

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JANUARY 8, 2018**

**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. Update on Visitor Marketing Efforts in Old Town Lewisville
- 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 Troyer

C. **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).

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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 71% brick veneer on the west elevation of the main building and 100% stucco on the north, south and east elevations; b) to allow a reduction in exterior material requirements from 80% brick veneer to 0% brick veneer for the two three-sided storage sheds except for 100% stucco on the east elevation of the eastern storage building; 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 approve the ordinances and associated variances as set forth in the caption above.

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

2. **Public Hearing: Consideration of an Ordinance Granting a Zone Change from Agriculture Open Space District (AO) to Light Industrial District (LI) on an Approximately 84.172-Acre Tract of Land out of the S.M. Hayden Survey, Abstract No. 537 and the H. Young Survey, Abstract No. 1448, Located on the South Side of Midway Road Approximately 800 Feet West of F.M. 544; as Requested by Robert Allen of First Industrial Realty Trust, Inc. on Behalf of Billy J. Myers and Raymond L. Myers, the Property Owners (Case No. PZ-2017-12-25).**

ADMINISTRATIVE COMMENTS:

The applicant plans to construct an office/warehouse development on the subject property, which has been used by the current property owners for agricultural purposes for many decades. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on December 19, 2017.

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RECOMMENDATION:

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

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Robert Allen, First Industrial Realty Trust

- 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 December 18, 2017, Workshop Session and Regular Session.
4. **Approval of a Professional Services Agreement with Kimley-Horn & Associates in the Amount of \$314,895 for Final Design and Construction Services Relating to Kealy Avenue from Main Street to Purnell Street; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Kealy Avenue (Main Street – Purnell Street) project consists of approximately 1,500 linear feet of removal of the existing asphalt street and construction of a 37-foot concrete street with curb and gutter. The project will also replace aging sanitary sewer and storm drain lines. Additional right-of-way and easements will be needed with this project. Funding was provided in the 2015 Bond Program approved by voters in November 2015. Staff has negotiated an agreement with Kimley-Horn & Associates in the amount of \$314,895 to include final design, survey, geotechnical, subsurface utility exploration, TDLR permitting and construction services.

RECOMMENDATION:

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

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- 5. Approval of an Economic Development Agreement Between the City of Lewisville and Mallard Supply, L. P., d/b/a REW Materials; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

REW, a distributor of interior and exterior construction products, has leased the facility at 535 S. Mill Street for over seventeen years. The company has outgrown the facility on Mill Street and would like to relocate to a site within Lewisville that will be conducive to business growth. This agreement calls for REW to invest \$3,500,000 in total capital investments and \$3,000,000 in business personal property. This agreement calls for an annual grant of \$50,000 per year for a 10-year period and a one-time start up grant not to exceed \$50,000.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager to execute the agreement as set forth in the caption above.

- 6. Approval of Pledges of Commitment to Participate in the 2018 It's Time Texas Community Challenge.**

ADMINISTRATIVE COMMENTS:

The It's Time Texas Community Challenge is an 8-week program between communities throughout the State of Texas to determine who can make the biggest commitment to health. The Challenge occurs January 8 through March 4. Communities can earn points when individuals, businesses, schools and local officials make commitments to build healthier communities, exercise, eat healthy and track their progress throughout the program. Winning communities are invited to the Capitol for a recognition ceremony and are eligible for a small grant. By signing the pledges, the Mayor and City Council will earn 12,500 points for the City of Lewisville.

RECOMMENDATION:

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

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F. REGULAR HEARINGS:

- 7. Consideration of an Ordinance Amending Chapter 15, Traffic and Vehicles, Article IV, Parking Regulations, of the Lewisville City Code by Repealing and Replacing the Chapter in its Entirety; and Adding Article IX, Parking Violations in The Old Town Entertainment District; and Amending Chapter 2, Article VIII, Section 2-201 Fee Schedule, by Adding Several Fees Related to Parking Citations.**

ADMINISTRATIVE COMMENTS:

The purpose of this ordinance is to amend Chapter 15, Traffic and Vehicles, by adding a new Article IX which creates special parking requirements that apply only to the Old Town Entertainment District. In addition to back-in parking, Article IX creates two-hour parking requirements, twenty-minute designated spaces, and loading zones. Article IX also creates an administrative adjudication process for all citations issued under the Article. In addition, Chapter 2, Article VIII, Section 2-201 will be amended to add several fees related to parking citations.

RECOMMENDATION:

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

- 8. Consideration of an Ordinance Amending Chapter 5, Article III (Fire Prevention Standards), Section 5-94.5 of the Lewisville City Code by Adding a Section Requiring Automatic Sprinkler Systems Throughout the Historic District.**

ADMINISTRATIVE COMMENTS:

In October, 2014, City Council approved funding a program to install automatic fire sprinkler systems in the City's Historic District. This ordinance will mandate the installation in all buildings in the Historic District whether a building owner accepts the City funding or chooses to install the required fire sprinkler system at their own expense. Further, this ordinance will require an automatic fire sprinkler system to be installed and maintained in any future buildings or remodels of existing buildings.

RECOMMENDATION:

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

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AVAILABLE FOR QUESTIONS: - Tim Ippolito, Fire Marshal

- 9. Consideration of an Ordinance Amending Sections 6-91(o) and 9.5-91(o), Record Drawings, of the Lewisville City Code by Repealing Both Sections and Replacing Them with New Language.**

ADMINISTRATIVE COMMENTS:

With the implementation of the Drainage Utility, it has become even more important to accurately record the details of new development and infrastructure projects. Historically, as-built drawings have been submitted in Tagged Image File Format (tiff files) which can not be directly imported into GIS. Section 6-91(o) and 9.5-91(o) of the City Code, Record Drawings, should also include a requirement to provide as-built plans in Computer Aided Design File Format (CAD files) in addition to tiff files. CAD files can be more easily and accurately imported into GIS. The new requirements will help enable City staff to properly maintain its record retention files and GIS data and mapping. The revised ordinance also provides more detailed information on the formats and requirements for record drawings required at the completion of development projects within the City.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Jeff Kelly, Assistant City Engineer

- 10. Consideration of Acceptance of Resignation of Ken Judkins From Place No. 3 on the Lewisville Parks and Library Development Corporation (4B); Declare a Vacancy Exists on the 4B; and Consideration of an Appointment to Place No. 3 on the 4B.**

ADMINISTRATIVE COMMENTS:

Due to his recent move out of the City of Lewisville, Ken Judkins has advised City staff of his resignation from Place No. 3 on the Lewisville Parks and Library Development Corporation. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Corporation have been included for City Council review.

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RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above

- 11. Consideration of Acceptance of Resignation of Andrea Fowler From Place No. 4 on the Old Town Design Review Committee (OTDRC); Declare a Vacancy Exists on the OTDRC; and Consideration of an Appointment to Place No. 4 on the OTDRC.**

ADMINISTRATIVE COMMENTS:

Due to her recent move out of the City of Lewisville, Andrea Fowler has advised City staff of her resignation from Place No. 4 on the Old Town Design Review Committee (OTDRC). The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Committee have been included for City Council review.

RECOMMENDATION:

That the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above

- 12. Consideration of Vacancy of Place No. 9 on the Lewisville 2025 Advisory Board; and Consideration of an Appointment to Place No. 9 on the Lewisville 2025 Advisory Board.**

ADMINISTRATIVE COMMENTS:

Due to Ray Hernandez's recent resignation from the Lewisville Chamber of Commerce, he is no longer eligible to serve on the Lewisville 2025 Advisory Board. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Board have been included for City Council review.

RECOMMENDATION:

That the City Council declare a vacancy and consider an appointment as set forth in the caption above.

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

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- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
 2. Section 551.071 (Consultation with Attorney): Legal Issues regarding DFW Sanitary Landfill's Request for Expansion
- 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).