

City of Lewisville, TX

151 W Church Street
Lewisville, Texas 75057



Agenda

Monday, August 6, 2018
6:30 PM

Council Chambers

City Council

Call to Order and Announce Quorum is Present

Workshop Session - 6:30 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 Proposed Atmos 12-inch High Pressure Gas Main Installation [18-0242](#)
- B. Discussion of Traffic Signal Network [18-0240](#)
- C. Discussion of Possible Donation of Property Along Timber Creek, South of Lakeway Drive and North of Sam Rayburn Tollway [18-0247](#)
- D. Discussion of Regular Agenda Items and Consent Agenda Items [18-0243](#)

Regular Session - 7:00 P.M.

- A. **Invocation** Councilman Gilmore
- B. **Pledge to the American and Texas Flags** Councilman Ferguson
- C. **Public Hearings**

- 1. Public Hearing: Consideration of an Ordinance Granting a Special Use Permit (SUP) for an Expansion of a Recreational Vehicle Display, Sales (Outdoor) and Repair Facility and Two Associated Variances Regarding Landscaping and Screening; on Approximately 13.4232-Acres Legally Described as Lot 1R, Block A, National Indoor Storage Addition and Lot 1, Block A, Auto Master Addition; Located at 498 East State Highway 121 Business, Zoned Light Industrial District (LI) and General Business District (GB) as Requested by David Norris, Foresite Group, on Behalf of National Indoor Storage I, LLC dba National Indoor RV Centers, the Property Owner. (Case No. SUP-2018-06-10). [18-0237](#)

ADMINISTRATIVE COMMENTS:

The request is for the expansion of the existing National Indoor RV. The applicant plans to expand the use through the current lot and onto the adjacent lot to the south. They will construct a new 49,990 square foot building for offices, sales, and repair. The applicant will create a landscape focal point at the southern portion of the property, remove existing pole signs and replace them with a monument sign, and add a screening wall along a portion of the site. The applicant is requesting two variances; a) In lieu of the three tree islands in RV parking display area on the southern portion of the property, six trees will be planted along the northern property line, and b) In lieu of masonry screen wall fence an eight foot tubular steel fence shall be installed along the southern property line to be erected with irrigation and planting of hedge to be eight feet height at full growth. The Planning and Zoning Commission recommended unanimous approval (6-0) of the zone change request at their meeting on June 19, 2018.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, Planning Director
David Norris, Applicant

2. Public Hearing: Consideration of a Resolution Authorizing the Adoption of the Community Development Block Grant 2018 Annual Action Plan and an Amendment to the 2015 Alvin Turner Sr. Park Project; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledgement of Receipt of the Recommended FY 2018-2019 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee.

[18-0227](#)

ADMINISTRATIVE COMMENTS:

An Annual Action Plan must be submitted to the U.S. Dept. of Housing and Urban Development (HUD) by August 15 as a requirement to receive Community Development Block Grant (CDBG) funds of \$699,808 in FY 2018-2019. The CDBG Advisory Committee reviewed applications submitted by non-profit agencies for projects that address HUD national objectives and 2017 Consolidated Plan priorities. At their June 19, 2018 meeting, the Committee, by a vote of 5-0, recommended a draft budget which has been incorporated into the Action Plan.

The Plan was made available for a 30 day Public Comment period from July 6, 2018 through August 6, 2018. The amendment to the Turner Sr. Park Project is required to change the scope of the park improvements. The revised project will install exercise and recreational equipment.

RECOMMENDATION:

That the City Council approve the resolution; authorize the action and acknowledge the item as set forth in the caption above.

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.

3. APPROVAL OF MINUTES: a) City Council Minutes of the July 2, 2018, Workshop Session and Regular Session; and b) City Council Minutes of the July 16, 2018, Workshop Session and Regular Session. [18-0197](#)
4. Approval of an Economic Development Agreement Between the City of Lewisville and FR Lewisville Midway, LLC and Authorization for the City Manager to Execute the Agreement. [18-0232](#)

ADMINISTRATIVE COMMENTS:

First Industrial owns approximately 56 acres of land on Midway Road and will construct two buildings (Buildings “A” & “B”) simultaneously as part of Phase 1 on 28 acres of that property. Both buildings will be new, speculative construction for leasing to one or more tenants with needs for office, manufacturing, and/or warehousing space. Building “A” will be 219,800 square feet and Building “B” will be 125,200 square feet in size. First Industrial must invest a minimum of \$13,000,000 for the entire development of Phase 1 by December 31, 2019. This economic development agreement provides a 50% grant equal to the value of the property taxes on the real property improvements paid to the City of Lewisville for 5 years.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager to execute the agreement.

5. Approval of an Economic Development Agreement Between [18-0233](#)
the City of Lewisville and Rockbrook Development LLC; and
Authorization for the City Manager to Execute the Agreement.

ADMINISTRATIVE COMMENTS:

Rockbrook Development owns approximately 0.235 acres of land located at 522 Edna Avenue and intends to construct six attached single-family homes. The property is located within the Old Town District at the northeast intersection of Edna and Purnell Street. Edna Avenue is unimproved at this time and as such street escrow fees are required for the proportionate share of improving the street. This economic development agreement waives street escrow fees for this project.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager to execute the agreement.

6. Approval of an Economic Development Agreement Between [18-0235](#)
the City of Lewisville and REDevX 1 LP; and Authorization for
the City Manager to Execute the Agreement.

ADMINISTRATIVE COMMENTS:

REDevX 1 LP owns approximately 8.67 acres of land located at the northwest corner of College and Railroad Streets and intends to construct a 363-unit residential project. The property is adjacent to the Old Town Design District and in close proximity to the DCTA rail station. This project has an estimated value of \$30 million and will provide needed residential units in the area. This agreement includes provisions for waiver or reimbursement of certain development fees and allowing the developer to use a portion of the City's property for construction staging.

RECOMMENDATION:

That the City Council approve the agreement and authorize the City Manager to execute the agreement.

7. Approval of Amendment #1 to a Local Project Advance Funding Agreement (LPAFA) With the Texas Department of Transportation Related to Construction and Funding of Valley Ridge Blvd; and Authorization for the City Manager to Execute the Agreement. [18-0220](#)

ADMINISTRATIVE COMMENTS:

The Valley Ridge project extending from Mill to College was originally funded 50/50 through City & Denton County bonds based on an original 2001 cost estimate of \$10M. Valley Ridge improvements are now completed with a total cost of roughly \$20M due to inflation and several change orders. Additional RTR funding is being requested for Valley Ridge to replace 2003 bond funds moved to Valley Ridge from the North West Old Town project. The additional RTR funding will be used to re-fund the delayed street project. The original RTR funds were used in a similar manner to replace lost County funding related to South Kealy and for West College Street. RTR funding can only be used for 4-lane divided roadways and larger, thus the purpose of requesting the money for Valley Ridge and reallocating local funds rather than simply requesting money for NW Old Town Streets. This LPAFA Amendment between Lewisville and TXDOT must be executed prior to receiving the additional \$1,300,000 in RTR funds.

RECOMMENDATION:

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

8. Approval of Lighting Agreements Among the City of Lewisville, Main & Mill Business Association, and Property Owners to Allow the City to Install and Maintain LED Lights on Buildings Facing Main Street Between Charles and Mill Street; and Authorization for the City Manager to Execute the Agreements. [18-0230](#)

ADMINISTRATIVE COMMENTS:

The City of Lewisville and Main & Mill Business Association are partnering to replace the existing decorative string lights installed on certain buildings in Old Town with programmable LED lights. These lights will match the lights currently installed on the roofline of City Hall and the MCL Grand. The City has received Lighting Agreements and Easements from the property owners of 179, 177, 165, 170, 162, 160, 156, 143, 139, 135, 131, 127, 123, 119, 115, 109, 105, 136, 132,

128, 120-122, and 116 Main Street. After City Council approves these agreements, staff will move forward with hiring a contractor to install the lights on these buildings.

RECOMMENDATION:

That the City Council approve the Lighting Agreements as set for the caption above; and authorize the City Manager to execute such agreements.

F. Regular Hearings

9. Consideration of Three Variances to the Code of Ordinances of the City of Lewisville, Chapter 6, Article VI (Landscape Requirements), Sections 6-123 (b) and 6-144 and Chapter 4, Article II Section 4-28 108.5.(a) Regarding Landscaping and Outdoor Receptacles for KAI Office Development, Located at 802 North Stemmons Freeway; Legally Described as Lot 2R, Block A, ZUBL Addition; as Requested by Josh Barton of G&A Consultants, on Behalf of Chuck Burkhart, the Owner. [18-0208](#)

ADMINISTRATIVE COMMENTS:

A new construction company has located in an existing legal non-conforming building located at 802 North Stemmons Freeway. The business owner is proposing improvements to accommodate fire safety, access and outside storage. Outdoor storage will be limited to 10% of the lot per the Light Industrial (LI) zoning designation on the property. FEMA floodway, floodplain, and TxDOT acquisition for the IH-35E expansion create challenges for use of the site and three variances are requested; a.) to allow outside storage to be screened with live screening and opaque fencing, b.) to allow the outdoor receptacle to be screened with live screening, and c.) to allow a variable width landscape buffer.

RECOMMENDATION:

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

**AVAILABLE FOR
QUESTIONS:**

Richard E Luedke, Planning Director
Josh Barton, Applicant

10. Consideration of a Variance to the Lewisville City Code Section 6-91 Construction Standards, for the Garden Ridge Trail Project Located on Garden Ridge Blvd., Valley Parkway [18-0234](#)

and Civic Circle, as Requested by City Staff.

ADMINISTRATIVE COMMENTS:

In 2007, City Council approved an ordinance adopting the 2004 Edition NCTCOG Construction Specifications for Public Works Projects. All City capital public works projects are designed, bid and constructed based on these construction specifications. The Garden Ridge Trail Project was funded with a NCTCOG grant which covers 80% of the estimated cost of the trail at the time the grant was applied for with a required 20% minimum City participation. TXDOT requires the use of their specifications when there is State funding in the project. Bids for the project need to be opened no later than August 31, 2018 to meet the grant requirements. Staff is requesting a variance to allow the use of TXDOT specifications in lieu of the adopted 2004 NCTCOG specifications.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: David Salmon P.E., City Engineer

11. Consideration of a Variance to the Lewisville City Code Section 6-123(b), Multi-Family and Non-Residential Landscaping Requirements, for the Thrive Project, Located at 1950 South Valley Parkway, as Requested by City Staff. [18-0223](#)

ADMINISTRATIVE COMMENTS:

The City is beginning to construct the Thrive project located at 1950 South Valley Parkway. The variance will allow for trees to be planted in alternative locations than is required by the ordinance.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: Tim Ippolito, Fire Marshal

12. Consideration of a Resolution Establishing a Public Hearing Date for September 17, 2018 to Consider Amendments to the Land Use Assumptions, Water and Wastewater Capital Improvements Plan, and Associated Capital Recovery (Impact) [18-0231](#)

Fees; and Authorizing the Issuance of Notice and Publication of Said Public Hearing by the City Secretary.

ADMINISTRATIVE COMMENTS:

Texas Local Government Code Chapter 395 requires a political subdivision that imposes an impact fee to review and evaluate the fees every five years and to conduct a public hearing prior to approval of the Impact Fee Review and assessment of revised fees. This resolution calls the public hearing for September 17, 2018 and authorizes the publication of the notice of public hearing.

RECOMMENDATION:

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

13. Consideration of Acceptance of Resignation of Dr. Marie S. Burke From Place No. 7 on the Animal Services Advisory Committee; Declare Vacancy Exists on the Animal Services Advisory Committee; and Consideration of an Appointment to Place No. 7 on the Animal Services Advisory Committee [18-0228](#)

ADMINISTRATIVE COMMENTS:

Dr. Marie Burke has submitted her resignation from Place No. 7 (Veterinarian Representative) on the Animal Services Advisory Committee. Staff has received an application for this position from Dr. Walter Legg. His data sheet has been included for City Council review. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy.

RECOMMENDATION:

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

14. Consideration of a Resolution Appointing One Member to the Board of Managers of the Denco Area 9-1-1 District. [18-0217](#)

ADMINISTRATIVE COMMENTS:

At the April 16, 2018, City Council selected Jim Carter, former Mayor of Trophy Club, as the City of Lewisville's nomination for the Board of Managers of the Denco Area 9-1-1 District. All the nominations have now been submitted from the area cities and the District has requested that each participating city vote for one of

the candidates and advise the District of its selection prior to 5 p.m. on September 15, 2018. The bios/resumes of each nominee have been attached for the City Council's review.

RECOMMENDATION:

That the City Council approve a resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District.

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

* Second Quarter 2018 Boards/Commissions/Committees [18-0236](#)
Attendance Reports

H. 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.

I. Reconvene into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

J. 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 Friday, August 3, 2018 by 10:44 AM.

City Secretary