

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
APRIL 17, 2017**

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

**WORKSHOP SESSION - 5:45 P.M.
REGULAR SESSION – 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 5:45 P.M.

- A. Discussion Regarding Corporate/CIP Street Funding Plan
- B. 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 Gilmore
- C. **PROCLAMATIONS:**
 - 1. Declaring the Month of May, 2017 as “Motorcycle Safety and Awareness Month”
 - 2. Declaring the Week of April 17-22, 2017 as “Community Development Week”

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D. PUBLIC HEARINGS:

- 1. Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Warehouse Distribution Facility With Outside Storage on More Than Ten Percent of the Platted Lot, on an Approximately 5.703-Acre Tract of Land out of the R.H. Barksdale Survey, Abstract No. 46, Located at 1541 Stonewall Drive, Zoned Heavy Industrial District (HI), as Requested by Robert Schneeberg, of Gonzalez and Schneeberg, Engineers & Surveyors Inc, on Behalf of Agrarius LLC and Brown Lewisville Railroad Family Trust LP, the Property Owners (Case No. SUP-2017-03-07).**

ADMINISTRATIVE COMMENTS:

The 5.703-acre property is located within the Riverview Industrial Park. The proposal shows approximately 54% of the lot area to be used for the outside storage of portable air conditioning equipment. The applicant is proposing to make enhancements to the existing building, landscaping and screening. On March 21, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Jerry Russell, Agrarius LLC

- 2. Public Hearing: Consideration of a Special Use Permit (SUP) for an Expansion of Auto Display and Sales (Outdoor) and Two Associated Variances, on an Approximately 9.441-Acre Tract of Land out of the William King Survey, Abstract No. 697, Located on the Southwest Corner of South Stemmons Freeway (IH-35E) and Country Ridge Road, at 1601 South Stemmons Freeway, Zoned Light Industrial District (LI), as Requested by Eric Canales, of Multatech, on Behalf of Bankston Nissan Lewisville, Ltd. the Property Owner (Case No. SUP-2017-03-08).**

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ADMINISTRATIVE COMMENTS:

The property is currently being used as an auto dealership for new vehicles. The front of the existing lot will be subject to future right-of-way acquisition for Phase II IH-35E expansion. The proposed expansion involves a pavement expansion on the existing property south of Country Ridge Road and the construction of new display and customer parking areas to the north of Country Ridge Road. The applicant is proposing to make enhancements to the landscaping and screening as part of the expansion. The following two variances are requested: a) to allow a control of access of less than 250 feet, and b) to allow driveway spacing of less than 230 feet. On March 21, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Eric Canales, Multatach

3. Public Hearing: Consideration of Amendments to the Community Development Block Grant (CDBG) Annual Action Plans, Changing the Scope for Street and Sewer Manhole Projects and Cancelling Other Projects.

ADMINISTRATIVE COMMENTS:

CDBG Annual Action Plans were previously amended to upgrade two street rehabilitation projects from asphalt to concrete replacement: Holfords Prairie-Bunker Hill and Poydras-Decker. This amendment would return the Holfords Prairie-Bunker Hill project to asphalt pavement while making funds available to proceed with concrete replacement on Poydras-Decker. It would also increase funding and add locations for the Sewer Manhole Rehabilitation project by cancelling unspent funds for housing rehabilitation and first-time homebuyer assistance. The CDBG Advisory Committee voted 6-1 at its meeting on April 11, 2017, to recommend approval of the amendments.

RECOMMENDATION:

That the City Council approve the Annual Action Plan amendments as set forth in the caption above.

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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 April 3, 2017, Workshop Session and Regular Session.
5. **Approval of an Award for an Annual Requirements Agreement for Video Inspection of Storm Sewer Lines to Hoffman Southwest Corp. Professional Pipe Services, Mission Viejo, California, for the Estimated Amount of \$238,500; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

A total of eighteen (18) requests for bids were downloaded from Bidsync.com. Two (2) bids were received and opened on March 2, 2017. This contract will involve visual inspection of inlet boxes and manholes and video inspection of all laterals and storm sewer mains. The information received will be used for multiple purposes such as scheduling repairs of identified problems, correcting GPS mapping information, and creating a condition index. The term of the agreement will be twelve months, with option to extend up to two additional twelve-month periods. Funding for this bid award is available from the General Fund Street Division maintenance budget.

RECOMMENDATION:

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

6. **Approval of a Bid Award for the Purchase of two Grit Classifiers to Envirodyne Systems Inc. of Camp Hill, Pennsylvania, in the Amount of \$59,820; and Authorization for the City Manager to Execute the Agreement.**

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ADMINISTRATIVE COMMENTS:

A total of twenty (20) requests for bids were downloaded from Bidsync.com. Four (4) bids were received and opened on Feb 23, 2017. Envirodyne Systems Inc. provided the lowest bid for the two grit classifiers. The two grit classifiers will replace the two existing units which were installed in 1988 and 2004. Funding is available in the Capital Improvement Project Account.

RECOMMENDATION:

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

- 7. Approval of a Professional Services Agreement with RJN Group, Inc., Wheaton, IL for Assessment of the City Wastewater Collection and Water Distribution Systems, in the Amount of \$249,900; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Public Services Department is responsible for significant portions of the city's infrastructure. Public Services has used a combination of in-house personnel and outside vendors to perform inspections, assessments, and classifications on much of our infrastructure. The professional services of RJN Group, Inc. will assist with the assessment and classification of the wastewater collection and water distribution systems. Most of this infrastructure is not open for visual inspection.

RECOMMENDATION:

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

- 8. Approval of an Economic Development Agreement By and Between the City of Lewisville and Main Valley Realty, Ltd; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

Main Valley Realty, Ltd, owner of the Main Valley Shopping Center at the southwest corner of FM 1171 and Valley Parkway, will be conducting a large-scale renovation of the property. The Owner will renovate the shopping center with major façade improvements, parking lot clean up and signage improvements. The project will be substantially completed by March 30, 2018. The agreement calls for a grant reimbursement amount of \$350,000 over a five-year period.

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RECOMMENDATION:

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

- 9. Approval of an Amendment to the License Agreement With the Denton County Transportation Authority for Grade Crossing and Signal Improvements at Valley Ridge Boulevard Within Railroad Right-of-Way Increasing the Amount of Compensation to be Paid to the DCTA From \$656,250 to \$1,000,000; and Authorization for the City Manager, to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

This License Agreement allows the City to extend Valley Ridge Boulevard over Dallas Area Rapid Transit (DCTA) right-of-way including the Denton County Transportation Authority's (DCTA's) rail allowing for a rail-crossing. The DCTA has requested an amendment to the License Agreement originally approved by City Council on March 16, 2015 to increase the maximum reimbursement value due to the increase of construction costs and a change in their operation and maintenance contractor. The original amount of the License Agreement was \$625,000 plus \$31,250 for contingencies (approximately 5%) for a total of \$656,250. Due to the significant increase in construction costs in the North Texas Region, DCTA is requesting a revision of the license agreement. This scope of work has not changed since the original agreement was approved.

RECOMMENDATION:

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

- 10. Approval of a Professional Services Agreement with Strategic Community Solutions LLC, in the Amount of \$225,500 for Development of Small Area Plans and Community Character Manuals; and Authorization for the City Manager to Execute the Contract.**

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ADMINISTRATIVE COMMENTS:

The City Council discussed the need to develop Small Area Plans for neighborhood engagement, implementation of various aspects of the 2025 Plan and to focus on the neighborhoods to better address issues and solutions. This agreement will provide Area Plans and Character Manuals for two focused areas as determined by the City Council at the 2017 City Council Retreat.

RECOMMENDATION:

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

G. REGULAR HEARINGS:

- 11. Consideration of an Ordinance Amending Section 7-226 of the Lewisville Code of Ordinances to Reflect the Renumbering of Applicable Sections of the Texas Administrative Code's Food Establishment Regulations.**

ADMINISTRATIVE COMMENTS:

In 2016, the Texas State Legislature approved amendments to the Texas Administrative Code, including the renumbering of certain sections in the Texas Food Establishment Regulations. This proposed amendment updates our Lewisville City Code to reflect that renumbering.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Chris McGinn, Chief Health and Animal Services

- 12. Consideration of a Variance to the Lewisville City Code, Section 6-144 – Screening Devices, for a Proposed Office Located on the Northwest Corner of South Stemmons Freeway (IH-35E) and Rolling Ridge Drive, Further Identified as Lots 12 and 13, Block B, Rolling Ridge Addition; as Requested by Homeyer Engineering Inc. on Behalf of T-Rock Roofing and Construction, the Property Owner.**

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ADMINISTRATIVE COMMENTS:

The 0.53-acre property is zoned General Business and has an existing residential structure, a 50-foot wide concrete drainage channel and an existing 50-foot wide gas easement. The existing building will be demolished to make room for a 3,346-square foot office and associated parking. The following variance is requested: a) to allow screening hedges along the parking area in lieu of the required six-foot masonry screening wall along the western property line.

RECOMMENDATION:

That the City Council approve the requested variance as set forth in the caption above with the condition that the living screen is irrigated.

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Steve Homeyer, Homeyer Engineering Inc.

- 13. Consideration of two Variances to the Lewisville City Code, Section 9.5-162 Parking Requirements Based on use, for a Proposed Mixed Use Development Located on the West Side of South Mill Street Approximately 150 Feet South of Elm Street, Legally Described as Lot 2R, Block A, South Village Addition, as Requested by Henry Rahmani, HAT Group, LLC. and CADG Mill St, LLC, the Property Owners.**

ADMINISTRATIVE COMMENTS:

The 0.831-acre property is zoned Old Town Mixed Use Two. The proposed development is to occur in two phases. Phase I, currently in review, consists of a three-story building with approximately 11,000 square feet of commercial on the first floor and garages for the two floors of residential above. The following two variances are requested: a) to allow a parking ratio of 1.375 parking spaces per residential unit in lieu of the required 2 parking spaces per unit; and b) to allow 7 on-site parking spaces for the retail/office component of the building in lieu of the required 33 on-site parking spaces.

RECOMMENDATION:

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

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AVAILABLE FOR QUESTIONS: - George Babineaux II, Assistant Building Official
- Henry Rahmani, HAT Group, LLC.

- 14. Consideration of a Final Plat of Castle Hills Phase IV Section B Addition a 4.988 Acre Parcel Designated General Business 2 (GB2), Located on the Southeast Corner of FM 544 and FM 2281 With Three Associated Variances, as Requested by Land Design Inc., Representing the Property Owner.**

ADMINISTRATIVE COMMENTS:

The subject plat is located within Castle Hills in the City of Lewisville Extra Territorial Jurisdiction (ETJ) and is to be developed in accordance with the 1996 Bright Farms Agreement. The subject property is being platted for future retail development. The following variances are being requested by the owner: a) to allow dedication of a street, drainage, pedestrian easement in lieu of right-of-way dedication for a right turn lanes along FM 544 and FM 2281; b) to allow pavement within a restricted water line easement; and c) to reduce the required median opening spacing from 600 feet to 460 feet from a signalized intersection. The Planning & Zoning Commission recommended approval of the final plat and variances (7-0) at its April 4, 2017 meeting.

RECOMMENDATION:

That the City Council approve the final plat and the variances as set forth in the caption above with the condition the property owner accepts responsibility for all pavement repairs related to future maintenance and repair of the public water lines.

AVAILABLE FOR QUESTIONS: - Jeff Kelly, Assistant City Engineer

- 15. Consideration of a Donation to the City of Lewisville of a Permanent Work of Public Art, as Recommended by the Arts Advisory Board, and Approval of Placement at Medical City Lewisville Grand Theater.**

ADMINISTRATIVE COMMENTS:

Greater Lewisville Arts Alliance wants to donate a metal sculpture to be installed as the first piece of permanent public art, to be located outside MCL Grand near the corner of Main and Charles. The Arts Advisory Board has reviewed the proposal and recommended acceptance. Under the City's Public Art Policy, the donation and placement require City Council approval.

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RECOMMENDATION:

That Council accept the donation of a permanent work of public art from Greater Lewisville Arts Alliance, and approve placing the sculpture at MCL Grand as proposed.

PRESENTATION: - James Kunke, Community Relations & Tourism Director

H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.

- First Quarter 2017 Boards/Commissions/Committees Attendance Reports

I. **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

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).