



May 9, 2022

Notice is hereby given of a Regular Meeting of the Planning and Zoning Commission to be held on May 9, 2022 at 5:00 p.m., via videoconference, with the opportunity to appear in person in the **Council Chambers, Room 119 of City Hall, 202 East Pilar Street, Nacogdoches, Texas**, for the purpose of considering the following agenda items. All agenda items are subject to action.

The City of Nacogdoches Planning & Zoning meeting will be deemed as being conducted via videoconference. However, some Board Members may attend virtually, while others may be present in the above stated physical location. Regardless, the meeting will be streamed live at www.nactx.us/1200/Channel-21. There will be an opportunity for the public to comment on agenda items either by teleconference or in person in Council Chambers.

Members of the public who wish to submit comments on a listed agenda item in writing or via teleconference must contact the Planning & Zoning office by email at lewisr@nactx.us or by calling 936-559-2574 and providing their name, telephone number and relevant agenda item upon which they wish to speak. All requests to make comments via teleconference must be received by 12:00 p.m. on Monday, May 9, 2022. For all timely requests received, staff will call the submitted phone numbers directly during the meeting when the corresponding item comes up for comment. NOTE: The incoming phone call from City staff will be an unfamiliar number.

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

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. **WORK SESSION:**
 - A. Presentation, discussion, and possible action regarding an educational series related to Downtown Revitalization.
 - B. Policy discussion regarding zone change applications, neighborhood meetings and P&Z Commission meetings.
4. Open Forum: In addition to public comment on agenda items, the Commission offers an open forum whereby citizens may comment on governance issues over which the City of Nacogdoches has domain. 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 where staff has found compliance with all

City of Nacogdoches Planning Department
202 E. Pilar – PO Box 635030 – Nacogdoches, TX 75963
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minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. Since there will not be separate discussion of these items, citizens wishing to address the Commission regarding one or more items on the Consent Agenda may address the Commission at this time as well. If any Commissioner desires to discuss an item on the Consent Agenda it may be moved to the Regular Agenda for further consideration.

- A. Approval of Minutes: Consider approval of minutes from the April 11, 2022, Planning & Zoning Commission meeting.
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. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.
 - B. Public Hearing: Consider approval of a Specific Use Permit for an Accessory Apartment, for Lot 3, City Block 4, located at 504 North Mound Street. This request has been submitted by Michael & Marianne Elliott Keller. Case File SUP2022-02
 - C. Public Hearing: Consider approval of a Zone Change from PD, Planned Development District to R-4, Multi Family for approximately 3 acres, being Lots 5 and 6, Block 4, of the Creek Bend Subdivision – Unit 2, generally located at the southeast corner of South Steen Drive and Creek Bend Blvd. This request has been submitted by Mario Wesley. Case File ZON2022-03.
 - D. Public Hearing: Consider approval of a Zone Change from R-2, Single Family to R-3, Two Family for approximately 1.5 acres, being lots 1-10, of the Berger Hill Addition, generally located at the southeast corner of Nash and Dolph Street. This request has been submitted by Rolando Rodriguez. Case File ZON2022-04.
7. City Council decisions on Planning & Zoning cases: On April 19, 2022 City Council took the following action on the item listed below.
- A. Denied (2-2): Zone Change from PD Planned Development District to R-1, Single Family for approximately 32 acres, being Lots 1, 2, 3, 4R, 5 and 6R-1, City Block 54, of the Timber Springs Subdivision.
 - B. Approved 5-0: Historic Overlay for Lots 49 and 51, City Block 51, generally located at 403 South Shawnee Street.



8. Discussion and possible action on future agenda items: A Planning & Zoning Member 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.
9. ADJOURN.

Rhonda Lewis, Office Assistant II

The City Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Planning Department at (936) 559-2574 or FAX (936) 559-2910 for further information.

CERTIFICATION

I certify that the above notice was posted on the public notice board at City Hall, 202 East Pilar Street, on Wednesday, May 4, 2022 at 5:00 p.m. I further certify that the News Media were properly notified of this meeting as stated above.

Rhonda Lewis, Office Assistant II

**MINUTES TO THE
PLANNING & ZONING COMMISSION
April 11, 2022 – 4:00 p.m.
Regular Hybrid Meeting**

Members Present: Ken Deppisch (Chair), Don Mills, Ruth Carroll, Shannon Conklin, and Lily Phou

Members Absent: None

Staff Present: City Planner, Alaina Helton; Planning Technician, Juan Pollette; Rhonda Lewis, Office Assistant

Others Present: Director of Community Services, Brian Bray; Matt Moore; Applicant, Ed Pool

1. Call to Order: Chairman Deppisch called the meeting to order at 4:15 p.m.

2. Pledge of Allegiance.

3. Work Session:

- A. Presentation, discussion, and possible action regarding educational series related to Downtown Revitalization.

City Planner (CP) Helton asked the Commission to postpone this item to the next P&Z Meeting, May 9, 2022, so the Main Street Manager, Jessica Sowell, can participate in this work session. The Commission agreed to postpone this item.

- B. Policy discussion regarding zone change applications, deadlines and meetings.

CP Helton presented this follow-up item to the Commission. Stating that incorporating more proactive neighborhood initiatives would aide in the zone change processes. Neighborhood meetings, pre-development meetings with Staff, and adding additional Commission meetings were suggested to the Commission for implementation.

The changes would allow flexibility in scheduling, incorporate neighborhood feedback, reduce monetary costs, and allow time for the applicant to modify their application based on public response.

CP Helton stated that Staff would still request a Zoning Ordinance amendment to require pre-application meetings for requests that increase density or skip zone classifications.

Chairman Deppisch asked CP Helton to explain the pre-development process. CP Helton stated that Staff encourages the applicant to participate in a pre-development meeting on a case-by-case basis and depending on the complexity of a project. At these meetings, Fire, Engineering, Planning, and other departments are able to give input on the applicants project, ensuring that all requirements are met before the application process is started.

CP Helton recapped the suggestions from the Commission, which will incorporate neighborhood meetings prior to zoning application submittal; 500 foot notices; notification door hangers; social and local media notifications; and signage.

The Commission also agreed to incorporate a second monthly Commission Meeting.

4. Open Forum: There were no comments for the open forum.

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 where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. Since there will not be separate discussion of these items, citizens wishing to address the Commission regarding one or more items on the Consent Agenda may address the Commission at this time as well. If a Commissioner desires to discuss an item on the Consent Agenda it may be moved to the Regular Agenda for further consideration.

a. **Approval of Minutes:** Consider approval of minutes from the March 14, 2022, Planning & Zoning Commission meeting.

Commissioner Phou made a motion to approve the minutes as written. Commissioner Mills seconded the motion and the minutes were approved unanimously 5-0.

6. Regular Agenda:

A. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

B. Consider a request for approval of Historic Overlay for Lots 49 and 51, City Block 51, generally located at 403 South Shawnee Street. This request has been submitted by the National Association of E.J. Campbell High School, Ex-Students and Friends. Case File HO2022-001.

Brian Bray presented the item and stated that the request meets the City Ordinance that one of six criteria is met for consideration of granting a Historic Overlay. Mr. Bray stated that Staff and the Historic Landmark Preservation Committee (HLPC) both recommended approval of the request.

Chairman Deppisch asked if there were any plans for the buildings use.

Mr. Bray stated there were none at this time.

Chairman Deppisch called for a motion to approve. Commissioner Carroll made a motion to approve. Commissioner Mills seconded the motion and was approved unanimously 5-0.

- C. Consider approval of a Zone Change from PD, Planned Development District to R-1, Single Family for approximately 32 acres, being Lots 1, 2, 3, 4R, 5 and 6R-1, City Block 54, of the Timber Springs Subdivision. This request has been submitted by Lone Star Breeder Farms, Inc. Case File ZON2022-02.

CP Helton presented to the Commission that the property was initially zoned R-1 and changed to PD in the mid-2000s for a multi-use property including assisted living facilities and retail. The project never developed and the property owner would like to change the zoning back to R-1 to make the property more marketable.

Ed Pool answered questions from the Commission. Commissioner Phou asked how long had the planned development been in consideration. Mr. Pool stated more than 10 years. Commissioner Phou asked why the request for the change now. Mr. Pool stated the owners wanted to change the zoning back to R-1 to satisfy the community.

Matt Moore approached and asked that the Commission postpone the request since there are no immediate plans for the property, recommending that the Commission should wait for the Comprehensive Plan to be updated.

There was discussion amongst the Commission and Staff about the Comprehensive Plan process in relation to the subject property. CP Helton advised the Commission to move the application forward as outlined in the Zoning Ordinance.

Chairman Deppisch called for a motion to approve. Commissioner Conklin made a motion to approve Staff's recommendation for the zone change, Commissioner Mills seconded the motion. The request was approved 4-1, with Commissioner Phou in opposition.

7. City Council decisions on Planning & Zoning cases:

There were none

- 8. Discussion and possible action on future agenda items:** A Planning & Zoning Member 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.

CP Helton reminded the Commission that on May 9, there will be a discussion on downtown revitalization and additional information on the Neighborhood Meetings.

9. Adjourned:

Meeting was adjourned at 5:41 p.m.

Chairman, Ken Deppisch

Attest: Rhonda Lewis, Office Assistant II

PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider approval of a Specific Use Permit for an Accessory Apartment, for Lot 3, City Block 4, located at 504 North Mound Street. This request has been submitted by Michael & Marianne Elliott Keller. Case File SUP2022-02

OVERVIEW:

The request is for a Specific Use Permit (SUP) for an Accessory Apartment at 504 North Mound Street. The property is zoned R-2, Single Family, and is developed as a single family residence with a detached garage. The property is also located in the Washington District Historical Overlay. Per the Zoning Ordinance, an Accessory Apartment is allowed in the R-2, Single Family zoning district with approval of an SUP. The SUP process allows Staff, the Commission, and the City Council the opportunity to review, and impose conditions if necessary on such development.

The purpose of the request is to add a small apartment unit to an existing detached garage behind the main home. The garage is approximately 750 square feet in size, with an attached 180 square foot open storage area. The applicant is proposing to expand the structure and add a one-bedroom 750 square foot apartment on the north side. There will be no separate utility meters or connections for the new dwelling unit. The applicants have stated that they plan to use the accessory apartment for their adult child.

Adjacent Land Use & Zoning

The subject property is zoned R-2, Single Family and is currently developed as Single Family Residential. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Single Family Residential	R-2, Single Family	Single Family
South	Single Family Residential	R-2, Single Family	Single Family
East	Single Family Residential	R-4, Multi Family	Single Family
West (across from N. Mound St.)	Public	R-2, Single Family	Public Elementary School

The surrounding areas are zoned and developed as single family residences, with the exception

of an elementary school to the west across N. Mound St. Properties to the east are zoned R-4, Mutli-Family and also developed as single family residences. All of the surrounding properties are located in a Historic Overlay District. The proposed SUP will not change the uses permitted under the current R-2 zoning district.

STAFF REVIEW:

Per Section 118.139 of the Nacogdoches Zoning Ordinance, the following conditions shall be considered when reviewing an application for a Specific Use Permit:

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 accessory apartment is to be attached to an existing detached garage and located behind the main home. The property is approximately 1.3 acres, and the R-2 zoning district permits one dwelling unit per 0.14 acres. The addition of the accessory dwelling unit will not significantly affect the density of the neighborhood, and thus is compatible with the surrounding single family properties.

The Nacogdoches Historic Landmark Preservation Committee (HLPC) met on Monday, April 4, 2022 to consider this request and voted to approve the proposal for the one-bedroom apartment, including the proposed design and building materials.

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

There is no surrounding vacant property.

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

The subject property takes direct access from North Mound Street, a collector street which functions as primary access for the property and adjacent development. The roadway is adequate to accommodate the additional dwelling unit.

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;

The applicant is maintaining the garage which can accommodate two, covered off-street parking spaces. The driveway in front of the new Accessory Apartment is 18 feet wide which can accommodate parking for the accessory apartment as well as guest parking. No new driveways are proposed.

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

The proposed Accessory Apartment will be one story and attached to the existing garage that is surrounded by an existing 6' wooden privacy fence.

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

Outdoor lighting must meet the City's lighting ordinance restrictions, i.e. only downlighting, no spillover lighting onto neighboring properties.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with

adjacent property exists or will be provided;

The property has several large mature trees in the front and back yard. Single family development is not required to comply with commercial district landscaping requirements.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

The comprehensive plan calls for single family residential uses for this area, and the property and the rest of the street are already zoned and developed as single family residential uses.

NOTICES:

Of the 19 notices mailed to property owners within the 200 foot notification area Staff has received two (2) response forms in favor of the request.

STAFF REDOMMENDATION:

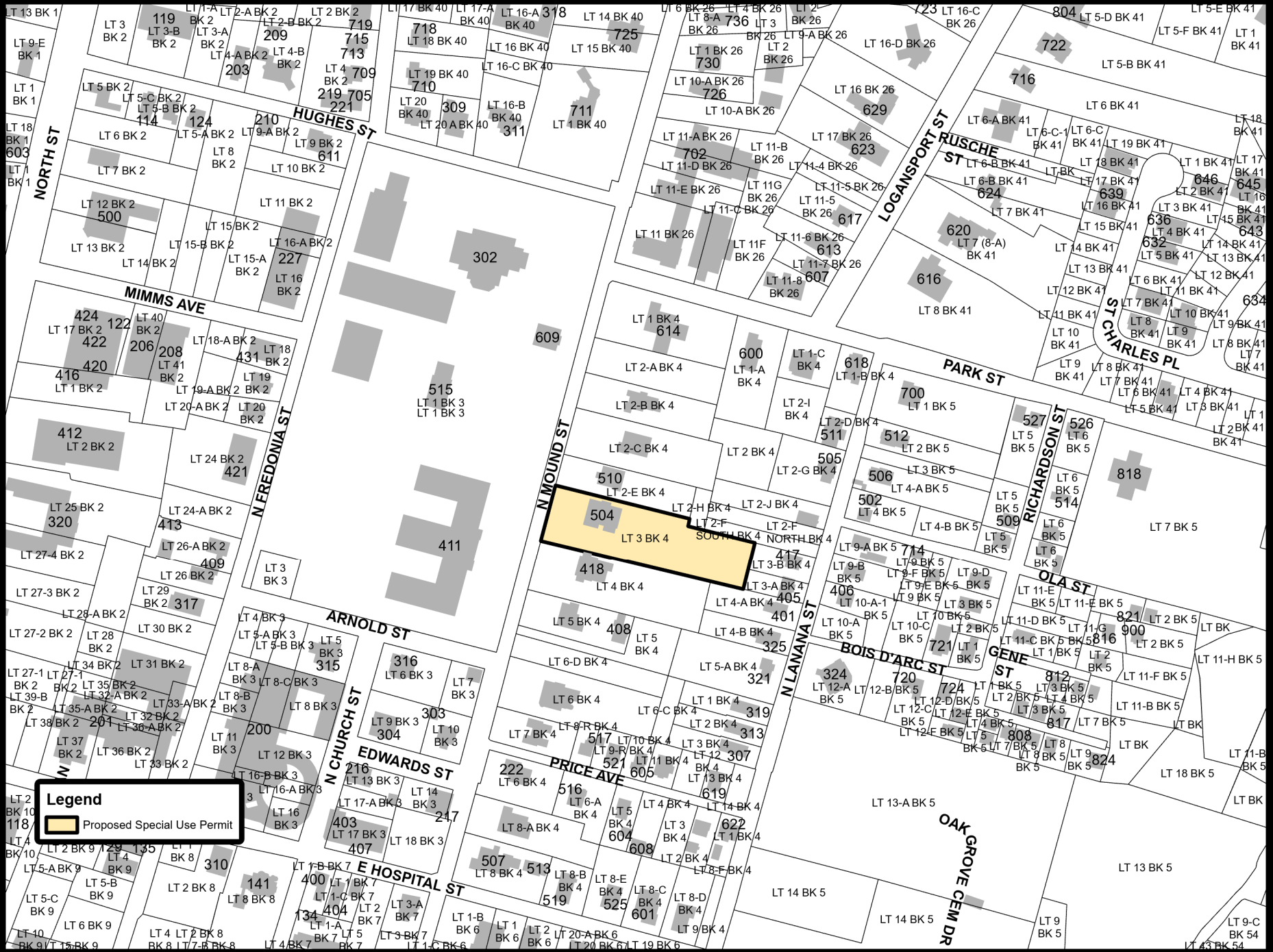
Based on the above findings, Staff recommends approval of the Specific Use Permit for the subject property. This item is scheduled to be heard by City Council on Tuesday, May 17th.

CITY CONTACT: Alania Helton, AICP, City Planner
heltona@nactx.us
(936) 559-2572

ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Historic Overlay Map
6. Notification Map
7. Response Forms
8. Site Plan & Elevations
9. HLPC Approval Letter
10. Site Photos

SUP 2022-02



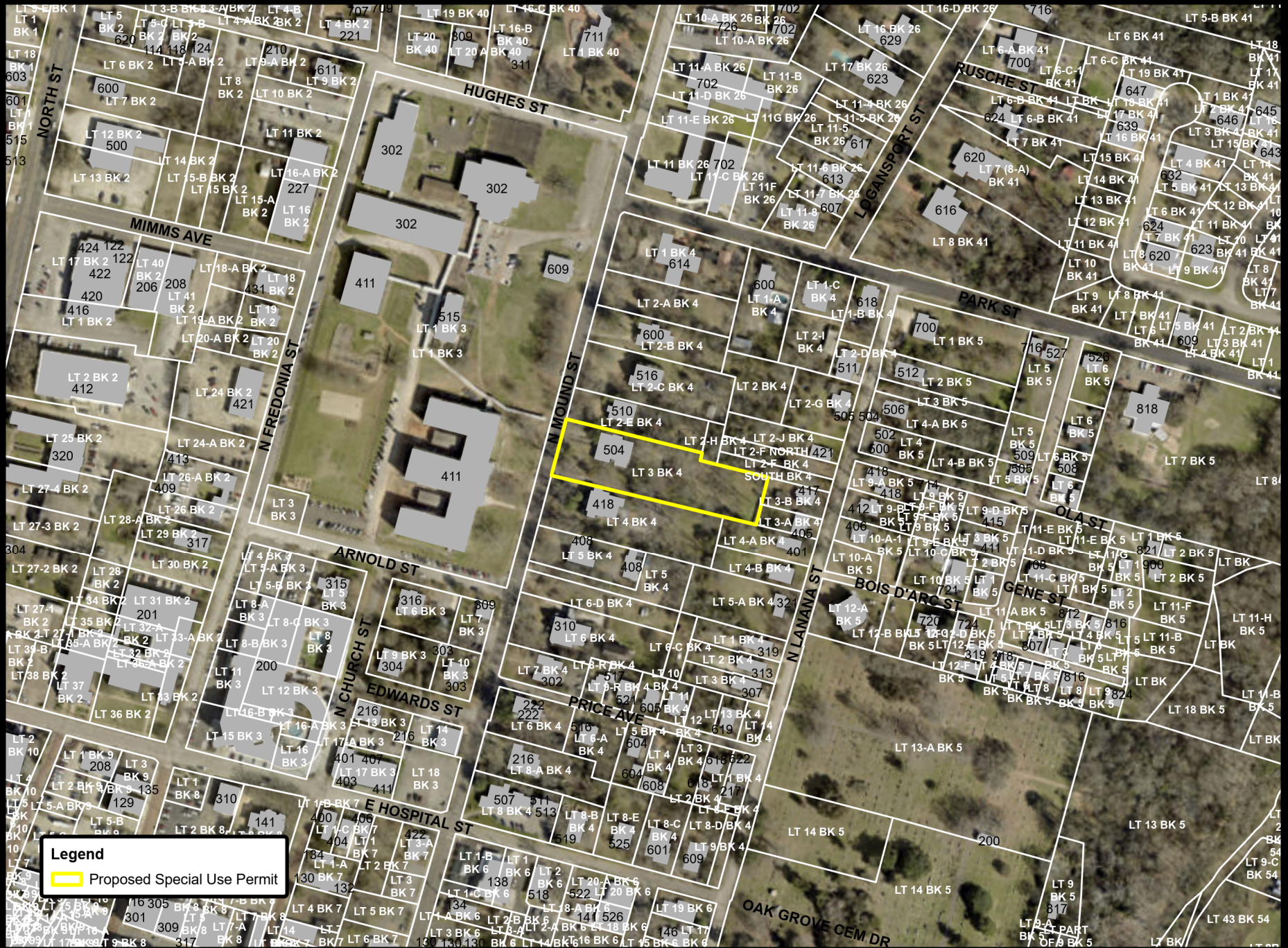
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



0 75 150 300 Feet

Date Created: April 4, 2022 Software: ArcGIS Pro 2.9.2

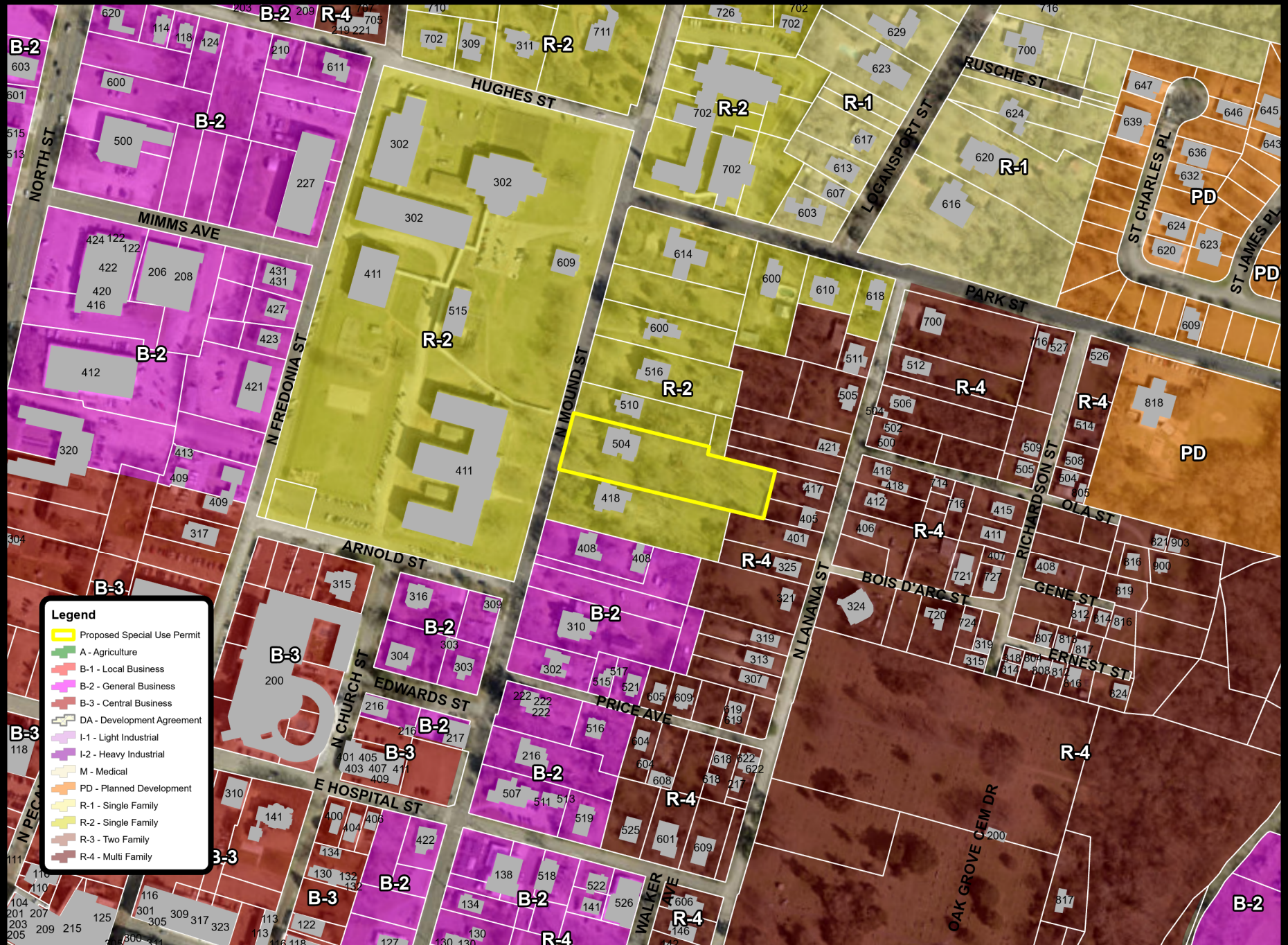
SUP 2022-02



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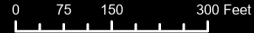
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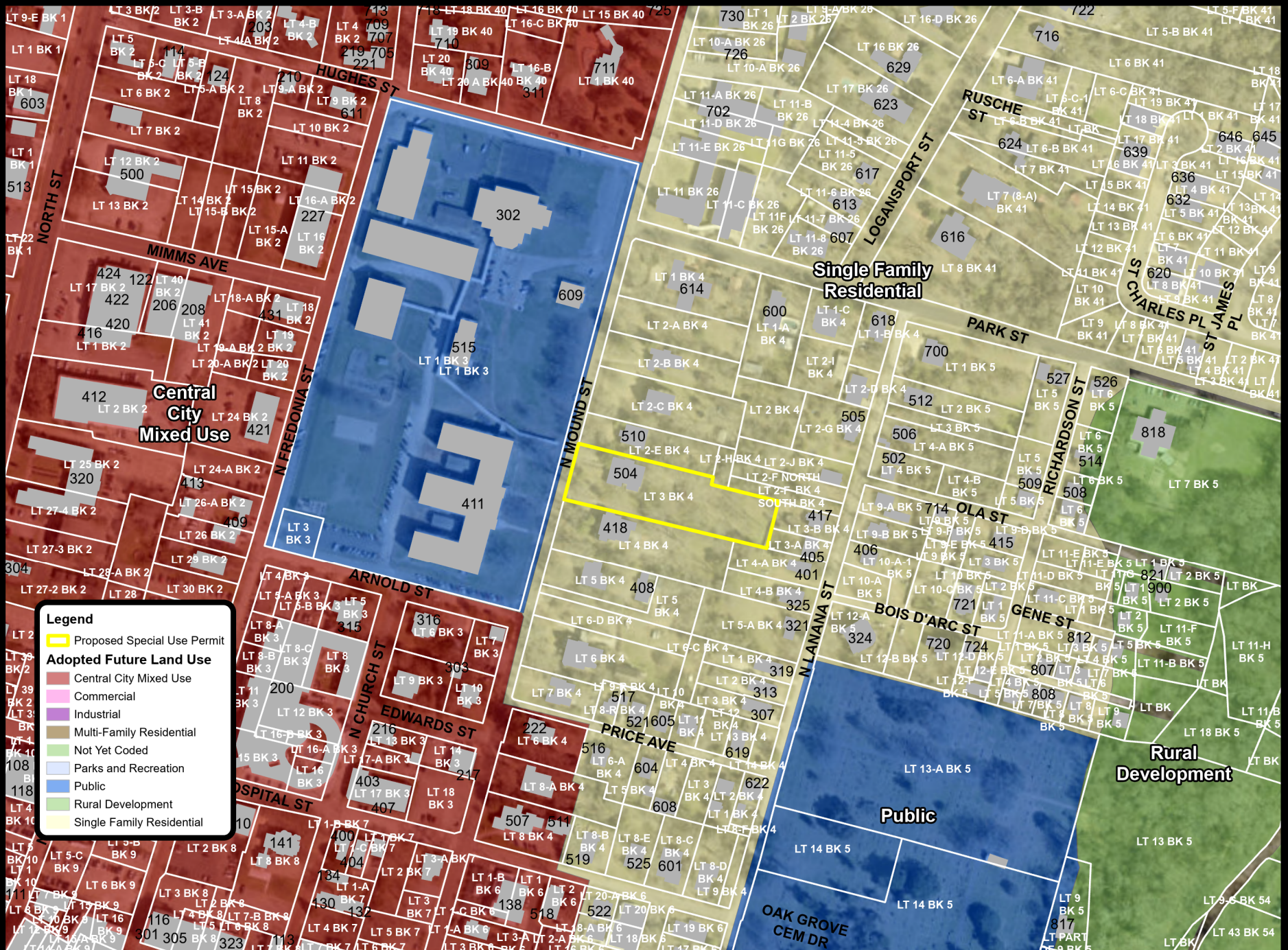


Legend

- Proposed Special Use Permit
- 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

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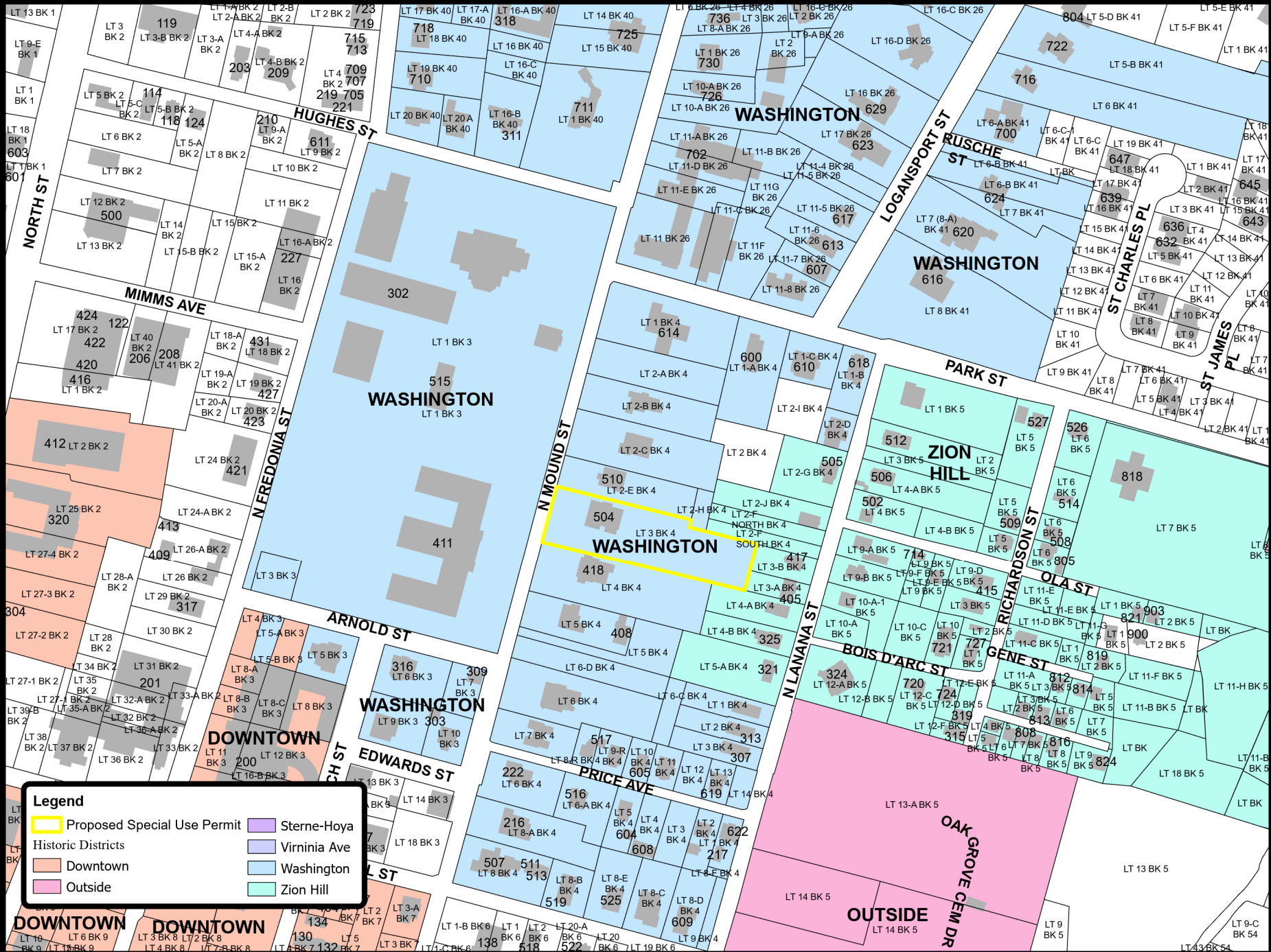


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Date Created: May 6, 2022 Software: ArcGIS Pro 2.9.2

200 Foot Notification Map

SUP2022-02: 504 N. Mound St.

Legend



200 Foot Buffer



Proposed Zone Change



Public School



Single Family- Rental



Single Family-
Owner Occupied



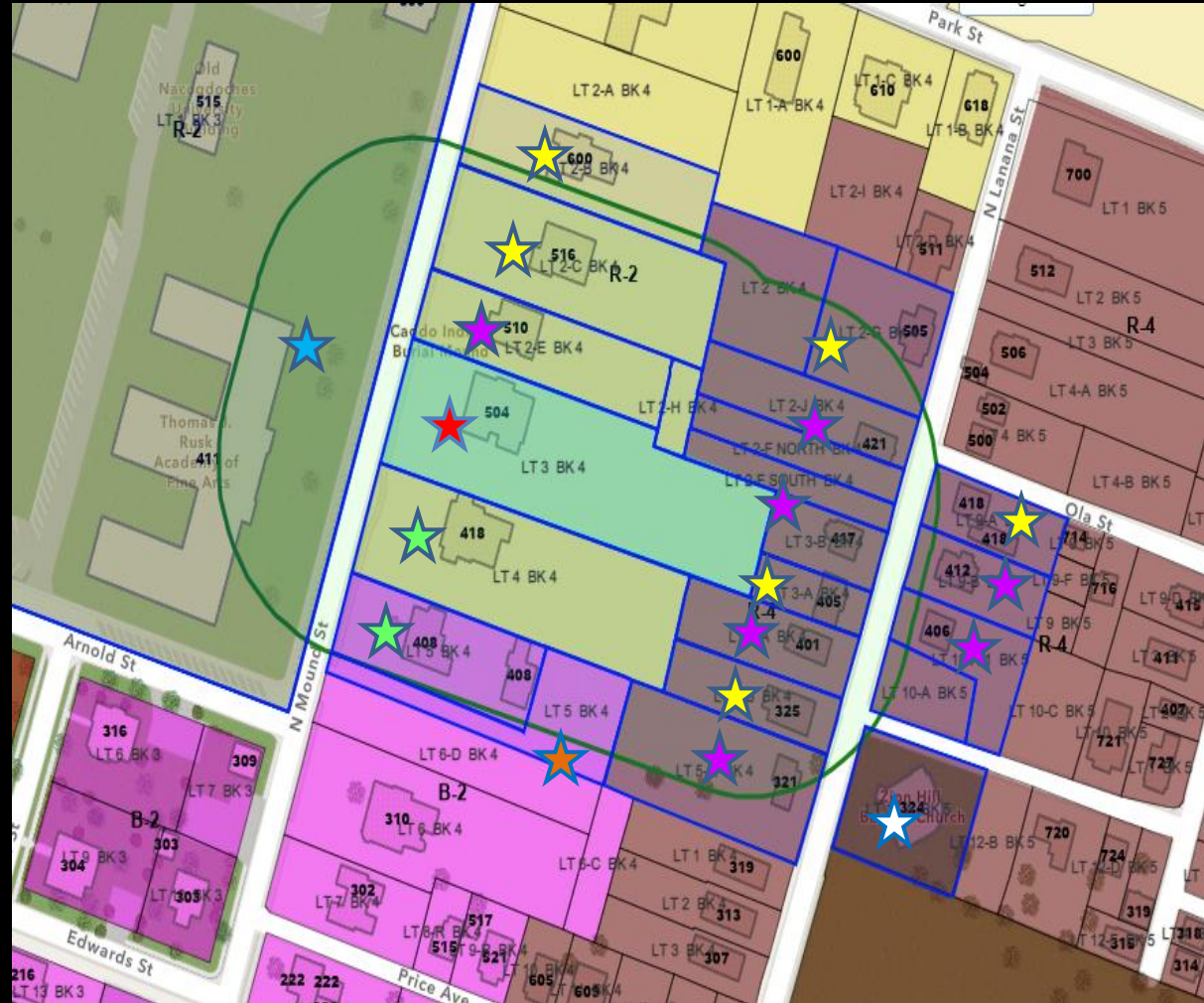
Bed & Breakfast



Commercial



Church





Response Form

Project Number: SUP2022-02
504 N. Mound Street

You may make your views known by completing this form and returning it to the Planning & Zoning department. You may also make your views known in person by attending the public hearings. **Please complete and return form to:**

City of Nacogdoches Planning & Zoning Department
Attn: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2022-02

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

Signature: Becky Harris

Printed Name: BECKY HARRIS

Street Address: 600 N MOUND

City, State and Zip Code: NACOGDOCHES, TX 75961

Phone Number: 936 554-0969

Email Address: FORBLH@YAHOO.COM

Physical Address of Property within 200 Feet: 600 N MOUND

City of Nacogdoches

202 E. Pilar – PO Drawer 635030 – Nacogdoches, TX 75963
936-559-2574 Fax 936-559-2910 www.nactx.us
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Response Form

Project Number: SUP2022-02
504 N. Mound Street

You may make your views known by completing this form and returning it to the Planning & Zoning department. You may also make your views known in person by attending the public hearings. **Please complete and return form to:**

City of Nacogdoches Planning & Zoning Department
Attn: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: SUP2022-02

Please circle one: ☒ In favor of request ☐ Opposed to request

Comments:

Signature: _____

Printed Name: _____

Street Address: _____

City, State and Zip Code: _____

Phone Number: _____

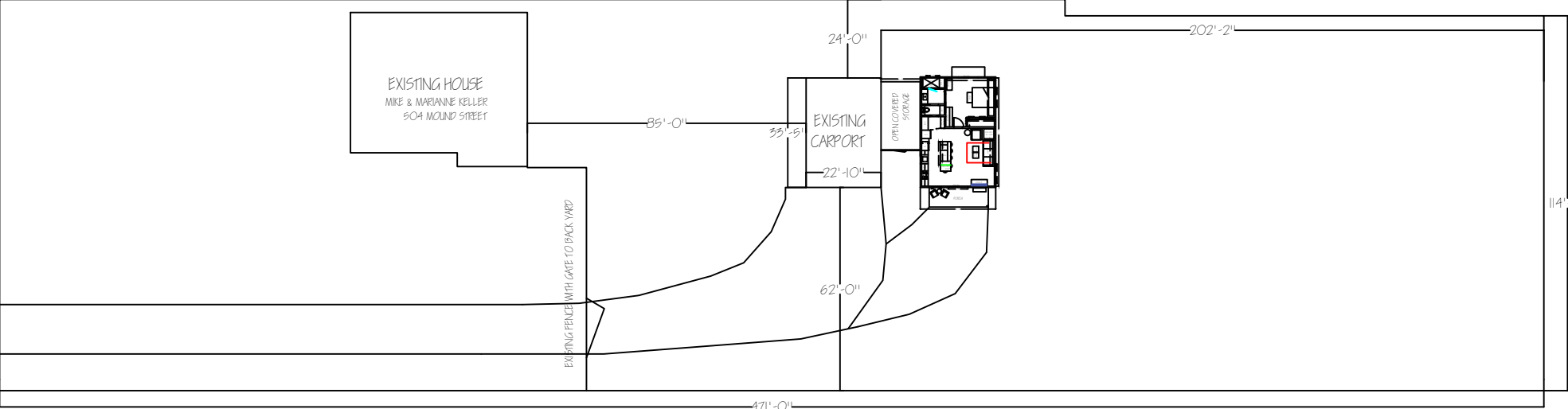
Email Address: _____

Physical Address of Property within 200 Feet: _____

City of Nacogdoches
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936-559-2574 Fax 936-559-2910 www.nactx.us
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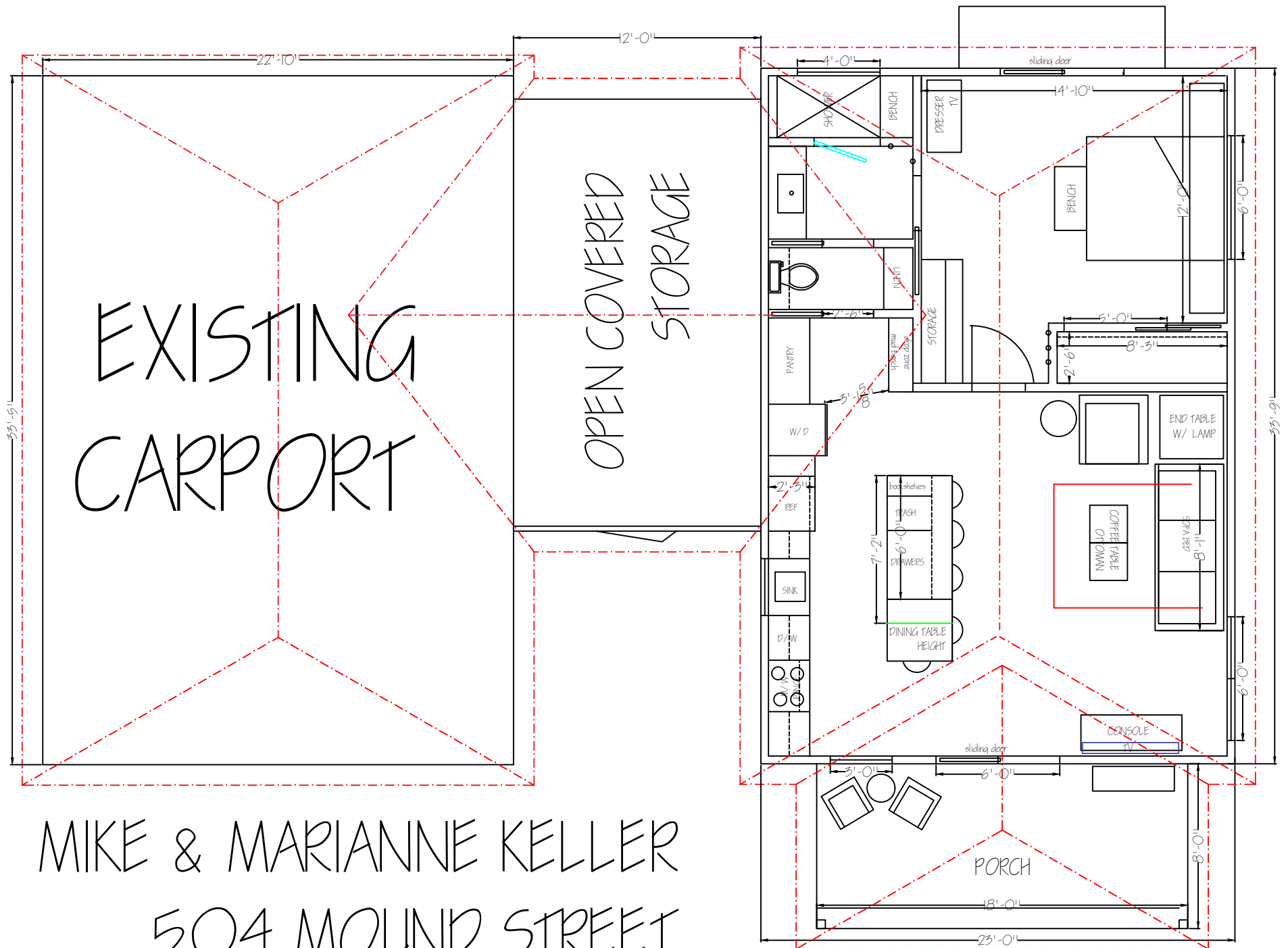
WEST - NORTH MOUND STREET

NORTH - 510 N MOUND STREET



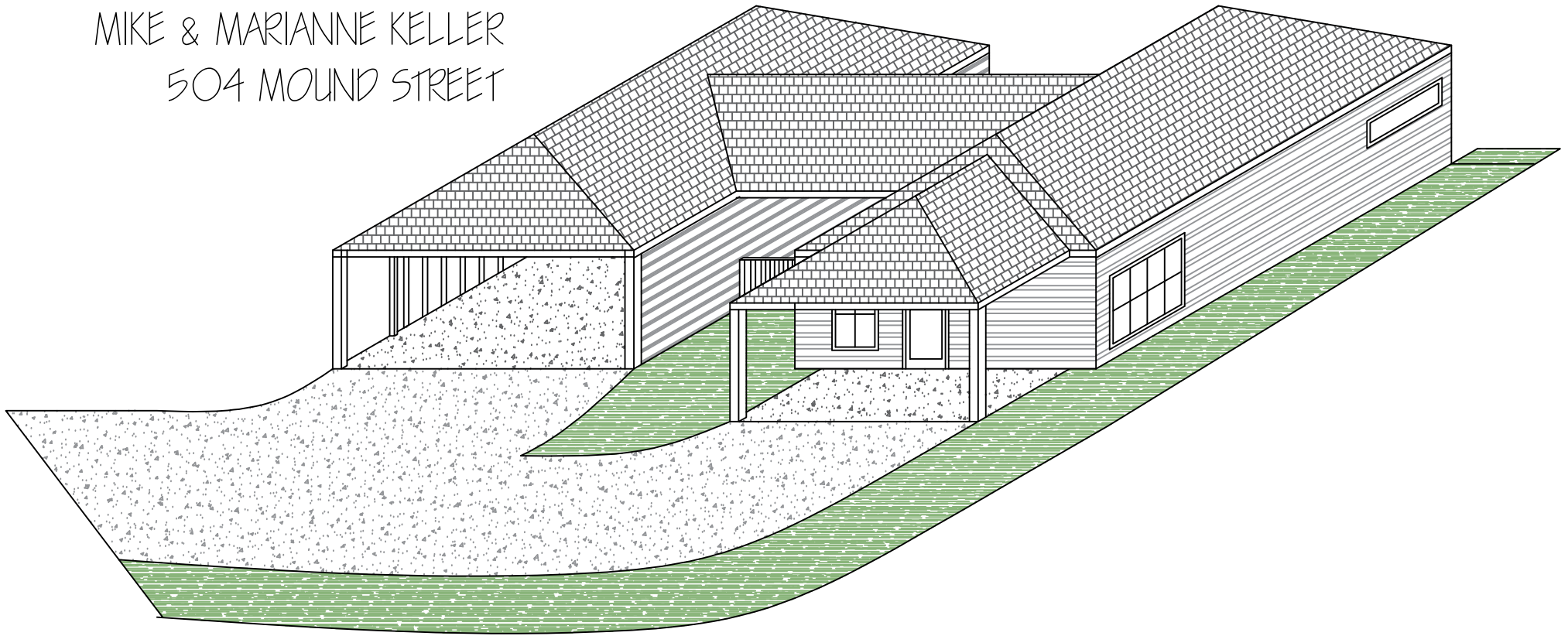
EAST - BACK FENCE

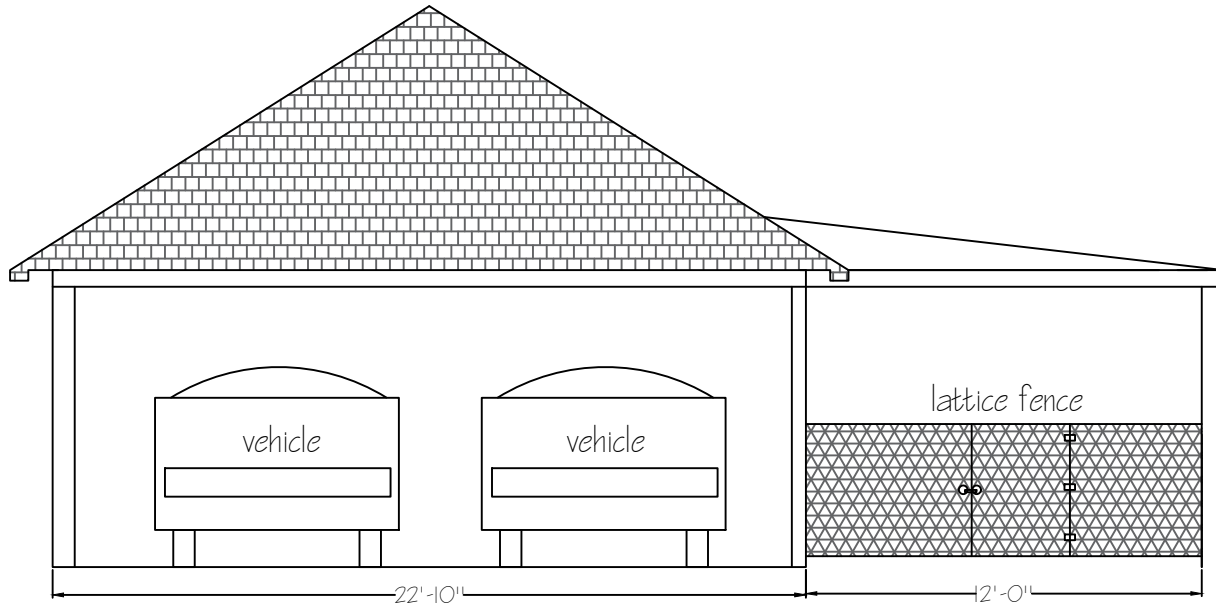
SOUTH - 418 N MOUND STREET MOCKINGBIRD SUITES



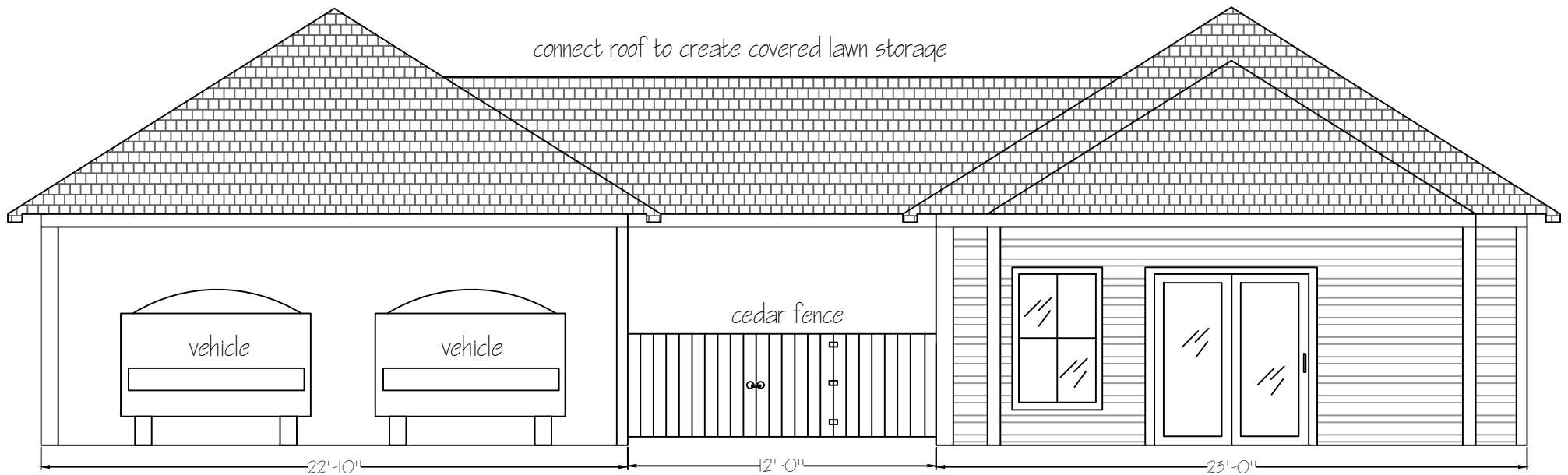
MIKE & MARIANNE KELLER
504 MOUND STREET

MIKE & MARIANNE KELLER
504 MOUND STREET





EXISTING CARPORT



EXISTING CARPORT

LIVING QUARTERS ADDITION



NACOGDOCHES HISTORIC LANDMARK PRESERVATION COMMITTEE

April 6, 2022

Mike & Marianne Keller
504 N. Mound
Nacogdoches, TX 75961

RE: Nacogdoches Historic Landmark Preservation Committee meeting
April 4, 2022 - COA 2022-001

Dear Mr and Mrs. Keller:

This is notice that the Nacogdoches Historic Landmark Preservation Committee met on Monday, April 4, 2022 to consider your request for a Certificate of Appropriateness for 504 N. Mound St. After hearing the comments of those attending the meeting, the Nacogdoches Historic Landmark Preservation Committee voted to **approve** your request to construct a new one-bedroom apartment attached on the East side of the existing carport located behind the house. The new addition will have hardie plank siding, a shingled roof and vinyl windows.

If you need any further assistance from the city, please contact the City of Nacogdoches Division of Community Services at (936) 559-2960.

Respectfully,

The Nacogdoches Historic Landmark Preservation Committee

Brian W. Bray
Community Services Director,
Historic Preservation Officer
brayb@nactx.us

cc: File
Jamie Carillo

SUP2022-02 Site Photos



Street view from
N. Mound St.



Existing carport and covered storage





Single family
to the north
on Mound St.



Single family to
the south on
Mound St





Elementary
school &
museum to the
west across N.
Mound St.



PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider approval of a Zone Change from PD, Planned Development District to R-4, Multi Family for approximately 3 acres, being Lots 5 and 6, Block 4, of the Creek Bend Subdivision – Unit 2, generally located at the southeast corner of South Steen Drive and Creek Bend Blvd. This request has been submitted by Mario Wesley. Case File ZON2022-03.

OVERVIEW:

The request is for a zone change from PD, Planned Development District to R-4, Multi-Family for approximately 3 acres located at the southeast corner of S. Steen Drive and Creek Bend Blvd. The R-4, Multi Family district is intended for higher density residential areas which may contain a mixture of single-family, two-family, and multiple-family dwellings. District regulations are designed to protect residential characteristics of the area and to prevent the overcrowding of land.

This property is part of a larger area that was zoned from R-1 to PD in the 1980's for high density residential development. The original plans for development of the area have lapsed, necessitating the approval of new development plans, or a change in zoning in order for the property to be developed. Since the original approval of the PD, the area included in the original concept plan has seen little development.

Adjacent Land Use & Zoning

The subject property is zoned PD, Planned Development and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North (Across Creek Bend Blvd.)	Multi-Family Residential	PD, Planned Development	Sorority Houses
South	Single Family Residential	A, Agricultural	Undeveloped
East	Commercial	B-2, General Business	Office & Multi-Family
West	Multi-Family Residential	PD, Planned Development	Fraternity House & Undeveloped

The large tracts to the north across Creek Bend Blvd. have been developed for sorority houses with a couple of duplexes located on the north side of N. Steen Drive. The remainder of the

properties in the PD are undeveloped, with the exception of a vacant fraternity house to the west along S. Steen Drive. Property to the south is zoned Agriculture and undeveloped, and property to the east is zoned Commercial and is developed as office and multifamily.

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 R-4, Multi Family zoning district is consistent with the land uses approved for the original PD development plans, as well as the existing development located along Creek Bend Blvd.

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 property is bounded by Creek Bend Blvd. to the north and S. Steen Drive to the west. Property to the east is developed, and property to the south has access to a public street and utilities. The approval of this zone change would not impede the normal development of the surrounding properties.

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

The subject properties take direct access from Creek Bend Blvd. and S. Steen Drive, which functions as primary access for the property and adjacent development. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the uses permitted under the R-4, Multi-Family zoning district. The property also has access to public utilities, with a 8-inch water main and 6-inch sewer main and a 8-inch water line along the public streets.

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;

Future development will meet all current driveway and parking requirements.

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

Future development will comply with City regulations regarding the prevention of offensive odor, fumes, dust, noise and vibrations.

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

If the zone change request is approved, any new outdoor lighting would be subject to the City's current standards, which requires light fixtures to utilize a down lighting design, and prohibits fixtures that directly project light in all directions.

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

Multifamily construction is subject to commercial district landscaping requirements and the screening requirements for commercial sites with residential adjacency.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject property as *Multi Family Residential*. This FLUP category is described as, “Attached dwellings with three or more units, including apartments, townhouses, condominiums, patio homes, rooming/ boarding houses, and nursing homes and assisted-living developments.”

Thoroughfare Plan

This section of Creek Bend Drive is built as a minor collector road, with the section of Creek Bend Blvd. to the east of the subject property designated as a future major collector. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use.

Land Use Policies, Goals & Objectives

This rezoning is a response to current needs for residential growth and therefore fits into the goals of the Comprehensive Plan; specifically, the goal to encourage *Growth Inward* – Long-term growth in appropriate areas to achieve an efficient, diverse and balanced pattern of land uses both within the City and urbanizing portions of its extraterritorial jurisdiction. Some of the targeted objectives include:

- Encourage infill development where appropriate (utilities, compatibility, etc.).
- Plan for mixing and/or separation of land use types based on desired, location, density and pattern of development.
- Promote growth where adequate infrastructure exists.

This request also furthers the Land Use Policies of the 2003 Comprehensive Plan, specifically:

- Compatibility with existing uses should be maintained. Well planned, mixed uses which are compatible are to be encouraged.

Staff finds that the request is in compliance with the FLUP and the stated Goals and Objectives of the 2003 Comprehensive Plan.

NOTICES:

Of the 12 notices mailed to property owners within the 200-foot notification area Staff has received one (1) response in favor of the zone change. Staff also received one (1) contact in opposition from a resident within the 500-foot courtesy notice area with concerns regarding privacy, noise, and traffic.

STAFF REDOMMENDATION:

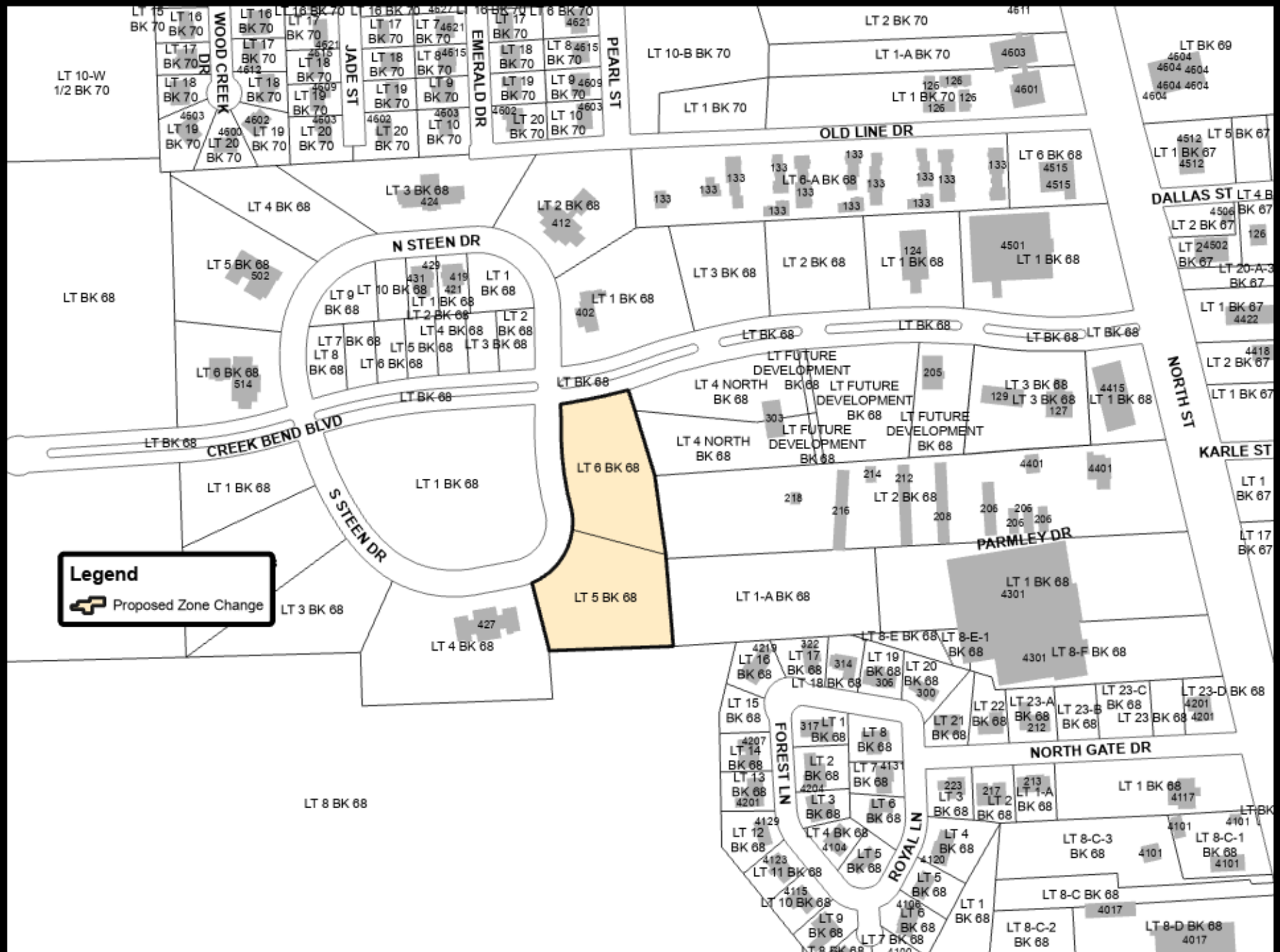
Based on the above findings, Staff recommends approval of a change of zoning for the subject property from PD, Planned Development District to R4, Multi-Family. This item is scheduled to be heard by City Council on Tuesday, May 17th.

CITY CONTACT: Alaina Helton, AICP, City Planner
heltona@nactx.us
(936) 559-2572

ATTACHMENTS: 1. Location Map

2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Notification Map
6. Site Photos

ZON 2022-03



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.



0 75 150 300 Feet

Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2



ZON 2022-03



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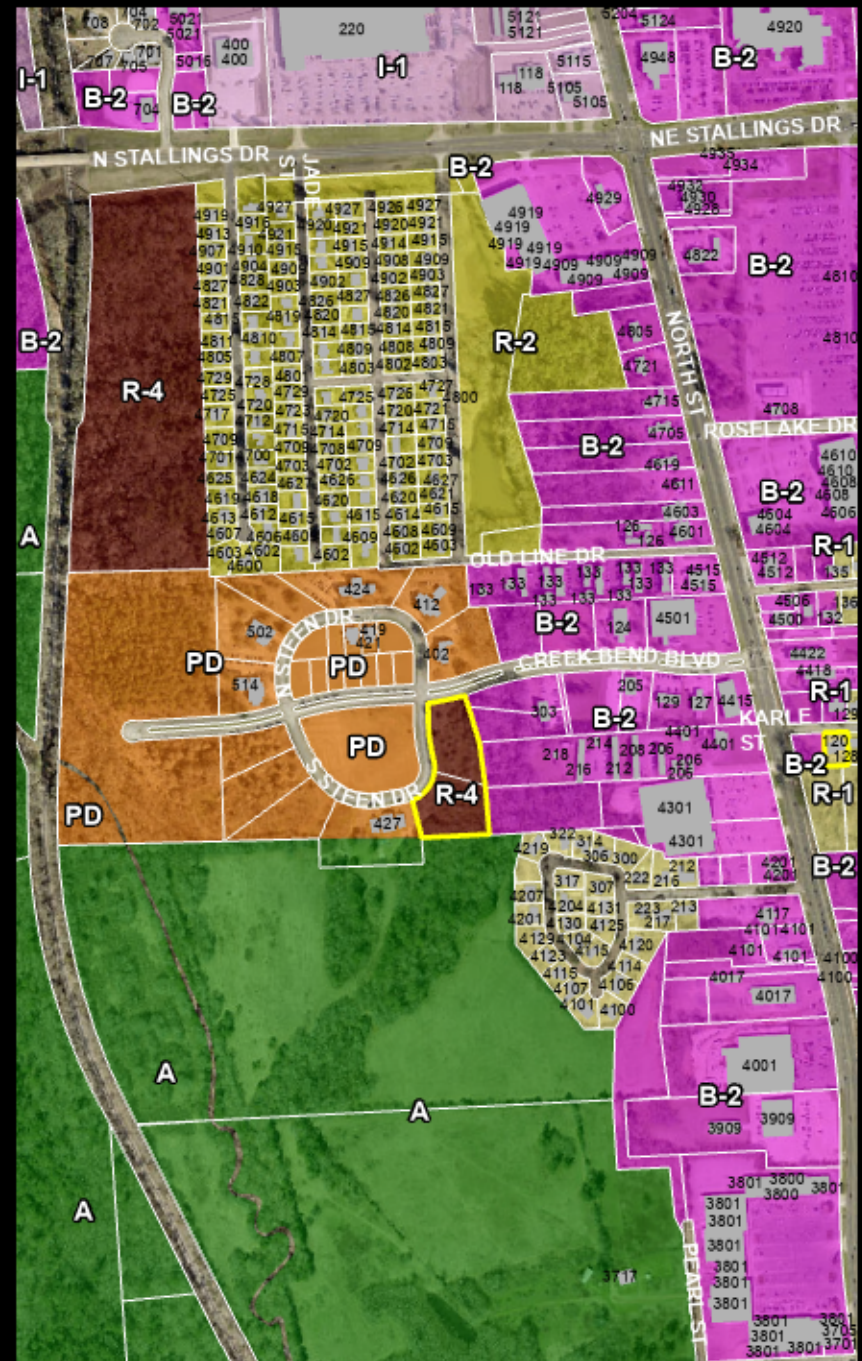
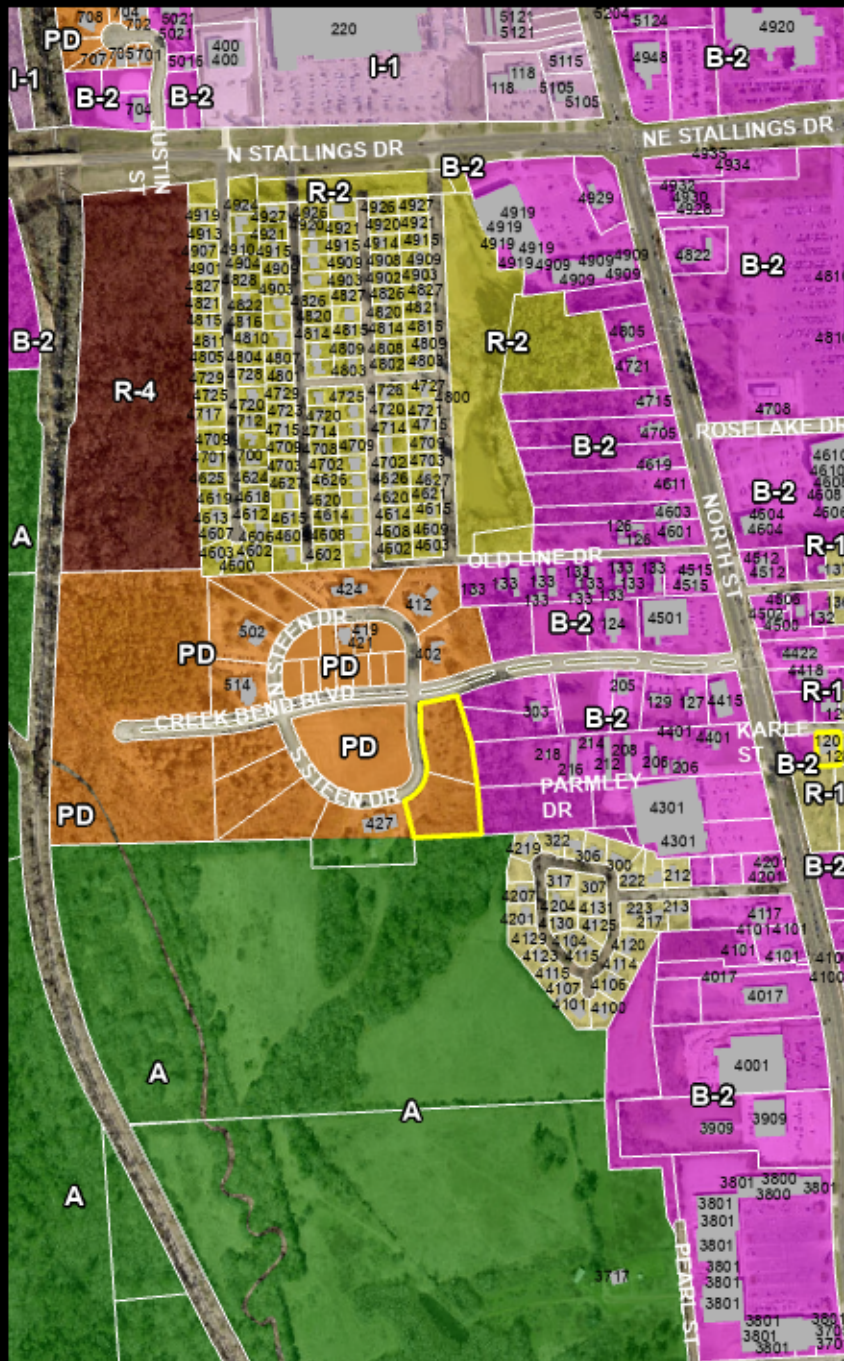
Date Created: April 19, 2022 Software: ArcGIS Pro 2.9.2



Existing Zoning

ZON 2022-03

Proposed Zoning



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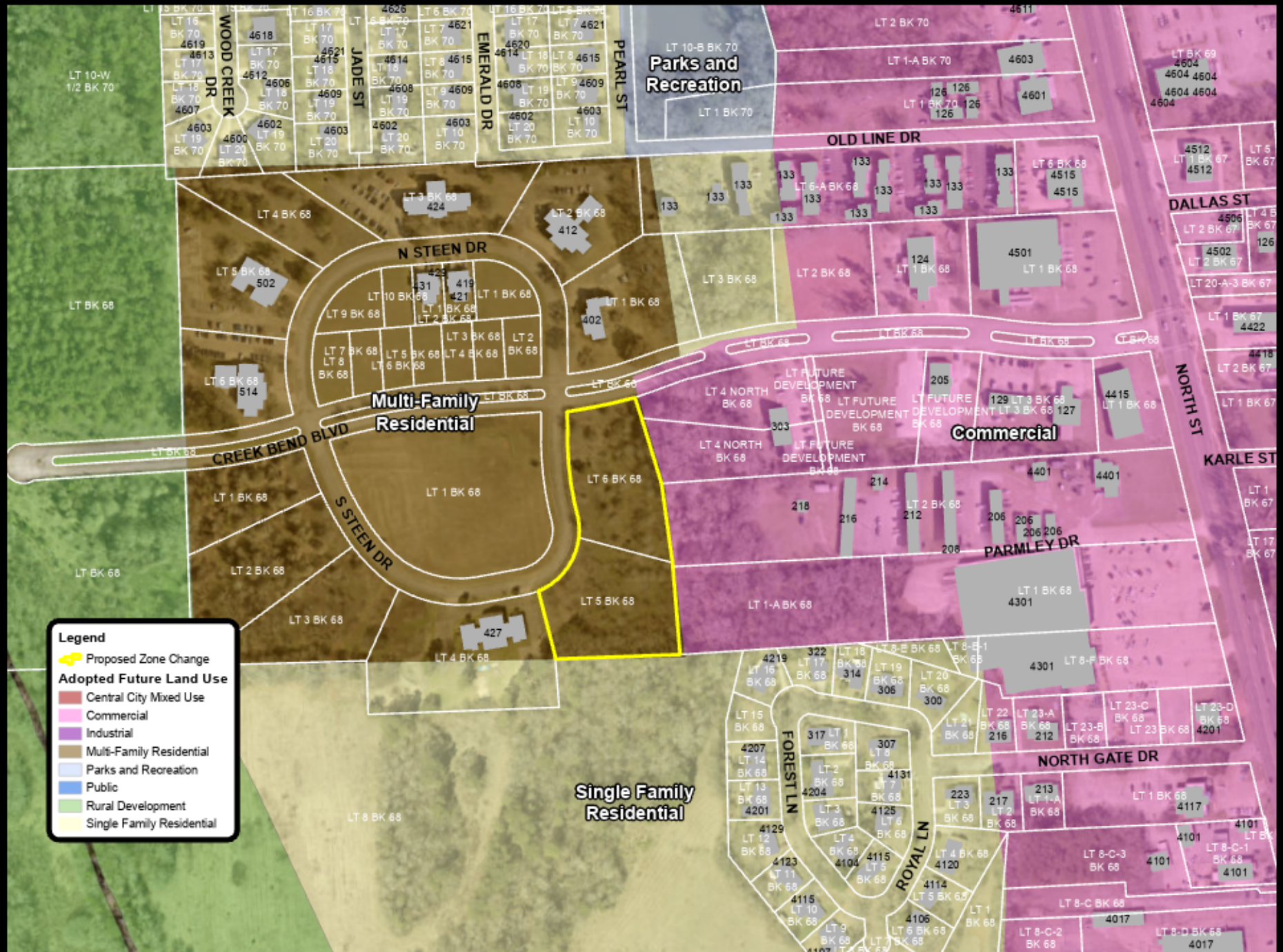


Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2

0 200 400 800 Feet



ZON 2022-03



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0 75 150 300 Feet

Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2



200 Foot Notification Map

Legend



200 Foot Buffer



Proposed Zone Change



Commercial



Sorority/Fraternity



Multifamily

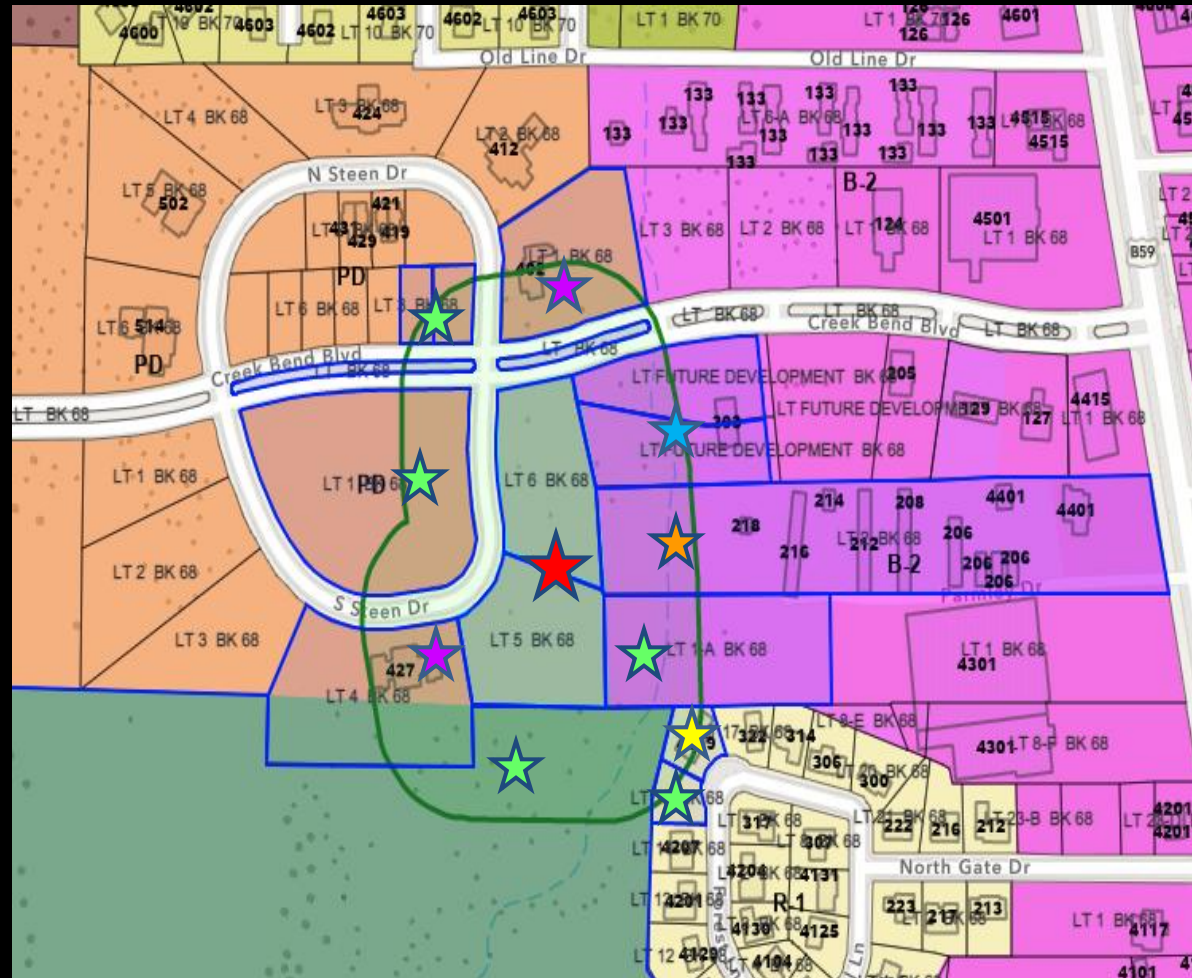


Single Family-
Owner Occupied



Undeveloped

ZON2022-03: Lots 5&6 S. Steen Dr.



ZON2022-03 Site Photos

Street view from Creek Bend Blvd.



Vacant fraternity house
to the southwest along S.
Steen Dr.





Sorority houses &
duplexes to the north
on N. Steen Dr.



PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider approval of a Zone Change from R-2, Single Family to R-3, Two Family for approximately 1.5 acres, being lots 1-10, of the Berger Hill Addition, generally located at the southeast corner of Nash and Dolph Street. This request has been submitted by Rolando Rodriguez. Case File ZON2022-04.

OVERVIEW:

The request is for a zone change from R-2, Single Family to R-3, Two Family for approximately 1.5 acres located at the southeast corner of Nash and Dolph Street. The R-3, Duplex Dwelling District creates a residential district which is appropriate for single-family housing and two-family housing. Lots in the R-3 district must be 5,000 square feet and larger. The applicant owns the subject properties, and intends to develop the vacant lots with two-family (duplex) residences.

Adjacent Land Use & Zoning

The subject property is zoned R-2, Single Family and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North (Across Dolph St.)	Public	R-4, Multi Family	Elementary School
South (Across Powers St.)	Single Family Residential	R-2, Single Family	Single Family
East	Single Family Residential	R-2, Single Family	Single Family
West (Across Nash St.)	Single Family Residential	R-2, Single Family	Single Family & Church

The Berger Hill Subdivision area is primarily zoned R-2 and developed with single family residences and a church. However, the property north of Dolph Street is zoned R-4, Multi-Family, and is developed with a public elementary school, single family, and multifamily structures located northwest of the subject property. The lots in this area are similar in size and configuration.

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 area is primarily zoned and developed with single family residences and a church, with the exception of the R-4, Multi-Family district to the north that is developed with low-income housing and a public elementary school. Duplex housing would not significantly impact the overall density of the neighborhood, and provide affordable housing in close proximity to a public school.

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 surrounding properties are mostly developed with the exception of a vacant lot located south across Powers St. The rezoning would not impede the orderly growth of adjacent properties.

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

The subject property takes direct access from Dolph, Powers and Nash Street. The property has access to public utilities, with 8-inch water and 6-inch sewer mains located along Dolph and Powers Street.

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;

Future development will meet all current driveway and parking requirements.

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

Future development will comply with City regulations regarding the prevention of offensive odor, fumes, dust, noise and vibrations.

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

If the zone change request is approved, any new outdoor lighting would be subject to the City's current standards, which requires light fixtures to utilize a down lighting design, and prohibits fixtures that directly project light in all directions.

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

Single family construction is not subject to commercial district landscaping requirements.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject property as *Single Family Residential*. This FLUP category is described as, "Conventional one-family detached dwellings (also includes duplexes)."

Thoroughfare Plan

Powers and Dolph Street are minor roads that serve as direct access for the other residential uses in the area. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use.

Land Use Policies, Goals & Objectives

This rezoning is a response to current needs for residential growth and therefore fits into the

goals of the Comprehensive Plan; specifically, the goal to encourage *Growth Inward* – Long-term growth in appropriate areas to achieve an efficient, diverse and balanced pattern of land uses both within the City and urbanizing portions of its extraterritorial jurisdiction. Some of the targeted objectives include:

- Encourage infill development where appropriate (utilities, compatibility, etc.).
- Plan for mixing and/or separation of land use types based on desired, location, density and pattern of development.
- Promote growth where adequate infrastructure exists.

This request also furthers the Land Use Policies of the 2003 Comprehensive Plan, specifically:

- Compatibility with existing uses should be maintained. Well planned, mixed uses which are compatible are to be encouraged.
- Schools, parks and community facilities should be located close to or within residential neighborhoods.

Staff finds that the request is in compliance with the FLUP and the stated Goals and Objectives of the 2003 Comprehensive Plan.

NOTICES:

Of the 17 notices mailed to property owners within the 200 foot notification area Staff received one (1) response in opposition to the zone change, citing the desire for more single family development.

This zoning application was also subject to the additional noticing practices that were approved by City Council in January, 2021. These include: a zoning sign located on the subject property; notices published on the City's webpage and social media platforms; and, mailed courtesy notices to property owners within 500 feet of the subject property.

STAFF REDOMMENDATION:

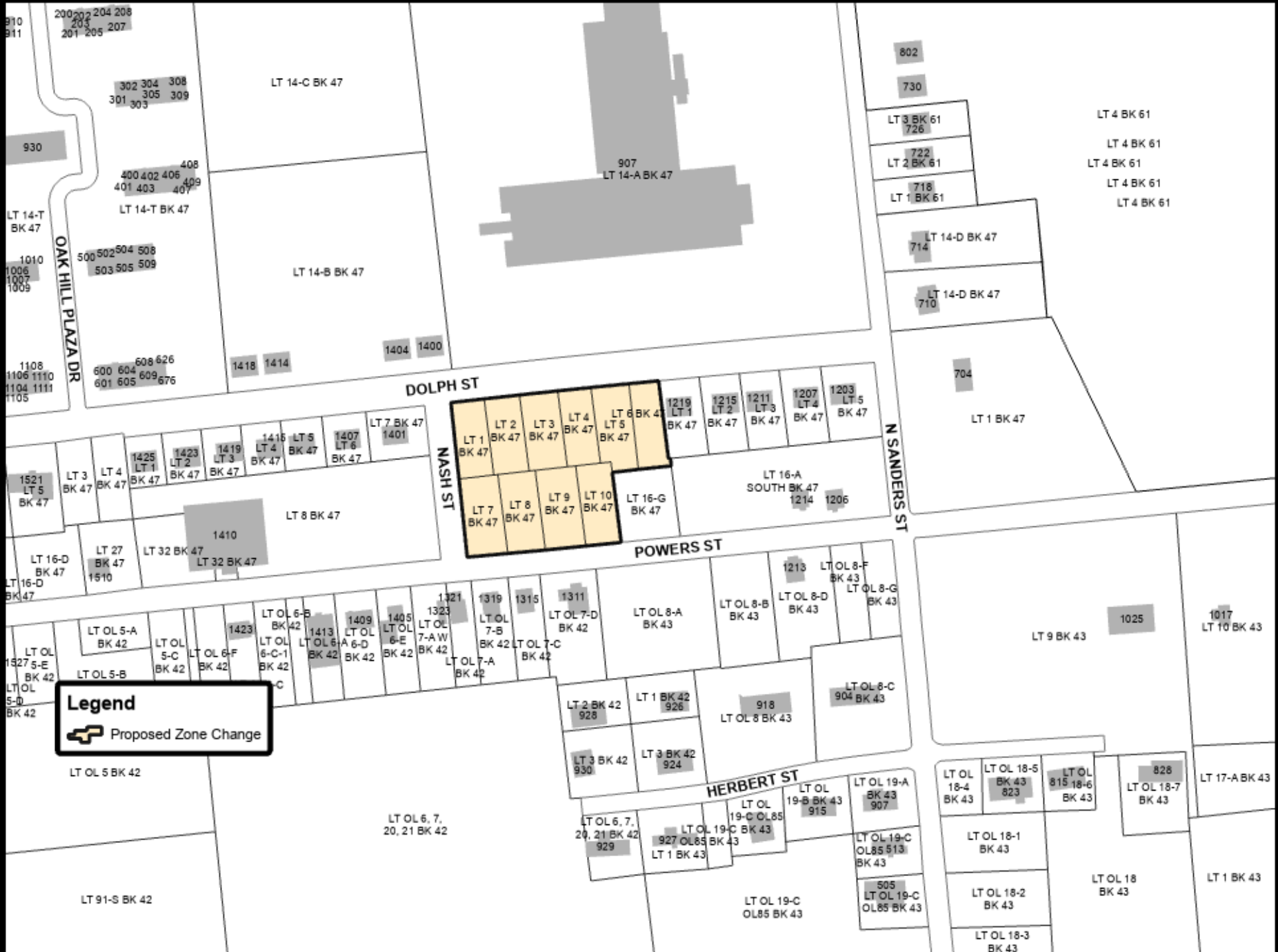
Based on the above findings, Staff recommends approval of a change of zoning for the subject property from R-2, Single Family to R-3, Two Family. This item is scheduled to be heard by City Council on Tuesday, May 17th.

CITY CONTACT: Alaina Helton, AICP, City Planner
heltona@nactx.us
(936) 559-2572

ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Notification Map
6. Response Form
7. Site Photos

ZON 2022-04



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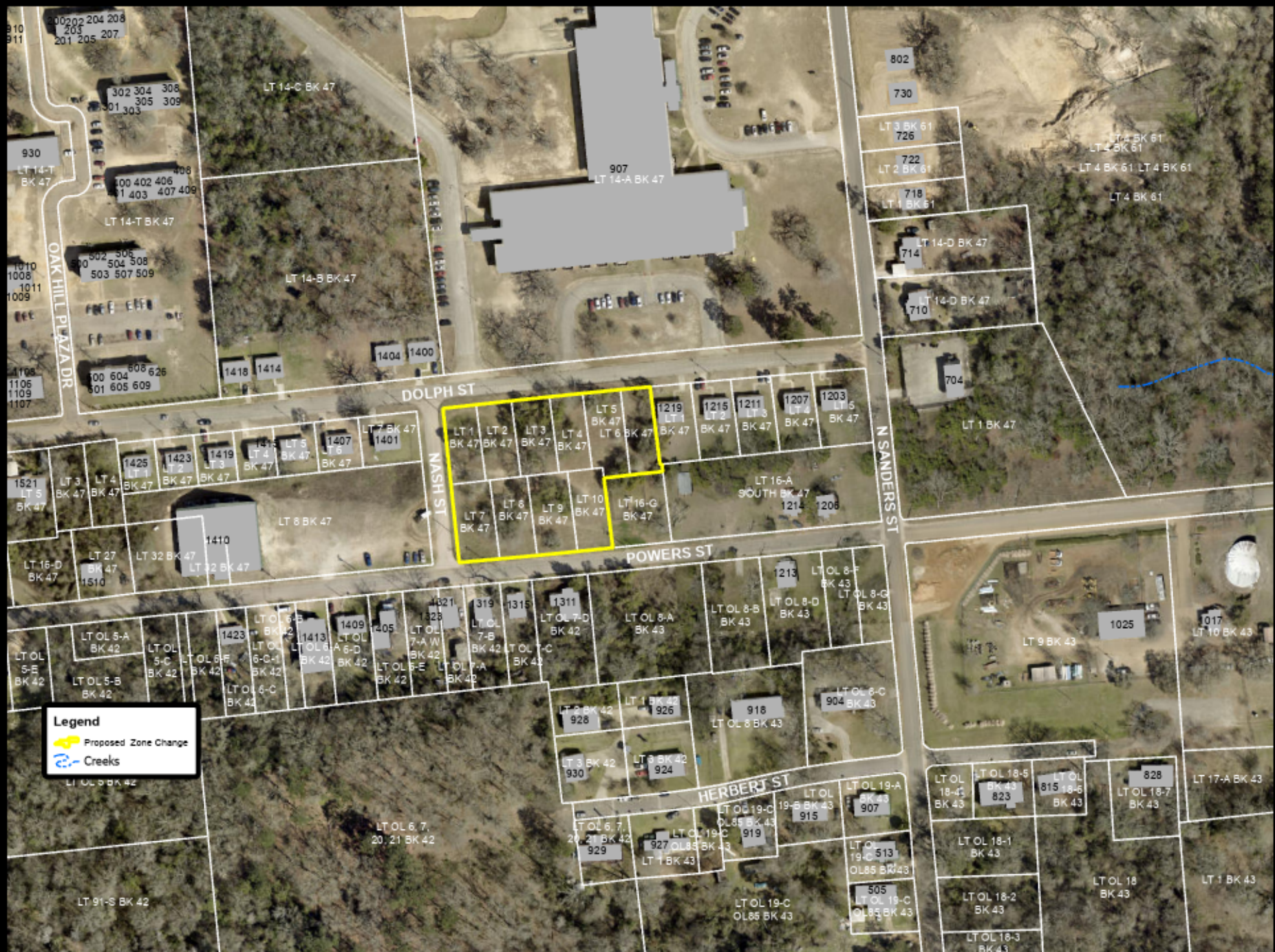


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Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2



ZON 2022-04



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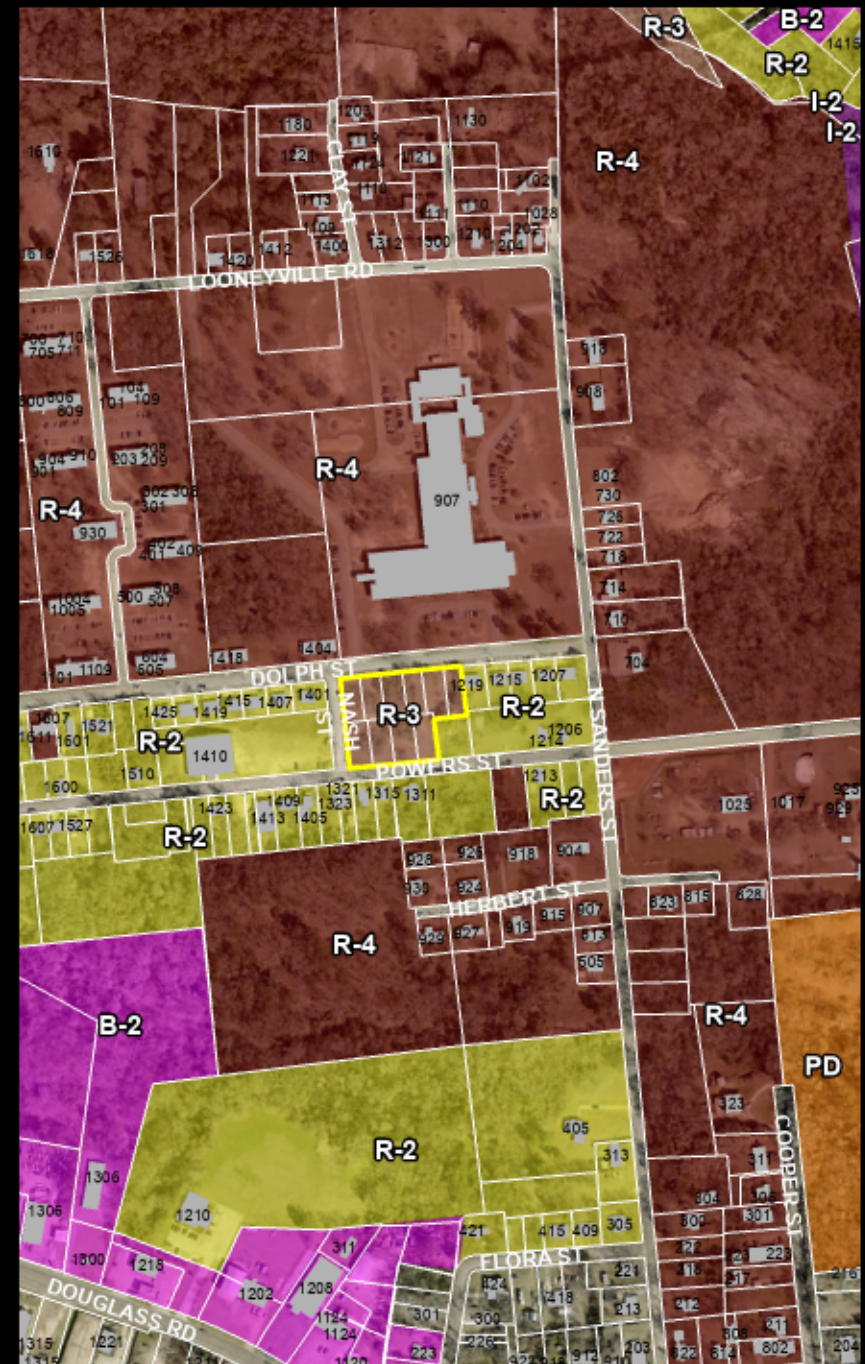
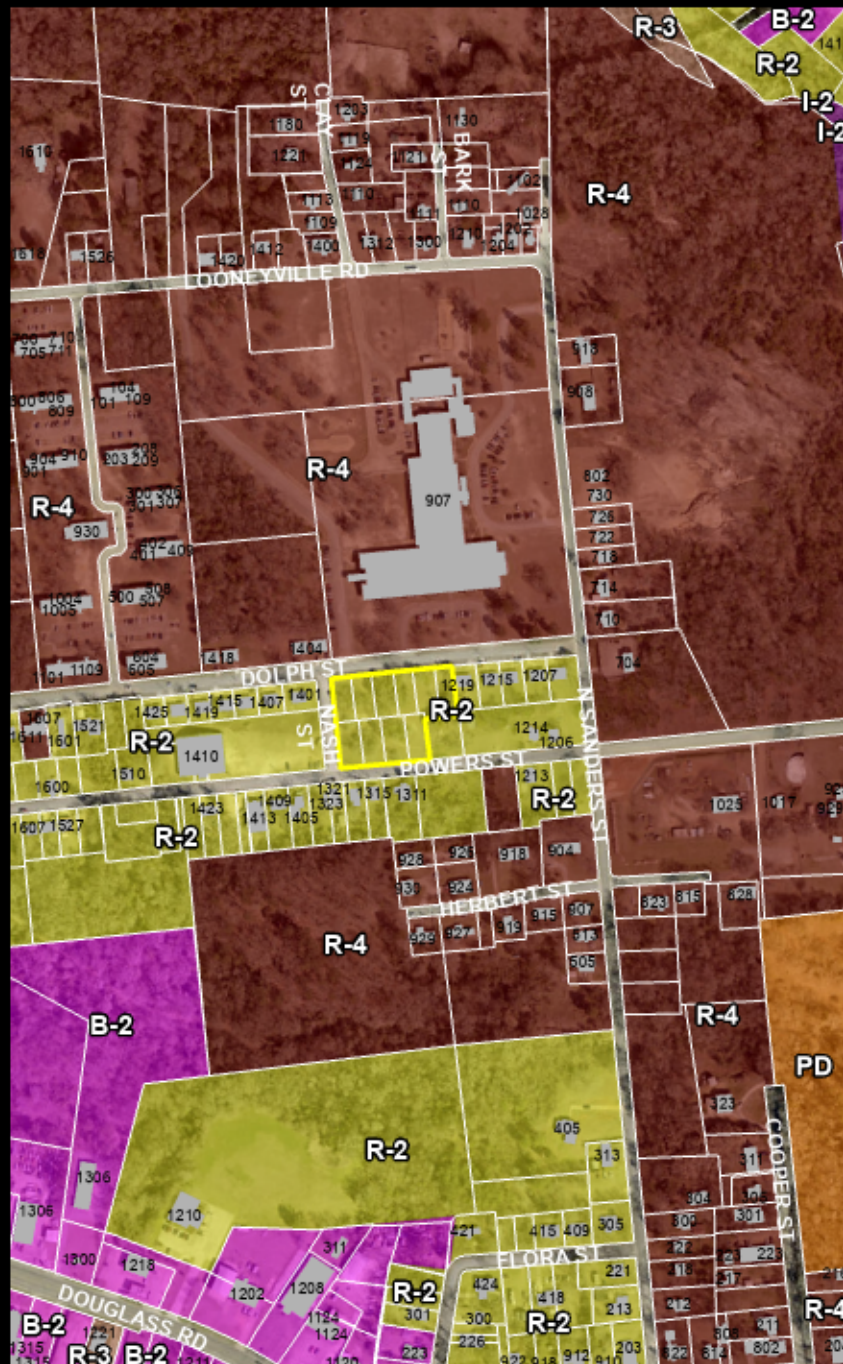
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Date Created: April 19, 2022 Software: ArcGIS Pro 2.9.2

Existing Zoning

ZON 2022-04

Proposed Zoning



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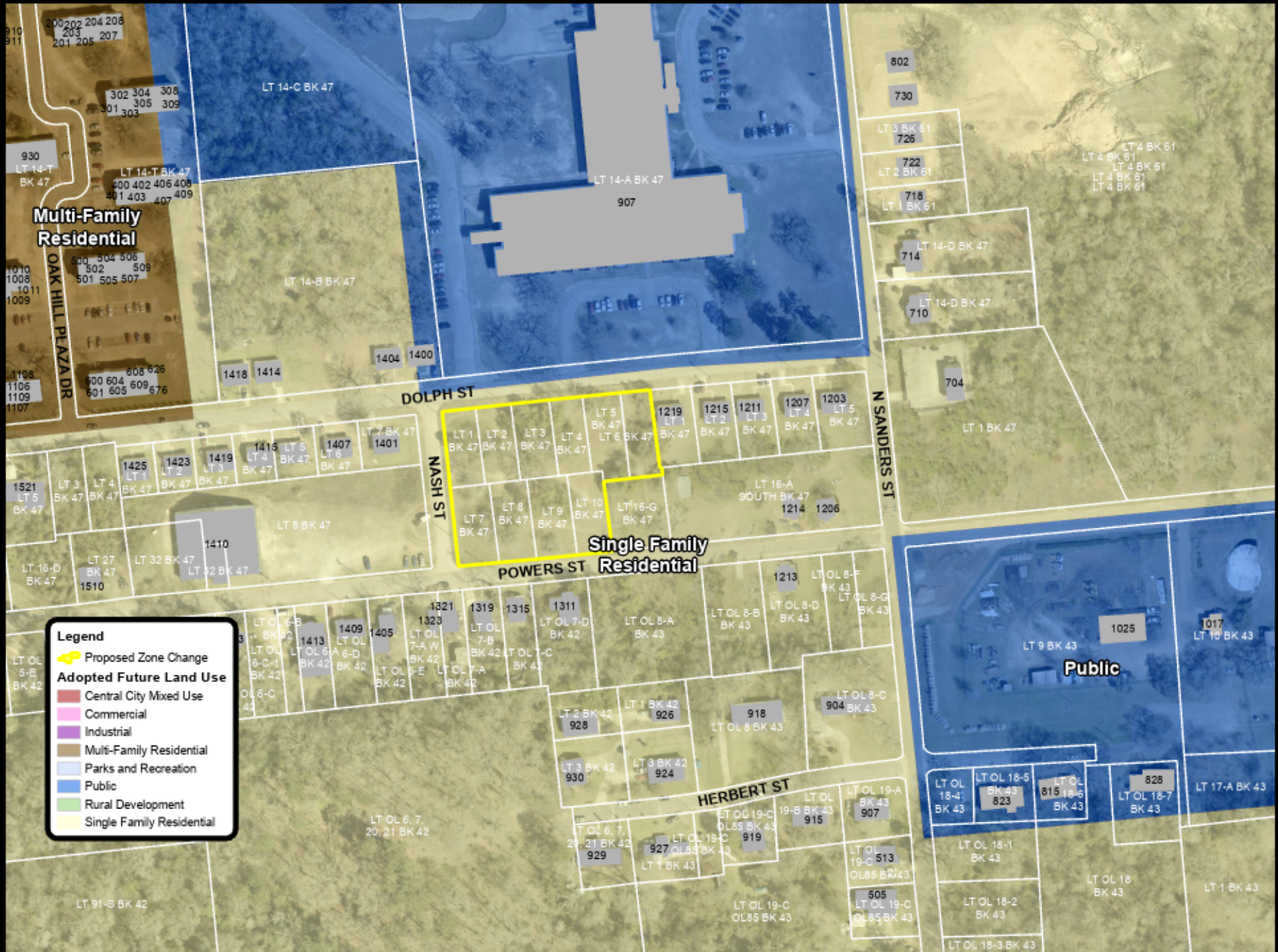


Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2

0 125 250 500 Feet



ZON 2022-04



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0 50 100 200 Feet

Date Created: April 20, 2022 Software: ArcGIS Pro 2.9.2





Response Form

Project Number: ZON2022-04
Berger Hill Addition

You may make your views known by completing this form and returning it to the Planning & Zoning Department. You may also make your views known in person by attending the public hearings. **Please complete and return form to:**

City of Nacogdoches Planning & Zoning Department
Attn: Rhonda Lewis
PO Drawer 635030
Nacogdoches, TX 75963

You may also email a copy to Rhonda Lewis, lewisr@nactx.us

Project Number: ZON2022-04

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Signature: _____

Printed Name: _____

Street Address: _____

City, State and Zip Code: _____

Phone Number: _____

Email Address: _____

Physical Address of Property within 200 Feet: _____

City of Nacogdoches
202 E. Pilar – PO Drawer 635030 – Nacogdoches, TX 75963
936-559-2574 Fax 936-559-2910 www.nactx.us
Home of Stephen F. Austin State University www.sfasu.edu

ZON2022-04 Site Photos



Street view from
Dolph St.

Street view from
Powers St.





Elementary school
north across Dolph St.





Single family east
on Dolph St.

Single family west
on Dolph St.



Church west across Nash St.





Single family south
along Powers St.

