
2. TOP OF FINISHED CONCRETE MUST BE AT THE SAME ELEVATION UNDER ALL TOWER LEGS.
3. SEE FOUNDATION DESIGN FOR SPECIFIC INSTALLATION INFORMATION AND DESIGN CRITERIA.
4. ANCHOR BOLTS TO BE SET WITH FURNISHED ANCHOR BOLT TEMPLATES.
5. ANCHOR BOLT ORIENTATION – SEE BELOW
6. ANCHOR BOLT THREADS ABOVE CONCRETE SHOULD BE PROTECTED DURING FOUNDATION INSTALLATION.
7. REMOVE TOP TEMPLATE PRIOR TO SETTING TOWER BASE SECTION.
8. AFTER TOWER BASE LEGS ARE SET AND LEVELED, FILL IN SPACE BETWEEN BASE PLATE AND CONCRETE PIER WITH HIGH STRENGTH GROUT

BILL OF MATERIAL

ITEM	MARK NO.	QTY.	DESCRIPTION	WEIGHT/lbs
1	------	3	TEMPLATE @ TOP = 1/4" THK	
2	------	3	ANCHOR PLATE @ BOTTOM	
3	------	12	1"ø A36 ANCHOR ROD x 3'-6"	
4				
5				
6				
7				
8				
9				
10				
			TOTAL GALVANIZED WEIGHT/lbs	



PLAN VIEW



SECTION "A"

! PROPRIETARY AND CONFIDENTIAL !
THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN ARE THE SOLE PROPERTY OF FWT, LLC. DUPLICATION OR DISSEMINATION OF THIS INFORMATION WITHOUT PRIOR WRITTEN CONSENT OF FWT, LLC. IS PROHIBITED.

FWT
5750 EAST I-20
FORT WORTH, TEXAS 76119 USA
(817) 255-3060

REV.	DATE	BY	INIT.	DESCRIPTION

DRAWN BY: TLEE | CHECKED BY: — | ENG | CAD FILE: C:\DOCUMENTS AND SETTINGS\...\DRAWING4.DWG|TL|12SEP11|8:57AM | REV. —

SPECIFIC INFORMATION: SPRING CREEK SUBSTATION, TX

SCALE: NONE | DATE: 12-Sep-11 | SHEET NO. SHEET 1 OF 1

DRAWING TITLE: ANCHOR ROD INSTALLATION

JOB NO. J110909001 | DRAWING NO. AB0000

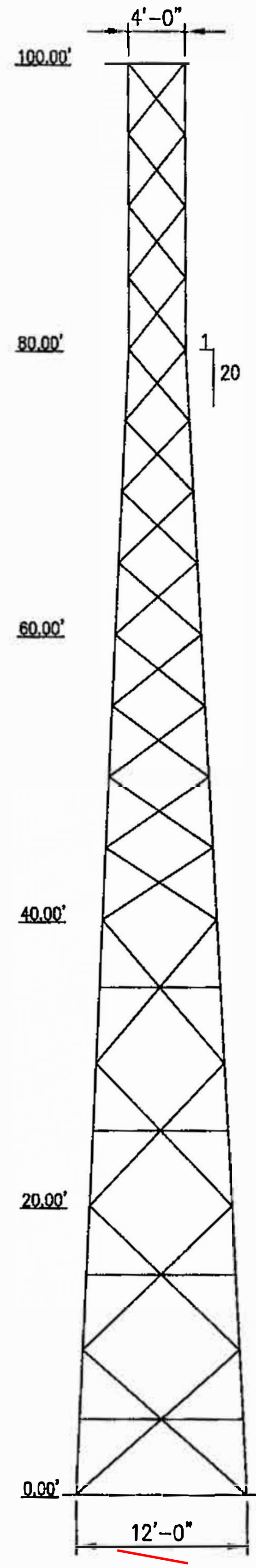
Attachment to
Ordinance No. ______________
Exhibit "B"
Page 8 of 8

Tower Elevation

FWT
P.O. BOX 8597 FORT WORTH, TX 76124-0597
PHONE: (800) 433-1816 FAX: (817) 255-8656

Member (ASTM)	0.00'–20.00'	20.00'–40.00'	40.00'–60.00'	60.00'–80.00'	80.00'–100.00'
LEGS (*) 50 KSI (50 KSI)	2	2	2	2	2
DIAGONALS 36 KSI (A36)	B	B	Y	Y	Y
GIRTS (A36)	B	B	N/R	N/R	B
INT BRACING (A36)	N/R	N/R	N/R	N/R	N/R
SUB DIAG. (A36)	N/R	N/R	N/R	N/R	N/R
SUB GIRTS (A36)	N/R	N/R	N/R	N/R	N/R
DIAG BOLTS (*) (A325)	2-5/8	2-5/8	2-1/2	2-1/2	2-1/2
GIRT BOLTS (*) (A325)	1-5/8	1-5/8	N/R	N/R	1-5/8
SPLICE BOLTS (*) (A325)	N/R	4-5/8	4-5/8	4-5/8	4-5/8
ANCHOR RODS (*) (A36)	(4) - 1 ø x 3'-6" TOTAL ANCHOR ROD LENGTH				

Note: DOUBLE LETTER SIGNIFY BACK TO BACK ANGLES
Notes: FRONT BOLTS: 5/8" FOR LEGS UP TO 6 1/4"ø; 3/4" FOR LEGS 6 1/2"ø & UP



14'-0" for prop. Lewisville tower

JOB DATA			
Page 1 of 1		Job No.	J110909001
By	TW	Design No.	S11-0035
Chk'd By	TW	Date	Sep 11 2011
		Rev. No. 0	Rev. Date
Structure	100-FT SST		
Ref. No.	...s\11-0000\0035\J110909001\J110909001.out		
Design Standard	ANSI/TIA-222-G-2005 Addendum 2		

GENERAL DESIGN CONDITIONS	
Design Wind Speed: 90.00(mph)	Structure Class: II
Iced Wind Speed: 30.00(mph)	Exposure Category: B
Service Wind Speed: 60.00(mph)	Topographic Category: 1
Ice Thickness: 0.75(in)	—

ANTENNA LIST

No.	Elev.(FT)	Antenna	Mount Type	AZ (°)	COAX
1	100.00	(1) LR w/ Extender		0	
2	100.00	(1) DB589-Y	3' BOOM	0	1)LDF5P-50A
3	95.00	(1) PL6 w/o radome		0	1)EW63
4	55.00	(1) PL6 w/o radome		291	1)LDF5P-50A

LINEAR APPURTENANCES
STEP BOLTS ON ONE LEG
(1)-Waveguide Ladder: 0'-100' On Tower Face (AZ): 60 deg

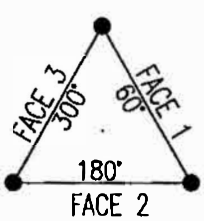
COAXIAL LINES DISTRIBUTION

HEIGHT	FACE 1	FACE 2	FACE 3	TOTAL
100'	1	—	—	1
95'	1	—	—	1
55'	1	—	—	1

NOTE: TOWER WAS DESIGNED TO MEET MAXIMUM TWIST AND SWAY REQUIREMENTS OF 1.48° FOR A 6.0'ø DISH (5.80 GHz) AT ELEV. 95' WITH A 60 MPH WIND.

FWT, INC.
F-1170

STATE OF TEXAS
TA-WEN LEE
83316
LICENSED
PROFESSIONAL ENGINEER
09-12-11



MEMBER TABLE LEGEND	
B	L2X2X3/16
Y	L1 3/4X1 3/4X3/16

FACTORED BASE REACTIONS

UPLIFT/LEG:	38.1KIPS.	O.T. MOMENT:	455.2 FT-KIPS.
COMP./LEG:	46.3KIPS.	MAX. DOWNLOAD:	7.2 KIPS.
HORIZ./LEG:	4.8 KIPS.	TOTAL SHEAR:	7.9 KIPS.
EST.WEIGHT:	5.5KIPS. (No SPL or Gussets)		

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: July 2, 2018

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto Display and Sales Facility and Five (5) Associated Variances; on an Approximately 0.883-Acre Tract of Land, out of the E. Pickett Survey Abstract No. 1014; Located at the Southwest Corner of South Mill Street and Harvard Avenue, at 901 and 903 South Mill Street, Zoned General Business District (GB); as Requested by Darrell Moseley of Bruce Properties, LLC., the Property Owner (Case No. SUP-2018-06-09).**

BACKGROUND

The request is for the expansion of the existing Moseley Auto dealership located on the southwest corner of South Mill Street and Harvard Avenue. Bruce Property LLC has owned the subject property since the 1980's. Moseley Auto currently occupies the southern lot at 903 S. Mill Street, and Cayuch Tire Shop occupies the northern lot at 901 S. Mill Street. The applicant plans to discontinue the tire shop and expand the existing auto sales use into 901 South Mill Street. The Planning and Zoning Commission recommended unanimous approval (6-0) of the requested SUP at their meeting on June 5, 2018

ANALYSIS

The applicant plans to improve the building façade, landscaping, sidewalks, and site access as part of this SUP request. The renovations were designed to facilitate adaptive reuse of the site, possibly for a restaurant use in the future.

Site Access

The site has four existing driveways. As part of this request, three driveways on South Mill Street will be closed and replaced with a new driveway that meets the City's Standards. The existing sidewalks will be extended, and landscaping will be provided along both streets, improving pedestrian experience at the site. The existing driveway on Harvard street will also be closed. One new driveway that meets the City's standard will be constructed on Harvard Avenue.

Building Design

The applicant is proposing to remodel the existing structure at 901 S. Mill Street. The two existing work bays facing S. Mill Street will be enclosed. The two overhead doors will be removed, and new glazing windows will be installed. The building will consist of a sales floor and four offices. A new overhead door will be added to the south elevation to allow

a model car to be displayed inside the building. New galvanized awnings are added to the northeast corner of the building over the existing door and windows.

The existing masonry walls will be finished with a fresh coat of white plaster. New goose neck light fixtures will be installed along the front of the building. A new planter will be installed at the entrance to enhance the front elevation. The other elevations will be refinished with white plaster.

Landscape Improvement

A 10-foot wide landscape strip is required along all street frontages along with a minimum 5% interior parking lot landscaping. Due to the existing condition, the landscape strip along the Mill Street will be approximately five feet, with larger landscape areas provided at the driveway opening. A total of six shade trees are provided along the street frontage of the lot at 901 S. Mill Street with three additional ornamental trees planted along the lot at 903 S. Mill Street. A total of 1,957 square feet (5.09%) of parking lot interior landscaping is provided.

Variances

Five variances are being requested with this development that will be considered by City Council in conjunction with the SUP:

a) to reduce the control of access of 75-feet along South Mill Street.

Section 6-103, Table 4 of the General Development Ordinance requires a 75-foot control of access along a four-lane undivided collector (C4U) roadway. The owner has requested a variance to allow a driveway on South Mill Street (a C4U), to be 65.5-feet from the intersection at Harvard Avenue and South Mill Street. Moving the proposed driveway further south will cause the site to lose parking stalls. The owner will be removing three noncompliant driveways on South Mill Street and reconstructing one driveway that meets the City's standards. Staff is in support of the variance request.

b) to allow a variable width landscape buffer

Section 6-123(b) of the General Development Ordinance (Multi-Family and Non-Residential Landscaping Requirements) requires a ten-foot landscape strip along the street frontage of the property from the internal edge of the right-of-way towards the building on the property to include one tree every 50 feet or 500 square feet. Due to the existing conditions, the ten-foot landscape buffer cannot be achieved on the street frontages of Harvard Ave. or S Mill St. The proposed enhancements along those frontages include a new row of evergreen screening shrubs and six additional trees. Staff has determined that the additional plantings of trees and shrubs within the existing landscape buffer adjacent to the right-of-way is adequate and meets the intent of the landscaping requirements.

c) to allow ornamental trees in the required landscape buffer

Section 6-123(b) of the General Development Ordinance (Multi-Family and Non-Residential Landscaping Requirements) requires a ten foot landscape strip along the street frontage of the property from the internal edge of the right-of-way towards the building on

the property to include one shade tree every 50 feet or 500 square feet. Due to the existing overhead utility lines mature shade trees would not thrive on a portion the frontage of S. Mill St. The owner has proposed planting three ornamental trees in lieu of the required shade trees. The proposed enhancements along the street frontage include a new row of evergreen screening shrubs and six additional trees. Staff has determined that the additional plantings of ornamental and shade trees and shrubs within the existing landscape buffer adjacent to the right-of-way is adequate and meets the intent of the landscaping regulations.

d) to reduce the required stacking dept of 40 feet to 24.3 feet

Section 6-103 of the General Development Ordinance requires 40 feet of stacking for all commercial driveways. Stacking is the distance measured between the street curb and the first possible on-site turning maneuver, either drive lane or parking space. The purpose of the requirement is to allow room for at least two exiting vehicles to stack in the driveway, waiting to enter the street and still allow vehicles entering the driveway to make on-site maneuvers without blocking the entrance. The location of the existing building and drive isle do not allow for a 40-foot stacking depth for the driveway on Harvard Avenue. Harvard Avenue is a low traffic volume street and the driveway will also not have a high volume due to the size and proposed use of the site. The impact of the driveway on passing traffic will be minimal. Staff is in support of the variance request.

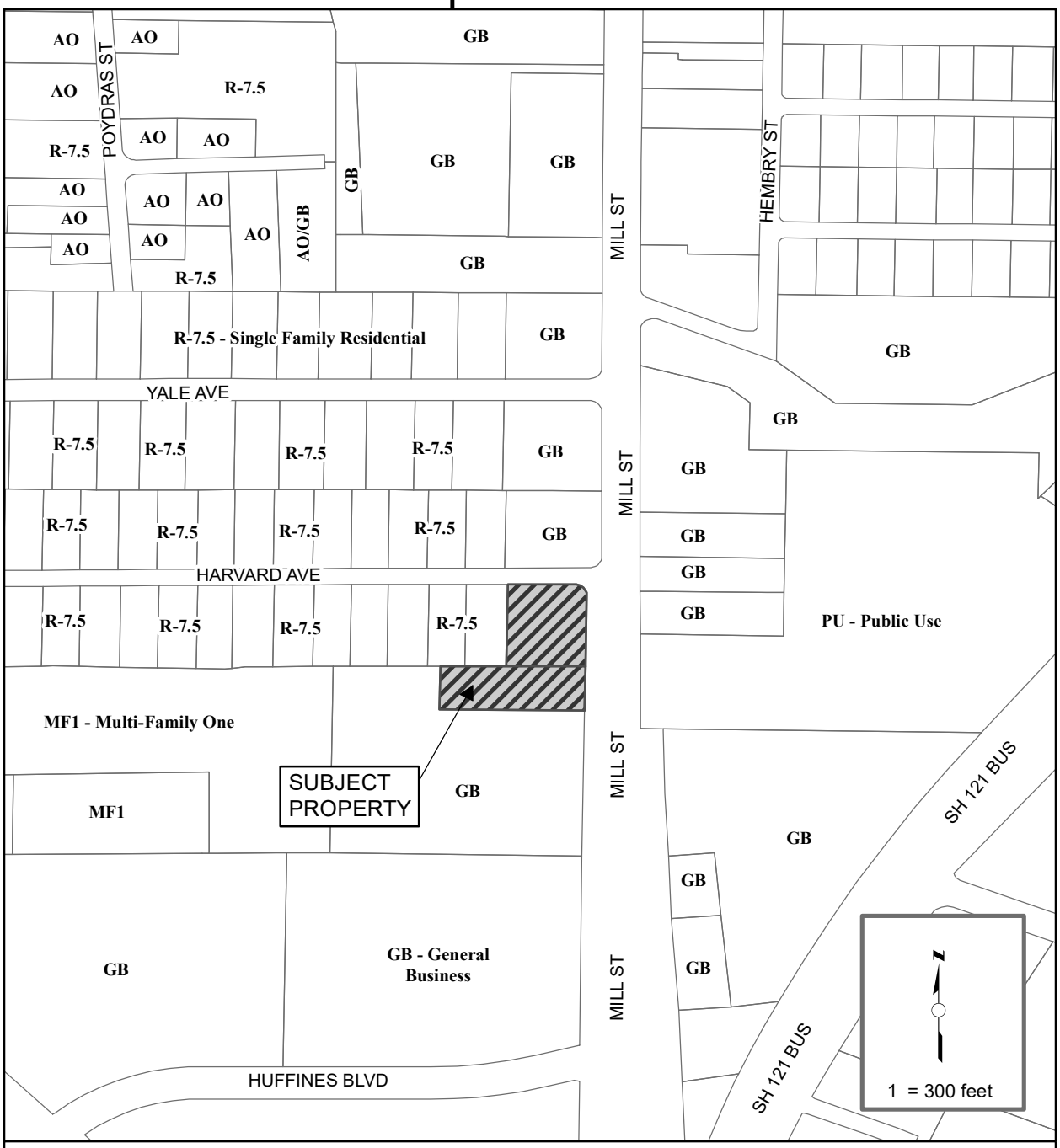
e) to allow a six-foot board on board wood fence in lieu of required six-foot masonry screening

Section 6-144 of the General Development Ordinance requires an eight-foot masonry screening wall between commercial and residential uses. The applicant is proposing an alternative screening of a six-foot board on board wood fence. Existing residential lots are surrounded by a wood fence and a chain link fence. The chain link fence will be removed and the wood fences will be extended along the property line. This will create a “softer” look for the residences to the northwest while still providing a visual separation and maintaining privacy. Staff supports this request.

RECOMMENDATION

It is City staff’s recommendation that the City Council approve the ordinance and the five associated variance requests for an auto sales and display facility as set forth in the caption above.

Location Map - 901 & 903 S. Mill



ZONING CASE NO. SUP-2018-06-09

APPLICANT:	RANDI RIVERA, G&A CONSULTANTS, LLC
PROPERTY OWNER:	DARRELL MOSELEY, BRUCE PROPERTIES LLC
PROPERTY LOCATION:	901 & 903 N. MILL ST. (0.883-ACRES) SOUTHWEST CORNER OF SOUTH MILL STREET AND HARVARD AVENUE
CURRENT ZONING:	GENERAL BUSINESS DISTRICT (GB)
REQUESTED USE:	A SPECIAL USE PERMIT (SUP) FOR AN AUTO SALES AND DISPLAY (OUTDOOR) FACILITY

Aerial Map - 901 & 903 S. Mill

MINUTES
PLANNING AND ZONING COMMISSION
JUNE 5, 2018

Item 1:

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

Staff members present: Michele Berry, Planning Manager; Jonathan Beckham, Planner; June Sin, Planner and Theresa Ernest, Planning Technician.

Item 4:

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

B. **Public Hearing:** Consideration of a Special Use Permit for an Auto Display and Sales Facility; on an Approximately 0.883-Acre Tract of Land, out of the E. Pickett Survey Abstract No. 1014; Located at the Southwest Corner of South Mill Street and Harvard Avenue, at 901 and 903 South Mill Street, Zoned General Business District (GB); as Requested by Darrell Moseley of Bruce Properties, LLC., the Property Owner. (Case No. SUP-2018-06-09).

Staff gave a brief overview of the proposed special use permit request and recommended approval. The applicant was present and available to answer any questions. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. Chairman Green asked for additional detail regarding outside storage at the property. Staff clarified that vehicles would be displayed at the property and the existing tire shop at the property would relocate. The applicant also stated that the vehicle displays would be on both 901 and 903 North Mill Street lots. Chairman Green also asked if the proposed special use permit request complied with the Mill Street Corridor Plan, and staff affirmed that the improvements to the site would enhance the area and the proposed redevelopment plan allows for the building to easily be converted to a different use in the future. *A motion was made by James Davis to recommend approval of the proposed special use permit request with the requested variance of a 6-foot board on board fence in lieu of an 8-foot masonry screening wall. The motion was seconded by Alvin Turner. The motion passed unanimously (6-0).* Staff indicated that this item would appear before the City Council on July 2nd for a second public hearing and a final decision.

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

(a) *Use*. A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:

(1) Any use permitted in district "LC" as regulated in said district.
(2) Auto, boat, motorcycle, recreational vehicle or mobile home display, sales (outdoor) and/or repair (SUP required)
(3) Bakeries.
(4) Building material sales with outside storage or display, including lumber yards (SUP required).
(5) Business or commercial schools.
(6) Clinic, medical and dental, and professional offices.
(7) Carpentry, painting, plumbing or tinsmithing shop fully enclosed within a building.
(8) Cleaning, laundry and dyeing plants fully enclosed within a building.
(9) Creamery, ice cream manufacturing and dairy operations fully enclosed within a building.
(10) Farm implement display and sales room. (outdoor) (SUP required).
(11) Hotels, motels and inns.
(12) Mortuaries with or without crematoriums. (SUP required).
(13) Office buildings.
(14) Pet shops, retail, fully enclosed within a building.
(15) Printing, engraving and newspaper plants, fully enclosed within a building.
(16) Radio or television broadcasting station or studio with broadcasting towers (SUP required).
(17) Retail stores, fully enclosed within a building.
(18) Veterinarian or animal hospital with outdoor kennel or exercise runs (SUP required).
(19) Bowling alley and other commercial amusement (indoor) uses, fully enclosed within a building.
(20) Church worship facilities.
(21) Uses similar to the above mentioned permitted uses, provided activities conducted wholly inside a building and observe the requirements of all city ordinances.
(22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
(23) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
(24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor (SUP required).
(25) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
(27) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
(28) Commercial amusement, outdoor (SUP required).
(29) Drive-in theater (SUP required).
(30) Flea market, outdoor (SUP required).
(31) Helipad, helistop or landing strip (SUP required).
(32) Kennels with outdoor runs (SUP required).
(33) Nightclub, bar. (SUP required).
(34) Brewery, distillery, or winery.
(35) Hotels, motels and inns with rooms containing a cooktop or oven (SUP required).

(b) *Height*. No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

(c) *Area*.

(1) *Size of yards*.

a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "GB", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.

b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.

c. *Rear yard*. No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) Reserved.

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

SECTION 17-29.5 - "SUP" SPECIAL USE PERMIT

(a) *Purpose.*

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

(b) *Application submittal and approval process.*

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

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

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

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

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

(4) The planning and zoning commission or the city council may require additional information or drawings, operating data or expert evaluation or testimony concerning the location and characteristics of any building or uses proposed.

(5) The planning and zoning commission, after holding a public hearing, shall recommend to the city council approval or denial of each SUP along with any recommended conditions. The city council shall review each case on its own merit, apply the compatibility criteria established herein, and if appropriate, grant the special use permit for said use(s).

(6) Completion of a development plan for the SUP does not waive the requirement to provide an engineering site plan in accordance with the General Development Ordinance.

(c) *Compatibility criteria for approval.*

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

(1) complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;

(2) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(3) not be detrimental to the public health, safety, or general welfare; and

(4) conform in all other respects to all zoning regulations and standards.

(d) *SUP conditions.*

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

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

(1) Except for minor amendments, all amendments, enlargements, modifications or structural alterations or changes to the development plan shall require the approval of a new SUP. The city manager or his designee may authorize minor amendments to the development plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

a. Alter the basic relationship of the proposed development to adjacent property;
b. Increase the maximum density or height shown on the original development plan;
c. Decrease the number of off-street parking spaces shown on the original development plan; and/or
d. Reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan.

(2) For purposes of this subsection, "original development plan" means the earliest approved development plan that is still in effect, and does not mean a later amended development plan. For example, if a development plan was approved with the specific use permit and then amended through the minor amendment process, the original development plan would be the development plan approved with the specific use permit, not the development plan as amended through the minor amendment process. If, however, the development plan approved with the specific use permit was replaced through the zoning process, then the replacement development plan becomes the original development plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

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

(f) *Compliance mandatory with written requirements.*

(1) No special use permit shall be granted unless the applicant, owner, and grantee shall be willing to accept and agree to be bound by and comply with the written requirements attached to the development plan drawings and approved by the city council.

(2) A special use permit shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, however all regulations and conditions of the SUP shall remain in effect and shall be applicable to the new owner or occupant of the property.

(g) *Timing.*

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

(h) *Zoning map.*

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

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

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

(1) That one or more of the conditions imposed by the SUP has not been met or has been violated.

(2) The SUP was obtained through fraud or deception.

(3) Ad valorem taxes on the property are delinquent by six months or more.

(4) Disconnection or discontinuance of water and/or electrical services to the property.

(5) Abandonment of the structure, lease space, lot, or tract of land for 180 days or more. (For the purpose of this section, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit such property.)

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

LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

SPECIAL USE PERMIT (SUP) APPLICATION

Owner/s (name): Darrell Moseley	
Company Name: Bruce Properties, LLC	
Mailing Address: 903 South Mill Street, Lewisville, TX 75057	
Work #: 972-221-6863	Cell #: N/A
E-Mail: darrell.moseley@hotmail.com	
Owner Signature (Owner/s Must Sign or Submit Letter of Authorization): Darrell B. Moseley	Date: 1/26/18
Printed Name: DARRELL B. MOSELEY	

Applicant/Agent (name): Randi Rivera	
Company Name: GrA Consultants, LLC	
Mailing Address: 111 Hillside Dr., Lewisville, TX 75057	
Work #: 972-436-9712	Cell #: N/A
E-Mail: randi@gacon.com	
Applicant/Agent Signature: Randi Rivera	Date: 1/26/18
Printed Name: Randi Rivera	

Current Zoning: GB Requested Zoning: GB w/ SUP Acres: 0.883

Legal Description (Lot/ Block/Tract/Abstract): Lot 1, Block B, Batterton Addition & 0.441 Tract in E. Pickett Survey, #1014

Address/Location: 901 & 903 South Mill Street (Moseley Auto)

Application and Sign Fees:

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

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

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

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

Amount Due (application & sign fee)	$ _____

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
TBPE Firm No. 1798 TBPLS Firm No. 10047700

May 14, 2018

Mr. Richard Luedke
Planning Director
City of Lewisville
151 W Church Street
Lewisville, TX 75057

RE: Moseley Auto SUP
Letter of Intent
G&A Job No. 17260

Mr. Luedke:

Please accept this letter, on behalf of the land owner, Darrell Moseley, as an explanation of the proposed request for approximately .88 acres of land located along the west side of Mill St. and south of Harvard Ave. There are two existing building on the property that are used for auto-related purposes. 1,500 SF building to the north end of the property is currently being used for tire sales. The second building to the south is approximately 3,000 SF and it is used for used-auto sales. The Huffines Jeep/Dodge/Chrysler dealership is directly to the south.

The purpose of this application is to request an SUP to the existing zoning of General Business (GB). The entire reasoning behind the SUP is for Mr. Moseley to able to continue operating his auto sale business from this site. He would like to improve the tire shop and turn it into offices for his business. To reiterate, the building to the south will remain for his auto sales and the building to the north will be improved to be offices for the auto sale business. There are currently four driveways that serve the site. We will be eliminating two of the existing driveways and improving the remaining two. This will help clarify ingress and egress to the property. We are proposing to connect the northern and southern portions of the property to become a unified business operation.

Throughout the entirety of the design process there were a couple key design constraints that influenced the site layout; the existing buildings would remain and only one driveway off of S. Mill Street was proposed. The rationale behind one driveway is due to the limited amount of frontage along S. Mill Street. Frontage is extremely important for an auto sales business as this is where the cars will be displayed. A second drive off of S. Mill Street would eliminate 4 or 5 display parking spots.

For parking, 8 parking spaces are required for the office, 7 parking spaces are required for the auto sales, and 8 spaces are required for the display parking. We are provided 35 additional parking spaces for extra display and car storage. A total of 58 parking spaces and 3 handicap space has been provided.

We are looking forward to working with the staff on this project. Thank you in advance for your consideration of this request. Please do not hesitate to contact me with any questions or comments regarding this application.

Sincerely,

Patricia Fant

Patricia Fant

Z:\2017\17260\PDFs & Submittals\Zoning\2018.05.11 4TH SUBMITTAL\2018.04.03 SUP LOI 17260.doc

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
TBPE Firm No. 1798 TBPLS Firm No. 10047700

June 22, 2018

Mr. Richard Luedke
Planning Director
City of Lewisville
131 Church St
Lewisville TX, 75057

RE: MOSELEY AUTO SUP
Variance Request Letter
G&A Job No. 17260

Mr. Luedke:

Please accept this letter as an explanation of the requested variances for approximately .88 acres of land known as Moseley Auto SUP, generally located along the south side of Harvard Avenue and east of Mill Street.

The requested variances are as follows:

A. To reduce the control of access of 75-feet along South Mill Street:

Section 6-103, Table 4 of the General Development Ordinance requires a 75-foot control of access along a four-lane undivided collector (C4U) roadway. The owner has requested a variance to allow a driveway on South Mill Street (a C4U), to be 65.5-feet from the intersection at Harvard Avenue and South Mill Street. Moving the proposed driveway further south will cause the site to lose parking stalls. The owner will be removing three noncompliant driveways on South Mill Street and reconstructing one driveway that meets the City's standards. Staff is in support of the variance request.

B. To allow a variable width landscape buffer:

Section 6-123(b) of the General Development Ordinance (Multi-Family and Non-Residential Landscaping Requirements) requires a ten-foot landscape strip along the street frontage of the property from the internal edge of the right-of-way towards the building on the property to include one tree every 50 feet or 500 square feet. Due to the existing conditions, the ten-foot landscape buffer cannot be achieved on the street frontages of Harvard Ave. or S Mill St. The proposed enhancements along those frontages include a new row of evergreen screening shrubs and six additional trees. Staff has determined that the additional plantings of trees and shrubs within the existing landscape buffer adjacent to the right-of-way is adequate and meets the intent of the landscaping requirements.

C. To allow ornamental trees in the required landscape buffer:

Section 6-123(b) of the General Development Ordinance (Multi-Family and Non-Residential Landscaping Requirements) requires a ten foot landscape strip along the street frontage of the property from the internal edge of the right-of-way towards the building on the property to include one shade tree every 50 feet or 500 square feet. Due to the existing overhead utility lines mature shade trees would not thrive on a portion the frontage of S. Mill St. The owner has proposed planting three ornamental trees in lieu of the required shade trees. The proposed enhancements along the street frontage include a new row of evergreen screening shrubs and six additional trees. Staff has determined that the additional plantings of ornamental and shade trees and shrubs within the existing landscape buffer adjacent to the right-of-way is adequate and meets the intent of the landscaping regulations.

D. To reduce the required stacking depth of 40 feet to 24.3 feet:

Section 6-103 of the General Development Ordinance requires 40 feet of stacking for all commercial driveways. Stacking is the distance measured between the street curb and the first possible on-site turning maneuver, either drive lane or parking space. The purpose of the requirement is to allow room for at least two exiting vehicles to stack in the driveway, waiting to enter the street and still allow vehicles entering the driveway to make on-site maneuvers without blocking the entrance. The location of the existing building and drive isle do not allow for a 40-foot stacking depth for the driveway on Harvard Avenue. Harvard Avenue is a low traffic volume street and the driveway will also not have a high volume due to the size and proposed use of the site. The impact of the driveway on passing traffic will be minimal. Staff is in support of the variance request.

E. To allow a six-foot board on board wood fence in lieu of required six-foot masonry screening:

Section 6-144 of the General Development Ordinance requires an eight-foot masonry screening wall between commercial and residential uses. The applicant is proposing an alternative screening of a six-foot board on board wood fence. Existing residential lots are surrounded by a wood fence and a chain link fence. The chain link fence will be removed and the wood fences will be extended along the property line. This will create a "softer" look for the residences to the northwest while still providing a visual separation and maintaining privacy. Staff supports this request.

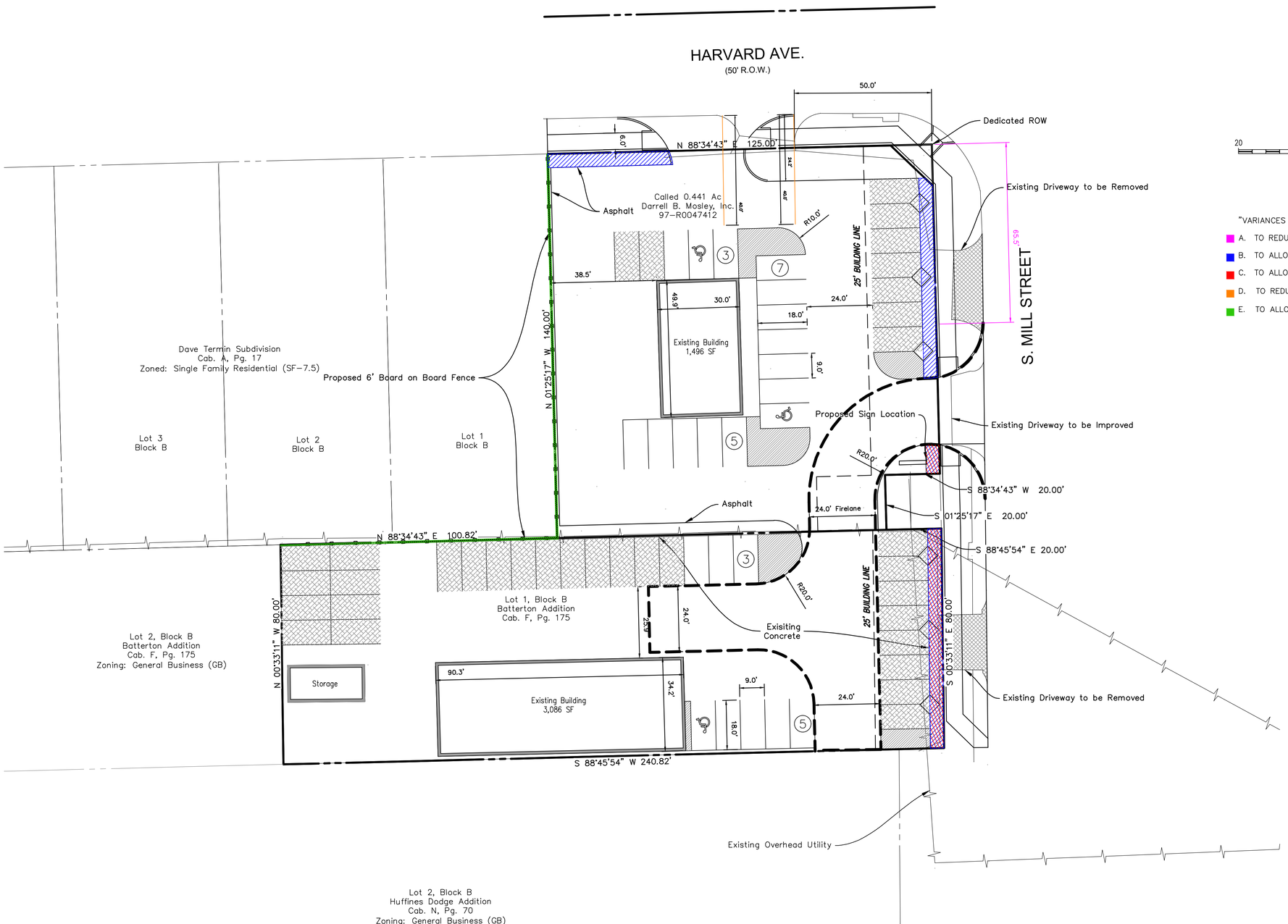
Thank you in advance for your consideration of these requests. Please do not hesitate to contact me with any questions or comments regarding this application.

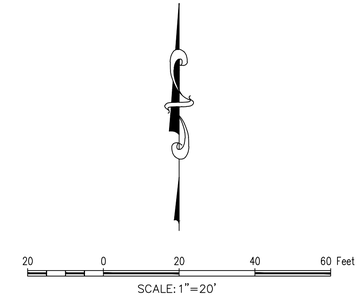
Sincerely,

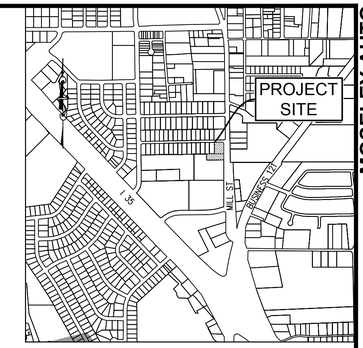
Patricia Fant

Patricia Fant

Z:\2017\17260\PDFs & Submittals\Zoning\2018.03.12 VARIANCE LETTER 17260.docx







Vicinity Map 1"=1000'

MOSELEY AUTO

"VARIANCES APPROVED BY CITY COUNCIL ON _____"

- A. TO REDUCE THE CONTROL OF ACCESS OF 75-FEET ALONG SOUTH MILL STREET.
- B. TO ALLOW A VARIABLE WIDTH LANDSCAPE BUFFER.
- C. TO ALLOW ORNAMENTAL TREES IN THE REQUIRED LANDSCAPE BUFFER.
- D. TO REDUCE THE REQUIRED STACKING DEPTH OF 40' TO 24.3'.
- E. TO ALLOW A 6' BOARD ON BOARD WOOD FENCE IN LIEU OF REQUIRED 6' MASONRY SCREENING.

VARIANCE EXHIBIT

Moseley Auto SUP
0.883 Total Acres
Zoned General Business (GB)
being all of
Lot 1, Block B, Batterton Addition
and a 0.441 Acre Tract
in the
E. PICKETT SURVEY, ABSTRACT NO. 1014
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

OWNER/DEVELOPER
DARRELL MOSELEY
903 SOUTH MILL ST
LEWISVILLE, TX 75057
Ph. 972-221-6863

Revisions:

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
111 Hillside Drive • Lewisville, TX 75057 • P: 972.436.9712 • F: 972.436.9715
144 Old Town Blvd. North, Ste 2 • Argyle, TX 76226 • P: 940.240.1012 • F: 940.240.1028
TBPE Firm No. 1798 TBPLS Firm No. 10047700

EX

DRAWN BY: PF DATE: 03/12/2018 SCALE: 1"=20' JOB. No. **17260**

File: Z:\2017\17260\Drawings\Zoning\17260 VARIANCE EXHIBIT
Plotted: 6/25/2018 8:32 AM, by Patricia Frantz Saved: 6/25/2018 8:30 AM, by patricia

Existing Board-on-Board Wood Fence at 126 Harvard Ave

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
TBPE Firm No. 1798 TBPLS Firm No. 10047700

June 10, 2018

Mr. Richard Luedke
Planning Director
City of Lewisville
151 W Church Street
Lewisville, Texas 75057

RE: Letter of Support/Opposition for Board on Board Fencing Along Shared Property Line of Moseley Auto, Batterton Addition, Lot 1, Block B.

Mr. Luedke:

I, JOHN ARIOLA am (in Support)/(Against) Moseley Auto constructing a board on board fence along the adjoining property lines of Moseley Auto, Batterton Addition, Lot 1, Block B and my property.

Phone Number: 972-434-2357

Address: 120 HARVARD AVENUE 75057

Sincerely, John M Ariola

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR AN AUTO DISPLAY AND SALES (OUTDOOR) FACILITY, ON APPROXIMATELY 0.883 ACRES OUT OF THE E. PICKETT SURVEY ABSTRACT NO. 1014, LOCATED AT THE SOUTHWEST CORNER OF SOUTH MILL STREET AND HARVARD AVENUE, AT 901 AND 903 SOUTH MILL STREET AND ZONED GENERAL BUSINESS DISTRICT (GB); 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 an auto display and sales (outdoor) facility by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the Special Use Permit on the 0.883-acre tract, as described in the attached Exhibit "A" (the "Property"), be **approved**; and

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

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

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

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

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

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

1. in compliance with the narrative, development plan, building elevations and sign detail, and landscape plan, attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations.

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

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

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

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

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

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

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

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

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE 2ND DAY OF JULY, 2018.

APPROVED:

_____
Rudy Durham, MAYOR

ATTEST:

_____
Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

_____
Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

Exhibit B
Narrative
Development Plan
Building Elevations and Sign Detail
Landscape Plan

LEGAL DESCRIPTION
0.883 ACRES

BEING all that certain lot, tract, or parcel of land, situated in the E. Pickett Survey, Abstract Number 1014, Denton County, Texas, and being all of Lot 1, Block B, Batterton Addition, an addition to the City of Lewisville, according to the plat thereof, recorded in Cabinet F, Page 175, Plat Records, Denton County, Texas, and being all of that certain called 0.441 acre tract of land, described in deed to Darrell B. Mosley, Inc., recorded in Document Number 1997-47412, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the northeast corner of said 0.441 acre tract, and being the intersection of the south line of Havard Avenue and the west line of South Mill Street;

THENCE with the east line of said 0.441 acre tract and the west line of said South Mill Street, the following:

S 01°14’06” E, 120.00 feet;

S 88°45’54” W, 20.00 feet;

S 01°14’06” E, 20.00 feet to the north line of said Lot 1;

THENCE N 88°45’54” E, 20.00 feet to the northeast corner of said Lot 1, and being on the west line of said South Mill Street;

THENCE S 00°33’11” E, 80.00 feet with the east line of said Lot 1, and the west line of said South Mill Street;

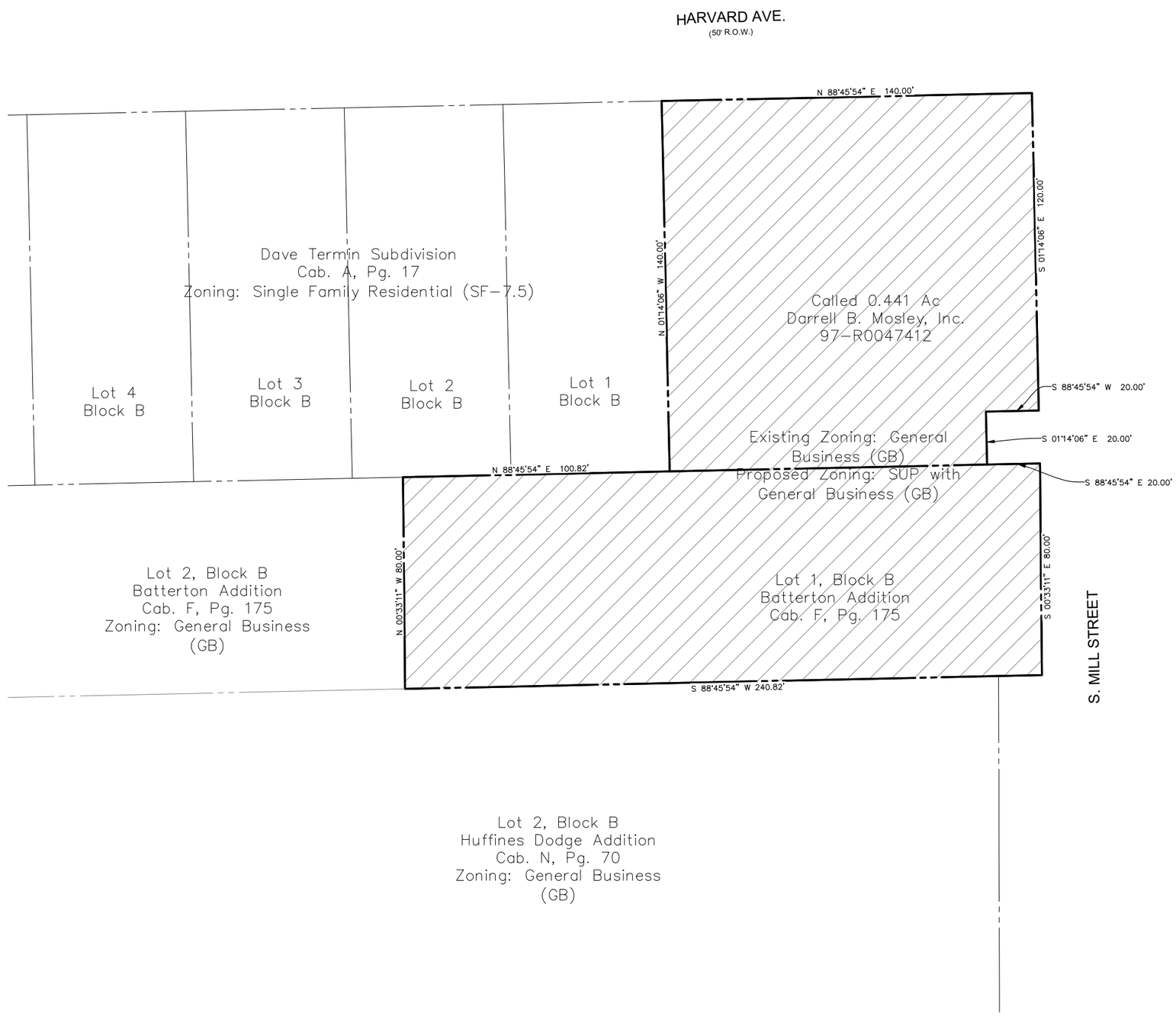
THENCE S 88°45’54” W, 240.82 to the southwest corner of said Lot 1;

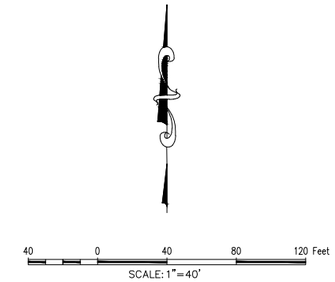
THENCE N 00°33’11” W, 80.00 feet to the northwest corner of said Lot 1;

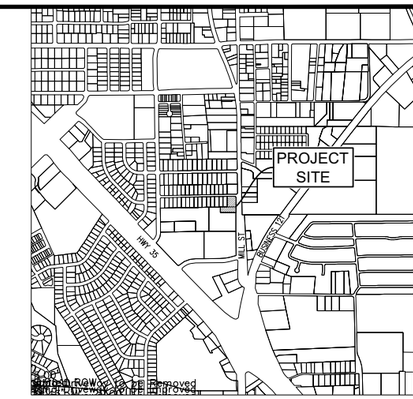
THENCE N 88°45’54” E, 100.82 feet with the north line of said Lot 1, to the southwest corner of said 0.441 acre tract;

THENCE N 01°14’06” W, 140.00 feet to the northwest corner of said 0.441 acre tract, and being on the south line of said Harvard Avenue;

THENCE N 88°45’54” E, 140.00 feet with the north line of said 0.441 acre tract, and the south line of said Harvard Avenue to the **POINT OF BEGINNING** and containing approximately 0.883 acres of land.







Vicinity Map 1"=1000'

JOHNSON/REDDY

LEGAL DESCRIPTION
0.883 ACRES

BEING all that certain lot, tract, or parcel of land, situated in the E. Pickett Survey, Abstract Number 1014, Denton County, Texas, and being all of Lot 1, Block B, Batterton Addition, an addition to the City of Lewisville, according to the plat thereof, recorded in Cabinet F, Page 175, Plat Records, Denton County, Texas, and being all of that certain called 0.441 acre tract of land, described in deed to Darrell B. Mosley, Inc., recorded in Document Number 1997-47412, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the northeast corner of said 0.441 acre tract, and being the intersection of the south line of Havard Avenue and the west line of South Mill Street;

THENCE with the east line of said 0.441 acre tract and the west line of said South Mill Street, the following:

S 01°14'06" E, 120.00 feet;

S 88°45'54" W, 20.00 feet;

S 01°14'06" E, 20.00 feet to the north line of said Lot 1;

THENCE N 88°45'54" E, 20.00 feet to the northeast corner of said Lot 1, and being on the west line of said South Mill Street;

THENCE S 00°33'11" E, 80.00 feet with the east line of said Lot 1, and the west line of said South Mill Street;

THENCE S 88°45'54" W, 240.82 to the southwest corner of said Lot 1;

THENCE N 00°33'11" W, 80.00 feet to the northwest corner of said Lot 1;

THENCE N 88°45'54" E, 100.82 feet with the north line of said Lot 1, to the southwest corner of said 0.441 acre tract;

THENCE N 01°14'06" W, 140.00 feet to the northwest corner of said 0.441 acre tract, and being on the south line of said Harvard Avenue;

THENCE N 88°45'54" E, 140.00 feet with the north line of said 0.441 acre tract, and the south line of said Harvard Avenue to the **POINT OF BEGINNING** and containing approximately 0.883 acres of land.

ZONING EXHIBIT
Moseley Auto
0.883 Total Acres
being all of
Lot 1, Block B, Batterton Addition
and a 0.441 Acre Tract
in the
E. PICKETT SURVEY, ABSTRACT NO. 1014
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
G&A CONSULTANTS, F-1798
DOUGLAS W. WEAVER, P.E. #117386
DATE 3/14/2018

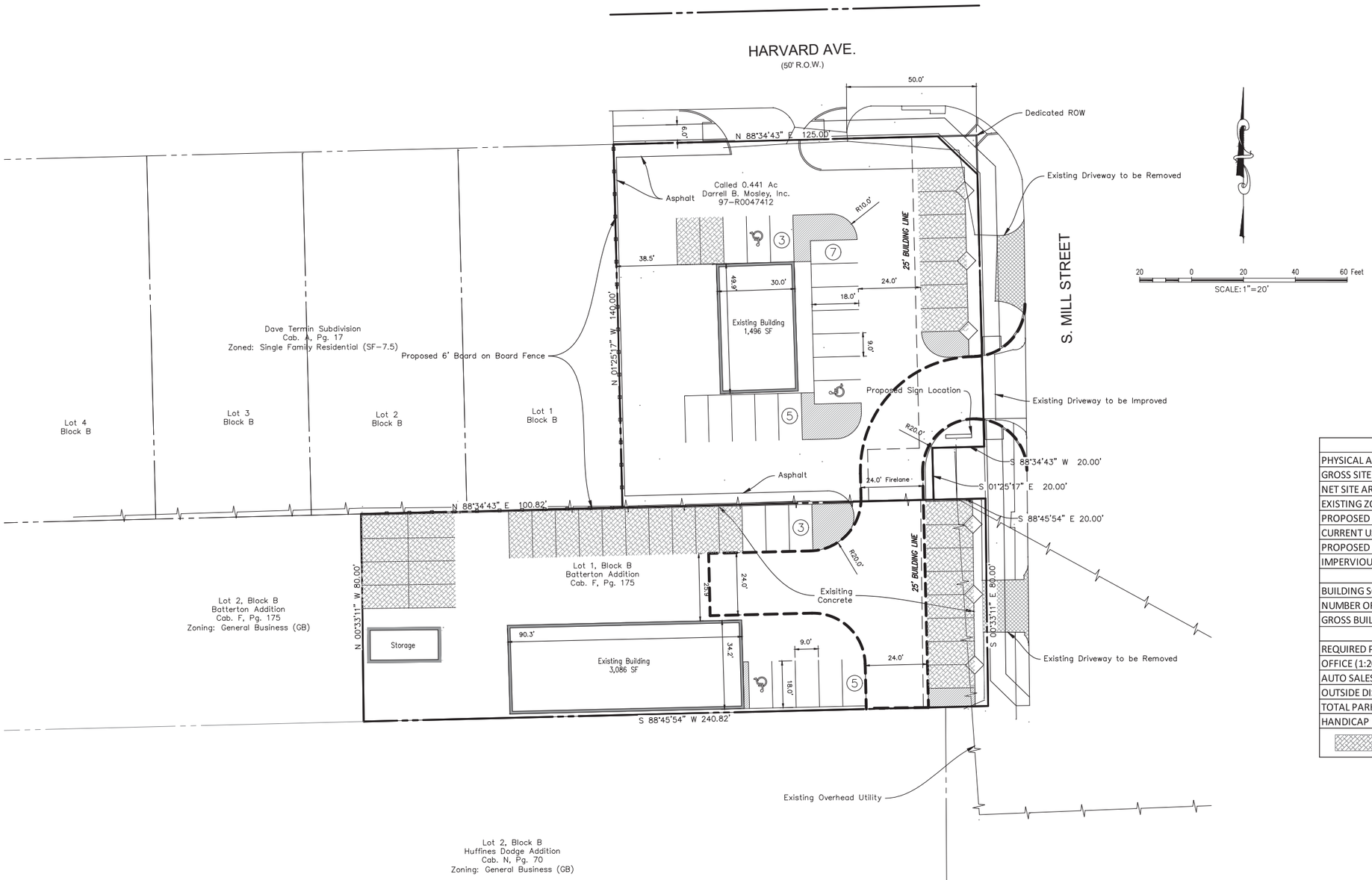
OWNER/DEVELOPER
DARRELL MOSELEY
903 SOUTH MILL ST
LEWISVILLE, TX 75057
Ph. 972-221-6863

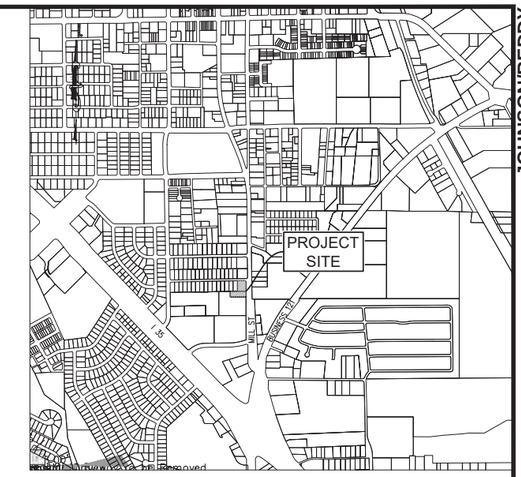
Revisions:

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
ZE
111 Hillside Drive · Lewisville, TX 75057 · P: 972.436.9712 · F: 972.436.9715
144 Old Town Blvd. North, Ste 2 · Argyle, TX 76226 · P: 940.240.1012 · F: 940.240.1028
TBPE Firm No. 1798 TBPLS Firm No. 10047700

DRAWN BY: PF Date: 02/07/2018 SCALE: 1"=40' JOB. No. **17260**

File: Z:\2017\17260\Drawings\Zoning\17260 ZONING EXHIBIT
Plotted: 3/14/2018 11:49 AM, by Patrick Ford Saved: 3/14/2018 11:39 AM, by patrick





JOHNSON/REDDY

SITE DATA TABLE	
PHYSICAL ADDRESS	901 & 903 SOUTH MILL ST
GROSS SITE AREA	38,464 SF
NET SITE AREA	38,464 SF
EXISTING ZONING	GENERAL BUSINESS (GB)
PROPOSED ZONING	GENERAL BUSINESS WITH A SUP (GB)
CURRENT USE	AUTO SALES AND REPAIR
PROPOSED USE	AUTO SALES AND REPAIR
IMPERVIOUS COVERAGE	31,212 SF
BUILDING SUMMARY	
BUILDING SQUARE FEET PER FLOOR	4,962 SF
NUMBER OF STORIES/BUILDING HEIGHT	1 STORY, 25 FT
GROSS BUILDING AREA	4,962 SF
PARKING SUMMARY	
REQUIRED PARKING	# OF SPACES
OFFICE (1:200) 1,496 SF	8
AUTO SALES (ONE INSIDE DISPLAY) (1:500) 3,086 SF	7
OUTSIDE DISPLAY (1:1000) 7,819 SF	8
TOTAL PARKING	20
HANDICAP PARKING	3
Outside Display Parking	

DEVELOPMENT PLAN

Moseley Auto(SUP)
0.883 Total Acres
Zoned General Business (GB)
being all of
Lot 1, Block B, Batterton Addition
and a 0.441 Acre Tract
in the
E. PICKETT SURVEY, ABSTRACT NO. 1014
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
G&A CONSULTANTS, F-1798
DOUGLAS W. WEAVER,
P.E. #117386
DATE 5/30/2018

OWNER/DEVELOPER
DARRELL MOSELEY
903 SOUTH MILL ST
LEWISVILLE, TX 75057
Ph. 972-221-6863

L E G E N D		
RF	=	REBAR FOUND
CRS	=	CAPPED REBAR SET
BL	=	BUILDING LINE
UE	=	UTILITY EASEMENT
CRF	=	CAPPED REBAR FOUND
P.O.B.	=	POINT OF BEGINNING
CM	=	CONTROLLING MONUMENT
G&A	=	G&A CONSULTANTS, INC.
PRDCT	=	PLAT RECORDS, DENTON COUNTY, TEXAS
RPRDCT	=	REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
MAE	=	MUTUAL ACCESS EASEMENT
SSE	=	SANITARY SEWER EASEMENT
WLE	=	WATER LINE EASEMENT
PE	=	PIPELINE EASEMENT
D.C.E.C.	=	DENTON COUNTY ELECTRIC COOPERATIVE

NOTES:

1. Surveyor has made no investigation or independent search for easement of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.

2. No flood zone area analysis has been performed on the subject property by G&A Consultants.

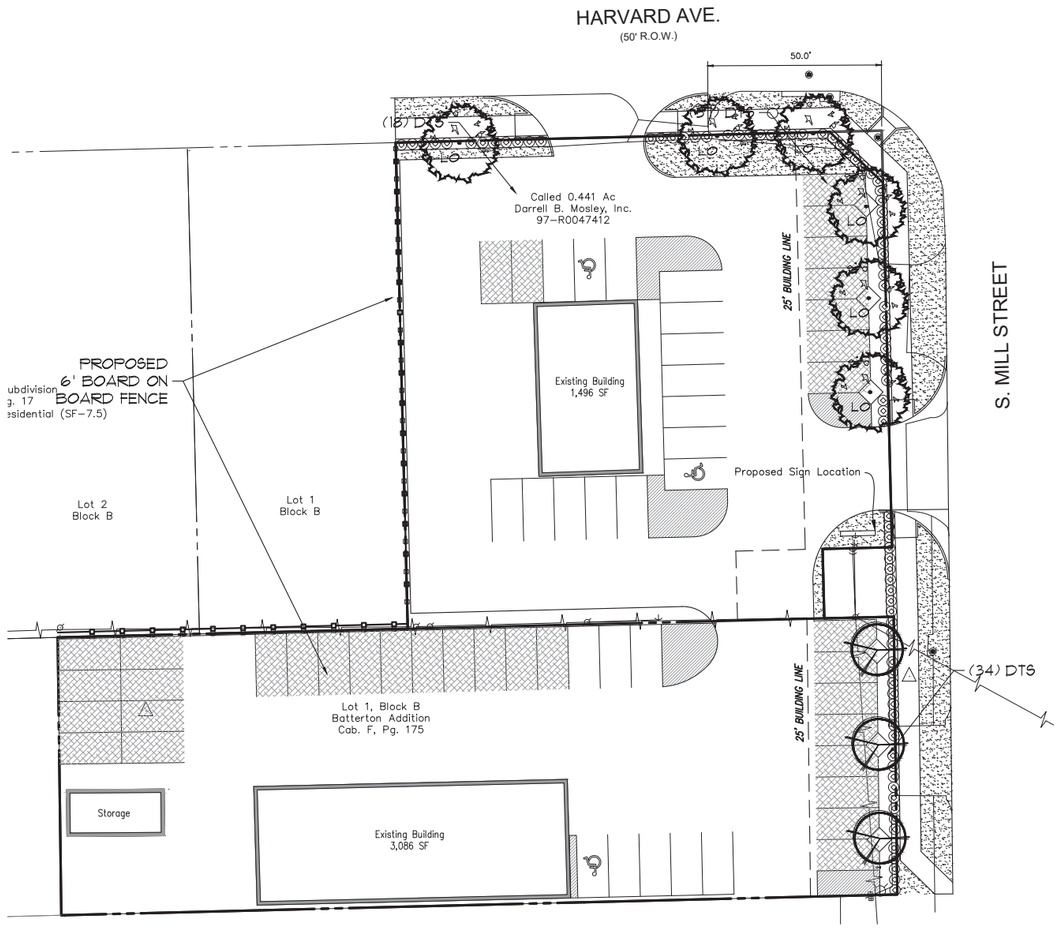
Revisions:

G&A CONSULTANTS, LLC
SURVEYING PLANNING CIVIL ENGINEERING PLATTING
LAND SURVEYING LANDSCAPE ARCHITECTURE
DP

111 Hillside Drive • Lewisville, TX 75057 • P: 972.436.9712 • F: 972.436.9715
144 Old Town Blvd. North, Ste 2 • Argyle, TX 76226 • P: 940.240.1012 • F: 940.240.1028
TBPE Firm No. 1798 TBPLS Firm No. 10047700

DRAWN BY: PF Date: 02/07/2018 SCALE: 1"=20' JOB. No. **17260**

File: Z:\2017\17260\Drawings\Zoning\17260 DEV PLAN
Plotted: 5/30/2018 9:18 AM, by Patricia Perez Saved: 5/30/2018 5:01 PM, by patricia



PLANT LEGEND

- (LO) LIVE OAK — *Quercus virginiana 'Cathedral Live Oak'*
- (RB) RED BUD — *Cercis canadensis*
- (DTS) DRAWF TEXAS SAGE — *Leucophyllum frutescens*
- BERMUDA SOD

NORTH

20 0 20 40 60 Feet

SCALE: 1"=20'

6' BOARD ON BOARD FENCE

PLANT LIST

QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	MIN. HT.	SPACE	REMARKS
6	LIVE OAK	Quercus virginiana 'Cathedral Live Oak'	3" cal.	10'-12'	Per Plan	Single Trunk
4	RED BUD	Cercis canadensis	30gal.	7'-8'	Per Plan	Full
90	DWARF TEXAS SAGE	Leucophyllum frutescens 'Bertstar'	5gal.	30"	2'-0"	Full

City of Lewisville
LANDSCAPE REQUIREMENTS COMPLIANCE

Landscape Strip:
A landscape strip shall be provided adjacent to all public and private streets. The landscape strip shall be a minimum of 10 feet, exclusive of street right-of-way.

Required- minimum 10' width
Provided- variable width as per existing conditions

Street Trees:
Within the landscaped strip, one shade tree (2 $\frac{1}{2}$" caliper minimum) shall be provided per five hundred square feet of required landscape strip.

Required- l.f. frontage (times) 10' (divided by) 500
Mill Street - 194 l.f. (10) / 500 = 4 new trees
Harvard Ave. - 117 l.f. (10) / 500 = 2 new trees
Provided- Total Street Buffer Trees
6 trees (min. 2½" cal.) & 3 ornamental trees

Interior Landscape Requirements:
A parking area of 1-24,999 s.f. is required to have 5% interior landscaping
Required- 38,463.5 s.f. = 5% interior landscaping
Provided- 1,957 s.f.= 5.09 % interior landscaping

Where parking lots and drives abut the landscape strip along street right-of-way, evergreen shrubs must be provided for screening. The screening must be a minimum of 2- high and extend along the entire street frontage of the parking lot. If a parking lot is located 50' from the street R.O W. line, no shrubs will be required.

Required- 2' high screening shrubs
Provided- 2' high screening shrubs

*All landscape shall be 100% watered by underground automatic irrigation system.
Irrigation system shall have a freeze sensor. Contractor to ensure that all existing irrigation is operable, restored and meets all of TCEQ requirements. Any new irrigation will be added to existing system if applicable.

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
JAMESON W. PINSON LANDSCAPE ARCHITECT # 2826
DATED 5/30/2018

REGISTERED LANDSCAPE ARCHITECT
JAMESON W. PINSON
2826
STATE OF TEXAS

STX PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE
111 Hillside Drive • Lewisville, TX 75057
P: 972.436.9712 • F: 972.436.9715
144 Old Town Blvd North, Ste 2 • Argyle, TX 76226
P: 940.240.1012 • F: 940.240.1028
TBPE Firm No. 1798 TBPLS Firm No. 10047700

17260

LANDSCAPE PLAN
Moseley Auto
Lot 1, Block B
0.883 Acres
in the
EPICKETT SURVEY, ABSTRACT NO. 1014
City of Lewisville
DENTON COUNTY, TEXAS

Moseley Auto

Drawn By: LD
Date: 05/30/2018
Scale: 1"=20'
Revisions:

17260

L1.0

File: X:\2017\17260\Drawing\17260.L1
Plotted: 5/30/2018 3:30 PM, by Jess
Saved: 5/30/2018 3:02 PM, by Jess

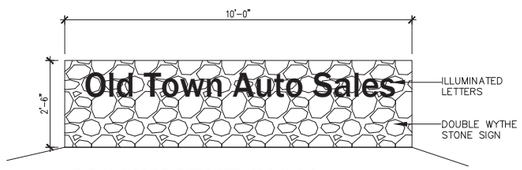
1.

EXTERIOR BUILDING MATERIALS

BUILDING WALL MATERIAL:	CEMENT PLASTER
BUILDING WALL COLOR:	WHITE, SHERWIN WILLIAMS NO. SW 7588 "WESTHIGHLAND WHITE"
STOREFRONT WINDOW FRAMES AT 2 OH DOOR LOCATION:	FACTORY ANODIZED WHITE
STOREFRONT WINDOW AND DOOR FRAMES AT NORTHEAST:	FACTORY ANODIZED BLACK
FRONT DOOR:	RED – SHERWIN WILLIAMS NO. SW 6866 "HEARTTHROB" WITH GRAY GLASS
ALL GLASS:	GRAY TINT DOUBLE PANE LOW E GLASS
TRIMS:	SHERWIN WILLIAMS NO. SW 6991 "BLACK MAGIC"
LIGHT FIXTURES:	ANTIQUE STYLE GOOSENECK, BLACK FINISH
AWNING AND PLANTER:	AGED GALVANIZED CORRUGATED METAL
BUILDING SIGN:	BLACK LETTERS

WALLS AREAS

ELEVATION	TOTAL AREA IN SQ. FT.	WINDOWS/DOORS	NET WALL AREA	AWNING	TRIM	CEMENT PLASTER OVER CMU (% OF NET WALL AREA)
EAST	706	270	436	78	31	327 (75%)
SOUTH	420	64	356	0	11	345 (97%)
WEST	706	0	706	0	0	706 (100%)
NORTH	426	20	406	33	6	367 (90%)
OVERALL	2258	354	1904	111	48	1745 (92%)

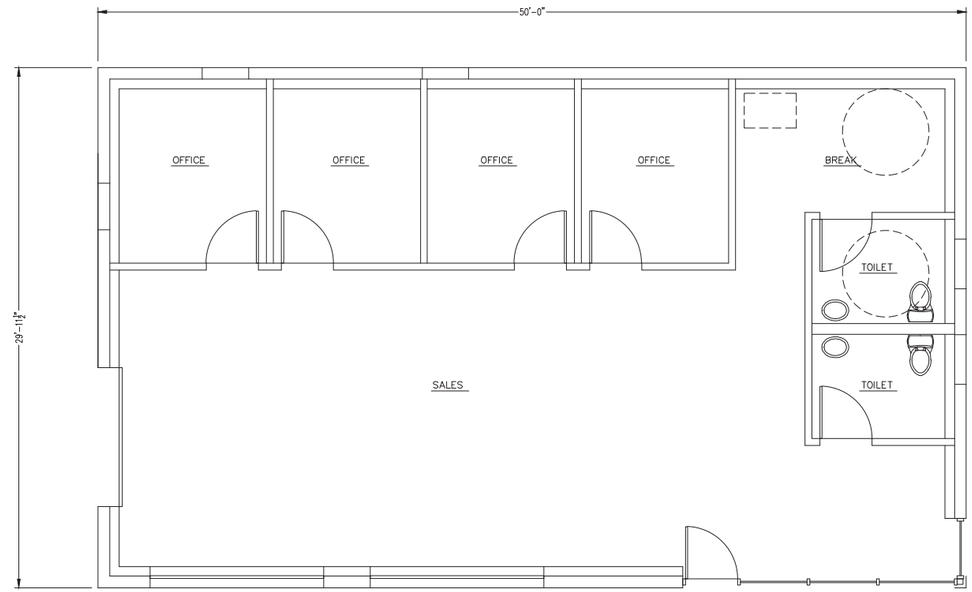


MONUMENT SIGN

Scale: 1/2"=1'-0"

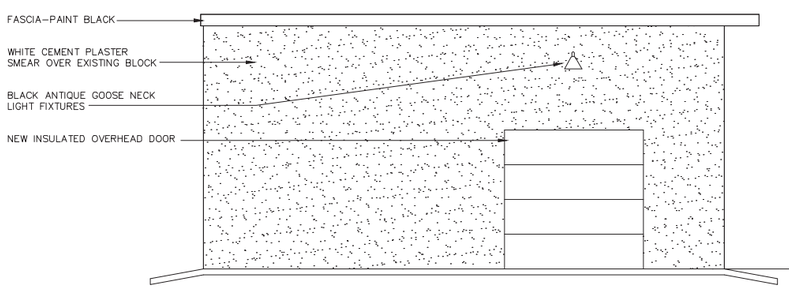
SIGNAGE AREAS

BUILDING SIGN:	7' X 2' HIGH =	14 SF
MONUMENT SIGN:	10' X 2.5' HIGH =	25 SF
TOTAL SIGNAGE AREA:		39 SF



FLOOR PLAN

Scale: 1/4"=1'-0"



SOUTH ELEVATION

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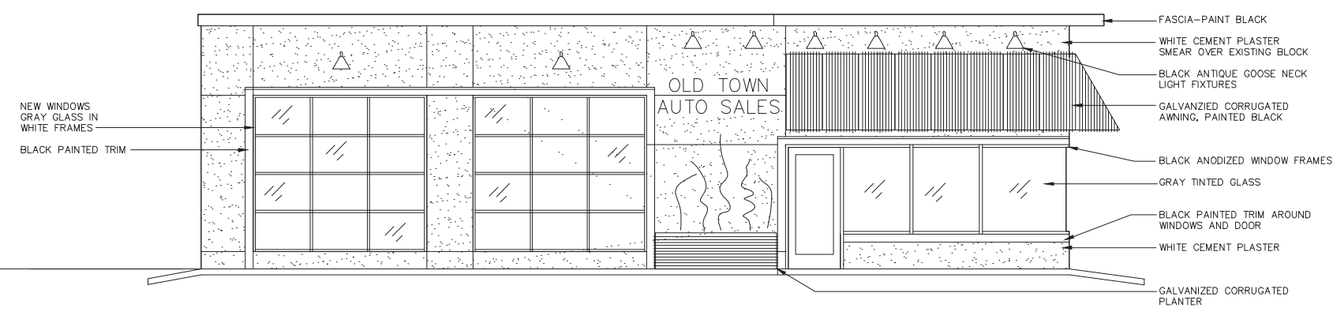
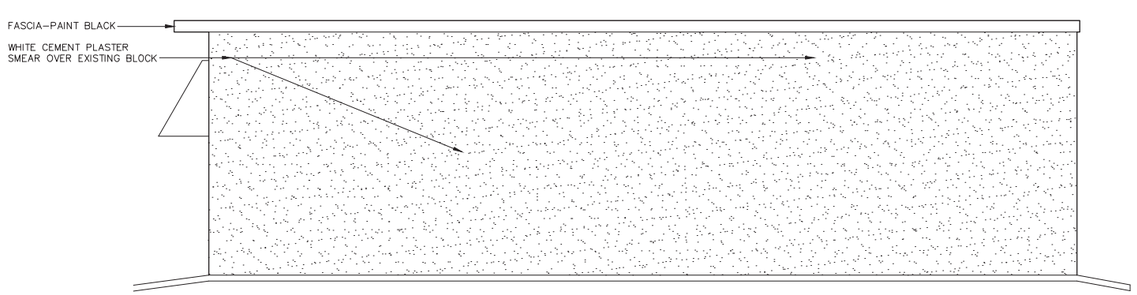


FRONT (EAST) ELEVATION

Scale: 1/4"=1'-0"



WEST ELEVATION

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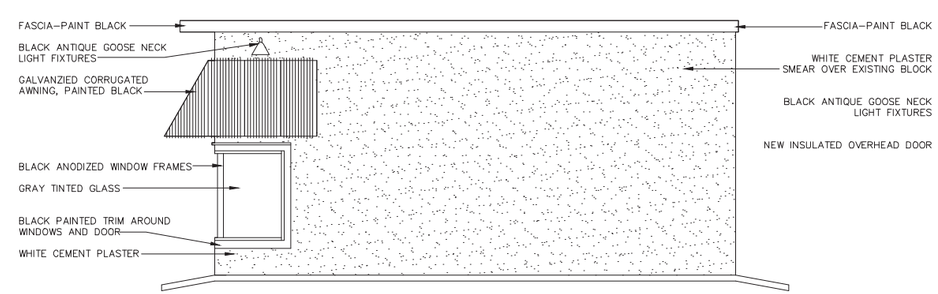

NORTH ELEVATION

Scale: 1/4"=1'-0"

©2017

GPF Architects LLC
509 W. BETHEL ROAD
SUITE 100
COPPELL, TEXAS 75019
TEL: (972) 824-7966

THESE DRAWINGS ARE NOT COMPLETE AND SHALL NOT BE USED FOR PERMITTING OR CONSTRUCTION

Renovations to the
OLD TOWN AUTO SALES
MILL STREET
LEWISVILLE, TEXAS

REVISIONS	BY
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DATE	ISSUE FOR REVIEW 4/11/18
DRAWN	GF
CHECKED	GF
SCALE	AS SHOWN
JOB NO.	213
SHEET	A3.0
OF	SHEETS

FRONT ELEVATION

Scale: 3/8"=1'-0"

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GPF
Architects
LLC

509 WEST BETHEL ROAD
SUITE 100
COPPELL, TEXAS 75019
TEL: (972)824-7966

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Renovations to the
OLD TOWN AUTO SALES
MILL STREET
LEWISVILLE, TEXAS

REVISIONS	BY
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DATE	ISSUE FOR REVIEW 3/15/18
DRAWN	GF
CHECKED	GF
SCALE	AS SHOWN
JOB NO.	213
SHEET	A3.0
OF	SHEETS

MEMORANDUM

TO: Donna Baron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: July 2, 2018

SUBJECT: **Public Hearing: Consider the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan.**

BACKGROUND

In 2014, the City adopted the ***Lewisville 2025 Plan***. One action recommendation in this plan was to use more detailed plans, focused on specific parts of the Lewisville community, to refine and detail the steps to achieve the vision of Lewisville 2025 in those areas. At its retreat in 2017, the City Council selected Old Town North and Southwest Lewisville as the first two areas for which plans should be prepared; the project began in July 2017. The Small Area Plans were developed through a process including analysis and evaluation of the areas by City staff and a consultant team led by Strategic Community Solutions LLC and including Kimley-Horn, Inc. and City Centric Planning LLC. Residents, property owners and other interested stakeholders participated in the development of these plans through community open house and workshop sessions and by providing online input. The policy direction reflected in these drafts was reviewed by City Council at its February 2018 Retreat. Since Council last reviewed these plans modifications were made to include input from the on-line surveys, staff and the community workshops. These modifications include;

- An executive summary for each plan;
- A list of priority action steps for each plan developed from citizen and stakeholder input;
- Language addressing the incompatibility of auto related uses in design districts in the Old Town North Plan and along Round Grove Road and at major gateways in the Southwest Lewisville Plan; and
- Language stating the community preference for residential cluster development along Spinks Road in Southwest Lewisville, but that commercial cluster development is still a possibility in this area.

Staff has identified an important benefit in formally adopting these plans. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on June 5, 2018.

ANALYSIS

The Old Town North Area Plan study area is bounded by IH-35E on the west, N. Kealy Avenue on the east, College Street on the south, and the Kansas City Southern Railway on the north. The City's right of way along Kealy north to the Lewisville Lake Environmental Learning Area (LLELA) and Lewisville Lake was also included. The Plan's Vision Statement describes the desired future: ***Go north of Old Town to find nature, charming neighborhoods, and convenient business locations connected to the heart of Lewisville and the rest of the North Texas region.*** Major recommendations include retaining the character of the residential areas north of Old Town,

establishing a ‘creative mix’ area in the central part of Old Town North to encourage entrepreneurs, artists and small businesses, designing gateways that reflect the area’s proximity to LLELA and enhancing connections to the DCTA Old Town Station.

The study area for the Southwest Lewisville Area Plan is bounded generally by the parcels fronting Round Grove Road to the north, the Lewisville City limits to the west and the south, and the properties adjoining Oakbend Drive to the east. The Plan’s Vision Statement describes the desired future: ***Southwest Lewisville attracts and retains dynamic corporations and diverse residents because of its natural areas, regional transportation access, desirable jobs and labor force, convenient shopping, and diverse neighborhood choices.*** Major recommendations include continuing the area’s role as a major employment center, preserving natural features by supporting clustered development in the western part of the area, enhancing the appeal of the Round Grove corridor, addressing quality of life issues for the Creekside neighborhood, creating new forested gateways into the City on 121 Business, and expanding the bicycle and pedestrian network.

RECOMMENDATION

Staff recommends that the City Council adopt the Old Town North and Southwest Lewisville Small Area Plans as presented.

DRAFT MINUTES
PLANNING AND ZONING COMMISSION
JUNE 19, 2018

Item 6:

Public Hearing Small Area Plans were next on the agenda. There was one item for consideration:

C. **Public Hearing:** Consideration of the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan.

Staff gave a brief overview of the proposed Small Area Plans and recommended approval. Member John Lyng asked if the Small Ara Plans would be available for the public. Staff answered that they were available online on the City website. Chairman Green asked if the City had received any inquiries from the public, and staff answered there had been inquiries but no concerns expressed by citizens. Chairman Green then opened the public hearing, and with no one coming forward to speak, the public hearing was then closed. *A motion was made by James Davis to recommend approval of the proposed special use permit request. The motion was seconded by Karen Locke. The motion passed unanimously (6-0).* Staff indicated that this item would appear before the City Council on July 2nd for a second public hearing and a final decision.

There being no other business to discuss, the meeting was adjourned at 6:55 p.m.

Respectfully Submitted,

_____
Michele Berry, AICP
Planning Manager

Approved

_____
Kristin Green, Chairman
Planning and Zoning Commission

LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

OLD TOWN NORTH

SMALL AREA PLAN

PREPARED BY: STRATEGIC COMMUNITY SOLUTIONS, City Centric Planning, Kimley»Horn

JUNE 2018

Table of Contents

EXECUTIVE SUMMARY 3
AREA HIGHLIGHTS 7
STUDY AREA 7
COMMUNITY CHARACTERISTICS 9
EXISTING DEVELOPMENT PATTERNS 13
ISSUES AND OPPORTUNITIES 16
STRATEGIC DIRECTION 18
VISION STATEMENT 18
GUIDING PRINCIPLES 19
FRAMEWORK PLAN 20
NATURAL ASSET NETWORK 20
MOBILITY NETWORK 24
FUTURE DEVELOPMENT PATTERN 29
COMMUNITY CHARACTER & DESIGN 38
GATEWAYS AND IDENTITY POINTS 38
PUBLIC REALM CORRIDORS 41
DESIGN OVERLAYS 45
ACTION STEPS 48
IDENTITY, BRANDING, & CAPACITY BUILDING 48
DEVELOPMENT AND COMMUNITY CHARACTER 50
CITY CAPITAL INVESTMENTS 53
CITY PROGRAMS AND INITIATIVES 54
PARTNERSHIPS 55
ACTION ITEM MATRIX 57

List of Exhibits

Exhibit 1: Major Plan Concepts 5
Exhibit 2: Study Area 8
Exhibit 3: Housing and Population 9
Exhibit 4: Resident Characteristics 9
Exhibit 5: Homeownership 10
Exhibit 6: Housing Characteristics 10
Exhibit 7: Business Characteristics 11
Exhibit 8: Businesses by Type 11
Exhibit 9: Employees by Type 12
Exhibit 10: Target Reinvestment and Improvement Neighborhood 13
Exhibit 11: Existing Land Use 15
Exhibit 12: Natural Asset Network 23
Exhibit 13: Preliminary Assessment, 10 Minute Walk to Parks 26
Exhibit 14: Mobility Network 28
Exhibit 15: Future Development Pattern 37
Exhibit 16: Gateways and Identity Points 39
Exhibit 17: Public Realm Corridors 42
Exhibit 18: Design Overlays 47

EXECUTIVE SUMMARY

In 2014, the City adopted the ***Lewisville 2025*** Plan. One action recommendation in this plan was to use more detailed plans, focused on specific parts of the Lewisville community, to refine and detail the steps to achieve the vision of ***Lewisville 2025*** in those areas. At its retreat in 2017, the City Council selected Old Town as one of the first two areas for which plans should be prepared. This Small Area Plan is the result of the Council's direction.

The Small Area Plan process began in July 2017. It included analysis and evaluation of the areas by City staff and a consultant team led by Strategic Community Solutions LLC and including Kimley-Horn, Inc. and City Centric Planning LLC. Residents, property owners and other interested stakeholders participated in the development of these plans through community open house and workshop sessions and by providing online input.

The direction established by this plan begins with a Vision Statement that describes the community's desired future and a set of Guiding Principles to achieve this vision. It continues by providing more detailed policy, development and design direction. It ends with a short list of high priority action items that start to make the vision a reality. This structure allows Lewisville officials and staff to use the Old Town North Small Area Plan as the basis for decisions on development proposals, as a foundation for City programs and capital investments, and as a framework to build partnerships with residents, property owners and community organizations.

> Go north of Old Town to find nature, charming neighborhoods, and convenient business locations connected to the heart of Lewisville and the rest of the North Texas region.

Guiding Principles provide the overall direction that will be used to guide decisions and investments so they achieve the community's vision. They guide the development of the overall plan, and they shape the individual details and policies for each specific plan component, such as natural asset networks or community character and design. The Guiding Principles for Old Town North are:

1. Old Town North seamlessly extends Old Town's character north of College.
2. The scale, character, and vitality of existing neighborhoods is retained and enhanced by compatible new investment.
3. The area appeals to people of diverse backgrounds and all ages.
4. Access to Old Towns destinations – on foot, by bike, or in a car – is quick and easy.
5. New retail and employment offers convenient jobs and shopping for Lewisville residents.
6. Old Town North's neighborhoods are well-connected to the DCTA station and nearby emerging neighborhoods.

7. Public and private investments make Old Town North even more walkable and connected to nature so residents can enjoy healthy lifestyles and great access to Lewisville Lake, LLELA, City parks, and other open spaces.
8. The people who live, work, and play in Old Town North collaborate to improve and celebrate their community.

The plan's policy, development and design recommendations are found in a Framework Plan that addresses the natural asset and mobility networks and the future development pattern. Additional recommendations address Community Character, including gateways and identity points, public realm corridors and design overlays. Major recommendations include:

- Retaining the character of the residential areas north of Old Town so they remain appealing places to live and become even more desirable as Old Town continues its revitalization
- Establishing a 'creative mix' area in the central part of Old Town North, encourage entrepreneurs, artists and small businesses to locate here and build on the eclectic mix that exists today
- Designing gateways that reflect the area's proximity to LLELA, and
- Enhancing connections to the DCTA Old Town Station.

Exhibit 1 shows the Future Development Pattern, as well as other major design features.

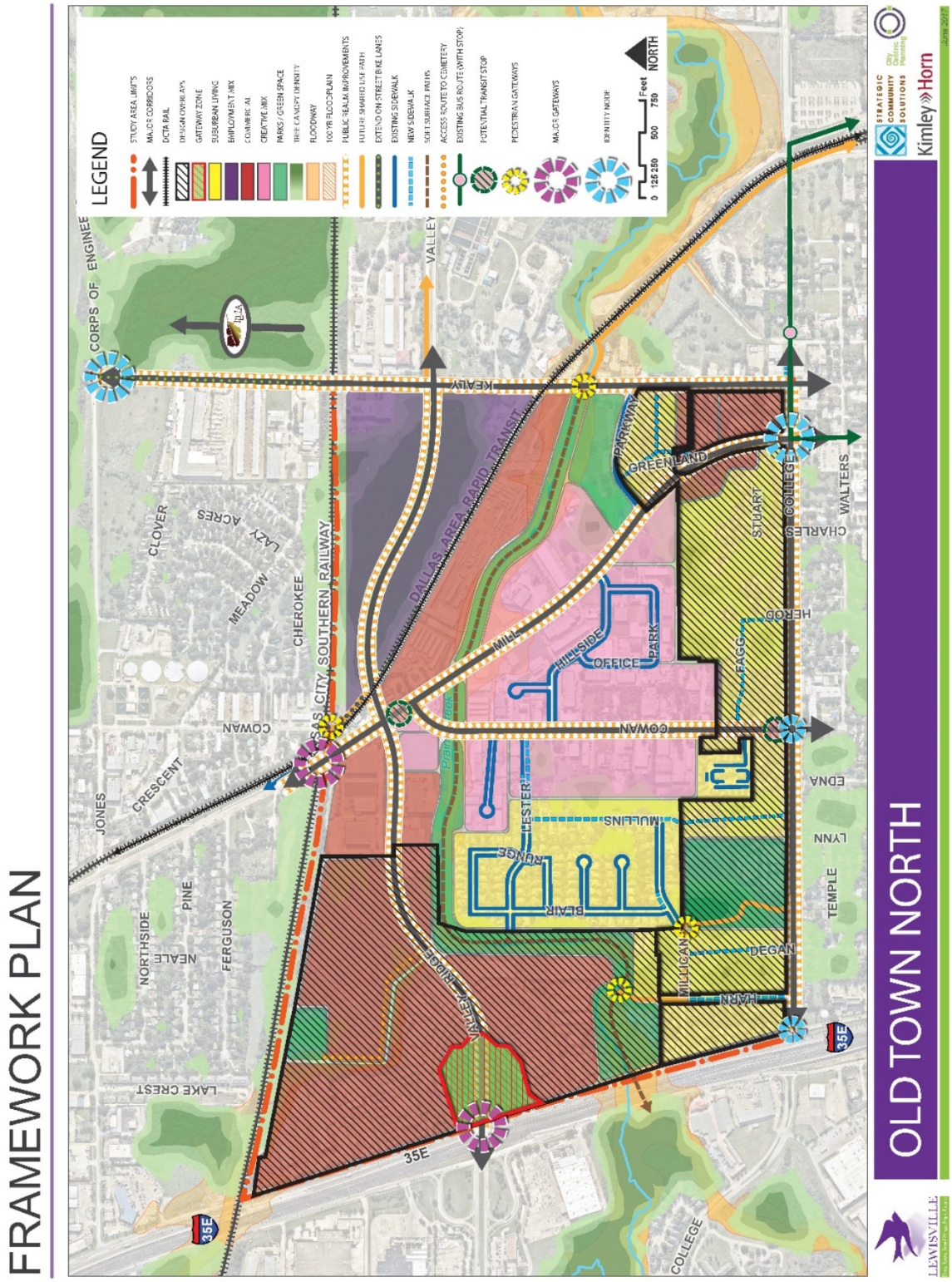

Exhibit 1: Major Plan Concepts

There are eleven short-term actions recommended to begin implementation of this plan. They are listed below. All recommended action items are discussed in the last chapter of the Plan.

#	PRIORITY ACTION ITEMS
3	Engage stakeholders in building the "creative mix" area character.
4	Increase the capacity of area neighborhood and business organizations.
5	Develop design guidelines for identified Public Realm Corridors (I35 and Valley Ridge Boulevard top priority).
6	Develop a design overlay for the College Street area.
7	Consider a design overlay for new development along Valley Ridge Boulevard.
8	Establish appropriate guidelines and regulations for higher density residential revitalization.
10	Evaluate the need for rehabilitation or replacement of aging water and sanitary sewer systems to support planned development.
12	Design and construct the Prairie Creek trail.
13	Construct sidewalks and paths to complete the pedestrian and bicycle network.
20	Engage Rodeo stakeholders in enhancing the Rodeo Grounds for expanded events and non-event recreational use.
24	Partner with volunteer groups to assist elderly or disabled residents with clean up, mowing and other minor property repairs.

AREA HIGHLIGHTS

STUDY AREA

The Old Town North Area Plan study area includes approximately 475 acres. The area is bounded by IH-35E on the west, N. Kealy Avenue on the east, College Street on the south, and the Kansas City Southern Railway on the north. The City's right of way along Kealy extending north of the railroad to Jones Street was also included in the study area due to Kealy's importance as a connection to the Lewisville Lake Environmental Learning Area (LLELA) and Lewisville Lake. Exhibit 2 shows the study boundaries that were used for the purposes of analysis in this plan.

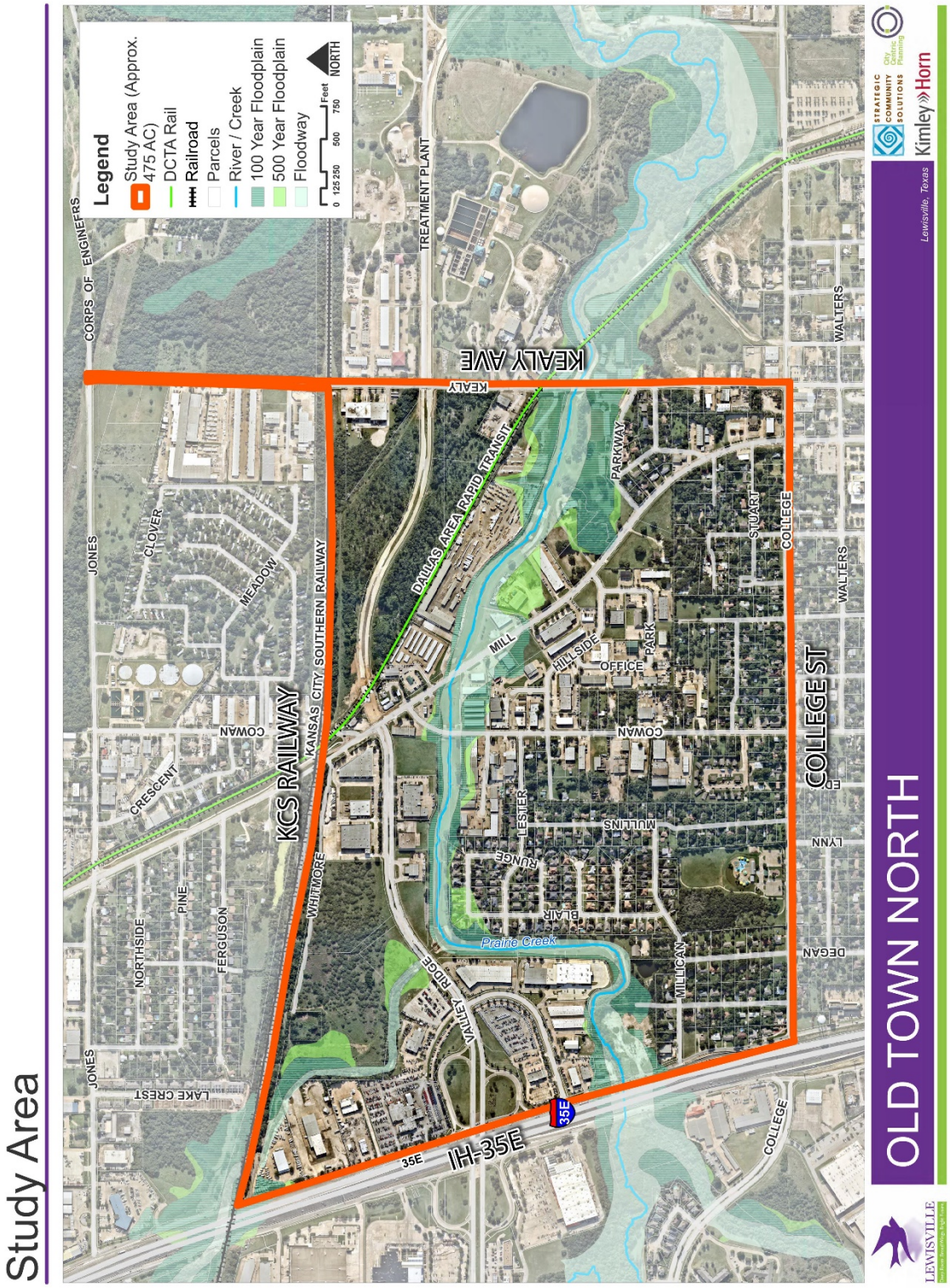

Exhibit 2: Study Area

COMMUNITY CHARACTERISTICS

Residents and Households

Old Town North is home to 1,063 residents as of 2017. Most housing units are single family, over 63% of which are owner occupied, and the median household has lived at their current residence for over 13 years. While the median age is higher than that of Lewisville as a whole, the study area has both more residents over 65 and more households with children than the city average. Approximately 36 percent of residents are of Hispanic origin, which is only slightly above the city average.

Indicator	Citywide	Old Town North
2017 Housing Units	44,643	392
2017 Households	41,883	382
2017 Total Resident Population	106,741	1,063
2017 Average Household Size	2.54	2.78
2017 Total Daytime Population	101,241	2,391
Resident: Daytime Population Ratio	1.05	0.44

Exhibit 3: Housing and Population

Indicator	Citywide	Old Town North
2017 Median Household Income	$57,956	$45,136
2017 Median Age	32.2	37.5
Population 65 and older	4.6%	7.2%
All Households w/ Children	35.5%	36.0%
Single-Person Households	30.1%	24.1%
Hispanic Origin	32.2%	35.8%
Unemployment Rate	4.0%	2.2%

Exhibit 4: Resident Characteristics

Housing and Neighborhoods

Residential development in the study area is concentrated south of Prairie Creek, and while there are several distinct neighborhoods, there are few neighborhood or homeowners' associations in the area. Most housing units in the area are single family. The median age of housing units is 25 years older and the median value is approximately 29% lower than the city average. However, most housing units in the study area are owner-occupied, in contrast to the lower rate of homeownership in the rest of Lewisville.

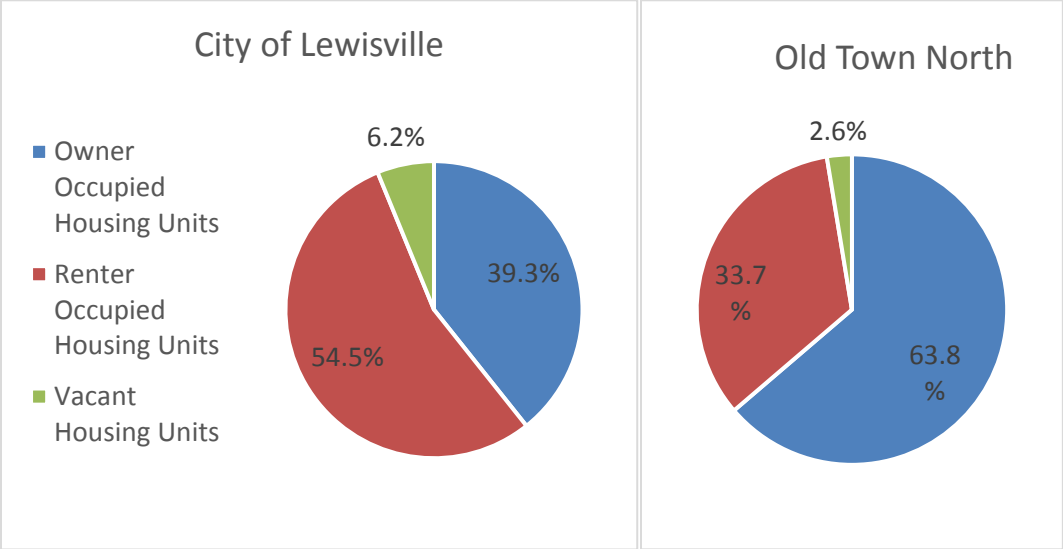

Exhibit 5: Homeownership

Indicator	Citywide	Old Town North
2017 Median Home Value	$173,806	$120,495
Median Year Structure Built	1992	1967

Exhibit 6: Housing Characteristics

Businesses and Employment

Old Town North has a large number of businesses, concentrated primarily along IH-35E, Cowan Avenue, Mill Street, and Valley Ridge Parkway. Businesses are generally commercial or industrial in nature, with a high number of workers employed in manufacturing, retail trade, or service. The large employment base means that the area's daytime population of nearly 2,400 is more than double the resident population of 1,000.

Indicator	Citywide	Old Town North
Total Businesses	3,663	199
Total Employees	46,921	1,686
Total Residential Population	106,741	1,063
Employee/Residential Population Ratio (per 100 Residents)	44	159
Retail Trade Leakage/Surplus	-27.4	-83.7
Food & Drink Leakage/Surplus	-12.6	49.7

Exhibit 7: Business Characteristics

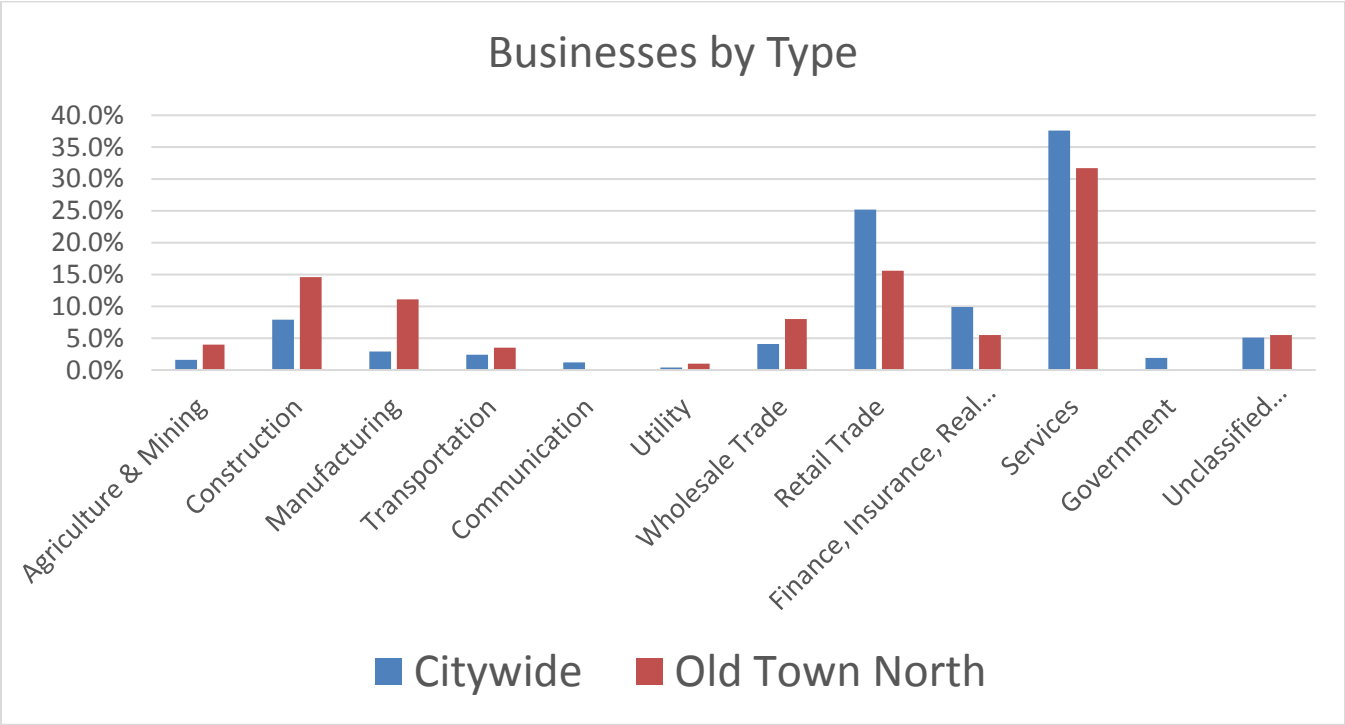

Exhibit 8: Businesses by Type

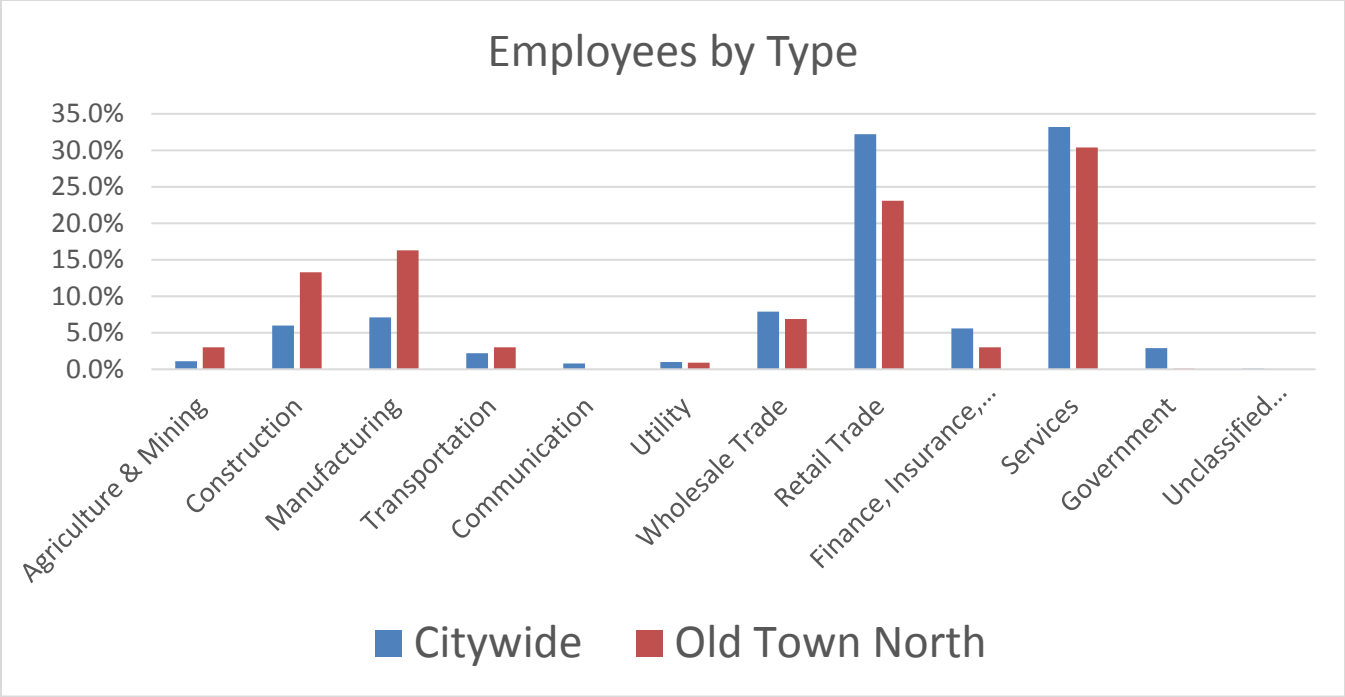

Exhibit 9: Employees by Type

EXISTING DEVELOPMENT PATTERNS

Old Town North has developed with a mix of single family residential, commercial, and industrial uses. Much of the housing stock is located within a few blocks of College Street, and many of these units are older bungalow homes similar in style to those found in the Old Town District immediately to the south. There are also a substantial number of single family homes located north of Millican Street, most of which have been built since the year 2000 and are constructed of the brick and masonry typically found in new DFW area housing.

The City's Target Reinvestment and Improvement Neighborhoods program (TRN) identifies residential areas in need of assistance because of housing conditions and a concentration of homes with moderate or major repair needs. Exhibit 10 shows that the study area's easterly neighborhoods are included in this designation.

In the TRN area, a variety of programs provide assistance for home repairs, property enhancement and homebuyer assistance. This area is also a CDBG priority. In the 18 years of the City's CDBG program, most residential streets in the study area and about 42 households have received assistance.

Cowan and Mill have developed into a small business district with a mix of service, industrial, and commercial uses.

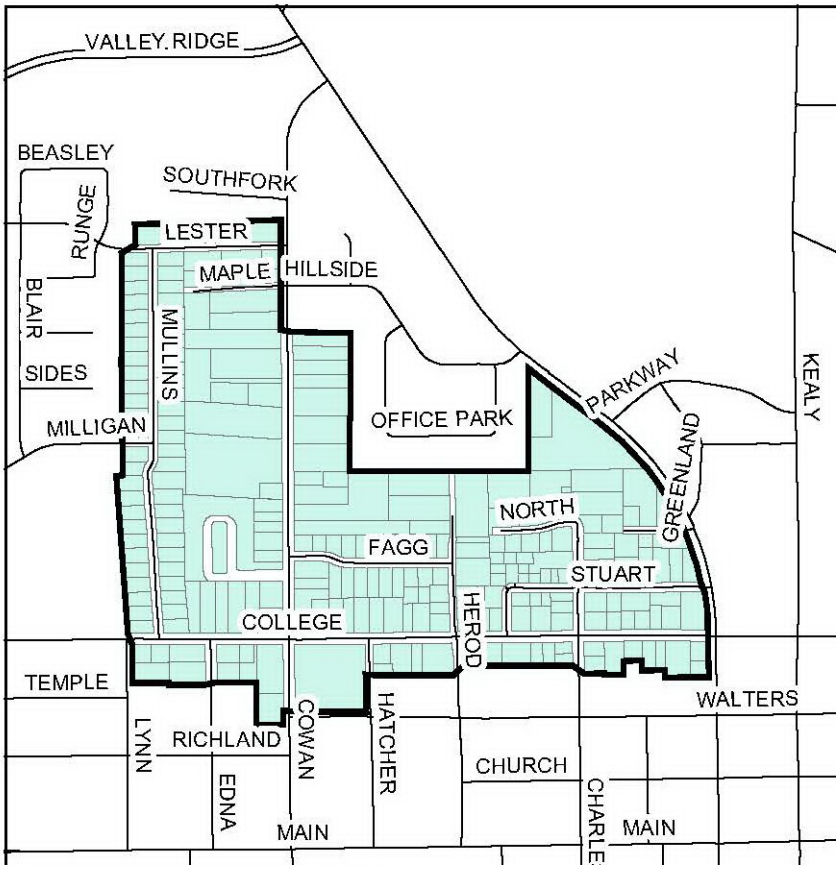

Exhibit 10: Target Reinvestment and Improvement Neighborhood

Commercial uses also dominate along the IH-35E Frontage Road, especially at the interchange with Valley Ridge Boulevard. There are a few commercial buildings on Valley Ridge Boulevard between IH-35E and Cowan Avenue, but the parcels in the northeastern part of the study area are currently undeveloped. This part of the study area has historically been somewhat cut off from other parts of the city by the Kansas City Southern Railway (KCSR) to the north and Prairie Creek to the south, but the recent completion of the Valley Ridge Boulevard extension has improved accessibility and made these vacant parcels ripe for future development. Some of these parcels are already in the process of being subdivided into smaller lots, creating opportunities in the near future for new development that could bring additional employment into the study area.

In addition to residential and commercial uses, the study area also has several community green spaces. These include Wayne Frady Park on College Street, the Rodeo Grounds on Kealy Avenue just south of Prairie Creek, and the Fox-Hembry Cemetery next to KCSR. The Rodeo Grounds property, and some improvements, are owned by the City. The arena improvements are owned by the non-profit that manages the rodeo. It is used for events during the year; residents in the study area were uncertain about whether they could use the grounds during days when there are no events. Some residents expressed the belief that the grounds were fenced and no longer accessible. In fact, the grounds are open to the public. There are no facilities or programs offered here, however. The Fox-Hembry Cemetery is located in the northern part of the study area, just south of the KCSR line. It is accessed by a dirt road and has reportedly had problems in recent years with illegal dumping. The families associated with the cemetery still use it. The ownership of the site and its access are unclear.

Prairie Creek bisects the district from east to west, and while currently underutilized, it could be improved to serve as a major focal point for the area.

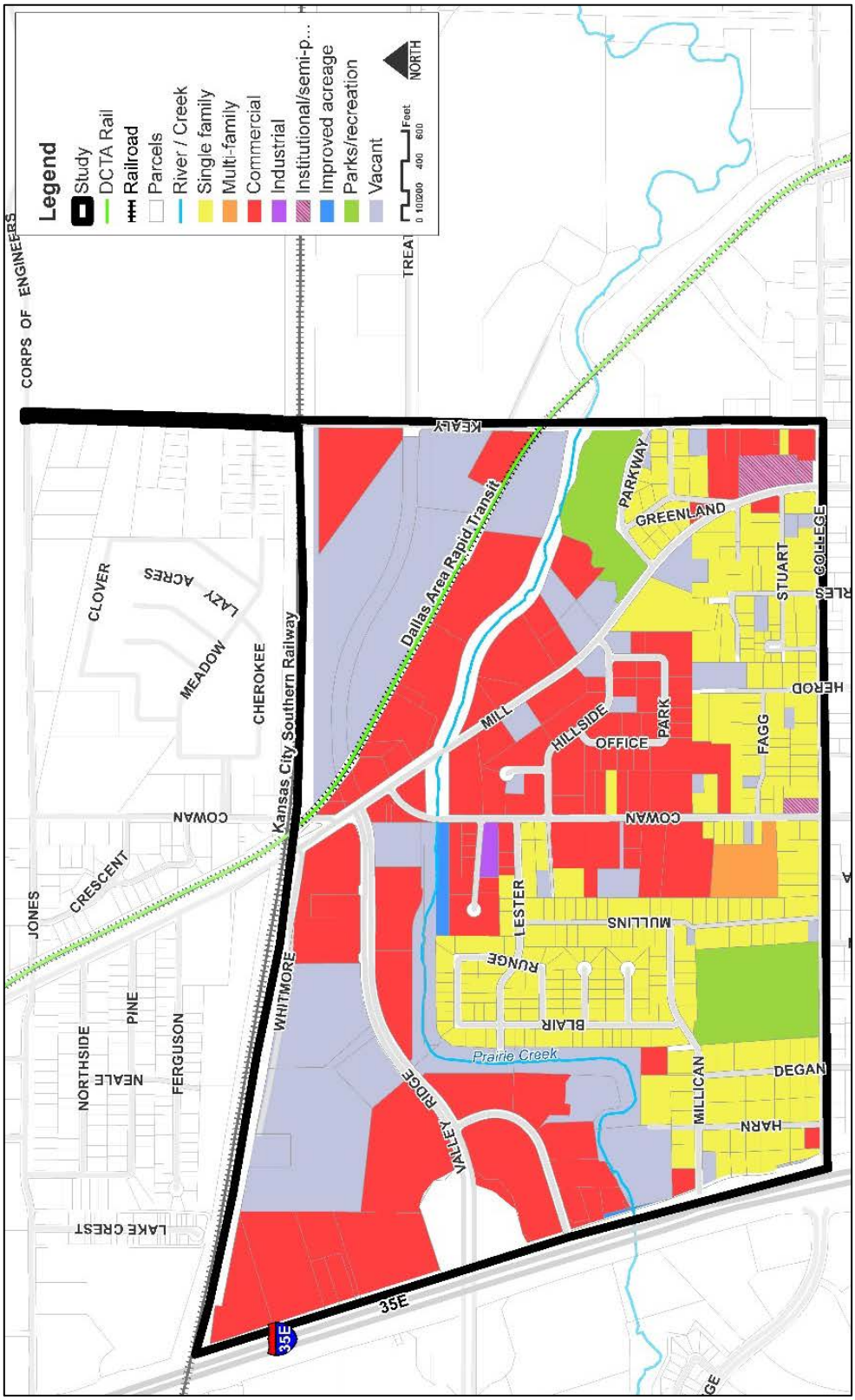

Exhibit 11: Existing Land Use

ISSUES AND OPPORTUNITIES

The analysis and public input during this process identified a range of issues that will affect the future of the Old Town North area. Based on those discussions, the Plan identifies seven unique opportunities that could support the desired transformation of Old Town North.

1. **Build on Old Town's success.** Lewisville has made significant investments in Old Town (the area south of College) over the past decade and these are now bearing fruit in terms of new restaurant and business development. This success makes the neighborhoods close to Old Town more desirable for people who want to live close to this emerging center. By focusing on design, character, amenities and other assets, this Old Town North area can expand Old Town's vitality but with a larger residential component.
2. **Use new transportation investments to create desirable new business locations.** Few areas benefit from major investments and expansions of two major transportation routes at the same time. Old Town North will gain access and visibility from the IH-35E enhancement project as well as the recently-completed Valley Ridge extension. This is a crucial time for planning and economic development initiatives that emphasize the area's improved access and attract targeted new businesses to the area.
3. **Ensure that development in and around existing neighborhoods is compatible.** The mix of residential and non-residential areas within Old Town North is one of the reasons the area has the potential to achieve its desired vision. This mix must be continued and fostered. At the same time, uses immediately next to neighborhoods should be compatible with residential use so the neighborhoods are vital and desirable.
4. **Attract 'creative' new businesses and entrepreneurs.** One Open House participant described this area's character as 'crunchy' – a term suggesting the sort of creative, environmentally-aware environment that appeals to many innovators and young entrepreneurs. This characteristic should be enhanced so these entrepreneurs and their businesses locate here and grow along with Lewisville.
5. **Expand and connect green spaces and corridors.** Old Town North has parks and natural open spaces in and near it, yet they do not yet form a network that is readily accessible and a strong feature of the area's identity. Making these connections will further distinguish Old Town North from other parts of Lewisville and the North Texas region.
6. **Make this a truly multi-modal area.** People who live or work here have easy and convenient choices for travel by car to destinations throughout North Texas. But closer to home, they should not need to drive a car to reach Old Town's shops, restaurants and public places. The DCTA station's proximity offers another option for travel throughout the region. Within Old Town North, the sidewalks, trail, bike and bus routes should be designed so these multi-modal choices are realistic and practical for residents, business employees and business customers.
7. **Build community capacity.** The people who participated in the Open House are very proud of their area. The vision for Old Town North can be more readily achieved if these residents and property owners play an active role in action to improve the area. New or strengthened neighborhood or business organizations, improved communications and a clearer identity for the area are among the

tools that can increase the ability of the people in Old Town North to accomplish the goals for their community.

STRATEGIC DIRECTION

The area plan's strategic direction includes three important components: A Vision Statement, a set of Guiding principles, and a Framework Plan.

VISION STATEMENT

The Vision Statement for Old Town North is based on a shared community vision for the future of the study area. A Vision Statement is, by its nature, aspirational; It does not describe the study area as it currently exists. Rather, it is a vision of the future that participants wish to achieve. This foundational statement should be memorable, describing where the community wants to go and what the community wants to be. The following statement has been developed based on discussions and feedback from community members and City staff:

> Go north of Old Town to find nature, charming neighborhoods, and convenient business locations connected to the heart of Lewisville and the rest of the North Texas region.

GUIDING PRINCIPLES

The Guiding Principles provide the overall direction that will be used to guide decisions and investments so they achieve the community's vision. They guide the development of the overall plan, and they shape the individual details and policies for each specific plan component, such as natural asset networks or community character and design. These guiding principles have also been developed in conjunction with city staff and members of the community.

1. Old Town North seamlessly extends Old Town's character north of College.
2. The scale, character, and vitality of existing neighborhoods is retained and enhanced by compatible new investment.
3. The area appeals to people of diverse backgrounds and all ages.
4. Access to Old Towns destinations – on foot, by bike, or in a car – is quick and easy.
5. New retail and employment offers convenient jobs and shopping for Lewisville residents.
6. Old Town North's neighborhoods are well-connected to the DCTA station and nearby emerging neighborhoods.
7. Public and private investments make Old Town North even more walkable and connected to nature so residents can enjoy healthy lifestyles and great access to Lewisville Lake, LLELA, City parks, and other open spaces.
8. The people who live, work, and play in Old Town North collaborate to improve and celebrate their community.

FRAMEWORK PLAN

The Framework Plan is a graphic representation of the desired future development pattern that will be implemented using the Guiding Principles in order to realize the community's vision. The framework plan, like the Guiding Principles, provides direction for decision-makers as they consider ordinances and make decisions that impact private and public investment in the study area. The Framework Plan for the Old Town North Study Area includes three components: the Natural Asset Network, the Mobility Network, and the Future Development Pattern. These components work together to create a unified vision of the built and natural environment, shaping the development of the area in accordance with the Plan's Guiding Principles.

NATURAL ASSET NETWORK

Existing Assets

The Old Town North study area has several green spaces and natural assets within its boundaries. The largest of these is Prairie Creek, which bisects the study area from west to east. There are currently no locations for public access to the creek and it now functions as little more than a drainage ditch in this area, but the potential exists to transform the creek into a 'green spine' that functions as a centerpiece of Old Town North. There are also opportunities near the creek to restore riparian zones and rebuild natural habitat. Along the creek are several large areas of floodplain, some of which have been developed, placing businesses in these areas at risk of potential flooding

In addition to Prairie Creek, the study area has several other green assets that enhance the natural quality of the district. Wayne Frady Park is a major neighborhood resource that includes a heavily wooded area providing natural habitat for mammals, egrets and other birds. A recently acquired property along Prairie Creek and the IH-35E frontage road has a large area that could be used for community gardens or additional habitat restoration. The study area also has a wealth of mature tree canopy in its older neighborhoods, which should be celebrated, mapped, and retained.

Concepts to Shape the Future

Old Town North's desired future relies heavily on integrating natural assets into the community. Six key concepts are reflected in the Natural Asset Network Diagram.

1. Strengthen the connection to LLELA

Beyond the natural assets within the study area itself, Old Town North also has convenient access to larger natural community assets – Lewisville Lake Environmental Learning Area (LLELA) and Lewisville Lake. Kealy Avenue and Mill Street, and the DCTA rail/DCTA Shared-Use Trail provide access to these resources. This area's proximity to these resources should be emphasized through wayfinding and signage in the study area.

2. Plant a new native forest at IH-35E and Valley Ridge

There are several opportunities to plant new areas of tree canopy in Old Town North, one of the largest of which is at the interchange of Valley Ridge Parkway and IH-35E. The vast expanse of right of way could be planted with

new trees to create an urban forest, similar to replanting initiatives along I-10 in Houston, creating a major gateway element for the area. A forest composed of native trees would create a community asset that is low maintenance and that emphasizes Old Town North's connection to the environment.

3. Create a butterfly habitat, community garden or other neighborhood natural asset at IH-35E south of Valley Ridge

The City of Lewisville has recently acquired a parcel of undeveloped land adjacent to IH-35 on the south side of Prairie Creek. This parcel could be used to create a natural asset serving the adjacent neighborhoods, with its convenient access to both a proposed trail along the creek and Millican Drive to the south. Uses could include native habitat to support butterfly populations, community garden, a new trailhead, or unprogrammed natural space.

4. Make Prairie Creek a green 'spine' of trails and open space

There are several green spaces in the study area, including Wayne Frady Park, the Rodeo Grounds, Fox-Hembry Cemetery, and Prairie Creek. These assets are currently disconnected and to some degree isolated. While Prairie Creek does not currently have any trails or access points in Old Town North, the development of a trail system along the creek (consistent with the Trails Master Plan) could knit these civic spaces together and reconnect residents and businesses back to nature, creating a network of green spaces connected to each other and the neighborhood, and functioning as an extension of the natural character provided by LLELA to the north. Several areas along the creek are also prime locations for the restoration of the riparian zones that used to exist along many of North Texas's waterways, and the restored habitat could be used as an outdoor classroom to educate local students about the habitats of North Texas. Some of these areas contain development that is located within the creek's floodplain, and efforts should be made to acquire these properties and restore them to a more natural state, enhancing the natural vitality of the creek and reducing risk to the community. This green spine, and other proposed trails and sidewalks would support the 10-minute walk to a park initiative and goal adopted in the 2018 Parks, Recreation & Open Space Master Plan.

5. Include the Rodeo Arena grounds in the community's open space network

City staff and Lewisville community members have identified the Lewisville Rodeo Arena grounds as a community asset that is currently under-utilized. While the grounds do host the annual Labor Day Rodeo and several 'Play Days' throughout the year, the site could play host to many more community events such as movie nights or small concerts. Additionally, the large areas of open space used for parking on Rodeo days could be opened to allow residents of adjacent neighborhoods to use the space for passive activities such as walking or pick-up sports games. The Rodeo's location along Prairie Creek would allow it to be easily connected the rest of Lewisville's open space network via the proposed Prairie Creek Trail.

Community input was highly supportive of year-round use of the Rodeo Arena grounds. Many ideas were suggested that build on the traditional rodeo activities but create additional activity. Interpretive signage was recommended so visitors to the area can learn about the site's history. Equestrian classes, equine therapy "Mexican-Western style" riding events and activities as part of Western Days are suggestions that enhance the

current Rodeo uses. Additional suggestions emphasized family-friendly activities. Places for picnics, a spot to take photographs, an area for a food truck park, a dog park, and trails are suggestions that do not require significant new facilities. Other suggestions would involve more infrastructure, and will need to be considered in the context of the City's overall parks planning. These suggestions include a running track, soccer fields, courts for basketball or tennis, pools, dance classes, venues to show movies or present concerts and a location for a monthly 'Trade Days' event.

6. Encourage a healthy tree canopy to support business & neighborhood vitality

While Old Town North already has several areas with large, mature tree canopy, there are opportunities for expansion of the study area's tree canopy through the planting of street trees along major corridors like Valley Ridge Parkway, Cowan Avenue, and Mill Street. Expansion of the urban tree canopy has many potential benefits for residents and business owners of the area, including reduced electricity costs for summer cooling, a reduction in pollution, a reduction in the urban heat island effect, and increased property values.

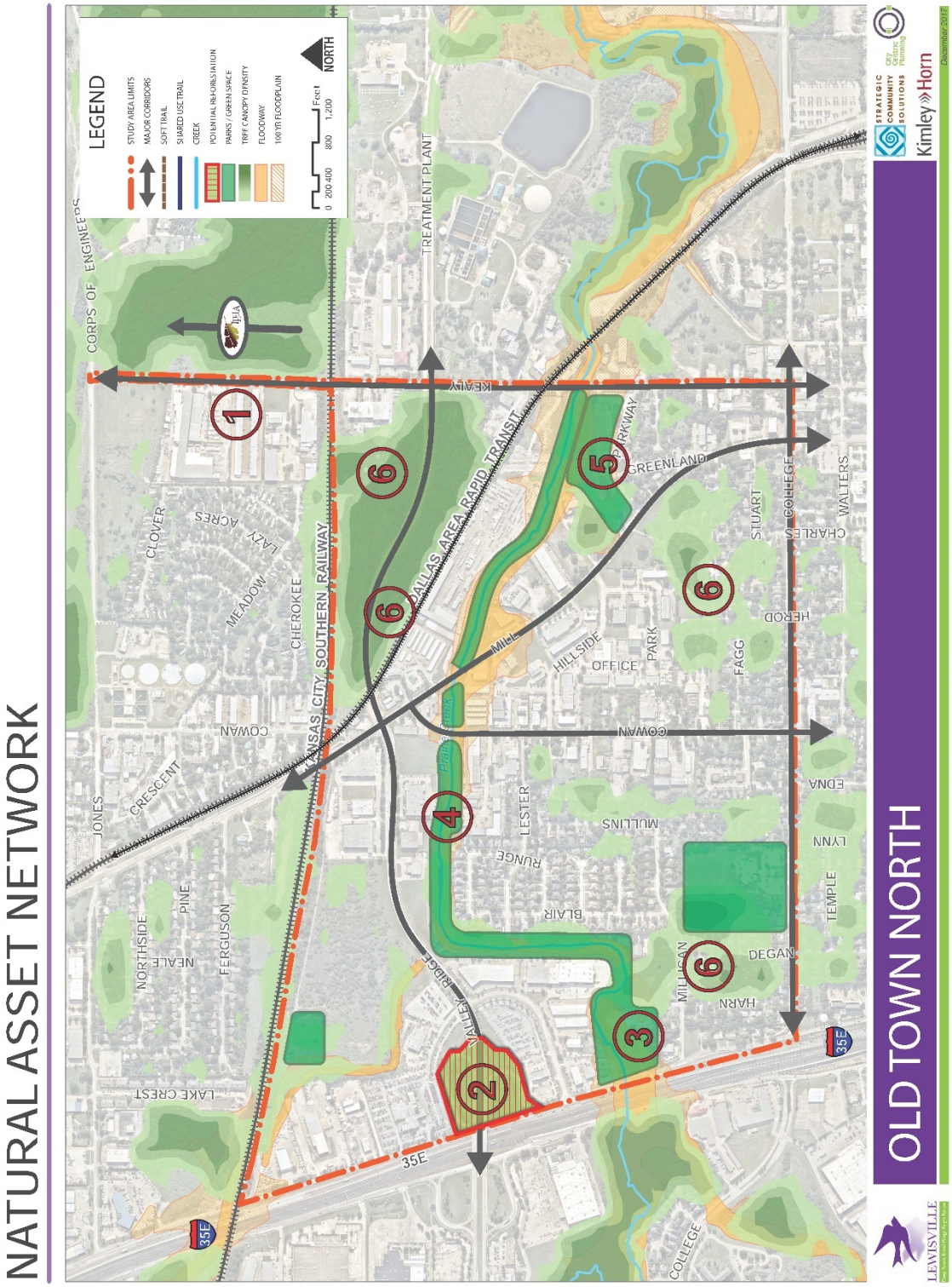

Exhibit 12: Natural Asset Network

MOBILITY NETWORK

Existing Assets

The Old Town North Study area is relatively developed, with several strengths playing in its favor. One of the greatest of these is its location immediately adjacent to Old Town, with access to IH-35E to the west, LLELA to the north, and the DCTA rail alignment along the eastern edge. Old Town North has a strong vehicular transportation network, with major thoroughfares connecting it to the rest of Lewisville and the DFW region. Many of the major corridors currently have some level of pedestrian access via sidewalks. However, some of the sidewalks along the largest corridors are too narrow to support a high level of pedestrian activity, and many of the smaller streets in the area have no pedestrian infrastructure at all. The strongest portions of the current pedestrian network, which could serve as a model for upgrades throughout the study area, are the DCTA trail connection along Mill Street north of Valley Ridge Boulevard and the new pedestrian access linking Valley Ridge Boulevard to Cowan Street north of the KCS Railway. While there are currently no DCTA stops within the study area boundaries, parts of the southeastern portion of the study area are within a ten-minute walk of the Old Town DCTA station.

Existing Corridors

The Old Town North Study Area has several major thoroughfares that provide vehicular access to the rest of the city and the DFW region. IH-35E is the western boundary of the district, with access provided by a major interchange at Valley Ridge Parkway. With the completion of the Valley Ridge Parkway extension, this thoroughfare is now the primary east/west route within the district, and vacant parcels along its length will be very desirable as locations for future development. The other major east/west route is provided by College Street along the southern boundary of the district, which also serves as the connection point between Old Town North and Old Town. Kealy Avenue is the district's eastern boundary and the study area's primary connection to LLELA, while the Cowan Avenue and Mill Street corridors are the primary north/south thoroughfares, providing access to Old Town to the south and neighborhoods, businesses, and Lake Lewisville just north of the Kansas City Southern Railway.

Concepts to Shape the Future

An effective multi-modal transportation system is an essential part of Old Town North's desired future. Six key concepts are reflected in the Mobility Network Diagram.

1. Continue investments in vehicular mobility

Vehicular infrastructure is currently far and away the strongest and most developed component of Old Town North's mobility system, and the recent extension of Valley Ridge Boulevard has greatly enhanced mobility in the northern part of the study area. Vehicular trips are currently the dominant mode of transportation in the study area, and the city should continue to make investments that maintain and enhance vehicular mobility in the area, both by maintaining the existing street network and by extending this network when necessary to ensure that all parcels within Old Town North have convenient access to the rest of the city and region. This could include road expansions in areas that suffer from excessive traffic, or road diets and a reduction in lane widths where roads are overbuilt to reduce maintenance cost and foster alternative mobility modes.

2. Complete the pedestrian and bike networks

The component of the area's mobility network that would most benefit from greater investment is bicycle and pedestrian infrastructure. Old Town North currently has some sidewalks and bike lanes within its boundaries, but there is a lack of pedestrian connectivity due to gaps in the sidewalk, trail, and bicycle network. Filling in these gaps and widening sidewalks along important corridors would improve mobility for workers and residents in the area, enhancing non-vehicular transportation options and strengthening connections between the study area and other parts of the city.

There are several routes that cross through Old Town North which are identified as "Spine" routes in the 2011 Trails Master Plan. These are the high priority routes that function as lynchpins in the envisioned pedestrian and bike networks, knitting the rest of the trails and sidewalks in Lewisville into a comprehensive system that allows for easy mobility between various parts of the city and DFW region. A proposed trail along Prairie Creek is designated as a pedestrian "Spine" route, while the DCTA trail is designated as a "Spine" route for both the pedestrian and bicycle networks. These routes should have a minimum width of 10', with a preferred width of 12', to accommodate pedestrian and bicycle traffic.

In addition to these "Spine" routes, several additional corridors in Old Town North are identified for shared use paths, sidewalk enhancements, or as future bike routes to enhance neighborhood connectivity. Routes identified for shared use path enhancements that would be capable of carrying both pedestrian and bicycle traffic include Cowan Street, Mill Street, College Street, Valley Ridge Boulevard, and a small portion of Millican Drive. These routes would have a minimum width of 10', but a preferred width of 12' to provide continuity with the 12' sidewalks required in the IH-35E overlay plan that will cover the western portion of the district. Additionally, the existing sidewalks and bike route on Kealy Avenue should be extended north of Valley Ridge Boulevard all the way to Jones Street, connecting the pedestrian and bike network in Old Town North to LLELA. While Blair Drive is identified for sidewalk enhancements in the 2011 Trails Plan to create a connection between Wayne Frady Park and the future Prairie Creek Trail, these enhancements may not be necessary with an alternative connection from the Park to the Trail via Millican Drive. and Harn Drive.

Several residential streets in Old Town North do not currently have any sidewalks, especially areas developed before the year 2000. Older streets, such as Mullins, Degan, and Fagg, have low traffic levels that are conducive to the mixing of bike and vehicular traffic, but the construction of sidewalks would give pedestrians their own secure path of travel and enhance access to services and facilities in the area. These sidewalks would carry low levels of pedestrian traffic, and as such would only need to be 3 to 4 feet in width, consistent with existing sidewalks in Old Town North.

The 2018 Park, Recreation, and Open Space Plan includes the 10-minute walk to a park initiative in the needs assessment, as well as addressing any deficiencies in the goals and objective section of the document. Exhibit 13 below shows an initial assessment of this measure for the Old Town North area. Developed by the Trust for Public Land, the diagram shows areas of need for parks, with non-residential areas shaded grey. Several parts of this study area are at 'high' need, according to this assessment.

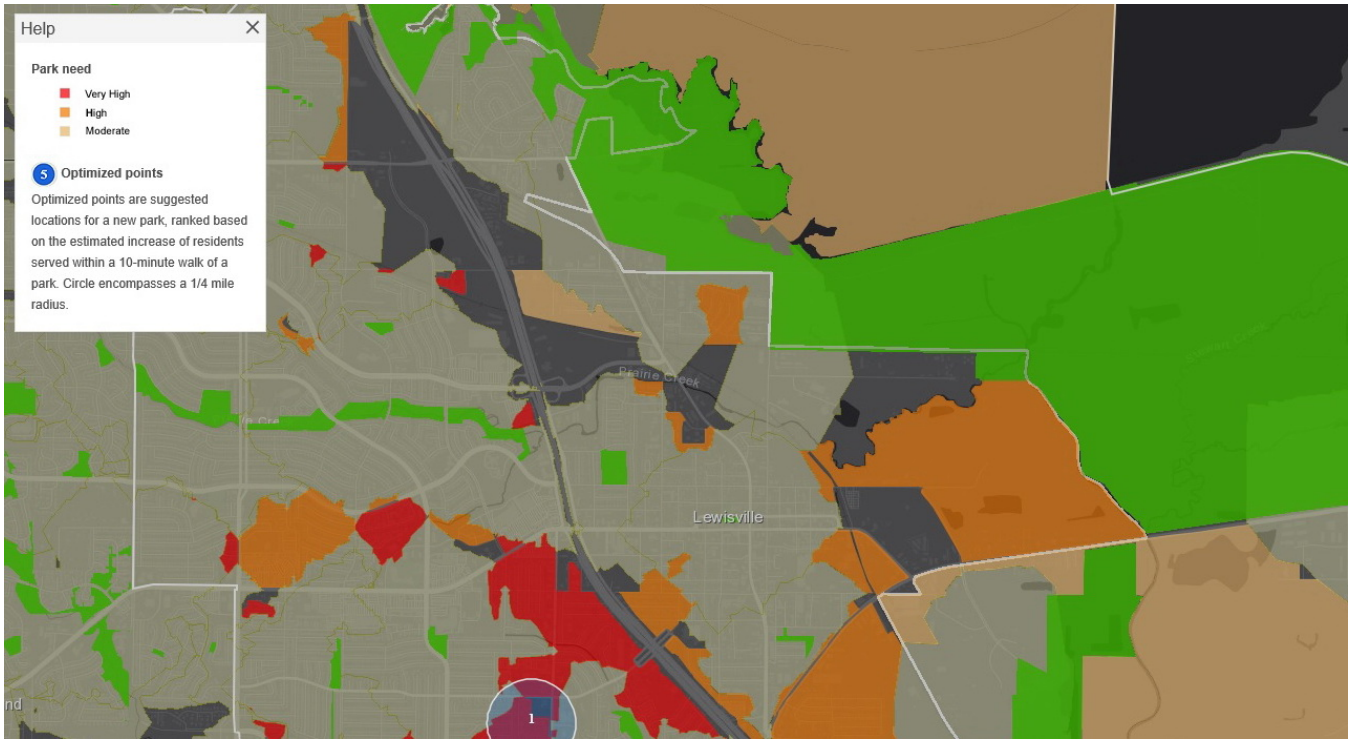

Exhibit 13: Preliminary Assessment, 10 Minute Walk to Parks

The City has received the National Recreation and Park Association 10 Minute Walk Planning Grant and Technical Assistance. With this grant the City will be able to analyze this issue in greater detail, and will develop a networked sidewalk and trails layer for use with its GIS systems and an Equity-Based Prioritization Model for park improvements. Both these tools should be used in prioritizing sidewalk and trail construction.

3. Create an appealing College Street

College Street runs along the southern edge of Old Town North, forming the boundary between the study area and Old Town to the south. Because of this location between two historic neighborhoods, the street should serve as a unifying corridor between the two districts. Today, College Street. does have a small sidewalk on the south side of the corridor, but there is a gap in the sidewalk between the Charles Street and Mill Street intersections, and there are no sidewalks on the north side of the street. To unify the two districts with an appealing streetscape, sidewalks should be added to both sides of the corridor, along with upgrades to the streetscape that could include bump-outs, street trees, or street furniture.

4. Create an inviting connection from neighborhoods into Wayne Frady Park

Wayne Frady Park is a major asset for residents of Old Town North. However, the community has voiced concern that the northern entrance into the park is somewhat secluded, and the lack of visibility could present a safety hazard. The 2011 Lewisville Trails Master Plan recommends an enhanced sidewalk connecting the future Prairie Creek Trail and Wayne Frady Park via Blair Drive. and Millican Drive. This would provide a larger and more substantial connection between the park and neighborhoods to the north, but an extension of the sidewalk west

of the park along Millican Drive. as well would further enhance connectivity to the surrounding neighborhoods a new community green space at the junction of N. Stemmons Freeway and Prairie Creek. Upgrades to the northern park entrance to create a more substantial and inviting gateway would enhance safety and encourage more residents to use this civic space.

5. Strengthen connections to the DCTA station

The close proximity of the Old Town DCTA rail station, which connects the surrounding area to the DCTA rail system and by extension the greater DFW region via DART, has the potential to be a major asset for study area. However, to fully leverage the mobility provided by the rail station, enhancements must be made to the pedestrian and bike network to link the station to residences and businesses in Old Town North. The most important component of that network, with respect to the rail station, is the DCTA trail. This trail, already constructed in some portions of the city, is identified as a "Spine" for both the pedestrian and bike networks running roughly adjacent to the DCTA rail for the entirety of its length through Lewisville. Within the study area, the trail will detour from the rail alignment at Kealy Avenue, run north along the west side of Kealy Avenue, then west along Valley Ridge Parkway back to the rail alignment at the intersection of Valley Ridge and Mill Street.

6. Consider a new DCTA bus stop

The Old Town North study area does not currently contain any transit stops within its boundaries. However, there is one bus stop on College Street just east of the study area, and the Old Town DCTA rail station is within a quarter mile of the southeastern corner of the study area. To improve transit options to residents and businesses, consideration should be given to extending route 22 into the district, with potential stops located near the intersection of Mill Street and Cowan Avenue, and College Street and Cowan Avenue.

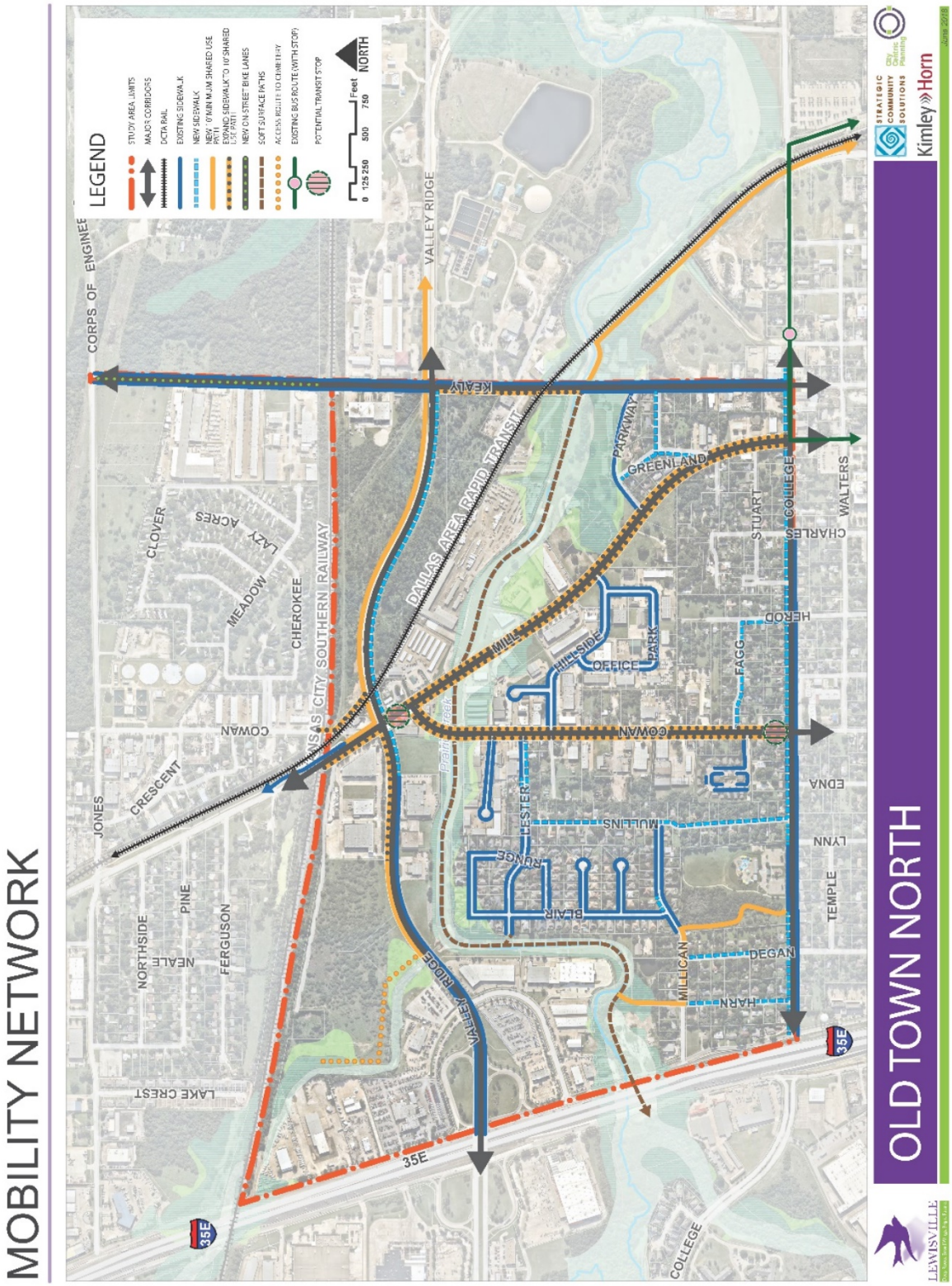

Exhibit 14: Mobility Network

FUTURE DEVELOPMENT PATTERN

Concepts to Shape the Future

The character of the places that will be part of Old Town North's future will be determined by the uses and places that remain as they are today, those that are changed or revitalized, and those that will be created in the future. Five key concepts inform the character of places shown in the Future Development Pattern Diagram.

1. Keep existing neighborhoods lively and desirable

The residential neighborhoods in Old Town North are ~~attractive and desirable places~~ to live. Consisting primarily of single family homes, the eclectic mix of architectural styles, from historic bungalows to modern brick ranches, should be protected to maintain the visual and historic appeal of the area. Additional assistance in the Target Reinvestment Neighborhood could assist existing and future residents and support the vitality of these areas.

Additional residents could be accommodated through the allowance of ancillary dwelling units, which could be regulated to match the existing character of the neighborhood. The preservation of green space is also an important part of maintaining the neighborhood character, and the development of ordinances and incentives to preserve mature tree canopy should be explored.

2. Add convenient commercial to serve residents

While the study area has many single-family homes and a variety of construction, trade, and service businesses, there are few commercial developments catering to the everyday needs of neighborhood residents. Ordinances could be carefully crafted to allow for the conversion of some single-family homes to small businesses, particularly those that are compatible with the residential scale of the area and provide goods or services for nearby residents. The development of neighborhood commercial services along Mill and Cowan should be encouraged. These could include a diversity of commercial uses such as coffee shops, pharmacies, or a neighborhood grocer. Auto-related uses and services are less compatible with the future character of development along these streets, though they could be considered through the Special Use Permit (SUP) process if they meet the design guidelines for these corridors.

3. Enhance commercial value related to IH-35 and Valley Ridge

The interchange of IH-35 and Valley Ridge is currently developed with regional scale commercial. With the extension of Valley Ridge Boulevard, the entire Valley Ridge corridor east of IH-35 has become a much more accessible and desirable location for new development, especially commercial development. This corridor could support a variety of new commercial uses, such as restaurants, local retail, medical offices, or entertainment venues. The IH-35 Design overlay will encourage a higher aesthetic standard for new construction, and the city should expect a high caliber of design to enhance property values and promote quality development.

4. Add new employment opportunities

Old Town North supports a high number of jobs relative to its population. However, with the completion of the Valley Ridge Boulevard. extension, the study area could support a number of new businesses and employment opportunities. These could vary from new retail and commercial developments near the IH-35 interchange, to a

variety of service and professional uses along the eastern portion of Valley Ridge. There are numerous undeveloped parcels in this area that could be developed to support businesses offering a range of professional and service jobs, including offices, medical facilities, or business campuses. These types of development generally have high quality design and landscaping, increasing property values and generating a healthy level of tax revenue. Auto-related uses and uses with extensive outside are less compatible with the future character of development along this portion of Valley Ridge Boulevard.

5. Establish a 'creative mix' entrepreneurial area

Because of its proximity to the natural assets such as LLELA as well as the eclectic local businesses and historic residences of Old Town, Old Town North is well positioned to attract a variety of entrepreneurs, artisan/makers, and creative types to the area. Enhancements to the trails and natural systems in the area, coupled with the development of a multimodal transportation network, will only enhance the area's appeal to the creative demographic, which is attracted to environmentally conscious living and local production. Some of the existing commercial and industrial buildings in the area could be easily converted to creative spaces and live/work studios for artists, and these repurposed structures, coupled with strategic infill and an enhanced public realm, could be leveraged to create a vibrant and dynamic business corridor along Cowan Avenue and Mill Street.

Community input supported this concept, with 64% of workshop participants, 65% of quick survey respondents and 100% of detailed survey respondents saying they liked the concept. Among the uses suggested for the area were local businesses that produce and sell onsite (such as beer or peanuts), 'grab-and-go' food, local restaurants, a grocery or natural foods store, fitness or indoor sports facilities, activities for kids, pottery or other art studios and activities, a food truck park, boutique coffee shops and general retail. Open spaces, such as plazas or small playgrounds, were desired, as were trails or sidewalks.

Several concerns were expressed about how this concept might be implemented. First, it should not be interpreted as an effort to eliminate existing buildings, but rather as a way to broaden the possible uses of the sites and thus increase their value. Second, design standards should be used to make the area eclectic but not run-down. Code enforcement will need to play a role in maintaining area quality as well. Third, there was concern that the area must remain affordable to artists and the other creative people and businesses whose activities will be part of this mix. Fourth, the City will need to review its economic development programs to enhance the support for small businesses and entrepreneurs in this area.

Future Development Pattern Diagram

The Future Development Pattern Diagram graphically represents the mix of land uses and the desired future character in the study area. While much of Old Town North has been largely built out, there are still significant tracts of undeveloped property along the northern edges of the study area. These areas, historically less amenable to development because of limited access, are now much more accessible due to the completion of the Valley Ridge Boulevard extension. This diagram should guide decisions on future development proposals in these areas. In addition to guiding development for these unbuilt parcels, the Future Development Pattern Diagram also gives guidance to redevelopment within the study area.

Developed through numerous meetings and conversations with community participants, stakeholders, and city staff, this diagram should serve as a reference point when considering whether future development proposals are in alignment with the community's vision. It will guide future decisions on proposed zoning changes, development applications, and changes to development standards.

Place Types

Place Types represent the different sorts of places that could exist in the Old Town North of the future. Instead of referencing a single land use, they describe the character of the place – the mix of land uses, the scale, how a pedestrian experiences the area, and other features. Place Types are valuable because they communicate what's important – the character or quality of the place to be created. They give the community more flexibility in addressing development proposals for specific properties and in responding to changing market conditions. The Place Types are used as the 'color palette' for the Future Development Pattern Diagram that depicts desired development patterns in Old Town North.

This Small Area Plan uses six (6) Place Types to represent the places that could be a part of Old Town North's future. Each of these Place Types is described below. For each Place Type, the description includes:

- Place Type name and abbreviation;
- A color tile to show the color for this Place Type on the graphic diagram;
- A brief description of the intent behind this Place Type;
- Discussion of the primary and secondary land uses expected in the place that is created;
- Where appropriate, information on the range of development density or intensity expected; and
- Illustrative images that illustrate the character represented by the Place Type.

SUBURBAN LIVING	ILLUSTRATIVE PHOTOS
Character and Intent Suburban neighborhoods will continue to be the dominant residential place type in the study area. Neighborhoods would consist primarily of single-family detached, with some ancillary dwellings and duplexes allowed *Land Use Considerations* <u>Primary Land Use</u> Single Family Detached, Duplex, Ancillary units <u>Secondary Land Uses</u> Civic and Institutional Uses, Parks *Indicators & Assumptions* Lot size less than 1/2 acre	

EMPLOYMENT MIX	ILLUSTRATIVE PHOTOS
Character and Intent Employment Mix provides a location for businesses offering a range of professional and service jobs. This type of development may support a variety of non-residential uses including offices, research and development facilities, medical clinics, business incubators, and distribution and logistics centers. The street frontages of the businesses are appealing and have an increased level of aesthetic design and landscaping. *Land Use Considerations* <u>Primary land use</u> Offices, Professional Services, Office Parks, Flex-Office <u>Secondary Land Uses</u> Civic and Institutional Uses, Parks and Open Space *Indicators & Assumptions* Lot size (range) N/A	

COMMERCIAL MIX	ILLUSTRATIVE PHOTOS
Character and Intent The Commercial Place type is typically characterized by freestanding buildings containing one or more businesses. May include regional destinations like entertainment venues or lifestyle centers as well as local neighborhood services, such as restaurants, local retail, medical offices, banks, and other retail services *Land Use Considerations* <u>Primary land use</u> Retail and Commercial <u>Secondary Land Uses</u> Civic and Institutional Uses, Parks and Open Space *Indicators & Assumptions* Lot size (range) N/A	

CREATIVE MIX	ILLUSTRATIVE PHOTOS
Character and Intent The Creative Mix Place Type is characterized by an eclectic mix of uses. Buildings are often a mixture of new and repurposed structures, and house a diverse mixture of uses such as lofts, retail, live/work spaces, studios, and coworking spaces *Land Use Considerations* <u>Primary land use</u> Retail and Commercial <u>Secondary Land Uses</u> Civic and Institutional Uses, Parks and Open Space *Indicators & Assumptions* Lot size (range) N/A	

PARKS AND GREEN SPACE	ILLUSTRATIVE PHOTOS
Character and Intent Permanent Open Space is used to indicate areas that are in public or non-profit ownership and that will be dominated by open space over time. Examples include large public parks, floodplains in public ownership, cemeteries and properties subject to long-term conservation easements or similar protections. These areas are not expected to develop with other uses. *Land use Considerations* Primary land use Parks, Open Space, Cemeteries, Ranching, Agriculture, Wildlife Management, Rodeo Grounds Secondary Land Uses Civic Uses *Indicators & Assumptions* Lot size (range) N/A	

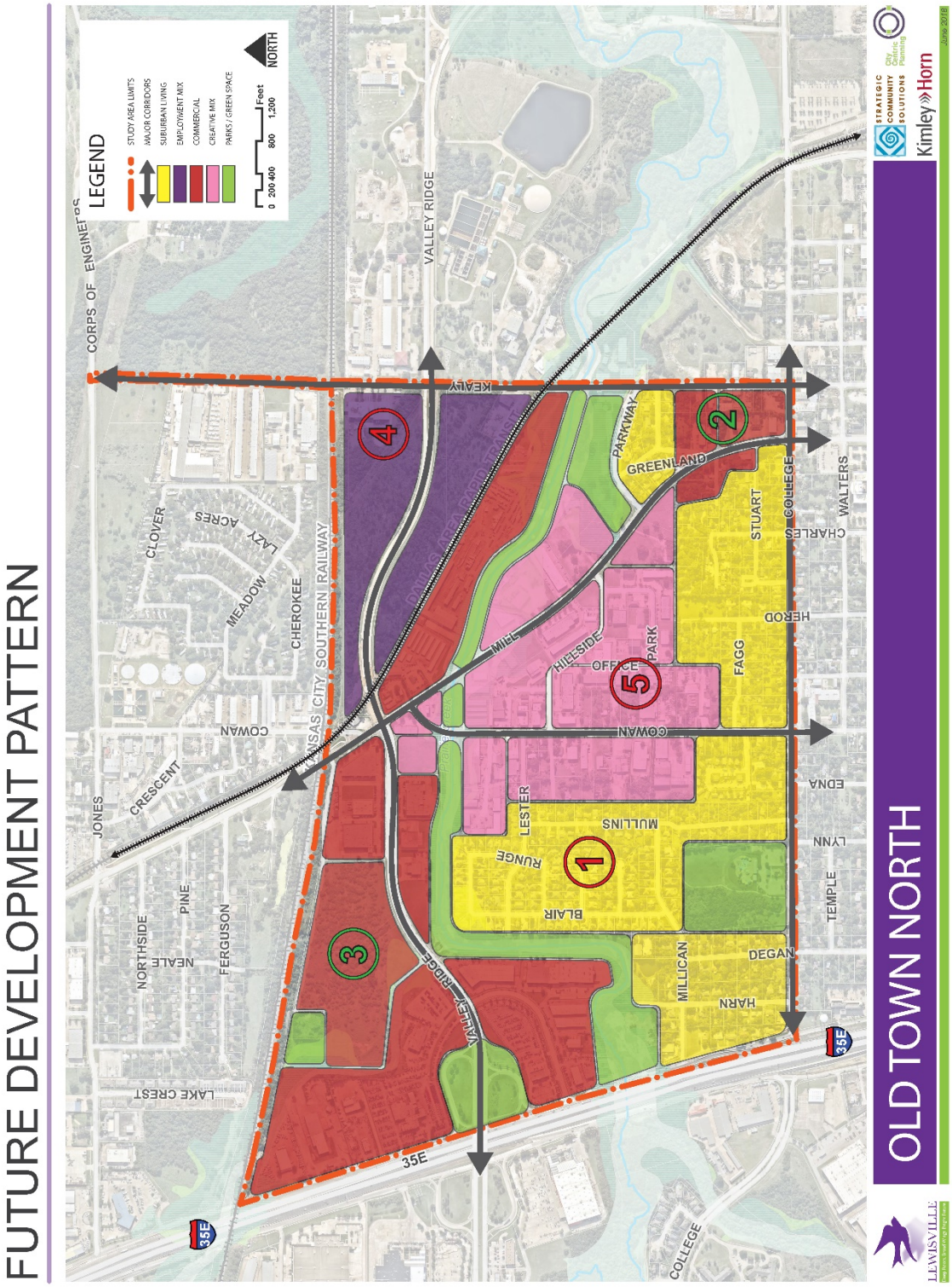

Exhibit 15: Future Development Pattern

COMMUNITY CHARACTER & DESIGN

Community character and good urban design are essential components of successful placemaking. Good design takes into account community attributes such as topography, vegetation, land use, buildings, culture, and history to strengthen the character and appeal of the community. To be successful, good community character and design policies use distinctive character, good spatial organization, and high aesthetic standards to enhance social equity, strengthen community interactions, and improve quality of life.

This Area Plan addresses important elements of community character and design in three categories:

- Gateways and Identity Points
- Public Realm Corridors
- Design Overlays

Each of these aspects of design are discussed in detail below.

GATEWAYS AND IDENTITY POINTS

Gateways and Identity nodes make a district more successful by making the place more memorable and distinctive. These elements also establish a hierarchy of importance for intersections, corridors, and public spaces, making an area more legible to visitors and residents alike. These gateways and nodes can play an important role in the establishment of an identity, or brand, for the study area as well, and can come in a wide variety of shapes and sizes. These may take the form of signage and monumentation, but can also include large art pieces, ornamental landscaping, or even large stands of trees.

The Gateways and Identity Points proposed for Old Town North are listed below and are shown on Exhibit 16.

1. Major Gateways
    a. IH-35E & Valley Ridge
    b. Mill at KCSR
2. Pedestrian Gateways
    c. Cowan at KCSR
    d. Prairie Creek & Kealy
    e. Prairie Creek & Harn
    f. Millican & Wayne Frady Park
3. Identity Points
    g. Kealy & Jones (LLELA)
    h. College & Mill
    i. College & Cowan
    j. College & IH-35E

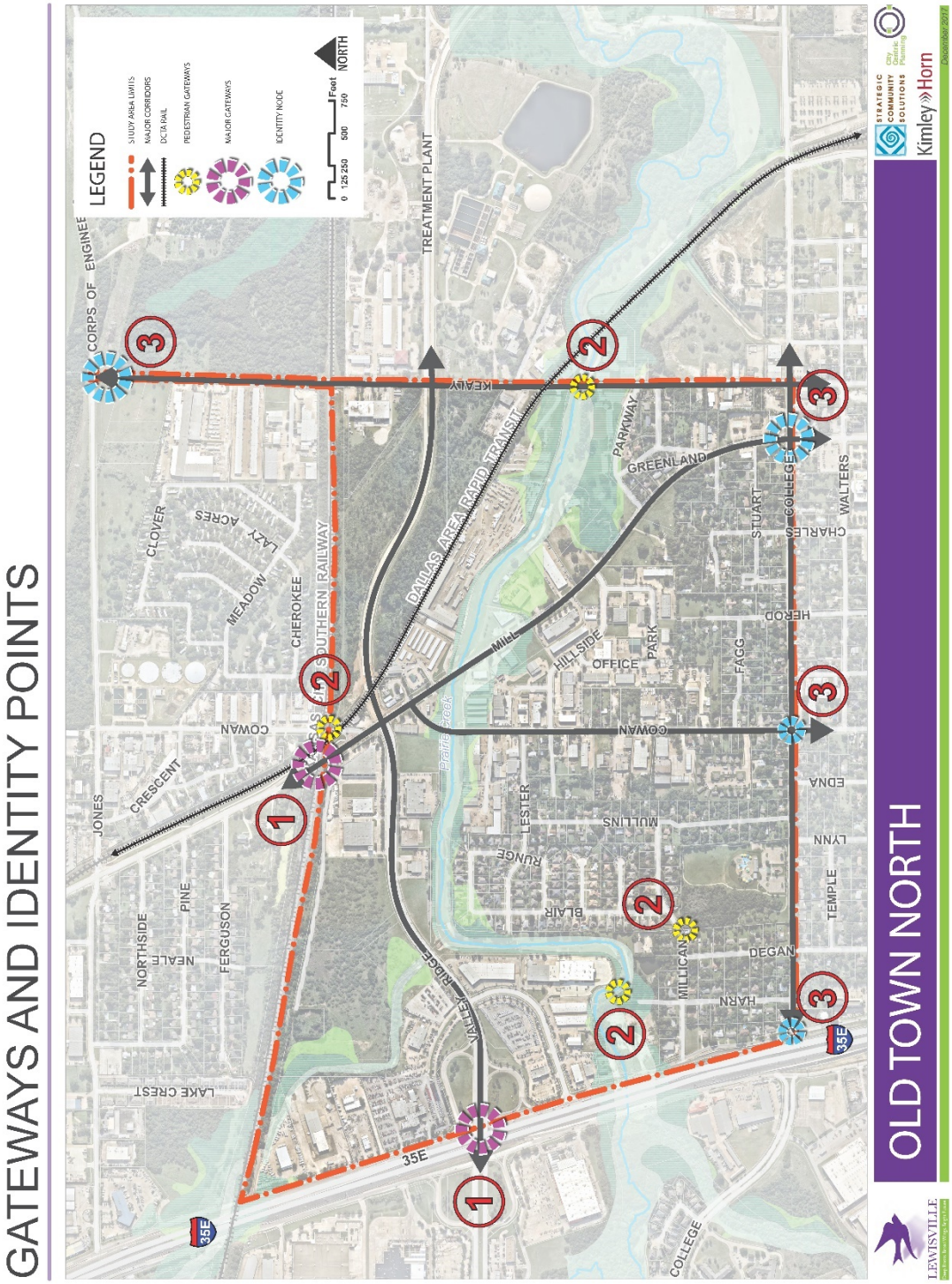

Exhibit 16: Gateways and Identity Points

Major Gateways

There are two locations identified as major gateways into Old Town North that would benefit from gateway features. The first of these is the interchange of Valley Ridge Parkway and IH-35E. The interchange is the only major connection between the interstate and the study area, and the large ROW presents an opportunity for Old Town North to have a memorable feature that identifies the area to the rest of the region. The open space could be an opportunity for reforestation, which would reinforce the area's green space network and ties to LLELA.

The other major gateway location identified is the northern boundary of the study area at Mill Street, where the road passes under the KSC Railway. Mill Street is the primary connection between the study area and neighborhoods and businesses north of the district, and as such, is already functioning as a major gateway. Art or monumentation would enhance this gateway and strengthen perception of Old Town North as a defined and specific place.

Pedestrian Gateways

There are four areas identified for pedestrian gateways in the Old Town North. Pedestrian gateways are generally smaller in scale than major gateways, and are used primarily to signify entry or transition points for cyclists and pedestrians. The first location identified for a pedestrian gateway is the pedestrian connection that is being built between Valley Ridge Parkway and the cul-de-sac on Cowan north of the KCS rail. This gateway will be a major entry point for pedestrians and cyclists into the business strip along Cowan, and should be built to complement a proposed major gateway on nearby Mill Street. This is also one of the only pedestrian connections between Old Town North and development on the opposite side of the KCS rail, and as such serves as an important link between the study area and the neighborhoods and LLELA to the north.

A second location identified for a pedestrian gateway is the entry into Wayne Frady Park from Millican Street. Members of the community have expressed concern that the entryway to the park is not easily visible, and that the dense tree coverage growing up to the path creates safety concerns for visitors. The construction of a gateway that enhances visibility of the entry trail and creates a sense of safety should be considered to make the park more accessible to community members. This location has also been highlighted as a gateway location in the 2011 Lewisville Trails Master Plan.

The other two pedestrian gateways proposed for the area are located on a proposed trail along Prairie Creek. One of these gateways would be located at the junction between the Prairie Creek Trail, Kealy Avenue, and the DCTA trail, joining the creekside trail to the city's overall bike and pedestrian network, and providing a link between the trail and the Lewisville Rodeo grounds. The other gateway would be located along the creek where a trail spur would connect the trail to Wayne Frady park, serving as a gateway for residents of the neighborhood and park goers who are entering the Prairie creek trail.

Identity Points

Three areas have been identified by city staff and the community as appropriate locations for identity points along the southern boundary of the district. These nodes do not signify gateways between different districts so much as recognize that there is a transition zone. These three nodes link Old Town North with Old Town, and as such should serve to celebrate and reinforce the shared connections between the two areas. The largest of these is the Mill Street – College Street intersection, as Mill Street is the largest corridor connecting the two areas. The other identity points are located at the Cowan Avenue and N. Stemmons Freeway intersections on College. These are also major intersections that connect Old Town North with Old Town, but are of secondary importance to the Mill Street intersection. In addition to the Identity points along College Avenue, an additional identity point was identified at the intersection of Kealy and Jones. This point marks the transition from Old Town North to LLELA, one of the community's most celebrated assets.

PUBLIC REALM CORRIDORS

City investments to upgrade areas of the public realm can make an important contribution to enhanced neighborhood character and increased private investment. These public investments in design enhancements can set the groundwork for further development within the immediate area or corridor. The public realm, which usually consists of the spaces within and around buildings that are accessible to the public, including streets, squares, parks, and open spaces, is intended here to refer to areas within the public right of way that influence public life and facilitate social interaction. Within the Old Town North study area, six areas have been identified for this design attention within the public right of way. These corridors are shown on Exhibit 17 and discussed below.

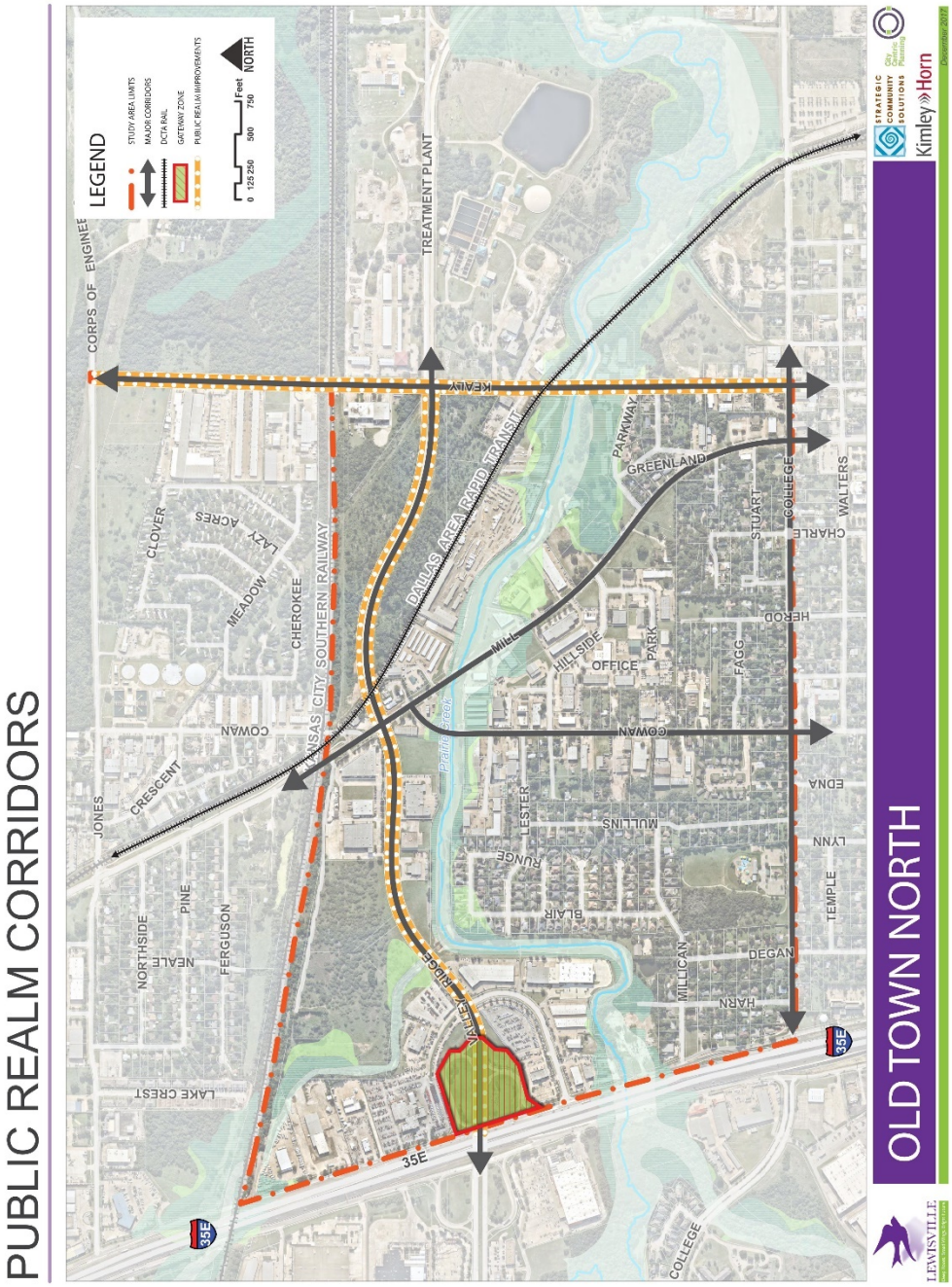

Exhibit 17: Public Realm Corridors

1. IH-35E Interchange at Valley Ridge Parkway

The first public realm corridor is the interchange at IH-35E and Valley Ridge Parkway, where the large expanses of TxDOT right of way do nothing to enhance the area. The Valley Ridge Parkway corridor has been built with large medians that have been interspersed with trees, creating the foundation for a greener and more natural corridor. Within the TxDOT system of roadways, many examples exist of "Green Ribbon" landscape enhancements utilizing native plantings to establish attractive, low maintenance landscape improvements. TxDOT often will provide funding for the improvements to support the overall look of their corridors, while reducing longer-term maintenance costs.

Conceived by TxDOT's Houston District in 1999, the Green Ribbon Program funds the design and construction of highway enhancements, including landscaping and irrigation enhancements, in TxDOT's districts with air quality non-attainment, near non-attainment and early action compact counties. Lewisville is a part of TxDOT's Dallas District, which qualifies for this program. The vision for the Green Ribbon Program is to convert concrete dominated highway corridors into "ribbons of green" through the addition of trees, shrubs, grasses and groundcovers. The program funds landscape improvements including the addition of plant materials, soil preparation and mulch beds, and irrigation systems. In order for cities to receive this funding, they are required to agree to maintain the project once it is complete, typically for a minimum period of 5 years.

For Lewisville to receive funding for this area, an application would be made by the City to TxDOT, and if funds are awarded, TxDOT may design the project on behalf of the City, or would review designs provided to TxDOT by an outside firm. TxDOT has specific criteria for the design of landscape enhancements that include technical requirements for soil preparation, acceptable plant materials (typically native and/or drought tolerant species), maintenance requirements, as well as safety requirements related to visibility triangles that regulate the placement and heights of design elements at intersections. Once the design is complete, TxDOT typically bids and contracts the construction of the project, and oversees the work. Following the completion of construction, the contractor will typically maintain the project for a one-year period, and the maintenance would then be turned over to the City at the end of that period.

Through the use of this funding mechanism, this interchange could be improved through the planting of trees and native understory plantings to create a new 'urban forest' that would function as a major gateway and a landmark for travelers along the IH-35E corridor.

2. Kealy Avenue

The corridor currently has sidewalks along most of its length, as well as the only bike lanes currently built within the study area, but this infrastructure ends north of Valley Ridge Parkway, well short of the entry to LLELA at the intersection of Kealy and Jones Road. This infrastructure should be extended northward to Kealy's terminus, enhancing connectivity to the nature area. There are also sections of the corridor that are visually unappealing and physically uncomfortable to traverse during the hot summer months. Investments should be made to enhance the pedestrian experience, which could include elements such as wider sidewalks where necessary and street trees where possible. There should also be attention given to the

interface between Kealy and other public facilities, such as LLELA, the Rodeo grounds, and the future DCTA trail.

3. College Street Corridor

College Street currently has a right of way of only 50', with a pavement width of 36' providing both a travel lane and parking lane in each direction and a sidewalk along the south side of the corridor that ranges between three and four feet in width. The city is currently in the process of rebuilding College Street to include a new 5' sidewalk along the north side of College Street as well, and is expanding most of the sidewalk along the south side to match. The planned addition of bulbouts and street trees at intersections and select midblock locations will provide greater definition between the parking and driving lanes, slowing traffic and enhancing the sense of safety for on-street cyclists and pedestrians on adjacent sidewalks. These enhancements should greatly enhance mobility options along this corridor.

4. Cowan Avenue

Cowan Avenue, like College Street, has a limited ROW of only 50'. However, also like College, the street is excessively wide, and portions of the existing street could be reclaimed to create a more inviting public realm. This street is also 36' wide, yet has only two travel lanes. The street pavement could be reduced to 30' here as well, maintaining a single lane of travel in each direction while adding a dedicated parking lane demarcated with bump outs. Such a redesign would need to examine the widths needed at intersections for truck turning movements. Most businesses along this corridor already have dedicated parking located on their own property, but street parking would provide a visual 'safety' barrier for pedestrians and may become more heavily utilized if existing off-street parking is replaced with new development in the future. With the reduced street width, sidewalks could be expanded to 10' on both sides of the street, enhancing pedestrian mobility and creating space for street furniture elements, such as benches, lighting, or trash cans. Because the west side of the street is lined with large utility lines, the parking lane with planted bump outs would ideally be located on the eastern side to give new street trees room to grow, providing shade from the hot summer sun for pedestrians and business patrons.

5. Mill Street

This corridor is identified as a "spine" route for both the pedestrian and the bicycle network in the 2011 Lewisville Trail Master Plan. The ROW width is 60' along much of its length, which widens to 90' north of Prairie Creek. The street width is currently 44', but because this street has four lanes and higher traffic volumes than College Street or Cowan Avenue, the street width cannot be reduced. Because of this corridor's importance in the district, as well as the relatively less compact streetscape as compared to College Street and Cowan Avenue, the city should consider purchasing an easement or additional right of way south of Prairie Creek to allow for wider sidewalks. Ideally these sidewalks would be a minimum of 12', allowing them to function as shared use paths for both pedestrians and bikes (in accordance with the bike route map in the Lewisville 2011 Trails Master Plan). Ideally, these enhanced sidewalks would be separated from the street curb by a vegetated buffer, providing both protection for pedestrian and a location for new

street trees. North of Prairie Creek, where the existing ROW is 90', no additional ROW would be required, but the additional public space could be used for a new DCTA bus stop or additional plantings.

6. Valley Ridge Boulevard

The Valley Ridge Boulevard extension was opened in 2017, and provides an important east/west connection in the district. However, the newer portions do not yet have any sidewalks or shared use trails, and the older section of the corridor has an incomplete network of narrow sidewalks, with gaps on both the north and south sides of the parkway. These gaps in the pedestrian network should be completed, and sidewalks wide enough to serve as shared use paths (consistent with the 2011 Lewisville Trails Master Plan) should be built along the Valley Ridge Boulevard extension. While wider sidewalks may not be necessary to accommodate the limited number of pedestrians near the IH-35 interchange due to the existing auto-centric land uses, much of the western portion of Valley Ridge Boulevard will be covered by the IH-35 Design Overlay that is currently being developed, which requires new sidewalks to have a width of 12'. To keep the corridor consistent, existing sidewalks that are expanded and new sidewalks that are constructed should match this 12' width. In addition to new sidewalks, existing street trees along the corridor west of Mill Street should be preserved. East of Mill Street, new street trees should be planted to complement the existing median plantings and provide shade for the new shared use path.

DESIGN OVERLAYS

Design overlays are a tool to guide public and private investment within defined corridors or districts. These guidelines establish standards that direct new development in order to make the corridor or district more uniform in appearance and function. Design overlays may address a broad array of design considerations, including building uses, building setbacks, materials, window percentages, parking, signage, lighting, sidewalks, street trees, and landscape plantings. These types of overlays can be used to ensure that new development within existing neighborhoods conforms with the existing built environment, or they can be structured to guide development in a new direction from what is currently on the ground.

This area plan identifies four areas where design overlays would be useful to help guide design considerations for public and private investment. They are discussed below and shown on Exhibit 18. These design guidelines should be followed by all future development and should be included in the consideration of any Special Use Permits (SUP) for uses in this corridor. The character desired along this corridor should emphasize people, with places to walk and bike safely, outdoor dining, green spaces and similar features. Uses that relate to automobiles and through vehicular traffic are generally less compatible with this preferred future design, though proposals that meet the standards in the corridors' design overlays should be considered.

1. IH-35 Overlay

While there were no design guidelines in effect within the Old Town North study area when this project started, adoption of the IH-35 corridor plan now establishes them. This document identifies 2 distinct district types along the IH-35E corridor, both of which will overlap parts of the Old Town North study area. Any new design guidelines adopted for the Old Town North study area should be carefully crafted to ensure

that they complement the IH-35 guidelines and minimize any jarring transitions that could occur at design overlay boundaries.

2. College Street Overlay

The residences in the neighborhoods adjacent to College Street have similar development patterns, land uses, and architecture to the neighborhoods on the south side of College Street in Old Town. However, there are currently no design standards in place to ensure that new housing fits in with the existing neighborhood, and current city design standards have material requirements that are not consistent with the existing architecture. Consider adopting design guidelines that are similar to those for Old Town to maintain the character of the area.

3. College – Kealy Overlay

The area at the intersection of College and Kealy could become a site for neighborhood-serving retail, restaurant and service uses. These uses would benefit the residents of Old Town North; they would also serve residents and employees in Old Town and people using the DCTA station nearby. This area would benefit from design standards that would guide future development to ensure high quality design. While this overlay could be developed as a sub-district of the College Street Overlay, its intent is rather different – focused on non-residential rather than residential uses and emphasizing the character of a newly-created place rather than maintaining existing character. For this reason, it could be considered as a separate overlay.

4. Valley Ridge Overlay

This corridor is relatively undeveloped, but is expected to develop now that the extension has been completed. The city should consider creating design guidelines that guide new development to a high aesthetic standard. Design guidelines or requirements should address orientation of bay doors, screening of vehicles, building façade materials, streetscaping and tree planting. It could be similar in nature to the design guidelines laid out in the IH-35E transitional sub-district guidelines.

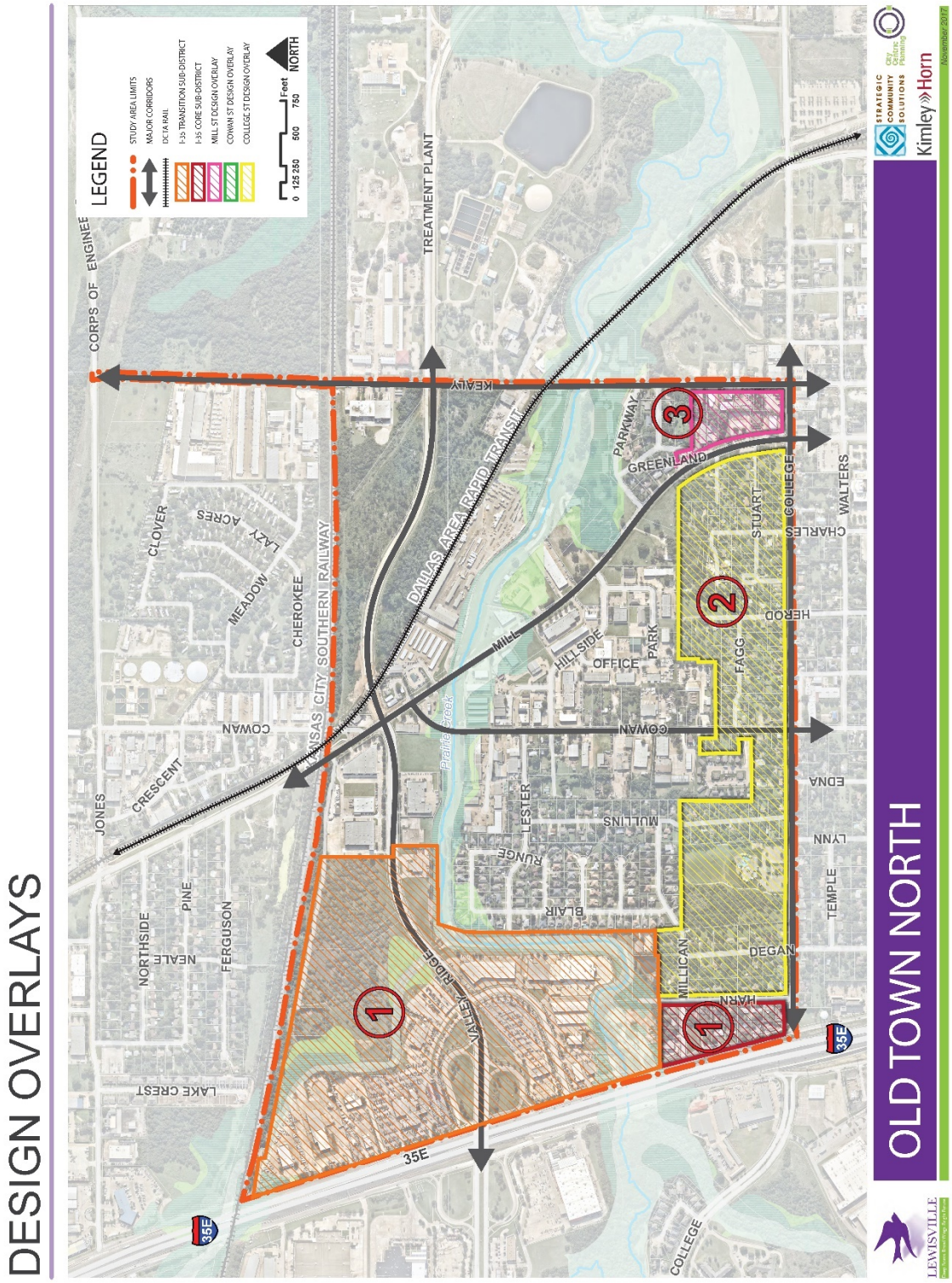

Exhibit 18: Design Overlays

ACTION STEPS

A crucial part of any plan is its implementation. Without a clear and realistic approach to action, the vision expressed by a community through its plan may never be realized. While a plan cannot mandate all the specific actions that will be taken during the many years of its implementation, an implementation program should give a community's leaders and stakeholders a set of priorities for immediate action. This section of the plan identifies important action steps to achieve the desired future for Old Town North. A matrix at the end of this section lists all action steps and proposes those that should have the highest priority.

IDENTITY, BRANDING, & CAPACITY BUILDING

During this planning process, residents of the Old Town North area shared the many features of the area they value and enjoy. But many of these assets are unknown to people who do not already live or work here. A clear and positive identity for the area is an important ingredient in attracting new residents and businesses. Capacity building means that the people who live, work or own property in Old Town North will be better equipped to decide on programs for the area and to then implement them.

1. Conduct a branding campaign to refine and communicate the area's identity.

a. Meet with stakeholders to confirm or modify the brand 'Old Town North'.

This name for the area was suggested by participants at the Open House for this area plan. It should be further discussed with a larger range of the area stakeholders to build support for this name or to decide on another brand.

b. Develop materials to communicate the area's brand to residents, businesses and future investors.

Once the area's name is confirmed, materials should be designed that communicate this brand. This includes a graphic logo that reflects the area's identity. Communications materials should be targeted for a range of audiences, such as area residents, customers of Old Town businesses, and young entrepreneurs. These materials could include brochures, flyers, banners, street sign toppers, inclusion on the City's web site and social media platforms.

c. Conduct outreach targeted specifically to the 'creative class'.

The central part of the Old Town North area is identified as a location for 'creative mix' development. This concept builds on the existing character, which has been described as eclectic and 'crunchy'. The plan envisions this 'creative mix' area as a location for artist studios, lofts, live-work arrangements, start-ups, co-working offices and maker spaces. Outreach is needed to introduce Old Town North to the people and businesses who will be attracted by this character.

2. Design area gateways and identity points to communicate the area's identity.

People need to know when they enter Old Town North. The gateways and identity points recommended in this plan should reflect the brand developed in Action Step #1. A gateway design study should establish the

basic features for all these locations so the design concepts can be included in capital improvement projects as those are funded.

3. Engage stakeholders in building the 'creative mix' area character.

The desired character of the 'creative mix' area cannot be established simply by a City decision; it needs the creativity and innovation of the people who are a part of the area. The outreach described in Action Step #1c and the initial event recommended in Action Step #9a should identify people who can be part of this effort. A forum for their continuing engagement should be established, whether this is an area organization, a periodic event/gathering, an online group or some other form.

4. Increase the capacity of area neighborhood and business organizations.

a. Assist residents in creating neighborhood organizations where these do not exist now.

Neighborhood organizations help address issues and concerns that many residents have in common; they also make it easier for communication from the City to reach all the individual households and residents in an area. The City's Neighborhood Revitalization initiative could assist in the creation of these organizations. In addition, a City grant that provides an opportunity to enhance neighborhoods will be available in October 2018. This grant requires neighborhoods to form associations if a Homeowners Association does not already exist.

b. Use City programs and resources to conduct initial events for the area.

An area event should give Old Town North a way to come together, learn about this plan's Action Steps and connect with other City resources. A 'Rock the Block' event including MARTY and other City resources is an example of this initial event. A community clean-up day is another possibility.

c. Work with the Chamber of Commerce and local businesses to create an organization representing area business interests.

The businesses in the area now, and those that will be attracted in the future, could benefit by an organization that represents their interests and conducts coordinated marketing and other efforts. Discussions with these business owners and the Chamber could lead to creation of such a business group.

d. Help residents to access information and resources available through the City.

There are many resources, some financial assistance, available for residents. Attending community events, workshops and even City Council meetings are opportunities for residents to learn about these resources and bring them back to the neighborhood.

DEVELOPMENT AND COMMUNITY CHARACTER

Old Town North's future character will be shaped by new development and the redevelopment or reuse of existing buildings in the area. Development guidelines and regulations provide the City with the tools to ensure that these new investments are consistent with the area's desired character.

Guidelines provide decision-makers and investors with direction and information about the community's desired development pattern and design, community character or priorities. They are recommendations, not requirements. For this reason, City Council, Planning and Zoning Commission and City staff will consider them but must use judgment to determine whether an individual development proposal is consistent with the community's desires reflected in the guidelines.

Unlike guidelines, regulations are adopted by City ordinance and do establish requirements to be followed in the design and construction of public or private developments. The City's zoning and subdivision ordinances are important tools for implementing this Area Plan, so refinements or amendments to these or other regulations may be needed to encourage the development envisioned by the plan.

5. Develop design guidelines for identified Public Realm Corridors.

Public improvements in the plan's Public Realm Corridors should be designed to enhance and communicate the area's identity. Design guidelines are needed for each of the corridors listed below.

a. IH-35 at Valley Ridge Boulevard

This Public Realm Corridor is focused solely on the interchange at IH-35 and Valley Ridge. This is the location where a new urban forest should be created inside TXDOT's cloverleaf. Native tree species should be selected that are appropriate for the area's soils and should be planted closely together with understory plantings consisting of native plant materials. Irrigation systems in this area should be temporary and should be removed once the plant materials are established. Additionally, mulch beds should be specified beneath the trees to minimize future maintenance requirements in these areas. Coordination with TXDOT will be needed to complete this Action Step.

b. Valley Ridge Boulevard

The recent extension of Valley Ridge through the study area provides access that should lead to new development in the northern part of Old Town North. The road itself has been completed and has the potential for establishing a "green" theme for the area through the installation of new plant materials in the median and along the edges of the corridor. Additionally, the roadway was built through a heavily wooded area, so there could be an opportunity to enhance the character of the area by preserve existing trees. The City could consider establishing wider setbacks than the usual 10' or acquiring wider landscape easements along the edges of the right of way. Easements could extend a minimum of 30' from the edge of the right of way, and could undulate depending on the presence of large specimen trees within close proximity to the roadway. By maintaining the existing green edge of this corridor, natural screening is established which could allow for less of a focus on future land uses and zoning in the area.

c. Mill Street

Changes to Mill Street are needed to make this area truly multi-modal. Mill should be a more inviting route for people traveling on foot or bicycle. While it will continue to provide good access for vehicles, changes to its design will result in a better balance for travel by all modes. Two recommendations should receive further evaluation:

ii. Consider narrowing Mill Street to two lanes on the southern end (adjacent to the Rodeo Grounds) and where residences face the street.

Narrowing the street should still provide adequate capacity for vehicular traffic but will slow the traffic as it enters the residential part of the street. This change will also make it easier for residents and visitors to access the Rodeo Grounds.

ii. Improve the sidewalks along Mill Street so they are more inviting to pedestrians.

Narrowing Mill Street could allow the sidewalks, which are currently right on the curb, to be reconfigured to make the street corridor more pedestrian-friendly. Moving the curb would allow a landscape buffer or rain garden between people and cars, to make the street safer and more appealing to pedestrians. If this is not feasible, an alternative could be simply widening the sidewalks to at least 10 feet width.

d. Cowan Avenue

Although the right-of-way is limited along Cowan Street, the existing sidewalks are set back from the curb which provides an opportunity for landscape enhancements between the curb and sidewalk. The limited width of this area makes it an ideal location for landscape treatments with drought tolerant grasses such as fountain grass. A mixture of these types of grasses can provide a low cost, low maintenance landscape that can have a high visual impact for this corridor.

e. Kealy Street

Kealy Street is the connection from Old Town North (and much of Lewisville) to LLELA. The streetscape along this route should communicate this important Green Centerpiece connection and Kealy's design should enhance and invite pedestrian and cyclist access to LLELA. Currently, the sidewalks and bike lanes on Kealy end north of Valley Ridge Boulevard. These improvements should be extended north to Jones Road and the LLELA entrance. Other streetscape enhancements, such as trees for shade, should also be considered.

6. Develop a design overlay for the College Street area.

The homes on the north side of College Street, in this Old Town North area, are very similar in character to the ones one the south side of the street. The south side of College Street is subject to the design requirements of the Old Town Design District and review by the Old Town Design Committee. The character of the properties on the north side of the street should be preserved and new development should be designed in a compatible character. To manage this process, a design overlay should be established. This overlay, and its review process, can likely be simpler than the ones used in Old Town itself. The Area Plan

depicts the area to be covered by this Design Overlay. This preliminary boundary may be refined in the process of establishing the Design Overlay.

7. Consider a design overlay for new development along Valley Ridge Boulevard.

Valley Ridge Boulevard now offers convenient access to IH-35. As a result, the future development along this boulevard is likely to include commercial, industrial and other employment uses that need access to IH-35 for distribution and shipping. With the possibility of such development along Valley Ridge, a design overlay may be needed to reduce the visual impact of trucks and other vehicles. The overlay could incorporate specific requirements for orientation of bay doors, landscaped edges, signage, screening of vehicles staged for repair, and building façade material requirements. In addition, the City's normal requirements for screening of vehicle staging areas, wrecking and impound lots should be enforced here.

8. Establish appropriate guidelines and regulations for higher density residential revitalization.

The Old Town North area could benefit from new residential revitalization that is compatible with the area's existing character. To encourage this new investment, the City should consider refinements to the existing single-family zoning that applies to most residential parts of Old Town North. Three zoning revisions are suggested:

a. Allow smaller single-family lots.

With property owner input, consider creating an Urban Residential zoning classification that would allow smaller single-family lots. This would allow larger properties to be subdivided for construction of new single-family infill homes. (Note that the residential areas are now uniformly zoned SF-7.5, with a 7,500 square foot minimum lot size. The majority of lots in the neighborhood meet or greatly exceed this minimum, with the exception of several lots on Stuart Street, which has lots as small as 3,500 square feet.) Concerns to be considered during the zoning process could include changes to the traditional street grid, utility capacity, and narrow streets.

b. Allow accessory units.

Accessory units allow a smaller second unit on a single-family lot when design concerns are met. This approach offers the option of a 'mother-in-law' unit for multi-generational families, a small unit for a care-giver's residence or a similar purpose.

c. Allow duplexes on corner lots.

Duplexes can add additional housing in the area while maintaining a similar scale and character to the existing neighborhoods.

9. Implement design initiatives that further the 'creative mix' area character.

The central core of Old Town North is envisioned as an eclectic area that attracts residents and businesses. The new private investment here will come from entrepreneurs and business owners who want to grow their businesses in a setting with opportunities for creative interaction and business support. Uses such as

residential, restaurants and arts – not typical components of a commercial or industrial use area – will be important to the character and mix desired here. Three initiatives should be explored to follow through on this concept.

a. Hold an event to engage potential future stakeholders in refining this 'creative mix'.
Future stakeholders include the people who live, work and own property here now. They also include the entrepreneurs, artists and small business owners who will become part of the area's future. An evening event with food and entertainment could provide the opportunity for networking, introducing this concept and identifying possible leaders for the effort.

b. Amend the existing zoning to add a wider range of uses and increase flexibility.
Some of the uses that will add interest and diversity here are not allowed under the area's current zoning. By making the zoning more flexible and inclusive, obstacles to this desired new character are removed. The existing LI zoning could be amended to allow artisan workshops, art studios, live/work arrangements and galleries. The parking requirements should not be increased for these uses, however; the existing parking arrangements should be "grandfathered" to encourage the conversion of existing buildings.

c. Use creative approaches to add design features to this area.
The existing development pattern along Cowan and Mill does not leave a great deal of area for introduction of new streetscape, design features or other amenities. Instead, other creative approaches are needed. Property owners could be encouraged to add landscaping where this can be done without impacting the property's parking and access. Murals on building walls could add artistic flair without requiring additional public land acquisition for art. Banners could be hung on existing poles to promote the area. These and other ideas should be considered and implemented by organizations and stakeholders in the area with City assistance as needed.

d. Support the creation of an organization to represent and advocate for this area.
A business or area association should be the voice of this area's stakeholders and a partner to the City in achieving this vision. The City could work with the Chamber of Commerce and local businesses to create an association to represent business interests in the area.

CITY CAPITAL INVESTMENTS

The public sector itself makes significant investments that help implement this plan. Facility master plans that determine major capital improvements in Old Town North, such as water or sewer system rehabilitation or expansion, should locate and size facilities in accordance with this Framework Plan. Individual capital projects should support the plan in both their location and their design. By following this plan in making capital investments, the community can be sure that its limited funds are used in a fiscally responsible matter to achieve the community's established goals. Efficient and effective capital investment gives the community essential infrastructure for its future, and if this infrastructure is designed and sized according to the plan, it will also achieve the community's desired character.

10. Evaluate the need for rehabilitation or replacement of aging water and sanitary sewer systems to support planned development.

New development in Old Town North will place additional demand on the area's water and sewer systems. The existing systems should be evaluated to identify any needs for rehabilitation or increases in capacity to support new development.

11. Implement the streetscape designs for the Public Realm Corridors.

The Public Realm Corridors discussed in the plan will require City investment in design, construction, maintenance and potentially the acquisition of land or easements. The first priority should be on the projects that can have a high level of impact with limited cost to the City (IH 35 at Valley Ridge partnering with TxDOT, and the Valley Ridge Extension with a landscape easement), followed by landscape improvements along Cowan Ave. and Kealy Street. The improvements along Mill Street will require the highest capital cost due to the required street reconfiguration, so it is recommended as a longer-term capital project.

12. Design and construct the Prairie Creek trail.

This trail has been included in the City's Parks and Trails plans for several years. Since it is a key connection within Old Town North and then on to LLELA, it should have a high priority for completion.

13. Construct sidewalks and paths to complete the pedestrian and bicycle network.

Many parts of Old Town North have sidewalks or paths, but there are gaps in these networks. Completion of these systems is important so the area's residents can easily choose to walk or bike.

14. Enhance the entry into Wayne Frady Park from the neighborhood.

This entry feature should make access from the neighborhood inviting. A wider trail opening, signage, lighting, interpretive information and other improvements should be considered.

15. Construct needed improvements at or adjacent to the Rodeo Grounds after agreement with Rodeo stakeholders (see Action Step #20).

If there is agreement on steps to make the Rodeo Grounds more usable to nearby residents during times when it is not hosting events, construction of improvements will likely be needed. These could include some sort of passive recreational amenities (like a gazebo or seating area), trails or paths, or other improvements.

CITY PROGRAMS AND INITIATIVES

The programs and operations provided by local government or the private sector also play a role in implementing the community's plan. Activities and programs create the attractions and excitement that bring people to events in a revitalized gathering place. Maintenance of streets and parks demonstrates the City's commitment to ensure that its residents enjoy the quality of life envisioned by the plan. Annual budgets are usually the means to fund these programs, so decisions must be made each year about the appropriate level of investment in this aspect of plan implementation.

16. Share the Area Plan's goals, action steps and progress with the community.

Once this plan is completed and adopted by City Council, it should be communicated to the residents, businesses and property owners in the area. In addition, it should be shared with the general business community and other Lewisville residents. Information should be provided on the City's website and through its social media platforms.

17. Consider new economic development incentives for the 'creative mix' area.

Lewisville has a robust set of economic development incentives that apply in various parts of the city. A tailored package of incentives should be considered for the 'creative mix' area. This could include assistance for entrepreneurs and small businesses as well as incentives to support construction or modification of existing buildings to serve businesses locating here.

18. Housing assistance

The City has assistance programs that are available to residents in Old Town North. Many of these programs are available to qualified residents or homeowners throughout the city. These programs could provide more assistance in Old Town North as part of a coordinated effort to carry out this Area Plan. Some initiatives could consider a location incentive that would increasing the rating of applications from properties in Old Town North. Also, marketing of these programs to Old Town North might make more residents aware of these opportunities.

19. Conduct a City "speaker series" for Old Town North.

Develop a "speaker series" for City departments to provide information to residents and business owners on topics such as crime watch, property standards and code enforcement, traffic management and non-profit assistance organizations.

PARTNERSHIPS

Some plan implementation programs require a partnership with organizations in addition to the City of Lewisville. These partnerships bring additional types of expertise, resources and volunteer enthusiasm and energy.

20. Engage Rodeo stakeholders in enhancing the Rodeo Grounds for expanded events and non-event recreational use.

The Rodeo has played a role in the Lewisville community for many years. The City should meet with the non-profit organization that operates the Rodeo to discuss its plans for the future and explore opportunities for expanded use of the area by the community. An agreement on future uses and responsibilities should be completed to direct this new approach.

21. Collaborate with Old Town stakeholders on initiatives that connect the two areas.

While Old Town North is not intended to be an expansion of the same activities and uses in Old Town, it is intended as an area that can extend the success of Old Town in a more residentially-focused way. A

workshop to bring together Old Town stakeholders and leaders with the Old Town North residents and businesses should identify opportunities to ensure that each area supports the success of the other. As one example, artists and galleries located in Old Town could establish the production part of their operations in the 'creative mix' part of Old Town North.

22. Working with the neighborhood and other partners, explore creation of a community garden on identified City property.

The City now owns the piece of property between Prairie Creek and Millican Drive just east of the IH-35 frontage road. This property should be used in a way that enhances the natural environment and creates an asset for the adjacent neighborhood. A community garden could provide such an opportunity. This and similar possibilities should be explored here.

23. Partner with LISD to implement programs and activities for area residents.

Since students in Old Town North attend LISD schools, the district is already involved in providing educational opportunities in the area. Discussions with LISD could identify opportunities for additional programs and activities. These might include additional after-school programs, job- and skills-training, and educational programs for the parents of LISD students.

24. Partner with volunteer groups to assist elderly or disabled residents with clean up, mowing and other minor property repairs.

The Old Town North area has residents of all ages and many residents who have lived in the area for a long time. As the area's long-term residents age, they may need help maintaining their homes. Volunteers from the neighborhood (or from other larger volunteer organizations) could provide assistance so these residents can remain in their homes and maintain the quality of the neighborhood. This assistance could include clean-up of properties, removal of overgrown landscaping or minor building repair.

25. Partner with local community and faith-based organizations to implement desired neighborhood programs and activities.

These organizations can work with the City and the area's residents to provide activities that strengthen the sense of community in Old Town North and enhance the neighborhood's character and desirability. Together with the City, they could schedule a community clean-up day or similar event. The City has had such a partnership with Christian Community Action (CCA) in the past; similar efforts with various organizations can provide assistance in the future.

26. Work with the Fox-Hembry Cemetery stakeholders to appropriately manage that community asset.

This cemetery is currently accessed from an unmarked dirt road, and reportedly has had problems with illegal dumping. As part of action on this Area Plan, the City could meet with cemetery stakeholders to clarify the existing situation, including the cemetery's ownership, and the concerns these family members may have. Increased visibility and better access control could protect the cemetery from dumping and other

problems. When development is proposed in the commercial area to the south and east of the cemetery, the site plan could include an access road to the cemetery that could be gated at certain hours to prevent unauthorized entry. Discussions with the families may identify other opportunities to protect the site and to interpret its history to the larger Lewisville community.

ACTION ITEM MATRIX

During the community review and input phase of the Action Plan process, stakeholders were asked to rank the proposed action items in terms of importance. This input – from online surveys and the community workshop – identified the items below as the most important for immediate action. After a Small Area Plan is approved for Old Town North, this list of short term items will be detailed so immediate action can begin the plan's implementation.

#	PRIORITY ACTION ITEMS
3	Engage stakeholders in building the "creative mix" area character.
4	Increase the capacity of area neighborhood and business organizations.
5	Develop design guidelines for identified Public Realm Corridors (I35 and Valley Ridge Boulevard top priority).
6	Develop a design overlay for the College Street area.
7	Consider a design overlay for new development along Valley Ridge Boulevard.
8	Establish appropriate guidelines and regulations for higher density residential revitalization.
10	Evaluate the need for rehabilitation or replacement of aging water and sanitary sewer systems to support planned development.
12	Design and construct the Prairie Creek trail.
13	Construct sidewalks and paths to complete the pedestrian and bicycle network.
20	Engage Rodeo stakeholders in enhancing the Rodeo Grounds for expanded events and non-event recreational use.
24	Partner with volunteer groups to assist elderly or disabled residents with clean up, mowing and other minor property repairs.

Table of Contents

EXECUTIVE SUMMARY 3
AREA HIGHLIGHTS 8
STUDY AREA 8
COMMUNITY CHARACTERISTICS 10
EXISTING DEVELOPMENT PATTERNS 14
ISSUES AND OPPORTUNITIES 16
STRATEGIC DIRECTION 18
VISION STATEMENT 18
GUIDING PRINCIPLES 19
FRAMEWORK PLAN 19
NATURAL ASSET NETWORK 20
MOBILITY NETWORK 23
FUTURE DEVELOPMENT PATTERN 27
COMMUNITY CHARACTER & DESIGN 42
GATEWAYS AND IDENTITY POINTS 42
PUBLIC REALM CORRIDORS 45
DESIGN OVERLAYS 48
ACTION STEPS 50
IDENTITY, BRANDING & CAPACITY-BUILDING 50
DEVELOPMENT & COMMUNITY CHARACTER 51
CITY CAPITAL INVESTMENTS 52
CITY PROGRAM AND SERVICE INITIATIVES 53
PARTNERSHIPS 54
ACTION ITEM MATRIX 55

DRAFT

List of Exhibits

Exhibit 1: Major Plan Concepts, Western Residential Option 5
Exhibit 2: Major Plan Concepts, Western Non-Residential Option 6
Exhibit 3: Study Area 9
Exhibit 4: Housing and Population 10
Exhibit 5: Resident Characteristics 11
Exhibit 6: Homeownership 11
Exhibit 7: Housing Characteristics 12
Exhibit 8: Business Characteristics 12
Exhibit 9: Businesses by Type 13
Exhibit 10: Employees by Type 13
Exhibit 11: Existing Land Use 15
Exhibit 12: Natural Asset Network 22
Exhibit 13: Preliminary Assessment, 10-Minute Walk to Parks 24
Exhibit 14: Mobility Network 25
Exhibit 15: Future Development Pattern, Option 1 40
Exhibit 16: Future Development Pattern, Option 2 41
Exhibit 17: Gateways and Identity Points 44
Exhibit 18: Public Realm Corridors 47
Exhibit 19: Design Overlays 49

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EXECUTIVE SUMMARY

In 2014, the City adopted the ***Lewisville 2025*** Plan. One action recommendation in this plan was to use more detailed plans, focused on specific parts of the Lewisville community, to refine and detail the steps to achieve the vision of ***Lewisville 2025*** in those areas. At its retreat in 2017, the City Council selected Southwest Lewisville as one of the first two areas for which plans should be prepared. This Small Area Plan is the result of the Council's direction.

The Small Area Plan process began in July 2017. It included analysis and evaluation of the areas by City staff and a consultant team led by Strategic Community Solutions LLC and including Kimley-Horn, Inc. and City Centric Planning LLC. Residents, property owners and other interested stakeholders participated in the development of these plans through community open house and workshop sessions and by providing online input.

The direction established by this plan begins with a Vision Statement that describes the community's desired future and a set of Guiding Principles to achieve this vision. It continues by providing more detailed policy, development and design direction. It ends with a short list of high priority action items that start to make the vision a reality. This structure allows Lewisville officials and staff to use the Southwest Lewisville Small Area Plan as the basis for decisions on development proposals, as a foundation for City programs and capital investments, and as a framework to build partnerships with residents, property owners and community organizations.

Vision Statement for Southwest Lewisville

Southwest Lewisville attracts and retains dynamic corporations and diverse residents because of its natural areas, regional transportation access, desirable jobs and labor force, convenient shopping, and diverse neighborhood choices.

Guiding Principles provide the overall direction that will be used to guide decisions and investments so they achieve the community's vision. They guide the development of the overall plan, and they shape the individual details and policies for each specific plan component, such as natural asset networks or community character and design. The Guiding Principles for Southwest Lewisville are:

1. The Gateway into Lewisville from the south and west, Southwest Lewisville introduces people to Lewisville as a green and diverse city.
2. This is a major employment center for the city, attracting businesses with support services and access to transportation systems and regional destinations.

3. Neighborhoods in this area contribute to Lewisville's mix of housing for people of all ages and incomes.
4. Natural areas provide focal points, amenities, and recreation for area residents and employees.
5. Trails and sidewalks connect people to their schools, jobs, recreation, and other daily destinations.
6. New development along Round Grove supports the area's character as a place for major businesses and green neighborhoods.
7. Neighborhood organizations help people in this area connect and support one another.

The plan's policy, development and design recommendations are found in a Framework Plan that addresses the natural asset and mobility networks and the future development pattern. Additional recommendations address Community Character, including gateways and identity points, public realm corridors and design overlays. Major recommendations include:

- Continuing the area's role as a major employment center, with opportunities for corporate campus locations as well as distribution centers, office and other commercial uses.
- Preserving natural features by supporting clustered development in the western part of the area; residential development is preferred by the community but non-residential development could also be located here.
- Enhancing the appeal of the Round Grove corridor by establishing guidelines for a development pattern that is pedestrian-scale, oriented to serving the local community and designed with high quality standards.
- Addressing quality of life issues for the Creekside neighborhood, working with residents and non-profit partners to improve services, facilities, programs and other resources supporting this neighborhood.
- Creating new forested gateways into the City on 121 Business that introduce drivers to Lewisville as a green and diverse community, and
- Expanding the bicycle, pedestrian and transit networks so they provide effective and efficient transportation options for area residents and business employees and customers.

Exhibits 1 and 2 show the Future Development Pattern, as well as other major design features.

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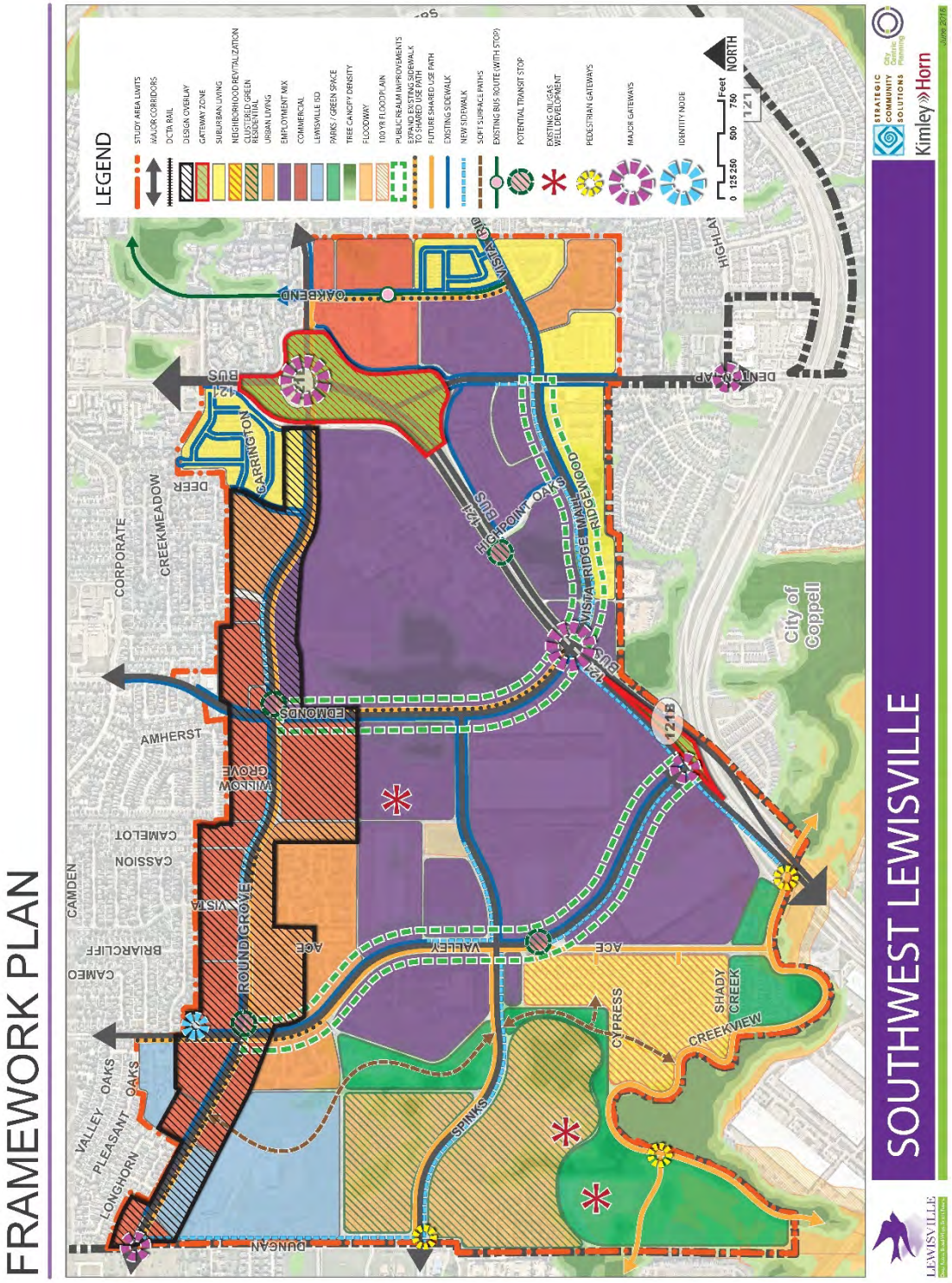

Exhibit 1: Major Plan Concepts, Western Residential Option

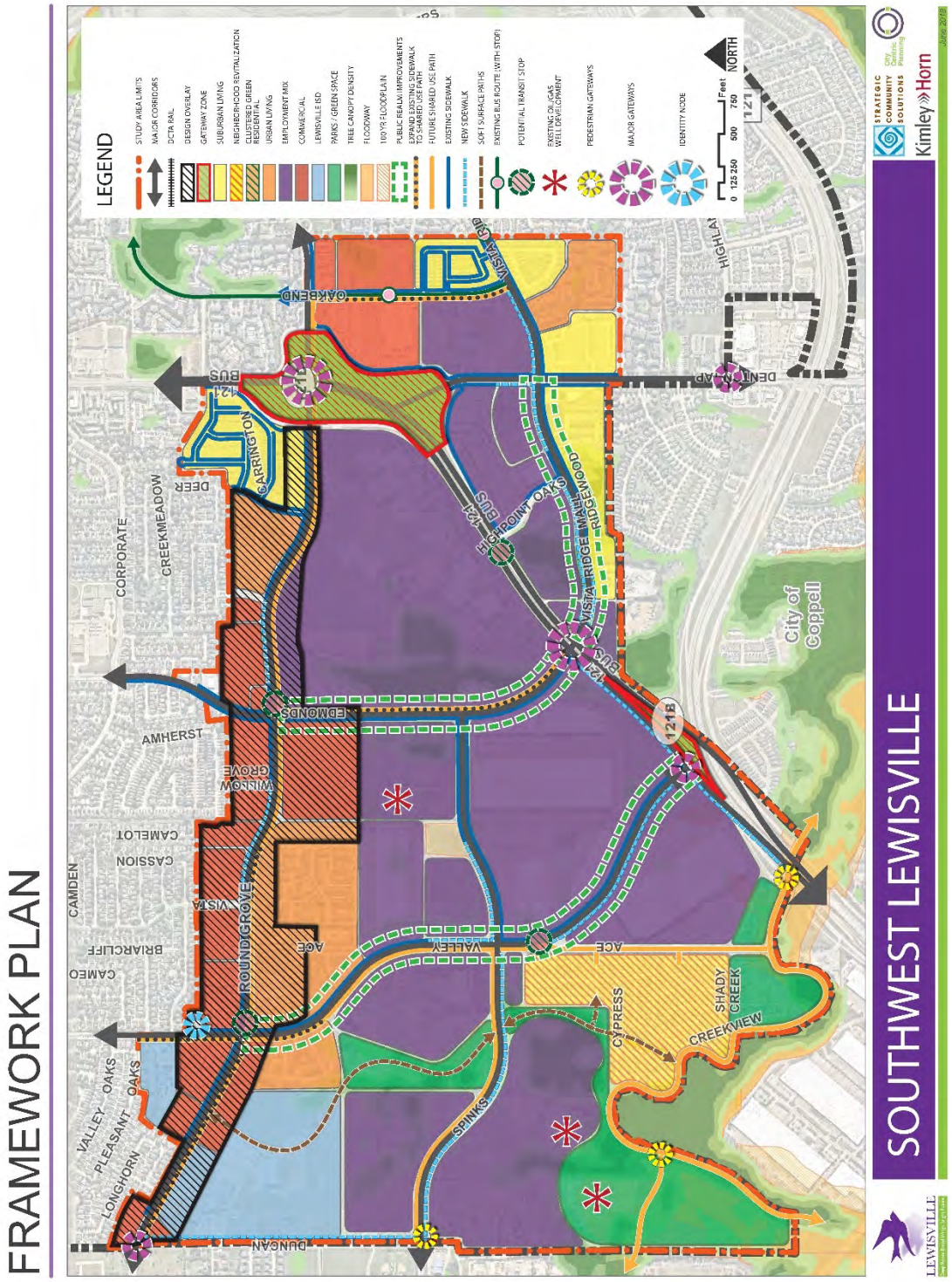

Exhibit 2: Major Plan Concepts, Western Non-Residential Option

There are ten short-term actions recommended to begin implementation of this plan. They are listed below. All recommended action items are discussed in the last chapter of the Plan.

#	PRIORITY ACTION ITEMS
4	Help residents to access information and resources available through the city
6	Create Business Associations
7	Adopt a design overlay for the Round Grove Corridor
9	Establish a method to achieve clustered development
13	Create a continuous network of trails and sidewalks
14	Improve public realm corridors (Edmonds and Vista Ridge Mall a priority)
16	Build gateways (emphasis on native forests along Business 121)
18	Expand Crime Watch efforts
19	Invest in Creekside Quality of Life
20	Collaborate with LISD

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AREA HIGHLIGHTS

STUDY AREA

The project area for the Southwest Lewisville Area Plan is bounded generally by the parcels fronting Round Grove Road to the north, the Lewisville City limits to the west and the south, and the properties adjoining Oakbend Drive to the east. Exhibit 3 shows the study area boundaries that were used for the purposes of analysis in this plan.

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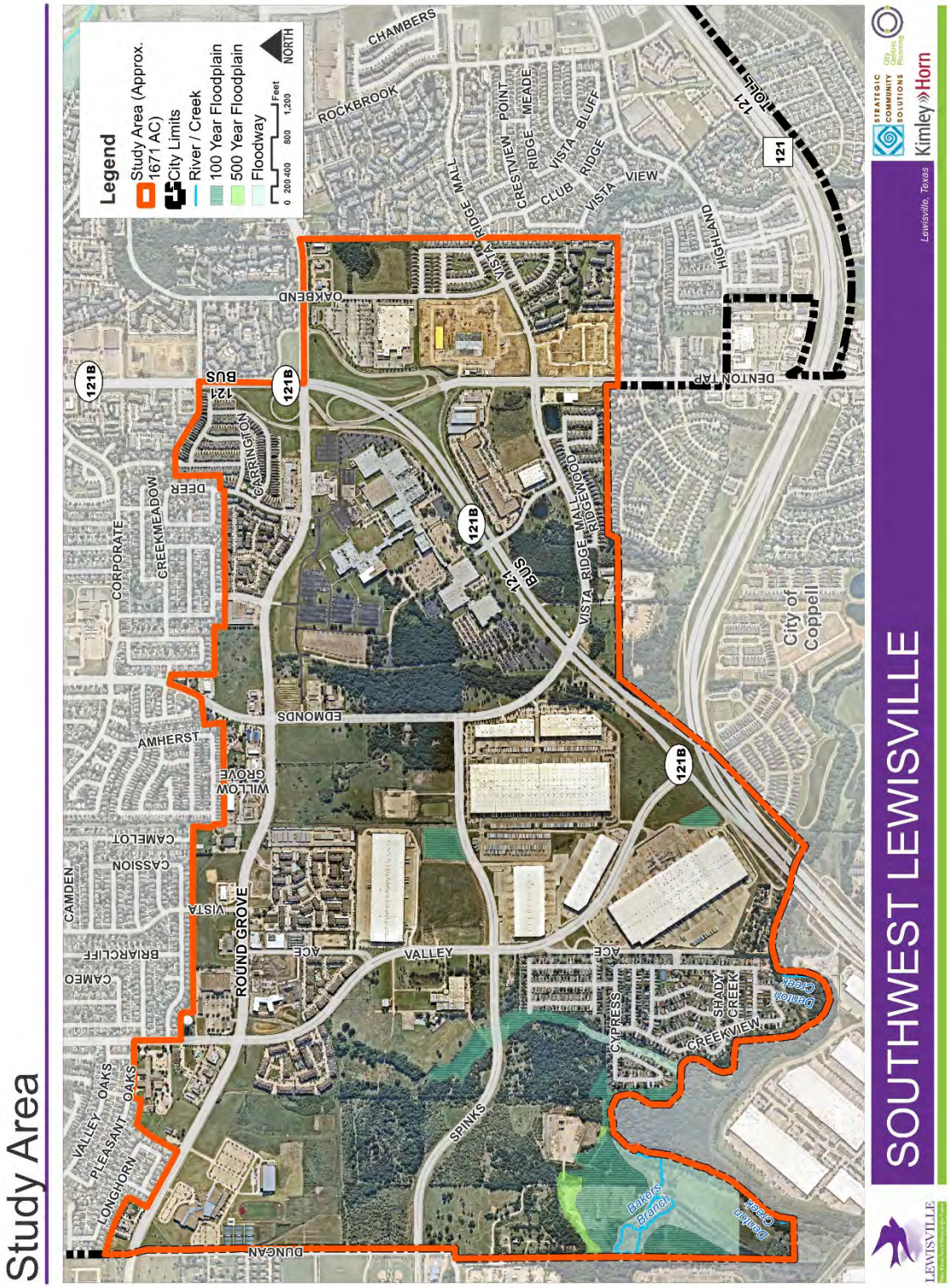

Exhibit 3: Study Area

COMMUNITY CHARACTERISTICS

Residents and Households

The residents of the Southwest Lewisville study area represent a broad range of income levels and variety of ethnic backgrounds. The area is home to many young professionals and renters, as well as a large population of young families. While the district has a median household income over 20 percent higher than the City overall, the median home value is approximately 14 percent lower than the city median. This disparity could be due to the relatively large number of higher income residents in the area who are choosing to rent. Southwest Lewisville has a higher percentage of households with children and a larger average household size than the rest of Lewisville. Nearly 39 percent of residents are of Hispanic origin, which is also slightly higher than the citywide average.

Indicator	Citywide	Southwest
2017 Housing Units	44,643	1,996
2017 Households	41,883	1,910
2017 Total Resident Population	106,741	5,148
2017 Average Household Size	2.54	2.69
2017 Total Daytime Population	101,241	5,312
Resident: Daytime Population Ratio	1.05	0.97

Exhibit 4: Housing and Population

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Indicator	Citywide	Southwest
2017 Median Household Income	$57,956	$68,476
2017 Median Age	32.2	31.1
Population 65 and older	4.6%	3.8%
All Households w/ Children	35.5%	38.7%
Households with 1 Person	30.1%	27.1%
Hispanic Origin	32.2%	37.6%
Unemployment Rate	4.0%	3.6%

Exhibit 5: Resident Characteristics

Housing and Neighborhoods

There are several moderate income single family developments on the eastern edge of the study area, a large mobile home park along Denton Creek to the south, and a new retirement community on Round Grove. The study area has a much higher percentage of owner occupied housing than the rest of the city, despite the presence of several large multifamily developments, and the median unit is nearly a decade newer than the citywide median. Even so, home values are approximately 15 percent lower than the city median.

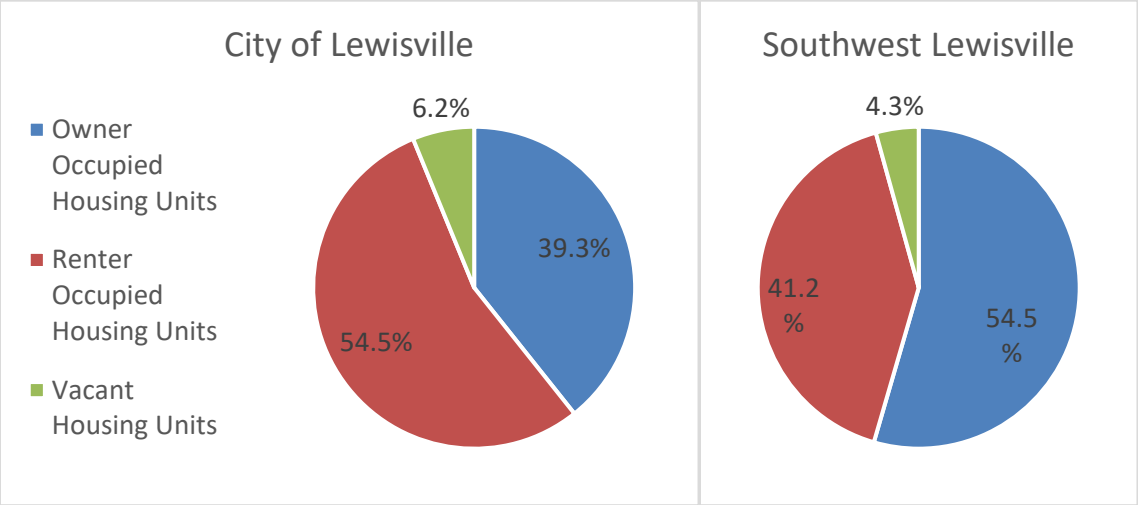

Exhibit 6: Homeownership

Indicator	Citywide	Southwest
2017 Median Home Value	$173,806	$146,296
Median Year Structure Built	1992	2001

Exhibit 7: Housing Characteristics

Businesses and Employment

Southwest Lewisville has a large employment base, with concentrations in the retail trade and service sectors. Round Grove Road is a retail corridor for the area. The central and eastern portions of the district, near Denton Tap Road and 121 Business, have some large corporate developments, such as the Digital Realty data center and the Mary Kay office, production and distribution campus. The area is also home to several large distribution centers, including Bed Bath and Beyond, due to the area's excellent vehicular transportation infrastructure and easy access to the rest of the DFW region.

Indicator	Citywide	Southwest
Total Businesses	3,663	160
Total Employees	46,921	2,489
Total Residential Population	106,741	5,148
Employee/Residential Population Ratio (per 100 Residents)	44	48
Retail Trade Leakage/Surplus	-27.4	-4.2
Food & Drink Leakage/Surplus	-12.6	21.5

Exhibit 8: Business Characteristics

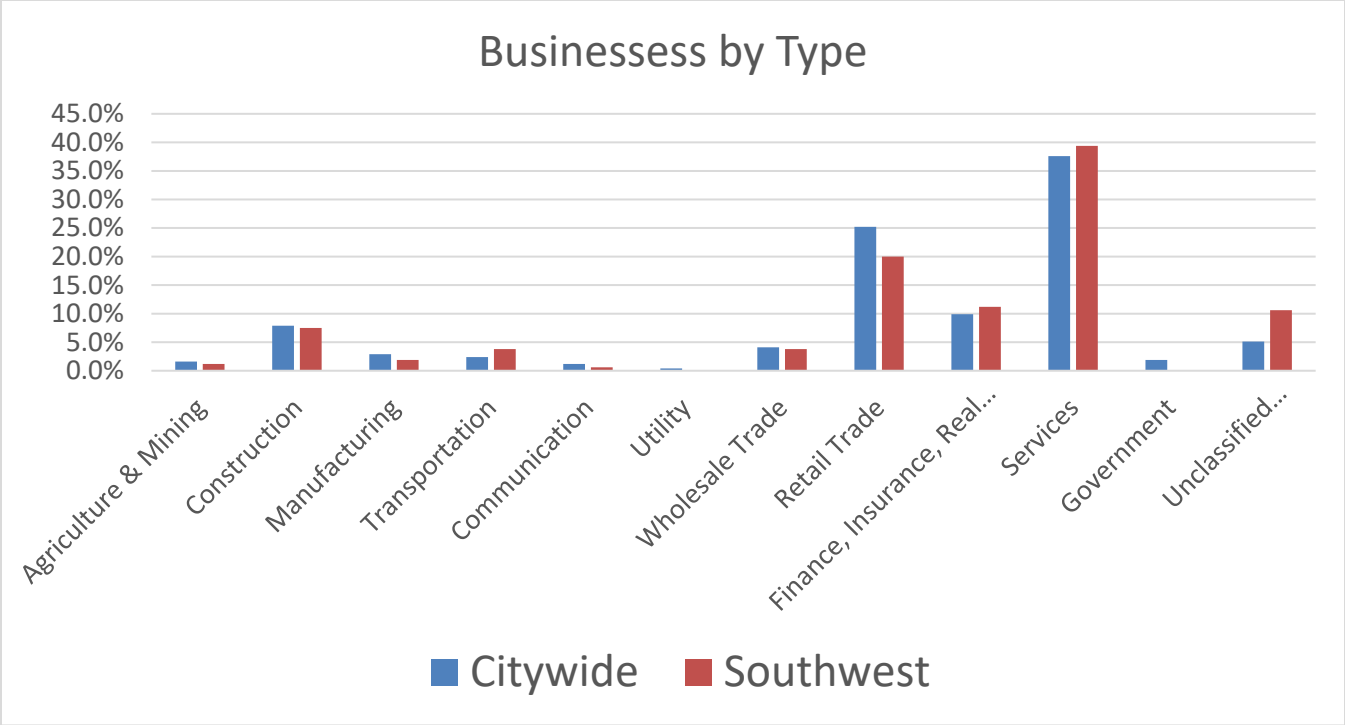

Exhibit 9: Businesses by Type

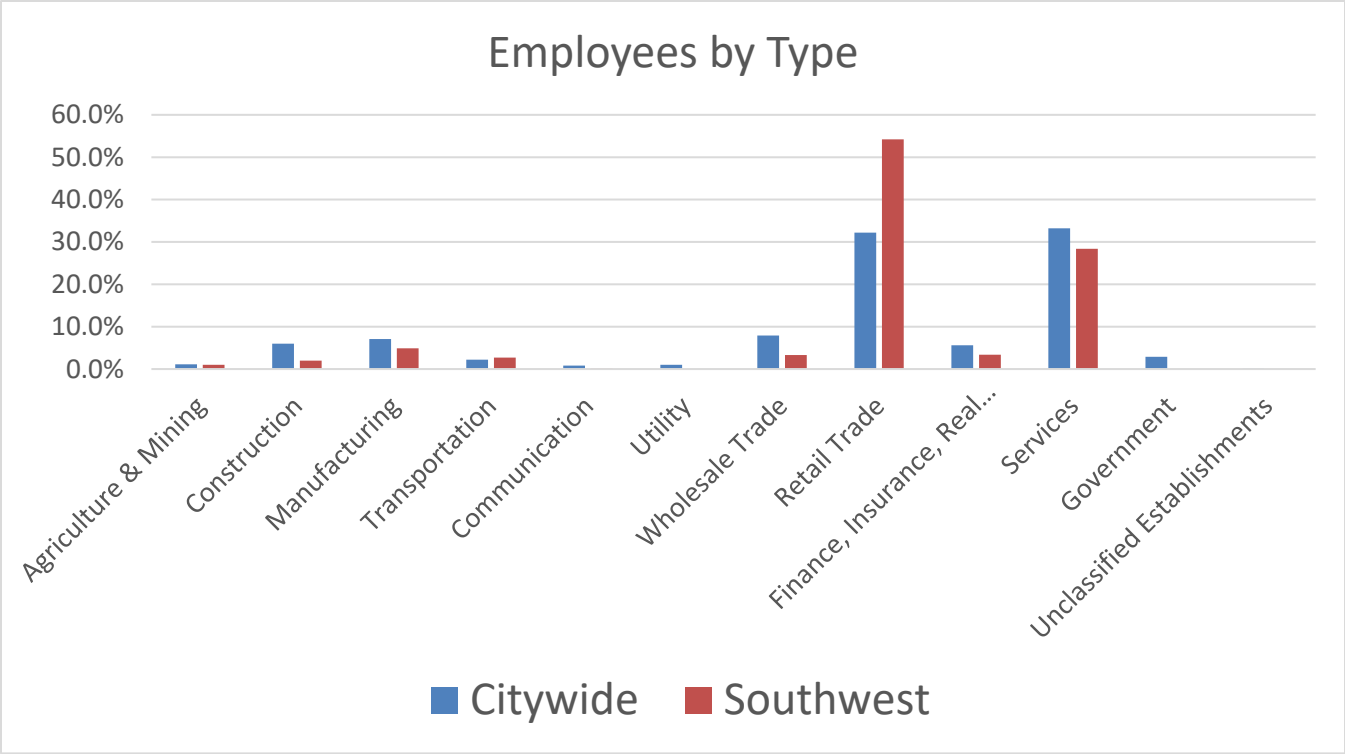

Exhibit 10: Employees by Type

EXISTING DEVELOPMENT PATTERNS

Existing Land Uses

The study area has a variety of different land uses, driven largely by the excellent transportation connections to the rest of Lewisville and the greater DFW region. There are several distribution centers along Valley Parkway and Spinks Road, and a large business campus area between Edmonds, 121 Business, and Round Grove. Round Grove currently functions as a major commercial corridor. There is additional commercial development along Vista Ridge Mall Drive and Oakbend Drive as well.

Within the study area there are three general housing types. Multifamily neighborhoods have been developed along Round Grove Road; they cater to a variety of age and income brackets. Creekview, a large mobile home park, is located along Denton Creek on the southern edge of the district. It provides affordable housing choices to residents of the city. There are also several single-family neighborhoods in the study area that have developed along the southeastern corner of the district near Vista Ridge Mall Drive.

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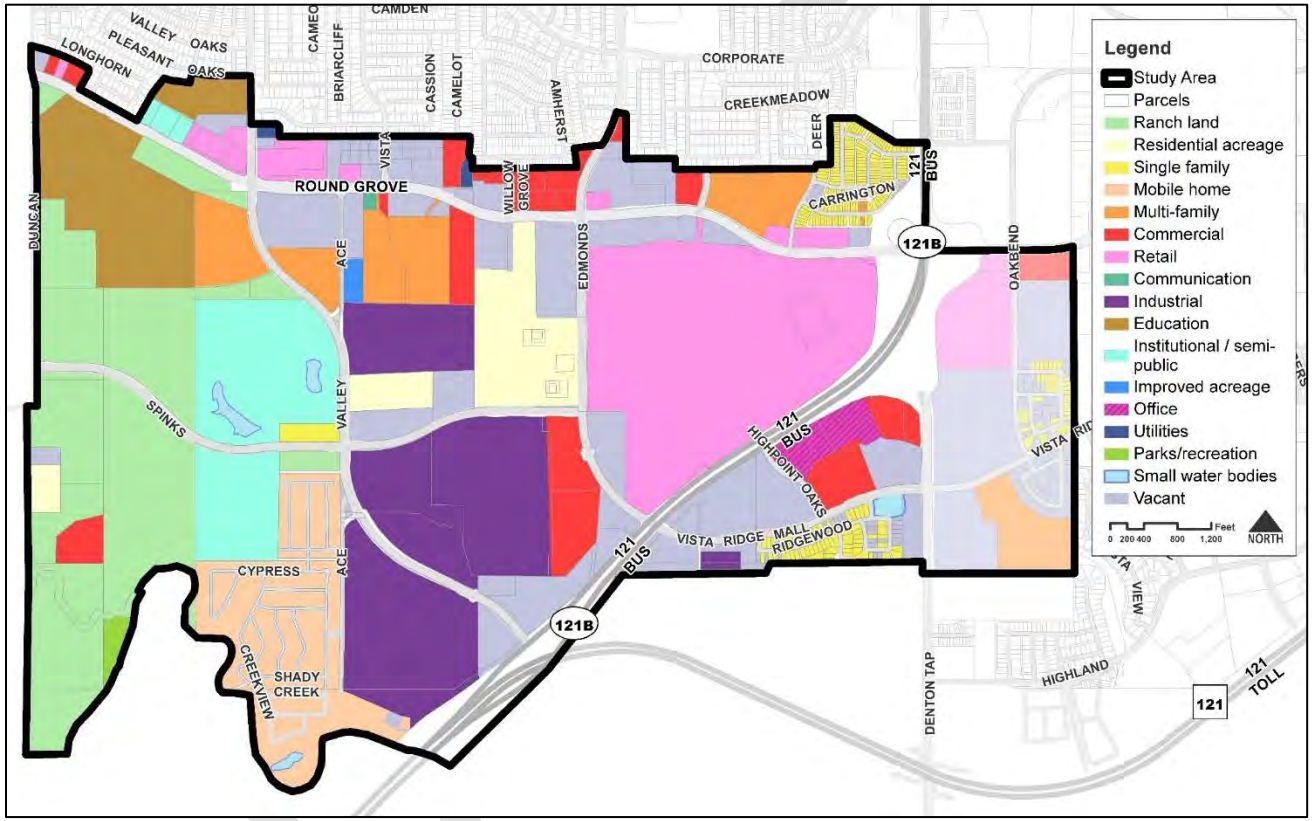

Exhibit 11: Existing Land Use

ISSUES AND OPPORTUNITIES

The analysis and public input during this process identified a number of issues that will affect the future of the Southwest Lewisville area. Based on those discussions, the Plan identifies seven unique opportunities that could support the desired transformation of Southwest Lewisville.

1. **Continue and expand the employment opportunities in this area.** Southwest Lewisville has one of the largest concentrations of jobs in the city. The businesses locating here value the area's transportation access and other features. City initiatives and collaboration with the private sector should be focused on maintaining the appeal of this area as an employment center. Improvements in the future should help make the area even more desirable as a business location, with changes in the desired character of the area attracting corporate locations and higher wage jobs as well.
2. **Make the most of the area's remaining undeveloped land by attracting market segments that aren't accommodated elsewhere in Lewisville.** This is the last area in Lewisville with significant vacant parcels remaining for development. As a result, this is the best place to plan for market segments that desire large areas and the strong, coherent design characteristics that are most common in developments of larger land holdings or in planned developments. Southwest Lewisville's creeks and tree canopy could become a part of such design. The area should be considered for both residential and non-residential developments that will add diversity to Lewisville's housing and business offerings.
3. **Address the current needs and investments of area residents.** As discussed above, Southwest Lewisville's residents have some demographic characteristics that are different from residents in other parts of the community. Two aspects of these demographics should play a role in planning a future that improves quality of life for current residents and maintains or increases their own investments in the area. First, the area has a larger share of homeowners than Lewisville overall. These residents generally own more affordable homes than the citywide average. To meet their needs, the plans for the area should include programs and initiatives that help maintain or add value to these neighborhoods. Second, some households have lower- and moderate-incomes, including many in the Creekside mobile home community. Meeting their needs means addressing existing infrastructure and housing quality concerns. Other transportation connections, job training and similar support may help with the quality of their lives.
4. **Address the future interests and investments of current residents.** Southwest Lewisville's residents include a segment of higher-income residents who rent their housing. There may be several reasons for this option. Addressing these needs involves providing amenities and services that appeal to a wide range of incomes. Building a strong connection with the Lewisville community may also mean that these residents choose to stay in Lewisville when and if they decide to purchase a home in the future.
5. **Create more awareness of Lewisville when people enter this gateway to the community.** Today, people driving along 121 Business may not realize when they enter the City of Lewisville. Drivers on arterial streets may also be less aware of their entrance into Lewisville from adjacent communities. Since Lewisville seeks to strengthen its distinctive identity, this area plays a significant role as a gateway.

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Signage and gateway features should clearly show when someone leaves another city and enters Lewisville.

6. **Apply Lewisville's signature initiatives to this area.** *Lewisville 2025* establishes a new direction for Lewisville. Its initiatives, including the Green Centerpiece and Extending the Green, are designed to differentiate Lewisville. The gateway features and the design of development and public places in Southwest Lewisville should carry out these initiatives and reinforce this new direction.
7. **Build community capacity.** The people who participated in the Open House value their neighborhoods and community. The vision for Southwest Lewisville can be more readily achieved if these residents and property owners play an active role in action to improve the area. New or strengthened neighborhood or business organizations, improved communications and a clearer identity for the area are among the tools that can increase the ability of the people in Southwest Lewisville to accomplish the goals for their community.

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STRATEGIC DIRECTION

The area plan's strategic direction includes three important components: A Vision Statement, a set of Guiding principles, and a Framework Plan.

VISION STATEMENT

The Vision Statement for Southwest Lewisville is based on a shared community vision for the future of the study area. A Vision Statement is, by its nature, aspirational; It does not describe the study area as it currently exists. Rather, it is a vision of the future that participants wish to achieve. This foundational statement should be memorable, describing where the community wants to go and what the community wants to be. The following statement has been developed based on discussions and feedback from community members and City:

> Southwest Lewisville attracts and retains dynamic corporations and diverse residents because of its natural areas, regional transportation access, desirable jobs and labor force, convenient shopping, and diverse neighborhood choices.

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GUIDING PRINCIPLES

The Guiding Principles provide the overall direction that will be used to guide decisions and investments so they achieve the community's vision. They guide the development of the overall plan, and they shape the individual details and policies for each specific plan component, such as natural asset networks or community character and design. These Guiding Principles have also been developed in conjunction with city staff and members of the community.

1. The Gateway into Lewisville from the south and west, Southwest Lewisville introduces people to Lewisville as a green and diverse city.
2. This is a major employment center for the city, attracting businesses with support services and access to transportation systems and regional destinations.
3. Neighborhoods in this area contribute to Lewisville's mix of housing for people of all ages and incomes.
4. Natural areas provide focal points, amenities, and recreation for area residents and employees.
5. Trails and sidewalks connect people to their schools, jobs, recreation, and other daily destinations.
6. New development along Round Grove supports the area's character as a place for major businesses and green neighborhoods.
7. Neighborhood organizations help people in this area connect and support one another.

FRAMEWORK PLAN

The Framework Plan is a graphic representation of the desired future development pattern that will be implemented using the Guiding Principles to realize the community's vision. The framework plan, like the Guiding Principles, provides direction for decision-makers as they consider ordinances and make decisions that impact private and public investment in the study area. The Framework Plan for the Southwest Lewisville Study Area includes three components: The Natural Asset Network, the Mobility Network, and the Future Development Pattern. These components work together to create a unified vision of the built and natural environment, shaping the development of the area in accordance with the Plan's Guiding Principles.

NATURAL ASSET NETWORK

Existing Assets

Southwest Lewisville is an area with tremendous opportunities, many related to the large number of undeveloped parcels here. These properties give the area a strong natural character as well as flexibility in attracting a range of new businesses and residential developments. The study area has several natural assets within its boundaries: Denton Creek and Bakers Branch merge and flow along the city's southwestern border, where a shared use trail could link into current trail systems along the creeks in the cities of Flower Mound, Grapevine, and Coppell. A floodplain makes much of the area near the creeks unsuitable for intensive development, but this area could serve as a new public green space for the community as there are currently no public parks within the study area. Adjacent to these floodplains are several large parcels along Spinks Road that have rolling topography and stands of dense tree coverage, which could become assets for new business or residential development seeking people and companies who value the character of these natural areas.

Along Edmonds Lane and Vista Ridge Mall there are several heavily wooded areas that enhance the natural beauty of the study area. These tree stands have been identified by community members as an important part of the natural character of the area, which the community would like to see retained.

The Southwest Lewisville study area, like most of Denton County, is located in the Texas Blackland Prairie. The Blackland Prairie is an area of rich dark clay, with expansive soils and an alkaline pH. The tree and shrub species that thrive in this soil create a distinctive plant palette that is unique to this region of Texas. Retaining natural vegetation and using these or similarly-adapted plants in new landscaping will likely reduce water consumption and increase plant survival rates, as well as creating a distinct natural character.

Concepts to Shape the Future

The natural features of Southwest Lewisville don't play a significant role in the everyday experience of people who live, work or travel through this area today. These features can help create an identity for this area that reinforces Lewisville's citywide vision of a green and sustainable community. Three key concepts are reflected in the Natural Asset Network Diagram.

1. *Incorporate natural features in new development*

Southwest Lewisville's natural character can strengthen the area's future vitality. Denton Creek, the floodplain and trees along the creek and the rolling topography created by the smaller streams that drain to Denton Creek all contribute to an area that is attractive and reflective of North Texas' natural ecology. The floodplain, tree canopy and areas of steep slopes can serve the community's future as an open space network and as amenities defining distinctive neighborhood and business areas.

Denton Creek and Bakers Branch can become visual and natural connections through this study area and to other parts of Lewisville and the region. Due to the potential flooding hazard, floodplain areas along these creeks are generally inappropriate for intensive development. But as open space, they provide locations for trails as well as natural habitat.

A second aspect of Southwest Lewisville's natural area is the extent of mature tree canopy. These trees add to the beauty of the area and provide other air quality and cooling benefits. The stands of trees in floodplain areas can be retained and continue to support the area's natural character. The tree canopy outside floodplains is mostly on private property. Future developments can benefit from these features. The area plan's development concepts should encourage development designs that locate buildings, streets and parking outside major tree canopy. Clustered residential development and campus-style employment centers can result in the same density or intensity of development, but they can be more distinctive and sustainable, thus retaining their value over the long term. It will also help retain the rolling topography that gives the area interest and unique design opportunities.

2. *Plant a new native forest.*

In addition to these wooded corridors, there are opportunities for significant reforestation at the interchange of 121 Business and Round Grove and at the intersection of 121 Business and Valley Parkway. New tree plantings would further enhance the corridors and strengthen Lewisville's reputation as green city.

3. *Use Denton Creek and Bakers Branch as assets and part of Lewisville's parks, trails and open space networks.*

A major issue the study area faces is a lack of dedicated public parks and open space – there are no City parks in the area. However, there is a large floodplain along Denton Creek that could be used for open space and recreational purposes, providing opportunities for new recreation areas and for trail linkages to neighboring cities along the creek. This would preserve the natural areas and create space for a soft trail network along Denton Creek connecting, the Creekview Mobile Home Park, Lewisville High School's Harmon campus and future employment destinations. Open spaces and trails along these creeks would support the "10-Minute Walk to a Park" initiative and goal adopted in the 2018 Parks, Recreation & Open Space Master Plan.

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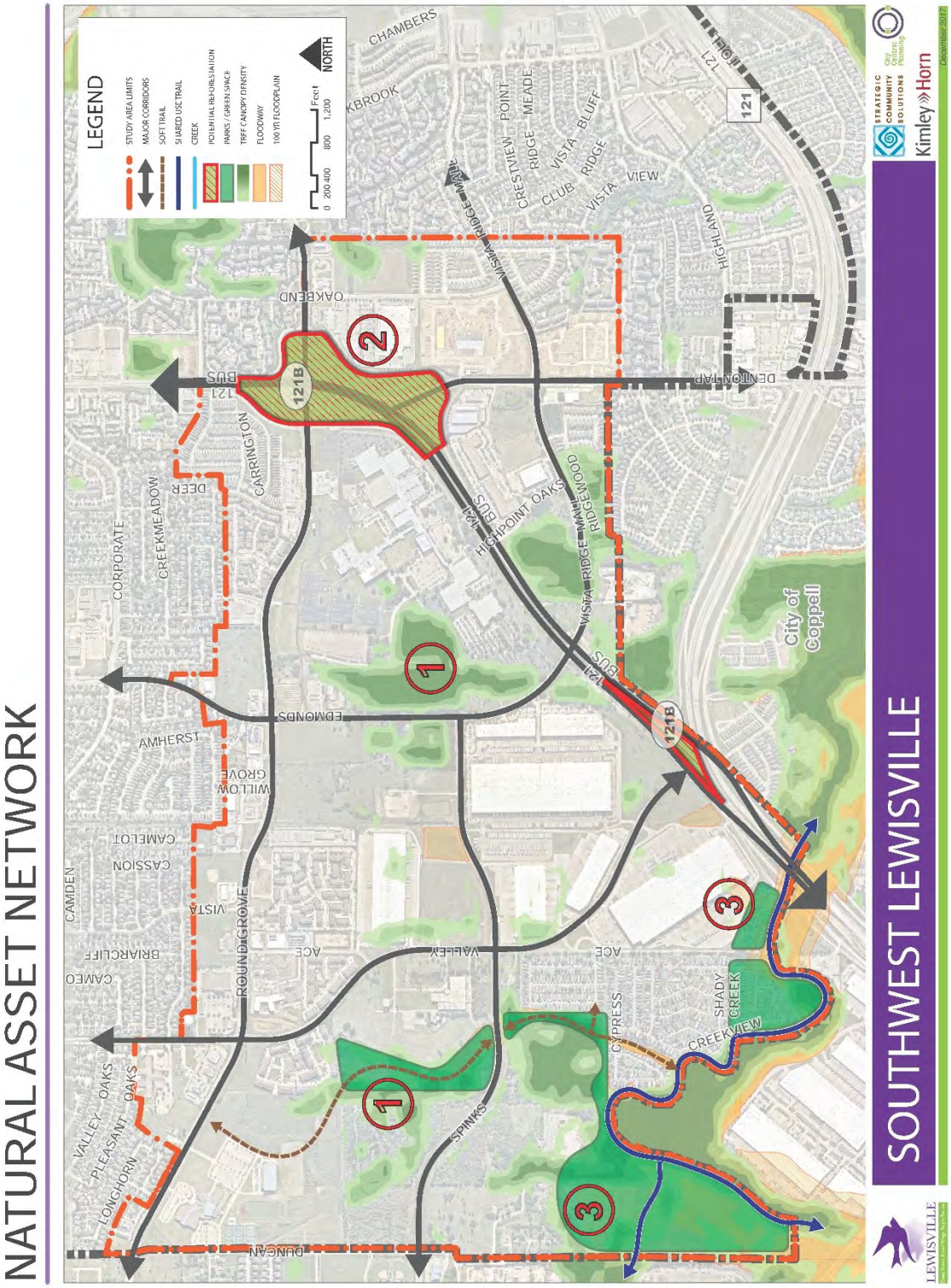

Exhibit 12: Natural Asset Network

MOBILITY NETWORK

Existing Assets

The Southwest Lewisville study area has excellent vehicular connectivity to the rest of Lewisville and the DFW region. Thanks to the presence of several major thoroughfares, the area is primed for growth as the region continues to attract new residents and businesses.

The study area is connected to the rest of Lewisville and the DFW region by several large corridors. Route 121 Business splits from the Sam Rayburn Tollway at the edge of the City limits, connecting the study area with Old Town Lewisville to the northeast and the rest of the region to the south. Valley Ridge and Edmonds are also major north/south corridors that connect the district with 121 B, while Spinks, Vista Ridge Mall, and Round Grove are the primary east-west thoroughfares. Denton Tap also connects the district to the south and serves as a secondary gateway into the City of Lewisville.

While the road network is robust, the study area currently has an incomplete pedestrian and bicycle network. Many of the major corridors already have some level of pedestrian service, but most existing sidewalks are narrow, and there are numerous gaps. Along Valley Parkway, the lack of sidewalks forces residents of the Creekview Mobile Home Park to walk directly along the shoulder of the road when traveling north to Round Grove, creating a safety issue.

Currently, the Southwest Lewisville study area does not have any bike lanes or shared use paths, though there are recommendations for a new trail along Edmonds and Vista Ridge Mall in the future. Public transportation options are extremely limited in the study area, with a single bus stop located in front of the Walmart on Oakbend Drive. Greater investment in the expansion of the pedestrian, bike, and public transportation networks will increase the number of viable transportation options within the study area, boosting quality of life, enhancing safety, and improving connectivity.

The 2018 Park, Recreation, and Open Space Plan includes the “10-Minute Walk to a Park” initiative in its needs assessment, and the goals and objective section of the document recommends that the City address any identified deficiencies. The exhibit below shows an initial assessment of this measure for the Southwest Lewisville area. Developed by the Trust for Public Land, this diagram shows areas of need for parks, with non-residential areas shaded grey. Several parts of this study area are at ‘high’ or ‘very high’ need, according to this assessment.

The City has received the National Recreation and Park Association 10 Minute Walk Planning Grant and Technical Assistance. With this grant, the City will be able to analyze this issue in greater detail, and will develop a networked sidewalk and trails layer for use with its GIS systems and an Equity-Based Prioritization Model for park improvements. Both these tools should be used in prioritizing sidewalk and trail construction.

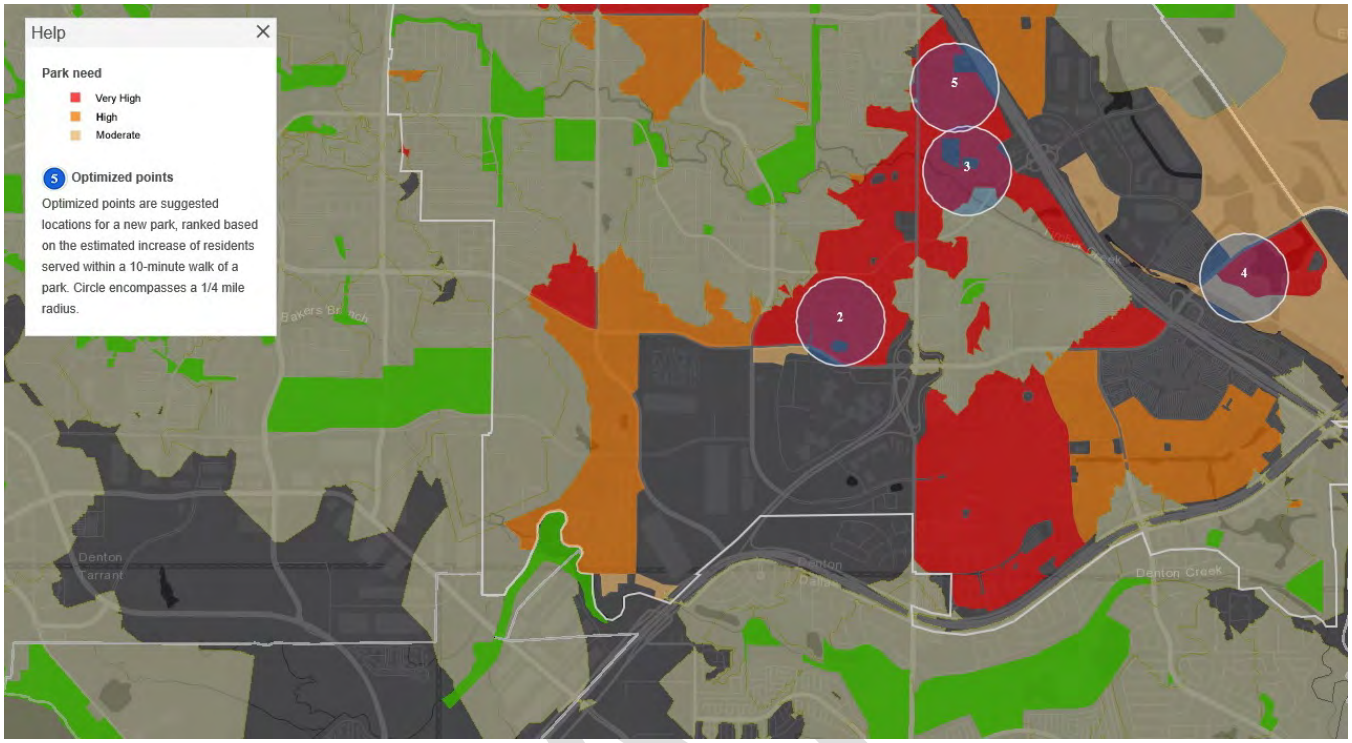

Exhibit 13: Preliminary Assessment, 10-Minute Walk to Parks

Concepts to Shape the Future

An effective multi-modal transportation system is an essential part of Southwest Lewisville's desired future. Three key concepts are reflected in the Mobility Network Diagram.

1. Continue investments in vehicular mobility

Southwest Lewisville's vehicular transportation network is one of the study area's greatest assets, and the primary reason it has become an attractive location for distribution and logistics centers. Highway 121 connects the area to the rest of DFW, while a framework of large arterials provides a variety of north-south and east-west transportation options. The city should continue to maintain the road network to ensure that area remains an attractive location for both current and future development.

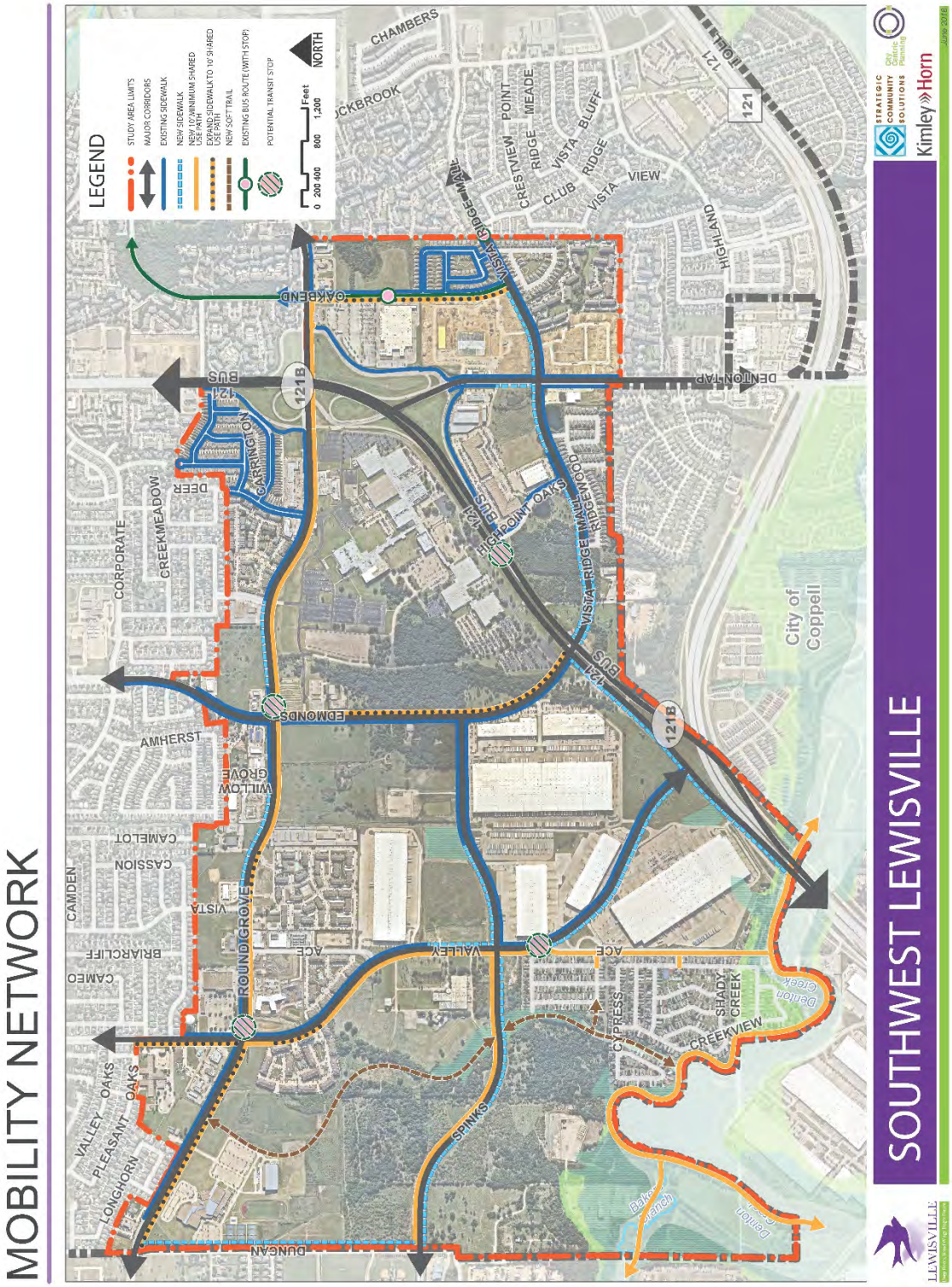

Exhibit 14: Mobility Network

2. *Complete the pedestrian and bike networks*

While the area's thoroughfares provide excellent vehicular mobility that makes this a preferred location for distribution and office locations, the bike and pedestrian network is much less developed. Several of the major thoroughfares have sections of sidewalk along portions of their routes, but there are significant gaps. Filling these gaps and building a network of shared use paths would enhance connectivity and provide alternative routes for residents and workers to access services and jobs, as well as provider safer means for students in the area to walk to school. Locations are shown graphically in Exhibit 14 as a dashed blue line. Additionally, sidewalks along at least one side of all major corridors should be expanded to serve as a shared use path, enhancing mobility by providing safe routes for bicyclists as well as pedestrians.

There are several areas that should be targeted as high priority for pedestrian improvements. A shared use path should be built along Valley Parkway with an extension to the Creekview Mobile Home Park via Ace Lane. This would provide greater mobility to residents who currently walk to jobs, services, and schools along Round Grove Road. A soft-surface trail, shown in Exhibit 14 as a dashed brown line, should also be considered to link the Lewisville High School Harmon campus with residential areas along Round Grove and to Creekview by way of the trails along Denton Creek. Another area of high importance is the completion and expansion of pedestrian/bike paths along the Round Grove corridor. This road currently functions as the primary commercial corridor for the study area, but substantial portions of the corridor do not have any pedestrian routes. Additionally, pedestrian/bike paths should be extended along Round Grove over the 121 interchange to reconnect the eastern and western sides of 121B; these paths will need careful design to provide safety to people on foot or bike as they cross this major vehicular interchange.

As new development occurs in the western part of the study area, the designs should include pedestrian and bicycle routes as well as vehicular routes. Not only will these routes benefit people who live in the area, they will also benefit the people who work in the employment areas. The ability to walk during lunch or breaks and the choice of walking or biking to eat or run errands will reduce the number of auto trips in the area during the day and during the evening rush hour.

3. *Strengthen DCTA transit in the area*

The Southwest Lewisville study area currently has only one transit stop along DCTA's Route 22, located on the extreme eastern edge of the study area in front of the Walmart along Oakbend Drive. The route could be extended, or a new route created, to serve population and job centers throughout the study area. Connections from this area to Old Town and the DCTA transit stations will also benefit the people who live and work here. Areas where stations should be considered include:

- Valley and Round Grove – This location would serve the large number of apartments and the senior living center that are located near this intersection. It would also enhance transit access to Lewisville High School Harmon and Parkway Elementary. Additionally, a new transit stop here would provide access to commercial services north of Round Grove, and access to a new community identity point at the Lewisville Water Tower.

- Valley and Spinks – A transit stop at this intersection would provide access to the residents of Creekside Mobile Home Park as well as workers at the distribution centers that are concentrated in the area. It would also provide convenient access to a new park/trail system linked to Lewisville High School Harmon and new green spaces along Denton Creek and Bakers Branch.
- 121Business and Highpoint Oaks – This area is a major employment center, and a transit stop at this location would provide access both to the Digital Realty Campus to the north, and to existing and future business development to the south.
- Edmonds and Round Grove – This location would serve commercial developments near the intersection, as well as provide access to future development on the Digital Realty campus to the southeast. A stop here would also provide transit access to residents in the neighborhoods immediately north of the Round Grove corridor.

FUTURE DEVELOPMENT PATTERN

Concepts to Shape the Future

The character of the places that will be part of Southwest Lewisville's future will be determined by the uses and places that remain as they are today, those that are changed or revitalized, and those that will be created in the future. Four key concepts inform the character of places shown in the Future Development Pattern Diagram.

1. *Continue and enhance the area's strengths as an employment center.*

As noted previously, Southwest Lewisville is an important employment center and business location in Lewisville. The development concepts for the area should support the continuation of this role.

2. *Keep existing neighborhoods lively and desirable.*

Since Southwest Lewisville has such a diverse range of neighborhoods, public investments and services should keep these areas vital.

3. *Enhance Round Grove as a valuable and distinctive retail, service and restaurant corridor.*

Round Grove has become the location of many businesses used by nearby residents and employees in the business areas. But it does not have a clear identity and many uses are auto-oriented. The long-term viability of this commercial area (and its adjacent neighborhoods) would be strengthened if the area had a distinct character and was seen as a destination for shopping or dining, particularly one that can be accessed on foot, by bike or transit, eliminating the need to drive and park at multiple destinations.

Community input clearly supported a future for the Round Grove corridor that is neighborhood-serving, family-friendly and oriented to people rather than cars. Future development should emphasize retail, business or professional services, restaurants and similar uses that serve area residents and employees of nearby businesses. Restaurants that appeal to families with children (such as the fast-casual format) and activities for children and teens are particularly encouraged. Opportunities to access City services and resources were desired; this could involve a small facility like a storefront or could mean a regular and well-publicized visible stop for MARTY. Among the uses identified as desirable are technology stores, family- or teen-oriented entertainment and sports, higher-end restaurants and enhanced or expanded grocery options.

Design guidelines should create a consistent human-scale character for the area. These design guidelines should be applied to all future development and should be included in the consideration of any Special Use Permits (SUP) for uses in this corridor. The character desired along this corridor should emphasize people, with places to walk and bike safely, outdoor dining, green spaces and similar features. Uses that relate to automobiles and through vehicular traffic are generally less compatible with this future design for Round Grove, though proposals that meet the standards in the corridor's design overlay should be considered.

4. *Maximize the benefits from development west of Valley.*

The future of the large undeveloped areas generally west of Valley will shape the long-term identity of Southwest Lewisville. Instead of responding to the most immediate market interests here, Lewisville should seek development that will be more valuable over the long term. The Natural Area Network should be incorporated into future development so the area benefits from a unique identity.

This plan proposes two options for this future development, both of which build on the area's natural character. The first option would create clustered, 'green' neighborhoods. The character of these areas would benefit from shared open spaces, the existing mature trees and locations for trails or natural area recreation. Such neighborhoods could offer a higher-value residential product that is not found elsewhere in Lewisville (or in much of North Texas).

The second option would focus on non-residential uses. It too would design street networks and building sites to avoid steep slopes, floodplains and major stands of trees. While some sites might appeal to distribution uses, like those closer to 121B, other sites could attract corporate office uses.

Future Development Pattern Diagram

The Future Development Pattern Diagram graphically represents the mix of land uses and the desired future character in the study area. This diagram should guide decisions on future development proposals in these areas. In addition to guiding development for the area's unbuilt parcels, the Future Development Pattern Diagram also gives guidance to redevelopment within the study area.

Developed through numerous meetings and conversations with community participants, stakeholders, and city staff, this diagram should serve as a reference point when considering whether future development proposals are in alignment with the community's vision. It will guide future decisions on proposed zoning changes, development applications, and changes to development standards.

Place Types

Place Types represent the different sorts of places that could exist in the Southwest Lewisville of the future. Instead of referencing a single land use, they describe the character of the place – the mix of land uses, the scale, how a pedestrian experiences the area, and other features. Place Types are valuable because they communicate what's important – the character or quality of the place to be created. They give the community more flexibility in addressing development proposals for specific properties and in responding to changing market conditions. The Place Types are used as the 'color palette' for the Future Development Pattern Diagram that depicts desired development patterns in Southwest Lewisville.

This Small Area Plan uses eight (8) Place Types to represent the places that could be a part of Southwest Lewisville's future. Each of these Place Types is described below. For each Place Type, the description includes:

- Place Type name;
- A brief description of the intent behind this Place Type;
- Discussion of the land uses that are expected to be primary or secondary components of the place that is created;
- Where appropriate, information on the range of development density or intensity expected; and
- Supporting images that illustrate the character represented by the Place Type.

There are two options for Southwest Lewisville's future development. They are shown in Exhibits 15 and 16 and are discussed below.

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NEIGHBORHOOD REVITALIZATION

Character and Intent
This Place Type is intended to support reinvestment in existing neighborhoods. These are residential areas that may benefit from improvements to existing structures. Revitalization could also include other housing types such as cottages.

Land Use Considerations
Primary Land Use
Single Family Detached Homes, Townhomes, Other Single Family Attached Homes
Secondary Land Uses
Civic and Institutional Uses, Parks and Open Space

Indicators & Assumptions
Lot size less than 1/4 acre

ILLUSTRATIVE PHOTOS

CLUSTERED GREEN RESIDENTIAL

Character and Intent

Clustered residential neighborhoods are intended to provide a clustering of smaller residential lots, but within large areas of green or open space. They provide the same overall development density as a traditional suburban design, but preserve the natural topography and vegetation in the area as an amenity for the neighborhood. Typically formed as small subdivision clusters buffered from surrounding uses by greenbelts, natural, or landscaped areas

Land Use Considerations

Primary Land Use

Single Family Detached Homes, Townhomes, Other Single Family Attached Homes

Secondary Land Uses

Civic and Institutional Uses, Parks and Open Space

Indicators & Assumptions

Lot size less than 1 acre, but overall development densities are comparable to Suburban Living

ILLUSTRATIVE PHOTOS

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SUBURBAN LIVING

Character and Intent

Suburban neighborhoods will continue to be a component residential place type in the study area. Neighborhoods would consist primarily of single-family detached homes, along with townhomes and some duplexes.

Land Use Considerations

Primary Land Use

Single Family Detached, Townhome, Duplex, Ancillary Units

Secondary Land Uses

Civic and Institutional Uses, Parks

Indicators & Assumptions

Lot size less than 1/2 Acre

ILLUSTRATIVE PHOTOS

URBAN LIVING

Character and Intent

Urban Living areas can support a variety of housing types in a compact network of complete, walkable streets that are easy to navigate by bike, car, or foot. This Place Type may also contain small amounts of retail or neighborhood services to serve the neighborhood.

Land Use Considerations

Primary Land Use

Townhomes, Duplex, Condominiums, Urban-Style Apartments, Senior Living Communities

Secondary Land Uses

Civic and Institutional Uses, Parks and Open Space, Retail / Commercial

Indicators & Assumptions

Densities of 6-40 units per acre

ILLUSTRATIVE PHOTOS

EMPLOYMENT MIX

Character and Intent

Employment Mix provides a location for businesses offering a range of professional and service jobs. This type of development may support a variety of non-residential uses including offices, research and development facilities, medical clinics, logistics centers, distribution hubs and business incubators. This Place Type may include support services, such as retail or dining, that support other employment uses in the area. The street frontages of the businesses are appealing and generally have an increased level of aesthetic design and landscaping.

Land Use Considerations

Primary Land Use

Offices, Professional Services, Office Parks, Flex-Office, Distribution Centers, Logistics

Secondary Land Uses

Civic and Institutional Uses, Parks and Open Space, Retail and Commercial, Indoor Recreation

Indicators & Assumptions

Lot size (Range) N/A

ILLUSTRATIVE PHOTOS

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COMMERCIAL

Character and Intent

The Commercial Place Type is typically characterized by freestanding buildings containing one or more businesses. May include regional destinations like entertainment venues or lifestyle centers as well as local neighborhood services, such as restaurants, local retail, medical offices, banks, and other retail services

Land Use Considerations

Primary Land Use

Retail and Commercial

Secondary Land Uses

Civic and Institutional Uses, Parks and Open Space

Indicators & Assumptions

Lot size (Range) N/A

ILLUSTRATIVE PHOTOS

PUBLIC & EDUCATIONAL

Character and Intent
The Public and Educational Place Type contains public and educational facilities that support the community. These may include uses such as public or private schools, community recreational centers, libraries, or public safety facilities

Land Use Considerations
Primary Land Use
Civic and Institutional Uses
Secondary Land Uses
Parks and Open Space

Indicators & Assumptions
Lot size (range) N/A

ILLUSTRATIVE PHOTOS

PARKS AND GREEN SPACE

Character and Intent
Parks and Green Space is used to indicate areas that are in public or non-profit ownership and that will be dominated by open space over time. Examples include large public parks, floodplains in public ownership, cemeteries and properties subject to long-term conservation easements or similar protections. These areas are not expected to develop with other uses.

Land Use Considerations
Primary land use
Parks, Open Space, Cemeteries
Secondary Land Uses
Civic Uses

Indicators & Assumptions
Lot size (range) N/A

ILLUSTRATIVE PHOTOS

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Employment Mix

The study area currently has a large concentration of distribution, employment, and commercial uses, and these uses will remain critical to the study area's future success. The road network and good accessibility to the rest of the DFW region have made the area an appealing location for corporations and distribution businesses.

Both Future Development Pattern options show an expansion of distribution uses, with vacant parcels along Spinks Road developed similarly to the existing distribution centers in the area. They also reflect the continued appeal of the Digital Realty campus as an employment center, and a significant portion of the campus remains available for future development. Vacant parcels along Round Grove and Vista Ridge Mall would experience infill with commercial or business development for suppliers or service providers to larger companies, as well as to support corporate workers and area residents.

Community input supports the continuation of this Employment Mix and recognizes its value to the Lewisville tax base. The City's economic development initiatives should include efforts to communicate with the existing businesses in this area and support their continued success and possible expansion here. Other suggestions include creation of a stronger connection to the area's schools, so local students could receive job training that would help them develop the skills needed by the area's existing businesses.

Residential Mix

Southwest Lewisville currently has several different housing products within its boundaries, including single family, multifamily, and a mobile home park. Some of the older multifamily units in the area could benefit from redevelopment and replacement with newer, market-based urban housing. The Creekview Mobile Home Park would also benefit from reinvestment, as the park is not connected to city water or sewer, and aging infrastructure will pose reliability and sanitary issues in the future. Portions of the mobile home park are also located within the Denton Creek floodplain, and affected units should be removed or relocated to less vulnerable locations.

Alternatives for Western Part of Study Area

In addition to the existing mix of housing in the area, there is potential for the development of another housing typology, cluster residential, that is not yet available in Lewisville. The undeveloped parcels along the western end of Spinks Road have rolling topography and are heavily wooded, characteristics that are uncommon in North Texas. Clustered residential development would allow for the preservation of much of this landscape, creating a high end, sustainable housing product that would expand the housing choices available to Lewisville residents. These neighborhoods are generally formed as subdivisions with homes clustered in small pods, with residential uses oriented towards the interior of the site and natural areas preserved as greenbelts around them. The locations for these new development products is illustrated by the Clustered Green Residential Place Type in the Future Development Pattern Option 1, shown in Exhibit 15.

Alternatively, should demand for employment mix exceed the need or demand for new housing products, the parcels along Spinks Road could be developed based on the Employment Mix Place Type, illustrated in the Future Development Pattern Option 2, shown in Exhibit 16. In this case, the potential still exists for new

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development to occur in clusters to preserve some of the areas unique topography, similar to developments just to the west in the city of Flower Mound.

Community input strongly supported the concept of clustered development that retains areas of natural open space. Some participants felt that residential areas would be more desirable, while others favored corporate campus or other business uses. Either of these uses – or a combination of them – could be compatible with the vision of this plan.

A Planned Development (PD) zoning should be used for future development of this area to ensure that the design and character are appropriate and create new neighborhoods or employment areas that will be distinctive, adding to the options available today in Lewisville and providing long-lasting value. Factors to be considered in evaluating any proposed PD rezonings include:

- Extent of natural open space retained
- Use of natural areas to enhance adjacent development and to create areas for enjoyment of nature
- Creation of connected corridors of open space for trails and habitat
- Provision of housing types and price points, or business sites and amenities, that expand the market offerings available in Lewisville
- Anticipated fiscal benefit to the City; and projected return on investment of any incentives offered to the project
- Use of green infrastructure design and native, drought-tolerant landscaping
- Site and building design that creates the community character described in this plan.
- Plan for continued maintenance and ownership of common areas.

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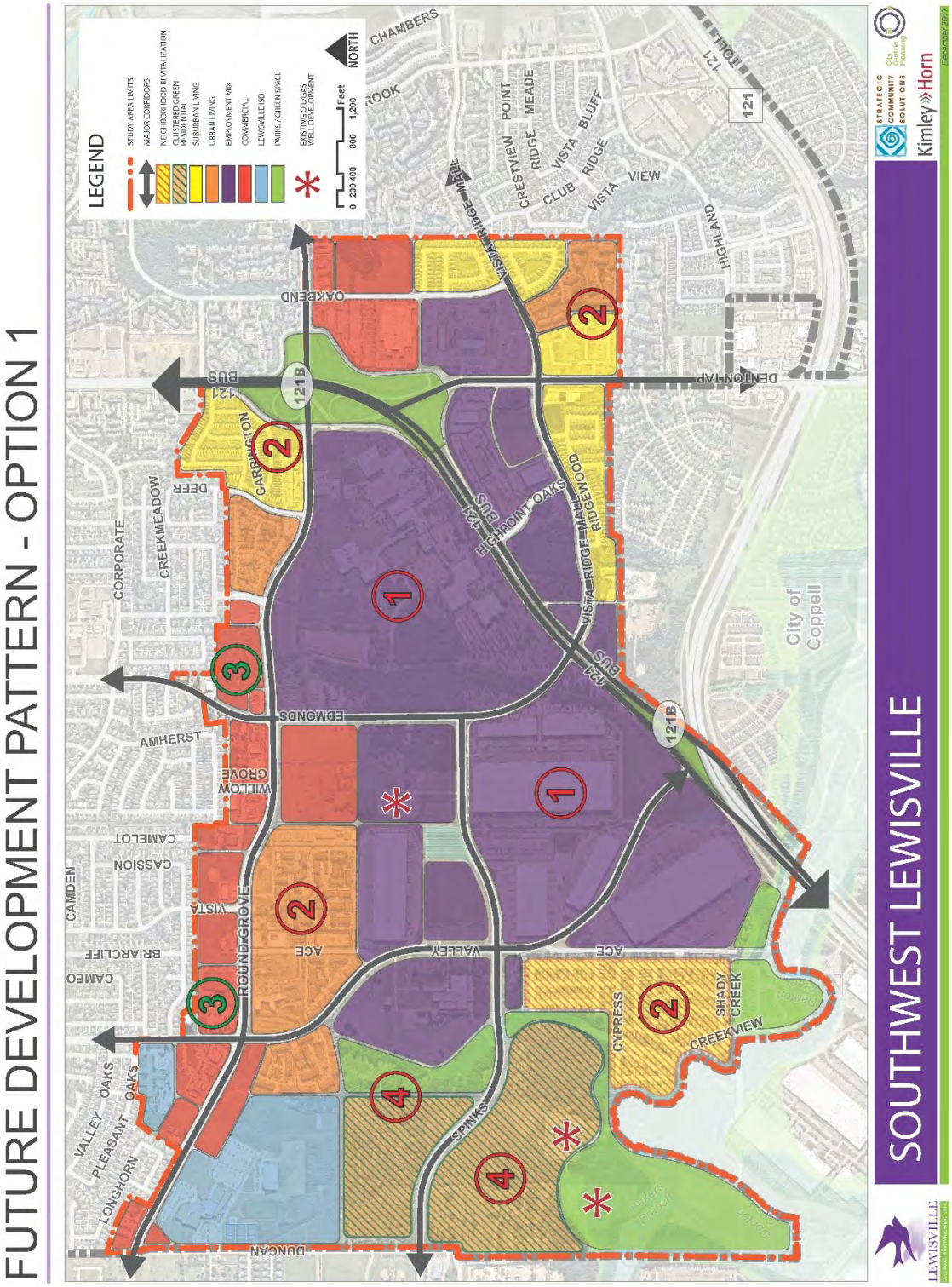

Exhibit 15: Future Development Pattern, Option 1

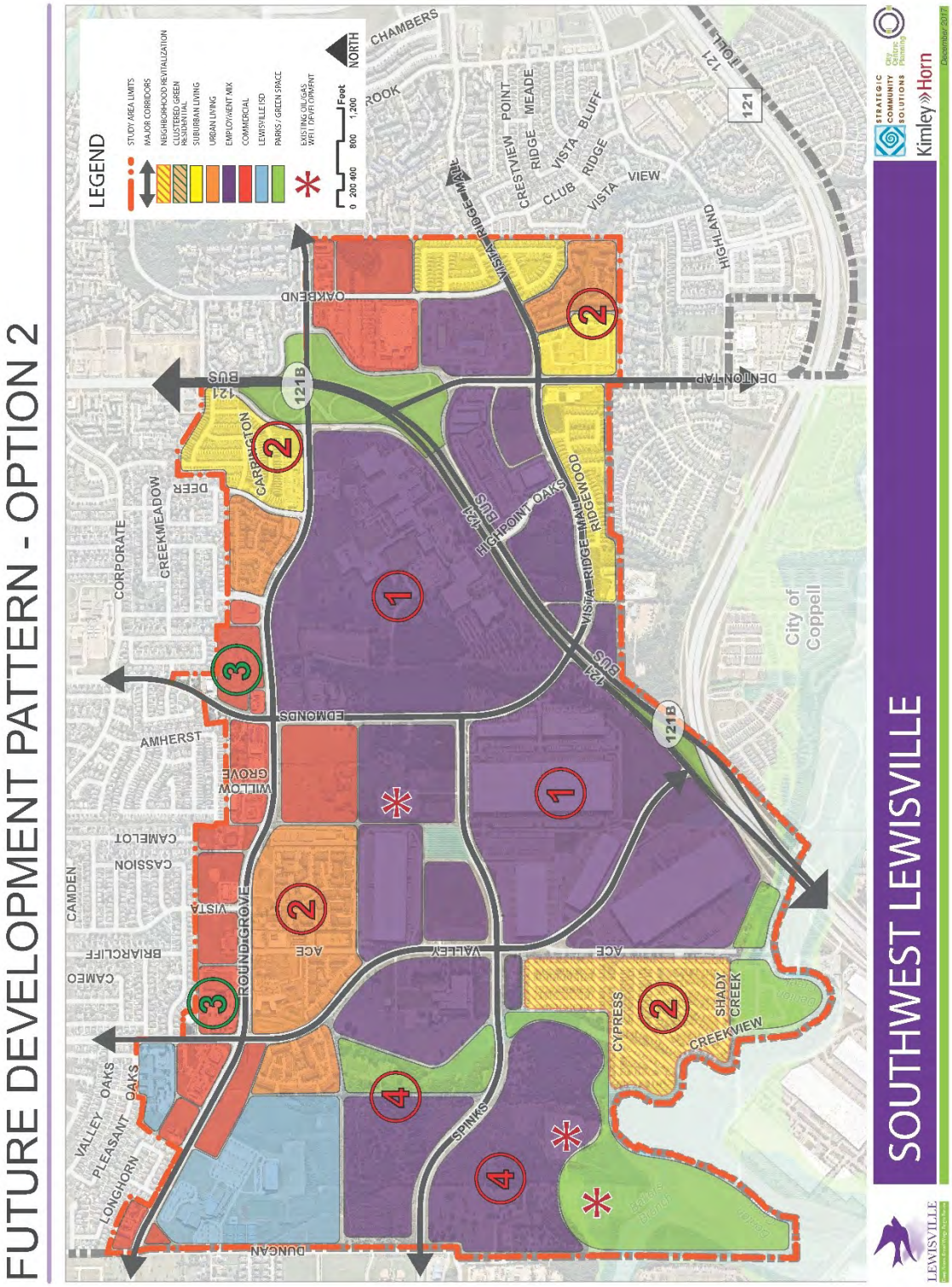

Exhibit 16: Future Development Pattern, Option 2

COMMUNITY CHARACTER & DESIGN

Community character and good urban design are essential components of successful placemaking. Good design considers community attributes such as topography, vegetation, land use, buildings, culture, and history to strengthen the character and appeal of the community. To be successful, good community character and design policies use distinctive character, good spatial organization, and high aesthetic standards to enhance social equity, strengthen community interactions, and improve quality of life.

This Area Plan addresses important elements of community character and design in three categories:

- Gateways and Identity Points
- Public Realm Corridors
- Design Overlays

Each of these aspects of design are discussed in detail below.

GATEWAYS AND IDENTITY POINTS

Gateway and Identity nodes help make a district more successful by establishing the boundaries and character of the area and enhancing imageability. These elements also establish a hierarchy of importance for intersections, corridors, and public spaces, making an area more legible to visitors and residents alike. These gateways and identity points can play a vital role in the establishment of an identity for Southwest Lewisville. They would also, because of the study area's location on the Lewisville City boundary, signify that one is crossing into or out of the City of Lewisville, creating an opportunity for the community to strengthen its brand and represent itself to the wider region. Gateways and Identity points come in a large variety of shapes and sizes. These may take the form of signage and monumentation, but can also include large art pieces, ornamental landscaping, or even large stands of trees.

The Gateways and Identity Points proposed for Southwest Lewisville are listed below and are shown in Exhibit 17.

1. Major Gateways
    a. 121 Business Sequence (at Edmonds and Round Grove)
2. Minor Gateways
    a. 121 Business Sequence (at Valley)
    b. Denton Tap at City limits
    c. Round Grove and Duncan
3. Pedestrian Gateways
    c. Denton Creek at City limits
    d. Spinks at City limits
4. Identity Points
    g. Round Grove and Valley (City water tower)

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Major Gateways

This area plan identifies two locations for major gateways for the Southwest Lewisville Study Area. The first is the intersection of Edmonds and Vista Ridge Mall with 121 B. This is one of the largest intersections in the study area, and is a major point for entry for those entering and leaving the district via the Sam Rayburn Tollway. Due to the high visibility of this important gateway, auto-related uses are incompatible with the desired identity of this area. The other major gateway identified is the large interchange between 121B and Round Grove. The large expanses of right of way at the interchange provides an opportunity for a large gateway statement, like an urban forest, that reflects the community's character as a green city. These gateways, together with a third location on 121B described in the next section, would create a sequence of features for those entering and exiting the city. This sequencing of related features could be used to create a very strong identity that showcases the City of Lewisville to the rest of the region.

Minor Gateways

There are several locations in the study area where minor gateways are appropriate. These areas may function as entries into the city or study area, but are of secondary importance to areas designated for major gateways. The first location identified for a minor gateway is the intersections of Denton Tap Road with Highland Drive, where new City gateway signage is already under construction. The second minor gateway location is the intersection of Round Grove Road and Duncan Lane at the Lewisville city limits. Finally, the last major gateway location identified for the study area is the intersection of Valley Parkway and 121 B Southbound. This intersection is the third location described in the previous section as part of a sequence of gateways that together would establish a distinctive regional identity feature.

Pedestrian Gateways

Pedestrian Gateways are generally smaller in scale than the previously described gateways, and are used to signify entry into the district to cyclists and pedestrians. One pedestrian gateway identified in Southwest Lewisville is the intersection of Spinks Road and Duncan Road at the City limits. A second pedestrian gateway is suggested for the proposed shared use trail along Denton Creek and Bakers Branch. These gateways would be located at connection points between the Lewisville trail extension and trail systems in Coppell, Flower Mound, and Grapevine.

Identity Points

The water tower on Valley Parkway just north of Round Grove Road has been identified by the community as a major identity point, signifying to those in the area that they are in Lewisville. A portion of the property where the water tower is located could be upgraded to serve as a gathering space for residents with the incorporation of a small park or public art and decorative lighting.

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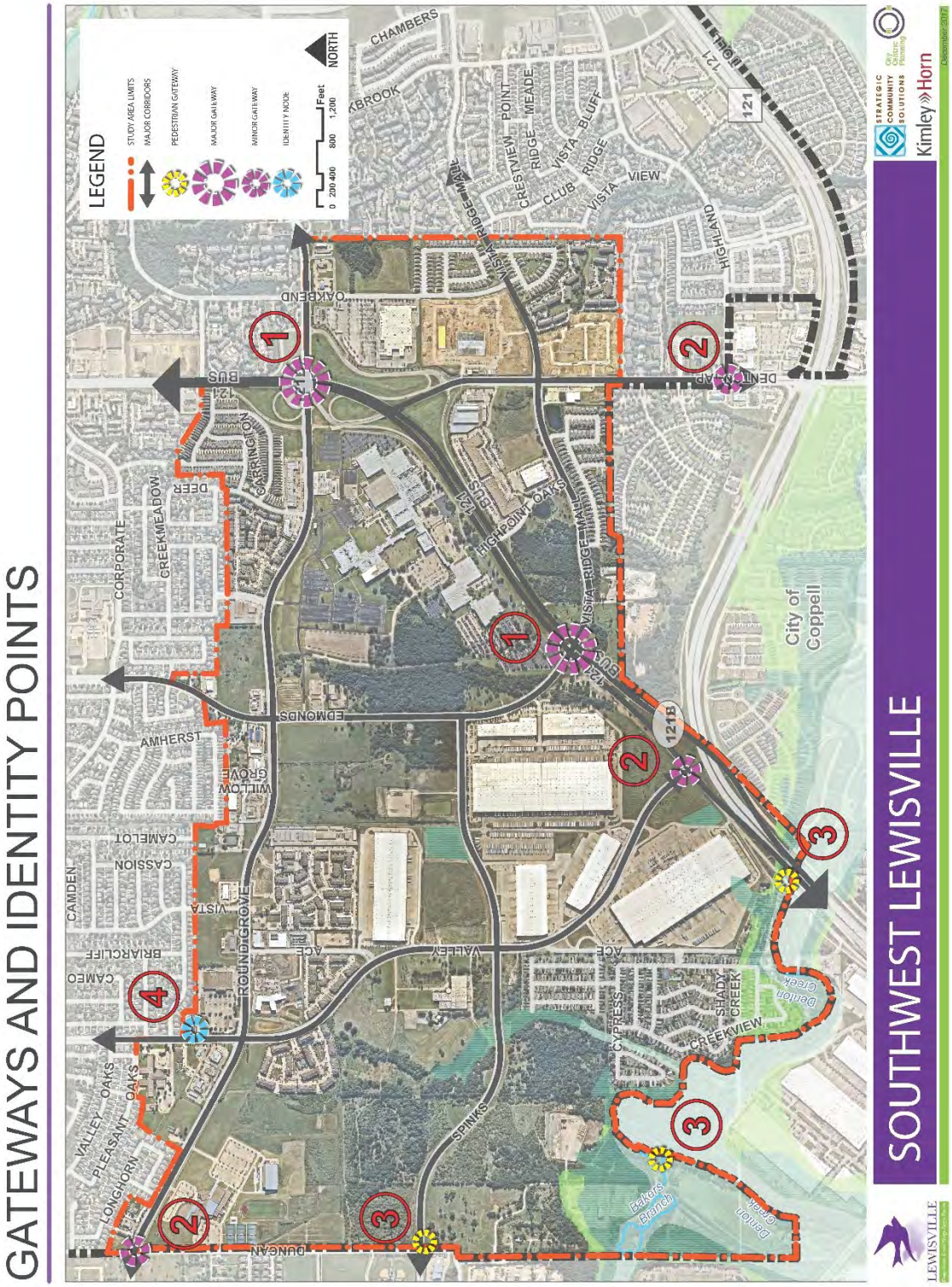

Exhibit 17: Gateways and Identity Points

PUBLIC REALM CORRIDORS

Public Realm Corridors are areas where investments may be needed in public areas and along rights of way to preserve and enhance community character. As shown in Exhibit 18, three Public Realm Corridors are proposed:

- A "new urban forest" as part of the entrance to Lewisville along 121B
- Valley
- Edmonds – Vista Ridge Mall

New Urban Forest

In Southwest Lewisville, one of the defining characteristics of the area is the natural environment. This theme could be communicated to people entering Lewisville by planting additional forests in the public right of way. Locations that would be suited to this 'reforestation' include the interchange of 121B and Round Grove and the open median between the north and southbound lanes of 121B where it splits from the Sam Rayburn Tollway. This right of way is owned by TxDOT, which created numerous "Green Ribbon" enhancements in areas throughout the state to reduce maintenance costs and improve the look of their corridors.

Conceived by TxDOT's Houston District in 1999, the Green Ribbon Program funds the design and construction of highway enhancements, including landscaping and irrigation enhancements, in TxDOT's districts with air quality non-attainment, near non-attainment and early action compact counties. Lewisville is a part of TxDOT's Dallas District, which qualifies for this program. The vision for the Green Ribbon Program is to convert concrete dominated highway corridors into "ribbons of green" through the addition of trees, shrubs, grasses and groundcovers. The program funds landscape improvements including the addition of plant materials, soil preparation and mulch beds, and irrigation systems. In order for cities to receive this funding, they are required to agree to maintain the project once it is complete, typically for a minimum period of 5 years.

For Lewisville to receive funding for this area, an application would be made by the City to TxDOT, and if funds are awarded, TxDOT may design the project on behalf of the City, or would review designs provided to TxDOT by an outside firm. TxDOT has specific criteria for the design of landscape enhancements that include technical requirements for soil preparation, acceptable plant materials (typically native and/or drought tolerant species), maintenance requirements, as well as safety requirements related to visibility triangles that regulate the placement and heights of design elements at intersections. Once the design is complete, TxDOT typically bids and contracts the construction of the project, and oversees the work. Following the completion of construction, the contractor will typically maintain the project for a one-year period, and the maintenance would then be turned over to the City at the end of that period.

The Southwest Lewisville study area, like most of Lewisville, is located in the Texas Blackland Prairie. This region runs from north to south in a narrow band from the Oklahoma border to Travis County, and is characterized by rich black soils of expansive clay with a high pH. There are a limited number of trees that thrive in the unique conditions presented by these soils and the extremes of the North Texas climate, but these limitations have created a plant palette that is distinctive to the region. Some of the most successful large species include well known trees such as Cedar Elms, Pecans, Bald Cypress, Cottonwood, and Hackberry, and a variety of oaks,

including Burr, Chinquapin, Red, and Live, all of which would be acceptable by TxDOT for use in their rights of way.

Valley

Valley Parkway is a major north-south corridor for the district, carrying traffic from adjacent distribution centers and providing a connection between Round Grove and 121B. The corridor has wide medians, with attractive planting at intersections and trees interspersed throughout. The only major investment in the public realm envisioned for this route is the completion of the pedestrian network along the entire corridor. While much of the eastern side of the corridor has already received sidewalks as parcels have been developed, most of the western side of the corridor does not have any pedestrian facilities. The west side of the corridor is more heavily trafficked by pedestrians, especially by school children, who are traveling between the Creekside Mobile Home Park and Lewisville High School Harmon campus. This side of the corridor should receive a shared-use path along its entire length to facilitate both pedestrian and bicycle traffic along the corridor. In sections where the path is not under large utility lines or adjacent to forested areas, street trees should be planted to provide shade during the summer months.

One of the aspects of the corridor most appreciated by local residents is the forested areas along the route, which create a natural character for the area. Streetscape design that retains forested sections along the roadway to preserve this tree canopy would ensure that the character of the area is maintained in the future.

Edmonds – Vista Ridge Mall

The Edmonds – Vista Ridge Corridor is one of the longest corridors in the district. Much of the public realm in this corridor has wide medians with numerous tree planting, and sidewalks have been constructed along nearly the entirety of the route, providing good connectivity for pedestrians. However, the most beloved feature of the corridor by members of the community is the natural character of the area provided by the dense trees growing along both sides of the corridor. Streetscape requirements, incentives or investments should be considered to preserve these trees, even as the interiors of the parcels fronting the road are developed. In areas where the trees have already been removed, the planting of new trees would eventually form a similar shaded area.

The other major investment that should be made in the public realm for this area is an upgrade to the intersection at 121B. Currently, this intersection only has sidewalks on the north side, and there are no crosswalks in the median. Crosswalks should be added for pedestrians and cyclists to cross the road, and curb ramps should be installed in the medians and south side of the intersection.

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Exhibit 18: Public Realm Corridors

DESIGN OVERLAYS

Design overlays are a tool to guide public and private investment within specific corridors or districts. These guidelines establish standards that direct new development to make the corridor or district more uniform in appearance and function. Design overlays may address a broad array of design considerations, including building uses, building setbacks, materials, window percentages, parking, signage, lighting, sidewalks, and street trees.

Round Grove Corridor

The Round Grove corridor, shown in Exhibit 19, is identified as an area that would benefit from the establishment of a design overlay. This commercial corridor is currently experiencing development pressure, and it is important to establish standards that will guide development in the area so that the corridor develops in a way that contributes, rather than detracts, from the character of the community.

The previous discussion of the future development pattern for the Round Grove corridor explains that preferred future is neighborhood-serving, family-friendly and oriented to people rather than cars. Future development should emphasize retail, business or professional services, restaurants and similar uses that serve area residents and employees of nearby businesses.

The design guidelines for this corridor should emphasize human scale, consistent identity and character. Design dominated by autos and other vehicles (extensive parking areas in front of buildings, bay doors, etc.) should be discouraged. These design guidelines should be followed by all future development and should be included in the consideration of any Special Use Permits (SUP) for uses in this corridor. The character desired along this corridor should emphasize people, with places to walk and bike safely, outdoor dining, green spaces and similar features. Uses that relate to automobiles and through vehicular traffic are generally less compatible with this future design for Round Grove, though proposals that meet the standards in the corridor's design overlay should be considered.

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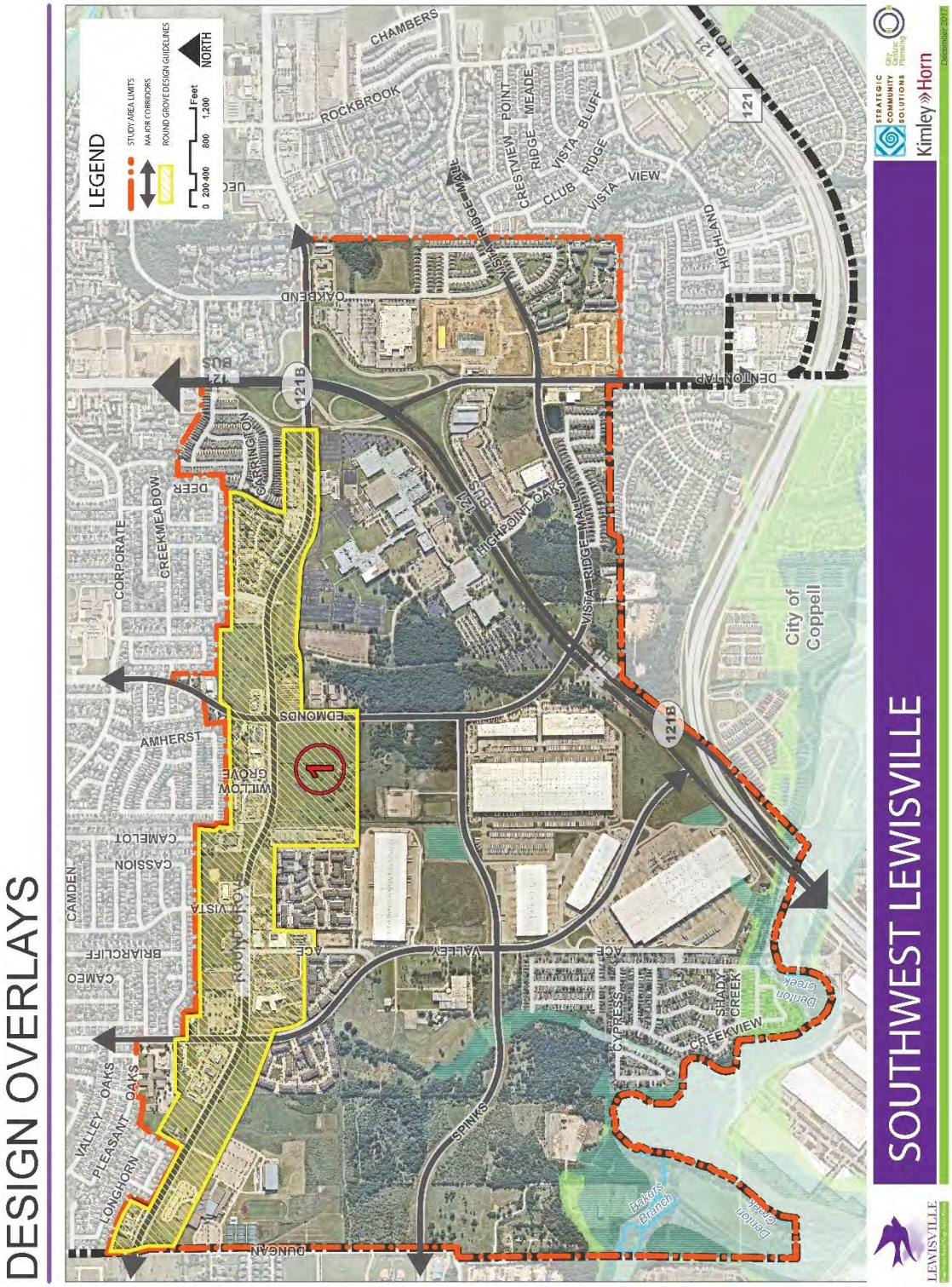

Exhibit 19: Design Overlays

ACTION STEPS

A crucial part of any plan is its implementation. Without a clear and realistic approach to action, the vision expressed by a community through its plan may never be realized. While a plan cannot mandate all the specific actions that will be taken during the many years of its implementation, an implementation program should give a community's leaders and stakeholders a set of priorities for immediate action. This section of the plan identifies important action steps to achieve the desired future for Southwest Lewisville A matrix at the end of this section lists all action steps and proposes those that should have the highest priority.

IDENTITY, BRANDING & CAPACITY-BUILDING

During this planning process, residents of the Southwest Lewisville area shared the many features of the area they value and enjoy. But many of these assets are unknown to people who do not already live or work here. A clear and positive identity for the area is an important ingredient in attracting new residents and businesses. Capacity building means that the people who live, work or own property in Southwest Lewisville will be better equipped to decide on programs for the area and to then implement them.

1. Lewisville Green branding

Lewisville 2025 includes several Big Moves related to a 'green identity' for Lewisville. This area has the potential to reflect this identity and, because of its location in the southwest corner of the city, can communicate this identity to people just entering the city. Implementation of the gateways, clustered developments, open space and trails proposals for this area will support this effort.

2. Communicate Lewisville's identity

When Lewisville markets itself within the North Texas region and across the nation, this identity can be a strong differentiator. The vision for Southwest Lewisville supports this identity. As development occurs, these features should be part of the City's communication to these local, national and even international audiences.

3. Neighborhood Collaboration

The scattered pattern of residential development in this area makes it difficult to form one single neighborhood-oriented entity – it also underscores the fact that these different neighborhoods may well have different interests and needs. Some neighborhoods in this area are likely to have mandatory HOA's that can serve as a starting point for neighborhood participation and advocacy. The City should consider forming an umbrella group that includes existing HOA's and apartment residents. The City and its Neighborhood Revitalization initiative can assist residents in forming associations for the areas where none exist today. In addition, a City grant that provides an opportunity to enhance neighborhoods will be available in October 2018. This grant requires neighborhoods to form associations if a Homeowners Association does not already exist.

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4. Help residents to access information and resources available through the City.

There are many resources, and some financial assistance, available for residents. Attending community events, workshops and even City Council meetings are opportunities for residents to learn about these resources and bring them back to the neighborhood.

5. Strengthen Creekside's Neighborhood Organization

The Creekside mobile home park has many residents and many infrastructure-related issues. The City should endeavor to communicate with the property owner about steps to address these issues. In addition, partnership with the residents will be necessary to identify the improvements that are of greatest concern. Close cooperation and communication with Creekside residents will be necessary to undertake improvements to the park and to make sure correct information is provided and any rumors (of displacement or other changes) are addressed quickly.

6. Create Business Associations

The City should meet with non-residential property owners and tenants to discuss objectives that could be served by coordinated action on marketing, transportation, workforce, design and other issues. The city and its partners could consider forming two separate business associations in this area – one that represents the tenants/property owners of the former TI campus and the distribution centers, and a second that represents the Round Grove Road retail corridor.

DEVELOPMENT & COMMUNITY CHARACTER

Southwest Lewisville's future character will be shaped by new development and the redevelopment or reuse of existing buildings in the area. Development guidelines and regulations provide the City with the tools to ensure that these new investments are consistent with the area's desired character.

Guidelines provide decision-makers and investors with direction and information about the community's desired development pattern and design, community character or priorities. They are recommendations, not requirements. For this reason, City Council, Planning and Zoning Commission and City staff will consider them but must use judgment to determine whether an individual development proposal is consistent with the community's desires reflected in the guidelines.

Unlike guidelines, regulations are adopted by City ordinance and do establish requirements to be followed in the design and construction of public or private developments. The City's zoning and subdivision ordinances are important tools for implementing this Area Plan, so refinements or amendments to these or other regulations may be needed to encourage the development envisioned by the plan.

7. Adopt a design overlay for the Round Grove Corridor

This is the only corridor within the study area for which a design overlay is recommended. The overlay should promote high quality, human-scale development, allow for creative flexibility and reflect sustainability. The design requirements for Round Grove Road should include focus on a consistent landscaped edge, parking extent and orientation, monument signage, bay orientation and building materials. These design requirements should apply to all proposals for rezoning and Special Use Permit.

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8. Provide opportunities for multi-family revitalization

Along Round Grove, there are some areas with aging apartment complexes. Revitalization of these properties could increase the property's value and offer a more appealing and sustainable residential option. For these areas, the City should consider increasing multi-family densities to facilitate redevelopment of aging apartment complexes, potentially to the 30 unit per acre range. This increase could create an economic incentive for the property owner to reinvest. This density will still allow surface parking.

9. Establish a method to achieve clustered development

Under option 1, the clustered green residential concept will not be easily realized using traditional zoning. Design criteria for inclusion in a future planned development zoning will ensure that houses are clustered to preserve the landscape. Smaller lot sizes should be allowed to result in the same lot yield as a typical residential subdivision.

Under option 2, the City should prioritize development patterns that retain the existing topography and tree cover as part of the project's design. This may mean that office or flex uses are more feasible than large distribution buildings. Planned developments, design criteria or incentives should be used to encourage development that retains tree cover and natural areas. In areas that are appropriate for large distribution buildings, the city should focus on consistent landscaping and minimal façade and design requirements.

10. Plan for future reclamation of gas well sites

The City should establish policies and procedures to provide a clear process to ensure the best community outcomes as gas well operations decline, change or close.

11. Provide incentives for upgrade of existing uses along Round Grove

The City can consider incentives that may be effective to encourage changes in use and improvements to existing uses and structures that increase the area's human scale, pedestrian connections and neighborhood-service uses.

CITY CAPITAL INVESTMENTS

The public sector itself makes significant investments that help implement this plan. Facility master plans that determine major capital improvements in Southwest Lewisville, such as water or sewer system rehabilitation or expansion, should locate and size facilities in accordance with this Framework Plan. Individual capital projects should support the plan in both their location and their design. By following this plan in making capital investments, the community can be sure that its limited funds are used in a fiscally responsible matter to achieve the community's established goals. Efficient and effective capital investment gives the community essential infrastructure for its future, and if this infrastructure is designed and sized according to the plan, it will also achieve the community's desired character.

12. Make sanitary sewer capacity investments

Anticipated growth will require more sanitary sewer capacity than currently exists. The City's sewer plans should be updated to identify additional capacity and distribution lines needed to support the Place Types in this plan.

13. Create a continuous network of trails and sidewalks

The gaps in the existing networks need to be filled so there is a continuous set of routes for people on foot or bicycle. This will be particularly important in locations where these paths assist area residents in reaching school, jobs and daily shopping.

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14. Improve public realm corridors

Over time, the City should make the streetscape improvements described in this plan. Improvements to Edmond and Vista Ridge Mall can be considered as part of city capital improvement programming. Improvements along Valley may be accomplished through development plans.

15. Construct trails along creeks

The 'soft surface' trails along creeks and tree canopy in the western part of the area will help complete the pedestrian network for the area. Much of this trail may need to be included in discussions on development deign when properties in the western part of the area are proposed for development.

16. Build gateways

The gateways identified in this plan should be design & constructed. The City should meet with TXDOT to discuss design, funding and timing of the proposed new urban forests.

17. Water supply looping

The objective of looping is to provide a reliable, redundant water source for both emergency services and area consumption. The City's water plans should be reviewed and updated as necessary to consider this service requirement

CITY PROGRAM AND SERVICE INITIATIVES

The programs and operations provided by local government or the private sector also play a role in implementing the community's plan. Maintenance of streets and parks demonstrates the City's commitment to ensure that its residents enjoy the quality of life envisioned by the plan. Annual budgets are usually the means to fund these programs, so decisions must be made each year about the appropriate level of investment in this aspect of plan implementation.

18. Expand Crimewatch efforts

A Crimewatch should be established in the Creekside Mobile Home Park. This will improve coordination with the Police Department and could help address concerns of residents. The property owner should be contacted to seek involvement in this effort and other improvements to the area.

19. Invest in Creekside Quality of Life

A multi-pronged approach is needed for the Creekside mobile home park. It will likely be subjected to more extreme flooding events in the future. Also, the electrical service and water and sewer services are currently insufficient. A team from several departments – Code Enforcement, Public Works, Police, Fire, Planning, LISD – should be formed to explore:

a. How to get city water and sewer services, including fire hydrants, to the mobile home park.
b. Grant and loan programs that the owner could pursue to upgrade electrical service
c. Buy-out programs for units in the flood plain and relocation assistance for their residents
d. Better pedestrian and fire access/coverage to the property
e. Sustained code enforcement efforts if there are code violations and the owner is not taking care of the property
f. Use of CDBG funding/loan for improvements
g. Resolving issues with school bus pickup
h. Preservation of affordable housing and displacement of residents may become issues.

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The mobile home park owner, RHP Properties, is one of the largest privately held owners of mobile home communities in the US. This owner should be contacted to seek involvement in improvements for current residents and coordination on any long-term plans for reinvestment or change in the property. City facilitation of grants and loans may not be necessary, however, since the company may have the capacity to make improvements without this assistance.

PARTNERSHIPS

Some plan implementation programs require a partnership with organizations in addition to the City of Lewisville. These partnerships bring additional types of expertise, resources and volunteer enthusiasm and energy.

20. Collaborate with LISD

Since LISD has a major campus in this study area, it should be contacted about partnership on a variety of programs that support LISD students and their families. These programs could include:

i. Additional support or assistance to students from the area
j. After-school or community programs that strengthen the communities in this study area
k. Job training for area residents who need skills to secure the jobs available in the area
l. Employee training and recruitment programs to support area businesses

21. Collaboration for Creekside

A number of potential City programs and investments are included in previous Action Steps. But resources from other organizations can supplement and enhance the resources available from the City. The City could meet with community organizations, non-profits, faith-based communities and others to seek volunteers, expertise and resources to help improve quality of life for Creekside residents.

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ACTION ITEM MATRIX

During the community review and input phase of the Action Plan process, stakeholders were asked to rank the proposed action items in terms of importance. This input – from online surveys and the community workshop – identified the items below as the most important for immediate action. After a Small Area Plan is approved for Southwest Lewisville, this list of short term items will be detailed so immediate action can begin the plan's implementation.

#	PRIORITY ACTION ITEMS
4	Help residents to access information and resources available through the city
6	Create Business Associations
7	Adopt a design overlay for the Round Grove Corridor
9	Establish a method to achieve clustered development
13	Create a continuous network of trails and sidewalks
14	Improve public realm corridors (Edmonds and Vista Ridge Mall a priority)
16	Build gateways (emphasis on native forests along Business 121)
18	Expand Crime Watch efforts
19	Invest in Creekside Quality of Life
20	Collaborate with LISD

DRAFT

MEMORANDUM

TO: Donna Barron, City Manager

THROUGH: Brenda Martin, Finance Director

FROM: Todd White, Purchasing Manager

DATE: June 5, 2018

SUBJECT: **Approval of a Professional Services Agreement with Kimley-Horn and Associates, Inc, Dallas, Texas, for Professional Engineering Services Related to Designing a Traffic Network Master Communication Plan, in the amount of $223,186; and Authorization for the City Manager to Execute the Agreement.**

BACKGROUND

A request for qualifications (RFQ) was created and posted on Bidsync.com December 13, 2017. The process of selecting an engineer is stated in the Texas Government Code Chapter 2254, *Professional and Consulting Services.* Engineers are to be selected on the basis of demonstrated competence and qualifications to perform the service.

ANALYSIS

Qualification statements were due January 8, 2018 and three (3) were received. An evaluation team was created to review, analyze, and score the statements in accordance with weighted factors that were listed in the RFQ. The evaluation team consisted of Parks and Recreation, Public Services, Purchasing and the City Manager's Office. The qualification statements were evaluated using the following criteria:

Qualifications and Experience of the Firm	40%
Performance on Past Representatives Projects	30%
Knowledge of Critical Design Elements	15%
Experience of Designing Multiple Types of Communications Plans	15%

At the conclusion of the evaluation, Kimley-Horn and Associates, Inc. was selected on the basis of receiving the highest score.

RECOMMENDATION

That the City Council approves the agreement as set forth in the cation above.

CITY OF LEWISVILLE
PURCHASING DIVISION

EVALUATION MATRIX
RFQ # 18-51-I
Engineering Services Traffic Network Communications Master Plan

Evaluation Criteria	Points	MALDONADO-BURKETT INTELLIGENT TRANSPORTATION SYSTEMS, LLP AUSTIN, TEXAS	KIMLEY HORN AND ASSOCIATES, INC. DALLAS, TEXAS	ITERIS, INC. WEST LAKE HILSS, TEXAS
Qualifications and Experience of Firm	40			
Municipal Experience (10)		10	10	10
Traffic Monitoring Feeds (10)		10	10	5
Network Service (10)		5	10	4
Similar Scope (10)		5	10	5
Performance on Past Projects	30	28	28	28
Knowledge of Critical Design Elements	15	5	5	0
Experience with Naztec (5)		5	5	0
900 MHZ Replacement (5)		5	5	5
Fiber Plan (5)				
Experience Designing Multiple Types of Communication Plans	15	15	15	15
		88	**98**	72

PROFESSIONAL SERVICES AGREEMENT

for

CITY OF LEWISVILLE COMMUNICATION MASTER PLAN PROJECT

The City of Lewisville, Texas, hereinafter called "City," hereby engages Kimley-Horn and Associates, Inc., hereinafter called "Consultant," to perform professional services in connection with the development of a Communication Master Plan, hereinafter called "Project."

I. PROJECT. The Project is described as follows:

This project will include the development of a Communication Master Plan for the City. The Communication Master Plan will serve as a long range communication plan to support the City's IT Department communication needs, the City Traffic Department Advanced Traffic Management System (ATMS), and future Intelligent Transportation System (ITS) communication needs.

The Consultant will manage the services outlined in this scope as efficiently and effectively as practicable. The Consultant will manage the project team, communicate effectively, coordinate internally and externally with members of the project team, and proactively address project issues with the City's Project Manager and other assigned City representatives.

II. SCOPE OF SERVICES:

PHASE I

Task 1. Project Management

Subtask 1.1 Project Control and Management. The Consultant will be responsible for the day-to-day activities of managing the project within the schedule identified under **Subtask 1.3**. Specific activities include coordination of internal resources; subconsultant coordination; review, verification, and approval of subconsultant(s) services; and ongoing reassessments of contract and schedule adherence.

Subtask 1.2 Project Records and Files. The Consultant will develop a project filing system, both for data in hard copy format and for electronic data. This filing system, which will be maintained in the Consultant's offices for the life of the project, will be designed to assure that files can be easily located and retrieved at all times. This filing system will also assure that electronic files are frequently backed up, with duplicate copies stored at a secure, off-site location. One copy of the electronic data will be submitted to the City at project closure.

Subtask 1.3 Schedule. The Consultant will develop a baseline schedule to depict the project workflow based on the structure described within this scope of services. This schedule will present the estimated task durations. If the actual project schedule deviates from the original schedule, the Consultant will generate a revised schedule to depict actual progress against the original baseline schedule.

Subtask 1.4 Status Reports and Invoicing. Monthly status reports will be prepared and submitted to the City along with invoices. The status reports will contain a concise report of project progress and contract fulfillment. The report will address technical progress, contract progress, and management related topics. This task will also include the receipt and processing of invoices from project subconsultants, as required to satisfy City requirements. Monthly invoicing will be part of the status report package.

Subtask 1.5 Project Status and Review Meetings. In addition to the reporting requirements outlined above, project status meetings with the City will help the Consultant maintain schedule and contract adherence. Six specifically called project status meetings may be necessary over the course of the project. Additional meetings related to specific project tasks and deliverables are identified under this scope as part of those tasks. The Consultant will prepare agendas, materials, and meeting notes for these meetings.

Subtask 1.6 Quality Assurance. The Consultant will utilize the Consultant's quality control procedures. This task includes steps taken during the project to monitor the progress of reports, data and project material for compliance with agreed upon project deliverable expectations.

Task 2. Kick-Off Meeting

There are two key objectives of this meeting. The first objective is to bring together the key participants in the study to discuss the project's main deliverables and time schedule. Other administrative details will also be discussed.

The second objective is for key staff to discuss project specifics outlined below.

The Consultant will organize, prepare for, and facilitate one Kick-Off meeting, addressing the following objectives:

- Discuss the scope and roles of the Consultant,
- Discuss deliverables,
- Discuss project schedule,
- Identify the protocol for project communications,
- Lead an interactive discussion of the City's goals and objectives,
- Identify the users of the system,
- Plan for specific documents that will require City review and comment, and
- Identify the need for, and the provision of, existing conditions data.

Deliverable: The Consultant will prepare and distribute meeting summaries that include action items by responsible party.

Task 3. Document Existing Communications Infrastructure

This task includes the collection and organization of data by the Consultant for use in other tasks of this project. The specific type, quantity, and other requirements of the data to be collected, reduced, and organized by the Consultant are described in the following subtasks.

Subtask 3.1 Collect Existing System Information

The Consultant will collect from the City existing GIS maps, record drawings, tabular data, or high-level network schematics that pertain to the following functional areas:

Wireless Network

- Un-licensed broadband point-to-point (PTP) networks;
- Un-licensed broadband point-to-multipoint (PMP) networks; and
- Un-licensed spread spectrum point-to-multipoint (PMP) network.

Traffic Signal Control

- Existing, planned, and future traffic signals;
- Existing traffic signal interconnect and conduit (if present);
- Video detection locations and corresponding detection system type; and
- Existing, planned, and future battery backup locations.

CCTV Cameras

- Existing, planned, and future pan-tilt-zoom CCTV locations

Information Technology

- Core architecture requirements;
- Communication infrastructure (fiber or wireless) that can be shared; and
- Identified needs for communication infrastructure.

School Zone Flasher

- School zone flasher locations and communications interface

Vertical Assets

- Existing and planned radio towers owned or leased by the City;
- Multi-storied buildings owned by the City; and
- Other owned or leased high points such as elevated storage tanks.

Subtask 3.2 Existing System Field Verification. Upon receipt of information requested from the City, the Consultant will perform a field review at a limited number of project intersections and communication nodes to gather additional data and photographs to be used in the development of the Communication Master Plan. Field verification has been limited to one day with a two-man field crew.

Task 4. Evaluate Existing Wireless System

The Consultant will evaluate the existing wireless system as follows:

Subtask 4.1 Wireless Frequency Scan. The Consultant will review results of a recently conducted wireless frequency scan, also known as spectrum scan, to establish the current RF

environment. Any additional need to conduct further frequency scans will be discussed with the City.

Task 5. Concept of Operations

It is important to establish a solid platform defining how the communication network will support the City's Advanced Transportation Management System (ATMS). To establish this foundation, the Consultant will develop the Concept of Operations (ConOps). The Concept of Operations will represent the City's traffic engineering staff's conceptualization of day-to-day conditions and activities (operation) of the ATMS and what bandwidth requirements are needed to serve those functions. It will describe the purpose of the ATMS, the environment in which it will be implemented and operated, how it will be used, roles and responsibilities of involved parties, and what capabilities the users need. More simply put, the Concept of Operations attempts to answer the Who, What, When, Where, Why, and How for the system in general terms.

The Consultant will organize and conduct a half-day workshop to develop and refine ideas of what the future system will be.

This workshop should include all departments that currently rely on the ATMS system as it is used today, as well as staff that may benefit from, or provide support to, the future ATMS system. This will likely include the City traffic engineer, operations and maintenance staff, representatives from the City's Information Technology (IT) Department, and Public Works.

The Consultant will develop basic typical scenarios to lead the discussion; scenarios such as: a typical day for operations staff, a typical day for maintenance staff, incident management, and severe weather event. From these scenarios, City staff will be able to augment their specific view on what the future system will need to do. The following is a categorical list of topics to be covered within the scenarios.

- Traffic management
    - Day-to-day
    - Incident response
    - Event of regional significance
- Traffic maintenance
    - Remote monitoring
- Interface to other agencies within the City
    - Interface
    - Sharing of information
- Interface to other agencies outside of the City
    - Interface
    - Sharing of information
    - Access and control to ITS devices
- Public information
    - Traffic conditions
    - Planned construction/maintenance events

- Connected / autonomous vehicles

This workshop will include a detailed discussion focused on identifying the following information: 1) what is currently working for the City, 2) what are the deficiencies in the current system and operation, and 3) ideas and vision for what the future system should be capable of delivering.

Deliverable: The Consultant will develop the Concept of Operations document based on the above work activity results. This document will identify high-level needs and requirements. This document will be delivered to the City for their review and comment. After comments are received, the Consultant will update the document to serve as a framework for subsequent portions of this project.

Task 6. Communication Infrastructure Sharing Opportunities

Subtask 6.1 Communication Infrastructure Sharing Opportunities. This task will consist of the Consultant assessing possible means or relationships with other City Departments, and agencies within the Metroplex for which a shared communications network would be possible and beneficial. This would include network sharing, cost sharing, and leasing existing network capacity.

The Consultant will identify, at a high-level, network integration points for outside agencies such as DCTA, NTTA, TxDOT, and other municipalities. The consultant will identify the network architecture and anticipated costs and detail on a network schematic.

Deliverable: High-level network block diagram to be included in Communication Master Plan deliverable.

Task 7. Identify Potential Technologies

Subtask 7.1 Identify Potential Communication Technologies. The Consultant will conduct a half-day workshop with City staff to convey possible technologies providing a robust communications network infrastructure that will support the City's existing and planned needs and requirements. The workshop will center around the Consultant's best assessment of technologies that best fit the City's needs. The Consultant will prepare up to three possible network architectures that graphically describe a topology to be constructed. These network architectures will facilitate discussion with City staff on how network bandwidth, connectivity to multiple devices, connectivity to multiple departments, and connectivity to outside agencies can be provided. The Consultant will also present recommended configuration and monitoring software available by the specific manufacturer or third-party provider.

The Consultant will prepare brief technical summaries of existing and evolving technologies that have the potential of meeting the needs and requirements of the new ATMS. The technical summary will identify known current users of the technology, performance, security, maintenance and configuration solutions, and cost (planning level cost).

Subtask 7.2 Pre-Network Design. Based upon the outcome of Task 7.1, the Consultant will prepare a pre-network design based on the City's most preferred architecture. The pre-network design will address the City's current deployed base of traffic signals and future signals projected.

Subtask 7.3 Bandwidth Budget Assessment. The Consultant will conduct a bandwidth budget assessment on a recommended wireless architecture, taking into consideration the ATMS near and long term data and video bandwidth needs. The Consultant will evaluate the total bandwidth required for each communication node (elevated storage tank) and the aggregate bandwidth need of the system and how the network integrates with the City's existing fiber network.

Subtask 7.4 Wireless Path Study. From the results of **Subtasks 7.2 and 7.3**, the Consultant will conduct a path study using Motorola LinkPlanner software and Google Earth to evaluate the theoretical performance of the radio communication system to support the ATMS. The path study will take into consideration both topography and elevated obstructions, GPS locations of proposed equipment, frequency, mounting height, channel bandwidth, and antenna size.

The path study will evaluate the point-to-multipoint wireless network from each elevated storage tank out to project intersections.

Deliverable: The Consultant will produce a Google Earth .KMZ file and prepare a technical memorandum summarizing the results of the path study and submit to the Client, along with the memorandum described in subtask 7.1.

Task 8. Council Workshop

Subtask 8.1 Council Workshop. The Consultant will organize, prepare for, and facilitate one two (2) hour workshop with representatives of the City Council and project team. The Consultant will present background on the project, educate council on the components of the project, site project examples from neighboring cities, discuss near and long term goals for the project, and associated benefits.

Deliverable: The Consultant will prepare and distribute meeting summaries.

Task 9. Develop Communications Master Plan

Subtask 9.1 Communication Master Plan. Following the completion of **Task 7 and Task 8**, and acceptance of the Engineer's recommendations, the Consultant will develop the communication master plan document. The work activities associated with this task leverage a significant amount of effort already put forward to the development of the communication master plan. The following Report sections are anticipated:

- Section 1. Introduction and Background
- Section 2. Existing Conditions
- Section 3. Needs Assessment
- Section 4. Requirements
- Section 5. Overview of Telecommunications Networks
- Section 6. Communications Options
- Section 7. Funding Options
- Section 8. Recommended Telecommunications Network
- Section 9. Implementation and Network Migration Plan

- Section 10. Maintenance and Operations
- Section 11. Staffing and Training Needs

Deliverable: The Consultant will develop the Communication Master Plan document based on the above work activity results. This document will be delivered to the City for their review and comment. After comments are received, the Consultant will update the document to serve as final deliverable.

Task 10. Traffic Management Center Master Plan

Subtask 10.1 Traffic Management Center Master Plan. The City desires to upgrade components of their Traffic Management Center (TMC) within the City's Traffic Department. The City also desires to implement a Video Management System as an additional function of the TMC to support long range video monitoring and control needs. It is understood the City's existing ATMS software will remain without upgrade.

The Consultant will evaluate the current functionality of the existing TMC and provide recommended upgrades summarized in a TMC Master Plan for the following components:

- Location and number of workstations and recommended furniture upgrades;
- Evaluate existing room dimensions and provide recommendations for modifications or expansion;
- Location, number, and type of video displays;
- Video Management System;
- Network expansion to future EOC;
- Prepare up to two schematics representing the TMC room;
- Prepare up to two 3D renderings using SketchUp;
- Color of walls and lighting requirements; and
- Location of upgraded TMC communication and video components.

The City will be responsible for the following

- All architectural design elements and permits;
- Providing power to the TMC adequate to support the anticipated TMC equipment; and
- Procurement of all contracting services required to construct or make modification to the TMC.

Deliverable: The Consultant will develop the Traffic Management Center Master Plan document based on the above work activity results. This document will be delivered to the City for their review and comment. After comments are received, the Consultant will update the document to serve as final deliverable.

PHASE II

Task 11. System Component PS&E Preparation

This task can be utilized as a mechanism to prepare schematic level design for the construction of communication system hardware and cabling necessary to construct selected recommended projects identified in Communication Master Plan. The fee presented for this task under Exhibit B is to serve as a preliminary estimate, to be finalized after recommended projects have been approved by the City as part of the Communication Master Plan.

Projects for which the City will bid to a Contractor for construction, schematics will be prepared at a level of detail to facilitate traditional bid procurement requirements.

Subtask 11.1 Preparation of Schematics. This task will provide intersection schematic layouts for the addition of a wireless or fiber optic communication infrastructure, hardened Ethernet switch, CCTV (select intersections), and associated cabling needed to facilitate Ethernet communications to project elevated storage tanks or communication towers as part of a wireless Ethernet network to support the City's ATMS. Detailed schematics of field equipment layouts will be drawn using Microstation. Final copies of sheets prepared in Microstation shall be furnished to the City on USB drive. A sample plan sheet will be provided to the City for their review and approval which will illustrate how a typical plan sheet will look depicting line styles, photography, recommended symbology for the field elements, conduit/cable schedule, conduit and junction box symbols, etc.

New and/or existing conduit infrastructure, mounting location for wireless radio, and cable routing will be indicated on schematics using a series of photos, aerial photography, and informational callouts. Specific items to be designed are highlighted in **Subtasks 11.1.1 through 11.1.3**. The layout sheets shall indicate a north directional arrow and a bar scale, if applicable.

The Consultant will prepare construction drawings and schematics that will be used in the construction bid process or quote through existing cooperative purchasing contracts such as DIR or HGAC.

In general, the sheets will be organized as follows:

- Title Sheet
- Detailed Index Sheet
- Location Map(s)
- General Notes and Specification Data Sheets
- Quantity Summary Sheets
- ITS System Layouts
- ITS Communication Layouts

- District Standard Details
- State Standard Details

Schematics prepared by the Consultant, shall be submitted for review and commented on by the City at the following stages of development:

1. Interim. Schematics showing street names, legend, scale (if appropriate), north arrow, preliminary equipment locations, and preliminary communications routing details. A total of two plan packages will be submitted at the interim review stage. The Consultant will meet with the City and conduct an in-field review of the plans.

2. Final. Final schematics will incorporate appropriate review comments from the interim review. In addition, these plans will include a project summary sheet (quantity summary) and an opinion of probable construction cost.

   Wireless or fiber communication schematics will be further developed to show network integration with the high-bandwidth wireless ring, the TMC, and the ATMS central software.

   Cabling-conduit design will be conducted as follows:

   - determine cable routing and terminations;

   - establish conduit sizing (where new construction is required) and location; and

   - field check communications conduit routing and resolve utility conflicts, drainage issues, landscape, etc.

   The Consultant will meet with the City and conduct a field review of the schematic layouts. The total number of plan packages for the final submittal shall be four.

The Consultant shall establish target dates on which the plans shall be submitted for review at the above stages of development. Plans shall be arranged per the City's published guidelines. The Consultant shall complete the revisions prior to the next submittal deadline and inform the City when the revisions on the checklist have been completed. One meeting is anticipated for each of the submittals.

Major revisions requested after the final review stage will be negotiated with the City. Changes to quantities, item numbers, and notes shall be considered as minor changes and may be required at any time prior to construction.

Subtask 11.1.1 Conduit System

It is anticipated that existing conduit between the traffic signal cabinet and the signal pole identified for wireless communications is available for use. The City to proof existing conduit identified for use and notify the Consultant if conduit is not feasible and new conduit is required. The Consultant will show conduit infrastructure to clearly indicate the existing and any proposed

conduit routing, existing and proposed ground box locations, and routing of electrical and communication cabling. The Consultant will indicate quantities of proposed conduit on a conduit and cable summary sheet.

Subtask 11.1.2 Electrical Power Service and Distribution

It is anticipated that electrical service power for project intersection radios, network hardware, and CCTV (select intersections) exists from inside the existing traffic signal cabinet. The Consultant will work with the City in identifying a spare 15 amp breaker or spare receptacle that may be available for use. It is also anticipated that electrical service power for radio equipment on top of elevated storage tanks and the location of the ATMS/TMC is also available and will not require design of a new electrical service. The Consultant will endeavor to design to the latest edition of the National Electrical Code (NEC).

Subtask 11.1.3 CCTV Surveillance

The Consultant will design for mounting CCTV cameras on signal pole structures identified by the City. The Consultant will design the camera placements to view as much of the corridor elements as possible and will notify the City if locations require additional height to achieve adequate CCTV coverage.

The Consultant will indicate the location of CCTV equipment and associated conduit on plan layout sheets. The Consultant will indicate itemized quantities of CCTV equipment in a quantity summary table.

Digital CCTV video signals will be transmitted to the City TMC via a wireless communication link.

Subtask 11.1.4 Fiber Optic Communications

Where fiber optic communication infrastructure is recommended, the Consultant will specify fiber optic communications equipment necessary for transmitting voice and data signals between field transportation equipment and ATMS network nodes. This transmission equipment consists of fiber optic transmission equipment and fiber optic cable. The Consultant will endeavor to design equipment installations which are in full compliance with specifications approved by the City. The Consultant will indicate the intended use of all equipment options such as input/outputs on summary sheets.

The Consultant will indicate termination points for cables on the communications schematics. The Consultant will include quantities of fiber optic equipment and cable on the schematic layouts. The Consultant will create a labeling convention, in compliance with the City, to identify fiber optic cable runs, pigtails, splice enclosures, and patch panel terminations.

The Consultant will indicate interconnection of all of the field equipment between backbone hub cabinets, interconnection of field equipment cabinets, and connection to ATMS network nodes via single-mode fiber optic cable.

Subtask 11.2 Preparation of Specifications

This task involves creation of general notes, specifications, special specifications, and provisions that will be included in the construction contract documents when needed. Specification documents will be prepared in Microsoft Word and an electronic copy of all document files will be submitted to the City.

Whenever possible, the Consultant will use TxDOT standard specifications or previously approved special provisions and/or special specifications. If a special provision and/or special specification is developed for this project, it shall be in TxDOT format and, to the extent possible, incorporate references to approved TxDOT test procedures.

Document and Information Exchange

Data, Special Provisions, General Notes and Specifications provided to the City in PDF format.

If required, the Consultant shall provide to the City, a USB that contains all the plan sheets for the project. The USB shall be compatible with the City's computer system.

USB Required (YES or NO): **YES**

The Consultant will prepare up to four (4) special specifications for the procurement and installation of system elements for which design requirements are to be established and are not already developed by the City.

Four (4) copies of the specifications prepared by the Consultant for each bid package will be submitted for review and comments by TxDOT and the City.

Subtask 11.3 Preparation of Estimates

The Consultant will prepare a Consultant's Opinion of Probable Construction Costs (OPCC) for the project at the interim and final deliverable stage. The Consultant will use TxDOT bid items to the extent possible. The Consultant will review past projects let by TxDOT and/or the City utilizing similar bid items for this project and determine an average industry standard estimate for each specific bid item. The OPCC will be revisited and adjusted accordingly during each submittal review phase. These cost estimates will include a total for items contained in the bid documents and an individual unit cost estimate for each pay item. The final estimates submitted to the City will be prepared with Excel, and an electronic copy of all spreadsheets shall be provided in PDF format. The Consultant will determine the estimated cost of specialty items. Because the Consultant does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. The Consultant cannot and does not guarantee that proposals, procurement or actual costs will not vary from its opinions of cost.

Task 12. Construction Phase Services

The Consultant will provide professional construction phase services for the project for the purpose of providing assistance to the City during construction. The following subtasks outline these services.

Subtask 12.1 Pre-Construction Conference

Prior to the commencement of any of the field work associated with the construction package, the Consultant will prepare for and attend one (1) pre-construction conference. The Consultant will assist in answering design questions about the plans, specifications, and estimates.

Subtask 12.2 Visits to Site and Observation of Construction

The Consultant will provide on-site construction observation services during the construction phase of the project. Visits to the project will be as directed by the City in order to observe the progress of the work. Such visits and observations by the Consultant are not intended to be exhaustive, nor to extend to every aspect of the contractors' work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the work based on the Consultant's exercise of professional judgment. Based on information obtained during such visits and such observations, the Consultant will determine if contractor's work is generally proceeding in accordance with the contract documents, and the Consultant shall keep the City informed of the general progress of the Work. The Consultant shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall Consultant have any authority or responsibility to stop or direct the work of any contractor. The Consultant's visits will be for the purpose of endeavoring to provide the City a greater degree of confidence that the completed work of its contractors will generally conform to the construction documents prepared by the Consultant. Consultant neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.

For budgetary purposes, up to three (3) visits will be included in this subtask.

Subtask 12.3 Recommendations with Respect to Defective Work

The Consultant shall recommend to the City that contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, the Consultant believes that such work 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.

For budgetary purposes relative to recommendations with respect to defective work, it is assumed that the Consultant will not have to expend more than four (4) person-hours of effort.

Subtask 12.4 Change Orders

The Consultant will recommend Change Orders to the City, as appropriate. The Consultant will review and make recommendations related to Change Orders submitted or proposed by the local agency or its contractor.

For budgetary purposes relative to change orders, it is assumed that the Consultant will not have to expend more than twelve (12) person-hours of effort.

Subtask 12.5 Shop Drawings Review

The Consultant will review and approve or take other appropriate action with respect to Shop Drawings, Samples and other data which the City's contractor or materials supplier is required to submit. However, such review will be only for conformance with the information given in the contract documents and compatibility with the design concept of the completed project as a functioning whole as indicated in the contract documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

For budgetary purposes relative to shop drawings review, it is assumed that the Consultant will not have to expend more than twelve (12) person-hours of effort.

Subtask 12.6 Punch List and Final Acceptance

After notice from the City that it considers the entire work ready for its intended use, the Consultant will accompany the City's inspection personnel on a 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.

Once all punch list items have been addressed, the Consultant will accompany the City's inspection personnel on a final site visit to determine if the Contractor's work is complete and generally in accordance with the contract documents.

The Consultant will 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. The Consultant will not have the authority or responsibility to stop the work of the City or any of its contractors.

For budgetary purposes relative to the punch list and final acceptance, it is assumed that the Consultant will not have to expend more than eight (8) person-hours of effort.

- **Additional Services**

The Consultant will provide, as requested and authorized in writing by the City, services in addition to those described above to be negotiated as a supplemental to this contract. These additional services may include, but not limited to:

(1) Environmental analysis and engineering

(2) Permitting and regulatory approvals

(3) Preparation for and attendance at public meetings

III. COMPENSATION.

The Consultant agrees to perform the services described herein for $223,186; and the City agrees to make payments in the amounts stated. A breakdown of the Fee by Task is included in Attachment "B", which is hereby included in this Professional Services Agreement by reference. Any expenditure beyond the amount listed above on this Project shall require written approval by the City prior to the start of the work.

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.

IV. 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.

V. 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 attorneys 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.

VI. 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.

VII. 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.

VIII. TIME OF COMPLETION. The Consultant will work with the City to develop a mutually acceptable project schedule under **Subtask 1.3.** The Consultant will review the schedule with City staff during the Project kick-off meeting under **Task 2**. The schedule shall be finalized no later than one (1) calendar week after the scheduled kick-off meeting, and shall have a Project completion date of no later than twelve (12) months from the contract execution date. Times of completion may be extended as necessary at the sole discretion of the City. The Consultant agrees to perform the services in accordance with the schedule, to the extent over which the Consultant has control.

IX. 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 V, VI and VII above. Upon notice of termination, the Consultant shall prepare and submit to City a final invoice within 15 days.

X. **INDEPENDENT CONTRACTOR.** Consultant shall be considered an independent contractor and not an agent, servant, employee, or representative of the City in the performance of the services. No term or provision herein or act of the City shall be construed as changing that status.

XI. **CONFIDENTIAL INFORMATION.** To the extent allowed by law, the City will safeguard and keep from release any documents marked "proprietary" or information not generally available to the public. However, the City will, if required, comply with all requirements of the Texas Public Information Act with regard to any documents in its possession at the time of a request made under that Act.

XII. **GOVERNING LAW AND VENUE**. This Agreement is governed by the laws of the State of Texas. Exclusive venue for any dispute arising out of this Agreement is in Denton County, Texas.

XIII. **ARBITRATION.** In the event of a dispute which may arise under this Agreement, the City does not agree to arbitration.

XIV. **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.

XV. **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.

XVI. 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.

XVII. 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.

XVIII. 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.

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 IX of this Agreement.

XX. TEXAS GOVERNMENT CODE CHAPTER 2270. Pursuant to Texas Government Code Chapter 2270, Consultant affirms that execution of this Agreement serves as written verification that Consultant: (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.

XXI. TEXAS GOVERNMENT CODE CHAPTER 2252. Pursuant to Texas Government Code Chapter 2252, Subchapter F, Consultant affirms, by entering into this Agreement, that is it 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.

XXII. 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

Date: _____

Attest: _____
Julie Worster

By: _____
Scott R. Arnold, P.E.
Title: Assistant Secretary

Date: June 21, 2018

Attest: _____
Darin Bjork
Title: Associate

CITY OF LEWISVILLE
151 West Church Street
Lewisville, Texas 75057

KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road, Suite 1000
Two Galleria Office Tower, Suite 700
Dallas, Texas 75251

APPROVED AS TO FORM:

_____
Lizbeth Plaster, City Attorney

ATTACHMENT A

INSURANCE REQUIREMENTS
ENGINEERING/ARCHITECTURE PROJECTS

Vendor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the vendor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Vendor's bid.

A. MINIMUM SCOPE OF INSURANCE

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage "occurrence" form CG 00 01 (10 01). **"Claims Made" form is unacceptable except for professional liability.**

2. Workers' Compensation insurance as required by the Labor Code of the State of Texas, including Employers' Liability Insurance.

3. Automobile Liability – as required by the State of Texas, covering all owned, hired, or non-owned vehicles. Automobile Liability is only required if vehicle(s) will be used under this contract. Coverage not required for delivery services.

4. Professional Liability and/or Errors and Omissions Insurance.

B. MINIMUM LIMITS OF INSURANCE

Vendor shall maintain throughout contract limits not less than:

1. Commercial General Liability: $500,000 per occurrence/$1,000,000 aggregate for bodily injury, personal injury and property damage. Policy will include coverage for:

   a. Premises – Operations

   b. Broad Form Contractual Liability

   c. Products and Completed Operations

   d. Use of Contractors and Subcontractors

   e. Personal Injury

   f. Broad Form Property Damage

   g. If applicable, Explosion Collapse and Underground (XCU) Coverage (when applicable, Fire Damage, Medical Expense).

   NOTE: The aggregate loss limit applies to each project.

2. Workers' Compensation and Employer's Liability: Workers' Compensation Statutory limits as required by the Labor Code of the State of Texas and Employer's Liability minimum limits of $500,000 per injury, $500,000 per occurrence, and $500,000 per occupational disease.

3. Automobile Liability - $500,000 Combined Single Limit. Limits can only be reduced if approved by the HR Director or designee.

4. Professional Liability and/or Errors and Omissions - $500,000 per occurrence - $1,000,000 Aggregate.

5. Builders' Risk Insurance (as applicable) – Completed value form, insurance carried must equal the completed value of the structure.

C. DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductible or self-insured retentions must be declared to and approved by the City.

D. OTHER INSURANCE PROVISIONS

The policies are to contain, or be endorsed to contain the following provisions:

1. General Liability and Automobile Liability Coverages

   a. The City, its officers, officials, employees, Boards and Commissions and volunteers are to be added as "Additional Insured" as respects liability arising out of activities performed by or on behalf of the vendor, products and completed operations of the vendor, premises owned, occupied or used by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers. It is understood that the business auto policy under "Who is an Insured" automatically provides liability coverage in favor of the City.

   b. The vendor's insurance coverage shall be primary and non-contributory insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the vendor's insurance and shall not contribute with it.

   c. Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the City, its officers, officials, and employees, Boards and Commissions or volunteers.

   d. The vendor's insurance shall apply separately to each insured against whose claim is made or suit is brought, except to the limits of the insured's liability.

2. Waiver of Subrogation – All Coverages except Professional Liability
   Each insurance policy required by this exhibit except Professional Liability shall waive all rights of subrogation against the City, its officers, officials, employees, and volunteers for losses arising from work performed by the vendor for the City.

3. Notice of Cancellation - All Coverages
   Each insurance policy required by this exhibit shall be endorsed to state that coverage shall not be suspended, voided, canceled or non-renewed by either party, reduced in coverage or in limits except

after thirty (30) days prior written notice by certified mail, return receipt requested, has been given the City, or ten (10) days prior written notice for non-payment of premium.

4. Professional Liability (applicable only to certified or licensed Engineers and or Architects) "Claims made" policy is acceptable coverage which must be maintained during the course of the project and up to two (2) years after completion and acceptance of the project by the City.

E. ACCEPTABILITY OF INSURERS

The City prefers that Insurance be placed with insurers with an A.M. Best's rating of no less than **A-:VI, or, A or better** by Standard and Poors. Professional Liability carriers will need to be approved by the HR Director or designee.

F. VERIFICATION OF COVERAGE

Contractor shall furnish the City with certificates of insurance affecting coverage required. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. Certificates of Insurance must be provided on forms approved by the Texas Department of Insurance. City will not accept Memorandums of Insurance or Binders as proof of insurance. The City reserves the right to require complete, certified copies of all required insurance policies at any time.

G. HOLD HARMLESS AND INDEMNIFICATION

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.

ATTACHMENT "B" COMPENSATION

for

CITY OF LEWISVILLE COMMUNICATION MASTER PLAN PROJECT

This Attachment "B" defines a breakdown of fees for various services to be performed by Kimley-Horn and Associates, Inc. (KH) in conjunction with this Project.

Task	Man-Hour Effort	Fee Type	Labor Amount	Expense Amount	Total Fee
PHASE I					
Task 1 - Project Administration	153	Lump Sum	$ 25,705.00	$ 1,128.00	$ 26,833.00
Task 2 - Kick-off Meeting	12	Lump Sum	$ 2,200.00		$ 2,200.00
Task 3 - Document Existing Communications Infrastructure	34	Lump Sum	$ 5,730.00		$ 5,730.00
Task 4 - Evaluate Existing Wireless System	4	Lump Sum	$ 820.00		$ 820.00
Task 5 - Concept of Operations	92	Lump Sum	$ 15,500.00		$ 15,500.00
Task 6 - Communication Infrastructure Sharing Opportunities	18	Lump Sum	$ 3,330.00		$ 3,330.00
Task 7 - Identify Potential Technologies	136	Lump Sum	$ 24,510.00		$ 24,510.00
Task 8 - City Council Workshop	12	Lump Sum	$ 2,200.00		$ 2,200.00
Task 9 - Develop Communication Master Plan	176	Lump Sum	$ 31,800.00		$ 31,800.00
Task 10 - Traffic Management Center Master Plan	176	Lump Sum	$ 31,800.00		$ 31,800.00
PHASE II					
Task 11 - System Component PS&E Preparation	399	Cost Plus	$ 65,035.00	$ 788.00	$ 65,823.00
Task 12 - Construction Phase Services	72	Cost Plus	$ 12,640.00		$ 12,640.00
Phase I Total	**813**				**$ 144,723.00**
Phase II Total	**471**				**$ 78,463.00**
				Total Project	**$ 223,186.00**

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2018-364888

Date Filed:
06/06/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Kimley-Horn and Associates, Inc.
Dallas, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Lewisville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Traffic Network Communication
Traffic Network Communication Master Plan

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Atz, John	Dallas, TX United States	X	
Peed, Brooks	Dallas, TX United States	X	
Schiller, Mike	Dallas, TX United States	X	
Wilson, Mark	Dallas, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

My name is Kevin Hoppers, and my date of birth is 3/12/1975.

My address is 13455 Noel Road, Suite 700 (street), Dallas (city), TX (state), 75240 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 6 day of June (month), 20 18 (year).

Kevin P Hoppers

Signature of authorized agent of contracting business entity
(Declarant)

MEMORANDUM

TO: Donna Barron, City Manager

THROUGH: Brenda Martin, Finance Director

FROM: Todd White, Purchasing Manager

DATE: June 27, 2018

SUBJECT: **Approval of the Following Amendments to a Construction Manager at Risk Contract for the Construction of the Multigenerational Recreation Center with Thos. S. Byrne, Fort Worth, Texas: General Conditions of $1,393,032; Construction Management Services of $975,781; Establishing a Guaranteed Maximum Price of $37,215,781 (Which Includes a 7.2% Contingency for the City's use during construction); Approval to purchase alternate items that have been bid using contingency money as it becomes available for an amount not to exceed $3,000,000; and Authorization for the City Manager to Execute the Amendments.**

BACKGROUND

The City utilized a two-step Construction Manager at Risk (CMAR) selection process in accordance with *Texas Government Code Chapter 2269, Subchapter "F"*. Peak Program Value, LLC, (PPV) was hired to aid staff in the development of the solicitations for CMAR and with the evaluation and scoring of the responses received.

ANALYSIS

The first step in the CMAR selection process requires a Request for Qualifications (RFQ) to be issued. On January 31, 2017, the RFQ was advertised and posted on bidsync.com. A total of fifty-two (52) RFQs were downloaded from bidsync.com. Five (5) firms submitted their qualifications for consideration.

Before receipt of the qualifications, an evaluation team was created to review and rank each response. The evaluation team consisted of Claire Swann, Asst. City Manager, Eric Ferris, Deputy City Manager, Keith Marvin, Director of Public Services, Hilary Boen, Recreation Manager, George Babineaux, Asst. Building Official and Todd White, Purchasing Manager. There was a maximum of 200 points available for each candidate. The evaluation criteria included items such as relevant experience of the firm; qualifications and structure of the management team; experience managing subcontractor participation and references. Each member of the evaluation team received copies of each candidate's qualifications, scored them independently, and then the team met to review their findings. The final score sheets were summarized, and those candidates who

scored above 150 points were invited to participate in the second step of the selection process. Byrne Construction, Haydon Building Corporation, and Sundt Construction, Inc. proceeded to the next step. For reference, please see CMAR RFQ – Scoring Comparison Summary Chart.

The second step in the CMAR selection process involves issuing a Request for Proposals (RFP) to the selected finalists and conducting an interview with each. There was a maximum of 420 points awarded: proposal was worth 140 and interview was worth 280 points. Each candidate in step two started the process with a score of zero (0). Scores from the qualifications phases were not carried forward to the proposal and interview process. Proposals were requested from each candidate with regards to prices they would charge for construction management services and general conditions for the project. Construction Management Services are defined as the fees the CMAR will charge to manage the overall project which include their home office overhead and profit. General Conditions are defined as the CMAR's cost of insurance, bonds, on-site management staff, on-site office, utilities, barricades, security fencing, signage, dumpster, etc.

The evaluation team conducted the interviews but were not made aware of the pricing for construction management services and general conditions that was submitted in the candidates' proposals until all interviews were completed and scored. The interview process is one of the most important elements in the overall selection process. It provides an opportunity for staff to meet the recommended management team, including the job superintendent and the project manager. Each of the candidates were given the same interview questions and the same amount of time was allotted for all. As time permitted, some of the candidates were given additional questions aimed at further clarification of answers. At the completion of the interviews, the evaluation team ranked and scored each candidate and awarded portions of the 280 maximum points. Peak Program Value, LLC performed proposal analysis on the candidates' offers and shared the scoring with the evaluation team, at which time all scores were tabulated. Byrne Construction received the highest combined scores of 380.5, with Hayden Building Corporation scoring 342.2 and Sundt Construction, Inc. scoring 330.1. For reference, please see CMAR Selection Scorecard Comparison Charts.

Based on receiving the overall best score, Byrne Construction was selected to receive a contract to perform pre-construction services, at a value of $32,000. Pre-construction services consist of working directly with the architect to collaborate with formulating the budget, cost estimating, scheduling, constructability reviews and value engineering studies. These services take place between the completions of the schematic designs, through the design documents and complete when the construction documents are finalized.

Once the construction documents were completed, Byrne issued bid invitations to various trades in accordance with *Texas Government Code 2269, Subchapter "F*. Subcontractor bids were received by Byrne on Tuesday, June 2nd at 2 PM. and City staff, along with PPV, witnessed the receipt of bids.

As part of Byrne's services as the CMAR, subcontractors' scopes of work were vetted, and the responsiveness of each of the bids received was evaluated. PPV was involved in validating the process used for this evaluation, as well as reviewing multiple drafts of comparisons showing the deltas of bids received vs. the most recent CMAR's construction cost estimate.

About two weeks after subcontractor bids were received, City staff, BRS and PPV reviewed the initial, proposed Guaranteed Maximum Price (GMP) summary in Byrne's office, line by line discussing the number of bids received, explanation of what generated the deltas, and areas where awards were solid, and where more procurement effort may generate better results for the City. The GMP still has areas where procurement efforts may yield slightly better results than currently shown but it is important to approve now to lock in those project costs that are ready to award. This strategy will protect the City from any currently low subcontractor(s) pulling their bids because they have acquired other work in the meantime.

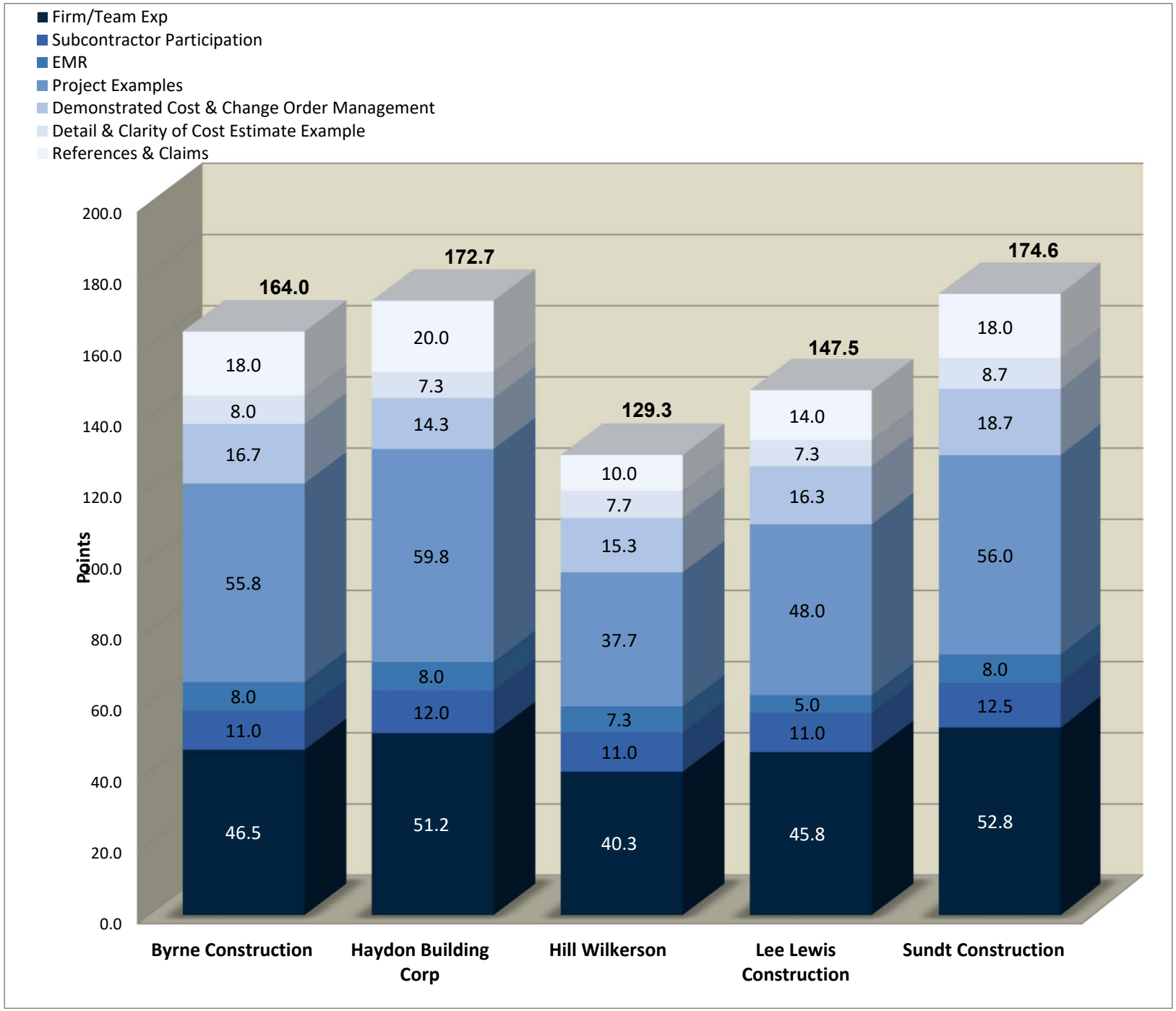
The total budget approved by City Council for this project is $46,100,000. The GMP of $37,215,781 includes a contingency of 7.2% for the City's use during construction. During the bidding of the project, several alternates were identified and priced. The total sum of all alternates is approximately $3,000,000. With the City Council's approval, the City will purchase up to this amount for these alternate items, as contingency money becomes available.

RECOMMENDATION

That the City Council approve the amendments as set forth in the cation above.

City of Lewisville's Multigenerational Recreation Center - CMAR RFQ-Scoring Comparison Summary Chart

Updated 17 MAR 2017



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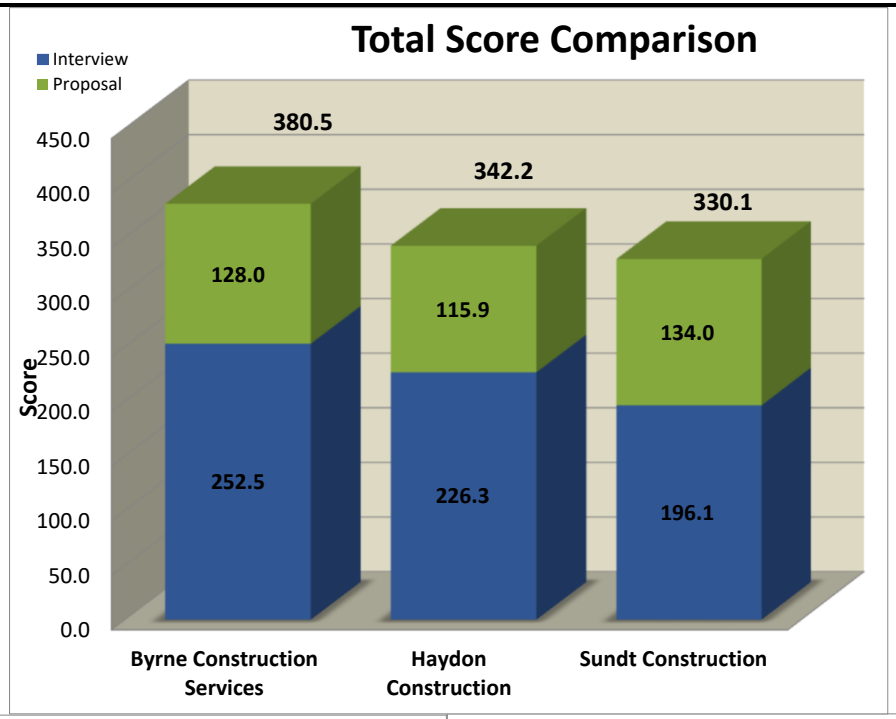
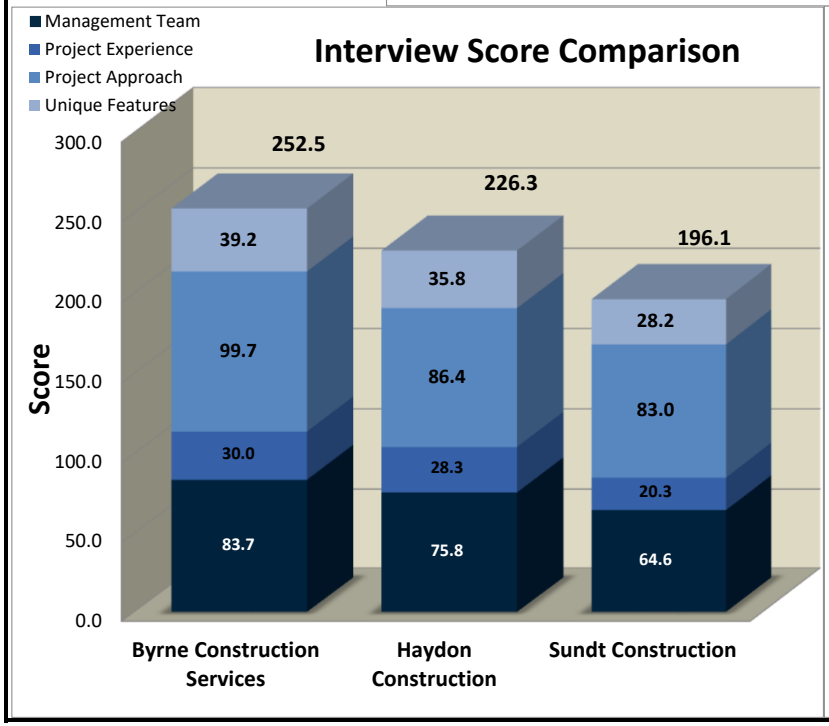
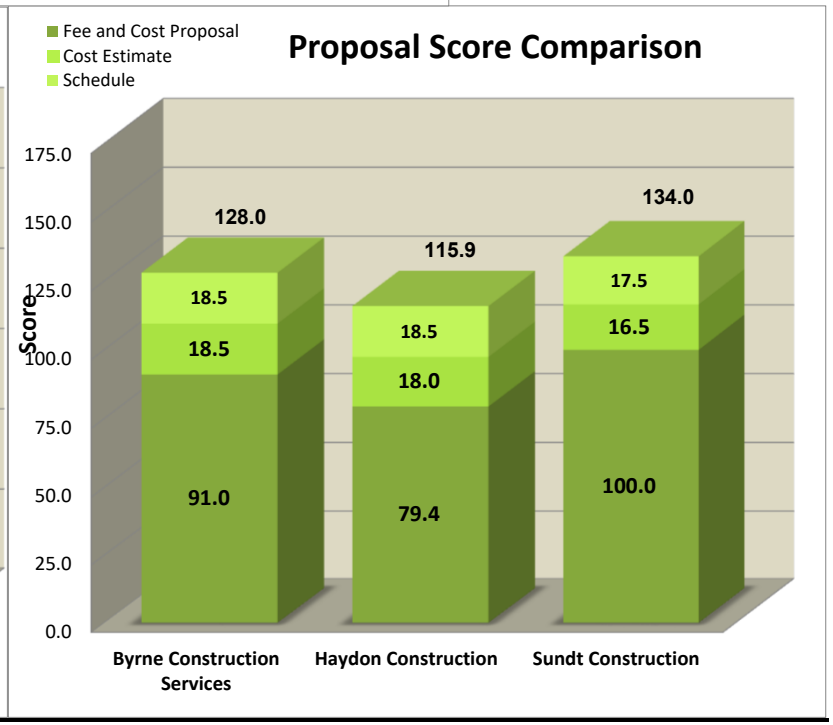
The City of Lewisville's Multigenerational Rec Center - CMaR Selection
Scorecard Comparison Charts

11 APR 2017 Interviews







AIA® Document A133™ – 2009 Exhibit Y

Guaranteed Maximum Price Amendment

for the following PROJECT:
(Name and address or location)

Multigenerational Recreation Center
Southwest Corner of Corporate Drive and South Valley Parkway
Memorial Park
Lewisville, Texas 75029

THE OWNER:
(Name, legal status and address)

City of Lewisville, Texas
151 West Church Street
Lewisville, Texas 75029

THE CONSTRUCTION MANAGER:
(Name, legal status and address)

Thos. S. Byrne, Inc.
551 East Berry Street
Fort Worth, Texas 76110

ADDITIONS AND DELETIONS:
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

ARTICLE A.1
§ A.1.1 Guaranteed Maximum Price
Pursuant to Section 2.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of this Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Thirty Seven Million, Two Hundred Fifteen Thousand, Seven Hundred Eighty-One Dollars ($ 37,215,781), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 Itemized Statement of the Guaranteed Maximum Price. Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, allowances, contingencies, alternates, the Construction Manager's Fee, and other items that comprise the Guaranteed Maximum Price.
(Provide below or reference an attachment.)

See attached Exhibit "L" Final – Guaranteed Maximum Price

§ A.1.1.3 The Guaranteed Maximum Price is based on the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:
(State the numbers or other identification of accepted alternates. If the Contract Documents permit the Owner to accept other alternates subsequent to the execution of this Amendment, attach a schedule of such other alternates showing the amount for each and the date when the amount expires.)

Init.
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User Notes:
(1886614326)

See attached Exhibit "H" Final – Alternates with Costs and Expiration Dates.

§ A.1.1.4 Allowances included in the Guaranteed Maximum Price, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price ($0.00)

See attached Exhibit "J" Final - Allowances

§ A.1.1.5 Assumptions, if any, on which the Guaranteed Maximum Price is based:

See attached Exhibit "L" Final – Guaranteed Maximum Price – GMP Amendment Clarifications & Assumptions

§ A.1.1.6 The Guaranteed Maximum Price is based upon the following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages

§ A.1.1.7 The Guaranteed Maximum Price is based upon the following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Agreement.)
See attached Exhibit "A" Final – Scope of Work.

Section	Title	Date	Pages

See attached Exhibit "L" Final – Guaranteed Maximum Price and Exhibit "A" Final – Scope of Work.

§ A.1.1.8 The Guaranteed Maximum Price is based upon the following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Agreement.)
See attached Exhibit "A" Final – Scope of Work.

Number	Title	Date

§ A.1.1.9 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Agreement.)

Exhibit "Y" – Guaranteed Maximum Price Amendment – AIA Cover Sheets
Exhibit "A" Final – Scope of Work
Exhibit "B" Final – Construction Manager's Project Schedule
Exhibit "C" Final – Construction Manager's Fee & On-Site Overhead Costs
Exhibit "D" Final – Key Personnel
Exhibit "E" Final – Confidentiality of the Project
Exhibit "F" Final – Customary and Usual Labor Rates
Exhibit "G" Final – Rental Rates
Exhibit "H" Final – Alternates with Costs and Expiration Dates
Exhibit "I" Final – Unit Costs
Exhibit "J" Final – Allowances
Exhibit "K" Final – Schedule of Values
Exhibit "L" Final – Guaranteed Maximum Price Estimate
Exhibit "M" Final – Disputed Work Schedule
Exhibit "X" Final – Construction Manager's Insurance Certificates
Exhibit "Z" Final – Schedule of Exhibits

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User Notes:
(1886614326)

ARTICLE A.2

§ A.2.1 The anticipated date of Substantial Completion established by this Amendment:

See Exhibit "B" Final – Construction Manager's Project Schedule
Anticipated Substantial Completion of 13 January, 2020

- Assumes Notice To Proceed on 16 July, 2018
- Assumes Building Permit by 16 July, 2018

06/22/2018

OWNER *(Signature)*

CONSTRUCTION MANAGER *(Signature)*

Donna Barron, City Manager
(Printed name and title)

Martin Lehman, President
(Printed name and title)

Init.

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(1886614326)

Additions and Deletions Report for
AIA® Document A133™ – 2009 Exhibit A

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 14:59:37 on 06/20/2018.

PAGE 1

Multigenerational Recreation Center
Southwest Corner of Corporate Drive and South Valley Parkway
Memorial Park
Lewisville, Texas 75029

...

City of Lewisville, Texas
151 West Church Street
Lewisville, Texas 75029

...

Thos. S. Byrne, Inc.
551 East Berry Street
Fort Worth, Texas 76110

...

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Thirty Seven Million, Two Hundred Fifteen Thousand, Seven Hundred Eighty-One Dollars ($ 37,215,781), subject to additions and deductions by Change Order as provided in the Contract Documents.

...

See attached Exhibit "L" Final – Guaranteed Maximum Price

PAGE 2

See attached Exhibit "H" Final – Alternates with Costs and Expiration Dates.

...

See attached Exhibit "J" Final - Allowances

See attached Exhibit "L" Final – Guaranteed Maximum Price – GMP Amendment Clarifications & Assumptions

...

See attached Exhibit "A" Final – Scope of Work.

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User Notes:

(1886614326)

...

See attached Exhibit "L" Final – Guaranteed Maximum Price and Exhibit "A" Final – Scope of Work.

...

See attached Exhibit "A" Final – Scope of Work.

...

Exhibit "Y" – Guaranteed Maximum Price Amendment – AIA Cover Sheets (AIA A133)
Exhibit "A" Final – Scope of Work
Exhibit "B" Final – Construction Manager's Project Schedule
Exhibit "C" Final – Construction Manager's Fee & On-Site Overhead Costs
Exhibit "D" Final – Key Personnel
Exhibit "E" Final – Confidentiality of the Project
Exhibit "F" Final – Customary and Usual Labor Rates
Exhibit "G" Final – Rental Rates
Exhibit "H" Final – Alternates with Costs and Expiration Dates
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Exhibit "L" Final – Guaranteed Maximum Price Estimate
Exhibit "M" Final – Disputed Work Schedule
Exhibit "X" Final – Construction Manager's Insurance Certificates
Exhibit "Z" Final – Schedule of Exhibits

PAGE 3

See Exhibit "B" Final – Construction Manager's Project Schedule
Anticipated Substantial Completion of 13 January, 2020

- Assumes Notice To Proceed on 16 July, 2018
- Assumes Building Permit by 16 July, 2018

...

Donna Barron, City Manager

Martin Lehman, President

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User Notes: (1886614326)

Certification of Document's Authenticity

AIA® Document D401™ – 2003

I, , hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 14:59:37 on 06/20/2018 under Order No. 5955681763 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A133™ – 2009 Exhibit A, Guaranteed Maximum Price Amendment , as published by the AIA in its software, other than those additions and deletions shown in the associated Additions and Deletions Report.

(Signed)

PRESIDENT

(Title)

06/22/2018

(Dated)

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Exhibit "A" Final Scope of Work

See attached list of documents provided for 100% CD/GMP.

BYRNE
CONSTRUCTION SERVICES

NINE DECADES OF EXCELLENCE
551 E. Berry Street
Fort Worth, Texas 76110
Phone: (817) 335-3394
Fax: (817) 877-5507

Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

Specifications

Specification Section	No. of Pages	Issue Date	Specification Section Title
		04/27/18	Transmittal 100% Construction Documents
		05/25/18	LMRC Geotechnical Report - Fugro - May 2017
		04/27/18	LMRC CONSTRUCTION DOCUMENTS Spec Vol 1
		04/27/18	LMRC CONSTRUCTION DOCUMENTS Spec Vol 2
		04/27/18	BRS - Product Substitution Form

Drawings

Sheet Number	Issue Date	Drawing Title
G000	05/25/18	INDEX & COVER SHEET - ADDENDUM 1
G000	04/27/18	ABBREVIATIONS, SYMBOLS, AND GENERAL NOTES
G010	05/25/18	CODE ANALYSIS - ADDENDUM 1
G020	04/27/18	MECHANICAL SCREEN VISIBILITY STUDY
G020	04/27/18	WALL TYPES, ROOF TYPES, FLOOR TYPES
G050	04/27/18	GRID PLAN
G100	04/27/18	OVERALL 3D VIEW
G110	04/27/18	ARTICULATION ANALYSIS
		CIVIL
C001	04/27/18	CIVIL DESIGN NARRATIVE
C002	04/27/18	GENERAL NOTES & LEGEND
C003	05/25/18	PROJECT LAYOUT/SURVEY CONTROL - ADDENDUM 1
C101	04/27/18	DEMOLITION PLAN (SHEET 1 OF 2)
C102	05/25/18	DEMOLITION PLAN (SHEET 2 OF 2) - ADDENDUM 1
C201	05/25/18	PAVING AND DIMENSION CONTROL PLAN (SHEET 1 OF 2) - ADDENDUM 1
C202	05/25/18	PAVING AND DIMENSION CONTROL PLAN (SHEET 2 OF 2) - ADDENDUM 1
C301	04/27/18	GRADING PLAN (SHEET 1 OF 2)
C302	04/27/18	GRADING PLAN (SHEET 2 OF 2)
C303	05/25/18	RAMP DETAILS - ADDENDUM 1
C401	04/27/18	EXISTING DRAINAGE AREA MAP
C402	04/27/18	PROPOSED DRAINAGE AREA MAP
C403	04/27/18	INLET CALCULATIONS
C404	04/27/18	HYDRAULIC CALCULATIONS
C405	04/27/18	STORM DRAIN PLAN (SHEET 1 OF 2)
C406	05/25/18	STORM DRAIN PLAN (SHEET 2 OF 2) - ADDENDUM 1
C407	04/27/18	STORM DRAIN PROFILES
C408	04/27/18	STORM DRAIN PROFILES
C501	04/27/18	UTILITY PLAN (SHEET 1 OF 2)
C502	04/27/18	UTILITY PLAN (SHEET 2 OF 2)
C503	04/27/18	SANITARY SEWER PLAN (SHEET 1 OF 1)
C504	04/27/18	SANITARY SEWER LINE "A" PROFILE
C601	05/25/18	PAVEMENT MARKINGS AND SIGNAGE (SHEET 1 OF 2) - ADDENDUM 1

BYRNE
CONSTRUCTION SERVICES

NINE DECADES OF EXCELLENCE
551 E. Berry Street
Fort Worth, Texas 76110
Phone: (817) 335-3394
Fax: (817) 877-5507

Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

C602	05/25/18	PAVEMENT MARKINGS AND SIGNAGE (SHEET 2 OF 2) - ADDENDUM 1
C701	04/27/18	EROSION CONTROL PLAN (SHEET 1 OF 2)
C702	04/27/18	EROSION CONTROL PLAN (SHEET 2 OF 2)
C801	04/27/18	MISCELLANEOUS DETAILS
C802	04/27/18	PEDESTRIAN FACILITIES CURB RAMPS & STORM DRAIN & WATER LINE
C803	04/27/18	PEDESTRIAN FACILITIES CURB RAMPS & STORM DRAIN & WATER LINE
C804	04/27/18	WATER, SANITARY SEWER & PAVEMENT MARKING DETAILS
C805	04/27/18	EROSION CONTROL DETAILS
CM001	05/25/18	PROJECT LAYOUT/SURVEY CONTROL - ADDENDUM 1
CM101	04/27/18	DEMOLITION PLAN (SHEET 1 OF 2)
CM102	04/27/18	DEMOLITION PLAN (SHEET 2 OF 2)
CM201	05/25/18	PAVING AND DIMENSION CONTROL PLAN (SHEET 1 OF 2) - ADDENDUM 1
CM202	05/25/18	PAVING AND DIMENSION CONTROL PLAN (SHEET 2 OF 2) - ADDENDUM 1
CM301	04/27/18	GRADING PLAN (SHEET 1 OF 2)
CM302	04/27/18	GRADING PLAN (SHEET 2 OF 2)
CM401	04/27/18	DRAINAGE AREA MAP
CM402	04/27/18	INLET CALCULATIONS
CM403	04/27/18	HYDRAULIC CALCULATIONS
CM404	04/27/18	STORM DRAIN PLAN (SHEET 1 OF 2)
CM405	04/27/18	STORM DRAIN PLAN (SHEET 2 OF 2)
CM406	04/27/18	STORM DRAIN PROFILE
CM407	04/27/18	STORM DRAIN PROFILES
CM408	04/27/18	STORM DRAIN PROFILES
CM601	05/25/18	PAVEMENT MARKINGS AND SIGNAGE (SHEET 1 OF 2) - ADDENDUM 1
CM602	05/25/18	PAVEMENT MARKINGS AND SIGNAGE (SHEET 2 OF 2) - ADDENDUM 1
CM701	04/27/18	EROSION CONTROL PLAN (SHEET 1 OF 2)
CM702	04/27/18	EROSION CONTROL PLAN (SHEET 2 OF 2)
		LANDSCAPE
L001	04/27/18	GENERAL NOTES & MATERIALS LEGEND
L002	05/25/18	KEY PLAN - ADDENDUM 1
L201	05/25/18	HARDSCAPE PLAN - ADDENDUM 1
L202	04/27/18	HARDSCAPE PLAN
L202	04/27/18	HARDSCAPE PLAN
L204	04/27/18	HARDSCAPE PLAN
L205	04/27/18	HARDSCAPE PLAN
L206	04/27/18	HARDSCAPE PLAN
L301	05/25/18	GRADING PLAN - ADDENDUM 1
L302	04/27/18	GRADING PLAN
L303	05/25/18	GRADING PLAN - ADDENDUM 1
L304	04/27/18	GRADING PLAN
L305	05/25/18	GRADING PLAN - ADDENDUM 1
L401	05/25/18	HARDSCAPE DETAILS - ADDENDUM 1
L402	04/27/18	HARDSCAPE DETAILS
L403	04/27/18	HARDSCAPE DETAILS

BYRNE CONSTRUCTION SERVICES

NINE DECADES OF EXCELLENCE
551 E. Berry Street
Fort Worth, Texas 76110
Phone: (817) 335-3394
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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

L404	05/25/18	BID ALTERNATE HARDSCAPE DETAILS - ADDENDUM 1
L500	05/25/18	PLANTING LEGEND & DETAILS - ADDENDUM 1
L501	05/25/18	PLANTING PLAN - ADDENDUM 1
L502	05/25/18	HARDSCAPE PLAN - ADDENDUM 1
L503	04/27/18	PLANTING PLAN
L504	04/27/18	PLANTING PLAN
L505	05/25/18	PLANTING PLAN - ADDENDUM 1
L506	04/27/18	PLANTING PLAN
L601	05/25/18	IRRIGATION PLAN - ADDENDUM 1
L602	04/27/18	IRRIGATION PLAN
L603	04/27/18	IRRIGATION PLAN
L604	05/25/18	IRRIGATION PLAN - ADDENDUM 1
L605	05/25/18	IRRIGATION PLAN - ADDENDUM 1
L606	04/27/18	IRRIGATION PLAN
L607	04/27/18	IRRIGATION DETAILS
L608	04/27/18	IRRIGATION DETAILS
LM001	05/25/18	PHASING DIAGRAM - ADDENDUM 1
LM002	04/27/18	KEY PLAN
LM201	05/25/18	HARDSCAPE PLAN - ADDENDUM 1
LM202	04/27/18	HARDSCAPE PLAN
LM203	04/27/18	HARDSCAPE PLAN
LM204	04/27/18	HARDSCAPE PLAN
LM205	04/27/18	HARDSCAPE PLAN
LM206	04/27/18	HARDSCAPE PLAN
LM301	04/27/18	GRADING PLAN
LM302	04/27/18	GRADING PLAN
LM303	05/25/18	GRADING PLAN - ADDENDUM 1
LM304	04/27/18	GRADING PLAN
LM305	05/25/18	GRADING PLAN - ADDENDUM 1
LM306	04/27/18	GRADING PLAN
LM501	05/25/18	HARDSCAPE PLAN - ADDENDUM 1
LM502	05/25/18	PLANTING PLAN - ADDENDUM 1
LM503	04/27/18	HARDSCAPE PLAN
LM504	04/27/18	PLANTING PLAN
LM505	05/25/18	PLANTING PLAN - ADDENDUM 1
LM506	04/27/18	PLANTING PLAN
LM601	05/25/18	IRRIGATION PLAN - ADDENDUM 1
LM602	05/25/18	IRRIGATION PLAN - ADDENDUM 1
LM603	04/27/18	IRRIGATION PLAN
LM604	05/25/18	IRRIGATION PLAN - ADDENDUM 1
LM605	05/25/18	IRRIGATION PLAN - ADDENDUM 1
LM606	04/27/18	IRRIGATION PLAN
LM607	04/27/18	IRRIGATION DETAILS
LM608	04/27/18	IRRIGATION DETAILS
		ARCHITECTURE
A100	04/27/18	ARCHITECTURAL SITE PLAN

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

A101	04/27/18	OVERALL FIRST FLOOR
A102	04/27/18	OVERALL MEZZANINE FLOOR
A103	04/27/18	OVERALL ROOF PLAN
A111	04/27/18	FIRST FLOOR PLAN - AREA A
A112	05/25/18	FIRST FLOOR PLAN - AREA B - ADDENDUM 1
A121	04/27/18	MEZZANINE FLOOR PLAN
A132	04/27/18	CLERESTORY PLAN
A141	05/25/18	ROOF PLAN - AREA A - ADDENDUM 1
A142	04/27/18	ROOF PLAN - AREA B
A150	04/27/18	LOCKER ROOM ENLARGED DRAINAGE PLAN
A151	04/27/18	POOL DECK ENLARGED DRAINAGE PLAN
A211	04/27/18	FIRST FLOOR RCP - AREA A
A212	04/27/18	FIRST FLOOR RCP - AREA B
A221	04/27/18	MEZZANINE FLOOR RCP
A250	04/27/18	ENLARGED CEILING PLANS
A251	04/27/18	ENLARGED CEILING PLANS
A301	04/27/18	EAST BUILDING ELEVATION
A302	05/25/18	NORTH BUILDING ELEVATION
A303	04/27/18	WEST BUILDING ELEVATION
A304	05/25/18	SOUTH BUILDING ELEVATION - ADDENDUM 1
A311	05/25/18	OVERALL BUILDING SECTIONS - ADDENDUM 1
A312	04/27/18	OVERALL BUILDING SECTIONS
A313	04/27/18	OVERALL BUILDING SECTIONS
A400	04/27/18	WALL SECTIONS - LOBBY
A401	04/27/18	WALL SECTIONS - LOBBY
A402	04/27/18	WALL SECTIONS - COMMUNITY / PATIO
A403	04/27/18	WALL SECTIONS - GYMNASIUM
A404	04/27/18	WALL SECTIONS - NATATORIUM
A405	04/27/18	WALL SECTIONS - NATATORIUM
A406	04/27/18	WALL SECTION - NATATORIUM
A407	04/27/18	WALL SECTIONS - POOL MECHANICAL
A408	04/27/18	WALL SECTIONS - POOL MECHANICAL
A500	04/27/18	ELEVATOR PLAN AND DETAILS
A501	04/27/18	STAIR PLANS AND DETAILS
A502	04/27/18	STAIR PLANS AND DETAILS
A503	04/27/18	STAIR PLANS AND DETAILS
A504	04/27/18	STAIR PLANS AND DETAILS
A505	04/27/18	STAIR & RAMP PLANS AND DETAILS
A506	04/27/18	RAMP PLANS AND DETAILS
A507	04/27/18	RAMP PLANS AND DETAILS
A508	04/27/18	RAILING PLAN - MEZZANINE TRACK
A509	05/25/18	RAILING PLAN - MEZZANINE AEROBICS HALLWAY - ADDENDUM 1
A510	04/27/18	RAILING PLAN - MEZZANINE FITNESS
A511	05/25/18	RAILING PLAN - OUTDOOR PATIO - ADDENDUM 1
A512	04/27/18	RAILING TYPES - ELEVATIONS
A513	04/27/18	RAILING TYPES - SECTIONS
A600	04/27/18	ACCESSORY & EQUIPMENT SCHEDULES AND RESTROOM/LOCKER

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

A601	05/25/18	ENLARGED LOCKER ROOM PLANS & INTERIOR ELEVATIONS - ADDENDUM 1
A602	04/27/18	ENLARGED LOCKER ROOM PLANS & INTERIOR ELEVATIONS
A603	04/27/18	ENLARGED RESTROOM PLANS & INTERIOR ELEVATIONS
A604	04/27/18	ENLARGED RESTROOM PLANS & INTERIOR ELEVATIONS
A605	05/25/18	ENLARGED RESTROOM PLANS & INTERIOR ELEVATIONS - ADDENDUM 1
A610	04/27/18	ENLARGED PLANS & INT. ELEVATIONS - CHILD WATCH
A611	05/25/18	ENLARGED PLANS & INT. ELEV. - ADMIN & LOBBY - ADDENDUM 1
A612	04/27/18	ENLARGED PLANS & INT. ELEV. - CONTROL DESK
A613	04/27/18	ENLARGED PLANS & INT. ELEV. - CONTROL DESK
A614	05/25/18	INTERIOR ELEVATIONS - NATATORIUM - ADDENDUM 1
A615	05/25/18	INTERIOR ELEVATIONS - FITNESS & AEROBICS - ADDENDUM 1
A616	04/27/18	INTERIOR ELEVATIONS - GYMNASIUM
A617	04/27/18	INTERIOR ELEVATIONS - REC HALLWAY & PARTY ROOMS
A618	05/25/18	INTERIOR ELEVATIONS - SR HALLWAY & LIVING RM - ADDENDUM 1
A619	05/25/18	INTERIOR ELEVATIONS - COMMUNITY ROOM - ADDENDUM 1
A630	05/25/18	CASEWORK DETAILS - ADDENDUM 1
A631	04/27/18	CASEWORK DETAILS
A632	04/27/18	CASEWORK DETAILS
A633	04/27/18	CASEWORK DETAILS
A634	05/25/18	CASEWORK DETAILS - ADDENDUM 1
A635	04/27/18	CASEWORK DETAILS
A700	05/25/18	DOOR SCHEDULES AND TYPES - ADDENDUM 1
A710	04/27/18	EXTERIOR WINDOW TYPES AND WINDOW COVERINGS - AREA A
A711	04/27/18	EXTERIOR WINDOW TYPES AND WINDOW COVERINGS - AREA A
A712	05/25/18	EXTERIOR WINDOW TYPES AND WINDOW COVERINGS - AREA B - ADDENDUM 1
A713	04/27/18	EXTERIOR WINDOW TYPES AND WINDOW COVERINGS - AREA B
A714	04/27/18	INTERIOR WINDOW TYPES AND WINDOW COVERINGS
A717	04/27/18	WINDOW DETAILS
A718	05/25/18	WINDOW DETAILS - ADDENDUM 1
A719	04/27/18	WINDOW DETAILS
A720	04/27/18	PLAN DETAILS EXTERIOR - AREA A
A721	04/27/18	PLAN DETAILS EXTERIOR - AREA A
A722	05/25/18	PLAN DETAILS EXTERIOR - AREA B - ADDENDUM 1
A723	04/27/18	PLAN DETAILS
A730	05/25/18	FOUNDATION DETAILS - ADDENDUM 1
A731	05/25/18	NATATORIUM DETAILS - ADDENDUM 1
A732	05/25/18	NATATORIUM DETAILS - ADDENDUM 1
A733	05/25/18	SECTION DETAILS- ROOF - ADDENDUM 1
A734	04/27/18	SECTION DETAILS - ROOF
A735	04/27/18	SECTION DETAILS - ROOF ACCESORIES
A741	04/27/18	MISC. DETAILS - SERVICE AREA
A750	04/27/18	CEILING DETAILS
A751	05/25/18	CEILING DETAILS - ADDENDUM 1
A752	04/27/18	CEILING DETAILS

BYRNE CONSTRUCTION SERVICES

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

A800	05/25/18	SCREEN WALL DETAILS - ADDENDUM 1
A801	05/25/18	ALTERNATE #3 - DICHROIC GLASS FEATURE WALL - ADDENDUM 1
A802	04/27/18	COURT STRIPING LAYOUT
A900	05/25/18	ROOM FINISH SCHEDULES - ADDENDUM 1
A901	05/25/18	INTERIOR DETAILS - ADDENDUM 1
A902	04/27/18	INTERIOR DETAILS
A911	05/25/18	FIRST FLOOR FINISH PLAN - AREA A - ADDENDUM 1
A912	04/27/18	FIRST FLOOR FINISH PLAN - AREA B
A921	04/27/18	MEZZANINE FINISH PLAN
A931	04/27/18	ENLARGED FINISH PLANS
A941	04/27/18	FIRST FLOOR FURNITURE PLAN - AREA A
A942	04/27/18	FIRST FLOOR FURNITURE PLAN - AREA B
A951	04/27/18	MEZZANINE FURNITURE PLAN
A960	05/25/18	SIGNAGE SCHEDULE & ELEVATIONS, AND SECTIONS - ADDENDUM 1
A961	05/25/18	FIRST FLOOR SIGNAGE PLAN - AREA A - ADDENDUM 1
A962	05/25/18	FIRST FLOOR SIGNAGE PLAN -AREA B - ADDENDUM 1
A971	05/25/18	MEZZANINE SIGNAGE PLAN - ADDENDUM 1
		STRUCTURAL
S0.00	05/25/18	GENERAL NOTES - ADDENDUM 1
S0.01	05/25/18	GENERAL NOTES - ADDENDUM 1
S0.02	05/25/18	GENERAL NOTES - ADDENDUM 1
S0.03	04/27/18	GENERAL NOTES
S0.04	04/27/18	GENERAL NOTES
S0.05	04/27/18	OVERALL 3D VIEW
S1.00	04/27/18	OVERALL FOUNDATION PLAN & MEZZANINE
S1.01	04/27/18	PIER PLACEMENT PLAN - AREA A
S1.02	04/27/18	PIER PLACEMENT PLAN - AREA B
S1.11	05/25/18	FOUNDATION PLAN - AREA A - ADDENDUM 1
S1.12	05/25/18	FOUNDATION PLAN - AREA B - ADDENDUM 1
S1.21	05/25/18	MEZZANINE FRAMING PLAN - ADDENDUM 1
S1.30	04/27/18	OVERALL ROOF FRAMING PLAN
S1.31	05/25/18	ROOF FRAMING PLAN - AREA A - ADDENDUM 1
S1.32	05/25/18	ROOF FRAMING PLAN - AREA B - ADDENDUM 1
S1.33	05/25/18	ROOF FRAMING PLAN - AREA B - ADDENDUM 1
S1.34	05/25/18	NATATORIUM HIGH ROOF FRAMING PLAN - AREA A - ADDENDUM 1
S2.00	04/27/18	FRAME ELEVATIONS
S2.01	04/27/18	FRAME ELEVATIONS AND DETAILS
S2.10	04/27/18	TYPICAL WIND BRACING DETAILS
S3.00	04/27/18	TYPICAL FOUNDATION DETAILS
S3.01	04/27/18	TYPICAL FOUNDATION DETAILS
S3.02	04/27/18	TYPICAL FOUNDATION SECTIONS
S3.03	05/25/18	TYPICAL FOUNDATION DETAILS - ADDENDUM 1
S3.10	04/27/18	FOUNDATION DETAILS
S3.11	04/27/18	FOUNDATION DETAILS
S3.12	04/27/18	FOUNDATION DETAILS
S3.13	05/25/18	FOUNDATION DETAILS - ADDENDUM 1

BYRNE CONSTRUCTION SERVICES

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

S4.00	04/27/18	TYPICAL CMU DETAILS AND SCHEDULES
S4.01	04/27/18	CMU WALL ELEVATIONS
S4.02	04/27/18	CMU WALL ELEVATIONS
S4.03	05/25/18	CMU WALL ELEVATIONS - ADDENDUM 1
S5.00	04/27/18	TYPICAL STEEL DETAILS AND SCHEDULES
S5.01	05/25/18	TYPICAL STEEL DETAILS AND SCHEDULES - ADDENDUM 1
S5.02	04/27/18	TYPICAL STEEL FRAMING SECTIONS
S5.03	05/25/18	TYPICAL STEEL ROOF FRAMING SECTIONS - ADDENDUM 1
S5.10	05/25/18	FRAMING DETAILS - ADDENDUM 1
S5.11	05/25/18	FRAMING DETAILS - ADDENDUM 1
S5.12	05/25/18	FRAMING DETAILS - ADDENDUM 1
S5.13	05/25/18	FRAMING DETAILS - ADDENDUM 1
S5.14	05/25/18	FRAMING DETAILS - ADDENDUM 1
S5.15	04/27/18	FRAMING DETAILS
S3	05/25/18	STEEL BEAM & STEEL KING POST AT ROOF FRAMING -ALTERNATE #4 - ADDENDUM 1
		MECHANICAL
M000	04/27/18	MECHANICAL LEGEND AND NOTES
M050	04/27/18	MECHANICAL SITE PLAN
M111	05/25/18	FIRST FLOOR HVAC PLAN - AREA A - ADDENDUM 1
M112	05/25/18	FIRST FLOOR HVAC PLAN - AREA B - ADDENDUM 1
M121	04/27/18	MEZZANINE HVAC PLAN
M131	04/27/18	ROOF HVAC PLAN - AREA A
M132	04/27/18	ROOF HVAC PLAN - AREA B
M211	04/27/18	FIRST FLOOR HVAC PIPING PLAN - AREA A
M212	04/27/18	FIRST FLOOR HVAC PIPING PLAN - AREA B
M221	04/27/18	MEZZANINE HVAC PIPING PLAN
M401	04/27/18	MECHANICAL SECTIONS
M500	04/27/18	MECHANICAL PIPING RISERS
M600	04/27/18	MECHANICAL DETAILS
M601	04/27/18	MECHANICAL DETAILS
M602	04/27/18	MECHANICAL DETAILS
M603	04/27/18	MECHANICAL DETAILS
M700	04/27/18	MECHANICAL SCHEDULES
M701	04/27/18	MECHANICAL SCHEDULES
M800	04/27/18	MECHANICAL CONTROLS
M801	04/27/18	MECHANICAL CONTROLS
M802	04/27/18	MECHANICAL CONTROLS
M803	04/27/18	MECHANICAL CONTROLS
M804	04/27/18	MECHANICAL CONTROLS
M805	04/27/18	MECHANICAL CONTROLS
M806	04/27/18	MECHANICAL CONTROLS
M807	04/27/18	MECHANICAL CONTROLS
		PLUMBING

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

P000	05/25/18	PLUMBING LEGEND AND NOTES - ADDENDUM 1
P050	05/25/18	PLUMBING SITE PLAN - ADDENDUM 1
P101	04/27/18	FIRST FLOOR PLUMBING PLAN - OVERALL
P111	05/25/18	FIRST FLOOR PLUMBING PLAN - AREA A - ADDENDUM 1
P112	05/25/18	FIRST FLOOR PLUMBING PLAN - AREA B - ADDENDUM 1
P121	05/25/18	MEZZANINE PLUMBING PLAN - ADDENDUM 1
P131	05/25/18	ROOF PLUMBING PLAN - AREA A - ADDENDUM 1
P132	05/25/18	ROOF PLUMBING PLAN - AREA B - ADDENDUM 1
P401	05/25/18	PLUMBING ENLARGED PLANS - ADDENDUM 1
P402	05/25/18	PLUMBING ENLARGED PLANS - ADDENDUM 1
P403	05/25/18	PLUMBING ENLARGED PLANS - ADDENDUM 1
P404	05/25/18	PLUMBING ENLARGED PLANS - ADDENDUM 1
P500	05/25/18	PLUMBING RISERS ADD 1 - ADDENDUM 1
P501	05/25/18	PLUMBING RISERS ADD 1 - ADDENDUM 1
P502	05/25/18	PLUMBING RISERS ADD 1 - ADDENDUM 1
P503	05/25/18	PLUMBING RISERS ADD 1 - ADDENDUM 1
P600	04/27/18	PLUMBING DETAILS
P601	05/25/18	PLUMBING DETAILS - - ADDENDUM 1
P700	05/25/18	PLUMBING SCHEDULES - ADDENDUM 1
		ELECTRICAL
E000	04/27/18	ELECTRICAL LEGEND & NOTES
E050	05/25/18	ELECTRICAL SITE PLAN-BASE BID ADD 1 - ADDENDUM 1
E050A	05/25/18	ELECTRICAL SITE PLAN BASE BID-PHOTOMETRIC ADD 1 - ADDENDUM 1
E051	05/25/18	ELECTRICAL SITE PLAN-ALTERNATE ADD 1 - ADDENDUM 1
E051 A	05/25/18	ELECTRICAL SITE PLAN ALTERNATE-PHOTOMETRIC ADD 1 - ADDENDUM 1
E111	05/25/18	FIRST FLOOR POWER PLAN - AREA A - ADDENDUM 1
E112	06/01/18	FIRST FLOOR POWER PLAN - AREA B - ADDENDUM 2
E121	05/25/18	MEZZANINE POWER PLAN - ADDENDUM 1
E131	05/25/18	ROOF POWER PLAN - AREA A - ADDENDUM 1
E132	04/27/18	ROOF POWER PLAN - AREA B
E211	05/25/18	FIRST FLOOR LIGHTING RCP - AREA A - ADDENDUM 1
E212	05/25/18	FIRST FLOOR LIGHTING RCP - AREA B - ADDENDUM 1
E221	05/25/18	MEZZANINE LIGHTING RCP - ADDENDUM 1
E311	05/25/18	FIRST FLOOR EQUIPMENT CONNECTION PLAN - AREA A - ADDENDUM 1
E312	05/25/18	FIRST FLOOR EQUIPMENT CONNECTION PLAN - AREA B - ADDENDUM 1
E321	05/25/18	MEZZANINE EQUIPMENT CONNECTION PLAN - ADDENDUM 1
E331	04/27/18	ROOF EQUIPMENT CONNECTION PLAN - AREA A
E332	04/27/18	ROOF EQUIPMENT CONNECTION PLAN - AREA B
E401	05/25/18	ELECTRICAL ENLARGED PLANS - ADDENDUM 1
E500	04/27/18	ELECTRICAL ONE-LINE DIAGRAM
E600	04/27/18	ELECTRICAL DETAILS

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

E700	05/25/18	LIGHTING CONTROLS - ADDENDUM 1
E701	05/25/18	LIGHTING CONTROLS - ADDENDUM 1
E800	05/25/18	LIGHT FIXTURE SCHEDULE - ADDENDUM 1
E801	05/25/18	LIGHT FIXTURE SCHEDULE - ADDENDUM 1
E802	04/27/18	LIGHT FIXTURE SCHEDULE
E803	04/27/18	PANELBOARD SCHEDULES
E804	05/25/18	PANELBOARD SCHEDULES - ADDENDUM 1
		FIRE PROTECTION
F000	04/27/18	FIRE PROTECTION LEGEND AND NOTES
F100	04/27/18	FIRE PROTECTION OVERALL
F111	04/27/18	FIRST FLOOR FIRE PROTECTION RCP - AREA A
F112	04/27/18	FIRST FLOOR FIRE PROTECTION RCP - AREA B
F121	04/27/18	MEZZANINE FIRE PROTECTION RCP
F200	05/25/18	FIRE PROTECTION DETAILS - ADDENDUM 1
		TELECOMMUNICATIONS
T100	04/27/18	LEGEND AND NOTES - COMMUNICATIONS
T101	04/27/18	CABLE PULLING PLAN - COMMUNICATIONS
T102	04/27/18	SITE PLAN - COMMUNICATIONS
T111	05/25/18	FIRST FLOOR PLAN - AREA A - COMMUNICATIONS - ADDENDUM 1
T112	05/25/18	FIRST FLOOR PLAN - AREA B - COMMUNICATIONS - ADDENDUM 1
T113	04/27/18	MEZZANINE FLOOR PLAN - OVERALL - COMMUNICATIONS
T301	05/25/18	SERVER ROOM 149 DETAIL - COMMUNICATIONS - ADDENDUM 1
T302	05/25/18	TELECOM ROOM 216 DETAIL - COMMUNICATIONS - ADDENDUM 1
T303	05/25/18	TELECOM ROOM 155 DETAIL - COMMUNICATIONS - ADDENDUM 1
T401	04/27/18	GENERAL DETAIL - COMMUNICATIONS
T402	04/27/18	ELEVATION DETAILS - COMMUNICATIONS
		SECURITY
SC001	04/27/18	LEGEND AND NOTES - SECURITY
SC101	04/27/18	SITE PLAN - SECURITY
SC111	04/27/18	FIRST FLOOR PLAN - AREA A - SECURITY
SC112	04/27/18	FIRST FLOOR PLAN - AREA B - SECURITY
SC113	04/27/18	MEZZANINE FLOOR PLAN - OVERALL - SECURITY
SC301	04/27/18	DOOR DETAILS - SECURITY
SC401	04/27/18	GENERAL DETAILS - SECURITY
		AUDIO/VISUAL
AV100	04/27/18	LEGEND AND NOTES - AUDIO VISUAL
AV111	04/27/18	FIRST FLOOR PLAN - AREA A - AUDIO VISUAL
AV112	04/27/18	FIRST FLOOR PLAN - AREA B - AUDIO VISUAL
AV113	04/27/18	MEZZANINE FLOOR PLAN - OVERALL - AUDIO VISUAL
AV211	04/27/18	FIRST FLOOR RCP - AREA A - AUDIO VISUAL
AV212	04/27/18	FIRST FLOOR RCP - AREA B - AUDIO VISUAL
AV213	04/27/18	MEZZANINE FLOOR RCP - OVERALL - AUDIO VISUAL
AV301	04/27/18	PROJECTION SCREEN ELEVATIONS AUDIO VISUAL

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CONSTRUCTION SERVICES

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Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

AV401	04/27/18	GENERAL DETAILS AUDIO VISUAL
AVS501	04/27/18	LINE SCHEMATIC AUDIO VISUAL ACTIVE SYSTEMS
AVS502	04/27/18	LINE SCHEMATIC AUDIO VISUAL ACTIVE SYSTEMS
AVS503	04/27/18	LINE SCHEMATIC AUDIO VISUAL ACTIVE SYSTEMS
		AQUATICS
PL100	05/25/18	OVERALL AQUATIC PLAN - ADDENDUM 1
PL101	05/25/18	GENERAL DETAILS AND SCHEDULES - ADDENDUM 1
PL102	04/27/18	ADA DETAILS
PL110	04/27/18	POOL A - LEISURE POOL PLAN
PL111	05/25/18	POOL A - LEISURE POOL DIMENSION PLAN - ADDENDUM 1
PL112	04/27/18	POOL A - LEISURE POOL SECTIONS
PL113	04/27/18	POOL A - SLIDES
PL114	04/27/18	POOL A - LEISURE POOL DETAILS
PL115	04/27/18	POOL A - LEISURE POOL DETAILS
PL120	05/25/18	POOL B - LAP POOL PLAN AND DIMENSION PLAN - ADDENDUM 1
PL121	04/27/18	POOL B - LAP POOL SECTIONS
PL200	04/27/18	OVERALL STRUCTURAL PLAN
PL201	04/27/18	STRUCTURAL DETAILING
PL202	04/27/18	STRUCTURAL DETAILING
PL203	04/27/18	STRUCTURAL DETAILS
PL204	04/27/18	STRUCTURAL DETAILS
PL205	04/27/18	STRUCTURAL DECK AND PIER DETAILS
PL206	04/27/18	STRUCTURAL DECK & PIER DETAILS
PL300	04/27/18	OVERALL PIPING PLAN
PL301	05/25/18	PIPING DETAILS - ADDENDUM 1
PL310	04/27/18	POOL A - LEISURE POOL FILTRATION PIPING PLAN
PL311	05/25/18	POOL A - LEISURE POOL ACTIVITY PIPING PLAN - ADDENDUM 1
PL320	04/27/18	POOL B - LAP POOL PIPING PLAN
PL400	05/25/18	MECHANICAL PLAN - ADDENDUM 1
PL401	05/25/18	MECHANICAL DETAILS - ADDENDUM 1
PL402	04/27/18	MECHANICAL DETAILS
PL510	04/27/18	POOL A - LEISURE POOL P&ID
PL511	04/27/18	POOL A - LEISURE POOL ELECTRICAL SCHEMATIC
PL520	04/27/18	POOL B LAP POOL P&ID
PL521	04/27/18	POOL B - LAP POOL ELECTRICAL SCHEMATIC
		FOOD SERVICE
QF101	04/27/18	FOODSERVICE EQUIPMENT LAYOUT & ELECTRICAL REQUIREMENTS PLAN
QF201	04/27/18	FOODSERVICE PLUMBING & FLOOR DEPRESSION REQUIREMENTS PLAN
QF301	04/27/18	FOOD SERVICE ELEVATIONS, SECTIONS AND DETAILs

BYRNE
CONSTRUCTION SERVICES

NINE DECADES OF EXCELLENCE
551 E. Berry Street
Fort Worth, Texas 76110
Phone: (817) 335-3394
Fax: (817) 877-5507

Contract Documents List

Multigenerational Recreation Center GMP

Lewisville, Texas

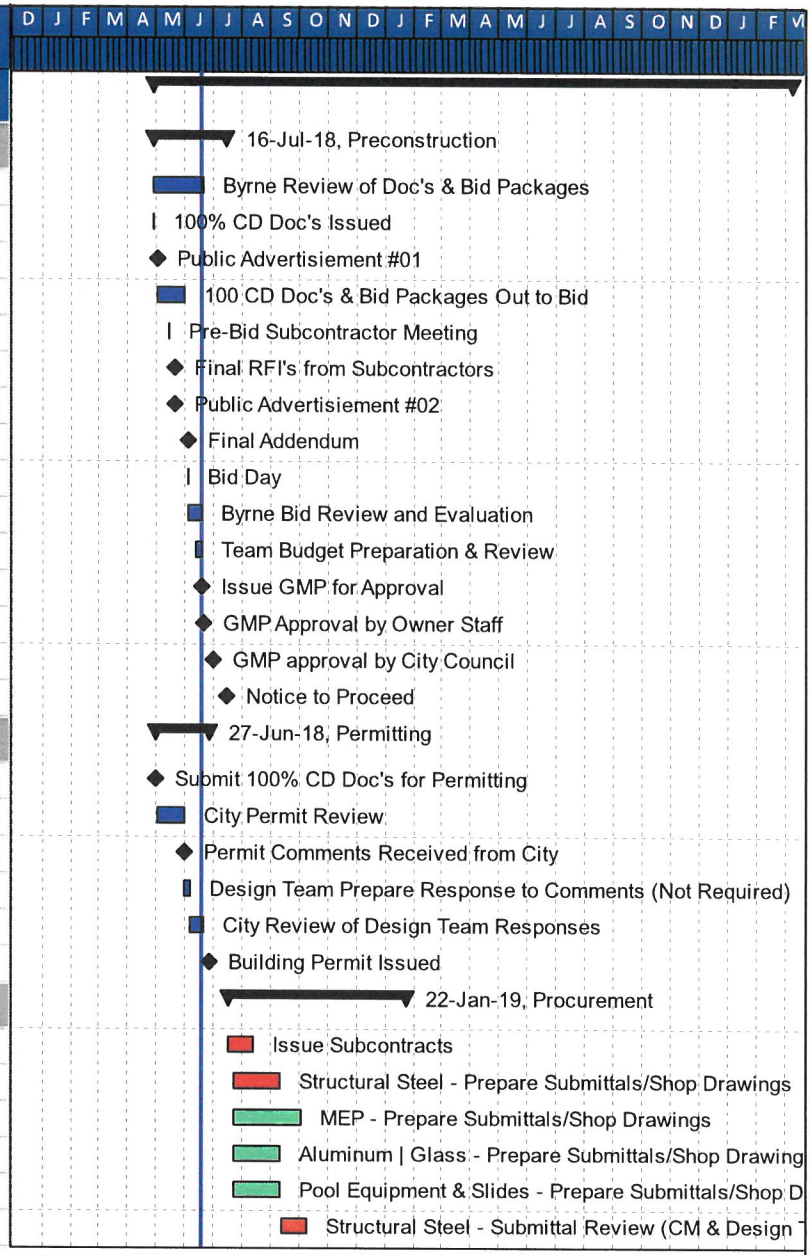
Date: June 19, 2018

Addenda			
Addendum	No. of Pages	Original Date	Specification Section Title
		05/25/18	Addendum 1
		05/25/18	LMRC Addendum 1 - Narrative
		06/01/18	Addendum 2
		06/01/18	LMRC Addendum 2 - Narrative
		05/25/18	LMRC - RFI Responses No. 1 - 2018 05 25

Exhibit "B" Final Construction Manager's Project Schedule

See attached Project Schedule with a Data Date of June 20, 2018.

Activity ID	Activity Name	Remaining Duration	Start	Finish
Lewisville Multi-Gen Rec Center		434	30-Apr-18 A	10-Mar-20
Preconstruction		18	30-Apr-18 A	16-Jul-18
PC1010	Byrne Review of Doc's & Bid Packages	3	30-Apr-18 A	22-Jun-18
PC1000	100% CD Doc's Issued	0	30-Apr-18 A	30-Apr-18 A
PC1020	Public Advertisiement #01	0		03-May-18 A
PC1030	100 CD Doc's & Bid Packages Out to Bid	0	04-May-18 A	01-Jun-18 A
PC1040	Pre-Bid Subcontractor Meeting	0	16-May-18 A	16-May-18 A
PC1060	Final RFI's from Subcontractors	0		21-May-18 A
PC1050	Public Advertisiement #02	0		21-May-18 A
PC1070	Final Addendum	0		04-Jun-18 A
PC1080	Bid Day	0	05-Jun-18 A	05-Jun-18 A
PC1090	Byrne Bid Review and Evaluation	0	06-Jun-18 A	19-Jun-18 A
PC1100	Team Budget Preparation & Review	0	13-Jun-18 A	19-Jun-18 A
PC1110	Issue GMP for Approval	0		20-Jun-18
PC1120	GMP Approval by Owner Staff	0		21-Jun-18
PC1130	GMP approval by City Council	0		02-Jul-18
PC1140	Notice to Proceed	0		16-Jul-18
Permitting		6	02-May-18 A	27-Jun-18
PM2000	Submit 100% CD Doc's for Permitting	0		02-May-18 A
PM2010	City Permit Review	0	03-May-18 A	31-May-18 A
PM2020	Permit Comments Received from City	0		31-May-18 A
PM2030	Design Team Prepare Response to Con	0	01-Jun-18 A	07-Jun-18 A
PM2040	City Review of Design Team Responses	2	08-Jun-18 A	21-Jun-18
PM2050	Building Permit Issued	0		27-Jun-18
Procurement		130	17-Jul-18	22-Jan-19
PR3000	Issue Subcontracts	20	17-Jul-18	13-Aug-18
PR3020	Structural Steel - Prepare Submittals/Sh	35	24-Jul-18	11-Sep-18
PR3030	MEP - Prepare Submittals/Shop Drawin	50	24-Jul-18	02-Oct-18
PR3040	Aluminum | Glass - Prepare Submittals/	35	24-Jul-18	11-Sep-18
PR3010	Pool Equipment & Slides - Prepare Subr	35	24-Jul-18	11-Sep-18
PR3060	Structural Steel - Submittal Review (CM	20	12-Sep-18	09-Oct-18



Actual Work
Remaining Work
Critical Remaining Work
Milestone
Summary

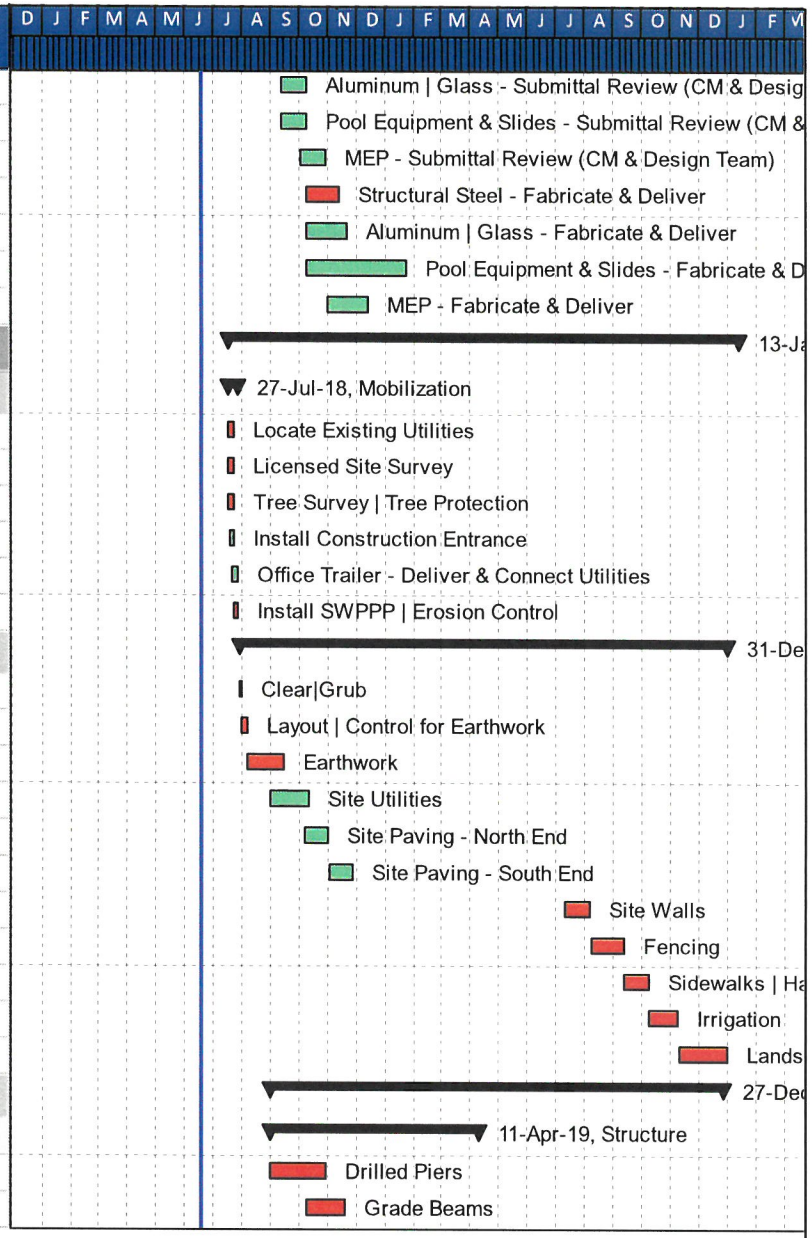
Lewisville Multigenerational Recreation Center

Exhibit "B" - CM's Project Schedule

Data Date: 20-Jun-18
Run Date: 21-Jun-18

BYRNE CONSTRUCTION SERVICES

Activity ID	Activity Name	Remaining Duration	Start	Finish
PR3070	Aluminum | Glass - Submittal Review (C	20	12-Sep-18	09-Oct-18
PR3050	Pool Equipment & Slides - Submittal Re	20	12-Sep-18	09-Oct-18
PR3080	MEP - Submittal Review (CM & Design	20	03-Oct-18	30-Oct-18
PR3100	Structural Steel - Fabricate & Deliver	25	10-Oct-18	13-Nov-18
PR3110	Aluminum | Glass - Fabricate & Deliver	30	10-Oct-18	20-Nov-18
PR3090	Pool Equipment & Slides - Fabricate & D	70	10-Oct-18	22-Jan-19
PR3120	MEP - Fabricate & Deliver	30	31-Oct-18	13-Dec-18
Construction		376	17-Jul-18	13-Jan-20
Mobilization		9	17-Jul-18	27-Jul-18
MO3200	Locate Existing Utilities	5	17-Jul-18	23-Jul-18
MO3210	Licensed Site Survey	5	17-Jul-18	23-Jul-18
MO3220	Tree Survey | Tree Protection	5	17-Jul-18	23-Jul-18
MO3230	Install Construction Entrance	2	20-Jul-18	23-Jul-18
MO3240	Office Trailer - Deliver & Connect Utilities	5	23-Jul-18	27-Jul-18
MO3250	Install SWPPP | Erosion Control	4	24-Jul-18	27-Jul-18
Sitework		359	30-Jul-18	31-Dec-19
SI3300	Clear|Grub	3	30-Jul-18	01-Aug-18
SI3310	Layout | Control for Earthwork	3	02-Aug-18	06-Aug-18
SI3320	Earthwork	28	07-Aug-18	14-Sep-18
SI3330	Site Utilities	30	31-Aug-18	12-Oct-18
SI3340	Site Paving - North End	19	08-Oct-18	01-Nov-18
SI3400	Site Paving - South End	15	02-Nov-18	26-Nov-18
SI3350	Site Walls	20	11-Jul-19	07-Aug-19
SI3360	Fencing	25	08-Aug-19	12-Sep-19
SI3370	Sidewalks | Hardscape	18	13-Sep-19	08-Oct-19
SI3380	Irrigation	23	09-Oct-19	08-Nov-19
SI3390	Landscaping	33	11-Nov-19	31-Dec-19
New Building		333	31-Aug-18	27-Dec-19
Structure		154	31-Aug-18	11-Apr-19
MB3500	Drilled Piers	41	31-Aug-18	29-Oct-18
MB3510	Grade Beams	30	09-Oct-18	19-Nov-18



Actual Work
Remaining Work
Critical Remaining Work
Milestone
Summary

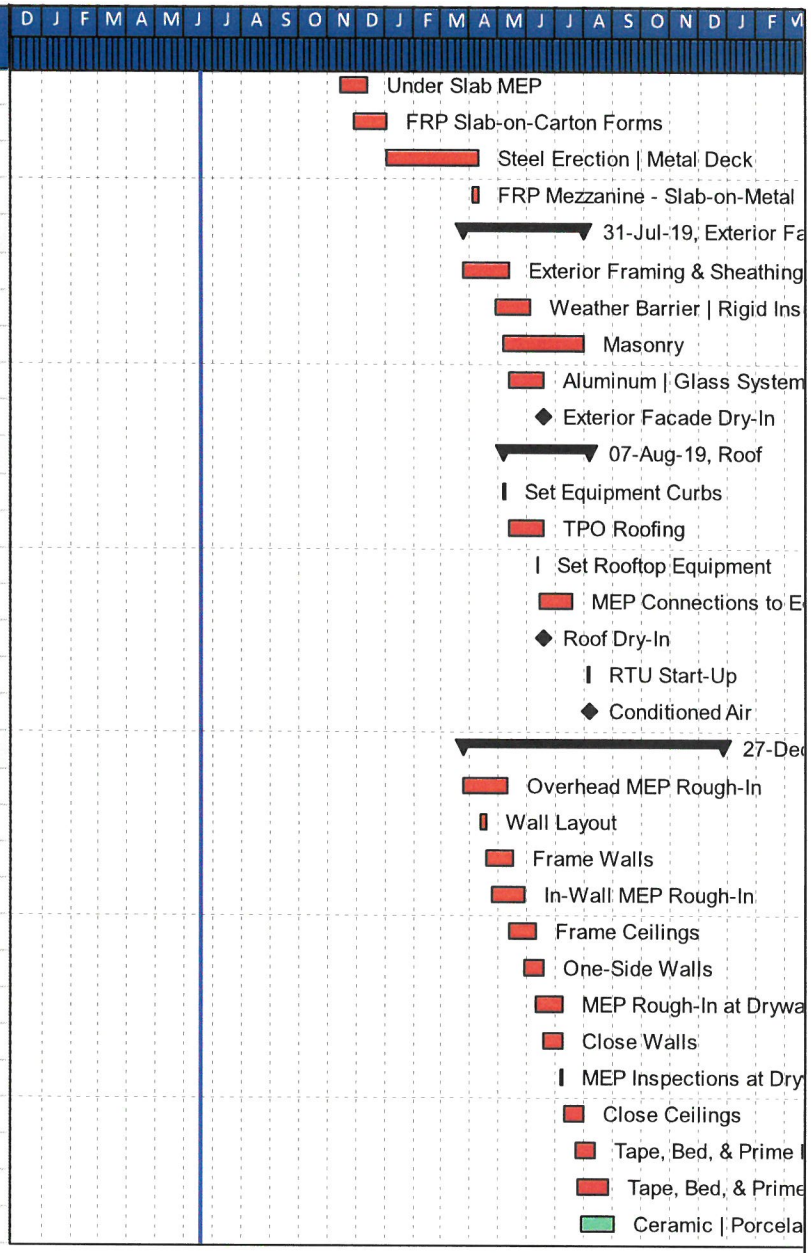
Lewisville Multigenerational Recreation Center

Exhibit "B" - CM's Project Schedule

Data Date: 20-Jun-18
Run Date: 21-Jun-18

BYRNE CONSTRUCTION SERVICES

Activity ID	Activity Name	Remaining Duration	Start	Finish
MB3520	Under Slab MEP	18	16-Nov-18	13-Dec-18
MB3530	FRP Slab-on-Carton Forms	22	30-Nov-18	03-Jan-19
MB3540	Steel Erection | Metal Deck	70	04-Jan-19	11-Apr-19
MB3550	FRP Mezzanine - Slab-on-Metal Deck	5	05-Apr-19	11-Apr-19
Exterior Facade		90	26-Mar-19	31-Jul-19
MB3600	Exterior Framing & Sheathing	35	26-Mar-19	13-May-19
MB3610	Weather Barrier | Rigid Insulation	25	30-Apr-19	04-Jun-19
MB3620	Masonry	60	07-May-19	31-Jul-19
MB3640	Aluminum | Glass Systems	25	14-May-19	18-Jun-19
MB3660	Exterior Facade Dry-In	0		18-Jun-19
Roof		65	07-May-19	07-Aug-19
MB3700	Set Equipment Curbs	3	07-May-19	09-May-19
MB3720	TPO Roofing	25	14-May-19	18-Jun-19
MB3730	Set Rooftop Equipment	2	12-Jun-19	13-Jun-19
MB3740	MEP Connections to Equipment	25	14-Jun-19	19-Jul-19
MB3750	Roof Dry-In	0		18-Jun-19
MB3760	RTU Start-Up	3	05-Aug-19	07-Aug-19
MB3770	Conditioned Air	0		07-Aug-19
Interior Finishes		193	25-Mar-19	27-Dec-19
IF4000	Overhead MEP Rough-In	35	25-Mar-19	10-May-19
IF4010	Wall Layout	5	12-Apr-19	18-Apr-19
IF4020	Frame Walls	21	19-Apr-19	17-May-19
IF4030	In-Wall MEP Rough-In	26	24-Apr-19	30-May-19
IF4070	Frame Ceilings	20	13-May-19	10-Jun-19
IF4040	One-Side Walls	15	29-May-19	18-Jun-19
IF4080	MEP Rough-In at Drywall Ceilings	19	11-Jun-19	08-Jul-19
IF4050	Close Walls	15	19-Jun-19	10-Jul-19
IF4100	MEP Inspections at Drywall Ceilings	3	08-Jul-19	10-Jul-19
IF4110	Close Ceilings	16	11-Jul-19	01-Aug-19
IF4140	Tape, Bed, & Prime Paint Ceilings	15	23-Jul-19	12-Aug-19
IF4060	Tape, Bed, & Prime Paint Walls	24	25-Jul-19	27-Aug-19
IF4170	Ceramic | Porcelain Tile at Restrooms |	25	30-Jul-19	03-Sep-19



Actual Work
Remaining Work
Critical Remaining Work
Milestone
Summary

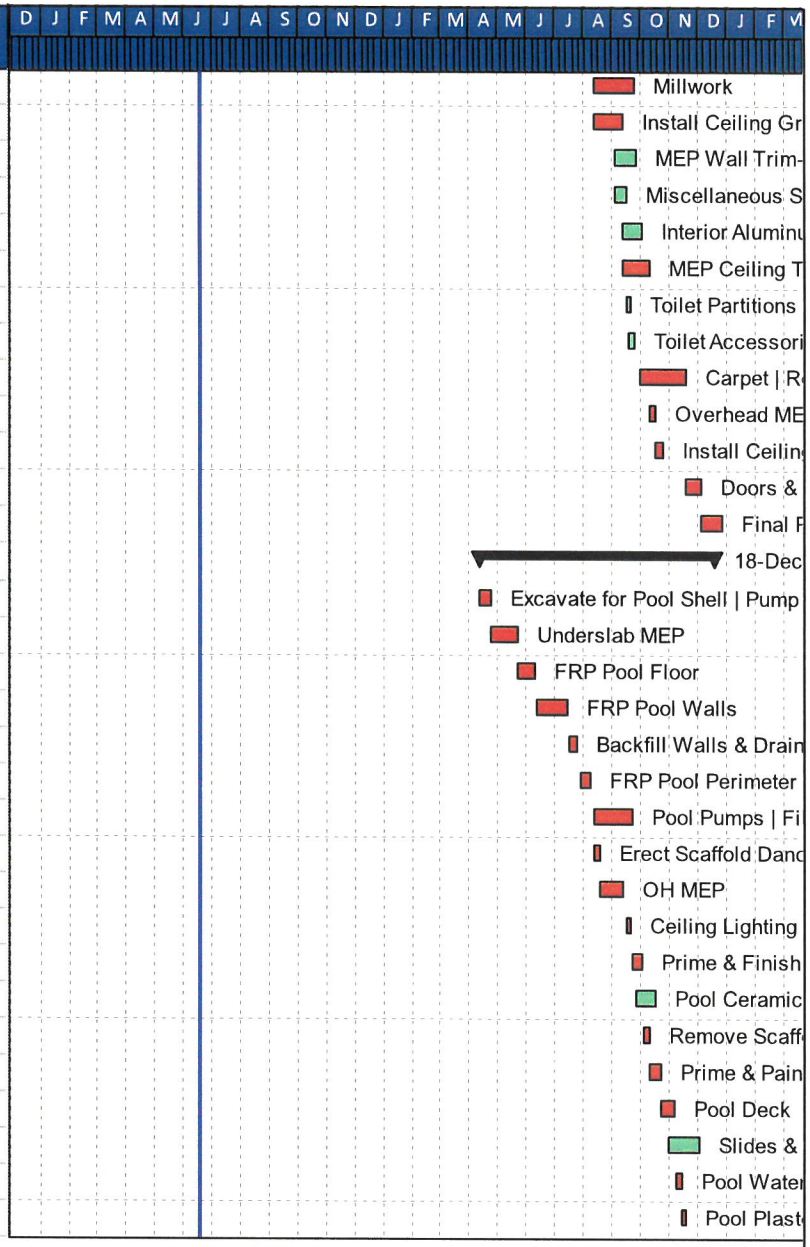
Lewisville Multigenerational Recreation Center

Exhibit "B" - CM's Project Schedule

Data Date: 20-Jun-18
Run Date: 21-Jun-18

BYRNE CONSTRUCTION SERVICES

Activity ID	Activity Name	Remaining Duration	Start	Finish
IF4160	Millwork	30	13-Aug-19	24-Sep-19
IF4090	Install Ceiling Grid	21	14-Aug-19	12-Sep-19
IF4220	MEP Wall Trim-Out	18	04-Sep-19	27-Sep-19
IF4200	Miscellaneous Specialties	10	04-Sep-19	17-Sep-19
IF4120	Interior Aluminum | Glass Systems	14	13-Sep-19	02-Oct-19
IF4130	MEP Ceiling Trim-Out | Lighting at Grid	20	13-Sep-19	10-Oct-19
IF4230	Toilet Partitions	4	17-Sep-19	20-Sep-19
IF4240	Toilet Accessories	5	19-Sep-19	25-Sep-19
IF4150	Carpet | Resilient | Tile Flooring	35	01-Oct-19	18-Nov-19
IF4180	Overhead MEP Inspections	5	11-Oct-19	17-Oct-19
IF4190	Install Ceiling Tile	5	18-Oct-19	24-Oct-19
IF4250	Doors & Hardware	10	19-Nov-19	04-Dec-19
IF4280	Final Paint	15	05-Dec-19	27-Dec-19
Aquatics		174	12-Apr-19	18-Dec-19
AQ5000	Excavate for Pool Shell | Pump Pit	10	12-Apr-19	25-Apr-19
AQ5010	Underslab MEP	20	26-Apr-19	23-May-19
AQ5020	FRP Pool Floor	12	24-May-19	11-Jun-19
AQ5030	FRP Pool Walls	24	12-Jun-19	16-Jul-19
AQ5040	Backfill Walls & Drains	8	17-Jul-19	26-Jul-19
AQ5050	FRP Pool Perimeter Structural Sub-Deck	10	29-Jul-19	09-Aug-19
AQ5060	Pool Pumps | Filters | Sanitizing Equip &	30	12-Aug-19	23-Sep-19
AQ5080	Erect Scaffold Dance Floor	6	12-Aug-19	19-Aug-19
AQ5090	OH MEP	18	20-Aug-19	13-Sep-19
AQ5100	Ceiling Lighting	5	16-Sep-19	20-Sep-19
AQ5110	Prime & Finish Paint Exposed Structure	9	23-Sep-19	03-Oct-19
AQ5070	Pool Ceramic Tile	15	27-Sep-19	17-Oct-19
AQ5120	Remove Scaffold Dance Floor	5	04-Oct-19	10-Oct-19
AQ5130	Prime & Paint Walls	8	11-Oct-19	22-Oct-19
AQ5150	Pool Deck	12	23-Oct-19	07-Nov-19
AQ5140	Slides & Stair	20	01-Nov-19	02-Dec-19
AQ5160	Pool Water Tightness Test	5	08-Nov-19	14-Nov-19
AQ5170	Pool Plaster	2	15-Nov-19	18-Nov-19



Actual Work
Remaining Work
Critical Remaining Work
Milestone
Summary

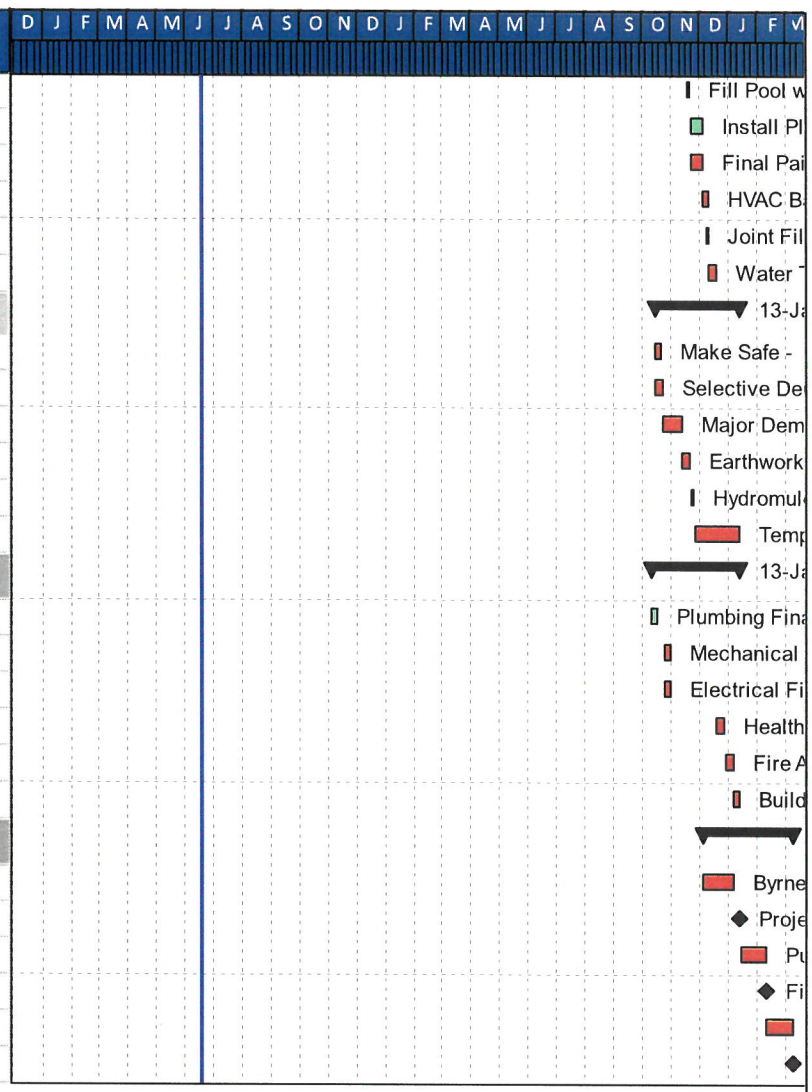
Lewisville Multigenerational Recreation Center

Exhibit "B" - CM's Project Schedule

Data Date: 20-Jun-18
Run Date: 21-Jun-18

BYRNE CONSTRUCTION SERVICES

Activity ID	Activity Name	Remaining Duration	Start	Finish
AQ5180	Fill Pool with Water	3	19-Nov-19	21-Nov-19
AQ5190	Install Play Features	8	22-Nov-19	05-Dec-19
AQ5210	Final Paint	7	22-Nov-19	04-Dec-19
AQ5220	HVAC Balancing	5	05-Dec-19	11-Dec-19
AQ5200	Joint Filler at Pool Decking	2	10-Dec-19	11-Dec-19
AQ5230	Water Temp & Chemistry Balancing	5	12-Dec-19	18-Dec-19
Existing Buildings		**60**	**15-Oct-19**	**13-Jan-20**
EB5000	Make Safe - Cap Utilities	5	15-Oct-19	21-Oct-19
EB5010	Selective Demolition	5	16-Oct-19	22-Oct-19
SB5020	Major Demolition	15	23-Oct-19	12-Nov-19
SB5030	Earthwork | Fine Grade	8	12-Nov-19	21-Nov-19
SB5040	Hydromulch	2	22-Nov-19	25-Nov-19
SB5050	Temporary Irrigation	30	26-Nov-19	13-Jan-20
Final Inspections		**62**	**11-Oct-19**	**13-Jan-20**
FI6000	Plumbing Final Inspection	5	11-Oct-19	17-Oct-19
FI6010	Mechanical Final Inspection	5	25-Oct-19	31-Oct-19
FI6020	Electrical Final Inspection	5	25-Oct-19	31-Oct-19
FI6030	Health Department Inspection	5	19-Dec-19	27-Dec-19
FI6040	Fire Alarm | Sprinkler Inspection	5	30-Dec-19	06-Jan-20
FI6050	Building Final Inspection	5	07-Jan-20	13-Jan-20
Inspections & Close-Out		**65**	**05-Dec-19**	**10-Mar-20**
CO7000	Byrne Punchlist	20	05-Dec-19	06-Jan-20
CO7010	Project Substantial Completion	0		13-Jan-20
CO7020	Punchlist & Close-Out	20	14-Jan-20	10-Feb-20
CO7030	Final Completion	0		10-Feb-20
CO7040	Owner FF&E	20	11-Feb-20	09-Mar-20
CO7050	Occupancy	0	10-Mar-20	



Actual Work
Remaining Work
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Milestone
Summary

Lewisville Multigenerational Recreation Center

Exhibit "B" - CM's Project Schedule

Data Date: 20-Jun-18
Run Date: 21-Jun-18

BYRNE CONSTRUCTION SERVICES

Exhibit "C" Final Construction Manager's Fee & On-Site Overhead Costs

Exhibit "C" will be adjusted as mutually agreed, after the completion of the Alternates buyout and acceptance, if any. This adjustment will be agreed upon by the Owner and the Construction Manager no later than July 16, 2018.

Exhibit "D" Final
Key Personnel

BYRNE CONSTRUCTION SERVICES • EXCELLENCE • QUALITY • SERVICE

A Management Team Members

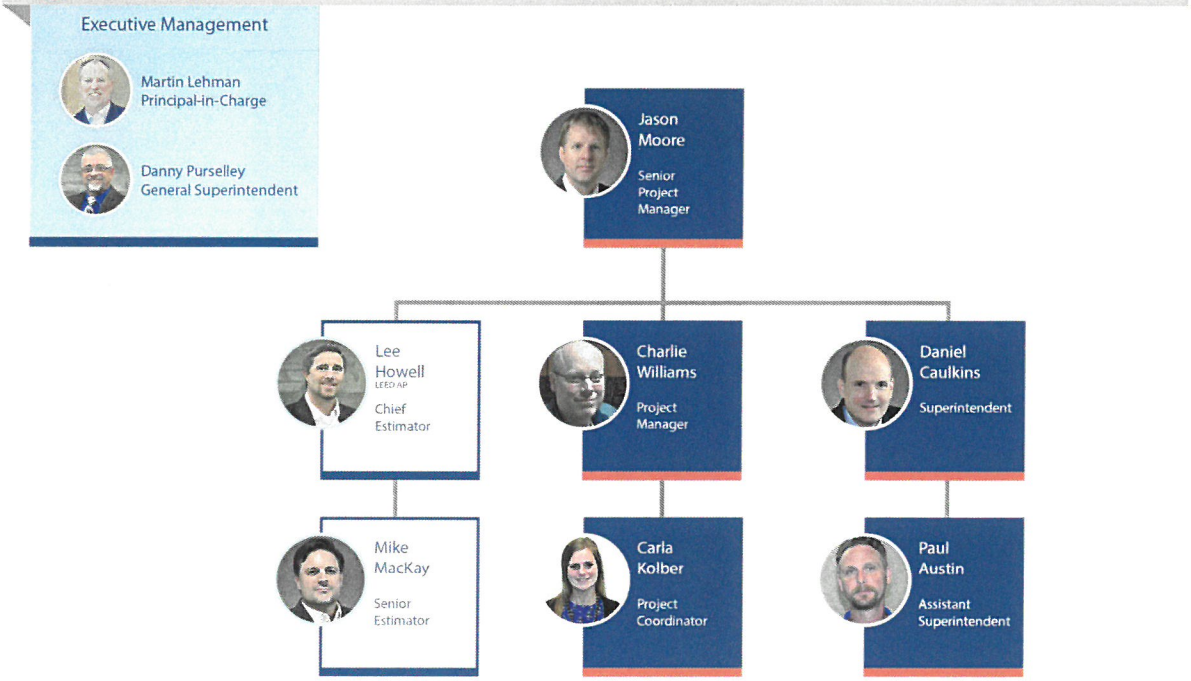

Exhibit "E" Final Confidentiality of the Project

To be provided as mutually agreed by August 1, 2018.

Exhibit "F" Final Customary and Usual Labor Rates

To be provided as mutually agreed by August 1, 2018.

Exhibit "G" Final Rental Rates

See attached rental rate information approved and included as part of the GMP Amendment.

The Sunbelt Rate column is provided for comparison, only, to demonstrate the value and to the benefits of utilizing our equipment.

Equipment will be billed at the rate in the Byrne column when such equipment is available from the Construction Manager.

Rental billing and payment terms and conditions will be per Section 6.5 of the A133 Agreement, and nothing in this Exhibit G is intended to supersede those terms, which shall govern.

NINE DECADES OF EXCELLENCE
551 E. Berry Street
Fort Worth, Texas 76110
Phone: (817) 335-3394
Fax: (817) 877-5507

EXHIBIT "G" Final - Rental Rates

Guaranteed Maximum Price

Date: September 14, 2017

LARGE EQUIPMENT RENTAL RATES

EQUIPMENT	RENTAL PERIOD	BYRNE	SUNBELT	
BOBCAT S220				
U-4, U-5	WEEK	$ 650.00	$ 1,150.00	
	MONTH	$ 1,950.00	$ 2,915.00	
BOBCAT SWEEPER ATCHMNT				
SW-1	WEEK	$ 275.00	$ 330.00	
	MONTH	$ 500.00	$ 765.00	
BOBCAT FORK ATCHMNT				
	WEEK	$ 115.00	$ 155.00	
	MONTH	$ 275.00	$ 395.00	
BOBCAT SMOOTH BUCKET				
	WEEK	$ 100.00	$ 145.00	
	MONTH	$ 265.00	$ 385.00	
14" CUTOFF/QUICKIE SAW GAS				
STIHL	WEEK	$ 225.00	$ 360.00	
S-27, S-30, S-32, S-33	MONTH	$ 550.00	$ 840.00	
14" CUTOFF/QUICK ELECTRIC				
BOSCH	WEEK	$ 150.00	$ 215.00	
S-26	MONTH	$ 375.00	$ 480.00	
CORE DRILL 15 AMP				
MILWAUKEE	WEEK	$ 295.00	$ 435.00	Excludes Core Drum
CM-1, CM-2	MONTH	$ 750.00	$ 1,195.00	Excludes Core Drum
WALK BEHIND CONCRETE SAW				
CLIPPER C1320SM	WEEK	$ 275.00	$ 385.00	
WBS-1	MONTH	$ 750.00	$ 1,045.00	
1" ROTARY HAMMER				
HILTI TE 7-C, 10 UNITS	WEEK	$ 110.00	$ 165.00	Excludes Bits
	MONTH	$ 325.00	$ 435.00	Excludes Bits
ELECTRIC HAMMER DRILL LARGE				
HILTI TE 56	WEEK	$ 190.00	$ 220.00	
RH-500 - RH-510	MONTH	$ 455.00	$ 635.00	
25LBS DEMO HAMMER				
WACKER EHB 11 BLM	WEEK	$ 190.00	$ 250.00	
ECH-1 ECH-2	MONTH	$ 455.00	$ 680.00	
SAW-WORMDRIVE 7 1/4				
SKILSAW HD77, 5 UNITS	WEEK	$ 35.00	$ 45.00	
	MONTH	$ 75.00	$ 97.00	
METAL CUT OFF SAW 14"				
BOSCH 4 UNITS	WEEK	$ 90.00	$ 115.00	

BYRNE
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EXHIBIT "G" Final - Rental Rates

Guaranteed Maximum Price

Date: September 14, 2017

	MONTH	$	215.00	$	320.00
SAWZALL ELEC W CORD					
HILTI 2 UNITS, MILW 2 UNITS	WEEK	$	50.00	$	61.00
	MONTH	$	145.00	$	180.00
BAND SAW PORTABLE W/CORD					
MILW 3 UNITS, DEWALT 1 UNIT	WEEK	$	85.00	$	110.00
	MONTH	$	215.00	$	320.00
CHAIN SAW-GAS					
SITHL MS290	WEEK	$	155.00	$	225.00
	MONTH	$	390.00	$	565.00
CONEX STORAGE 8X40					
MST-01 MST-02	WEEK	$	95.00	$	240.00
	MONTH	$	300.00	$	645.00
CONEX STORAGE 8X20					
MST-03, MST-06, MST-09	WEEK	$	85.00	$	150.00
	MONTH	$	250.00	$	600.00
DEHUMIDIFIERS					
DEH-1 - DEH -8	WEEK	$	145.00	$	260.00
	MONTH	$	420.00	$	710.00
HEPA AIR SCRUBBER					
5 UNITS	WEEK	$	140.00	$	210.00
	MONTH	$	410.00	$	590.00
GENERATOR 6000WATT					
10 UNITS	WEEK	$	215.00	$	315.00
	MONTH	$	525.00	$	900.00
GENERATOR 2000WATT					
1 UNIT	WEEK	$	155.00	$	195.00
	MONTH	$	375.00	$	600.00
LASER AUTO LEVEL					
20 UNITS	WEEK	$	165.00	$	205.00
	MONTH	$	435.00	$	635.00
TRANSIT					
6 UNITS	WEEK	$	245.00	$	366.00
	MONTH	$	485.00	$	732.00
TOTAL STATIONS					
8 UNITS	WEEK	$	395.00		N/A
	MONTH	$	1,000.00		
DATA COLLECTORS					
9 UNITS	WEEK	$	75.00		N/A
	MONTH	$	125.00		
WATER/TRASH PUMP 2" GAS					
3 UNITS	WEEK	$	195.00	$	235.00

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EXHIBIT "G" Final - Rental Rates

Date: September 14, 2017

Guaranteed Maximum Price

	MONTH	$	450.00	$	695.00
WATER PUMP ELECTRIC 2"					
4 UNITS	WEEK	$	75.00	$	115.00
	MONTH	$	215.00	$	305.00
POWER WASHER					
3 UNITS	WEEK	$	225.00	$	310.00
	MONTH	$	600.00	$	920.00
JOB BOX 3 CU FT					
4 UNITS	WEEK	$	40.00	$	50.00
	MONTH	$	120.00	$	150.00
JOB BOX 16 CU FT					
10 UNITS	WEEK	$	50.00	$	65.00
	MONTH	$	200.00	$	250.00
JOB BOX 25 CU FT					
6 UNITS	WEEK	$	70.00	$	90.00
	MONTH	$	300.00	$	450.00
MOISTURE METER					
1 UNIT	WEEK	$	75.00	$	107.00
	MONTH	$	165.00	$	214.00
WATER WAGON					
1 UNIT	WEEK	$	200.00	$	230.00
	MONTH	$	485.00	$	690.00

SMALL TOOLS LIST

AIR COMPRESSOR--PORTABLE	ea.	$300.00
ENGINEERS ROD--FIBERGLASS 25'	ea.	$225.00
AX-CHOPPING	ea.	$35.00
BACK FLOW ATTACHMENT	ea.	$225.00
BARRICADES--BARREL	ea.	$125.00
BARRICADES	ea.	$85.00
BARRICADES--LIGHTS	ea.	$45.00
BARRICADE---FENCE	ea.	$65.00
BARRICADES-POLE	ea.	$50.00
BARRICADE---TYPE III	ea.	$100.00
BARRELS-TRASH	ea.	$35.00
BARREL-STAND	ea.	$75.00
BARREL-PUMP	ea.	$125.00
BARROW-WHEEL	ea.	$85.00
BARROW-SPARE TIRE	ea.	$25.00
BEAM CLAMP	ea.	$175.00
LANYARDS	ea.	$65.00

NINE DECADES OF EXCELLENCE
551 E. Berry Street
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EXHIBIT "G" Final - Rental Rates

Guaranteed Maximum Price

Date: September 14, 2017

BODY-BASKET	ea.	$250.00
BODY HARNESS	ea.	$350.00
BODY BLANKET	ea.	$40.00
BODY BASKET SLING	ea.	$65.00
SDS POINTS/CHISELS	ea.	$18.00
BIT-WOOD CORE	ea.	$10.00
BIT-POINTS/CHISEL SDS MAX/SPLINE	ea.	$45.00
BIT-AIR HAMMER	ea.	$45.00
BIT-ROTARY HAMMER BUSH HEAD	ea.	$60.00
BIT- ROTARY HAMMER SPLINE	ea.	$35.00
BIT--ROTARY HAMMER SDS	ea.	$55.00
BIT&STEM-ROCK DRILL	ea.	$45.00
BIT---SDS	ea.	$8.50
BIT-CORING	ea.	$150.00
BIT---METAL	ea.	$6.50
BIT----WOOD	ea.	$6.50
RIVIT BUSTER BITS 18"	ea.	$30.00
BIT-FLOOR SCRAPPER SDS MAX	ea.	$210.00
BOLT CUTTERS 24"	ea.	$45.00
BOLT CUTTERS 36"	ea.	$75.00
BOLT CUTTERS 48"	ea.	$145.00
BOOKCASE - WOOD	ea.	$85.00
BOOKCASE - METAL	ea.	$50.00
BOTTLES LP 25 GAL.	ea.	$125.00
BOTTLES LP 10 GAL.	ea.	$80.00
LP REGULATORS DOUBLE FITTING	ea.	$65.00
LP REGULATORS SINGLE FITTING	ea.	$40.00
CASTERS FOR TOOL BOX	ea.	$50.00
BROOM-PUSH	ea.	$25.00
BROOM-HOUSE	ea.	$10.00
BROOM-WISK	ea.	$8.00
MOP BUCKET COMBO	ea.	$50.00
BRUSH--WIRE WHEEL	ea.	$10.00
BRUSH-- WIRE HAND	ea.	$6.00
BRUSH--WIRE CUP	ea.	$15.00
BULLETIN BOARD -LARGE 1 DOOR	ea.	$275.00
FILE BOXES	ea.	$8.00
CABINET 2 DOOR STORAGE	ea.	$180.00
FILE CABINET 4 DR. LATERAL	ea.	$200.00
FILE CABINET 2 DRAWER	ea.	$100.00
FILE CABINET 4 DRAWER	ea.	$160.00
CABLE-CUTTER	ea.	$60.00

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CABLE-GRABS	ea.	$60.00
CABLE-CHOKERS	ea.	$50.00
CABLE CLAMPS	ea.	$1.25
CABLE COMALONG	ea.	$80.00
CABLE - SAFTEY	/ft.	$0.40
CABLE TURNBUCKLES	ea.	$15.00
CABLE- SLINGS	ea.	$100.00
CART - BOTTLE	ea.	$130.00
CEMENT - FLOAT	ea.	$20.00
CEMENT - TROWEL	ea.	$12.00
CEMENT - MARGIN TROWEL	ea.	$5.00
CEMENT - RUB ROCK	ea.	$15.00
CHAIN SAW -GAS	ea.	$300.00
CHAIN LOCK - UP	/ft.	$5.00
CHAIN PER FOOT	/ft.	$5.00
CEMENT EDGER	ea.	$10.00
CHAIRS - SIDE	ea.	$20.00
CHAIRS - FOLDING	ea.	$22.00
CHAIRS - SWIVEL	ea.	$96.00
CHOKERS - NYLON	ea.	$80.00
CHALK-BOXES	ea.	$12.00
CHALK- GAL.	ea.	$10.00
COLUMN CLAMP	ea.	$250.00
CONTAINMENT PALLET	ea.	$100.00
CONCRETE - KOMALONG	ea.	$15.00
DESK - OFFICE	ea.	$295.00
DOLLY - 4 WHEEL	ea.	$80.00
DOLLY - 2 WHEEL	ea.	$145.00
DOLLY - DOOR	ea.	$145.00
DOLLY - ROOF	ea.	$300.00
DOLLY - SHEETROCK	ea.	$125.00
DOOR PLANE - ELEC.	ea.	$200.00
DOOR - TEMPLATE	ea.	$150.00
DRILL-CORDLESS HAMMER DRILL KIT	ea.	$375.00
DRILL - 1/4	ea.	$100.00
DRILL - 3/8	ea.	$120.00
DRILL - HAMMER 3/8	ea.	$195.00
DRILL - -1/2	ea.	$145.00
DRILL - HAMMER 1/2	ea.	$275.00
DRILL - CORDLESS KIT	ea.	$275.00
DRILL - PRESS	ea.	$100.00
DRILL- 3/4 HOLE HAWG	ea.	$200.00

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DRILL- CORDLESS KIT 28 VOLT	ea.	$379.00
HILTI TE-7C HAMMER DRILL	ea.	$375.00
ENG. CHAIN 300'	ea.	$245.00
EXT. CORD ENDS--MALE//FEMALE	ea.	$10.00
EXT. CORD - 100'	ea.	$85.00
EXT. CORD - 50'	ea.	$45.00
EXT. CORD 3 WAY END	ea.	$48.00
EXT. CORD PIGTAIL GFI	ea.	$30.00
EXT. CORD PIGTAIL NON GFI	ea.	$20.00
EXT. CORD 3 WAY ADAPTER	ea.	$5.00
POWER BOXES GFI	ea.	$65.00
FANS-FLOOR	ea.	$200.00
FAN-24"	ea.	$110.00
FAN - BOX / 36" TO 48"	ea.	$380.00
FAN - HOUSE	ea.	$30.00
FAN - PEDISTAL	ea.	$150.00
FAN--30"	ea.	$100.00
FIRE EXT - 5LB CHARGED	ea.	$70.00
FIRE EXT. CLIPS	ea.	$2.00
FIRE EXT. 10LB CHARGED	ea.	$95.00
FIRE HYDRANT WRENCH	ea.	$40.00
FIRST AID KIT- SMALL	ea.	$30.00
FIRST AID KIT- BLOOD BORNE PATH.	ea.	$40.00
FUNNEL	ea.	$8.00
GAS CAN - 5GAL. SAFTEY	ea.	$70.00
GAS CAN 1GAL SAFTEY	ea.	$45.00
GAS CAN 2GAL SAFTEY	ea.	$50.00
DIESEL TANK WITH PUMP	ea.	$450.00
GRINDER- WIRE WHEELS	ea.	$8.00
GRINDER 4-1/2	ea.	$90.00
GRINDER 7 -9	ea.	$200.00
GRINDER DIE	ea.	$250.00
GRINDER DISC 7-10	ea.	$15.00
GRINDER DISC 4-1/2	ea.	$6.00
GRINDER - CUP STONE	ea.	$18.00
GRINDER DIA.CUP DISC 4-1/2	ea.	$75.00
GUN-NAIL BATTERY OPERATED FRAMER	ea.	$350.00
GUN - HILTI POWDER ACTIVATED	ea.	$250.00
GUN - NAIL AIR - FRAMING	ea.	$400.00
GUN - NAIL AIR - BRAD	ea.	$300.00
GUN---GREASE	ea.	$25.00
HAMMER - CLAW	ea.	$15.00

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HAMMER - HANDLES	ea.	$8.00
HAMMER - SLEDGE	ea.	$30.00
HARD HATS - PLAIN	ea.	$10.00
HARD HATS TSB LOGO	ea.	$25.00
HARD HATS SUSPENTION - RATCHET	ea.	$8.00
HARD HATS FULL BRIM	ea.	$28.00
HARDHAT STICKERS	ea.	$40.00
HEATER - ELECTRIC	ea.	$35.00
HEATER - LP GAS	ea.	$135.00
HEATER-ELECTRIC 220	ea.	$165.00
HOIST - CHAIN	ea.	$100.00
HOSE - TIRE AIR UP	ea.	$20.00
HOSE - AIR 3/8 X 50'	ea.	$20.00
HOSE - AIR 3/4 X 50'	ea.	$38.00
HOSE - DISCHARGE 2"	ea.	$50.00
HOSE - FIRE 2" - 50' length	ea.	$85.00
HOSE - WATER	ea.	$35.00
HOSE - DISCHARGE 3"	ea.	$65.00
HOSE - SUCTION 3"	ea.	$70.00
HOSE - SUCTION 2"	ea.	$55.00
HOSE- 3/4 WASHERS	ea.	$0.25
JACK - HYDRAULIC	ea.	$75.00
LADDERS - EXT.	/ft.	$15.00
LEAF BLOWERS-GAS	ea.	$100.00
LADDERS-SAFT T EXT	ea.	$210.00
LADDERS - STEP	/ft.	$18.00
LOCKS-SMALL	ea.	$15.00
LOCKS	ea.	$24.00
LIFELINES-RETRACTABLE	ea.	$175.00
MARKERBOARDS	ea.	$18.00
MICRO - WAVE OVEN	ea.	$75.00
MOPS	ea.	$18.00
MOPS -DUST	ea.	$15.00
LANYARDS	ea.	$50.00
LANYARDS - DECELERATION	ea.	$85.00
LANYARDS-DOUBLE/SMALL HOOKS	ea.	$150.00
LANYARDS-DOUBLE/LARGE HOOKS	ea.	$195.00
MAGNET - FLOOR	ea.	$100.00
MAGNET - ON A STICK	ea.	$20.00
PALLET JACK	ea.	$275.00
PICKS & MADDOX	ea.	$20.00
PLAN SLEEVES	ea.	$4.00
PLANHOLDERS	ea.	$30.00
PLAN RACK - FLOOR	ea.	$250.00
PLAN RACK - WALL	ea.	$200.00
PLANER - ELEC	ea.	$100.00
POLY 100' ROLL	ea.	$125.00
POST HOLE DIGGERS	ea.	$45.00
POST -T DRIVER	ea.	$45.00
PUMP - ELEC. SUMP	ea.	$145.00

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PUMP - ELEC. SUMP 2"	ea.	$325.00
RAINCOATS	ea.	$18.00
LITH BATTERIES FOR RADIOS	ea.	$85.00
RADIO AND CHARGER	ea.	$425.00
RADIO -- MICROPONES	ea.	$55.00
RADIO-6 BAY CHARGER	ea.	$500.00
RAKE	ea.	$15.00
REBAR BENDER	ea.	$100.00
REBAR IMPALE CAPS - #18	ea.	$4.50
REBAR IMPALE CAPS	ea.	$2.25
REBAR CAPS	ea.	$1.25
REBAR ASEMBLEYS	ea.	$90.00
REFRIDGERATOR PORTABLE	ea.	$100.00
ROPE	/ft.	$0.95
ROPE STOPS	ea.	$120.00
ROTARY HAMMER SDS AND SPLINE	ea.	$425.00
ROUTER	ea.	$200.00
BCS SAFTEY REQUIRMENT 2X3	ea.	$100.00
BCS JOB SIGNS 3 X 5	ea.	$200.00
BCS JOB SIGNS 4 X 8	ea.	$325.00
RULE--25'	ea.	$22.00
RULE--100'	ea.	$35.00
SAFTEY--HEADGEAR FACE SHIELDS	ea.	$22.00
SAFTEY--FACE SHIELDS	ea.	$10.00
SAFTEY-- GLOVES LEATHER	ea.	$8.00
SAFTEY--GLOVES RUBBER	ea.	$4.00
SAFTEY--DUST MASK	ea.	$15.00
SAFTEY--FOOT GAURDS	ea.	$25.00
SAFTEY VEST	ea.	$26.00
SAFTEY SIGNS	ea.	$20.00
SAFTEY GLASSES	ea.	$8.00
SANDER - BELT	ea.	$210.00
SANDER - PALM	ea.	$80.00
SAFTEY--EARPLUGS	ea.	$0.15
SAFTEY-TRAUMA STEP	ea.	$30.00
SAW-WORMDRIVE 7 1/4	ea.	$225.00
SAWS-ALL BLADES	ea.	$7.00
SAW - JIG	ea.	$190.00
SAW - ELEC. MITER 10"	ea.	$250.00
SAW - ELEC. MITER 12"	ea.	$350.00
SAW - ELEC. MITER 15"	ea.	$630.00
SAW - 7 1/4	ea.	$150.00
SAWS-ALL	ea.	$190.00
SAW - PORTABLE BAND	ea.	$300.00
JOB BOX	ea.	$400.00
SAW - CHOP METAL	ea.	$200.00
SAW - BLADES 7 1/4	ea.	$8.00
SAW - BLADES 12"	ea.	$10.00
SAW BLADES- 10"	ea.	$36.00
SAW--BLADES 14"	ea.	$40.00

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SAW-BLADES MASONARY DIAMOND	ea.	$150.00
SCAFFOLD BOARDS	ea.	$20.00
SCAFFOLD BOARDS ALUM.	ea.	$80.00
SCAFFOLD - CASTERS	ea.	$25.00
SQUEEGEES	ea.	$20.00
SCAFFOLD-BAKER	ea.	$375.00
SCRAPPERS - REPLACEMENT BLADES	ea.	$7.00
SCRAPERS - SIDEWALK	ea.	$15.00
SCRAPERS - HD	ea.	$25.00
SCREWGUN - DRYWALL	ea.	$125.00
SCREW - JACKS	ea.	$50.00
SCAFFOLD - BAKER SAFETY RAILS	ea.	$235.00
EXT LADDER FOR SCAFFOLD	ea.	$150.00
SLING 2 LEG X20	ea.	$425.00
SHOVELS	ea.	$20.00
SLING- 2 LEG X 10	ea.	$250.00
SPRAY CAN 2 1/2 GAL.	ea.	$85.00
GRAPHITE PRIZM POLE	ea.	$190.00
SURVEY : BY-POLE	ea.	$160.00
SURVEY : DATA COLLECTOR	ea.	$225.00
SURVEY: SURVEY PRO CARD	ea.	$815.00
SURVEY : MEMERY CARD	ea.	$150.00
SURVEY : PRIZM POLE	ea.	$150.00
SURVEY : PRIZM	ea.	$100.00
SURVEY : PRIZM TILTING	ea.	$175.00
SURVEY: TRIBRACK / ADAPTERS	ea.	$125.00
SURVEY : FLAGGING (RIBBON)	ea.	$1.75
SURVEY:PROGRAM CARD	ea.	$250.00
SURVEY : DATA COLLECTOR CABLE	ea.	$98.00
SURVEY : COMPUTER CABLE	ea.	$45.00
SURVEY : ENVIRMENTAL CASE	ea.	$105.00
SURVEY : TRYPOD BRACKET	ea.	$60.00
SURVEY : PEANUT PRIZM	ea.	$145.00
SURVEY : PLS-5	ea.	$425.00
SURVEY: PLUMB BOB	ea.	$24.00
SURVEY : STAKE BAGS	ea.	$20.00
SURVEY: PRISM BAGS	ea.	$32.00
SURVEY: WOOD TRYPODS	ea.	$200.00
SURVEY: LINKER ROD W/BRACKET	ea.	$250.00
SURVEY: FIELD BOOK	ea.	$10.00
SURVEY:SPIDER LEGS	ea.	$50.00
TABLES - FOLDING 6' & 8'	ea.	$60.00
TABLES - FOLDING 4'	ea.	$45.00
TORCH - TIPS	ea.	$20.00
TORCH	ea.	$200.00
TORCH - HOSE	ea.	$50.00
TORCH - GOGGLES	ea.	$20.00
TORCH - REGULATORS	ea.	$100.00
TORCH-- REPAIR KIT	ea.	$50.00
TORCH - STRIKER	ea.	$8.00

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TRASH CAN 32 GAL.	ea.	$50.00
TRASH BASKET	ea.	$8.00
TRASH CARTS	ea.	$250.00
TRAFFIC CONES	ea.	$15.00
TRAFFIC BARRACADES FOLDING	ea.	$50.00
TRAFFIC STOP/SLOW SIGN	ea.	$30.00
TRAFFIC- ROAD SIGNS	ea.	$40.00
VACUUM CLEANERS - UPRIGHT	ea.	$90.00
VACUUM CLEANERS-SHARK	ea.	$200.00
VACUUM - WET/DRY	ea.	$80.00
WEEDEATER GAS	ea.	$250.00
WEEDEATER LINE	ea.	$15.00
WELDING GLOVES	ea.	$20.00
WELDING HOOD	ea.	$35.00
WIRE WELDER	ea.	$500.00
WRECKING BAR 18"	ea.	$18.00
WRECKING BAR 24"	ea.	$24.00
WRECKING BAR 36"	ea.	$30.00
WRECKING BAR 48"	ea.	$60.00
WRECKING BAR 60"	ea.	$35.00
WRECKING BAR ROCK	ea.	$30.00
WRENCH ASSORT.	ea.	$20.00
WRENCH PIPE	ea.	$20.00
ZIP POLES	ea.	$35.00

MATERIALS

18" PIN FLAGS	bdl	$7.50
HUB STAKES 6"	ea.	$0.15
36" LATH STAKES	bdl	$24.00
pencil lead eng. Red/blue	sleve	$15.00
IDEAL MARKERS	ea.	$3.00
LEAD HOLDERS	ea.	$6.00
BAND IRON 100# ROLL		$50.00
DUCT TAPE	ea.	$6.00
GREASE TUBES	ea.	$3.50
GREASE 5 GAL.	ea.	$35.00
NAILS - 8#	LB	$0.40
NAILS - 16 #	LB	$0.50
NAILS - ROOFING	LB	$0.40
NAILS - 6 #	LB	$0.30
OIL QUART	ea.	$6.00
OIL - MIX	ea.	$3.00
TAPE - CAUTION	ea.	$15.00
RETAINING SPRING	ea.	$3.00
SPRAY PAINT	ea.	$4.25
WIRE - 9#	ea.	$35.00

Exhibit "H" Final Alternates with Costs and Expiration Dates

Alternate	Description	Value	Expiration Date
1	L.1 North Lawn Ellipse	$834,824.70	7/16/18
2	L.2 Full New Parking and Landscaping	$1,380,060.80	7/16/18
3	3 Form Dichromatic Glass, LED Spotlights, Epoxy	$172,993.59	1/15/19
4	S.3 Steel Beam with King Post	$358,677.08	7/23/18
5	A.2 Acoustical Wall Panels at Gym	$46,114.81	7/16/19
6	A.1 Isolated Gyp Ceiling	$26,098.44	1/15/19
7	Acoustical Plaster @ Lobby Ceilings	$50,560.30	4/15/19
8	E.8 Add Electrical System for Charging Stations	$9,221.69	10/1/18
9	Add Lightning Protection	$68,155.70	10/1/18
10	E.4 Add Electrical System for Metering at Distribution Panel	$4,557.85	10/16/18

Exhibit "I" Final Unit Costs

Contractor is not carrying any unit costs in the GMP Amendment.

Exhibit "J" Final Allowances

Allowances contained within the GMP Amendment include:

1) Ornamental Metal Railing & Fencing - $229,163

2) Spray Insulation - $21,192

3) Overhead Coiling Grilles - $15,000

4) RUBSTFY - $16,000

5) Sports Flooring - $113,000

6) GPH – Wall Graphics - $57,042

6) Manufactured Fireplaces- $42,500

7) Residential Appliances - $41,000

8) Elevator - $85,000

9) Unit Pavers - $35,000

Exhibit "K" Final Schedule of Values

See attached Schedule of Values dated June 20, 2018.

CONTINUATION SHEET

SCHEDULE OF VALUES

Thos. S. Byrne, Inc.

Lewisvile MRC

APPLICATION NO: SOV
APPLICATION DATE: 06/20/18
PERIOD FROM: 06/20/18
PERIOD TO: 06/20/18

A	B	C	D	E	F	G	H	I	J	K
			WORK COMPLETED							
ITEM NO.	DESCRIPTION OF WORK	SCHEDULE OF VALUES	PREVIOUS APPLICATIONS (D+E)	THIS PERIOD	MATERIALS STORED (NOT IN D OR E)	TOTAL COMPLETED & STORED TO DATE	PCT % (G/C)	BALANCE TO FINISH (C-G)	CUMULATIVE RETAINAGE	THIS PERIOD RETAINAGE
1	General Conditions	$ 1,393,032				0.00	0.00%	1,393,032.00	0.00	0.00
2	Building Demo	$ 90,000				0.00	0.00%	90,000.00	0.00	0.00
3	Concrete	$ 5,037,397				0.00	0.00%	5,037,397.00	0.00	0.00
4	Concrete Floor Finishes	$ 49,905				0.00	0.00%	49,905.00	0.00	0.00
5	Masonry	$ 2,126,270				0.00	0.00%	2,126,270.00	0.00	0.00
6	Structural Steel & Erection	$ 2,772,287				0.00	0.00%	2,772,287.00	0.00	0.00
7	Ornamental Metal Railing & Fencing	$ 229,163				0.00	0.00%	229,163.00	0.00	0.00
8	Rough Carpentry	$ 356,216				0.00	0.00%	356,216.00	0.00	0.00
9	Wood Decking	$ 102,840				0.00	0.00%	102,840.00	0.00	0.00
10	Architectural Wood Casework	$ 567,728				0.00	0.00%	567,728.00	0.00	0.00
11	Dampproofing & Waterproofing	$ 355,429				0.00	0.00%	355,429.00	0.00	0.00
12	Spray Insulation	$ 21,192				0.00	0.00%	21,192.00	0.00	0.00
13	Metal Wall Panels	$ 413,917				0.00	0.00%	413,917.00	0.00	0.00
14	Roofing	$ 1,210,800				0.00	0.00%	1,210,800.00	0.00	0.00
15	Doors, Frames, Hardware	$ 165,000				0.00	0.00%	165,000.00	0.00	0.00
16	Overhead Coiling Grilles	$ 15,000				0.00	0.00%	15,000.00	0.00	0.00
17	Glass & Glazing	$ 1,110,265				0.00	0.00%	1,110,265.00	0.00	0.00
18	Drywall & Acoustical	$ 1,098,858				0.00	0.00%	1,098,858.00	0.00	0.00
19	Plastering Systems	$ 84,470				0.00	0.00%	84,470.00	0.00	0.00
20	Tile	$ 318,299				0.00	0.00%	318,299.00	0.00	0.00
21	Resilient Flooring & Carpet	$ 215,846				0.00	0.00%	215,846.00	0.00	0.00
22	Athletic Flooring	$ 242,425				0.00	0.00%	242,425.00	0.00	0.00
23	RUBSTFY Allowance	$ 16,000				0.00	0.00%	16,000.00	0.00	0.00
24	Sports Flooring Allowance	$ 113,000				0.00	0.00%	113,000.00	0.00	0.00
25	Painting & Wallcoverings	$ 561,370				0.00	0.00%	561,370.00	0.00	0.00
26	GPH - Wall Graphics Allowance	$ 57,042				0.00	0.00%	57,042.00	0.00	0.00
27	Signage	$ 58,950				0.00	0.00%	58,950.00	0.00	0.00
28	Specialties	$ 187,487				0.00	0.00%	187,487.00	0.00	0.00
29	Folding Panel Partitions	$ 91,413				0.00	0.00%	91,413.00	0.00	0.00
30	Manufactured Fireplaces	$ 42,500				0.00	0.00%	42,500.00	0.00	0.00
31	Lockers	$ 126,615				0.00	0.00%	126,615.00	0.00	0.00
32	Protective Covers	$ 108,145				0.00	0.00%	108,145.00	0.00	0.00
33	Foodservice Equipment	$ 64,729				0.00	0.00%	64,729.00	0.00	0.00
34	Residential Appliances	$ 41,000				0.00	0.00%	41,000.00	0.00	0.00
	Page 1 Sub-Totals	**19,444,590.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**	**19,444,590.00**	**0.00**	**0.00**

CONTINUATION SHEET

SCHEDULE OF VALUES

Thos. S. Byrne, Inc.

Lewisvile MRC

APPLICATION NO: SOV
APPLICATION DATE: 06/20/18
PERIOD FROM: 06/20/18
PERIOD TO: 06/20/18

A	B	C	D	E	F	G	H	I	J	K
			WORK COMPLETED							
ITEM NO.	DESCRIPTION OF WORK	SCHEDULE OF VALUES	PREVIOUS APPLICATIONS (D+E)	THIS PERIOD	MATERIALS STORED (NOT IN D OR E)	TOTAL COMPLETED & STORED TO DATE	PCT % (G/C)	BALANCE TO FINISH (C-G)	CUMULATIVE RETAINAGE	THIS PERIOD RETAINAGE
35	Gymnasium Equipment	$ 123,500				0.00	0.00%	123,500.00	0.00	0.00
36	Window Treatments	$ 79,396				0.00	0.00%	79,396.00	0.00	0.00
37	Pool & Equipment	$ 3,107,498				0.00	0.00%	3,107,498.00	0.00	0.00
38	Pool & Equipment Allowance	$ 12,533				0.00	0.00%	12,533.00	0.00	0.00
39	Elevator	$ 85,000				0.00	0.00%	85,000.00	0.00	0.00
40	Scaffolding	$ 79,143				0.00	0.00%	79,143.00	0.00	0.00
41	Fire Suppression	$ 184,240				0.00	0.00%	184,240.00	0.00	0.00
42	HVAC	$ 4,367,044				0.00	0.00%	4,367,044.00	0.00	0.00
43	Testing, Adjusting, and Balancing (T.A.B.)	$ 15,000				0.00	0.00%	15,000.00	0.00	0.00
44	Electrical	$ 2,744,355				0.00	0.00%	2,744,355.00	0.00	0.00
45	Communications	$ 86,277				0.00	0.00%	86,277.00	0.00	0.00
46	Audio-Video Systems	$ 366,898				0.00	0.00%	366,898.00	0.00	0.00
47	Security System / Access Control Allowance	$ 41,600				0.00	0.00%	41,600.00	0.00	0.00
48	Enabling	$ 208,521				0.00	0.00%	208,521.00	0.00	0.00
49	Earthwork	$ 539,205				0.00	0.00%	539,205.00	0.00	0.00
50	Termite Treatment	$ 5,399				0.00	0.00%	5,398.75	0.00	0.00
51	Unit Pavers	$ 35,000				0.00	0.00%	34,999.75	0.00	0.00
52	Pavement Markings	$ 21,325				0.00	0.00%	21,324.75	0.00	0.00
53	Landscape & Irrigation	$ 736,084				0.00	0.00%	736,083.75	0.00	0.00
54	Site Utilities	$ 481,819				0.00	0.00%	481,819.00	0.00	0.00
55	Insurance & Bonds	$ 648,605				0.00	0.00%	648,605.00	0.00	0.00
56	Contractor's Contingency	$ 327,644				0.00	0.00%	327,644.00	0.00	0.00
57	Fee	$ 975,106				0.00	0.00%	975,106.00	0.00	0.00
58	Owner's Contingency	$ 2,500,000				0.00	0.00%	2,500,000.00	0.00	0.00
	Page 2 Sub-Totals	**17,771,191.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**	**17,771,191.00**	**0.00**	**0.00**
	TOTALS	**37,215,781.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**	**37,215,781.00**	**0.00**	**0.00**

Exhibit "L" Final Guaranteed Maximum Price Amendment

See attached 100% CD Estimate submitted on 06/20/2018.

BYRNE
CONSTRUCTION SERVICES

NINE DECADES OF EXCELLENCE
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Fax: (817) 877-5507

Cost Estimate Summary Sheet

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: 6/19/2018 **87,948**

Bid Package #	Bid Package Description		CD02 100% GMP	Cost/SF	Notes
01xxxx	General Conditions		$ 1,393,032	$ 15.84	
			$ -	$ -	
024100	Building Demo		$ 90,000	$ 1.02	Midwest Wrecking
033000	Concrete		$ 5,037,397	$ 57.28	Sizelove / Wrangler
033511	Concrete Floor Finishes		$ 49,905	$ 0.57	Texas Bomanite
042200	Masonry		$ 2,126,270	$ 24.18	J&E Companies
051200	Structural Steel & Erection		$ 2,772,287	$ 31.52	Basden (ADS Schedule Issue)
	Ornamental Metal Railing & Fencing		$ 229,163	$ 2.61	Allowance
051200	Erection		In Above	$ -	
061000	Rough Carpentry		$ 356,216	$ 4.05	Byrne
061500	Wood Decking		$ 102,840	$ 1.17	RM Rogers
064100	Architectural Wood Casework		$ 567,728	$ 6.46	WCCW/Signature
071113	Dampproofing & Waterproofing		$ 355,429	$ 4.04	Alphapex
072119	Spray Insulation		$ 21,192	$ 0.24	Allowance
074213	Metal Wall Panels		$ 413,917	$ 4.71	Flynn
075423	Roofing		$ 1,210,800	$ 13.77	Flynn
078000	Penetration Firestopping (& Sprayed Foam)		Fire Caulk In Trades	$ -	Sprayed Foam in BP-072119
081113	Doors, Frames, Hardware		$ 165,000	$ 1.88	Commercial Hardware
083326	Overhead Coiling Grilles		$ 15,000	$ 0.17	Allowance
086200	Skylights		$ -	$ -	in BP-075423
088000	Glass & Glazing		$ 1,110,265	$ 12.62	Grizzly Glass
092116	Drywall & Acoustical		$ 1,098,858	$ 12.49	T&D Systems
092513	Plastering Systems		$ 84,470	$ 0.96	T&D Systems
093000	Tile		$ 318,299	$ 3.62	Business Flooring
096500	Resilient Flooring & Carpet		$ 215,846	$ 2.45	Business Flooring
096429	Athletic Flooring		$ 242,425	$ 2.76	Z Floor
	RUBSTFY Allowance		$ 16,000	$ 0.18	Allowance (no spec material bid)
096566	Sports Flooring Allowance		$ 113,000	$ 1.28	Allowance (no spec material bid)
099123	Painting & Wallcoverings		$ 561,370	$ 6.38	Royal Painting
	GPH - Wall Graphics Allowance		$ 57,042		Allowance
101400	Signage		$ 58,950	$ 0.67	A Sign of Quality
102800	Specialties		$ 187,487	$ 2.13	Chas F Williams
102226	Folding Panel Partitions		$ 91,413	$ 1.04	Hufcor
103100	Manufactured Fireplaces		$ 42,500	$ 0.48	Allowance
101550	Toilet Compartments & Accessories		$ -	$ -	in BP-102800
105129	Lockers		$ 126,615	$ 1.44	Holloman/Columbia
105000	Flagpoles		$ -	$ -	in BP-102800
107326	Protective Covers		$ 108,145	$ 1.23	Avadek
114000	Foodservice Equipment		$ 64,729	$ 0.74	Supreme/Edward Don
114500	Residential Appliances		$ 41,000	$ 0.47	Allowance
116623	Gymnasium Equipment		$ 123,500	$ 1.40	Academic Specialties
122400	Window Treatments		$ 79,396	$ 0.90	CKW/Blind Depot
131113	Pool & Equipment		$ 3,107,498	$ 35.33	Sunbelt Pools
131113	Pool & Equipment Allowance		$ 12,533	$ 0.14	Pool Equipment, Lightning Detector
133000	Canopies, Gas Fireplace, Portable Lifeguard		$ -	$ -	In 107326, 103100, and 131113
142400	Elevator		$ 85,000	$ 0.97	Allowance
148000	Scaffolding		$ 79,143	$ 0.90	Betco
210010	Fire Suppression		$ 184,240	$ 2.09	SFS Security Fire Sys
220000	Plumbing		$ -	$ -	in BP-23000
230000	HVAC		$ 4,367,044	$ 49.65	Weldon Contractors
230593	Testing, Adjusting, and Balancing (T.A.B.)		$ 15,000	$ 0.17	Accuspec
260010	Electrical		$ 2,744,355	$ 31.20	JMEG
270000	Communications		$ 86,277	$ 0.98	Advanced Connections
272132	Wireless Access Point (By Owner)		By Owner	$ -	
272132	Internet Connectivity to Grid (By Owner)		By Owner	$ -	
274116	Audio-Video Systems		$ 366,898	$ 4.17	Walker

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Cost Estimate Summary Sheet

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: 6/19/2018 **87,948**

Bid Package #	Bid Package Description		CD02 100% GMP	Cost/SF	Notes
274100	CCTV Cameras - Excluded (By Owner)		By Owner	$ -	
280000	Security System / Access Control Allowance		$ 41,600	$ 0.47	Facility Solutions Group
281000	Fire Alarm System		$ -	$ -	in BP-260010
310005	Enabling		$ 208,521	$ 2.37	Byrne
312300	Earthwork		$ 539,205	$ 6.13	David Mellville/Tridal
312500	SWPPP		$ -	$ -	in BP-31005
313116	Termite Treatment		$ 5,399	$ 0.06	Texoma Pest/Mid Cities
321413	Unit Pavers		$ 35,000	$ 0.40	Allowance
321726	Pavement Markings		$ 21,325	$ 0.24	Striping Plus
329310	Landscape & Irrigation		$ 736,084	$ 8.37	Southern Botanical
330000	Site Utilities		$ 481,819	$ 5.48	Tridal Utilities
			$ -	$ -	
	Cost of Work Subtotal		$ 32,764,427	$ 476.14	
	Contractor's Contingency	1.00%	$ 327,644	$ 3.73	
	Building Permit, Water/Sewer Tap Fees	0.00%	By Owner		
	Construction Costs Subtotal		$ 33,092,071	$ 376.27	
	CGL & Umbrella Insurance	0.78%	$ 258,118	$ 2.93	
	Builders Risk Insurance	0.14%	$ 46,329	$ 0.53	
	Professional Liability Insurance	0.15%	$ 49,638	$ 0.56	
	Payment & Performance Bond	0.74%	$ 244,881	$ 2.78	
	Maintenance Bond	0.15%	$ 49,638	$ 0.56	
	Construction Costs & Insurance Subtotal		$ 33,740,676	$ 383.64	
	Fee	2.89%	$ 975,106	$ 11.09	
	Sub Total		$ 34,715,781	$ 394.73	
	Owner's Contingency		$ 2,500,000	$ 28.43	Use will include added cost of work Items & their associated CMAR Markups.
	Total		$ 37,215,781	$ 423.16	

Alternates (Not included in above total)

Alternate #1	**L.1 North Lawn Ellipse**	**$**	**834,824.70**
Alternate #2	**L.2 Full New Parking and Landscaping**	**$**	**1,380,060.80**
Alternate #3	**3 Form Dichroic Glass, LED Spotlights, Epoxy**	**$**	**172,993.59**
Alternate #4	**S.3 Steel Beam with King Post**	**$**	**358,677.08**
Alternate #5	**A.2 Acoustical Wall Panels at Gym**	**$**	**46,114.81**
Alternate #6	**A.1 Isolated Gyp Ceiling**	**$**	**26,098.44**
Alternate #7	**Acoustical Plaster @ Lobby Ceilings**	**$**	**50,560.30**
Alternate #8	**E.8 Add electrical System Charging Stations**	**$**	**9,221.69**
Alternate #9	**Add Lightning Protection**	**$**	**68,155.70**
Alternate #10	**E.4 Add Electrical System Metering at Dist. Panel**	**$**	**4,557.85**

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Qualifications & Clarifications

Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

General Conditions:	
1	A Contractor's Construction Contingency of 1% is included in this estimate, and is intended for construction use only. Owner contingency is excluded from this estimate.
2	A construction fee of 2.89% is included on the cost summary, and is based upon the construction job cost.
3	Builders Risk Insurance is included, and based upon the total cost.
4	CGL & Umbrella Insurance is included, and based upon the total cost.
5	Payment and Performance bonds for Byrne have been included on the cost summary, and are based upon the total cost.
6	Dividends will not be provided for scopes of work that require a bond.
7	The CM pre-construction services fee is excluded from this budget.
8	All costs associated with approvals, easements, assessments, fees, deposits, charges, permits, studies, impact fees, tap fees, services fees, or similar, required by any governing agency to include County, City, State, or Federal entities, in addition to any and all utility entities are specifically excluded.
9	Building permit cost is excluded.
10	Testing Lab services for materials, mock-ups, or delegated engineering components are to be provided by the Owner, and are excluded.
11	Testing of building components for water or air intrusion is not included and is to be provided by the Owner.
12	Testing and Balancing of the building systems is to be provided by the Byrne
13	Commissioning Agent and Services are to be provided by the Owner.
14	The General Conditions included in this GMP are based upon approximately 18 months to substantial completion.
15	Design Fees or services are not included. Where required in the specifications, the Construction Manager will provide design calculations and information provided by the Trade Contractors to the Architect and Engineer for approval and acceptance of the design.
16	The CM does not warrant of guarantee functionality of the design with the Owner's requirements. The CM relies upon the designers to provide and implement the Owner's requirements into the design documents.
17	The CM will provide oversight and review of submittals for compliance with the contract documents, however, the design team shall bear the full responsibility for acceptance and approval of all submittals.
18	The CM does not warrant of guarantee functionality of the design with the Owner's requirements. The CM relies upon the designers to provide and implement the Owner's requirements into the design documents.
19	This proposal is based upon electronic design document files and models being available to all subcontractors at no additional cost.
20	Includes trucks, fuel, tolls, and maintenance related to the Byrne personnel assigned to this project. Truck / Auto Allowance is inclusive of vehicle costs, insurance, fuel and maintenance.
21	All costs for mobile phones is inclusive of mobile data management.
22	All initial and final survey's and plats required by the City are by the Owner.
23	All electrical costs associated with construction is by the Owner.
24	This is not a LEED certified project, and thus LEED certification, practices, standards, logs, reporting, etc. is excluded from this GMP.
25	All water costs associated with construction is by the Owner except water specifically for Office trailers.
26	This proposal is to be reviewed as a whole; not as individual line items.
Temporary Construction Cost of Work Items:	
1	Sales tax is excluded on incorporated materials.
2	This budget is based upon electronic design document files and models being available to all subcontractors at no additional cost.
3	All FF&E, OFE, and furnishings are excluded from this budget, unless specifically noted in the budget detail.
4	All hazardous or contaminated material and soil testing, remediation, investigation, and abatement is excluded.
5	Site is assumed to be free of any contaminates, unencumbered, and ready to begin excavation work.
Division 2 - Existing Conditions:	
1	Demolition of existing structures is included per plan as well as demolition to allow for the new deceleration lane on S. Valley Parkway.
2	Move out of the current recreation and senior center building occupants must begin five months prior to substantial completion such that the scheduled demolition will begin three months prior to substantial completion. If Alternate #2 is accepted the building occupants must move out as soon as possible after the start of construction.
3	Utility demolition on services serving the existing center are staged in order to maintain the center in operation. Access to the facility will be maintained.
Division 3 - Concrete:	
1	Building concrete scope increased with the addition of a concrete pool equipment utility trench tunnel and select fill requirements under the tunnel per the slab on grade section of the soils report, as well as the addition of select fil around the pool and under the pool utility service pipe runs.
2	The piers are provided straight shaft to a depth as noted in soils report + penetration noted by pier type.
3	Piers beneath the stair tower and slide feature are performed by the concrete subcontractor in lieu of the pool contractor resulting in a significant savings to the owner.
Division 4 - Masonry:	
1	Masonry scope of work includes coordination with concrete subcontractor for the installation of their elevated concrete beams using shared scaffolding provided by the Mason.
2	Masonry scope of work provides for 1-1/2" rigid insulation within the masonry subcontract scope of work.
3	All masonry and stone work has been included per plan.
Division 5 - Metals:	
1	Structural steel is provided for per the design.
2	Metal decking at natatorium only is assumed to be galvanized.
3	Ornamental railings and outdoor metal fencing received no bids and is listed as an allowance to be re-bid.
Division 6 - Wood, Plastics and Composites:	
1	Millwork and solid surfaces are included per plan.
2	Removable solid phenolic top has been included in the millwork finishing division for the lid on the Power Curb.
3	Kid play wood wall features and tree climbing feature are included per plan.
Division 7 - Thermal and Moisture Protection:	
1	TPO roofing and metal panels are included as planned and specified, and all skylights are provided and installed under the roofing scope of work.
2	Penetration and firestopping has been included within the scope of subcontractors making penetrations in fire rated walls.
3	Sprayed foam insulation received no bids and it is carried as an allowance to be rebid.
4	Caulking and sealants for site and building have been included.

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Multigenerational Recreation Center GMP

Lewisville, Texas

Date: June 19, 2018

5	Through wall flashing, fluid applied air barrier, and rigid insulation has been included per plan.
6	Applied fireproofing is not included.
7	Ice & Water shield is only carried at the Natatorium roofing system, and also included is the typical note for roof hatch. Ice & Water shield is as well as including ice and water shield as "flashing" at any roof penetration or mounted equipment curbs where noted on drawings. There is no ice and water shield at roofing systems outside of the Natatorium roof.
8	Water repellant is specified for exterior masonry yet it was excluded at the client's request in pervious budgets and it is held as excluded still.
Division 8 - Openings:	
1	Doors frames and hardware have been included per plan.
2	Exterior glass is all storefront braced with steel per design. No curtainwall has been included.
3	Hardware for aluminum doors has been included in the glazing scope of work.
4	There is a side folding grille yet to be specified at the locker room to Natatorium entrance that we received no bids on and it is carried as an allowance to be rebid.
5	Flush aluminum panel door leaves were without specification and are being carried in the Glazing scope of work at a unit cost allowance to be addressed once specification is issued.
6	Automatic entrances hardware has been carried in the glazing scope at an allowance pending issue of specified hardware. Stanley Access technology provided a bid for the automatic entrances using Magic-Force full or low energy swing door operators on doors 201A, 202A, and 220A.
Division 9 - Finishes:	
1	Drywall scope includes rigid wall insulation other than that behind masonry and metal panels. Each subcontractor is responsible for the rigid insulation behind their systems.
2	Acoustical ceiling and wood plank ceilings have been included per plan.
3	Tectum panel clouds have been included where noted at kids play tree feature.
4	Floor protection is included for stained sealed concrete flooring in the flooring scope of work.
5	Graphics are carried by allowance at both wall and glass per unit cost area. This budget line item continues to evolve as plans and specifications advance in design level, further clarification is required as to the exact artworks to be included on the graphics.
6	Ceramic tile is included per plan.
7	RUBSTFY flooring at the kid play room received no bids and is carried as an allowance to be rebid.
8	We received no bids on the specified Mondo athletic flooring we are carrying as an allowance to be rebid. The remainder of the athletic flooring systems was bid as specified.
9	We received two bids from new painters who have as of yet clarified their full scope of work. We are still in pursuit of their qualifications to verify they bid per plan and specification. Paintings and wall coverings is carried as an allowance for consideration in rebidding with wall graphics broken out as a separate allowance.
10	We are seeking clarification from the two painters that bid to verify they have the scope of work properly covered in respect to the alternates, the graphics, and the scope of work in depth. We received a late bid from a known painting subcontractor that was within the current budget as a check to the two bids in hand. Providing scope and references check out the Owner may decide to accept the updated bids from the two painters that submitted on time and proceed with purchasing.
Division 10 - Specialties:	
1	Specialties per plan have been included.
2	We received no bids on the manufactured fireplace and it is held as an allowance to be rebid.
Division 11 - Equipment:	
1	We received no bid for the residential and commercial appliances scope of work and are carrying this scope as an allowance for rebid.
2	Residential Grade Range and Residential Grade Oven are excluded.
3	Gymnasium equipment has been included per plan.
4	Commercial kitchen equipment has been included per plan.
Division 12 - Furnishings:	
1	Window blinds of manual and mechanical operation are included per plan.
2	Youth-Kidwatch Furnishings (Interior) (Allowance) are excluded.
3	All FFE items are excluded. The last updated FF&E log referred to is 180307 LMRC FFE IT-AV-Security Budget REV 06.00 2018 03 07 in order to itemize any items the Owner had assigned as Contractor Furnish Contractor Install. On the list specifically excluded are Youth-Kidwatch Furnishings (Interior) (Allowance) of $50,000 is by Owner and is excluded from this GMP.
4	Large and Small Drop Safes included per RFP instructions in the appliances allowance.
Division 13 - Special Construction:	
1	This proposal includes building pool system provided by subcontractor with required excavation and back fill (but not mass excavation that is in earthwork) concrete, finishes and plumbing systems to support the pool operation.
2	The following pool equipment is by Owner and is excluded; Double Safety Hook w/16' Pole, Sporti 40" Guard Rescue Tube, Swimline 18" Lifeguard's Ring Buoy 8987, CJ 1000 Spine Board w/Cover & Head Immobilizer, Keifer Backstroke Flag & Stanchion Set, Pool Safety Signage Package, Pool Vacuum, Guard Room Furniture, Pool Deck Furniture, Ultra Resistance Aqua Belts, Water Trim Floatation Belt. 36" Flotation Tubes, Water Trim Floatation Belt, Table Model Megaphone, Whistles, Fox 40 Mini Whistle-Blue, receiving storage and/or installation of the afore listed items is also excluded as none of them are built in.
3	GMP excludes circulation/ filtration system at Lazy River. Circulation and Filtration systems included for Lap Pool and Leisure Pool only.
4	Water Spray Play Feature, Unique Spray Play Boat Feature, and all pool specialty items provided and installed by contractor are included.
5	Guard railing at pool is pultruded fiberglass with a powered coated stainless steel ADA handrail. A note on the drawings may be misinterpreted as intending 100% stainless steel handrails and guard railing which is not industry standard. This GMP excludes stainless steel guardrails by Splashtacular. If the Owner desires the stainless steel guardrails they may be included for an ADD of $268,862.
Division 14 - Conveying Equipment:	
1	We received no bids on the elevator and this scope is being carried as an allowance to be rebid.
2	Elevator cab finishes are from standard material selections by manufacturer.
3	Elevator cab floor finish is carpet.
Division 21 - Fire Suppression:	
1	NFPA 13 fire sprinkler system is accounted for from a flange 12" above finished floor.
2	Main fire riser is stubbed into the building under the utility budget.
Division 22 - Plumbing:	

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1	The plumbing scope of work is included in the HVAC as a combined mechanical package.
Division 23 - Heating, Ventilating and Air Conditioning:	
1	Testing and balancing of HVAC system is included.
2	Controls have been included per design.
Division 26 - Electrical:	
1	Power and lighting is included for building and site per design.
2	Fire alarm is included.
3	Hardwired Clock System (Base + Walls Clocks) are excluded.
4	Rough in only is included for systems provided by the owner.
5	No lights are indicated in the pool system and thus are excluded.
Division 27 - Communications:	
1	Communication data cabling has been included as follows: Telecommunications pathway, Server Room 149, IDF-155, IDF-216: horizontal cabling system, cable runways ladder, post racks, vertical cable managers, optical fiber backbone, optical fiber jumpers, fiber to perimeter cameras.
2	Horizontal and backbone cable is provided for including cable to the back of the camera mounts to be landed by the Owner on cameras that they furnish, install, and commission.
3	Racks & Patch Panels at MDF/IDT Rm are by Owner and are excluded.
4	Aruba 335 wireless access points have been excluded from this budget and are Owner Furnished Owner Installed.
5	Phone handsets, conference table phone are by Owner and are excluded.
6	Internet connectivity to grid is by Owner and is excluded.
7	Access control is provided for yet security is excluded from the project.
8	Horizontal and backbone cable is provided for including cable to the back of the camera mounts to be landed by the Owner on cameras that they furnish, install, and commission.
Division 28 - Electronic Safety and Security:	
1	CCTV rough in only has been allowed for per the RFP instructions. All cameras are excluded and provided turnkey by the city.
2	Building access control has been provided for by allowance in the quantity of devices shown.
3	Per SC001 legend, Emergency phone / Intercom is listed. SC 401 , 2-way communications device is listed. I am unable to locate these devices on the security drawings or communications drawings and these two items are excluded from this budget.
4	Security system has been excluded.
Division 31 - Earthwork:	
1	Earthwork is based upon slab on void recommendations in the soils report. Adequate soils are available on site for pad prep and no select fill is required as import. No aggregate has been included below any void forms at areas outside of the pool foundation system.
2	The aggregate base pad as indicated in Architectural details under entire building is excluded. This building is slab on void forms and the soils report and structural plans do not require aggregate base beneath the void forms.
3	Termite treatment is provided with either Premise Pro Adonis 75, or Dominion 2L. This treatment excludes Termites and other termite treatments that fill pipe voids with mesh or material. This is a spray application treatment only.
3	Lime stabilization of 6" at 8% (36 # / syd) is included at paving.
4	Topsoil is imported for planting beds only. On site topsoil is to be screened and respreads under sod and grass areas. Landscaping provides for the import of topsoil as required.
5	Mass excavation for the pool is included in the earthwork scope. The zero entry side of the pool will be used as a ramp for the concrete subcontractor's pier drilling rig.
6	Plan note 2 S3.00 Typical Foundation is excluded from this budget that detail pertains to a slab on grade system, and this is a slab on carton forms.
Division 32 - Exterior Improvements:	
1	Site furnishing such as bike racks are provided for in the specialties scope of work.
2	Flag poles are included in the specialties scope of work.
Division 33 - Utilities:	
1	All utility services budgeted as detailed on civil plan and phased per Alternates per plan.
2	A 3" meter is required yet not shown. It is provided for in the utility scope of work.
3	Plan notes call out for an adjustment to an existing 15' inlet along South Valley Parkway. It is not feasible to adjust so a new inlet is provided for.
Other: Alternates	
1	Alternate #1 - L1 North Lawn Ellipse ADD $834,825
2	Alternate #2 - L.2 Full New Parking and Landscaping ADD $1,380,061
3	Alternate #3 – 3 Form Dichroic Glass @ Pool including LED Spotlights ADD $172,994
4	Alternate #4 S.3 Steel Beam with King Post ADD $358,677
5	Alternate #5 - A.2 Acoustical Wall Panels at Gym ADD $46,115
6	Alternate #6 – Gypsum Board Assemblies - Add Isolated Gyp Ceiling ADD $26,098
7	Alternate #7 – Acoustic Plaster @ Lobby Ceilings Areas ADD $50,560 ALLOWANCE (Apparent best value subcontractor did not submit a value)
8	Alternate #8 – E.8 Add Electrical System Charging Stations (Qty 3) ADD $9,222
9	Alternate #9 – E.1 Alternate #4 Add Lightning Protection ADD $68,156
10	Alternate #10 – E.4 Add Electrical System Metering at Dist. Panel ADD $4,558
11	Voluntary Alternate: To include stainless steel handrails by Splashtacular ADD $268,862.
12	Voluntary Alternate: To include a top five timing system on slide A ADD $18,820.
13	Voluntary Alternate: To include special effects at slide B Add $134,431.

Exhibit "M" Final Disputed Work Schedule

To be provided as needed during construction.

Exhibit "X" Final Construction Manager's Insurance Certificate(s)

To be provided as mutually agreed by July 16, 2018.

Exhibit "Z" Final Schedule of Exhibits

Exhibit Letter	Exhibit Description	Exhibit Issue Date
Exhibit "A"	Scope of Work	06/19/18
Exhibit "B"	Construction Manager's Project Schedule	06/21/18
Exhibit "C"	Construction Manager's Fee & On-Site Overhead Costs	07/16/18
Exhibit "D"	Key Personnel	06/20/18
Exhibit "E"	Confidentiality of the Project	TBD
Exhibit "F"	Customary and Usual Labor Rates	TBD
Exhibit "G"	Rental Rates	09/14/17
Exhibit "H"	Alternates with Costs and Expiration Dates	06/20/18
Exhibit "I"	Unit Costs	06/20/18
Exhibit "J"	Allowances	06/20/18
Exhibit "K"	Schedule of Values	06/20/18
Exhibit "L"	Guaranteed Maximum Price Estimate	06/19/18
Exhibit "M"	Disputed Work Schedule	TBD
Exhibit "X"	Construction Manager's Insurance Certificate(s)	TBD
Exhibit "Y"	Guaranteed Maximum Price AIA Cover Sheets (AIA A133 - 2009)	06/20/18
Exhibit "Z"	Schedule of Exhibits	06/20/18

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2018-372213

Date Filed:
06/25/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Thos. S. Byrne, Inc.
Fort Worth, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Lewisville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

MGRC
Construction Manager at Risk for the Multigenerational Recreation Center (MGRC)

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Avila, John	Fort Worth, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

My name is Paul Avila, and my date of birth is September 7, 1976.

My address is 551 E. Berry St. (street), Fort Worth (city), TX (state), 76110 (zip code), U.S.A. (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 25th day of June (month), 20 18 (year).

Paul Avila

Signature of authorized agent of contracting business entity
(Declarant)

MEMORANDUM

TO: Donna Barron, City Manager

FROM: James Kunke, Community Relations and Tourism Director

DATE: July 2, 2018

SUBJECT: **Approval of a Contract with Bolivar Bronze in the Amount of $90,000 for Creation and Installation of a Bronze Sculpture in Wayne Ferguson Plaza; Acceptance and Appropriation of a $50,000 Donation Toward the Project; and Authorization for the City Manager to Sign the Agreement**

BACKGROUND

At its May 21 meeting, City Council approved creating and placing a bronze sculpture in Wayne Ferguson Plaza. Staff has negotiated a contract with Sanger artist David Iles, based on the proposal shown to Council in May. That contract, in the amount of $90,000, is being presented for Council approval. Staff also is requesting that City Council approve the associated $50,000 private donation and appropriate it to the Public Art Project in the CIP.

ANALYSIS

Placing a historic sculpture in Wayne Ferguson Plaza is one of the top recommendations in the Public Art Master Plan approved by City Council earlier this year, and was included in the Lewisville 2025 vision plan as part of the "Old Town" Big Move. Public input collected during development of both of those plans showed significant support for public art in Wayne Ferguson Plaza.

There has long been a desire to place a bronze sculpture of Wayne Ferguson in the public plaza that bears his name. Shortly after his death in 2008, an artist was selected by the Ferguson family and a maquette was created. However, private fundraising efforts stalled and the project was put on hold in 2011. Since then, the original artist has moved out of state and no longer works with bronze.

The project was revived in early 2018 by local developer and family friend, Alex Buck, who committed to personally overseeing the fundraising effort. He has received pledges for $50,000 toward the sculpture.

Sanger artist David Iles was recruited by the Ferguson family for this project. Iles has been a practicing artist for more than 40 years. Through his studio, Bolivar Bronze, Iles has successfully completed numerous large-scale outdoor sculpture commissions including private commissions for late philanthropist Trammel Crow and public commissions in Denton, Frisco, Irving, and the

Lady Bird Johnson Wildflower Center in Austin. Collections of his work also are on display at the Dallas Arboretum and the University of North Texas.

Iles interviewed family members and community members about Wayne Ferguson and used that input to develop a sculpture concept carefully designed to honor Ferguson's passion and vision for Lewisville and his lasting contributions to the community. The bronze will depict Ferguson seated on the wall along the boardwalk, under the shade of a redbud tree and about 50 feet from the gateway off Charles Street. He will be wearing his favorite boots and hat while looking at a map of the plaza. To one side will be a stack of rolled maps, representing the many projects Ferguson brought to Lewisville. On his other side will be a stack of personal items illustrating his life and character, including a saddle blanket, chaps, spurs, and his hand-made buck knife.

From the artist's proposal: "With this sculpture, our intent is to give visitors to Wayne Ferguson Plaza a greater understanding of the park's namesake by creating an accessible, humble, and permanent landmark that reflects the humanity of a great leader, good friend, and loving father and husband."

Total cost for the sculpture is set at $90,000 with a project timeframe of eight to 12 months, which could allow a public dedication ceremony at ColorPalooza 2019.

Half of the project cost is being donated by Alex Buck on behalf of several private donors. City Council approved a city match of up to $50,000 for a total project budget of $100,000 that will cover any additional installation or site costs, such as lighting or signage.

Per the Donations Policy, a donation of this size must be approved by City Council before it can be accepted. Staff recommends appropriating the donation into the Public Art Project in the CIP, where the city's match is located.

RECOMMENDATION

That the City Council approve the contract as set forth in the caption above; and accept and appropriate a $50,000 donation toward the project.

PROFESSIONAL SERVICES AGREEMENT
for
Design, Creation, Fabrication, and Installation of Public Art

The City of Lewisville, Texas (the "CITY"), hereby engages BOLIVAR BRONZE (the "ARTIST") to perform professional services in connection with the design, fabrication and installation of public art for Wayne Ferguson Plaza (the "PROJECT").

I. **SCOPE OF WORK.** The scope of work for the Project is described as follows:

A. Phase 1 – Plan of Work:
1. The Artist shall, in cooperation with appropriate representatives of the City, develop a plan of work for the Project.
2. This plan shall provide a set of target dates for completion of all phases of the design, fabrication and installation of the art piece.
3. The plan shall be approved by the City prior to the start of work.
4. The art piece shall reflect the proposal attached to this Agreement as Exhibit C. Any significant changes must be approved in advance by the City and the Ferguson family.

B. Phase 2 – Design Finalization:
1. Completed design of the artwork shall include drawings necessary to communicate the Artist's intent, materials specifications, finish and maintenance recommendations, and proposed installation method, narrative description, budget, materials samples, and any other materials necessary to fully describe the Project as proposed.
2. The design finalization shall include a detailed written set of instructions for regular maintenance of the artwork.
3. The final design shall be approved by the City and by the Ferguson family.

C. Phase 3 – Material Fabrication of Artwork:
1. The Artist shall fabricate the artwork as presented in the final design approved by the City and the Ferguson family, and as outlined in the proposal (Exhibit C).
2. Any change, including design, color, size, material, and texture, to the artwork which deviates from the final design approved by the City must be approved in writing by the City before the change is made. The City understands that the artist may adjust layout, texture and final finishes of the pieces to maximize the beauty of the finished work. Changes that will not significantly alter the overall scale or character of the piece need not be approved in advance.

D. Phase 4 – Final Completion and Installation of the Artwork:

1. The Artist shall install the artwork at the approved site in accordance with the above referenced plan of work and the Project Schedule attached hereto as Exhibit B.
2. The date for installation shall be confirmed by both parties to this Agreement, in writing, no later than 30 days prior to installation.
3. The Artist shall ensure that the artwork is installed with appropriate permanent and anti-theft measures or devices to protect the artwork from undue wear or damage or loss.

E. Phase 5 – Project Documentation:
1. The artist shall assist with creating a project identification plaque for the artwork by providing the following information: the title of the artwork, the artist's name, and the year of completion. The City will design, purchase and install the plaque.
2. Within 30 days of final acceptance by the City of the completed and installed artwork, the Artist shall provide to the City the following:
   a) a publication-ready JPEG of the artwork, with a minimum resolution of 350 dpi and a minimum size of 7 inches on the longest edge,
   b) a JPEG of the artwork in situ at the work site,
   c) a complete written description of the artwork,
   d) written instructions for appropriate maintenance and preservation of the artwork, including a maintenance schedule, and
   e) a comprehensive list of all materials used in the creation of the artwork (e.g., gauge and type of metal, adhesive materials, clay body and firing, etc.)

II. SPECIAL TERMS OF THIS AGREEMENT

A. Warranties.
1. Warranties of Title: The Artist represents and warrants that the artwork will be (a) solely the result of the artistic effort of the artist, (b) unique and original, except as otherwise disclosed in writing to City, (c) not a duplicate and not accepted for sale elsewhere unless disclosed and approved by City in writing, (d) not infringing upon any copyright, and (e) free and clear of any liens or claims from any source whatsoever.
2. Warranties of Quality and Condition: The Artist represents and warrants that (a) the Artist will execute and fabricate the artwork in a professional manner, (b) the artwork, as fabricated and installed, will be free of defects in material and workmanship, including any defects or qualities which cause or accelerate deterioration of the artwork, and (c) reasonable maintenance of the artwork will not substantially exceed those described in the maintenance instructions submitted by the Artist per this agreement.
3. The warranties described in sections II.A.1 and II.A.2 shall survive for a period of five (5) years after the final acceptance of the artwork by the City with the required periodic maintenance by the City according to directions provided by the Artist. The City shall

give written notice to the Artist of any breach of these warranties within 120 days of the breach during that period. The Artist shall, at the request of City and at no cost to City, cure reasonably and promptly the breach of any such warranty that is repairable by the Artist and which repair is consistent with accepted practices of professional conservation (including, for example, repair by means of restoration, refurbishing or recreation of part or all of the artwork).

B. Risk of Loss or Damage.

Risk of loss or damage to the artwork shall be borne by the Artist until title to the artwork passes to the City upon execution of an acceptance agreement by the City and the Artist. Until title passes to the City, the Artist shall take such measures as are necessary to protect the artwork from loss or damage, including carrying insurance to cover the risk of damage to the artwork.

C. Title to the Artwork.

Title to the artwork shall pass to the City after final completion and installation of the artwork and upon City signing and completing an acceptance agreement. If the City fails, within 30 days of final completion and installation of the artwork by the Artist, to execute a notice of acceptance agreement, or to notify the Artist of services that are unsatisfactory, title and ownership of the artwork will transfer from the Artist to the City.

D. Reproduction Rights

1. General

   The Artist retains all rights under the Copyright Act of 1976, 17 U.S.C. 101 et seq., and all other rights in and to the artwork, except ownership and possession and except as such rights are otherwise limited by this agreement. The Artist grants to the City and its successors an irrevocable license to make and use images of the artwork for non-commercial purposes, including but not limited to reproductions used in advertising, brochures, media publicity, educational materials, and catalogues or other similar publications.

2. Artist Credit

   All reproductions by the City shall credit the artist and include a copyright notice substantially in the following form: "© (Artist's name), installation date", and credit to the City as follows: "Funded through the Public Art Program of the City of Lewisville, Texas".

3. Artist Reproduction Credit.

   The artist shall include on or in any image or other form of reproduction of the artwork initiated or authorized by the artist, a credit to the City in the following form: "Collection of the Public Art Program of the City of Lewisville, Texas."

E. Artist's Rights

1. General

   In all matters pertaining to the artwork and its maintenance, including but not limited to the articles in this agreement, the provisions of the Visual Artists' Rights Act (VARA) shall apply, except that the City shall have the right to move or remove the artwork at the City's sole discretion.

2. Maintenance.

   The City recognizes that maintenance of the artwork on a regular basis is essential to the integrity of the artwork. The City shall reasonably ensure that the artwork is properly maintained and protected in accordance with the requirements of this agreement. It is anticipated that the sculpture will be sealed with Incralac lacquer, and top coated with BWC bowling alley wax. This will provide a resilient finish that will withstand the weather and multiple cleanings. Anticipated maintenance may include: cleaning with plain water and soft plastic bristle brushes, with a PH neutral detergent used with the soft bristle brushes and then rinsed well, if necessary; refraining from using a pressure washer to clean the sculpture, but if it must be used, using a lower pressure and the softest spray available; waxing every year or two, to help maintain the patina and finish, on a warm dry day to minimize the possibility of trapping moisture. More specific maintenance instructions will be provided by the Artist as outlined in this Agreement.

3. Repairs and Restoration.

   a. The City shall have the right to determine, after consultation with a professional fine art conservator, when and if repairs and restorations to the artwork will be made. To the extent practicable, the artist, during the artist's lifetime, shall be given the opportunity to make or personally supervise significant repairs and restorations as recommended by a professional fine art conservator.

   b. If the repair or restoration is needed five years or more after payment under this agreement, the City and the artist shall agree in writing, prior to the commencement of any significant repairs or restoration, upon the artist's fee for such services, provided such funds to pay the fee are available, and provided that Texas laws, including but not limited to the procurement laws allow the City to contract with the artist for the artist's services.

   c. All repairs and restorations shall be made in accordance with accepted practices of professional fine art conservation.

F. Artist as Independent Contractor.

The Artist and his agents and employees are independent contractors performing services for the City and are not employees of the City. The Artist, the Artist's agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this agreement.

G. Subcontracting.
The Artist may subcontract portions of the services to be provided hereunder at the Artist's expense provided that said subcontracting shall not affect the design, appearance, intent or visual quality of the artwork as approved by the City and provided that such services shall be carried out under the personal supervision and expense of the Artist.

III. COMPENSATION

A. Compensation for the Scope of Work shall be $90,000 paid as follows:
   1. Phase 1: thirty thousand dollars ($30,000.00) upon acceptance by the Ferguson family of a finished maquette of the Project.
   2. Phase 2: thirty thousand dollars ($30,000.00) upon completion and City acceptance of finished modeling of figure and all objects that are part of the Project.
   3. Phase 3: thirty thousand dollars ($30,000.00) once the finished sculpture is installed and accepted by all parties.

B. Invoicing Procedures
   1. Invoices shall be submitted by cover letter from the Artist. 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.
   2. The invoice shall be based on the work completed per each phase of work as set out in the Scope of Work outlined in Article I of this Agreement. Each phase payment shall constitute full and final payment for the services and materials required to complete that phase.
   3. 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.

IV. INSURANCE. Until such time that title to the artwork passes to the City, the Artist shall maintain insurance coverage as outlined herein and in accordance with Exhibit A. Coverage shall remain in effect through final installation of the Project. All Certificates of Insurance shall be kept current and shall be forwarded to the Purchasing Division of the City by cover letter from the Artist. Insurance certificate must be received and approved prior to commencement of work. The Artist shall also review and forward certificates covering subcontractors, including sub-artists.

V. REUSE OF DOCUMENTS. All documents, including drawings and specifications prepared by the Artist pursuant to this agreement, are instruments of service in respect of the Project.

They are not intended or represented to be suitable for reuse without written verification or adaptation by the Artist for the specific purpose intended will be at City's sole risk and without liability or legal exposure to the Artist 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 Artist to further compensation at rates to be agreed upon by the City and the Artist.

VI. 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 Artist. The Artist 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.

VII. INDEMNIFICATION. THE ARTIST 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 MAY ARISE OUT OF OR BE OCCASIONED BY ARTIST'S BREACH OF ANY OF THESE TERMS AND CONDITIONS OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT OR OMISSION, INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY ARTIST, ITS OFFICERS, AGENTS, EMPLOYEES OR SUBCONTRACTORS, IN THE PERFORMANCE OF THIS AGREEMENT, EXCEPT THAT THE INDEMNITY 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 CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRING NEGLIGENCE OR FAULT OF THE ARTIST AND THE CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED IN ACCORDANCE WITH THE LAW OF THE STATE OF TEXAS, WITHOUT WAIVING GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW AND THE CITY'S REASONABLE ATTORNEY'S FEES SHALL BE REIMBURSED IN PROPORTION TO THE ARTIST'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.

VIII. TIME OF COMPLETION. A general Project Schedule (Exhibit B) is hereby included in this agreement by reference. The City and the Artist agree to create a more specific plan of work for the Project as outlined in Section I.A of this Agreement. The Artist agrees to perform

the services in accordance with the agreed-to plan of work, to the extent over which the Artist has control.

IX. TERMINATION. This agreement may be terminated by the City without cause at any time prior to completion of the Artist's services, or by the Artist 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 those outlined in Paragraphs V, VI and VII above. Upon notice of termination, the Artist shall prepare and submit to the City a final invoice within 15 days detailing the satisfactorily completed work to date which has not been paid.

X. CONFIDENTIAL INFORMATION. To the extent allowed by law, the City will safeguard and keep from release any documents marked "proprietary" or information not generally available to the public. However, the City will, if required, comply with all requirements of the Texas Public Information Act with regard to any documents in its possession at the time of a request made under that Act.

XI. GOVERNING LAW AND VENUE. This Agreement is governed by the laws of the State of Texas. Exclusive venue for any dispute arising out of this Agreement is in Denton County, Texas.

XII. ARBITRATION. In the event of a dispute which may arise under this Agreement, the City does not agree to arbitration.

XIII. PROTECTION OF RESIDENT WORKERS. The City 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 Artist shall establish appropriate procedures and controls so no services under this agreement will be performed by any worker who is not legally eligible to perform such services or employment. The City reserves the right to audit the Artist's employment records to verify the existence of a completed Employment Eligibility Verification Form (I-9) for every worker performing services under this agreement. The audit will be at the City's expense.

XIV. IMMIGRATION REFORM AND CONTROL ACT (8 U.S.C. §1324a). The City supports the Immigration Reform and Control Act (IRCA) which is a comprehensive scheme prohibiting the employment of unauthorized aliens in the United States. The Artist 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 Artist 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 Artist and its subcontractors shall at all times during the term of this agreement 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 this agreement if the City determines that (a) the Artist or its subcontractors have been untruthful regarding IRCA violations in the preceding five (5) years; (b) if the Artist fails to ensure that its subcontractors submit the aforementioned declaration; or (c) the Artist or its subcontractors fail to timely notify the City of an IRCA violation.

XV. 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. The Artist will be required to certify compliance, if applicable.

XVI. SUCCESSORS AND ASSIGNS. The City and the Artist each binds itself and its partners, successors, executors, administrators and assigns in respect to all covenants of this agreement. Neither the City nor the Artist 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 Artist.

XVII. 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 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 or submits to the City an application, response to a request for proposal or bid, correspondence, or another writing related to a potential agreement with the City. An updated conflict of berets questionnaire must be filed in with Chapter 176 of the Local Government Code.

Said person should consult with legal counsel if they have questions regarding it 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 to comply with the filing requirements of Chapter 176.

XVIII. 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.

XIX. TEXAS GOVERNMENT CODE CHAPTER 2252. Pursuant to Texas Government Code Chapter 2252, Subchapter F, Contractor affirms, by entering into this Agreement, that is it 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.

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: _____
David Iles, Bolivar Bronze

Date: _____

Date: _____

Attest: _____
Julie Heinze

Attest: _____

CITY OF LEWISVILLE
151West Church Street
Lewisville, Texas 75057

APPROVED AS TO FORM:

_____
Lizbeth Plaster, City Attorney

EXHIBIT A

INSURANCE REQUIREMENTS
PROFESSIONAL SERVICES PROJECTS/ARTISTS

Services for non-construction projects. Consultants or other professionals including: Accountants, Attorneys, Veterinarians, and Medical Doctors.

Vendor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the vendor, his agents, representative, employees or subcontractors. The cost of such insurance shall be included in the Vendor's bid.

A. MINIMUM SCOPE OF INSURANCE

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage "occurrence" form CG 00 01 (10 01). **"Claims Made" form is unacceptable except for professional liability**.

2. Workers' Compensation insurance as required by the Labor Code of the State of Texas, including Employers' Liability Insurance.

3. Automobile Liability - as required by the State of Texas, covering all owned, hired, or non-owned vehicles. Automobile Liability is only required if vehicle(s) will be used under this contract. Coverage not required for delivery services.

B. MINIMUM LIMITS OF INSURANCE

Vendor shall maintain throughout contract limits not less than:

1. Commercial General Liability: $500,000 per occurrence for bodily injury, personal injury and property damage. $1,000,000 Aggregate Policy will include coverage for:
   a. Premises - Operations
   b. Broad Form Contractual Liability
   c. Products and Completed Operations
   d. Personal Injury
   e. Broad Form Property Damage

NOTE: The aggregate loss limit applies to each project.

2. Workers' Compensation and Employer's Liability: Workers' Compensation limits as required by the Labor Code of the State of Texas and Statutory Employer's Liability minimum limits of $500,000 per injury, $500,000 per occupational disease.

3. Automobile Liability - $500,000 Combined Single Limit. Limits can only be reduced if approved by the Risk Manager or designee.

C. DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductible or self-insured retentions must be declared to and approved by the City.

D. OTHER INSURANCE PROVISIONS

The policies are to contain, or be endorsed to contain the following provisions:

1. General Liability and Automobile Liability Coverages
   a. The City, its officers, officials, employees, Boards and Commissions and volunteers are to be added as "Additional Insured" as respects liability arising out of activities performed by or on behalf of the vendor, products and completed operations of the vendor, premises owned, occupied or used by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees or volunteers. It is understood that the business auto policy under "Who is an Insured" automatically provides liability coverage in favor of the City.
   b. The vendor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the vendor's insurance and shall not contribute with it.
   c. Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the City, its officers, officials, employees, Boards and Commissions or volunteers.
   d. The vendor's insurance shall apply separately to each insured against whose claim is made or suit is brought, except to the limits of the insured's liability.

2. Worker's Compensation and Employer's Liability Coverage.

The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by the vendor for the City.

3. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled or non-renewed by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given the City.

4. Professional Liability and/or Errors and Omissions

"Claims made" policy is acceptable coverage which must be maintained during the course of the project and up to two (2) years after completion and acceptance of the project by the City. Artist can comply with this requirement by providing the City with proof of such coverage for the project engineer.

E. ACCEPTABILITY OF INSURERS

The City prefers that Insurance be placed with insurers with an A.M. Best's rating of no less than **A-:VI, or, A or better** by Standard and Poors. Professional Liability carriers will need to be approved by the Risk Manager.

F. VERIFICATION OF COVERAGE

Contractor shall furnish the City with certificates of insurance affecting coverage required. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. Certificates of Insurance similar to the ACCORD form are acceptable. City will not accept Memorandums of Insurance or Binders as proof of insurance. The City reserves the right to require complete, certified copies of all required insurance policies at any time.

G. HOLD HARMLESS AND INDEMNIFICATION

THE CONSULTANT/CONTRACTOR 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 MAY ARISE OUT OF OR BE OCCASIONED BY CONSULTANT'S/CONTRACTOR'S BREACH OF ANY OF THESE TERMS AND CONDITIONS OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT OR OMISSION OR INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY, CONSULTANT/CONTRACTOR, ITS OFFICERS, AGENTS, EMPLOYEES OR SUBCONTRACTORS, IN THE PERFORMANCE OF THIS AGREEMENT; EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THE PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OR FAULT OF THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRING NEGLIGENCE OR FAULT OF THE CONSULTANT/CONTRACTOR 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 AND THE CITY'S REASONABLE ATTORNEY'S FEES SHALL BE REIMBURSED 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.

H. PROOF OF INSURANCE

Contractor is required to submit proof of insurance on a form acceptable to the City of Lewisville. Certificates of Insurance similar to the ACCORD form are acceptable. City will not accept Memorandums of Insurance or Binders as proof of insurance. City, at its own discretion, may require a copy of any policy presented to the City.

EXHIBIT B

PROJECT SCHEDULE

1. Design and creation of a ¼ scale maquette. This will take approximately one month, and will require the family committee to make a studio visit at least once for approval.

2. An invoice will be submitted for the first payment as outlined in III Compensation, and we will start the modeling process. This stage will require multiple visits from the family to make sure the representation of Mr. Ferguson is accurate. This stage will also include the modeling of the various objects associated with the sculpture. This stage of the project should take four months.

3. The second payment will be invoiced after the family and city committee approve the finished modeling. The next stage will be the mold making stage of the project, and should take between four and six weeks. There should be no need for committee input during this stage.

4. The next stage will be the wax work, investment, and casting of the silicon bronze. The cast components will then be welded chased and finished to the committee's satisfaction. We may request the committee to come out at various times to approve the progress. This stage should take six to seven months.

5. The final stage will be the installation, which will require us to mount the sculpture in the designated space, using stainless steel all thread and Metalset epoxy. The unfinished sculpture will be transported to the site to check for proper fit during the welding stage. After the finished sculpture is installed and approved, the final payment will be invoiced. The installation should be accomplished in two days.

6. We operate an open studio, so committee members are welcome to visit to see the progress during this project.

EXHIBIT C

ARTIST'S PROPOSAL

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2018-373302

Date Filed:
06/27/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Bolivar Bronze
sanger, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Lewisville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Wayne Ferguson Bronze
Creation of a bronze sculpture

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. [X]

6 UNSWORN DECLARATION

My name is David Iles, and my date of birth is 7/2/1951.

My address is 9065 fm 2450 (street), sanger (city), texas (state), 76266 (zip code), usa (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Denton County, State of Texas, on the 27 day of june (month), 2018 (year).

Signature of authorized agent of contracting business entity
(Declarant)

MEMORANDUM

TO: Donna Barron, City Manager

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

VIA: Eric Ferris, Deputy City Manager

DATE: June 19, 2018

SUBJECT: **Tabled Item: Consideration of a Variance to the Lewisville, City Code, Section 6-103 (E), Access Management, Auxiliary Lanes for First Baptist Church Lewisville, a 19.9-Acre Parcel Zoned Single-Family Residential (R-6), Located at the North West corner of Valley Ridge Boulevard and McGee Lane Requested by Jerry Fang, RLG Consulting Engineers, Inc., on Behalf of the Owner.**

BACKGROUND

The First Baptist Church plans to add over 20,000 square feet to their building and has removed four portable buildings totaling 6,400 square feet. The proposed building will include classrooms and offices. The First Baptist Church Lewisville has had a long history with the City dating back to the late 19th Century. The current location was built in the mid-90s with additions made a few years later. Church representatives have indicated the new addition will house functions formerly held in the portables.

ANALYSIS

a. To waive the deceleration lane requirement

Section 6-103(E) – Access Management, Auxiliary Lanes

The First Baptist Church has seven driveways along the frontage of McGee Lane and Valley Ridge Boulevard. None of the existing driveways have deceleration lanes which would be required under the General Development Ordinance Section 6-103 Access Management Policy based on the size lot. The church hired a consultant to provide a Traffic Impact Analysis (TIA) for City Staff to review. The TIA based on existing church operations showed during peak traffic times, the church does not have a negative impact on traffic along the abutting roadways. The church's peak times are on Sunday mornings and Wednesday evenings which are typically not heavy traffic times for the public. There is and will continue to be minimal traffic in and out of the church on weekdays. There has been some concern that the church is planning to operate an accredited K-12 school in the new wing. According to FBC officials, there are no new uses proposed in the building. The classrooms will be used for Sunday School, Mom's Day Out and for an existing pre-school. The church has also sent a letter to the City included in the back-up clarifying the proposed use for the building addition. Staff has also visited the site and finds no sight distance problems for any of the driveways.

RECOMMENDATION

That the City Council approve the variance as set forth in the caption above with a condition that should the church expand to any K-12 curriculum or other academic school, the site traffic circulation and driveways will be re-evaluated and if required by the City, additional on-site and/or off-site improvements sufficient to mitigate negative traffic impacts will be constructed.

RLG
CONSULTING ENGINEERS

June 1, 2018

Mr. David Russell, PE
Engineering Division
City of Lewisville
151 W. Church Street
Lewisville, TX 75057

Re: Variance Request for FBC Lewisville
1251 Valley Ridge Boulevard
Lewisville, TX
RLG No. 1713.018.001

Dear Mr. Russell:

The proposed building addition and renovation of the First Baptist Church Lewisville is requesting one (1) variance from the City of Lewisville General Development Ordinance Article V. Public Improvement, Section 6-103 Access Management Policy Standards.

The variance request is as follows:

REQUIRED VARIANCE A:

To waive the deceleration lane requirement to the site.

JUSTIFICATION:

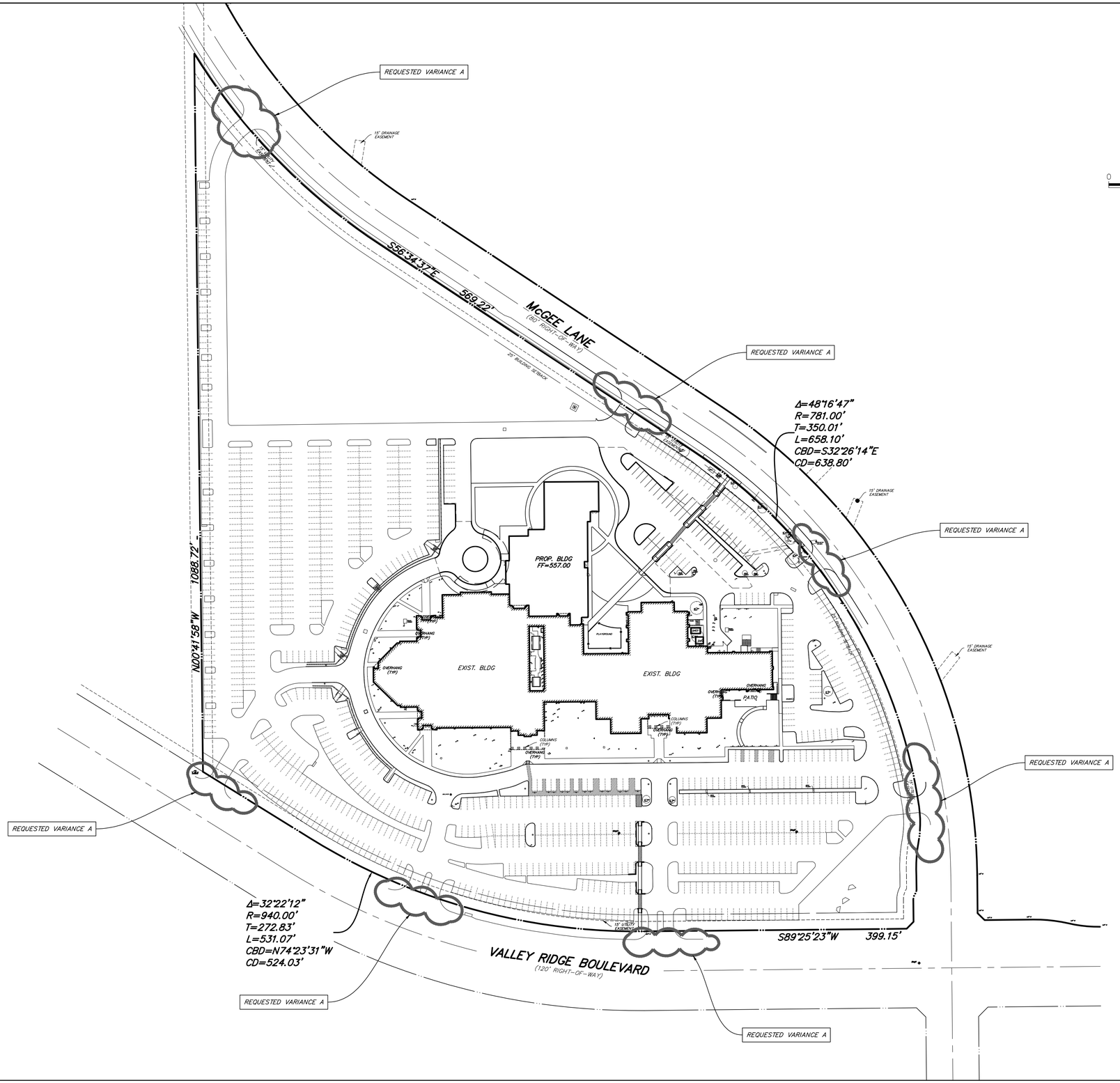
An existing traffic volume operational analysis and right turn lane analysis has been performed by Kimley-Horn and Associates, Inc. The memorandum prepared by Kimley-Horn and Associates, Inc., dated May 15, 2018, concludes a right turn deceleration lane to the site is not warranted. The City staff supports the finding of the traffic analysis.

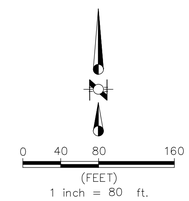
Thank you for your consideration. Please contact me if you have any questions.

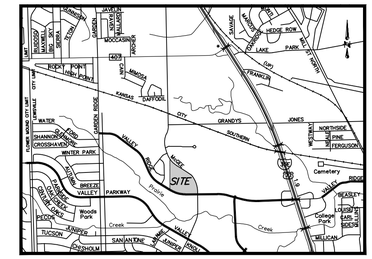
Sincerely,

Jerry Fang

Jerry Fang, PE
Civil Project Manager







Vicinity Map

NTS

VARIANCE A:
TO WAIVE THE DECELERATION LANE REQUIREMENT TO THE SITE.

RAYMOND L. GOODSON JR., INC.
CONSULTING ENGINEERS
12001 N. CENTRAL EXPRESSWAY, SUITE 300
DALLAS, TEXAS 75243 214/739-8100
E-MAIL: rlg@rlginc.com

SHEET NO.
C8.00

ENGINEERING SITE PLAN FOR

VARIANCE REQUEST EXHIBIT

FIRST BAPTIST CHURCH LEWISVILLE

ORCHARD VALLEY ESTATES

LOT 1, BLOCK O, 19.94 ACRES, ZONED R-6

CITY OF LEWISVILLE, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
RLG	RLG	5/31/18	1"=80'		1713	018
JOB NO.	1713.018	SUBMITTAL: VARIANCE REQUEST				

FILE LOCATION: P:\Civil\2017\1713.018 First Baptist Church Lewisville\DWG\VARIANCE REQUEST EXHIBIT.dwg; PLOT DATE/TIME: 6/7/2018 8:45:58 AM; BY: Belinda, Jeff

FIRST BAPTIST CHURCH
LEWISVILLE

To Whom It May concern,

On Monday evening, several of us associated with First Baptist Church Lewisville attended the City Council meeting regarding a motion requesting a deceleration lane variance before the City Council related to our current building project. Prior to Monday, our team worked diligently with city staff to answer all questions and provided all requested information/documents. On Monday evening, the The City Council announced our presence and stated that we were available to answer any questions. At the time of the vote, the City Council chose to table the motion. Unfortunately, we were not called on for clarification. I do not know where a member of the council got the information that a parochial school was part of our building plan. There is no plan now, or in the future, to create a school of any kind. First Baptist Church Lewisville has a ministry called The Child Development Center (CDC). This preschool ministry is a Bible-based enrichment program for preschoolers from 12 months old through Pre-K age. Two days a week we offer loving care, developmental activities and support to families in our community. The hours of operation are Tuesday and Thursday, 9:30am to 2:30pm, beginning each year after Labor Day and ending in mid-May. We have been operating this preschool ministry program since 1973 and as stated above we have no intentions of changing the scope or increasing the days of the program.

Please know we greatly appreciate the city and we are thankful to have had a great working relationship over the years and we are grateful to have served this community for over 150 years.

Sincerely,

Wayne Cotton

Church Administrator

1251 Valley Ridge Blvd. | Lewisville, TX 75077 | 972.436.5502 | www.fbclewisville.org

Kimley»Horn

MEMORANDUM

STATE OF TEXAS
NATHAN C. NEW
101204
LICENSED
PROFESSIONAL ENGINEER
5/15/18

To: David Russell, P.E.
City of Lewisville

From: Nathan New, P.E.
Jake Halter, EIT
Kimley-Horn and Associates, Inc. F-928

Date: May 15, 2018

Subject: Existing Traffic Volume Operational Analysis
Right-Turn Lane Analysis

Purpose

At the request of the City of Lewisville, this memo evaluates the need for right-turn deceleration lanes at First Baptist Church of Lewisville (FBC Lewisville). This memo includes a summary of Lewisville City Standards; an analysis of the current traffic operations during a Sunday and a typical weekday; a right-turn lane analysis by TxDOT standards; and a right-turn lane analysis according to the conclusions drawn by NCHRP 780.

Existing Conditions

FBC Lewisville is located at the northwest corner of Valley Ridge Boulevard and McGee Lane in Lewisville, Texas. **Exhibit 1** shows the conceptual site plan and existing driveways.

The church property has an existing worship center on the west wing of the campus, a fellowship center with classrooms on the east wing of the campus, and portable classroom buildings on the north side of the campus. The west and east wings are connected, but the portable classroom buildings are disconnected.

Existing Traffic Volumes

Turning movement counts were collected at the church driveways on Sunday, April 8, and on Wednesday, April 11. The existing Sunday traffic volumes are shown in **Exhibit 2** and the existing Weekday traffic volumes are shown in **Exhibit 3**.

Church Enhancements

The church has plans to remodel various areas around campus including the southern entrance and lobby, located in the west wing; the eastern entrance, located in the east wing; and construct a one-story children's building to replace the portable classroom buildings on the north side of the property. The new children's building would connect to the existing west wing.

Because the new children's wing is replacing the existing portable classroom buildings, the improvements will not contribute to an increase in the number of vehicle trips as compared to the current site.

Right-Turn Lane Analysis – Lewisville City Standards

An excerpt from the City of Lewisville General Development Ordinance is quoted below:

"Right turn/deceleration lanes shall be provided on all approaches to intersections of four or six-lane streets, and to approaches where a two-lane collector street intersects a four- or six-lane street (as shown on the city's current thoroughfare plan). Existing single stand-alone lots or tracts of less than one acre are exempt from the right turn lane requirement including ROW dedication where required at street intersections.

Right turn/deceleration lanes shall also be provided at driveways to all commercial developments of five acres or more or any commercial development with access on a major traffic carrier. When multiple entries are proposed for a commercial development, and based on the projected traffic patterns of the site determined by an engineering study approved by the city engineer, staff may waive this requirement at one or more driveways." – City of Lewisville General Development Ordinance (Sec. 6-103e)

The First Baptist Church Lewisville campus does not have any dedicated streets. FBC Lewisville is not a commercial development and is not located on a "Major Traffic Carrier." However, a follow-up analysis was completed at each driveway to determine whether right-turn lanes are appropriate for the site, per the final statement in the quoted Ordinance. Finally, the segment of Valley Ridge Boulevard west of I-35E and east of Garden Ridge Boulevard is designated as a Primary Arterial 6 Lane Divided (P6D – 120' R.O.W.) per the City Thoroughfare Plan, and it is not designated as a "Major Traffic Carrier."

Summary

The seven existing FBC Lewisville driveways were evaluated to determine if there was a need to install right-turn declaration lanes. The driveways were evaluated in terms of delay and volume thresholds using various established guidelines. The traffic operations analysis of current traffic conditions shows that there are no capacity deficiencies at any of the driveways.

The evaluation of Lewisville City General Development Ordinance does not require right-turn lanes at any of the FBC Lewisville driveways.

The use of TxDOT right-turn declaration lane thresholds reveal that no driveways meet the TxDOT minimum right-turn volume thresholds and therefore do not warrant right-turn lanes.

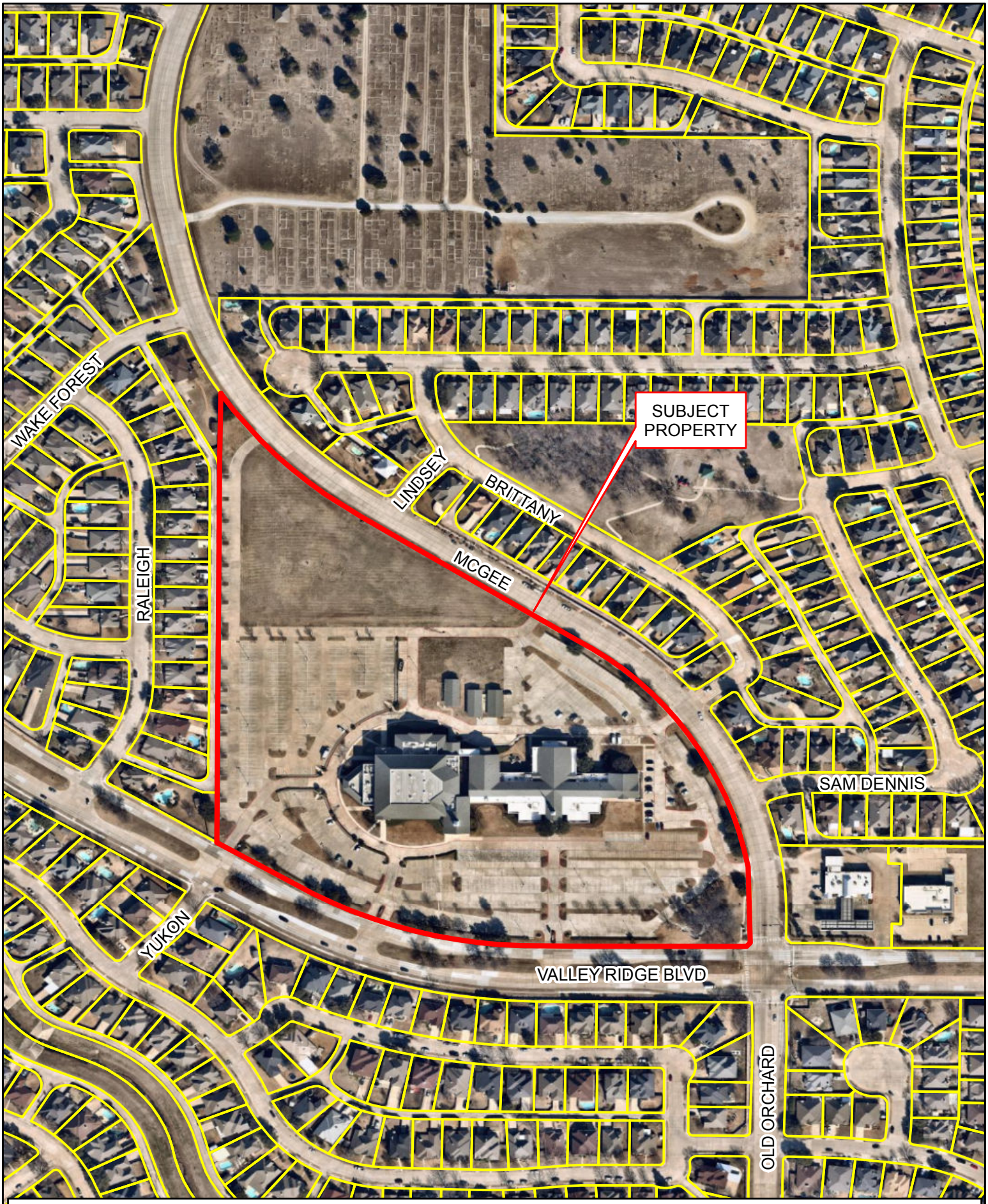
The use of NCHRP 780 recommendations finds that no driveway intersections meet the minimum right-turning and through volume thresholds determined for warranting a right-turn lane.

This memo recommends that no right-turn deceleration lanes are warranted along Valley Ridge Boulevard or McGee Lane that access First Baptist Church of Lewisville.

END

Attachments: Exhibit 1: Conceptual Site Plan
Exhibit 2: 2018 Existing Traffic Volumes - Sunday
Exhibit 3: 2018 Existing Traffic Volumes - Weekday
Research Excerpt – NCHRP 780 Right-Turn Thresholds
Traffic Volume Data
Synchro™ Reports

Appendix: Traffic Operational Analysis Methodology



LEWISVILLE
Deep Roots Broad Wings Bright Futures

N W E S

Scale : 1" = 300'

LOCATION MAP
FOR
FIRST BAPTIST CHURCH OF LEWISVILLE

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Stacie Anaya, Director

DATE: June 12, 2018

SUBJECT: **Tabled Item: Considering an Ordinance of the Lewisville City Council Amending Chapter 6, Article II, Division I of the Lewisville City Code by Making Provisions for a Park Fee Consisting of a Parkland Dedication Requirement and Park Development Fee on Residential Development and Other Related Requirements; Amending Chapter 2, Article VIII, Section 2-201 by Amending the Park Development Fee Rate; Providing a Repealer, Severability and an Effective Date; and Declaring an Emergency.**

BACKGROUND

Park fees are collected from developers and used by the city to purchase and/or make improvements to new or existing parkland, trails or facilities. These parks, trails, and facilities serve the residents moving into those new developments and ensure that our residents have adequate places to play, exercise, meet neighbors, and enjoy the outdoors.

The City of Lewisville's current parkland dedication ordinance was adopted in March 2007. That ordinance requires developers/builders to pay $750 per dwelling unit (home or apartment) when filing a building permit. The ordinance, however, also eliminated the City's then-existing requirement that developers dedicate 3 acres per 100 dwelling units. These changes made Lewisville's park fees one of the lowest in the North Texas region. It also has hindered our ability to provide adequate parkland for our residents.

In 2013, the City adopted a Parks, Recreation and Open Space Master Plan ("Park Master Plan"), which identified a deficiency in parkland and called for the addition of 755 acres of parkland to meet the needs of a community the size and density of Lewisville. Despite these identified deficiencies and the consultant's recommendation that the City amend our park fee ordinance to increase our fees, the park fee ordinance was not amended.

The 2018 update to the Park Master Plan not only confirms a continued deficiency in parkland but also a deficiency in the disbursement of parkland throughout the community. One of the action steps established in the plan is an update to the current parkland dedication ordinance to effectively address the deficiency in parkland and keep pace with our population growth. The plan identifies approximately $44,510,500 in parkland acquisition and development projects over the next 5-10 years.

Based on this recommendation, staff has researched various options and methodologies for collecting park fees. In September 2017, the Parks and Recreation Advisory Board ("Board") was briefed on alternate methods for the calculation and collection of parkland dedication requirements utilized throughout the State. The Board recommended moving forward with an update to the

ordinance to include mechanisms for acquiring and developing parkland to meet the recreation needs of the community.

The City Council was briefed on staff recommendations for updating the ordinance during the February 2018 retreat. The proposed ordinance reflects the discussions with the Board, the advice of legal counsel and direction from City Council during the retreat.

ANALYSIS

As a municipality grows with the addition of new housing development, the demand for parks and recreation amenities grows as well. In many Texas municipalities, parkland development ordinances have two elements for the acquisition and development of parkland:

1. parkland dedication requirement (or cash-in-lieu of land alternative)
2. park development/improvement requirement.

The first element provides a mechanism for acquiring parks, trails and open space; it is the horizontal element. The second element provides the fund for developing parks, trails and open space; it is the vertical element. The two separate requirements are beneficial because they provide an opportunity for the city to collect the true amount of funds needed to provide adequate public park and trail facilities to support the new residential development without placing the entire burden of parkland development on existing tax payers.

To keep pace with our current level of service for park and recreation amenities as our population grows, staff recommends updates to the parkland dedication ordinance to include both parkland dedication requirements and park development/improvement fees. Specifically, staff is recommending ordinance amendments to:

- Include a parkland dedication requirement of 3 acres per 100 proposed dwelling units; but offer a cash-in-lieu of land option
- Increase the park development fee from $750 to $1,000.

In addition, staff recommends that fees be collected at the time of filing of the final plat rather than at the time of issuing a building permit.

Parkland Dedication or Cash-in-Lieu of Land (horizontal)

The current ordinance does not provide a realistic mechanism for acquiring or developing parkland. Without a mechanism for parkland dedication, the city must identify property on the open market that may be purchased for a park or open space. The current single element rate of $750 per dwelling unit does not provide adequate funding for the purchase of nor the development of the property. Adding a mechanism for a developer to dedicate parkland within their development, is the ideal way to serve the new community members who will place an additional demand on the current park system.

To maintain the current level of service for parkland at Lewisville's projected growth rate, staff recommends establishing a parkland dedication rate of **3 acres per 100 dwelling units** to determine the parkland dedication requirement for the developers. Attachment A – Part A

demonstrates how this ratio was developed. This rate will help us meet the parkland deficiencies identified in the master plan.

A cash-in-lieu of land fee option should also be established for situations where parkland is not necessary in a development or the opportunity to increase the size of an existing park or trail system exists nearby. This amount should be based on the cost of an average acre of land in the park planning area (as defined in the park master plan) multiplied by the number of acres required for parkland dedication. Property that is deemed wetlands or in the flood plain can accommodate up to ½ of the parkland dedication requirement, if the Director accepts the proposal.

Example of how to calculate cash-in-lieu fee:

A developer submits a plat for a subdivision for 100 dwelling units translating to a parkland dedication requirement of 3 acres. Assumptions: No flood plain or wetlands are involved. The average cost of an acre in the area is $50,000.

The developer's cash-in-lieu fee will be $150,000 as shown below:

3 acres
x $50,000 cost per acres =
$150,000

<u>Park Development Fee (vertical)</u>
A parkland development requirement provides municipalities with a mechanism for improving new or existing parkland, trails or open space. This fee should reflect the cost of improving parkland to accommodate the recreation needs of the persons in the new development.

The average cost to develop an acre of land per dwelling unit in Lewisville is $1,016 (Attachment A – Part B demonstrates how this unit cost was determined). Staff recommends increasing the fee to $1,000 from $750 and comparing the fee to development costs each year.

<u>Impact of Proposed Update to Ordinance</u>
If the recommended changes to the ordinance are adopted the example below is what a developer will be required to dedicate and/or pay when the updated ordinance becomes effective:

Example 1: Developer XYZ files a plat for the development of the Alpha Omega Subdivision with 150 planned dwelling units. Assumptions: No flood plain or wetlands are involved. This development falls in park planning area 1 where the average value of an acre is $50,000

Developer will owe:
Parkland Dedication Requirement = 4.5 acres (150 units x 3 acres = 450 / 100)
Parkland Development Requirement = $150,000 (150 x $1,000)

If parkland were not accepted and the cash in lieu of land option were required, the total fee would be:

$225,000 Cash in Lieu (4.5 acres x $50,000)
+ $150,000 Development Fee =

$375,000.

In comparison, under the current ordinance the total parkland dedication fee for the sample development would be:

150 Dwelling Units
X 750 Development Fee =
$112,500.

Example 2: If the recommended changes to the ordinance were in place for the Lakewood Hills development (260 dwelling units) the developer would have been responsible for the following requirements:

Parkland Dedication Requirement = 7.8 acres (260 x 3 = 780 / 100) and
Parkland Development Requirement = $260,000 (260 x $1,000).

If parkland was not accepted and the cash in lieu of land option were required, the total fee would be:

$390,000 (7.8 x $50,000) Cash in Lieu
+$260,000 (260 x $1,000) Development Fee =
$650,000.

In comparison, under the current ordinance the total parkland dedication fee for the sample development would be:

260 Dwelling Units
x $750 Development Fee =
$195,000.

Comparison Cities

Though the information below indicates how the current and proposed ordinances compare to other cities in the region, the methodology supported by best practices and upheld by the Texas Court system is based on equations that are tailored for each community's current level of service to determine that community's future park and open space needs. This means that each city's land dedication requirements and fees will differ. The proposed ordinance will provide the open space and development funds to provide new resident a similar number of, proximity to and quality of parks, current Lewisville residents enjoy today.

The establishment of other city fees normally starts with a market review to make sure the proposed fee is in line with what the other cities in our 17-city survey group are charging. However, based on case law, this fee must be looked at differently and must be based on the current level of service and the cost to develop and improve parks. This type of analysis is similar to the process for developing impact fees.

Below is a table listing our twelve survey cities that require both parkland dedication and parkland development fees. Mesquite, Garland and Grand Prairie do not currently have any parkland requirements. Each city has a requirement that reflects their own need for parkland dedication and development. Four cities (Coppell, Denton, Flower Mound, and McKinney), use a similar

methodology for calculating these requirements for developments being proposed for adoption in Lewisville.

City	Parkland Dedication Requirement	Parkland Adjusted Requirement for 100 DU	Cash in Lieu of Fee	Park Development Fee
Allen	1/100 DU	1	$ 645/DU	$0
Arlington	1/250 DU	.25		$1,143/DU
Carrollton	Dedication required in designated areas per Master Plan		$300/DU	$0
Coppell*	1/100 DU	1	Market Value	$1285/DU
Dallas	1/100 DU	1	$762/DU	$403/DU
Denton*	.7/100 DU	.7	Market Value	$ 291/DU
Flower Mound*	1/25 DU	4	Market Value	$790/DU
Fort Worth*	2.5/1000 DU	.25	Market Value	$30,000/acre
Frisco	1/50 DU	2	$1,561/DU	$0
Grapevine	1/145 DU	.69	$1,416/DU	$0
Lewisville (old)				$ 750/DU
McKinney*	1/50 DU	2	Market Value	$2,000/DU
Plano	Dedication required in designated areas per Master Plan			$ 468/DU
Lewisville (proposed)	3/100 DU	3	Market Value	$1,000/DU

RECOMMENDATION

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

Lewisville Parks and Recreation Department
Proposed Parkland Dedication Ordinance Methodology
February 2018

Part A - Parkland Dedication

Burden to Maintain Current Level of Service (CLOS)

Park Type	Current Acres	People Per Acre*	Acres to Maintain CLOS**	Additional Acres Needed
Neighborhood	106.4	974.1	112.9	6.5
Community Park	732.9	141.4	777.9	45
Other Parks	628.9	164.8	667.5	38.6
				90.1

*Based on 2017 population estimate of 103,460 (provided by North Central Texas Council of Government)
**Based on 2020 population projection of 110,002 (provided by Economic Development)

The current average number of people per dwelling unit is 2.44 (based on the estimated population and dwelling units in Lewisville). In order to maintain the current level of service (as defined by park acreage) for projected future growth of Lewisville by 2020, the City will need to acquire an acre of property for every 70.59 people or 28.93 dwelling units added to the city's residential inventory. See the calculations below.

The city will need to add one acre of parkland per 70.59 people to keep pace with projected growth.

6,362 (project population growth to 2020) / 90.1 acres = 70.59

The city will need to add one acre for every 28.93 dwelling units built to keep pace with projected growth.

70.59 people per acre / 2.44 per dwelling unit = 28.93 dwelling units

Most cities use intervals of 100 dwelling units to establish a parkland dedication requirement for developers. Utilizing the methodology above 3.46 acres per 100 dwelling units would be equivalent requirement. In effort to simplify the equations and burden rates, staff recommends establishing a rate of **3 acres per 100 dwelling units** to determine the parkland dedication requirement for the City of Lewisville.

A parkland dedication requirement is not included in the current ordinance, though prior to 2004 the proposed rate of 3 acres per dwelling unit was part of the ordinance.

In the event a parkland dedication in a proposed development does not meet the goals established in the park master plan, a cash-in-lieu of land fee should be charged the developer. This amount should be based on the cost of an average acre of land in the park planning area (as defined in the park master plan) multiplied by the number of acres required for parkland dedication. An example is provided below.

A developer submits a plat for a subdivision for 100 dwelling units translating to a parkland dedication requirement of 3 acres. The average cost of an acre in the area is $50,000.

3 acres x $50,000 = $150,000.

The developers cash-in-lieu fee will be $150,000.

Every three years, the Parks & Recreation Department will contract with an independent land appraiser to provide an average cost of an acre for each park planning area.

Parkland Development – Part B

Type of Park	Avg Acres	Total Development Estimate	Cost Per Acre	Person Per Acre*	Cost per Person	Cost per DU**
Pocket Park	2	$ 147,785	$ 73,893	974.06	$185.10	$183.58
Neighborhood Park	10	$1,064,867	$ 106,487	974.06	$266.75	$264.56
Community Park	50	$4,239,014	$ 84,780	141.41	$1,462.86	$1,450.87
Regional Park	250	$8,395,040	$ 33,580	141.41	$579.42	$574.67
Sports Park	50	$7,286,446	$ 145,729	164.79	$2,157.77	$2,140.08
General Park	1	$ 83,922	$ 83,922	141.41	$1,448.06	$1,436.19
				Avg Cost per DU		**$ 1,016.66**

* Based on 2017 population estimate of 103,640 (provided by Planning Department)
**Based on 2017 2.44 person per dwelling unit estimate

This represents the funds that will be needed to develop new parkland or existing parkland to accommodate projected growth. The development costs for each type of park listed are developed from best practices within the parks and recreation industry adjusted for Dallas-Fort Worth construction prices. The current parkland development fee is $750 per dwelling unit. Staff recommends stepping the fee to meet average development costs per unit over the next 4-5 years. The initial increase should be to $900 or $1,000 per dwelling with subsequent increases to keep pace with cost escalation.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING CHAPTER 6, ARTICLE II, DIVISION II OF THE LEWISVILLE CITY CODE BY MAKING PROVISIONS FOR A PARK FEE CONSISTING OF A PARKLAND DEDICATION REQUIREMENT AND A PARK DEVELOPMENT FEE ON RESIDENTIAL DEVELOPMENT AND OTHER RELATED REQUIREMENTS; AMENDING CHAPTER 2, ARTICLE VIII, SECTION 2-201 BY AMENDING THE PARK DEVELOPMENT FEE RATE; PROVIDING A REPEALER, SEVERABILITY 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 certain amendments to Chapters 2 and 6 of the Lewisville City Code are necessary; and

WHEREAS, the Lewisville City Council has adopted the Park Master Plan and Trails Master Plan, which provide planning policy and guidance for the municipal park and recreation system for the City of Lewisville; and

WHEREAS, said plans have assessed the need for parkland and park improvements, including trails, to serve the citizens of Lewisville; and

WHEREAS, the City of Lewisville has carefully assessed the impact on the park and recreation system created by each new development and has established dedication and development cost requirements based upon individual dwelling units; and

WHEREAS, the requirements constitute an individualized fact-based determination of the impact of new living units on the park and recreation system and ensure that new living units bear their proportional share of the cost of providing park and recreation related services; and

WHEREAS, parkland dedication requirements and park development fees are based upon the formulas and allocations set forth herein.

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

SECTION 1. The statements made in the preamble hereinabove are hereby adopted and incorporated herein.

SECTION II. Chapter 6, article 2, division 2, sections 6-32 through 6-43 of the Lewisville City Code are hereby amended by deleting the current language and inserting the following new language:

ARTICLE II – GENERAL PROVISIONS

DIVISION 2 – PARK FEE

Sec. 6-32. Purpose and imposition.

(a) A park fee is hereby imposed on residential development to assure that park facilities, including trails, are available and adequate to meet the needs created by such development while maintaining current and proposed park and recreation standards pursuant to the Park Master Plan and Trails Master Plan. The park fee consists of a parkland dedication requirement and a park development fee. The park fee shall be imposed by the city on all residential development, and all funds collected shall be used solely and exclusively for the purpose of acquisition and development of park facilities necessitated by and serving such development.

(b) If a park fee (including parkland dedication or cash-in-lieu of parkland dedication) has been paid prior to the adoption of this division, that park fee (including parkland dedication or cash-in-lieu of parkland dedication) shall be controlled by the provisions of the ordinance in effect at the time such obligation arose.

Sec. 6-33. Definitions.

For purposes of this division only, the terms that follow shall have the meanings set forth herein. Terms not herein defined shall have those meanings given them by other provisions of the Lewisville City Code.

Applicant shall mean the property owner or duly designated agent of the property owner of land for which approval of a final plat for residential development has been requested.

Building shall mean any enclosed residential structure designed or intended for the support, enclosure, shelter or protection of persons.

Director shall mean the director of the Parks & Recreation Department or her authorized representative.

Dwelling shall mean any building, or portion thereof, designed exclusively for residential occupancy and containing one (1) or more dwelling units.

Dwelling unit shall mean one (1) or more rooms arranged, designed or used as separate living quarters for an individual family, which contains kitchen facilities (only one (1) per dwelling unit permitted), including at least a stove or cooking device and permanently installed sink, plus bathroom facilities.

Park facilities shall mean land and/or improvements used or to be used as a park, including trails, regardless of location, including both the acquisition of such land, the construction of improvements thereon and the expenditure of funds incidental thereto, including but not necessarily limited to planning, engineering and design of the park, including trails, and improvements, utility relocation, provision of improvements, provision of pedestrian and vehicular access thereto and purchase of equipment, the need for which are attributable to new residential development.

Park Master Plan shall mean the adopted plan, as may be amended from time to time, which identifies those park facilities for a period of at least five (5) years, which are to be financed in whole or in part through the imposition of park fees pursuant to this division.

Property shall mean the legally described parcel of land capable of development pursuant to applicable city ordinances and regulations.

Property owner(s) shall mean any person, group of persons, firm or firms, corporation or corporations, or any other entity having a proprietary interest in the

land on which approval of a final plat for residential development has been requested.

Residential development shall mean the development of any property for a dwelling or dwellings, other than motels, hotels, shelter used temporarily for transients or other similar uses.

Trails Master Plan shall mean the adopted plan, as may be amended from time to time, which identifies trails, which are to be financed in whole or in part through the imposition of park fees pursuant to this division.

Sec. 6-34. Applicability.

(a) This division shall be uniformly applicable to residential development of property in the city which is or will be served by park facilities. This division does not apply to activities involving the replacement, reconstruction, remodeling, rehabilitation or other improvements to an existing building, or to the rebuilding of a damaged building, or to permits required for accessory uses, unless such activity results in an additional dwelling unit.

(b) For purposes of this division, property is "served by" park facilities when funds collected for such facilities have been spent for facilities identified in the Park Master Plan or Trails Master Plan within ten (10) years from the date of collection.

Sec. 6-35. Authority.

(a) This division is enacted pursuant to the city's police powers existing under the city's charter and consistent with the Texas Constitution, article XI, section 5, and applies to all property within the city's boundaries.

(b) The city shall adopt a Park Master Plan and a Trails Master Plan for the entire city, which identifies the park facilities which are to be acquired through parkland dedication requirements or financed in whole or in part through the imposition of park fees. Park fees may only be spent for park facilities identified in such plans. The plans shall be reviewed and updated at least every five (5) years by the City Council.

(c) Imposition of a park fee does not alter, negate, supersede or otherwise affect any other requirements of city, county, state or federal legislation or regulations that may be applicable to a development, including city zoning and/or subdivision regulations.

(d) The provisions of this division shall not be construed to limit the power of the city to utilize other methods authorized under state law or pursuant to other city powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this division. Guidelines may be developed by resolution or ordinance to implement and administer this division.

Sec. 6-36. Park fee.

(a) Parkland dedication requirement

(1) For developments where all lots are for residential development, the parkland dedication requirement shall be determined by a ratio of three (3) acres for each 100 dwelling units. For calculation of developments with less than 100 dwelling units, each dwelling unit shall equal .03 acres. (Example: 25 dwelling unit development will require .75 acres).

i. Jurisdictional wetlands and property in established flood plains may be used to satisfy up to one-half of the parkland dedication requirement.

ii. A preliminary plat shall show the area proposed to be dedicated under this section. The property must be reviewed and accepted by the Director. If the area proposed for dedication is not consistent with the goals established in the Parks Master Plan or the Trails Master Plan, the city may require a cash-in-lieu of parkland dedication.

(2) Cash-in-lieu of parkland dedication

i. The city may require cash-in-lieu of parkland dedication. Such payment in lieu of land shall be made prior to final plat approval. The payment shall be proportional to the amount of land required to be dedicated and shall use the fair market value of the land at the time of construction of the development.

ii. The amount of the cash-in-lieu of parkland dedication shall be based on the following formula: (A x V) = M

A = the area of land required for dedication as determined in section 6-36(a).

V = the fair market value (per acre) of the property as established by a land appraisal conducted by a third party.

M = the number of dollars to be paid in lieu of the parkland dedication requirement.

iii. The Director shall be responsible for verifying the amount due.

iv. A combination of parkland dedication and cash-in-lieu of parkland dedication can be utilized to meet the parkland dedication requirement.

(b) Park development fee

The amount of the park development fee shall be based on the following formula: (R x DU) = F

R = the park development fee rate found in section 2-201, Fee schedule, of the Lewisville City Code.

DU = the total number of dwelling units in the residential development.

F = the number of dollars to be paid.

Sec. 6-37. Processing and collection.

Applicants for a residential development must submit a plat for review and approval pursuant to the land development regulations.

(a) The parkland dedication requirement (or cash-in-lieu of parkland dedication) and park development fee shall be imposed on all residential development in the city at the time of filing a final plat pursuant to the land development regulations, and all amounts due shall be paid prior to final plat approval.

(b) The parkland dedication requirement for each residential development shall contain a clear, fee simple dedication of an area of land within the development to the city for park facilities.

(c) Upon receipt of a preliminary plat or final plat whichever comes first, the city shall calculate the amount of the park development fee and the amount of cash-in-lieu of parkland dedication (when applicable) due pursuant to section 6-36.

(d) If fewer dwelling units are constructed than planned by the final plat, the property owner may apply for a refund for the difference in the number of dwelling units pursuant to section 6-39.

Sec. 6-38. Use of funds.

(a) Cash-in-lieu of parkland dedication and park development fees collected pursuant to this division must be used solely for one (1) of the following purposes:

(1) To acquire and develop park facilities, in accordance with the Park Master Plan and Trails Master Plan, subject to the provisions herein;
(2) To reimburse the city for prior acquisition and development of such park facilities, which will benefit the new residential development inhabitants; or
(3) To make refunds pursuant to section 6-39.

(b) Cash-in-lieu of parkland dedication and park development fees collected shall not be used to maintain or operate the existing park system or to finance park and recreational activities other than park facilities.

(c) Nothing in this division shall prevent the city from issuing and utilizing general obligation bonds, revenue bonds, revenue certificates or other certificates of indebtedness as are within the authority of the city in such manner and subject to such limitations as may be provided by law in furtherance of the financing and provision of park facilities as set forth in the Park Master Plan. Cash-in-lieu of parkland dedication and park development fees paid pursuant to this division, however, shall be used for park facilities acquisition and development.

(d) Interest earned on cash-in-lieu of parkland dedication and park development fees shall be used solely for the purposes specified herein.

(e) The city shall establish adequate financial and accounting controls to ensure that cash-in-lieu of parkland dedication and park development fees disbursed are utilized solely for the purposes and intent of this division; provided, however, that such funds shall be expended within a reasonable period of time, not to exceed ten (10) years from the date the funds are collected.

(f) The city shall maintain and keep financial records for the cash-in-lieu of parkland dedication and park development fees which shall show the source and disbursement of all funds collected.

Sec. 6-39. Refunds.

(a) The current owner of property on which a cash-in-lieu of parkland dedication payment and park development fee has been paid may apply for a refund of such funds if:

(1) The property on which the funds have been paid has not been served by park facilities, as provided in section 6-34; or
(2) Fewer dwelling units are constructed than planned by the final plat.

(b) Only the current owner of the property may petition for a refund. A petition for refund shall be filed within one (1) year of the event giving rise to the right to claim a refund, or the refund will not be granted.

(c) The petition for refund must be submitted to the Director on a form provided by the city for such purpose. The petition must contain the following: a certified copy of the latest recorded deed for the property; a current legal description; and a statement of the reasons for which a refund is sought.

(d) A refund shall be due under subsection 6-39(a)(1) only if the Director determines that the total funds collected for which a refund is being sought exceeds the total expenditures for park facility purposes allowed by this division for the same period ("excess amount"). The refund amount shall be the development's pro rata share of the excess of funds collected over expenditures, together with interest earned on such amount for the period. The city may periodically compute the difference between expenditures and funds collected for purposes of reviewing refund requests under this subsection. The city council may, after notice by publication in the section of a local newspaper reserved for legal notices, and after a public hearing, vote to apply any unclaimed excess amounts to the remaining park facilities. When the city council votes to apply the excess amounts, the right to refund of the applied excess amounts shall be extinguished.

(e) Within one (1) month of the date of receipt of a petition for refund, the Director must provide the petitioner, in writing, with a decision on the refund request. The decision must include the reasons for the decision. If a refund is due to the petitioner, the Director shall notify the city's finance department and request that a refund payment be made to petitioner.

(f) The petitioner may appeal the determination of the Director to the city council, and its decision shall be final.

Sec. 6-40. Procedures for updating the park fee.

(a) At least every five (5) years, the Director shall prepare a report to the city council on the park fee. In the preparation of such report, the following information shall be reviewed:

(1) A statement summarizing the parkland dedication requirements and the cash-in-lieu of parkland dedication requirements and park development fees collected and disbursed since the previous report;

(2) A statement summarizing park facilities acquisition and development and the status thereof since the previous report;
(3) A statement summarizing the administration and enforcement of park fees; and
(4) A statement and recommendation from the Park Board on all aspects of the park fee and city park needs.

(b) The report shall make recommendations, if appropriate, on amendments to this division, changes in the administration or enforcement of this division, changes in the parkland dedication requirements, cash-in-lieu of parkland dedication and park development fee rates, and changes in the Park Master Plan and the Trails Master Plan.

(c) Based upon the report and such other factors as the city council deems relevant and applicable, the city council may amend the park fee. If the city council fails to take action, the park fee then in effect shall remain in effect. Nothing herein precludes the city council or limits its discretion to amend the park fee at such other times as may be deemed necessary.

Sec. 6-41. Appeals and variances.

(a) The property owner or applicant may appeal the following decisions of the Director to the city council:

(1) The applicability of the park fee;
(2) The amount of the park fee due; or
(3) The amount of refund due, if any.

The burden of proof is on the property owner or applicant to demonstrate that the amount or applicability of the fee or refund, was not calculated according to the applicable schedule of fees or the guidelines established for determining such amounts. The property owner or applicant must file a notice of appeal with the city secretary within thirty (30) days following the determination by the Director. The filing of an appeal shall stay the matter until final determination by the city council.

(b) The city council may grant a variance from any requirements of this division, upon written request by a property owner or applicant, only upon a finding that a strict application of such requirement would result in a substantial hardship which is not common to similarly situated property owners.

Sec. 6-42. Park fee as additional and supplemental requirement.

The park fee is additional and supplemental to and not in substitution of any other requirements imposed by the city on the development of the land. It is intended to be consistent with and to further the objectives and policies of the Park Master Plan, the Trails Master Plan and the comprehensive plan and to be coordinated with other city policies, ordinances and resolutions by which the city seeks to ensure the provision of adequate park facilities in conjunction with the development of land. In no event shall a property owner be obligated to dedicate land or pay for park facilities in an amount in excess of the amount calculated pursuant to this division; but provided that a property owner may be required, pursuant to city zoning and subdivision regulations, to provide open lands, setbacks, buffers and other nonbuildable area on-site in addition to meeting the park fee requirements.

SECTION III. Chapter 2, article VIII, section 2-201 of the Lewisville City Code is hereby amended by deleting the current park development fee and in its place inserting the following new park development fee rate:

Fee	Amount
Parks and Recreation Department	
Park development fee rate	$1,000 for each new dwelling unit

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

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

SECTION VII. 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 2ND DAY OF JULY, 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: Claire Swann, Assistant City Manager

DATE: June 13, 2018

SUBJECT: **Consideration of Appointment to Lewisville High School INCubator Board of Directors**

BACKGROUND

In partnership with the City of Lewisville, the Mary Kay Foundation, and the Hudson Foundation, Lewisville Independent School District plans to start an INCubator program at Lewisville High School this fall. The INCubator program is a year-long curriculum and mentorship opportunity for students that want to start their own small business in Lewisville. Part of this program involves the students "pitching" their business ideas to a Board of Directors (the "Board"), who would then vote to invest certain "seed" money in select student projects. The Board will be comprised of five representatives from the Lewisville City Council, Mary Kay, the Hudson Foundation, and two other Lewisville community representatives.

ANALYSIS

LISD is currently filling positions on the Board and has requested that the City of Lewisville appoint one council member to the Board and one other council member as an alternate member. The expected time commitment for Board members will be to attend six meetings per school year, each of which may run between 2-3 hours. Such meetings would likely be during the day. The City Council's board appointee and alternate board appointee can split up these times to fit their schedules.

RECOMMENDATION

That the City Council consider appointment of one council member to the Lewisville High School INCubator Board of Directors and one other council member as an alternate member.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Stacie Anaya, Parks & Recreation Director
Hilary Boen, Recreation Manager

DATE: June 20, 2018

SUBJECT: **Consideration of Establishing the Name of the Multigenerational Recreation Center**

BACKGROUND

In November 2015 the residents of Lewisville approved a bond package, which included a total of $38.1 million to build a multigenerational recreation center with an indoor aquatic center. Work began right away to identify an architectural firm that would produce a quality design for a building listening carefully and integrating the desires of the residents. On August 1, 2016, the City Council approved the contract with the architectural firm Barker Rinker Seacat (BRS) to design the new Multigenerational Center (MGC). Once BRS was hired, the City hosted three public input meetings, along with several additional opportunities for the public to comment on desires for the new Center. Representatives from the 2025 Committee, Parks & Recreation Advisory Board and all City departments have been involved with the design. The City has used the Construction Manager At-Risk (CMAR) process to execute this project, providing an opportunity to work with closely with construction companies and estimators to keep the budget and overall goals of the project aligned. In June 2017 City Council authorized additional funds bring thing total project budget to $46.1 million. Currently, the project is in the Construction Document phase and the department plans to breakground in July/August 2018.

In September 2017, the Parks & Recreation Department issued an Request for Proposal from marketing firms to identify a partner in developing a name, logo, brand and marketing strategy for the MGC. After reviewing several proposals and interviewing potential firms, Brandera was selected based on their experience with establishing names and brands for other well-known regional parks & recreation facilities and departments (Grand Prairie, North Richland Hills, etc.), as well as their enthusiasm for working with the City of Lewisville.

On April 2, 2018 City Council was presented a potential name for the new multigenerational recreation center (MGC). City Council requested staff return with a selection of names for consideration.

City Council appointed a committee on May 21 to work with Brandera to generate name options for the MGC. The committee consists of two City Council members, two Park Board members, one 2025 Steering Committee member and one Youth Action Council member. Utilizing input

from all members of each of these committees and the committee members selected two name options along with logos and taglines for City Council to consider.

ANALYSIS

A key component to the future success of this new facility is the name and branding of the Center. Selecting the right name and brand for the facility will help:

- Create a visual identity that energizes residents, stakeholders and team members
- Establish a voice to reflect the facility's distinct character
- Define how this facility is unique and different from other facilities in the area
- Clarify how we present our offerings so residents and visitors understand what the facility is and how to engage with us
- Link our values to how we manage the facility.

Information on the two logos and taglines to be considered by City Council will be provided at the meeting.

RECOMMENDATION

That City Council select the name for the multigenerational recreation center.