

PLANNING AND ZONING COMMISSION MINUTES
City Council Chambers
January 18, 2022
5:30 P.M.

MEMBERS PRESENT: Frankie Parson, Patrick Noon, Chad Harkey, Jason Jones, Pat O'Rear, Heath Hamberlin.

MEMBERS ABSENT: Cody Sage, Bernd (Dutch) Deblouw and Ryan Baumgardner

STAFF PRESENT: Michael Shirley, Angela Choy, Anna Scott and Teresita Pinon

I. Call to Order

Frankie Parson, Chairperson, called the meeting to order at 5:30 pm.

II. Invocation

III. Pledge of Allegiance

IV. Approval of December 21, 2021 P&Z Minutes

MOTION: Jason Jones motioned for approval of the December 21, 2021, minutes.

SECOND: Chad Harkey seconded the motion.

VOTE: The motion carried unanimously (6-0).

V. Citizen Comment

None

VI. Consent Agenda

A. CONSIDER application #P22-01 Alpine Gardens Subdivision filed by SNC Properties, LLC to plat approximately 4.339 acres of Abstract 262 Alexander Jordan Survey in 26 residential lots located on Tryon Road, north of Alpine Road.

B. CONSIDER application #P22-02 New Bethel Subdivision filed by Greater New Bethel Baptist Church, Inc. to plat approximately 0.734 acres of Abstract 2 A.R. Johnson Survey into 4 residential lots located at the northwest corner of Baxter Street and Birdsong Street.

MOTION: Patrick Noon motioned to approve the Consent Agenda.

SECOND: Heath Hamberlin seconded the motion.

VOTE: The motion carried unanimously (6-0).

VII. Regular Agenda

- A. A PUBLIC HEARING will be held to consider application #Z22-01 filed by John Whitehurst requesting a rezone from Agriculture (A) and Planned Development General Retail (PD-GR) to Single-Family (SF-4) for approximately 10.808 acres of AB WM Engle Survey Tract 9-02 located at the northwest corner of McCann Road and Wellington Lane.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 10.808 acres of AB 66 WM Engle Survey Tract 9-02 from Agriculture (A) and Planned Development (PD-GR) to Single-Family (SF-4) located at the northwest corner of McCann Road and Wellington Lane. The applicant is proposing a subdivision with approximately 37 lots.

Wellington Lane is classified as a local roadway and this portion of McCann Road is classified as a collector roadway. This type of development is appropriate along these roadways as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore the request does not constitute spot zoning.

The applicant, John Whitehurst, 3902 Chase Creek Place, Longview, TX 75605, was present. He stated the plan to develop single-family homes on the property was in its initial stages and the rezone request was needed to move forward.

Public Hearing opened for discussion.

No one was present to speak in support or opposition of the request.

Public Hearing closed.

MOTION: Jason Jones motioned to approve.
SECOND: Patrick Noon seconded the motion.
VOTE: The motion carried unanimously (6-0).

- B. A PUBLIC HEARING will be held to consider application #Z22-02 filed by Commonwealth Development Corporation requesting a rezone from Single-Family (SF-4) to Multi-Family (MF) Zoning District for approximately 5.985 acres of AB 4 I C Skillern Survey Tract 66 Section 5 located on the east side of Gilmer Road, north of Jenny Street.

Commissioner Noon recused himself from Regular Agenda item B.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 5.985 acres of AB 4 | C Skillern Survey Tract 66 Section 5 from Single-Family (SF-4) to Multi-Family (MF) located on the east side of Gilmer Road, north of Jenny Street. The applicant is proposing a multi-family development with approximately 66 single-story cottage style apartments for seniors.

Gilmer Road is a TXDOT roadway and is classified as a principal arterial. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. This type of development is appropriate along this roadway as long as access management is followed.

Staff finds the proposed zoning change is consistent with the Comprehensive Plan and adjacent zoning; therefore this does not constitute spot zoning.

The applicant's representative, Devin Baker, PO Box 131952 Spring, TX, was present. He stated the proposed development would be a 66-unit, single-story, cottage style complex for seniors. The six acre tract to the north is already zoned multi-family and they are seeking congruent zoning in the southern tract.

Frankie Parson asked Mr. Baker to further explain the status of the lot to the north.

Mr. Baker stated they were under contract for both properties, the lot to the north is about 6.24 acres and the lot to the south is about 5.98 acres. It is roughly a 12.24 acre development and the southern tract needed to be rezoned for the project to move forward.

Public Hearing opened for discussion.

Kevin Stagner, 41 Oak Creek Ridge Drive, Longview, TX 75605, was present to speak in support. He stated that although he fully supported the utilization of property in Longview to the best of its real estate value, he was seeking some reassurances. In multi-family zoning, buildings are allowed to be a maximum of 3 stories high which might affect the single-family home he owns in the neighborhood. He asked Mr. Baker whether all of development would be one-story.

Mr. Baker stated they would be.

Mr. Stagner stated his concern with the rezone meaning the property could become something else in the future. He restated he saw this development as a very good thing and if it was zoned multi-family or a planned development he would be ok with either and reiterated his concern as a property owner adjoining the subject property.

No one was present to speak in opposition to the request.

Public Hearing closed.

MOTION: Pat O'Rear motioned to approve.
SECOND: Chad Harkey seconded the motion.
VOTE: The motion carried unanimously (5-0-1). Mr. Noon abstained from the agenda item.

- C. A PUBLIC HEARING will be held to consider application #S22-01 filed by Main & Main Capital Group requesting a Specific Use Permit (SUP) to allow for a restaurant with a drive-thru window in a General Retail (GR) Zoning District for a portion of Lot 2, Block 1 Liberty Baptist Church Addition located at 1500 W Loop 281.

Commissioner O'Rear recused himself from Regular Agenda item C.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a restaurant with a drive-thru window in a General Retail (GR) Zoning District. A Specific Use Permit is required for drive-thru windows within GR zoning districts to ensure no negative impact on surrounding properties.

Loop 281 is a TXDOT roadway and is classified as a principal arterial. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed.

The tract directly to the east received a SUP for a restaurant with a drive-thru window in 2017 with the following stipulations:

- 8 foot tall solid wood fence be installed along the rear property line
- Maintenance of a 100 foot easement along the rear of the property where no buildings, parking or lighting shall be allowed within the easement and where as many trees are preserved as possible

- Maintenance of a 50 foot natural buffer at rear of the property adjacent to the residential.

However, that tract shares a rear property line with the residential neighbors. This request is approximately 174 feet away from the residential property.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses therefore; it does not constitute spot zoning.

Frankie Parson asked staff whether there would be a new access onto Loop 281 other than the two already there.

Angela Choy stated the tracts of land would share the existing access.

The applicant's representative, Sam Moore, 2505 Penshurst Court, Celina, TX 75009, was present. He gave a brief history of Dutch Bros. and their expansion into east Texas. The building will be 950 square feet and only employees can access the building because there will be no indoor seating. The majority of business is done through the drive-thru but walk-up service is an option. The restaurant's goal is to keep its "ticking time" to cycle a car from the drive-thru window to completion is underneath 30 seconds.

Public hearing opened for discussion.

No one was present to speak in support of the request.

Johnny Medrano, 1401 Tiffany Lane, Longview, TX 75604 was present to ask the applicant what their hours of operation would be.

Mr. Moore stated they would be open 7 days a week from 5 a.m. to 11 p.m.

Mr. Medrano asked Mr. Moore how many vehicles would be allowed to park at the property.

Mr. Moore stated there would be at least 10 parking spots and about 25-30 stacked vehicles within the drive-thru.

Public hearing closed.

MOTION: Patrick Noon motioned for approval of the request.

SECOND: Jason Jones seconded the motion.

VOTE: The motion carried unanimously (5-0-1). Mr. O'Rear abstained from the agenda item.

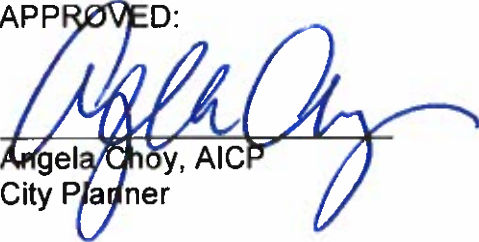
VIII. Staff Update

The zoning item for Longview ISD was approved by City Council.

IX. Adjourn

Chairperson Frankie Parson adjourned the meeting at 5:58 pm.

APPROVED:

A handwritten signature in blue ink, appearing to read "Angela Choy", is written over a horizontal line.

Angela Choy, AICP
City Planner