

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
OCTOBER 17, 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 the Future of Library Services presented by Carolyn Booker, Director of Library Services
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Mayor Durham
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Daniels
- C. **PROCLAMATION:** Declaring the Week of October 17-21, 2016, as “Texas Chamber of Commerce Week”
- D. **PRESENTATION:** Certificate of Achievement for Planning Excellence
- E. **PUBLIC HEARINGS:**
 - 1. **Public Hearing:** Consideration of a Boundary Adjustment Agreement Between the City of Lewisville and the City of Highland Village Which Adjusts Their Common Boundary Lines and Releases Certain Parcels of Land.

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ADMINISTRATIVE COMMENTS:

The Texas Local Government Code allows adjacent municipalities which desire to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width to do so by agreement. Section 43.063 of the Texas Local Government Code requires that two public hearings be held. Notice of the hearings were published in a newspaper of general circulation.

RECOMMENDATION:

That the City Council conduct the first public hearing considering the boundary adjustment agreement as set forth in the caption above.

PRESENTATION: - Eric Ferris, Assistant City Manager

2. **Public Hearing: Consideration of a Boundary Adjustment Agreement Between the City of Lewisville and the City of Highland Village Which Adjusts Their Common Boundary Lines and Releases Certain Parcels of Land.**

ADMINISTRATIVE COMMENTS:

The Texas Local Government Code allows adjacent municipalities which desire to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width to do so by agreement. Section 43.063 of the Texas Local Government Code requires that two public hearings be held. Notice of the hearings were published in a newspaper of general circulation.

RECOMMENDATION:

That the City Council conduct the second public hearing considering the boundary adjustment agreement as set forth in the caption above.

PRESENTATION: - Eric Ferris, Assistant City Manager

3. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Old Town Mixed Use Two District (OTMU2), on a 0.450-Acre Tract of Land out of the J. W. King Survey, Abstract No. 696; Located on the West Side of Herod Street Approximately 200 Feet North of West Main Street, at 119 Herod Street, as Requested by 119 Herod, LLC, the Property Owner (Case No. PZ-2016-09-22).**

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ADMINISTRATIVE COMMENTS:

The applicant recently purchased the subject property which had been used as a residence by the previous owner until a few years ago and has since been demolished. The Old Town Master Plan recommends OTMU1 District zoning for this site. The OTMU2 District is broader in scope, allowing retail and service uses in addition to office uses, while also allowing the residential component that the OTMU1 District allows. The proximity of the site to new restaurant under construction, the adjacent bank, West Main Street and the growing entertainment district makes a strong case for rezoning to OTMU2 versus OTMU1. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of September 6, 2016.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

4. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) Zoning to Old Town Mixed Use Two District (OTMU2) Zoning, on 0.2132 Acres Legally Described as Lot 5, Block A, H. D. Williams Addition, Located on the Northeast Corner of North Kealy Avenue and East Walters Street, at 308 North Kealy Avenue; as Requested by Hector Morales, on Behalf of Amy Sadeghian, Trustee of the Kamy Real Estate Trust, the Property Owner (Case No. PZ-2016-09-23).**

ADMINISTRATIVE COMMENTS:

The existing residence on this property was built in 1970 and, like other parts of Old Town with residential structures, was rezoned to a commercial designation, even though it was being used as a residence. The applicant is proposing to purchase the property and would like to rezone it to OTMU2 to continue using it as a residence and be able to add a residential storage building onto the property. The request complies with the Old Town Master Plan zoning recommendations. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

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RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

5. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Old Town Mixed Use Two District (OTMU2) on 0.517 Acres Legally Described as a Portion of Lot 7, and all of Lots 8, 9 and 10, Block 7, Kealy Addition, Located on the Northwest Corner of East Church Street and Harris Street, at 219 and 231 East Church Street; as Requested by Robert Gavitt, on Behalf of Les Moore Construction Inc., the Property Owner (Case No. PZ-2016-09-24).**

ADMINISTRATIVE COMMENTS:

The subject property is currently vacant. The applicant has expressed an interest in development of the property for a Domino's Pizza restaurant which will include a limited seating area. The request complies with the Old Town Master Plan zoning recommendations. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of September 20, 2016.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

6. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Office District (OD) to Single Family Residential District (R-7.5); on a 0.309 Acres Legally Described as Lot 3, Block E, Hivue Addition; Located on the North Side of Millican Drive Approximately 150 East of North Stemmons Freeway, at 721 Millican Drive; as Requested by Joseph Ungeheier, the Property Owner (Case No. PZ-2016-10-26).**

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ADMINISTRATIVE COMMENTS:

The current residence on this property was built in 1960 and the site was originally zoned Single-Family Residential (R-7.5). The property later gained a corner clip of General Business (GB) from a City-initiated zone change along the I-35E corridor. In 2000, the property was rezoned to Office District (OD) but was never redeveloped into an office use. The request for Single-Family R-7.5 is simply restoring the original zoning to the property and would allow the owner to make residential improvements to the property as allowed by city ordinances. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

RECOMMENDATION:

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

AVAILABLE FOR - Nika Reinecke, Director of Economic Development
QUESTIONS: and Planning

7. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres Situated in the P.O. Leary Survey, Abstract No. 974; A.J. Chowning Survey, Abstract No. 1638; P. Higgins Survey, Abstract No. 525; H. Harper Survey, Abstract No. 605; and the S. M. Hayden Survey, Abstract No. 537; Generally Located at the Southern Terminus of Huffines Boulevard and South of the Future Extension of East Corporate Drive, at 580 Huffines Boulevard; as Requested by Jason Edwards of Weaver Consultants Group, LLC on Behalf of the City of Farmers Branch and Camelot Landfill TC, LP, the Property Owners (Case No. PZ-2016-09-27).**

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ADMINISTRATIVE COMMENTS:

The Camelot Landfill has been owned by the City of Farmers Branch since 1978. In 2009, the City of Farmers Branch received zoning and platting approval for the current landfill. This request would expand the landfill property by approximately 120 acres with the actual landfill footprint expanding approximately 38 acres. The application also incorporates the new maximum height of the landfill not to exceed an elevation of 675 feet, which would extend the lifespan of the landfill approximately 40 years. The seven variances for consideration are: a) to allow overhead electrical lines to the existing methane gas facility and proposed temporary employee breakroom; b) to allow metal or wood sided buildings for the existing methane gas facility, proposed temporary employee breakroom and existing temporary equipment storage building; c) to allow the existing portable restrooms to remain in lieu of connecting to sanitary sewer until construction of the proposed entrance facilities and office /maintenance building are complete; d) to allow portable buildings without fixed foundations; e) to waive the interior landscaping and irrigation for temporary and permanent parking areas; f) to allow a dead end waterline that exceeds 600 linear feet until the construction of Corporate Drive; and g) to allow gravel or crushed rock in lieu of asphalt or concrete for the drive surface to access the temporary buildings and the bay doors of the proposed maintenance building. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting of October 4, 2016.

RECOMMENDATION:

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

**AVAILABLE FOR
QUESTIONS:**

- Nika Reinecke, Director of Economic Development and Planning

PRESENTATION:

- Shane Davis, Environmental Services Manager, City of Farmers Branch
- Jason Edwards, Weaver Consultants Group

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8. **Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Warehouse District (WH); on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition; Located on the East Side of North Mill Street Approximately 550 Feet South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. PZ-2016-09-25).**

ADMINISTRATIVE COMMENTS:

The 17.007-acre property is located on the east side of North Mill Street, between the DCTA rail line and Prairie Creek. Three of the four existing lots owned by the applicant are developed and contain parking, buildings, lumber sheds and outside storage. The applicant is proposing to expand the current operation to incorporate the remaining parcel to accommodate the increase in demand of lumber sales and requires Warehouse zoning as a first step to accommodate the additional outside storage. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of September 20, 2016.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

9. **Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Wholesale Establishment with Outside Storage on More Than Ten Percent of the Platted Lot on 17.007 Acres Legally Described as Lots 1A, 1B, 1C and 2, Kealy Park Addition, Located on the East Side of North Mill Street Approximately 550 South of Valley Ridge Boulevard, at 902 North Mill Street; as Requested by Robert Schneeberg of Gonzalez & Schneeberg, Engineers & Surveyors, Inc. on Behalf of Chris Holmes, Builders FirstSource, the Property Owner (Case No. SUP-2016-09-09).**

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ADMINISTRATIVE COMMENTS:

The 17.007-acre property is located on the east side of North Mill Street, between the DCTA rail line and Prairie Creek. The applicant is proposing to expand the current operation to incorporate an undeveloped lot into its current operations to accommodate the increase in demand of lumber sales. The SUP is required for the additional outside storage needed for the business. The SUP for expansion of the existing operation provides significant improvements to the building exterior, substantial landscaping and effective screening in addition to improved access to and from the site. On September 20, 2016, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

- Nika Reinecke, Director of Economic Development and Planning
- Robert Schneeberg, Gonzalez & Schneeberg Engineers & Surveyors, Inc.

10. Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 729 Red Wing Drive, Timberbrook 4 Subdivision, Block A, Lot 2, Lewisville, Texas.

ADMINISTRATIVE COMMENTS:

On October 18, 2015, a two-alarm fire substantially damaged a single family residence located at 729 Red Wing Drive. The Building Official has determined that the structure is substandard. The Lewisville City Code requires that a public hearing be held in order for the City Council to deem the structure substandard. The owner of record is Melva J. McFerren, who is deceased. Current owners are Patricia and Patrick Malone. All required notifications have been given and procedures have been followed by the City.

RECOMMENDATION:

That the City Council deem the single family structure substandard as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

- Cleve Joiner, Director of Neighborhood Services

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- 11. Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 401 Village Drive, Serendipity Village Subdivision Block E, Lot 1.**

ADMINISTRATIVE COMMENTS:

On September 17, 2015, a two-alarm fire substantially damaged a single family residence located at 401 Village Drive. The Building Official has deemed the structure substandard. The Lewisville City Code requires that a public hearing be held in order for City Council to deem the structure as substandard. The owner of record is Mark Kelly. All required notifications have been given and procedures have been followed by the City.

RECOMMENDATION:

That the City Council deem the single family structure substandard as set forth in the caption above.

AVAILABLE FOR QUESTIONS: - Cleve Joiner, Director of Neighborhood Services

- 12. Public Hearing: Consideration of Deeming Substandard a Single Family Dwelling Located at 810 Foxwood Place, Serendipity Village Subdivision, Block 5, Lot 23, Lewisville, Texas.**

ADMINISTRATIVE COMMENTS:

On November 26, 2014, a two-alarm fire substantially damaged a single family residence located at 810 Foxwood Place. The Building Official has deemed the single family structure to be substandard. The Lewisville City Code requires that a public hearing be held in order for City Council to deem the structure as substandard. The owners of record are Brad and Cara Gill and Nancy and David Koehring. All required notifications have been given and procedures have been followed by the City.

RECOMMENDATION:

That the City Council deem the single family structure substandard as set forth in the caption above.

AVAILABLE FOR QUESTIONS: - Cleve Joiner, Director of Neighborhood Services

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- F. **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.
- G. **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.
- 13. APPROVAL OF MINUTES: City Council Minutes of the October 3, 2016, Workshop Session and Regular Session.**
- 14. Approval of a First Amendment to Agreement By and Between City of Lewisville, Texas and City of Farmers Branch, Texas Regarding the Expansion of the Camelot Landfill.**

ADMINISTRATIVE COMMENTS:

Farmers Branch requests consideration of an amendment to the existing agreement between Lewisville and Farmers Branch relating to the Camelot Landfill, which was signed on January 6, 2016. Specifically, Farmers Branch requests that in lieu of strict compliance with the tree mitigation regulations, Camelot Landfill would allow Lewisville residents free disposal of solid waste at the Landfill without charge one day per calendar month. Such rights would begin following the closure of the DFW Recycling and Disposal Facility--the landfill that currently provides this service to Lewisville residents. Farmers Branch has also requested that it be allowed to retain road escrow funds relating to the construction of Huffines Boulevard until such time as the funds are needed to pay for the construction of the Huffines Extension.

RECOMMENDATION:

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

- 15. Approval of a Resolution of the City Council of the City of Lewisville, Texas, Approving the Major Permit Amendment Application, Revised August 2016, for Camelot Landfill, TCEQ Permit No. MSW-1312B.**

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ADMINISTRATIVE COMMENTS:

Section 361.1231 of the Texas Health & Safety Code provides, in part, that the TCEQ may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless the governing body of the municipality in which the landfill is located first approves by resolution or order the issuance, amendment, or renewal of the permit. Staff has reviewed the above-referenced amendment application and is satisfied that it meets the requirements of the settlement agreement entered into with the City of Farmers Branch on January 6, 2016.

RECOMMENDATION:

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

- 16. Approval of an Award for the Lewisville Raw Water Intake Electrical Improvements to Russell Madden, Inc., Aubrey Texas, in the Amount of \$218,001; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

A total of fourteen (14) bid invitations were downloaded from Bidsync.com. A total of two (2) bids were received and opened September 22, 2016. This project consists of electrical improvements including the replacement of the 480-volt motor control center; installation of variable frequency drives and harmonic filters; and provisions for a docking station for the emergency generator. Funding is available in the Lewisville Intake Electrical Upgrade capital project.

RECOMMENDATION:

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

- 17. Approval of a Wholesale Untreated Water Purchase Contract Between the City of Dallas and City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Contract.**

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ADMINISTRATIVE COMMENTS:

The City of Lewisville purchases both Wholesale Treated and Untreated Water from the City of Dallas. The current Untreated Water Contract will expire December 17, 2016. The contract has been negotiated between both entities and is now ready for Council approval. The contract term is for 30 years with an expiration date of December 17, 2046. The new contract extends the current available untreated water capacity to be utilized over the term of the agreement. No major modifications to the contract were made during the negotiations.

RECOMMENDATION:

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

- 18. Approval of a Memorandum of Understanding (MOU) for an Interlocal Agreement Among the Cities of Lewisville, Highland Village, The Colony and the Town of Flower Mound for the Shared Use of 3D Scanning Devices Purchased With Grant Funds by the City of Lewisville; and Authorization for the City Manager or her Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville was successful in securing a Criminal Justice Grant funding of \$124,364.89 for the purchase of 3D scanning devices. Part of the reason for the City securing this grant was the agreement to collaborate with other agencies on the use of this equipment. This MOU stipulates the terms and conditions associated with the collaborative effort.

RECOMMENDATION:

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

- 19. Approval of a Memorandum of Understanding (MOU)/Release of Liability Agreement Between the City of Lewisville and Denton County Allowing Use of Vacant Buildings; and Authorizing the Mayor to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

This MOU/Release of Liability agreement allows use of vacant county buildings at 190 N. Valley Parkway for City of Lewisville police and fire training exercises, which may result in the partial or total destruction of said vacant buildings.

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RECOMMENDATION:

That the City Council approve the Memorandum of Understanding/Release of Liability agreement as set forth in the caption above.

- 20. Approval of a Resolution for Financing by the Woodloch Health Facilities Development Corporation of a Health Facility Located Within Lewisville, Texas for Senior Care Living VII, LLC.**

ADMINISTRATIVE COMMENTS:

Woodloch Health Facilities Development Corporation is proposing to issue bonds on behalf of the City of Woodloch, Texas for the development of a senior care and related facilities located on Round Grove Road in Lewisville. The facilities will be owned by Senior Care Living VII, LLC (the borrower). The bonds are issued pursuant to the Health Facilities Development Act, Chapter 221. The consent of Lewisville is required prior to financing of the facilities with bond proceeds due to the location of the project in the Lewisville city limits.

RECOMMENDATION:

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

- 21. Approval of a Resolution Authorizing Agreements Between the City of Lewisville and Community Development Block Grant Sub-Recipients; Between the City of Lewisville and City Social Service Agency Fund Recipients; and Between the Neighborhood Services Department and the Public Services Department for FY 2016-2017; and Authorization for City Officials to Execute the Agreements.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville, a U.S. Department of Housing and Urban Development (HUD) Entitlement City, has submitted its 2016 Annual Action Plan as required by HUD to receive Community Development Block Grant (CDBG) funds. A contract is forthcoming from HUD for FY 2016-2017. Additional funds are allocated from the City Social Service Agency Fund. Agreements have been prepared for execution in accordance with the 2016 Annual Action Plan item that was approved by the City Council on August 1, 2016 and the FY 2016-2017 budget.

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RECOMMENDATION:

That the City Council approve the resolution and authorize appropriate City officials to execute the agreements.

- 22. Approval of Excusing Deputy Mayor Pro Tem Vaughn From Attendance at the City Council Meetings Held on September 12th, September 19th, and October 3, 2016.**

ADMINISTRATIVE COMMENTS:

Due to serious health concerns, Deputy Mayor Pro Tem Vaughn was unable to attend the September 12th, September 19th, and October 3, 2016, City Council meetings. In accordance with Section 3.02 Qualifications of the City Charter, the City Council may excuse Deputy Mayor Pro Tem Vaughn for these absences.

RECOMMENDATION:

That the City Council excuse Deputy Mayor Pro Tem Vaughn as set forth in the caption above.

- 23. Acceptance of a 4.308 Acre Tract of Land in the Russell Craft Survey, Abstract No. 255; Located on the North-Bound Access Road of I-35 Between Millican Drive and Valley Ridge Boulevard; Being Donated to the City of Lewisville, Texas by Deed From TAT Lewisville I-35, LLC.**

ADMINISTRATIVE COMMENTS:

The Texas Department of Transportation bought a portion of a tract of land owned by TAT Lewisville I-35 LLC (the "Owner") that fronts onto the north bound I-35 access road between Millican Drive and Valley Ridge Boulevard. The Owner wants to donate the remainder of the tract of land to the City of Lewisville.

RECOMMENDATION:

That the City Council accept the 4.308 acre tract of land to be donated to the City of Lewisville, Texas by TAT Lewisville I-35, LLC.

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H. REGULAR HEARINGS:

- 24. Consideration of Two Variances to the Lewisville City Code Section 6-103 (Access Management) Regarding Deceleration Lane and Driveway Spacing Requirements Related to the La Quinta Located at 1657 South Stemmons Freeway, as Requested by Kevin Patel, Triangle Engineering, LLC, on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 2.947-acre lot zoned Light Industrial (LI) within the La Quinta Addition. The property owner is proposing to build a new four-story hotel with 129 rooms at this location in full compliance with the City's hotel requirements. Texas Department of Transportation (TxDOT) has acquired right-of-way along the IH-35E frontage of this property for its future needs which caused the previous development, hotel and restaurant, to be demolished. Staff has reviewed and approved the engineering site plan for La Quinta subject to the City Council approval of the two variances: a) to waive the deceleration lane requirement along IH-35E and b) to allow driveway spacing less than 230' along IH-35E.

RECOMMENDATION:

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

AVAILABLE FOR - Jeff Kelly, P.E., Assistant City Engineer
QUESTIONS: - Kevin Patel, P.E., Triangle Engineering LLC

- 25. Consideration of an Ordinance of the Lewisville City Council Amending Chapter 16, Utilities, Article IX, Municipal Setting Designations, of the Lewisville City Code by Repealing and Replacing Article IX in its Entirety; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.**

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ADMINISTRATIVE COMMENTS:

In February 2015, City Council approved Ordinance No. 4158-02-2015 regarding the process for establishing Municipal Setting Designations (MSD) on properties with contaminated groundwater. Subsequent to Council approval of this ordinance, the City received and processed two MSD applications, which were approved by Council in late 2015. Staff members involved in MSD application review determined that the process for reviewing, meeting with applicants, conducting public meetings and public hearings, and seeking Council approval for site specific MSDs needed revision to allow staff more time to conduct its review and data gathering. As a result, the ordinance has been revised to extend the timeframes associated with application review and public input. Additionally, the ordinance was revised to include additional pertinent definitions and required information to enhance staff's ability to make recommendations concerning MSD applications in the future.

RECOMMENDATION:

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

- I. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- J. **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
- K. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- L. **ADJOURNMENT**

<p>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 <u>Texas Government Code</u> 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).</p>
