



PLANNING AND ZONING COMMISSION REGULAR AGENDA

Monday, October 10, 2022

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Monday, October 10, 2022, at 5:30 PM at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication.**

PLANNING AND ZONING COMMISSION MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

1. Call to Order

Chairperson
Schooler

Announcements

2. Chairperson Kevan Schooler

Public Hearings

3. Public Hearing **CANCELLED**- Regarding a Zone Change (Z22-02) request from Single Family Dwelling District (SF-2) to Heavy Industrial District(HI) located at Lot 1 Block 1 Mid Tex Cornell Corrections Prison located at 1801 West Interstate 20, approximately 11.06 Acres, Property ID 6787

Shane
Bowles

4. Public Hearing - Regarding a Zone Change (Z22-03) request from Single Family Dwelling District (SF-2) to Planned Developement for Housing (PD) located at the intersection of Forham Ave and Marquette Ave. on a 4.58 Acre tract out of Section 45, Block 32, T-1-N T&P, RR Co Survey, Property ID 90379

Shane
Bowles

Consent Items

- | | |
|---|--------------|
| 5. Approval of Planning & Zoning Commission Meeting Minutes for the regular Meeting of September 06, 2022 | Angela Brown |
|---|--------------|

Old Business

New Business

- | | |
|--|--------------|
| 6. Discussion & Possible Action - Regarding Zone Chane Z22-03 from Single Family District (SF-2) to Planned Development (PD) for Housing located at the intersection of Fordham Ave and Marquette Ave. on a 4.58 acre tract out of Section 45, Block 32, T-1-N, T&P RR Co Survey, Howard County, Texas Property ID 90379 | Shane Bowles |
| 7. Discussion & Possible Action- Regarding a Preliminary Plat Application submitted by SilverLeaf Communities. Kentwood Addition Unit #5, a replat of Blocks 18 and 19 of Kentwood Addition (Unit #2), a 6.61 are tract out of an original 74.382 acre tract out of Section 9, Block 32, T-1-S T&P, RR. Co. Survey, Howard County, Texas | Shane Bowles |

Council Input

8. Input

Adjourn

- | | |
|------------|-------------------------|
| 9. Adjourn | Chairperson
Schooler |
|------------|-------------------------|

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and Posted on Friday, October 07, 2021 at _____ p.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.

Angela Brown, Public Works Coordinator

PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT ANGELA BROWN AT 264-2501 or abrown@mybigspring.com. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.



PLANNING & ZONING COMMITTEE AGENDA MINUTES

Tuesday, September 06, 2022

Notice is hereby given that the Planning & Zoning Committee of the City of Big Spring, Texas met in Regular Session on Tuesday, September 06, 2022, at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

Attendees included: Chairperson Kevan Schooler
 Member Tammy Depauw
 Member Dale Avant
 Member TJ Stewart

Attendees included by telecommunications:
 Member Aubrey Weaver Jr.

Absent Members Member Kelley Harris

Open Session

1. Call to Order

**Chairperson Schooler called the meeting to order at
5:32 pm on Tuesday, September 06, 2022**

Public Hearings, Announcements and Presentations

Public Hearings- The Commission will take Input on Items Requiring Public a Hearing Prior to Any Action.

Consent Items

2. Approval of the Planning & Zoning Meeting Minutes of the Regular meeting of June 21, 2022

Chairperson Schooler entertained a motion to accept the minutes for the Planning & Zoning Meeting held on June 21, 2022, with the following correction: to add TJ Stewart as being present.

Vote was 5 ayes and 0 Nays

Old Business

New Business

3. Discussion- Concerning a possible addition to the Zoning Ordinance on homeless shelters and similar uses.

After a lengthy discussion the Planning & Zoning Commission made some suggestions to staff on going forward. The legal department will write the Zoning Ordinance as requested. Legal will present it the Planning & Zoning Commission for farther recommendations.

Commission Input

4. Input All

Chairperson Schooler announced that his position on the board will expire at the end of the month.

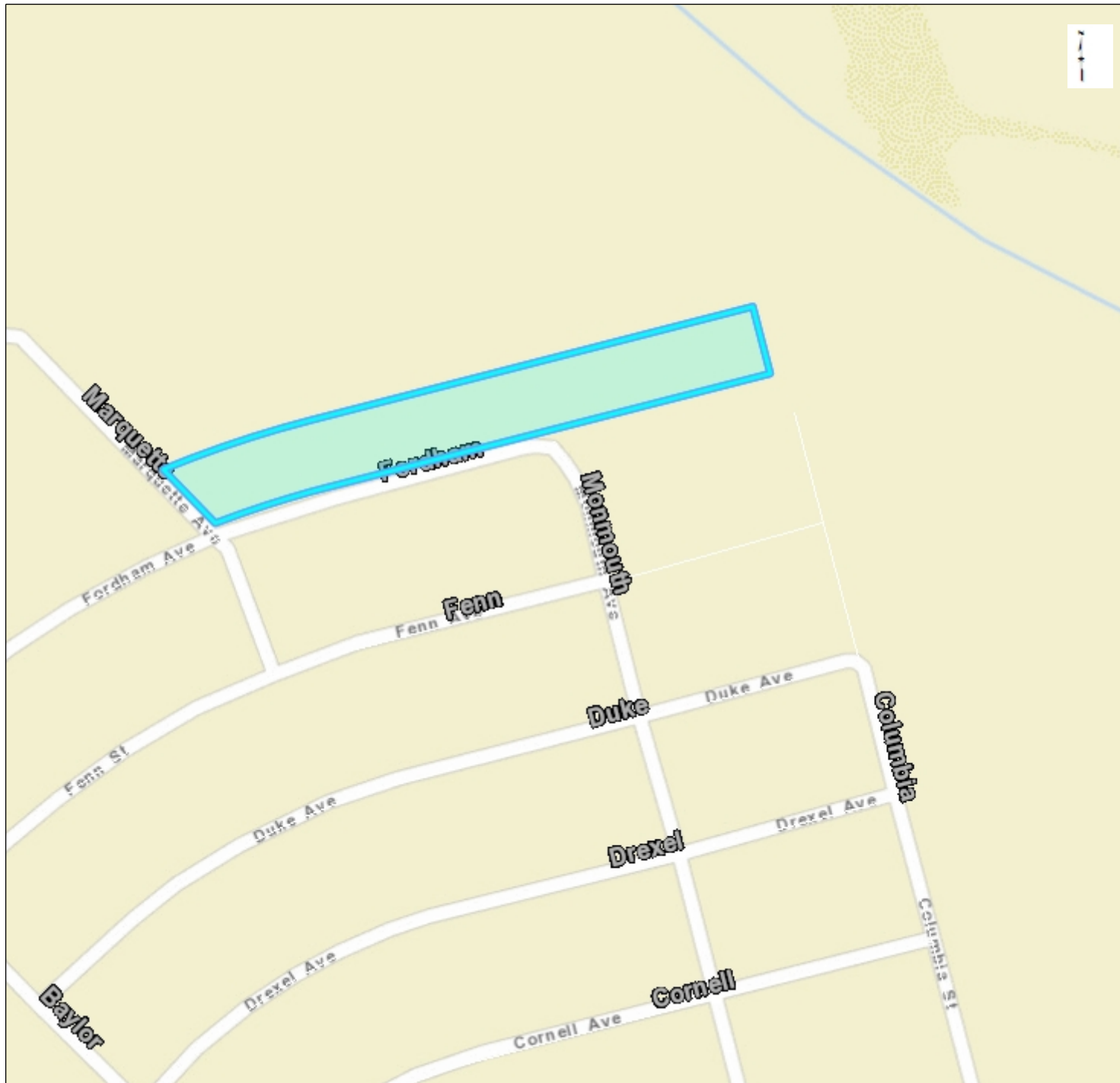
5. Adjourn Schooler

Chairperson Schooler entertained a motion to adjourn.

1st by Member Stewart

2nd by Member Depauw

Vote was 5 ayes 0 nays



Map

Legend

- ETJ
- Streets
- City_Limits

Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid

0 0.06 0.12 Miles



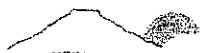
1: 4,514

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F#2448



CITY OF
Big Spring

Zone Change Application

General Information

- Prior to the submittal of an application, the applicant is encouraged to schedule a pre-application meeting with City Staff.
- This application will not be scheduled for hearing until reviewed by the Director of Public Works or designee.

Request Type

☐ Straight Zoning☒ Planned Development☐ PD Amendment☐ Specific Use Permit - SUP

Applicant Information

☒ Property Owner☐ Authorized Representative☐ Project Manager

Authorized Representatives/Project Managers must provide a notarized affidavit required including signature of legal owner(s)

Name: Silver Leaf Homes

Phone Number: 817.348.8500

Mailing Address: 101 Nursery Ln, Fort Worth TX 76114

Email Address: drew@silverlc.com

Project Information

Name of Project (if applicable): College Park

Subject Property Address and/or Location (Use attachment, if necessary): Intersection of Forham Ave and Monmouth Ave

Legal Description (Use attachment, if necessary): 4.58 Acre Tract out of Section 45, Block 32, T-1-N T&P RR Co Survey (See attached)

Current Zoning: SF-2

Requested Zoning: PD

Comprehensive Plan Designation:

Existing Use of Property: Undeveloped

Proposed Use of Property: Single Family Homes (50' Min Lot Width, 6250 Min Lot Size, 50% Lot Coverage)

I hereby certify that I am the owner or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect, the permit or approval may be revoked.

Signature: [Signature]

Date: 8/22/2022

OFFICE USE ONLY

Case Number: 222-03

Date of Application: 8/22/22

Date Fee Received ^{500.00} (\$400.00): 9/9/22
Fee \$325.00 - SUP:Affidavit attached?: ☐ Yes ☐ No ☐ N/A

P&Z Meeting Date:

City Council 1st Reading Date:

City Council 2nd Reading Date:

Important Information Regarding Zone Change Requests

1. An application for a zone change on a property may only be made by the owner of that property and/or an authorized representative of the property owner. An authorized representative shall present a notarized affidavit from the property owner. If the subject property is owned by the City of Big Spring, the Director of Public works or designee may apply for the zone change on behalf of the City.
2. No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity not allowed by present zoning cannot occur before City Council's final approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
3. Approved zone changes are applied to the specified property, not the property owner.
4. The Planning & Zoning Commission makes recommendations to City Council. If the Planning & Zoning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
5. If a zone change request is granted by City Council, and the property meets the requirements of the City's Subdivision Ordinance, permits for building, construction, and/or utility connection may be obtained by the City's Permits Department.
6. Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between residential and non-residential zoning districts. These requirements are outline in the City of Big Spring's Zoning Ordinance. It is the applicant's benefit to ensure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
7. The Planning Department will notify, in writing, owners of property within 200 feet of the subject property of the zone change request.
8. If a proposed zone change has been recommended for disapproval by the Planning & Zoning Commission, or if a protest against such proposed change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty (20) percent or more of the land area contained in the 200 foot notification boundary, then such amendment shall not become effective except by a 3/4ths vote of the City Council.
9. The applicant or an authorized representative should attend public hearings pertaining to the request and be prepared to present the case and answer any relevant questions from the Planning & Zoning Commission or City Council members.

Bradshaw and Associates, Inc.
Surveying/Engineering
Firm # 10122900/10122901
2112 Scurry Street, Big Spring, Texas, 79720
432-263-1098 Fax 432-263-1294

May 23, 2022

4.58 ACRE TRACT

Being a 4.58 acre tract of land out of a called 88.21 acre tract known as Sixth Tract in a Deed Recorded in Vol. 470, P. 466, Deed records Howard County, Texas all out of Section 45, Block 32, T-1-N T&P RR. Co. Survey Howard County, Texas, and being more particularly described by metes and bounds below:

BEGINNING at a 1/2" I.R. with cap set in the North line of a 2.061 acre tract of land out of a 5.451 acre tract of land filed in Vol. 1816 P. 421 O.P.R. Howard County, Texas now Known as College Park Estates No. 7, Phase 2 Filed in Envelope 212/B Plat Records of Howard County, Texas, North line of Fordham Avenue (60' right of way) East line of said Section 45, for the SE corner of this described tract of land, from which the SE corner of said Section 45 bears S 14°43'40" E 1350.35';

THENCE S 75°20'30" W (Record Bearing) along the North line of said College Park Estates No. 7, North line of said Fordham Avenue, passing at 513.81' the NW corner of said College Park Estates No. 7 continuing along the North line of College Park Estates No.6 Filed in Envelope 131/B Plat Records Howard County, Texas a total distance of 1031.69' to a 1/2" I.R. with cap set in the North line of said College Park Estates No. 6, North line of said Fordham Avenue for the start of a curve to the left of this described tract of land;

THENCE with said Curve to the left along the said North line of Fordham and said College Park Estates No. 6, having a Radius of 2261.62' Delta angle of 6°30'46" (Chord: S 72°05'02" W 257.12') along said curve a distance of 257.26' to a 1/2" I.R. with cap set at the NE corner of the intersection of said Fordham Avenue and Marquette Avenue (60' right of way), SE corner of a called 11.0657 acre tract of land described in a Deed filed in Vol. 264, P. 71 Deed Records Howard County Texas, this also being a Called corner of said 88.21 acre tract, for the SW corner of this described tract of land;

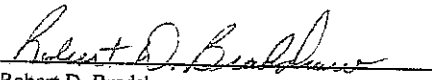
THENCE N 44°37'22" W along the East line of said Marquette Avenue, East line of said 11.0657 acre tract a distance of 162.56' to a 1/2" I.R. with cap set in the said East lines of Marquette Avenue and Said 11.0657 acre tract and the start of a curve to the right and the NW corner for this described tract of land;

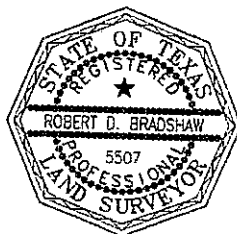
THENCE with said Curve to the right and upon and across said 88.21 acre tract of land having a Radius of 2412.81' Delta angle of 8°02'59" (Chord: N 71°18'47" E 228.54') along said curve a distance of 338.82' to a 1/2" I.R. with cap set at a point of tangency for this described tract of land;

THENCE N 75°20'30" E continuing upon and across said 88.21 acre tract a distance of 1031.70' to a 1/2" I.R. with cap set in the said East line of Section 45 for the NE corner of this described tract of land;

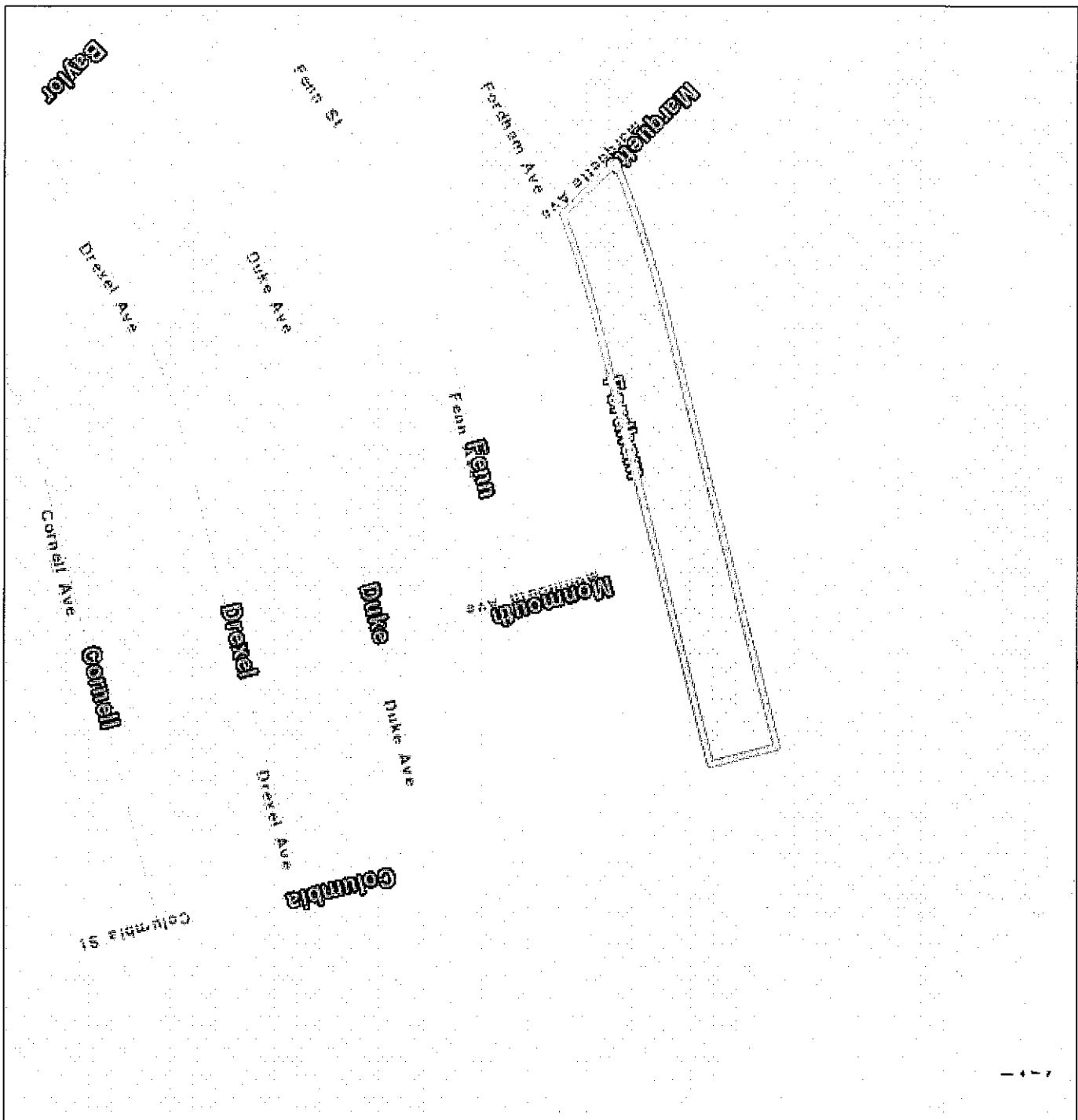
THENCE S 14°43'43" E along the East line of said Section 45 a distance of 150.00' to the POINT OF BEGINNING.

Containing 4.58 acres of land.


Robert D. Bradshaw
Registered Professional Land Surveyor
No. 5507



22050174 4.58 AC TR



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1
1

Map

Legend

- ☐ ETJ
- ☐ Streets
- ☐ City Limits

Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid
 0 0.06 0.12 Miles
 1:4,514

Copyright/Disclaimer

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F#2448





Memo

Meeting Date: October 4, 2022

To: Planning and Zoning Commission

From: Shane Bowles, Public Works Director

Subject: Request for zone change approval on the following property:
A 4.58-acre tract out of Section 45, Block 32, T-1-N, T&P RR. Co.
Survey, Howard County, TX. (Generally located on Fordham Avenue
east of Marquette Avenue)

Contact: Shane Bowles, Public Works Director, 432-264-2501

Analysis:

The property is currently undeveloped and is also unplatted. It is zoned SF-2, Single Family Dwelling District. The applicant and property owner is Silver Leaf Homes, LLC. The applicant is represented by Mr. Drew Wegman; he has requested a rezoning of the property to Planned Development for Housing in order that he may provide custom lots for residential use that accomplish three objectives as follows:

1. Additional lot coverage: 35% is allowed in the SF-2 District. Lot coverage refers to the amount of square footage that is under a building(s) roof on an individual lot. The request indicated in the zone change application is for a maximum lot coverage not to exceed 50%.
2. Minimum lot size would be 6,250 square feet; this is approximately 10% smaller than the required lot size in the SF-2 District.
3. Minimum lot width will be 50 feet; ten feet narrower than the SF-2 District requires.

This property is located in an existing neighborhood. Lots on the other side of the street (Fordham) are developed with single family residences. Moss Elementary School is located across Marquette Avenue to the west.

Staff believes this request for Planned Development for Housing is reasonable given that the subject property is located in portion of the city with a large undeveloped area lying to the east.

Silver Leaf Homes wishes to offer a lot of comparable size to the existing neighborhood but with the opportunity for a developer or lot owner to utilize up to 50% of the lot for buildings. Nine letters were mailed by staff to neighboring property owners within 200' of the Silver Leaf land parcel; the notification complies with state law and the city's zoning regulations. One letter of objection has been received. Staff recommends approval of the Planned Development for Housing which would require the land to have an underlying zoning of SF-2 except that the lots may have a minimum size of 6,250 SF; 50' of lot width; and may permit a maximum of 50% lot coverage.

Attachments: Aerial map highlighting subject property, notification boundary, zoning application, letter(s) of objection.

CITY OF BIG SPRING

Department of Public Works

PRELIMINARY PLAT APPLICATION

I. APPLICATION

Application is hereby made to the Big Spring Planning and Zoning Commission for approval of the following preliminary plat:

1. Proposed Title of Final Plat: Kentwood Addition Unit No. 5
2. Legal Description of Plat (or see attached metes and bounds on the accompanying CD)
See attached
3. Owner Information:

<u>Silverleaf Communities</u> (Name)	<u>817. 348. 8500</u> (Phone)
<u>101 Nursery Ln, Suite 244</u> (Address)	<u>Fort Worth, TX 76114</u> (City, State, Zip)
4. Developer Information (if different from 3 above)

 (Name)	 (Phone)
 (Address)	 (City, State, Zip)
5. Representative Information:

<u>Drew Wegman</u> (Name)	<u>817. 348. 8500</u> (Phone)
<u>101 Nursery Ln, Suite 244</u> (Address)	<u>Fort Worth TX 76114</u> (City, State, Zip)

II. FEES

Application Fee: Two hundred dollars (\$200.00) for all subdivisions of twenty-five (25) acres or less and two dollars (\$2.00) for each acre or portion thereof, up to a maximum fee of five hundred dollars (\$500.00) for all subdivisions larger than twenty-five (25) acres. Two hundred dollars (\$250.00) for a residential replat.

TOTAL \$ 200.00pd in full

III. SUBMISSION INFORMATION

Submittal Date: Minimum 10 days (18 days for plats requiring a public hearing) prior to the Planning and Zoning Commission meeting at which consideration is desired. The Planning and Zoning Commission generally meets on the first Tuesday of each month.

(Check items if submitted with this application form.)

1. Number of Copies: 18 prints _____
2. Filing Fee: _____
3. Drainage plan submitted to Public Works Dept. _____
4. Title Policy _____

Rec'd By/Date For Office Use Only

The Preliminary Plat shall be considered officially filed only when it has been received in the Public Works Office in full compliance with the provisions of the Subdivisions Regulations of the City of Big Spring, including items 1 through 4 above.

The Planning and Zoning Commission may recommend approval, disapproval, or conditional approval of any preliminary plat. Conditional approval is considered to be approval of a preliminary plat subject to conformity

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BIG SPRING FINANCE DEPT

REC#: 00196664 9/08/2022 1:52 PM
OPER: sdele TERM: 001
REF#: 9.8.22

ACCT #: XXXX-XXXX-XXXX-7796
AUTH #: 06644G
TRAN #: 000003441778
TYPE: PURCHASE
ENTRY MODE: MANUAL

TRAN: 300.4000 GENERAL FUND ACCOUNT
DREW WEGMAN PMT
~~ZONE CHANGE FEES~~ 500.00CR

TRAN: 0.4000 GENERAL FUND ACCOUNT
~~DREW WEGMAN PLAT FEE~~
OTHER INCOME 200.00CR

TENDERED: 700.00 CREDIT CARD
~~APPLIED: 700.00-~~

CHANGE: 0.00



Memo

Meeting Date: October 4, 2022

To: Planning and Zoning Commission

From: Shane Bowles, Public Works Director

Subject: Approval of a preliminary plat of Kentwood Addition (Unit 5), being a portion of Blocks 18 and 19, Kentwood Addition (Unit 2), also being a 6.61- acre tract out of Section 9, Block 32, T-1-S, T&P RR. Co Survey, Howard County Texas.

Location: Generally located on the south side of McDonald Drive east of Central Drive.

Contact: Shane Bowles, Public Works Director, 432-264-2501

Analysis:

The property was platted previously and is now being replatted into twenty-four residential lots for new housing.

The plat meets all the City's subdivision regulations. In 2021 this property was rezoned to PD, Planned Development for Housing by Silver Leaf Homes. Public improvements including water lines, sewer lines, fire hydrants, street paving including curb and gutter have been installed or are currently being completed.

Staff recommends approval of the preliminary plat of Kentwood Addition Unit 5.

Attachments: Plat