

**PLANNING AND ZONING COMMISSON/CITY COUNCIL
JOINT MEETING MINUTES
TUESDAY, MAY 3, 2022**

Commissioners Present:

Jamie WilsonChairman
Michael Hennigan. Vice Chairman
Daryl Cowart..... Commissioner
Robert Vigil..... Commissioner
Tiffany Bell..... Commissioner

Commissioners Absent:

George Mortimer. Commissioner
MaQuettia Ledet Commissioner

City Council Members Present:

Larry Spears, Jr.
Mary McKenna
Brad Childs
David Bailey
Paul Burch
Caroline Hennigan

City Council Members Absent:

Terrie Salter

Staff Present:

Kelvin Knauf, Director of Planning & Community Development
Wendy Lloyd, Planning Secretary
Jay Trahan, Assistant City Manager & EDC Director
Leigh Ann Dallas, Event Manager & EDC Assistant
Marvin Benoit, Building Official

Chairman Wilson called the Planning & Zoning meeting to order at 5:30 p.m.
Mayor Spears called the City Council meeting to order at 5:30 p.m.

CITIZEN COMMENTS

None

PUBLIC HEARING

- a. **Case No. 22:05. Conduct a public hearing on a request from Stan Floyd to rezone Abstract 172 Daniel Sinclair Survey, Tract 077 also known as 540 E. Lutcher Drive from IDC-Interstate Development Corridor zoning district to MUZD-Mixed Use Zoning District.**

Public hearing opened at 5:31 p.m.

Mr. Knauf stated before you is a rezoning request. Mr. Stan Floyd owns this property right here that is located where I-10 and Simmons Drive meet. This property here is zoned IDC-Interstate Development Corridor zoning district. Mr. Floyd would like to build a house or actually there's a structure there now and he'd like to use that structure as his residence but the IDC zoning district does not allow single family houses in the zoning district. Now, what he's requesting is rezoned to MUZD zoning district. This property right next to his is zoned MUZD. MUZD is a little different than most zoning districts in that we create the regulations for that zoning district. So, you could have several properties zoned MUZD but they may each have different regulations. That's how we build flexibility into the zoning ordinance. The proposed development plan for this MUZD zoning is almost exactly identical to this one over here where American Airboats is except that this MUZD does not allow 1 single family house in that zoning district. Mr. Floyd stated that was my home for 25 years before the Sabine River Authority flooded me out. Chairman Wilson stated ok there will be a time for you to give us information and I promised you'll have a turn to speak. Mr. Knauf stated we sent out letters to property owners within 300 feet letting them know that the zoning has been requested for this property and I did not receive any emails or any letters as a result of those letters being sent out. I received no response at all and as Mr. Floyd just said he did have a residence there that was a legal nonconforming residence but then the flood happened and his house was destroyed and then it was more than a year before it was rebuilt and therefore lost its nonconforming zoning. That's why we're here before you with the request for the MUZD zoning district.

Mayor Pro Tem Burch stated and you had no one respond negative about it at all. Mr. Knauf stated no none. Mayor Spears stated it's still a public hearing so he can talk.

Stan Floyd – 537 E. Lutchter, Orange, TX: Mr. Floyd stated that flood in March 2017 caught me off guard. I had just recently come back from Montana and my flood insurance had expired and so it caught me without flood insurance and I didn't have the money to rebuild. Had I started rebuilding, Harvey would have probably got me again. I've spent closed to \$100,000 building up the height of that real estate and the home that I'm building was actually my carport. I have a large carport and now I'm just building a little 1500 square foot home on top of that. It's going to have nice metal frame under it and it's 12 feet in the air. Hopefully, that will be sufficient for future floods. But I need that home. I don't need a commercial building. I cannot afford everything it would take to make that a commercial building since it was my residence for 25/26 years. Also, I don't recall ever getting notice of the rezoning but I had a lot of turmoil going on in my life at the time. Mr. Knauf stated just to clarify, you got notice of the rezoning tonight. Mr. Floyd stated yes. It was when it was changed prior. Mr. Knauf stated that was before my time. Mr. Floyd stated but I appreciate your positive vote and let me finish building my little home.

Vice Chair Hennigan stated so Mr. Knauf I did a little research on this MUZD zoning and we set the guidelines and specific rules on what can and cannot go in there. So, it's just going to be for a single family dwelling only. Is that correct? Mr. Knauf stated well it would allow all the commercial uses that are in the other MUZD plus 1 single family house. So, should he decide to do something else with the property, as long as it meets all those regulations that are in the development plan, then he can do it. Vice Chair Hennigan stated so I know there's currently going up, is that under the guidance and direction of building inspectors. Mr. Knauf stated yes. We've

had several conversations depending on whether it's a commercial building or residential building will determine exactly what codes would have to be complied with.

Chairman Wilson asked for any other discussion. None was made.

Public hearing closed at 5:37 p.m.

Mayor Spears asked for motion to adjourn City Council

Councilmember Childs motioned

Mayor Pro Tem Burch 2nd

Vote: 6 – 0

Motion Carries

Mayor Spears adjourned City Council at 5:37 p.m.

PLANNING & ZONING COMMISSION DISCUSSION/ACTION ITEMS

- a. **Case No. 22:05. Consider a recommendation to the City Council on a request from Stan Floyd to rezone Abstract 172 Daniel Sinclair Survey, Tract 077 also known as 540 E. Lutcher Drive from IDC- Interstate Development Corridor zoning district to MUZD-Mixed Use Zoning District.**

Vice Chair Hennigan motioned to recommend approval to rezone to MUZD

Commissioner Vigil 2nd

Vote: 5 – 0

Motion Carries

PLANNING & ZONING APPROVAL OF MINUTES

- a. **Approval of April 5, 2022, Planning and Zoning Commission meeting minutes.**

Vice Chair Hennigan motioned to approve

Commissioner Bell 2nd

Vote: 5 – 0

Motion Carries

Chairman Wilson adjourned the Planning and Zoning Commission meeting at 5:38 p.m.