

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
OCTOBER 2, 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. City Values Statement Presentation by the Culture Committee
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Deputy Mayor Pro Tem Jones
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Troyer
- C. **PROCLAMATIONS:**
 - 1. Declaring Friday, October 6, 2017 as “Say No to Bullying Day”
 - 2. Declaring the Week of October 1 – 7, 2017 as “Power Up at Your Library Week”
 - 3. Declaring the Month of October 2017 as “Community Planning Month”

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

D. PUBLIC HEARINGS:

- 1. Continued Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH), on Approximately 6.68 Acres Legally Described as Lots 11 & 12, Block A, ARTX Park Addition, Bounded by East Valley Ridge Boulevard on the Northeast Side and Mario Court on the West Side, and an Ordinance Granting a Special Use Permit and Four Associated Variances to Allow a Wholesale Establishment With Outside Storage on More Than 10% of the Platted Lot on the Above-Referenced Land, Both Requested by Richard DeOtte, DeOtte Inc., on Behalf of Jim Bedworth Jr., of REW Gray Properties, LLC, the Property Owner (Case No. PZ-2017-07-15 and Case No. SUP-2017-07-11).**

ADMINISTRATIVE COMMENTS:

The property owner, REW, is proposing to relocate from their current site on South Mill Street to the subject site in ARTX Park. The zone change is necessary to consider a Special Use Permit. The following four variances are requested: a) to allow a reduction in exterior material requirements from 80% brick veneer to 30% brick veneer for the main building; b) to allow a reduction in exterior material requirements from 80% brick veneer to 0% brick veneer for the two three-sided storage sheds; c) to allow storage to exceed the height of the screening wall; and d) to allow precast panel screening wall within 25 feet of the street right-of-way in lieu of the required brick or stone screening wall. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request and the SUP request at their meeting on July 18, 2017.

RECOMMENDATION:

That the City Council continue the public hearing to the October 16, 2017 City Council meeting.

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

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

2. **Public Hearing: Consideration of a Zone Change Request From Single Family Residential District (R-5) to Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner (Case No. PZ-2017-09-17).**

ADMINISTRATIVE COMMENTS:

The applicant plans to purchase this property from Vista Ridge Methodist Church and is requesting a zone change in order to build a development with 32 single-family detached homes. The Planning and Zoning Commission recommended approval of the zone change request by a vote of 4 to 1 on September 5, 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

PRESENTATION: - Noah Flabiano, Skorburg Company

3. **Public Hearing: Consideration of an Ordinance Amending Chapter 16 (Utilities) of the Lewisville City Code; Declaring Stormwater Drainage of the City of Lewisville to be a Public Utility; and Providing for the Establishment and Calculation of Stormwater Drainage Utility Charges and Credits.**

ADMINISTRATIVE COMMENTS:

This public hearing is to receive input from the residents and businesses of Lewisville on the establishment of the Stormwater Utility. The public hearing was advertised in the Denton Record Chronicle on August 31st, September 14th, and again on September 28th. All advertisements included printing of the full ordinance. Adoption of this ordinance will establish the Stormwater Utility.

RECOMMENDATION:

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

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

PRESENTATION: - Keith Marvin, P.E., Director of Public Services

- 4. Public Hearing: Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201, Fee Schedule by Adding Stormwater Drainage Utility Charges.**

ADMINISTRATIVE COMMENTS:

This public hearing is to receive input from the residents and businesses of Lewisville on the charges associated with the Stormwater Utility. The public hearing was advertised in the Denton Record Chronicle on August 31st, September 14th, and again on September 28th. All advertisements included printing of the full ordinance and proposed fee structure. By establishing a \$4.00 ERU, the Stormwater Drainage Utility will ensure that the currently unfunded \$33,700,000 priority drainage projects can be completed in 12 to 19 years depending upon cash and/or bond funding. Staff is recommending the stormwater fee to be evaluated annually to ensure capital project completion.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Keith Marvin, P.E., Director of Public Services

- 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.
- 5. Approval of a Contract for Construction Materials Testing to Alpha Testing, Inc., Dallas, Texas, for Approximately \$50,000; and Authorization for the City Manager to Execute the Contract.**

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

ADMINISTRATIVE COMMENTS:

This contract will cover the construction materials testing associated with the construction of fire stations No. 3 and 8. Alpha Testing, Inc. previously performed the geotechnical testing of both fire station sites and is familiar with the project.

RECOMMENDATION:

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

- 6. Approval of the Following Amendments to a Construction Manager at Risk Contract for the Construction of Fire Stations No. 3 & 8 with Thos. S. Byrne, Fort Worth, Texas; General Conditions of \$898,145; Construction Management Services of \$494,008; Establishing a Guaranteed Maximum Price of \$10,036,999 (Which Includes a 5% Contingency for the City's use); and Authorization for the City Manager to Execute the Amendments.**

ADMINISTRATIVE COMMENTS:

A total of fifty-one (51) Request for Qualifications were downloaded from bidsync.com. Nine (9) firms submitted their qualifications for consideration. Three (3) firms were selected for interviews and were asked to provide pricing for pre-construction services, general conditions and construction management services. Byrne Construction received the overall highest evaluation score and was selected to provide pre-construction services for the project. Funding is available in the Fire Station No. 3 and Fire Station No. 8 Capital Projects.

RECOMMENDATION:

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

- 7. Approval of a Resolution to Change the Name of a Portion of Treatment Plant Road to Valley Ridge Boulevard, as Requested by City Staff.**

ADMINISTRATIVE COMMENTS:

City staff is requesting to change the name of a portion of Treatment Plant Road to Valley Ridge Boulevard. A portion of Treatment Plant Road was overlapped with the construction of Valley Ridge Boulevard. All existing properties with a Treatment Plant Road address are owned by the City, therefore the street name change does not impact any private property owners.

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

RECOMMENDATION:

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

G. REGULAR HEARINGS:

- 8. Consideration of a Preliminary Plat With Three Associated Variances for Highland Terraces, a Proposed Residential Development With 32 Single Family Detached Lots and Three Open Space Lots Zoned Estate Townhome District (ETH) on Approximately 4.204 Acres Legally Described as Lot 1R3, Block A, Vista Ridge United Methodist Church Addition; Located on the North Side of Highland Drive, Approximately 495 Feet East of Denton Tap Road; as Requested by Noah Flabiano, Skorburg Company on Behalf of Vista Ridge United Methodist Church, the Property Owner.**

ADMINISTRATIVE COMMENTS:

This preliminary plat is a companion item to the zone change from Single Family Residential District (R-5) to Estate Townhome District (ETH) requested for the subject site. The following three variances are requested: a) to waive the alley requirement and allow front entry; b) to decrease the right-of-way width from the required 50 feet to 40 feet; and c) to allow tubular steel fencing with live screening along the western boundary line in lieu of the required 6-foot masonry screening wall. The Planning and Zoning Commission recommended approval of the proposed preliminary plat by a vote of 4 to 1 on September 5, 2017.

RECOMMENDATION:

That the City Council approve the preliminary plat and associated variance requests as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Noah Flabiano, Skorburg Company

- 9. Consideration of Four Variances to the Lewisville City Code, Associated With Proposed Fire Station No 8, Located on the Southwest Corner of Lakewood Hills Drive and Josey Lane, Legally Described as Lot 1, Block T, Lakewood Hills West Addition, as Requested by The City of Lewisville, the Property Owner.**

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

ADMINISTRATIVE COMMENTS:

The proposed fire station will serve residents and businesses in the eastern part of the city. The following four variances are requested: a) to allow an alternative screening fence of tubular steel with shrubs in lieu of the required masonry wall adjacent to the residential zoning along the western property line; b) to allow a commercial driveway width of 57 feet wide; c) to allow a control of access of 15.74 feet from a residential road; and d) to waive the screening wall requirement along the southern property line adjacent to the amenity center lot.

RECOMMENDATION:

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

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

- 10. Consideration of a Variance to the Lewisville City Code Section 6-103 (Access Management) Deceleration Lane Modifications, Located Along Midway Road Adjacent to the Midway Pump Station, as Requested by A. Greg Gerbig, Pacheco Koch, on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site currently owned by Billy & Raymond Meyers is a 65.7-acre lot zoned Agricultural Open Space (AO) within the South Hayden Survey. The proposed developer, First Industrial Realty Trust, Inc., wants to purchase the property to build four large warehouses, a total of approximately 736,000 sf. The property will be served by three driveways along Midway Road. The developer is proposing the following variance to allow a modified deceleration lane configuration. If the variance is approved the developer will plat, re-zone the property, and submit an Engineering Site Plan for the necessary site improvements.

RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above with a condition that the developer submits a plat and engineering site plan generally conforming with the attached site plan exhibit within 6 months.

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

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

11. **Consideration of Four Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Spacing and Control of Access and Section 6-92 (Paving) Regarding the Owner Constructing a Right Turn Lane for the Property Located at the Southeast Corner of East Vista Ridge Mall Drive and MacArthur Boulevard, as Requested by Josh Barton, G&A Consultants, Inc., on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 2.3-acre lot zoned General Business (GB) within the Manors at Vista Ridge I Addition. The developer/owner, Allegheny Land Company, is proposing to construct three office buildings with multiple suites per building. The total office area will be approximately 28,500 sf. The developer is proposing to build driveways along MacArthur Boulevard and East Vista Ridge Mall Drive, both with deceleration lanes. The applicant is asking for the following variances: a) to waive the requirement of constructing a right turn lane at the intersection of Mac Arthur and Vista Ridge Mall Dr., b) to allow driveway spacing between adjacent lots to be less than 230 feet apart, c) to allow a commercial driveway to be less than 250 feet from an intersection (MacArthur Blvd.) d) to allow a commercial driveway to be less than 250 feet from an intersection (East Vista Ridge Mall Dr.). Staff is reviewing the Engineering Site Plan.

RECOMMENDATION:

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

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

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

**AGENDA
LEWISVILLE CITY COUNCIL
OCTOBER 2, 2017**

- 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).