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    James Davis, Chairman
Planning Director                        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.
# Plat Application

**Request Date:**

(Select One)
- [ ] Final Plat
- [ ] Replat
- [ ] Minor Plat
- [ ] Amending Plat
- [ ] Final Plat with Construction Plans

(Select One)
- [ ] Residential
- [ ] Commercial

## Subdivision Name:

<table>
<thead>
<tr>
<th>Name:</th>
<th>R Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots &amp; Blocks:</td>
<td>Acreage:</td>
</tr>
<tr>
<td>Number of Lots (If Residential):</td>
<td></td>
</tr>
</tbody>
</table>

## Record Owner of Property/Agent*

| Printed Name: | Lewisville Independent School District |
| Signature: | Clay Martin |
| Date: | 12/9/19 |
| Address: | 340 Lake Haven Road |
| City: | Lewisville |
| State: | TX |
| Zip: | 75057 |

*Note: An Agent must furnish a signed "Letter of Authorization" from the owner when submitting this application.

## Engineer/Surveyor

| Firm: | G&A | McAdams |
| Representative Name (Print): | Josh Barton |
| Address: | 111 Hillside Drive |
| City: | Lewisville |
| State: | TX |
| Zip: | 75057 |

## Applicant

| Printed Name: | G&A | McAdams |
| Address: | 111 Hillside Drive |
| City: | Lewisville |
| State: | TX |
| Zip: | 75057 |
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 the Subdivision located here [Sec.6-73(c)(2)]

The effective FEMA map does not have this area labeled.

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

Zoned PU as of 12/16

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

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

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

The effective FEMA map does not have this area labeled.
Please list the name and title of the person signing 17.505 on title block.
## 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 Deductions [Sec. 6-27]
- 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)]
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)]

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

Please list the name and title of the person signing

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)
ZONE CHANGE APPLICATION

Owner(s) (name): Mike Johnson
Company Name: Johnson Feed Co
Mailing Address: 401 N. Mill Street, Suite 201, Lewisville, TX 75057
Work #: 972-221-7640 Cell #: 817-785-7851
E-Mail: JohnsonFeed78@gmail.com

Owner Signature (Owner's Must Sign or Submit Letter of Authorization):

Printed Name: Mike Johnson

Applicant/Agent (name): Patricia Fant
Company Name: G&A McAdams
Mailing Address: 111 Hillside Dr, Lewisville, TX 75057
Work #: 972-431-6973 Cell #: 972-431-6773
E-Mail: Pfant@mcardams.com

Applicant/Agent Date: Patricia Fant
Printed Name: Patricia Fant

Current Zoning: GB Requested Zoning: (7MV - 2 ) Acres: .667

Legal Description (Lot/Block/Tract/Abstract): J.W. King A06097A
Lot 189 & 190

Address/Location: 187 and 189 Elm St, Lewisville, TX 75057

Application and Sign Fees:

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Less than 1/2 acre</td>
<td>$150.00</td>
</tr>
<tr>
<td>1/2 acre up to 4.99 acres</td>
<td>$250.00</td>
</tr>
<tr>
<td>5 acres up to 24.99 acres</td>
<td>$400.00</td>
</tr>
<tr>
<td>25 acres up to 49.99 acres</td>
<td>$750.00</td>
</tr>
<tr>
<td>50 acres up to 99.99 acres</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>100 acres and more</td>
<td>$1,500.00</td>
</tr>
</tbody>
</table>

Zone Change Signs - $35 each. 1 sign required for each 5 acres (max. 5 per site) $35.00

Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee) $285.00
REQUIRED:

Fully describe the plans for the property

Mr. Johnson is requesting a zoning change from R-1B to DTMW-2 to better integrate with the rest of downtown Lewisville. Mr. Johnson is proposing a foodstore 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

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

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 like 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 S 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.