

MEMORANDUM

TO: Claire Powell, City Manager

FROM: Richard E. Luedke, AICP, Planning Director

DATE: March 18, 2024

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From General Business (GB) District to Single-Family Residential 5,000 Square Foot Lot (R-5) District, on 0.285-Acres Legally Described as Stuart Addition Block B, Lot 9; Located at 106 Martin Street; as Requested by Jonathan Kroneman, the Applicant, on Behalf of Inez Aguirre, the Property Owner (24-01-1-PZ).**

BACKGROUND:

The subject property is located on the southwest corner of Martin Street and North Mill Street at 106 Martin Street. The property is currently zoned General Business and contains a legal non-conforming residential home. The property owner is seeking to rezone the property to a single-family residential zoning district to subdivide the property and build an additional house on the western portion. The Planning and Zoning Commission recommended unanimous (6-0) approval on February 20, 2024.

ANALYSIS:

The R-5 zoning district is intended to preserve and promote the health of existing single-family neighborhoods and accommodate single-family detached and two-family dwellings and accessory structures and uses on smaller lots. Development in the R-5 district should promote walkability, access to parks, open space, and recreation amenities and be compatible with existing land uses and development patterns.

The subject property is located off North Mill Street in a small residential subdivision. The property to the north is a legal nonconforming residence zoned General Business (GB) District. The adjacent property to the west is also a nonconforming residence which is split zoned General Business (GB) District and Single-Family Residential R-7.5. The properties to the south are a mix of retail and residential properties zoned Local Commercial (LC) District and Single-Family Residential R-7.5. The houses along Martin Street have a variety of lot sizes. The subdivision of 106 Martin Street will generally conform with the scale of the neighborhood. Reductions in the minimum dwelling unit sizes adopted as part of the Unified Development Code provided the flexibility needed to accommodate this redevelopment.

Rezoning the property to Single-Family R-5 will create an encroachment into the required rear-yard setback and will not meet the zoning lot depth requirements as shown below:

Single Family District R-5	106 Martin Street Existing Conditions
20-Foot Rear Yard Setback	10-Foot Rear Yard Setback
80-Foot Lot Depth	67-Foot Lot Depth

A variance for these two discrepancies is scheduled for the Zoning Board of Adjustment on April 3, 2024. These variances are for the current condition of the existing home and will allow a similar home on the new lot.

Staff finds this request consistent with the surrounding properties and the Lewisville 2025 Vision Plan which promotes Diverse and Thriving Neighborhoods. Staff has no objection to the zone change request.

CITY STAFF'S RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.