



LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS
VIA TELEPHONE CONFERENCE
TOWN COUNCIL MEETING
NOVEMBER 12, 2020 7:00 P.M.

NOTICE IS HEREBY GIVEN Pursuant to section 551.127 of the Texas Government Code, and in conjunction with the guidance and provisions provided by the Governor of Texas in the declaration of disaster and subsequent executive orders altering certain Open Meetings Act requirements and banning gatherings of more than 10 people, the Town Council of the Town of Lakewood Village will conduct the meeting scheduled at the date and time above at Lakewood Village Town hall, 100 Highridge Drive by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be **no in-person public access** for the agenda items at the location described above and less than a quorum may be physically present at the location.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at *lakewoodvillagetx.us*. The public toll-free dial-in number to participate in the telephonic meeting is hosted through ZOOM. The dial in number is: 346-248-7799. You will be prompted to enter the meeting ID number: 846 4276 2053, and you will be prompted to enter the passcode: 532393.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. **Persons wishing to speak before the Council must notify the Town Secretary via email, linda@lakewoodvillagetx.us, no later than 6:30 p.m. on the date of the scheduled meeting. The email must include your name, full address, and the agenda item on which you wish to speak.** A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. **PLEDGE TO THE FLAG:**

B. **VISITOR/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. The council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

C. **PUBLIC HEARING** – A public hearing is scheduled on the requested annexation of A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres.

D. **REGULAR AGENDA:**

1. Consideration of Variance for 424 Peninsula, Front Facing Garage (Asbell)
2. Discussion of Concrete Roads (Vargus)
3. Discussion of Traffic Warrant Study (Vargus)
4. Consideration of Municipal Services Agreement with LEISD (Asbell)
5. Consideration of Contract for Water/Wastewater Operations (Vargus)
6. Discussion of Rocky Point Water System/Last Resorts Water System (Vargus)
7. Discussion on Remote Read Water Meters (Vargus)
8. Discussion on Parking in Construction Zones (Vargus)
9. Discussion on Nuisance Ordinance (Vargus)

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR AGENDA
NOVEMBER 12, 2020**

- E. EXECUTIVE SESSION:** – In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:
1. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards;
 2. § 551.071(1), Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Patterson Professional Services.
 3. § 551.074, Texas Government Code to wit: Personnel Matters – Annual Performance Review of Town Secretary
 4. § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, and Project Left Field; and
 5. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, Sanctuary at Sunset Cove, and Project Left Field.

F. RECONVENE: Reconvene into regular session

G. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 5:06 p.m. on Monday, November 9, 2020.



Linda Asbell

Linda Asbell, TRMC, CMC, Town Secretary

The Town 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), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more board members of the LAKWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD board.



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillage.tx.us

REVISED: 10/09/2014

APPLICANT / OWNER

Applicant Name Chad Hammonds	Address 426 Peninsula Dr. Lakewood Village, Tx 75068
Day Time Telephone 940.391.9135 / 940.391.0529	
Email my2hamms@yahoo.com	
Owner Name Same as Applicant? <input checked="" type="checkbox"/> Yes	Address
Day Time Telephone	
Email	

PROPERTY

Address or General Location 426 Peninsula Dr. Lakewood Village, Tx, 75068	
Legal Description (if Platted) lot 31 Block B	
Lot Size 12912 sq ft.	<input type="checkbox"/> Square Feet OR <input type="checkbox"/> Acres
Zoning Classification	
Existing Use of Land and/or Building(s) Empty Lot	

REQUESTED VARIANCE

Variance to Section(s) of the Ordinance Front Facing Garage
Current Ordinance Requirement(s) Front Facing Side entrance garage
Requested Variance(s) Front Facing Garage due to lot size and shape in order to meet bottom floor sq. ft requirements and garage size.



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and the authorizing the applicant to represent the person, organization, or business that owns the property.

If not platted, a metes and bounds legal description of the property.

A written statement documenting the reason for the variance(s), including evidence that the request complies with the following criteria as required for approval of a variance.

- 1) A unique physical condition exists within or adjacent to the subject tract or structure(s) located thereon which distinguishes it from other similarly situated, and which creates an exceptional hardship, difficulty, or inequity that would result from literal enforcement of the ordinance;
- 2) The condition or characteristic noted above is not caused by an action of the property owner, occupant, or applicant;
- 3) The variance is the minimum amount necessary to allow a reasonable use of the property;
- 4) The sole reason for the variance is not a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship;
- 5) The variance will not adversely affect public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same district; and,
- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

Chad Hammer

Date

10-25-20



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

TOWN USE ONLY	
Received By Linda Asbell	Receipt Number N/A
Date Submitted 10/25/2020	Case Number N/A
Date Notices Mailed N/A	Date Notice Published N/A
Town Council Meeting Date 11/12/2020	
Decision	
Conditions	

Chad and Melinda Hammonds

426 Peninsula Drive

Lakewood Village, TX-75068

Due to the shape of lot 426 Peninsula Drive it is difficult for us to come up with an aesthetically looking house with a side facing garage that makes our lot functional. The front of the lot is approximately 59 ft. with the rear of the lot in the 537 encroaching approximately 40 ft. With our front property line of only 60 ft. it is difficult for a design that is functional to have a side entry garage while maintain the city ordinance of 2200 Square ft. on the lower level. There are multiple houses in the current neighborhood that have front facing garages. For example 464 Peninsula Drive, 438 Peninsula Drive, and 434 Peninsula Drive. This is just our street alone. There are multiple other houses in the neighborhood that have front facing garages.

We have come up with a design that I believe is unique and will help with the aesthetics in the neighborhood while also making it very functional for us. Having the pull through garage will be very beneficial for us in the future if we decide to have an area to build a workshop or a storage area for parking our jet skis or parking or even simply pulling the jet skis to the lake. I hope that you agree with Melinda And I as we are excited about moving to Lakewood Village to start our dream of owning lakefront property and build lasting relationships in a small community. If you need further information please contact Chad @ 940-391-0529 or Melinda @ 940-391-9135.

Thank You,

Chad and Melinda Hammonds



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

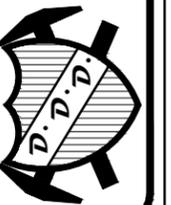
A CUSTOM PLAN FOR:
The Hammonds Family

ATTENTION:
ALL DIMENSIONS AND CALL OUTS TO BE VERIFIED PRIOR TO FABRICATIONS. THESE PLANS ARE INTENDED FOR THE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY COMPLETE THIS PROJECT. THIS MEANS THESE PLANS MUST BE VERIFIED AND CHECKED COMPLETELY BY THE PERSONS IN AUTHORITY FOR THIS JOB. ALL CONSTRUCTION CODES TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS.

Dotson Drafting & Design
Chris A. Dotson

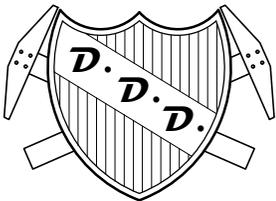
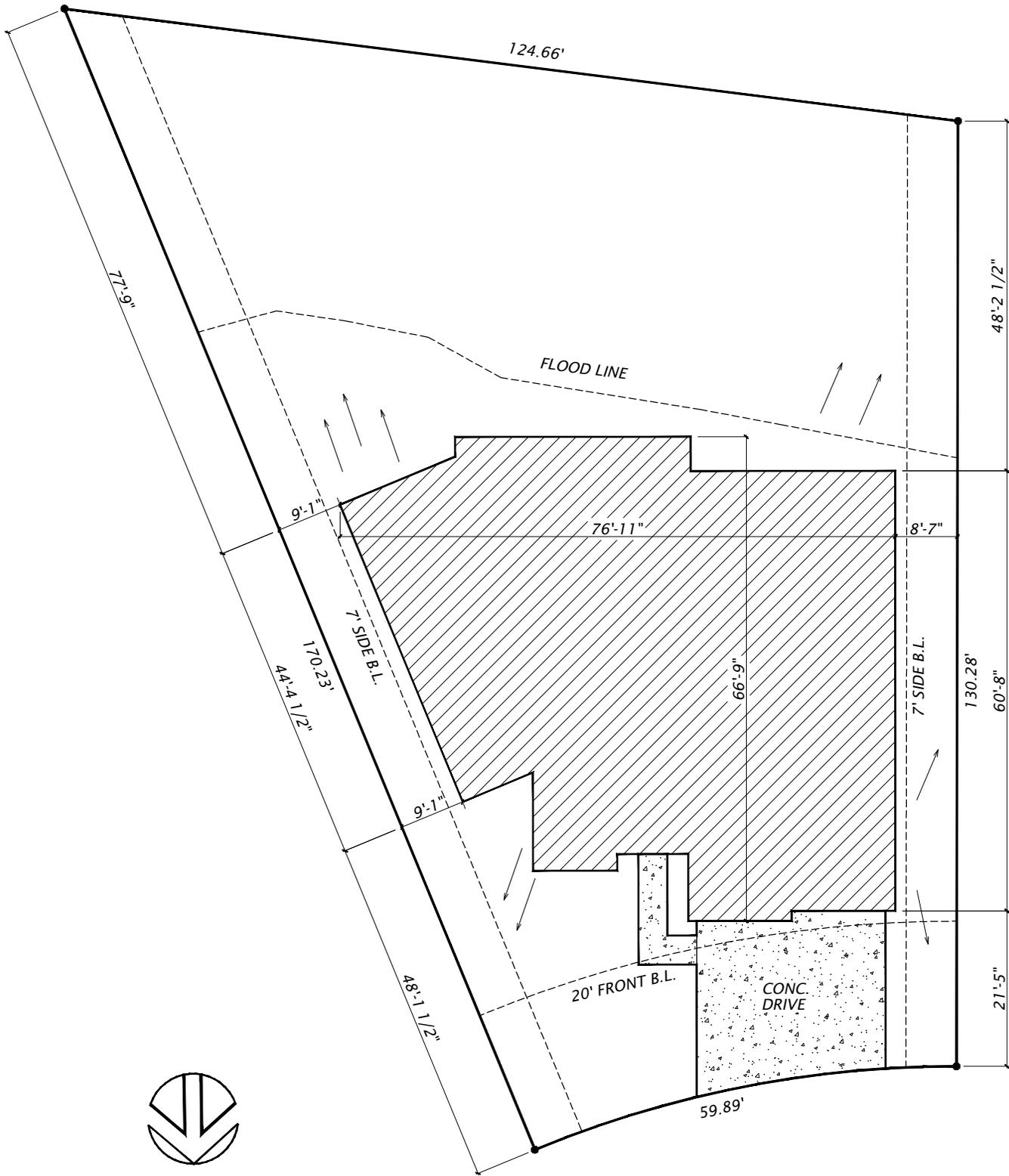
4941 AUSTIN CIRCLE
SANGER, TEXAS 76266
PH: 940-367-9043

cadbycad@yahoo.com / www.facebook.com/dotsondrafting



DATE:
10/08/20

PAGE
3 OF 7



Dotson Drafting & Design

Chris A. Dotson
 4941 AUSTIN CIRCLE
 SANGER, TEXAS 76266
 PH: 940-367-9043
 cadbycad@yahoo.com

LOT COVERAGE
 Lot = 12912 sqft
 House = 3906 sqft
 Flat work = 668 sqft
 Total coverage = 4574 sqft or 35.72 %

Subdivision LAKWOOD VILLAGE		A Custom Residence For : THE HAMMONDS FAMILY		REVISIONS
Lot 31	Blk B	Date 04/16/18		
N. PENISULA DRIVE, DENTON, TEXAS			SCALE: 1" = 20'-0"	



Technical Memorandum

November 6, 2020

To: Dr. Mark Vargus - Mayor
Town of Lakewood Village

From: Nathan New, P.E.
Payton Arens, P.E.

RE: **Eldorado Parkway Traffic Signal Warrant Analysis in Lakewood Village, Texas**

INTRODUCTION

Kimley-Horn and Associates, Inc. was retained by Town of Lakewood Village to perform a Traffic Signal Warrant Analysis (TSWA) at the future intersection of Eldorado Parkway and Lakewood Boulevard (proposed) in the Town of Lakewood Village. A previous study, dated April 5, 2019 and provided as an **Attachment**, evaluated roadway alternatives to determine the best location for a roadway connection along Eldorado Parkway that will serve as the major ingress/egress roadway to the Town long term. Lakewood Parkway, identified as Alternative 1 in the aforementioned study, was recommended due to sight distance and access spacing. Development south of Eldorado Parkway is planned and includes Lakewood Boulevard as the primary access road. Preliminary plans for roadway improvements, land development, and TSWA location are shown in **Figure 1**.

EXISTING CONDITIONS

The Town of Lakewood Village is located within Denton County in the north Dallas - Fort Worth metropolitan area. Lakewood Village is an entirely residential town located on a peninsula with three sides surrounded by Lake Lewisville. Access to the Town is limited to one major roadway (Eldorado Parkway) which connects the peninsula to Denton, via Lake Lewisville Toll Bridge to the west and the Town of Little Elm and the City of Frisco to the east.

Eldorado Parkway is a four-lane arterial with a posted speed of 45 miles-per-hour (mph). The typical cross-section along Eldorado Parkway includes two 12' travel lanes separated by a 14' two-way-left-turn-lane. Traffic volumes have increased along Eldorado Parkway at a high rate since the construction of the Lake Lewisville Toll Bridge in 2009 and increased volumes are expected to continue in future years. The Town of Lakewood Village's only entry point off Eldorado Parkway is currently located at its intersection with Lakecrest Drive. The current intersection has an eastbound right-turn deceleration lane of substandard length and is located on a horizontal curve which limits sight distance. In the proposed condition, Lakecrest Drive (west of Highridge Drive) is abandoned and the existing connection is effectively replaced by Lakewood Parkway; the intersection will shift beyond the horizontal curve and a full-length deceleration lane will be provided.

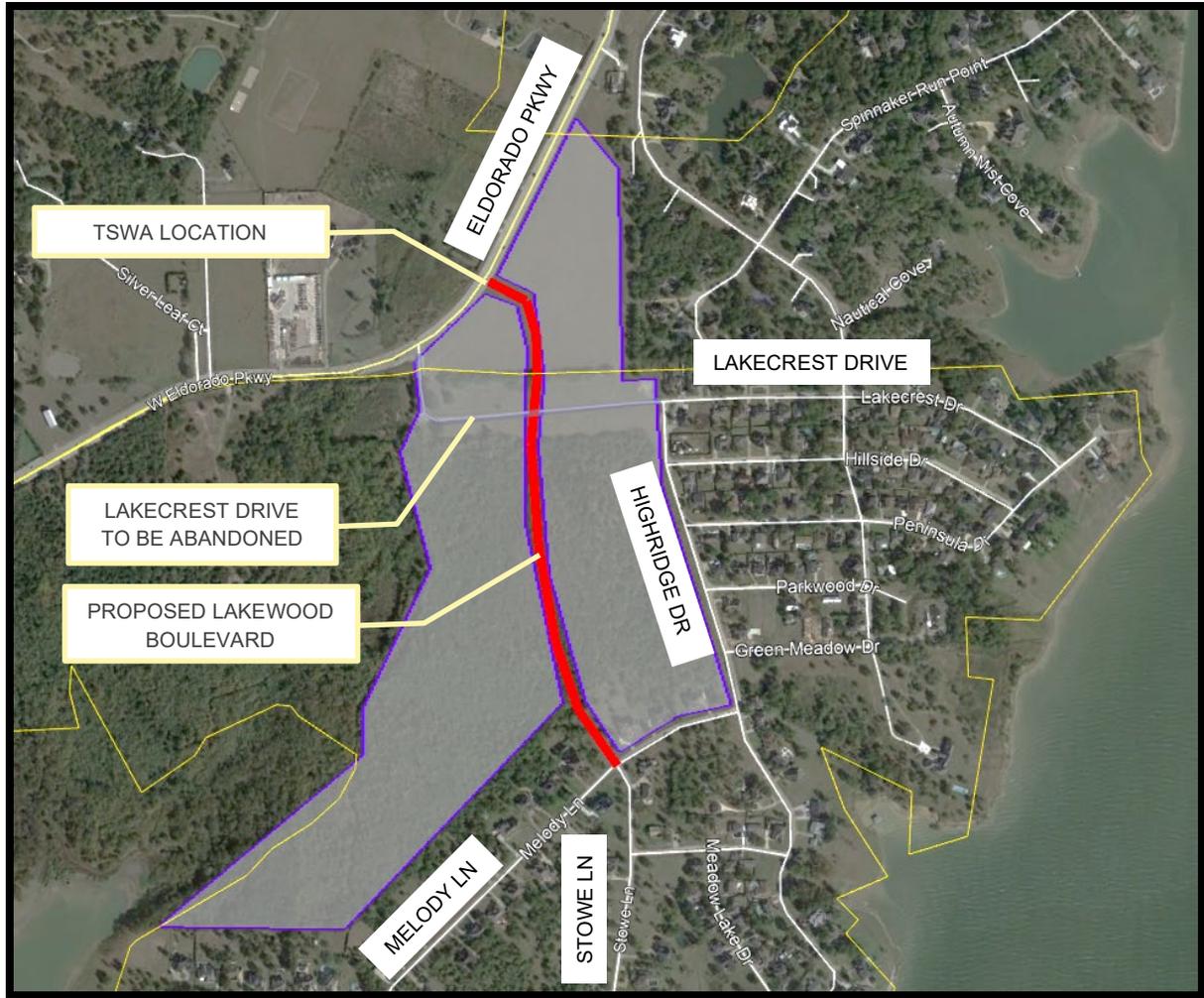


Figure 1 – Planned Roadway Improvements, Land Development, and TSWA Location

EXISTING TRAFFIC VOLUMES

Based on discussion with Town of Lakewood Village, traffic volumes collected in October 2020 are not representative of *existing* conditions due to COVID-19. Therefore, publicly available historic traffic counts were used as the basis for this warrant. Bi-directional 24-hour counts along Eldorado Parkway and Highridge Drive were obtained from North Central Texas Council of Governments historical traffic counts database. Average daily traffic (ADT) along Eldorado Parkway in year 2014 was 14,383 vehicles per day (vpd) and year 2014 ADT along Highridge Drive was 743 vpd. Traffic counts are reported for all hours of day in 15-minute increments and provided as an **Appendix**. Year 2014 ADTs are provided as **Figure 2**.

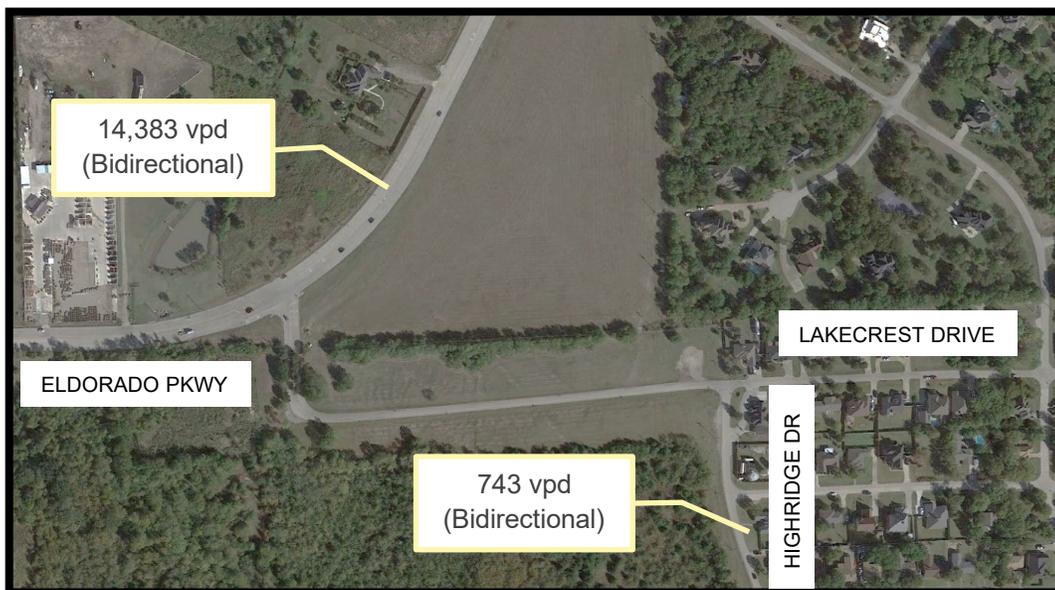


Figure 2 – Year 2014 ADTs

FUTURE TRAFFIC VOLUMES

The aforementioned traffic study for Town of Lakewood Village determined the average annual traffic volume growth rate to be 14.6%. Therefore, to estimate year 2020 traffic volumes, traffic counts along Eldorado Parkway and Highridge Drive were grown at 14.6% annually for 6 years. Consequently, 2020 ADT along Eldorado Parkway is estimated to be 32,581 vpd and 2020 ADT along Highridge Drive is estimated to be 1,681 vpd. As counts are not available by direction, a 50:50 directional distribution was assumed along both roadways.

Planned roadway improvements and land development (shown conceptually as **Figure 1**) will impact traffic patterns in the study area. Currently, Highland Drive connects to Eldorado Parkway via Lakecrest Drive. Lakecrest Drive is planned to be abandoned concurrently with the construction of Lakewood Boulevard.

Lakewood Boulevard is a proposed north-south roadway which will bisect the proposed development. To the south, Lakewood Boulevard will intersect Melody Lane and align with Stowe Lane. Lakewood Boulevard will be parallel to Highland Drive and intersect Eldorado Parkway, east of the horizontal curve. All traffic volumes currently utilizing Highland Drive to access Eldorado Parkway will be redistributed to Lakewood Boulevard. Traffic volumes generated by private development adjacent to Lakewood Boulevard is assumed to be captured in the 14.6% background annual growth rate. Estimated year 2020 ADTs are provided as **Figure 3**.

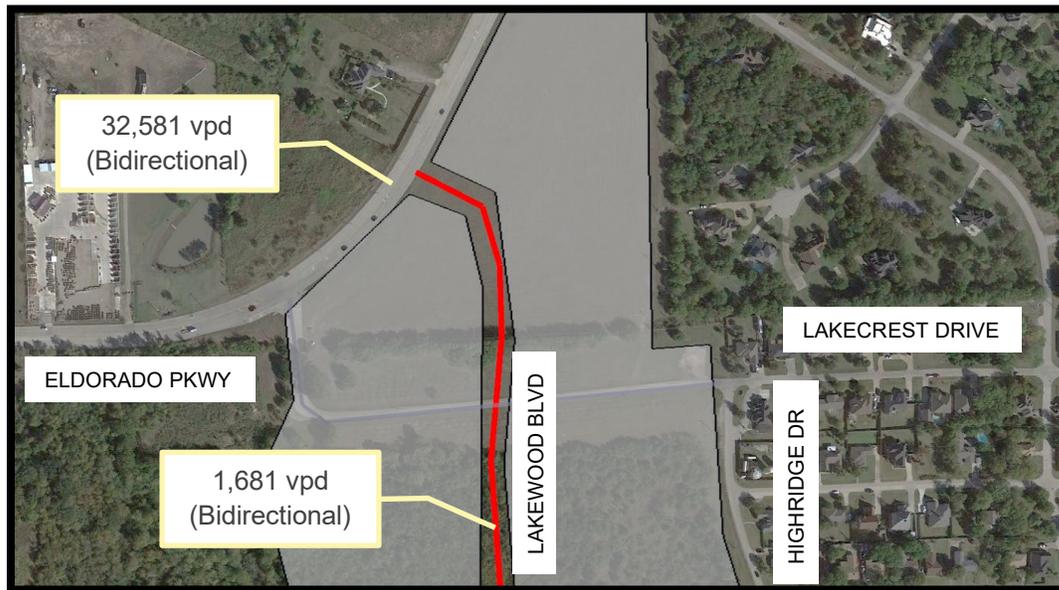


Figure 3 – Estimated Year 2020 Volumes

TRAFFIC SIGNAL WARRANT ANALYSIS

A TSWA was performed at the future intersection of Eldorado Parkway and Lakewood Boulevard using procedures outlined in the 2011 *Texas Manual on Uniform Traffic Control Devices (TxMUTCD)* with revisions (October 2014). 24-hour ADTs were adjusted to reflect future conditions using the methodology described above, then used to evaluate Warrant 1 (Eight Hour Vehicular Volume) and Warrant 2 (Four Hour Vehicular Volume). Warrants 3 through 9 were not analyzed as part of this study.

Several variables affect the thresholds needed to meet the nine signal warrants outlined in the 2011 TxMUTCD. For example, speed on the major road, population characteristics of the surrounding area, number of crashes, and distance to the nearest signal all impact the volumes needed to warrant a traffic signal. It is stated in the TxMUTCD that if the posted speed limit or the 85th percentile speed exceeds 40 MPH for the major street, then traffic volumes in the 70 percent column of Table 4C-1 in the TxMUTCD may be used in place of the 100 percent traffic volumes. Since the posted speed limit on Eldorado Parkway exceeds the 40 MPH speed limit threshold, this reduction was applied to the volumes for the TSWA. Results from the TSWA are shown in **Table 1**. Traffic volume data and further TSWA details are provided as an **Attachment**.

Table 1 – TSWA Results

Traffic Signal Warrant	Eldorado Parkway and Lakewood Boulevard
1. Eight Hour Vehicular Volume	Warrant Met
2. Four Hour Vehicular Volume	Warrant Met
3. Peak Hour Vehicular Volume	<i>Not Applicable</i>
4. Pedestrian Volume	<i>Not Evaluated</i>
5. School Crossing	<i>Not Evaluated</i>
6. Coordinated Signal System	<i>Not Applicable</i>
7. Crash Experience	<i>Not Evaluated</i>
8. Roadway Network	<i>Not Evaluated</i>
9. Intersection near a Grade Crossing	<i>Not Applicable</i>

CONCLUSION

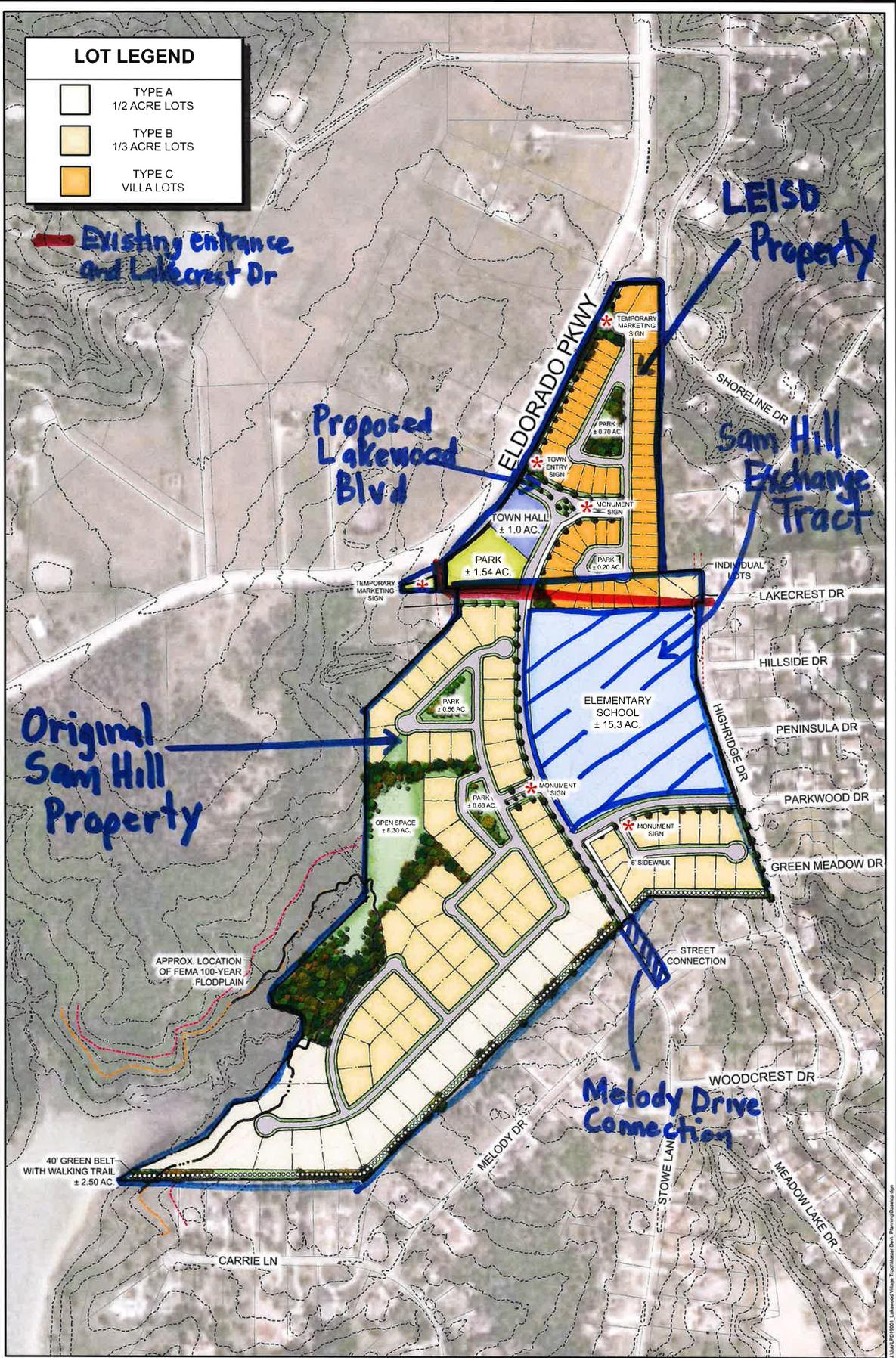
Based on the results of this TSWA, traffic signal control is recommended at the intersection of Eldorado Parkway and Lakewood Boulevard.

Attachments:

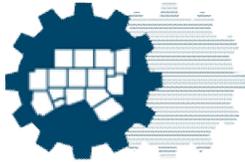
- 1. Land Plan Concept
- 2. Traffic Count Data
- 3. Traffic Signal Warrant Analysis Worksheets
- 4. Eldorado Parkway Evaluation - Thoroughfare Plan Study

LAND PLAN CONCEPT

LOT LEGEND	
	TYPE A 1/2 ACRE LOTS
	TYPE B 1/3 ACRE LOTS
	TYPE C VILLA LOTS



TRAFFIC COUNT DATA



North Central Texas Council of Governments

Time of Day

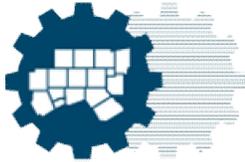
Created on: 2020-10-09

Date 12/03/14
Id 19331
Roadway ELDORADO
From null
To null
City Little Elm
County Denton
Direction Both
Count24hr 14,383
Longitude -96.9725
Latitude 33.1572

Hour	Total
00:00 AM	16
00:15 AM	28
00:30 AM	20
00:45 AM	18
01:00 AM	14
01:15 AM	5
01:30 AM	7
01:45 AM	10
02:00 AM	11
02:15 AM	7
02:30 AM	16
02:45 AM	10
03:00 AM	14
03:15 AM	12
03:30 AM	17
03:45 AM	16
04:00 AM	14
04:15 AM	27
04:30 AM	34
04:45 AM	29
05:00 AM	59
05:15 AM	79
05:30 AM	131
05:45 AM	156
06:00 AM	231
06:15 AM	270
06:30 AM	277
06:45 AM	299
07:00 AM	336
07:15 AM	317
07:30 AM	325
07:45 AM	306

Hour	Total
08:00 AM	289
08:15 AM	250
08:30 AM	277
08:45 AM	166
09:00 AM	175
09:15 AM	173
09:30 AM	149
09:45 AM	160
10:00 AM	157
10:15 AM	167
10:30 AM	157
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02:00 PM	169
02:15 PM	200
02:30 PM	182
02:45 PM	189
03:00 PM	211
03:15 PM	219
03:30 PM	233
03:45 PM	261

Hour	Total
04:00 PM	287
04:15 PM	282
04:30 PM	291
04:45 PM	328
05:00 PM	353
05:15 PM	364
05:30 PM	322
05:45 PM	320
06:00 PM	312
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08:15 PM	121
08:30 PM	111
08:45 PM	100
09:00 PM	97
09:15 PM	91
09:30 PM	69
09:45 PM	82
10:00 PM	63
10:15 PM	53
10:30 PM	55
10:45 PM	26
11:00 PM	24
11:15 PM	50
11:30 PM	45
11:45 PM	37



North Central Texas Council of Governments

Time of Day

Created on: 2020-10-09

Date 12/03/14
Id 19330
Roadway HIGHRIDGE
From null
To null
City Lakewood Village
County Denton
Direction Both
Count24hr 743
Longitude -96.9710
Latitude 33.1398

Hour	Total
00:00 AM	2
00:15 AM	1
00:30 AM	1
00:45 AM	0
01:00 AM	3
01:15 AM	0
01:30 AM	0
01:45 AM	0
02:00 AM	0
02:15 AM	0
02:30 AM	0
02:45 AM	0
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07:15 AM	15
07:30 AM	14
07:45 AM	9

Hour	Total
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10:15 AM	11
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11:00 AM	11
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11:30 AM	6
11:45 AM	10
12:00 AM	7
12:15 AM	13
12:30 AM	10
12:45 AM	11
01:00 PM	14
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01:30 PM	9
01:45 PM	9
02:00 PM	10
02:15 PM	8
02:30 PM	14
02:45 PM	15
03:00 PM	13
03:15 PM	15
03:30 PM	19
03:45 PM	18

Hour	Total
04:00 PM	10
04:15 PM	14
04:30 PM	21
04:45 PM	17
05:00 PM	14
05:15 PM	17
05:30 PM	10
05:45 PM	13
06:00 PM	21
06:15 PM	10
06:30 PM	11
06:45 PM	12
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07:15 PM	8
07:30 PM	7
07:45 PM	6
08:00 PM	6
08:15 PM	9
08:30 PM	9
08:45 PM	10
09:00 PM	8
09:15 PM	7
09:30 PM	6
09:45 PM	4
10:00 PM	3
10:15 PM	0
10:30 PM	2
10:45 PM	3
11:00 PM	0
11:15 PM	0
11:30 PM	0
11:45 PM	0



TRAFFIC SIGNAL WARRANT ANALYSIS WORKSHEETS

TRAFFIC SIGNAL WARRANT ANALYSIS (2014 TXMUTCD)

MAJOR STREET: Eldorado Parkway EB WB # OF APPROACH LANES:

MINOR STREET: Lakewood Boulevard NB # OF APPROACH LANES:

CITY, STATE: Town of Lakewood Village, TX

COMMENTS: Eldorado Parkway Traffic Signal Warrant Analysis in Lakewood Village, Texas

ISOLATED COMMUNITY WITH POPULATION LESS THAN 10,000 (Y OR N):

85TH PERCENTILE SPEED OR POSTED SPEED LIMIT GREATER THAN 40 MPH ON MAJOR STREET (Y OR N):

			Eldorado Parkway (Sum of EB and WB Approaches)	Lakewood Boulevard (NB Approach)
12:00 AM	TO	01:00 AM	186	5
01:00 AM	TO	02:00 AM	82	4
02:00 AM	TO	03:00 AM	100	0
03:00 AM	TO	04:00 AM	134	3
04:00 AM	TO	05:00 AM	236	5
05:00 AM	TO	06:00 AM	963	12
06:00 AM	TO	07:00 AM	2,440	27
07:00 AM	TO	08:00 AM	2,909	55
08:00 AM	TO	09:00 AM	2,224	66
09:00 AM	TO	10:00 AM	1,488	53
10:00 AM	TO	11:00 AM	1,409	52
11:00 AM	TO	12:00 PM	1,364	39
12:00 PM	TO	01:00 PM	1,452	47
01:00 PM	TO	02:00 PM	1,522	51
02:00 PM	TO	03:00 PM	1,676	53
03:00 PM	TO	04:00 PM	2,093	74
04:00 PM	TO	05:00 PM	2,691	70
05:00 PM	TO	06:00 PM	3,078	61
06:00 PM	TO	07:00 PM	2,521	61
07:00 PM	TO	08:00 PM	1,429	32
08:00 PM	TO	09:00 PM	1,017	39
09:00 PM	TO	10:00 PM	768	29
10:00 PM	TO	11:00 PM	446	9
11:00 PM	TO	12:00 AM	353	0

Warrant	Description	Warrant Met?
1	Eight-Hour Volume	WARRANT MET
2	Four-Hour Volume	WARRANT MET
3	Peak Hour Volume	N/A
4	Pedestrian Volume	Not Evaluated
5	School Crossing	N/A
6	Coordinated Signal System	N/A
7	Crash Experience	Not Evaluated
8	Roadway Network	N/A
9	Intersection Near a Grade Crossing	N/A

TRAFFIC SIGNAL WARRANT ANALYSIS (2014 TXMUTCD)

MAJOR STREET: Eldorado Parkway EB WB # OF APPROACH LANES:

MINOR STREET: Lakewood Boulevard NB # OF APPROACH LANES:

CITY, STATE: Town of Lakewood Village, TX

COMMENTS: Eldorado Parkway Traffic Signal Warrant Analysis in Lakewood Village, Texas

ISOLATED COMMUNITY WITH POPULATION LESS THAN 10,000 (Y OR N):

85TH PERCENTILE SPEED OR POSTED SPEED LIMIT GREATER THAN 40 MPH ON MAJOR STREET (Y OR N):

	MAJOR ST TWO-WAY TRAFFIC	MINOR ST TRAFFIC HEAVY LEG	WARRANT 1 - Condition A, Part 1			WARRANT 1 - Condition B, Part 1			WARRANT 1 - Condition A, Part 2			WARRANT 1 - Condition B, Part 2			WARRANT 2
			MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	Four-Hour
THRESHOLD VALUES			420	105		630	53		336	84		504	42		
12:00 AM TO 01:00 AM	186	5													
01:00 AM TO 02:00 AM	82	4													
02:00 AM TO 03:00 AM	100	0													
03:00 AM TO 04:00 AM	134	3													
04:00 AM TO 05:00 AM	236	5													
05:00 AM TO 06:00 AM	963	12	Y			Y			Y			Y			
06:00 AM TO 07:00 AM	2,440	27	Y			Y			Y			Y			
07:00 AM TO 08:00 AM	2,909	55	Y			Y	Y	Y	Y			Y	Y	Y	
08:00 AM TO 09:00 AM	2,224	66	Y			Y	Y	Y	Y			Y	Y	Y	
09:00 AM TO 10:00 AM	1,488	53	Y			Y	Y	Y	Y			Y	Y	Y	
10:00 AM TO 11:00 AM	1,409	52	Y			Y			Y			Y	Y	Y	
11:00 AM TO 12:00 PM	1,364	39	Y			Y			Y			Y			
12:00 PM TO 01:00 PM	1,452	47	Y			Y			Y			Y	Y	Y	
01:00 PM TO 02:00 PM	1,522	51	Y			Y			Y			Y	Y	Y	
02:00 PM TO 03:00 PM	1,676	53	Y			Y	Y	Y	Y			Y	Y	Y	
03:00 PM TO 04:00 PM	2,093	74	Y			Y	Y	Y	Y			Y	Y	Y	
04:00 PM TO 05:00 PM	2,691	70	Y			Y	Y	Y	Y			Y	Y	Y	
05:00 PM TO 06:00 PM	3,078	61	Y			Y	Y	Y	Y			Y	Y	Y	
06:00 PM TO 07:00 PM	2,521	61	Y			Y	Y	Y	Y			Y	Y	Y	
07:00 PM TO 08:00 PM	1,429	32	Y			Y			Y			Y			
08:00 PM TO 09:00 PM	1,017	39	Y			Y			Y			Y			
09:00 PM TO 10:00 PM	768	29	Y			Y			Y			Y			
10:00 PM TO 11:00 PM	446	9	Y						Y						
11:00 PM TO 12:00 AM	353	0							Y						
	32,581	847	18	0	0	17	8	8	19	0	0	17	11	11	4
			8 HOURS NEEDED			8 HOURS NEEDED			8 HOURS NEEDED for both Condition A & B						4 HRS NEEDED
			NOT SATISFIED			SATISFIED			NOT SATISFIED						SATISFIED



ELDORADO PARKWAY EVALUATION - THOROUGHFARE PLAN STUDY



MEMORANDUM

To: Mayor Mark Vargus
Town of Lakewood Village

From: Nathan New, P.E.
Christian DeLuca, P.E.

Date: May 20, 2019

Subject: Eldorado Parkway Evaluation
Thoroughfare Plan Study

Introduction

The Town of Lakewood Village is located within Denton County in the north Dallas - Fort Worth metropolitan area. Lakewood Village is an entirely residential town located on a peninsula with three sides surrounded by Lake Lewisville. Access to the Town is limited to one major roadway (Eldorado Parkway) which connects the peninsula to Denton, via Lake Lewisville Toll Bridge to the west and the Town of Little Elm and the City of Frisco to the east. The Town of Lakewood Village's only entry point off Eldorado Parkway is currently located at its intersection with Lakecrest Drive. The purpose of this memorandum is to determine the best location for a roadway connection along Eldorado Parkway that will serve as the major ingress/egress roadway to the Town long term. This recommendation may be formalized as an amendment to the Thoroughfare Plan at the Town's discretion.

Current Roadway Conditions

Eldorado Parkway is a 4-lane divided arterial with a 45 MPH speed limit. Traffic has been growing along Eldorado Parkway at a high rate since the construction of the Lake Lewisville Toll Bridge in 2009 and is expected to continue in future years (see **Appendix** for historical volumes). The Town of Lakewood Village is reliant on one access point along Eldorado Parkway at Lakecrest Drive. This intersection is on curve section of road which provides limited sight distance and would be problematic as congestion increases requiring signalization.

Lakecrest Drive currently services the 214 existing single-family residences within the Town. Eldorado Parkway has a 60 feet eastbound right-turn deceleration lane at Lakecrest Drive which is far below the TxDOT desirable deceleration length of 375 feet. For a 45 MPH roadway, the minimum allowable deceleration length is 215 feet. The right-turn lane as it currently exists requires drivers to decelerate in the thru lane along Eldorado Parkway increasing congestion during peak hours and increasing probability of a rear-end collisions. Extending the right-turn lane at the existing intersection would be costly due to the bridge located approximately 200 feet to the west of Lakecrest Drive.

Future Roadway Conditions

The Town of Lakewood Village Thoroughfare Plan proposes two additional 2 lane undivided roadways to be constructed in the future as shown in **Figure 1**. The first is a north-south extension of Stowe Lane into Lakecrest Drive and the second is an east-west extension of Hillside Drive to Garza Lane on the westside of the corporate boundaries. Additionally, a new connection to Eldorado Parkway is planned from the extension of Garza Lane on the west side of the Town. In this memorandum we are reviewing the north-south connection of Stowe Lane with Eldorado Parkway. The Town of Lakewood Village recognizes the need to evaluate the existing connection and recommend additional alternative locations to include in their thoroughfare plan for future development. As traffic volumes increase on Eldorado Parkway access will become increasingly difficult in terms of operational delay and safety at the currently unsignalized access point.



Figure 1 - Thoroughfare Plan

Trip Generation

Trip generation was used to approximate existing trips utilizing Lakecrest Drive. Generated traffic volumes are determined through a process known as trip generation. Since the Town of Lakewood Village is entirely residential, the number of houses can be counted and used to estimate traffic entering and exiting the Town via Lakecrest Drive and Eldorado Parkway. This volume will be used to analyze right-turn deceleration lane needs at the evaluated access points.

Table 1 shows the resulting weekday daily, and AM and PM peak hour trip generation.

Table 1 –Trip Generation

Land Uses	Amount	Units	ITE Code	Daily One-Way Trips	AM Peak Hour One-Way Trips			PM Peak Hour One-Way Trips		
					IN	OUT	TOTAL	IN	OUT	TOTAL
Single Family Detached Housing	214	DU	210	2,094	39	118	157	133	78	211

Trip Generation rates based on ITE's Trip Generation Manual, 10th Edition.

Right Turn Lane Analysis

Right-turn deceleration lanes allow inbound turning vehicles to separate from through traffic, avoiding conflicts, improving safety and maintaining smoother traffic flow. Although Eldorado Parkway is not a TxDOT facility, TxDOT has reasonable guidelines for right-turn lane justification and this methodology was followed for this evaluation. **Table** shows the existing Lakecrest Drive peak hour right-turn volumes and how they compare with TxDOT standards. The high inbound volume occurs in the PM peak hour according to the calculated trip generation. Assuming 50% of the inbound traffic accessing Lakewood Village via Lakecrest Drive, the projected maximum peak hour right-turn volume would be **66** vehicles. For a 45 MPH road, the existing right turn volume exceeds the TxDOT threshold of 60 vehicles per hour.

Table 2 – Right-Turn Lane Analysis

Right-Turn Location	Calculated Maximum Peak Hour Right-Turn Volume	TxDOT Threshold (Access Management Manual, Table 2-3)	Right-Turn Lane Recommended?
Lakecrest Drive (Existing Access)	66 vph	60 vph	Yes

Alternatives

This memorandum evaluated two conceptual alternative intersection locations along Eldorado Parkway to improve operations and safety for drivers entering and exiting the Town. The study considers that the recommended intersection will need to be signalized in future years as volumes on Eldorado Parkway continue to increase and other development occurs within the Town. The two alternative locations are shown in **Figure 2**.



Figure 2 - Alternative Intersections with Eldorado Parkway

Alternative 1

Alternative 1 recommends modifying the planned roadway alignment of Stowe Lane to align in a north-south direction and intersect with Eldorado Parkway approximately 750 feet east of the existing Lakecrest Drive intersection. Alternative 1’s intersection with Eldorado Parkway is located on a straight section of roadway providing adequate sight distance. Additionally, the straight section of roadway provides improved line-of-sight for drivers to see signal indications when a future signal is needed and would allow drivers to see oncoming vehicles for a protected + permitted signal operation.

The location meets all access spacing criteria and allows for the TxDOT desirable 375-foot right-turn deceleration lane and the 445-foot left-turn deceleration lane. If alternative 1 is chosen by the Town of Lakewood Village, the existing access at Lakecrest Drive should be removed due to the inadequate

turn lane length and intersection sight distance. Right-turning eastbound traffic on Eldorado Parkway would use the intersection proposed in Alternative 1 and volumes would meet the TxDOT threshold for a right-turn deceleration lane.

Alternative 1's alignment as shown extends into Denton County right-of-way which is a part of Lakewood Village ETJ but outside of its corporate boundaries.

Alternative 2

Alternative 2 recommends modifying the planned roadway alignment of Stowe Lane to travel in a northwest-southeast direction and intersect with Eldorado Parkway approximately 875 feet west of the existing Lakecrest Drive intersection. Alternative 2's intersection with Eldorado Parkway is located on a partially curved section of roadway with limited sight distances when exiting the south approach onto Eldorado Parkway. Sight distances to the east are adequate, however the horizontal roadway curve to the west of the intersection limits sight distance in that direction. Additionally, there are mature trees along the roadway further inhibiting adequate site distance at this location. If a signal were to be installed at this location, the signal visibility would be more limited when compared to Alternative 1. Furthermore, since the location is in a partial curve, utilizing protected + permitted left-turn phasing would be more challenging.

The location does meet all access spacing criteria and allows for the TxDOT recommended 375-foot right-turn deceleration lane and the 445-foot left-turn deceleration lane. A right-turn lane at this location would be recommended.

Recommendation

Alternative 1 provides the best intersection location along Eldorado Parkway for the Town of Lakewood Village moving forward. Sight distances and access spacing are adequate at the location providing for safer turning movements onto and off Eldorado Parkway. Alternative 1 provides a direct route for vehicles traveling to and from the east while the additional connection shown on the Thoroughfare Plan on the west-side of the Town provides for direct route to the west. As volumes increase on Eldorado Parkway and within Lakewood Village, Alternative 1 provides the best location for a traffic signal since it would intersect on a straight portion of Eldorado Parkway providing for increased safety and improved operations when compared to the existing intersection of Lakecrest Drive and Alternative 2. The existing access at Lakecrest Drive should be removed due to the inadequate turn lane length and intersection sight distance. Right-turning eastbound traffic on Eldorado Parkway would use the intersection proposed in Alternative 1 and volumes would meet the TxDOT threshold for a right-turn deceleration lane.

END

Attachments: Historical Traffic Volumes

Appendix

Eldorado Parkway Evaluation
 Historical Link Volumes and Growth Rates

Eldorado Parkway						
Record	Year	Link Start	Link End	Source	24-Hour Volume	Annual Growth Rate
1	2004	Lewisville Lake Toll Bridge	Oak Grove Parkway	TxDOT	3,050	-
2	2004	Lewisville Lake Toll Bridge	Oak Grove Parkway	KHA	3,550	-
3	2009	Lewisville Lake Toll Bridge	Oak Grove Parkway	KHA	8,210	18.3%
4	2009	Lewisville Lake Toll Bridge	Oak Grove Parkway	KHA	8,330	-
5	2014	Lewisville Lake Toll Bridge	Oak Grove Parkway	KHA	13,808	10.6%
6	2014	Lewisville Lake Toll Bridge	Oak Grove Parkway	KHA	12,010	-
Average Growth 2004 - 2014:						14.6%

MUNICIPAL SERVICES AGREEMENT

**BETWEEN THE TOWN OF LAKEWOOD VILLAGE, TEXAS
AND THE LITTLE ELM INDEPENDENT SCHOOL DISTRICT**

This Municipal Services Agreement (“Agreement”) is entered into on the ____ day of _____, 2020, by and between the Town of Lakewood Village, Texas, a general law municipality of the State of Texas (“Town”), and the Little Elm Independent School District (“Owner”).

WHEREAS Texas Local Government Code Section 43.0671 permits the Town to annex an area if each owner of land in an area requests the annexation; and

WHEREAS where the Town elects to annex such an area, the Town is required to enter into a written agreement with the property owner that sets forth the town services to be provided for the property on or after the effective date of annexation; and

WHEREAS Owner owns a certain parcel of land situated in Denton County, Texas, which consists of approximately 14.0748 acres in the A0339A C.C. Dickson Survey, located in the Town’s extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit A, attached and incorporated herein by reference (“Property”); and

WHEREAS Owner has filed a written request with the Town for full-purpose annexation of the Property; and

WHEREAS Town and Owner desire to set out the Town services to be provided for the Property on or after the effective date of the annexation; and

WHEREAS the annexation of the Property is subject to approval by the Town Council of the Town.

NOW, THEREFORE, in exchange for the mutual covenants, conditions, and promises contained herein, Town and Owner agree as follows:

1. **PROPERTY.** This agreement is only applicable to the Property, which is the subject of the annexation request as described in Exhibit A.
2. **INTENT.** It is intent of the Town that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.
3. **MUNICIPAL SERVICES.**
 - a. Commencing on the effective date of annexation, the Town will provide the municipal services set forth below. As used in this Agreement, “providing services” includes having services provided by any method or means by which the

Town may extend municipal services to any other area of the Town, including the Town's infrastructure extension policies and developer or property owner participation shall be in accordance with applicable town ordinances, rules, regulations, and policies.

- i. FIRE AND EMERGENCY MEDICAL SERVICES. The Town's Fire Department will provide fire protection and emergency medical services.
 - ii. PLANNING, ZONING, AND BUILDING. The Town's Building Department will provide planning, land development, land use, and building review and inspection services in accordance with all applicable laws, rules, and regulations.
 - iii. STREETS. The Town's Public Works Department will maintain the public streets over which the Town has jurisdiction.
 - iv. WATER AND WASTEWATER. Once connected to the Town's water and/or sanitary sewer mains, the water and sanitary sewer service will be provided by the Town at rates established by Town ordinances for such service.
 - v. SOLID WASTE SERVICES. The Town will provide solid waste collection services in accordance with existing Town contracts.
 - vi. CODE COMPLIANCE. The Town will provide education, enforcement, and abatement relating to code violations within the Property.
 - b. It is understood and agreed that the Town is not required to provide a service that is not included in this Agreement.
 - c. Owner understands and acknowledges that the Town departments listed may change names or be reorganized by the Town Council. Any reference to a specific department also includes any subsequent Town department that will provide the same or similar services.
4. AUTHORITY. Town and Owner represent that they have full power, authority, and legal right to execute, deliver, and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the annexation is within the sole jurisdiction and subject to the approval of the Town Council. Nothing in this Agreement guarantees favorable decisions by the Town Council.
5. SEVERABILITY. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term, or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

6. AGREEMENT BINDS SUCCESSORS AND RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property and is binding on the owner and his successors and assigns.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this agreement in multiple copies, each of equal dignity, on this the _____ day of _____, 2020.

LITTLE ELM INDEPENDENT SCHOOL DISTRICT,
A Texas independent school district

By: _____

SEAL]

STATE OF TEXAS
COUNTY OF DENTON

Before me the undersigned notary public appeared _____,
_____, on behalf of Little Elm Independent School District, a Texas independent school district, for the consideration therein expressed.

Notary Public for the State of Texas

[SEAL]

TOWN OF LAKEWOOD VILLAGE
A Texas Type-A General Law Municipality

By: Dr. Mark E. Vargus
Mayor

SEAL]

STATE OF TEXAS
COUNTY OF DENTON

Before me the undersigned notary public appeared Dr. Mark E. Vargus, Mayor, on behalf of the Town of Lakewood Village, a Texas Municipality, for the consideration therein expressed.

Linda Asbell, TRMC, CMC
Town Administrator/Town Secretary
Notary Public for the State of Texas

[SEAL]

EXHIBIT A
DESCRIPTION OF LITTLE ELM INDEPENDENT SCHOOL DISTRICT PROPERTY

LEGAL DESCRIPTION (Tract 1)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 16.964 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0046698, Deed Records, Denton County, Texas (D.R.D.C.T.) and being all of that certain called 0.11 acre tract described in a Special Warranty Deed from Denton County, Texas to Little Elm Independent School District, recorded in Document No. 2009-41502, D.R.D.C.T. and being more particularly described by metes & bounds as follows:

BEGINNING at a 3/8 inch iron rod found at the southeast corner of the above described 16.964 acre tract and the southwest corner of Block 1 of Sunrise Bay At Lake Lewisville, an addition to Denton County, Texas, according to the plat thereof, recorded in Cabinet L, Page 224, Plat Records, Denton County, Texas (P.R.D.C.T.) and said beginning point also being on the north line of that certain called 77.89 acre tract of land described in a deed to Sam Elm Venture, recorded in Document No. 2004-39575, D.R.D.C.T.;

THENCE: South 86 deg. 56 min. 31 sec. West, along the common line of said 16.964 acre tract and said 77.89 acre tract, a distance of 499.50 feet to a 5/8 inch iron rod found for corner;

THENCE: South 01 deg. 25 min. 12 sec. East, continuing along said common line, a distance of 40.19 feet to a 1/2 inch iron rod found for corner;

THENCE: South 88 deg. 50 min. 03 sec. West, continuing along said common line, at 391.40 feet, passing a 1/2 inch iron rod found for the northwest corner of said 77.89 acre tract and same being the northeast corner of that certain called 19.249 acre tract of land described in a deed to Philip L. Hancock and wife, Lynn A. Hancock and Stephen R. Dunneane, recorded in Document No. 2006-47468, D.R.D.C.T., and continuing for a total distance of 437.11 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the most southerly southwest corner of this tract on the east right-of-way line of Lakecrest Drive (a public road, dedicated to Denton County, Texas, Document No. 2006-86546, D.R.D.C.T.) and said point also being the most northerly northeast corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 980, Page 824, D.R.D.C.T.;

THENCE: North 03 deg. 11 min. 05 sec. West, along the east right-of-way line of said Lakecrest drive, at 100.18 feet, passing the south corner of the above described 0.11 acre tract and continuing for a total distance of 122.44 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found at the beginning of a curve to the right, having a radius of 10.00 feet, a central angle of 59 deg. 40 min. 14 sec. and a chord that bears North 28 deg. 49 min. 03 sec. East - 9.95 feet;

THENCE: Along the westerly line of said 0.11 acre tract and with said curve to the right, an arc distance of 10.41 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner on the southwesterly right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) and said point being the beginning of a non-tangent curve to the left, having a radius of 1,006.60 feet, a central angle of 15 deg. 31 min. 48 sec. and a chord that bears North 48 deg. 58 min. 05 sec. East - 272.00 feet;

THENCE: Along the common line of said 0.11 acre tract and said W. Eldorado Parkway, an arc distance of 272.83 feet to 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the northern corner of said 0.11 acre tract and said point being the beginning of a non-tangent curve to the left having a radius of 590.00 feet, a central angle of 05 deg. 29 min. 04 sec. and a chord that bears North 27 deg. 19 min. 12 sec. East - 56.45 feet;

THENCE: Continuing along the southeasterly right-of-way line of said W. Eldorado Parkway and with said curve to the left, an arc distance of 56.48 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for the southeast corner of that certain called 0.587 acre tract of land described in a deed from Little Elm Independent School District to Denton County, Texas, recorded in Document No. 98-0028098, D.R.D.C.T. and said point being the beginning of another non-tangent curve to the left, having a radius of 994.93 feet, a central angle of 11 deg. 58 min. 18 sec. and a chord that bears North 31 deg. 51 min. 40 sec. East - 206.93 feet;

THENCE: Continuing along the common line of said W. Eldorado Parkway and said 0.587 acre tract, an arc distance of 207.30 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found for corner at the end of said curve;

THENCE: North 25 deg. 55 min. 10 sec. East, a distance of 927.87 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped "RPLS 3047", found on the north line of said 16.964 acre tract and on the south line of that certain tract of land described in a deed to the Town of Little Elm (Little Elm Sunrise Bay Water Plant), recorded in Document No. 1995-0078024, D.R.D.C.T.;

THENCE: North 89 deg. 17 min. 47 sec. East, departing from said W. Eldorado Parkway, along the common line of said 16.964 acre tract and said Town of Little Elm tract, a distance of 175.42 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set in a landscaped area, next to a stone screening fence, for the northeast corner of said 16.964 acre tract and the southeast corner of said Town of Little Elm tract and said point being on the west line of the above described Block 1 of Sunrise Bay At Lake Lewisville;

THENCE: South 00 deg. 42 min. 14 sec. East, along the common line of said 16.964 acre tract and Block 1, a distance of 1,296.79 feet to the POINT OF BEGINNING and containing 706,074 square feet or 16,209 acres of land.

LEGAL DESCRIPTION (Tract 2)

SITUATED in the Christopher C. Dickson Survey, Abstract No. 339 of Denton County, Texas and being part of that certain called 18.964 acre tract (including public right-of-way) of land described in a Special Warranty Deed from the Town of Little Elm, Texas to Little Elm Independent School District, recorded in Document No. 97-0046896, Deed Records, Denton County, Texas (D.R.D.C.T.) and being more particularly described by metes & bounds as follows:

BEGINNING at a 1/2 inch iron rod, topped with a plastic cap, stamped 'RPLS 3047', found for the most westerly southwest corner of the above described 18.964 acre tract, on the north line of that certain called 19.429 acre tract of land described in a deed to Philip L. Hancock and wife, Lynn A. Hancock and Stephen R. Dunsaine, recorded in Document No. 2006-47468, D.R.D.C.T.;

THENCE: North 08 deg. 55 min. 00 sec. West, along the most westerly west line of said 18.964 acre tract, a distance of 29.39 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped 'RPLS 3047', found on the southern right-of-way line of W. Eldorado Parkway (a variable width public right-of-way) for the most westerly northwest corner of said 18.964 acre tract and said point being in a non-tangent curve to the left, having a radius of 614.90 feet, a central angle of 14 deg. 41 min. 56 sec. and a chord that bears North 73 deg. 25 min. 24 sec. East - 137.32 feet;

THENCE: Along the common line of said 18.964 acre tract and said W. Eldorado Parkway, an arc distance of 157.75 feet to a 1/2 inch iron rod, topped with a plastic cap, stamped 'RPLS 3047', found for corner on the west right-of-way line of Lakecrest Drive (a public road, dedicated to Denton County, Texas, Document No. 2006-86546, D.R.D.C.T.);

THENCE: South 03 deg. 03 min. 13 sec. East, departing from said W. Eldorado Parkway, along the west right-of-way line of said Lakecrest Drive, a distance of 70.34 feet to a 1/2 inch iron rod found for the southwest corner of said Lakecrest Drive tract, on the south line of said 18.964 acre tract and the north line of the above described 19.429 acre Hancock tract and said point also being the most northerly northwest corner of that certain 60 foot wide public right-of-way dedication conveyed to the City of Lakewood Village (First Tract), recorded in Volume 960, Page 824, D.R.D.C.T.;

THENCE: South 88 deg. 35 min. 35 sec. West, departing from said Lakecrest Drive, along the common line of said 18.964 acre tract and said 19.429 acre Hancock tract, a distance of 150.01 feet to the POINT OF BEGINNING and containing 7,035 square feet or 0.162 acres of land.

**TOWN OF LAKEWOOD VILLAGE N
ORDINANCE 19-15**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS PROVIDING FOR PUBLIC NUISANCES, COMMUNITY APPEARANCE TO PROTECT PROPERTY VALUES, QUALITY OF LIFE AND PUBLIC HEALTH AND SAFETY; PROVIDING FOR DEFINITIONS; PROVIDING FOR OWNER’S DUTY TO MAINTAIN PROPERTY BY KEEPING PROPERTY FREE AND CLEAR OF NUISANCES INCLUDING WEEDS, BRUSH AND UNSIGHTLY MATTER; DUTY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR NOTICE OF VIOLATION; PROVIDING FOR TOWN ABATEMENT; PROVIDING FOR ADMINISTRATIVE FEES; PROVIDING FOR OFFENSES, PENALTIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lakewood Village, Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council of Lakewood Village, Texas in order to provide for the general health and welfare of the citizens of this Town is permitted to enact certain rules and regulations; and

WHEREAS, the Town Council of the Town of Lakewood Village, Texas adopts the Texas Health and Safety Code, Chapter 342, Subchapter A, as amended and supplemented by the terms of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein. Exhibit “A” herein is for all purposes fully incorporated and set forth herein.

Section 2: Repeal

Nuisance/Burning Ordinance 16-10 is hereby repealed in its entirety. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and those that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the Ordinances or sections thereof that have been specifically repealed on the date of the adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance or section thereof and for that purpose the Ordinance or section thereof shall remain in full force and effect.

Section 3: Penalty Clause

1. After any required notice to the owner, the failure or refusal to comply with any demand for compliance within the applicable time period shall be deemed as maintaining a public nuisance and the Mayor, Mayor Pro-Tem, Town Administrator/Town Secretary, or the Town Council designee may issue a citation in municipal court and/or file a lien upon and against such real property to include all costs, Town administrative fees, filing fees, charges and expenses. Any owner, as defined herein, violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed \$2000.00 for each offense. Each day a violation of any provision of this ordinance shall continue, it shall constitute a separate offense.

2. The property owner's failure to comply with this ordinance may result in the Town securing a lien against the property. In this event, the Town will file with the County Clerk a statement of the expenses incurred in correcting the condition of the property. The Town shall have a privileged lien on the property, second only to tax liens and liens for street improvements, together with ten percent (10%) on the delinquent amount from the date such payment was due.

Section 4: Severability

The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5: Savings Clause

All rights and remedies of the Town of Lakewood Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

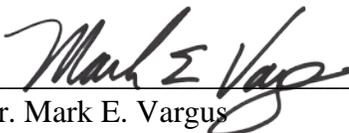
Section 6: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 7: Effective Date

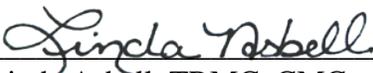
This Ordinance shall be in full force and effect from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 12th day of September, 2019.



Dr. Mark E. Vargus
MAYOR

ATTESTED:



Linda Asbell, TRMC, CMC
Town Secretary





**DUTY TO MAINTAIN PROPERTY
NUISANCE REGULATIONS**

**Adopted: August 15, 2019
Amended: September 12, 2019**

SECTION 1 **DEFINITIONS**

“Bulk Trash” shall mean any rubbish/brush as defined herein and other large or bulky items approved for collection as “bulk trash” on the designated day as set forth within the contract between the Town of Lakewood Village and the Town’s Solid Waste Collection provider.

“Nuisance” shall mean whatsoever is dangerous to human life or health, whatsoever renders the ground, the water, the air or the food a hazard or injurious to human life or health or that is offensive to the senses or that is detrimental to the public health is hereby declared to be a nuisance.

“Owner” shall mean any person(s) or entities owning, claiming, occupying or having supervision or control of any lot, tract, parcel of land, occupied or unoccupied, improved or unimproved, within the corporate limits of the Town of Lakewood Village.

“Rubbish/brush” shall mean lawn trimmings, tree trimmings, trash, debris, rubble, concrete, cement, stone, excess or useless fragments of construction materials, or other miscellaneous useless waste or rejected matter.

“Town” shall mean The Town of Lakewood Village

“Weeds/Vegetation” shall mean vegetation, including grass, that because of its height is objectionable, unsightly or unsanitary, but excluding shrubs, bushes, trees, cultivated flowers, and cultivated crops.

SECTION 2 **DUTY TO MAINTAIN PROPERTY**

- 2.1 It shall be unlawful for any owner to allow a nuisance of weeds/vegetation, as defined in Section 1 herein, to grow to a height greater than 12 inches upon any real property within one hundred fifty (150) feet of any property line which abuts a Town street right-of-way and within 50 feet from any part of a habitable dwelling.
- 2.2 It shall be unlawful for any owner to allow a nuisance of rubbish/brush, as defined in Section 1 herein, to accumulate or be present upon any real property within the Town in excess of ten days.

2.3 It shall be the duty of any owner to maintain their property in a reasonable neat and orderly fashion. Therefore,

- 2.3.a Outside storage of auto parts, appliances, or any items that fall within the definition of “nuisance” as defined in Section 1 herein, is strictly prohibited.
- 2.3.b If a building permit is current, it is reasonable to temporarily store, in outside view, such building materials as needed to complete the permitted construction.
- 2.3.c Placement of bulk trash for collection in excess of ten (10) days prior to date of collection as established by Solid Waste Collection contract is strictly prohibited.

SECTION 3 **RESPONSIBILITY FOR ENFORCEMENT**

Enforcement of this Ordinance shall be the responsibility of the proper State and Denton County authorities; the Mayor, Mayor Pro-Tem and Town Administrator/Town Secretary; and/or any person(s) duly appointed by the Town Council.

SECTION 4 **NOTICE OF VIOLATION**

In the event that any owner fails to comply with the provisions of this ordinance, an authorized person or entity pursuant to Section 3, the Town shall give ten (10) days’ notice in writing to such owner, or by certified mail, return receipt requested addressed to such owner at their last known mailing address, demanding compliance with this ordinance. Additionally, pursuant to the Texas Health and Safety Code, Section 342.006, this is the only notice that will be given for the next twelve (12) months. If, within the next twelve (12) months, the same violation(s) occurs again, the Town, without notice, may take the appropriate actions to bring the property into compliance and assess its expenses as provided by Section 5 herein.

SECTION 5 **ABATEMENT BY TOWN**

5.1 If an owner fails or refuses to comply with the Town’s demand for compliance with of this Ordinance within ten (10) days of the notice provided pursuant to Section 4 herein, the Town may do such work or cause the work to be done to bring the real property into compliance with this ordinance.

- 5.2. The expense incurred in correcting any condition of a property in violation of this ordinance shall be paid by the Town and charged to the owner of such property. A statement of the cost incurred by the Town shall be mailed to the owner. Such statement shall be paid by the owner within 30 days of the date of the mailing thereof. In the event that the statement has not been paid within the 30-day period, the Town has the right to exhaust any and all remedies available under this Ordinance and state law.

SECTION 6 **ADMINISTRATIVE FEE**

In addition to collecting the costs and expenses incurred for correcting any violation(s) involving abatement by the Town, the Town shall charge the minimum of \$100.00 not to exceed a maximum of \$500.00 per occurrence, which sum is hereby found to be the cost to the Town of administering the terms of this ordinance.

SECTION 7 **OFFENSES, PENALTIES, AND LIENS**

- 7.1 After any required notice to the owner, the failure or refusal to comply with any demand for compliance within the applicable time period shall be deemed as maintaining a public nuisance and the Mayor, may issue a citation in municipal court and/or file a lien upon and against such real property to include all costs, Town administrative fees, filing fees, charges and expenses. Any owner, as defined herein, violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed \$2000.00 for each offense. Each day a violation of any provision of this ordinance shall continue, it shall constitute a separate offense.
- 7.2 The property owner's failure to comply with this ordinance may result in the Town securing a lien against the property. In this event, the Town will file with the County Clerk a statement of the expenses incurred in correcting the condition of the property. The Town shall have a privileged lien on the property, second only to tax liens and liens for street improvements, together with ten percent (10%) on the delinquent amount from the date such payment was due.

End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
00-04A	June 05/2000	• Original Adoption
05-011		• Repealed for historical purposes (never officially took effect)
09-12	Sept. 24, 2009	• Clarified burning restrictions, Repealed
12-08	June 14, 2012	• Clarified areas required to be mowed, Repealed
16-10	Sept 8, 2016	• Introduced time frame for bulk trash to be placed for pick-up
19-15	Sept 15, 2019	• Removed burning, removed property maintenance