

Michael R. Mahoney
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To: City of Lewisville
Att: Planning & Zoning Commission
151 West Church Street
Lewisville, Texas 75056

Reference: Opposition to Barfknecht Lane SUP

My name is Michael Mahoney and lives at 527 Barfknecht Lane which shares two property lines to proposed development. I have lived here since September 2006. I married my Mexican wife and raised two boys who have graduated from Lewisville ISD. I have worked 16 years in airborne law enforcement supporting first response. I currently work in the worldwide helicopter market supporting first responders, war fighters and search and rescue. This home is what I have worked for all my life. I am 62 years of age and close to retirement. It is infeasible to purchase another home at this time. I have been diagnosed with an extremely rare health condition and am fighting for my life.

I am writing in opposition to City of Lewisville Case No. 23-02-3-SUP for the following reasons.

1. There was not enough time to respond, or view applicant's narrative because notice arrived the day before hearing and the Planning office or applicant did not present narrative to residents. This is concerning.
2. According to Zoning Plan and Narrative letter provided to City in 2022, operation hours are 3pm to 10pm Monday through Friday and 10am to 9pm on weekends. These hours will literally destroy me and my neighbor's quality of life. It is inconceivable that the City would even consider this development next to any residence or neighborhood. No one would accept this operation next to their hard earned residence. Why should I?
3. The use is not compatible with surrounding land uses as all are residences or commercial business with normal 9-5 business hours. It would be the only SUP for outdoor entertainment. The Metro Auto Auction uses a 10" electrified fence due to the high crime against Metro Auto Auction. Not conducive to an outdoor youth active area, if not deadly.
4. A 30' landscape buffer with a 6' fence is less than adequate. The building borders exactly against my backyard where there is a swimming pool. The building will not protect against the noise level of youth sports activities that will be continuous during hours of operation. And the Cricket fields do not have to be seen to be heard. Developer promised 10' fence, narrative contradicts plans. States 6' fence in plan, 8' fence in letter.
5. The use does not meet comprehensive plan as it is and will be the only outdoor entertainment within at least five miles and is not easy to find by the public. Use is directed at a specific demographic. Not public use in definition.
6. There is absolutely no area welfare enhancement as there are no social businesses within miles. It is hidden and out of the way.
7. The use is detrimental to public health, safety and welfare as there is no improved road with street lights, drainage or safety. Especially to the existing residents, who consists of school age children and younger.
8. Due to the off public location and crime against the Metro Auto Auction, neighbors utilize security cameras and security management. Crime reports are public information with Lewisville Police Department. Police will be responding to calls unnecessarily.
9. Open entertainment use is not Light Industrial use.

10. Development will cause water retention on my property causing damage. Cost to protect my property from water damage is born on me.
11. Drive way plan does not meet City ordinance, and if approved will bear the compliance to my property if developed. This is unacceptable and in violation. I will not bear any ordinance burden from this development by litigation if necessary. Driveway development must include drainage of street from peak in front of my property heading north. Currently does not comply. Last page of Narrative letter.
12. Added turnoff of drive way before gate assumes free access to drive across my property. Again unacceptable and possibly in violation. At minimum a 6" fence will be on property line along the east west boundary.
13. Any development will absolutely not cause restriction to any access or future development of my property.
14. There is no plan to providing electrical utility in this development. Current utility power poles do not fit development with anchor for my utility feed is currently anchored in plan driveway. And one pole in middle of Cricket field. Clearly not addressed and unacceptable.
15. Currently a litigation action is in process in regard to property line. It would not be responsible to approve any use change until litigation is settled.
16. Contractor hours exceed normal residence life. Work after 6pm and weekends are unacceptable.
17. There is no intention by the City to improve Barfknecht Lane. There is no width, curbing, street lighting or drainage. Vehicles must enter dirt easement to pass. The Metro Auto Auction drains its entire west parking lot into Barfknecht Lane with no path. Street floods during normal rain cycles. The city has already permitted another business to access their business at end of Barfknecht Lane which will increase traffic by at least ten times. This development will add more traffic passes on Barfknecht lane. And this does not include parking on the street blocking traffic even more. Impossible. It is impossible to drive vehicles on dirt easement during wet weather as it is soft and clay like. Everyone gets trapped.
18. There is an Open-Ag zoned (504 Barfknecht) property, where un-permitted use for landscape equipment and workers are housed, used daily. Workers walk in the middle of the street, rather than 20' easement going to and back from landscape company address on Midway Road.
19. Only half of property is being developed. If use change is approved now there would be no restrictions on how this business could disrupt neighborhoods. Including Cricket balls damaging vehicles at Metro Auto Auction, noise and lighting to Barfknecht owned properties, and Oak Tree lane properties. Let alone the Barfknecht Lane families and businesses.

Overall, it makes absolutely no sense to permit this type of use in this area due to reasons outlined above. Pictures attached for current real life evidence on Barfknecht Lane.

This current action by the City and developer appears as an attempt to hector me from opposing use change and litigation against owner. This is based on incomplete plan and late notice. Developer attempted to elicit an approval letter from me to the city without any details to intended development, and continued to hector me for letter without any putting any intentions in writing. Kept changing and submitted a letter with nothing as discussed. As details are missing in plan, the developer appears to be doing the same to the City.

I and my neighbors insist that this use permit is not granted as it is the right thing to do in this environment. This is not the place for an open entertainment use zone. This development would be of most benefit to the city and the public in a more public accessible and visible lot. I will not be my or my neighbors debt if owner cannot afford proper location.

Sincerely,
Michael Mahoney











