



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, December 9, 2024

7:00 PM

Lewisville City Hall

Special City Council Meeting

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 6 p.m. prior to the meeting.

Call to Order and Announce Quorum is Present

Regular Session - 7:00 P.M.

- A. Invocation - Deputy Mayor Pro Tem Ronni Cade
- B. Pledge to the American and Texas Flags - Mayor TJ Gilmore
- C. Public Hearing
 - 1. [Public Hearing: Consideration of an Ordinance Adopting Amendments to the Unified Development Code by Amending Article II, "Definitions", Article VII, "Uses, Parking Requirements, Supplemental Use Regulations and Certain Distance Requirements", and Article VIII, Chapter 3, "Landscaping Standards" of Volume II of the Lewisville City Code, Known as the Unified Development Code, by Adding New Defined Terms to Section II.2.1 as Required by the Regulations set Forth Herein, by Adding a New Section VII.3.24, Establishing Supplemental Use Regulations for Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; and Warehouse Distribution Facility Uses, Amending Exhibit VII.2.3-4, Non-Residential Zoning Districts, to add References to the New Supplemental Use Regulations, and Amending Exhibit VIII.3.3-3, Approved Understory Trees, to Identify Certain Understory Trees Listed Therein as Evergreen.](#)

ADMINISTRATIVE COMMENTS:

In the 1970's the City of Lewisville was aggressive in zoning for industrial

development due to airport proximity. The prevalence of industrial zoning coupled with the cumulative zoning at the time resulted in many office, retail, and service uses developed within the Light Industrial (LI), Warehouse (WH), and Heavy Industrial (HI) Zoning Districts in several areas of the City. The market has evolved to the point where even developed properties are being considered for demolition and construction of new warehouse distribution facilities. This creates compatibility issues between these new developments and existing surrounding uses. To facilitate improved compatibility between existing low-intensity development and potential high-intensity redevelopment in the LI, WH, and HI Districts, new supplemental standards to enhance setbacks, landscaping, and screening are proposed. The Planning and Zoning Commission recommended unanimous approval (7-0) on December 3, 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

D. 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.

E. Regular Hearing

2. [Consideration of a Resolution Authorizing Participation with the State of Texas, Through the Office of the Attorney General, in the Kroger Texas State-Wide Opioid Settlement and Approving the Texas Settlement Subdivision Participation and Release Form Regarding the Same and Authorizing the City Manager or Her Designee to Execute All Necessary Documents in Connection with the Above on Behalf of the City; and Providing an Effective Date.](#)

ADMINISTRATIVE COMMENTS:

The State of Texas, through the Office of the Attorney General, has entered into a settlement agreement with nationwide grocery and pharmacy chain The Kroger Co. regarding that company's manufacturing, distribution, and provision of opioids in the state. As a participant in the settlement agreement, the City would receive up to \$28,777.64 over 10 years for uses related to opioid abatement, as well as funds which will be made available through regional grants in accordance with the Texas Term Sheet adopted by the City Council on November 15, 2021. In order to participate in this settlement agreement, the City must authorize the City Manager or her designee to execute the Texas Settlement Subdivision Participation and Release Form associated with the settlement agreement, releasing certain claims the City might have against The Kroger Co. for past opioid-related actions or failures to act.

RECOMMENDATION:

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

F. Closed Session

In Accordance with Texas Government Code, Subchapter D,

1. *Section 551.071 (Consultation with Attorney): Legal issues related to the amendment of land use regulations, including but not limited to Special Use Permits and other zoning text amendments, for Manufacturing, Light Intensity, Manufacturing, Medium Intensity, Manufacturing, Heavy Intensity, and Warehouse Distribution Facility uses.*
2. *Section 551.072 (Real Estate): Property Acquisition*
3. *Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations.*

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

H. 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 December 5, 2024 at 5:00 PM.

Jennifer Malone, Assistant City Secretary