



City of Lewisville, TX
Planning and Zoning Commission
Agenda

151 W Church Street
Lewisville, Texas 75057

Tuesday, September 17, 2024

6:30 PM

Council Chambers

Regular Session - 6:30 P.M.

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

B. Approval of Minutes

1. [Consider the Minutes of the September 3, 2024 Regular Meeting.](#)

C. Regular Hearing

2. [Orchard Valley Estates, Phase 5, Lot 2A and Lot 2B, Block A; on 1.85 Acres; Zoned Local Commercial \(LC\) District; Being a Replat of Orchard Valley Estates, Phase 5, Lot 2, Block A; Located at 1181 Valley Ridge Boulevard; Case No. 24-08-5-RP.](#)

D. Public Hearing

3. [Public Hearing: Consideration of a Zone Change From Single-Family Residential \(R-7.5\) District to Old Town Mixed-Use One \(OTMU-1\) District; on Approximately 0.31-Acres, Being a Portion of Lot 5, Block F, Original Town of Lewisville Addition, Located at 207 West Walters Street; as Requested by Marlene and John Rogers, the Property Owners. \(24-08-9-Z\)](#)

E. Announcements

F. 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 _____, 2024 at _____ AM.

Planning

MINUTES
PLANNING AND ZONING COMMISSION
SEPTEMBER 3, 2024

Item A: Call to Order and Announce that a Quorum is Present

With a quorum present, the Lewisville Planning and Zoning Commission meeting was called to order by Chair Karen Locke at 6:30 p.m. on Tuesday, September 3, 2024, in the Council Chambers, of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Members present: Chair – Karen Locke, Vice-Chair Erum Ali, Jack Tidwell, Rick Lewellen, Joshua Peterson, Francisca Al-waely,

Members absent: Ainsley Stelling

Staff members present: Richard E. Luedke, Planning Director; Grace Martin-Young, Planner I; Patty Dominguez, Senior Planning Technician.

Item B1: Approval of Minutes

Consider the minutes from the August 20, 2024, regular meeting. *A motion was made by Erum Ali to approve the minutes as presented, seconded by Joshua Peterson. The motion passed unanimously (6-0).*

Item C: Regular Hearing

2. Final Plat of Original Town Lewisville, Lot 1R, Block 1; on 0.271 Acres, out of the J.W. King Survey, Abstract Number 696; Zoned Old Town Mixed-Use One (OTMU-1) District; Located at 227 North Charles Street; Being a Replat of Portions of Lots 1 and 2, Block 1, Original Town Lewisville Addition. (24-08-4-RP)

Grace Martin-Young, Planner I, gave a brief overview and staff's recommendation. There was no discussion. *A motion was made by Francisca Al-waely to disapprove the final plat due to deficiencies and delegate to staff the authority to accept and approve the plat when deficiencies are corrected, seconded by Rick Lewellen. The motion passed unanimously (6-0).*

3. Consideration of an Alternative Standard Associated With Building, Envelope and Architectural Standards for two Restaurants on Approximately 2.081-Acres, out of the Hebron Lakepointe Addition, Lots 4R & 5, Block A, Zoned General Business (GB) District, Located on the South Side of Hebron Parkway, Approximately 200 Feet East of Lakepointe Drive, as Requested by Tom Rud, id GROUP, on Behalf of CFT NV Developments LLC, the Property Owner. (24-08-13-AltStd)

Grace Martin-Young, Planner I, gave a brief overview of the subject property with a recommendation to recommend approval of the alternative standard as presented. Grace addressed questions regarding lighting; and the concept plan for future business on Lot 5 regarding the vegetative space next to the drive-through. There was no discussion on this item. *A motion was made by Rick Lewellen to recommend approval of the alternative standard as presented. The motion was seconded by Francisca Al-waely. The motion passed unanimously (6-0).* Richard E.

Luedke, Planning Director, stated that the item would be considered by the City Council on October 7, 2024, at 7:00 p.m. for a final decision.

Item D: Announcements

- Grace Martin-Young, Planner I, gave an update on backyard cottages and also talked about the backyard cottage design competition from August 19, 2024 to October 31, 2024, and if anyone is interested in being a panel judge to let her know.
-

Item E: Adjournment

A motion was made by Jack Tidwell to adjourn the Planning and Zoning Commission meeting. The motion was seconded by Erum Ali. The motion passed unanimously (6-0). There being no other business to discuss, the Planning and Zoning Commission meeting was adjourned at 6:47 p.m.

These minutes will be approved by the Planning and Zoning Commission at the next scheduled meeting.

Respectfully Submitted,

Approved,

Michele Berry, AICP
Planning Manager

Karen Locke, Chair
Planning and Zoning Commission

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Lauren Cook, Planner I
DATE: September 17, 2024
SUBJECT: **Regular Hearing: Orchard Valley Estates, Phase 5, Lot 2A and Lot 2B, Block A; on 1.85 Acres; Zoned Local Commercial (LC) District; Being a Replat of Orchard Valley Estates, Phase 5, Lot 2, Block A; Located at 1181 Valley Ridge Boulevard; Case No. 24-08-5-RP.**

BACKGROUND:

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.

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 replat of Orchard Valley Estates, Phase 5, Lot 2 was submitted on August 19, 2024 and has been reviewed by staff. Staff recommends disapproval of the above plat with following reasons based on Article III, Chapter 5. Plats of the Unified Development Code:

Section 6. Final Plats

- Be on a sheet 22 inches by 34 inches
- All setback lines and easements shown on plat
- Include correct ROW width listed
- Ensure scale accuracy
- Incomplete city signature block
- Incomplete certification of ownership
- Include P&Z signature block
- Include purpose statement

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.

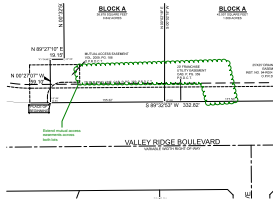
RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission disapprove the replat of Orchard Valley Estates, Phase 5, Lot 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 chair for signature.

Orchard Valley Estates RP_Markup Summary

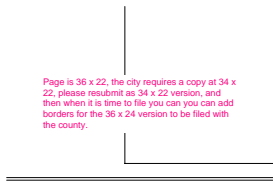
DRussell (1)



Author: DRussell

Extend mutual access easements across both lots

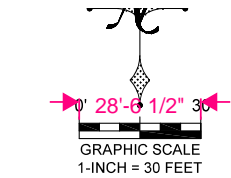
Lauren Cook (13)



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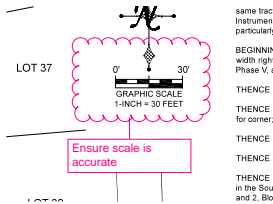
Author: Lauren Cook

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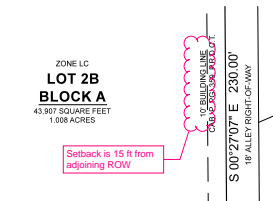
Author: Lauren Cook

28'-6 1/2"



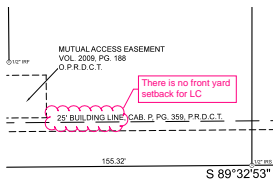
Author: Lauren Cook

Ensure scale is accurate



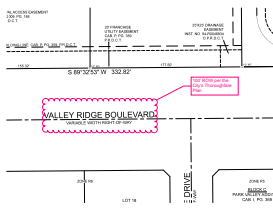
Author: Lauren Cook

Setback is 15 ft from adjoining ROW



Author: Lauren Cook

There is no front yard setback for LC



Author: Lauren Cook

100' ROW per the City's Thoroughfare Plan

OWNER'S DEDICATION

WITNESSES BY THESE PRESENTS:

LC, the undersigned authority, does hereby accept this plat and all easements and dedications shown on the plat for the use and benefit of the public use forever for the City of Lewisville and all public utilities desiring to use, or use, shrubs, signs, or other improvements shall be across the easements on said plat. The City of Lewisville shall have the right to remove and keep removed all or part of any buildings, improvements or growths which in any way endanger or

Fill in name

Author: Lauren Cook

Fill in name

anyone a lawful easement of a fee (5) foot below from the center point of all the fixtures on a fee (5) foot below from the center point of all other appurtenances the hydrant valves, water mains, sewer lines, street lights, electric lines, gas lines, and all other utilities for the purpose of conveying, maintaining, repairing and controlling the above named appurtenances.

We do further declare, 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 OTHERS in the easements and the ends and developments of the building lines shown on the plat.

WITNESS my hand, this the ____ day of _____, 202__

BY: _____

STATE OF TEXAS
COUNTY OF DENTON

Before me, the undersigned authority, 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 in the within instrument.

GIVEN under my hand and seal of office this ____ day of _____, 202__

Notary Public in and for the State of Texas
My commission expires _____

Author: Lauren Cook

Fill in

WITNESS my hand and seal of office this ____ day of _____, 202__

Notary Public in and for the State of Texas
My commission expires _____

CERTIFICATE OF APPROVAL

The undersigned, the _____, Texas, hereby certifies that the plat submitted to the City of Lewisville, Texas, on this ____ day of _____, 202__, submitted for the approval of the City Council is in compliance with the provisions of the City of Lewisville, Texas, Ordinance No. _____, which requires that all new developments be provided with public places and water and sewer lines, as shown and set forth in the plat.

Witness by my hand this ____ day of _____, 202__

Thomas Harris, City Secretary
City of Lewisville, Texas

Author: Lauren Cook

Fill in

of the City of Lewisville on the ____ day of _____, 202__, and authorized the acceptance of the streets, alleys, public places and water and sewer lines, as shown and set forth in and as approved by the City Council of Lewisville, Texas, on this ____ day of _____, 202__.

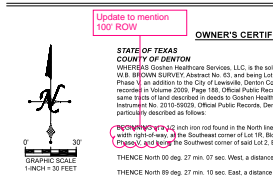
Witness by my hand this ____ day of _____, 202__

Thomas Harris, City Secretary
of Lewisville, Texas

REPLAT

Author: Lauren Cook

Should be Thomas Harris III



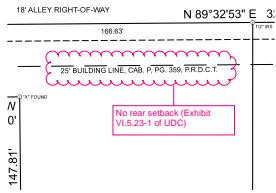
Author: Lauren Cook

Update to mention 100' ROW

Show dedication from centerline

Author: Lauren Cook

Show dedication from centerline



Author: Lauren Cook

No rear setback (Exhibit VI.5.23-1 of UDC)

MEMORANDUM

TO: Planning & Zoning Commission
FROM: Grace Martin-Young, Planner 1
DATE: September 17, 2024
SUBJECT: **Public Hearing: Consideration of a Zone Change From Single-Family Residential (R-7.5) District to Old Town Mixed-Use One (OTMU-1) District; on Approximately 0.31-Acres, Being a Portion of Lot 5, Block F, Original Town of Lewisville Addition, Located at 207 West Walters Street; as Requested by Marlene and John Rogers, the Property Owners. (24-08-9-Z)**

BACKGROUND:

The property is located on the northwest corner of West Walters Street and North Charles Street, within the Old Town Design District. The property is currently zoned Single-Family Residential (R-7.5) and contains a single-family home occupied by residential tenants. The applicant is requesting to rezone the property to the Old Town Mixed-Use One (OTMU-1) zoning district to allow future flexibility on the site.

ANALYSIS:

The OTMU-1 zoning district is intended to accommodate single- and two-family residential uses and infill development in the traditional neighborhoods surrounding downtown Lewisville. Other uses allowed within OTMU-1 include bakery and food production with retail sales, household care facilities, religious facilities, as well as professional and administrative offices.

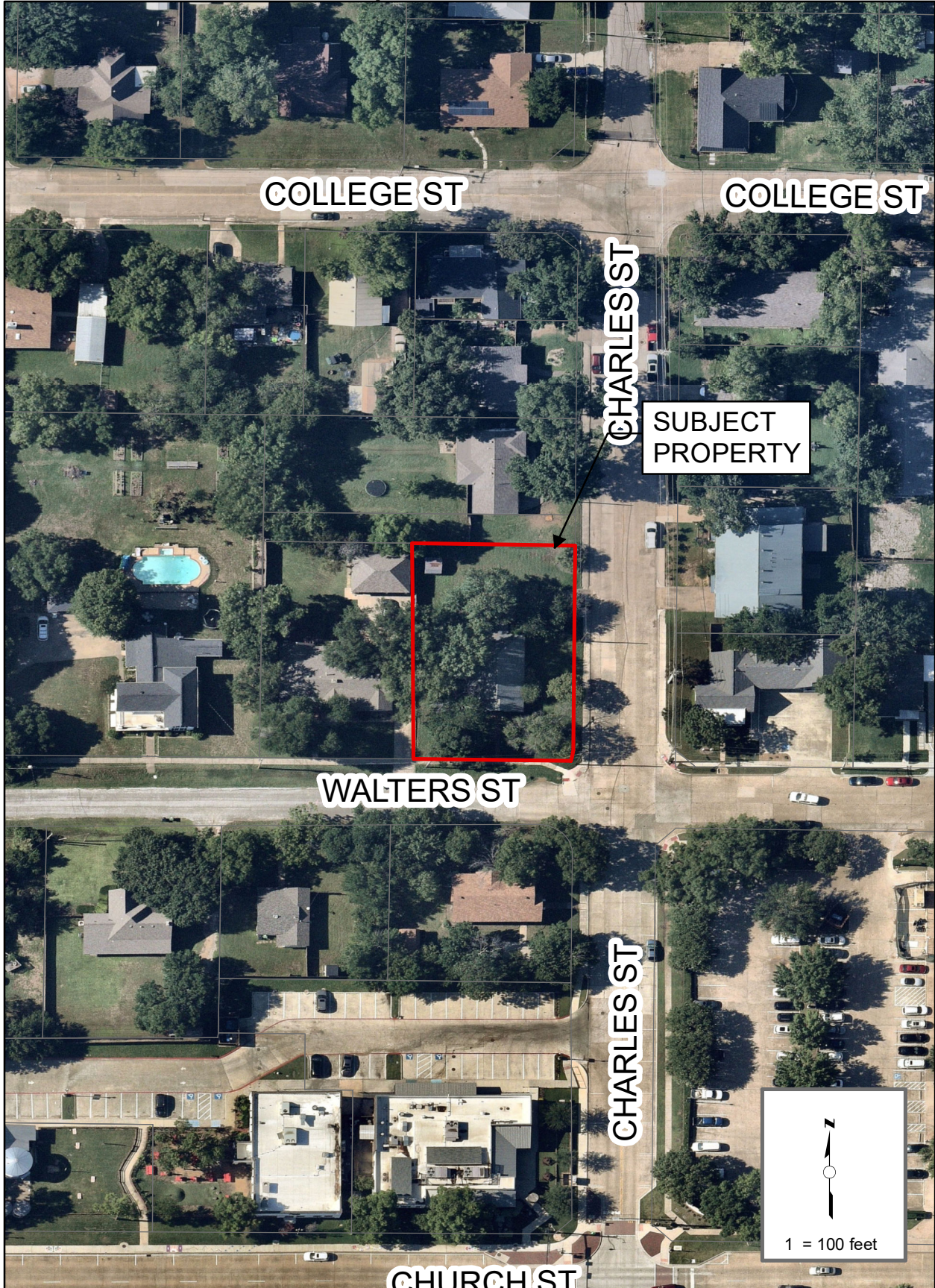
The adjacent properties to the north are zoned R-7.5. The property immediately adjacent to the west is zoned OTMU-1. Across North Charles Street to the east is a home converted to an office zoned Old Town Mixed Use Two (OTMU-2). Across Walters Street to the south is a home recently zoned OMTU-1 to allow conversion into an office. The OTMU-1 district, and the uses allowed, are compatible with the surrounding uses and zoning.

The zone change from R-7.5 to OTMU-1 allows for more uses, provides flexible setbacks and eliminates the maximum lot coverage. Staff finds this request with the Old Town Master Plan’s recommended zoning for the area, which is OTMU-1, as well as the Lewisville 2025 Vision Plan’s Big Move for “Old Town”.

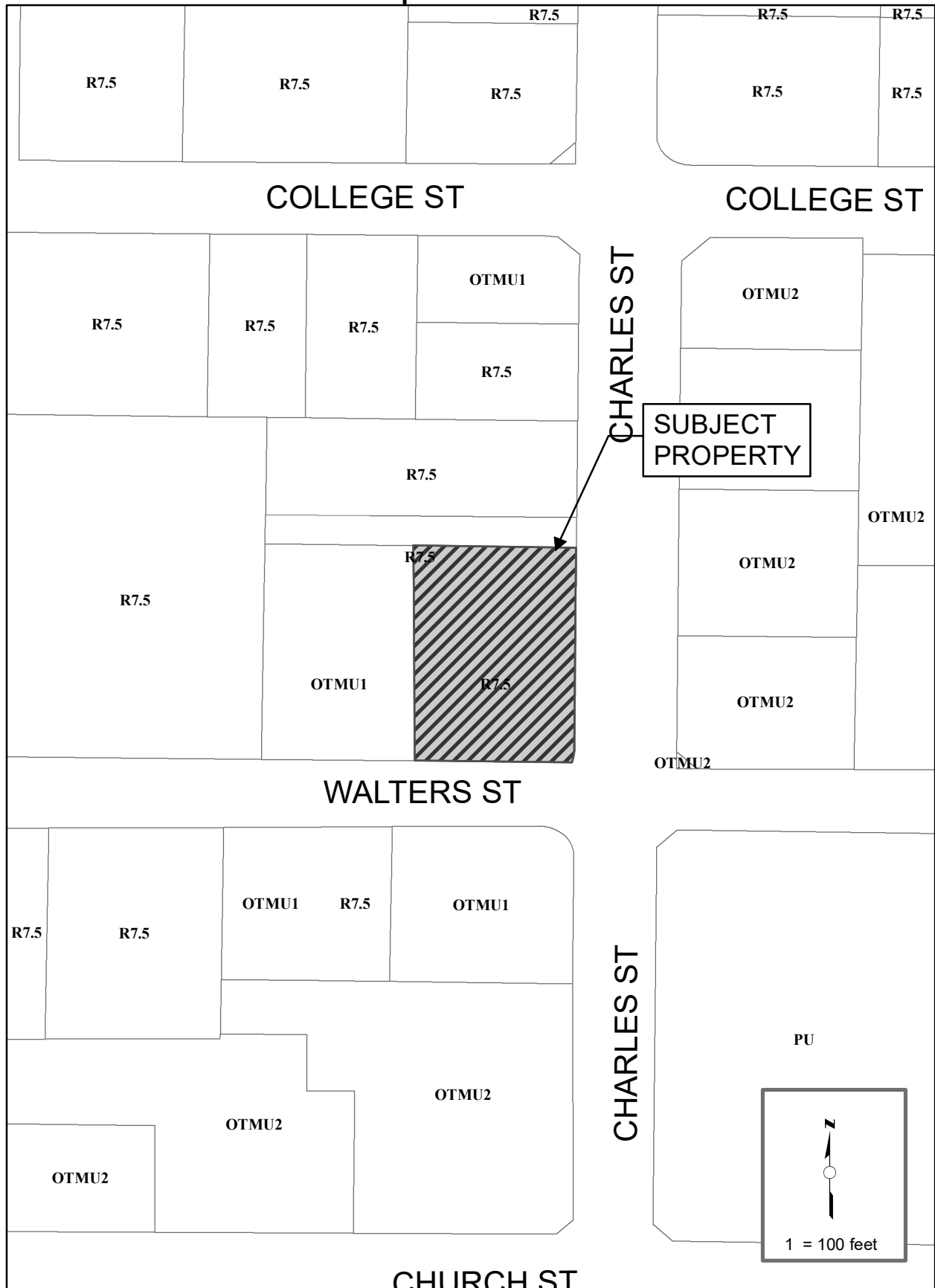
CITY STAFF’S RECOMMENDATION:

That the Planning and Zoning Commission recommend approval of the zone change from Single-Family Residential (R-7.5) to Old Town Mixed-Use One (OTMU-1) District Zoning, as set forth in the caption above.

Aerial Map - 207 W Walters St



Location Map - 207 W Walters St



Proposed Zoning Change for 207 W Walters, Lewisville Tx, 75057

John and Marlene Rogers own 207 W Walters in Lewisville Tx.

We would like to move forward with a zoning change from R7.5 to OTMU1 which is the zoning preferred for this neighborhood by the City of Lewisville.

We currently intend to continue leasing the property via a long-term residential lease.

Property location and boundaries: Scanned Survey submitted

Please include a narrative which lists the current and proposed zoning, what you included here about plans for the property, and the following statement.

The current and proposed zoning designation: Proposed zoning change from R7.5 to OTMU1.

The zoning designations on adjacent properties;

215 W Walters is OTMU1 (property on left)

227 N Charles is R7.5 but has applied for OTMU1 (property across the street)

151 W Walters is OTMU2 (across the street on the right)

321 N Charles St is R7.5 (Property behind)

"Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat or plan, approval of development standards shown hereon, or the initiation of the development process. Planning and Zoning Commission and/ or City Council action on studies, plats, or plans relating to the development of this property shall be considered as an action separate from action taken on this zoning case".

Please advise if any further information is required. Thank you!

Marlene Rogers

BOUNDARY SURVEY

Being a 0.313 acre tract of land situated in the J.W. King Survey, Abstract No. 696, in the City of Lewisville, Denton County, Texas, and being a part of Lot 5, Block F of the Original Town of Lewisville, according to the Plat thereof recorded in Volume 76, Page 160 of the Plat Records of Denton County, Texas, and being all of that certain tract of land conveyed to John K. DeLay and wife, Janice W. DeLay, as described by deed recorded in Volume 1217, Page 468 of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow cap marked "Arthur Surveying Company" set for the southwest corner of the herein described tract, same point being the southeast corner of a tract of land conveyed to Mark B. King, as described by deed recorded in Volume 5181, Page 4357, R.P.R.D.C.T., same point being in the north line of said West Walters Street, same point from which a 500 feet found at the southwest corner of said Block F bears South 89 degrees 56 minutes 12 seconds West, a distance of 473.68 feet;

THENCE North 00 degrees 08 minutes 13 seconds West, along the east line of said King tract, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow cap marked "Arthur Surveying Company" set for corner in the south line of a tract of land conveyed to Grady Aaron and wife, Wannell Aaron, as described by deed recorded in Volume 710, Page 547 of the Deed Records of Denton County, Texas;

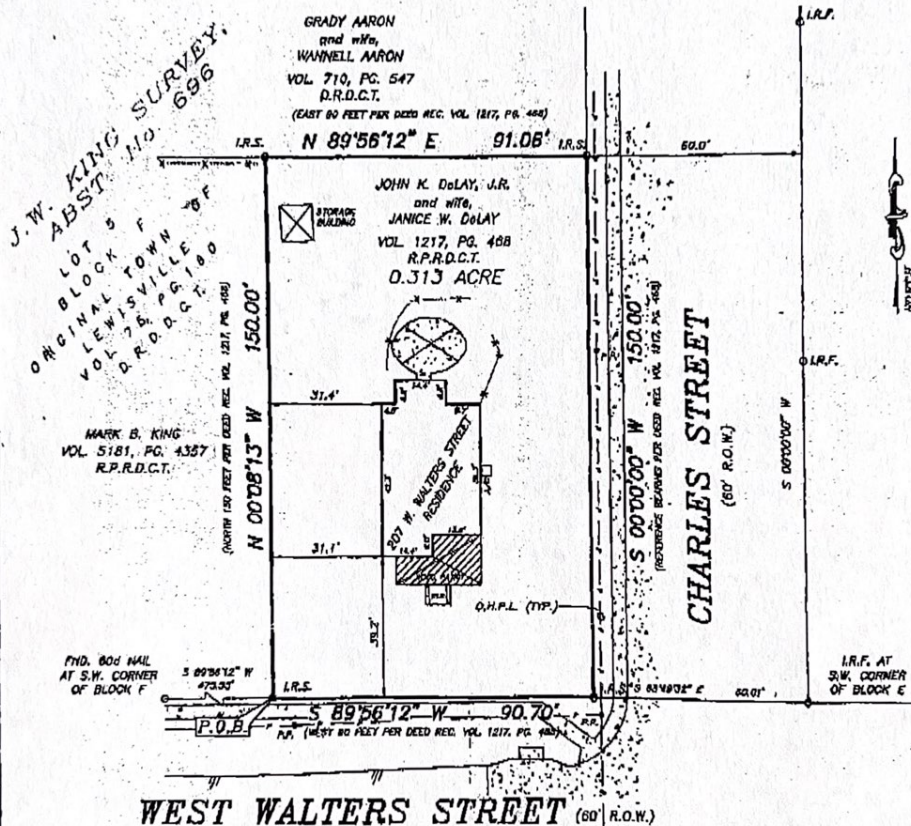
THENCE North 89 degrees 56 minutes 12 seconds East, along the south line of said Aaron tract, a distance of 91.06 feet to a 1/2 inch iron rod with a yellow cap marked "Arthur Surveying Company" set for corner in the west line of Charles Street (a 60 foot right-of-way);

THENCE South 00 degrees 00 minutes 00 seconds West, along the west line of said Charles Street, a distance of 150.00 feet to a 1/2 inch iron rod with a yellow cap marked "Arthur Surveying Company" set for corner at the intersection of the west line of said Charles Street and the north line of said West Walters Street, same point being the northeast corner of said Block F;

THENCE South 89 degrees 56 minutes 12 seconds West, along the north line of said West Walters Street, a distance of 90.70 feet to the **POINT OF BEGINNING** and containing a total of 0.313 acres of land, more or less, and being subject to any and all easements that may affect.

NOTE: BASIS OF BEARINGS IS THE EAST LINE OF SUBJECT TRACT.

LEGEND: C.M. = CONTROLLING MEASUREMENT; I.R.S. = IRON ROD FOUND (1/2" UNLESS OTHERWISE NOTED); I.R.S. = 1/2" IRON ROD SET; F.I.P. = FOUND WITH P.F.C.; F.C.P. = FENCE CORNER POST. ALL IRON RODS SET ARE 1/2" WITH YELLOW CAP MARKED "ARTHUR SURVEYING COMPANY".



J.W. KING SURVEY, ABST. No. 696
LOT 5 OF BLOCK F ORIGINAL TOWN OF LEWISVILLE VOL. 76, PG. 160 D.R.D.C.T.

MARK B. KING VOL. 5181, PG. 4357 R.P.R.D.C.T.

GRADY AARON and wife, WANNELL AARON VOL. 710, PG. 547 D.R.D.C.T. (EAST 80 FEET PER DEED REC. VOL. 1817, PG. 444)

JOHN K. DeLAY, JR. and wife, JANICE W. DeLAY VOL. 1217, PG. 468 R.P.R.D.C.T. 0.313 ACRE

CHARLES STREET (60' R.O.W.)

WEST WALTERS STREET (60' R.O.W.)

G.F.# 849798-LWV CHICAGO TITLE COMPANY

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO CHICAGO TITLE COMPANY, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY, WAS THIS DAY, MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY, THAT I HAVE BEEN ADVISED OF; EXCEPT AS SHOWN HEREON.

FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 480195 0685 E. PRESENT EFFECTIVE DATE OF MAP: APRIL 2, 1997. HEREIN PROPERTY SITUATED WITHIN ZONE X (UNSHADED).

ARTHUR SURVEYING COMPANY, INC. Registered Professional Land Surveyors P.O. Box 84 - Lewisville, Texas 75067 D/line: (972) 221-9439 Fax: (972) 221-4675

DATE: JULY 20, 2004 SCALE: 1" = 30'
CHECKED BY: ASC NO. 2427123
DRAFTED BY: SWIM

