



Planning & Zoning Commission August 10, 2026

Notice is hereby given of a regular meeting of the Nacogdoches Planning and Zoning Commission to be held on the above date in the City Council Chambers of City Hall, 202 E. Pilar Street, Nacogdoches, Texas, beginning at 5:00 p.m. for the purpose of considering the following agenda items. Some Commission members may attend via videoconference but a quorum of the Commission and the Presiding Officer will be present at the above-stated physical location. There will be an opportunity for the public to comment on agenda items in person. A video archive link of the meeting will be available at <https://www.nactx.us/21>.

PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. Statement of Officer and Oath of Office for newly appointed Commission members.
4. Open Forum: In accordance with the Texas Open Meetings Act, members of the Commission shall not discuss, deliberate, or make any decisions on topics not posted as an agenda item. Speakers should address all remarks to the Commission and limit your remarks to no more than 3 minutes.
5. CONSENT AGENDA: All matters listed under the Consent Agenda are considered routine by the Commission and will be enacted by one motion. These items include final plats found to be in compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations.
 - A. Consider approval of minutes from the Planning and Zoning Commission meeting held on July 13, 2026.
6. REGULAR AGENDA: City Council will receive staff recommendations and public input on the following items, and may deliberate and take formal action on the item.
 - A. **Public Hearing:** Discuss and consider action on Zoning Case ZON2026-06 regarding a zone change from R-1, Single Family to B-1, Local Business, on one (1) parcel of land approximately 0.35 acres $\pm$ in size, more particularly described by Nacogdoches Central Appraisal District Parcel 1000004518, being Lot 74, City Block 54; and generally located on the southeast corner of Appleby Sand Road and NE Stallings Drive, Nacogdoches, Texas.
 - B. **Public Hearing:** Discuss and consider action on Specific Use Permit Case SUP2026-06 regarding a Specific Use Permit request for a Eating Place with Drive-Thru in a B-1, Local Business district on one (1) parcel of land approximately 0.35 acres $\pm$ in size, more particularly described by Nacogdoches Central Appraisal District Parcel 1000004518, being Lot 74, City Block 54; and generally located on the southeast corner of Appleby Sand Road and NE Stallings Drive, Nacogdoches, Texas. **withdrawn by applicant**



7. Future Agenda Items. A Commissioner may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
8. ADJOURN.

CERTIFICATION

This meeting will be conducted pursuant to Chapter 551 of the Texas Government Code. The Commission reserves the right to adjourn into Executive Session at any time during the meeting to discuss any of the above posted agenda, as authorized by Texas Government Code Section 551.071 [consultation with attorney]. The City of Nacogdoches is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications may be provided upon request. Please contact the City Secretary at (936) 559-2506 for information. I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas 75961 on or before August 4, 2026, and remained posted until the meeting convened.

Juan Pollette, City Planner



Planning and Zoning Commission

Date: August 10, 2026

Agenda Item: 5.A.

PRESENTER:

ITEM/SUBJECT: Consider approval of minutes from the Planning and Zoning Commission meeting held on July 13, 2026.

OVERVIEW:

STAFF REVIEW:

CITY CONTACT:

ATTACHMENTS: 1. PZ Minutes 07.13.2026



**Regular Meeting Minutes
Nacogdoches Planning and Zoning Commission
July 13, 2026 – 5:00 p.m.**

City Council Chambers, 202 E. Pilar Street, Nacogdoches, TX

Commissioners present: Matt Perry, Bridget Arrant, and Charles Zemanek

1. CALL TO ORDER.

Acting Chair Perry called the meeting to order at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE.

3. OPEN FORUM.

Acting Chair Perry opened the Open Forum and invited public comment. No one requested to speak, and the Open Forum was closed.

4. CONSENT AGENDA.

- a. Consider approval of minutes from the Planning and Zoning Commission meeting held on June 8, 2026.

Commissioner Zemanek moved to approve the minutes as presented. Commissioner Arrant seconded. The motion passed unanimously (3-0).

5. REGULAR AGENDA.

- a. **Public Hearing:** Discuss and consider action on Specific Use Permit Case SUP2026-05 regarding a Specific Use Permit request for a Radio, TV, Microwave, or Cellular Transmission Tower (Commercial), in a R-1, Single Family district on one (1) parcel of land approximately 40.66 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcel 26160; and generally located on the south side of SE Stallings Drive approximately one-half mile south of East Main Street, Nacogdoches, Texas.

City Planner Juan Pollette presented the staff report. Mr. Pollette explained that the subject property is approximately 40.66 acres in size and is zoned R-1, Single-Family Residential. The proposed request is for the construction of a 195-foot commercial cellular transmission tower within a 60-foot by 60-foot lease area located near the front of the property. The tower will be enclosed by an eight-foot chain-link fence with landscape screening, while existing vegetation surrounding the site will be preserved. Pollette reviewed the surrounding zoning, future land use designation, notification requirements, and public outreach. He reported that property owners within 200 feet were mailed public hearing notices, property owners within 200–500 feet received courtesy postcards, and a neighborhood meeting was held on July 8, 2026. No comments were received in favor of or in opposition to the request, and no neighboring property owners attended the neighborhood meeting. Based on the review criteria, staff found the proposed use to be compatible with surrounding properties, not detrimental to the orderly development of the area, and not expected to create adverse impacts related to traffic, infrastructure, or nuisances. Staff recommended approval of the request.

Acting Chair Perry invited the applicant, Cody Cogdill of Towers of Texas, to address the Commission. Cogdill stated that he had no additional comments but was available to answer questions.

Acting Chair Perry opened the public hearing. No one spoke for or against the item. The public hearing was closed.

Commissioner Arrant moved to approve the item as presented. Commissioner Zemanek seconded the motion. The motion passed unanimously (3-0).

- b. **Public Hearing:** Discuss and consider action on Zoning Case ZON2026-04 for Comprehensive Plan amendment to update the Nacogdoches Future Land Use Plan by adding a Two Family Mixed Residential future land use class, which is compatible with Single-Family, Two-Family, and Manufactured Home residential land uses in certain areas within the city limits of Nacogdoches, Texas.

Executive Director of Development and Infrastructure Mike Neu presented the staff report regarding a city-initiated amendment to the Comprehensive Plan. Mr. Neu explained that Senate Bill 785, effective September 1, 2026, requires municipalities to allow HUD-code manufactured homes by right in at least one residential zoning district. He reviewed the City's evaluation process, including meetings of the Zoning Ordinance Subcommittee, direction provided by the City Council, neighborhood outreach, and the relationship between the proposed future land use amendment and the subsequent zoning ordinance amendments. Mr. Neu explained that the proposed amendment would establish a Two-Family Mixed Residential future land use classification to identify areas considered appropriate for future zoning requests involving manufactured housing. He stated that the amendment would not change existing zoning but would provide guidance for future land use decisions consistent with the Comprehensive Plan.

Acting Chair Perry opened the public hearing. No one spoke for or against the item. The public hearing was closed.

Commissioner Zemanek asked staff to clarify that the proposed amendment was intended to bring the City's regulations into compliance with state law rather than immediately establish new manufactured home developments. Neu confirmed that the proposal was designed to create a planning framework and future opportunities while minimizing impacts on existing neighborhoods. The Commission also discussed the distinction between creating a future land use classification and establishing a new zoning district, with staff clarifying that the amendment would create a future land use category only, while any zoning changes would be considered separately under the following agenda item.

Commissioner Zemanek moved to recommend approval of the item as presented. Acting Chair Perry seconded the motion. The motion passed unanimously (3-0).

- c. **Public Hearing:** Discuss and consider action of amendments to the Code of Ordinances of the City of Nacogdoches, Texas, including Chapter 118 "Zoning", Article I "In General", Section 118-1 "Definitions"; Article III "District Regulations"; and Article IV "Supplementary District Regulations", Section 118-317 "Manufactured Housing" to establish a new residential zoning district which provides for manufactured home land uses and to update supplemental regulations.

Executive Director of Development and Infrastructure Mike Neu presented the proposed zoning ordinance amendments following the Commission's consideration of the Comprehensive Plan amendment. Mr. Neu explained that the amendments would establish the R3M Two-Family Mixed Dwelling District, creating a residential zoning district that would allow single-family dwellings, duplexes/townhomes, and HUD-code manufactured homes. He stated that the proposed district mirrors the existing R-3 Duplex Dwelling District, with the primary distinction being the allowance of HUD-code manufactured homes. Mr. Neu reviewed the proposed supplemental regulations, including requirements that manufactured homes be HUD-code

compliant, no more than two years old at the time of application, permanently anchored to an engineered foundation in accordance with HUD standards, and meet all applicable setback, skirting, and installation requirements. He emphasized that adoption of the ordinance would establish a new zoning district but would not automatically rezone any property within the City. Property owners would still be required to apply for a zoning change before the district could be applied to a specific property.

Acting Chair Perry opened the public hearing. No one spoke for or against the item. The public hearing was closed.

Commissioner Arrant moved to approve the ordinance amendments as presented. Commissioner Zemanek seconded the motion. The motion passed unanimously (3-0).

- d. **Public Hearing:** Discuss and consider action on Zoning Case ZON2026-05 for a zone change from R-3, Two Family (Duplex), to R-3M, Two Family (Mixed), for platted properties in the Millard's Apple Park Subdivision, Section 1-8, consisting of approximately 30.10 acres and 69 lots, generally located near the intersection of Woden Road and Apple Boulevard, Nacogdoches, Texas.

City Planner Juan Pollette presented the staff report for the city-initiated zoning request. Mr. Pollette explained that the proposed rezoning would apply the newly established R-3M Two-Family Mixed Dwelling District to the existing Millard's Apple Park Subdivision in order to implement the Comprehensive Plan amendment and comply with Senate Bill 785. He stated that the subdivision was selected because it is an existing platted residential subdivision with public infrastructure and an established development pattern that already includes manufactured homes. Staff found the request to be consistent with the Comprehensive Plan, compatible with surrounding properties, and not expected to create adverse impacts related to traffic or infrastructure.

Acting Chair Perry opened the public hearing.

Brady Taylor, Superintendent of Woden ISD, residing at 4485 FM 226, requested clarification regarding the proposal's impact on the school district and whether additional residential lots were being created.

Willie Rose, residing at 2896 FM 2259, asked how the proposed zoning change would affect surrounding properties.

Acting Chair Perry closed the public hearing.

Staff clarified that the request would not create additional lots or alter school district boundaries, but would apply the new zoning district to the existing subdivision and provide property owners the option to place qualifying manufactured homes on their property in accordance with City regulations. Staff further explained that existing subdivision restrictive covenants would remain in effect and continue to govern private development standards.

Commissioner Zemanek moved to approve the item as presented. Acting Chair Perry seconded the motion. The motion passed unanimously (3-0).

6. FUTURE AGENDA ITEMS.

No future agenda items were requested.

7. **ADJOURN.** Acting Chair Perry adjourned the meeting at 6:09 p.m.

Video Archive: A video recording of the Planning and Zoning Commission regular meeting held on July 13, 2026, may be viewed online at <https://www.youtube.com/watch?v=sr6cRZ8TS2I>.

Shannon Conklin, Chair
Planning and Zoning Commission
City of Nacogdoches

ATTEST:

Juan Pollette, City Planner
City of Nacogdoches

PRESENTER: Juan Pollette, City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Zoning Case ZON2026-06 regarding a zone change from R-1, Single Family to B-1, Local Business, on one (1) parcel of land approximately 0.35 acres $\pm$ in size, more particularly described by Nacogdoches Central Appraisal District Parcel 1000004518, being Lot 74, City Block 54; and generally located on the southeast corner of Appleby Sand Road and NE Stallings Drive, Nacogdoches, Texas.

OVERVIEW: The applicant, George Carpenter, is requesting a zoning change for one (1) parcel of land, from R-1, Single Family to B-1, Local Business. The subject property is approximately 0.35 acres in size and is generally located at the southeast corner of Appleby Sand Road and NE Stallings Drive. The applicant has indicated that the property is intended to be developed with an automated coffee kiosk without a drive-through component. Because the proposed business will not include a drive-through, a Specific Use Permit is no longer required under the zoning ordinance. Accordingly, the applicant has formally withdrawn the associated Specific Use Permit application, and only the requested zone change is being considered.

Adjacent Land Use & Zoning

The subject property is currently undeveloped and zoned R-1, Single Family. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Current Zoning	Land Use
North	Commercial	R-1, Single Family & Planned Development	Religious
South	Single Family Residential	R-1, Single Family	Residential
East	Single Family Residential	R-1, Single Family	Residential
West	Public	R-1, Single Family	Public/Institutional

The surrounding area consists primarily of single-family residential development, with supporting institutional and neighborhood commercial uses located along the major roadway corridors.

STAFF REVIEW:

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for zoning change:

Compatibility: The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity;

The requested B-1, Local Business zoning district would introduce neighborhood-scale commercial zoning on a property currently zoned R-1, Single Family and located adjacent to established residential development. The subject property occupies the southeast corner of the intersection of Appleby Sand Road and NE Stallings Drive, two major arterial roadways where commercial and institutional uses are already present in the surrounding area. While the property directly adjoins single-family residential uses to the south and east, its location at a major intersection and the relatively small size of the 0.35-acre site limit the scale and intensity of development that can reasonably occur under the requested zoning district.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The subject property is located within an area that is substantially developed with residential, commercial, and institutional uses. There are no adjacent vacant properties whose future development would be affected by the requested zoning. As a result, the requested B-1 zoning is not anticipated to impede the normal and orderly development or improvement of surrounding properties.

Supporting Facilities: Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;

The subject property is served by existing public infrastructure, including an 8-inch water line and a 6-inch sanitary sewer line located along Appleby Sand Road and NE Stallings Drive. The existing roadway network provides access to the property, and any future development will be subject to the City's development review and permitting processes to ensure compliance with applicable requirements for access, drainage, utilities, and other supporting facilities.

Drives and Parking: The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

Specific driveway locations and parking arrangements will be reviewed at the time of site development to ensure compliance with applicable City and TxDOT standards. Any future development will be required to provide safe and convenient vehicular and pedestrian circulation without adversely affecting the general public or adjacent properties.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

Any future development will be required to comply with all applicable City codes related to nuisance prevention and property maintenance, ensuring compatibility with surrounding uses.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

Any future development of the property would be required to comply with the City's lighting standards, including requirements for shielding and directionality to minimize impacts on adjacent properties. Detailed lighting design would be reviewed at the time of site development to ensure compliance with applicable ordinance requirements.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

Any future development of the property will be required to comply with the landscaping and screening requirements of the Zoning Ordinance. Landscaping and any required buffering adjacent to residential properties will be reviewed during the site development process to ensure compatibility with surrounding development.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan. Future Land Use;

The Future Land Use Map designates the subject property as Single Family Residential, which is intended to encourage low-density residential development. The requested B-1, Local Business zoning district is not consistent with this designation, as it would allow neighborhood-scale commercial uses on the property. However, the subject property is located at the intersection of two major arterial roadways where commercial and institutional uses are already established, which makes it distinct from other properties designated Single Family Residential.

PUBLIC ENGAGEMENT:

- July 9, 2026 – Staff mailed forty-one (41) neighborhood meeting notice postcards to property owners within 500 feet of subject property.
- July 22, 2026 – Staff mailed nine (9) public meeting notice letters to property owners within 200 feet and forty-one (41) notice postcards to property owners within 200-500 feet. As of the date of this report, staff has received twelve (12) written letters in opposition to the request. Of those, five (5) are formal protest letters submitted by property owners within the 200-foot notification area. The protesting property owners represent approximately 23 percent of the land area within the 200-foot protest area, requiring a three-fourths (3/4) supermajority vote of the City Council for approval. No letters in support of the request have been received.
- July 23, 2026 – Staff coordinated a combined neighborhood meeting in the council chambers on behalf of the applicant to receive input from surrounding property owners on the zone change and the corresponding SUP for the proposed automated coffee kiosk. Seventeen (17) neighboring property owners attended the meeting, and all expressed opposition to the requested zoning change. Discussion primarily focused on traffic safety, access and circulation, pedestrian safety near the adjacent school, the suitability of the proposed location, potential nuisance impacts such as lighting, litter, and loitering and future use of the property.
- July 26, 2026 – Legal ad published in the Daily Sentinel newspaper.

This item is scheduled for City Council consideration on August 18, 2026.

CITY CONTACT: Juan Pollette, City Planner

ATTACHMENTS: 1. Maps
2. Site Photos

3. Amendment letter
4. Comment letters
5. Protest letters

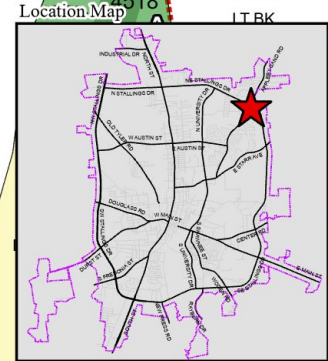
ZON2026-06 Aerial Map



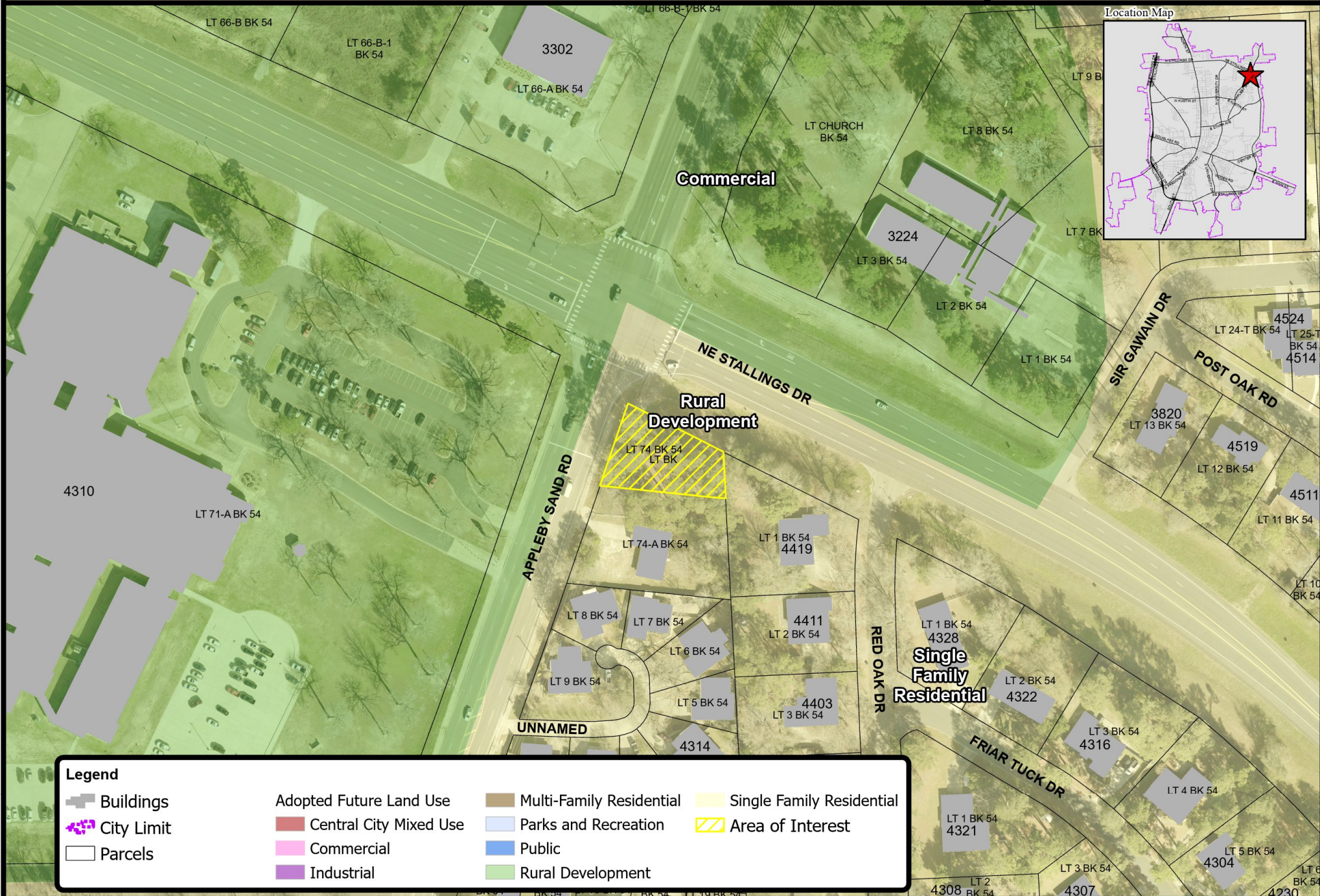
Existing Zoning

ZON2026-06

Proposed Zoning



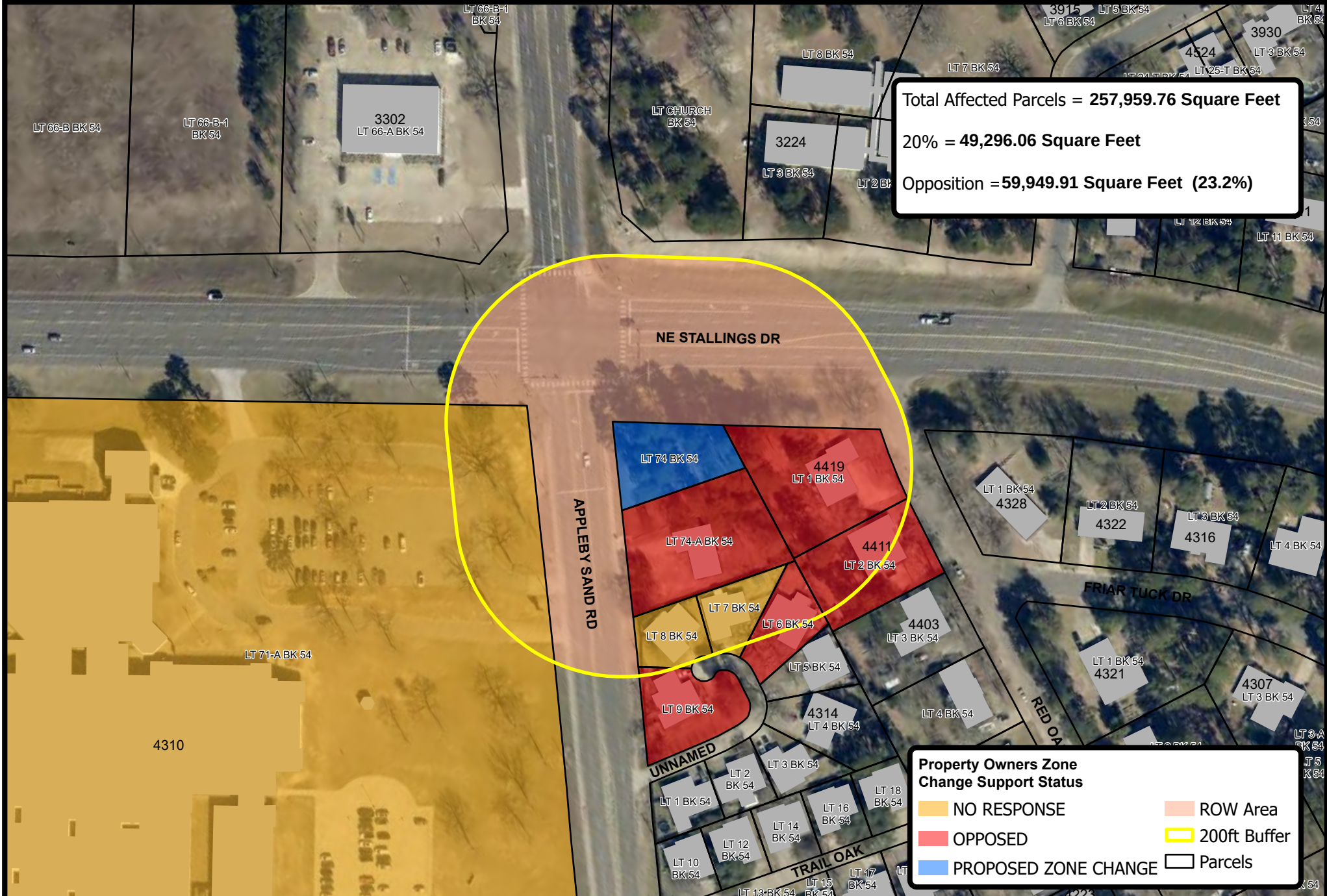
ZON2026-06 Future Land Use Map



ZON2026-06 Notification Map



Zone Change Support Status



0 50 100 150 200 Feet

Date Created: 08/03/26 | Software: ArcGIS Pro

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ZON2026-06 Site Photos

Subject Property



Northeast Corner of Intersection



Source: Google Maps Street View

Northwest Corner of Intersection



Source: Google Maps Street View

Southwest Corner of Intersection



Source: Google Maps Street View

Southeast Corner of Intersection



Source: Google Maps Street View

ZON CASE NO: _____

DATE SUBMITTED: _____

STAFF: _____

COMPREHENSIVE PLAN AMENDMENT LETTER

(Check all applicable)

☐ Related to Future Land Use

☐ Related to Transportation

☐ Related to Other _____

ZO Sec. 118-4. - Relationship to comprehensive plan and thoroughfare plan.

"If a zoning or rezoning request differs from what the comprehensive plan recommends for that area, the city planner will advise the applicant of this and will request the applicant to submit a written letter stating the reasons the comprehensive plan should be changed, if he wishes to proceed with the zoning request."

PROPERTY INFORMATION:

Address: SW corner of Loop 224 & Appleby Sand Total Acres: 0.35

Legal Description: Lot(s): Lot 74 City Block: Block 54

Subdivision (If Platted): _____ Subdivision Block: _____

APPLICANT / PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name(s): George Carpenter

Phone Number: _____

E-mail: _____

Street Address 5317 FM 2259

City: Nacogdoches

State: TX Zip Code: 75761

Signature: [Signature]

PROPERTY OWNER'S INFORMATION:

Name(s): Kunal Kaoud

Ferial Kaoud

Phone Number: _____

E-mail: _____

Street Address 17808 N US Hwy 59 City: Garrison

State: TX

Zip Code: 75746

Signature: [Signature]

DESCRIPTION OF REQUEST:

1. Present zoning classification: ☐ A ☒ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ M ☐ B-1 ☐ B-2
☐ B-3 ☐ I-1 ☐ I-2 ☐ PD

2. Proposed zoning of property: ☐ A ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ M ☒ B-1 ☐ B-2
☐ B-3 ☐ I-1 ☐ I-2 ☐ PD

3. Present zoning classification of all abutting property:

North: _____
East: _____
South: _____
West: _____

4. Current Future Land Use Map classifications and proposed classifications of property:

☐ Rural Development ☒ Single Family Residential ☐ Multi-Family Residential
☐ Commercial ☐ Industrial ☐ Central City Mixed Use ☐ Public
☐ Parks & Recreation

5. Current Future Land Use Map classifications of all abutting property:

North: _____
East: _____
South: _____
West: _____

6. Current and proposed thoroughfare alignments:

Expressway: _____
Major Arterial: _____
Minor Arterial: _____
Major Collector: _____
Minor Collector: _____

ANSWER ALL OF THE FOLLOWING:

1. What specific element of the Comprehensive Plan (for example, Future Land Use designation, Thoroughfare Plan, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?

Future land use map designation for the 0.35-acre tract located at the intersection of NE Stallings Drive and Appleby Sand Rd.

2. What is the amendment request?

To amend the Future Land Use classification from Single-Family Residential to Commercial/Local Business-B1

3. Explain the reason for this amendment.

The amendment will allow the development of a low-impact, highly automated micro-commercial business. Due to the lot size, dual 90' setbacks, and intersection visibility triangle, traditional builds are physically impossible. A B-1 classification allows for an ultra-small footprint use of land.

4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.

Increased traffic volume, transit speeds exceeding 55 mph on Loop 224, evolving infrastructure demands have fundamentally altered the environment of this intersection, rendering it entirely unsuitable for a quiet single-family residential development.

5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.

By placing a home or residential structure directly on a major high-speed highway intersection creates safety liabilities, limits economic utility, and subjects residents to excess traffic noise and light pollution.

6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?

By establishing a low-impact commercial transitional buffer (B-1) between a high speed arterial thoroughfare and interior residential neighborhoods, it introduces an innovated, zero emission commercial use that expands the

7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?

Conceptual commitment to submit to all subsequent TxDOT and City Engineering safety reviews, regarding access including right in-right out driveway modifications

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete.

Signature and title:

[Signature] applicant

Date:

7/24/26

city's sales tax base without creating the heavy traffic burdens, noise, or large waste streams associated with standard commercial districts.

Transcription of Applicant's Amendment Letter

ANSWER ALL OF THE FOLLOWING:

1. What specific element of the Comprehensive Plan (for example, Future Land Use designation, Thoroughfare Plan, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?

Future land use map designation for the 0.35-acre tract located at the intersection of NE Stallings Drive and Appleby Sand Road.

2. What is the amendment request?

To amend the Future Land Use classification from Single-Family Residential to Commercial/Local Business B-1.

3. Explain the reason for this amendment.

The amendment will allow the development of a low-impact, highly automated micro-commercial business. Due to the lot size, dual 20' setbacks and intersection visibility triangle, traditional builds are physically impossible. A B-1 classification allows for an ultra-small footprint use of land.

4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.

Increased traffic volume, transit speeds exceeding 55 mph or Loop 224, evolving infrastructure demands have fundamentally altered the environment of this intersection, rendering it entirely unsuitable for a quite single-family development.

5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.

By placing a home or residential structure directly on a major high-speed highway intersection increases safety liabilities, limits economic utility, and subject residents to excess traffic noise and light pollution.

6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?

By establishing a low-impact commercial transitional buffer (B-1) between a high speed arterial throughfare and interior residential neighborhoods. It introduces an automated, zero emission commercial use that expands the City's sales tax base without creating the heavy traffic burdens, noise, or large waste streams associated with standard commercial districts.

7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?

Conceptual commitment to submit to all subsequent TxDOT and civil engineering safety review regarding access including right-in-right out driveway modifications.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete.

Fwd: Rezoning at Appleby Sand & Stallings Drive

1 message

Sec, City <citysec@nactx.us>
To: Planning & Zoning <pz@nactx.us>
Cc: Juan Pollette <pollettej@nactx.us>

Thu, Jul 23, 2026 at 12:00 PM

FYI

----- Forwarded message -----

From: **Allison Morgan** <[REDACTED]>
Date: Thu, Jul 23, 2026 at 9:36 AM
Subject: Rezoning at Appleby Sand & Stallings Drive
To: <citysec@nactx.us>

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

Thank you for your time and your continued service to Nacogdoches. Please see the letter attached.

Warmly,



ALLISON MORGAN

EAST TEXAS REALTOR®

📞 (936) 645-2811

✉ allison@living-texas.com

🌐 www.living-texas.com

📍 2400 N Stallings Dr. Nacogdoches, TX



Note: Texas law requires all real estate licensees to give the following "Information About Brokerage Services" to prospective buyers, tenants, sellers, and landlords. To review, click the link [HERE](#).

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 **rezoningpdf.pdf**
115K

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
- **Pedestrian Safety:** This intersection is a primary pedestrian connector for local families and students walking to the high school, neighboring parks, the splash pad, and the pickleball courts. Introducing a high-volume commercial entrance creates a direct conflict between vulnerable pedestrians and drivers who are inherently distracted while navigating a busy drive-thru. This poses an immediate, severe physical threat to the children and residents who use these pathways daily.
- **Sanitation & Pest Concerns:** Drive-thru and fast-food establishments produce high volumes of daily food waste and rely on heavy dumpster usage. Placing a major commercial food source on this specific corner introduces a major pest control risk. The resulting accumulation of waste will inevitably attract rodents and rats, which will migrate directly into the well-established residential yards and homes immediately adjacent to the lot.

For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:  07/23/26
Physical Address: 4217 Ridgebrook Dr. Nacogdoches, TX 75965
Date: July 23, 2026

Corner of loop/Appleby Sand

1 message

'Mark Easley' via Planning & Zoning <pz@nactx.us>

Mon, Aug 3, 2026 at 8:24 AM

Reply-To: Mark Easley <[REDACTED]>

To: pz@nactx.us

My name is Mark Easley and I live at 4221 Friar Tuck Dr. I would just like for the planning and zoning committee to make wise decisions about the zoning of that empty corner lot. It's very important for us to remember the safety of the students as they go to school and leave school. I see lots of high school kids crossing that busy intersection before and after school. Let's keep safety a top priority. Thank you!
Sent from my iPhone

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FORMAL LETTER AGAINST: Specific Use Permit Case SUP2026-06

K. Dillon <[REDACTED]>
To: pz@nactx.us

Wed, Jul 29, 2026 at 2:48 PM

Attn: City of Nacogdoches Planning & Zoning Commission

Dear Commissioners and Council Members,

As a property owner within 200ft of the proposed location, I am writing to formally express my opposition to Specific Use Permit Case SUP2026-06. While I recognize the entrepreneurial vision behind a 24/7 self-serve drive-through AI robot barista, this specific parcel is entirely unsuitable for a drive-through establishment. Introducing a high-volume commercial drive-through at this location poses severe safety risks to pedestrians and motorists, worsens existing arterial traffic congestion in a school zone, and creates direct driveway access issues for nearby residents.

I respectfully submit the following critical concerns for your consideration:

1. Critical Traffic Safety & High-Accident Intersection

- The intersection of Appleby Sand Road and NE Stallings Drive is already an established traffic hazard. As a major artery serving ~19,000 vehicles daily, it acts as a primary entry point into Nacogdoches. Over the past three years alone, this intersection has seen a long record of vehicle collisions, including 17 major accidents involving injury or fatality.
- Three (3) distinct streams of incoming traffic will effectively be cut off from safely accessing the proposed business, due to the severe risk and extreme difficulty of attempting a left-hand turn into or out of the entrance/exit across opposing traffic, compounding gridlock and collision risks on Appleby Sand Road.
- Proposed "right-turn-only" rules are impractical to enforce in practice. During peak morning and afternoon rushes, drivers, especially young, inexperienced high school drivers, frequently ignore signage or jump curbs to make turns when in a hurry.
- The parcel's layout leaves only one viable spot for a driveway, potentially affecting three existing residential driveways/streets/cul-de-sacs. Just one waiting car queued to enter the business will block the neighbor's access, severely compromising safety, privacy, and sightlines when pulling into the roadway.

1. School Zone Impact & Pedestrian Risk

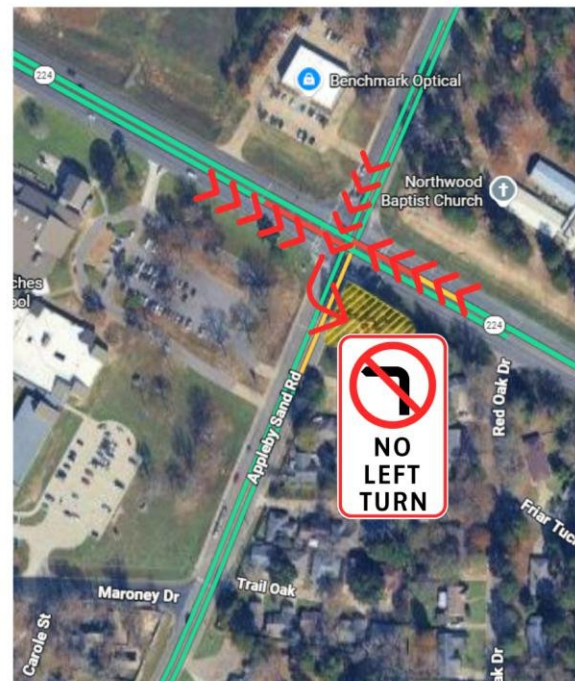
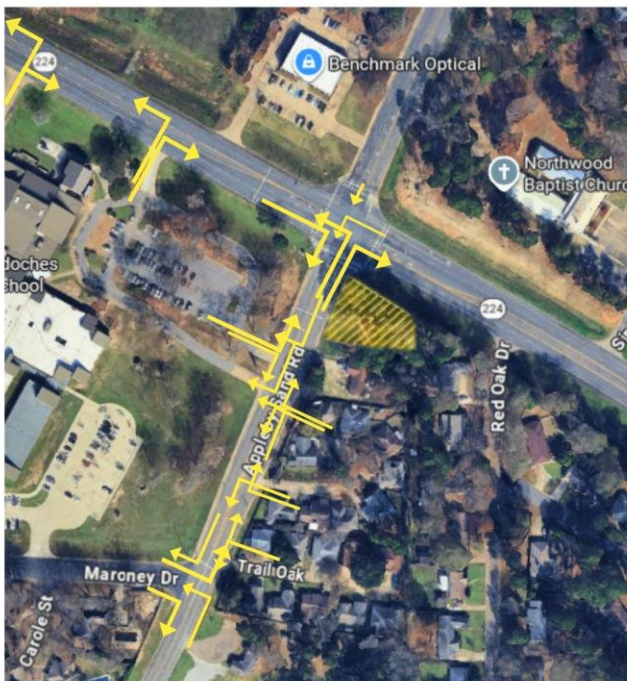
- This site sits directly across from Nacogdoches High School, where nearly 2,000 students and staff arrive every morning by 7:15 AM creating a high-density bottleneck. At least 10 traffic streams currently operate within 500 feet of the proposed lot via the school's primary entrance and the Maroney Drive access point.
- Several large surrounding subdivisions are home to families whose children rely on walking to and from school along this route. Already, students must constantly dodge hurried drivers to cross this intersection. Adding a high-turnover drive-through right along this pedestrian pathway introduces an unacceptable level of risk to student safety. Federal Highway Administration data demonstrates that nearly 30% of pedestrian fatalities occur in areas transitioning from residential to commercial zones without adequate safety measures.

I admire innovative business ventures, but clearly this proposal belongs in an existing commercial location. Planners and developers must recognize that this project is logistically unsound at this specific location. The immediate safety of nearly 2,000 students and local commuters must take priority over a commercial drive-through request on a constrained parcel. I urge the Planning and Zoning Commission and City Council to **DENY Specific Use Permit Case SUP2026-06**.

Thank you for your consideration,
Kydie Dillon
4314 Appleby Sand Rd, House #6
Nacogdoches, TX 75965

--

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Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
- **Pedestrian Safety:** This intersection is a primary pedestrian connector for local families and students walking to the high school, neighboring parks, the splash pad, and the pickleball courts. Introducing a high-volume commercial entrance creates a direct conflict between vulnerable pedestrians and drivers who are inherently distracted while navigating a busy drive-thru. This poses an immediate, severe physical threat to the children and residents who use these pathways daily.
- **Sanitation & Pest Concerns:** Drive-thru and fast-food establishments produce high volumes of daily food waste and rely on heavy dumpster usage. Placing a major commercial food source on this specific corner introduces a major pest control risk. The resulting accumulation of waste will inevitably attract rodents and rats, which will migrate directly into the well-established residential yards and homes immediately adjacent to the lot.

For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:  Cathleen Dixon

Physical Address: 4403 Red Oak Dr Nacogdoches, TX 75965

Date: July 24, 2026



Pollette, Juan <pollettej@nactx.us>

Fwd: Formal Protest: Rezoning at Appleby Sand & Stallings Drive

3 messages

Sec, City <citysec@nactx.us>

Wed, Jul 22, 2026 at 1:09 PM

To: Juan Pollette <pollettej@nactx.us>

FYI

----- Forwarded message -----

From: Michelle Cox <[REDACTED]>

Date: Wed, Jul 22, 2026 at 12:44 PM

Subject: Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: <citysec@nactx.us>

To whom it may concern,

I live diagonally to this property on Red Oak, my property doesn't touch this but is just one house away. I'm grateful I received a notice of the rezoning request because this decision would significantly impact my life in various ways -- none of them good.

1. Increased traffic with serious impact to drivers' safety.

The lot has one access point, which is on Appleby Sand. Making left turns out of that lot would cause major risk for traffic accidents. Appleby Sand Rd does not have a common turning lane. In fact, at that point, the customer would be making a left turn THROUGH the left turn lane for Appleby Sand Rd, not a through lane, thereby causing potential backups in the commercial property as they wait for the turning traffic to clear the intersection, and impatient drivers would behave in a riskier way trying to get out.

Traffic turning left from the LOOP onto Appleby Sand would have to navigate unexpected motorists from the business who are making a left turn onto Appleby Sand as well, and from a potentially obstructed viewpoint. Loop traffic travels at 55MPH or faster. It is a high-speed, main road for Nacogdoches. Drivers often take the turn at a high speed, especially when trying to get through before the light turns red.

If the business were to build a driveway with culvert over the drainage ditch that runs along the Loop, again, the left turn would cross a turning lane to get to the through lanes, potentially causing backups of traffic and accidents.

There are better business spots further west along the Loop, where there is a common turning lane, excellent visibility and access.

I've been living just two houses up from the Loop for 11 years. I can't count how many times I've heard a collision and/or the sirens of first responders. Sometimes I'll go out to see if anyone needs help. One such morning, a car had hit the back of a school bus and was partially underneath it. The situation was very serious. It is inevitable that another driveway at a poorly placed location, attracting a flow of customers, rather than one or two residents, for most of the day, will significantly raise the number of traffic accidents.

2. Increased risk of bodily injury or death to high school students and all pedestrians.

Approximately two dozen students from my subdivision and the subdivision on the north side of the Loop, use this intersection to cross to the high school at 7am when traffic is at its daily peak. My oldest three sons all walked to school their four years of high school. They have told me that they always had to use great caution crossing at the intersection because drivers were not paying careful attention to pedestrians. One son described that, at least weekly, he had to stop crossing because a driver didn't check both ways before turning and would pass right in front of him. He recalls that a couple times he had to actually dodge cars and jump out of the way. My sons said they always watched for oblivious drivers. My 4th son will begin walking to school this Fall, and soon after his younger 2 siblings, leaving us with 9 more years of our kids crossing the street to the high school. We are so close to it that we can see it from our second story windows.

There will always be families who rely on their teens walking to the high school because of their close proximity. This will be an on-going issue and the business traffic will exponentially increase a risk that already exists.

Many residents, including my husband and myself, walk or jog for exercise and cross the Loop or Appleby Sand to access other areas. We would also be at higher risk during morning walks and runs.

3. Garbage, smell and rodents

According to a pest control website, rats will roam up to 150' of their food source. The homes whose properties are touching the empty lot are in immediate risk for rats, as well as mice and cockroaches and other pests that are attracted to commercial trash dumpsters. It only takes 6 rats to have an infestation. And if the business fails and closes down, all the rodents and pests will look for new food sources, putting numerous homes in direct danger, including mine. Rat droppings are toxic. Rats carry fleas and can spread 35 different illnesses. This is unthinkable.

According to a dumpster service website, odors can permeate up to 50 feet. But, "in warm or stagnant conditions, particularly with food waste, odors can spread even further." Conditions during our very hot, long summer season could be unbearable for those right next to the property. Potential for trash being dropped by garbage trucks and blowing into the streets or yards is another big concern.

In conclusion, I don't see any benefits that would outweigh all of these concerns. I'm loyal to this city; I understand the value of sales tax to the local economy. However, these tax dollars can be gained at a more suitable location. Tax dollars used to respond to traffic accidents minimizes the financial gain. A rental residential property on this site, instead, would be an economic boost to the local economy and the investor.

X = lot for sale

• = my home with joggers, walker, High School student

• = High schoolers who walk



Several neighbors and I will be attending the zoning meeting tomorrow. No one is in favor of this rezoning request.

Thank you for your time,

Michelle Cox

4411 Red Oak Dr.

Online Form Submission #11829 for Public Comments Request

1 message

noreply@civicplus.com <noreply@civicplus.com>

Mon, Jul 27, 2026 at 5:18 PM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Public Comments Request

Individuals who want to comment at the next regular meeting of the City Council or Planning and Zoning Commission (P&Z) may complete the following request form. See [Agendas & Minutes](#) for a list of upcoming meetings. **This form must be submitted no later than 24 hours before the posted meeting start time.** If the meeting is less than 24 hours from the submission of this form, comments will not be recognized (i.e. you will have to attend the meeting and request comments in person).

PLEASE NOTE: A public comment request is *not* the same as a [Zoning Change Protest](#). Unlike protests, comment letters in opposition of a zone change cannot be used to trigger any special approval requirements.

Comments on agenda items

This form only applies to regular Council and P&Z meetings. It does not apply to special meetings, workshops, or other board or commission meetings. In addition:

- Comments must pertain to items that appear on the current posted Council or P&Z meeting agendas.
- Written comments will be included in the meeting record.
- Spoken comments will be limited to no more than three minutes (six minutes if translation is needed) per individual.

Comments on non-agenda items

Public comments on items not listed in the agenda may be spoken during the [Open Forum](#) portion of the meeting and will be limited to no more than 3 minutes (6 minutes if translation is needed) per individual.

(Section Break)

First Name	Thomas
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Last Name	Reader
-----------	--------

Do you live within Nacogdoches city limits?	Yes
Home Address	4314 Appleby Sand Road #7
City	Nacogdoches
State	Texas
Zip	75965
Phone Number	[REDACTED]
Email Address	[REDACTED]
My comments apply to the following meeting:	Planning & Zoning Commission

Please see [Agendas & Minutes](#) for a list of upcoming meeting dates, times, and agendas. This form must be submitted no later than 24 hours before the posted meeting start time.

My comments apply to the following meeting date:	8/10/2026
My agenda item or case number:	ZON2026=06
My position on the above agenda item or case number:	I am AGAINST this item.
I want to include comments at the meeting:	Yes. I will attend in person to speak my comments.
(Optional) I want to upload a file with this form	Field not completed.

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Online Form Submission #11830 for Public Comments Request

1 message

noreply@civicplus.com <noreply@civicplus.com>

Mon, Jul 27, 2026 at 5:21 PM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Public Comments Request

Individuals who want to comment at the next regular meeting of the City Council or Planning and Zoning Commission (P&Z) may complete the following request form. See **Agendas & Minutes** for a list of upcoming meetings. **This form must be submitted no later than 24 hours before the posted meeting start time.** If the meeting is less than 24 hours from the submission of this form, comments will not be recognized (i.e. you will have to attend the meeting and request comments in person).

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(Section Break)

First Name Barbara Ann

Last Name Reader

Do you live within Nacogdoches city limits?	Yes
Home Address	4314 Appleby Sand Road #7
City	Nacogdoches
State	Texas
Zip	75965
Phone Number	[REDACTED]
Email Address	[REDACTED]
My comments apply to the following meeting:	Planning & Zoning Commission

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Online Form Submission #11832 for Public Comments Request

1 message

noreply@civicplus.com <noreply@civicplus.com>

Wed, Jul 29, 2026 at 8:59 AM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Public Comments Request

Individuals who want to comment at the next regular meeting of the City Council or Planning and Zoning Commission (P&Z) may complete the following request form. See **Agendas & Minutes** for a list of upcoming meetings. **This form must be submitted no later than 24 hours before the posted meeting start time.** If the meeting is less than 24 hours from the submission of this form, comments will not be recognized (i.e. you will have to attend the meeting and request comments in person).

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(Section Break)

First Name John

Last Name Randolph

Do you live within Nacogdoches city limits?	Yes
Home Address	4300 Appleby Sand Rd Unit 15
City	Nacogdoches
State	TX
Zip	75965
Phone Number	[REDACTED]
Email Address	[REDACTED]
My comments apply to the following meeting:	Planning & Zoning Commission

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My agenda item or case number:	ZON2026-06
My position on the above agenda item or case number:	I am AGAINST this item.
I want to include comments at the meeting:	No. I just want my position (FOR/AGAINST) added to the meeting record.
(Optional) I want to upload a file with this form	Field not completed.

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Do you live within Nacogdoches city limits?	Yes
Home Address	4300 Appleby Sand Rd Unit 15
City	Nacogdoches
State	TX
Zip	75965
Phone Number	9366150977
Email Address	jonran@suddenlink.net
My comments apply to the following meeting:	Planning & Zoning Commission

Please see [Agendas & Minutes](#) for a list of upcoming meeting dates, times, and agendas. This form must be submitted no later than 24 hours before the posted meeting start time.

My comments apply to the following meeting date:	8/10/2026
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Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
- **Pedestrian Safety:** This intersection is a primary pedestrian connector for local families and students walking to the high school, neighboring parks, the splash pad, and the pickleball courts. Introducing a high-volume commercial entrance creates a direct conflict between vulnerable pedestrians and drivers who are inherently distracted while navigating a busy drive-thru. This poses an immediate, severe physical threat to the children and residents who use these pathways daily.
- **Sanitation & Pest Concerns:** Drive-thru and fast-food establishments produce high volumes of daily food waste and rely on heavy dumpster usage. Placing a major commercial food source on this specific corner introduces a major pest control risk. The resulting accumulation of waste will inevitably attract rodents and rats, which will migrate directly into the well-established residential yards and homes immediately adjacent to the lot.

For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name: Jon J. Barling Reader
Physical Address: 4314 Appleby Sand Unit 7
Date: July 23, 2026

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

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For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:

Nolan Ryan

Physical Address:

4314 Appleby Sand Road #4

Date: July *23*, 2026

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

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For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:

Physical Address:

Date: July 23, 2026

Lina Robinson
4314 Appleby Sand #3

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
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For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:



Physical Address:

4314 Appleby Sand #3

Date: July 23, 2026

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
- **Pedestrian Safety:** This intersection is a primary pedestrian connector for local families and students walking to the high school, neighboring parks, the splash pad, and the pickleball courts. Introducing a high-volume commercial entrance creates a direct conflict between vulnerable pedestrians and drivers who are inherently distracted while navigating a busy drive-thru. This poses an immediate, severe physical threat to the children and residents who use these pathways daily.
- **Sanitation & Pest Concerns:** Drive-thru and fast-food establishments produce high volumes of daily food waste and rely on heavy dumpster usage. Placing a major commercial food source on this specific corner introduces a major pest control risk. The resulting accumulation of waste will inevitably attract rodents and rats, which will migrate directly into the well-established residential yards and homes immediately adjacent to the lot.

For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:

Monica Rosowski

Physical Address:

4314 Appleby Sand Rd #8 Nacogdoches, TX 75965

Date: July 23, 2026

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

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For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name:

Physical Address:

Date: July 22, 2026

Wade S. Liser
4109 Red Oak Dr.

Formal Protest: Rezoning at Appleby Sand & Stallings Drive

To: City Secretary & Nacogdoches City Council

Location of Rezoning Request: Corner lot at Appleby Sand Road & Stallings Drive

To the City Secretary and City Council Members,

I am writing to formally log my opposition to the proposed rezoning of the corner lot at Appleby Sand Road and Stallings Drive for business use, specifically regarding the potential development of an eating establishment with a drive-thru lane. This specific intersection is entirely unsuited for a high-turnover, drive-thru business model due to severe safety and environmental concerns:

- **Traffic Congestion & Intersection Safety:** The intersection of Appleby Sand and Stallings Drive is a dangerous, high-speed corridor that directly borders residential neighborhoods. It sits on a critical path for students walking across the street to Nacogdoches High School (4310 Appleby Sand Rd). Adding a fast-food drive-thru will exacerbate an already hazardous area by introducing abrupt braking, high-risk left turns, and extensive traffic backups. This stretch of road already has a documented history of frequent motor vehicle accidents and multiple fatalities within a 1-mile radius; adding high-turnover commercial traffic will inevitably worsen these conditions.
- **Pedestrian Safety:** This intersection is a primary pedestrian connector for local families and students walking to the high school, neighboring parks, the splash pad, and the pickleball courts. Introducing a high-volume commercial entrance creates a direct conflict between vulnerable pedestrians and drivers who are inherently distracted while navigating a busy drive-thru. This poses an immediate, severe physical threat to the children and residents who use these pathways daily.
- **Sanitation & Pest Concerns:** Drive-thru and fast-food establishments produce high volumes of daily food waste and rely on heavy dumpster usage. Placing a major commercial food source on this specific corner introduces a major pest control risk. The resulting accumulation of waste will inevitably attract rodents and rats, which will migrate directly into the well-established residential yards and homes immediately adjacent to the lot.

For the safety of our neighborhood teenagers, the integrity of our local traffic flow, and the health of our community, I urge the City Council and the Planning & Zoning commission to deny this rezoning request.

Thank you for your time and your continued service to Nacogdoches.

Sincerely,

Signature / Name: Brandon Bearers
Physical Address: 3804 Red Oak Dr Nacogdoches, TX
Date: July 22, 2026

Online Form Submission #11834 for Zoning Change Protest

1 message

noreply@civicplus.com <noreply@civicplus.com>

Wed, Jul 29, 2026 at 4:09 PM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Zoning Change Protest

Only property owners within a distance of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request.

The land area of this 200-foot distance includes streets, alleys and other public rights-of-way. Whenever such written protest is signed by the owners of 20 percent (20%) or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining such and within the 200-foot distance, such change in zoning shall not become effective except by a favorable vote of three-fourths of all members of the City Council.

A separate form must be submitted for each property whose owners are protesting the zoning case. In order to be considered, this form must be submitted by 5:00 p.m. of the third business day immediately preceding the date noticed for the public hearing of the Nacogdoches City Council (i.e., no later than Thursday prior to a Tuesday meeting). If mailed, this protest form must be RECEIVED by the City Secretary by the deadline. If ownership of the protester's property is different from that on record with the Nacogdoches Central Appraisal District, it is the responsibility of the protestor to provide proof of ownership.

PLEASE NOTE: A zoning protest is not the same as a **Public Comment Request letter of opposition.** Unlike protests, comment letters cannot be used to trigger any special approval requirements.

(Section Break)

Zoning case number:	ZON2026-06
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Zoning change from:	R1
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Zoning change to:	B1
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General location of the change	Lot 74, Block 54 (Parcel 1000004518)
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Your Property Address affected by the change:	4314 Appleby Sand Rd Unit 6
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Are you the Property Owner of the affected property?	Yes. I am the Property Owner.
--	-------------------------------

Your Full Name	Kydie Dillon
----------------	--------------

Your Phone Number	
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Your Email Address	
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I, the undersigned, do hereby protest* the changes to the zoning regulations proposed in the above-described City of Nacogdoches Zoning Case. This protest is made pursuant to [Texas Local Government Code Section 211.0061](#), and City of Nacogdoches [Code of Ordinances Section 118-142](#). By signing below, I am authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney, or similar authority that is in full force and effect as of the time and date indicated below. I further represent that the statements made herein are true and correct.

PLEASE NOTE: For the purposes of determining representation on such written protest, the written protest of any one owner of land owned by two or more persons shall be presumed to be the protest of all owners.

Your Signature	By checking this box, I acknowledge I have read, understand, and confirm my eligibility to protest this zoning change.
----------------	--

(Optional) Proof of legal authority	
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Online Form Submission #11835 for Zoning Change Protest

1 message

noreply@civicplus.com <noreply@civicplus.com>

Wed, Jul 29, 2026 at 4:29 PM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Zoning Change Protest

Only property owners within a distance of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request.

The land area of this 200-foot distance includes streets, alleys and other public rights-of-way. Whenever such written protest is signed by the owners of 20 percent (20%) or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining such and within the 200-foot distance, such change in zoning shall not become effective except by a favorable vote of three-fourths of all members of the City Council.

A separate form must be submitted for each property whose owners are protesting the zoning case. In order to be considered, this form must be submitted by 5:00 p.m. of the third business day immediately preceding the date noticed for the public hearing of the Nacogdoches City Council (i.e., no later than Thursday prior to a Tuesday meeting). If mailed, this protest form must be RECEIVED by the City Secretary by the deadline. If ownership of the protester's property is different from that on record with the Nacogdoches Central Appraisal District, it is the responsibility of the protestor to provide proof of ownership.

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(Section Break)

Zoning case number: #ZON2026-06

Zoning change from: Residential

Zoning change to: Business 1

General location of the change Appleby Sand and NE Stallings intersection

Your Property Address affected by the change: [4411 Red Oak Dr Nacogdoches, TX 75965](#)

Are you the Property Owner of the affected property?	Yes. I am the Property Owner.
--	-------------------------------

Your Full Name	Michelle Cox
----------------	--------------

Your Phone Number	
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Your Email Address	
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I, the undersigned, do hereby protest* the changes to the zoning regulations proposed in the above-described City of Nacogdoches Zoning Case. This protest is made pursuant to [Texas Local Government Code Section 211.0061](#), and City of Nacogdoches [Code of Ordinances Section 118-142](#). By signing below, I am authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney, or similar authority that is in full force and effect as of the time and date indicated below. I further represent that the statements made herein are true and correct.

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Your Signature	By checking this box, I acknowledge I have read, understand, and confirm my eligibility to protest this zoning change.
----------------	--

(Optional) Proof of legal authority	<i>Field not completed.</i>
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Online Form Submission #11843 for Zoning Change Protest

1 message

noreply@civicplus.com <noreply@civicplus.com>

Fri, Jul 31, 2026 at 3:04 PM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Zoning Change Protest

Only property owners within a distance of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request.

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(Section Break)

Zoning case number:	ZON2026-26
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Zoning change from:	Residential
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Zoning change to:	Business
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General location of the change	ot 74, Block 54 Parcell 1000004518
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Your Property Address affected by the change:	4328 Applebysand Road, Nacogdoches TX 75965
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Are you the Property Owner of the affected property?	Yes. I am the Property Owner.
--	-------------------------------

Your Full Name	Mario Morones
----------------	---------------

Your Phone Number	
-------------------	--

Your Email Address	
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Your Signature	By checking this box, I acknowledge I have read, understand, and confirm my eligibility to protest this zoning change.
----------------	--

(Optional) Proof of legal authority	
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Online Form Submission #11838 for Zoning Change Protest

1 message

noreply@civicplus.com <noreply@civicplus.com>

Thu, Jul 30, 2026 at 8:21 AM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Zoning Change Protest

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(Section Break)

Zoning case number:	#ZON2026-06
Zoning change from:	R-1 single-family
Zoning change to:	B – 1 local business on one parcel of land approximately .35 acres in size
General location of the change	Lot 74, block 54, Southeast corner of Appleby Sand Road in Northeast Stallings Drive

Your Property Address affected by the change:	4419 Red Oak Drive
Are you the Property Owner of the affected property?	Yes. I am the Property Owner.
Your Full Name	Jessica Waguespack
Your Phone Number	[REDACTED]
Your Email Address	[REDACTED]

I, the undersigned, do hereby protest* the changes to the zoning regulations proposed in the above-described City of Nacogdoches Zoning Case. This protest is made pursuant to [Texas Local Government Code Section 211.0061](#), and City of Nacogdoches [Code of Ordinances Section 118-142](#). By signing below, I am authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney, or similar authority that is in full force and effect as of the time and date indicated below. I further represent that the statements made herein are true and correct.

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Your Signature	By checking this box, I acknowledge I have read, understand, and confirm my eligibility to protest this zoning change.
(Optional) Proof of legal authority	<i>Field not completed.</i>

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 To view this discussion visit <https://groups.google.com/a/nactx.us/d/msgid/pz/010f019fb3302df9-7c79b92b-d936-4c76-b5d7-879e05666310-000000%40us-east-2.amazonses.com>.

Online Form Submission #11839 for Zoning Change Protest

1 message

noreply@civicplus.com <noreply@civicplus.com>

Thu, Jul 30, 2026 at 8:52 AM

Reply-To: noreply@civicplus.com

To: citysec@nactx.us, pz@nactx.us

Zoning Change Protest

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(Section Break)

Zoning case number:	ZON2026-06
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Zoning change from:	R1
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Zoning change to:	B1
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General location of the change	Southeast corner of Appleby Sand Road and NE Stallings Drive, Nacogdoches, Texas
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Your Property Address affected by the change:	4314 Appleby Sand Rd Unit 9 Nacogdoches, TX 75965
---	---

Are you the Property Owner of the affected property?	Yes. I am the Property Owner.
--	-------------------------------

Your Full Name	Sam Frizzell
----------------	--------------

Your Phone Number	
-------------------	--

Your Email Address	
--------------------	--

I, the undersigned, do hereby protest* the changes to the zoning regulations proposed in the above-described City of Nacogdoches Zoning Case. This protest is made pursuant to [Texas Local Government Code Section 211.0061](#), and City of Nacogdoches [Code of Ordinances Section 118-142](#). By signing below, I am authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney, or similar authority that is in full force and effect as of the time and date indicated below. I further represent that the statements made herein are true and correct.

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Your Signature	By checking this box, I acknowledge I have read, understand, and confirm my eligibility to protest this zoning change.
----------------	--

(Optional) Proof of legal authority	
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PRESENTER: Juan Pollette, City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action on Specific Use Permit Case SUP2026-06 regarding a Specific Use Permit request for a Eating Place with Drive-Thru in a B-1, Local Business district on one (1) parcel of land approximately 0.35 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcel 1000004518, being Lot 74, City Block 54; and generally located on the southeast corner of Appleby Sand Road and NE Stallings Drive, Nacogdoches, Texas. **withdrawn by applicant**

OVERVIEW: This item was withdrawn by the applicant on July 24, 2026. The applicant initially submitted a request for a Specific Use Permit (SUP) to allow an Eating Place with Drive-Through with a proposed automated coffee kiosk on the subject property. After the submission of the application, the applicant revised the proposed development to eliminate the drive-through component. As a result, the proposed use no longer requires a Specific Use Permit under the City's Zoning Ordinance. The applicant has formally withdrawn the Specific Use Permit application, and only the associated zoning request (ZON2026-06) remains under consideration.

Adjacent Land Use & Zoning

The subject property is currently undeveloped and zoned R-1, Single Family. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Current Zoning	Land Use
North	Commercial	R-1, Single Family & Planned Development	Religious
South	Single Family Residential	R-1, Single Family	Residential
East	Single Family Residential	R-1, Single Family	Residential
West	Public	R-1, Single Family	Public/Institutional

The surrounding area consists primarily of single-family residential development, with

supporting institutional and neighborhood commercial uses located along the major roadway corridors.

STAFF REVIEW:

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for zoning change:

Compatibility: The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity;

The proposed automated coffee kiosk is a neighborhood-scale commercial use that is smaller in scale than many uses typically found in commercial zoning districts. Due to the property's location at a major intersection and its proximity to established residential development, compatibility with surrounding properties would depend on appropriate site design and operational characteristics.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The subject property is located within an area that is substantially developed with residential, commercial, and institutional uses. As there are no adjacent vacant properties, the proposed use is not anticipated to impede the normal and orderly development or improvement of surrounding properties.

Supporting Facilities: Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;

The subject property is served by existing public infrastructure, including an 8-inch water line and a 6-inch sanitary sewer line located along Appleby Sand Road and NE Stallings Drive. Any future development of the property would be subject to the City's development review and permitting processes to ensure compliance with applicable requirements for access, drainage, utilities, and other supporting facilities.

Drives and Parking: The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the public or adjacent developments;

Due to the property's location at the intersection of two major arterial roadways, careful consideration should be given to driveway placement, parking layout, and site circulation. Specific driveway locations, parking arrangements, and pedestrian traffic would be reviewed during the site development process to ensure compliance with applicable City and TxDOT standards.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

Due to the property's proximity to established residential development, nuisance-prevention measures should be incorporated into the site design, as appropriate. Compliance with applicable City regulations and development standards would help minimize potential impacts related to odor, noise, lighting, and other operational characteristics.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

Any future development of the property would be required to comply with the City's lighting standards, including requirements for shielding and directionality to minimize impacts on

adjacent properties. Detailed lighting design would be reviewed at the time of site development to ensure compliance with applicable ordinance requirements.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

Any future development of the property will be required to comply with the landscaping and screening requirements of the Zoning Ordinance. Landscaping and any required buffering adjacent to residential properties will be reviewed during the site development process to ensure compatibility with surrounding development.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan. Future Land Use;

The Future Land Use Map designates the subject property as Single Family Residential. While the proposed commercial use is not consistent with this designation, the property's location at the intersection of two major arterial roadways and its proximity to existing commercial and institutional uses distinguish it from other properties designated Single Family Residential.

PUBLIC ENGAGEMENT:

- July 9, 2026 – Staff mailed forty-one (41) neighborhood meeting notice postcards to property owners within 500 feet of subject property.
- July 23, 2026 – Staff coordinated a combined neighborhood meeting in the council chambers on behalf of the applicant to receive input from surrounding property owners on the zone change and the corresponding SUP for the proposed automated coffee kiosk. Seventeen (17) neighboring property owners attended the meeting, and all expressed opposition to the requested zoning change. Discussion primarily focused on traffic safety, access and circulation, pedestrian safety near the adjacent school, the suitability of the proposed location, potential nuisance impacts such as lighting, litter, and loitering and future use of the property.
- July 22, 2026 – Staff mailed nine (9) public meeting notice letters to property owners within 200 feet and forty-one (41) notice postcards to property owners within 200-500 feet. As of the date of this report, staff has received twelve (12) written letters in opposition to the request. Of those, five (5) are formal protest letters submitted by property owners within the 200-foot notification area. The protesting property owners represent approximately 23 percent of the land area within the 200-foot protest area, requiring a three-fourths (3/4) supermajority vote of the City Council for approval. No letters in support of the request have been received.
- July 26, 2026 – Legal ad published in the Daily Sentinel newspaper.

CITY CONTACT: Juan Pollette, City Planner

ATTACHMENTS:

1. Maps
2. Site Plan
3. Site Photos

SUP2026-06 Aerial Map



SUP2026-06 Zoning Map



Legend

- Buildings
- City Limit
- Parcels

Zoning

- A - Agriculture
- B-1 - Local Business
- B-2 - General Business
- B-3 - Central Business

- DA - Development Agreement
- I-1 - Light Industrial
- I-2 - Heavy Industrial
- M - Medical
- PD - Planned Development

- R-1 - Single Family
- R-2 - Single Family
- R-3 - Two Family
- R-4 - Multi-Family
- Area of Interest



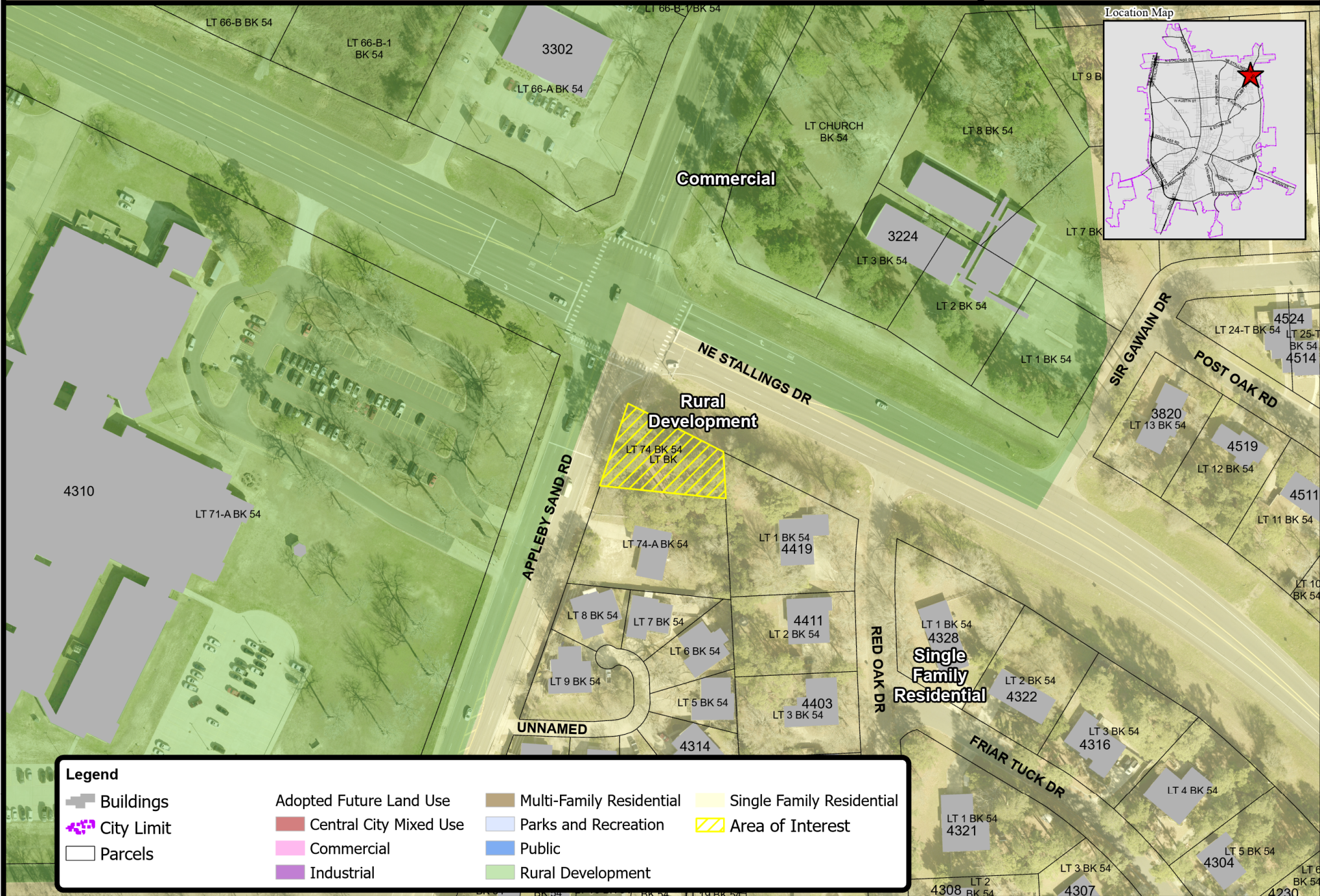
0 60 120 180 240 Feet

Date Created: 07/09/26 15:12 | ArcGIS Pro 3.2.2

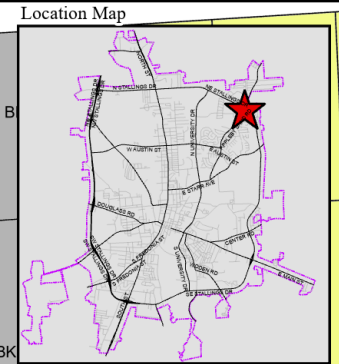
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



SUP2026-06 Future Land Use Map



SUP2026-06 Notification Map



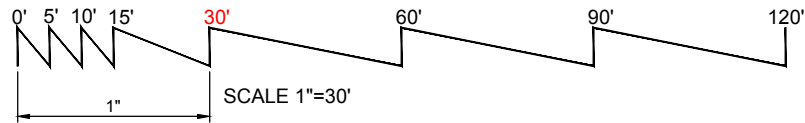
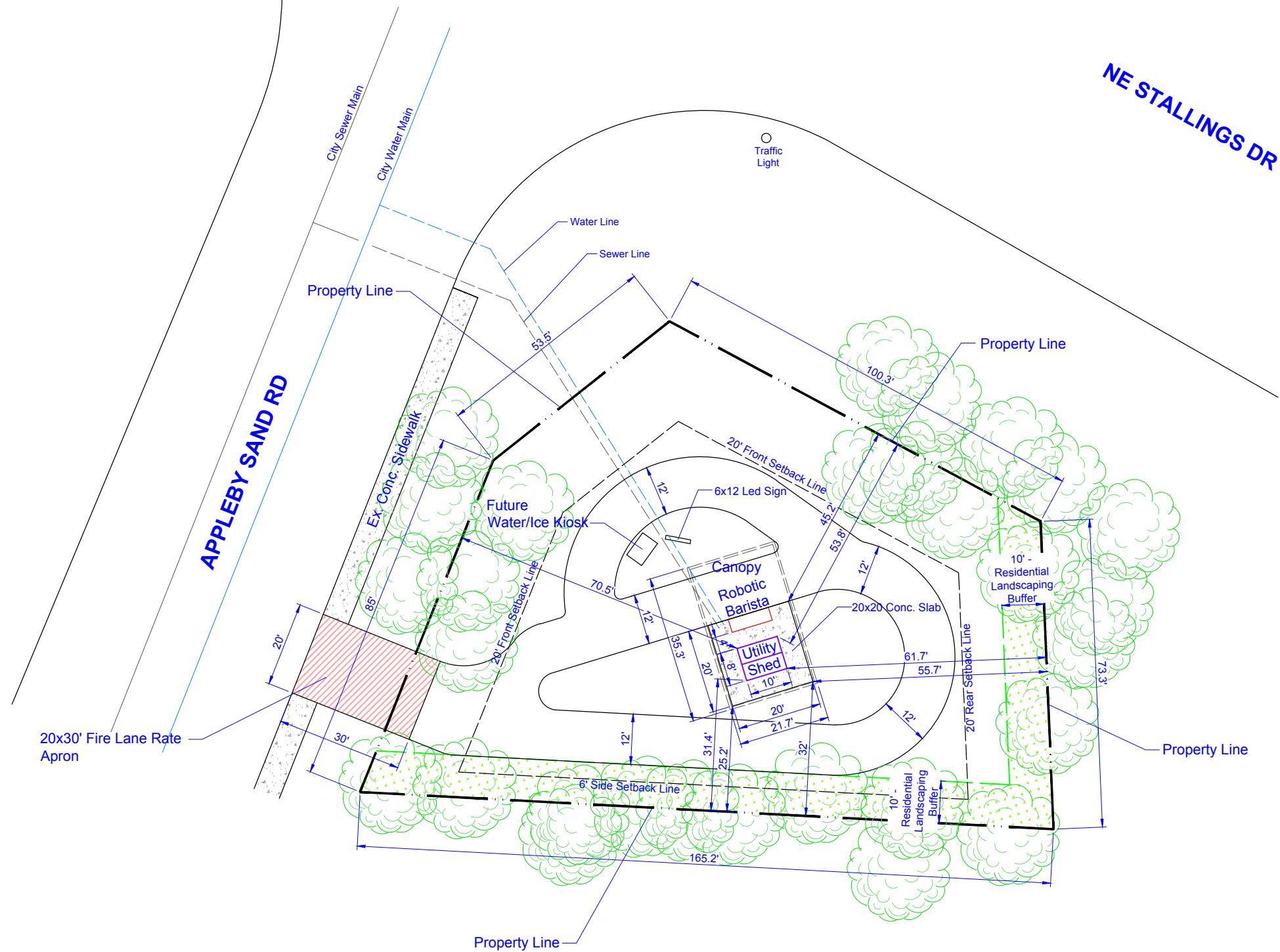
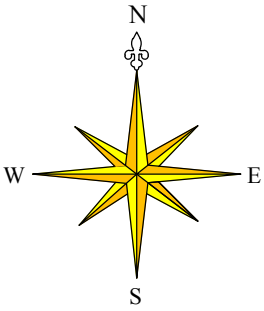
Legend

- Buildings
- City Limit
- Parcels

Current Land Use

- A: Single Family Residential
- B: Multi-Family Residential
- C1: Vacant Lots and Land Tracts
- E: Rural Land
- F1: Commercial
- F2: Industrial and Manufacturing

- D1: Qualified Open Space Land
- 200FT Buffer
- Area of Interest
- X: Exempt Property
- <all other values>



APN 10000004518
Nacogdoches, TX 75965

Scale: 1"=30'

Date: 07 01 2026
Size: 11'x17'

Sheet 1 of 1

Parcel No. (APN) 1000004518
Lot Area 15,420 SF (0.35 ACRES)

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary. Page 65 of 70

SUP2026-06 Site Photos

Subject Property



Northeast Corner of Intersection



Source: Google Maps Street View

Northwest Corner of Intersection



Source: Google Maps Street View

Southwest Corner of Intersection



Source: Google Maps Street View

Southeast Corner of Intersection



Source: Google Maps Street View