

EASTLAND PLANNING AND ZONING BOARD

April 12, 2021

On the 12th day of April, 2021, the Planning and Zoning Board of the City of Eastland, Texas, convened in Regular Session at Eastland City Hall as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

Members Present:

Board Member _____	James Doyle
Board Member _____	Vicki Armstrong
Board Member _____	Penny Cate
Board Member _____	David Ahrlett
Board Member _____	Gena Camacho

City Staff Present:

Director of Planning & Zoning _____	Tony Stubblefield
City Manager _____	J. J. Oznick
City Secretary _____	Roma Holley
Code Enforcement _____	Terry Simmons

Guests:

I. Meeting Called to Order

Gena Camacho called the meeting to order at 6:00 p.m.

II. Invocation and Pledge of Allegiance

James Doyle offered the invocation and Gena Camacho led the Pledge of Allegiance.

III. Public Comment on any Subject not Listed on this Agenda

There were no comments.

IV Approve Minutes of the March 8, 2021.

Vicki Armstrong made a motion, seconded by Penny Cate, to approve the Minutes of the September 14, 2020 Meeting. Motion carried by a vote of Four (4) in favor and none (0) opposed.

V. Public Hearing to hear P&Z Case # 21-002

This Public Hearing is being held to hear **P&Z case 21-002**: Applicant Fred Witzell is requesting a Specific Use Permit in order to place a manufactured home in an AO/Agricultural Open Spaces Zoned District, at his property located at 100 Ringling Lake Road, aka H and TC/JH Calhoun, AB 67, 9.01 Acres, Eastland, TX.

Gena Camacho opened the Public Hearing at 6:02 p.m.

Planning and Zoning Director Tony Stubblefield addressed the board and stated the applicant currently has an existing home on the property that is too old to repair or renovate. Mr. Witzell is proposing to place a new manufactured home on the property. A manufactured home is an allowed use in an AO/Agricultural district with a Specific Use Permit. The area is on the outskirts of the city limits and there are similar houses in the area. Letters of notification were mailed to 7 property owners in the area and 3 letters were posted where property owner addresses were unavailable. No responses were received.

Staff recommends that the Specific Use Permit be approved.

Gena Camacho closed the Public Hearing at 6:05 p.m.

VI. Reconvene in Regular Session and Take Action on Subject of Public Hearing:

James Doyle made a motion, seconded by Penny Cate, to approve the Specific Use Permit for case # 2021-02. Motion carried by a vote of four (4) in favor and none (0) opposed.

VII. Public Hearing to hear P&Z Case # 21-003

This Public Hearing is being held to hear **P&Z case 21-003**: Applicant Joe Williamson is requesting a Special Exception in order to permit a residential occupancy in a C1 Local Business Zoned District, at his property located at 112 W Commerce Street, Lot 12, BLK -B1, OT Eastland, Eastland, TX.

Gena Camacho opened the Public Hearing at 6:06 p.m.

Planning and Zoning Director Tony Stubblefield addressed the board and stated the applicant is requesting to use the second floor of this building as a residence. This has been allowed in the past from 2008 – 2017 as a Special Exception. The Special Exception must be renewed because it has a time limit component.

Letters of notification were mailed to 20 neighboring property owners and 3 responses were received, all in favor.

Mr. Williamson will be retaining the downstairs property for commercial use.

Staff recommends that the Specific Use Permit be approved. The following agenda item is seeking approval to Amend Ordinance 21—867. Staff requests that if it is passed by the City Commission, this Special Exception automatically becomes a Specific Use Permit, which will alleviate the need to come before the board any time the Special Exception time limit expires.

Gena Camacho closed the Public Hearing at 6:11 p.m.

VIII. Reconvene in Regular Session and Take Action on Subject of Public Hearing:

Vicki Armstrong made a motion, seconded by David Ahrlett, to approve the Special Exception for case 2021-003, along with a caveat that if Ordinance 21-867 is amended, this will automatically convert to a Specific Use Permit. Motion carried by a vote of four (4) in favor and none (0) opposed.

- IX. Discuss and Consider **Ordinance 21-867**: Amending the Code of Ordinances, Chapter 19, Article 1, Division 2, Section 19-11 Permitted Uses and Section 19-17 Specific Use Regulations, in regards to allowing the use of Apartments / Multi-family Dwellings in the C1 Local Business District with a Specific Use Permit, as well as the addition of regulations for a Specific Use Permit for this type of use.

Since early 2000's there have been a few of these upper floors transformed back into apartments. However, this use has not been allowed in the zoning land use table that was put in place in 2007. Since then, only one person has come forward to place an apartment through a special exception. Special exceptions are allowed through the P & Z board, but have a time limitation on them. Changing this to a Specific Use Permit can allow the use without time limit, but still give the P & Z board and the City Commission areas of control to ensure the correct steps and considerations are made for the property owner, adjacent owners, and the public. The Texas Historical Commission program Visionaries in Preservation, studied our C1 district in 2010 and recommended steps for Eastland to take to help preserve its downtown area. Among these steps were to have residential use in the C1 district.

The staff believes that passing this ordinance is the best way to allow for further development and improvement downtown. Doing this as a Specific Use Permit allows the city to regulate development for residential use and encourage downtown growth.

Discussion centered around the issues of parking and fire safety. The board was informed that the developer has already been addressing the fire safety through fire codes (we are working on establishing fire codes for our city). The developer is also working toward solutions for the parking limitations.

James Doyle made a motion, seconded by Vicki Armstrong, to approve the Amendment of Ordinance 21-867 as written. Motion carried by a vote of four (4) in favor and none (0) opposed.

X. Staff Briefing

Tony Stubblefield advised that we will be having another meeting scheduled on May 10, 2021.

XI. Adjournment

James Doyle made a motion, seconded by David Ahrlett, to adjourn at 6:46 p.m. Motion passed unanimously.

Approved

Genesa Camacho, Chairperson
Eastland Planning and Zoning Board

Attest

Roma Holley, City Secretary