

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: August 5, 2019

SUBJECT: **History and Process Summary for the Consideration of Two Variances to the Lewisville City Code Section 9.5-92 (Paving) Regarding Driveways Related to CB Exteriors Addition, 537 South Kealy Avenue as Requested by Connor Murrell, McAdams, on Behalf of the Owner.**

BACKGROUND

The property at 537 S. Kealy has been vacant or used as storage for several years. It is located at the northwest corner of S. Kealy Avenue and E. Purnell Street. The structure is constructed of Concrete Masonry Units with some stucco and is currently surrounded by a solid sheet metal fence. The roof on the northern half of the building fell into disrepair and was removed.

An application for a Letter of Design Approval was approved by the Old Town Design Review Committee on February 25, 2019. The applicant is rehabilitating the building to open a building supply store and showroom for their interior and exterior remodeling business. The improvements include:

- Replacing the roof that fell in and preserving stepped roofline on S. Kealy Avenue.
- A fresh coat of stucco and paint and stucco trim to the windows.
- Removal of two overhead garage doors.
- Cladding the north elevation in reclaimed wood.
- Removing the existing metal fence at the property line and replacing it with a wood fence at the building line so that the building may be viewed from the street.

A Zoning Board of Adjustment (ZBOA) request was approved on April 3, 2019 to allow the building to remain in its current location, which is a five-foot encroachment into the required 25-foot front setback. The building was constructed in 1975, per DCAD records, and the front setback in the LI zoning district at the time varied depending on the zoning of adjacent properties. The building lost legal non-conforming status after being vacant for more than one year. The variance was required to reoccupy the building and was granted.

As the property has been vacant for over one year an Engineering Site Plan (ESP) is required, triggering compliance with all current codes, including driveway spacing. Existing driveways do not meet current code spacing requirements. The ESP is currently under review and the variances brought forth for driveway spacing are based on this ESP.

The overall plans will greatly improve the aesthetic impact of the site from Purnell Street and S. Kealy Avenue. Removing the existing metal fence and refreshing the building façade will make a tremendous impact on the corner and bring the building back into productive use.

With the revisions underway to the current Zoning and Development Code, one proposed change is delegating authority to approve variances to engineering based standards, such as driveway spacing, to the City Engineer with a process to appeal his/her decision to the City Council. This code amendment would have saved the applicant 2-3 weeks in the design review process.