

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JUNE 4, 2018**

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

WORKSHOP SESSION - 6:30 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

****Items discussed during Workshop Session may be continued during the Regular Session after Reports if time does not permit holding or completing discussion of the item during Workshop Session.**

- A. Discussion of Garden Ridge Trail Project
- 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:** Deputy Mayor Pro Tem Jones
- C. **PROCLAMATIONS:**
 - 1. Declaring June 12, 2018 as “Women Veterans Day”
 - 2. Declaring the Week of June 18-24, 2018 as “Amateur Radio Week”

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D. PUBLIC HEARINGS:

- 1. Continued Public Hearing: Consideration of an Ordinance of the Lewisville City Council Amending the Lewisville City Code to add a New Chapter, Chapter 17.5 - IH-35E Corridor Overlay District, Which Creates an Overlay With the Northern Boundary Consisting of North Garden Ridge Boulevard, the Southern Boundary Consisting of the Southern City of Lewisville Corporate Limit Line, the Western Boundary Generally Consisting of Portions of McGee Lane, the KCS Railway, North Summit Avenue, Oakwood Lane, East Southwest Parkway, Macarthur Boulevard, SH 121 and Lake Vista Drive, and With the Eastern Boundary Generally Consisting of Portions of SH 121, Lakepointe Drive, Yates Street, McKenzie Street, Harbor Drive, Lake Haven Drive, West Purnell Street, South Edna Avenue, West Main Street, Degan Avenue, West College Street, Harn Drive, Millican Drive, the KCS Railway, Oakridge Boulevard and the Dallas Area Rapid Transit (DART) Railway and More Specifically Described in the Attached Exhibit 1; Amending Chapter 6 to Update a Cross-Reference to the New Overlay District Chapter Found in Section 6-54 and to Delete Section 6-77, Properties Impacted by the Interstate I-35 Widening; Amending Chapter 9.5, Sections 9.5-23 and 9.5-200 and Appendices 1 and B, and Chapter 11, Section 11-1 to Revise the Boundaries of the Old Town Design District; Amending Chapter 2, Section 2-201 to add Fees for Concept Plans, Requests for Alternative Standards, and IH-35E Corridor Overlay District Streetscape Improvement Fees-In-Lieu; Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency.**

ADMINISTRATIVE COMMENTS:

The IH-35E Corridor Overlay District is intended to implement the IH-35E Corridor Redevelopment Plan adopted in November 2014 by the Lewisville City Council. The District includes building and envelope standards, architectural standards, landscape standards, street and streetscape standards, and screening standards. Work sessions were held with the City Council on October 10, 2017, November 20, 2017 and February 5, 2018 and with the Planning and Zoning Commission on January 16, 2018. Informational meetings were held with property owners and the development community on March 7, 2018 and March 22, 2018. The Planning and Zoning Commission recommended unanimous approval (7-0) of the IH-35E Corridor Overlay District on April 3, 2018. Several modifications to other sections of the Lewisville City Code are proposed to support the IH-35E Corridor Overlay District.

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RECOMMENDATION:

That the City Council approve the proposed IH-35E Corridor Overlay District and associated ordinance amendments as presented.

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

2. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Gasoline Service Station; on an Approximately 0.765-Acre Tract of Land, Zoned General Business District (GB); With Three Associated Variances; Located on the Southwest Corner of State Highway 121 Business and Bellaire Boulevard, Further Identified as Lot 1R, Block A, Chevron Addition; as Requested by Jon Featherston, of The Dimension Group, on Behalf of Eun Hae Properties, LLC, the Property Owner (Case No. SUP-2018-05-07).**

ADMINISTRATIVE COMMENTS:

The special use permit (SUP) request is for a 7-Eleven brand gasoline service station with five pumps that will also have a neighborhood convenience store. This redevelopment of the site will replace a smaller existing gas station and car wash converted into a tire shop. The proposal includes enhanced architecture, enhanced landscaping and reduced signage. The three variances being requested are: a) to reduce the control of access of 150 feet along Bellaire Boulevard; b) to reduce the control of access of 250 feet along SH 121 Business; and c) to reduce the required driveway spacing of 230 feet along SH 121 Business. The Planning and Zoning Commission considered and recommended approval of this Special Use Permit on March 21, 2017; and City Council approved it on April 3, 2017. This SUP and its variances have since expired. The project was delayed due to a legal dispute between the applicant and the current property owner. The applicant expects to resolve all issues with the current property owner within the next 60 to 120 days and is now seeking reapproval of the SUP and associated variances. On May 1, 2018, the Planning and Zoning Commission recommended unanimous approval (7-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Richard E. Luedke, Planning Director
- Jon Featherston, The Dimension Group

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- 3. Public Hearing: Consideration of Lewisville Juvenile Curfew Ordinance.**

ADMINISTRATIVE COMMENTS:

The public hearing is being conducted in accordance with provisions of the Local Government Code Section 370.002 in order to allow public input regarding the City's Juvenile Curfew Ordinance adopted September 12, 1994. By law, the ordinance is required to be reviewed every third year. It was last reviewed in 2015.

RECOMMENDATION:

That the City Council conduct the public hearing as set forth in the caption above.

- 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 a Purchase Agreement and Development Agreement Between the City of Lewisville and John and Magda Haugen and Authorization for the City Manager to Execute Said Agreements.**

ADMINISTRATIVE COMMENTS:

John and Magda Haugen, owners of the building at 101 Main Street, are making exterior façade enhancements. Haugens' total investment will be \$151,645. The proposed development agreement provides for a façade improvement grant where the City would reimburse up to \$57,000 for a portion of the eligible façade improvement costs. The development agreement also provides the city with the necessary rights to install a sprinkler system in the building. The associated purchase agreement provides that the City will purchase Haugens' rights to seven parking spaces located in the alley behind 101 Main Street for \$148,000.

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RECOMMENDATION:

That the City Council approve the development and purchase agreements and authorize the City Manager to execute said agreements.

G. REGULAR HEARINGS:

- 5. Consideration of a Variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, Regarding a Temporary Sales and Marketing Trailer at 1424 Lake falls Terrace. Part of Lakewood Hills Dr. Addition, a Single Family Detached Development Located South of Windhaven Parkway, West of Josey Lane, as Requested by Jason Oates, Representing Beazer Homes, the Property Owner.**

ADMINISTRATIVE COMMENTS:

Beazer Homes is currently developing a 133-unit Single Family Detached Residential project on a 44.860-acre property zoned PUD, located south of Windhaven Parkway west of Josey Lane. The final plat was filed (11/13/15) for construction and the developer is currently awaiting building permits for this phase. A variance is being requested to place a temporary sales and marketing trailer on their site for the purpose of pre-sales before the model home is completed. The City of Lewisville building code does not allow portable buildings to be placed in the City for the purposes of sales offices of this type.

RECOMMENDATION

That the City Council approve the variance as set forth in the above caption not to exceed twelve (12) months or until the issuance of a Certificate of Occupancy for the model home, whichever occurs first.

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

- 6. Consideration of an Ordinance of the Lewisville City Council, Amending Chapter 4, Buildings and Building Regulations, by Repealing and Replacing Article VII, Substandard Buildings, in its Entirety.**

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ADMINISTRATIVE COMMENTS:

The City Code currently has an ordinance regulating substandard structures; however, it is difficult to enforce and does not clearly address all structure types. With the appropriate substandard process and standards in place, dilapidated and dangerous structures within our city can effectively be addressed and ideal outcomes reached in a timely fashion. At the May 21, 2018 City Council workshop, staff briefed City Council on various code changes that would help with enforcement. The proposed ordinance reflects the direction given by City Council.

RECOMMENDATION:

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

- 7. Consideration of an Ordinance Amending Section 7-246, Temporary Food Establishment Events, of the Lewisville City Code by Adding a Subsection Setting Forth Requirements for Temporary Food Establishment Event Permits for a TABC-Permitted/Licensed Distillery, Brewery, or Winery in the Old Town Design District.**

ADMINISTRATIVE COMMENTS:

Staff proposes revisions to Section 7-246 of the Lewisville Code to expand the number of temporary food establishment events and eliminate the elapsed time requirements between such events. It also specifies a two-day duration for each permit. These amendments would only apply to TABC-permitted wineries, breweries, and distilleries located in the Old Town Design District.

RECOMMENDATION:

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

- AVAILABLE FOR QUESTIONS:**
- Claire Swann, Assistant City Manager
 - Chris McGinn, Manager of Health & Animal Services

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

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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 Electronic Notebook has been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the electronic book. City Council will need to identify interview teams, interview dates, and determine which team will interview which board, commission, or committee.

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.

- 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
- 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).