

**MINUTES OF NOVEMBER 9, 2020
CITY OF LUMBERTON**

A Public Hearing for the City Council of the City of Lumberton was held at 6:37 p.m. on Monday November 9, 2020, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Steve Templeton	-	Councilman
Kenneth Wahl	-	Mayor Pro Tem
David Maniscalco	-	Councilman
Dan Bell	-	Councilman

And absent: Sharon Spears - Councilwoman

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, Zoning Secretary Anita Price and other guests.

Mayor Surratt called the Meeting to order at 6:37 p.m. noting that a quorum was present and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Mayor Surratt then delivered the Invocation, Councilwoman Barks led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

DISCUSSION AND INFORMATION CONCERNING THE FOLLOWING:

- 1) For the purpose of discussion and possible action on a zone change request submitted by Matthew Priest to rezone the entire Lot 1 of the Proposed Minor Plat of Storage World from C-2 (Community Business District) and R-1 (Single-Family Site Built Homes District) to I-1 (Light Industrial District). He would also like to rezone the northern portion of Lot 2, of the same Minor Plat, that is located above the 250' C-2 zone line from R-1 to C-2. The property is located at 290 FM 421, AB 46, in the R.C. Rodgers Survey, P# 46-8-X-B, I# 943/469, and AB 46, in the R.C. Rodgers Survey, P#46-8-X-G-1, I#1010/696, Lumberton, Hardin County, Texas.**

Planning & Zoning Secretary Anita Price approached the City Council to explain that Matt Priest has plans to do a Minor Plat for the two lots. He is requesting to rezone the entire Lot 1 of this proposed Minor Plat to I-1 to construct boat and RV open storage at a later time. Planning and Zoning voted to rezone all of Lot 1 and Lot 2 to C-2, except for the southwest corner of Lot 2 which would remain I-1. The entire Lot 1 and Lot 2 are both owned by Jimmy Priest at this time.

It was stated that this property is adjacent to residential on the west side, Lumberton on the Lake Apartments on the north side, Brady Harris's property on the northeast side (R-1) and C-2 and R-1 for the lot on the south east side.

There was no opposition to this request. Brady Harris attended the Planning & Zoning meetings to say he may want to come to the Commissioners and City Council in the future to ask to rezone his property as well.

There were no other questions at this time.

- 2) **For the purpose of discussion and possible action on a request submitted by Jacob and Brittney Dominick to approve the Replat of Lot 4, Palladium Estates, Vol. 4, Pg. 187A, PRHC into Lots 4A and 4B Palladium Estates, Abstract No. 14, in the Elisha Duncan League, P# 14-107, Tract 16, I# 2016-68841 & 2016-69864, 630 S Village Creek Parkway, Lumberton, Hardin County, Texas.**

Zoning Secretary Anita Price stated that the original plat had 4 lots. The first 250' of this property along Village Creek Parkway is zoned C-2. Three of those lots have been developed with single family dwellings and rezoned to R-1. The Dominicks are asking to replat Lot 4 into Lots 4A and 4B.

- 3) **For the purpose of discussion and possible action on a request submitted by Jacob and Brittney Dominick to rezone proposed Lot 4A of the above mentioned replat of Lot 4 of Palladium Estates, Vol. 4, Pg. 187A, PRHC, west of the 250' C-2 zone line, from R-1(Single-Family Site Built Homes District) to C-2(Community Business District). The property is located at 630 S Village Creek Parkway. Abstract No. 14, in the Elisha Duncan League, Lumberton, Hardin County, Texas.**

And they also ask that the entire 4B lot be zoned R-1.

Zoning Secretary Anita Price stated that if the above mentioned replat is approved, the Dominicks would like to rezone the entire proposed Lot 4A to C-2. The first 250' of that lot are zoned C-2 at this time. They would also like to zone the entire lot of 4B to R-1.

It was discussed that the south side building setback of Lot 4A that is adjacent to the R-1 residential properties will be 40' from the property line. The west side of Lot 4A is residential as well, so that building setback will be 50'. Delta Refractories is located on the north side of Lot 4A and is zoned I-1.

Drainage will be taken into consideration when the property is developed.

- 4) **For the purpose of discussion and possible action on proposed amendments to Chapter 36 Section 23 (Drainage) and Chapter 42 Subdivisions, Section 25 (Requirements for storm drainage on streets with curb and gutter) of the City of Lumberton, Texas Code of Ordinances.**

City Attorney Curtis Soileau approached the City Council and stated that these changes are designed to make it clear what we require for drainage in the City. An issue has come up whether or not a property owner had to get a variance to drain to the rear of his property. Chapter 36-23 clearly states that in any development, whether commercial or residential, our City Engineer has to be satisfied that this development is not going to increase water on neighboring properties, and as our guide, follow Chapter 42 and Chapter 36 to determine what drainage is required for these lots. Mr. Soileau will remove the word "new" from Section 36-23 because it does not matter how old a subdivision is, all lots will drain to the front. He will make it crystal clear that under (b), he will add a category that specifically states that all lots have to be prepared according to our Drainage Criteria Manual that the City adopted earlier this year. This is the cornerstone of our drainage policy.

ADJOURNMENT:

The hearing adjourned at 7:20 p.m.

DON SURRATT
MAYOR

ATTEST:

ANITA M. PRICE
ZONING SECRETARY