

LEWISVILLE CITY COUNCIL

REGULAR SESSION

April 4, 2016

Present:

Rudy Durham, Mayor

Council Members:

R Neil Ferguson, Mayor Pro Tem
Greg Tierney, Deputy Mayor Pro Tem (Absent)
Leroy Vaughn
TJ Gilmore
Brent Daniels

City Staff:

Donna Barron, City Manager
Steve Bacchus, Assistant City Manager
Melinda Galler, Assistant City Manager
Eric Ferris, Assistant City Manager
Julie Heinze, City Secretary
Lizbeth Plaster, City Attorney

WORKSHOP SESSION – 6:00 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 6:00 p.m. on Monday, April 4, 2016, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Discussion of Updates to the International Building Codes

(Agenda Item A)

At the request of City Manager Donna Barron, Neighborhood Services Director Cleve Joiner and Fire Marshall Tim Ippolito conducted the attached PowerPoint Presentation.

Discussion of Regular Agenda Items and Consent Agenda Items

(Agenda Item B)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item C, Proclamations: 1) Declaring the Week of April 10-16, 2016, as “National Public Safety Telecommunicators Week”; and 2) Declaring the Week of April 10-16, 2016, as "Crime Victims' Rights Week". There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-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). There was no discussion on this item.

Mayor Durham reviewed Agenda Item E, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-4, Approval of City Council Minutes of the March 21, 2016, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item F-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-7, Consideration of the Charrette Process for Use and Design of 191 West Main Street. City Manager Donna Barron referenced the list of potential members for the charrette process contained in the backup material. She advised that they would be looking at both short and long term options. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-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). Councilman Vaughn indicated that since the last meeting he had spoken with the Developer, and based upon that discussion, and the support of the citizens impacted by this development, he now was no longer in opposition and supported this project moving forward. Councilman Daniels advised based upon the withdraw of opposition of the citizens impacted, he concurred with Councilman Vaughn. Discussion was held that the applicant had requested this item be continued due to only four voting City Council Members present and the super majority vote requirement due to a request received from a majority property owner to deny this request. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-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. There was no discussion on this item.

WORKSHOP SESSION – 6:00 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:37 p.m. on Monday, April 4, 2016.

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, April 4, 2016, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Durham, Mayor Pro Tem Ferguson gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

Mayor Durham gave the pledge to the American and Texas flags.

**Proclamation: Declaring the Week of
April 10-16, 2016, as “National Public Safety
Telecommunicators Week”**

(Agenda Item C)

Mayor Durham read and presented a proclamation declaring the week of April 10-16, 2016, as “National Public Safety Telecommunicators Week” to the following City of Lewisville Dispatchers: Courtenay Hill, Zorah Krug, Cortney Sandoval, and Terra Wilson.

**Proclamation: Declaring the Week of
April 10-16, 2016, as "Crime Victims' Rights
Week"**

(Agenda Item C)

Mayor Durham read and presented a proclamation declaring the week of April 10-16, 2016, as "Crime Victims' Rights Week" to Lewisville Police Officer Charlene Collins.

**Public Hearing: Consideration of Ordinance
No. 4255-04-2016 (Z) 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)**

(Agenda Item D-1)

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.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Nika Reinecke, Director of Economic Development and Planning; David Hicks, 515 Fisher Drive Trophy Club, Texas; and Paul Hames, Project Manager, Pacheco Koch, 7557 Rambler Road #14, Dallas, Texas; were all present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Gilmore and seconded by Councilman Daniels, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4255-04-2016 (Z) 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) (cont'd)

(Agenda Item D-1)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Zoning Ordinance of the City of Lewisville, Texas by Rezoning an Approximately 0.631-Acre Tract of Land out of the J.W. Johnson Survey, Abstract No. 1609 and the J. Chowning Survey, Abstract No. 243; Located Approximately 1,200 Feet North Of SH 121 Between Leora Lane and Marina Vista Drive; From Multi-Family Two District (MF-2) Zoning To Light Industrial District (LI) Zoning; Correcting the Official Zoning map; Preserving all Other Portions of the Zoning Ordinance; Providing a Clause Relating to Severability; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4255-04-2016 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4256-04-2016 (Z) 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)**

(Agenda Item D-2)

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.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Nika Reinecke, Director of Economic Development and Planning and Randi Rivera, G&A Consultants, LLC, were both present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4256-04-2016 (Z) 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) (cont'd)

(Agenda Item D-2)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Zoning Ordinance of the City of Lewisville, Texas by Rezoning an Approximately 4.362-Acre Lot Legally Described as Lot 1, Block A, Parkway Baptist Church Addition; Located on the North Side of West FM 3040 Approximately 880 Feet West of South Valley Parkway at 1165 West FM 3040; From Local Commercial District (LC) Zoning to Medical District (MD) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Providing a Clause Relating to Severability; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Gilmore and seconded by Councilman Vaughn, the Council voted five (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4256-04-2016 (Z)**, as previously captioned. The motion carried.

**Public Hearing: Consideration of Ordinance
No. 4257-04-2016 (Z) 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)**

(Agenda Item D-3)

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.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

Nika Reinecke, Director of Economic Development and Planning was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 4257-04-2016 (Z) 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) (cont'd)

(Agenda Item D-3)

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Amending the Zoning Ordinance of the City of Lewisville, Texas by Rezoning an Approximately 0.145-Acre Tract of Land out of J.W. King Survey, Abstract No. 696; Located on the West Side of South Mill Street Approximately 350 Feet South of Elm Street at 277 South Mill Street; From General Business District (GB) Zoning to Old Town Mixed Use 2 District (OTMU2) Zoning; Correcting the Official Zoning map; Preserving all Other Portions of the Zoning Ordinance; Providing a Clause Relating to Severability; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4257-04-2016 (Z)**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

Community Relations and Tourism Director James Kunke read the attached proclamation ordering the lowering of City of Lewisville flag due to the passing of former Mayor Gene Carey.

L. Robert Glenn, 731 Dewberry Drive, Lewisville, Texas 75067, spoke before the City Council concerning code enforcement issues they had and requesting some type of agreement be reached. City Manager Donna Barron requested that Neighborhood Services Director Cleve Joiner meet with Mr. Glenn to discuss possible solutions.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

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.
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.

The motion carried.

END OF CONSENT AGENDA

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

(Agenda Item G-7)

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.

The City staff’s recommendation was that the City Council consider the proposed process and charrette team as set forth in the caption above.

**Consideration of the Charrette Process for
Use and Design of 191 West Main Street
(cont'd)**

(Agenda Item G-7)

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to direct staff to proceed with the charrette process to look at both the short and long term use/design of the bank building and appointed the following individuals to serve on the charrette: Ken Lannin (Arts Advisory Board), Craig Roberts (Arts Advisory Board), Scott Strange (Old Town TIF), Kellie Stokes (Old Town TIF), Casey Dunn (Old Town DRC Member), Amanda Ferguson (Old Town DRC Member), Kristen Green (2025 Committee), Derik Hayenga (2025 Committee), Raj Daniels (Lewisville-area entrepreneur and founder of OpenTime, an application development company. Advocate for Entrepreneurial Center), Ryan Dehart (Co-owner of Witherspoon Distillery and Old Town resident), Sharrell Evans-Jones (Chief Financial Officer at Woodall Rodgers Park Foundation and Lewisville resident), Trent Petty (Petty & Associates. Economic development and special projects consultant for City of Lewisville), Jason Claunch (Catalyst Commercial, President. Retail development strategy consultant for City of Lewisville). The motion carried.

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)

(Agenda Item G-8)

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.

The City staff's recommendation was that the City Council approves the proposed ordinance and variances as set forth in the caption above.

Nika Reinecke, Director of Economic Development and Planning and Steve Meier, Hummel Investments, LLC., were both present to respond to any questions posed by the City Council.

Discussion was held that the applicant had requested this item be continued due to only four voting City Council Members present and the super majority vote requirement due to a request received from a majority property owner to deny this request.

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) (cont'd)

(Agenda Item G-8)

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to table this item to the April 18, 2016, City Council meeting. The motion carried.

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

(Agenda Item G-9)

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.

The City staff’s recommendation was that the City Council approves the variances as set forth in the caption above.

Nika Reinecke, Director of Economic Development and Planning was present to respond to any questions posed by the City Council.

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 (cont’d)

(Agenda Item G-9)

MOTION: Upon a motion made by Councilman Gilmore and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve the following 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: 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, as requested by Kimley-Horn and Associates, Inc., on behalf of Senior Care Living VI, LLC, the Developer. The motion carried.

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

(Agenda Item G-10)

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.

The City staff’s recommendation was that the City Council approves the variance as set forth in the caption above.

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 (cont’d)

(Agenda Item G-10)

Nika Reinecke, Director of Economic Development and Planning; David Hicks, 515 Fisher Drive Trophy Club, Texas; and Paul Hames, Project Manager, Pacheco Koch, 7557 Rambler Road #14, Dallas, Texas; were all present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Vaughn, the Council voted four (4) “ayes” and no (0) “nays” to approve the 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 to allow live screening and irrigation in lieu of the required masonry screening wall along the northern property line, as requested by Pacheco Koch and Associates on behalf of EastGroup Properties, the Developer. The motion carried.

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.

(Agenda Item G-11)

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.

The City staff’s recommendation was that the City Council approves the variance as set forth in the caption above.

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. (cont'd)

(Agenda Item G-11)

MOTION: Upon a motion made by Councilman Vaughn and seconded by Mayor Pro Tem Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve 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 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, as requested by Jonathon Hake, P.E. of Cross Engineering Consultants, Inc., on behalf of Hunt Properties, Inc. The motion carried.

Reports

(Agenda Item H)

- Director of Public Services Keith Marvin gave an update on the status of the lake.
- City Engineer David Salmon introduced the new City of Lewisville Traffic Engineer, Sagar Medisetty, to the City Council.
- Councilman Daniels gave an update on upcoming events for Keep Lewisville Beautiful. He advised that the Annual Spring Clean Up had been held over the past weekend and that there had been 800 volunteers that participated. He stated that 7 tons of trash were collected. Councilman Daniels extended thoughts to the Carey family for their recent loss and acknowledged the incredible amount of respect he had for Mayor Carey.
- Councilman Gilmore advised of the upcoming events at LLELA, and Parks and Leisure Services events that were scheduled.
- Mayor Pro Tem Ferguson acknowledged thoughts of former Mayor Gene Carey. Mayor Pro Tem Ferguson gave an update on the upcoming events at the MCL Grand.
- Councilman Vaughn offered his thoughts and prayers to the Carey family.
- Mayor Durham thanked the Police Officers present and their team members for their service to the community.

There were no additional reports at this time.

Mayor Durham advised that there were no items to be discussed; therefore, there would be no Closed Session.

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
April 4, 2016**

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Adjournment

(Agenda Item K)

MOTION: Upon a motion made by Mayor Pro Tem Ferguson and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 7:40 p.m. on Monday, April 4, 2016. The motion carried.

These minutes approved by the Lewisville City Council on the 18th day of April, 2016.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY

International Building Codes

Building Codes - Purpose

- ▶ *Health*
- ▶ *Safety*
- ▶ *Protection of Human Life*
- ▶ *Well-being of the Public*
- ▶ *Technological Guidance*
- ▶ *Structural Guidance*

US History of Building Codes

- ▶ *The first model codes were written from the point of view of insurance companies to reduce fire risks.*
- ▶ *Model codes are developed by private code groups for subsequent adoption by local and state government agencies as legally enforceable regulations.*

International Code Council (ICC)

- ▶ *Uniform system of codes was necessary*
- ▶ *Representatives from each of the code organizations formed the ICC in 1994*
- ▶ *First edition of the International Building Code published in 2000*



2015 International Code Council

Model Codes for Adoption

- ▶ *International Building Code*
- ▶ *International Energy Conservation Code*
- ▶ *International Fire Code*
- ▶ *International Fuel Gas Code*
- ▶ *International Mechanical Code*
- ▶ *International Plumbing Code*
- ▶ *International Property Maintenance Code*
- ▶ *International Residential Code*
- ▶ *International Existing Building Code - June 2016*
- ▶ *International Green Construction Code - June 2016*

2015 International Building Code - IBC Changes

- ▶ *Assembly Occupancies on Roofs - Exit Discharge and Fire Sprinkler Provisions*
- ▶ *Fire Sprinkler Provision - Small Bathrooms are no longer Exempt*
- ▶ *Rooftop Access for Equipment - Allows for Ladder or Ships Ladder rather than Stairs*
- ▶ *Egress Through Intervening Spaces- Allows for Exiting through Enclosed Elevator Lobby*

2015 International Building Code - IBC Changes

- ▶ *Carbon Monoxide Detection - Detectors are required near and within sleeping areas in Apartments with Attached Garages of Fuel Burning Appliances.*
- ▶ *Shower Compartments - Raised from 70 to 72 inches*
- ▶ *Apartment Conversions to Assisted Living Extensive Alarm Retrofitting Requirements*
- ▶ *Attic Venting - Updated to Accommodate Energy Codes*

2015 International Building Code - IBC Changes

- ▶ *Existing Buildings Chapter 34 Deleted and Published as a Separate Code Book*
- ▶ *Water Supply - Calculations Must Include Seasonal Changes in Fire Flow*
- ▶ *Smoke Alarms near Bathrooms - Increased Distance from Doorway*

2015 IBC & ICC A117.1 - Accessibility Standards - Changes

- ▶ *Smoke Alarms near Cooking Appliances - Increased Distance from Appliances*
- ▶ *Live/Work Units - Work Unit Required to be Accessible*
- ▶ *Apartments - New Accessible Requirements for Recreational Facilities*

2015 International Residential Code Changes

- ▶ *Energy & Water Conservation Provisions*
- ▶ *No Other Significant Changes*

2015 International Mechanical Code Changes

- ▶ *Ventilation - Specific requirements for R-2 Occupancies (Apartment, Hotel & Motel)*
- ▶ *No Other Significant Changes*

2015 International Plumbing & Fuel Gas Code

- ▶ *No Significant Changes*

2015 International Energy Conservation Code

- ▶ *Commercial - Performance Compliance Options - versus Prescriptive*
- ▶ *Commercial - Additional Choices for Energy Efficiencies (Packages)*
- ▶ *Commercial - Increased Hot Water Pipe Insulation and Length Limits*

2015 International Energy Conservation Code

- ▶ *Commercial - Increased Efficiency HVAC for Computer Rooms*
- ▶ *Commercial - High efficiency lighting Controls & Maintenance*

2015 International Fire Code - IFC Changes

- ▶ *Requiring two points of connection to the public water main whenever a new development exceeds 35,000 square feet, whenever three or more on-site fire hydrants are required, and when a dead-end water main exceeds 300-feet.*
- ▶ *For developments that require a multiple inlet Fire Department Connection to the fire sprinkler system, an additional large diameter inlet will be required.*

2012 International Fire Code - IFC Changes

- ▶ *The 2015 International Fire Code has lessened the requirements for the amount of water available from fire hydrants when the building is equipped with fire sprinklers. Staff is proposing keeping the amount of water required the same as in previous code editions as the amount of water required is too low if a fire is not contained by the fire sprinklers.*

2012 International Fire Code - IFC Changes

- ▶ *Proposed local amendment to allow the fire code official to approve fire lane widths to less than the minimum required 24 or 26 foot width. Previously the provision was allowed in the fire code and still allows this discretion for vertical clearance. This has been a fairly common variance to engineering site plans regarding existing fire lanes.*

QUESTIONS?

PROCLAMATION



WHEREAS, Today, the City of Lewisville has lost a close friend and enthusiastic champion, former Mayor Gene Carey; and,

WHEREAS, Mayor Carey was the 21st person to serve in that office, and his four terms totaling nine years made him the longest-tenured mayor in Lewisville history. However, it was not his tenure that made him a beloved and respected figure – it was his steadfast dedication to a community that had been his home since 1972, and his sincere concern for all the people who live and work in Lewisville, that made Mayor Carey the kind of leader who comes along so rarely and makes such a tremendous impact; and,

WHEREAS, His deep love for Lewisville extended beyond public office and included active membership at Lakeland Baptist Church, volunteer work with Christian Community Action, and membership in Citizens Police Academy Alumni, Denton County Republican Men’s Club, and Lewisville Economic Development Foundation; and,

WHEREAS, While we mourn his passing, we will forever honor the memory and legacy of Mayor Gene Carey. The small town of Lewisville to which he and his family moved in 1972 has grown into a thriving city of 100,000 people. His efforts helped make that possible, and his positive influence on Lewisville will endure for generations;

NOW, THEREFORE, I, Rudy Durham, Mayor of the City of Lewisville, Texas, as a mark of respect for the memory of Gene Carey, by the authority vested in me as Mayor of the City of Lewisville, hereby order that the Lewisville city flag shall be flown at half-staff from this time until sunset on the date of interment, at City Hall and upon all municipal buildings and grounds.

PROCLAIMED this the 4th day of April, 2016.

A handwritten signature in cursive script that reads "Rudy Durham". The signature is written in dark ink on a white background.

Rudy Durham, Mayor
City of Lewisville