

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on February 18, 2010 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

**A. Call to Order**  
**B. Roll Call**

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Rebecca Lamb and Clyde Fisher. Council Liaison James Harper was absent.

**C. Pledge of Allegiance**

Chairperson Gilbert led the Pledge of Allegiance.

**D. Citizen's Agenda**

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

**E. Business:**

**1. Consideration and Action on approval of Minutes for January 22, 2010 meeting.**

Minutes to be considered and approved were for the meeting held December 17, 2009; there was not a meeting held in January 2010. Therefore, this item was tabled until the next agenda for approval.

**2. Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Swisher Courts located at 501 and 504 Swisher Road.**

Alan Bieke, Lakewood Village TX, project manager explained why he was requesting an exemption to the commercial 80% masonry requirement. Installing 80% masonry will be too costly to the point of not being able to move forward with this project. If approved, Mr. Bieke will have either stucco or stone on the front and both sides of the building. The rear of the building backs up to the woods and is not seen from either side or front of the building.

No one else came forward and the public hearing was closed.

**3. Consideration and Action to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Swisher Courts located at 501 and 504 Swisher Road.**

Mr. Bieke further explained he wants to put more into the interior of the building in the form of equipment and sports fields than into an expensive exterior. Currently there will be four (4) basketball and six (6) volleyball courts. He has been working with these type of projects for 15 years and had two (2) previous indoor sports complexes in Dallas and Plano. Both of those facilities were sold to allow him to pursue this project.

Mr. Berner added that Mr. Bieke has purchased thirteen (13) acres from the City CDC to build this complex.

**Motion** to approve the exemption for the 80% masonry exterior requirement was made by Diane Byers; second by Clyde Fisher.

**Ayes:** Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb

**Noes:** None

**Motion Passed**

**4. Consideration and Action to approve the site plan for Swisher Courts, 501 and 504 Swisher Road.**

The site plan meets current parking requirements now with approximately 300 spaces. Mr. Bieke is still looking to expand the parking area for the volleyball tournament traffic this facility will attract. Six (6) months of the year volleyball will be played with basketball played the other 3 months of the year. All teams are off for the summer. He stated the facility might also be used for an entertainment venue.

The Commission inquired if the fire marshal had reviewed the site plan, and Mr. Berner explained that is part of the technical review process not the site plan review.

**Motion** to approve the site plan for Swisher Courts was made by Clyde Fisher; second by Peggy Shelton.

**Ayes:** Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb

**Noes:** None

**Motion Passed**

**5. Consideration and Action to approve preliminary site plan for Lot 26 Block A Garza Beach Estates.**

John Lugenheim, 209 Thistle Ridge in Denton, is planning to purchase Lot 26 Block A of Garza Beach Estates to build an office/warehouse business building. His contract to purchase the property is contingent upon the City's approval of the preliminary site plan. Access to the building will be by a 14 ft. wide driveway from Lot 26 to Lakeview Drive along the easement area of the surrounding properties. Mr. Lugenheim will also improve Adolphus located west of his property. He further stated he has obtained financing and has reviewed his plans with the Lake Cities Municipal Utility Authority (LCMUA).

Commissioner Fisher stated he was concerned about the lot size being too small for this type of project. This project meets all set back requirements for the C-1 zoning district.

In response, Mr. Lugenheim stated there will be 6 parking spaces and that will be enough since he will not have stop and go business traffic or large trucks. It will only be vehicles and primarily his car. He will be the only on-site employee. The building will be two-story with a warehouse on the first floor and office/storage space on the second.

Initially Mr. Lugenheim is only purchasing this single lot but he does have the option for purchasing the other five (5) lots in this parcel.

**Motion** to approve the preliminary site plan for Lot 26 Block A Garza Beach Estates was made by Diane Byers; second by Rebecca Lamb.

**Ayes:** Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb

Noes: None

**Motion Passed**

**F. Future Agenda Items**

Mr. Berner had nothing at this time.

**G. Adjournment**

**Motion** to adjourn was made by Ben Gilbert; second by Rebecca Lamb.

**Ayes:** Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb

**Noes:** None

**Motion Passed**

The meeting adjourned at 7:32 p.m.

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Ben Gilbert, Chair

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Char DuPree, Planning and Zoning Secretary