

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
NOVEMBER 2, 2015**

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

**WORKSHOP SESSION - 6:30 P.M.
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

- A. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Daniels
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:**
Mayor Pro Tem Ferguson
- C. **PROCLAMATION:** Declaring the Month of November, 2015, as “American Diabetes Month”
- D. **PUBLIC HEARINGS:**
1. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Gasoline Service Station on a 0.6535-Acre Lot, Legally Described as Lot 1, Block A, Orchard Hill Addition, Phase II; Located on the Northwest Corner of South Old Orchard Lane and West Corporate Drive; at 1890 South Old Orchard Lane; and Zoned Local Commercial District (LC); With One Associated Variance for Driveway Radii, as Requested by Jewell Management, LLC on Behalf of B-2 Orchard LLC, the Property Owner (Case No. SUP-2015-10-10).

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ADMINISTRATIVE COMMENTS:

The proposed gas station and associated retail center will be updated by adding Austin stone to the front façade and gas canopy columns. Landscaping along Old Orchard Lane and Corporate Drive will be in the form of grass, trees and shrubs within the landscape strip. Interior landscaping provided also exceeds minimum requirements. The existing pole sign will be removed and replaced by a stone monument sign. One variance is requested to allow the radii of one of the existing driveways to remain in its current condition. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 2015.

RECOMMENDATION:

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

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Yvette Kent, Jewel Management LLC

2. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for an Outdoor Commercial Amusement Facility for Beach Volleyball; on a 3.19-Acre Lot, Legally Described as Lot 2, Block A, The MAC Addition; Located on the South Side of Continental Drive Approximately 320 Feet West of South Business SH 121; and Zoned General Business District (GB), as Requested by Scott Stover, the Property Owner (Case No. SUP-2015-10-11).**

ADMINISTRATIVE COMMENTS:

The subject request is to allow the construction of an outdoor beach volleyball facility on the south side of Continental Drive just west of Business SH 121, adjacent to The MAC gymnasium. The “Beach House” will be home to 692 Beach, which is a volleyball program that trains junior athletes in beach volleyball. 692 Beach is currently located in an industrial area in Coppell. The program will run year round, with practices in the afternoon and adult leagues in the evening. The facility will consist of eight outdoor sand volleyball courts and a 4,719 square-foot building. The site will be heavily landscaped along the Continental Drive frontage to provide screening for the residential areas to the north. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 2015.

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RECOMMENDATION:

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

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Scott Stover, Property Owner

3. **Public Hearing:** Consideration of an Ordinance Granting an Amended Special Use Permit (SUP) Request for Auto, Boat, and Recreational Vehicle Sales and Repair on a 6.152-Acre Lot Legally Described as Buddy Gregg Motor Homes Addition, Lot 1, Block A; Located at 1206 North Stemmons Freeway; Zoned Light Industrial (LI) and General Business (GB), as Requested by 700 Days, LLC, the Property Owner (Case No. SUP-2015-10-12).

ADMINISTRATIVE COMMENTS:

The subject request is to amend the SUP previously approved on August 4, 2014, for an auto, boat, and recreational vehicle sales and a repair facility located at 1206 N. Stemmons Freeway. The property was initially built as Buddy Gregg Motor Homes, which sold and maintained recreational vehicles. The applicant is in the process of repairing the building and making improvements to the overall site in accordance with the approved SUP. Modifications to the development plan and building elevations proposed by the applicant require an amendment to the SUP. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 5-0 at their meeting on October 6, 2015.

RECOMMENDATION:

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

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Greg Connell, Legend Group

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- E. **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.
- F. **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 October 19, 2015, Workshop Session and Regular Session.**
5. **Approval of Contract for Recyclable Materials Processing Services to Pratt Recycling, Inc., Conyers, Georgia; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

A total of fifteen (15) requests for proposal were downloaded from Bidsync.com. Three (3) proposals were received and opened May 29, 2015. The proposed services are for processing of residential recyclable materials collected by the City's waste hauler. Since 2004, Lewisville has contracted directly with recycling facilities for processing of residential recyclables to allow revenue sharing on the sale of those recyclables. The number of recycling facilities available in the region to perform these services has increased since 2004, and as a result staff sought to determine which company could provide the most advantageous services and revenue sharing arrangement. Pratt Recycling, Inc., is being recommended based on receiving the highest evaluation score.

RECOMMENDATION:

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

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- 6. Approval of an Interlocal Cooperation Agreement for Library Services With Denton County; Designation of the Director of Library Services as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

Denton County has requested that Lewisville provide library services to all residents of Denton County. In exchange for such services Denton County will pay the City of Lewisville \$75,800 based upon Lewisville's population and a proportionate share of unserved Denton County residents.

RECOMMENDATION:

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

G. REGULAR HEARINGS:

- 7. Consideration of a Variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to the Off-Site Parking Lot for 1945 Lakepointe Drive, Located at the South Side of the Lakepointe Drive and Lakeway Drive intersection, as Requested by Dean Plunk, P.E. of Winkelmann & Associates, Inc., on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 3.052-acre lot zoned Light Industrial (LI) within the Waters Ridge Phase 2 Addition located at 1960 Lakepointe Drive at the south side of the Lakepointe Drive and Lakeway Drive intersection. The property owner is proposing to construct 270 parking spaces to provide additional parking for an existing multi-tenant building at 1945 Lakepointe Drive which is at the north east corner of Lakepointe Drive and Lakeway Drive. Staff has reviewed and approved the Engineering Site Plan subject to the City Council approval of a variance to reduce the required separation between driveways to less than 50 feet.

RECOMMENDATION:

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

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- 8. Consideration of Two Variances to the Lewisville City Code, Section 6-145 – Screening Devices and; Section 6-162 Parking Requirements for The Children’s Lighthouse, a New Daycare Facility Located on Lot 5, Block A of The Corners at Valley Parkway Addition, as Requested by Ridinger Associates, Inc.**

ADMINISTRATIVE COMMENTS:

The 2.499-acre property located on the west side of Valley Parkway, approximately 600-ft north of FM 3040 and is zoned Local Commercial (LC). The developer has submitted an Engineering Site Plan and intends to construct a new 10,574 sq.ft. daycare center meeting the City’s Land Development Regulations with the exception of two variances; a) to allow an alternative screening wall in lieu of a masonry screening wall adjacent to Parkway Elementary School; and b) to allow standard parking spaces in lieu of the required three car drive through area for pickup and delivery of children. Staff has reviewed and approved the Engineering Site Plan subject to City Council approval of this variance.

RECOMMENDATION:

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

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Tracy LaPiene, P.E., Vice President of Ridinger Associates, Inc.

- 9. Consideration of an Ordinance Amending Chapter 4, Buildings and Building Regulations, Section 4-28 of the Lewisville City Code, by Deleting the Definitions of Dumpster and Clothing/Material Donation Container or Bin; Adding a Definition of Outdoor Receptacle; and Adding Regulations Regarding Outdoor Receptacles.**

ADMINISTRATIVE COMMENTS:

The proposed ordinance sets forth regulations that provides for screening, placement, and maintenance related to outdoor receptacles. The City has a substantial and legitimate interest in ensuring that its community is kept in a safe and aesthetically pleasing condition, therefore necessitating the need for regulation of outdoor receptacles.

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RECOMMENDATION:

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

PRESENTATION: Eric Ferris, Assistant City Manager

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- I. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.071 (Consultation with Attorney/Pending Litigation): 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
 2. Section 551.072 (Real Estate): Property Acquisition
 3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- J. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- K. **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).