WORKSHOP & REGULAR MEETING
OF THE TOWN COUNCIL

Tuesday, March 2, 2021
6:00 PM
Little Elm Town Hall
100 W Eldorado Parkway, Little Elm, TX 75068

1. Notice Regarding Public Participation and Town Council/Town Staff Attendance.

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce in-person meetings that assemble large groups of people, Governor Greg Abbott has granted a temporary suspension of certain rules to allow for (1) town council members and town employees to participate in a town council meeting via videoconference call or other remote electronic means without a physical quorum of council members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the public meeting.

In an effort to reduce the spread of the virus, for the March 2, 2021, Town Council meeting, individuals will be able to address the Council on any topic through submission of the web form below. Forms received will be recorded into the record and be given to the Town Council. To access the videoconference online, follow these instructions:

- To join the Zoom meeting, click https://zoom.us/j/99059988759
- To view the live stream meeting, click https://www.littleelm.org/1258/Agendas-Minutes-Video
Individuals who wish to speak directly to Town Council may attend the meeting in-person.

2. **Call to Order Council Workshop at 6:00 p.m.**
   
   A. Invocation.
   
   B. Pledge to Flags.
   
   C. Items to be Withdrawn from Consent Agenda.
   
   D. Emergency Items if Posted.
   
   E. Request by the Town Council for Items to be Placed on a Future Agenda for Discussion and Recognition of Excused Absences.
   
   F. Presentation of Monthly Updates.
   
   G. Town Council to Highlight Items on the Agenda Needing Further Discussion or Comments Prior to the Regular Session.

3. **Workshop.**
   
   A. Present and Discuss an [Update on the 2021 Resident Survey](#).
   
   B. Present and Discuss the [Recreation Center Rebrand and Logo](#).
   
   C. Present and Discuss the [2020 Magic of Lights Event](#).

4. **Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.**

5. **Public Comments**
   
   Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meeting Act, the council may not comment or deliberate such statements during this period, except as authorized by Section 551.072, Texas Government Code.

6. **Consent Agenda**
   
   All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately.
2/25/2021

A. Consider Action to Approve the Minutes from the February 16, 2021, Regular Town Council Meeting.

B. Consider Action to Accept the Little Elm Police Department’s 2020 Racial Profiling Report.

C. Consider Action to Approve a Contract with Freese and Nichols to Prepare the Risk Assessment and Emergency Response Plan on the Water Infrastructure and Authorize the City Manager to Sign the Contract for an Amount Not to Exceed $89,840.

D. Consider Action to Approve Resolution No. 0302202101 for a Green Ribbon Program Project Advance Funding Agreement between the Town of Little Elm and the State of Texas regarding Landscaping Improvements along FM 423.

7. Public Hearings.

A. Continue a Public Hearing, Present, Discuss, and Consider Action to Rezone Approximately 4.4 acres of Land from Lakefront (LF) w/ Specific Use Permit for Child Care Center to Planned Development-Lakefront (PD-LF) to Allow for the Use of Mixed-Use and Commercial with Modified Development Standards, Generally Located at the Southwest Corner of Eldorado Parkway and Hillside Drive, within Little Elm’s Town Limits.

B. Hold a Public Hearing, Present, Discussion, and Consider Action on Proposed Text Amendments to Section 106.01.14 (Land Use Definitions) of the Town’s Zoning Ordinance.

C. Hold a Public Hearing, Present, Discuss, and Consider Action on Ordinance No. 1602 for a Request to Amend the Knotting Hill Planned Development (Planned Development No. 1362) on Approximately 4.89 acres of Land Zoned Planned Development-Single Family District Ranchette Estates (PD-A-RE) to Allow for the Use of an Event Center with Modified Development Standards, Generally Located on the West Side of Eldorado Parkway, Approximately 271 feet north of Cardinal Ridge Lane, within Little Elm’s Town Limits.

D. Hold a Public Hearing, Present, Discuss, and Consider Action on Ordinance No. 1603 for a Town-initiated Request to Rezone Approximately 5.3 Acres of Land from Lakefront (LF) to Planned Development-Lakefront (PD-LF) to Allow for the Use of a Religious Facility and Future Residential with Modified Development Standards.

8. Reports and Requests for Town Council consideration.

A. Present, Discuss, and Consider Action on a Development Agreement between the Town of Little Elm and the Button United Memorial Methodist Church.

9. Convene in Executive Session pursuant to Texas Government Code:
• Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
• Section 551.072 to discuss certain matters regarding real property.
• Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
• Section 551.076 to discuss security matters.
• Section 551.087 to discuss Economic Development.

10. **Reconvene into Open Session**

Discussion and consideration to take any action necessary as the result of the Executive Session:

• COVID-19 Pandemic and the Town’s response thereto, including the consideration of an emergency declaration ordinance.
• Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
• Section 551.072 to discuss certain matters regarding real property.
• Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
• Section 551.076 to discuss security matters.
• Section 551.087 to discuss Economic Development.

11. **Adjourn.**

Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items will be taken or conducted in open session following the conclusion of the executive closed session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aide of service such as interpreters for the hearing impaired, reader or large print are requested to contact the secretary at 214-975-0452 two days prior to the meeting so appropriate arrangements can be made. **BRAILLE IS NOT PROVIDED.**

Respectfully,
Town Secretary

This is to certify that the above notice was posted on the Town's website this 25th day of February 2021 before 5:00 p.m.
Town Council Meeting

Date: 03/02/2021  
Agenda Item #: 3.A.  
Department: Administrative Services  
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors  
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:  
Present and Discuss an **Update on the 2021 Resident Survey.**

DESCRIPTION:  
The Town of Little Elm is contracting with Polco, an online community engagement polling platform, to conduct a resident satisfaction survey this spring. A sample size of 2,700 households has been identified throughout the Town to participate in this survey. Residents will be notified in late February and will have until April 14 to complete the survey. Residents who are not selected to participate will be able to complete the survey through a link published on our social media sites in late March.

The final report will be available in mid-May.

BUDGET IMPACT:  
The total cost for this service is $15,615 and is budgeted for in the General Fund operating budget.

RECOMMENDED ACTION:  
Information only, no action required.
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 3.B.
Department: Community Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Chad Hyde, Director of Community Services

AGENDA ITEM:
Present and Discuss the Recreation Center Rebrand and Logo.

DESCRIPTION:
When The Lakefront at Little Elm™ was conceptualized, the project’s vision was to develop a destination district unlike any other in the North Texas Region.

Building on our unique amenities, the Town added infrastructure such as the expansion of Little Elm Beach, the Lakefront Trail, and one-of-kind restaurants and recreation amenities like Hula Hut and Hydrous Cable Wakeboarding Park.

The Town also moved to brand and promote The Lakefront™ District with a distinct logo. This logo contributes to The Lakefront brand recognition and is used on signage, banners, social media, and at events and has contributed to increased awareness of The Lakefront and its success year after year.

With the opening of the aquatic park in The Lakefront, staff felt that the facility also needed a distinct and recognizable brand to increase awareness and drive interest in the facility both in Little Elm and across the North Texas region. The facility was branded as The Cove at The Lakefront™ and contributes to the recognition of The Lakefront District brand as a whole.

In keeping with the desire to bolster brand awareness of The Lakefront District, staff recommends that the existing Little Elm Community Recreation Center be rebranded to "The Rec at The Lakefront" and a distinct logo for the facility be approved.
Staff recognizes that defining a distinct brand is a critical part of any business's success and that increasing awareness of the facility will drive interest in stakeholders regarding memberships, benefits, and programming, as well facilitate increased interest in The Lakefront District and its amenities, events and businesses, as well as draw visitors to The Cove.

The Marketing & Communications Department has worked with the graphic designer who developed the logos for both The Lakefront™ District and The Cove at the Lakefront to create the attached options for the Recreation Center logo. Doing so allowed us to maintain consistency with design and branding.

Staff is requesting direction from Town Council on the logo options attached to this item.

**BUDGET IMPACT:**
Costs associated with the rebranding will be budgeted for and phased in, including uniforms, signage, marketing materials, and swag.

**RECOMMENDED ACTION:**
Staff requests direction from Town Council.

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**Attachments**

Rec logo images
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 3.C.
Department: Community Services
Strategic Goal: Maximize community recreation and leisure activities
Staff Contact: Chad Hyde, Director of Community Services

AGENDA ITEM:
Present and Discuss the 2020 Magic of Lights Event.

DESCRIPTION:
Staff will be giving a presentation to Town Council with a recap of the 2020 Magic of Lights event that was held in Little Elm Park. The presentation will cover sales, economic impact, marketing, and financials.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Information only, no action required.
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 6.A.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:
Consider Action to Approve the Minutes from the February 16, 2021, Regular Town Council Meeting.

DESCRIPTION:
The minutes from the regular Town Council meeting on February 16, 2021, are attached for approval.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends approval.

Attachments
Minutes - February 16, 2021 Meeting
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 6.B.
Department: Administrative Services
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Rodney Harrison, Police Chief

AGENDA ITEM:
Consider Action to Accept the Little Elm Police Department’s 2020 Racial Profiling Report.

DESCRIPTION:
Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched.

During the 85th Texas Legislative Session, Senate Bill 1849, known as the Sandra Bland Act, was passed and made the Motor Vehicle Contact Search Analysis mandatory for all law enforcement agencies in Texas, effective September 1, 2017.

This report provides information related to data collected from motor vehicles stops in which a citation or warning is issued and to arrests made as a result of those stops, including information such as:

- The race or ethnicity of the individual detained;
- Whether a search was conducted and, if so, whether the detained individual consented to the search; and
- Whether the peace officer knew the race or ethnicity of the individual before detaining them.
The conclusion of the report is that there were no allegations of Racial Profiling in 2020 for the Little Elm Police Department and that the department is in compliance with Texas Code of Criminal Procedure Article 2.132.

**BUDGET IMPACT:**
There is no budget impact for this item.

**RECOMMENDED ACTION:**
Staff recommends approval.

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**Attachments**

Report - 2020 Racial Profiling Report
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 6.C.
Department: Public Works
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Jason Shroyer, Director of Public Works

AGENDA ITEM:
Consider Action to Approve a Contract with Freese and Nichols to Prepare the Risk Assessment and Emergency Response Plan on the Water Infrastructure and Authorize the City Manager to Sign the Contract for an Amount Not to Exceed $89,840.

DESCRIPTION:
On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. AWIA Section 2013 requires community (drinking) water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs). The law specifies the components that the risk assessments and ERPs must address and establishes deadlines by which water systems must certify to EPA completion of the risk assessment and ERP.

Risk and Resilience Assessment Requirements and Assistance Resources
Each community water system serving a population of greater than 3,300 persons shall assess its system's risks and resilience. Such an assessment shall include:

1. the risk to the system from malevolent acts and natural hazards;
2. the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. the monitoring practices of the system;
4. the financial infrastructure of the system;
5. the use, storage, or handling of various chemicals by the system; and
6. the operation and maintenance of the system.

**Emergency Response Plan Requirements and Assistance Resource**

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare an emergency response plan that incorporates the findings of the assessment. The plan shall include:

1. strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. plans and procedures that can be implemented, and identification of equipment that can be utilized in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. actions, procedures and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
4. strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

The Town of Little Elm submitted for RFQs in January 2021, and the following submittals were received:

1. Freese and Nichols
2. Kimley-Horn and Associates
3. AARC Consultants
4. Halff Associates
5. TRC Engineers
6. Tetra Tech Inc.
7. IMEG Corp
8. LSPS Solutions
9. Weston Solutions
10. Birkhoff Hendricks & Carter

Freese and Nichols was selected as the most qualified firm to perform these services for the Town of Little Elm. Freese and Nichols has a successful history in completing Risk Assessments and Emergency Response Plans for other municipalities. The Town has utilized Freese and Nichols in the past and has always been happy with their performance.

**BUDGET IMPACT:**

The 2020-2021 CIP Budget (Fund 612-71) included $312,000 for the AWIA Risk and Resilience and Emergency Response Plan and the subsequent implementation and upgrades, which will be required from the evaluation.

**RECOMMENDED ACTION:**

Staff recommends awarding a contract with Freese and Nichols and authorizing the City Manager to execute all necessary documents.
Attachments

Contract
1295 Form
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 6.D.
Department: Development Services
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Wesley Brandon, Town Engineer

AGENDA ITEM:
Consider Action to Approve Resolution No. 0302202101 for a Green Ribbon Program Project Advance Funding Agreement between the Town of Little Elm and the State of Texas regarding Landscaping Improvements along FM 423.

DESCRIPTION:
The Town of Little Elm was awarded funding through the Texas Department of Transportation (TxDOT) Green Ribbon Program which provides funding and other assistance to install beautification improvements along state highways.

The overall project limits extend along FM 423, beginning near Eldorado Parkway and ending at the northern Town limits near Logan Springs Drive. The project includes the installation of landscape plantings, irrigation, and other incidental improvements within the parkways and medians along the roadway.

TxDOT is requesting an Advance Funding Agreement (AFA) with the Town that describes the commitments of TxDOT to reimburse the Town for the costs to install the landscaping improvements. It also includes the obligation of the Town to assume maintenance and operation responsibilities after the contract warranty period. The Town is also responsible for the design, procurement, and contract administration of the project.

BUDGET IMPACT:
There is no immediate budget impact for this item other than allocating funds to cover the construction costs until reimbursement funds are received from TxDOT. However, funding for the continued operation and maintenance of the improvements will be needed in future budgets.
Town is also responsible for cost overruns that exceed the funding amount provided by the State. The proposed agreement is based on a total estimated cost of $1,990,303.41, with no participation requirement of the Town. If the total actual cost is anticipated to exceed this amount, approval of Town Council will be requested at that time.

**RECOMMENDED ACTION:**
Staff recommends approval.

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**Attachments**

Resolution  
Draft Agreement  
Project Layout
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 7.A.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Skye Thibodeaux, Planning Manager

AGENDA ITEM:
Continue a Public Hearing, Present, Discuss, and Consider Action to **Rezone Approximately 4.4 acres of Land from Lakefront (LF) w/ Specific Use Permit for Child Care Center to Planned Development-Lakefront (PD-LF) to Allow for the Use of Mixed-Use and Commercial with Modified Development Standards, Generally Located at the Southwest Corner of Eldorado Parkway and Hillside Drive, within Little Elm's Town Limits.**

DESCRIPTION:
At the January 5, 2021 Town Council meeting, Town Council directed the applicant to provide the following:

- More detailed information associated with the proposed elevations regarding materials and color pallets for garages along with additional details regarding exterior and interior finish materials.
- Additions to the proposed landscape plan providing additional tree plantings along the western boundary to mitigate visibility between Eldorado Parkway and the western facing garages.
- A POA document formed and executed for the property including language for shared use of dumpsters.

At the February 2, 2021 Town Council meeting, Council voted to continue the item to the February 16, 2021 Town Council meeting as the applicant had provided updated plans to staff but had not yet formed and executed the above mentioned POA document. At this time, the applicant is still in the process of forming and executing the POA document.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
In order to provide additional time for the applicant to form and execute a POA document for the subject property with shared use language, staff is requesting that this item be continued to the April 6, 2021 Town Council meeting.
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 7.B.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Skye Thibodeaux, Planning Manager

AGENDA ITEM:
Hold a Public Hearing, Present, Discussion, and Consider Action on Proposed Text Amendments to Section 106.01.14 (Land Use Definitions) of the Town's Zoning Ordinance.

DESCRIPTION:
Recently, the Town adopted the use of Business Service within Section 106.01.14 (Land Use Definitions) of the Zoning Ordinance in order to provide an appropriate use for business establishments that have certain activities not elsewhere classified that require approval by the Planning & Zoning Commission and Town Council via the Specific Use Permit (SUP) process. A good example of this type of use is a business that primarily functions like a traditional general office use, but has ancillary elements like a small fleet of service vehicles that need to be stored on site.

However, with recent Certificate of Occupancy (CO) requests through the Building Department, staff has found that the definition adopted with the new use can create a little confusion with the specified language associated with the types of businesses listed. Staff is proposing to modify the definition to allow for better interpretation as shown in the attached exhibit.

Additionally, during analysis, staff discovered that the use of Personal Service (other than listed) found in the Ordinance’s schedule of uses (Section 106.05.01) is not defined.

At the January 21, 2021, Planning & Zoning Commission meeting, the Commission agreed with staff’s analysis and recommended a few minor adjustments to staff’s proposed amendments along with recommending the removal of Custom Personal Service from the list of land use
definitions while moving the businesses listed in the definition to the proposed definition for Personal Service (other than listed). The attached exhibit outlines the Planning & Zoning Commission's recommended changes.

**BUDGET IMPACT:**
There is no budget impact for this item.

**RECOMMENDED ACTION:**
The Planning & Zoning Commission recommended approval of the proposed text amendments unanimously.
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 7.C.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Skye Thibodeaux, Planning Manager

AGENDA ITEM:
Hold a Public Hearing, Present, Discuss, and Consider Action on Ordinance No. 1602 for a Request to Amend the Knotting Hill Planned Development (Planned Development No. 1362) on Approximately 4.89 acres of Land Zoned Planned Development-Single Family District Ranchette Estates (PD-A-RE) to Allow for the Use of an Event Center with Modified Development Standards, Generally Located on the West Side of Eldorado Parkway, Approximately 271 feet north of Cardinal Ridge Lane, within Little Elm’s Town Limits.

DESCRIPTION:
Location

The subject property is generally located on the west side of Eldorado Parkway, approximately 271 feet north of Cardinal Ridge Lane, within Little Elm's town limits.

Planning Analysis

The applicant is requesting to amend the existing Planned Development to allow for an Event Center and a future accessory storage structure with modified development standards. Since the PD was initially approved, the applicant has installed the following items that need supporting stipulations:
- **Black Metal/Wood-framed Fence with Irrigated Living Screen** - as shown in the attached exhibits, the applicant constructed a perimeter fence with living screen to provide additional privacy to the subject property.
- **Small Garage/Storage Addition** - as shown in the attached exhibits, the applicant has begun constructing an addition to the existing accessory garage structure for the purpose of additional minor storage.
- **Event Center Use** - the use of Event Center is permitted within the subject PD and is defined as a public or privately owned structure or area used for the purposes of public performances, sporting events, private receptions or parties, or similar attractions.

Additionally, the applicant would like the option in the future to construct a larger accessory structure in the rear of the property for the purpose of larger scale storage for future event and catering items as the business continues growth. In discussions with staff regarding intended design, the applicant indicated the intent of design of the structure to be compatible with the primary event center. Upon future plan submittals, staff is proposing a stipulation that the potential structure be reviewed at the discretion of the Director of Development Services and a Development Agreement be executed by Council that will lock in the intended design.

**BUDGET IMPACT:**
There is no budget impact associated with this item.

**RECOMMENDED ACTION:**
The Planning & Zoning Commission recommended approval of the requested PD amendment unanimously.

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**Attachments**

Location Map
Site Exhibit
Site Photo
Site Photo
Site Photo
Site Photo
Site Photo
Ordinance No. 1602

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Town Council Meeting

Date: 03/02/2021
Agenda Item #: 7.D.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Skye Thibodeaux, Planning Manager

AGENDA ITEM:
Hold a Public Hearing, Present, Discuss, and Consider Action on Ordinance No. 1603 for a Town-initiated Request to Rezone Approximately 5.3 Acres of Land from Lakefront (LF) to Planned Development-Lakefront (PD-LF) to Allow for the Use of a Religious Facility and Future Residential with Modified Development Standards.

DESCRIPTION:
Location

The subject property is generally located at the northwest corner of Eldorado Parkway and Lakefront Drive, within Little Elm's town limits.

Planning Analysis

Recently, the Button Memorial Methodist Church has decided to take action on a few items that will provide assistance with a few of their ministries, including the Boy Scouts of America. One of the requests also includes proposed residential lots to the north of the existing church along the King Street cul-de-sac. In order for the Town to accept the proposed requests, this would require modified development standards as written in our current Zoning Ordinance. Additionally, the overall Planned Development shall adhere to the associated Development Agreement.

Current & Future Request
• **Accessory Structures** - The religious facility is proposing to construct a 30'x55' metal accessory structure with the purpose of storing materials for the Scouts. It is also staff's current understanding that the covered, open air portion of the structure may be utilized to store property maintenance equipment. To note, the Zoning Ordinance requires outside storage to be screened from view of the right-of-way. Additionally, there is an existing wood shed on the property. Part of the PD request is to conform the existing accessory structure.

• **Future Residential** - The religious facility is proposing future residential along the property they own fronting the cul-de-sac of King Street as shown on the associated zoning exhibit. Please note this does not create the need to rezone any portion of the base Lakefront District within the proposed PD boundaries, but rather to allow the opportunity to develop residential lots in the future. The potential development of residential lots along King Street shall follow the standards and procedures as laid out in the Lakefront Residential Overlay District.

The Comprehensive Plan encourages housing development and redevelopment opportunities within the Lakefront District. It also encourages lot size variations within Planned Developments. Adding single-family residential lots to the Lakefront District allows for future residents to take part in the current and upcoming recreational and leisure opportunities and provides for a more enhanced quality of life and, as such, staff is amenable to this request.

**Existing Nonconforming Items**

The religious facility was constructed in 1980, well before the establishment of the Town's Lakefront District. Staff is utilizing this PD request to conform certain items that do not meet current Lakefront District standards relative to the existing religious facility. Existing development within this PD, unless noted otherwise, is exempt from having to obtain approval via major waiver for the following items:

- Required retail construction requirements
- Block Face requirement

**Additional Items to Note**

The following items are primarily being addressed via review of a replat associated with the property, but staff wanted to note these items within this analysis to make the Commission aware of items that will be discussed when the plat is ready to move forward for consideration and action:

- **Development Agreement** - a Development Agreement for the property will be formed to "lock in" the design of the proposed accessory structure along with addressing shared site improvement items.
- **Shared Parking, Fire Lane/Access** - a note will be formed on the replat addressing these shared items between the existing Religious Facility and residential lot. These items will be addressed within the Development Agreement as well.

At the February 18, 2021, Planning & Zoning Commission meeting, the Commission agreed with staff's proposed standards with the exception that the proposed accessory structure meet the associated architectural design standards as regulated by the Zoning Ordinance.

**BUDGET IMPACT:**

There is no budget impact associated with this item.
**RECOMMENDED ACTION:**
The Planning & Zoning Commission recommended approval of the proposed Planned Development with the additional recommendation that the proposed accessory structure be designed to meet the architectural requirements as required by Section 106.05.02.1.4 (Accessory Uses - Architectural Requirements).

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**Attachments**

- Location Map
- Reference Exhibit
- Proposed Accessory Structure
- Ordinance No. 1603
Town Council Meeting

Date: 03/02/2021
Agenda Item #: 8.A.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Skye Thibodeaux, Planning Manager

AGENDA ITEM:
Present, Discuss, and Consider Action on a Development Agreement between the Town of Little Elm and the Button United Memorial Methodist Church.

DESCRIPTION:
The attached agreement is to solidify the intended design of the proposed accessory structure as outlined in the associated planned development in item 7D.

BUDGET IMPACT:
There is no budget impact associated with this item.

RECOMMENDED ACTION:
Staff recommends Council to consider and execute the attached agreement.

Attachments

Development Agreement