

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JUNE 5, 2017**

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

WORKSHOP SESSION - 5:30 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 5:30 P.M.

- A. Presentation of Mid-Year Report
- B. Capital Improvement Project Update / Street Prioritization
- C. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Jones
- C. **PUBLIC HEARINGS:**
 - 1. **Public Hearing:** Consideration of a Special Use Permit Request for the Redevelopment and Expansion of an Existing Auto Display, Sales and Repair Facility and Three Associated Variances, on an Approximately 4.54-Acre Tract of Land out of the William King Survey, Abstract No. 697, Located on the Northwest Corner of South Stemmons Freeway (IH-35E) and Country Ridge Road, at 1515 South Stemmons Freeway, Zoned Light Industrial District (LI), as Requested by Clay Cristy of Claymoore Engineering, on Behalf of Douglas Baum, Lewisville Autoplex Mitsubishi, the Property Owner (Case No. SUP-2017-05-10).

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ADMINISTRATIVE COMMENTS:

This site has been home to a car dealership since the site was developed in 1995. TXDOT's IH-35E corridor widening project has eliminated the front display area and impacts a portion of the existing building. The applicant proposes to redevelop the entire site by constructing a new facility that will combine the uses of the existing three buildings on site and the addition of a new parking area at the rear of the site. Enhanced landscaping exceeding minimum requirements are being provided both interior and along the perimeter of the site. On May 2, 2017, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS:

2. **Public Hearing: Consideration of a Zone Change Request From Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses) by Approving an Amended Engineering Site Plan; on a 9.86-Acre lot Legally Described as Lot 1, Block A, Lewisville Republic Addition, Located on the Southeast Quadrant of Huffines Boulevard and Stonewall Drive, as Requested by Steven Homeyer, Homeyer Engineering, Inc. on Behalf of Robert Cox, Camelot Landfill TX, LP, the Property Owner (Case No. PZ-2017-05-10).**

ADMINISTRATIVE COMMENTS:

Republic Services provides waste and recycling services to residential, municipal, commercial and industrial customers nationwide. This request is to amend the engineering site plan approved in November of 2016. Three significant changes proposed are the addition of approximately 3,300 square feet of building area that includes a fourth truck service bay; the addition of 30 truck parking spaces and the replacement of the proposed board on board fence with an ornamental metal fence and a chain link fence. Enhanced landscaping and screening proposed for the site promotes increased compatibility of the proposed facility with existing uses in the general area. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of May 16, 2017.

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RECOMMENDATION:

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

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS:

- Public Hearing:** Consideration of an Ordinance Granting a Zone Change Request From Agriculture Open Space District (AO) to Single Family Residential District (R-7.5), on an Approximately 0.999-Acre Tract of Land out of the E. Pickett Survey, Abstract No. 1014, Located at 736 South Poydras Street, as Requested by Daniel Santos, the Property Owner (Case No. PZ-2017-05-08).

ADMINISTRATIVE COMMENTS:

The owner plans to plat and build a new single family home on the property. The request is consistent with other zoning in the area. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of May 16, 2017.

RECOMMENDATION:

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

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS:

- Public Hearing:** Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Old Town Center Business District (OTC), on Approximately 0.207 Acres, Legally Described as Portions of Lots 2 and 3, Block 6, Original Town of Lewisville, Located on the North Side of West Main Street Approximately 54 Feet West of North Mill Street, at 105 West Main Street, 109 West Main Street, 115 West Main Street and 119 West Main Street, as Requested by William Peck, The RO Properties, and Lizzie B Properties, LLC, the Property Owners (Case No. PZ-2017-05-09).

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ADMINISTRATIVE COMMENTS:

This zone change will aid in the redevelopment of these properties and is consistent with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of May 16, 2017.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Richard E. Luedke, Planning Director

- 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.
- 5. **APPROVAL OF MINUTES:** City Council Minutes of the May 1, 2017, Workshop Session and Regular Session.
- 6. **Approval of Bid Award for CDBG Program Year 2017 Poydras and Decker Roadway Improvement Project to 2L Construction, LLC, Rhome, Texas, for \$396,446.30; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

A total of twenty-six (26) bid invitations were downloaded from Bidsync.com. Two (2) bids were received and opened on May 22, 2017. This project consists of replacement of the existing asphalt roadway with new concrete streets: South Poydras Street (from High School Drive to the end) and Decker Lane (from Poydras Street to the end). Funding is available in the Community Development Block Grant budget.

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RECOMMENDATION:

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

- 7. Approval of a Professional Services Agreement With HDR Engineering, Inc. for Professional Engineering Services for the Preliminary Engineering Evaluation for Ozone Implementation at the C.R. Feaster Water Treatment Plant, in the Amount of \$98,935; and Authorize the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The C.R. Feaster Water Treatment Plant provides approximately 34% of the total drinking water supply for the City of Lewisville, with the remainder supplied by Dallas Water Utilities. Drinking water is treated with powdered activated carbon (PAC) to remove seasonal taste and odor issues caused by algal by-products, geosmin and methylisoborneol. This study will provide the preliminary engineering evaluation of ozone in preparation of changing to this type of treatment to address taste and odor issues.

RECOMMENDATION:

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

- 8. Acceptance of Property Located on a Portion of 936 Lakeland Drive; Further Identified as a Portion of Lot 3, Block F, Lakeland Terrace 2 Addition, Being Conveyed to the City of Lewisville, Texas by Donation Deed From Beverly Tickenoff.**

ADMINISTRATIVE COMMENTS:

TXDOT schematics have identified certain properties that lie within the proposed future I-35E expansion area and have begun right-of-way acquisitions. The portion acquired by TXDOT bisected the existing house, which has since been demolished. The remaining portion of the General Business (GB) lot has also been left unbuildable. The property being donated is the remainder of the lot that fronts onto Lakeland Drive.

RECOMMENDATION:

That the City Council accept that Portion of Lot 3, Block F, Lakeland Terrace 2 Addition being conveyed to the City of Lewisville, Texas by the Beverly Tickenoff Donation Deed.

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- 9. Award of a Contract to Chevo Studios in the Amount of \$230,000 for Professional Services Related to Design, Creation, and Installation of a Public Art Project Integrated With the New Multi-Generational Recreation Center.**

ADMINISTRATIVE COMMENTS:

The bond package approved in November 2015 for construction of a new multi-generational recreation center included \$243,000 for a permanent public art installation integrated with the building design. Artist Andrew Dufford of Colorado, operating as Chevo Studios, was selected by a panel from among 143 national and international artists.

RECOMMENDATION:

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

- 10. Approval of a Memorandum of Understanding With Denton County Related to Storage, Preservation, and Display of Lewisville Artifacts by Denton County Historical Commission.**

ADMINISTRATIVE COMMENTS:

The new Visitor Information Center, located at 247 W. Main Street in Old Town Lewisville, will include three gallery rooms to display exhibits related to Lewisville's history. Staff consulted with Denton County Historical Commission about proper storage, preservation, and display of collected artifacts. As a result of that conversation, an agreement has been reached to turn over the city's collection to the county and allow the commission to perform those services at no additional cost to the city.

RECOMMENDATION:

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

- 11. Approval of an Amendment to the Economic Development Agreement, Approved on May 16, 2016, Between Hard Sun 100, LLC and the City of Lewisville, Consideration of a Variance to the Lewisville City Code, Chapter 6, Section 6-57 to Allow Simultaneous Construction of Public and Private Improvements for the Project, and Authorization for the City Manager to Execute the Contract.**

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ADMINISTRATIVE COMMENTS:

On May 16, 2016, the City and Hard Sun 100, LLC, entered into an Economic Development Agreement (Agreement) for the development of a restaurant at 119 East Main Street (Lewisville Feed Mill). The Agreement provides for a grant where the City will reimburse Hard Sun 100, LLC for certain actual expenses related to the redevelopment of the site into a restaurant, not to exceed \$254,000. After beginning redevelopment work at the Feed Mill, lead was detected in the shallow soils above the Texas Commission on Environmental Quality (TCEQ) Action Levels. Hard Sun 100 has requested an Affected Property Assessment Report (APAR) be prepared to address the elevated lead concentrations through the TCEQ Corrective Action Program to obtain a “No Further Action Letter”. The APAR is required for necessary financing for the redevelopment of the property as outlined in the original agreement. The amendment to the Agreement provides for a grant of \$5,000 which is 50% of the anticipated cost of the APAR. The grant will assist with the unexpected cost of obtaining the report to complete the redevelopment of the property as outlined in the Agreement. A variance to the Lewisville City Code is also requested for this project to allow the simultaneous construction of public and private improvement to expedite the construction.

RECOMMENDATION:

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

- 12. Approval of a Resolution to Approve a Local Project Advance Funding Agreement Between the City of Lewisville and the Texas Department of Transportation Related to Construction and Funding of Landscape Improvements for FM 407 From Aspen Drive to Summit Avenue and for SH 121 Business From East Main Street to FM 544; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The City applied for and was selected by TXDOT to receive Green Ribbon funding for FM 407 and SH 121 Business. Green Ribbon funds are used to design and install median landscape improvements on TXDOT controlled roadways. TXDOT has prepared plans and specifications for the subject roadways based on staff input to include landscape, hardscape, and irrigation improvements. TXDOT is ready to bid the project. Before bidding, the City and TXDOT must execute a Local Project Advance Funding Agreement (LPAFA) which outlines both City and TXDOT responsibilities and costs associated with the project.

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RECOMMENDATION:

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

F. REGULAR HEARINGS:

- 13. Consideration of a Variance to the Lewisville City Code Section 2-201 Regarding Waiving Fees Associated With American Amateur Youth Baseball Alliance's Tournament, as Requested by Tracey Black, General Manager, Flower Mound Youth Sports Association.**

ADMINISTRATIVE COMMENTS:

Flower Mound Youth Sports Association is hosting the American Amateur Youth Baseball Alliance (AAYBA) Tournament to be held on June 24 – June 30, 2017 and July 8 – July 14, 2017. The event will be located at Lone Star Toyota of Lewisville Railroad Park baseball complex and Lewisville Lake Park baseball complex. This event is anticipated to involve over 3,500 youth participants during the course of the tournament. This will be the eleventh year of this event. A request is being made to waive all associated City fees for this event.

RECOMMENDATION:

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

- 14. Discussion and Consideration of Appointments to Various City Boards/Commissions/Committees.**

ADMINISTRATIVE COMMENTS:

On June 30, various terms of office on the City's boards, commissions, and committees will be expiring. Those positions have been identified and current appointees notified. The Board/Commission/Committee Appointment Process Notebooks have been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the books along with attendance data for existing members requesting to be reappointed. City Council will need to identify interview teams, interview dates, and determine which team will interview which board, commission, or committee.

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RECOMMENDATION:

That the City Council proceed with the appointment process to the various City Boards/Commissions/Committees; identify interview teams, interview dates, and determine which team will interview which board, commission, or committee.

- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
1. Report from Representative Ron Simmons regarding 2017 Legislature Session.
- 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**

<p>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 <u>Texas Government Code</u> 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).</p>
