LEWISVILLE CITY COUNCIL

REGULAR SESSION

JULY 2, 2018

Present:

Rudy Durham, Mayor

Council Members:

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

City Staff:

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

WORKSHOP SESSION – 6:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:37 p.m. on Monday, July 2, 2018, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Discussion of Multi-Generational Recreation Center Committee Name Recommendation, Construction, and Logistical Consideration Regarding Existing Activities **(Agenda Item A)**

At the request of City Manager Barron, Parks and Recreation Director Stacie Anaya conducted the attached PowerPoint Presentation regarding the Multi-Generational Recreation Center Committee Name Recommendation, Construction, and Logistical Consideration Regarding Existing Activities.

Parks and Recreation Director Stacie Anaya reviewed what was being arranged to facilitate the move of the seniors from the Senior Center and ensuring that the seniors were still receiving the level of service that are used to receiving.

WORKSHOP SESSION – 6:30 P.M. (cont'd)

Due to timing, Mayor Durham moved on to discussion of the Regular Agenda Items and Consent Agenda Items at 6:55 p.m.

Discussion of Rodeo Arena **(Agenda Item B)**

Due to timing issues this workshop item was discussed following the conclusion of the Regular Agenda.

Discussion of Regular Agenda Items and Consent Agenda Items **(Agenda Item C)**

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

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

Mayor Durham reviewed Agenda Item C, Proclamation: Declaring the Month of July as "Park and Recreation Month". There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-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). City Attorney Lizbeth Plaster reminded the City Council that this item would require a super majority vote of the City Council to overrule the Planning and Zoning Commission's vote. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item D-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). There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

Mayor Durham reviewed Agenda Item D-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-4, Public Hearing: Consider the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan. There was no discussion on this item.

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

Mayor Durham reviewed Agenda Item F-5, Approval of City Council Minutes of the June 18, 2018, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

Mayor Durham reviewed Agenda Item G-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of Appointment to the Lewisville High School INCubator Board of Directors. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-12, Consideration of Establishing the Name of the Multi-Generational Recreation Center. City staff clarified that Parks and Recreation Director Stacie Anaya could finish her presentation during regular session to assist City Council with consideration of this item. There was no further discussion on this item.

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

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

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:58 p.m. on Monday, July 2, 2018.

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, July 2, 2018, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation **(Agenda Item A)**

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

Pledge to the American and Texas Flags **(Agenda Item B)**

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

Proclamation: Declaring the Month of July as "Park and Recreation Month" **(Agenda Item C)**

Councilman Gilmore read and presented a proclamation declaring the month of July as "Park and Recreation Month" to the following Park Board Members: Robert Solete, Cindy Meridith and William Shull. Also accepting from the Parks and Recreation staff members were: Darrin Williams, Henry Chica, Lisa Cole, Ramiro Espinosa, Omotayo Ajay, Tara Champman, Erika Tang, Christina Rial, Hilary Boen.

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) **(Agenda Item D-1)**

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.

The City staff's recommendation was that the City Council deny the zone change request.

Mayor Durham opened the public hearing.

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

<u>Public Hearing</u>: 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) (cont'd) **(Agenda Item D-1)**

John Gillespie, 1422 West Main, #104, Lewisville, Texas, the property owner spoke before the City Council in support of this item. Mr. Gillespie reviewed what led up to their request for the City Council. He requested that the City Council consider the addition to their existing multi-family development that they felt would beautify the street and allow for better walkability and generate more property taxes than a vacant lot or any other commercial development. Mr. Gillespie further advised that they had tried to market this property and had not received any interest; therefore, they felt this was the best use. He pointed out the investment they had made in the existing portion of Autumn Breeze in the last five years since they had owned it that resulted in improvements. He emphasized that they were not flippers and were trying to improve the appearance of Southwest Parkway. Mr. Gillespie reviewed their plans to build three-bedroom units that could provide housing for families in Lewisville. Mr. Gillespie reviewed the attached PowerPoint Presentation for City Council consideration. He respectfully requested that the City Council provide either a variance to the existing zoning or new zoning to allow the addition to the existing property and help improve the street.

Mayor Pro Tem Daniels indicated that there seemed to be quite a bit of opposition from the neighbors in this area and questioned if the developer had spoken with any neighbors in the area to determine if there was anything they could do to address their concerns. Mr. Gillespie indicated that other than the two or three that had spoken during the P&Z meeting regarding, as he understood, their concern regarding a shortage of parking with the additional units, he was not aware of any other concerns. He stated that he felt they didn't realize the new development would also have parking. He referenced a survey he had had done at the existing Autumn Breeze Apartments to determine how many vacant spots there were at night. That survey showed anywhere from 40 – 50 vacant spots every evening. He stated that since that was the only objection he recalled being expressed, that was how they dealt with that concern. Mayor Pro Tem Daniels questioned if after having been at P&Z had they done any additional outreach with the neighbors. Mr. Gillespie indicated that they had not, other than the survey. He stated that they were willing to modify the design if the neighbors would rather see balcony's overlooking the street or parking in front of the street, they were flexible regarding that. He stated they made the assumption since they were designing what they thought was an extremely attractive building

<u>Public Hearing</u>: 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) (cont'd) **(Agenda Item D-1)**

and was good use of the property, that would be accepted. He stated they were willing to address any specific objections.

Fred Swichtenberg, 104 Chelsea Court, Lewisville, Texas, spoke before the City Council in opposition of this item. He stated he lives directly across the street from this property. Mr. Swichtenberg stated that there was a lot of opposition at the P&Z meeting. Mr. Swichtenberg indicated his feeling that this development did not fit in with the design of the street as all the business on this street are all one story and this would be a three-story building. Mr. Swichtenberg expressed his concern that it appeared from the presentation that they want to build this apartment complex ten feet off the road, when all the existing buildings are about 20 to 30- feet off the street.

City Secretary Julie Worster advised that Wanda Swichtenberg, 104 Chelsea Court, Lewisville, Texas had submitted a card indicating her opposition of this item:

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

Councilman Ferguson expressed his concern that based on the plans, primarily 2025, multi-family was not the direction the City wanted to go. He further stated that he was not sure if there was a shortage of three-bedroom units in Lewisville. He stated that he could not support this request and advised that he was in favor of positive motions. Councilman Ferguson made a motion to approve the item as presented and indicated to the City Council that if they were also in opposition of this item being passed, then they could deny his motion. Due to a lack of a second, the motion failed.

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) (cont'd) **(Agenda Item D-1)**

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

Public Hearing: Consideration of Ordinance No. 0041-18-SUP 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) **(Agenda Item D-2)**

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.

Public Hearing: Consideration of Ordinance No. 0041-18-SUP 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) (cont'd) **(Agenda Item D-2)**

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

Mayor Durham opened the public hearing.

Richard E. Luedke, Planning Director and Chris Schmitt, TNP/Brazos, 825 Walter Creek, Allen, Texas, were both present to address any questions posed by the City Council.

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

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

"An Ordinance of the Lewisville City Council, Amending the 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."

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0041-18-SUP**, as previously captioned. The motion carried.

Public Hearing: Consideration of Ordinance No. 0042-18-SUP 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) **(Agenda Item D-3)**

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.

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

Mayor Durham opened the public hearing.

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

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

Public Hearing: Consideration of Ordinance No. 0042-18-SUP 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) (cont'd) **(Agenda Item D-3)**

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

"An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by 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."

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0042-18-SUP**, as previously captioned. The motion carried.

Public Hearing: Consider the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan **(Agenda Item D-4)**

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.

<u>Public Hearing</u>: Consider the Adoption of the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan (cont'd) **(Agenda Item D-4)**

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

Mayor Durham opened the public hearing.

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

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

MOTION: Upon a motion made by Councilman Gilmore and seconded by Deputy Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt the Old Town North Small Area Plan and the Southwest Lewisville Small Area Plan. The motion carried.

<u>Visitors/Citizens Forum</u> **(Agenda Item E)**

Christopher Nelson, 422 Mullins, Lewisville, Texas, spoke before the City Council and indicated his congratulations to Mayor Durham and Councilman Ferguson on their recent re-election. Mr. Nelson advised Councilman Ferguson that he felt Councilman Ferguson should have been at the polling stations during the election and he should be around more in the public. Mr. Nelson thanked the City for letting people know when events were going on in Old Town so they were aware of street closures. He also acknowledged the good work of the Code Enforcement staff. Mr. Nelson suggested that better should be done on litter pickup along 121. He addressed the street reflectors, similar to what is located on 1171 toward I35 on the curbs (it is unclear what Mr. Nelson was referring to in his statements on street reflectors). He stated that he really liked the Old Town Small Plan. He stated that he was seeing some of the same issues that he noticed when he first moved in, lots of rental houses, homeless and vagrants, and people that live on the edge of society and the drug trafficking in the area. He stated that he had informed various members of the Police Department of his concern. He encouraged the City to get after these people. Mr. Nelson referenced prostitution in the area that he had seen. Mr. Nelson stated that he hated to see Old Town Meat Market go and he would miss them but he understood the City had big plans in this area. He stated the City Council was doing good and he'd be back in six months to give an end of the year report from a citizen's aspect.

No one else appeared to speak at this time.

CONSENT AGENDA **(Agenda Item F)**

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

5. APPROVAL OF MINUTES: 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.

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.

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.

The motion carried.

END OF CONSENT AGENDA

<u>Tabled Item</u>: 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 **(Agenda Item G-9)**

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.

The City staff's recommendation was 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.

David Salmon, P.E., City Engineer, and the following representatives from First Baptist Church: Curtis Grant, 2013 Bosbury Drive, Flower Mound, Texas; and Terry Green 1604 Bar Harbor Drive, Flower Mound, Texas; were all available to address any questions posed by the City Council.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve 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, as requested by Jerry Fang, RLG Consulting Engineers, Inc., on behalf of the owner, 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. The motion carried.

Tabled Item: Considering Ordinance No. 0043-18-ORD 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 **(Agenda Item G-10)**

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.

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

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

"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."

MOTION: Upon a motion made by Councilman Troyer and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0043-18-ORD**, as captioned previously. The motion carried.

Consideration of Appointment to the Lewisville High School INCubator Board of Directors **(Agenda Item G-11)**

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.

The City staff's recommendation was 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.

MOTION: Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Daniels, the Council voted five (5) "ayes" and no (0) "nays" to appoint Councilman Gilmore as the City's representative to the Lewisville High School INCubator Board of Directors and Councilman Troyer as the alternate member. The motion carried.

Consideration of Establishing the Name of the Multi-Generational Recreation Center **(Agenda Item G-12)**

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.

The City staff's recommendation was that the City Council select the name for the multi-generational recreation center.

Director of Parks and Recreation Stacie Anaya completed the attached PowerPoint Presentation of the Discussion of MGC Committee Name Recommendation, Construction, and Logistical Consideration Regarding Existing Activities.

City Manager Barron advised there were two options before the City Council. She recommended that they first focus on the name of the facility, and then the tag line.

Mayor Pro Tem Daniels expressed his appreciation for all the work that has been done. He advised that he felt both names would work; however, he was partial to Thrive.

Deputy Mayor Pro Tem Jones advised that he liked the logo for Thrive better than the name Thrive; however, he was ready to go in whichever direction the City Council decides.

Consideration of Establishing the Name of the Multi-Generational Recreation Center (cont'd) **(Agenda Item G-12)**

Councilman Gilmore thanked everyone who had put their time and effort into this process. He stated that both are verbs that give action and meet the requirements and either tag line looks good. He stated that he was leaning toward Thrive.

Councilman Ferguson advised there were different possible meanings for Rise and his concern with those meanings. He stated that Thrive had one definition and was universal and means exactly what it means in other languages, or it does not translate. He advised that he was in favor of Thrive.

Councilman Troyer stated that when Rise was first presented, he was one of the members that did not like it at all; however, after sitting through committee meetings and relooking at the names, Rise had grown on him. He stated that when Thrive was presented it grabbed him, especially the logo with the change that had been made and he was definitely in favor of Thrive.

Mayor Durham stated that he was also leaning toward Thrive.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Troyer, the Council voted five (5) "ayes" and no (0) "nays" to select the name "Thrive" for the multi-generational recreation center. The motion carried.

Discussion was held regarding the tagline. The consensus of the City Council was that the City Council would not have input on the tagline and to let the tagline(s) utilized be determined by the marketing group and staff.

Mayor Durham advised that the City Council would be returning to the City Council Conference Room to continue the Workshop Session discussion of the Workshop Item B – Discussion of Rodeo Arena. City Council returned to workshop session at 8:02 p.m.

With the City Council all present in the City Council Conference Room, the continuation of the Workshop Session began at 8:05 p.m.

Discussion of Rodeo Arena **(Workshop Agenda Item B)**

At the request of City Manager Barron, Director of Communications and Tourism James Kunke conducted the attached PowerPoint regarding the Rodeo Arena.

Discussion was held that both parking and funding were definitely part of the issues. Based on the inquiry of Mayor Durham, City Manager Barron advised that the City Council's options were to direct staff to do some minimal fixes to allow the rodeo to be held this year and then step back and consider the options; direct staff to do all the fixes; direct staff to do nothing and not have the rodeo held. Discussion was held that if it was not held this year it likely would never be held there again.

Mayor Pro Tem Daniels indicated his desire to continue the rodeo in this location, as well as bringing other events that could be brought to this location. He also expressed his desire to not build a concession stand but take advantage of food trucks which would be a better option in this situation. He stated that the rodeo grounds are part of the roots of Lewisville and what makes Lewisville a small town. He stated that if they are going to do it, it needs to be done right. Councilman Troyer indicated his agreement with Mayor Pro Tem Daniels' comments and stated if they are going to do it, then do it all the way.

Deputy Mayor Pro Tem Jones questioned future use of this location due to parking concerns. He stated perhaps a step back should be taken to determine the best location to hold the rodeo, perhaps temporarily fixing what needs to be done for this year and then making that determination. Discussion was held regarding other areas within the City that may be suitable for this venue and the costs that may be involved.

Discussion was held regarding costs and future funding needs to continue holding the rodeo in this location, or a potential different location. The consensus of the City Council was to direct City staff to do what it takes to get the rodeo arena safe and operational for the 2018 Rodeo and then to bring back options for City Council to consider for the future.

Councilman Gilmore referenced the Small Area Plan for this area and indicated that this could be a real anchor corner for this community that was not discussed in the plan, although there was some emphasis. He requested that City staff look at what could be done to make this more attractive to the neighbors for its use and make it a useable park space when not being used for events. He stated if it could be explored way to make that more usable year around as a park it would make him feel better about investing in the space. Discussion was held that the City Council wanted to have different options for this location use. Additional discussion was held regarding the cost to band-aid fixes to hold the rodeo in 2018 and potentially moving the location in the future having just spent money for just one rodeo.

Discussion of Rodeo Arena (cont'd) **(Workshop Agenda Item B)**

City Manager Barron indicated that some of the fixes could hopefully be relocated should the City Council decide to move the location following the 2018 rodeo. Councilman Ferguson stated that in spending $200,000 for one rodeo, he had to ask himself what he was doing; however, at the same time he was not willing to cancel this rodeo. He started the question, if they moved the location how do they get a return on the money spent and that he felt that was being able to utilize the facility for other events. He stated he was no keen to go out and reproduce this on another piece of property, even if larger, was a good return for the money.

Discussion was held that the $800,000 would provide for a nice small-town rodeo, which was the tradition in Lewisville. At the inquiry of Mayor Durham, City Manager Barron and Director of Public Services Keith Marvin advised that it could be made safe for 2018; however, the other items timeline was unknown. Discussion was held regarding the location of the restrooms in order to make more use of the location.

City Manager Barron confirmed that the City Council wanted staff to get it ready for the 2018 rodeo with the understanding that the City Council wanted it there for long term as a small town rodeo. She further confirmed that she was not to bring back other options until directed by the City Council. Councilman Gilmore requested if this was how it was proceeded, he would prefer to see it designed and not just utilize it as it currently exists if $800,000 was going to be spent. City Manager Barron indicated based on Council direction, City staff could bring in a 3rd party to help with the design of the rodeo amenities.

Reports **(Agenda Item H)**

There were no reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:48 p.m. Monday, July 2, 2018, in accordance with the requirements of the Open Meetings Law.

Closed Session **(Agenda Item I)**

In accordance with Texas Government Code, Subchapter D, the Lewisville City Council convened into Closed Session at 8:48 p.m. on Monday, July 2, 2018, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

Section 551.074 (Personnel):

1. Discussion of Election of Mayor Pro Tem and Deputy Mayor Pro Tem

Section 551.072 (Real Estate):

2. Property Acquisition

Section 551.087 (Economic Development):

3. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 9:07 p.m. on Monday, July 2, 2018.

Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Closed Session **(Agenda Item J)**

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 9:07 p.m. on Monday, July 2, 2018, in the Council Chambers of the Lewisville City Hall.

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

MOTION: Upon a motion made by Mayor Pro Tem Daniels and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to appointed Councilman Brandon Jones as Mayor Pro Tem and Councilman Bob Troyer as Deputy Mayor Pro Tem. The motion carried.

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

Adjournment **(Agenda Item K)**

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Troyer, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 9:08 p.m. on Monday, July 2, 2018. The motion carried.

These minutes approved by the Lewisville City Council on the 6th day of August, 2018.

APPROVED

_____
Rudy Durham
MAYOR

ATTEST:

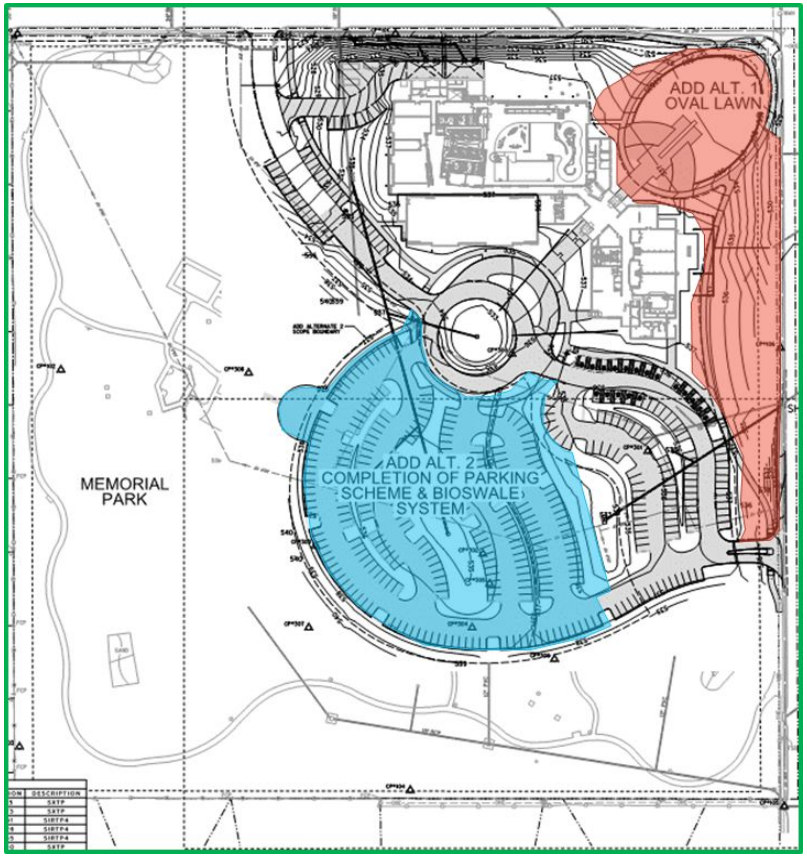
_____
Julie Worster
CITY SECRETARY

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

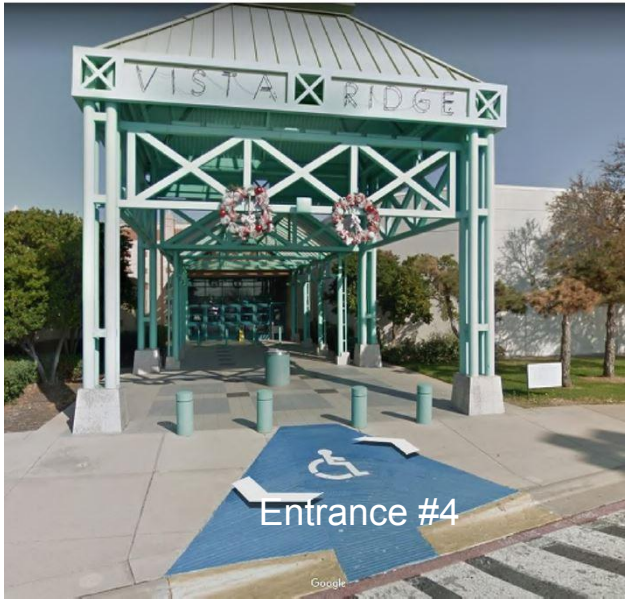


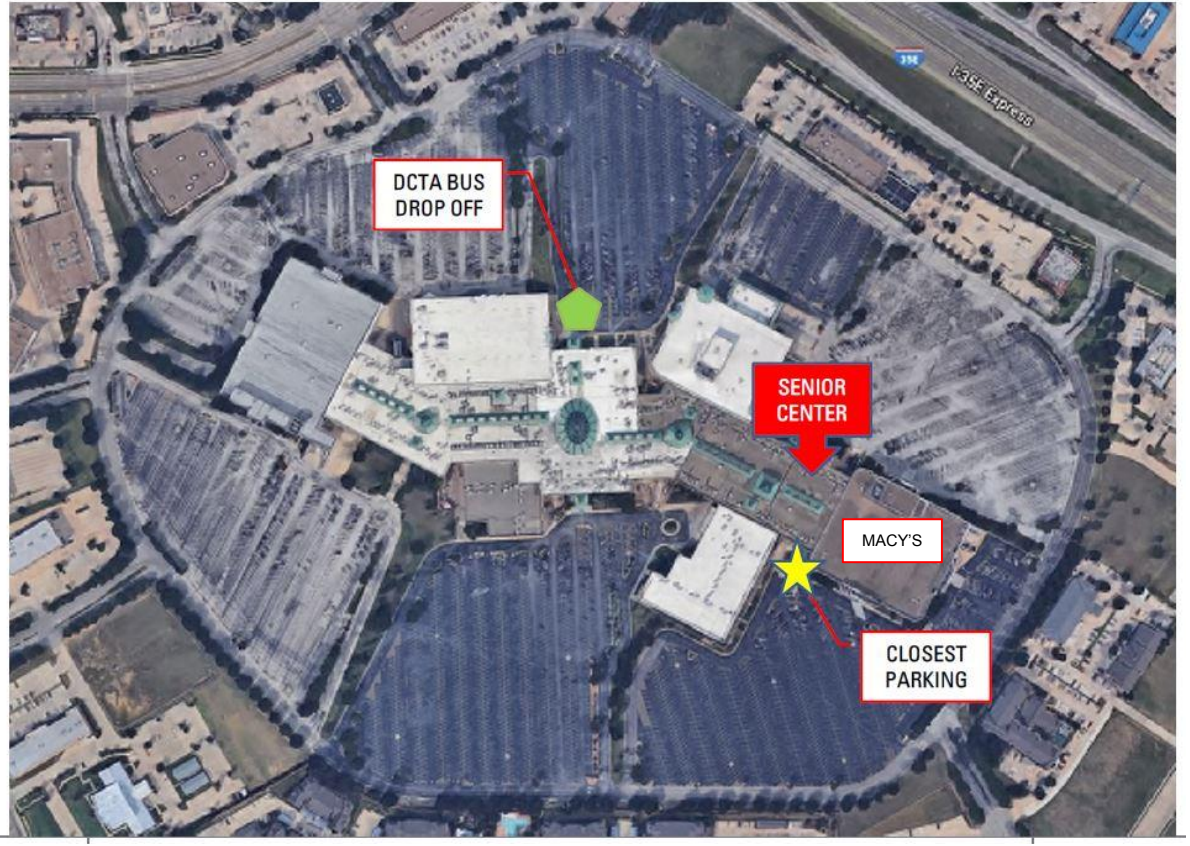
Interim Operations

- 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

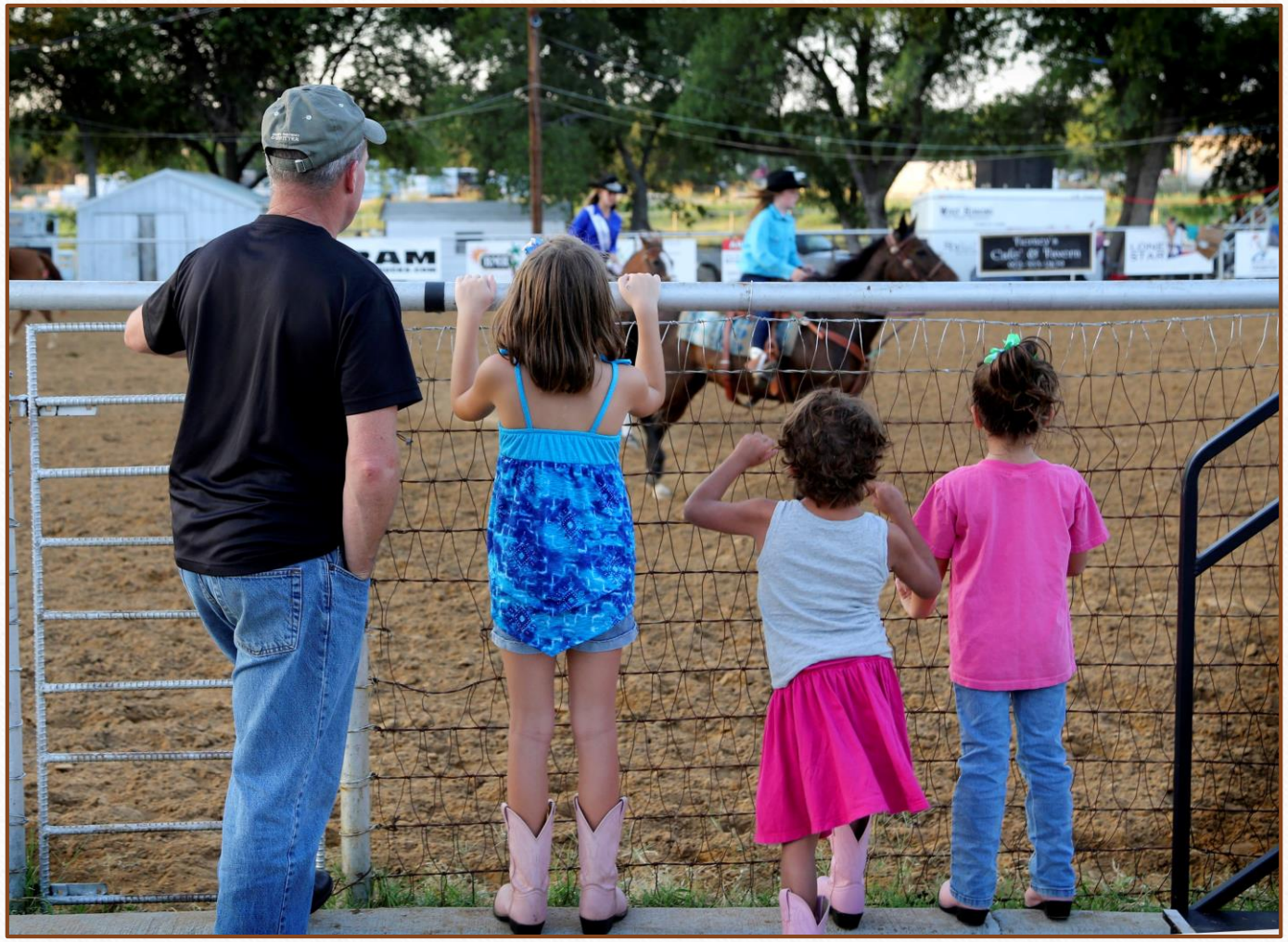
- July 2 - City Council Meeting
  - GMP and Additive Alternates
  - Selection of name, logo and tagline
- July 6 and 7 - last days of operation for SAC and MRPC
- July 9 - 20 - Interim Operations of SAC in Community Room
- July 16 - Byrne begins move-in to site
- July 20 - Groundbreaking
- July 23 - 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?

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

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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

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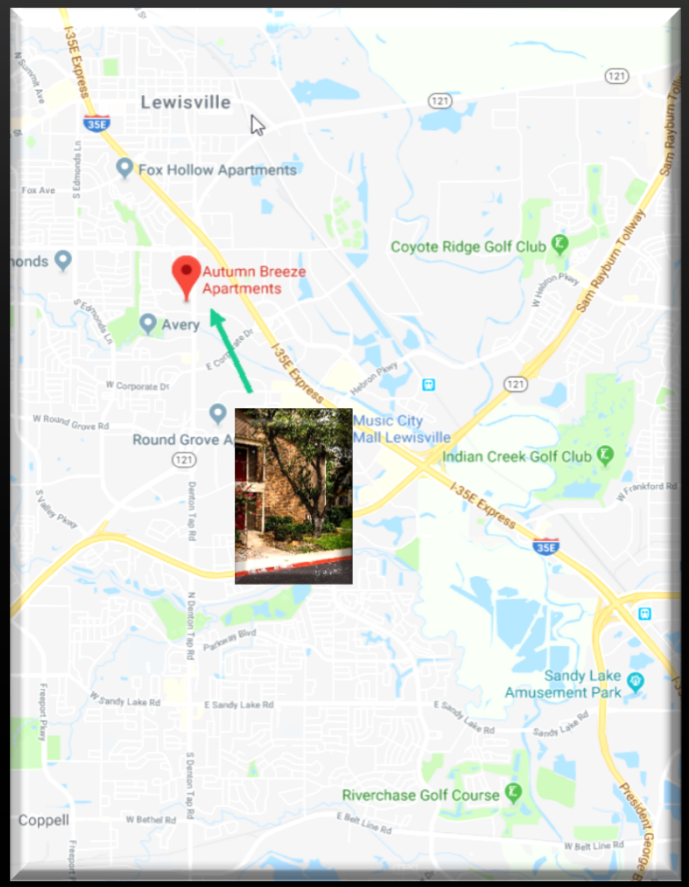
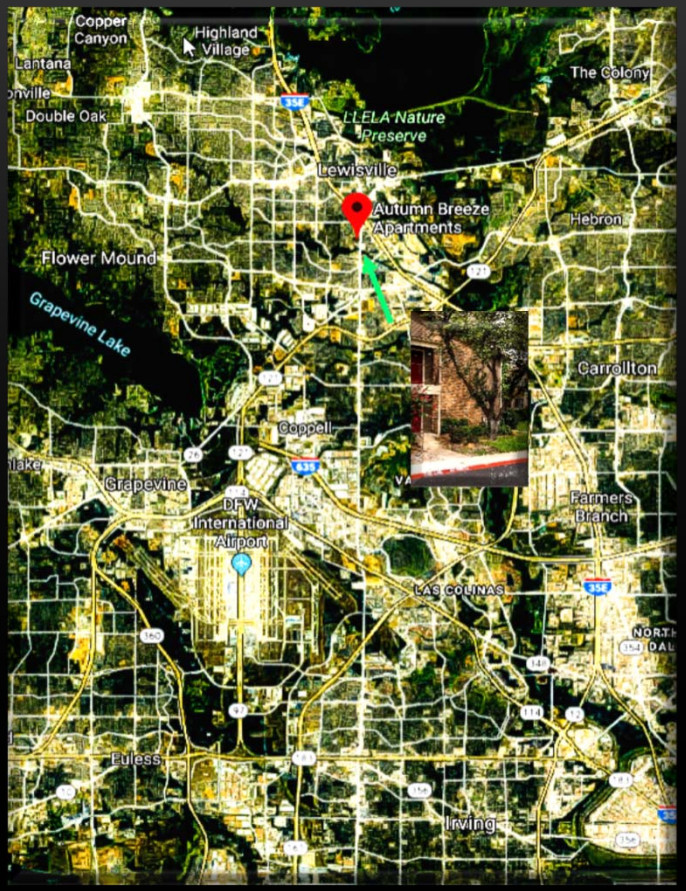
YACHT HARBOR PROPERTIES

Locational Map & Aerial

AUTUMN BREEZE



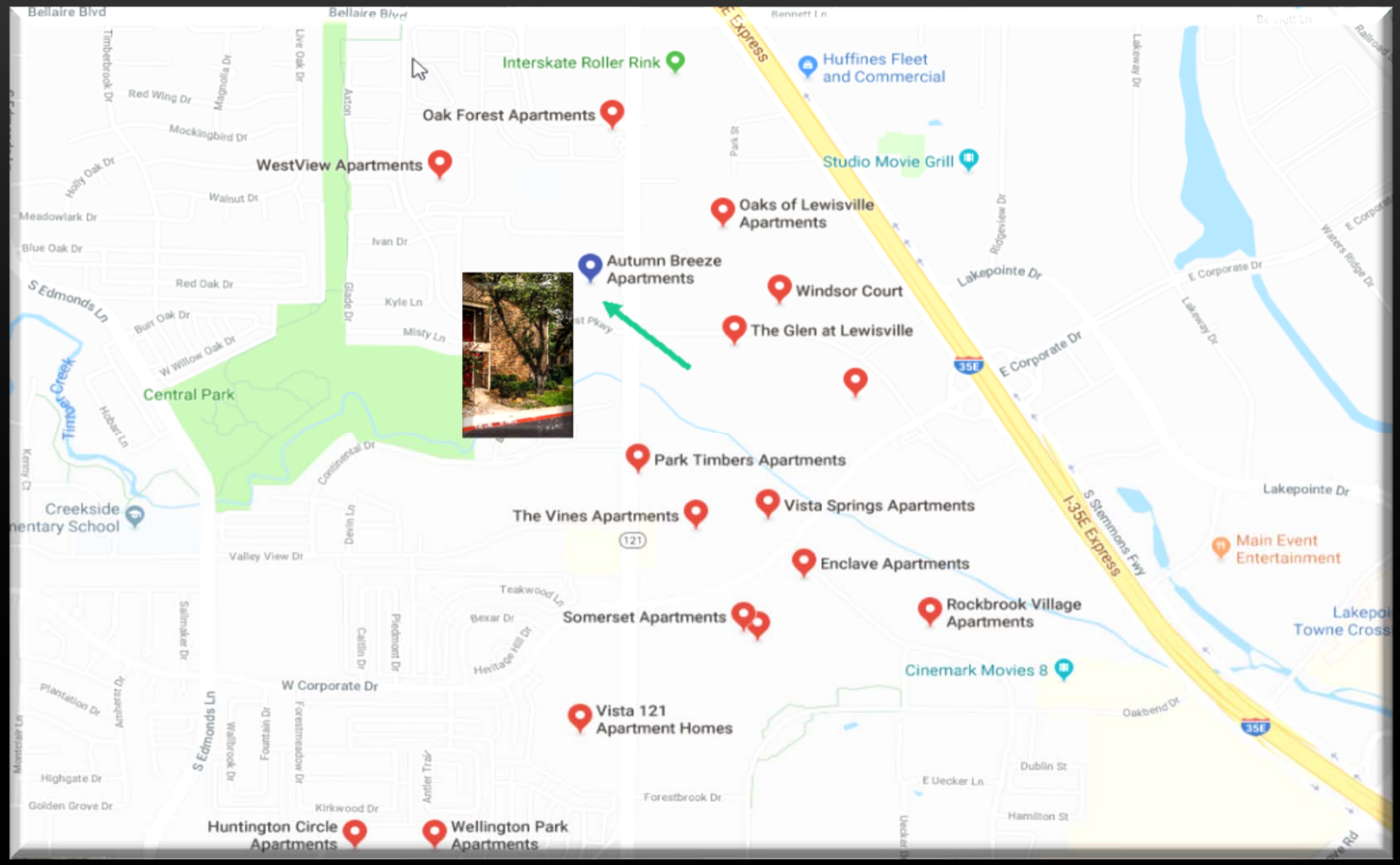


YHP

YACHT HARBOR PROPERTIES

Location Map

AUTUMN BREEZE

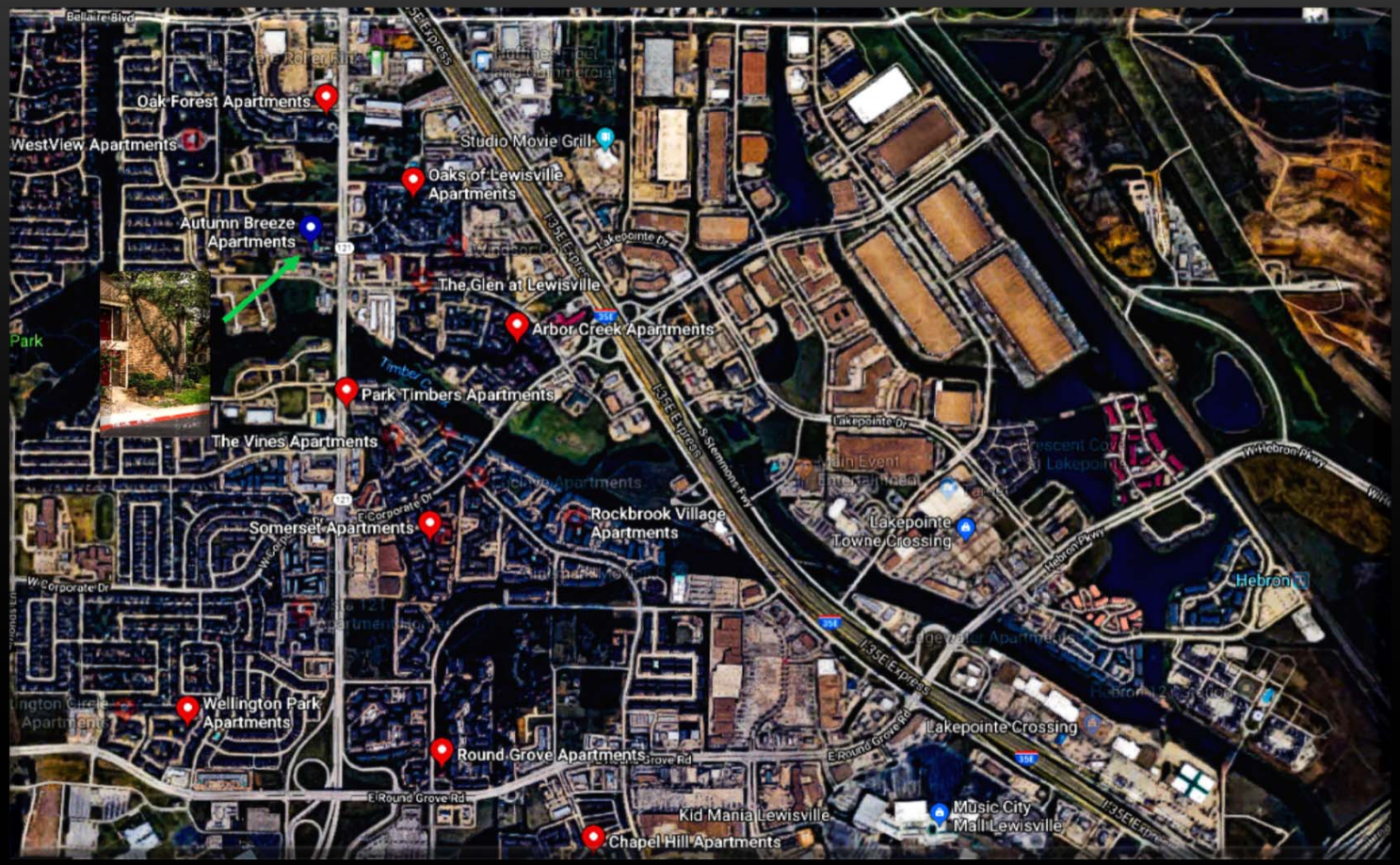


YHP

YACHT HARBOR PROPERTIES

Aerial View

AUTUMN BREEZE

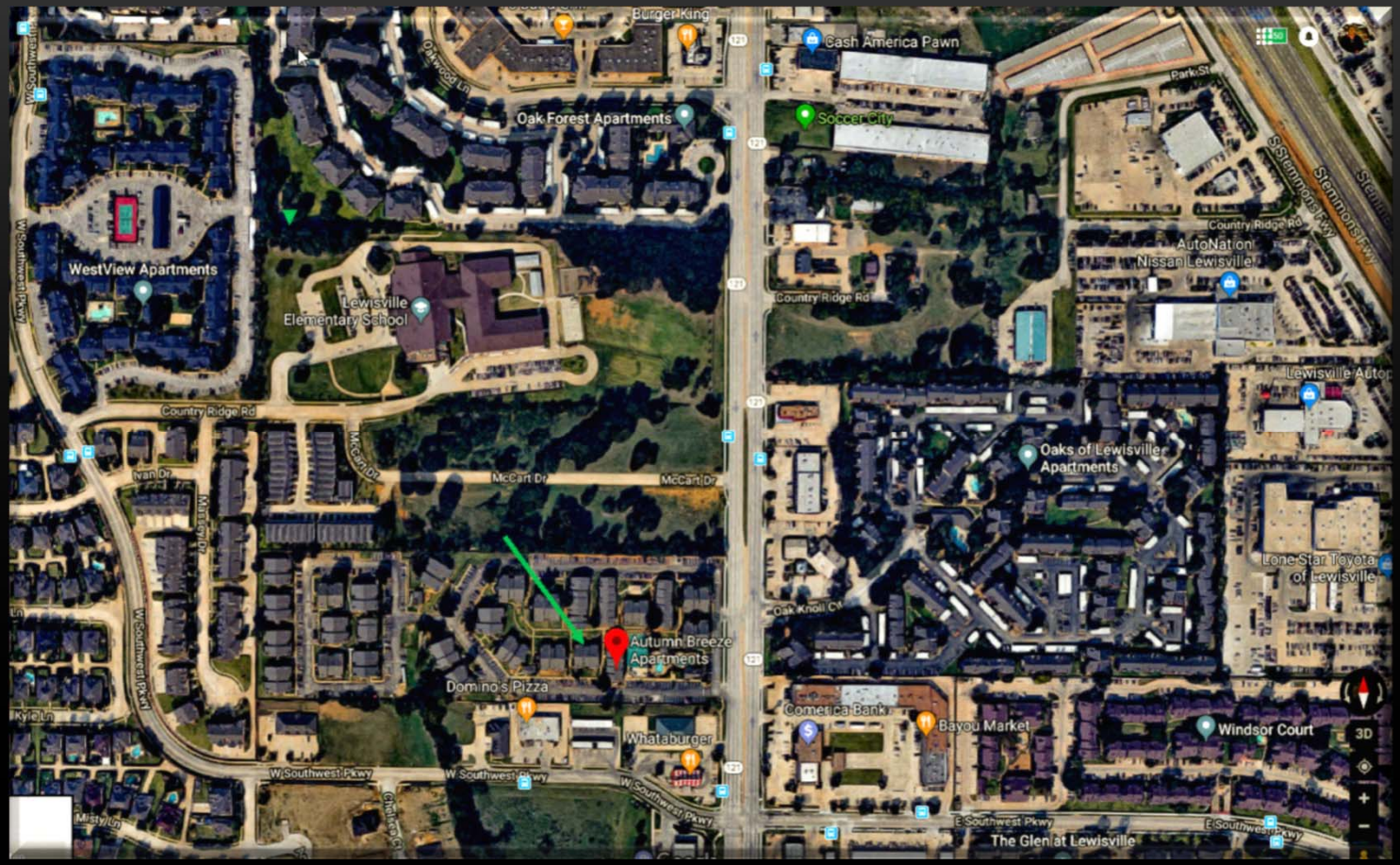


YHP

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

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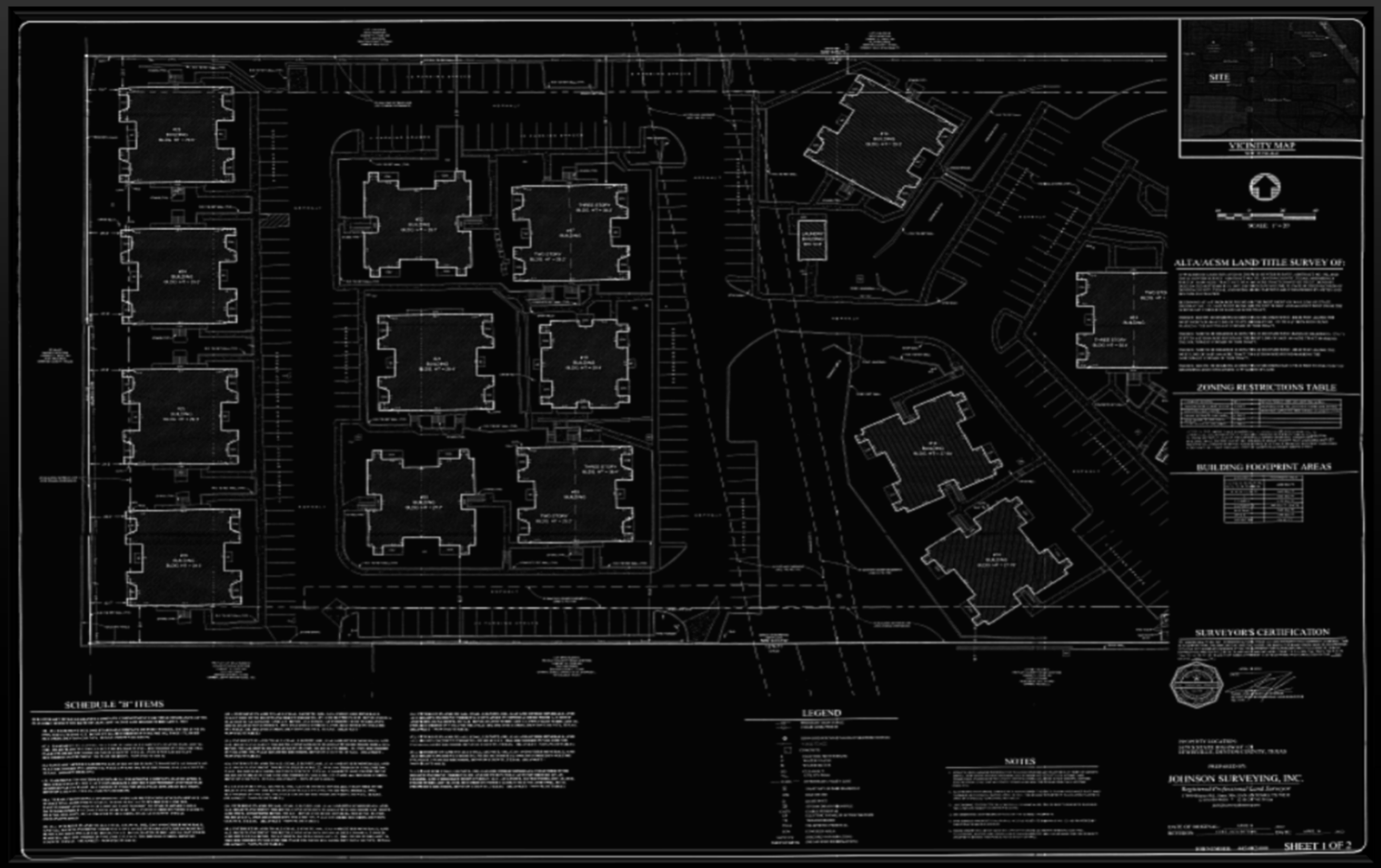
Survey Page 1

AUTUMN BREEZE



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Survey Page 2

AUTUMN BREEZE

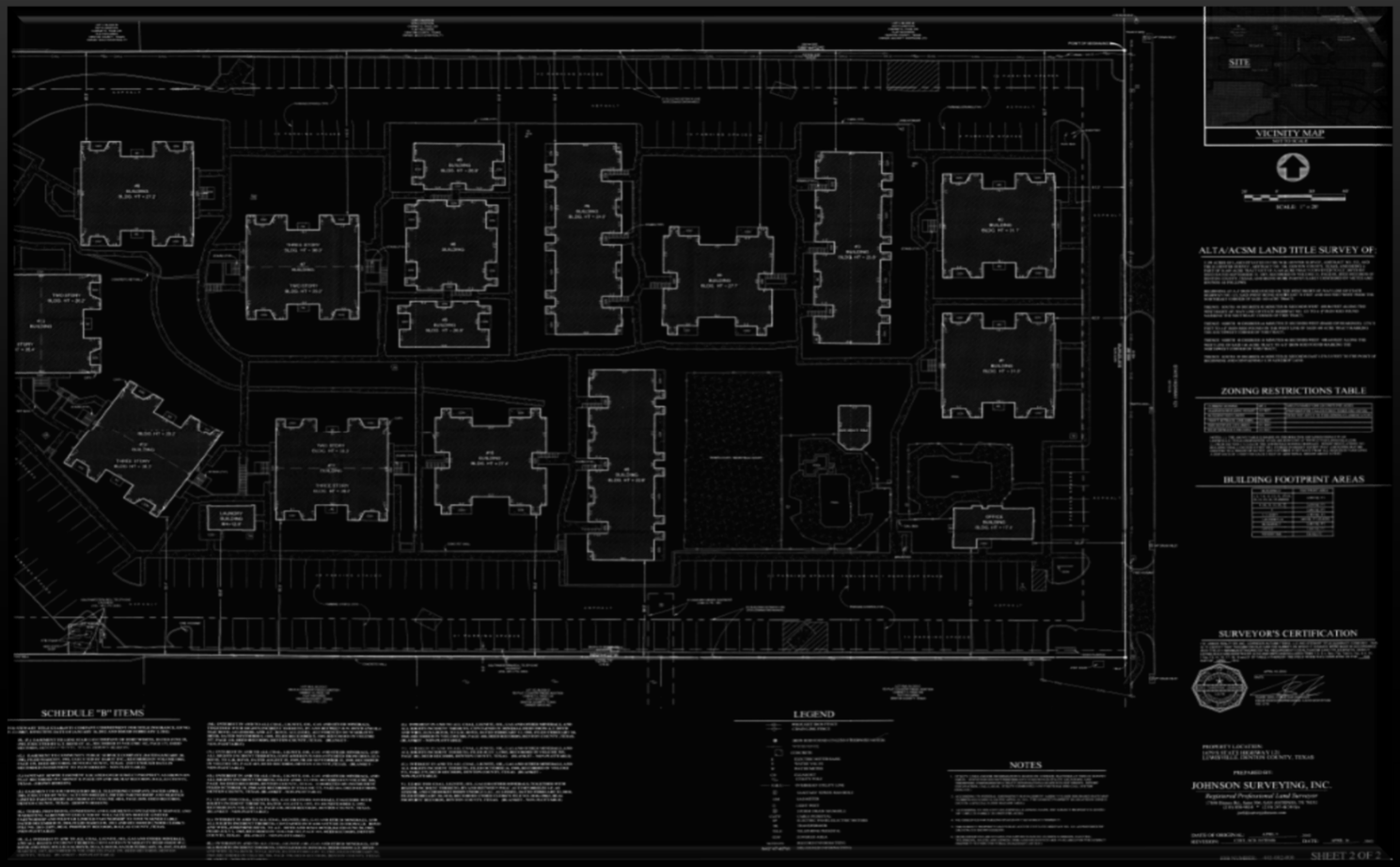

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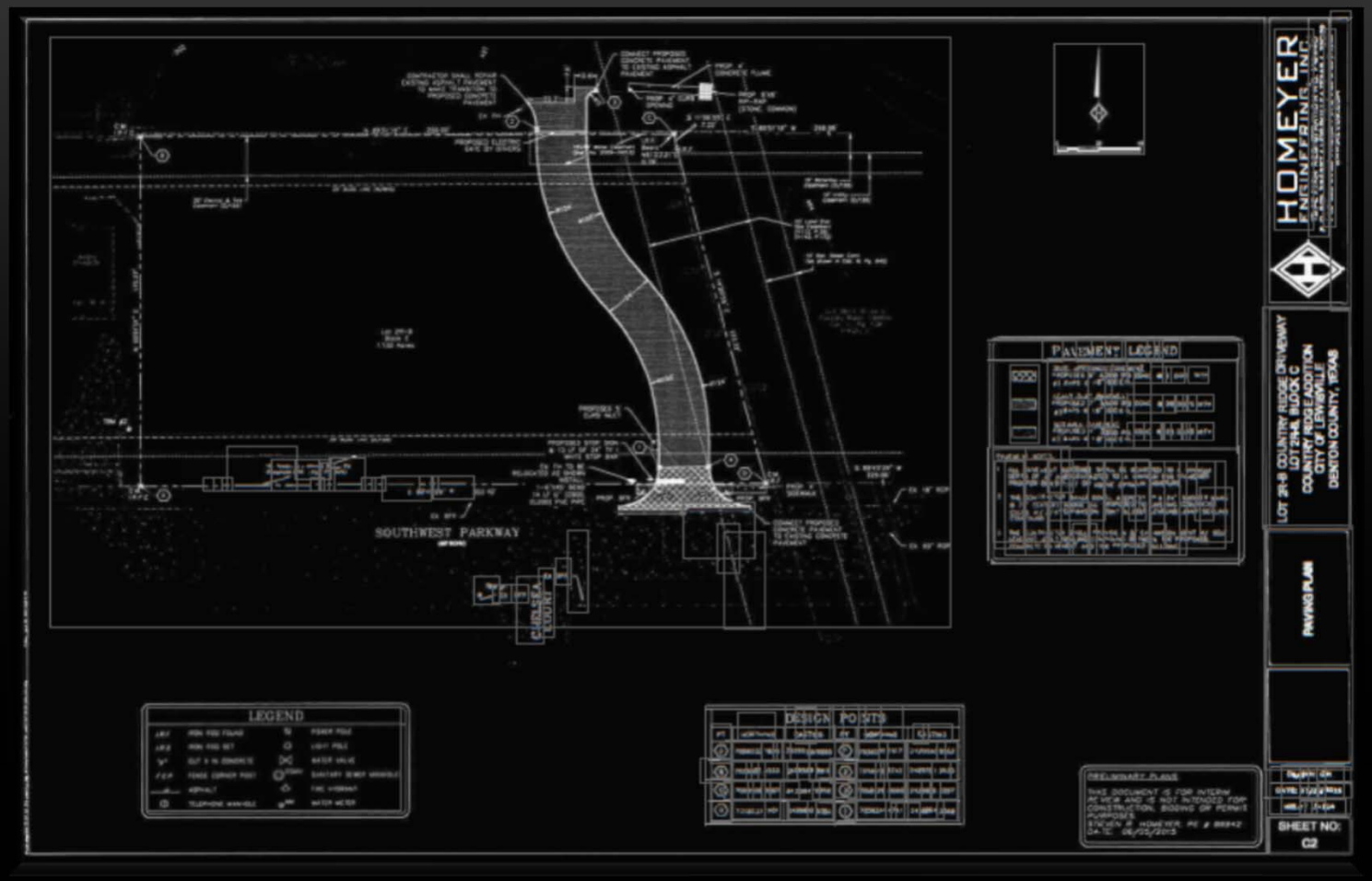
Exhibit C

AUTUMN BREEZE



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YACHT HARBOR PROPERTIES

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