

MINUTES
PLANNING AND ZONING COMMISSION
SEPTEMBER 5, 2023

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 MaryEllen Miksa at 6:30 p.m. on Tuesday, September 5, 2023, in the Council Chambers, of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Members present: Chair - MaryEllen Miksa; Jack Tidwell; Rick Lewellen; Karen Locke; Ryan Conway

Members absent: Vice-Chair Erum Ali, Francisca Al-waely

Staff members present: Richard Luedke, Planning Director; Michele Berry, Planning Manager; Jon Beckham, Senior Planner; Joseph Ducay, Planner; Patty Dominguez, Planning Technician; David Russell, Senior Civil Engineer.

Item B1: Approval of Minutes

The first item on the agenda was to approve the minutes from the August 15, 2023, Meeting. A motion was made by Karen Locke to approve the minutes as presented, seconded by Ryan Conway. The motion passed unanimously (5-0).

Item C: Regular Hearing

There was one item for consideration:

2. Final Plat of Tiebeam Ventures Inc. Addition, Lot 1R, Block A; on 1.12 Acres out of The John H. Hallford Survey, Abstract Number 545; Zoned Local Commercial (LC), Located at 1175 Diane Circle, Being a Replat of Family Medical Associates Addition, Lot 1 and 2, Block A. (23-08-7-RP)

Jon Beckham, Senior Planner, gave a brief overview of the proposed final plat with a recommendation to disapprove the final plat due to deficiencies and delegate to staff the authority to accept and approve the plat once the listed deficiencies are corrected. The approved plat will be brought to the chair for signature. There was no discussion on this item. A motion was made by Rick Lewellen to disapprove the final plat due to deficiencies and delegate to staff the authority to accept and approve the plat once the listed deficiencies are corrected. The motion was seconded by Jack Tidwell. The motion passed unanimously (5-0).

Item D: Public Hearings

There were four items for consideration:

3. Public Hearing: Consideration of a Zone Change from Agriculture Open Space (AO) District to Light Industrial (LI) District, on 3.974 Acres out of the P. Harmonson Survey, Abstract 604; Located on the Southeast Corner of State Highway 121 Business and West Vista Ridge Mall Drive; as Requested by Hawkeye Realty Schreiber LP, the Property Owner (23-04-6-Z).

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Jon Beckham, Senior Planner, stated that the proposed zone change request was incorrectly advertised with inaccurate acreage. The acreage provided on the mail notices to property owners was from the Denton County Appraisal District (DCAD) website and not from the meets and bounds description that was received with a more accurate acreage. Because of this, the staff's recommendation is to open and continue the public hearing to the September 19, 2023 meeting. Staff addressed question regarding the correct acreage. There was no discussion on this item. A motion was made by Karen Locke to open and continue the public hearing to the September 19, 2023 meeting. The motion was seconded by Ryan Conway. The motion passed unanimously (5-0).

4. Public Hearing: Consideration of a Zone Change Request from Planned Development - Estate Townhouse (PD-ETH) to Planned Development - Mixed-Use (PD-MU); on Approximately 7.288 Acres, out of the L. Burgois Survey, Abstract No. 52; Located on the West Side of Uecker Lane, Including 2328, 2316, 2304, 2274 South Uecker Lane; as Requested by Josh Barton and Patricia Fant, McAdams, on Behalf of DMR Homes & Construction LP, the Property Owner. (Case No. 23-07-5-PZ)

Joseph Ducay, Planner, gave a brief overview of the proposed zone change request with a recommendation to recommend approval as presented. Staff addressed questions regarding maintenance of the fence to the north and south, widths of alleys, temporary detention pond, time sequence for this project and planned development on Round Grove Rd and Uecker and purpose of applicant agreeing to sell no more than 3 lots to the same entity. Chair Miksa opened the public hearing. With no one indicating a desire to speak the public hearing was then closed. There was no discussion on this item. A motion was made by Ryan Conway to recommend approval of the zone change request as presented. The motion was seconded by Rick Lewellen. The motion passed unanimously (5-0). Richard Luedke, Planning Director, stated that the item would appear before the Lewisville City Council on Monday, October 2, 2023 at 7:00 p.m. for a second public hearing and final decision.

5. Public Hearing: Consideration of a Zone Change from Agriculture Open Space (AO) District and Light Industrial (LI) District to Planned Development - Multi-Family Three (MF-3) District, on 6.74 Acres out of the S.M. Hayden Survey, Abstract 537A; Located at 1910 and 1914 East State Highway 121 Business; as Requested by Spence Miller of Chaparral Partners, the Applicant, on Behalf of 1910 E HWY 121, SERIES OF HE REALTY, LLC and TEXAS JUNK-IN-IT, LLC, the Property Owners (23-06-4-PZ)

Jon Beckham, Senior Planner, gave a brief overview of the proposed zone change request and four associated alternative standards with a recommendation to recommend approval as presented. Chair Miksa opened the public hearing. The applicant, Spence Miller and Maxwell Fisher, gave a brief presentation and spoke in support of this item. Mr. Fisher explained what a tuck under garage is. Mr. Miller addressed questions regarding site clean-up, price range for units, traffic and main entries. Michael R. Mahoney, 527 Barfknecht Lane, Lewisville, Texas 75056, asked about a deacceleration lane off State Highway 121 to this property. Staff addressed his question. With no one else indicating a desire to speak the public hearing was then closed. There was no discussion

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on this item. A motion was made by Karen Locke to recommend approval of the zone change request as presented. The motion was seconded by Jack Tidwell. The motion passed unanimously (5-0). Richard Luedke, Planning Director, stated that the item would appear before the Lewisville City Council on Monday, October 2, 2023 at 7:00 p.m. for a second public hearing and final decision.

6. Continued Hearing: Consideration of a Special Use Permit for a Commercial Amusement (Outdoor); on Approximately 3.175 Acres, out of the S.M. Hayden Survey, Abstract Number 537, Zoned Light Industrial (LI) District, Located at the East Side of Barfknecht Lane, Approximately 1,540 Feet South of Midway Road, as Requested by Ronald Wygal, Endurance Development, on Behalf of Pathfinder Sports LLC, the Property Owner. (Case No. 23-02-3-SUP).

Joseph Ducay, Planner, gave a brief overview of the proposed special use permit request with a recommendation to recommend approval as presented. Staff also stated that just prior to this meeting an opposition letter from property owner, Michael R. Mahoney, was received and copies of the letter have been distributed to commissioners. The applicant, Ronald Wygal, was present and available to answer any questions. Staff addressed questions regarding condition of Barfknecht Lane, screening wall and landscape buffer between the commercial building and residential home, lighting and stated that any impacts and operation issues would be addressed during the engineering site plan review if this special use permit gets approved. Michael R. Mahoney, 527 Barfknecht Lane, Lewisville, Texas 75056, spoke in opposition for this item. Mr. Mahoney expressed his concern with traffic, lighting, drainage, road condition, landscape buffer, noise and safety. Mr. Mahoney asked if any letters of support from surrounding property owners were received. Staff stated no letters were received. The applicant, Mr. Wygal, stated all the concerns regarding drainage, site layout, electrical poles, and lighting will be in compliance and addressed during the site plan review. Mr. Wygal stated they have been in communication with Mr. Mahoney for the past eleven months and redesigned their entire site to move the practice fields to the opposite side to minimize the noise. Mr. Mahoney addressed questions regarding the outdoor practice field. There was no further discussion on this item. A motion was made by Rick Lewellen to recommend approval of the special use permit request as presented. The motion was seconded by Karen Locke. The motion passed unanimously (5-0). Richard Luedke, Planning Director, stated that the item would appear before the Lewisville City Council on Monday, September 18, 2023 at 7:00 p.m. for a second public hearing and final decision.

Item E: Adjournment

A motion was made by Rick Lewellen to adjourn the Planning and Zoning Commission meeting. The motion was seconded by Ryan Conway. The motion passed unanimously (5-0). There being no other business to discuss, the Planning and Zoning Commission meeting was adjourned at 7:54 p.m.

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

Respectfully Submitted,

Approved,

Michele Berry, AICP
Planning Manager

MaryEllen Miksa, Chairman
Planning and Zoning Commission