

MINUTES
CITY OF LIVE OAK
BOARD OF ADJUSTMENT
8001 SHIN OAK DRIVE, LIVE OAK, TEXAS
THURSDAY, AUGUST 20, 2015

1. CALL TO ORDER

Vice Chairman Tsai called the meeting to order on August 20, 2015 at 6:05 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

A moment of silence was observed and the Pledge was recited.

3. ROLL CALL

PRESENT

Vice Chairman Phillip Tsai
Member John Talbot
Member Margaret Zucco
Alt. Janeth D. Sanchez

ABSENT

Alt. Member Italli Liberatore
Chairman (VACANT)

Staff asked Alt. Member Janeth D. Sanchez to vote in the absence of Mr. Emler until the vacancy is filled.

4. CITIZENS TO BE HEARD

Norman Broyles – 200 Bourland Rd., Keller, Texas – Representing Lot 15, Block 40, Selma, Texas 78154. In opposition as a property owner due to the following concerns:

- Distance from 5 story buildings to the back side of the Selma residential properties abutting the project
- Providing additional informational packets to all property owners within the 200 ft.
- Asked if the City of Selma had been provided an opportunity for input

Donna Lowder – read the public notices received by staff via US postal service for the following in opposition:

- Mary Ann McCurdy Living Trust – Lot 17, Block 40
- Christoval Saldana & Guadalupe Saldana – Lot 1, Block 40

5. CONSENT AGENDA

A. Approval of Minutes – August 21, 2014 – Regular Meeting

Member Talbot made the motion to approve the consent agenda as submitted; seconded by Member Zucco.

Vote FOR: Members Talbot, Zucco, and Vice Chairman Tsai; and Alt. Member Sanchez - **PASSED 4-0**

6. NEW BUSINESS

- A. V-15-003: THE APPLICANT HAS SUBMITTED A REQUEST TO DEVELOP A SENIOR LIVING FACILITY WITH A DENSITY OF 30 UNITS PER ACRE IN A B-3 DISTRICT. THE PROPERTY IS DESCRIBED AS LOT 4, BLOCK 3, COUNTY BLOCK 5043 GATEWAY PLAZA UNIT 9 AS RECORDED IN BOOK/VOLUME 9580 PAGE 122. THE 15 ACRE TRACT OF LAND IS SITUATED ALONG THE EAST SIDE OF GATEWAY BOULEVARD APPROXIMATELY 1,500 FEET NORTH OF THE INTERSECTION OF GATEWAY BLVD. AND LOOP 1604 IN LIVE OAK, TEXAS, BEXAR COUNTY, TEXAS; ALSO KNOWN AS GATEWAY SHOPPING PLAZA.**
- B. V-15-004: THE APPLICANT HAS SUBMITTED A REQUEST TO DEVELOP A SENIOR LIVING FACILITY TO ALLOW FOR FIVE STORY BUILDINGS WITH A MAXIMUM ROOF HEIGHT OF 65FT. IN A B-3 DISTRICT. THE PROPERTY IS DESCRIBED AS LOT 4, BLOCK 3, COUNTY BLOCK 5043, GATEWAY PLAZA UNIT 9 AS RECORDED IN BOOK/VOLUME 9580 PAGE 122. THE 15 ACRE TRACT OF LAND IS SITUATED ALONG THE EAST SIDE OF GATEWAY BOULEVARD APPROXIMATELY 1,500 FEET NORTH OF THE INTERSECTION OF GATEWAY BLVD. AND LOOP 1604 IN LIVE OAK, TEXAS, BEXAR COUNTY, TEXAS; ALSO KNOWN AS GATEWAY SHOPPING PLAZA.**

Vice Chairman Tsai read legal descriptions for both V-15-003 & V-15-004 and asked staff to make presentation.

Jordan Matney gave a brief overview of the proposed development to be located on 30 acres at the Gateway Plaza between Cavender Cadillac and the Mira Loma Apartments. The development will consist of a senior living community that will include independent living, assisted living and a memory care unit.

- Request a five (5) story building to minimize travel distances for residents.
- The developer had asked for a parking ratio variance, V15-002 but the city has found it to be in compliance and exceeds the parking requirements of the current ordinance for a B-3; therefore not a necessary request.
- Live Oak Fire Department has been consulted and will be able to provide adequate fire protection in conjunction with mutual aid services from surrounding city fire districts.
- Confirmed the senior living facility's height footprint would be outside of the Randolph Brooks Air Force Base' flight stadium.
- All notifications to property owners and proper posting in our newspaper of record had been accomplished.
- Owners will be required to make the repairs to the Retaining wall on the property before any building permits will be approved before construction is allowed to commence.
- The frontage area in front of the proposed property will be available for retail and restaurants.
- The ordinance requires that a Landscape buffer will be placed between the rear of the project and the Selma single family residential properties along with an 8ft privacy fence.
- Staff had no objections to the Density variance request.

Ms. Matney introduced Mr. Lee Wong, Senior Managing Director with Drever Capital Management to make a combined presentation for both V15-003, Density request and V15-004, Height request.

Lee Wong – 2900 Paradise Dr., Belvedere Tiburon, CA, 94920 – stated the owners would be closing on the property at the end of the year. The following key points were provided during the public meeting:

- Phase I of the facility would consist of 150 units and Phase II would add an additional 250 units.
- Assisted Living, 500 square foot buildings, Memory Care, 500 square foot building and Independent living, 800 square foot buildings would be provided with the new complex.
- A density variance was requested to minimize travel distances for residents from building to building.
- The 5 story buildings would provide shade structure for the Independent Living residents' healthy outdoor activities.
- Owners will repair the retaining wall and will resubmit new flow calculations to the city's engineer for review and compliance.

Q&A:

Member Zucco – Asked if the planned parking lot would be sufficient to accommodate the independent living care residents and visitors; she also asked if the owner would consider an underground parking structure; Mr. Wong stated the owner deferred the underground option due to the cost of such a parking structure and the fact that the parking requirement was in compliance with the current ordinance. Ms. Zucco asked for clarification on the fire suppression for the potential of 400 residents; Mr. Wong assured the Board that all buildings would be equipped with fire suppression per the Texas Department of Aging and Disability Services the building would be a Type B – (Non-combustible material) building. Ms. Zucco asked if an ingress or egress would be located on the Selma side of the property; Ms. Matney stated Lookout Road and Loop 1604 would be the only entrances and exits from Gateway Boulevard.

Alt. Member Sanchez – Asked staff if there were similar facilities within the Live Oak area; Ms. Matney stated Live Oak currently has an assisted living on Toepperwein Road and a new facility being constructed on Palisades Drive to include a memory care.

Vice Chairman Tsai – Concerned with Traffic within the area and view points for the Selma residents; Ms. Matney confirmed the city would ask for a traffic impact study and reiterated that the Gateway area is zoned properly for this type of business along with retail and restaurants.

Member Talbot – Stated the type of facility would be a “natural” fit for the area and welcomed the project.

Hearing no further testimony, Vice Chairman Tsai called for a motion. Member Talbot made a motion to approve request #V-15-003, building density as presented; seconded by Member Zucco.

VOTE FOR: Members Zucco and Talbot; Alt. Member Sanchez; and Vice Chairman Tsai. **4/0**

Vice Chairman Tsai called for a motion on V-15-004, Height variance request. Member Talbot made a motion to approve request #V-15-004, height variance with the stipulation that no five (5) story building shall be constructed any closer than 200 feet from the City of Selma's single-family residential properties which abuts the rear of the proposed site; seconded by Alt. Member Sanchez.

VOTE FOR: Members Zucco and Talbot; Alt. Member Sanchez; and Vice Chairman Tsai. **4/0**

7. ADJOURNMENT

