



# City of Lewisville, TX

## Planning and Zoning Commission

### Agenda

151 W Church Street  
Lewisville, Texas 75057

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**Tuesday, October 6, 2020**

**5:30 PM**

**Zoom Meeting Will be Held  
Links for the Meeting are Contained  
Below**

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### **Special Called Session - 5:30 P.M.**

Due to the closing of all city facilities, the Planning and Zoning meeting scheduled for Tuesday, October 6th, will only be open to public via remote access. This is pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people.

Citizens/Visitors wanting to access the meeting may go to <https://cityoflewisville.zoom.us/j/92739069925>

or call 888.475.4499 (Toll Free) or 877.853.5257 (Toll Free) using the following information: Webinar ID: 927 3906 9925. Listeners must sign-in to the event in order to comment. Please use the "raise hand" function to participate in any public hearing process while using the zoom application. If you have called in to the meeting, press \*9 to raise your hand and speak. If you have a technical issue connecting to this meeting, or during the meeting, call 817.938.4409 or e-mail [planning@cityoflewisville.com](mailto:planning@cityoflewisville.com).

Comments will be accepted via e-mail until 5 p.m. prior to the meeting. To submit a comment, please e-mail [planning@cityoflewisville.com](mailto:planning@cityoflewisville.com) with the agenda date and agenda number in the subject line of the e-mail. Please include your name and physical address for the record.

#### **A. Call to Order and Announce that a Quorum is Present.**

#### **B. Approval of Minutes**

1. [September 15, 2020 Minutes](#)

#### **C. Regular Hearing - Plats**

(The following plats have variances requested or are being recommended for disapproval with listed deficiencies and will be considered following a regular hearing in accordance with Local Government Code Section 212)

1. [Final Plat of Heritage Trail Phase 2; Containing One Open Space Lot on 3.512 Acres out of the Stephen Riggs Survey, Abstract No. 1088 and the WM. Brown Survey, Abstract No 63, Zoned Planned Development Mixed-Use \(PD-MU\); Located on the East Side of Summit Avenue Approximately 500 Feet North of Grandy's Lane; Being a Replat of Lewisville Corporate Center Addition, a Portion of Lot 3 Block B.](#)
  
2. [Final Plat of Old Town Lofts Addition, Lot 1, Block A and Lot 1, Block B; on 2.56 Acres out of the J.W. King Survey, Abstract Number 696; Zoned Old Town Mixed Use 2 \(OTMU2\) District; Located on the Northwest Corner of Elm Street and South Mill Street and the Southeast Corner of Main Street and South Mill Street; With Three Associated Variances regarding Right-of-Way Dedication and Setbacks from Easements; Being a Replat of Lot 1, Block A Vision Addition and Parts of Lots 2, 3, and 7, Block 4, Kealy Addition.](#)

#### **D. Announcements**

The 2020 American Planning Association Texas Chapter Virtual Conference has begun.

#### **E. 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.

I do hereby certify that the above notice of meeting of the City of Lewisville Planning and Zoning Commission was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on \_\_\_\_\_, 2020 by \_\_\_\_\_ AM.

\_\_\_\_\_  
City Secretary

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**SEPTEMBER 15, 2020**

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**Item 1:**

The Lewisville Planning and Zoning Commission meeting was called to order at 6:30 pm by Chairman MaryEllen Miksa through Zoom Virtual Meeting.

Members present: William Meredith (Teleconference); John Lyng (Teleconference); MaryEllen Miksa (Teleconference); Alvin Turner (Teleconference); Karen Locke (Teleconference) and Erum Ali (Teleconference).

Members absent: Francisca Al-waely.

Staff members present: Richard Luedke, Planning Director (Teleconference); Michele Berry, Planning Manager (Teleconference); Jonathan Beckham, Senior Planner (Teleconference).

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**Item 2:**

The second item on the agenda was to approve the minutes from the September 1, 2020, meeting. A motion was made by Erum Ali to approve the minutes as presented, seconded by Karen Locke. The motion passed unanimously (6-0).

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**Item 3:**

Regular Hearing Plats were next on the agenda. There was one item for consideration:

- A. Final Plat of Parker Place Addition, Containing 130 Residential Lots and 3 Open Space Lots; on 24.120 Acres, Out of the B.B.B. and C.R.R. Survey, Abstract No. 180, the J. Johnson Survey, Abstract No. 1609, and the A. Singleton Survey, Abstract No. 1138; Zoned Planned Development – Estate Townhouse District (PD – ETH); Located at the Northeast Corner of Windhaven Parkway and Parker Road (F.M. 544); Being a Replat of Lot 1, Block A LISD Windhaven Campuses Addition.

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 Erum Ali. The motion passed unanimously (6-0).

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**Item 4:**

Public Hearings – Zoning & Special Use Permits were next on the agenda. There were two items for consideration:

- A. **Public Hearing:** Consider a Zone Change From Agriculture Open Space District (AO) to Light Industrial District (LI); on Approximately 38.884 Acres Legally Described as Lot 6R, Block A, IH-35 Boat City Addition, and Located at 2791 South Stemmons Freeway as Requested by Brad Taylor, B&C Taylor Family Real Estate Holdings LLC, on Behalf of Steve Johnson, Golfcraft Vista Ridge LP, the Property Owner. (Case No. 20-06-3-Z)
- B. **Public Hearing:** Consider a Special Use Permit for a Plant Nursery (Retail Sales) With Outdoor Display or Storage and Building Material Sales With Outside Storage or Display and Three Associated Alternative Standards Regarding Screening and Sidewalks; on Approximately 41.826-acres, Legally Described as Lots 4-B and 6R, Block A, IH-35 Boat City Addition, Located at 2791 South Stemmons Freeway, With a Proposed Zoning of Light Industrial District (LI); as Requested by Brad Taylor, B&C Taylor Family Real Estate Holdings LLC, on Behalf of Steve Johnson, Golfcraft Vista Ridge LP, the Property Owner. (Case No. 20-06-4-SUP)

Items 4A and 4B were read together. Staff gave a brief overview of the proposed zone change and special use permit request with a recommendation of approval for both items. Chairman Miksa open the joint public hearing. Cole Taylor, B&C Taylor Family Real Estate Holdings LLC, was present and available for questions. With no one else coming forward to speak the joint public hearing was closed. *A motion was made by William Meridith to recommend approval of items of 4A and 4B. The motion was seconded by Alvin Turner. The motion passed unanimously (6-0).* Staff indicated that items 4A and 4B would appear before the Lewisville City Council on Monday, September 21<sup>st</sup>, 2020 for a second public hearing and final decision.

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#### **Item 5:**

Other Business was next on the agenda. There was one item for discussion:

- A. The Overlay District Board will meet following the Planning and Zoning Commission Meeting.

Chairman Miksa gave a brief statement regarding the Overlay District Board meeting following the adjournment of the Planning and Zoning Commission meeting.

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There being no other business to discuss, the Planning & Zoning Commission meeting was adjourned at 6:47 P.M.

### **OVERLAY DISTRICT BOARD MEETING**

#### **Item 1:**

The Lewisville Overlay District Board meeting was called to order at 6:48 pm by Chairman MaryEllen Miksa through Zoom Virtual Meeting.

Members present: William Meredith (Teleconference); John Lyng (Teleconference); MaryEllen Miksa (Teleconference); Alvin Turner (Teleconference); Karen Locke (Teleconference) and Erum Ali (Teleconference).

Members absent: Francisca Al-waely.

Staff members present: Richard Luedke, Planning Director (Teleconference); Michele Berry, Planning Manager (Teleconference); Jonathan Beckham, Senior Planner (Teleconference).

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**Item 2:**

The second item on the agenda was to approve the minutes from the August 18, 2020, Joint Planning & Zoning Commission and Overlay District Board meeting. *A motion was made by Karen Locke to approve the minutes as presented, seconded by Erum Ali. The motion passed unanimously (6-0).*

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**Item 3:**

Consideration of Three Alternative Standards Regarding Sidewalks and Screening Associated with a Plant Nursery (Retail Sales) With Outdoor Display or Storage and Building Material Sales With Outside Storage or Display and Three Associated Alternative Standards Regarding Screening and Sidewalks; on Approximately 41.826-acres, Legally Described as Lots 4-B and 6R, Block A, IH-35 Boat City Addition, Located at 2791 South Stemmons Freeway, With a Proposed Zoning of Light Industrial District (LI); as Requested by Brad Taylor, B&C Taylor Family Real Estate Holdings LLC, on Behalf of Steve Johnson, Golfcraft Vista Ridge LP, the Property Owner.

Staff gave a brief overview of the subject property, the existing conditions of the site and its improvements, and details of the three proposed alternative standards. Staff provided a recommendation that the Board recommend approval for the three alternative standards prior to the item's appearance before the Lewisville City Council. Cole Taylor, B&C Taylor Family Real Estate Holdings LLC, was present and available for questions. *A motion was made by William Meredith to recommend approval of alternative standards a.), b.), and c.). The motion was seconded by Karen Locke. The motion passed unanimously (6-0).* Staff indicated that alternative standards a.), b.), and c.) would appear before the Lewisville City Council on Monday, September 21<sup>st</sup>, 2020 for a final decision.

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There being no other business to discuss, the Overlay District Board meeting was adjourned at 6:52 P.M.

Respectfully Submitted,

Approved,

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Michele Berry, AICP  
Planning Manager

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MaryEllen Miksa, Chairman  
Planning and Zoning Commission and  
Overlay District Board

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Michele Berry, Planning Manager  
**DATE:** October 6, 2020  
**SUBJECT:** **Regular Hearing: Final Plat for Heritage Trail Phase 2; Containing One Open Space Lot on 3.512 Acres out of the Stephen Riggs Survey, Abstract No. 1088 and the WM. Brown Survey, Abstract No 63, Zoned Planned Development Mixed-Use (PD-MU); Located on the East Side of Summit Avenue Approximately 500 Feet North of Grandy's Lane; Being a Replat of Lewisville Corporate Center Addition, a Portion of Lot 3 Block B.**

### **BACKGROUND:**

On September 16, 2019 City council approved an amendment to the City's Land Development Regulations regarding plats and replats to conform to new legislative procedures. Chapter 212 of the Texas Local Government Code 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.

A preliminary plat for this development was called Anthem 35 Addition and was approved on July 2, 2019 and a final plat for Phase I was approved on November 19, 2019. This Phase 2 final plat contains one open space lot.

### **ANALYSIS:**

Chapter 212 of the Texas Local Government Code 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 Heritage Trail Phase 2 was submitted on September 8, 2020 and has been reviewed by staff. Staff recommends disapproval of the above plat with following reasons based on Chapter 6 Land Development Regulations of the Lewisville Code of Ordinances.

#### Section 6-73

- (c)(2) Expand the site data table including all phases with acreage per phase, number of lots per phase, zoning per phase, minimum lot size, minimum dwelling area, and density per acre
- (c)(2) acreage in current site data table does not reflect actual acreage.
- (c)(11) Provide zoning of all adjacent lots and subject lot and update subject lot zoning in the title block to reflect recent ordinance no. 0232-20-ZON.
- (c)(15) label easements shown along street

- (c)(24) Revise Owner Signature Block with updated plat name.
- (c)(25) Revise City Signature Block with updated plat name.

Section 6-95 and 6-96

- Drainage easement needs to be converted to drainage ROW for floodplain per LMOR. Private detention facilities should be in an easement with party responsible for maintenance identified.
- Include proposed floodplain limits per LOMR

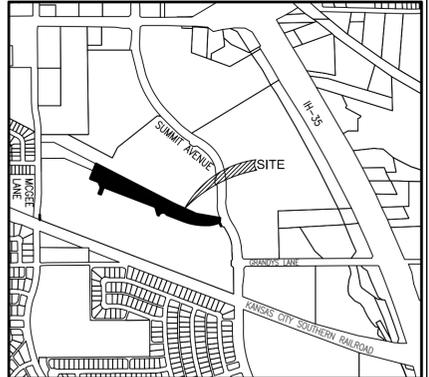
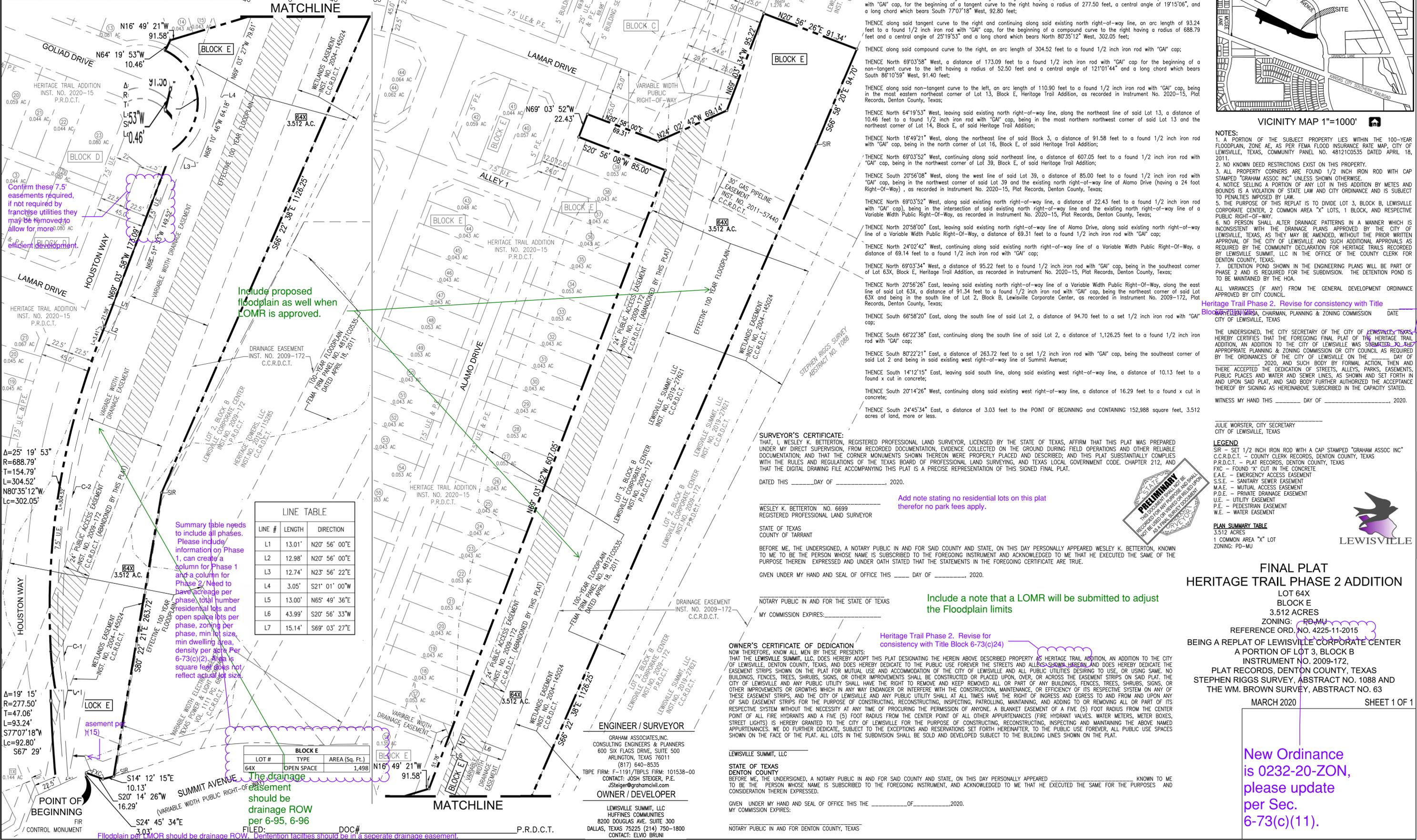
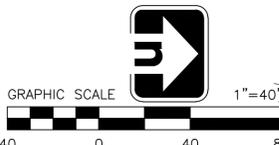
The applicant may resubmit a revised final plat reflecting discrepancies cited by Staff comments. Staff shall then determine within 15 days if the revised application and response adequately addresses each reason for the disapproval.

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Commission disapprove the final plat of Heritage Trail Phase 2 for the deficiencies listed 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.

Add zoning to all adjacent lots and subject lot, PD-MU, per 6-73(c)(11)

CURVE TABLE						
CURVE #	Δ	RADIUS	TANGENT	LENGTH	LCB	LCD
C-1	5° 55' 04"	383.07'	19.80'	39.56'	N83° 52' 40"E	39.55'
C-2	23° 57' 51"	701.36'	148.85'	293.34'	S80° 23' 21"E	291.21'



**NOTES:**

- A PORTION OF THE SUBJECT PROPERTY LIES WITHIN THE 100-YEAR FLOODPLAIN, ZONE AE, AS PER FEMA FLOOD INSURANCE RATE MAP, CITY OF LEWISVILLE, TEXAS, COMMUNITY PANEL NO. 4812100335 DATED APRIL 18, 2011.
- NO KNOWN DEED RESTRICTIONS EXIST ON THIS PROPERTY.
- ALL PROPERTY CORNERS ARE FOUND 1/2" IRON ROD WITH CAP STAMPED "GRAHAM ASSOC INC" UNLESS SHOWN OTHERWISE.
- NOTICE SELLING A PORTION OF ANY LOT IN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO PENALTIES IMPOSED BY LAW.
- THE PURPOSE OF THIS REPLAT IS TO DIVIDE LOT 3, BLOCK B, LEWISVILLE CORPORATE CENTER, 2 COMMON AREA "X" LOTS, 1 BLOCK, AND RESPECTIVE PUBLIC RIGHT-OF-WAY.
- NO PERSON SHALL ALTER DRAINAGE PATTERNS IN A MANNER WHICH IS INCONSISTENT WITH THE DRAINAGE PATTERNS APPROVED BY THE CITY OF LEWISVILLE, TEXAS, AS THEY MAY BE AMENDED, WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OF LEWISVILLE AND SUCH ADDITIONAL APPROVALS AS REQUIRED BY THE COMMUNITY DECLARATION FOR HERITAGE TRAILS RECORDED BY LEWISVILLE SUMMIT, LLC IN THE OFFICE OF THE COUNTY CLERK FOR DENTON COUNTY, TEXAS.
- DETENTION POND SHOWN IN THE ENGINEERING PLANS WILL BE PART OF PHASE 2 AND IS REQUIRED FOR THE SUBDIVISION. THE DETENTION POND IS TO BE MAINTAINED BY THE HOA.
- ALL VARIANCES (IF ANY) FROM THE GENERAL DEVELOPMENT ORDINANCE APPROVED BY CITY COUNCIL.

**Heritage Trail Phase 2. Revise for consistency with Title Block 6-73(c)(11)**

**BOBRYNIA WILKINS, CHAIRMAN, PLANNING & ZONING COMMISSION**  
CITY OF LEWISVILLE, TEXAS

THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF LEWISVILLE, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING FINAL PLAT OF THE HERITAGE TRAIL ADDITION, AN ADDITION TO THE CITY OF LEWISVILLE WAS SUBMITTED TO THE APPROPRIATE PLANNING & ZONING COMMISSION OR CITY COUNCIL AS REQUIRED BY THE ORDINANCES OF THE CITY OF LEWISVILLE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AND SUCH BODY BY FORMAL ACTION, THEN AND THEREAFTER ACCEPTED THE DEDICATION OF STREETS, ALLEYS, PARKS, EASEMENTS, PUBLIC PLACES AND WATER AND SEWER LINES, AS SHOWN AND SET FORTH IN AND UPON SAID PLAT, AND SAID BODY FURTHER AUTHORIZED THE ACCEPTANCE THEREOF BY SIGNING AS HEREINAFORE SUBSCRIBED IN THE CAPACITY STATED.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

JULIE WORSTER, CITY SECRETARY  
CITY OF LEWISVILLE, TEXAS

Confirm these 7.5' easements required, if not required by franchise utilities they may be removed to allow for more efficient development.

Include proposed floodplain as well when LOMR is approved.

Add note stating no residential lots on this plat therefore no park fees apply.

Include a note that a LOMR will be submitted to adjust the Floodplain limits

Heritage Trail Phase 2. Revise for consistency with Title Block 6-73(c)(24)

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	13.01'	N20° 56' 00"E
L2	12.98'	N20° 56' 00"E
L3	12.74'	N23° 56' 22"E
L4	3.05'	S21° 01' 00"W
L5	13.00'	N65° 49' 36"E
L6	43.99'	S20° 56' 33"W
L7	15.14'	S69° 03' 27"E

Summary table needs to include all phases. Please include information on Phase 1 and a column for Phase 2. Need to have acreage per phase, total number residential lots and open space lots per phase, zoning per phase, min lot size, min dwelling area, density per acre. Per 6-73(c)(2) square feet does not reflect actual lot size.

BLOCK E		
LOT #	TYPE	AREA (Sq. Ft.)
64X	OPEN SPACE	1,498

The drainage easement should be drainage ROW per 6-95, 6-96

Floodplain per LOMR should be drainage ROW. Detention facilities should be in a separate drainage easement.

**SURVEYOR'S CERTIFICATE:**

THAT, I, WESLEY K. BETTERTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THE CORNER MONUMENTS SHOWN THEREIN WERE PROPERLY PLACED AND DESCRIBED; AND THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212, AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

WESLEY K. BETTERTON, NO. 6699  
REGISTERED PROFESSIONAL LAND SURVEYOR

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED WESLEY K. BETTERTON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME OF THE PURPOSE THEREIN EXPRESSED AND UNDER OATH STATED THAT THE STATEMENTS IN THE FOREGOING CERTIFICATE ARE TRUE.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES: \_\_\_\_\_

**OWNER'S CERTIFICATE OF DEDICATION**

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT THE LEWISVILLE SUMMIT, LLC, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS HERITAGE TRAIL ADDITION, 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 DOES HEREBY DEDICATE THE EASEMENT STRIPS SHOWN ON THE PLAT FOR MUTUAL USE AND ACCOMMODATION OF THE CITY OF LEWISVILLE AND ALL 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 EASEMENT 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 THESE EASEMENT 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 A 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 SUMMIT, LLC  
STATE OF TEXAS  
DENTON COUNTY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

**ENGINEER / SURVEYOR**

GRAHAM ASSOCIATES, INC.  
CONSULTING ENGINEERS & PLANNERS  
600 SIX FLAG DRIVE, SUITE 500  
ARLINGTON, TEXAS 76011  
(817) 640-8535  
TBPE FIRM: F-1191/TBPLS FIRM: 101538-00  
CONTACT: JOSH STEIGER, P.E.  
JSteiger@grahamcivil.com

**OWNER / DEVELOPER**

LEWISVILLE SUMMIT, LLC  
HUFFINES COMMUNITIES  
8200 DOUGLAS AVE. SUITE 300  
DALLAS, TEXAS 75225 (214) 750-1800  
CONTACT: ELVIO BRUNI

PLOTTED BY: ETHAN HODS  
PLOTTED ON: 9/17/2020 9:18 AM  
FILE NAME: \\LEWISVILLE\LEWISVILLE\PHASE 1\DRAWING\PLAT\HERITAGE TRAIL-P2-REPLATING  
SHEET SIZE: ANSI FULL BLEED D (22.00 X 34.00 INCHES) 1" = 1"

New Ordinance is 0232-20-ZON, please update per Sec. 6-73(c)(11).

**FINAL PLAT  
HERITAGE TRAIL PHASE 2 ADDITION**

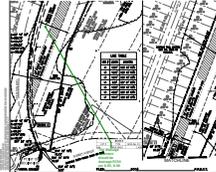
LOT 64X  
BLOCK E  
3.512 ACRES  
ZONING: PD-MU  
REFERENCE ORD. NO. 4225-11-2015  
BEING A REPLAT OF LEWISVILLE CORPORATE CENTER  
A PORTION OF LOT 3, BLOCK B  
INSTRUMENT NO. 2009-172,  
PLAT RECORDS, DENTON COUNTY, TEXAS  
STEPHEN RIGGS SURVEY, ABSTRACT NO. 1088 AND  
THE WM. BROWN SURVEY, ABSTRACT NO. 63

MARCH 2020 SHEET 1 OF 1



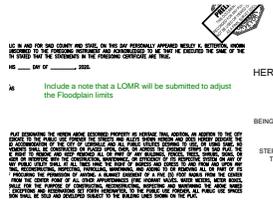
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## DRussell (3)



**Subject:** Callout  
**Page Label:** [1] SHEET 1  
**Author:** DRussell  
**Date:** 9/25/2020 11:27:53 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

The drainage easement should be drainage ROW per 6-95, 6-96



**Subject:** Text Box  
**Page Label:** [1] SHEET 1  
**Author:** DRussell  
**Date:** 9/25/2020 11:33:48 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Include a note that a LOMR will be submitted to adjust the Floodplain limits



**Subject:** Callout  
**Page Label:** [1] SHEET 1  
**Author:** DRussell  
**Date:** 9/25/2020 11:37:19 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Include proposed floodplain as well when LOMR is approved.

## mberry (9)



**Subject:** Text Box  
**Page Label:** [1] SHEET 1  
**Author:** mberry  
**Date:** 9/28/2020 9:29:08 AM  
**Status:**  
**Color:** ■  
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**Space:**

Floodplain per LMOR should be drainage ROW. Detention facilities should be in a separate drainage easement.



**Subject:** Text Box  
**Page Label:** [1] SHEET 1  
**Author:** mberry  
**Date:** 9/28/2020 9:35:45 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Add zoning to all adjacent lots and subject lot, PD-MU, per 6-73(c)(11)



**Subject:** Planning Cloud  
**Page Label:** [1] SHEET 1  
**Author:** mberry  
**Date:** 9/28/2020 9:36:34 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Summary table needs to include all phases. Please include information on Phase 1, can create a column for Phase 1 and a column for Phase 2. Need to have acreage per phase, total number residential lots and open space lots per phase, zoning per phase, min lot size, min dwelling area, density per acre Per 6-73(c)(2). Area is square feet does not reflect actual lot size.



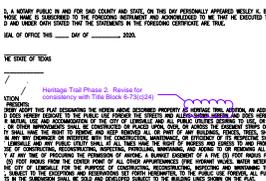
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**Author:** mberry  
**Date:** 9/28/2020 9:36:50 AM  
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**Space:**

New Ordinance is 0232-20-ZON, please update per Sec. 6-73(c)(11).



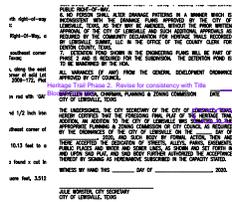
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**Space:**

Heritage Trail Phase 2. Revise for consistency with Title Block 6-73(c)24)



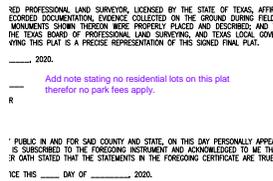


**LEWISVILLE**  
 Deep Roots. Broad Wings. Bright Future.



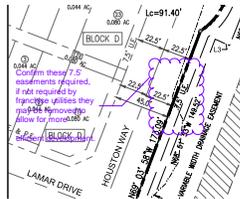
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**Author:** mberry  
**Date:** 9/28/2020 9:37:42 AM  
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**Layer:**  
**Space:**

Heritage Trail Phase 2.  
 Revise for consistency  
 with Title  
 Block6-73(c)(25)



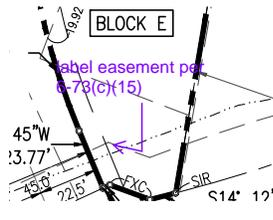
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**Date:** 9/28/2020 9:39:06 AM  
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**Space:**

Add note stating no  
 residential lots on this  
 plat therefor no park  
 fees apply.



**Subject:** Planning Cloud  
**Page Label:** [1] SHEET 1  
**Author:** mberry  
**Date:** 9/28/2020 9:39:58 AM  
**Status:**  
**Color:** ■  
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**Space:**

Confirm these 7.5'  
 easements required, if  
 not required by  
 franchise utilities they  
 may be removed to  
 allow for more efficient  
 development.



**Subject:** Callout  
**Page Label:** [1] SHEET 1  
**Author:** mberry  
**Date:** 9/28/2020 9:40:48 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

label easement per  
 6-73(c)(15)

## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** June Sin, Planner

**DATE:** October 6, 2020

**SUBJECT:** **Regular Hearing: Final Plat of Old Town Lofts Addition, Lot 1, Block A and Lot 1, Block B; on 2.56 Acres out of the J.W. King Survey, Abstract Number 696; Zoned Old Town Mixed Use 2 (OTMU2) District; Located on the Northwest Corner of Elm Street and South Mill Street and the Southeast Corner of Main Street and South Mill Street; With Three Associated Variances regarding Right-of-Way Dedication and Setbacks from Easements; Being a Replat of Lot 1, Block A Vision Addition and Parts of Lots 2, 3, and 7, Block 4, Kealy Addition.**

### **BACKGROUND:**

The revised plat was originally scheduled for the July 16<sup>th</sup> Planning and Zoning Commission meeting in accordance with House Bill 3167 and recommended denial with specific deficiencies and to see the plat again with variances. The applicant was able to resubmit the plat and all comments are now addressed.

### **ANALYSIS:**

The main and mill loft building A and B are to be constructed on each side of S. Mill Street. Upon completion, the building A & B will add 175 public parking spaces along with approximately 8,000 of retail, restaurant, and office spaces and 202 residential units. The applicant is requesting following three variances.

*a) To allow for a street, pedestrian, and utility easement in lieu of right-of-way for Elm Street.*

Per Section 9.5-92, a 50-foot right-of-way (ROW) is planned for Elm Street on the thoroughfare plan. The developer is proposing to dedicate a combination of ROW and street, pedestrian, and utility easement (SPU). The ROW dedication will vary approximately between 23-feet to 15-feet. The SPU easement will vary approximately between 10-feet to 18-feet. The total ROW and SPU easement will be approximately 62-feet. With the additional width Elm street will be able to include back-in parking on one side, sidewalks, landscaping and two 11-foot travel lanes. The request for SPU easement dedication in lieu of ROW comes from Texas New Mexico Power locating their equipment at the norther edge of the SPU easement.

*b) To allow a reduced right-of-way dedication of 77.3 feet in lieu of the required 80 feet on Mill Street*

Per Section 9.5-92, a 80-foot right-of-way (ROW) is planned for Mill Street. Due to the location of the proposed Main and Mill Lofts buildings, a reduced ROW of 77.3 feet is

being requested. Mill Street at this time is nearing completion. The reduced ROW does not impact the roadway or on street parking. The landscaping was altered and reduced to account for the reduced ROW.

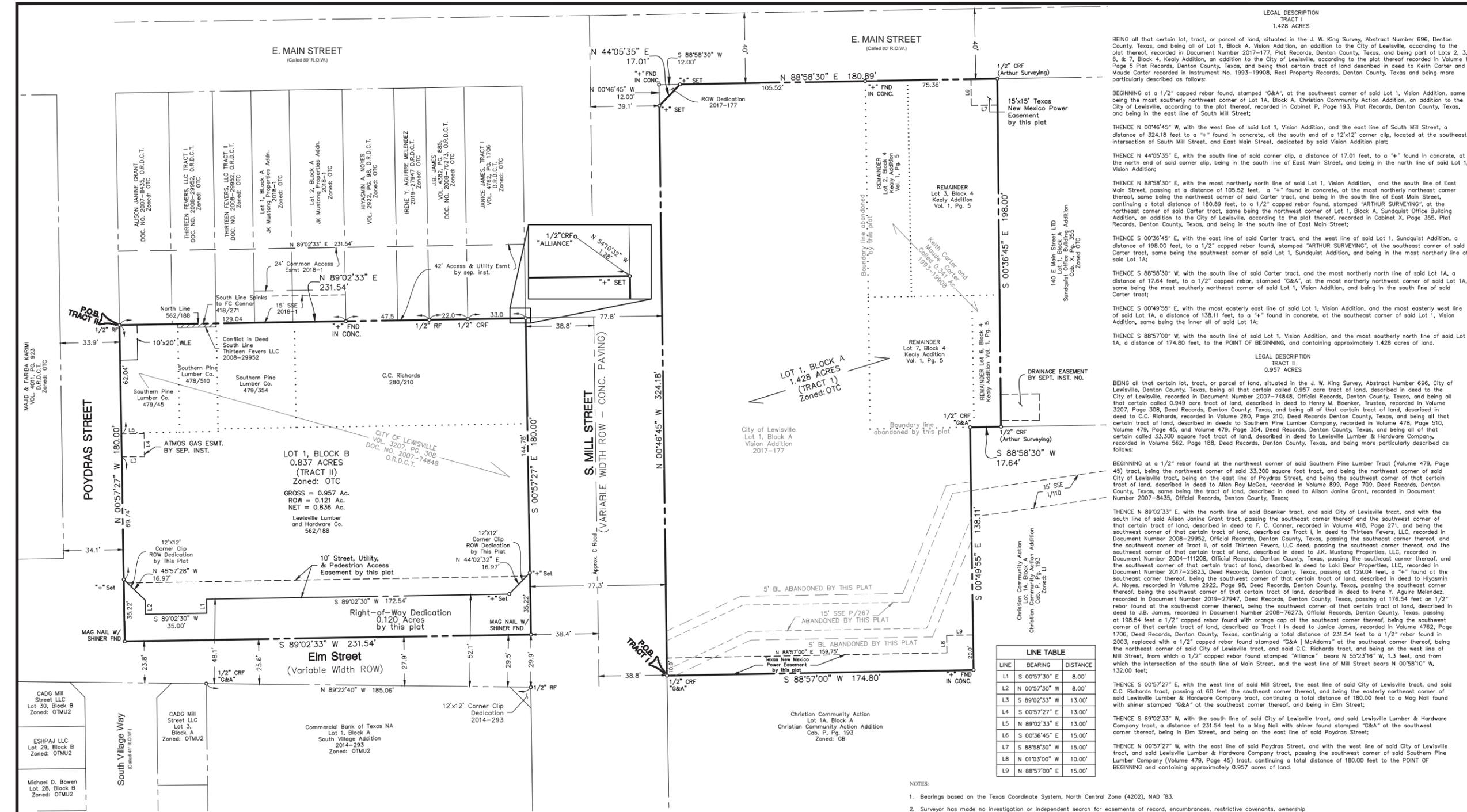
*c) To allow a building within the 10-ft setback from all pressured utility line easements*

Per Section 9.5-92 (b) requires a 10-foot building setback from all pressured utility line easements. The proposed building has several site constraints which forces the building into the setback. The water line is located in a larger 40-foot access and utility easement which includes sanitary sewer and franchise utilities. The water line is approximately 11-feet from the building and is pushed as far as possible from the building while maintaining the TCEQ requirements from a parallel sanitary sewer line. The building will be outside of the access and utility easement.

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.

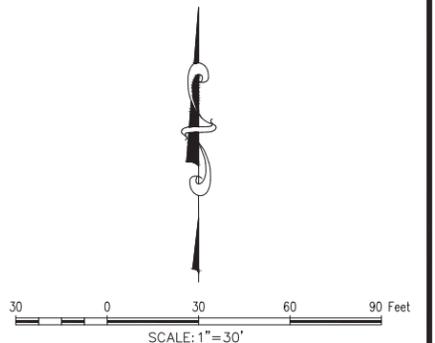
**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Commission recommend approval of the Final Plat of Old Town Lofts Addition and three associated variances to City Council. The approved plat will be brought to the chairman for signature.



LEGEND

P.O.B.	POINT OF BEGINNING
RF	REBAR FOUND
CRS	CAPPED REBAR SET
CRF	CAPPED REBAR FOUND
PRDCT	PLAT RECORDS, DENTON COUNTY, TEXAS
RRPRDCT	REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
BL	BUILDING LINE
UE	UTILITY EASEMENT
MSE	MUTUAL ACCESS EASEMENT
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT



**FINAL PLAT**  
**OLD TOWN LOFTS ADDITION**  
**Lot 1, Block A & Lot 1, Block B**  
**2.385 Acres (gross)**  
**Zoned: OTC - Old Town**  
**Center Business**  
**BEING A REPLAT OF**  
**VISION ADDITION, LOT 1, BLOCK A**  
**Document Number 2017-177, PRD.C.T. &**  
**PART OF LOTS 2, 3, & 7, KEALY ADDITION**  
**VOLUME 1, PAGE 5 &**  
**CITY OF LEWISVILLE TRACT**  
**VOLUME 3207, PG. 308, D.R.D.C.T.**  
**in the**  
**J. W. KING SURVEY, ABSTRACT NO. 696**  
**CITY OF LEWISVILLE**  
**DENTON COUNTY, TEXAS**

The John R. McAdams Company, Inc.  
 111 Hillside Drive  
 Lewisville, Texas 75057  
 972.436.9712  
 201 Country View Drive  
 Roanoke, Texas 76262  
 940.240.1012  
 TBPE: 19762 TBPLS: 10194440  
 www.gacon.com  
 www.mcadamsco.com

DRAWN BY: BC DATE: 2/26/2020 SCALE: 1"=30' JOB. No. STS-19000

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°57'30" E	8.00'
L2	N 00°57'30" W	8.00'
L3	S 89°02'33" W	13.00'
L4	S 00°57'27" E	13.00'
L5	N 89°02'33" E	13.00'
L6	S 00°36'45" E	15.00'
L7	S 88°58'30" W	15.00'
L8	N 01°03'00" W	10.00'
L9	N 88°57'00" E	15.00'

- NOTES:
- Bearings based on the Texas Coordinate System, North Central Zone (4202), NAD 83.
  - Surveyor has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
  - According to Community/Panel No. 48121C0565G, effective April 18, 2011, 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.
  - This flood statement shall not create liability on the part of the surveyor.
  - No flood zone area analysis has been performed on the subject property by McAdams.
  - Park fees to be paid at time of plat approval.
  - OTC Zoning—Building setback are 0' per Sec. 17--22.6

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 6619 10/2/20**

James Stowell, RPLS  
 Texas Registration No. 6513

STATE OF TEXAS :  
 COUNTY OF DENTON :  
 NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT WE, AH LEWISVILLE PROPERTY OWNER I, LLC, & AH LEWISVILLE PROPERTY OWNER II, LLC, the undersigned authority, do hereby adopt this plat designating the herein above described property as OLD TOWN LOFTS ADDITION, 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.

Steven Shelley, Vice President  
 AH LEWISVILLE PROPERTY OWNER I, LLC  
 AH LEWISVILLE PROPERTY OWNER II, LLC

Notary Public  
 State of Texas  
 My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

THE UNDERSIGNED, the City Secretary of the City of Lewisville, Texas, hereby certifies that the foregoing plat of OLD TOWN LOFTS ADDITION, 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 \_\_\_\_\_, 2020, 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, \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Julie Worster  
 City Secretary  
 City of Lewisville, TX

\*VARIANCES APPROVED BY CITY COUNCIL ON \_\_\_\_\_

A. To allow a 3' building setback from pressured utility line easement.  
 B. To allow for a pedestrian, street, and utility easement in lieu of right of way dedication along Elm Street.  
 C. To allow for a reduction in right of way dedication along S. Mill Street.

Recommended for Approval

Mary Ellen Miksa, Chairman  
 Planning and Zoning Commission  
 City of Lewisville, TX

Approved and Accepted

Rudy Durham, Mayor  
 City of Lewisville, TX

PLAN SUMMARY TABLE

Zoning	OTC
Min. Lot Area	41,686 SF
Residential/Commercial Lot	2

File: Z:\Projects\STS-19000\04-Production\IP & Court\Plan\STS-19000.FP  
 Plotted: 02/26/2020 8:28 AM, by: Steven, James. Scale: 1/2"=30' 11:19 AM, by: Steven

October 2, 2020

City of Lewisville  
Mr. David Russell  
151 W. Church St.  
Lewisville, TX 75057

**RE: Main and Mill Lofts Building A  
Variance Letter  
McAdams #: STS-19000**

**ENGINEERING SERVICES:**

Please accept this letter as an explanation of the requested variances for approximately 1.428 acres of land known as Lot 1 A located on the corner of East Main Street and South Mill Street.

- A. To reduce the driveway spacing from 100 ft. to 67 ft.

Section 6-103, C.1. of the Lewisville Code of Ordinance requires that S. Mill Street have a 100' setback for driveways leaving an intersection. The owner requests a variance to allow the proposed driveway setback to be reduced to 67'.

Due to the entrance of the parking garage being too close to the proposed driveway along S. Mill Street, we are requesting to provide only 67' spacing between both driveways in lieu of the required 100'. We will not be able to shift the northern drive north without encroaching on the control of access from the Main and Mill intersection. Lastly, the southern drive is located on the southern property line and cannot be shifted any further south.

Thank you in advance for your consideration of these requests. Please do not hesitate to contact me with any questions or comments regarding this application.

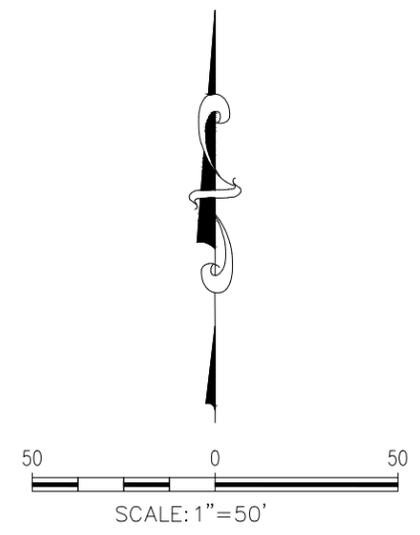
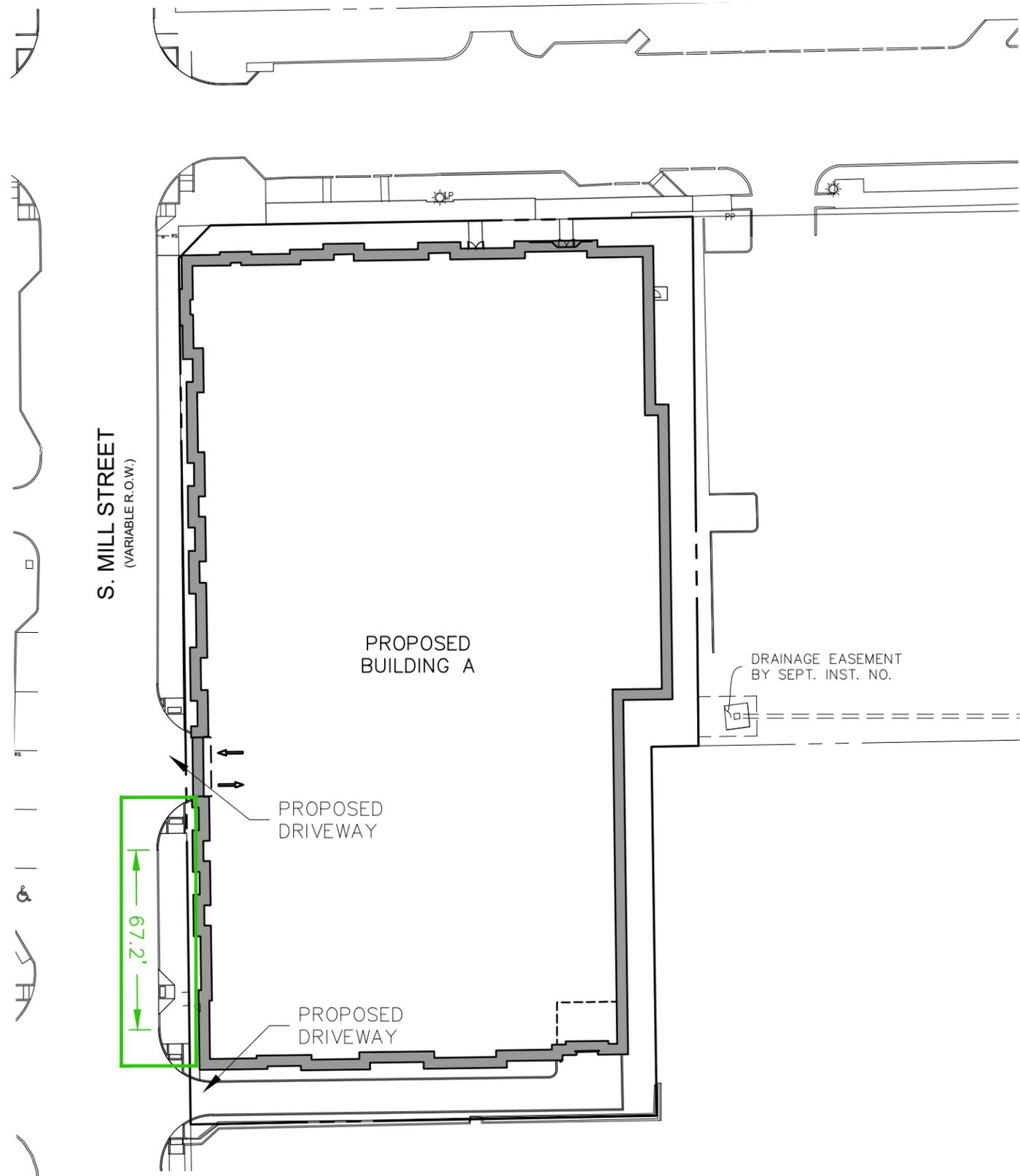
Respectfully,



Sincerely,

**MCADAMS**

Joshua Barton, P.E.  
Project Manager



"VARIANCES APPROVED BY CITY COUNCIL ON \_\_\_\_\_"

- A. TO REDUCE THE DRIVEWAY SPACING FROM 100 FT. TO 67 FT.

The John R. McAdams Company, Inc.  
 111 Hillside Drive  
 Lewisville, Texas 75057  
 972.436.9712  
 201 Country View Drive  
 Roanoke, Texas 76262  
 940.240.1012  
 TBPE: 19762 TBPLS: 10194440  
 www.jr-mc.com  
 www.mcadams.com



**MAIN & MILL LOFTS BUILDING A**  
 128 S MILL ST, LEWISVILLE, TX 75057  
 OLD TOWN LOFTS ADDITION  
 Lot 1, Block A  
 1.428 Acres  
 in the  
 J.W. KING SURVEY, ABSTRACT NO. 696  
 CITY OF LEWISVILLE,  
 DENTON COUNTY, TEXAS

**VARIANCE EXHIBIT**

Drawn By: AR  
 Date: 09/28/2020  
 Scale: 1" = 50'  
 Revisions:

**STS-19000**

October 2, 2020

City of Lewisville  
Mr. David Russell  
151 W. Church St.  
Lewisville, TX 75057

**RE: Main and Mill Lofts Building B  
Variance Letter  
McAdams #: STS-19000**

**ENGINEERING SERVICES:**

Please accept this letter as an explanation of the requested variances for approximately 0.957 acres of land known as Lot 1 Block B located on the corner of East Main Street and South Mill Street.

- A. To allow a 3' building setback from pressured utility line easement.

Section 6-95, a ten-foot building setback is required from all pressured utility line easements.

The proposed waterline is approximately 11' away from the building. However, we are only providing a 3' setback from the edge of building to the pressured utility line easement instead of the required 10' setback. This is due to the existing constraints of the existing buildings, existing utilities, and minimum room between the proposed building and ROW.

- B. To allow for a pedestrian, street, and utility easement in lieu of right of way dedication along Elm Street.

The developer is requesting in an exception here due to the fact that the overhead power lines must be buried, and Texas New Mexico Power will not allow for there utilities to go within the public ROW. Therefore, as is the case for building A, due to the existing constraints of the existing buildings, existing utilities, and minimum room between the proposed building and ROW, this easement is necessary.

- C. To allow for a reduction in R.O.W dedication along S. Mill Street.

We are requesting to only dedicate 77' of ROW along S. Mill Street instead of the required 80' ROW dedication. This is due to the fact that the existing ROW is 77' and the 80' cannot be achieved without seriously impacting the project.

Thank you in advance for your consideration of these requests. Please do not hesitate to contact me with any questions or comments regarding this application.

Respectfully,

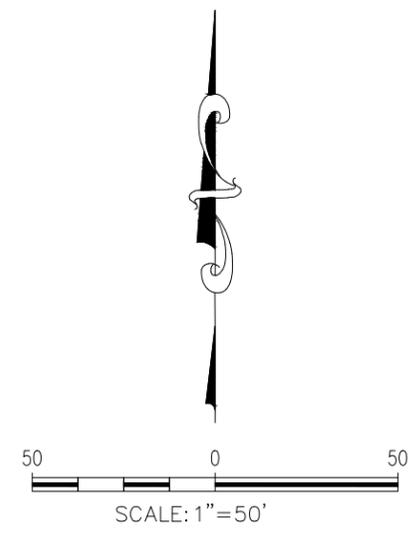
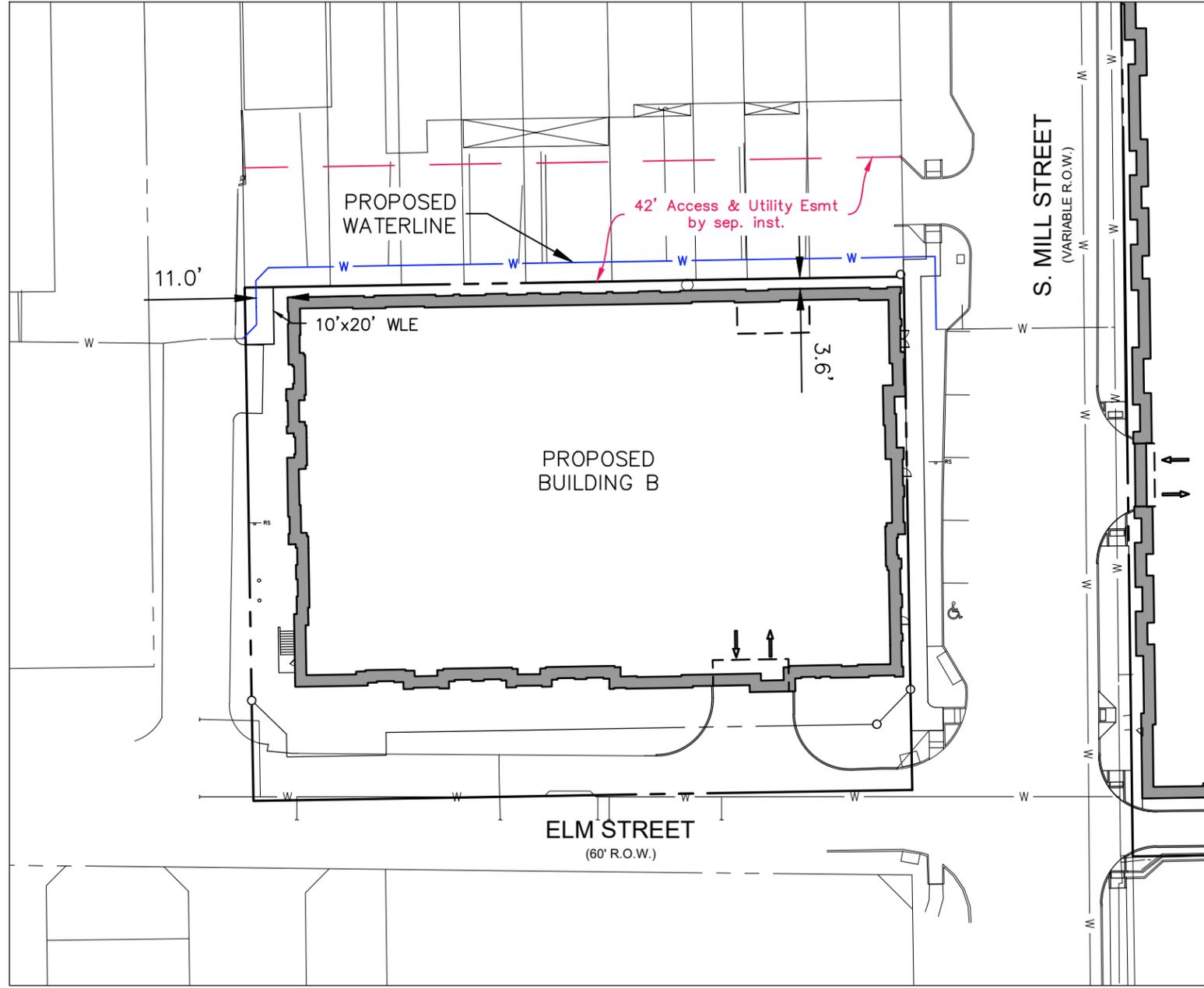


Sincerely,

**MCADAMS**

Joshua Barton, P.E.

Project Manager



■ A. TO ALLOW A 3' BUILDING SETBACK FROM PRESSURED UTILITY LINE EASEMENT.

The John R. McAdams Company, Inc.  
 111 Hillside Drive  
 Lewisville, Texas 75057  
 972.436.9712  
 201 Country View Drive  
 Roanoke, Texas 76262  
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 www.mcadams.com

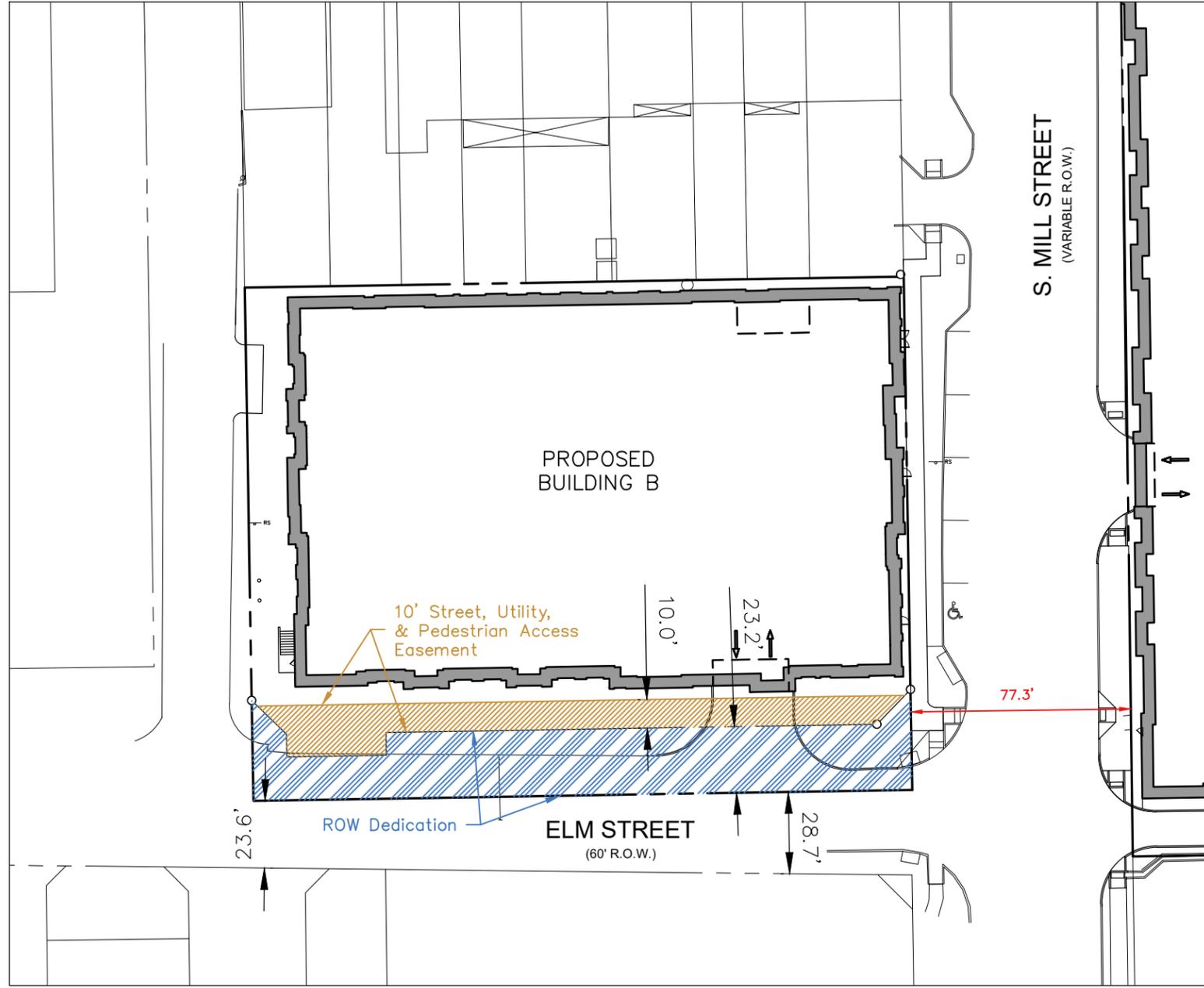


**MAIN & MILL LOFTS BUILDING B**  
 127 S MILL ST, LEWISVILLE, TX 75057  
 OLD TOWN LOFTS ADDITION  
 Lot 1, Block A & B  
 2.385 Acres in the  
 J.W. KING SURVEY, ABSTRACT NO. 696  
 CITY OF LEWISVILLE,  
 DENTON COUNTY, TEXAS

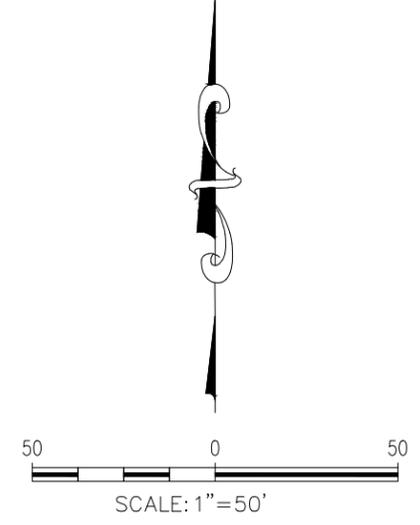
**VARIANCE EXHIBIT**

Drawn By: AR  
 Date: 09/28/2020  
 Scale: 1" = 50'  
 Revisions:

**STS-19000**



- B. TO ALLOW FOR A PEDESTRIAN, STREET, AND UTILITY EASEMENT IN LIEU OF RIGHT OF WAY DEDICATION ALONG ELM STREET.
- C. TO ALLOW FOR A REDUCTION IN R.O.W. DEDICATION ALONG S. MILL STREET.



**STS-19000**

Drawn By: AR  
 Date: 09/28/2020  
 Scale: 1" = 50'  
 Revisions:

**VARIANCE EXHIBIT**

**MAIN & MILL LOFTS BUILDING B**  
 127 S MILL ST, LEWISVILLE, TX 75057  
 OLD TOWN LOFTS ADDITION  
 Lot 1, Block A & B  
 2.385 Acres in the  
 J.W. KING SURVEY, ABSTRACT NO. 696  
 CITY OF LEWISVILLE,  
 DENTON COUNTY, TEXAS



**MCADAMS**

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