

A G E N D A

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

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

WORKSHOP SESSION - 5:00 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

CLOSED SESSION – 5:00 P.M.

- A. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D, Section 551.071 (Consultation with Attorney): Legal Issues Regarding City Governance.

WORKSHOP SESSION -IMMEDIATELY FOLLOWING CONCLUSION OF CLOSED SESSION

- A. City Council Retreat Recap
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Mayor Durham
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Daniels

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C. PUBLIC HEARINGS:

- 1. Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Planned Development-Estate Townhouse District (PD-ETH), With Seven Associated Variances on an Approximately 12.293-Acre Tract of Land out of the E. Sutton Survey, Abstract 1167, Located on the East Side of North Kealy Avenue Approximately 425 Feet North of East College Street, as Requested by G&A Consultants, LLC on Behalf of TSMJV, LLC, the Property Owner (Case No. PZ-2017-02-03).**

ADMINISTRATIVE COMMENTS:

The property for the proposed Planned Development (PD) is currently zoned Light Industrial (LI). The DCTA station is located to the southeast of the site. The proposed PD will have a base zoning of Estate Townhouse (ETH) with a proposed craftsman style single-family detached product. The concept plan outlines 97 single-family lots to be constructed in one phase on approximately 12 acres. The development is designed to reflect the Old Town character since the site is situated one block from the Old Town Design District boundary. The seven requested variances are: a) to allow for alternative screening adjacent to industrial zoning; b) to allow hardi-board siding as a primary material on the homes; c) to waive the alley requirement and allow front entry; d) to allow non-radial lot lines for Lot 15, Block E; e) to reduce the minimum 40-foot lot width and 20-foot control of access for corner lots at residential intersections; f) to allow a revised street centerline radius; and g) to allow a revised minimum radius of street curvature close to an intersection. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of February 21, 2017.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Jeff Kelly, P.E., Assistant City Engineer
- Randi Rivera, G&A Consultants LLC

- 2. Public Hearing: Consideration of a First Amendment to the Strategic Partnership Agreement Between the City of Lewisville and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H.**

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ADMINISTRATIVE COMMENTS:

This is the first of two public hearings to consider the First Amendment to the City's Strategic Partnership Agreement (SPA) between the City and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H. The First Amendment adds additional commercial tracts to the existing SPA for limited annexation for sales and use tax purposes only. Texas Local Government Code Section 43.0751 requires governing bodies of the municipality and the specified Districts, to hold two public hearings regarding limited annexation. The City will hold the second public hearing on March 20 and consider the First Amendment to the SPA for City Council approval. All Districts have held the public hearings and have approved the First Amendment.

RECOMMENDATION:

That the City Council conduct the public hearing.

- 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 February 20, 2017, Workshop Session and Regular Session.
4. **Approval of an Amendment to a Professional Services Agreement with Western Economic Services, LLC, to Add a Community Needs Assessment for an Additional Cost of \$12,985, Bringing the Total Professional Services Agreement Amount to \$56,975; and Authorization for the City Manager to Sign the Amended Contract.**

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ADMINISTRATIVE COMMENTS:

Staff had recently entered into a professional services agreement with Western Economic Services, LLC to perform an assessment of fair housing and to design a five-year consolidated plan and annual action plan for the Community Development Block Grant program. The cost for these services totaled \$43,990, and the agreement was approved by the City Manager. Staff would like to amend the agreement to include a community needs assessment for an additional \$12,985, bringing the total to \$56,975, which requires City Council approval.

RECOMMENDATION:

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

- 5. Approval of an Economic Development Agreement By and 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.

- 6. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Texas Criminal Justice Division to Obtain Funding to Purchase Software to Enhance Management of Use of Force Reports, Internal Investigations, and General Orders.**

ADMINISTRATIVE COMMENTS:

The Lewisville Police Department is preparing a grant application to obtain funding from the State of Texas under its Justice Assistance Grant program. The total cost is estimated to be \$43,039 which will be covered by the grant if the application is approved.

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RECOMMENDATION:

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

- 7. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Texas Criminal Justice Division to Obtain Funding to Purchase Two All-Terrain Vehicles.**

ADMINISTRATIVE COMMENTS:

The Lewisville Police Department is preparing a grant application to obtain funding from the State of Texas under its Justice Assistance Grant program. The application seeks funding for the purchase of two all-terrain vehicles (ATVs). The total cost is estimated to be \$75,663 which will be covered by the grant if the application is approved.

RECOMMENDATION:

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

F. REGULAR HEARINGS:

- 8. Consideration of Three Variances to the Lewisville City Code, Section 6-96 Drainage; Section 6-144 Screening Devices; and Section 6-123 Non Residential Landscape Requirements, for Northview Baptist Church, Located at the Northwest and Southwest Corners of North Mill Street and Hedgerow Lane, as Requested by Ridinger Associates, Inc., on Behalf of Northview Baptist Church, the Property Owner.**

ADMINISTRATIVE COMMENTS:

Northview Baptist Church has been in existence for many years. The church has grown over the years and is the process of constructing a new sanctuary building and additional parking that will centralize services currently offered in multiple buildings. The development meets minimum requirements of the City's Land Development Regulations except for the following three variances: a) to allow a drainage discharge exceeding 2 cubic feet per second from the driveways; b) to allow the existing six-foot tall wood fences to remain in lieu of the required tubular steel screening wall along both the southern campus adjacent to the existing apartments and along the northern campus adjacent to the existing single-family residential lots; and c) to allow a modified landscape strip along North Mill Street in lieu of a continuous 10-foot landscape strip.

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RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Tracy LaPiene, Ridinger Associates, Inc.

- 9. Consideration of Two Variances to the Lewisville City Code Section 9.5-92 (Paving) Regarding Driveways and Lewisville City Code Section 9.5-165 (Off-Street Parking) Regarding Drive Aisle Width Related to 322 North Mill Street, as Requested by Jerome Murawski, P.E., ARS Engineers, Inc., on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 0.293-acre lot zoned Old Town Mixed Use Two (OTMU2) within the Cross Ventures Addition. The property owner is proposing to convert the existing single-family home into an office building. Staff has reviewed and approved the Old Town Development Plan subject to the City Council approval of the two variances: a) to allow the existing driveway to remain with a width less than 24 feet, radius less than 20 feet and driveway spacing less than 50 feet; and b) to allow the drive aisle to be less than 24 feet wide along the north side of the building.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Jeff Kelly, P.E., Assistant City Engineer

- 10. Consideration of a Variance to the Lewisville City Code Section 9.5-92 (Paving) Regarding Driveways Related to 119 East Main Street, as Requested by William Peck, A.I.A., William Peck & Associates Inc., on Behalf of the Owner.**

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ADMINISTRATIVE COMMENTS:

The subject site is a 0.7454-acre lot zoned Old Town Center Business District (OTC) within the Feed Mill Addition. The property owner is proposing to convert the existing site into a restaurant. Staff has reviewed and approved the Old Town Development Plan subject to the City Council approval of a variance to reduce the required driveway spacing of 50 feet along Kealy Avenue.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Jeff Kelly, P.E., Assistant City Engineer

- 11. Consideration of an Ordinance Providing for the Abandonment of Matthew Street Right of Way North of McKenzie Street, South of Purnell Street, East of Lone Oak Street, and West of Hardy Street.**

ADMINISTRATIVE COMMENTS:

This section of Matthew Street is a prescriptive 25-foot wide right-of-way with no existing infrastructure improvements. The requested abandonment extends approximately 118 feet west of Hardy Street. There are no existing franchise utilities located in the right-of-way to be abandoned.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Jeff Kelly, P.E., Assistant City Engineer

- 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

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- 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).