

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, AUGUST 15, 2016, AT 9:00 AM IN THE SOUTH MEETING ROOM OF THE MCNEASE CONVENTION CENTER, 501 RIO CONCHO DRIVE, SAN ANGELO, TEXAS**

**PRESENT:** VALERIE PREISS (CHAIR), RYAN SMITH, SAMMY FARMER, MARK CRISP, JOE SPANO, TRAVIS STRIBLING

**ABSENT:** TERI JACKSON (VICE CHAIR)

**STAFF:** Jon James, AICP – Planning and Development Services Director  
Rebeca Guerra, AICP, LEED-AP, CPD – Planning Manager  
Dan Saluri, Esq. – City Attorney’s Office  
AJ Fawver, Planning and Development Administrator  
Charlie Kemp, Deputy Building Official  
Rachel Wood, Permit Technician  
Joe Mangrem, Assistant City Engineer  
David Stallworth, AICP – Principal Planner  
David Fee, AICP – Senior Planner  
Jeff Fisher – Planner I

**I. Call to order.**

Chairwoman and Commissioner Valerie Priess called the meeting to order at 9:02 a.m. and established that a quorum of six (6) was present.

**II. Prayer and Pledge.**

The prayer was delivered by Mr. Samuel Green, Jr. The pledge was led by Chairperson Valerie Priess.

**III. Consent Agenda:**

- A. Consideration of approving the July 18, 2016, Planning Commission meeting minutes.
- B. Third Replat in Block 23, PaulAnn Park, Section Thirteen

**A Motion to APPROVE the Consent Agenda was made by Commissioner Stribling; Commissioner Smith seconded the Motion. The motion carried unanimously, 6-0.**

#### IV. Regular Agenda:

##### 1. Subdivision Plats

*The Planning Commission has final authority for approval; appeals may be directed to City Council*

##### A. SABP North Subdivision, Section One

Public hearing and consideration of a request for approval of a Final Plat for the SABP North Subdivision, Section One, and a Variance from Chapter 10, Section III.A.2. to allow for a 47-foot paving width in lieu of 64 feet for West 29<sup>th</sup> Street, an Arterial Street.

Jeff Fisher, Planner, outlined the proposed request for a Final Plat on the subject 0.452-acre tract adjacent to West 29<sup>th</sup> Street. The property contains a Julio's drive-thru restaurant. The existing building is too small to accommodate seating and will be relocated and replaced with a new, larger building with indoor seating that requires a Subdivision Plat. Mr. Fisher outlined Staff's recommendation to approve the plat, approve the variance from the required road widening on West 29<sup>th</sup> Street, and require a 5-foot wide sidewalk along the West 29<sup>th</sup> Street right-of-way to improve pedestrian connectivity and safety.

There was no public comment.

**Commissioner Smith made a Motion to APPROVE the Final Plat, APPROVE the variance to maintain a 47-foot paving width for West 29<sup>th</sup> Street, and REQUIRE a 5-foot wide sidewalk along the right-of-way of West 29<sup>th</sup> Street, subject to the 5 Conditions contained in the Staff Report. Commissioner Farmer seconded the Motion. The Motion passed unanimously, 6-0.**

##### 2. Comprehensive Plan Amendments and Rezonings

*City Council has final authority for approval of Comprehensive Plan Amendments and Rezonings.*

**(Principal Planner David Stallworth presented both cases concurrently as part of one presentation. Separate motions were made for each case. The minutes for each case below reflects this information).**



**A. VP16-01: Backlund and Buck**

Public hearing and consideration of a request for approval of an Amendment to the City of San Angelo Comprehensive Plan (a.k.a. Vision Plan), changing certain lands from the Neighborhood Center Future Land Use Category to the Neighborhood Future Land Use Category, located along the east side of South Bishop Street, between West Beauregard Avenue and West Harris Avenue, on 0.14 acres.

David Stallworth, Principal Planner, outlined both requests for a Vision Plan Amendment and Zone Change on the subject property. He explained that because both applications pertain to the same property, one presentation would be made. Mr. Stallworth displayed photographs of the surrounding area and the requested amendments to recognize an existing single family dwelling on the property. He outlined Planning Staff's rationale to approve the Vision Plan Amendment and Zone Change for several reasons, including that the reclassification to a "Neighborhood" designation and a Zone Change to an RS-2 Zoning meets the goals of the Vision Plan; that there is little development opportunity for a non-residential land use; and that a single family dwelling already exists on the property.

Commissioner Crisp asked if this would be considered spot zoning.

Mr. Stallworth responded the request would not be spot zoning because there is already RS-2 zoning immediately to the north and this would be a continuous extension of this type of zoning.

Rebeca Guerra, Planning Manager, explained that when Council originally designated this corridor, they drew a linear line which left some residential properties zoned commercial or dual zoned.

There was no public comment.

**(An initial motion made by Commissioner Crisp, and seconded by Commissioner Stribling to approve both the Vision Plan Amendment and Zone Change as one item passed 6-0 but was deemed to be in error as two separate motions were required. Chairwoman Priess reopened this item after Item 3A and approved the following motion which is now in full force and effect):**

**Commissioner Crisp made a Motion to recommend APPROVAL of the Amendment to the City of San Angelo Comprehensive Plan (a.k.a. Vision Plan) from "Neighborhood Center" to "Neighborhood." Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.**

**B. Z16-05: Backlund and Buck**

Public hearing and consideration of a request for approval of a Zone Change from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the Two-Family Residential (RS-2) Zoning District, located along the east side of South Bishop Street, between West Beauregard Avenue and West Harris Avenue, on 0.14 acres.

David Stallworth, Principal Planner, outlined both requests for a Vision Plan Amendment and Zone Change on the subject property. He explained that because both applications pertain to the same property, one presentation would be made. Mr. Stallworth displayed photographs of the surrounding area and the requested amendments to recognize an existing single family dwelling on the property. He outlined Planning Staff's rationale to approve the Vision Plan Amendment and Zone Change for several reasons, including that the reclassification to a "Neighborhood" designation and a Zone Change to an RS-2 Zoning meets the goals of the Vision Plan; that there is little development opportunity for a non-residential land use; and that a single family dwelling already exists on the property.

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Mr. Stallworth responded the request would not be spot zoning because there is already RS-2 zoning immediately to the north and this would be a continuous extension of this type of zoning.

Rebeca Guerra, Planning Manager, explained that when Council originally designated this corridor, they drew a linear line which left some residential properties zoned commercial or dual zoned.

There was no public comment.

**(An initial motion made by Commissioner Crisp, and seconded by Commissioner Stribling to approve both the Vision Plan Amendment and Zone Change as one item passed 6-0 but was deemed to be in error as two separate motions were required. Chairwoman Priess reopened this item after Item 3A and approved the following motion which is now in full force and effect):**

**Commissioner Crisp made a Motion to recommend APPROVAL of the Zone Change from "General Commercial/Heavy Commercial (CG)" to "Two-Family Residential (RS-2)." Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.**



### 3. Conditional Uses

*The Planning Commission has final authority for approval; appeals may be directed to City Council.*

#### A. CU16-05: Verizon Wireless

Public hearing and consideration of a request for approval of a Conditional Use to allow for a new 125-foot tall monopole Telecommunications Tower, in the General Commercial & Heavy Commercial (CG/CH) Zoning District, located approximately on the southeast corner of the intersection of East Avenue D and Orient Street, on 0.274 acres.

David Fee, Senior Planner, outlined the case. The proposed 125-foot tall monopole telecommunication tower would be located at the northwest quadrant of the site.

There was no public comment.

**Commissioner Farmer made a Motion to APPROVE the request, subject to the seven (7) Conditions contained in the Staff Report, and Commissioner seconded the Motion. The Motion passed unanimously, 6-0.**

#### B. CU16-07: SABP

Public hearing and consideration of a request for approval of a Conditional Use to allow for Retail Sales and Service (Restaurant), as outlined in Section 315.H in the Light Manufacturing (ML) Zoning District, located approximately 300 feet northwest of the intersection of North Bryant Boulevard and West 29<sup>th</sup> Street, on 0.452 acres.

Jeff Fisher, Planner, outlined the request for a Conditional Use to allow a new restaurant on the subject property. He explained that the existing Julio's restaurant does not have indoor seating which is inconvenient for customers, and that the proposed new restaurant building would include capacity seating for 76 patrons. Mr. Fisher outlined Planning Staff's rationale for approval which included that there has been a restaurant on the property since 1996, that the proposal complied with all zoning and development standards, and that it was located in a neighborhood commercial corridor with other commercial uses including another restaurant, Chicken Express, across the street.

The applicant Louis Blaneck spoke on behalf of the request. He reiterated Mr. Fisher's comment that the purpose of the new building would be to allow patrons to eat inside a large restaurant with indoor seating.

**Commissioner Spano made a Motion to APPROVE the request subject to the 5 Conditions of Approval contained in the Staff Report, and Commissioner Smith seconded the Motion. The Motion passed unanimously 6-0.**

**4. Expansion of Non-Conforming Uses**

*The Planning Commission has final authority for approval; appeals may be directed to City Council.*

**A. NCU16-02: Republic Services**

Public hearing and consideration of a request for an Expansion of a Non-Conforming Use (a Sanitary Landfill), as defined in Section 609 of the Zoning Ordinance in the Ranch and Estate (R&E) Zoning District, located approximately 0.36 miles northeast of the intersection of Old Ballinger Highway and Paulann Boulevard, on 4.9720 acres.

**(Commissioner Spano recused himself from voting on this item at 9:36 a.m. due to a potential conflict of interest).**

David Fee, Senior Planner, outlined the request for an Expansion of a Non-Conforming Use to recognize an existing sanitary landfill and new scale house on the property. The Future Land Use of the property is Industrial and the current zoning is Ranch and Estate (R&E) Zoning District. He explained Staff's rationale for approval, including that there was a 180-foot street and rail line buffer from the residential properties to the south, that the surrounding area contained industrial uses, that the scale house was replacing the existing one in the same location and not have an effect on the natural environment, and that the scale house would fulfill a need for improved landfill operations.

There was no public comment.

**Commissioner Farmer made a Motion to APPROVE the request subject to the 1 Condition of Approval contained in the Staff Report, and Commissioner Crisp seconded the Motion. The Motion passed unanimously 5-0.**

**5. Text Amendment**

*City Council has final authority for approval of Text Amendments.*

**A. Sign Ordinance Text Amendment**

Discussion and possible action regarding a text amendment to *Chapter 12, Article 12.04 Signs*, for Portable signage.



**(Commissioner Spano returned to the meeting at 9:41 a.m.).**

Jon James, Director of Planning and Development Services explained that Planning Services was approached several months ago by a citizen with a request to make changes to the Sign Ordinance as it relates to portable signs.

Mr. James explained that the proposed change is under the Portable Signs section of the Sign Ordinance, Section H, to allow advertising for an off-site special event. He indicated that the current portable sign provisions only allow for advertising related to goods and services being provided on the property, as well as for public service announcements which may take place off the property. The amendment would also allow a portable sign to be erected on a property for special events taking place on a different property. Mr. James explained that an applicant for a portable sign was recently denied a sign permit because the sign was advertising a private business, and not a non-profit, and therefore was not considered a public service announcement. Mr. James further explained that included in the portable sign amendment is a definition for "Special Event" which is "an event that lasts no more than 2 weeks to which the general public is invited." Mr. James indicated that Staff was recommending approval. He concluded by stating that a broader set of changes to the portable sign section of the Sign Ordinance may be brought forward in the future. Some of these changes could include an examination of the distinction between on-premise and off-premise signs, as well time limitations.

Commissioner Farmer asked if extending special events to three weeks would cover events like the rodeo.

Mr. James indicated that the rodeo had its own set of regulations and that these portable sign regulations would not apply to the rodeo.

There was no public comment.

**Commissioner Smith made a Motion to APPROVE the portable sign text amendment to the Sign Ordinance as written, and Commissioner Farmer seconded the Motion. The Motion passed 5-1 with Commissioners Smith, Farmer, Priess, Spano, and Crisp voting in favor, and Commissioner Stribling voting against.**

## **V. Director's Report.**

Discussion regarding the upcoming Northwest Texas Elected & Appointed Officials Planning Workshop in Midland on Friday, August 26, 2016.

Jon James, Director of the Planning and Development Services Department, reminded the Planning Commissioners of the upcoming training for Planning Commissioners, the Northwest Texas Elected & Appointed Officials Planning Workshop in Midland on Friday, August 26, 2016. He mentioned that other Board Members as well as City Councilors were also invited.

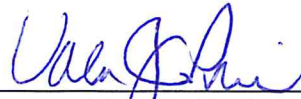
Mr. James also stated the 2-day State Planning Conference which will take place on November 3<sup>rd</sup> and 4<sup>th</sup> in San Antonio is also open to the Planning Commissioners to attend and there are funds set aside for this event.

**VI. Future meeting agenda and announcements.**

Chairperson Priess indicated that the next regular meeting of the Planning Commission was scheduled to begin at 9:00 a.m. on **Monday, September 19, 2016**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

**VII. Adjournment.**

Commissioner Smith made a Motion to adjourn at 9:52 a.m., and Commissioner Stribling seconded the Motion. The Motion passed unanimously, 6-0.



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Valerie Preiss, Chairperson,  
Planning Commission