

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JUNE 1, 2015**

**LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057**

**WORKSHOP SESSION - 6:10 P.M.
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:10 P.M.

- A. Mental Health Best Practice Opportunities for Denton County (Presented by Gary Henderson, Executive Director – Denton United Way)
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Vaughn
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Tierney
- C. **PRESENTATION:** Presentation of Maurice Strickland Award
- D. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D, Section 551.074 (PERSONNEL): Discussion of Election of Mayor Pro Tem and Deputy Mayor Pro Tem.

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

E. **PUBLIC HEARINGS:**

1. **Public Hearing:** Consideration of Lewisville Juvenile Curfew Ordinance.

ADMINISTRATIVE COMMENTS:

The public hearing is being conducted in accordance with provisions of the Local Government Code Section 370.002 in order to allow public input regarding the need to continue the City's Juvenile Curfew Ordinance. The ordinance was adopted September 12, 1994. A review of the ordinance is required every three years. Two public hearings will be held. The second public is scheduled for June 15, 2015.

RECOMMENDATION:

That the City Council conduct the public hearing as set forth in the caption above.

2. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit (SUP) With Four Associated Variances to the Lewisville City Code of Ordinances Including Section 6-103 (Access Management); Section 6-92 (Paving); Section 6-123 (b) (Landscape Strip); Section 6-123 (d) (Interior Landscaping); for an Auto Display and Sales Facility on a 0.45-Acre Tract of Land out of the E. Pickett Survey, Abstract No. 1014; Located on the Northwest Corner of South Mill Street and Harvard Avenue, at 867 South Mill Street; and Zoned General Business (GB), as Requested by Ridinger Associates Inc. on Behalf of Mr. Reid Anderson of Reid's Auto Connection, the Property Owner (Case No. SUP-2015-04-04).

ADMINISTRATIVE COMMENTS:

The request is for the expansion of the existing Reid's Auto Connection facility located on the northwest corner of South Mill Street and Harvard Avenue. The proposed expansion involves the construction of a new building on the site and a reconfiguration of the display and customer parking areas. The variance requests include: 1) a reduced control of access of 46 feet along South Mill Street; 2) a waiver of the required sidewalk along Harvard Avenue; 3) a waiver of the required 10-foot landscape strip along South Mill Street and Harvard Avenue; and 4) a waiver of the interior landscaping requirements. On May 19, 2015, the Planning and Zoning Commission recommended denial of the Special Use Permit by a vote of 4-2.

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

RECOMMENDATION:

That the City Council deny the Special Use Permit and the four associated variances as set forth in the caption above.

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Tracy A. LaPiene, Ridinger Associates, Inc.

3. **Public Hearing: Consideration of Comments Related to a 90 Day Moratorium on the Acceptance of Permit Applications for Development of Commercial Property Zoned Light Industrial Within the Northern Gateway of the I-35 Corridor, as Defined by the Lewisville 2025 Plan, Generally Located South of Lake Lewisville and North of Valley Ridge Boulevard.**

ADMINISTRATIVE COMMENTS:

The City Council adopted the Lewisville 2025 Plan in June 2014 and the IH-35E Redevelopment Plan in November 2014 to improve property values, create a strong future tax base and to ensure that all property owners are protected from uses that may be contrary to the adopted plans. Both plans envision the creation of a mixed use district on the west side of IH-35E located north of Valley Ridge Boulevard and south of Lewisville Lake (the “Northern Gateway”). A charrette was conducted with several major land owners in the Northern Gateway to achieve an understanding of the adopted plans and the potential increase in value that can result if all property owners work together toward a cohesive plan. The proposed moratorium would allow time to finalize the charrette/study and to create a framework to implement the Council adopted plans. Notice was published in the Dallas Morning News related to the adoption of an ordinance imposing a 90 day moratorium on the acceptance of permit applications for development of commercial property zoned Light Industrial within the Northern Gateway. After further consideration and given the 90 day time frame, staff is recommending that the geographical boundaries of the moratorium be further limited to undeveloped properties zoned Light Industrial located north of Valley Ridge Boulevard, west of McGee Lane, east of IH-35E and south of Lake Lewisville, all of which is located within the Northern Gateway. The Texas Local Government Code, Chapter 212, Subchapter E requires that the City Council conduct a public hearing to provide municipal residents and affected parties an opportunity to be heard regarding the proposed moratorium.

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

RECOMMENDATION:

That the City Council Staff recommends that the City Council conduct the public hearing.

- F. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- G. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.
4. **APPROVAL OF MINUTES:** City Council Minutes of the May 18, 2015, Workshop Session and Regular Session.
- H. **REGULAR HEARINGS:**
5. **Consideration of Five Variances to the Lewisville City Code Chapter 9.5 - Old Town Development Regarding Driveways, Sidewalks and Landscaping, for The Witherspoon Distillery Located at 225 South Charles Street, as Requested by Quentin D. Witherspoon, the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is the former Piggly Wiggly grocery store in Old Town. The property is being re-developed and remodeled for a distillery use. Staff has reviewed and approved the Old Town Development Plan pending approval of five variances including: 1) to allow the existing driveway radius to extend beyond the adjacent property lines at the north entrance off of Charles Street and the west entrance off of Samuel Street; 2) to waive the sidewalk requirement along Charles Street and Samuel Street; 3) to allow an alternate Smartscape plan in lieu of the required irrigation; 4) to waive the landscape buffer requirements; and 5) to reduce the interior landscaping to 6.5% in lieu of the required 8% of the gross parking area. The Old Town Design Review Committee approved the plan on March 23, 2015 by a vote of 4-0.

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

RECOMMENDATION:

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

PRESENTATION: Cleve Joiner, Director of Neighborhood Services
Quentin D. Witherspoon, Owner Witherspoon Distillery
LLC

- 6. Consideration of a Variance to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Width and Radii Requirements at the Proposed Majestic Airport Center, Buildings 4 & 6 Located at the Southeast Corner of Valley Parkway and Spinks Road, as Requested by Greg Gerbig, P.E., Pacheco Koch Consulting Engineers, Inc., on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 15.357-acre lot (Building 4) and an 18.836-acre lot (Building 6) zoned Light Industrial (LI) within the Majestic Addition. Majestic Realty is proposing to construct two new office/warehouse developments on the subject properties with shared access. Majestic Realty is requesting a variance to allow three driveways to exceed the maximum width and maximum radii allowed.

RECOMMENDATION:

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

- 7. Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Amending the Fees Related to the Wayne Ferguson Plaza.**

ADMINISTRATIVE COMMENTS:

Council previously approved a schedule of rental fees for Wayne Ferguson Plaza. However, a staff walk-through of the plaza revealed some changes that needed to be made in the definitions of different rental spaces, including a new rental space option. The proposed changes would revise the space definitions and add the Party Lawn Rental option.

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

RECOMMENDATION:

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

- 8. Consideration of a Request to Utilize Associated City Property at the Toyota of Lewisville Railroad Park for the CASA of Denton County TollTag Triathlon Fundraising Event; and Consideration of a Variance to the Lewisville City Code Section 2-201 Regarding Waiving Special Event Permit Fees, as Requested by Sherri Gideon, Executive Director, Representing CASA of Denton County.**

ADMINISTRATIVE COMMENTS:

CASA of Denton County is planning the fourth annual triathlon event for July 26, 2015, at Toyota of Lewisville Railroad Park. This event was previously sponsored by the Kiwanis Club of Southern Denton County with all proceeds given to support CASA of Denton County. Beginning this year, CASA of Denton County will be sponsoring the event. The event will be operated in the same manner as the first three triathlons with no significant changes. In addition to a request for a permit, CASA is requesting a waiver of fees and use of City property for the fundraising event. All profits will continue to be used to support CASA of Denton County. City Council approved a similar request for this event in 2012, 2013 and 2014. The total amount of the request for waiver of fees for this event is \$5,919.12.

RECOMMENDATION:

That the City Council approve the variance and use of City property as set forth in the caption above.

- 9. Discussion and Consideration of Appointments to Various City Boards/Commissions/Committees.**

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

ADMINISTRATIVE COMMENTS:

On June 30, various terms of office on the City's boards, commissions, and committees will be expiring. Those positions have been identified and current appointees notified. The Board/Commission/Committee Appointment Process Notebooks have been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the books along with attendance data for existing members requesting to be reappointed. City Council will need to identify interview teams, interview dates, and determine which team will interview which board, commission, or committee.

RECOMMENDATION:

That the City Council proceed with the appointment process to the various City Boards/Commissions/Committees; identify interview teams, interview dates, and determine which team will interview which board, commission, or committee.

- I. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- J. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
 1. Section 551.071 (Consultation with Attorney): Legal Issues Related to the Construction of the Old Town Park Plaza
 2. Section 551.071 (Consultation with Attorney/Pending Litigation): *City of Lewisville v. City of Farmers Branch and Camelot Landfill TX, LP*, Cause No.4:12-CV-00782, United States District Court for the Eastern District of Texas, Sherman Division; Texas Commission on Environmental Quality Modification to Municipal Solid Waste Permit No. 1312A; and Texas Commission on Environmental Quality Application to Obtain Municipal Solid Waste Permit Amendment - Permit No. 1312B
 3. Section 551.072 (Real Estate): Property Acquisition
 4. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

**AGENDA
LEWISVILLE CITY COUNCIL
JUNE 1, 2015**

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

- L. **ADJOURNMENT**

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