

**MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 5, 2008**

Item 1:

The Lewisville Planning and Zoning Commission was called to order at 6:34 p.m. Members present: Rod Russell (Chairman), Jim Gallegos (Vice-Chairman), James Davis, Joy Townsend, William "Bill" Price, Karen Boenker and Alvin Turner.

Staff members present: Gene Lewis, Nika Reinecke and Gillian Goldthorpe.

Item 2:

A motion was made by Karen Boenker to approve the July 15, 2008, meeting minutes, seconded by Bill Price. The motion passed unanimously (7-0).

Item 3: (Tabled Item from the July 15, 2008 meeting)

Selection of a Chairman, Vice Chairman and Zoning Board of Adjustments Representative. A motion was made by Joy Townsend to re-elect Rod Russell as Chairman, seconded by Karen Boenker. All members voted aye. A motion was made by Joy Townsend to re-elect Jim Gallegos as Vice Chairman, seconded by Bill Price. All members voted aye. A motion was made by Joy Townsend to re-elect Bill Price as the Zoning Board of Adjustment Representative, seconded by Karen Boenker. The motion passed unanimously (7-0).

Item 4:

The consent agenda for plats. There were two items for consideration:

- A. Final Plat of One Twenty One Plaza Addition, Lot 1R and Lot 2 Block A, a 4.37 acre tract zoned Light Industrial (LI), located on the south side of Business SH 121, about 500 feet east of Main Street.

Bill Price stated that he would be abstaining from the vote on Item 4.A. The plat complies with City ordinances and staff recommended approval. There was no one present to speak for or against the item, so a motion was made by Karen Boenker to approve the plat, seconded by Jim Gallegos. The motion passed unanimously (6-0).

- B. Final Plat of Water Oak Retail Center Addition, Lots 3R and 4, Block A, a 1.61 acre tract zoned Local Commercial (LC), located on the northeast corner of FM 3040 and Old Orchard Lane.

Bill Price returned to the meeting. The plat complies with City ordinances and staff recommended approval. There was no one present to speak for or against the item, so a motion was made by Karen Boenker, second by James Davis to approve the plat. The motion passed unanimously (7-0).

Item 5:

The public hearing for zone change. There were two items for consideration:

- A. Consideration of a zone change request from Light Industrial (LI) to Medical District (MD) on a 4.0 acre tract located at the east side of Summit Avenue, approximately 1000 feet south of FM 407. The request is being made by the current property owner Alpha Republic Investments, LTD. (Case No. PZ20080819).

Staff gave a brief presentation. A similar request to build a retirement community came before the Planning and Zoning Commission on June 3, 2008. The site located primarily in the distribution warehouse corridor on the northwest corner of Highpoint Oaks Drive and Vista Ridge Mall Drive was determined not to be a suitable location for a retirement community. The Planning and Zoning Commission voted 4-3 in favor of the zone change, however Council denied the request at the July 21, 2008 meeting. The new zone change request is to build a proposed rehabilitation hospital primarily for seniors, and is located on the east side of Summit Avenue, approximately 1000 feet south of FM 407. Most of the land in this area is vacant and most of the uses currently in place would be allowed in the general business and local commercial district categories. Harcourt is the only distribution warehouse in the area and it is located south of the railroad tracks. Several years ago ProLogis, owner of a large portion of the area east of McGee, south of FM 407 and west of I-35, originally planned to build distribution warehouses, but have since determined that this is not a suitable area for that use. The site is now for sale, primarily for office/retail uses. Staff feels that this would be a suitable area for a medical district zoning for the proposed use. There being no one present to speak for or against the item, the public hearing was then closed. A motion was made by Karen Boenker to close the public hearing, seconded by Jim Gallegos. Karen Boenker made a motion to recommend approval of the zone change request, seconded by Bill Price. The motion passed unanimously (7-0).

- B. Consideration of an Ordinance Amending the Lewisville City Code, Chapter 17, the Zoning Ordinance, Section 17-38 Compliance with the Regulations.

Staff explained that since 1971 the Lewisville Zoning Ordinance has included requirements that new or altered buildings comply with parking requirements in the zoning ordinance and that property be platted before a building permit can be issued. When the City adopted the General Development Ordinance (GDO) in 1989, all parking requirements and the requirement to plat were moved to the GDO, but overlooked as a footnote in the zoning ordinance. Likewise those requirements were included in the Old Town Development Ordinance (OTDO) created in 2002. Now there is discussion about amending the plat requirement. Rather than having to make the proposed plat change in the zoning ordinance and two development ordinances, staff is recommending that the requirement be deleted from the zoning ordinance as a housekeeping function. At the same time the zoning ordinance can also be cleaned up to remove the reference to parking. The public hearing was then opened. There being no one present to speak for or against the item, the public hearing was then closed.

A motion was made by Karen Boenker to close the public hearing, seconded by Jim Gallegos. Karen Boenker made a motion to recommend approval of an ordinance amending the Lewisville City Code,

Chapter 17, the Zoning Ordinance, Section 17-38 Compliance with the Regulations, seconded by Bill Price. The motion passed unanimously (7-0).

Item 6:

There was no other business to discuss.

Item 7:

A motion was made by Karen Boenker to adjourn, seconded by Bill Price. All members voted aye.

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Gene Lewis
Planning & Community Services Manager

Approved,

Rod Russell
Planning & Zoning Chairman