



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, February 18, 2019

6:30 PM

Council Chambers

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 Regular Agenda Items and Consent Agenda Items](#)
- B. [Court Survey Results](#)

Regular Session - 7:00 P.M.

- A. **Invocation: Councilman Gilmore**
- B. **Pledge to the American and Texas Flags: Councilman Daniels**
- C. **Proclamation**

[Declaring February 21, 2019, as “PTA Day”](#)

D. Public Hearing

- 1. [Public Hearing: Consideration an Ordinance Granting a Zone Change Request From General Business District \(GB\) to Old Town Center Business District \(OTC\); on an Approximately 0.303-Acre Tract of Land out of the J.W. King Survey, Abstract Number 696 and Located at 151 Elm Street; as Requested by RO Properties, the Property Owner \(Case No. PZ-2019-01-01\).](#)

ADMINISTRATIVE COMMENTS:

The subject property at 151 Elm Street previously contained a laundromat which has been demolished. The property is under the same ownership and adjacent to 170 West Main Street, where a three-story mixed-use building is currently under

construction. The applicant envisions future development of this site, possibly including parking for the mixed-use structure at 170 W. Main Street. To further that development, the owner is requesting to rezone the property from General Business District (GB) to Old Town Center District (OTC). The proposed OTC zoning is in compliance with the 2003 Old Town Master Plan. The Planning and Zoning Commission recommended unanimous approval (7-0) on February 5, 2019.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: Richard E. Luedke, Planning Director

E. 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.

F. 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 Amendment #1 of a Local Project Advance Funding Agreement with the Texas Department of Transportation Related to Construction and Funding of Aesthetic Improvements for the FM 407 Interchange at I-35; and Authorization for the City Manager to Execute the Agreement Amendment.](#)

ADMINISTRATIVE COMMENTS:

AGL Constructors, the design build developer for the I-35E Managed Lanes Project has completed the project including the FM 407 Interchange in Lewisville. The City and TXDOT entered into a Local Project Advance Funding Agreement in December 2014 defining state and local responsibilities regarding construction and funding of aesthetic improvements on I-35E at the FM 407 Interchange. TXDOT has accepted the I-35 Express project and requires an amendment to the LPAFA transferring maintenance responsibilities of the aesthetic enhancements at I-35 and FM 407 to the City of Lewisville.

RECOMMENDATION:

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

3. [Approval of a Professional Services Agreement with ML Clark Consulting, LLC, in the Amount of \\$89,000 for Design Services Related to the Leonard Street Reconstruction Project and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

The project consists of replacing the existing asphalt roadway with a two-lane concrete roadway section, parallel parking, storm sewer improvements, water and sewer line replacements and installing sidewalks, street lights and street trees on both sides of the street. Staff has negotiated a professional services agreement with ML Clark Consulting, LLC in the amount of \$89,000 to include survey, design, and construction services. The improvements will be made along the section of Leonard Street between College Street and Walters Street including the Walters Street intersection. The timing of this project coincides with the multifamily development on the east side of Leonard, south of College Street, as ML Clark Consulting is also the civil engineer on that development. Funding is available in the Leonard Street Capital Project.

RECOMMENDATION:

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

4. [Approval of an Economic Development Agreement Between the City of Lewisville and Lizzie B Properties LLC to Obtain Ownership and Provide Public Easements for Portions of the Fire Sprinkler System Located at 143 and 139 W. Main Street and to Provide for the Installation of a Fence at 125 North Mill Street; and Authorization for the City Manager to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

In exchange for the city's ownership of the existing bulk main and riser assembly at 143 and 139 W. Main Street, along with all required public easements and the owner's installation of an open-concept fence at 125 N. Mill Street, the city has agreed to pay the owner the amount of \$35,291.

RECOMMENDATION:

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

G. Regular Hearing

5. [Consideration of a Variance to the Lewisville City Code Section 6-103 \(Access Management\) Regarding Driveway Spacing for National Indoor Storage Addition, Lot 1, Block A, Auto Master Addition; Located at 498 East State Highway 121 Business as Requested by David Norris, Foresite Group, on Behalf of National Indoor Storage I, LLC dba National Indoor RV Centers, the Property Owner.](#)

ADMINISTRATIVE COMMENTS:

The existing National Indoor RV Storage building is approximately 150,000 SF on an 11.7-acre lot. The developer is proposing to construct a new 49,990 square foot building. In addition, they will construct 52 spaces to park and display recreational vehicles and additional 227 spaces for customer and employee parking. The developer has also acquired additional land and will be replatting the property to expand the lot to 13.4 acres. The developer wishes to keep the existing driveway. The existing driveway does not meet City code requirements for driveway spacing on adjacent lots. The developer is asking for the following variance: a) to allow driveway spacing between adjacent lots to be less than 230 feet apart. An SUP was approved by City Council on August 6, 2018.

RECOMMENDATION:

That the City Council approve the variance as described in the caption above.

AVAILABLE FOR QUESTIONS:

David Salmon, PE, City Engineer

6. [Consideration of a Variance to the 1996 Castle Hills Agreement Section V\(2\) \(J\) Regarding a Required Right Turn Lane on All Approaches to Intersections when Four or Six Lane Streets Cross Related to Castle Hills AMR Retail Located at the Northwest Corner of Old Denton Road and FM 544, as Requested by Tareq El-Sadi, P.E. of Land Design, on Behalf of the Owner.](#)

ADMINISTRATIVE COMMENTS:

The subject property is located within Castle Hills in the City of Lewisville extra territorial jurisdiction (ETJ) and is to be developed in accordance with the 1996 Castle Hills Agreement. The subject property is being developed for a proposed 29,000 SF restaurant and retail strip center at the northwest corner of FM 544 (Parker Road) and FM 2281 (Old Denton Road). The 1996 Development Ordinance Section V(2)(J) requires that developers construct a turn lane at intersections where four or six lane streets cross. The developer has requested this requirement be waived at the intersection of FM 544 and FM 2281. The developer's engineer conducted a Traffic Impact Analysis at the request of City staff to show if a right turn lane at the intersection would be warranted. The results of the TIA show that the addition of a southbound right turn lane would have no impact to traffic operations; thus, a right turn lane is not warranted. Also, TxDOT's FM 544 roadway construction did not account for a turn lane at this corner.

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 a Variance to Lewisville City Code, Chapter 4, Article X, Section 4-453 \(h\)\(1\) Fences, To Allow for Alternative Materials for a Proposed Fence located at 125 North Mill Street; and to Provide a Waiver of the \\$350.00 Variance Request Fee as Specified in Section 2-201, Fee Ordinance.](#)

ADMINISTRATIVE COMMENTS:

The applicant is proposing to construct a metal post and cable fence separating the subject property from the Wayne Ferguson Plaza alley. This type of construction will provide for visibility to the alley and rear façade of the buildings located on Main Street. The proposed construction does not meet the material requirement outlined in the fence ordinance, which means a variance is required. Furthermore, because this specific fence design is being required by a related economic development agreement, staff also requests a waiver of the variance fee.

RECOMMENDATION:

That the City Council approve the requested variance and fee waiver as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Tim Ippolito, Fire Marshal/Development Manager

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

* [Quarterly Investment Report October 1, 2018 through December 31, 2018.](#)

* [Legislative Update](#)

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 _____, 2019 by _____ AM.

City Secretary