

MINUTES OF THE MEETING OF THE ZONING BOARD OF ADJUSTMENT HELD IN THE COUNCIL CHAMBERS, AT CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS ON THE 29TH DAY OF JUNE 2018 AT 12:00 NOON.

Members present: Cromer; Hannes; Grigsby; Montgomery; Alternate Watkins

Members absent: Holland, Alternate Zuniga

Staff present: Kulhavy; Ridley; Byal; Hodgson

1. CALL TO ORDER

The meeting was called to order by Board Vice-Chairman Montgomery. [12:00 PM]

2. PLEDGE OF ALLEGIANCE

- a. U.S. Flag
- b. Texas Flag

3. INVOCATION

Board Member Grigsby led the invocation

4. ROLL CALL and selection of Alternate(s) if needed.

In Chairman Holland and Alternate Zuniga absences, Alternate Watkins will vote.

- 5. PUBLIC HEARING** for the variance request by EPOCH Huntsville, LLC, Applicant, for a variance to **Table 5-1: Lot and Building Setback Regulations in Article 5 Lot and Setback Regulations** of the City of Huntsville Development Code relating to maximum density for Apartment/Condo development for a proposed student housing project to be located at 1401 16th Street.

Vice-Chairman Montgomery opened the public hearing.

Interim City Planner Janet Ridley gave a brief overview of this case per the staff discussion form providing additional explanation regarding the higher densities granted by the Board for other student housing developments and noting that the City of Huntsville's comprehensive plan does recommend higher density development in the SHSU area. Ridley also noted that the density increase would equate to less than 200 beds per acre which is the maximum density increase that the Board has granted.

Applicant Presentation:

Hal Grayson, Developer Representative for Applicant, (EPOCH Huntsville, LLC), gave a brief history of his past developments. He also noted that this variance request is in line with those previously granted by the Board for other recent student housing projects in the City. The Applicant is asking for the density increase to allow nineteen (19) additional one (1) bedroom units for the project. If variance is granted there will be a total of 181 units with 633 beds. The development will provide parking in compliance with the City's Development Code.

Daniel Larrison, consultant for the project, spoke to support the applicant's variance request and indicated that the project will go forward even if the variance is denied. He also compared this student housing project to other similar developments in the City. He responded that the number

of bedrooms for the project will be capped at 657 when questioned by Board Vice-Chairman, **Mari Montgomery**.

Rodney Cooksey, residing at 137 Woodfarm Road, spoke in support of the proposed project noting that the project will benefit the City and increase revenue for the tax rolls.

Letters in support of the variance were submitted to staff from Rodney Cooksey, Clint McLaren, Colt Christian, and Regan Cooksey.

Speakers in opposition of the variance request:

Clarence Hightower, residing at 4358 FM 1374, spoke stating his opposition to developments being allowed to exceed the requirements of the Development Code. He is against the unfavorable side effects that this development will bring to the neighborhood.

Charles Wagamon, residing at 1624 Ave. O, spoke in opposition expressing concern for the increased traffic the development will generate on Avenue O. He also mentioned that property values in the neighborhood may decrease as a result of the student housing project.

Robert Vanu, residing at 2108 Ave. O, spoke in opposition stating that other recent student housing developments have been constructed in predominately commercial areas and not so close to single family residential dwellings. He feels that this development will change the nature of the neighborhood.

Charlotte Sanders, residing at 204 Preston, spoke expressing concerns regarding increased traffic, insufficient parking, and trouble it will bring to the residential area.

Lee Miller, residing at 1609 Ave. R, spoke in opposition stating that the proposed development is situated in an inappropriate location that will bring negative impacts to the neighborhood. She recommends that the variance be denied.

Jesse Wilson, residing at 1926 20th St, spoke in opposition expressing traffic concerns as well as lack of drivers obeying traffic laws.

Wilber Ardon, residing at 1422 16th St, spoke in opposition noting the unattractiveness of the proposed structure and expressing concerns about inadequate parking for the project. He noted that developers should be required to follow City development rules/regulations.

Beth Friel, residing at 216 Pine Valley, spoke in opposition expressing that the structure does not fit the neighborhood and it is not a desirable addition for the neighborhood. She also expressed concerns regarding parking and stated that the variance is not appropriate.

Michael Henderson, residing at 1319 Ave. N, spoke in opposition illustrating the diverse occupants of the neighborhood and affordable housing offered in the neighborhood. The affordable existing housing adjacent to the university is attractive. This structure will affect property values and it needs to comply with development regulations.

Melissa Medman, residing at 1616 Ave. N #3, expressed opposition to the variance request.

Ray Gravlin, residing at 1510 18th St, spoke in opposition stating that the development will only benefit developers from Houston and does not benefit the citizens of Huntsville. The development is going to need more than 633 parking spaces; what about visitor parking? He also inquired about green space being provided for the development.

Interim City Planner Janet Ridley stated that the Development Code requires the provision of one parking space per bedroom and that the project will be required to comply with the parking requirements of the Code.

Marion Wagamon, residing at 1624 Ave O, spoke in opposition stating that the Development Code's requirement for provision of one parking space per bedroom is unrealistic.

John Smither, residing at 2015 Ave O, spoke in strong opposition to the granting of requested variance.

Letters in opposition to the variance were submitted to staff from Marion Wagamon and Earl and Irene Jones.

Rebuttal:

Hal Grayson, developer and applicant representative, defended his case for the development and stated that he will cooperate with the City and comply with Development Code regulations for all other development requirements. He stated that Sam Houston State University is one of the fastest growing colleges in Texas. The Variance request is just to allow an additional 19 beds for the project and everything else will comply with the requirements of the Development Code.

Daniel Larrison, developer project consultant, noted the type existing development surrounding the project site and stated that the results of the traffic study that has been completed for the proposed development. The traffic study gave a grade of "A" for the proposed development resulting in no recommendations for roadway improvements for signalized and unsignalized street intersections.

Several Citizens questioned the parking requirements for the proposed project.

City Manager, Aron Kulhavy, provided clarification of the Development Code parking requirement for apartments. A minimum of one parking space per bedroom is required for apartment developments. Therefore, if there are 633 bedrooms in the development, a minimum of 633 parking spaces will be required to be provided for the development.

Board Chairman Montgomery closed the public hearing.

- 6. CONSIDER** the variance request by EPOCH Huntsville, LLC, Applicant, for a variance to **Table 5-1: Lot and Building Setback Regulations in Article 5 Lot and Setback Regulations of the City of Huntsville Development Code** relating to maximum density for Apartment/Condo development for a proposed student housing project to be located at 1401 16th Street.

Board Member Hannes discussed and questioned how the applicant's traffic study engineer arrived at a grade of "A" for development given the development's location.

Board Member Hannes made a motion to deny the variance request. Second was by Board Member Grigsby. The vote was unanimous.

7. CONSIDER the minutes of June 1, 2018.

Board Member Cromer made a motion to accept the minutes. Second was by Board Member Watkins. The vote was unanimous.

8. ADJOURNMENT

The meeting was adjourned. [1:25 PM]