

## MEMORANDUM

**TO:** Claire Powell, City Manager

**VIA:** Shanté Akafia, Assistant City Manager

**FROM:** Brett Bourgeois, PE, PMP, City Engineer

**DATE:** July 6, 2026

**SUBJECT:** **Consider and Act Upon Adoption of a Resolution of the City Council of the City of Lewisville, Texas, Authorizing the Acquisition of Fee Simple Title to Approximately 105,546 Square Feet (2.423 Acres) Legally Described as all of Lot 5B, Block A of the Elm Fork Industrial Park, in the A. G. King Survey, Abstract 698 Generally Located at 830 Valley Ridge Boulevard Temporary Construction Easement to Approximately 13,024 Square Feet (0.299 Acres) Legally Described as Part of Lot 5A, Block A and Part of Lot 5C, Block A of the Elm Fork Industrial Park, in the A. G. King Survey Abstract 698 Generally Located at 830 Valley Ridge Boulevard; for the Use as a Regional Public Detention Pond and the Undertaking of all Associated Improvements; Having Determined the Public Use and Public Necessity of Such Acquisitions; Authorizing the Appointment of an Appraiser and Negotiator as Necessary; Authorizing the City Manager (or Her Designee) to Establish Just Compensation for the Property to be Acquired in Accordance With All Laws; Authorizing the City Manager (or Her Designee) to Take All Steps Necessary to Acquire the Needed Property in Compliance With all Applicable Laws and Resolutions; and Authorizing the City Attorney (or Her Designee) to Institute Condemnation Proceedings, if Necessary, to Acquire the Property if Purchase Negotiations are Not Successful; Providing for Repealing, Savings, and Severability Clauses; and Providing for an Effective Date.**

### **BACKGROUND**

The rapid pace of mixed-use redevelopment in eastern Old Town has pushed the area's existing drainage infrastructure to maximum capacity. To sustain current growth, the City must construct a regional public detention pond. The project's engineering design is currently between 60% and 90% complete. However, final design work and critical onsite geotechnical testing cannot proceed without securing property access. This item requests authorization to acquire the necessary Fee Simple property and Temporary Construction Easements (TCE) from the affected property owner via donation, friendly purchase, or through the power of eminent domain.

- **Growth Pressures:** Construction is actively underway at *Ellis at Old Town* (formerly known as *The Standard at Old Town*). This and adjacent mixed-use projects have already maximized the capacity of the area's current stormwater infrastructure.

- **TIRZ Integration:** These developments sit within TIRZ Number One, a zone explicitly established to stimulate private investment, revitalization, and economic development in eastern Old Town.

**The Solution:** A regional public detention pond is required to safely manage storm runoff for both immediate developments and projected growth in the basin.

### **Regional Detention Pond Parcel**

<b>Parcel No</b>	<b>Owner</b>	<b>Required Acquisition Type</b>
1	Kent-Anderson Properties, LLC	<ul style="list-style-type: none"><li>• Fee Simple</li><li>• Temporary Construction Easement (TCE)</li></ul>

### **ANALYSIS**

Independent property appraisals will be ordered to establish fair market value for the acquisition. While City staff has already initiated preliminary negotiations with Kent-Anderson Properties, LLC, this Resolution ensures the City has the legal mechanisms required to keep the project on schedule.

The City Attorney prepared this Resolution to authorize a friendly purchase or, should negotiations fail, the use of eminent domain to avoid project delays that could impact public infrastructure safety.

### **RECOMMENDATION**

That the City Council consider and adopt the Resolution as set forth in the caption above by using the following motion, which is prescribed by the Texas Government Code Section 2206.053 (e): “I move that the City of Lewisville, Texas, adopt the Resolution described in Agenda Item No. G-9 and authorize the use of the power of eminent domain, if necessary, to acquire for public use the property described and depicted in Attachment 1 attached to the Resolution, said description and depiction being incorporated into this motion for all purposes, for the construction, access, and maintenance of a regional public detention pond and other associated storm improvements. This vote applies to all units of property described and depicted in Attachment 1 attached to the Resolution.”