

**MINUTES OF AUGUST 22, 2022
CITY OF LUMBERTON
WORKSHOP MEETING
CITY COUNCIL AND PLANNING AND ZONING**

A Workshop Meeting of the City Council and Planning & Zoning of the City of Lumberton was held at 5:30 p.m. on August 22, 2022, pursuant to notice duly posted according to law. The following members were present:

City Council

Don Surratt	-	Mayor	
Lynette Barks	-	Councilwoman	
Kenny Burkhalter	-	Councilman	
Kenneth Wahl	-	Councilman	Arrived at 5:44 pm
Kim Cline	-	Councilwoman	
David Maniscalco	-	Councilman	
Dan Bell	-	Mayor Pro Tem	

Planning & Zoning Commissioners

Steven Stafford	-	Zoning Chairman	
Ryan Ard	-	Zoning Commissioner	
Roger Dillon	-	Zoning Commissioner	
Dana Hogg	-	Zoning Co-Chairwoman	
Vicki Mouton	-	Zoning Commissioner	
Matthew Johnson	-	Zoning Commissioner	
Darryl Ford	-	Zoning Commissioner	Absent

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, City Engineer Troy Whitehead, City Secretary Susan Collins, and Zoning Secretary Anita Price.

Mayor Surratt called the Meeting to order at 5:30 p.m. noting that a quorum was present and meeting was duly called and posted in accordance with the Texas Open Meetings Act.

INVOCATION: Mayor Surratt

NEW BUSINESS:

- 1) DISCUSSION regarding zoning changes for properties located along highway 96 (Main Street) and for the property also identified as P# 53-232-B, I# 2014-51001 with the Hardin County Appraisal District.**

Mayor Surratt stated that there was someone else that requested a zone change north of Lee Street for a storage rental facility project. They did not present a package showing a proposed layout. Also, the residents of Lee Street showed up to protest that facility with a petition.

The group with this project came in with a proposed, detailed layout with no opposition. Mayor would like to discuss both requests as well as a proposal to rezone properties to the north of this lot located at 337 S Main Street.

Zoning Chairman Steven Stafford stated that the project that was proposed this month came in with a detailed plan. The Commissioners are not supposed to be able to consider what is going to be constructed at the requested location, to be rezoned. It could be used to receive approval, however, anything can be placed in a C-2 zoned area that is allowed in that zone. There is no guarantee what will eventually be constructed on that property. He also stated that if you start looking at all of the properties located north of 337 S Main, which is approximately 30 acres, he would consider rezoning that to C-1, which is more restrictive and is open for 14 hours of operation instead of the 24 hours of operation as in C-2. It would be less invasive to surrounding residential properties with less traffic flow and less noise. There is a mobile home park south of this property and residential properties to the east and north.

City Attorney Curtis Soileau stated that the City cannot consider the planned use of the property, in determining the zoning classification,. We have to look if it is the best use of the property to be rezoned. It also has to be consistent with our overall comprehensive plan, which is 250' along the highway being zoned commercial. This is a little different and there are exceptions. The developer has this property that they say there is no public access to put in water and sewer. It doesn't mean they cannot get it, it would just be cost prohibitive to develop this into a residential area. They tried to find something else to use it for. If they just used it for other commercial purposes, there would still be an issue with the water and sewer. With the use of the property for a storage rental facility, they would not have this problem. The water and sewer from the house located west of this property could be utilized to accommodate the use of the storage facility.

There are a couple of things to consider. One, through easements along this office building park built by Mike Colton, they would have narrow access from this property to Main Street. On the other side of the Village Creek Parkway (Old Silsbee Highway), they could buy an easement from Dan Priest to Village Creek Parkway. It would go through the subdivision located on Temporary Lane. Usually, you would not want traffic going through a subdivision to get to a 24-hour commercial property.

There is a possibility that the property owners of the two large tracts north of this property would want to rezone their property C-2 as well. They were both contacted and said they would consider it. It was stated that the taxes would not change if it was rezoned to C-2 commercial, until it is developed. Then the taxes would be calculated as commercial property.

There was much discussion on the pros and cons of each zone. Lighting was discussed. The developer of this project stated they would use a low impact wall pack.

Building setback lines were discussed with C-2 property adjacent to R-1. The side setback line would be 40'. The front setback line would be 25'. The rear setback line would be 50' with a 20' greenspace around the entire property adjacent to residential properties. There would also be an 8' opaque fence around the entire C-2 property adjacent to R-1 property.

In the end, it was the general consensus of the City Council that it would be best use of the property to be zoned C-2 instead of C-1.

ADJOURNMENT:

There being no further discussion, Councilwoman Lynnette Barks made a motion to adjourn the Workshop Meeting at 6:49 p.m. Councilman Kenny Burkhalter seconded the motion.

DON SURRATT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY