

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
FEBRUARY 1, 2010**

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

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

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 6:00 P.M.**

- A. Discussion Regarding Screening Wall Options
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION - 7:00 P.M.**

- A. **INVOCATION:** Mayor Ueckert
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Mayor Pro Tem Watts
- C. **PUBLIC HEARINGS:**
  - 1. **Continued Public Hearing:** Consideration of an Ordinance for a Zone Change Request From Specific Use District (SU) - Landfill to Specific Use District (SU) - Landfill and Two Variances to the Lewisville City Code on a 337.268 Acre Tract Located at 801 East College Street; Further Identified as Lewisville Landfill Addition, Lot 1, Block A; as Requested by Lewisville Landfill TX, LP, the Property Owner (Case No. PZ20090909).

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**ADMINISTRATIVE COMMENTS:**

This item was tabled at the October 5<sup>th</sup>, November 2<sup>nd</sup> and December 7<sup>th</sup> 2009 City Council Meetings to give the applicant time to respond to concerns raised about the delay in completing College Street and Valley Ridge Blvd. reconstruction. Although staff has met with the applicant to discuss the issue since December 7<sup>th</sup> 2009, there has been very little change in the status of the project.

**RECOMMENDATION:**

That the City Council continue the public hearing until April 5, 2010.

**PRESENTATION:** Eric Ferris, Director of Community Development  
Jason Edwards, Weaver Boos Consultants

2. **Public Hearing: Consideration of an Ordinance for a Zone Change Request From Agricultural Open Space (AO) to Light Industrial (LI) on Three Tracts Totaling 4.40 Acres, Located South of Midway Road Between Holford's Prairie Road and Barfknecht Road; Further Identified as Tracts 39, 43 and 44 of the S. M. Hayden Survey Abstract 537; as Requested by the Van Tuyl Group on Behalf of the Property Owner (Case No. PZ20100103).**

**ADMINISTRATIVE COMMENTS:**

The proposed zoning classification, Light Industrial (LI), is in keeping with the recommendations of the East Lewisville Plan and existing zoning in the surrounding area. The applicant would like to re-zone in order to expand the existing auto auction facility that they plan to buy. A site plan and plat are being drawn up to combine these tracts and the other existing lots into one large lot. Other properties in this area are zoned Light Industrial (LI) and Agricultural Open Space (AO). The Planning and Zoning Commission voted 7-0 in favor of the zone change request at their January 5, 2010, meeting.

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**RECOMMENDATION:**

That the City Council approve the proposed ordinance amending the Lewisville City Code, Chapter 17, the Comprehensive Zoning Ordinance, as set forth in the caption above.

**PRESENTATION:** Nika Reineke, Director of Economic Development and Planning  
Von Beougher, G&A Consultants, Inc.

- D. **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.
- E. **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.
3. **APPROVAL OF MINUTES:** City Council Minutes of the January 25, 2010, Workshop Session and Regular Session.
4. **Approval of a Professional Services Agreement With Graham Associates, Inc., in the Amount of \$80,000 for Services Relating to the Railroad Street Drainage Study; and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

A number of businesses along Metro Park Circle have experienced flooding numerous times over the past several years. In addition, the same storm events have caused water to flow over and close Railroad Street between S.H. 121 Business and Bennett Lane. The Railroad Street Drainage Study is proposed to provide an analysis of the entire drainage basin from High School Drive to Bennett Lane. Staff has negotiated a Professional Services Agreement with Graham Associates, Inc., in the amount of \$80,000 to include data collection, field surveys, hydrologic and hydraulic analyses, and provide alternatives and options for phased improvements along the drainage basin. Funding is available in the 2009 Drainage Improvements Capital Project.

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**RECOMMENDATION:**

That the City Council approve the Professional Services Agreement as set forth in the caption above.

**F. REGULAR HEARINGS:**

- 5. Consideration of an Amendment to the Phasing Plan for the Hebron 121 Station Plan, Zoned Mixed Use Ninety (MU-90), Bounded by Lakeside Circle to the North, State Highway 121 to the South, the Timber Creek to the West and the D.G.N.O. Railroad to the East.**

**ADMINISTRATIVE COMMENTS:**

The Hebron 121 Station project is a proposed mixed use development consisting mostly of apartments with retail, commercial and office components, ideally situated near the DCTA Hebron Station in the southern portion of Lewisville. The original phasing plan submitted with the zone change request consisted of three phases. Although the scope of the project remains the same, changes in the economy and current available financing options have added limitations to the amount that can be constructed at one time. The amended phasing plan breaks construction of the development into 11 phases, with a twelfth phase consisting of City property. Staff has been working with the developer to make sure that each phase is able to “stand alone” in terms of utilities, infrastructure, parking, etc. The developer has stated that if alternative financing becomes available to speed up the process of construction, that they would do so, since economies of scale work in their favor. The Planning and Zoning Commission recommended unanimous approval (7-0) at their January 5, 2010 meeting.

**RECOMMENDATION:**

That the City Council approve the amended phasing plan.

**PRESENTATION:** Nika Reinecke, Director of Economic Development and Planning  
Howard Porteus, Huffines Communities

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- 6. Consideration of an Ordinance Amending Chapter 9, Article 1, of the Lewisville City Code by Clarifying Noise Restrictions and Providing Exemptions Thereto.**

**ADMINISTRATIVE COMMENTS:**

Chapter 9, Article 1 of the Lewisville City Code is amended to define ‘clearly audible’ while re-defining ‘daytime’ and ‘nighttime’ hours. The amended ordinance is also reorganized in a more logical format and adds two exemptions to the ordinance for local government and school district events.

**RECOMMENDATION:**

That the City Council adopt the proposed ordinance.

- 7. Consideration of an Ordinance Amending the Lewisville City Code, Article IV, Parking Regulations; Section 15-126; Prohibited Parking on Specific Streets; Related to Prohibited Parking on Savage Street.**

**ADMINISTRATIVE COMMENTS:**

Lewisville Independent School District is renovating the property on Savage Street to serve as a middle school campus in the fall of 2010. Staff has received comments and concerns related to increased vehicular traffic and pedestrian crossing issues on Savage Street and is in support of extending the prohibition of parking along a greater length on Savage Street. The Transportation Board considered this item at the October 20, 2009 meeting and voted unanimously 7-0 to recommend approval of the prohibition of parking along Savage Street.

**RECOMMENDATION:**

That the City Council adopt the ordinance amending the Lewisville City Code, as set forth in the caption above.

- 8. Consideration of an Ordinance Amending the Lewisville City Code, Chapter 7, Article V, Relating to Special Events.**

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**ADMINISTRATIVE COMMENTS:**

Staff has identified the need to amend the current requirements related to the Special Events ordinance. The Special Events ordinance applies to parades, fairs, festivals, exhibits, block parties, street dances, carnivals, circuses, temporary commercial outdoor amusements, outdoor concerts and sporting events when public or private property is to be used in excess of the intended and permitted use for the property. The amendment includes new language outlining inspection regulations, new language addressing indemnification requirements for governmental entities and state institutions, and adding new definitions.

**RECOMMENDATION:**

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

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

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