



Planning & Zoning Commission

Van Alstyne City Hall

152 N. Main Drive

April 20, 2022

6:30 p.m.

REGULAR MEETING

MINUTES

Commissioners present: Chairman John Spies, Jim DuBois, Dale De Mond, Larry Cooper, and Matt Uppole

Commissioners absent: Mark McKinney (Alternate 1) and Caleb Pruitt (Alternate 2)

Staff present: Director of Development Services Alex Glushko, Interim City Planner Brooks Wilson, and City Engineer Len McManus

1. Call to Order. The Chairman called the meeting to order and established a quorum at 6:30 p.m.
2. Citizen Comments. Chairman Spies called for any citizen comments. There were none.
3. New Director of Development Services. Brooks Wilson introduced Alex Glushko to the Commission and those present. Mr. Glushko expressed his gratitude at being given the opportunity to serve the community.
4. Consent Agenda.
Items are considered self-explanatory and will be enacted with a single motion. No separate discussion of these items will occur unless so requested by at least one member of the Planning & Zoning Commission.
 - a. Minutes Approval. Consider and take any action necessary regarding approval of the Minutes from the March 30, 2022 Special Called Commission meeting.
 - b. Consider and take any action necessary regarding a request by an owner/agent for approval of a Final Plat for the Watson Subdivision, a 4.00-acre tract of land situated in the T.J. Paxton Survey, Abstract No. 953, Grayson County and generally located north side of West FM 121 (West Van Alstyne Parkway) and approximately 700 feet west of Collin McKinney Parkway. (*Watson Subdivision Final Plat*)
 - c. Consider and take any action necessary regarding a request by an owner/agent for approval of a Final Plat for the Churchill Addition, Pod 1, Phase 1, a 26.330-acre tract of land situated in the Mark Roberts Survey, Abstract No. 742, Collin County and generally located at the northeast intersection of CR 1106 (Churchill Parkway) and CR 830. (*Churchill Addition, Pod 1, Phase 1 Final Plat*)
 - d. Consider and take any action necessary regarding a request by an owner/agent for approval of a Final Plat for the Churchill Addition, Pod 2, Phase 1, a 26.823-acre tract of land situated in the

Mark Roberts Survey, Abstract No. 742, Collin County and generally located at the northeast intersection of CR 1106 (Churchill Parkway) and CR 830. (*Churchill Addition, Pod 2, Phase 1 Final Plat*)

- e. Consider and take any action necessary regarding a request by an owner/agent for approval of a Final Plat for the Sunset Pointe Phase 1, a 7.364-acre tract of land situated in the William McCulloch Survey, Abstract No. 805, Grayson County, Texas, and generally located to the east and north of Stone Marshall Drive, approximately 1,900 feet south of Knob Hill Road. (*Sunset Pointe Phase 1 Final Plat*)

Prior to the motion, Commissioner DuBois asked that Items C and D be removed from the Consent Agenda. Commissioner DuBois then moved to approve the remainder of the Consent Agenda. The motion was seconded by Commissioner De Mond and passed unanimously.

No action was taken on Items C and D. The plats will be approved per Section 212.009 of the Local Government Code.

5. Public Hearings.

- a. Conduct a public hearing to consider and make a recommendation to City Council regarding a proposed text amendment to Chapter 46, "Zoning," Article IV, "Parking, Loading, and Stacking" Section 46-161, "Parking Regulations," Section 32-25, "Removal of Signs in Violation," Section 32-29, "Definitions," and Section 32-30(b), "Special Off-Street Parking Provisions, Residential Districts" to add regulations regarding parking on residential streets with curbs and on residential streets without curbs, as well as some minor clerical revisions for clarity that do not affect regulations. (*Parking Text Amendment*)

Interim City Planner Brooks Wilson gave an overview of the text amendment.

Chairman Spies opened the Public Hearing at 6:39 p.m. There being no response, the Chairman closed the Public Hearing at 6:40 p.m.

Commissioner Uppole moved to approve the text amendment. Commissioner Cooper seconded the motion and the motion passed unanimously.

- b. Conduct a public hearing to consider and make a recommendation to City Council regarding a proposed text amendment to Chapter 46, "Zoning," Article III, "Use of Land and Buildings," Division 2, "Special Uses, Specific Use Permits, and Nonconforming Uses," Section 46-131, "Miscellaneous Special Uses," Section 46-131(j), "Swimming Pools" to adopt the Texas Local Government Code Section 214.101, "Authority Regarding Swimming Pool Enclosures" in order to require and monitor the safety of enclosures surrounding swimming pools and to levy fines when regulations are not met. (*Swimming Pool Fence Text Amendment*)

Interim City Planner Brooks Wilson gave an overview of the text amendment and asked the Commission to take no action on the amendment at this meeting since the wording does not represent the exact intentions of the amendment.

Chairman Spies opened the Public Hearing at 6:43 p.m. There being no response, the Chairman closed the Public Hearing at 6:44 p.m.

Commissioner De Mond asked that staff include clear definitions for "enclosures" and "fences" in the rewrite of the amendment.

Commissioner Cooper asked if existing swimming pools would be "grandfathered" or whether the owners would have to meet the new standards. Staff will check with the City Attorney on this issue. Commissioner DuBois asked staff to review other cities' experiences and determine the ordinance with the most success.

Commissioner DuBois moved to table the text amendment. Commissioner De Mond seconded the

motion and the motion passed unanimously.

- c. Conduct a public hearing, consider, and make a recommendation to City Council regarding a request by an owner/agent to rezone an approximately 1.2-acre tract of land situated in the Ashley McKinney Survey, Abstract No. 851, Grayson County from an SF-1, Single Family Residential Zoning District and the HD, Historic Downtown Overlay to a SF-1, Single Family Residential Zoning District and the HD, Historic Downtown Overlay and a TF, Two Family Residential Zoning District and the HD, Historic Downtown Overlay. The tract of land is generally located on the south side of East Umphress Street, on the west side of South Main Street, and approximately 260 feet north of Carl Umphress Street. *(249 E. Umphress Street Rezoning Request)*

Property owner Ryan Hayes, Stonehollow Homes, 1575 Heritage Drive, Suite 103, McKinney, Texas, gave an overview of the rezoning request that included retaining the SF-1 residential zoning district on approximately half of the property and rezoning the other half to TF- Two-Family Residential Zoning.

Chairman Spies opened the Public Hearing at 7:00 p.m.

Jim Atchison, 227 E. Houston Street, Van Alstyne, Texas, spoke against the two-family component. While in favor of infill development, he stated that the residents of the single-family neighborhood have an expectation that the existing zoning will continue.

Emory Atterberry, 136 E. Umphress, Van Alstyne, Texas, spoke against the two-family component.

Bill Benton, 216 E. Carl Umphress Street, Van Alstyne, Texas, spoke against the two-family component.

There being no further public comments, the Chairman closed the Public Hearing at 7:05 p.m.

Commissioner Uppole agreed with the applicant that Stonehollow Homes were of high quality and would like to see what the duplexes would look like.

Mr. Hayes replied that he had not drawn plans for them at this time.

Chairman Spies added that the lot size for SF-1 is 5,000 square feet and the lot size for TF is 9,000 square feet.

Mr. Hayes pointed out that the proposed duplex lots would be facing South Main Street, the DART rail line and industrial zoning.

The Commissioners discussed the natural tree line being a visual buffer between the single-family and two-family lots, the screening that would be required for the two-family lots, the impact that two-family lots would have on the property values, and the density increase.

Chairman Spies allowed additional comments from the public.

Mr. Benton suggested that single-family lots would not be difficult to sell even if facing the railroad.

Commissioner Uppole expressed concern that many more two-family zoning requests would follow if this was approved.

There being no further questions or comments, Chairman Spies called for a motion.

Commissioner Uppole moved to deny the rezoning request. Commissioner DuBois seconded the motion and the motion passed (3-2, with De Mond and Spies opposed).

6. Action Item.

- a. Consider and make a recommendation to City Council regarding an amendment to Chapter 38, "Subdivision and Land Development," Article XI, "Construction and Improvements," Section 38-300, "General Plans and Specifications; Inspection," subsection 38-300(b) in order to provide for a reduced construction inspection fee for certain governmental agencies and public entities. *(Text Amendment Construction Inspection Fees)*

Director of Development Services Alex Glushko explained the proposed text amendment would reduce the cost of construction inspection fees from 3% of the total project cost to 1.5% for

government agencies and public school districts.

City Engineer Len McManus added that the typical city inspection fee runs between 2 and 5 percent and that a survey was conducted in 2015 showing Van Alstyne's fees to be typical.

Commissioner De Mond asked if there was a demand for this.

Mr. Glushko responded that the City Manager and City Attorney asked staff to consider this, as the cost of the new high school was greater than any other building previously constructed in Van Alstyne.

There being no further questions or comments from the Commissioners, Commissioner De Mond moved to approve the text amendment. Commissioner Cooper seconded the motion and the motion passed unanimously.

7. City Manager's Comments. There was no report.
8. Adjournment: The Chairman adjourned the meeting at 7:52 p.m.

John Spies, Chairman

ATTEST: _____
Alex Glushko, Director of Development Services