

## AGENDA

### LEWISVILLE CITY COUNCIL MEETING FEBRUARY 2, 2015

LEWISVILLE CITY HALL  
151 WEST CHURCH STREET  
LEWISVILLE, TEXAS 75057

WORKSHOP SESSION - 6:30 P.M.  
REGULAR SESSION - 7:00 P.M.

Call to Order and Announce a Quorum is Present.

#### WORKSHOP SESSION - 6:30 P.M.

- A. Discussion of Regular Agenda Items and Consent Agenda Items

#### REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Mayor Pro Tem Gilmore
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Mayor Ueckert
- C. **PRESENTATION:** Presentation of Poem Celebrating Lewisville's 90th Birthday as Composed by Lewisville Poet Laureate J. Paul Holcomb
- D. **PUBLIC HEARINGS:**
  - 1. **Public Hearing:** Consideration of an Ordinance for a Zone Change Request From Agriculture Open Space (AO) to Light Industrial (LI), Located on Approximately 0.959 Acre Tract of Land Located on the North Side of Bennett Lane, Approximately 525 Feet East of Yates Street, as Requested by Derek Baker of Keller Williams Realty on Behalf of Pensco Trust Co, FBO Diane Brandenburger and Patricia Morgan the Property Owners (Case No. PZ-2015-01-01).

#### **ADMINISTRATIVE COMMENTS:**

Pensco Trust Co. currently owns the property and is in the process of trying to sell it. This is a fairly long and narrow lot and is vacant of any buildings. The majority of property in this area is zoned Light Industrial (LI), although several parcels still retain their Agricultural Open Space (AO) designations. The Planning and Zoning Commission recommended approval of the zone change request by a vote of 5-0 at their meeting on January 6, 2015.

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**RECOMMENDATION:**

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

**PRESENTATION:** Nika Reinecke, Dir. of Economic Development / Planning  
Derek Baker, Keller Williams Realty

2. **Public Hearing:** Consideration of an Ordinance for a Zone Change Request From Single-Family Residential (R-7.5) to Old Town Mixed Use One (OTMU1), Located at 254 West Walters Street on 0.30 Acres; Further Identified as Lot 5 (NW Part), Block 1 O.T. Lewisville Addition, as Requested by Lance Lindley the Property Owner (Case No. PZ-2015-01-02).

**ADMINISTRATIVE COMMENTS:**

The 0.30 acre property is located at the southeast corner of Herod Street and West Walters Street and is occupied by a one story residence built in 1942. The zone change request matches the Old Town Master Plan recommended zoning for this area. The Planning and Zoning Commission recommended approval of the zone change request by a vote of 5-0 at their meeting on January 6, 2015.

**RECOMMENDATION:**

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

**PRESENTATION:** Nika Reinecke, Dir. of Economic Development / Planning  
Lance Lindley, Property Owner

- E. **VISITORS/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.

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3. **APPROVAL OF MINUTES: City Council Minutes of the January 26, 2015, Workshop Session and Regular Session.**
4. **Approval of Changes to Policy Statement 3.0 Finance, Adding Section XI - Lewisville 2025 Incentives and Special Projects Fund.**

**ADMINISTRATIVE COMMENTS:**

City Council authorized the creation of the Lewisville 2025 Incentives and Special Projects Fund during the 2014-15 budget process by allocating one cent on the property tax rate. The funding will be used to support the Lewisville 2025 “Big Moves” and action priorities. Examples of appropriate expenditures include incentives, consultant fees, and equipment purchases. On-going expenses related to Lewisville 2025 will be funded out of the annual operating budgets. All requests for funding will be approved by the City Manager will follow approved purchasing policy.

**RECOMMENDATION:**

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

G. **REGULAR HEARINGS:**

5. **Consideration of a Variance to the 1996 Castle Hills Agreement to Allow a Single Family Residence Located at 661 The Lakes Boulevard, in Castle Hills to Encroach Nine Inches Into the 10 Foot Front Yard Setback; Nine Inches Into the Six Foot Utility Easement and up to Fourteen and a Half Inches Into the 10 Foot Wall Maintenance Easement, as Requested by Matt Taylor Representing American Legend Homes.**

**ADMINISTRATIVE COMMENTS:**

On August 5, 2014, Barrow Land Surveying unknowingly staked the lot incorrectly at 661 The Lakes Blvd. As a result the house was built slightly askew on the lot and created three encroachments on the property. American Legend Homes, the home builder, is requesting the following variances: a) to allow the single family residence to encroach up to nine inches into the 10 foot front setback; b) to allow the single family residence to encroach nine inches into the six foot utility easement; and c) to allow the single family residence to encroach up to fourteen and a half inches into the 10 foot wall maintenance easement. This lot is a corner lot and the encroachments face the front and side street.

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**RECOMMENDATION:**

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

- 6. Consideration of a Resolution Ordering a Special Election to be Held in Conjunction With the May 9, 2015, Lewisville City Council Election for the Purpose of Electing One (1) Member to the City Council to Fill the Unexpired Term of Councilman – Place No. 5; Authorization of an Election Calendar; and Authorization for the Mayor to Sign the Election Order.**

**ADMINISTRATIVE COMMENTS:**

On January 26, 2015, the City Council called an election for the Mayor's position and Place No. 2. Councilman Rudy Durham submitted an Application to run for the Mayor position on January 28, 2015. Per State law, by submitting this application, Councilman Durham has automatically resigned from Place No. 5. Pursuant to Article XI, Section 11 of the Texas Constitution, a vacancy for a City with three year terms must be filled with a special election and such election must be held within 120 days after such vacancy occurs. Therefore, the special election can be held in conjunction with the May 9, 2015, City Council Election. All of the aspects of the special election will be the same as the general election except for the filing period. The filing period will be February 6 through March 9, 2015 (per the attached election calendar). Councilman Durham will continue to serve in Place 5 until the election results are canvassed and his successor is sworn into office pursuant to Article 16, Section 17, of the Texas Constitution.

**RECOMMENDATION:**

That the City Council approve the proposed resolution and election calendar as set forth in the caption above.

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.

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- I. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.071 (Consultation with Attorney): Legal Issues Related to the Construction of the Old Town Park Plaza
  2. Section 551.072 (Real Estate): Property Acquisition
  3. 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**

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).