



January 9, 2023

Planning & Zoning Commission

Notice is hereby given of a Regular Meeting of the Planning and Zoning Commission to be held on January 9, 2023 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 cloutiera@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, January 9, 2023. 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. 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.
4. **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 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 December 12, 2022 Planning & Zoning

City of Nacogdoches Planning Department
202 E. Pilar – PO Box 635030 – Nacogdoches, TX 75963
936-559-2574 □ Fax 936-559-2912 □ www.nactx.us
Home of Stephen F. Austin State University □ www.sfasu.edu



Commission meeting.

5. 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 a request for approval of a Zone Change from PD, Planned Development, to R-1, Single Family, for approximately 61.4 acres of land, being all of a 64.1-acre tract conveyed by HGT Group, LP, to JBSC Development, LLC, as described in Warranty Deed dated March 22, 2022, and recorded in Clerk's Document Number 2022-3135 of the Real Property Records of Nacogdoches County, Texas, SAVE & EXCEPT, 2.7 acres that lies outside of the City Limits of Nacogdoches, generally located at the eastern terminus of Park Street. This request has been submitted by JBSC Development, LLC. Case File ZON2022-09.
 - C. **Public Hearing:** Consider a request for approval of a Site Plan for a PD, Planned Development District for Lots 1, 1-A & 1-B, City Block 64, located at 2827 Railroad Street. This request has been submitted by Warren Sparks. Case File PD2022-04.
6. 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.
7. ADJOURN.

Aimee Cloutier, Office Assistant III

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, January 4, 2023 at 5:00 p.m. I further certify that the News Media were properly notified of this meeting as stated above.

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Aimee Cloutier, Office Assistant III

**CITY OF NACOGDOCHES
PLANNING & ZONING COMMISSION MEETING MINUTES
DECEMBER 12, 2022 AT 4:30 P.M.
REGULAR HYBRID MEETING**

MEMBERS PRESENT: Shannon Conklin; Ruth Carroll; Margaret Forbes; Lily Phou; and Matthew Perry;

MEMBERS ABSENT: None

STAFF PRESENT: City Planner, Alaina Helton; Planning Technician, Juan Pollette; Office Assistant, Aimee Cloutier; and, Project Assistant, Remy Casanova;

OTHERS PRESENT: John Anderson; Keith Walzak, Project Manager with DTJ (remote)

1. **Call to Order:** Chairman Conklin called the meeting to order at 4:35 p.m.
2. **Pledge of Allegiance:** Chairman Conklin led the Pledge of Allegiance.
3. **Work Session**
 - a. **Presentation and discussion regarding an update on the NacTogether Master Planning project and timeline.**

City Planner (CP), Alaina Helton, introduced Remigo Casanova, Project Assistant for the NacTogether project.

(CP) Helton updated the Commission on the NacTogether project and timeline and informed them that the project included an update to the City's Comprehensive Plan and the Downtown Master Plan, and includes the I-69 Corridor Study and a Housing Needs Assessment. CP Alaina Helton introduced Keith Walzak, Project Manager with DTJ, who joined the meeting via videoconference. CP Helton provided an overview of the various phases of the project, and explained how each phase includes public engagement. Commissioner Forbes asked how they were going to distribute the feedback for the drafts.

CP Helton stated the feedback would be on the website and city staff would print copies upon request.

Commissioner Forbes asked how she would know when the draft would be available.

CP Helton explained once it was ready the Commission would be given a copy. CP Helton explained that there was an email blast and anyone could sign up for it and would have that information through that avenue.

CP Helton went on to explain to the Commission the outreach efforts they have done which includes flyers, social media, and numerous events which include focus groups, meeting in a box, public meetings, surveys, festivals, and community events.

CP Helton stated the deliverables that have been completed so far include the completed existing conditions report for the Downtown and Comprehensive Plan, the draft Engagement Report, and Downtown draft design sketches.

CP Helton told the Commission that the Consultant (DTJ) will be introducing a draft Vision and Guiding Principles for the Downtown and Comprehensive Plan to the Committees and the information will also be shared with the Commission and City Council.

CP Helton told the Commission that there would be a joint workshop with City Council and the Commission on January 25, 2023, to specifically talk about housing.

Commissioner Phou asked if there were really 17 restaurants Downtown.

CP Helton explained downtown does not only include the brick streets but also includes a bit west of Main Street and there are bed and breakfasts that are opened for lunch and are counted.

Commissioner Phou stated she attended a meeting regarding the design of Downtown and wanted to know what the public's feedback was and if they are still involved or if they falling back.

CP Helton explained that once people got past the limited possibilities, the feedback has been great and the ideas they have proposed have been positive.

Commissioner Forbes asked CP Helton to go into detail about the groups that are harder to reach and if she has analyzed the participation geographically.

CP Helton explained that at the end of each survey there was identifiable information that included age, race, geography, and asked if respondents worked or lived in Nacogdoches, which gave them a good idea of the type of people the project was getting responses from. CP Helton stated that the hard-to-reach groups include non-English speaking residents, people under age 18, and minorities. CP Helton went into detail and said they have reached out to the leaders in the community which included the school district, local pastors of the minority community, and publishing information in Spanish as well as publishing ads in the local Spanish newspaper.

Commissioner Forbes asked if there was any discussion for a vision of South Street.

CP Helton explained that as of right now there was not but she assumes she will see recommendations come in for that area.

Commissioner Phou asked about the Del Los Muertos event and what the engagement from the public was like.

CP Helton stated that a lot of people did not know what the project was and once they were informed, they were very interested and wanted to participate.

CP Helton invited the Commission to participate in the focus groups coming up.

Commissioner Forbes asked if it was too late to have a meeting-in-a-box.

CP Helton stated they have closed the portal for meeting-in-a-box but are most likely going to open it back up to get feedback once the drafts come out.

Commissioner Phou asked CP Helton if there was anything that surprised her from the analysis of the reports.

CP Helton said she was surprised to see the daytime population versus overall demographics and stated the City of Nacogdoches is the hub of the County and serves more people than just the residents.

4. **Open Forum:** Chairman Conklin opened the floor for public comment. There were no comments from the public.

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 a 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 November 14, 2022 Planning and Zoning Commission meeting.

Commissioner Forbes made the motion to approve the minutes from the November 14th meeting with corrections on page three (3) stating Commissioner Carroll voted “no” instead of “abstaining”. Commissioner Carroll seconded the motion. The minutes were approved with corrections 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 an Exception to Zoning Ordinance Section 118-429, “Commercial sites with residential adjacency,” to waive the requirement for a screening fence for a nonresidential development adjacent to residentially zoned properties for Lot 5, City Block 70, Located at 4715 North Street. This request has been submitted by Altar Group. Case File EXC2022-01.**

Planning Tech (PT) Juan Pollette presented the item for a waiver to the required screening fence for a nonresidential development adjacent to residentially zoned properties. PT Pollette explained the applicant is requesting to waive the requirement for a fence to construct an oil change center adjacent to property zoned single family. PT Pollette explained the west two-thirds of the property is undeveloped and heavily wooded and the applicant is proposing to keep that portion of the property in its natural state. PT Pollette stated that Staff recommends approval of the request.

Commissioner Phou asked if this request is approved, what would happen if the vegetation is cut.

PT Pollette explained if they did cut the trees down they would have to put up a wooden fence along with a 10-foot landscape buffer per the zoning ordinance.

Chairman Conklin asked who would police the vegetation and make sure it wasn't cut down.

PT Pollette said if they made improvements to the property they would have to submit a site plan and they would have to revisit the situation with the Commission.

Chairman Conklin asked Staff if there was a permit required to clear the property. City Planner Helton stated as of today, no, but the City is working on putting a permit in place for clearing and grading of nonresidential property.

Commissioner Forbes asked if the applicant sold the property next year or came up with another business idea, would the Commission revisit any changes to the part that has been previously preserved.

CP Helton explained that the exception would follow the property regardless of ownership and property specifics.

Commissioner Forbes asked about the city park boundaries located to the west of the property and what the zoning is for city parks.

PT Pollette showed Commissioner Forbes the park boundaries on the map and CP Helton explained to the Commission that parks are allowed in any zoning district.

Commissioner Forbes stated the zoning ordinance says non-transparent screening is required and request more information on who decides on that and how it is defined.

CP Helton explained that when the Commission is talking about 'non-transparent' they are speaking in terms of opacity and if you can see through it or not and does it block noise and light.

Chairman Conklin opened up the floor for public comments. There were no comments from the public.

Commissioner Phou made the motion to approve the request for the exception, Commissioner Forbes seconded the motion and the request was approved unanimously (5-0).

7. 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 about the joint workshop with the City Council on January 25, 2023 regarding housing. CP Helton also explained to the Commission that she submitted the application for the group planning board with the American Planning Association (APA) but is still waiting on confirmation.

8. Adjourn

Chairman Conklin adjourned the meeting at 5:35 p.m.

Chairman Conklin

Attest: Aimee Cloutier, Office Assistant III

PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider a request for approval of a Zone Change from PD, Planned Development, to R-1, Single Family, for approximately 61.4 acres of land, being all of a 64.1-acre tract conveyed by HGT Group, LP, to JBSC Development, LLC, as described in Warranty Deed dated March 22, 2022, and recorded in Clerk's Document Number 2022-3135 of the Real Property Records of Nacogdoches County, Texas, SAVE & EXCEPT, 2.7 acres that lies outside of the City Limits of Nacogdoches, generally located at the eastern terminus of Park Street. This request has been submitted by JBSC Development, LLC. Case File ZON2022-09.

OVERVIEW: The request is for a zone change from PD, Planned Development to R-1, Single Family for approximately 64.1 acres located at the east end of Park Street. The R-1, Single Family district is intended as an area for low density single-family uses. Lots in this district must be 8,250 square feet in lot area or larger.

The subject property is part of a larger Planned Development district that was approved in 2001. The PD Concept Plan included the extension of Park Street and future single family residential subdivisions. The PD never came to fruition, with the exception of the Village Gate subdivision, and the PD Concept Plan has expired due to the lack of development activity on the property. The applicant is requesting a zone change to R-1, Single Family in order to develop a single family subdivision on the property which will include the extension of Park Street.

In addition, the City Council approved a development agreement with the applicant in March of 2022 for the construction of a single family subdivision. Per the agreement, the developer will construct improvements to include a 143-lot subdivision and associated infrastructure.

Adjacent Land Use & Zoning

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

Direction	Comprehensive Plan	Zoning	Land Use
North	Single Family Residential	PD, Planned Development	Undeveloped
South	Rural Development & Single Family Residential	PD, Planned Development	Agriculture & Single Family
East	Rural Development	PD, Planned Development	Undeveloped
West	Single Family Residential	PD, Planned Development	Single Family & Undeveloped

The subject property is located on the east side of the city at the eastern terminus of Park Street. The properties to the west are primarily a mix of single family residential uses. A portion of these residential uses are located outside the city limits, but the majority are zoned PD and located in the Village Gate subdivision constructed in the early 2000's. The property to the south is also zoned PD and mostly developed with agriculture and single family residences, some of which are also located outside the city limits. The area to the north and east is zoned PD, Planned Development and is undeveloped.

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 properties within the immediate vicinity are primarily single family residential uses, including the Village Gate subdivision to the west, and low-density residential uses to the south. Staff finds that the zone change request is consistent with the existing single family zoning and development pattern in the area.

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 majority of the property to the west and south is developed, and the property to the east and north is undeveloped and heavily wooded. The rezoning should 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 currently takes direct access from Park St. The property has access to public utilities, with 12-inch water main along the western property boundary and a 6-inch sewer main along the southwest corner of the property.

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;

If the zone change is approved, 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 Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject property as *Single Family Residential*. This land use category is described as, “Conventional one-family detached dwellings (also includes duplexes).”

Thoroughfare Plan

Park Street is a collector road that serves as direct access for this property and the other residential uses in the area. Future development of the property will include the extension of Park Street.

Land Use Policies, Goals & Objectives

The applicant has stated that this rezoning is a response to current needs for newer single family development. The request fits into the Goals of the Comprehensive Plan by encouraging *Growth Inward*, which includes promoting long-term growth in appropriate areas to achieve an efficient, diverse and balanced pattern of land uses, including infill development where appropriate (utilities, compatibility, etc.).

NOTICES & COMMUNITY INPUT:

Staff mailed 13 notices to property owners within the 200-foot notification area. To date, staff has not received any written responses in opposition or in favor of the zone change. Staff received two phone calls with general questions about the future development of the property.

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 Recommendation

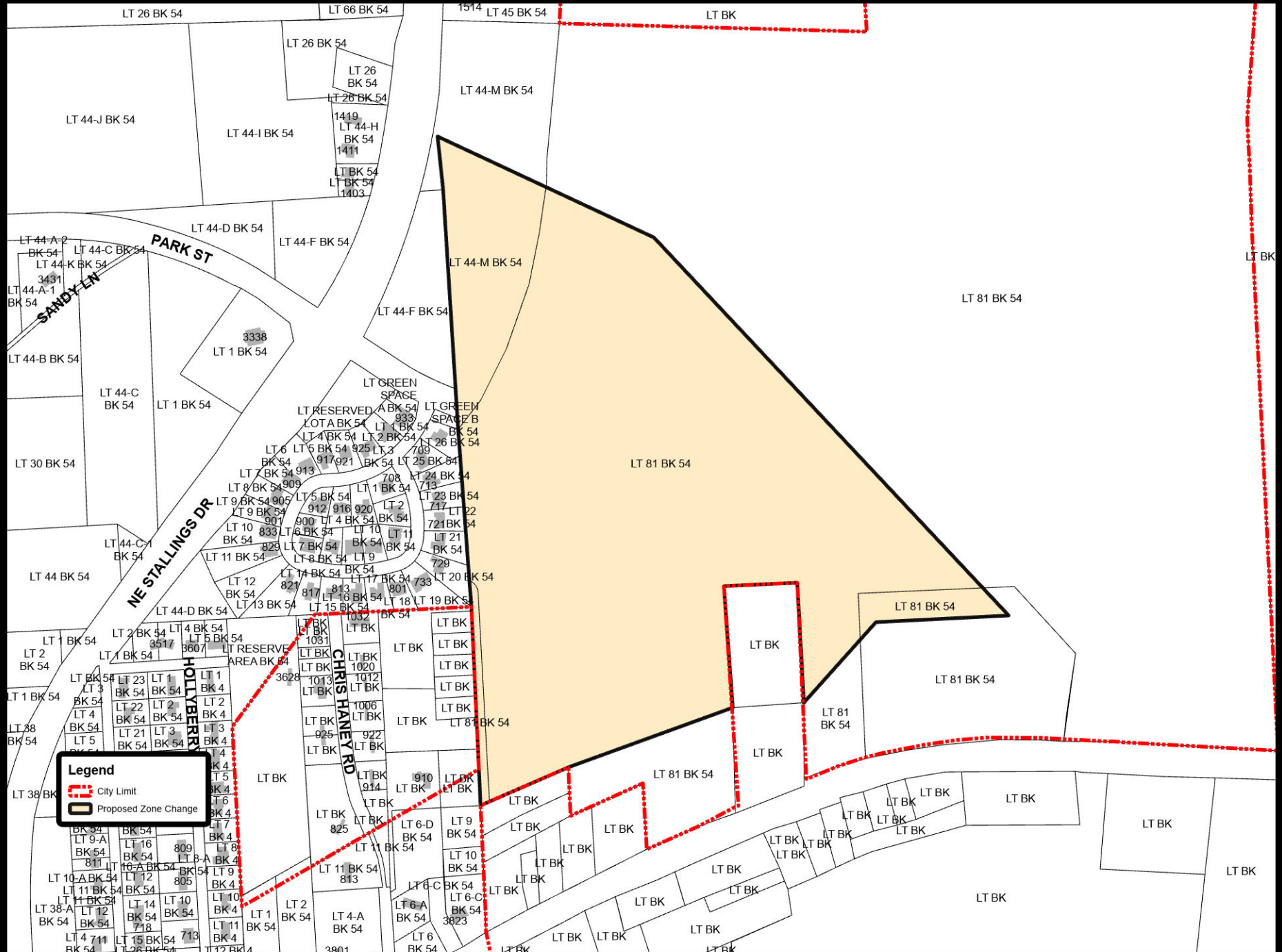
Staff finds that the request meets the review criteria as outlined above. Therefore, Staff recommends approval of the zone change from PD, Planned Development to R-1, Single Family. This item is scheduled to be heard by City Council on Tuesday, January 17th.

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 2022-09



Legend

- City Limit
- Proposed Zone Change

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.

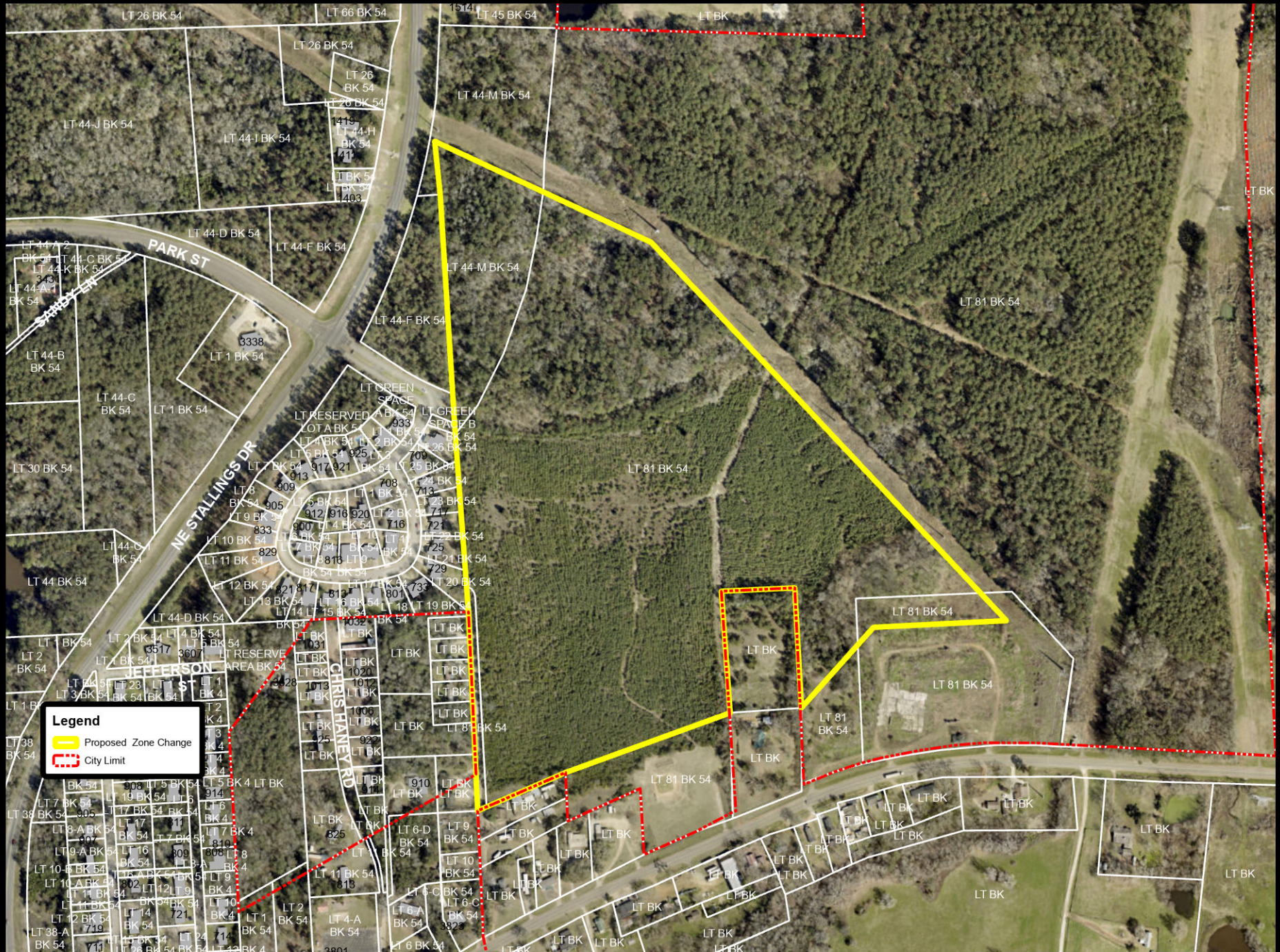


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Date Created: December 15, 2022 Software: ArcGIS Pro 3.0.3



ZON 2022-09



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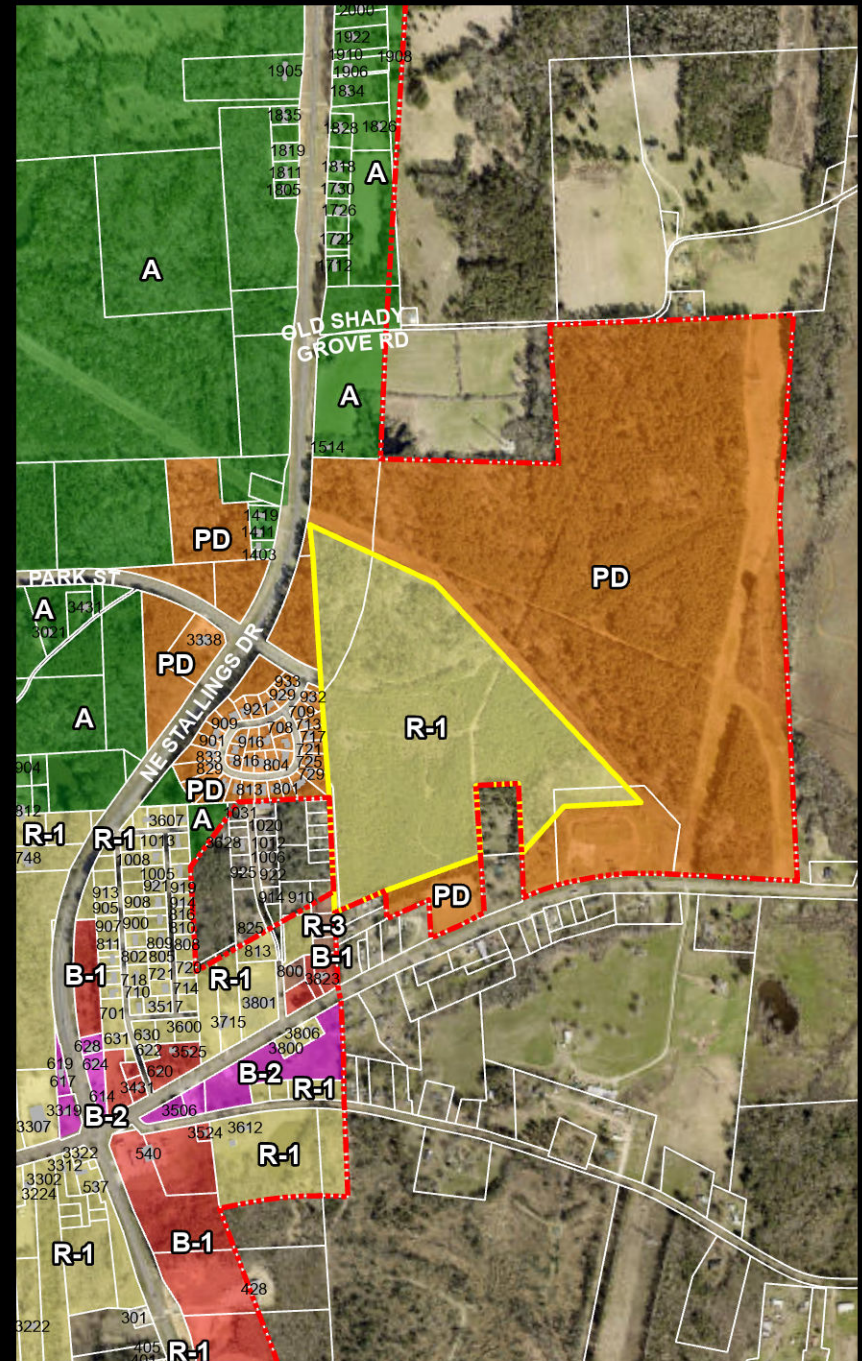
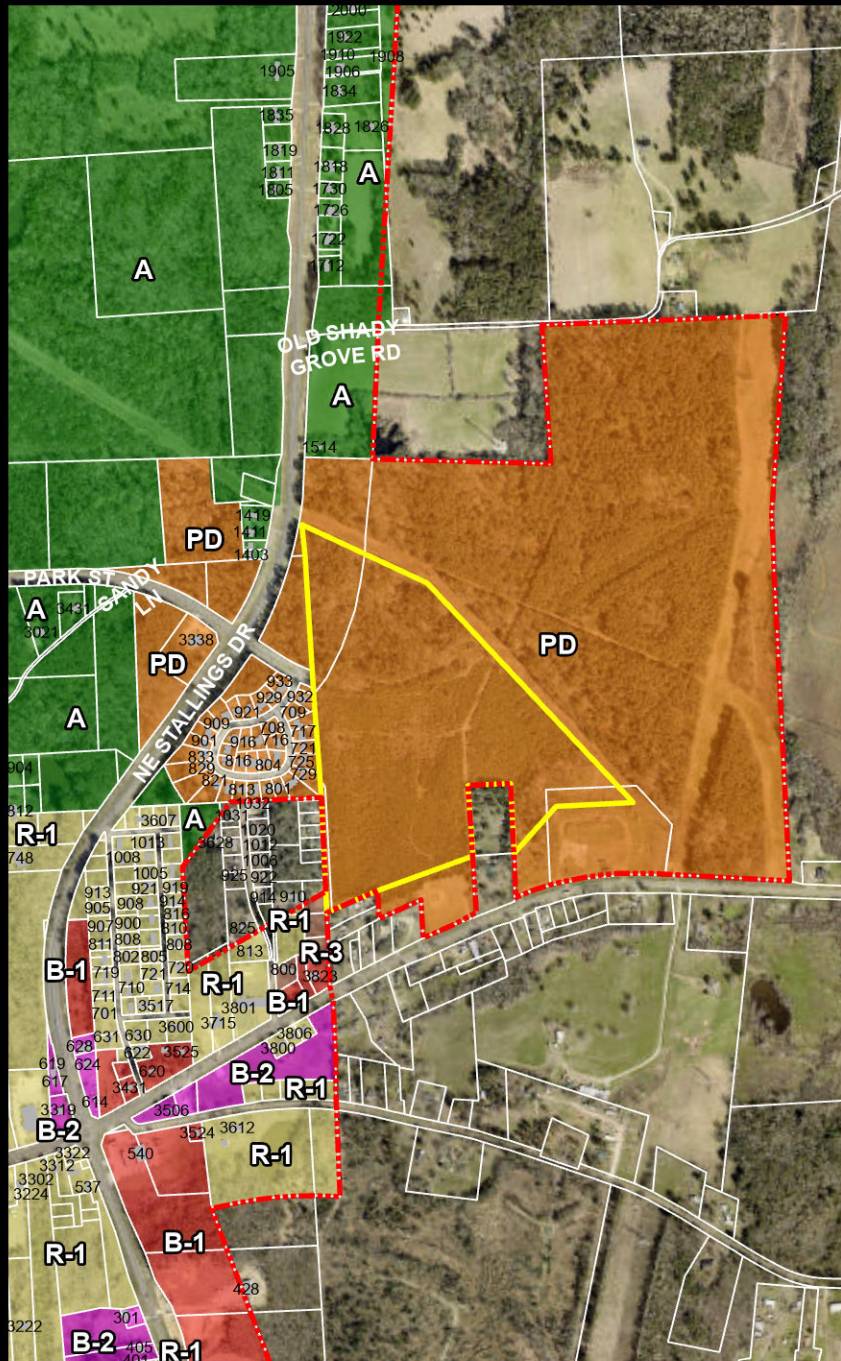
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Date Created: December 15, 2022 Software: ArcGIS Pro 3.0.3

Existing Zoning

ZON 2022-09

Proposed Zoning



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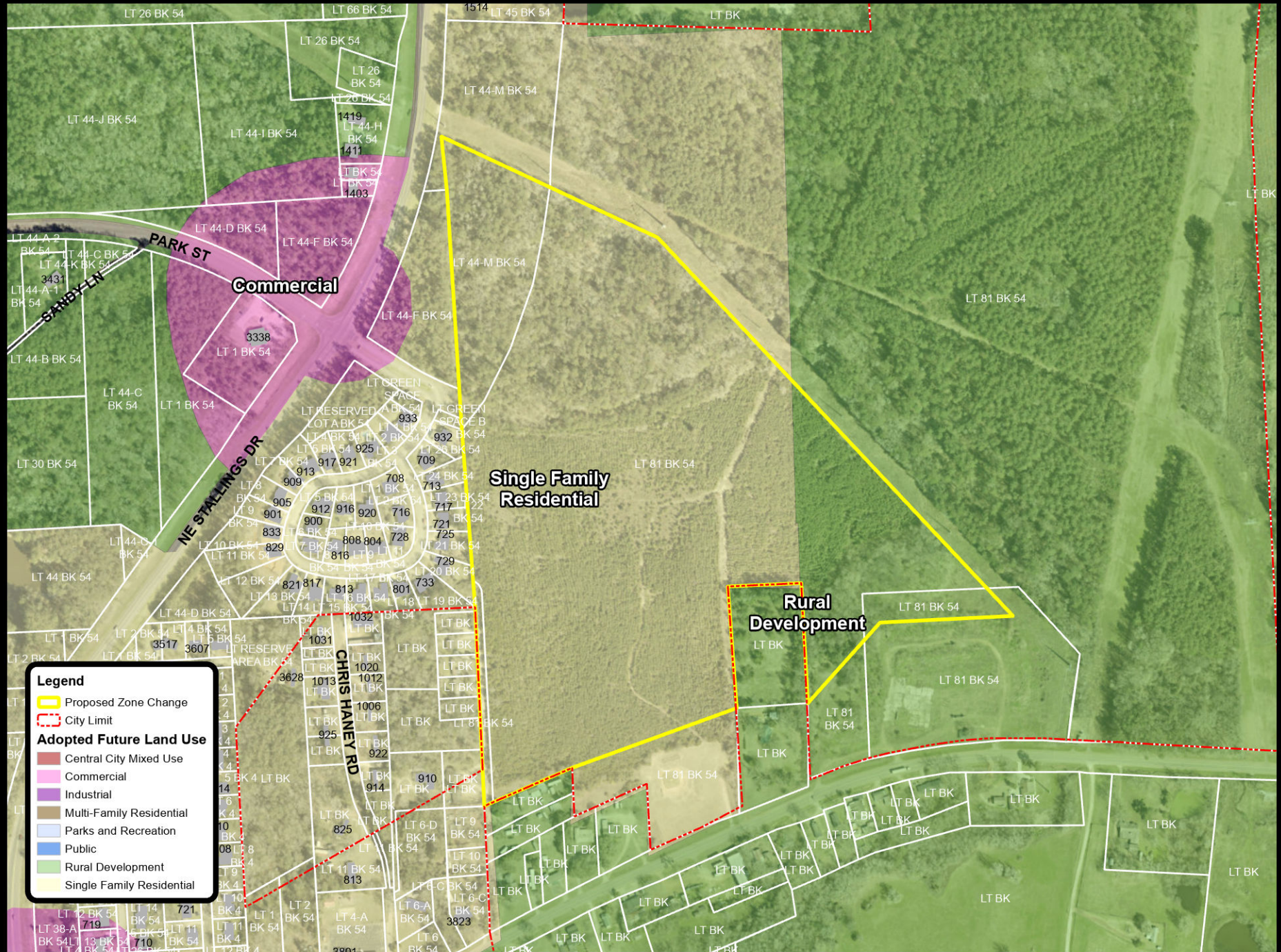


Date Created: December 15, 2022 Software: ArcGIS Pro 3.0.3

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ZON 2022-09



- Legend**
- Proposed Zone Change
 - City Limit
 - Adopted Future Land Use**
 - Central City Mixed Use
 - Commercial
 - Industrial
 - Multi-Family Residential
 - Parks and Recreation
 - Public
 - Rural Development
 - Single Family Residential

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Date Created: December 15, 2022 Software: ArcGIS Pro 3.0.3



200 Foot Notification Map

ZON2022-09: Park Street

Legend

 200 Foot Buffer

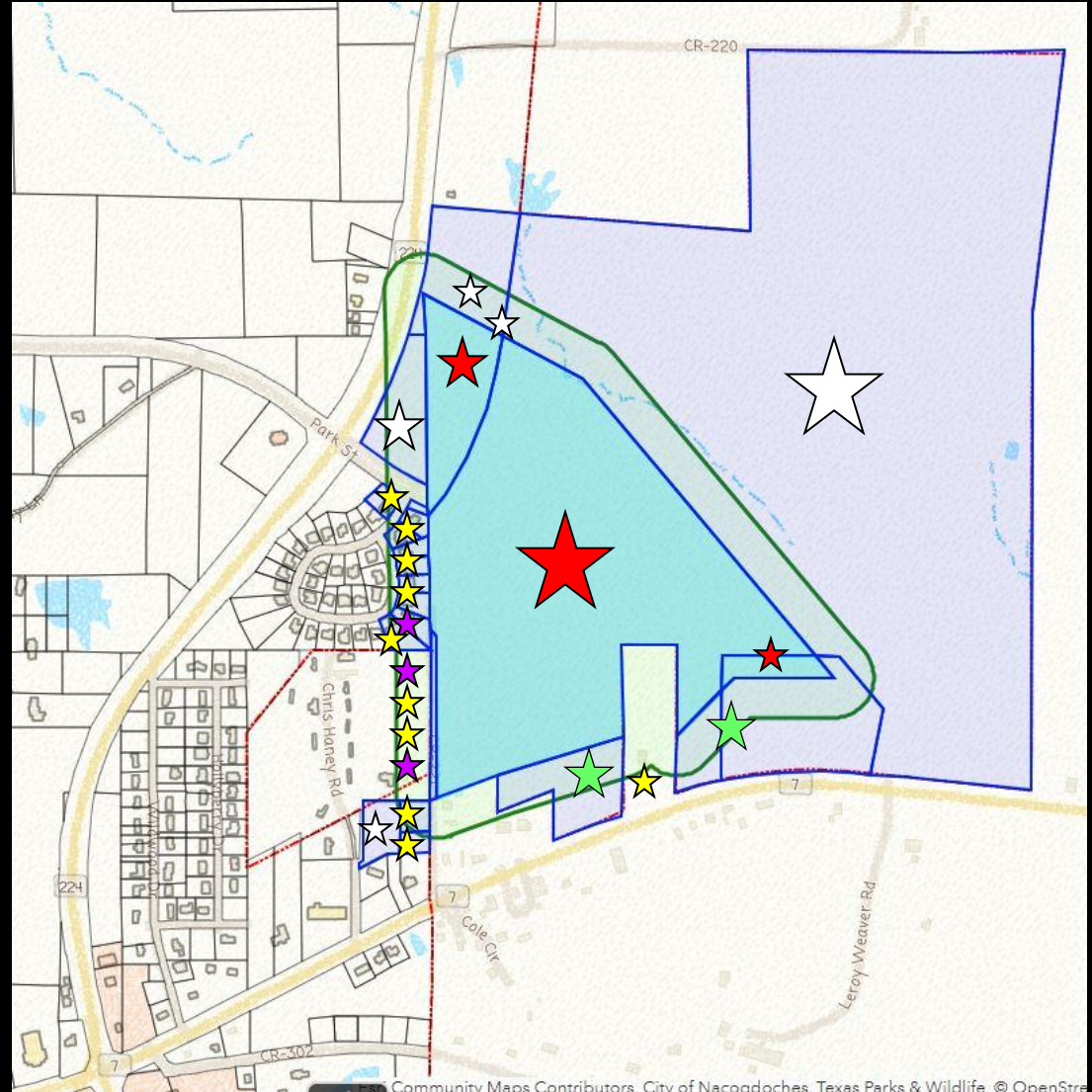
 Zone Change

 Single Family- Rental

 Single Family-
Owner Occupied

 Agriculture

 Undeveloped



Site Photos: ZON2022-09



Village Gate
subdivision sign

Eastern end of Park St.





Beginning of Subject Property





Subject Property





Entrance to Village
Gate Subdivision

Single Family Homes
in the Village Gate
Subdivision



PRESENTER: Alaina Helton, City Planner

ITEM/SUBJECT: Public Hearing: Consider a request for approval of a Site Plan for a PD, Planned Development District for Lots 1, 1-A & 1-B, City Block 64, located at 2827 Railroad Street. This request has been submitted by Warren Sparks. Case File PD2022-04.

OVERVIEW: The request is to consider approval of a Site Plan for a PD, Planned Development District for land located at 2827 Railroad Street. The Zoning Ordinance states that purpose of the Planned Development (PD) district is to:

- a. Provide greater flexibility in land use, density, and other regulations, and more closely reflect special conditions of development sites in a manner which is consistent with the comprehensive plan and community objectives;
- b. Preserve the natural amenities and environmental assets of the land, and character of the community;
- c. Provide an appropriate balance between intensity of development and the ability to provide adequate supporting facilities and services; and
- d. Facilitate a more effective arrangement of buildings, land uses and utilities, and protect contiguous land uses.

The process for creating a Planned Development district includes three (3) steps:

1. *Concept plan.* Establishes general guidelines for the district.
2. *Development plan.* More detailed information as to type and location of specific land uses and site improvements.
3. *Site plan.* Detailed construction plans.

This Site Plan is the final phase in the PD process. City Council approved the PD District and Concept Plan in 2021, and the PD Development Plan in 2022. The Development Plan proposes phasing out the existing Contractor Yard by the year 2028, and includes the construction of a Cottage Resort/ Short-Term Rental development consisting of 10 small cabin-style dwelling units and outdoor recreational activities associated with the private lake.

The attached PD Narrative outlines the details of the Planned Development, including:

- Restricting the land uses to the existing Single Family residence, Contractor Yard, and Cottage Resort;
- Proposal for shared maintenance of Railroad Street until the Contractor Yard is discontinued;
- A landscape preservation area and screening fence along Railroad Street;
- Description of applicant's current Contractor Yard operations, including equipment, materials, and employees working onsite;

- Phasing plan to discontinue the Contractor Yard by December 2028; and,

Adjacent Land Use & Zoning

The subject property is zoned PD, Planned Development and is currently being used as a Single Family residence and a Contractor Yard. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Rural Development	R-3, Two Family	Manufactured Home
South (across Railroad St.)	Rural Development	R-1, Single Family & R-3, Two Family	Single Family
East	Rural Development & Public	R-1, Single Family	Undeveloped
West	Rural Development	R-2, Single Family	Private Lake and Undeveloped

The area consists primarily of low to medium density residential zoning districts, including R-3, Two Family to the north and south, R-1, Single Family to the east, and R-2, Single Family to the west. Surrounding land uses include wooded undeveloped properties, single family and manufactured home residences, and the Carpenter Elementary facility located just to the west of the subject property.

STAFF REVIEW:

Per Section 118.392 of the Nacogdoches Code of Ordinances, The Planning and Zoning Commission in approving, conditionally approving or denying a planned development site plan shall consider the following criteria:

1. **The plan complies with the development plan approved for that portion of the planned development district.**

The site plan is consistent with the approved Development Plan.

2. **The plan provides with all standards and conditions set forth in the ordinance approving the development plan.**

The PD Site Plan complies with the approved Development Plan, which limits the land uses permitted in the PD to the following:

- Existing single family residence
- Contractor Yard with workshop and office and outdoor storage area
- Short-Term Rental Cottage Resort with no more than 10 cabin-style dwellings.

3. **Unless modified by the ordinance approving the development plan, the plan complies with the following additional standards generally applicable to development within the city, as set forth in this chapter:**

1. **Performance standards as set forth in article VII of this chapter pertaining to**

performance standards; and

2. **Setback, landscaping and off-street parking and loading standards.**

The PD Site Plan complies with all the performance and development standards as outlined in the zoning ordinance except as noted on the approved Development Plan.

4. **The plan provides for appropriate ingress and egress points for access, parking and loading, including existing and proposed ingress/egress/access easements, queuing and internal circulation.**

The development will utilize the existing driveway off of Railroad Street for ingress and egress, and all new and existing driveways will be upgraded to meet city specifications.

5. **The plan provides for fire safety and adequate measures for fire control and dealing with fire or explosive hazard.**

The existing driveways shown on the PD Site Plan will be widened and improved to meet city specifications to support emergency vehicles utilized by police and fire services. In addition, the applicant is proposing to provide at least 20 feet of separation between each cabin-style dwelling unit.

6. **The plan provides for adequate utilities, roads, drainage, and other infrastructure, as required by the city's subdivision regulations.**

The site has direct access to water, and will utilize a on-site septic sewer disposal system. Railroad Street is a local street that serves as primary access for the property and other residential uses in the area. The applicant has proposed to share the maintenance cost of Railroad Street due to the roadway impact of the heavy equipment utilized as part of the Contractor Yard business. Stormwater runoff generated by the development will be directed to, and accommodated by, the private lake located on the property.

NOTICES & COMMUNITY INPUT:

Staff mailed sixteen (16) notices to property owners within the 200-foot notification area. To date, Staff has not received any written responses in opposition or in favor of the zone change.

This zoning application was subject to the additional noticing practices that were approved by City Council in 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.

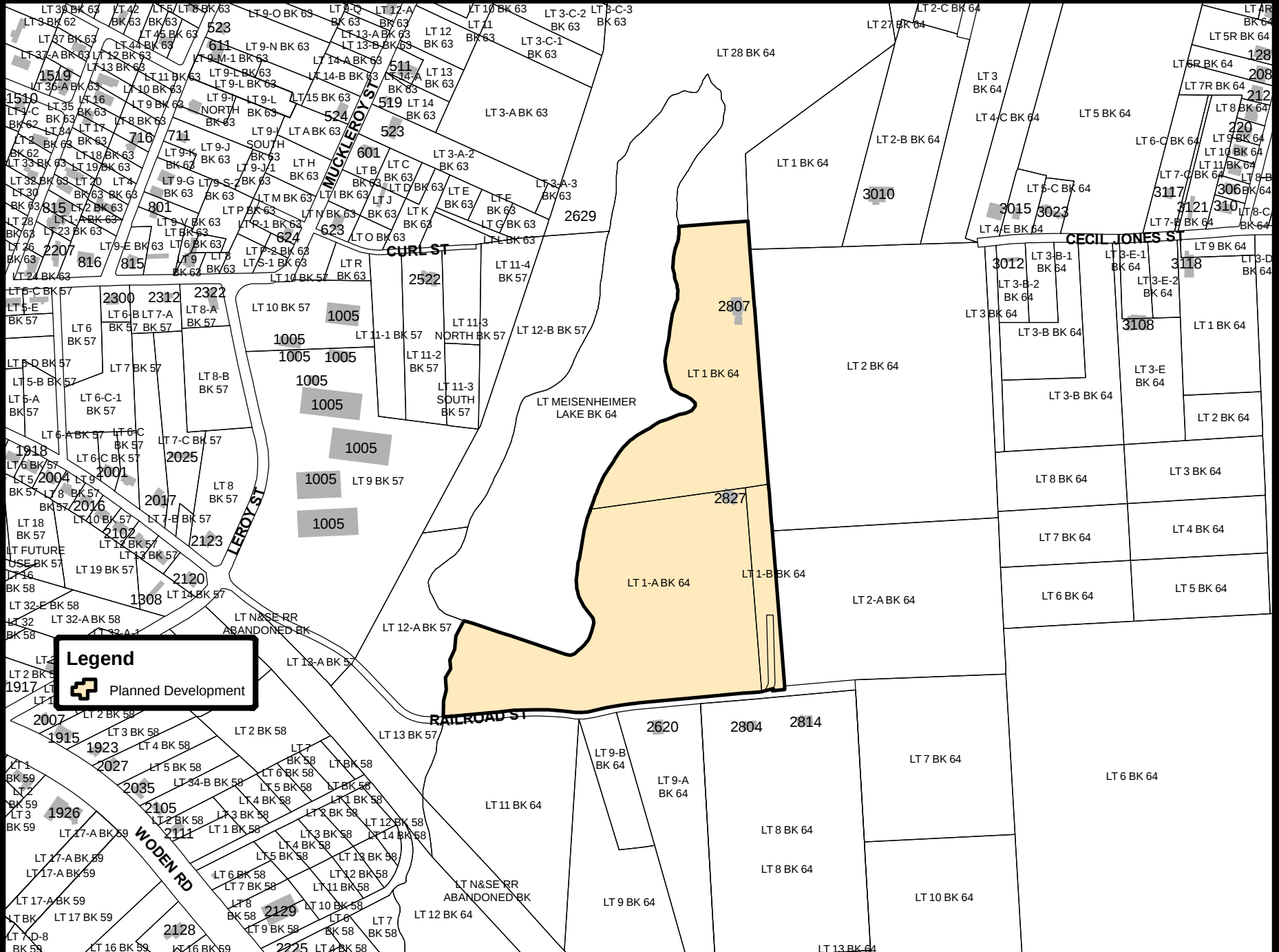
RECOMMENDATION:

Based on the above findings, Staff recommends approval of the proposed Site Plan for a Planned Development district.

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
7. PD Site Plan
8. Approved PD Development Plan & Narrative



Legend

 Planned Development

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8

0 100 200 400 Feet

Date Created: October 20, 2022 Software: ArcGIS 10.8.1

PD 2022-04



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.

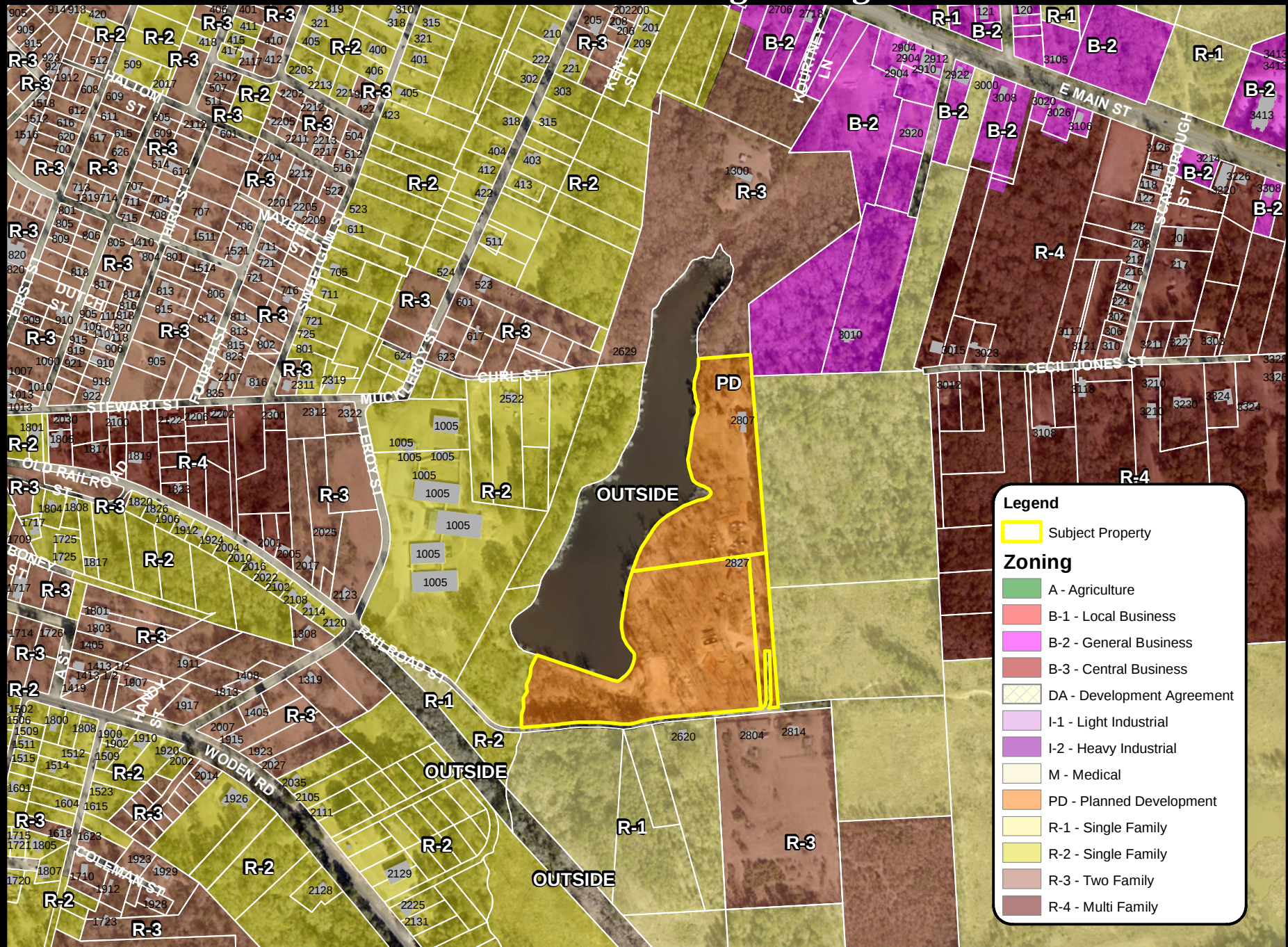
8

0 100 200 400 Feet

Date Created: October 20, 2022 Software: ArcGIS 10.8.1



PD2022-04: Existing Zoning



Legend

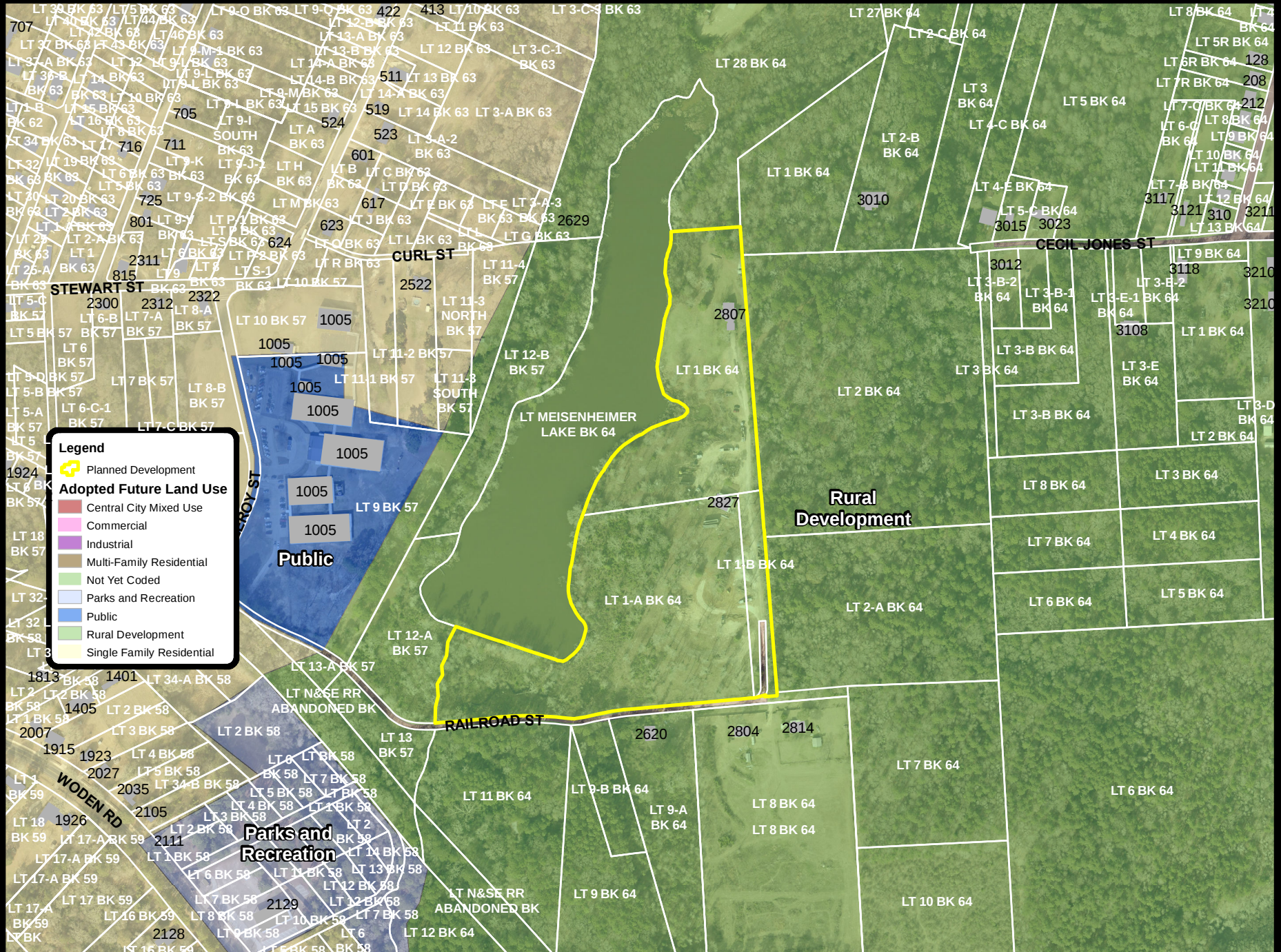
Subject Property

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

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Date Created: March 28, 2022 Software: ArcGIS 10.8.1



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200 Foot Notification Map

PD2022-04 2827 Railroad St.

Legend



200 Foot Buffer



Subject Property



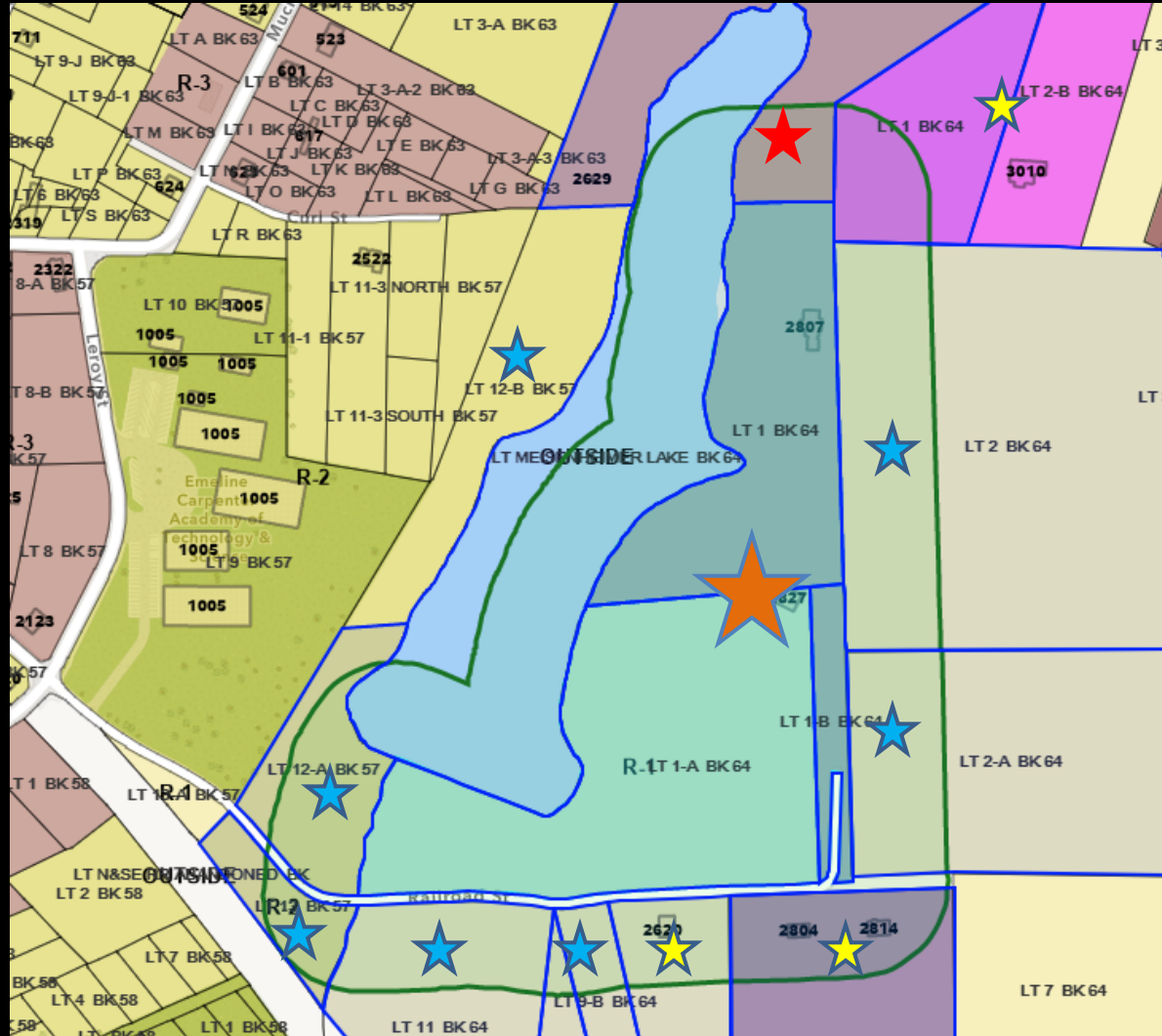
Manufactured Home



Undeveloped



Single Family-
Owner Occupied



Railroad Street



Driveway entrance at Railroad St.





Internal U-Shaped Driveway



Tree Preservation area along Railroad St.



Lake front & Cottage area



Contractor Yard Equipment & Materials



Contractor Yard Shop & Office



LEGEND

BM = benchmark
fd. = found
mkd. = marked
NCOPR = Nacogdoches County Official Public Records
NCRPR = Nacogdoches County Real Property Records
 = proposed septic tank
WM = water meter



THIRD AMENDED SITE PLAN
FOR PART OF LOT 1
CITY BLOCK 64

CITY OF NACOGDOCHES
N. DE LA CERDA SURVEY
ABSTRACT NO. 14
NACOGDOCHES COUNTY, TEXAS



1713/81 NCOPR
Brenda Waggoner
First Tract: called 13.248 Acres

4211/312 NCOPR
John & Meredith Fleming
called 60.14 Acres

- bearings refer to Grid North of the Texas Coordinate system of 1983 (Central Zone 4203) as computed from GPS vectors; at the southeast corner of the 15.52 acre tract (910/317 NCRPR), True Azimuth = Grid Azimuth + 2°56'13"

- elevation datum is NAVD88/Geoid 18 based on data returned from the National Geodetic Survey's OPUS utility program

- '1/2" iron rod set' denotes a 1 inch plastic cap imprinted "HOFFPAUIR RPLS 4492" affixed to a 1/2 inch iron rod

- this Topographic Map prepared for planning purposes only; THIS IS NOT A BOUNDARY SURVEY PLAT.

I, Glenn Hoffpauir, a duly Registered Professional Land Surveyor in the State of Texas, do hereby certify that the information shown on this plat of an AMENDED SITE PLAN prepared for WARREN SPARKS is true and correct, and drawn from a survey made by me on the ground, completed on December 29, 2022.

Witness my hand and seal of registration:

PRELIMINARY - FOR REVIEW 12/29/2022
THIS DOCUMENT MAY NOT BE RECORDED FOR ANY PURPOSE AND
SHOULD NOT BE USED OR VIEWED AS A FINAL SURVEY DOCUMENT

RPLS No. 4492
(originals signed in red ink and embossed; all others null and void)

Surveyed for WARREN SPARKS		
GLENN HOFFPAUIR SURVEYING CO., PLLC LICENSED FIRM NO. 10194243 252 CR 817 NACOGDOCHES, TEXAS 75964-2801 PHONE (936) 560-1227		
REV: 09/19/2022 10/20/2022 12/29/2022	JOB NO: 40731	DRAWN BY: ht
DATE: 04/28/2022	SHEET NO: 1 OF 1	SCALE: 1" = 100'

LEGEND

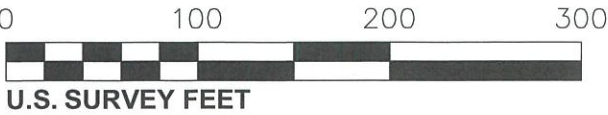
BM = benchmark
fd. = found
mkd. = marked
NCOPR = Nacogdoches County Official Public Records
NCRPR = Nacogdoches County Real Property Records

Exhibit B:
Railroad Street PD
Development Plan

(GRID)

SECOND AMENDED SITE PLAN
FOR PART OF LOT 1
CITY BLOCK 64

CITY OF NACOGDOCHES
N. DE LA CERDA SURVEY
ABSTRACT NO. 14
NACOGDOCHES COUNTY, TEXAS



1713/81 NCOPR
Brenda Waggoner
First Tract: called 13.248 Acres

4211/312 NCOPR
John & Meredith Fleming
called 60.14 Acres

- bearings refer to Grid North of the Texas Coordinate system of 1983 (Central Zone 4203) as computed from GPS vectors; at the southeast corner of the 15.52 acre tract (910/317 NCRPR), True Azimuth = Grid Azimuth + 2°56'13"

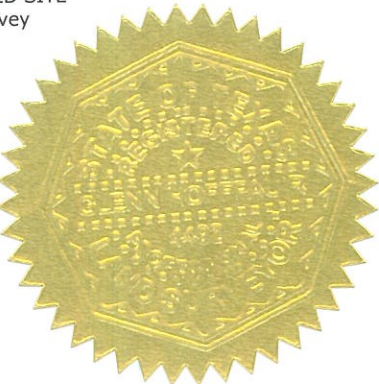
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- this Topographic Map prepared for planning purposes only; THIS IS NOT A BOUNDARY SURVEY PLAT.

I, Glenn Hoffpauir, a duly Registered Professional Land Surveyor in the State of Texas, do hereby certify that the information shown on this plat of an AMENDED SITE PLAN prepared for WARREN SPARKS is true and correct, and drawn from a survey made by me on the ground, completed on September 19, 2022.

Witness my hand and seal of registration:



(originals signed in red ink and embossed; all others null and void)

Surveyed for		
WARREN SPARKS		
GLENN HOFFPAUIR SURVEYING CO., PLLC		
LICENSED FIRM NO. 10194243		
252 CR 817 NACOGDOCHES, TEXAS 75964-2801		
PHONE (936) 560-1227		
REV:	JOB NO:	DRAWN BY:
10/20/2022	40731	ht
09/19/2022		
DATE:	SHEET NO:	SCALE:
04/28/2022	1 OF 1	1" = 100'

Exhibit B

Railroad Street Planned Development (PD2022-02)

The PD Development Plan includes an existing single family structure which serves as the applicant's primary residence, a Contractor's Yard, and a proposed Cottage Resort/ Short-Term Rental development. The PD proposes to continue to use the existing single family residence while phasing out the Contractor Yard. The Contractor's Yard supports the applicant's construction business, and will be permanently discontinued in 2028. The Contractor Yard will be replaced by a Short-Term Rental Cottage Resort, including no more than 10 small cabin-style dwelling units and provide outdoor recreational activities that may include fishing, swimming, horseback riding, and similar outdoor recreation activities associated with the existing lake.

The development standards listed below outline the conditions of the PD, including a phasing plan with a schedule to discontinue the Contractor Yard over the next four (4) years.

PD DEVELOPMENT STANDARDS

- **Proposed Uses:** Land Use will be limited to the following:
 - Single family residence (2,600 sq. ft.)
 - Contractor Yard with workshop and office (2,000 sq.ft.) and outdoor storage area (10,000 sq.ft.)
 - Short-Term Rental Cottage Resort will consist of no more than 10 cabin-style dwellings. Cabins will be rented for a period of no more than 30 consecutive days. The Resort will also comply with Zoning Ordinance Section 118-503. – Glare into residential properties, and Section 118-504. – Noise, as it relates to proximity to adjacent residential property lines.
- **Buildings:**
 - No new commercial buildings or expansions of existing commercial buildings. All activities associated with the Contractor Yard will be limited to the existing office, shop, and outdoor storage area.
 - The Cottage Resort will be limited to no more than 10 cabin-style short-term rental units.
- **Signs:** The Cottage Resort will be permitted signage as follows:
 - One (1) directional sign not, and one (1) low-profile entrance sign.
 - The low-profile sign shall have a maximum height limit of five (5) feet and shall have a setback of 12 feet from the public right-of-way.
 - No sign may be illuminated except for indirect lighting.
- **Screening & Landscaping:**
 - All Contractor Yard equipment and materials will be relocated to the north side of the existing shop/office and consolidated in a 10,000 sq.ft. outdoor storage area.
 - The existing mature trees within the vegetated area located between the Contractor Yard and Railroad Street will be preserved and maintained.
 - A 6-foot mesh privacy will be installed along the southern property line (approximately 450 ft.) to screen the views from the residences located on the south side of Railroad Street.
- **Contractor Yard Phasing:**
 - Equipment Total: Two (2) belly dump trucks; three (3) dump trucks; one (1) backhoe; one (1)

trackhoe; and, one (1) front loader.

- **Materials:** The storage of materials includes limestone base (20 tons), and rip rap rock (10 tons).
- **Employees:** There are four (4) employees in total, including three (3) drivers and one (1) secretary.
- **Operating Hours:** Drivers' schedules have been modified to a 7:30am start time, and all equipment operators/ drivers will leave no earlier than 6:00am, and return no later than 6:00pm.
- The property owner will participate in the costs of the city maintenance and repair of Railroad Street, located between the property entrance and Leroy Street to the west, until the Contractor Yard is discontinued. The applicant will repair the hump (or raised mass) located in the right-of-way immediately in front of the residence located at 2620 Railroad Street.
- The Contractor Yard will be phased out as shown below and discontinued by December 2028.

Contractor Yard Phasing Plan								
Phase/ Year	Drivers	Equipment						
		Volvos	Belly Truck	Dump Truck	Backhoe	Trackhoe	Front Loader	Trailer
2021	4	4	3	3	1	1	1	1
2022	3		2	3	1	1	1	
2024	2		1	1				
2028	All Contractor Yard activities discontinued.							