



## NOTICE OF REGULAR MEETING

October 20, 2020

### SHENANDOAH PLANNING AND ZONING COMMISSION

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
CITY OF SHENANDOAH

### AGENDA

NOTICE IS HEREBY GIVEN that the Regular Meeting of the Shenandoah Planning and Zoning Commission will be held on Tuesday, October 20, 2020 at 6:00 p.m. at the City of Shenandoah Municipal Complex, 29955 IH-45 North, Shenandoah, Texas for the purpose of considering the following:

1. CALL TO ORDER
2. CALL OF ROLL

#### CITIZEN'S FORUM

3. CITIZENS FORUM

Citizens are invited to speak for three (3) minutes on matters relating to city government that relate to agenda or non-agenda items. Speakers are asked to stand up to address the Planning and Zoning Commission and give their name and address before expressing their concerns.

***Responses to inquiries are limited by state law to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by the Planning and Zoning Commission shall be limited to a proposal to place the subject on the agenda of a future meeting.***

#### INDIVIDUAL CONSIDERATION

4. Presentation of a Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for a special use permit for a Garage Apartment Attached/Unattached. The proposed zoning amendment is for 411 Twisted Oak Court, Shenandoah, Texas 77381.
5. Public Hearing regarding the proposed zoning amendment for a special use permit for a Garage Apartment Attached/Unattached. The proposed zoning amendment is for 411 Twisted Oak Court, Shenandoah, Texas 77381.
6. Presentation of a Planning and Zoning Commission preliminary report regarding the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.
7. Public Hearing regarding the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts

Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

8. Consideration and possible action to recommend approval or denial regarding the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.
9. Discussion regarding updating the City's Comprehensive Plan.
10. Consideration and possible action to approve or deny minutes of the August 18, 2020 Regular Meeting of the Planning and Zoning Commission.
11. City Administration Updates.
  - a. The regular scheduled meeting for November has been rescheduled for November 2<sup>nd</sup> at 6 p.m.

#### COMMISSIONER'S INQUIRY

12. Commissioner's Inquiry

***The Planning and Zoning Commission may inquire about a subject not specifically listed on this agenda. Responses are limited to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.***

#### ADJOURN

**There is the potential for a quorum of City Council members at this meeting.**

City Hall is wheelchair accessible. A sloped entry is available at the entrance with specially marked parking spaces available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 298-5522 or Fax (281) 367-2225 for further information.

I certify that the attached notice of meeting was posted on the bulletin board at City of Shenandoah Municipal Complex, 29955 IH-45 North, Shenandoah, Texas, on the 16<sup>th</sup> day of October, 2020 at 10:40 a.m.



Jackie Thompson, Deputy City Secretary





# Shenandoah Planning and Zoning Commission

## AGENDA REPORT

AGENDA DATE: <u>October 20, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	EXHIBITS: <u>Preliminary Report, Property Location, SUP Application</u>

### SUBJECT/PROCEEDING:

Preliminary Report regarding the proposed zoning amendment for a special use permit for a Garage Apartment Attached/Unattached. The proposed zoning amendment is for 411 Twisted Oak Court, Shenandoah, Texas 77381.

Public Hearing regarding the proposed zoning amendment for a special use permit for a Garage Apartment Attached/Unattached. The proposed zoning amendment is for 411 Twisted Oak Court, Shenandoah, Texas 77381.

### RECOMMENDED ACTION:

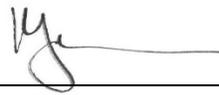
### BACKGROUND/DISCUSSION:

Baker residence located at 411 Twisted Oak Drive has requested a Special Use Permit to allow for a Garage Apartment Attached/Unattached.

The Special Use Permit will the following permits be issued to the property to construct the garage apartment as outlined in the highlighted section of the IDC page included. The proposed build is for a Mother-in-Law apartment with loft storage and added carport, including 1016 adding living space.

The business is located in the "R1" – Residential Single Family Zoning

### APPROVALS:

DEPARTMENT HEAD		DATE: <u>October 14, 2020</u>
CITY ADMINISTRATOR		DATE: <u>October 14, 2020</u>

**Shenandoah Planning & Zoning Commission  
October 20, , 2020 and November 2, 2020 Public Hearing  
Preliminary Report**

**Subject:** Baker residence located at 411 Twisted Oak Drive has requested a Special Use Permit to allow for a Garage Apartment Attached/Unattached.

**Public Hearings:** Planning & Zoning Commission – October 20, 2020  
Planning & Zoning Commission –November 2, 2020  
City Council – November 11, 2020

**Current Zoning District: “R1” Residential Single Family Zoning District**

**Proposed SUP:** The Special Use Permit will the following permits be issued to the property to construct the garage apartment as outlined in the IDC Section 4.2.10. The proposed build is for a Mother-in-Law apartment with loft storage and added carport, including 1016 adding living space.

**Prepared by:** Jackie Thompson  
Community Development Manager

**Date Prepared:** October 14, 2020



# Special Use Permit

City of Shenandoah, Texas  
29955 I-45 North  
Shenandoah, Texas 77381  
281-298-5522  
[www.shenandoahtx.us](http://www.shenandoahtx.us)

**Upon completion return application to [Development@shenandoahtx.us](mailto:Development@shenandoahtx.us)**

## Contact Information

Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Applicants: \_\_\_\_\_

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

## Parcel Information

Type of Business: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Street Address or Location: \_\_\_\_\_

## Special Use Permit Request

Description of request:

## Submission Information

This application is to be filed with the City of Shenandoah City Secretary:

**City of Shenandoah  
29955 Interstate 45 North  
Shenandoah, Texas 77381**

## **\*Additional Information\***

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The following information must also be submitted:

Cover letter on company letterhead stating what is being asked.

Metes and Bounds.

All applicable fees and payments.

Copies of all deeds or a title opinion from a licensed attorney establishing current ownership of the property for which the zoning change is sought.

A site plan. If there are existing structures, parking, curb cuts and drainage they must be shown.

The application form must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the rezoning request shall be submitted.

Payment of all Indebtedness Attributable to the subject property.

## **\*Public Hearings\***

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Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission (two public hearings): **3<sup>rd</sup> Tuesday of every month at 7:00 p.m.**

City Council: **4<sup>th</sup> Wednesday of every month at 7:00 p.m.**

## **\*Protests\***

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If a protest against a proposed zoning change including PDD and SUP requests has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending two hundred feet (200) there from, such zoning change shall not become effective except by a three-fourths (3/4) vote of governing body in accordance with the provisions of Section 211.006 of the Texas Local Government Code.

## **\*Resubmission\***

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Rezoning requests which have been heard and decided by the Council of the City of Shenandoah may not be re-filed with the city for six (6) months after the date of such decision by the Council, absent a change in circumstances.

Rezoning requests for the same property to a different classification than the denied request may be re-filed prior to the expiration of six (6) months.

**Additional Information**

Date Application received by the City of Shenandoah: \_\_\_\_\_

Owner(s) of record for the above described parcel: \_\_\_\_\_

Owner(s) of record for the above described parcel:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: Signatures are required for all owners of record for the property proposed for Special Use Permit. Attach additional signatures on a separate sheet of paper.*

**Date Received**

*Office Use*

**\*Public Hearings\***

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

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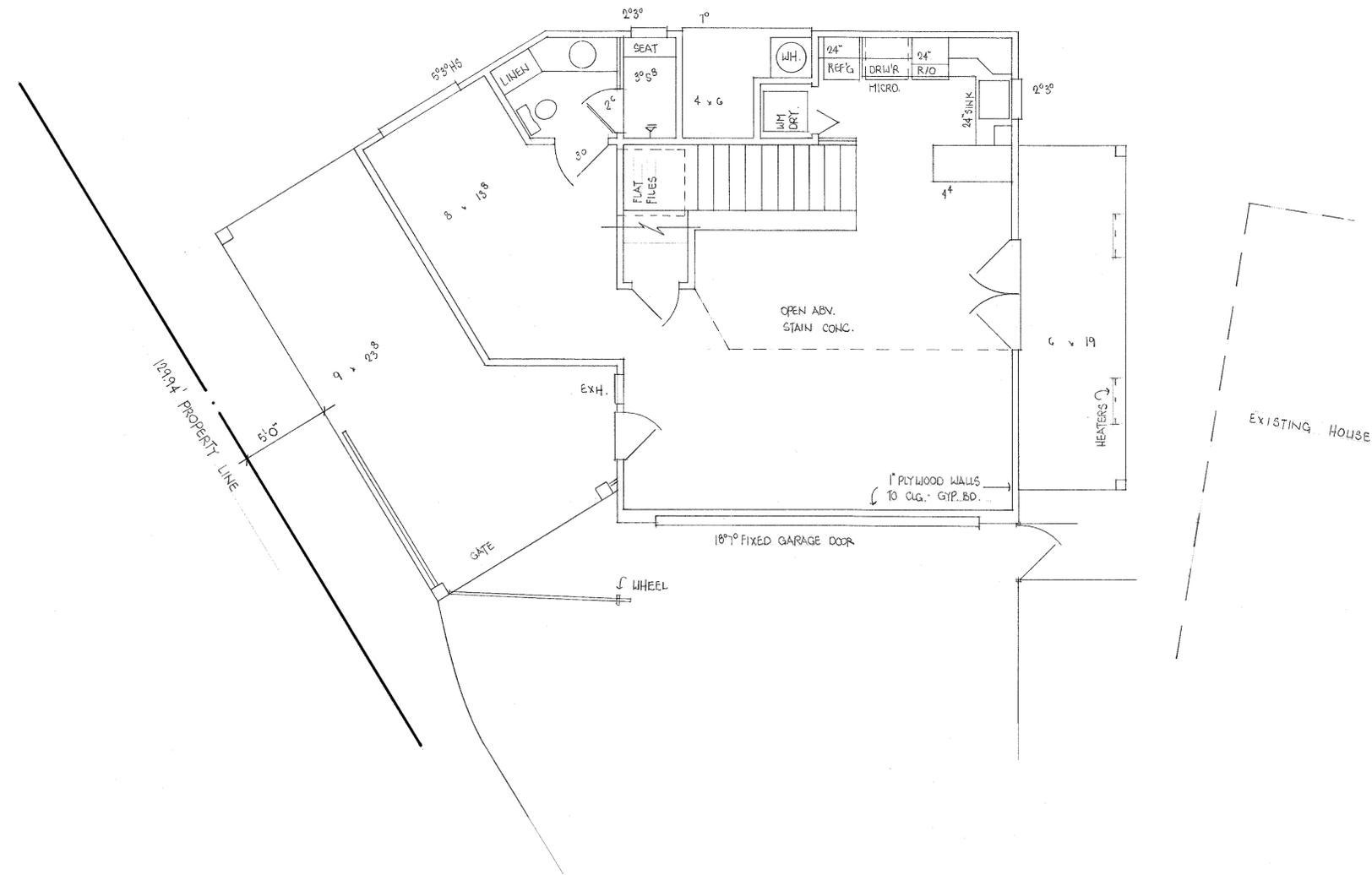
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front elevations  
SCALE: 1/4" = 1'-0" 01-11-20  
08-13-20



**square footages**

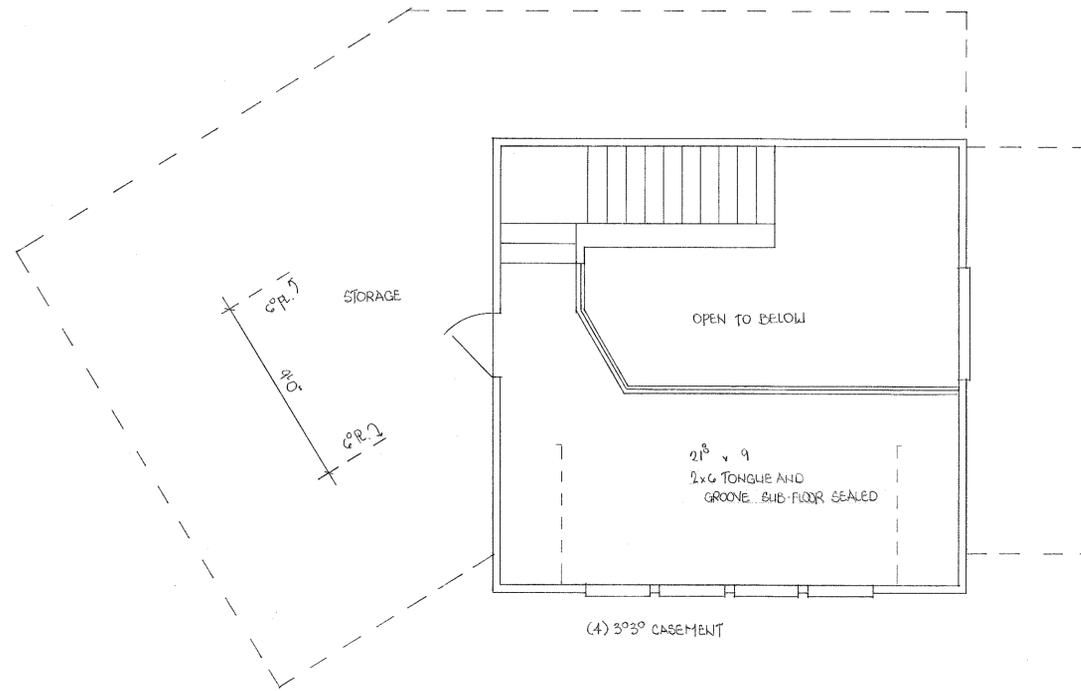
EXISTING GARAGE	4	7	6
ADDED GARAGE SLAB	3	0	3
ADDED SECOND FLOOR	2	3	1
TOTAL LIVING AREA	1	0	1
ADDED PORTE-COCHERE	2	5	0
ADDED PORCH	1	1	4
EXTERIOR STORAGE	3	3	
TOTAL	1	4	1

**Baker Residence**

COPYRIGHT KARL VOELKEL  
 JMJ HOUSE INC.  
 51 N. ALTIMONDODD WAY  
 THE WOODLANDS, TEXAS 77380

**proposed first floor plan**

SCALE: 1/4" = 1'-0" 01-17-20  
 4 08-13-20



proposed second floor plan

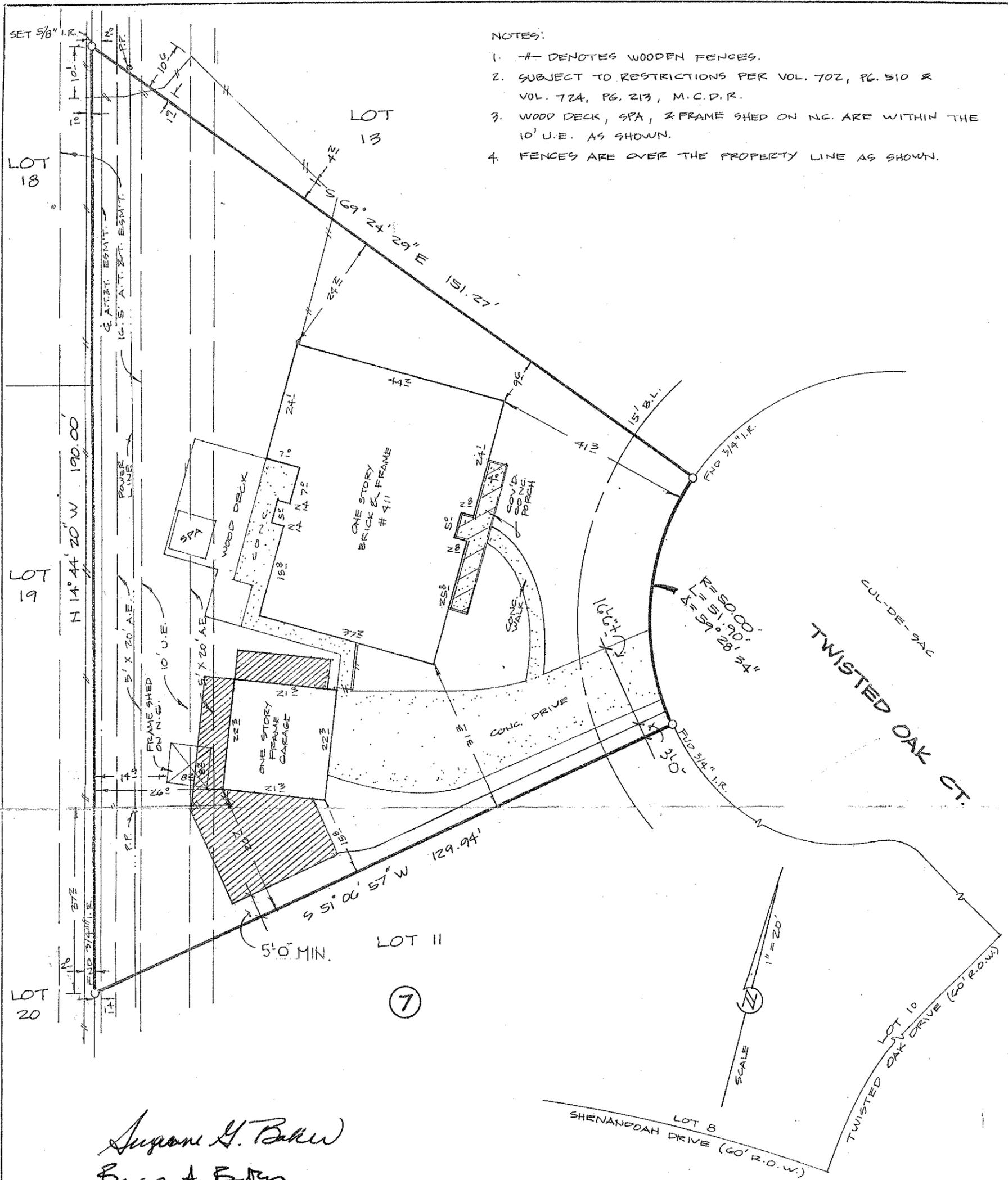
SCALE: 1/4" = 1'-0"

07-17-20  
08-13-20



section

SCALE: 1/4" = 1'-0"



- NOTES:
1. -#- DENOTES WOODEN FENCES.
  2. SUBJECT TO RESTRICTIONS PER VOL. 702, PG. 510 & VOL. 724, PG. 213, M.C.D.R.
  3. WOOD DECK, SPA, & FRAME SHED ON N.G. ARE WITHIN THE 10' U.E. AS SHOWN.
  4. FENCES ARE OVER THE PROPERTY LINE AS SHOWN.

*Suzanne G. Baker*  
*Brian A. Baker*

ALL BEARINGS BASED ON RECORDED PLAT.  
 FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

LOT	12	BLOCK	7	SECTION	2	SUBDIVISION	SHENANDOAH VALLEY	This lot <u>DOES NOT</u> lie in the 100 year flood plan and is in <u>ZONE "X"</u> as located by the Federal Insurance Administration designated Flood Hazard Area by Community Panel No. <u>481256 0537F</u>	
RECORDATION	CABINET A, SHEET 8A (FORMERLY VOL. 9, PG. 16), M.C.M.R.		COUNTY	MONTGOMERY	STATE	TEXAS	SURVEY		MONTGOMERY COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 350
LENDER	ALLIANCE MORTGAGE CO.		TITLE CO.	AMERICAN TITLE CO.		GF NO.	97 MR 348618-W (00303)		
PURCHASER	BRIAN A. BAKER AND WIFE, SUZANNE G. BAKER						JOB NO.	20586 K	
ADDRESS	411 TWISTED OAK CT., SPRING, TEXAS						dated	12-19-96	



I do hereby certify that this survey was this day made on the ground and that this plat correctly represents the property legally described hereon (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments apparent on the ground, except as shown.

*[Signature]*

THE WINDROSE SURVEY COMPANY  
 11301 Richmond, Suite K105  
 Houston, Texas 77082  
 (281) 558-8006

FIELD WORK	4-4-97	R.G.
DRAFTED BY	4-7-97	J.Y.
CHECKED BY	4-7-97	W.P.
KEY MAP NO.	217 Z	





# Shenandoah Planning and Zoning Commission

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## AGENDA REPORT

AGENDA DATE: <u>October 20, 2020</u>	PREPARED BY: <u>Jackie Thompson</u>
DEPARTMENT: <u>Community Development</u>	<u>Comparison reports, Preliminary Report, Property location, Rezoning Application</u>
EXHIBITS:	

### SUBJECT/PROCEEDING:

Presentation of a Planning and Zoning Commission preliminary report regarding the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

Public Hearing regarding the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

Consideration and possible action to recommend approval or denial the proposed zoning amendment from Retail Commercial Zoning District to Planned Development District #14 (PDD #14). The proposed zoning amendment is for Woodlofts Shenandoah, LLC located at 5.1923 acres of land in Restricted Reserve "A" of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

### RECOMMENDED ACTION:

Staff recommends approval of the rezoning to Planned Development District #14 as it complies with the proposed site plan provided by the Developer.

### BACKGROUND/DISCUSSION: Continued on next page

Woodlofts Shenandoah, Ltd has submitted request for zoning amendment from Retail Commercial “RC” to Planned Development District #14 “PDD #14”. The project located on 5.1923 acres along IH45, David Vetter and David Memorial Drive consists of two proposed reserves. Reserve A (fronting IH 45) consisting of 15,000 square feet of retail space with surface parking. Reserve B (along David Vetter and David Memorial) consisting of multifamily units with a parking structure.

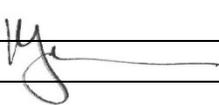
The property has been issued two prior special use permits for a mixed use project proposed to have 300 – 350 multifamily units, 14,500 square feet of retail along I45 and a parking structure. The prior applicant has expanded their partnership to include Juniper Investment Group and are proposing a revised project for the property that they are easily able to finance. The proposed rezoning provides for an independent retail reserve along IH 45 and a multifamily reserve with a parking structure along David Vetter BLVD and David Memorial DR.

PDD #14 proposes the following amendments from the Retail Commercial base zone selected.

- Section 2.01 in addition to the allowed uses within the base zone, PDD #14 would additionally allow
  1. Multifamily Apartments (currently allowed in the RC zone on upper floors) to be located on Reserve B. Multifamily apartments may have first floor retail uses but are not required. Table 2 in the proposed PDD provides a minimum of 125 units and a maximum of 285 units on the multifamily reserve.
  2. Retail on Reserve A – Reserve A will provide a minimum of 15,000 square feet of rentable retail space (further defined in PDD #14). Uses considered professional services and banking are defined as non-permitted uses.
  3. Amenities – Private amenities for the multifamily apartment are planned. Specific amenity types listed in Chart 1.
- Table 1 provides specific development standards per each proposed reserve planned within PDD #14 as compared to the RC Zone requirements. **See Table 1 comparison sheet.**
- Section 3.01 Standards – highlights section of the IDC which are amended in the proposed PDD #14.
  1. Section 4.10.8 – refers back to planned standards in Table 1 that differ from the RC base zone.
  2. Section 5.3.3 – Off-Street Loading requested to be per Master Plan.
  3. Section 5.7.3 – Dumpsters requested to be per Master Plan.
  4. Section 22.13 – Sidewalks proposed to be 8’ wide shall be installed by the developer along all perimeters along frontage of ROW to be reviewed and approved by staff.
  5. Miscellaneous – Provides payment for Impact Fee and credit for prior permits issued for the project.
- Section 4.01 Code Amendments
  1. Chapter 98 – PDD #14 proposes the following:
    - a. Section 98-116 Vegetation barriers as described in Table 1. See Table 1 comparison sheet.
    - b. Section 98 provides for tree removal during the subdivision process that would allow for protected trees to be removed and the site replenished with canopy credits as required by city vegetation ordinance. The proposed PDD specifies trees to be planted within landscape barriers and right-of-way will be counted towards canopy coverage required.
    - c. Section 98-158 provides for canopy requirements for each planned reserve to be planted within between the whole planned development (not per each platted reserve as current ordinance would require) and reduce the allowed planting area to under 200 square feet to be reviewed and approved by staff. A minimum amount of credit to be provided per lot are included in Chart 1.

Added to the PDD document is a statement that the district must provide building elevations that meet or exceed a masonry material percentage of 80%.

**APPROVALS:**

DEPARTMENT HEAD	 _____	DATE: October 14, 2020
CITY ADMINISTRATOR	 _____	DATE: October 14, 2020

**Shenandoah Planning & Zoning Commission**  
**September 15, 2020 and October 20, 2020 Public Hearing**  
**Preliminary Report**

**Subject:** Woodlofts Shenandoah, LTD., property owner, has requested a zoning amendment from Retail Commercial “RC” to Planned Development District #14 “PDD #14”. The proposed zoning amendment is for at 5.1923 acres of land in Restricted Reserve “A” of the Eastwood Village Replat No.1 recorded on Cabinet Z, Sheet 3434 M.R.M.C.

**Public Hearings:** Planning & Zoning Commission –September 15, 2020  
Planning & Zoning Commission – October 20, 2020  
City Council – October 28, 2020

**Current Zoning District: “RC” Retail Commercial Zoning District**

**Proposed Zoning District: “PDD #14” Planned Development District #14**

**Proposed Rezoning:** Woodlofts Shenandoah, Ltd has submitted request for zoning amendment from Retail Commercial “RC” to Planned Development District #14 “PDD #14”. The project located on 5.1923 acres along IH45, David Vetter and David Memorial Drive consists of two proposed reserves. Reserve A (fronting IH 45) consisting of 15,000 square feet of retail space with surface parking. Reserve B (along David Vetter and David Memorial) consisting of multifamily units with a parking structure.

**Comprehensive Plan: Interstate Corridor.** The interstate corridor is an area of retail and commercial services located along the east side of Interstate 45. This area may be auto-oriented and should provide easy access to and from the interstate. A heavy emphasis should be placed on the visual appearance of developments within this area, as it is one of the most visible portions of the city. Additionally, these retail areas capture sales tax dollars not only from the citizens of Shenandoah, but also from people traveling along Interstate 45, thereby increasing the city’s sales tax revenue.

**Prepared by:** Jackie Thompson  
Community Development Manager

**Date Prepared:** September 11, 2020

**Table 1 Comparison Sheet**

Table 1	Retail, Restaurant, Bar, & All Other Commercial Use	Multi-Family Residential Use	Shenandoah Ordinance Retail Commercial Zone
Maximum Building Height	1-story building height, not to exceed 40 feet	5-story building height, not to exceed 60 feet, except parking structure, which can be up to seven levels, not to exceed 80 feet	2 Stories or building height shall be determined by Section 5.4 Height. (Section 5.4 provides for allowance in increase building height up to 130 feet for every 1 foot of additional setback)
Minimum Lot Depth	None	None	100 feet
Building Setback along I-45	5 feet	5 feet	**Setbacks are determined by front , back and side property lines**  Front Setback – 5 feet
Building Setback along David Memorial Drive	10 feet	10 feet	**Setbacks are determined by front , back and side property lines**  Side Setback – Corner lots 15 feet, abutting a commercial district 10 feet
Building Setback along David J. Vetter Blvd.	10 feet	10 feet	**Setbacks are determined by front , back and side property lines**  Side Setback – Corner lots 15 feet, abutting a commercial district 10 feet
Building Setbacks along property lines interior to the WOODLOFTS PARK PDD	10 feet	10 feet	**Setbacks are determined by front , back and side property lines**  Rear Setback – 10 feet unless served from the rear
Floor Area Ratio (“FAR”)	0.18	3.36	Per IDC 1 Story Commercial 0.32, 4 – 8 Story Residential 1.41

**Table 1 Comparison Sheet**

Maximum Impervious Coverage (Minimum Total Landscape Area)	75% (25%)	85% (75%)	80% per property
Minimum Required Tress Canopy Area Credits	29,400 Square Feet	50,400 Square Feet	
Minimum number of Parking Spaces	Per Sec. 2.03	Per Sec. 2.03	
Parking Type	Surface	Surface and/or structured parking garage	
Maximum Density	N/A	None	
Maximum number of Multifamily Units	N/A	285	
Average Multi-Family Unit Size (total project net rentable area divided by total number of multifamily units)	N/A	Between 900 and 950 square feet of net rentable area, including patios and balconies	
Site and Common Area Amenities	N/A	Swimming Pool, Landscape Courtyard, Outdoor Living Area, Gas Grills, Dog Park, Dog Wash, Fitness Room, Group Exercise Room, Conference Room, Mail Room, Lounge/Cyber-Café, Media/Game Room	
Vegetation Barrier along I-45	25 feet	25 feet	25 feet on property
Vegetation Barrier along David Memorial Drive and north boundary line of the WOODLOFTS PARK PDD	15 feet	15 feet	15 feet on property
Vegetation Barrier along David J. Vetter Blvd.	15 feet	15 feet	15 feet on property.
Vegetation Barrier along property lines interior to the WOODLOFTS PARK PDD	10 feet	00 feet	15 feet
Building Elevation minimum masonry coverage	80%	80%	80%

## **The WOODLOFTS PARK PLANNED DEVELOPMENT DISTRICT (PDD)**

A development of Woodlofts Shenandoah, Ltd.

### **DIVISION 1. – GENERAL PROVISIONS**

#### **Sec. 1.01. - PDD.**

The WOODLOFTS PARK is a Planned Development District (PDD) in the City of Shenandoah, Texas, per Section 2.24 of the IDC, which is a special zoning district. A PDD allows for deviations from standard ordinance requirements and permits a combination of uses. The provisions of this PDD will control over any conflicting City of Shenandoah regulations.

The intent and purpose for this PDD is consistent with Section 2.24.2 of the 2011 City of Shenandoah Integrated Development Code (“IDC”). This PDD shall be designated PD-14 WoodLofts Park PDD. The area of this PDD exceeds five (5) acres and is described on Exhibit A, the Master Plan (as defined below).

#### **Sec. 1.02. - Proposed Uses/Base Zoning District.**

The WOODLOFTS PARK PDD proposed build-out condition will include retail, restaurant, and market-rate multi-family residential uses. This variety of uses is encouraged for this zoning area as part of the City of Shenandoah Comprehensive Plan adopted in January, 2010.

In order to allow this variety of uses under the IDC, this WOODLOFTS PARK PDD proposes to use the Retail Commercial Zoning District (“RC Zoning District”) as the base zoning and to make amendments as specified in this document. The building-line setbacks, landscape barriers, floor area ratios, building heights, and impervious surface ratios, as shown in the Master Plan attached hereto and incorporated herein (the “Master Plan”), are specifically allowed even if contrary to the RC Zoning District provisions.

#### **Sec. 1.03. - Design concepts.**

The following design concepts form the basic intent of the design standards:

1. Meet or exceed the City of Shenandoah's ordinances (unless otherwise specified herein).
2. Provide a level of visual continuity and unity to the development site's perimeter.
3. Provide a high-quality mixed-use environment for local residents, retail tenants and customers, apartment tenants, and visitors.
4. Enhance long-term property values.

## Sec. 1.04. - Reviews, submittals, and amendments.

All reviews, submittals, and amendments shall meet the minimum requirements as set forth in the current adopted zoning or subdivision ordinances for the City of Shenandoah unless otherwise specified within this WOODLOFTS PARK PDD.

## DIVISION 2. - DEVELOPMENT CRITERIA

### Sec. 2.01. - Development criteria.

In order to allow a variety of uses in this area consistent with the City of Shenandoah Comprehensive Plan, the WOODLOFTS PARK PDD will adopt the RC Zoning District as the base zoning district. Development within the WOODLOFTS PARK PDD will be regulated by the IDC as amended by this WOODLOFTS PARK PDD. Where no amendments are specified, development requirements shall be per the IDC:

#### (a) *Multi-family Residential Use.*

Multi-family Residential shall be allowed within the Reserve B, as detailed on the Master Plan, defined as being a building designed for occupancy by three (3) or more families living independently of each other. All of the residential units shall be located on one (1) lot or platted reserve under single ownership. All corridors will be climate-controlled (air conditioning and heating). Commercial uses complying with the allowable uses of the RC Zoning District will be allowed, but not required, on the first floor of multi-family residential buildings. All multi-family residential units shall be market-rate (i.e. rents charged shall be determined by prevailing market conditions).

#### (b) *Retail & Restaurant Uses.*

Reserve A, as detailed on the Master Plan, will be developed with a minimum of 15,000 square feet of net rentable area of retail space, defined as a business which sells merchandise or tangible goods or provides services, including restaurants, and collects sales tax on its revenue, to be served by surface parking spaces in sufficient quantity to comply with the IDC for each respective retail use. Professional services and banking will not be permitted.

#### (c) *Amenities.*

The WOODLOFTS PARK PDD development is intended to be a high-quality development. Private amenities are planned to be provided for use by residents of the multi-family property. Publicly available amenities are planned to be provided in the common areas between development types and integrated within the different land use types. Specific amenities for each reserve are stipulated in Table 1, below.

#### (d) *Area Regulations and Standards.*

Property and buildings shall conform to the regulations and standards of this section, as well as Section 1.02 above. If a regulation or standard is not addressed in this section or Section 1.02, the property and buildings shall conform to the IDC.

The following requirements listed in the following Table 1 shall apply:

<b>Table 1</b>	<b>Retail &amp; Restaurant Uses (Reserve "A")</b>	<b>Multi-Family Residential Use (Reserve "B")</b>
Maximum Building Height	1-story building height, not to exceed 40 feet	5-story building height, not to exceed 60 feet, except parking structure, which can be up to seven levels, not to exceed 80 feet
Minimum Lot Depth	None	None
Building Setback along I-45	5 feet	5 feet
Building Setback along David Memorial Drive	10 feet	10 feet
Building Setback along David J. Vetter Blvd.	10 feet	10 feet
Building Setbacks along property lines interior to the WOODLOFTS PARK PDD <sup>1</sup>	10 feet	10 feet
Floor Area Ratio ("FAR") <sup>2</sup>	0.18	3.36
Maximum Impervious Coverage (Minimum Total Landscaped Area) <sup>3</sup>	75% (25%)	85% (15%)

Minimum Required Tree Canopy Area Credits	29,400 square feet	50,400 square feet
Minimum number of Parking Spaces	Per Sec. 2.03	Per Sec. 2.03
Parking Type	Surface	Surface and/or structured parking garage
Maximum Density	N/A	None
Maximum number of Multifamily Units	N/A	285
Average Multi-Family Unit Size (total project net rentable area divided by total number of multifamily units)	N/A	Between 900 and 950 square feet of net rentable area, including patios and balconies
Site and Common Area Amenities	N/A	Swimming Pool, Landscaped Courtyard, Outdoor Living Area, Gas Grills, Dog Park, Dog Wash, Fitness Room, Group Exercise Room, Conference Room, Mail Room, Lounge/Cyber-Cafe, Media/Game Room
Vegetation Barrier along I-45	25 feet	25 feet
Vegetation Barrier along David Memorial Drive and north boundary line of the WOODLOFTS PARK PDD	15 feet	15 feet
Vegetation Barrier along David J. Vetter Blvd.	15 feet	15 feet
Vegetation Barrier along property lines interior to	10 feet	10 feet

the WOODLOFTS PARK PDD <sup>1</sup>		
Building Elevation minimum masonry coverage	80%	80%

<sup>1</sup> As shown on the Master Plan, the sole interior property line bifurcates a shared access easement. The ten-foot (10') building setback referenced in this Table 1 will: 1) extend ten feet (10') from the back-of-curb of the paved access drive to be located within this shared access easement, 2) dually fulfill the requirements for a ten-foot (10') building setback and a ten-foot (10') vegetation barrier established herein, and 3) contain plantings only in all unpaved areas located within it.

<sup>2</sup> Floor Area Ratio ("FAR") shown in Table 1 for Reserve B includes the structured parking garage shown on the Master Plan; the FAR for Reserve B excluding the parking garage is 2.20. The combined FAR for both Reserve A and Reserve B, including the Reserve B parking garage, is 2.12. The combined FAR for both Reserve A and Reserve B, excluding the Reserve B parking garage, is 1.42.

<sup>3</sup> Maximum impervious coverage and total landscaped area percentages are shown for individual Reserves A and B. The combined maximum impervious coverage and total landscaped area percentages for both Reserve A and Reserve B are 80% and 20%, respectively.

(f) *Development Standards.*

Reserve A and Reserve B will be developed within a time frame that will ensure that the core and shell of the retail building on Reserve A will receive a Certificate of Completion prior to the City's granting a Temporary Certificate of Occupancy or a Certificate of Occupancy for the multi-family residential building to be built on Reserve B.

The completed WOODLOFTS PARK PDD may include up to the maximum development use intensities shown in the following Table 2 and must include at least the minimum use intensities shown. Nothing in this Table 2 shall prohibit the development of additional uses allowed by the RC Zoning District or additional intensities so long as the minimum development use criteria are met:

<b>Table 2</b>	<b>Reserve A - Retail &amp; Restaurant – Shops at the WoodLofts</b>	<b>Reserve B – Multi-Family Residential – The WoodLofts</b>
Retail & Restaurant Use	15,000 Square Feet New Development Minimum	None
	No Maximum	None

Multi-Family Residential Use	None	125 Units Minimum
	None	285 Units Maximum

Sec. 2.03. - Parking.

The WOODLOFTS PARK PDD development will comply with the parking requirements provided in the IDC, except as noted below.

- (a) Each reserve shall include the minimum required number of on-site parking spaces for all uses on that particular reserve as if it was a separate development.
- (b) Parking shall be located for each use on each reserve at a reasonable distance to the respective use. If surface parking is provided for a particular use, it should be located immediately adjacent to that use.
- (c) The developer may comply with the shared parking requirements of the IDC.
- (d) Multi-Family residential parking shall be provided at standard requirements of the IDC and may comprise a combination of surface spaces and spaces contained in a multi-level structured parking garage.
- (e) All other uses allowed in the WOODLOFTS PARK PDD shall conform to parking requirements included in the IDC.

DIVISION 3. - IDC AMENDMENTS

Sec. 3.01. - Development standards.

Where there is a conflict between the IDC and this WOODLOFTS PARK PDD, the provisions of this WOODLOFTS PARK PDD shall prevail. The following sections of the IDC are modified for the WOODLOFTS PARK PDD as follows:

**Sec. 4.10.8 — Retail Commercial (RC) District Special Regulations**

Individual reserves within the WOODLOFTS PARK PDD may either be developed in compliance with Section 4.10.8, as written, or in accordance with the following alternate requirements:

- (a) The maximum allowable height for buildings developed on each reserve within the WOODLOFTS PARK PDD shall be as shown in Table 1 contained in Division 2, Section 2.01(d) of this WOODLOFTS PARK PDD, above;

- (b) The minimum required total green space on each reserve within the WOODLOFTS PARK PDD shall be as shown in Table 1 contained in Division 2, Section 2.01(d) of this WOODLOFTS PARK PDD, above;
- (c) Parking for each reserve shall be provided as required in Division 2, Section 2.03 of this WOODLOFTS PARK PDD, above.

### **Sec. 5.3.3 — Off-Street Loading**

One 10' x 40' off-street loading area will be required for Reserve B as depicted on the Master Plan in lieu of the requirements of Section 5.3.3.

### **Sec. 5.7.3 — Trash Dumpsters and Enclosures**

Reserve B shall be served by one or more trash rooms as depicted on the Master Plan in lieu of the requirements of Section 5.7.3

### **Sec. 22.13 — Sidewalks**

Connecting sidewalks having a minimum eight foot (8') width will be installed by the developer in each reserve along all perimeters thereof having frontage along a public right-of-way, with specific location and alignment to be approved by City staff during the plan review process. All appurtenances associated therewith shall be operated and maintained by the City thereafter. Said sidewalk shall be constructed and designed in accordance with the City's master pathway plan. The developer will dedicate a sidewalk easement for any portion of the sidewalk not located within a public right-of-way.

All pathways, pathway easements, and any appurtenances associated shall be privately maintained and repaired except for those sidewalks located within the City's public ROW will be maintained and operated by the City.

### **Miscellaneous**

Prior to, or contemporaneous with, the issuance of any certificate of completion or certificate of occupancy for Reserves A or B, the developers of the WOODLOFTS PARK PDD will pay to the City of Shenandoah a capital recovery fee (or impact fee) in an amount equal to that which would have otherwise been required for any permitted new development on Reserves A and B pursuant to any future IDC amendment adopted by the City of Shenandoah enacting such a fee. If no such ordinance is adopted enacting such a fee prior to the time of issuance of any certificate of completion or certificate of occupancy for Reserves A or B, then the developers of the WOODLOFTS PARK PDD will pay to the City of Shenandoah, in lieu of said fee, an amount equal to \$1.00 per net rentable square foot of the combined net rentable square footage constructed on Reserves A and B. An amount equal to \$181,594.70, representing fees paid to the City of Shenandoah for expired building permits previously issued on August 13, 2019 will be credited towards any fee due from the developers of the WOODLOFTS PARK PDD pursuant to this paragraph.

## DIVISION 4. - CODE AMENDMENTS

### Sec. 4.01. - Municipal Code amendments.

The following sections of the Municipal Code of Ordinances are modified for WOODLOFTS PARK PDD as follows:

#### **Chapter 98 — VEGETATION**

##### **Article III Sec. 98-116**

Vegetation barriers shall be as shown in Table 1 contained in Division 2, Section 2.01(d) of this WOODLOFTS PARK PDD, above.

##### **Article IV Sec. 98. General.**

Clear-cutting of land containing any size tree is allowed. Tree surveys, tree protection plans are not required for development unless existing trees are proposed for canopy requirements. Penalties for removing protected trees are not applicable for this development.

New trees planted in the landscape barriers and the right-of-ways adjacent to all reserves within the WOODLOFTS PARK PDD will be counted towards the required 50 percent canopy coverage area.

##### **Sec. 98-158. Tree replacement.**

For purposes of calculating compliance with the minimum required 50 percent canopy coverage area in the WOODLOFTS PARK PDD, Reserve A and Reserve B shall each meet the minimum tree canopy area credit counts shown in Table 1, above.

The development shall otherwise comply with Section 98-158 except for Section 98-158(a)(5), in that trees may be allowed in less than 200 square feet of planting area subject to final approval by City staff during the plan review process.



MAXIMUM OF 285 UNITS

MASTER DEVELOPMENT PLAN  
 WOODLOFTS PARK PLANNED DEVELOPMENT DISTRICT  
 DEVELOPER: WOODLOFTS SHENANDOAH, LTD.





# Shenandoah Planning and Zoning Commission

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## AGENDA REPORT

AGENDA DATE: October 20, 2020

PREPARED BY: Jackie Thompson

DEPARTMENT: Community Development

EXHIBITS: \_\_\_\_\_

### SUBJECT/PROCEEDING:

Discussion regarding updating the City's Comprehensive Plan.

### BACKGROUND/DISCUSSION:

Discussion regarding updatgin the Ctiy's Comprehensive Plan

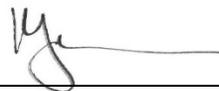
### APPROVALS:

DEPARTMENT HEAD



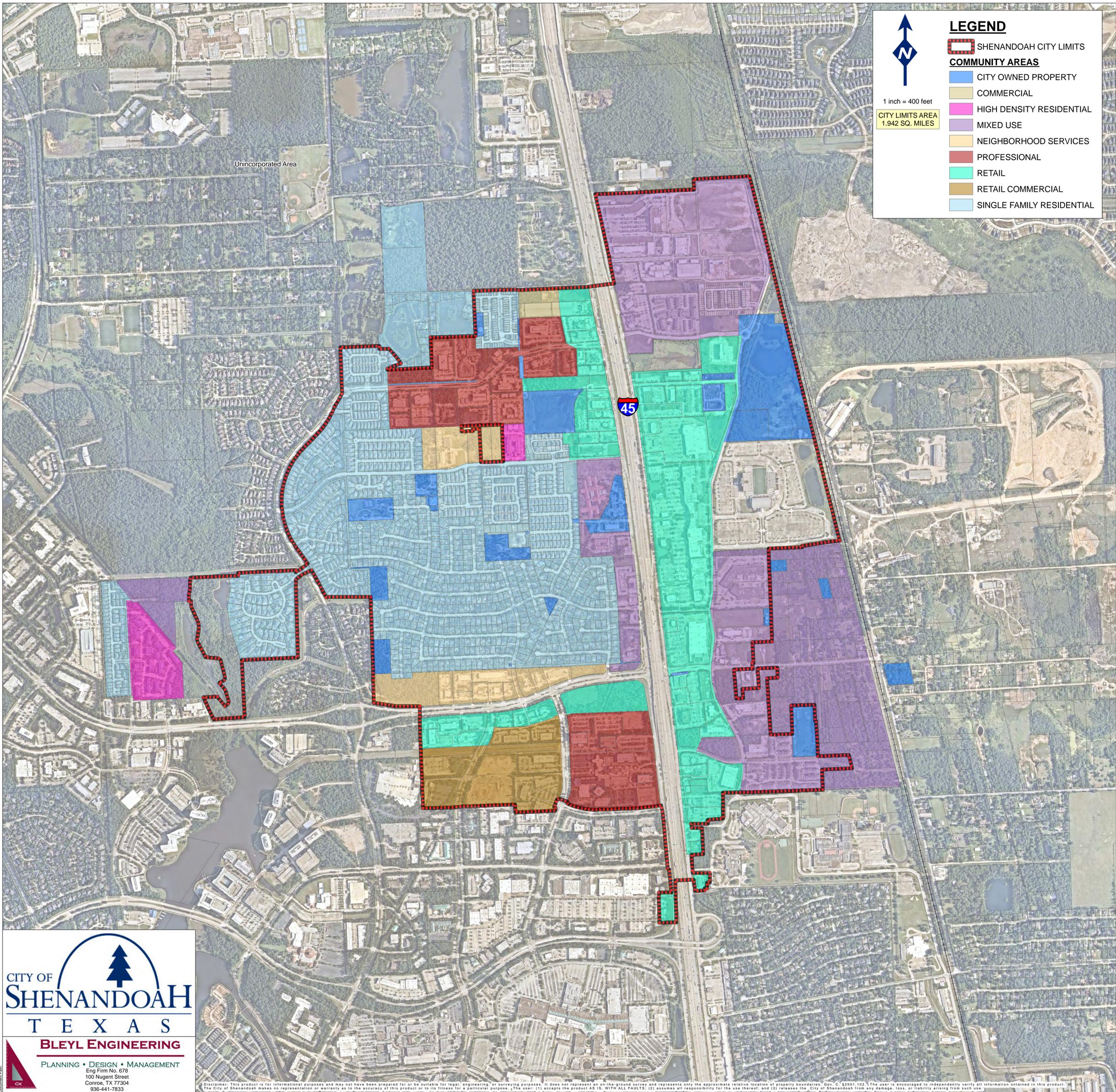
DATE: October 14, 2020

CITY ADMINISTRATOR



DATE: October 14, 2020

# CITY OF SHENANDOAH COMMUNITY MAP



**CITY OF SHENANDOAH TEXAS**

**BLEYL ENGINEERING**

PLANNING • DESIGN • MANAGEMENT  
Eng Firm No. 678  
100 Nugent Street  
Conroe, TX 77304  
936-441-7833

Disclaimer: 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. Gov. C. §2201.102. The user is encouraged to independently verify all information contained in this product. The City of Shenandoah makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Shenandoah from any damage, loss, or liability arising from such use.

MINUTES OF REGULAR MEETING  
August 18, 2020  
PLANNING & ZONING COMMISSION

1. CALL TO ORDER

The meeting was called to order by Chairman Stephens at 6:14 p.m.

2. CALL OF ROLL

Commissions present Mr. Wes Stephens, Mr. Jim Pollard, Mr. John Escoto, Rob Cloninger via phone, Also present were Kathie Reyer, Attorney Bill Ferebee, Stacie Newsom, John Ferrand & Joel Gordon.

3. CITIZENS FORUM

Responses to inquiries are limited by state law to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by Planning and Zoning Commission shall be limited to a proposal to place that subject on the agenda of a future meeting.

Chairman Stephens advised none for the record.

4. Consideration and possible action to elect the Planning and Zoning Commission Officers for the remainder of 2020-2021.

Chairman Stephens advised that they will be nominate a chairman & vice chairman. Kathie Reyer stated that correct that, this is for the annual meeting, this is just a formality. The commission voted Wes Stephens for Chainman and Jim Pollard for Vice Chairman, you can stay with that or you can decide something different.

COMMISSIONER ESCOTO MADE A MOTION TO ELECT COMMISSIONER WESS STEPHENS AS CHAIRMAN AND JIM POLLARD FOR THE VICE CHAIRMAN FOR THE 2020-2021. COMMISSIONER POLLARD MADE A MOTION TO SECOND

MOTION CARRIED UNANIMOUSLY

5. Presentation of a Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailer (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for Killen's Barbeque located at 8800 Six Pines Drive, Shenandoah, Texas.

Kathie Reyer advised this is the second public hearing for a beer and wine permit, no late hours requested. This is the location where the Culvers use to be. Chairman Stephens stated that in the agenda that they have filed under Killens land and cattle for their permit. Kathie Reyer stated that it may be a parent company. Chairman Stephens stated that he does not think there is an issue with us calling it Killens BBQ. Kathie Reyer asked Bill if he sees any issues? Attorney Bill Ferebee stated that we may need to ask them what name it is. Kathie Reyer stated that we would double check on that.

6. Public Hearing regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for Killen's Barbeque located at 8800 Six Pines Drive, Shenandoah, Texas.

Open public hearing at 6:17 PM

Chairman Stephens asked if there were any comments. Commissioner Pollard asked what was the time frame they are looking to open? Kathie Reyer stated that they were hoping to open this summer. Stacie Newsom advised that they are remodeling at this time.

Closed public hearing at 6:19 PM

7. Consideration and possible action to recommend to City Council approval or denial regarding the proposed zoning amendment for Special Use Permit Wine and Beer Retailers (On-Premise) Permit with Food and Beverage Certificate. The proposed zoning amendment is for Killen's Barbeque located at 8800 Six Pines Drive, Shenandoah, Texas.

COMMISSIONER POLLARD MADE A MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL REGARDING THE PROPOSED ZONING AMENDMENT FOR SPEICAL USE PERMIT WINE AND BEER RETAILERS (ON-PREMISE) PERMIT WITH FOOD AND BEVERAGE CERTIFICATE. THE PROPOSED ZONING AMENDMENT IS FOR KILLEN'S BARBEQUE LOCATED AT 8800 SIX PINES DR, SHENANDOAH, TEXAS COMMISSIONER JOHN ESCOTO  
MOTION CARRIED UNANIMOUSLY

8. Presentation of a Planning and Zoning Commission Preliminary Report regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Permit (On Premise). The proposed zoning amendment is for Aloft Hotel located at 19391 David Memorial Drive, Shenandoah, Texas 77381.

Kathie Reyer advised this is the first of two public hearings for a mixed beverage permit with no late hour for Aloft Hotel located next to Oak Haven. Chairman Stephens stated that it's like a small bar area.

9. Public Hearing regarding the proposed zoning amendment for a special use permit for a Mixed Beverage Permit (On Premise). The proposed zoning amendment is for Aloft Hotel located at 19391 David Memorial Drive, Shenandoah, Texas 77381.

OPEN PUBLIC HEARING AT 6:20

Chairman Stephens asked if the commissioners if they had any comments?

CLOSED PUBLIC HEARING AT 6:21

10. Discussion regarding updating the City's Comprehensive Plan.

Attorney Bill Ferebee stated roughly ten years ago the City created a Comprehensive Plan and that was done in conjunction with the Integrated Development Code. It's now been ten years, two things need to be done, update the comprehensive plan, not rewrite it, just update, lots of things in it that are great. Primary what we want to focus on is future land use for the City. After the Comprehensive plan is approved by City Council then we will take that comprehensive plan and revise the IDC. The important of the comprehensive plan, in two sections in the Integrated Development Code reference the comprehensive plan seventy four different times. You may think the comprehensive plan is not big deal, not important. It is very important document, and it is to be use by the City Council and Planning & Zoning, as kind of a thirty thousand foot view when a developer comes in and wants to do this. The first thing is does this fit in our overall plan of what we want to do? And if does then, does it fit into the particular zone where they want to be? In the IDC states before you approve something look at the comprehensive plan. Chairman Stephens stated that it's a good piece of information. Also would Bill comments about the importance of the comprehensive plan should they ever be involved with a legation over a land use issue & where it comes into play. It comes into play when a developer comes into the City and wants to build a manufacture plant on a strip of land, and the City tells them no. The developer states that they will take the City to court. If the Comprehensive plan said that is available for light industrial, then the City is in trouble. If it the Comprehensive plan states that this property is for high density residential. The first thing the courts would say, is the City has a plan here and light industrial goes over there not here. Commissioner Escoto asked if the City has encounter any issues. City Attorney Bill Ferebee stated that we have not in counted this as other Cities have. This has been litigation in the courts more than once. Chairman Stephens stated spot zoning is a term that comes up in these litigations. It stands the test of time and change with council, because of its complexity it keep council from just changing it. City Attorney Bill Ferebee stated that he could not emphasize the importance with Chairman Stephens is saying in that regards. For developers it's a sense of I know what I can count on. Chairman Stephens stated that it is one of the few documents that is handed down from council to council in writing that shows what the prior council were thinking. With what we are thinking about with the impact fee committee, it seem like these should run concurrently with the comprehensive plan first, fast track it? City Attorney Bill Ferebee stated that no, well you can, you do not have too. Chairman Stephens asked because we are subjecting a few changes? City Attorney Bill Ferebee stated correct. Because we have so little land left within the City limits to develop, he's comfortable with the impact fee committee going to the City council we have a limited amount of land left, this is where we see it going. With the comprehensive plan there are certain areas that can be pointed out that are head

scratches. How and what do you as the commission want to see in terms of development? If you look at two areas, one being Wellman Road, we have a church, school & vacant land. The four of the six acres are outside the City Limits. A developer has come to the City and would like to do high density residential in that area. The City's old comprehensive plan, the one that is in effect, has that as medium residential, which would be townhomes, duplex that type. The argument that they would make for high density would be Sunningdale, that the City allowed it right there. All around that area is single family dwellings. Chairman Stephens stated that it was a fierce argument back in the time. Commissioner Pollard asked why if it was zoned low density then why did you allow it? Chairman Stephens stated that he would not get into politic, but he was not in favor of it. There is a prevision in land planning, where you can do a planned development, which is called a PDD, this gives you some fixability to work around special situation in between your comprehensive plan and land use map if certain criteria are meet. You cannot make it less restrictive by ordinance. Architectural standers still apply, density is one of the things you can flex. It's a slippery slope to be on, a number of planned development because we have such small footprint, and there are cases where it made sense. Sunningdale was one that could be used against us, because we have not annex those other property's in. City Attorney Bill Ferebee stated let him follow up on what Chairman Stephens is saying the complexity of this is real, it's today. The commissioners make a recommendation to the City council, but if the commissioners recommendation is to amend the comprehensive plan into allow this to be high density residential, then the developer could come in and build apartments, four or five floors. The City would be powerless to stop them, because of the comprehensive plan. On the other hand if City council say no, and the commissioners say no, it will be medium density or something else. Then the developer will have a hard time building apartments in that area, they would go to court, and probably lose. This is the importance of the comprehensive plan. Chairman Stephens stated that this is one of the more pivotal property's for progress uses. To the back of Vision Park and property's there, it is commercial, mostly medical. On Wellman you have the school and the church, they are nonresidential. Sunningdale the argument can be made that it borders the detention pond, has medical to the rear, to the west by the school. It has some buffering, it is close on one's side, but across the street from single family. With that property, one of the requirements was height restriction up front, progressively become tailored toward the back. Kathie Reyer advised that is correct. Chairman Stephens stated that is was a creative solution for a creative project. He feels that the vacant land along Wellman would need to be single residential. Attorney Bill Ferebee asked single residential or medium density. Chairman Stephens stated that he could flex either way. Commission Pollard suggested single residential. Chairman Stephens stated that you should not have mix uses abutting, without some separation with single residential, in

places with these kind of property values. Attorney Bill Ferebee stated that they would not be taking an official vote tonight, but that it was important. Attorney Bill Ferebee stated that look at Tamina, east of I-45, right now that is mixed use, as you can see, some of that is already developed within the City limits, Kroger. A developer came in, very preliminary, by the stadium, he wanted it to be high density apartments. Some developer believes that it should be high density use. We can kind of draw a line along Tamina road, and it can be developed as commercial. The committee doesn't have to change all of it, it can be changed accordingly. Chairman Stephens asked if the City had some property over behind Kroger? Attorney Bill Ferebee advised that the City owns four tracts. Two years ago, the City went to Steward title and asked for all the property the City owns. Chairman Stephens asked about two acres across the railroad tracks that was purchases for a potential water well at one time, was it in the City limits? City Attorney Bill Ferebee advised that it's in the ETJ. He believes that this site has been abandoned , due to the Lone Star Ground water spacing. Chairman Stephens stated with regards to this project, if the City stills owns meaningful portion of Tamina Road on the north side, that was acquired when we thought there would be a sports district. The City is not in the property business, unless we are building parks and pools, it would impede that property development if the frontage is taken up. City Attorney Bill Ferebee stated that he would agree with Chairman Stephens, but that for any major development will need the City's cooperation with our land to pull off a large development. Chairman Stephens stated to the commission that the land on the north side of Tamina Road has some significant title issues. Most non-governmental agencies could never get a title on it. City Attorney Bill Ferebee advised the title problems are complex. Chairman Stephens stated regardless the ownership they can determine what the best use would be, that should be the path. Kathie Reyer advised that she is in agreement, a couple of developers have come in, already started the process of determine ownership and buy up property, they have been somewhat aggressive. City Attorney Bill Ferebee advised an oil company has come in and bought up some & is in the process clear titles, it can take two or three years. Chairman Stephens stated so an indivial can get it done, with deep enough pockets. Attorney Bill Ferebee advised you can get it done if you retain titles by adverse possession, which means you squatted the land for ten years, or if you retain title from the unknow heirs. Title companies will give you the title policy only after two years. So a clear title today by one of those two methods add two years to get the title policy. The Sam Moon property is pretty set, unless someone has some comments. The Portofino and home depo corridor is set as well. Chairman Stephens asked you are subjecting no change, to leave as is? City Attorney Bill Ferebee advised yes. Chairman Stephens gave a brief history of the Portofino. With extending David Memorial through there the land is to valuable. City Attorney Bill Ferebee stated the land below Tamina, the Woodloft for six years, the developer that was going to build

apartments across from Main Event, and retail in the front because its retail commercial district, which requires retail on the first floor of a building and then put whatever commercial you want. Chairman Stephens asked about the Woodloft project, why are these two different zones. City Attorney Bill Ferebee advised we could not decide what to do with it. Right now this ownership is all one tract. But we didn't want to zone anything that would not be commercial. If Woodloft does not come to fruition what's going to happen with that five acre tract of land? Chairman Stephens stated that it is an odd shape and if it didn't have bugs it would have developed by now. City Attorney Bill Ferebee advised the current developer has stated, they could not get financing for the apartments for a same finance company for commercial, they do not mix. The latest discuss was to switch to a PDD so they could put commercial in the front and apartments in the back, and have a division of ownership with the two tracts. Chairman Stephens stated if it's one plat & its gets more complicated. City Attorney Bill Ferebee stated that the City would like to get away from PDDs in this stage. Commission Pollard asked what is a PDD. City Attorney Bill Ferebee advised it's called a plan development district, and what it does allows you to create your own special rules for your property, those rules cannot be less restricted, another words if there is vegetation requirements, you cannot ask not to have any vegetation. You can make all kinds of modification, for example if the height of your building can only be five stories high, if its five stories high then fifty feet from the street. Well you may be able to make it forty feet from the street. It allows a degree of flexibility. Kathie Reyer advised another example is the Memorial Hermann, they are looking at PDD for their campus due to the same reasons with completions. Chairman Stephens asked with future expansions? Kathie Reyer advised yes with the ongoing expansion with the campus. Attorney Bill Ferebee advised a hospital complex is so different than everything else, a PDD makes sense, with the right rules & restrictions. At the next meeting talk about the RC zone as ,the PDD's and the redevelopment. Chairman Stephens asked if anyone knew of other City around that tackle things like this or a challenging use. Something where you have signal residential abutting interstate frontage with retail. Kathie Reyer advised Oak Ridge has this. Attorney Bill Ferebee advised that when he was at TML, he asked and he was told that it's all over the board.

11. Consideration and possible action to approve or deny minutes of the May 5, 2020 Special Meeting and the May 19, 2020 Regular Meeting of the planning and Zoning commission.

COMMISSIONER POLLARD MADE A MOTION TO APPROVE THE MINUTES OF THE MAY 5, 2020 SPECIAL MEETING AND THE MAY 19, 2020 REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION. SECOND BY COMMISSIONER ESCOTO.

MOTION CARRIED UNANIMOUSLY

12. City Administration updates.

Kathie Reyer advised that there are none.

13. Commissioner's Inquire

Commissioner Pollard asked about the Good Bird. Kathie Reyer advised that they are testing a new product to put over in the BBQ location , they are having a pop up to test it out, will be a kind of home cooking restaurant.

Commissioner Pollard asked if it would replace the BBQ? Kathie Reyer advised that theoretical it would replace the BBQ. Chairman Stephens stated that the BBQ has closed. Commissioner Pollard asked about the fences along Wellman road, who is responsible for them? Stacie Newsom advised that it would be the homeowners responsibility. Commissioner Pollard ask about maintained, did the City have any control over this? Kathie Reyer advised the City does not force anyone to replace fences unless it is a hazard, dilapidated, dangers to others, or fall. Chairman Stephens stated would it help or fit with this committee to establish some standards? Attorney Bill Ferebee advised that the commission has the authority to make a recommendation to City Council. Chairman Stephens asked if they had a map with the HOA on it. Stacie Newsom stated that she would get it for them.

ADJOURN

Chairman Stephens called the meeting adjourned at 7:10 p.m.

SUBMITTED BY: \_\_\_\_\_

Courtney Clary, City Secretary

DATE APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Chairman Stevens