

**AGENDA
PLANNING AND ZONING COMMISSION
JANUARY 7, 2020**

**COUNCIL CHAMBERS
151 WEST CHURCH STREET
LEWISVILLE, TEXAS**

REGULAR SESSION 6:30 P.M.

1. CALL TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT.

2. APPROVE MINUTES OF THE DECEMBER 17, 2019 MEETING.

3. REGULAR HEARING – PLATS

- A. Final Plat of Josey Lane Elementary School Addition; on 17.505 Acres out of the R. F. Hardin Survey, Abstract Number 613; Zoned Public Use District (PU); Located on the West Side of North Josey Lane, Approximately 430 Feet South of Windhaven Parkway.

4. PUBLIC HEARING – ZONING & SPECIAL USE PERMITS

- A. **Public Hearing:** Consideration of a Zone Change request from General Business District (GB) to Old Town Mixed Use 2 District (OTMU2) on approximately 0.667 Acres out of the J.W. King Survey, Abstract No. 696 and Located on the Southeast Corner of Elm Street and South Charles Street at 187 and 189 Elm Street; as Requested by Patricia Fant of G&A | McAdams, on Behalf of Mike Johnson, the Property Owner. (Case No. 19-11-2-PZ).

5. 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.

**MINUTES
PLANNING AND ZONING COMMISSION
DECEMBER 17, 2019**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 pm by Chairman James Davis.

Members present: William Meredith, John Lyng, MaryEllen Miksa, James Davis, and Karen Locke. Members Alvin Turner and Erum Ali were absent.

Staff members present: Richard Luedke, Planning Director; June Sin, Planner; Jonathan Beckham, Planner.

Item 2:

The second item on the agenda was to approve the minutes from the December 3, 2019, meeting. *A motion was made by Karen Locke to approve the minutes as presented, seconded by MaryEllen Miksa. The motion passed unanimously (5-0).*

Item 3:

Regular Hearing Plats were next on the agenda. There were two items for consideration:

- A. **Regular Hearing:** Final Plat of NEC 1171 And Valley Parkway Addition, Phase 1, Replat, Containing 2 Commercial Lots; on 2.523 Acres out of the J. Watlins Survey, Abstract Number 1323; With a General Business (GB) Zoning Designation; Located on the North Side of West Main Street Approximately 670 Feet East of North Valley Parkway; Being a Replat of NEC 1171 & Valley Parkway Addison Phase 1, Lot 1R2, Block B.

Staff gave a brief overview of the proposed final plat with a recommendation of disapproval due to deficiencies and a recommendation to delegate to staff the ability to accept and approve the plat once the listed deficiencies are corrected. Once the deficiencies listed are corrected the approved plat will be brought to the Chairman for signature. *A motion was made by William Meredith to disapprove the final plat and grant staff the ability to accept and approve the final plat. The motion was seconded by John Lyng. The motion passed unanimously (5-0).*

- B. **Regular Hearing:** Final Plat of NEC 1171 And Valley Parkway Addition, Phase 1, 2nd Replat, Containing 3 Commercial Lots; on 5.518 Acres out of the J. Watlins Survey, Abstract Number 1323 and the S.A. Venture Survey, Abstract Number 1309; With a General Business (GB) Zoning Designation; Located on the Northeast Quadrant of West Main Street and North Valley Parkway; Being a Replat of NEC 1171 & Valley Parkway Addison Phase 1, Lots 3R1-A and 5, Block B.

Staff gave a brief overview of the proposed final plat with a recommendation of disapproval due to deficiencies and a recommendation to delegate to staff the ability to accept and approve the plats once the listed deficiencies are corrected. Once the deficiencies listed are corrected the approved plats will be brought to the Chairman for signature. *A motion was made by Karen Locke to disapprove the final plat and grant staff the ability to accept and approve the final plat. The motion was seconded by MaryEllen Miksa. The motion passed unanimously (5-0).*

Item 4:

Public Hearing – Zoning & Special Use Permits were next on the agenda. There was one item for consideration:

- A. **Public Hearing:** Consideration of a Special Use Permit for a Storage Yard and a Contractors Yard; on Approximately 35.653 Acres, Legally Described as Lot 13, 14, 15R and 17, Block A, ARTX Park Addition, Located at 1227, 1229, and 1237 South Railroad Street, Zoned Warehouse and Heavy Industrial District (WH & HI); as Requested by Doug Powell, G&A | McAdams on behalf of Great North Investments, LLC, and ARTX Corporation, the property owners. (Case No. SUP-2019-12-15).

Staff gave a brief overview of the proposed special use permit request and recommended approval. Chairman Davis then opened the public hearing. With no one coming forward to speak the public hearing was then closed. *A motion was made by John Lyng to recommend approval of the special use permit request as presented. The motion was seconded by William Meredith. The motion passed unanimously (5-0).* Staff indicated that the item would appear before the Lewisville City Council on Monday, January 6, 2020 for a second public hearing and final decision.

There being no other business to discuss, the meeting was adjourned at 6:41 p.m.

Respectfully Submitted,

Approved,

Richard E. Luedke, AICP
Planning Director

James Davis, Chairman
Planning and Zoning Commission

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Jonathan Beckham, Planner
DATE: January 7, 2020
SUBJECT: **Regular Hearing: Final Plat of Josey Lane Elementary School Addition; on 17.505 Acres out of the R. F. Hardin Survey, Abstract Number 613; Zoned Public Use District (PU); Located on the West Side of North Josey Lane, Approximately 430 Feet South of Windhaven Parkway.**

BACKGROUND:

On September 16, 2019 City Council approve an amendment to the City's Land Development Regulations regarding plats and replats to conform to new legislative procedures. House Bill 3167 specifies that the Planning and Zoning Commission (P&Z) or the official responsible for the approval of plat, shall approve, approve with conditions, or disapprove a plat application within 30 days after the date the plat was filed with the City. This bill went into effect on September 1, 2019.

ANALYSIS:

House Bill 3167 requires a written list of reasons for disapproval to be provided for plats that are disapproved. Each reason specified in the written statement must be directly related to the requirements of the land development regulations and include a citation to the applicable law, including statute or municipal ordinance, that is the basis for the reason for disapproval.

The final plat of Josey Lane Elementary School Addition was submitted on December 9, 2019 and has been reviewed by staff. Staff recommends disapproval of the above plat with following reasons based on Chapters 6 of the Lewisville Code of Ordinances.

Section 6-27

- Title Opinion required with all ROW dedications

Section 6-73 (c) Final Plat (General Development Ordinance (GDO))

- Tax Certificate showing a \$0 Balance
- (1) Correct Plat Title Block
- (5) Sheet size of 22" x 34" for review copies
- (9) Metes and bounds description of the subdivision with correct acreage
- (11) Zoning of Subject Lot
- (12) Label the names of adjacent subdivisions
- (13) Lines and limits designating boundaries
- (14) Minimum right-of-way (ROW) shall be noted and ROW dedication provided if needed per the Thoroughfare Plan
- (19) FEMA map delineated

The applicant may resubmit a revised final plat reflecting discrepancies cited by Staff comments. Staff shall then determine within 15 days if the revised application and response adequately addresses each reason for the disapproval.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission disapprove the final plat of Jonesy Lane Elementary School Addition, for the deficiencies enumerated above and delegate to staff the ability to accept and approve the plat once the listed deficiencies are corrected. The approved plat will be brought to the chairman for signature.

Please use a review sheet size of 34x22" [Sec. 6-73(c)(5)]

Please provide a tax certificate with a \$0 balance [Sec 6.28]



Label Street ROW [Sec. 6-73(c)(14)]

JOSEY LANE

A recent (within 3 months) title opinion is required with all ROW Dedications [Sec. 6-27]

ROW DEDICATION 0.189 ACRES BY THIS PLAT

VARIABLE WIDTH PAE EASEMENT

P.O.B.

STATE OF TEXAS CALLED 27.083 AC. 1995-80045

LEWISVILLE INDEPENDENT SCHOOL DISTRICT CALLED 42.100 AC. 2007-23325

TX DOT CONC. MON W/ BRASS DISC

12' ROW DEDICATION 0.049 ACRES BY THIS PLAT

TXDOT MON

TXDOT CONC. MON W/ BRASS DISC

Label the Subdivision located here [Sec.6-73(c)(12)]

The effective FEMA map does not have this area labeled.

Label both sides of this boundary [Sec. 6-73(c)(13)]

LOT 1, BLOCK A JOSEY LANE ELEMENTARY SCHOOL
 17.505 AC.
 EXISTING ZONING: MF3
 FUTURE ZONING: PU

GROSS = 17.505 Ac.
 ROW = 0.234 Ac.
 NET = 17.266 Ac.

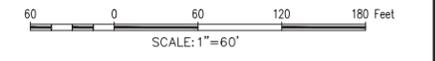
Zoned PU as of 12/16

Lewisville I.S.D. Doc. No. 2007-23325 Called 17.500 Ac.



Vicinity Map 1"=1000'

- LEGEND
- RF = REBAR FOUND
 - CRS = CAPPED REBAR SET
 - BL = BUILDING LINE
 - SB = SET BACK
 - UE = UTILITY EASEMENT
 - CRF = CAPPED REBAR FOUND
 - P.O.B. = POINT OF BEGINNING
 - MAE = MUTUAL ACCESS EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - WLE = WATER LINE EASEMENT
 - PAE = PEDESTRIAN ACCESS EASEMENT
 - FCE = FLOOD CONTROL EASEMENT



Please match the Title Block found in the Ch 6 Appendix 1 [Sec. 6-73(c)(1)]

FINAL PLAT
Lot 1, Block A
JOSEY LANE
ELEMENTARY SCHOOL
17.505 Acres
 in the
 R.P. HARDIN SURVEY, ABSTRACT NO. 613
 CITY OF LEWISVILLE
 DENTON COUNTY, TEXAS

Page 1 of 2



The John R. McAdams Company, Inc.
 (DBA, G&A | McAdams)
 111 Hillside Drive
 Lewisville, Texas 75057
 972.436.9712
 201 Country View Drive
 Roanoke, Texas 75282
 940.240.1012
 TBPE: 19762 TBPLS: 10194440
 www.gacom.com
 www.mcadamsco.com

DRAWN BY: JS DATE: 09/20/2019 SCALE: 1"=60' JOB. No. 18194

OWNER/DEVELOPER
LEWISVILLE INDEPENDENT SCHOOL DISTRICT
 340 LAKE HAVEN ROAD
 LEWISVILLE, TEXAS 75057
 Ph. (480) 648-7816
 Contact: RANDY FITTE

File: Z:\2018\BNA\Drawings\VP & Civil\Plan\BNA\BNA.FP
 Plotted: 12/6/2019 8:11 AM, by: Bndry, Cnc. Sheet: 12/6/2019 8:38 AM, by: Icon

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS :
 COUNTY OF DENTON :

LEGAL DESCRIPTION

Please be consistent. Called 17.505 on title block.

BEING all that certain lot, tract, or parcel of land, situated in the R. F. Hardin Survey, Abstract Number 613, Denton County, Texas, and being all that certain called 17.505 acre tract of land, described in deed to Lewisville Independent School District, recorded in Document Number 2007-23325, Official Records, Denton County, Texas and being more particularly described as follows;

BEGINNING at a 1/2" rebar found at the northeast corner of Lakewood Hills West Addition, Phase I, an addition to the City of Lewisville, according to the plat thereof, recorded in Document Number 2015-436, Plat Records, Denton County, Texas, and being the southeast corner of said 17.500 acre tract, and being on the west line of Josey Lane, as described in deed to the State of Texas, recorded in Document Number 1995-80045, Real Property Records, Denton County;

THENCE S 79°06'45" W, with the north line of said Lakewood Hills West Addition, Phase I, and the south line of said 17.500 acre tract, 858.54 feet to a 1/2" capped rebar found (illegible) at the southwest corner thereof;

THENCE N 10°52'50" W, with the west line of said 17.500 acre tract, 818.48 feet to a 1/2" capped rebar found (illegible) at the northwest corner there;

THENCE N 63°04'30" E, with the north line of said 17.500 acre tract, 322.20 feet to a 1/2" capped rebar found (DAA);

THENCE N 76°25'30" E, with the north line of said 17.500 acre tract, 455.03 feet to a 1/2" capped rebar found (DAA) at the northeast corner thereof, and being on the west line of said Josey Lane;

THENCE with the west line of said Josey Lane and the east line of said 17.500 acre tract, the following:

S 13°28'00" E, 32.39 feet to a Texas Department of Transportation (TxDOT) monument found;

S 49°26'10" E, 143.96 feet to a TxDOT monument found;

S 11°06'45" E, 783.89 feet to the POINT OF BEGINNING and containing approximately 17.505 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT WE, Lewisville Independent School District, the undersigned authority, do hereby adopt this plat designating the herein above described property as JOSEY LANE ELEMENTARY SCHOOL, an addition to the City of Lewisville, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon, and do hereby dedicate the easement strips shown on this plat for mutual use and accommodation of the City of Lewisville and all other public utilities desiring to use, or using same. No buildings, fences, trees, shrubs, signs or other improvements shall be constructed or placed upon, over, or across the easements strips on said plat. The City of Lewisville and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of the easements strips, and the City of Lewisville and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. A blanket easement of five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes, street lights) is hereby granted to the City of Lewisville for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

We do further dedicate, subject to the exceptions and reservations set forth hereinafter, to the public use forever, all public use spaces shown on the face of the plat.

All lots in the subdivision shall be sold and developed subject to the building lines shown on the plat.

Lewisville Independent School District, Authorized Representative

Please list the name and title of the person signing

STATE OF TEXAS :
 COUNTY OF DENTON :

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared Lewisville Independent School District Authorized Representative, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he/she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public
 State of Texas

My commission expires the _____ day of _____, 2019.

All variances, if any, from General Development Ordinance approved by City Council.

James Davis
 Planning and Zoning Commission
 City of Lewisville, TX

Date

THE UNDERSIGNED, the City Secretary of the City of Lewisville, Texas, hereby certifies that the foregoing plat of Josey Lane Elementary School, an addition to the City of Lewisville, Texas, was submitted to the appropriate Planning and Zoning Commission or City Council as required by the ordinances of the City of Lewisville on the _____ day of _____, _____, and such body by formal action accepted the dedication of streets, alleys, parks, easements, public spaces and water and sewer lines, as shown and set forth in and upon said plat, and such body further authorized the acceptance thereof by signing as herein above subscribed in the capacity stated.

WITNESS MY HAND, this _____ day of _____, 2019.

Julie Worster
 City Secretary
 City of Lewisville, TX

Date

All Variances (if any) from the General Development Ordinance Approved by City Council.

James Davis, Chairman,
 Planning & Zoning Commission
 City of Lewisville, Texas

Date

NOTES:

- Bearings based on Texas Coordinate System, North Central Zone (4202), NAD '83.
- Original copies of survey maps and descriptions prepared by the surveyor and firm whose names appear hereon will contain an embossed surveyor's seal. Any map or description copy without that embossed seal is likely a copy not prepared in the office of the surveyor and may contain alterations or deletions made without the knowledge or oversight of the surveyor.
- Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
- No flood zone area analysis has been performed by G&A | McADAMS, on the subject property.
- According to Community/Panel No. 48121C0540 E, effective April 2, 1997, of the FLOOD INSURANCE RATE MAP for Denton County, Texas & Incorporated Areas, by graphic plotting only, this property appears to be within Flood Zone "X" (areas of minimal flooding). This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes.



Vicinity Map 1"=1000'

LINE	BEARING	DISTANCE
L1	S 11°06'45" E	187.11'
L2	S 78°53'15" W	12.00'
L3	N 01°00'00" E	57.19'
L4	N 11°06'45" W	198.91'
L5	N 34°00'00" E	28.23'
L6	N 79°06'45" E	171.45'
L7	N 10°53'15" W	25.00'
L8	S 79°06'45" W	134.98'
L9	S 10°53'15" E	9.00'
L10	N 79°06'45" E	10.00'
L11	S 10°53'15" E	9.00'
L12	S 79°06'45" W	16.77'
L13	N 11°06'45" W	8.33'
L14	S 78°53'15" W	15.00'
L15	S 11°06'45" E	8.27'
L16	S 79°06'45" W	124.87'
L17	S 78°53'15" W	15.00'

LINE	BEARING	DISTANCE
L18	N 11°06'45" W	7.15'
L19	S 78°53'15" W	15.00'
L20	S 11°06'45" E	7.09'
L21	N 55°53'02" W	31.97'
L22	N 79°07'10" E	8.50'
L23	N 10°52'50" W	15.00'
L24	S 79°07'10" W	8.50'
L25	N 63°53'15" E	71.89'
L26	S 26°06'45" E	42.00'
L27	N 63°53'15" E	15.00'
L28	N 26°06'45" W	42.00'
L29	N 32°44'08" E	62.29'
L30	S 57°15'52" E	29.54'
L31	N 32°44'08" E	15.00'
L32	N 57°15'52" W	29.54'
L33	N 78°53'15" E	43.52'
L34	S 11°06'45" E	39.73'

LINE	BEARING	DISTANCE
L35	N 78°53'15" E	15.00'
L36	N 11°06'45" W	39.73'
L37	S 78°53'15" W	47.50'
L38	S 11°06'45" E	15.00'
L39	N 78°53'15" E	47.50'
L40	S 11°06'45" W	136.29'
L41	N 11°06'45" W	77.51'
L42	N 78°53'15" E	15.00'
L43	N 11°06'45" W	77.51'
L44	N 78°53'15" E	7.73'
L45	N 33°53'05" E	16.97'
L46	N 33°53'05" E	21.53'
L47	N 55°53'02" W	44.40'
L48	N 11°06'45" W	23.64'
L49	S 20°00'00" W	23.22'

FINAL PLAT
Lot 1, Block A
JOSEY LANE
ELEMENTARY SCHOOL
17.505 Acres
 in the
R.P. HARDIN SURVEY, ABSTRACT NO. 613
CITY OF LEWISVILLE
DENTON COUNTY, TEXAS

SURVEYOR'S STATEMENT

I, James Stowell, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents that survey made by me or under my supervision.

PRELIMINARY DOCUMENT:
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
JAMES STOWELL, RPLS 6513 12/6/19

James Stowell, RPLS
 Texas Registration No. 6513



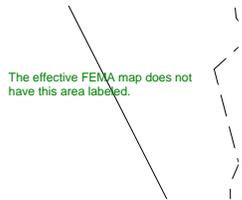
The John R. McAdams
 Company, Inc.
 (DBA, G&A | McAdams)
 111 Hillside Drive
 Lewisville, Texas 75057
 972.436.9712
 201 Country View Drive
 Roanoke, Texas 75282
 940.240.1012
 TBPE: 19762 TBPLS: 10194440
 www.gacon.com
 www.mcadamsco.com

DRAWN BY: JS DATE: 09/20/2019 SCALE: NOT TO SCALE No. 18194

OWNER/DEVELOPER
LEWISVILLE INDEPENDENT
SCHOOL DISTRICT
340 LAKE HAVEN ROAD
LEWISVILLE, TEXAS 75067
Ph. (469) 948-7816
Contact: RANDY FITE

Josey Lane Final Plat 1st Review - Markup Summary

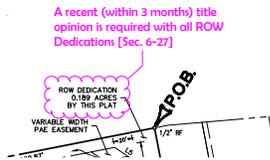
DRussell (1)



Author: DRussell

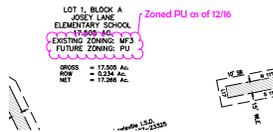
The effective FEMA map does not have this area labeled.

Jon Beckham (9)



Author: Jon Beckham

A recent (within 3 months) title opinion is required with all ROW Dedications [Sec. 6-27]



Author: Jon Beckham

Zoned PU as of 12/16



Author: Jon Beckham

Please use a review sheet size of 34x22" [Sec. 6-73(c)(5)]

Please provide a tax certificate with a \$0 balance [Sec 6.28]



Author: Jon Beckham

Label both sides of this boundary [Sec. 6-73(c)(13)]



LEWISVILLE

Deep Roots. Broad Wings. Bright Future.

Label the Subdivision located here [Sec.6-73(c)(12)]



Author: Jon Beckham

Label the Subdivision located here [Sec.6-73(c)(12)]

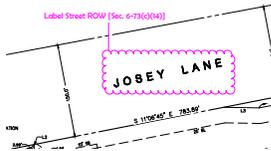
Please match the Title Block found in the Ch 6 Appendix 1 [Sec. 6-73(c)(1)]

**FINAL PLAT
Lot 1, Block A
JOSEY LANE
ELEMENTARY SCHOOL
17.505 Acres**

Author: Jon Beckham

Please match the Title Block found in the Ch 6 Appendix 1 [Sec. 6-73(c)(1)]

Label Street ROW [Sec. 6-73(c)(14)]



Author: Jon Beckham

Label Street ROW [Sec. 6-73(c)(14)]

center point of all the systems and a line (1) that passes thru the center point of all...
No other duties, subject to the covenants and restrictions set forth hereunder, shall be...
All lots in the subdivision shall be used and developed subject to the building lines shown...

Signature Independent School District, National Representative

Please list the name and title of the person signing

Author: Jon Beckham

Please list the name and title of the person signing

CATION

Please be consistent. Called 17.505 on title block.

In the R. F. Hardin Survey, that certain called 17.505 acre school District, recorded in Document and being more particularly

f Lakewood Hills West

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BEI
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to
pur
GIV
No
Stc

Author: Jon Beckham

Please be consistent. Called 17.505 on title block.

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Jonathan Beckham, Planner

DATE: January 7, 2020

SUBJECT: **Public Hearing: Consideration of a Zone Change Request from General Business District (GB) to Old Town Mixed Use 2 District (OTMU2); on Approximately 0.667 Acres, Legally Described as a Tract of Land Out of the J.W. King Survey, Abstract No. 696 and Located on the Southeast Quadrant of Elm Street and South Charles Street at 187 and 189 E., Street; as Requested by Patricia Fant of G&A | McAdams, on Behalf of Mike Johnson, the Property Owner. (Case No. 19-11-2-PZ)**

BACKGROUND:

The subject property, located near Lewisville's Old Town Center District, previously contained a fence company. Mike Johnson owns a feed store in Lewisville and would like to move his business into the Old Town.

ANALYSIS:

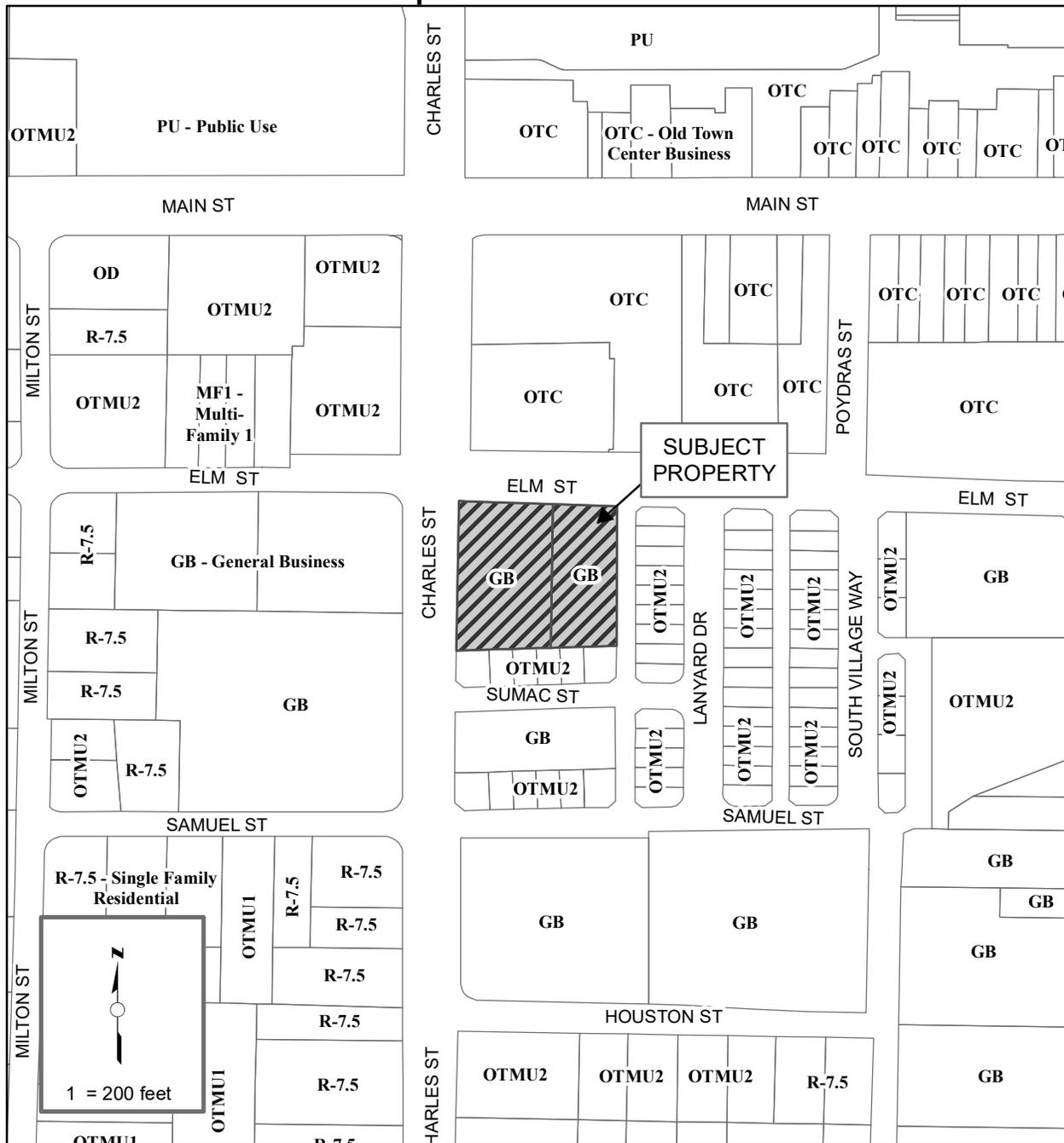
The property is surrounded by a mix of uses and zoning districts. Immediately to the north are properties along Elm Street properties are zoned Old Town Center District (OTC). Adjacent to the east and south is the South Village single-family development, zoned Old Town Mixed Use 2 District (OTMU2). To the west is a multi-tenant office building and the Bendt Distillery zoned GB.

The Old Town Mixed Use 2 district allows for a large variety of uses and will permit a Feed Store. The property owner plans to operate out of the existing buildings and proposes changes to the facades of these buildings. Any exterior changes must be approved by the Old Town Design Review Committee. OTMU2 requires that there is a ten-foot rear yard building line setback. The existing buildings located on the eastern portion of the property will encroach in this setback and will require the approval of a Zoning Board of Adjustment (ZBOA) variance. This variance is proposed to appear before ZBOA on February 5th. The proposed OTMU2 zoning is in compliance with the 2003 Old Town Master Plan.

RECOMMENDATION:

That the Planning and Zoning Commission recommend approval of the zone change request from General Business District (GB) to Old Town Mixed Use 2 District (OTMU2) as requested.

Location Map - 187 & 189 Elm Street



ZONING CASE NO. 19-11-2-PZ

PROPERTY OWNER: MIKE JOHNSON

APPLICANT: PATRICIA FANT, G&A | MCADAMS

PROPERTY LOCATION: SOUTHEAST CORNER OF ELM STREET AND SOUTH CHARLES STREET
0.667-ACRES) 187 AND 189 ELM STREET.

CURRENT ZONING: GENERAL BUSINESS DISTRICT (GB)

REQUESTED ZONING: OLD TOWN MIXED USE 2 DISTRICT (OTMU2)

Aerial Map - 187 & 189 Elm Street



This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE
Deep Roots. Broad Wings. Bright Future.

ZONE CHANGE APPLICATION

Owner/s (name): <u>Mike Johnson</u>	
Company Name: <u>Johnson Feed Co.</u>	
Mailing Address: <u>901 N. Mill Street, Suite 201 Lewisville TX 75057</u>	
Work #: <u>972-221-7640</u>	Cell #: <u>817-789-7851</u>
E-Mail: <u>Johnsonfeed78@gmail.com</u>	
Owner Signature (Owner's Must Sign or Submit Letter of Authorization): <i>Mike Johnson</i>	Date: <u>11/11/19</u>
Printed Name: <u>Mike Johnson</u>	

Applicant/Agent (name): <u>Patricia Fant</u>	
Company Name: <u>G&A McAdams</u>	
Mailing Address: <u>111 Hillside Dr, Lewisville TX 75057</u>	
Work #: <u>972-436-9712</u>	Cell #:
E-Mail: <u>pfant@mcadamswco.com</u>	
Applicant/Agent Signature <i>Patricia Fant</i>	Date: <u>11/11/19</u>
Printed Name: <u>Patricia Fant</u>	

Current Zoning: <u>GB</u>	Requested Zoning: <u>DTMU-2</u>	Acres: <u>.4667</u>
Legal Description (Lot/ Block/Tract/Abstract): <u>J.W. King, A0690A</u> <u>LOT 185 & 186</u>		
Address/Location: <u>187 and 189 Elm St. Lewisville TX 75057</u>		

Application and Sign Fees:

	Less than 1/2 acre	\$ 150.00
X	1/2 acre up to 4.99 acres	\$ 250.00
	5 acres up to 24.99 acres	\$ 400.00

	25 acres up to 49.99 acres	\$ 750.00
	50 acres up to 99.99 acres	\$1,000.00
	100 acres and more	\$1,500.00

Qty: <u>1</u>	Zone Change Signs - \$35 each. 1 sign required for each 5 acres (max. 5 per site)	\$ <u>35.00</u>
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ <u>285.00</u>
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REQUIRED:

Fully describe the plans for the property

Mr. Johnson is requesting a zoning change from F1B to DTMV-2 to better integrate with the rest of downtown Lewisville. Mr. Johnson is proposing a feedstore where he can also hold seasonal activities like a farmers market or pumpkin patch. He is proposing to keep the existing structures but redoing the exterior and interior to bring the buildings up to the city standards. This proposed development would be a great addition to downtown Lewisville.

NOTE:

Items must be staff approved and deemed complete before they will be placed on an agenda.



November 15, 2019

Mr. Richard Luedke
Planning Director
City of Lewisville
151 Church Street
Lewisville, TX 75057

RE: Letter of Intent – Johnson Feed Co.

Mr. Luedke:

Please accept this letter, on behalf of Mike Johnson, as an explanation of the requested zoning change for the site on the corner of Elm St. and Charles St. This property is currently zoned General Business (GB) and we are proposing a zoning change to Old Town Mixed-Use (OTMU-2.) This zoning change will allow the site to better integrate with the surrounding downtown.

Johnson Feed Co. was founded in 1978 by Gayle and Glenda Johnson. Gayle Johnson is a retired fire captain from the City of Lewisville. Johnson Feed Co. currently resides on north Mill St but are looking to relocate to the property. The site along Elm and Charles has been chosen based on location and the existing structures. This location is optimal for a local business because of the continual growth of Main St. It is within walking distance of downtown Main as well as the new residences on Elm St. Mr. Johnson is currently planning on hosting seasonal activities on site, such as a farmer's market and a pumpkin patch. These activities would be a great addition to downtown Lewisville. Also, the site currently has three structures on it. Mr. Johnson is proposing to use those structure but redesign the exterior and interior while bringing the structures up to city standards.

We believe this plan will provide for the appropriate development of the site in accordance with the City's standards. Thank you in advance for your consideration. Please do not hesitate to contact me with any questions or comments regarding this application.

Sincerely,

G&A | MCADAMS

A handwritten signature in black ink that reads 'Patricia Fant' in a cursive script.

Patricia Fant,
Designer II

LAND DESCRIPTION

0.667 ACRES

BEING a certain lot, tract, or parcel of land, situated in the J.W. KING survey, Abstract Number 696, City of Lewisville, Denton County, Texas, and being all of a certain tract of land described in deed to Eric & Sharon Schweitzer, recorded in Document Number 2002-78606, Deed Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the southeast intersection of Elm Street and Charles Street, and being the northwest corner of said Schweitzer tract;

THENCE N 88°47'06" E, with the north line of said Schweitzer tract, and the south line of said Elm Street, a distance of 164.44 feet, to the northeast corner of said Schweitzer tract, same being the northwest corner of Alley C, South Village Addition, an addition to the City of Lewisville, according to the plat thereof, recorded in Document Number 2016-2036, Plat Records, Denton County, Texas, and being in the south line of said Elm Street;

THENCE S 00°41'30" E, with the east line of said Schweitzer tract, and the west line of said Alley C, a distance of 171.00 feet, to the southeast corner of said Schweitzer tract, same being the northeast corner of Lot 6, Block C, of said South Village Addition, and being in the west line of said Alley C;

THENCE S 87°11'54" W, with the south line of said Schweitzer tract, and the north line of said Lot 6, Block C, passing the northwest corner thereof, a distance of 164.91 feet, to the southwest corner of said Schweitzer tract, same being the northwest corner of Lot 1, Block C, of said South Village Addition, and being in the east line of said Charles Street;

THENCE N 00°34'15" W, with the west line of said Schweitzer tract, and the east line of said Charles Street, a distance of 175.64 feet to the **POINT OF BEGINNING** and containing approximately 0.667 acres of land.

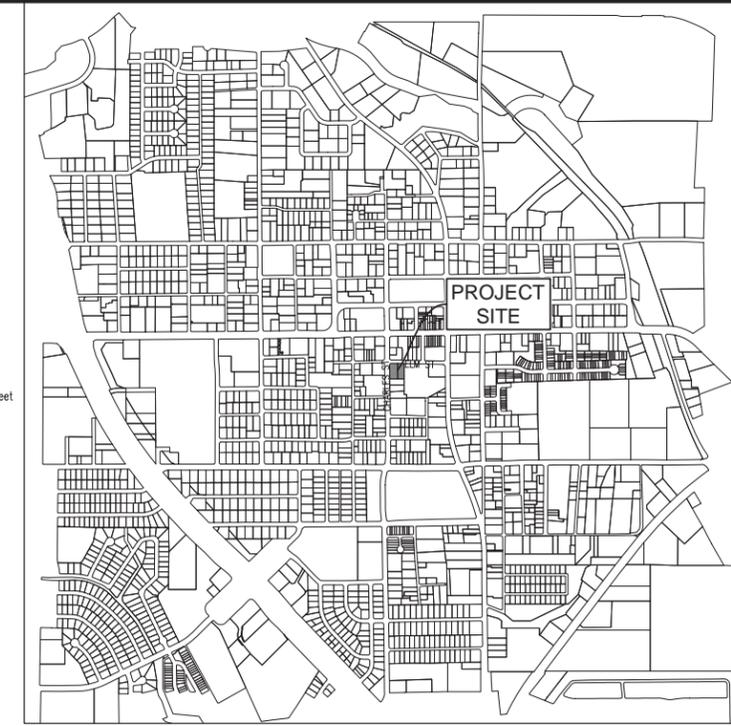
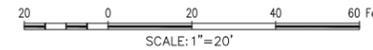
File: Z:\Projects\19-0001-0001\Drawings\Zoning\Zoning Exhibit.dwg
 Plot: 12/18/2019 3:43 PM by: [unclear] Scale: 12/18/2019 8:55 AM by: [unclear]

THE SALVATION ARMY
 SALVATION ARMY
 ADDN BLK A LOT 1

OLD TOWN SUITES
 LLC
 A0696A J. W. KING,
 TR 131,

BALLAS, VICTOR
 A0696A J. W. KING,
 TR 130, 133

RO PROPERTI
 MAIN STREET
 ADDITION BLK
 1R



The John R. McAdams
 Company, Inc.
 (DBA: G&A | McAdams)
 111 Hillside Drive
 Lewisville, Texas 75057
 817-456-5712
 350 Country View Drive
 Round Rock, Texas 78681
 940-240-1012
 TBP#E: 19762 TBP#L: 10184440
 www.mcadams.com



JOHNSON FEED STORE

S&H HOLDINGS INC
 ELM CENTRE ADDN
 BLK A LOT 1

CHARLES STREET

ELM STREET

N 88°47'06" E 164.44'

N 00°34'15" W 175.64'

JOHNSON FEED
 0.667 Acres

Existing Zoning: General Business
 Proposed Zoning: Old Town Mixed-Use 2

SIENA HOMES LLC
 SOUTH VILLAGE ADDITION

S 00°41'30" E 171.00'

ALLEY C

10' BL Setback

3.7'

S 87°11'54" W 164.91'

EDWARDS,
 LEANNE KS
 LOT 1,
 BLOCK C

SIENA
 HOMES
 LLC
 LOT 2,
 BLOCK C

NEYREY,
 CONRAD
 LOT 3,
 BLOCK C

SIENA
 HOMES
 LLC
 LOT 4,
 BLOCK C

SIENA
 HOMES
 LLC
 LOT 5,
 BLOCK C

VAN PELT,
 RICHARD
 ANTHONY
 LOT 6,
 BLOCK C

SIENA HOMES LLC
 SOUTH VILLAGE ADDITION

QUENTIN D
 WITHERSPOON
 DISTILLERY LLC
 PIGGLY WIGGLY ADDN
 BLK 1 LOT 1

236 S CHARLES LLC
 A0696A J. W. KING, TR 188,

Legal Description for Zoning
 0.667 Acres
 Johnson Feed Store
 City of Lewisville
 Denton County, Texas

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OWNER/DEVELOPER
 Mike Johnson
 901 N Mill St. Suite 201
 Lewisville TX, 75057
 Ph. 817-788-7881
 Contact: Mike Johnson

JOHNSON FEED STORE
 Lot 185 & 186,
 0.667 Acres
 in the
 J.W. KING SURVEY, ABSTRACT NO. 0696
 DENTON COUNTY, TEXAS

ZONING EXHIBIT

PRELIMINARY PLANS
 THIS DOCUMENT IS FOR
 INTERIM REVIEW AND IS
 NOT INTENDED FOR
 CONSTRUCTION, BIDDING,
 OR PERMIT PURPOSES.
 G&A | MCADAMS,
 TBP#E: 19762
 JOSHUA M. BARTON,
 P.E. #129227
 DATE 12/18/2019

Drawn By: PF
 Date: 11/09/19
 Scale: 1"=20'
 Revisions:

Spec-19261

ZE