

PLANNING AND ZONING  
April 4, 2017  
MINUTES

*Call to order*

*Roll call* –Nancy Catherman, Guy Famer, Ronald Jones, Caroline McClimon, and Judy Smith were present.

*Also present* – Jack Page, Jennifer Lynch, Shawn Hernandez, Robert Tamble, Ted LeVieux, Victoria Allen, Rob Remlinger, Vickie Green, Steve Simmons and Michele Nelson.

*Approval of minutes* – Minutes approved as written from the March 7, 2017 meeting.

*Discussion and action on an application for Historic Marker/ Designation at Mary Nichols Art Center 301 Burluson St.* Carol Snyder explained the Historical Society has approved the application. Snyder said that an applicant has to meet at least three of the criteria to be considered and the Mary Nichols building has met five of them. Nancy recused herself from the vote because she is on the Historical Committee. Guy Farmer made a motion to approve the Historical marker. McClimon seconded the motion and the vote was:

For: Guy Farmer, Caroline McClimon, Ron Jones, and Judy Smith

Abstained: Nancy Catherman

*Public Hearing- Discussion and action for a minor re-plat to combine lots, at 100 Main St Smithville Townsite addition block 43 Lots 1,2,3,4,5,6 & 11 Owner -Project 100 Main Series, a series of Millspaugh Holdings LLC.* Mr. Millspaugh explained that it would be the best use of the land if all lots were combined. Judy made a motion to approve the minor re-plat. Ron Jones Seconded the motion and the motion passed unanimously.

*Public Hearing -Discussion and action for a Height Variance not to exceed 47 feet, and a minor re-plat to combine lots , at 101 Main St Smithville Townsite addition block 42 Lot 101 , ACRES 0.084, Lot 104, ACRES 0.084 (Amended plat of lots 7,8,9 & 10), Owner- Project 101Main Series, a series of Millspaugh Holdings LLC.* Nancy went ahead and asked for a motion on the minor re-plat. Judy made a motion to approve the minor re-plat at 101 Main St. Ron Jones Seconded the motion and the motion passed unanimously. Mr. Millspaugh said he needs the height variance to accommodate the off street parking for his hotel he wants to build on this lot. He said he is building the building to fit in with the rest of Main Street. Millspaugh explained the materials that he will be using are an AAC product and virtually fire proof. The material is light weight, a thermal barrier, sound resistant and goes up fast in construction. Caroline was concerned about his capital funding and Millspaugh said that was a moot point at this time

because he is just in the planning phase. Millspaugh said he would not start building until he has the majority of the apartments and condos sold. Caroline asked Millspaugh if he could just build a two story and Millspaugh said yes but would not have the nice facade or AAC product. Caroline was also concerned with the parking and referred back to MF zoning that states you cannot park within 4' of the building. Millspaugh explained that his architect will follow all ordinances for his zoning. Millspaugh said if he doesn't get the height variance that he cannot move forward. Caroline was concerned with traffic on Second Street and if we add 100 more vehicles and people it would be dangerous. Robert spoke about the previous meeting and said that the ISO rating may not be affected as other variables go into developing the PTP score. In fact we may be getting a better ISO rating because of the improvements that the City has done. Victoria Allen spoke against the project because of parking and thought it was too big. Rob Remlinger said he was excited about having more people come to town but thought the building would be too high and not fit Smithville. Rob said we are not Austin. Vickie Green was for the project and said this will bring people into the local business the traffic will just be growing pains. Ted LeVieux' spoke for the project and said yes it is tall but the tallest part will be set back. Steve Simmons spoke for the project and said he would like to see Smithville be revived. Simmons would like to see sales tax and population go up and that will keep property taxes down. Simmons also said that the end of Main Street is empty and it would be good to see something there instead of empty lots. Michele Nelson spoke against the project and said we need growth but can our infrastructure handle it. Michele said already at her business she has issues with the toilet. Michele was also concerned with the parking. Millspaugh said that people from his building will come home and park in the parking garage and the walk down to the local businesses for dinner and shopping. Judy made a motion to approve the height variance not to exceed 47 feet at 101 Main St. Guy Farmer seconded the motion. Caroline McClimon went on the record to state there were not special circumstances but a desire to bring in bigger return of investment and that the circumstances failed to meet the standard in the City's ordinances and we are opening ourselves up to more appeals.

Caroline also stated property owners could protest and that she encouraged them to seek a super majority vote since the City cannot arbitrarily decide how it will apply the standard of review.

The vote was: For: Guy, Nancy, Judy, and Ron

Against: Caroline

Adjourn 7:25

Approved: \_\_\_\_\_

