

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
FEBRUARY 6, 2017**

**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 Jones
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS**: Mayor Durham
- C. **PROCLAMATION**: Special Recognition and Appreciation for “Keep Lewisville Beautiful and Executive Director Amy Wells”
- D. **PRESENTATION**: Presentation of 2017 ColorPalooza Logo and Recognition of the Winner of the 2017 ColorPalooza Student Logo Contest
- E. **PUBLIC HEARINGS**:
 - 1. **Public Hearing**: Consideration of an Ordinance Granting a Special Use Permit (SUP) and Three Associated Variances for a Gasoline Service Station on an Approximately 3.268-Acre Tract of Land, Located on the Northwest Corner of I-35E and FM 407, Further Identified as a Portion of Lot 2, Block A, Blake C. Bowen Addition, With Three Associated Variances, as Requested by Michael Potter, of QuikTrip, on Behalf of Brad Bowens, Trinity Partners, the Property Owners (Case No. SUP-2016-11-11).

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ADMINISTRATIVE COMMENTS:

The request is for a QuikTrip brand gasoline service station with 12 pumps, able to serve 24 cars at one time, and with a convenience store. This facility is proposed to operate 24 hours a day, seven days a week year-round. The gasoline service station portion of this site requires approval of a Special Use Permit (SUP). The applicant is requesting the following variances: a) to allow a driveway along IH-35E service road within the denial of access limits set by TxDOT; b) to allow driveway spacing along FM 407 to be less than 230 feet; and c) to allow a modified (hooded) left turn lane on FM 407 to be less than 600 feet. On November 1, 2016, the Planning and Zoning Commission unanimously recommended denial (7-0) of the SUP.

RECOMMENDATION:

That the City Council deny the proposed Special Use Permit and requested variances a) and c) and consider requested variance b).

PRESENTATION: - Michael Potter, Quik Trip

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Warehouse District (WH) and Light Industrial District (LI) to Planned Development-Old Town Mixed Use Two District (PD-OTMU2), With Four Associated Variances, on an Approximately 5.589-Acre Tract of Land out of the E. Sutton Survey Abstract 1167, Located on the North Side of East College Street Approximately 940 East of North Kealy Avenue, as Requested by G&A Consultants, LLC on Behalf of Dale L. and Vonda K. Andrews, the Property Owners (Case No. PZ-2017-01-02).**

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ADMINISTRATIVE COMMENTS:

The property for the proposed Planned Development (PD) is currently zoned Warehouse (WH) and Light Industrial (LI). The DCTA station is located to the southeast of the site. The proposed PD will have a base zoning of Old Town Mixed Use 2 (OTMU2) with a proposed four story multi-family complex with 234 residential units. The four requested variances are: a) to allow a reduction in the required parking from 2 parking spaces per unit to 1.4 parking spaces per unit; b) to waive the screening wall requirement between residential and industrial uses; c) to allow on-street parking along College Street; and d) to allow a public waterline to be located underneath pavement. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of January 17, 2017.

RECOMMENDATION:

That the City Council approve the proposed ordinance and four associated variances as set forth in the caption above so long as the variance for the public water line be conditional with the property owner being responsible for pavement repair due to water line maintenance.

PRESENTATION: - Randi Rivera, G&A Consultants LLC.

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

3. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Hotel With Rooms Containing a Cooktop or Oven, on 4.06 Acres Legally Described as Lots 5B1 and 5C1, Block A, Vista Ridge – 35 Addition, Located on the South Side of East Vista Ridge Mall Drive Approximately 400 Feet East of Lake Vista Drive, at 780 East Vista Ridge Mall Drive and Zoned Light Industrial (LI), With One Associated Variance Request Regarding Exterior Finish, as Requested by Randi Rivera of G&A Consultants LLC. on Behalf of Sam Hamra, SJH Inns, LP, the Property Owner (Case No. SUP-2017-01-01).**

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ADMINISTRATIVE COMMENTS:

Approval of a Special Use Permit is required for the proposed hotel since cooktops or ovens are proposed in the guest rooms. The Candlewood Suites will be connected to the existing Holiday Inn Express by a conference center. The existing Holiday Inn Express was built in 1999 and does not meet the current exterior finish requirements. The joining of these two hotel buildings now creates one larger structure and the regulations regarding veneer requirements extends to the entire structure. The applicant has requested the following variance: a.) to waive the 80% brick or stone veneer requirement for the existing Holiday Inn Express building. On January 17, 2017, the Planning and Zoning Commission recommended unanimous approval (7-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Randi Rivera, G&A Consultants

- 4. Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a 7,680 Square-Foot Auto Repair Facility on a Portion of a 6.287-Acre Lot, Legally Described as Lot 1, Block A, Prestige Park Addition, Located on the North Side of East State Highway 121 Business Approximately 800 Feet East of Valley Ridge Boulevard at 985 Highway 121 Business, Building One and Zoned Light Industrial (LI) District, as Requested by Kevin Dubois, of Evolution Dynamics, on Behalf of Harold Peck, Prestige Garage, LLC, the Property Owner (Case No. SUP-2017-01-02).**

ADMINISTRATIVE COMMENTS:

The proposed auto repair facility is proposed for Building One of the Prestige Office/Warehouse development, a nine-building commercial development. The business specializes in customizing high end cars for maximum performance. To improve the site aesthetics, the applicant proposes to increase the number of trees from 8 to 14 in the landscape strip along SH 121 Business. On January 17, 2017, the Planning and Zoning Commission recommended unanimous approval (7-0) of the SUP.

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RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Kevin Dubois, Evolution Dynamics

5. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a 9,000 Square-Foot Auto Repair Facility on a 6.287-Acre Lot, Legally Described as Prestige Park Addition, Lot 1, Block A; Located at 985 State Highway 121 Business Building Nine; Zoned Light Industrial (LI) District, as Requested by Patrick Sparks, of Quality Motorsports, on Behalf of Harold Peck, Prestige Garage, LLC, the Property Owner (Case No. SUP-2017-01-03).**

ADMINISTRATIVE COMMENTS:

The proposed auto repair facility is proposed for Building Nine of the Prestige Office/Warehouse development, a nine-building development, located at 985 Highway 121 Business. The applicant is proposing to occupy the entire building which consists of six units and has a total square footage of 9,000. The business specializes in customizing high end cars for maximum performance. On January 17, 2017, the Planning and Zoning Commission recommended unanimous approval (7-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Patrick Sparks, Quality Motorsports

- 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.

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- 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.

- 6. Approval of an Economic Development Agreement Between the City of Lewisville and Wittington Holdings, LP; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

Wittington Holdings will be developing the property located at 3000 N. Stemmons Freeway into an upscale residential development, Tower Bay Lofts. The development will include a 4-story building with 308 residential units including a parking garage structure, extensive landscaping and hike/bike trails, fitness area, roof deck, pool and other amenities. Wittington Holdings is projected to invest over \$40,000,000 in the project. Substantial completion of the project is set for June 30, 2021.

RECOMMENDATION:

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

- 7. Approval of a Name Change From Medical Center of Lewisville Grand Theater to Medical City Lewisville Grand Theater.**

ADMINISTRATIVE COMMENTS:

The Medical Center of Lewisville is now Medical City Lewisville and has notified the City of Lewisville of the name change. The title sponsorship agreement requires council approval of renaming the Medical Center of Lewisville Grand Theater to Medical City Lewisville Grand Theater.

RECOMMENDATION:

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

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H. REGULAR HEARINGS:

- 8. Consideration of a Variance to the Lewisville City Code, Section 6-144 – Screening Devices, for Avalon Memory Care, a Proposed Memory Care Facility Located on the North Side of Round Grove Road Between Valley Parkway and Old Orchard Lane; Further Identified as the Avalon Addition, Lots 1-3, Block A; as Requested by G&A Consultants LLC on Behalf of 3 Willows Land Development the Property Owner.**

ADMINISTRATIVE COMMENTS:

The 4.363-acre property was the former home of Parkway Baptist Church. The existing buildings on-site will be demolished to make room for a memory care facility that will be developed in several phases over three lots. The Engineering Site Plan identifies four buildings overall, with the construction of two new buildings in the first phase. The development meets minimum requirements of the City's Land Development Regulations except for a variance to the screening wall requirement: a) To allow the existing live screening along the western property line to remain in lieu of a six-foot masonry screening wall and to allow a tubular steel fence with brick columns and trees in lieu of the required masonry screening wall along the northern property line.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Doug Weaver, G&A Consultants, LLC.

- 9. Consideration of a Variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, Regarding a Temporary Sales and Marketing Trailer at 2514 Plumas Drive Part of Windhaven Crossing Phase B Sec 1, a Single Family Attached Development Located South of Sam Rayburn Tollway east of Cookie Lane, as Requested by Hannah Rodgers representing Megatel Homes, the Property Owner.**

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ADMINISTRATIVE COMMENTS:

Megatel Homes is currently developing a 90-unit single-family attached residential project on a 4.10-acre property zoned PUD, located south of Sam Rayburn Tollway and east of Cookie Lane. In this development, single family homes will be a minimum of 1,800 square feet in area. Section 4-28 of the Lewisville Code of Ordinances prohibits the use of portable buildings as a temporary sales and marketing office. The developer is requesting a variance to this regulation to allow the use of a modular sales office for a 12-month period from permit issuance or until the certificate of occupancy of the Windhaven Crossing Phase B Section 1 model home is completed, whichever is earlier.

RECOMMENDATION

That the City Council approve the variance as set forth in the caption above with the following conditions: (1) the variance shall expire within twelve (12) months after a building permit is issued for the portable building or upon the issuance of a certificate of occupancy for the model home, whichever occurs first; and (2) skirting, permanent landscaping, and an ADA accessible concrete walkway and ramp shall be installed with the portable building.

AVAILABLE FOR - Cleve Joiner, Director of Neighborhood Services
QUESTIONS:

- 10. Consideration of an Ordinance Amending the Lewisville City Code, Section 15-36, Maximum Speed Limits Near Schools, by Repealing the Current School Speed Zones on Fox Avenue and Establishing a New School Speed Zone on Fox Avenue From 400 Feet West of Edmonds Lane to Purnell Street Within the City of Lewisville; and Amending the Lewisville City Code Section 15-126, Stopping, Standing or Parking Prohibited on Specific Streets, by Allowing Parking On Certain Segments of Deer Run.**

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ADMINISTRATIVE COMMENTS:

In response to concerns for the vehicle and pedestrian traffic occurring at the intersection of Fox Avenue and Creekside Drive, staff determined that the adjustment of the school zone to include this section of Fox Avenue would improve safety. Thus, a school speed zone is recommended along Fox Avenue from 400 feet west of Edmonds Lane to Purnell Street. The Transportation Board considered this item during the January 3, 2017 meeting and voted 5-0 to recommend approval of the proposed school speed zone. In addition, staff received feedback from residents on the east side of Deer Run between Antler Trail South and Wallington Way that they would like to park in front of their houses. Thus, staff recommends that parking be allowed on this segment of Deer Run. The Transportation Board considered this item during the January 3, 2017 meeting and voted 4-1 to recommend approval of the proposed parking regulation.

RECOMMENDATION:

That the City Council adopt the Ordinance amending the school speed zone on Fox Avenue and allowing parking on certain segments of Deer Run as set forth in the caption above.

AVAILABLE FOR - David Salmon, P.E., City Engineer
QUESTIONS:

- 11. Consideration of Acceptance of Resignation of Steve Byars From Place No. 5 on the Planning and Zoning Commission (P&Z); Declare Vacancy Exists on the P&Z; and Consideration of an Appointment to Place No. 5 on the P&Z.**

ADMINISTRATIVE COMMENTS:

Steve Byars has submitted his resignation from Place No. 5 on the P&Z. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy.

RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above.

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- 12. Consideration of Acceptance of Resignation of Lathan Watts as the City of Lewisville Representative on the Upper Trinity Regional Water District (UTRWD) Board of Directors; Declare Vacancy Exists for the City of Lewisville Representative on the UTRWD Board of Directors; and Consideration of an Appointment of a City of Lewisville Representative on the Upper Trinity Regional Water District (UTRWD) Board of Directors To Complete the Term Ending May 31, 2017 and to Continue Through Term Beginning June 1, 2017.**

ADMINISTRATIVE COMMENTS:

Lathan Watts has submitted his resignation as the City's representative on the UTRWD Board of Directors. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. City staff recommends that Director of Public Services Keith Marvin be appointed as the City's representative. Representatives on the UTRWD Board of Directors serve a term of four (4) years and the current term Lathan Watts was serving in was set to expire effective May 31, 2017. It is also recommended that whoever is appointed to serve the remainder of this term also be appointed to serve the term beginning June 1, 2017.

RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider appointing a representative to serve as a board member on the UTRWD Board of Directors as set forth in the caption above.

- 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 Regarding Special Election
 2. Section 551.072 (Real Estate): Property Acquisition
 3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations

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- 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).