

LEWISVILLE CITY COUNCIL

REGULAR SESSION

NOVEMBER 19, 2018

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore
Bob Troyer, Deputy Mayor Pro Tem
R Neil Ferguson
Brent Daniels
Brandon Jones, Mayor Pro Tem

City Staff:

Donna Barron, City Manager
Eric Ferris, Deputy City Manager
Claire Swann, Assistant City Manager
Melinda Galler, Assistant City Manager
Julie Worster, City Secretary
Lizbeth Plaster, City Attorney (absent)
Lauren Crawford, Assistant City Attorney

WORKSHOP SESSION – 6:30 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 6:30 p.m. on Monday, November 19, 2018, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

**Receive an Update and Provide Direction on
Proceeding With Amendments to the
Lewisville Code of Ordinances Regarding
the Development Code Overhaul**

(Agenda Item A)

At the request of City Manager Barron, Director of Planning and Zoning Richard Leudke began conducting the attached PowerPoint Presentation. Assistant City Manager Swann spoke briefly before the City Council to discuss the current development process and explain that this overhaul will change this process. She indicated that through the I35 Overlay process it had been heard that there are certain things that City Council wants to have a touch point on, and staff will use that as the guidepost in the development of the new process. She assured the City Council that City staff would be coming back multiple times throughout the process to get their feedback and make sure the process was on the right path.

WORKSHOP SESSION – 6:30 P.M.

**Receive an Update and Provide Direction on
Proceeding With Amendments to the
Lewisville Code of Ordinances Regarding
the Development Code Overhaul (cont'd)**

(Agenda Item A)

Assistant City Manager Swann turned the presentation over to Karen Walz with Strategic Community Solutions LLC. Ms. Walz continued the attached PowerPoint presentation. Ms. Walz handed out the attached flow chart that showed a detailed schedule regarding how things flow, the pieces work together, and how the timing works together. She explained that this could be used as she went through the overview.

Due to time constraints, Mayor Durham advised that Workshop Agenda Item A and Workshop Agenda Item B would be continued following the Regular City Council Session.

Mayor Durham moved on to the following item:

**Discussion of Regular Agenda Items and
Consent Agenda Items**

(Agenda Item C)

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.

Mayor Durham reviewed Agenda Item C-1, Presentation: Salvation Army to Present the National Red Kettle Kickoff; Mayor Durham to Issue a Challenge to the Town of Flower Mound and City of Highland Village. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-1, Public Hearing: Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Shooting Range (Indoor) with Two Associated Alternative Standards Regarding Windows and Building Colors, on a 2.256 Acre Lot, Legally Described as Corporate Square, Block A, Lot 6R 1; Located at 1915 South Stemmons Freeway; Zoned Light Industrial (LI) District, as Requested by Chris Neill, of Primax Properties, LLC, on Behalf of Lewisville Bassett One LTD, the Property Owner (Case No. SUP 2018-11-16). There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item D-2, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for a Self-Storage/Mini Warehouse Facility on Approximately 4.400 Acres, Legally Described as Lots 6 & 7, Block A, Peck V.R. Addition and Located at 125 & 175 Valley Ridge Boulevard, Zoned Light Industrial District (LI); as Requested by Robert Schneeberg, Gonzalez & Schneeberg, Inc., on Behalf of Valley Ridge Properties, LLC, the Property Owner (Case No. SUP 2018-10-15). 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-3, Approval of a) City Council Minutes of the October 15, 2018, Workshop Session and Regular Session; and b) City Council Minutes of the November 5, 2018, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-4, Approval of a Memorandum of Agreement with the United States Department of the Army for Additional Work During Construction of the Lewisville Dam Safety Modifications; and Authorize the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-5, Approval of the Sale of 0.010 Acres of City owned Property Consisting of a Portion of Lot 2, Block A, Wayne Ferguson Plaza Addition to EnvSer, LLC DBA EnviroServe in the Amount of \$1,000; and, Authorization for the City Manager to Sign All Documents Related to the Sale. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-6, Approval of the Fiscal Year 2018 2019 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-7, Approval of the Fiscal Year 2018 2019 Ambulance Service Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item G-8, Continued Item: Consideration of a Variance to the Lewisville City Code Section 11 10 (g) (c)(2)(vii) Freestanding Signs, to Allow a Freestanding Sign to Exceed the Maximum Height of 60 Feet in the I 35E Corridor to 75 Feet, Located at 2512 S Stemmons Freeway, as Requested by Tony Callaway, Representing ‘At Home’, the Property Owner. City Manager Barron advised that the applicant has requested that this item be continued to the December 3, 2018, City Council meeting. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of a Variance to the Lewisville City Code Sections 9.5 54(a) and 9.5 57 to Allow Submittal of an Old Town Development Plan for 109 W. Main After the Issuance of the Building Permit. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-10, Consideration of a Variance to the Lewisville City Code Sections 9.5 54 (a) and 9.5 57 to Allow Submittal of an Old Town Development Plan for 170 W. Main After the Issuance of the Building Permit. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of a Final Plat of Castle Hills Phase 10 Lewisville Addition; Containing 264 Single Family Lots, 94 Townhouse Lots, 9 Common Area Lots (ETH) and 13 Common Area Lots (TH 2) on 76.96 Acres, With Zoning Designations of Estate Townhouse (ETH), Townhouse Two (TH 2); Located on the South Side of Windhaven Parkway, North side of FM 544 and West of Josey Lane; Containing Two Associated Variances. as Requested by LandDesign Inc., Representing the Property Owner. City Manager Barron advised that the recommendation on the agenda had missed some verbiage and requested that the City Council be sure to read the motion as it was contained on the screens in the Chambers. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item G-12, Consideration of an Ordinance Providing for the Abandonment, Vacation and Closure of Variable Width Portion of the Northern Side of Walters Street East of Leonard Street; Providing for the Terms and Conditions of the Abandonment, Vacation and Closure; and Declaring an Emergency. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-13, Consideration of an Ordinance Appointing an Alternate Municipal Judge. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item G-14, Consideration of Acceptance of Resignation of Toya Gant From Place No. 7 on the Lewisville 2025 Advisory Board (2025); Declare Vacancy Exists on the 2025; and Consideration of an Appointment to Place No. 7 on the 2025. Discussion was held regarding this appointment. The consensus of the City Council was to appoint Marcelo Borges, former Citizen's University Member, to this position. There was no further 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 6:58 p.m. on Monday, November 19, 2018.

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, November 19, 2018, 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, Deputy Mayor Pro Tem Troyer gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Mayor Pro Tem Jones gave the pledge to the American and Texas flags.

**Presentation: Salvation Army to Present the
National Red Kettle Kickoff; Mayor Durham
to Issue a Challenge to the Town of Flower
Mound and City of Highland Village**

(Agenda Item C-1)

Salvation Army presented the National Red Kettle Kickoff. Mayor Durham issued a challenge to the Town of Flower Mound and City of Highland Village.

Public Hearing: Consideration of Ordinance No. 0081-18-SUP Granting a Special Use Permit (SUP) for a Shooting Range (Indoor) with Two Associated Alternative Standards Regarding Windows and Building Colors, on a 2.256 Acre Lot, Legally Described as Corporate Square, Block A, Lot 6R 1; Located at 1915 South Stemmons Freeway; Zoned Light Industrial (LI) District, as Requested by Chris Neill, of Primax Properties, LLC, on Behalf of Lewisville Bassett One LTD, the Property Owner (Case No. SUP 2018-11-16)

(Agenda Item D-1)

The special use permit (SUP) for Shoot Point Blank was originally approved by City Council on February 20, 2017. The indoor shooting range proposes to occupy the former Cosmic Jump facility, which has been vacant for several years. The original SUP has since expired, and the IH 35E Corridor Overlay District has been approved, creating heightened standards in building materials and landscaping. The applicant has revised the original plans to meet most of these requirements, including providing additional landscaping, masonry materials, and building articulation. In addition, the applicant proposes that the existing pylon sign be replaced with a low profile monument sign in three years. Two alternative standards are requested for City Council approval: a) to reduce the doors and windows façade requirement on the ground floor from the required 40% to 8.2%, a 79.5% reduction and, b) to allow five (5) colors be used on each elevation in lieu of the required three (3).

The City staff's recommendation was that the City Council approve the ordinance and two associated alternative standards as set forth in the caption above with a condition that any future change of use will require compliance with the IH 35E Overlay District window requirements.

Mayor Durham opened the public hearing.

Richard E. Luedke, Planning Director, presented the attached PowerPoint Presentation.

City Secretary Julie Worster advised that Chris Neill, of Primax Properties, LLC, had submitted a card indicating his support of this item.

Kevin Allee, representing Shoot Point Blank, spoke before the City Council in support of this item. He advised that they were requesting three years on the highway pylon sign from the date the certificate of occupancy was issued.

Public Hearing: Consideration of Ordinance No. 0081-18-SUP Granting a Special Use Permit (SUP) for a Shooting Range (Indoor) with Two Associated Alternative Standards Regarding Windows and Building Colors, on a 2.256 Acre Lot, Legally Described as Corporate Square, Block A, Lot 6R 1; Located at 1915 South Stemmons Freeway; Zoned Light Industrial (LI) District, as Requested by Chris Neill, of Primax Properties, LLC, on Behalf of Lewisville Bassett One LTD, the Property Owner (Case No. SUP 2018-11-16) (cont'd)

(Agenda Item D-1)

At the request of Assistant City Attorney Lauren Crawford, Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 7:20 p.m. Monday, November 19, 2018, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.071 (Consultation with Attorney), the Lewisville City Council convened into Closed Session at 7:20 p.m. on Monday, November 19, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining this item.

The Closed Session was adjourned at 7:32 p.m. on Monday, November 19, 2018.

Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Closed Session

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 7:32 p.m. on Monday, November 19, 2018, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session. Mayor Durham returned to the public hearing on this item.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

Assistant City Attorney Lauren Crawford read the ordinance caption into the record as follows:

Public Hearing: Consideration of Ordinance No. 0081-18-SUP Granting a Special Use Permit (SUP) for a Shooting Range (Indoor) with Two Associated Alternative Standards Regarding Windows and Building Colors, on a 2.256 Acre Lot, Legally Described as Corporate Square, Block A, Lot 6R 1; Located at 1915 South Stemmons Freeway; Zoned Light Industrial (LI) District, as Requested by Chris Neill, of Primax Properties, LLC, on Behalf of Lewisville Bassett One LTD, the Property Owner (Case No. SUP 2018-11-16) (cont'd)

(Agenda Item D-1)

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for a Shooting Range (Indoor) on Approximately 2.256 Acres Legally Described as Lot 6R-1, Block A, Corporate Square, Located on the West Side of South Stemmons Freeway (IH-35E) Approximately 550 Feet South of Corporate Drive at 1915 South Stemmons Freeway and Zoned Light Industrial District (LI); Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted four (4) “ayes” and one (1) “nay,” with Councilman Ferguson casting the negative vote to approve and adopt **Ordinance No. 0081-18-SUP**, as previously captioned, and approve the following two associated alternative standards: a) to reduce the doors and windows façade requirement on the ground floor from the required 40% to 8.2%, a 79.5% reduction and, b) to allow five (5) colors be used on each elevation in lieu of the required three (3), with a condition that any future change of use will require compliance with the IH 35E Overlay District window requirements. The motion carried.

Public Hearing: Consideration of Ordinance No. 0082-18-SUP Granting a Special Use Permit for a Self Storage/Mini Warehouse Facility on Approximately 4.400 Acres, Legally Described as Lots 6 & 7, Block A, Peck V.R. Addition and Located at 125 & 175 Valley Ridge Boulevard, Zoned Light Industrial District (LI); as Requested by Robert Schneeberg, Gonzalez & Schneeberg, Inc., on Behalf of Valley Ridge Properties, LLC, the Property Owner (Case No. SUP 2018-10-15)

(Agenda Item D-2)

The proposed Special Use Permit (SUP) is for a self-storage/mini warehouse facility called Urban Garages. This facility is not traditional self-storage, but a condominium ownership model with an association to manage the property. To screen the storage buildings, the applicant has added office/warehouse buildings along the Valley Ridge Boulevard frontage. In addition, the applicant has provided increased landscaping, exceeded masonry requirements, and committed to low profile monument signage to enhance the aesthetics of the site. The Planning and Zoning Commission recommended unanimous (7 0) approval of the SUP on October 16, 2018.

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.

Richard E. Luedke, Planning Director, was available to address any questions

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Assistant City Attorney Lauren Crawford read the ordinance caption into the record as follows:

"An Ordinance Of The Lewisville City Council, Amending The Zoning Ordinance By Granting A Special Use Permit For A Self-Storage/Mini-Warehouse Facility, On Approximately 4.400 Acres, Legally Described As Lots 6 and 7, Block A, Peck V.R. Addition, Located at 125 and 175 Valley Ridge Boulevard and Zoned Light Industrial District (LI); Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency."

Public Hearing: Consideration of Ordinance No. 0082-18-SUP Granting a Special Use Permit for a Self Storage/Mini Warehouse Facility on Approximately 4.400 Acres, Legally Described as Lots 6 & 7, Block A, Peck V.R. Addition and Located at 125 & 175 Valley Ridge Boulevard, Zoned Light Industrial District (LI); as Requested by Robert Schneeberg, Gonzalez & Schneeberg, Inc., on Behalf of Valley Ridge Properties, LLC, the Property Owner (Case No. SUP 2018-10-15) (cont'd)

(Agenda Item D-2)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0082-18-SUP**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

3. **APPROVAL OF MINUTES:** a) City Council Minutes of the October 15, 2018, Workshop Session and Regular Session; and b) City Council Minutes of the November 5, 2018, Workshop Session and Regular Session.
4. Approval of a Memorandum of Agreement with the United States Department of the Army for Additional Work During Construction of the Lewisville Dam Safety Modifications; and Authorize the City Manager to Execute the Agreement.
5. Approval of the Sale of 0.010 Acres of City owned Property Consisting of a Portion of Lot 2, Block A, Wayne Ferguson Plaza Addition to EnvSer, LLC DBA EnviroServe in the Amount of \$1,000; and, Authorization for the City Manager to Sign All Documents Related to the Sale.

CONSENT AGENDA

(Agenda Item F)

6. Approval of the Fiscal Year 2018 2019 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.
7. Approval of the Fiscal Year 2018 2019 Ambulance Service Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.

The motion carried.

END OF CONSENT AGENDA

Continued Item: Consideration of a Variance to the Lewisville City Code Section 11-10 (g) (c)(2)(vii) Freestanding Signs, to Allow a Freestanding Sign to Exceed the Maximum Height of 60 Feet in the I 35E Corridor to 75 Feet, Located at 2512 S Stemmons Freeway, as Requested by Tony Callaway, Representing 'At Home', the Property Owner

(Agenda Item G-8)

The subject site is a 10.30 acre lot zoned General Business (GB) within the Lakepointe Crossing Shopping Center. The property owner 'At Home' has an existing 122,000 square foot facility located on the site. Due to the impact of the I 35E widening, the property owner is requesting a variance for a sign to exceed the maximum height of sixty feet (60') to a height of seventy five feet (75') in the I 35E corridor.

The City staff's recommendation was that the City Council continue the item to the December 3, 2018 City Council meeting.

Wayne K. Snell Jr., Director of Neighborhood & Inspection Services, was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Daniel and seconded by Mayor Pro Tem Jones, the Council voted five (5) "ayes" and no (0) "nays" to continue the item to the December 3, 2018 City Council meeting. The motion carried.

**Consideration of a Variance to the Lewisville
City Code Sections 9.5 54(a) and 9.5 57 to
Allow Submittal of an Old Town
Development Plan for 109 W. Main After the
Issuance of the Building Permit**

(Agenda Item G-9)

A building permit was issued without prior approval of the Old Town Development Plan for 109 W. Main Street. This variance would allow for the delayed submittal of the plan.

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

Wayne K. Snell Jr., Director of Neighborhood & Inspection Services, was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code Sections 9.5 54(a) and 9.5 57 to allow submittal of an Old Town Development Plan for 109 W. Main after the issuance of the Building Permit. The motion carried.

**Consideration of a Variance to the Lewisville
City Code Sections 9.5 54 (a) and 9.5 57 to
Allow Submittal of an Old Town
Development Plan for 170 W. Main After the
Issuance of the Building Permit**

(Agenda Item G-10)

A building permit was issued without prior approval of the Old Town Development Plan for 170 W. Main Street. This variance would allow for the delayed submittal of the plan.

The City staff's recommendation was that the City Council approve the variance as set forth in the caption above with the following conditions: (1) that the owner, until approval of the Old Town Development Plan, shall maintain a 12 foot wide, unobstructed public access easement to connect the parking spaces at the rear of 170 W. Main Street to Elm Street; and (2) that the Old Town Development Plan for 170 W. Main shall be submitted no later than six months from the date of this variance and shall be submitted with or as part of the Old Town Development Plan for 151 Elm Street.

Wayne Snell, Director of Neighborhood & Inspection Services, was available to address any questions posed by the City Council.

Consideration of a Variance to the Lewisville City Code Sections 9.5 54(a) and 9.5 57 to Allow Submittal of an Old Town Development Plan for 109 W. Main After the Issuance of the Building Permit (cont'd)

(Agenda Item G-9)

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the Lewisville City Code Sections 9.5 54 (a) and 9.5 57 to Allow submittal of an Old Town Development Plan for 170 W. Main after the issuance of the Building Permit with the following conditions: (1) that the owner, until approval of the Old Town Development Plan, shall maintain a 12 foot wide, unobstructed public access easement to connect the parking spaces at the rear of 170 W. Main Street to Elm Street; and (2) that the Old Town Development Plan for 170 W. Main shall be submitted no later than six months from the date of this variance and shall be submitted with or as part of the Old Town Development Plan. The motion carried.

Consideration of a Final Plat of Castle Hills Phase 10 Lewisville Addition; Containing 264 Single Family Lots, 94 Townhouse Lots, 9 Common Area Lots (ETH) and 13 Common Area Lots (TH 2) on 76.96 Acres, With Zoning Designations of Estate Townhouse (ETH), Townhouse Two (TH 2); Located on the South Side of Windhaven Parkway, North side of FM 544 and West of Josey Lane; Containing Two Associated Variances. as Requested by LandDesign Inc., Representing the Property Owner

(Agenda Item G-11)

The subject Final Plat is located within Castle Hills District 1 H in the City of Lewisville Extra Territorial Jurisdiction (ETJ) and is to be developed in accordance with the 1996 Bright Farms Agreement. The following variances are being requested: a) To allow a 34 foot street right of way and 27 foot street width with 10 foot sidewalk and utility easements on each side in lieu of the required 50 foot right of way and 31 ft street width; b) To allow Blocks L, M, N, O, P, Q, R, and S to have a zoning designation of Townhouse Two (TH 2). City Council approved the Preliminary Plat for Castle Hills Phase 10 on May 1, 2017. The Preliminary Plat included three other variances, a) To allow a 41 foot street right of way with 8 foot sidewalk and utility easements on each side in lieu of the required 50 foot right of way, b) To waive the alley requirement for lots less than 10,000 square feet in area, and c) To allow Block N to have a zoning designation of Townhouse Two (TH 2).

Consideration of a Final Plat of Castle Hills Phase 10 Lewisville Addition; Containing 264 Single Family Lots, 94 Townhouse Lots, 9 Common Area Lots (ETH) and 13 Common Area Lots (TH 2) on 76.96 Acres, With Zoning Designations of Estate Townhouse (ETH), Townhouse Two (TH 2); Located on the South Side of Windhaven Parkway, North side of FM 544 and West of Josey Lane; Containing Two Associated Variances. as Requested by LandDesign Inc., Representing the Property Owner (cont'd)

(Agenda Item G-11)

The City staff's recommendation was that the City Council approve the final plat and two associated variances as set forth in the caption above.

David Salmon P.E., City Engineer, was 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 five (5) "ayes" and no (0) "nays" to approve a Final Plat of Castle Hills Phase 10 Lewisville Addition; containing 264 single family lots, 94 townhouse lots, 9 common area lots (ETH) and 13 common area lots (TH 2) on 76.96 acres, with zoning designations of Estate Townhouse (ETH), Townhouse Two (TH 2); located on the south side of Windhaven Parkway, north side of FM 544 and west of Josey Lane; and approve the following two associated variances: a) to allow a 41 foot street right of way with 8 foot sidewalk and utility easements on each side in lieu of the required 50 foot right of way, b) to waive the alley requirement for lots less than 10,000 square feet in area, and c) to allow Block N to have a zoning designation of Townhouse Two (TH 2), as requested by LandDesign Inc., representing the property owner. The motion carried.

Consideration of Ordinance No. 0083-18-ORD Providing for the Abandonment, Vacation and Closure of Variable Width Portion of the Northern Side of Walters Street East of Leonard Street; Providing for the Terms and Conditions of the Abandonment, Vacation and Closure; and Declaring an Emergency

(Agenda Item G-12)

The City of Lewisville currently owns 3.65 acres of property bounded by College Street on the north, Leonard Street on the west, DART property along Railroad Street on the east, and Walters Street right of way on the south. More specifically, the parcels are identified by the Denton Appraisal District as R12477, R12478, R12479, R12481, and R84522. The existing Walters Street right of way, a 16,000 square foot unpaved area, is located east of Leonard Street and at the southern boundary of parcel R84522, in which approximately 7,400 square feet is not needed for public use as a right of way. With efforts pursuant to Chapter 311.007 of the Texas Transportation Code, the City deems it advisable to abandon, vacate and close this portion of right of way. Therefore, this ordinance provides for the abandonment, vacation and closure of variable width portion of the northern side of Walters Street east of Leonard Street; providing for the terms and conditions of the abandonment, vacation and closure; and declaring an emergency.

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

Assistant City Attorney Lauren Crawford read the ordinance caption into the record as follows:

“An Ordinance of the Lewisville City Council Providing for the Abandonment, Vacation and Closure of a Variable Width Portion of the Northern Side of Walters Street East of Leonard Street as Shown in Exhibit “A”; Providing for the Terms and Conditions of the Abandonment, Vacation and Closure; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0083-18-ORD**, as captioned previously. The motion carried.

**Consideration of Ordinance No. 0084-18-
ORD Appointing an Alternate Municipal
Judge**

(Agenda Item G-13)

In October of this year, Judge Robin Ramsay accepted a position with Denton County to serve as the new Criminal Court Magistrate. His position with our city was responsible for magistration services in the city jail on certain weekends and for assisting with court coverage for the presiding judge during periods of vacation, illness or when administrative duties require Judge Holman's absence. City staff is recommending Kimberly Lafferty be considered for the alternate position.

The City staff's recommendation was that the City Council approve the ordinance appointing Kimberly Lafferty as an alternate municipal judge.

Municipal Court Judge Brian Holman spoke before the City Council in support of Kimberly Lafferty's appointment as an alternate municipal judge.

Assistant City Attorney Lauren Crawford read the ordinance caption into the record as follows:

"An Ordinance of the Lewisville City Council Appointing an Alternate Judge for the Municipal Court of Record No. 1 in the City of Lewisville to a Two-Year Term; Providing a Repealer, Severability and an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 0084-18-ORD**, appointing Kimberly Lafferty as an Alternate Judge for the Municipal Court of Record No. 1, as captioned previously. The motion carried.

**Consideration of Acceptance of Resignation of
Toya Gant From Place No. 7 on the Lewisville
2025 Advisory Board (2025); Declare Vacancy
Exists on the 2025; and Consideration of an
Appointment to Place No. 7 on the 2025**

(Agenda Item G-14)

Toya Gant has submitted her resignation from Place No. 7 on the 2025. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy. Data sheets of applicants interested in serving on this Board have been included for City Council review.

The City staff's recommendation was that the City Council accept the resignation; declare a vacancy; and consider an appointment as set forth in the caption above.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Councilman Daniels, the Council voted five (5) "ayes" and no (0) "nays" to accept the resignation of Toya Gant from Place No. 7 on the Lewisville 2025 Advisory Board (2025); declare vacancy exists on the 2025; and appoint Marcelo Borges to Place No. 7 on the 2025. The motion carried.

Reports

(Agenda Item H)

- Quarterly Investment Report from July 1, 2018 through September 30, 2018.
- Fire Chief Tim Tittle advised of Fire Department personnel who had just returned from traveling to assist with the recent fires in California.
- Assistant City Manager Galler gave an update on the recently held Battle of the Badge.
- Director of Public Services Keith Marvin gave an update on the status of the lake.
- Councilman Daniels advised of the success of the Trinity Trash Bash that had been held recently. He acknowledged all the work of the Parks and Recreation staff for their help with this event.
- Councilman Daniels advised of the Hebron Hawks and the Lewisville Fighting Farmers recent wins and their upcoming games. He advised there were send offs planned for the teams. He also thanked the Firefighters for assisting with the recent fires and their service to the community.
- Mayor Pro Tem Jones wished everyone a happy holiday season and thanked all the staff and public safety officers for their dedication. He extended his prayers to the family of the police officer who had succumbed to his injuries in Chicago.
- Councilman Gilmore advised the Holiday Stroll and Parade would be held on December 1st in Old Town. He encouraged anyone interested to check for information on the City's website.
- Councilman Ferguson gave an update on events scheduled at the MCL Grande. Councilman Ferguson reminded everyone to hug their family twice and to spend time with them over the holidays.

Reports (cont'd)

(Agenda Item H)

- Deputy Mayor Pro Tem Troyer advised that he was thankful to be involved with this City. He advised of his recent attendance at the National League of Cities Summit and that he'd brought away how lucky all of the city is to have the City staff and everyone who is working together to make our city a great place to live.
- Mayor Durham thanked the Police Officers present for their service to the community.

There were no additional reports at this time.

Mayor Durham advised that the City Council would be returning to the City Council Conference Room to continue the Workshop Session discussion of the Workshop Item A - Receive an Update and Provide Direction on Proceeding With Amendments to the Lewisville Code of Ordinances Regarding the Development Code Overhaul.

With the City Council all present in the City Council Conference Room, the continuation of the Workshop Session began.

Receive an Update and Provide Direction on Proceeding With Amendments to the Lewisville Code of Ordinances Regarding the Development Code Overhaul

(Agenda Item A)

Assistant City Manager Swann addressed the City Council to determine if they had any direction. Discussion was held that that as far as City staff knew Lewisville was one of a kind with this topic. Assistant City Manager Swann indicated that staff was looking at best practices and that Kimley Horn has worked with numerous cities and has the experience needed. Further discussion was held that the last major renovation of the Code was in the 70's.

Report on Denton County's PACE Options (Property Assessed Clean Energy Programs)

(Agenda Item B)

At the request of City Manager Barron, Sustainability Manager Mendie White conducted the attached PowerPoint Presentation regarding Denton County's PACE Options. Ms. White showed a brief video detailing how the program worked.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:15 p.m. Monday, November 19, 2018, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:15 p.m. on Monday, November 19, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (Economic Development):

2. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 9:22 p.m. on Monday, November 19, 2018.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Closed Session**

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 9:22 p.m. on Monday, November 19, 2018, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session. There was no action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item K)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 9:22 p.m. on Monday, November 19, 2018. The motion carried.

These minutes approved by the Lewisville City Council on the 3rd day of December, 2018.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Worster
CITY SECRETARY



Development Code Overhaul

Lewisville City Council Presentation

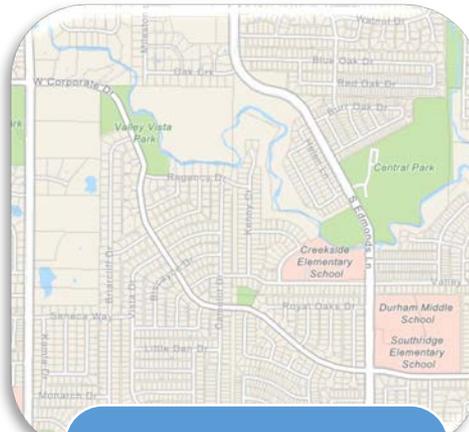
November 19, 2018

Overview



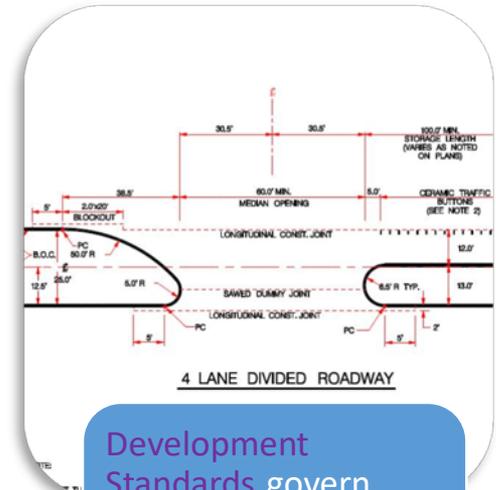
Zoning Ordinance governs

- What can be developed on a property
- Development pattern
- Setbacks
- Heights
- Procedures
- Public notice requirements



Land Development Code governs

- Subdivision of property
- Parking
- Landscaping



Development Standards govern

- Infrastructure design
- Street and driveway standards

Lewisville's Unique Development Process

- In 1988, development standards were split from the Zoning Ordinance
- Variances
- Flexibility – other tools
- Engineering standards
- Inefficiencies – cumbersome timeframe

Why Update our Ordinances?

- To facilitate the implementation of Lewisville 2025 and Small Area Plans
- To facilitate new forms of development
- To make redevelopment easier
- To make the ordinances more user friendly
- To create a more business friendly development process
- To eliminate existing conflicts between codes
- To incorporate best practices in development regulation

Project Scope Outline

Phase I – Project Initiation / Management

- Project Kickoff / Management
- Communications / Community Engagement

Phase II – Assessment of Existing Ordinances

- Organizational Evaluation
- Research Relevant Ordinances from Other Communities
- Finalize Topics for Revision by Phase

Project Scope Outline

Phase III – Preparation of Updated Zoning Ordinance

- Zoning Ordinance Evaluation
- Preparation of Draft Zoning Ordinance
- Zoning Ordinance Adoption

Phase IV - Preparation of Updated Land Development Code

- Land Development Code Evaluation
- Preparation of Land Development Code Update
- Preparation of Development Standards
- Updated Land Development Code and Development Standards Adoption

Community Engagement

Overall Approach

- **Transparent** – make information and project status available to interested persons throughout the process
- **Appropriate** – engage people when they will have an interest and/or insight to share
- **Flexible** – provide options on how and when people are involved
- **Valuable** – get input that makes the new ordinances better

Involvement Techniques

- Online, social media & e-newsletter
- Community Open Houses
- Focus Groups (initial)
- Stakeholder Groups (at key points)

Engagement & Direction Throughout from City Council and P&Z
Final Action by P&Z and City Council

Stakeholders Groups

Code Review Committee (CRC)

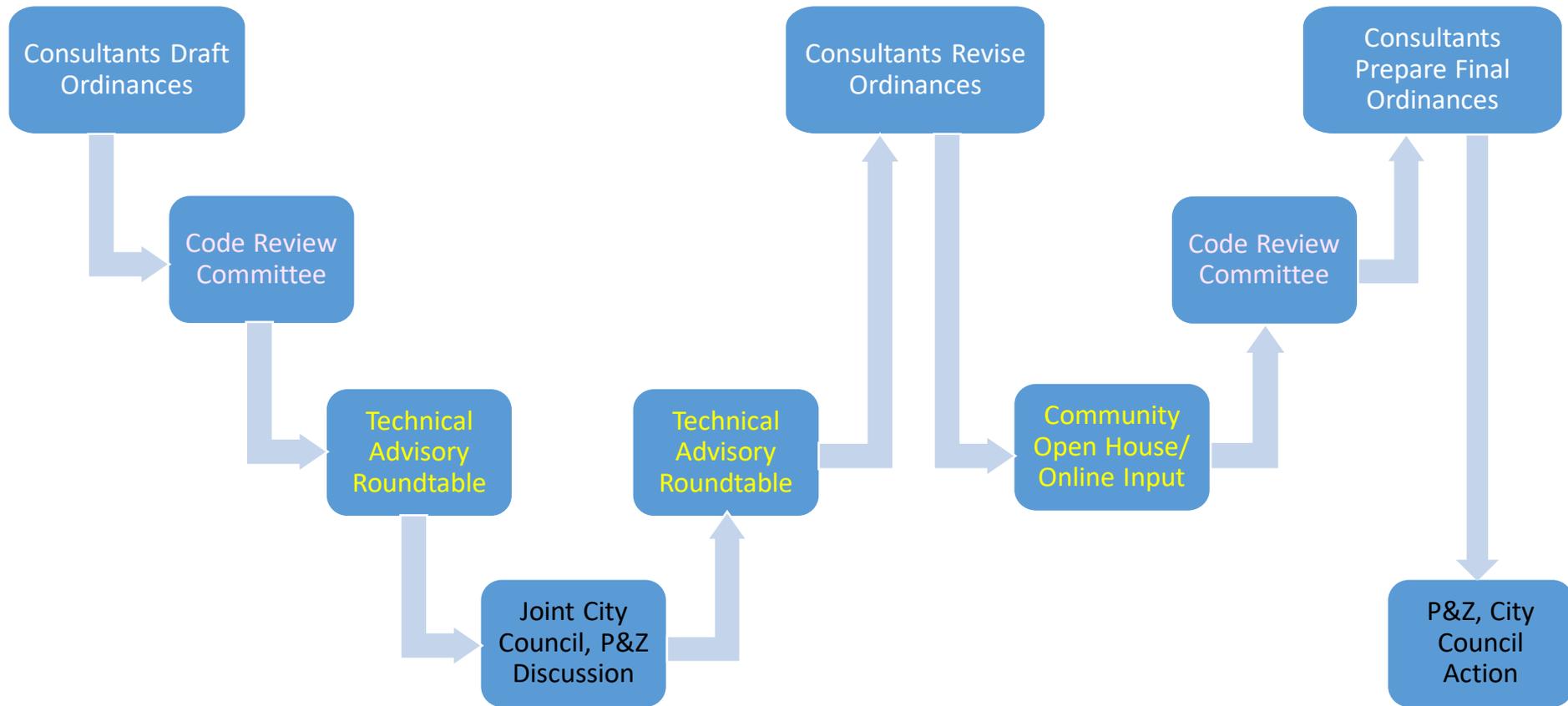
- Key Lewisville City Staff who regularly work with ordinances
- Will provide technical review / input and knowledge of current processes

Technical Advisory Roundtable (TAR)

- Development professionals (developers, engineers, architects, attorneys)
- Will provide insights and advice from development industry perspective

Ordinance Feedback Process

We would follow this process twice – first for the zoning ordinance and second for the land development code & development standards.



Schedule

- December 2018
 - Project Kickoff
 - Communications / Community Engagement Plan
- January – February 2019
 - Assessment of Existing Ordinances
- March 2019
 - Joint City Council / P&Z Work Session #1
- April – July 2019
 - Preparation of Draft Zoning Ordinance
- August 2019
 - Joint City Council / P&Z Work Session #2

Schedule

- September 2019
 - Community Open House #1
 - Online Community Input – Draft Zoning Ordinance
- October – November 2019
 - Preparation of Revised Zoning Ordinance
- November 2019 – January 2020
 - Zoning Ordinance Adoption
 - Land Development Code Evaluation
- February – April 2020
 - Preparation of Draft Land Development Code
 - Preparation of Draft Development Standards

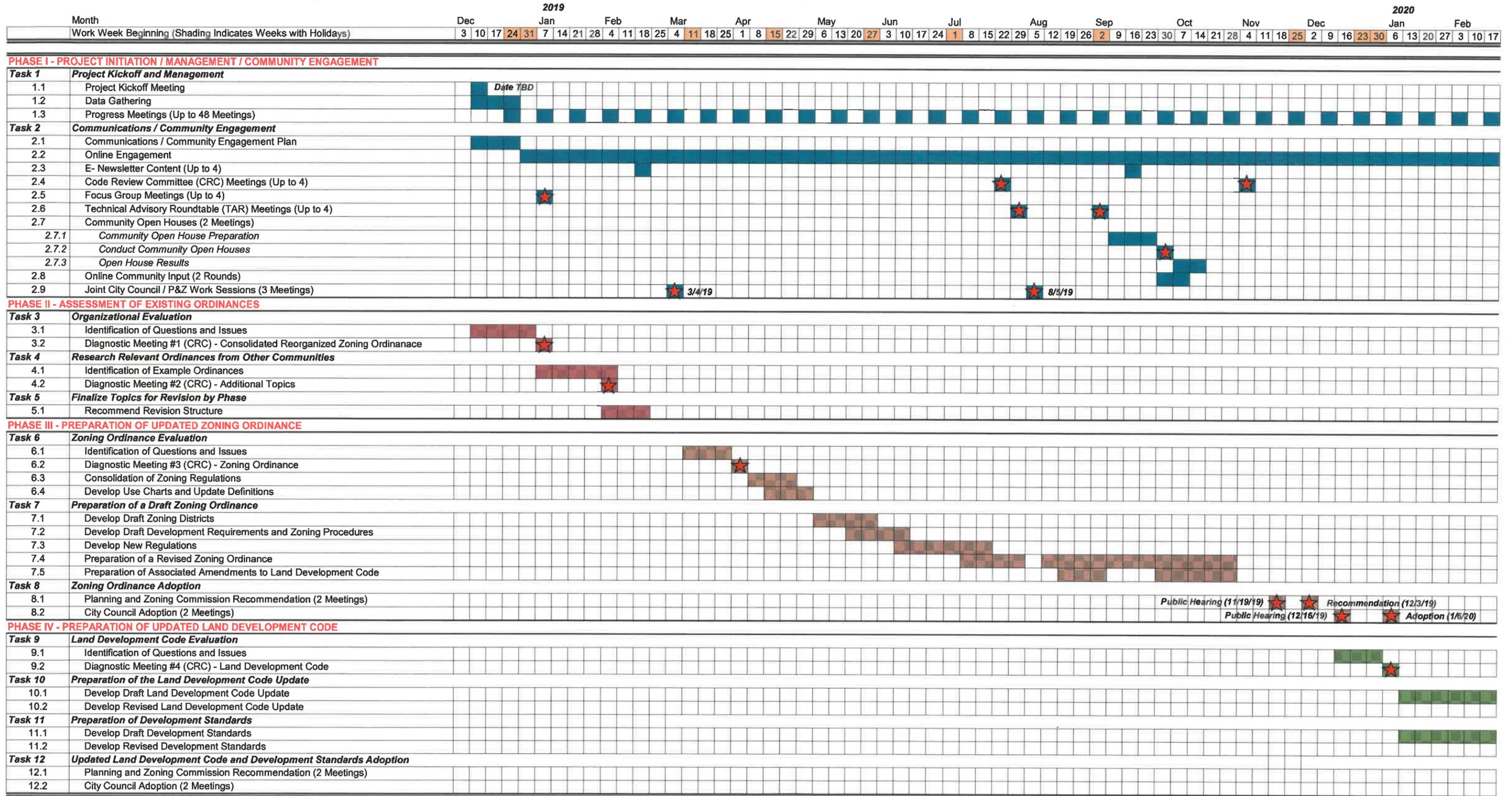
Schedule

- May 2020
 - Joint City Council / P&Z Work Session #3
- June 2020
 - Community Open House #2
 - Online Community Input – Draft Land Development Code / Development Standards
- June - July 2020
 - Preparation of Revised Land Development Code / Development Standards
- August 2020 – September 2020
 - Land Development Code / Development Standards Adoption

Discussion



Lewisville Zoning / Subdivision Updates
Attachment B - Project Schedule - Final 11-8-18



Month		Mar					Apr				May				Jun				Jul				Aug				Sep						
Work Week Beginning (Shading Indicates Weeks with Holidays)		24	2	9	16	23	30	6	13	20	27	4	11	18	25	1	8	15	22	29	6	13	20	27	3	10	17	24	31	7	14	21	28
PHASE I - PROJECT INITIATION / MANAGEMENT / COMMUNITY ENGAGEMENT																																	
Task 1	Project Kickoff and Management																																
1.1	Project Kickoff Meeting																																
1.2	Data Gathering																																
1.3	Progress Meetings (Up to 48 Meetings)	[Gantt bars for weekly meetings]																															
Task 2	Communications / Community Engagement																																
2.1	Communications / Community Engagement Plan	[Gantt bar]																															
2.2	Online Engagement	[Gantt bar]																															
2.3	E- Newsletter Content (Up to 4)	[Gantt bar]																															
2.4	Code Review Committee (CRC) Meetings (Up to 4)	[Star icons]																															
2.5	Focus Group Meetings (Up to 4)	[Star icons]																															
2.6	Technical Advisory Roundtable (TAR) Meetings (Up to 4)	[Star icons]																															
2.7	Community Open Houses (2 Meetings)	[Star icons]																															
2.7.1	Community Open House Preparation	[Gantt bar]																															
2.7.2	Conduct Community Open Houses	[Gantt bar]																															
2.7.3	Open House Results	[Gantt bar]																															
2.8	Online Community Input (2 Rounds)	[Gantt bar]																															
2.9	Joint City Council / P&Z Work Sessions (3 Meetings)	[Star icon 5/4/20]																															
PHASE II - ASSESSMENT OF EXISTING ORDINANCES																																	
Task 3	Organizational Evaluation																																
3.1	Identification of Questions and Issues																																
3.2	Diagnostic Meeting #1 (CRC) - Consolidated Reorganized Zoning Ordinance																																
Task 4	Research Relevant Ordinances from Other Communities																																
4.1	Identification of Example Ordinances																																
4.2	Diagnostic Meeting #2 (CRC) - Additional Topics																																
Task 5	Finalize Topics for Revision by Phase																																
5.1	Recommend Revision Structure																																
PHASE III - PREPARATION OF UPDATED ZONING ORDINANCE																																	
Task 6	Zoning Ordinance Evaluation																																
6.1	Identification of Questions and Issues																																
6.2	Diagnostic Meeting #3 (CRC) - Zoning Ordinance																																
6.3	Consolidation of Zoning Regulations																																
6.4	Develop Use Charts and Update Definitions																																
Task 7	Preparation of a Draft Zoning Ordinance																																
7.1	Develop Draft Zoning Districts																																
7.2	Develop Draft Development Requirements and Zoning Procedures																																
7.3	Develop New Regulations																																
7.4	Preparation of a Revised Zoning Ordinance																																
7.5	Preparation of Associated Amendments to Land Development Code																																
Task 8	Zoning Ordinance Adoption																																
8.1	Planning and Zoning Commission Recommendation (2 Meetings)																																
8.2	City Council Adoption (2 Meetings)																																
PHASE IV - PREPARATION OF UPDATED LAND DEVELOPMENT CODE																																	
Task 9	Land Development Code Evaluation																																
9.1	Identification of Questions and Issues																																
9.2	Diagnostic Meeting #4 (CRC) - Land Development Code																																
Task 10	Preparation of the Land Development Code Update																																
10.1	Develop Draft Land Development Code Update	[Gantt bar]																															
10.2	Develop Revised Land Development Code Update	[Gantt bar]																															
Task 11	Preparation of Development Standards																																
11.1	Develop Draft Development Standards	[Gantt bar]																															
11.2	Develop Revised Development Standards	[Gantt bar]																															
Task 12	Updated Land Development Code and Development Standards Adoption																																
12.1	Planning and Zoning Commission Recommendation (2 Meetings)	[Star icons]																															
12.2	City Council Adoption (2 Meetings)	[Star icons]																															

Public Hearing (7/28/20) ★ Recommendation (8/11/20) ★
 Public Hearing (8/24/20) ★ Adoption (9/14/20) ★

TEXAS PROPERTY ASSESSED CLEAN ENERGY (PACE)

NOVEMBER 19, 2018

PACE

- PROPERTY ASSESSED CLEAN ENERGY (PACE) IS A PROGRAM THAT PROVIDES AN INNOVATIVE MECHANISM FOR FINANCING ENERGY EFFICIENCY, RENEWABLE ENERGY, AND WATER CONSERVATION IMPROVEMENTS TO DEVELOPED PROPERTIES.
- CHAPTER 399 OF THE TEXAS LOCAL GOVERNMENT CODE AUTHORIZES MUNICIPALITIES AND COUNTIES IN TEXAS TO WORK WITH PRIVATE SECTOR LENDERS AND PROPERTY OWNERS TO FINANCE QUALIFIED IMPROVEMENTS USING PROPERTY ASSESSMENTS.



PACE

- 13 COUNTIES, 4 CITIES IN TEXAS HAVE CURRENTLY ADOPTED PACE.
- TWO CURRENT PACE ADMINISTRATORS IN TEXAS: TEXAS PACE AUTHORITY AND LONE STAR PACE.
- DENTON COUNTY HAS JUST ADOPTED THE PACE PROGRAM COUNTY-WIDE.
- [HTTPS://WWW.LONESTARPACE.COM/](https://www.lonestarpace.com/)

PACE PROGRAM ADOPTION PROCESS

- OCTOBER 30: APPEARED BEFORE DENTON COUNTY COMMISSIONERS' COURT, ORIGINAL APPROVED
- NOVEMBER 6: PUBLIC HEARING AT DENTON COUNTY COMMISSIONERS' COURT, FINAL VOTE TAKEN TO APPROVE PROGRAM CONTRACT WITH LONE STAR PACE AND ADOPT GUIDELINES
 - CURRENT AGREEMENT ADDRESSES STAFF CONCERNS ABOUT LIEN PRIORITY AND DELINQUENCY PROCESS
- CURRENT STATUS: BUSINESSES, CHURCHES, NONPROFITS ABLE TO APPLY FOR FUNDING THROUGH LONE STAR PACE. FUTURE TRAINING WORKSHOPS PLANNED IN CONJUNCTION WITH THE CHAMBER OF COMMERCE TO INFORM PROPERTY OWNERS AND CONTRACTORS OF THE PROGRAM

BENEFITS OF PACE FOR LEWISVILLE

- PROVIDES A MECHANISM TO REDUCE CONSUMPTION WHILE INCREASING PROFITS FOR COMMERCIAL PROPERTIES, SOME OF THE LARGEST ENERGY AND WATER USERS IN THE CITY
- SCALABLE FUNDING SOLUTIONS, FROM LED LIGHT UPGRADES AT A SMALL BUSINESS OR NONPROFIT TO SOLAR ARRAYS AT A LARGE BUSINESS
- PROVIDES THE BUILDING OWNER ACCESS TO UP-FRONT CAPITAL FOR FACILITY IMPROVEMENTS/UPGRADES WHILE ALSO PROVIDING IMMEDIATE SAVINGS ON ENERGY BILLS AND MAINTENANCE COSTS (IMMEDIATE ROI)



BENEFITS OF PACE FOR LEWISVILLE (CONT.)

- EFFECTIVE ECONOMIC DEVELOPMENT TOOL AS AN INCENTIVE FOR ENCOURAGING REDEVELOPMENT BY ENHANCING OFFICE, WAREHOUSE, OTHER LARGER FACILITIES ACROSS THE CITY
 - ALLOWS PROPERTY OWNERS TO REINVEST IN OTHER ASPECTS OF THEIR PROPERTY LIKE AESTHETIC IMPROVEMENTS TO THEIR FACADES, LANDSCAPING, AND SIGNAGE
 - BUNDLED WITH EXISTING REDEVELOPMENT CITY INCENTIVES, CAN SPUR LARGER IMPACTS WITH MAJOR PROPERTY REVITALIZATION OCCURRING

WHAT MIGHT PACE LOOK LIKE IN LEWISVILLE?

- SOLAR PANELS, COOL ROOF, HVAC IMPROVEMENTS AT MUSIC CITY MALL
- OLD TOWN RENOVATIONS
- NEW CONSTRUCTION & REHABS
- ENERGY AND WATER CONSERVING UPGRADES FOR LOCAL NONPROFITS AND CHURCHES