

MINUTES OF A MEETING OF THE ZONING COMMISSION OF THE TOWN OF HIGHLAND PARK, TEXAS HELD REMOTELY THROUGH TELECONFERENCE, ON WEDNESDAY, OCTOBER 28, 2020, AT 4:00 P.M. TO CONSIDER A REQUEST TO AMEND THE TOWN'S ZONING ORDINANCE BY COMBINING 4305 AND 4309 LIVINGSTON AVENUE INTO ONE BUILDING SITE AND CONSIDER A REQUEST TO AMEND THE TOWN'S ZONING ORDINANCE BY ADDING 12 TENANT SIGNS ON THE EXISTING SCREEN WALL LOCATED ADJACENT TO THE SOUTH PARKING LOT OF THE OFFICE BUILDING AT PLANNED DEVELOPMENT #2, 4300 MACARTHUR AVENUE.

Present at the meeting were: Margaret Keliher, Chair, and Commission Members Brian Ficke, Alison Hunsicker, Rick Jones, and Carolyn Seay.

Chair Keliher called the meeting to order and explained the procedure the Commission would follow in considering the request. She stated because of the COVID-19 pandemic, this meeting is being conducted and heard through a remote teleconference call.

Kirk Smith, Assistant Director of Town Services, explained that the first request is to combine the two properties of 4305 and 4309 Livingston Avenue into a single building site. David Michael Terek is the trustee to the landowner, DMT Living Trust. He purchased the two properties at 4305 and 4309 Livingston Avenue in August 2020. The property at 4309 Livingston is a vacant lot, while a residence exists on 4305 Livingston. If approved, he plans to demolish the improvements and design a new single-family residence on the combined building site. Combining the two building sites requires an amendment to the Town's Zoning Ordinance. In August 2005, the Town's Zoning Ordinance was amended to provide specific zoning setback and coverage regulations for combined building sites. Staff has reviewed the preliminary site plan to verify compliance with these regulations. Mr. Terek is aware that combining the properties is a permanent process and will run with the property in perpetuity. The requisite notice of the meeting was mailed to property owners located within two hundred feet (200') of the subject properties.

Chair Keliher asked if there have been any combined lots between Beverly and Mockingbird. Mr. Smith displayed the zoning map on the virtual meeting and pointed out other combined lots on Beverly Drive and Mockingbird Lane.

Chair Keliher asked for questions and/or comments. Austin Neuhoff, property builder, stated that they have gone through all the requirements for the combined lot situation. Chair Keliher asked if any letters in favor of the request were received, to which Mr. Smith replied that there are three (3) letters that have been received. Mr. Smith read the letters out loud and displayed a copy of them on the virtual screen. All three (3) letters explained there is currently an issue with parking in this area. If this lot is combined with the proposed driveway, the parking issue will continue to get worse.

Chair Keliher asked for questions and/or comments. Kevin Rush, resident at 4316 Livingston, stated that street parking is an issue and it has been an issue. He was concerned that with this zoning change proposal it was only going to make the parking situation worse. He recommended members of the commission drive around the location in the afternoon to observe the problem. Mr. Rush did not approve of this request and suggested it be denied by the commission. Chair

Keliher asked if anyone else would like to speak. Kay Schoonover, resident at 4304 Livingston, asked if there is any way to approve the request pending an adjustment to the parking issue. Matthew Boyle, Town Attorney, replied in the negative; it cannot be conditional. Mrs. Schoonover stated she would recommend denying the request. Chair Keliher asked if there were any more letters. Mr. Smith replied in the negative. Jill Tananbaum, resident at 4324 Livingston Ave, stated there is heavy vehicle congestion coming from patrons of Bradfield Elementary School and the Honor Bar. When vehicles are blocking traffic, residents drive up onto each others driveways. She requested approval for this combined lot be denied and reapply once the parking situation has been resolved. Chair Keliher asked if anyone else would like to speak. Jason Gillette, resident at 4308 Livingston, stated he would also be opposed with the same parking issue everyone has mentioned. Chair Keliher asked if anyone else would like to speak, to which there was none. Chair Keliher asked for question and/or comments from the Zoning Commission. Commission Member Alison Hunsicker stated that she lives on the 4500 block of Livingston and can see this area has a parking problem. The way the driveways align themselves is an issue.

On a motion made by Alison Hunsicker, seconded by Carolyn Seay, to deny the request to amend the Town's Zoning Ordinance to combine 4305 and 4309 Livingston into a single lot, Alison Hunsicker, Carolyn Seay, and Rick Jones voted yay. Brian Ficke and Margaret Keliher voted nay.

Mr. Smith introduced the second request to add 12 tenant signage to an existing screen wall at the south parking lot of 4300 MacArthur Avenue and displayed an example on the shared virtual meeting screen. 4300 MacArthur Partners, L.P. is the property owner for the office building at 4300 MacArthur Avenue. This building site is in a planned development ("PD") zoning district known as PD 2. This PD district is comprised of single-family attached dwellings to the north and two office buildings on the south adjacent to Lemmon Avenue. In 2009, the Town's Zoning Ordinance was amended to include specific sign regulations for various zoning districts throughout. Chapter 14 of the Town's Zoning Ordinance provides specific design regulations for signage in commercial districts, including the Highland Park Village's PD 1 district, but allows consideration for signs in other PD districts with an amendment to their respective PD ordinances.

Chair Keliher asked for questions and/or comments. Alison Hunsicker asked whether this sign is compliant with respect to the other sign requirements. Mr. Smith answered it is closely related; the difference is planned development. Rick Jones asked if the structure is already there. Mr. Smith stated yes, and it is an exiting screen wall that is partially covered by shrubbery. Carolyn Seay stated that she drove by this location, and the wall doesn't seem too large. The signs face the center across the street, and it does not interfere with any residential homes. She also noted that she could not see how this would affect anyone negatively.

Chair Keliher asked for questions and/or comments. Richmond with Bradford Companies stated their goal was to utilize an existing screen.

Chair Keliher asked if any letters in favor of the request were received, to which Mr. Smith said there were none.

Chair Keliher asked if any letters in opposition to the request were received, to which Mr. Smith said there were none.

On a motion by Alison Hunsicker, seconded by Rick Jones, the Zoning Commission voted unanimously to recommend approval to the Town Council of a request to amend the Town's Zoning Ordinance by adding 12 tenant signs on the existing screen wall located adjacent to the south parking lot of the office building at Planned Development #2, 4300 Macarthur Avenue.

Being no further items on the Agenda, Madam Chair Keliher asked for a motion to adjourn. On a motion by Alison Hunsicker, seconded by Carolyn Seay, the Zoning Commission voted unanimously to adjourn. There being no further business to come before the Zoning Commission the meeting was adjourned at 4:57 p.m.

APPROVED on this 6th day of November 2020.

BY:



Margaret Keliher
Chair

ATTEST:



Joanna Mekeal
Town Secretary