

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
APRIL 4, 2016**

**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 Updates to the International Building Codes
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION - 7:00 P.M.**

- A. **INVOCATION:** Mayor Pro Tem Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Mayor Durham
- C. **PROCLAMATIONS:**
  - 1. Declaring the Week of April 10-16, 2016, as “National Public Safety Telecommunicators Week”
  - 2. Declaring the Week of April 10-16, 2016, as "Crime Victims' Rights Week"

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**D. PUBLIC HEARINGS:**

- 1. Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Multi-Family Two District (MF-2) to Light Industrial District (LI), on an Approximately 0.631-Acre Tract of Land out of the J.W. Johnson Survey Abstract 1609 and the J. Chowning Survey Abstract 243, Located Approximately 1,200 North of SH 121, Between Leora Lane and Marina Vista Drive, as Requested by Pacheco Koch Consulting Engineers on Behalf of East Group Properties, L.P., the Property Owner (Case No. PZ-2016-03-07).**

**ADMINISTRATIVE COMMENTS:**

This 0.631 acre parcel of land is currently zoned Multi-Family Two District (MF-2). The applicant requests a rezoning of the property to Light Industrial (LI) zoning to allow this parcel to have the same zoning as the adjacent property (together making up a 28.103-acre parcel of land) on which the applicant intends to develop four office warehouse buildings. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of March 15, 2016.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

- Nika Reinecke, Director of Economic Development and Planning
- Paul M. Hames, PE, Pacheco Koch Consulting Engineers

- 2. Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Local Commercial District (LC) to Medical District (MD), on an Approximately 4.362-Acre Lot Legally Described as Lot 1, Block A, Parkway Baptist Addition, Located at 1165 West FM 3040, Approximately 880 Feet West of Valley Parkway, as Requested by G & A Consultants on Behalf of Parkway Baptist Church, the Property Owner (Case No. PZ-2016-03-08).**

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**ADMINISTRATIVE COMMENTS:**

The current zoning of the property is Local Commercial (LC). The applicant is requesting Medical District (MD) zoning to allow for construction of a new senior living facility which will contain an assisted living and a memory care facility for those suffering from Alzheimer's and other forms of dementia. The existing church would be removed and four buildings each approximately 13,000 square feet in size would be constructed in two phases. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of March 15, 2016.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

- Nika Reinecke, Director of Economic Development and Planning
- Randi Rivera, G&A Consultants, LLC

3. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From General Business District (GB) to Old Town Mixed Use Two District (OTMU2), on an Approximately 0.145-Acre Tract of Land out of the J.W. King Survey Abstract 696, Located on the West Side of South Mill Street Approximately 350 Feet South of Elm Street, at 277 South Mill Street, as Requested by Hat Group LLC., the Property Owner (Case No. PZ-2016-03-09).**

**ADMINISTRATIVE COMMENTS:**

The current zoning of the property is General Business (GB), which allows for a multitude of neighborhood services and offices primarily retail in nature. The applicant is requesting Old Town Mixed Use Two (OTMU2) zoning to allow for a mixed use of commercial and residential that would be part of the larger South Village development. The zone change to OTMU2 complies with the Old Town Master Plan for the area and allows for greater flexibility in developing the site. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of March 15, 2016.

**RECOMMENDATION:**

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

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- AVAILABLE FOR QUESTIONS:**
- Nika Reinecke, Director of Economic Development and Planning
  - Henry Rahmani, Hat Group, LLC

- 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 MINUTES:** City Council Minutes of the March 21, 2016, Workshop Session and Regular Session.
5. **Approval of a Transportation Consultation Services Agreement With Innovative Transportation Solutions, Inc. in the Amount of \$90,000; and Authorization for the City Manager to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

Innovative Transportation Solutions, Inc. has been providing consultation services on a variety of transportation issues for the City of Lewisville since March 2000. Their services include a variety of tasks including coordinating the transportation needs of the City, seeking federal/state/county funding for new projects, and working with the North Central Texas Council of Governments and Denton County on future mobility needs. Innovative Transportation Solutions, Inc., in the past year, has worked on behalf of the City related to the Regional Toll Revenue Funds, Old Town Sustainable Development projects, the IH-35E Reconstruction Project, Denton County TRIP-08 bond projects as well as various coordination efforts with TXDOT on other local transportation issues. Innovative Transportation Solutions, Inc. is seeking a renewal of their contract in the amount of \$90,000. Funding is available in the Engineering Department Fiscal Year 2015/2016 budget.

**RECOMMENDATION:**

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

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- 6. Approval of a Contract Award for Lake Park Soccer and Parking Renovations to C. Green Scaping, LP, Fort Worth, Texas in the Amount of \$654,498.60; and Authorization for the City Manager to Execute the Contract.**

**ADMINISTRATIVE COMMENTS:**

A total of thirty-two (32) requests for proposals were downloaded from Bidsync.com. A total of eight (8) proposals were received and opened February 11, 2016. Based on the evaluation matrix included in the request for proposals, C. Green Scaping, LP received the highest evaluation score and is being recommended for award. This project involves the renovation of the turf for 4 adult size soccer fields, converting the field turf from Common Bermuda to TifSport hybrid Bermuda, a small modification of the existing asphalt parking lot, and the construction of new concrete bleacher pads, and concrete trails to provide access from the parking areas to the bleacher pads. Funding is available in the Turf Renovation Capital Improvement Project.

**RECOMMENDATION:**

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

**G. REGULAR HEARINGS:**

- 7. Consideration of the Charrette Process for Use and Design of 191 West Main Street.**

**ADMINISTRATIVE COMMENTS:**

At the February retreat City Council directed staff to move forward with a charrette process to consider uses for the city owned property located at 191 West Main Street. Staff is also working through the costs associated with the short-term use of the building as an entrepreneurial center. Staff recommends concurrently proceeding with the Council-requested charrette process to look at both the short and long term use/design of the bank building. Staff is recommending that the Council appoint two members from each of the boards that deal with Old Town issues as well as our Old Town business owners and expert consultants.

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**RECOMMENDATION:**

That the City Council consider the proposed process and charrette team as set forth in the caption above.

- 8. Tabled Item: Consideration of an Ordinance Granting a Special Use Permit (SUP) for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; and Consideration of Four Associated Variances on an Approximately 1.212-Acre lot, Legally Described as Lot 1, Block G, Carrington Village Addition Phase II, Located at the Northwest Corner of FM 3040 and SH 121 Business, as Requested by Steve Meier of Hummel Investments, LLC. on Behalf of Drexel Realty Lewisville LP, the Property Owner (Case No. SUP-2016-02-01).**

**ADMINISTRATIVE COMMENTS:**

The public hearing for the proposed SUP was continued from the February 15, 2016 and March 7, 2016 City Council meetings and held at the March 21, 2016 City Council meeting. Goodyear currently operates out of the retail center adjacent to this property. They have outgrown the facility and are looking to build a new 7,800 square-foot facility with 12 service bays. Staff recommends the following conditions if this SUP is approved: 1) overnight outside storage of vehicles shall not be allowed; 2) the outside storage of tires or other material shall not be allowed on the site; and 3) the hours of operation shall be limited to 7:30 a.m. to 7:00 p.m. Monday-Friday; 8:00 a.m. to 5:00 p.m. on Saturday and closed on Sunday, 4) an eight-foot, stained, board-on-board cedar fence with a top rail shall be installed on top of a minimum three-foot berm as shown on the fencing illustrations. This fence shall be kept in good repair for the life of the project. Four variances are requested: a) to waive the deceleration requirement; b) to waive the 250-foot control of access from the intersection of SH 121 Business; c) to waive the 230-foot driveway spacing requirement from an existing driveway on a separate lot; and d) to reduce the required 10-foot setback to 5 feet from the existing water and sanitary sewer easement. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-1 at their meeting on February 2, 2016.

**RECOMMENDATION:**

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

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- AVAILABLE FOR QUESTIONS:**
- Nika Reinecke, Director of Economic Development and Planning
  - Steve Meier, Hummel Investments, LLC.

- 9. Consideration of Two Variances to the Lewisville City Code, Section 6-144 – Screening Devices and Section 6-103(c)(4) Median Openings for Inspired Living at Lewisville, a Proposed Assisted Living and Memory Care Facility Located at the Southeast Corner of Valley Parkway and FM 3040, as Requested by Kimley-Horn and Associates, Inc. on Behalf of Senior Care Living VI, LLC, the Developer.**

**ADMINISTRATIVE COMMENTS:**

The 14-acre property located on the south side of FM 3040 between Valley Parkway and Ace Lane was rezoned on January 25, 2016 from Local Commercial to Medical District. The developer has submitted an Engineering Site Plan and Final Plat for staff review and intends to construct two new buildings meeting the City's Land Development Regulations with the exception of two variances, a) to allow an alternative screening wall in lieu of a masonry screening wall along the southern property line and b) to allow a median opening spacing less than 1,320 feet.

**RECOMMENDATION:**

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

- AVAILABLE FOR QUESTIONS:**
- Nika Reinecke, Director of Economic Development and Planning
  - Bradley Moss, P.E., Kimley-Horn and Associates, Inc.

- 10. Consideration of a Variance to the Lewisville City Code, Section 6-144 – Screening Devices, for Creekview 121, a Proposed Office Warehouse Facility Located on the North Side of SH 121 Between Leora Lane and Marina Vista Drive, as Requested by Pacheco Koch and Associates on Behalf of EastGroup Properties, the Developer.**

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**ADMINISTRATIVE COMMENTS:**

The 28-acre property is located on the north side of SH 121, between Leora Lane and Marina Vista Drive and just south of a large drainage channel for McWhorter Creek. The developer has submitted an Engineering Site Plan and Final Plat for staff review and intends to construct four buildings overall, with the construction of two new buildings in the first phase. The development meets minimum requirements of the City's Land Development Regulations with the exception of one variance: a) To allow live screening and irrigation in lieu of the required masonry screening wall along the northern property line.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

- Nika Reinecke, Director of Economic Development and Planning
- Paul Hames, Project Manager, Pacheco Koch

- 11. Consideration of a Variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to Quick Serve Restaurant Located at 401 FM 3040, as Requested by Jonathon Hake, P.E. of Cross Engineering Consultants, Inc., on Behalf of Hunt Properties, Inc.**

**ADMINISTRATIVE COMMENTS:**

The subject site is a 0.8666-acre lot zoned Light Industrial (LI) within the Weatherford Addition located at 401 East F.M. 3040. Hunt Properties, Inc., the prospective property owner, is proposing to redevelop the property from a full-service car wash to a new 37,690 square foot building for two restaurants. Hunt Properties, Inc. is requesting a variance to reduce the required separation between driveways to less than 230 feet to keep the existing driveway on the east side of the property in its current location.

**RECOMMENDATION:**

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

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

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- 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).