



Minutes of Meeting  
Lindale Planning and Zoning Board  
Monday, January 11<sup>th</sup>, 2021 6:00 p.m.

Due to the current Covid-19 Public Health Emergency a temporary suspension of the Open Meeting Acts to allow telephone or videoconferencing Public Meetings has been granted by Governor Greg Abbott. A Teleconference Meeting of the Lindale Planning and Zoning Board convened on January 11th, 2021 at 6:00 p.m. instead of a meeting providing a physical access to the public. Members of the public were allowed to participate by joining a meeting live or by calling to listen live.

- A. Call to Order by Terry Edwards
- B. Board members present: Terry Edwards, Jerry Terry and Gregory Kilgore. Bobby Ashcraft absent. Others Present: Sam Scarborough, and Mike Mathews.
- C. Scheduled Business.

**1. Second public hearing for petition on zoning district classification amendment of 14.577 acres vacant land with a legal description of Lindale Prime Land Source Subdivision, Lot 2B, Centennial Blvd, Lindale, Smith County, Texas. Zoning change from C-2 Community and Regional Commercial District to MU-1 Neighborhood Mixed Use. Submitted by Sam Scarborough.** Second public hearing opened at 6:02 p.m. Steven Lloyd, Director of Planning and Development, stated this is the second public hearing and asked if there are any members in the audience or citizens that would like to make a declaration or talk about this now is the time this is agenda item 1, second public hearing is there anyone that would like to make a comment. Sam Scarborough stated they are experienced developers, build high end product, have been managing Willow park Townhomes for about 15 years right behind Brookshire so familiar with Lindale happy to be up there, finished 37 units by the hospital of Tyler and you can go to the website [districtatmidtown.com](http://districtatmidtown.com) to kind of see what those look like and about to get going on 112 units in downtown Tyler here in about in 60 days so those are going to be high end kind of a brown stone look so it's going to be a great addition to Lindale its not going to be your typical open breeze way concept it's have a pool green space and its going to be really nice addition to Lindale excited to have support and keep moving forward. After discussion among board members the public meeting closed at 6:05 p.m.

**2. Discussion and possible action on zoning change request by Sam Scarborough, to change the zoning of 14.577 acres vacant land with a legal description of Lindale Prime Land Source Subdivision, Lot 2B, Centennial Blvd, Lindale, Smith County, Texas. Zoning change from "C-2 Community and Regional Commercial District" to" MU-1 Neighborhood Mixed Use."** Steven Lloyd, stated this is an action item, agenda item number 2, we can now go ahead with an action item and the current zoning C-2 does not allow multifamily dwelling units and MU-1 does allow with a special use permit, and this property is located on W. Centennial by Comfort Suites and La Quinta an is certainly is going to be a benefit to the city, it's nice to have an experienced developer that actually petitioning this. Steven asked if anyone had any questions. Committee went into business session. Greg Kilgore stated he doesn't have anything negative to say it about it, he thinks its encouraging having an experienced builder kind of go to this length to kind of meet and explain some things rather than just trying to push some things through so he thinks it's good for the town, really fortunate. Terry Edwards made a comment about the board package committee received it states on there under the staff recommendation that the BOA will hear this tomorrow night, that is incorrect they cannot hear a request for a special use allowance on that until the City Council approves the change in zoning so that won't happen this month it will happen later. Once the city council has a chance to approve it the BOA will

have a chance to answer the request for the special use permit. Jerry Terry is good for these, thinks it's good for the city and thinks Mr. Scarborough is listening he thinks he made a quick mention of this last month this genially has nothing to do with committee going forward with this but if you are going to be naming that street, we do have a name for you it would be Ashcraft, it's the man who has been sharing this committee for many, many years who is ill right now Mr. Ashcraft. Sam Scarborough stated yes, has no ties to any names and he would be happy to honor whoever he can, it's a great name. After discussion among members. Jerry Terry made the motion to approve the zoning change from C-2 Community and Regional Commercial District to MU-1 Neighborhood Mixed Use. Greg Kilgore second the motion. All voted in favor.

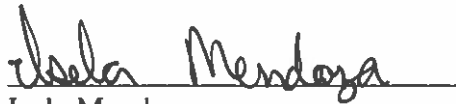
- 3. Discussion only of purposed zoning change and re-plat of Garden Estates Subdivision. Located at 15532 Darren Way, Garden Estates a.k.a. Norsman Estates Lindale, Smith County Texas. Submitted by Steven Lloyd, Director of Community Development.** Steven Lloyd, Director of Planning and Development, stated this is a vacant piece of property right now just up the road from City hall and is adjoining Mission Oaks subdivision, zoned R-1D, it was changed to R-1D and provided the history this subdivision Mission Oaks and the new subdivision used to be called Norsman Estates actually was subdivided has not been developed and there was an inquiry from a citizen about the feedback or the PZ committee change the zone to R3 the gentleman would like to put multifamily townhomes on it and to do that we probably need a zoning change on this. Mr. Mathews is available to join us with this meeting and if you have any questions about this it would be a zoning change for the entire subdivision next to Mission Oaks, any more questions or there is citizen that might what to help us out. Jerry Terry had a question about the street that is running into this potential new subdivision from the Chad Franke subdivision is that going to be a go through street that will be connecting. Terry Edwards stated there was a lot of discussion about CR 4200. Board made a recommendation to City Council passed it that they would change those two pieces of property to R-1D because the property behind that is school property and it makes sense to go from R-1C to R-1D that's how it landed on R-1D for those two pieces of property and if you look on page 3 it makes sense the way this property is laid out and ties in at the back it makes sense for R-1D is not sure if the transition to something more dense home wise is number one in the benefit of the city and number two really fair in how we have gone about this process anyway, believes committee was very fair in the way it was handled to start with but not sure if committee would be, because of this property next to this to the east is R-1C, not sure it would turn to spot zoning problem because it's not touching anything that would even remotely be close to R-3 so that's kind of the history on it that's how committee got to where it is now wouldn't want to go through hoops to change zoning right now. Greg Kilgore stated the observation he has made he is only seeing one way in and one way out on each side the existing neighborhood that is already under R-1D zoning are they aware and do they have any say so in the matter of that traffic flow, from R-1D to R-3 multi zoning your talking about possibly tripling the amount of traffic because you might have 2, 3, or 4 cars in one resident so that is going really start being an impudence upon existing neighbor. Mike Mathews stated he was part of the reason why Steven presented this for the agenda he would like the opportunity to speak to some of those questions and concerns. Mike stated they are developers new to this area somewhat but not new to development and developments like this, their attractions to this was a lot of things, one the biggest is the City of Lindale itself just saw a lot of positive things the school districts just a lot of population growth things like that that they are looking for and the lack of this type of housing that they are looking to provide. They are looking to do a luxury townhome type setup that they feel would highly compliment the neighborhood next door, they've seen Mission Oaks have driven through it, they think they can and would want to esthetically fit in with that that would definitely be a goal of theirs and their vision they build definitely does that it would flow very nicely they are not looking to cram a bunch of cheap lower end rentals into as many as we can onto a piece of property its not what they are looking to do. They are wanting to build some luxury townhomes, 2 and 3 bedrooms, high end appliances, beautiful yards, esthetically very attractive, they are perfectly fine with the infrastructure that the city and the previous owners already laid out with the

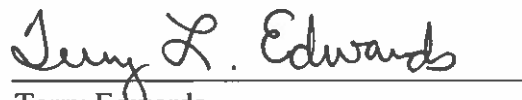
regard to the entrance to the north and the tying into the back of Mission Oaks subdivision. They are almost perfectly fine with the plat that was originally approved he believes by the city but was officially never filed for some reason except for the fact that the lots don't quite work for them so they would just be interested in making two plats in general but the overall layout those plats they are perfectly fine with that don't want to change to much just instead of doing single family homes they are wanting to do some high end luxury town homes there is district down by the downtown Miranda Lambert Lane there are lofts down there, new town homes or apartments some kind that were built across the street not to far from that are really nice other than those two even those two don't quite fit what they are looking to do but that upper end high end rental market is something that's in this type of townhomes yard, a garage, fenced in back yard, all that kind of stuff that's something that Lindale doesn't have right now and would like to possibly do here they have done a lot of due diligence and a lot of work to get to this point the last thing we need to do is find out is the city is interested in being a part of something like that. Steven Lloyd stated this piece of land being adjacent to Chad Franke's Mission Oaks he counted at least 6 meetings and about two years' worth of work. Mission Oaks is a successful subdivision of single-family homes of course he would be endorsing anything that the board members feel like about this project. Steven does know changing the zoning and it's that's just going to be a lot of paperwork obviously not against any of it's his job and he doesn't think Chad Franke, hasn't talk to him and is unaware if he knows about these and just wanted to add that he hasn't mentioned it to him so Steven is in favor of whatever the board at some point obviously tonight is not a decision just an opinion its going to be up the board members how they want to respond to Mr. Mathews. Jerry Terry's stated if its opinion only his opinion is that there is a neighbor who has done a major investment, not sure if he has completed that subdivision yet and feels like he should be aware of a potential change of zoning next to him because he was much aware of what happen before when it was rezoned from c to d, so Jerry thinks he should be aware before he would feel comfortable considering even going down that road. Steven Lloyd, added something that Terry Edwards talked about is that we had many meetings and with those meetings public hearings and we had significant public feedback as we went through the zoning change, very significant and it was the wishes of these board and City Council that eventually changed it used to be single family homes and changed the lot sizes, that's how the zoning got to where it's at now, there actually going to change zoning of one half of this to multifamily dwelling units and probably change the lot sizes too, so he knows they weren't here for the entire scope of it but just wanted to tell them there was extensive citizen feedback during the whole process several times is that correct. Terry Edwards stated he is correct and his opinion how he feels about this stuff the committee didn't get any positive feedback from the people living up and down these two streets about even changing that to R-1D or letting them build anything they didn't want anything out there. Terry Edwards would not entertain myself this change without a letter from the city attorney that said this would not be a spot zoning, he is nervous about that because to go from R-1C to R-1D and everything to the north of this piece property is R-1C and everything to the east is R-1C and everything now to the west of it is R-1D if committee changes it to something that is not abutting it that's spot zoning that's his definition and would be real reluctant to entertain a zoning change for that piece of property, not because he is against townhomes or anything like that but somewhere besides that piece of property, committee jumped through a lot of hoops to get that to R-1D and it took a lot of convincing not of the board because they were never against this list of history on this property doesn't include the fact committee talked for a year before they had this February 2018 meeting. Committee had talked almost every meeting about the possibility there was going to be zoning change request come to the committee on that piece of property, had a long time to look at that, make sure they were in good solid ground in making that change, therefor the planning part of the job, before it gets to the zoning part of the job but as a member of the committee, Terry would be extremely reluctant in entertaining a change of zoning unless our city attorney wrote us a lengthy, an specific, and infinity opinion that it would not be spot zoning that's the only way he would entertain. Mike Mathews, if he could, so if heard correctly if he could go back to his folks and express what was talked about in this meeting and whatever he just listened to and everything, it's not so much the idea, or anything but if two things happen if Chad

Franke the owner next door was on board and if the city attorney said hey this is not spot zoning, then what he is hearing anyways it sounds like the city would be potentially be open to a project like this. Terry Edwards stated not on that piece of property. Terry doesn't like doing this kind of a zoning change and even if the city attorney gave the committee a letter that said iron flat not going to be a spot zoning. Terry is not sure he would support the zoning change anyway, this kind of the development somewhere else in the city, he would well on board with it but not sure that piece of property is the one he would really happy to see that happen on, just in opinion, can't tell you his mind can't be changed, that's just where he is right this minute. Mike Mathews would love the opportunity to show him what he would like to do to able to change that mind, he thinks everyone would like what they want to put out there. After discussion among committee, Terry Edwards asked committee if they had any more questions or comments. Jerry Terry stated based on everything that has been said to this point by the committee and Steven, he really believes and he knows it's not going to sound good but he needs to start hunting one more time for another spot in a different place of the town. Greg Kilgore just appreciates him taking the time to explain a little bit, he is open minded but will see what will play out and talk it over. Terry Edwards stated to Mr. Mathews he is not anti-build, is not anti-build new subdivision, he is about as open minded as he can be, about of all this stuff, after the explosion they had just over building these two subdivisions was almost uncontrollable, that's part of their job is to listen to those complaints and who has a legitimate concern. This board has entertained a lot of zoning changes in the past 12 years that he has been on the board. Meeting closed was discussion only.

**4. Citizen Talk Time.**

**5. Adjournment.** Jerry Terry made motion to adjourn. Greg Kilgore second the motion. All in favor. Meeting adjourned at 6:42 p.m. All voted in favor.

  
Isela Mendoza  
Community Development

  
Terry Edwards  
Chairman