



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, February 17, 2020

5:45 PM

Council Chambers

Call to Order and Announce Quorum is Present

Workshop Session - 5:45 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 Regular Agenda Items and Consent Agenda Items](#)
- B. [Overview of Crown Centre Development Located in District 1-G at the Southwest Corner of SH 121 Business and the SH 121 Frontage Road \(Sam Rayburn Tollway\)](#)
- C. [Presentation of Arts Advisory Board Recommendation Related to a Small Sculpture Series Public Art Project in Old Town](#)

Regular Session - 7:00 P.M.

- A. **Invocation: Councilmember Gilmore**
- B. **Pledge to the American and Texas Flags: Deputy Mayor Pro Tem Ferguson**
- C. **Public Hearing**
 - 1. [Public Hearing: Consideration of an Ordinance Granting a Special Use Permit and two Associated Variance Requests to Section 6-6-98\(d\)\(2\) and Section 6-182\(b\)\(1\) for a Hotel With Rooms Containing a Cooktop or Oven; on Approximately 2.50 Acres, Legally Described as Lot 10R-1, Block F, Vista Ridge Addition, Zoned Light Industrial District \(LI\) and Located on the Northeast Corner of Rockbrook Drive and East State Highway 121 Bypass; as Requested by Kiew Kam, Triangle Engineering, on Behalf of Nortex Hotel Group LLC, the Property Owner. \(Case No. 19-12-10-SUP\).](#)

ADMINISTRATIVE COMMENTS:

Nortex Hotel Group LLC desires to construct a hotel at the intersection of Rockbrook Drive and State Highway 121 that will include two brands; Avid Hotel and Staybridge Suites. The Staybridge Suites brand is an extended stay hotel and features rooms with kitchenettes. The Special Use Permit (SUP) regulations adopted in 2013 require that all hotels with rooms containing a cooktop or oven require the approval of a SUP. The following two variances are requested in conjunction with this SUP: a) to allow pavement over a grass-only waterline easement; and b) to waive the 325 square-foot floor room minimum requirement for 49 rooms with the condition that the average room size be greater than 325 square feet. The Planning and Zoning Commission recommended unanimous approval (5-0) of the Special Use Permit on January 21, 2020.

RECOMMENDATION:

That the City Council approve the ordinance and the two associated variance requests as set forth in the caption above with the conditions that: the owner will be responsible for any and all pavement repairs required due to maintenance or repair of the City water main performed by City crews or by the City's contractor; Flock Safety cameras be installed at every entrance into the property; and an access easement be provided between the subject property and the property to the north.

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, Planning Director

D. Visitor/Citizens Forum

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

E. Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

2. [APPROVAL OF MINUTES: City Council Minutes of the February 3, 2020, Workshop Session and Regular Session.](#)
3. [Approval of a Revised Interlocal Cooperation Contract Between the City of Lewisville and the Texas Department of Public Safety \(DPS\) for the](#)

[Collection of Outstanding Fines and Other Amounts Pursuant to Section 706 of the Texas Transportation Code and for the Continuation of a Failure to Appear \(FTA\) Program Which Denies the Renewal of a Driver License to Persons Who Fail to Appear in Court or Fail to Pay a Fine and/or Costs; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

Section 706.008 of the Texas Transportation Code authorizes the DPS to contract with a private vendor to provide and establish an automated system that denies the renewal of a driver license for persons who fail to appear in court or who fail to pay a fine involving a violation of a traffic law. The City has long used the FTA program as part of a series of measures designed to assist in collecting fines and court costs owed to the State. During the most recent session, the Legislature passed S.B. 346 which changed the fee structure of the FTA program by removing the portion of the fee that was collected for the DPS, effectively reducing the fee from \$30.00 to \$10.00. Under the new law, a city contracting with the DPS must collect the fee of \$10.00, part of which is paid to the private vendor (\$6.00) and part is retained by the City (\$4.00). Once the outstanding fine, costs and fees are paid, the DPS is notified that the license may be renewed. The contract was first signed in December 2005 and has been in place since that time.

RECOMMENDATION:

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

4. [Approval of a Bid Award for CDBG Program Year 2019 Morningside Sewer Manhole and Sewer Main Line Rehabilitation Project to Canary Construction Company, Lewisville, Texas, in the Amount of \\$543,737.25; and Authorization for the City Manager to Execute the Contract.](#)

ADMINISTRATIVE COMMENTS:

A total of thirty-two (32) bid invitations were downloaded from Bidsync.com. Two (2) bids were received and opened December 19, 2019. This project consists of the rehabilitation of approximately 1,100 feet of 6 and 8-inch sanitary sewer lines in north Lewisville roughly bounded by Jones St. to the north, Valley Ridge Blvd. to the south, Mill St. to the west and Cowan Ave. to the east. In

addition to the line work, the project also includes new manhole installations as well as rehabilitation of existing manholes. Funding for this project in the amount of \$514,222 is available in the CDBG accounts, and the remainder of funds are available in the Miscellaneous Water and Sewer Line Repair Capital Project.

RECOMMENDATION:

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

5. [Approval of a Professional Service Agreement with Halff Associates, Inc., Richardson, Texas, in the Amount of \\$148,500 for Lewisville Lake Park Master Plan; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

A total of sixty-six (66) requests for proposals were downloaded from Bidsync.com. Twelve (12) proposals were received and opened on June 27, 2019. The scope of the master plan will include a list of recreational program items to adapt to the existing site constraints, evaluate the market and economic potential of the park and recommend other revenue generating opportunities for Lake Park. Funding is available in the Park Master Plans Capital Project.

RECOMMENDATION:

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

F. Regular Hearing

6. [Consideration of a Variance to the Lewisville City Code, Section 6-103 \(e\), Access Management, Auxiliary Lanes for VFW Post 9168, a 1.3-Acre Parcel Zoned Light Industrial \(LI\), Located Near the North East Corner of Valley Ridge Boulevard and Mill Street Requested by Robert Schneeberg, Gonzalez & Schneeberg, Engineers & Surveyors, Inc., on Behalf of the Owner.](#)

ADMINISTRATIVE COMMENTS:

The Veterans of Foreign Wars (VFW) plans to construct a 4,880 square foot building to be used as a community center for VFW members. The VFW will be

relocating from their current property along SH 121 behind Caliber Collision. The property will be served by one driveway along Valley Ridge Boulevard. The driveway will be shared with the 1.3-acre undeveloped property to the east. The owner is requesting a variance to waive the required deceleration lane.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

David Salmon P.E., City Engineer

7. [Consideration of Acceptance of the Resignation of Al DeBerry From Place No. 2 on the Arts Advisory Board; Declare a Vacancy Exists; and Consideration of an Appointment to Fill the Vacancy on the Arts Advisory Board.](#)

ADMINISTRATIVE COMMENTS:

Mr. DeBerry has served in Place No. 2 of the Arts Advisory Board since 2011. This place is required to be filled by someone that is employed by a hotel or other attraction. Due to increasing scheduling conflicts, Mr. DeBerry has advised that he regretfully must resign from this position.

RECOMMENDATION:

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

8. [Approval of a Professional Service Agreement with SAFEbuilt Texas, LLC, a Whole Subsidiary of SAFEbuilt, LLC, Loveland, Colorado, for Ongoing Backup Residential and Commercial Inspection Services, Ongoing Plan Review Services, and Ongoing Pool Inspection Services, in the Amount Not to Exceed \\$200,000 per Term and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

Two (2) of the four (4) building inspector positions in the Neighborhood & Inspection Service department have been vacant since approximately the beginning of December 2019. In order to complete the daily building inspection requests on time, the City signed a professional service agreement with SAFEBuilt, effective

January 2, 2020, to provide up to 20 inspections per day. This agreement limited the compensation to less than \$50,000. Staff anticipates the total compensation to SAFEbuilt will exceed \$50,000, as filling the two (2) vacant positions has been difficult. Therefore, a new agreement is requested to continue these services.

RECOMMENDATION:

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

9. [Consideration of 11 Variances to the 1996 Castle Hills Agreement Related to Various Development Requirements for the Proposed Crown Centre Development, Located in District 1-G at the Southwest Corner of SH 121 Business and the SH 121 Frontage Road \(Sam Rayburn Tollway\), as Requested by Bright Realty, the Owner.](#)

ADMINISTRATIVE COMMENTS:

Bright Realty, the developer of Castle Hills, proposes to develop Crown Centre, a pedestrian-oriented, mixed use development, on approximately 140 acres located within District 1-G at the southwest corner of SH 121 Business and the SH 121 Frontage Road (Sam Rayburn Tollway). The 11 variance requests coupled with conditions set forth in the staff memorandum and the detailed development standards depicted in Exhibit A, provide the framework necessary to move forward with the first of multiple phases of development. The proposed development will consist of over 3 million square feet of non-residential uses along with a maximum of 2,000 multi-family units to provide a unique live/work/play environment. The 11 variance requests are as follow: a) to allow on-site public waterlines to be located under pavement in access and utility easements; b) to allow additional species of street trees; c) to allow trees to be spaced appropriately according to their growth characteristics and the design intent; d) to allow landscaped areas throughout Crown Centre to meet the interior/parking lot landscaping requirement; e) to allow parking reductions and shared parking; f) to allow loading zones to be calculated on a square-foot basis in lieu of a space per square-foot standard and to allow loading zones to be shared between uses and over lot lines; g) to allow special paving in unique areas but not within public streets; h) to provide street and pedestrian easements in lieu of required right-of-way dedication for deceleration and right turn lanes along the SH 121 Frontage Road (Sam Rayburn Tollway), FM 544, Midway Road and Crown Center Blvd; i) to allow multi-family dwelling units of seven hundred (700) square foot average size with a minimum unit size of no less than (500) square feet within the Crown Centre Project; j) to allow multifamily

dwelling units developed as part of the Crown Centre Project not to count towards the total number of allowable units designated for multifamily development in Castle Hills; and k) to allow setbacks from and widths of public utility and drainage easements to be reduced on a case-by-case basis based on type, material, size and depth of the underground public infrastructure.

RECOMMENDATION:

That the City Council City Council approve the requested variances with the recommended conditions set forth in Staff's memorandum and adopt the Crown Centre Development Standards as depicted in Exhibit A.

AVAILABLE FOR QUESTIONS:

Claire Powell, Assistant City Manager
Richard E. Luedke, Planning Director

G. Reports Reports about items of community interest regarding which no action will be taken.

* [Fourth Quarter 2019 Boards/Commissions/Committees Attendance Reports](#)

* [Quarterly Investment Report from October 1, 2019 to December 31, 2019.](#)

H. Return to Workshop Session if Necessary

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

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

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).

I do hereby certify that the above notice of meeting of the City of Lewisville City Council was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on _____, 2020 by _____ AM.

City Secretary