The City of Liberty
Planning and Zoning Commission

Meeting Agenda

Thursday, June 18, 2020 12:15 PM City Hall - Liberty Center

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Commission Member Kim Anderson	☐	☐	☐	
Commission Member Ryan Daniel	☐	☐	☐	
Commission Member Emily Cook	☐	☐	☐	
Commission Member Rick Jenner	☐	☐	☐	
Commission Member Tyler Jackson	☐	☐	☐	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

III. CONSENT AGENDA

A. Minutes Approval

1. **Planning and Zoning Commission - Regular Meeting - Apr 29, 2020 12:00 PM**

IV. REGULAR AGENDA

A. Regular Session

1. **Consider the Appointment of a President for the Planning and Zoning Commission.**
2. **Consider Approval of a parking variance for Hankins Development, LLC.**

V. ADJOURN

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the day of at . This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

_____
Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at 936-336-3684 or by Fax at 936-336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the Planning and Zoning Commission was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2020.

City of Liberty
Planning and Zoning Commission

Meeting Minutes

Wed., April 29, 2020 **12:00 P.M.** **City Council Chambers**

THIS MEETING WAS HELD USING THE VIDEO CONFERENCE TOOL, ZOOM, DUE TO THE COVID-19 DISEASE.

Present by Video Conference: President Shelli Ellerbe, Commission Members Ryan Daniel, Emily Cook and Kim Anderson.

Present in the Council Chambers: Asst. City Manager Chris Jarmon, City Secretary Dianne Tidwell, Building Official Glen Barnhill and Admin. Asst. April Gilliland.

Call to Order – President Ellerbe called the meeting to order at 12:04 p.m.

Acknowledgement of Guests and Visitors – There were no visitors joining in this video conference meeting.

Approval of Minutes – Meeting of April 3, 2019 – A motion was made by Commission Member Daniel, seconded by Commission Member Cook to approve the minutes of the P&Z Meeting held April 3, 2019. The motion passed 3-0.

Commission Member Anderson joined the meeting at 12:07 p.m.

Consider approval of the Final Plat of Holly Street Manor – Following discussion of the Final Plat, Chapter 380 Agreement and related issues, a motion was made by Commission Member Daniel, seconded by Commission Member Anderson to approve the Final Plat of Holly Street Manor, in accordance with the terms of the Chapter 380 Agreement. The motion passed 4-0.

Adjourn – There being no further business before the Commission, a motion was made by Commission Member Daniel, seconded by Commission Member Anderson to adjourn the meeting at 12:18 p.m. The motion passed 4-0.

_____
Shelli Ellerbe, President

ATTEST:

_____
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 29, 2020 12:00 PM (Minutes Approval)

The City of Liberty
Planning and Zoning Commission
1829 Sam Houston
Liberty, TX 77575

Meeting: 06/18/20 12:15 PM

Department: Administration
Category: Committees/Boards

P&Z ACTION (ID # 4812)

DOC ID: 4812

Department: Community Development

Subject: Officer Appointments

Background: Shelli Ellerbe has served as the Planning and Zoning Commission Board President, but is no longer on the Board due to term limits. Therefore, a new member must be appointed as President.

Funding Source: n/a

Staff Recommendation: Appoint a member as President

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The City of Liberty
Planning and Zoning Commission
1829 Sam Houston
Liberty, TX 77575

Meeting: 06/18/20 12:15 PM

Department: Administration
Category: Miscellaneous Issues

P&Z ACTION (ID # 4813)

DOC ID: 4813

Department: Community Development

Subject: Parking Variance

Background: The city's current parking regulations call for retail stores to provide 1 parking space for every 200 square feet of floor area. Hankins Development is requesting a variance from the city's parking ordinance in order to provide 1 parking space for every 300 square feet of floor area for their proposed 10,000 square foot Dollar General Store. If approved, the variance would reduce the number of required parking spaces from 50 to 34. Hankins Development states that with reduced parking requirements, they will be able to provide additional landscaping to the site.

Funding Source: n/a

Staff Recommendation: Approval of the variance

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VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed be all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
    a. A copy of the deed(s) to the subject property verifying legal ownership.
    b. A Legible site plan or plot plan of the subject property.
    c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
    d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): Michael Hankins for Hankins Development

Name of Agent, if applicable: Garrett Carter for Hankins Development

Phone Number: 337-564-6501 garrett@hankinsdev.com

Fax Number: N/A

Mailing Address: 419 Alamo St., Lake Charles, LA 70601

Property Data:

Street address: 2914 N. Main Street, Liberty, TX 77575

Legal Description:

Attachment: Hankins Development Parking Variance Request (4813 : Parking Variance - Hankins)

Variance Request:

I/ We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Planning and Zoning commission and City Council of the City of Liberty consider the following variance request to the City of Liberty Code of Ordinances:
List brief description and ordinance(s)

The ordinance for our commercial use calls for parking to be provided as 1 space per 200 sq. ft. of floor area. Our building will be 10,000 sq.ft. so that would be 50 spaces. Dollar Tree has 15,000 stores across the nation and know that 1 space per 300 sq. ft. of floor area is more than enough to handle their customer volume.

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Planning and Zoning Commission must make a finding of hardship. As noted in the instructions, ***you must attach a letter*** describing the reason for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Planning and Zoning Commission must determine that ***all*** of the following criteria are met. ***State how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.*** (Attach additional pages for multiple variance requests or if additional space is needed.)

1. The granting of the variance will not be detrimental to the public safety health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:

   See attached.

2. The granting of the variance is not based on a hardship which is self-imposed:

   See attached.

3. The hardship is not based solely on the cost of complying with the regulation:

   See attached.

Attachment: Hankins Development Parking Variance Request (4813 : Parking Variance - Hankins)

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

See attached.

Notice: The City of Liberty does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions. A plat vacation and replat pursuant to Chapter 212, Texas Local Government Code may be required for such authority.

Signature(s) of Owner(s)/ Agent:

This is to certify that the information provided above is true and correct and that I am the owner of record of the property or the owner(s)' legally authorized agent.

Signature: _____ (Michael Hankins) Date: 6/12/20

Signature: _____ (Garrett Carter) Date: 6/12/20

For Office Use Only

Submittal Date: _____

Planning and Zoning Meeting Date: _____

City Council Meeting Date: _____

Received By: _____

For Office Use Only

Planning & Zoning Approval/Denial: _____

City Council Approval/Denial: _____

Attachment: Hankins Development Parking Variance Request (4813 : Parking Variance - Hankins)

Supporting Statements for Variance Review Criteria

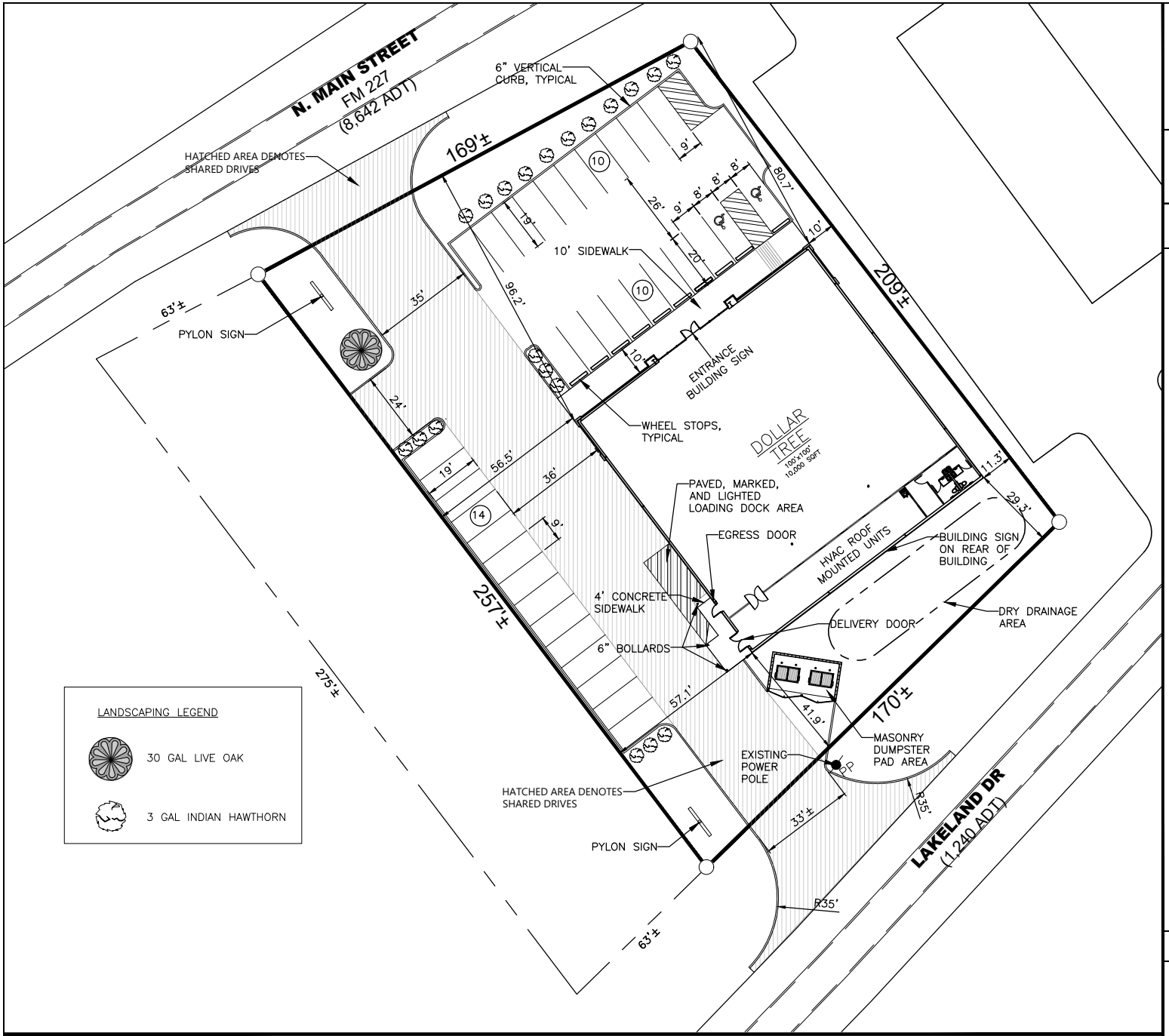
1. Our request for a variance would not be detrimental to these items. The access from the roadways is designed to accommodate eighteen-wheelers as well as passenger cars and will be constructed to industry standards for safety, strength, and longevity of the concrete roadway, culverts, and curbing around the parking lot.

2. The hardship is not completely self-imposed but another new business stands to benefit from the variance being granted. Requiring us to have 50 spaces, a good majority of which will go unused by Dollar Tree, would not allow sufficient space fo another new commercial development to coexist next door. The way the property is to be subdivided; we will have an extra lot adjacent to our site that will have a shared access with the Dollar Tree. The design and location of the access design has already been preliminarily approved by TxDOT as it meets their criteria for commercial access on a state highway. The additional site will share common access points on Main St. and Lakeland Drive and it is our intention to develop a commercial office space for an Urgent Care or Insurance Agency type business that could occupy a 3,000-4,000 square foot building. The additional site dimensions would provide for a building of this size, as well as the necessary space for parking and stormwater detention.

3. The hardship is not based solely on the cost of complying with the regulation. Real estate development is all about growt for the community in which we operate. The Dollar Tree stands to be a strong contributor to sales tax and property tax fo the city and county. New development also creates a lot of revenues for local businesses who provide construction materials. The Dollar Tree project will also provide as many as 7-8 permanent jobs for locals. It is our desire to be able to provide an opportunity for another business to thrive in a highly-visible location. We would also prefer to spend some additional money on beautifying the Dollar Tree site with improved landscaping and shrubbery and a nice Live Oak tree near the Main St. entrance. The entire site will also be planted with grass and have an irrigation system to ensure plants stay green.

4. This site is unique and it's unfortunate that it has remained undeveloped for so many years. As I mentioned previously, this site has great visibility due to its location near the Walmart and the front and rear access points for customers to ent the parking lot. I believe that any business that operates at this location stands to have the best chance of being success and staying open for many years because of its visibility and easy access from a state highway and a city street. The mor unused parking that business are required to have due to stringent regulations, the less space there is for new development.

Attachment: Hankins Development Parking Variance Request (4813 : Parking Variance - Hankins)



This site layout is based on information provided by the developer, seller, existing survey or site data, etc. Plan accuracy is based on this information, no Boundary Survey has been provided. Final Site Construction Plans should be based on a certified Boundary Survey. Said Boundary survey may reflect easements, setbacks, etc., that are not shown on this plan. Final boundary line information is subject to changes that reflect this boundary survey.

Prepared By:
WDGROUP
FLOYD@WDGROUP.US
228-990-3082

Scale: 1" = 50'

LIBERTY, TX
N MAIN STREET
(FM227)

Sheet Title
Landscaping Plan

Site Data Summary

Zoning: None

Property Size:
0.89 Acres ± 39,151 SF ±

Area Summary:

Building Size:	10,000± SF
Concrete Pavement:	21,673± SF
Sidewalks and Aprons:	1,228± SF
Green Space:	8,843± SF

Parking:
Proposed:

20	SPACES
14	SHARED SPACES
34	TOTAL SPACES

June 12, 2020

Developer:
Hankins Development, LLC
419 Alamo St.
Lake Charles, LA 70601
Office: 337.564.6501

Attachment: Hankins Development Site and Landscaping Plan (4813 : Parking Variance - Hankins)