

**A G E N D A**

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

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

**WORKSHOP SESSION - 6:00 P.M.**

**REGULAR SESSION – 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 6:00 P.M.**

- A. Discussion of Stormwater Drainage Utility Operating Rules, Credit Program, and Appeals Process
- B. 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 Gilmore
- C. **PUBLIC HEARINGS:**
  - 1. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for an Auto Display, Sales (Outdoor) and Repair Facility; on Approximately 4.14-Acres, Legally Described as Lot 2, Block A, The Thompson Addition, Located on the South Side of State Highway 121 Business, Approximately 570 Feet East of East Valley Ridge Boulevard and Zoned Light Industrial District (LI), as Requested by Gregg Kaiser, of Aztec Commercial, on Behalf of New Horizon Commercial, LLC, the Property Owner (Case No. SUP-2017-10-14).

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

**ADMINISTRATIVE COMMENTS:**

L&L Autolink is proposing a new two building development. One building will house an indoor used-car dealership that will offer minor repairs and contain five spaces for occasional vehicle display during normal business hours. Enhanced landscaping, exceeding the minimum requirement, is provided on both the interior of the site and along SH 121 Business. On October 3, 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** - Richard E. Luedke, Planning Director  
**QUESTIONS:** - Gregg Kaiser, Aztec Commercial

2. **Public Hearing:** Consideration of an Ordinance Granting a Zone Change From Heavy Industrial District (HI) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses), on a 15.0 Acre Lot Legally Described as Lot 1, Block A, D/FW Recycling & Disposal Facility Addition, Located at 1600 South Railroad Street, as Requested by Richard A. Dormier, Freeman-Millican, Inc. on Behalf of Guy R. Campbell, Waste Management of Texas, Inc., the Property Owner (Case No. PZ-2017-10-18).

**ADMINISTRATIVE COMMENTS:**

The 15.0-acre lot consists of supplementary structures for the adjacent landfill, including an office building, service shop, truck wash, gas plant, storage building, paint shop and maintenance building. The zone change is necessary to accommodate the construction of a new break room and an expansion of the truck wash and service shop. On October 3, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request.

**RECOMMENDATION:**

That the City Council continue the public hearing to the November 20, 2017 City Council meeting.

**AVAILABLE FOR** - Richard E. Luedke, Planning Director  
**QUESTIONS:** - Richard Dormier, Freeman-Millican, Inc.

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

3. **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Single Family Residential (R-7.5) to Old Town Mixed Use 1 (OTMU1), on Approximately 0.231 Acres, Legally Described as Portions of Lot 3 and Lot 11, Block A, L.M. Kealy Addition, Located on the South Side of Samuel Street Approximately 132 Feet West of South Charles Street, at 230 Samuel Street, as Requested by James and Dawn Moss, the Property Owners (Case No. PZ-2017-10-19).**

**ADMINISTRATIVE COMMENTS:**

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 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:**

4. **Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC), on an Approximately 0.076-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 150 Feet West of South Poydras Street, at 170 West Main Street, as Requested by The RO Properties, the Property Owner (Case No. PZ-2017-10-22).**

**ADMINISTRATIVE COMMENTS:**

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 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:**

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

5. **Public Hearing:** Consideration of an Ordinance Granting a Zone Change From General Business District (GB) to Old Town Center Business District (OTC), on an Approximately 0.089-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696, Located on the South Side of West Main Street Approximately 145 Feet West of South Mill Street, at 128 West Main Street, as Requested by Loki Bear Properties, LLC, the Property Owner (Case No. PZ-2017-10-23).

**ADMINISTRATIVE COMMENTS:**

This zone change will bring this property into compliance with the Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) of the zone change request at their meeting of October 17, 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:**

6. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit for a Communication Tower; on Approximately 0.911 Acres, Legally Described as Lot 1R, Block A of the Fox-IH35E Addition, Located on the Southwest Corner of Fox Avenue and the I-35E Frontage Road and Zoned General Business District (GB), as Requested by Brian Sullivan of Eco-Site, LLC, on Behalf of Jay Remnek, of Highland Lakes, Inc, the Property Owner (Case No. SUP-2017-10-13).

**ADMINISTRATIVE COMMENTS:**

The applicant is proposing to build a new 1,236 square-foot telecommunication facility on the south side of this lot. The facility will house a 100-foot tower that will help alleviate a gap in T-Mobile's signal strength and allow other carriers to expand their service. Enhanced landscaping is being provided, including five new trees on the site and live screening around the eight-foot tall wrought iron fence surrounding the site. On October 3, 2017, the Planning and Zoning Commission recommended unanimous approval (6-0) of the SUP.

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 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  
- Bebb Francis, Attorney for Eco-Site Inc.

- 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.
7. **APPROVAL OF MINUTES:** a) City Council Minutes of the September 18, 2017, Workshop Session and Regular Session; and b) City Council Minutes of the October 16, 2017, Workshop Session and Regular Session.
8. **Approval of a Professional Services Agreement with Hawes Hill and Associates LLP, in the Amount of \$70,000, for Services Related to the Expansion and/or Re-Evaluation of the Tax Increment Financing Reinvestment Zones (TIRZ) #1 and #2, Creation of a New TIRZ for the I-35 Corridor; and Authorization for the City Manager to Execute the Contract.**

**ADMINISTRATIVE COMMENTS:**

The Tax Increment Reinvestment Zone (TIRZ) #1 was established in 2001 in Old Town area, and TIRZ #2 was established in 2009 in the Hebron Station area. Both zones have specific project and financing plans guiding the construction of public projects in each district to stimulate the development of private projects. The agreement will review the benefits of possible expansion of both zones and will provide recommendations on the needed amendments to the project and financing plans for each zone. This review will ensure that the captured revenue increment is used to its fullest potential for stimulating new projects in the zones.

**RECOMMENDATION:**

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

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

- 9. Approval of the Revisions to the City of Lewisville Policy Statement 4.0: City Facilities/Events to Include the Lewisville Lake Environmental Learning Area (LLELA) in the List of Facilities Where Alcohol may be Served/Sold.**

**ADMINISTRATIVE COMMENTS:**

Policy Statement 4.0: makes provisions for the service and sale of alcohol at city facilities, during city sponsored events and within designated areas with parks. The policy was last updated in 2017 but does not include LLELA. In an effort to be consistent with action steps set forth in the Green Centerpiece Master Strategy and provide predictability in the monitoring and usage of alcohol the policy should be updated.

**RECOMMENDATION:**

That the City Council approve the revisions to the current policy statement as set forth in the caption above.

- 10. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Office of the Governor - Criminal Justice Division to Obtain Funding to Purchase 140 Sets of Rifle-Resistant Body Armor.**

**ADMINISTRATIVE COMMENTS:**

The Lewisville Police Department is preparing a grant application to obtain funding from the State of Texas, Office of the Governor, Criminal Justice Division to purchase rifle-resistant body armor. The rifle-resistant armor plates and carriers are worn outside the uniform shirt and is in addition to soft body armor worn underneath the uniform and provided by the City. A council resolution is necessary to apply for the grant. The total cost is estimated to be \$53,900 and is covered by the grant if our application is approved. No City match is required.

**RECOMMENDATION:**

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

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

**F. REGULAR HEARINGS:**

- 11. Consideration of a Request for a Variance to the Lewisville City Code, Chapter 6, Article IX, Section 6-181(b), Exterior Finish Requirements, Regarding the Exterior Finish Requirements for a Home Located at 411 Mullins St, as Requested by Steve C. Bowen, President of Carl Franklin Homes.**

**ADMINISTRATIVE COMMENTS:**

The City of Lewisville requires that on residential construction the aggregate total of all exterior wall elevations, excluding doors and windows, consist of 80% brick veneer with no single wall elevation consisting of less than 60% brick veneer. The property owner is proposing that the home be 100% siding matching with the neighboring homes. The property is located on the north side of West College St, just outside of the Old Town Design District that would allow 100% siding.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:** - Wayne K. Snell Jr., Director of Neighborhood and Inspection Services

- 12. Consideration of an Ordinance Providing for the Rules for the Use, Operation, and Financing of the City's Stormwater Drainage Utility.**

**ADMINISTRATIVE COMMENTS:**

This item establishes the rules by which the City will operate the Stormwater Utility. The rules establish that the director of the department that administers City water and sewer utilities will administer the stormwater drainage utility system, including calculating charges, overseeing the credit policy, and processing appeals. In addition to the rules adopted by this ordinance, the City will maintain Administrative Directives outlining procedures for application for credits, and methods for maintaining up to date impervious areas and billing information.

**RECOMMENDATION:**

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

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

**AGENDA  
LEWISVILLE CITY COUNCIL  
NOVEMBER 6, 2017**

- 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**

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).