



City of Lewisville, TX

City Council

Agenda

151 W Church Street
Lewisville, Texas 75057

Monday, March 20, 2023

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 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 Regular Agenda Items and Consent Agenda Items.](#)
- B. [Old Town Landscaping and Entry Features](#)

Regular Session - 7:00 P.M.

- A. **Invocation - Mayor Gilmore**
- B. **Pledge to the American and Texas Flags - Councilmember Green**
- C. **Public Hearing**
 - 1. [Public Hearing: Consideration of an Ordinance Granting a Zone Change From Single Family Residential 7.5 \(R-7.5\) District Zoning to Old Town Mixed-Use Two \(OTMU-2\) District Zoning; on Approximately 0.235-Acres, Legally Described as Lot 1, Block 4, O.B. Dick Subdivision; Located at 450 Edwards Street; as Requested by Dardan Hoxha, the Applicant, on Behalf of Rabije and Besmir Beciri, the Property Owners. \(Case No. 23-01-2-Z\)](#)

ADMINISTRATIVE COMMENTS:

The applicant is requesting to rezone the property from Single Family Residential 7.5 (R-7.5) to Old Town Mixed Use 2 (OTMU-2) to redevelop the existing

single-family lot into five townhomes facing Edna Street for consistency with the recent development to the south, which has three duplexes facing Edna Street. The request aligns with the Old Town Master Plan and the Lewisville 2025 Vision Plan Big Moves of “Old Town” and ‘Diverse and Thriving Neighborhoods’ by providing higher density housing options and maintaining compatibility with the existing neighborhood. The Planning and Zoning Commission recommended unanimous approval (7-0) on February 21, 2023.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS:

Richard E. Luedke, AICP, Planning Director

2. [Public Hearing: Consideration of the Advisability of Improvements in the Proposed Lakeside Crossing Public Improvement District Within the City of Lewisville.](#)

ADMINISTRATIVE COMMENTS:

Chapter 372 of the Local Government Code requires that a public hearing be held to determine the advisability of the proposed public improvement district (“PID”). MM Fronterra 35, LLC filed a petition to establish the Lakeside Crossing Public Improvement District (the “Lakeside Crossing PID”) with the City Secretary's Office on January 10, 2023. On February 20, 2023, the City Council approved a resolution accepting the petition of the Lakeside Crossing PID and called for a public hearing to be held during this City Council meeting, March 20, 2023 at 7:00 P.M. Notice of the hearing was published in the newspaper of general circulation and included the estimated cost of the improvements, boundaries of the proposed district, proposed method of assessment and the proposed apportionment of cost between the improvement district and the municipality. Following this public hearing, a separate item to approve the creation of the Lakeside Crossing PID is on this agenda for consideration.

RECOMMENDATION:

That the City Council conduct a public hearing considering the advisability of the Lakeside Crossing PID as set forth in the caption above.

AVAILABLE FOR QUESTIONS:

Marichelle Samples, Director of Economic Development
Julie Partain, Partner, Bracewell LLP

3. [Public Hearing: Consideration of an Ordinance Amending Article VII, 'Uses, Parking Requirements, Supplemental Use Regulations and Certain Distance Requirements', of Volume II of the Lewisville City Code, Known as the Unified Development Code, by Adding Section VII.3.22, Establishing Supplemental Use Regulations for Multi-Family Dwellings and Amending Exhibit VII.2-3, Mixed Use Zoning Districts, to Add a Reference to Such Regulations.](#)

ADMINISTRATIVE COMMENTS:

Over the past few years, the market for multifamily use in Old Town has increased significantly; however, the commercial market is still evolving and will likely take several years before ground floor retail is viable in most locations. To ensure adequate space for commercial uses when the market demand arrives, staff is proposing code amendments that add eight standards to require 'flex-space' or 'retail-ready' space in Multifamily projects zoned Old Town Mixed Use Two (OTMU-2) or Old Town Center (OTC) on Church Street, College Street, Main Street and Mill Street. The Planning and Zoning Commission held a public hearing on March 7, 2023 and continued the public hearing to March 16, 2023.

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. 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.

4. [APPROVAL OF MINUTES: \(a\) City Council Minutes of the February 20, 2023, Workshop Session and Regular Session, and \(b\) City Council Minutes of the March 6, 2023 Workshop Session and Regular Session.](#)
5. [Approval of the First Amendment to the Sign Relocation Agreement with Clear Channel Outdoor, LLC, to Remove Three Additional Off Premise Sign Structures Adjacent to Business 121 and the Construct One New Digital Off-Premise Sign Structure Adjacent to State Highway 121; and Authorization for the City Manager, or Her Designee, to Execute the First Amendment as Set Forth in the Caption Above.](#)

ADMINISTRATIVE COMMENTS:

Clear Channel Outdoor, LLC, formerly known as Clear Channel Outdoor, Inc., and the City of Lewisville entered into a Sign Relocation Agreement (“Agreement”) in January of 2013. The Agreement provided for the removal and/or relocation of several billboards on the I-35 corridor. The proposed amendment would require the removal of three (3) additional signs along Business 121 in exchange for the construction of one (1) new off-premise sign structure with digital displays.

RECOMMENDATION:

That the City Council approve the First Amendment to the Sign Relocation Agreement and authorize the City Manager, or her designee, to execute the first amendment as set forth in the caption above.

6. [Approval of a Resolution for the Acceptance of the North Central Texas Council of Governments Electric Vehicle Charging Station Call for Projects Program Grant Award in the Amount of \\$67,892; and Approval of a Supplemental Appropriation to the Grant Fund in the Amount of \\$67,892.](#)

ADMINISTRATIVE COMMENTS:

The City has been awarded a grant in the amount \$67,892 as part of a regional initiative to increase public access to Electric Vehicle (EV) charging infrastructure. The intent of the grant program is to support local efforts to fill gaps in the existing infrastructure network and/or enable new fleet electrification, directly in alignment with goals set forth in the Lewisville 2025 Vision Plan and the Sustainability Action Plan. The City will receive reimbursement of funds after authorized expenditure. The program is 100% federally funded and does not require the City to match any costs. Additionally, the NCTCOG is utilizing Transportation Development Credits in the amount of \$13,578 as a local share. This grant was not budgeted in the FY 2022-23 budget. Therefore, a supplemental appropriation to the Grant fund is needed in order to expend the funds. Grant funding will be used to purchase Level 2 EV charging infrastructure and pay for installation, striping, and related signage at City Hall.

RECOMMENDATION:

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

7. [Approval of a Resolution Making Findings as to Advisability of Improvements in the Proposed Lakeside Crossing Public Improvement District; and Creating the Lakeside Crossing Public Improvement District.](#)

ADMINISTRATIVE COMMENTS:

At the February 20, 2023, City Council meeting, a petition requesting the establishment of the Lakeside Crossing Public Improvement District (“Lakeside Crossing PID”) was accepted and a public hearing related to the advisability of the proposed improvements was called for March 20, 2023, at 7:00 P.M. Chapter 372 of the Texas Local Government Code requires that a public hearing be held to determine the advisability of the proposed improvements. Once the public hearing is held, if the City Council believes it is advisable to create the district to provide the designated public improvements, the proposed resolution should be approved.

RECOMMENDATION:

That the City Council approve the resolution regarding the advisability of the proposed improvements in the Lakeside Crossing PID and establish the district as set forth in the caption above.

8. [Approval of a Resolution Authorizing an Agreement between the City of](#)

Lewisville and a CDBG CARES Act Sub-recipient Utilizing Reallocated CDBG CARES Act Funds; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.

ADMINISTRATIVE COMMENTS:

Currently there is \$213,021 in CDBG CARES ACT unallocated funds for use to prevent, prepare and respond to COVID-19. The City must have 80% of the awarded CDBG-CV Funds drawn down by September 30, 2023. As of March 7, 2023, \$798,812.57 has been drawn, which is 66% of the award funds. Original allocated funds were pulled back from agencies who were unable to meet the obligations and timeframes under their agreements. At the November 21, 2022 City Council workshop, Council's direction was to award \$55,000 of the \$213,021 to The Salvation Army to address food insecurity. This item achieves that goal. Plans for the remaining amount of \$158,021 will be brought to City Council at a later date.

RECOMMENDATION:

That the City Council approve the resolution and authorize the City Manager, or her designee, to execute the agreement.

9. Approval of a Resolution Amending the City's Legislative Agenda to Express Support for Measures That Would Improve Public Access to Municipal Courts Without Creating an Unfunded Mandate for Cities, and Authorizing the Mayor and City Manager to Communicate the City's Adopted Position, as Requested by Mayor Gilmore.

ADMINISTRATIVE COMMENTS:

Texas Municipal Courts Association is supporting legislation that would enable courts to continue offering pretrial hearings online, a process that has increased public access to municipal courts. They are seeking support from cities. This topic is not addressed in the Legislative Priorities and Agenda. Therefore, City Council approval is required for the City to take an official position.

RECOMMENDATION:

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

F. Regular Hearing

10. Consideration of Reappointing Mayor Gilmore to the Denton County

[Transportation Authority \(DCTA\) Board of Directors; and Consideration of Reappointing Councilmember Green as the Alternate Member to the DCTA Board of Directors.](#)

ADMINISTRATIVE COMMENTS:

DCTA bylaws require that board members and alternates have experience in the field of transportation, business, government, engineering or law and reside within the territory of the authority. DCTA Board members serve for two-year terms. Mayor Gilmore and Councilmember Green's terms are expiring and have expressed an interest in continuing to serve as the City's representatives on the DCTA Board of Directors.

RECOMMENDATION:

That the City Council reappoint Mayor Gilmore and Councilmember Green to the DCTA Board of Directors as set forth in the caption above.

11. [Consideration of the 2023 City Council Retreat Direction and the 2023-24 City Council Priorities](#)

ADMINISTRATIVE COMMENTS:

During the City Council Retreat held March 10-11, City Council gave direction on various items and set nine priorities for the upcoming year. Staff would like to review the direction and priorities with the City Council to ensure that the final wording and interpretation of the goals matches City Council intent.

RECOMMENDATION:

That the City Council approve the 2023 City Council Retreat Direction and the 2023-24 City Council Priorities as presented.

- G. Reports** Reports about items of community interest regarding which no action will be taken.
- H. Return to Workshop Session if Necessary**
- 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.*
- 3. Section 551.074 (PERSONNEL): City Secretary. Discuss the hiring of a new City Secretary and all matters incident and related thereto.*

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).

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 _____, 2023 by _____ AM.

City Secretary