



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, November 4, 2024

6:15 PM

Lewisville City Hall

Anyone wishing to submit comments prior to the meeting may do so through e-comments. To access e-comments, go to <https://cityoflewisville.legistar.com/Calendar.aspx> and utilize the e-comments link located to the far right hand side of the line containing this meeting details and agenda. E-comments will be accepted until 5:15 p.m. prior to the meeting.

Call to Order and Announce Quorum is Present

Workshop Session - 6:15 P.M.

***Items discussed during Workshop Session may be continued during the Regular Session if time does not permit holding or completing discussion of the item during Workshop Session.*

- A. [Discussion of Consent and Regular Agenda Items](#)
- B. [Tarrant Area Food Bank Update](#)
- C. [Financial Support and Sustainability Strategy Update](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Council Member Brandon Jones**
- B. **Pledge to the American and Texas Flags - Council Member Kristin Green**
- C. **Proclamations/Recognitions**
 - 1. [Proclamation Declaring the Week of November 11 - November 15, 2024, as "Police Property and Evidence Week".](#)
 - 2. [Proclamation Declaring the Week of November 3-9, 2024 as "Animal Services Appreciation Week."](#)
- D. **Presentation**
 - 1. [Salvation Army to Present the National Red Kettle Kickoff; Mayor Gilmore](#)

[to Issue a Challenge to Area Mayors](#)

E. Public Hearing

1. [Continued Public Hearing: Consideration of an Ordinance Amending the Zoning Ordinance by Amending Ordinance No. 0428-22-ZON to Rezone Approximately 10.207 Acres Located on the Northeast Corner of Lady Tessala Avenue and Essex Boulevard, Legally Described as 10.207 Acres out of the Amos Singleton Survey, Abstract 1138 From Planned Development Multi-Family 3 \(PD-MF3\) District to Planned Development Townhouse 2 \(PD-TH2\) District; to Amend the Planned Development Concept Plan set Forth in Exhibit 5B The Realm Subdistrict Concept Plan Thereto by Amending the Concept Plan For 50.562 Acres Located North of Lady Tessala Avenue, Legally Described as 50.562 Acres out of the Amos Singleton Survey, Abstract 1138 and the Benjamin Schoonover Survey, Abstract 1209, as Requested by Patricia Fant, of McAdams, on Behalf of Eric Stanley, of Breco Lands CH LLC, the Property Owner. \(Case No. 24-04-2-PZ\).](#)

ADMINISTRATIVE COMMENTS:

The City Council opened the public hearing for this item on August 19, 2024 and continued the public hearing during the four subsequent City Council meetings to allow for a neighborhood meeting and to finalize details related to open space and building setbacks. The Castle Hills Planned Development (PD) District, Ordinance No. 0428-22-ZON, incorporates provisions of the Castle Hills Development Agreement along with the variances to the agreement approved since 1996. The PD allows changes to base zoning districts and the subdistrict concept plans following the zoning processes in the Unified Development Code (UDC). The applicant is requesting to change the base zoning district on 10.207 acres from Planned Development Multi-Family 3 (PD-MF3) District to Planned Development Townhouse Two (PD-TH2) District to allow for a front-entry townhome community where multifamily development had originally been planned. The proposed changes also necessitate an amendment to the approved concept plan. The Concept plan for the Realm South Subdistrict is being amended in its entirety; however, the changes only impact 50.562 acres, which includes the 10.207 acres proposed for rezoning. The proposed concept plan amendment consists of the addition of the proposed townhomes, along with a reconfiguration of the remaining multifamily units. The Planning and Zoning Commission recommended approval unanimously (5-0) on August 6, 2024.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

2. [Public Hearing: Consideration of an Ordinances Granting a Special Use Permit for Automobile Repair \(Minor\); on Approximately 1.5871 Acres, Legally Described as Lot 9, Block A, Fairway Business Park; Located at 1504 Eagle Court, Zoned Light Industrial District \(LI\); as Requested by Texas Star Automotive Services, on Behalf of AIP Eagle Court, LLC, the Property Owner \(Case No. 24-08-15-SUP\).](#)

ADMINISTRATIVE COMMENTS:

Texas Star Automotive Services is an automotive glass business that replaces, repairs and recalibrates automotive glass. The business will operate from 8:00 am to 5:30 pm Monday through Friday and will not store any vehicles outside the premises. This type of business is considered an Automobile Repair (Minor) in Lewisville's Unified Development Code and requires the approval of a special use permit (SUP). On March 15, 2021, the City Council approved an SUP for minor automobile services at 1504 Eagle Court for a different suite. This new SUP will allow any Automobile Repair (Minor) use to operate out of any lease space at this location with the requirement that no automobiles be stored outside. The Planning and Zoning Commission recommended unanimous (5-0) approval on October 1, 2024.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

F. Visitor/Citizens Forum

Speakers must address their comments to the Mayor rather than to individual Council members or staff. Speakers should speak clearly and state their name and address prior to beginning their remarks. Speakers will be allowed 5 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

G. Consent Agenda

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

3. [APPROVAL OF MINUTES: City Council Minutes of the October 7, 2024, Workshop Session, and Regular Session and City Council Minutes of the October 21, 2024, Workshop Session, and Regular Session.](#)
4. [Approval of Lease No. DACW63-1-24-0613 with the United States Army Corps of Engineers \(USACE\) for Park and Recreational Areas on Lewisville Lake and Authorizing the City Manager to Execute the Lease.](#)

ADMINISTRATIVE COMMENTS:

In January 2024, the City sent the USACE a letter requesting a new lease to replace Lease No. DACW63-1-00-0820, which is set to expire in April 2025. After reviewing the request and conducting a follow-up inspection of the site, USACE issued a new lease with a term of 25 years beginning April 15, 2025, with a right to extend the term of the lease for an additional 25 years provided the City gives notice of its election to extend the term 18 months prior to expiration.

RECOMMENDATION:

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

5. [Approval of an Interlocal Cooperation Agreement for Library Services with Denton County and Authorization for the City Manager, or Her Designee, to Execute the Agreement.](#)

ADMINISTRATIVE COMMENTS:

The City of Lewisville has worked cooperatively with Denton County to provide library service to residents of Denton County since 1991, with Council authorizing an Interlocal Cooperation Agreement for Library Services each year. The proposed agreement states that in return for providing one or more listed programs of library service for the residents of the County, the County agrees to provide \$123,700 during FY 2024/2025. The appropriation is based on the City population per North Central Texas Council of Governments figures and by an allocation of Denton County residents who do not have a library. In the agreement, the City designates the Director of Library Services as the official liaison for the City of Lewisville.

RECOMMENDATION:

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

6. [Approval of the Lewisville Financial Support and Sustainability Strategy Update.](#)

ADMINISTRATIVE COMMENTS:

In 2019, the City Council approved the Lewisville Parks and Recreation Department's Financial Support and Sustainability Strategy (FSSS) to use as a framework for support and cost recovery goals and setting fees for use of parks and participation in programs/activities. The FSSS was renewed without modification in 2021 due to lack of meaningful data associated with impacts of COVID. Based on analysis of data from FY22 and FY23, the department recommends replacement of the Community Events service category by an Outreach and Inclusion service category with a support range of 85-95%.

RECOMMENDATION:

That the City Council approve the Lewisville Financial Support and Sustainability Strategy as set forth in the caption above.

7. [Approval of Designating Mayor Pro Tem Patrick Kelly as Voting Delegate and Council Member Bob Troyer as Alternate Voting Delegate for the November 16, 2024 National League of Cities Annual Business Meeting.](#)

ADMINISTRATIVE COMMENTS:

The National League of Cities (NLC) Annual Business Meeting will take place on Saturday November 16, 2024 at 2:45 p.m. as part of the NLC City Summit. NLC has encouraged all cities to designate a delegate to vote on behalf of the municipality. The deadline to register the voting delegate is Friday, November 15, 2024 at 5:00 p.m. ET.

RECOMMENDATION:

That the City Council approve the designation of Mayor Pro Tem Patrick Kelly as Voting Delegate and Council Member Bob Troyer as Alternate Voting Delegate for the November 16, 2024 National League of Cities Annual Business Meeting as set forth in the caption above.

H. Regular Hearing

8. [Consideration of a Variance Request to the Lewisville Unified Development Code, Section VII.4.1., Sale of Alcoholic Beverages, for SBF Operating, LLC \(Doing Business as Sullivan's BBQ\), as Requested by Terry Sullivan - Owner of Sullivan Old Town BBQ Located at 301 S. Mill Street, Lewisville, Texas.](#)

ADMINISTRATIVE COMMENTS:

An application for “The legal sale of mixed beverages in restaurants by food and beverage certificate holders only” has been submitted for the Sullivan Old Town BBQ located at 301 S. Mill Street. After staff review, it has been determined that the site does not meet the City regulations that require the site be 300 feet from a church, measured front door to front door. Terry Sullivan is seeking a variance to this regulation.

RECOMMENDATION:

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

9. [Consideration of an Ordinance of the Lewisville City Council Appointing the Municipal Judge and Alternate Judges of the Municipal Court of Record No. 1 in the City of Lewisville to Two-Year Terms; Designating a Presiding Judge; Providing a Repealer, Severability, and an Effective Date; and Declaring an Emergency.](#)

ADMINISTRATIVE COMMENTS:

Chapter 30 of the Texas Government Code requires that municipal courts of record be presided over by judges who are appointed by ordinance. The ordinance authorizes municipal judges to serve for a designated term of two years and to be submitted for consideration to the council biennially. In the event the ordinance is not renewed, and no affirmative action is taken to appoint a new judge or judges, the previously appointed judge or judges continue to serve in a hold-over capacity. Currently, the presiding judge is Brian Holman and the alternate, or part-time, judges are Kimberly Lafferty, Holly Fox, Rajish Jose, and Robin Ramsay. Alternate judges provide magistration services in the city jail on weekends and holidays and assist the presiding judge with court and other judicial duties during periods of vacation, illness or when administrative duties require his absence.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Judge Brian Holman

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

1. [City Council and Staff Reports](#)

J. Return to Workshop Session if Necessary

K. 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.*

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

M. 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, upon an approved motion, to suspend the rules to consider business out of the posted order.

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).

The Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a social function unrelated to the public business that is conducted by the City Council, or the attendance by a quorum of the City Council at a regional, state or national convention or workshop, ceremonial event or press conference if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conferences; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

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 November 1, 2024 at 10:30 AM.

Jennifer Malone, Assistant City Secretary