

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, JULY 18, 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), TERI JACKSON (VICE CHAIR), RYAN SMITH, SAMMY FARMER, MARK CRISP, JOE SPANO

**ABSENT:** TRAVIS STRIBLING

**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  
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 9:04 a.m. and established that a quorum of six (6) was present.

**II. Prayer and Pledge.**

The prayer was delivered by Reverend Bob Schmeltekopf with Southland Baptist Church. The pledge was led by Chairperson Valerie Priess.

**III. Consent Agenda:**

A. Consideration of approving the June 20, 2016, Planning Commission meeting minutes.

**A Motion to APPROVE the Consent Agenda was made by Commissioner Smith; Commissioner Jackson 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. Revised Preliminary Plat in Block 23, PaulAnn Park, Section Thirteen**

A request for approval of a Preliminary Plat in Block 23, Paulann Park, Section Thirteen.

Jeff Fisher, Planner, outlined the proposed request for a revised Preliminary Plat on the subject land. He provided a history of platting on the properties, beginning with the first Preliminary Plat in 1996 that had rear alleys, and a later Preliminary Plat in 1998 that included the six lots already platted to the east with rear alleys and a new Smith Court. Mr. Fisher then displayed an exhibit of the most recent revised preliminary plat which maintained Smith Court but eliminated the east-west alley. The other significant change explained by Mr. Fisher, is that none of the lots will back out directly onto Smith Boulevard.

Mr. Fisher outlined staff's rationale to approve the revised Preliminary Plat, subject to the four conditions of approval in the Staff Report, which included its conformity with the City's Comprehensive Plan and Intent of Purpose Statements in Chapter 2 of the Subdivision Ordinance.

Commissioner Priess opened up the meeting to public comment.

Ms. Lucy Gonzales, who is a resident of Paulann, raised concerns the lots would be smaller than what was already in the neighborhood.

Russell Gully with SKG Engineering representing the applicant, clarified that the proposed Preliminary Plat will maintain a total of twenty-two lots, the same as the previous Preliminary Plat.

**Commissioner Crisp made a Motion to APPROVE the Revised Preliminary Plat, subject to the 4 Conditions contained in the Staff Report, and Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.**

**B. Second Replat in Block 23, PaulAnn Park, Section Thirteen**

A request for approval of a Revised Second Replat in Block 23, Paulann Park, Section Thirteen and a Variance from Chapter 10, Section III.A.2. to allow for a 36-foot paving width in lieu of 40 feet and no sidewalk for Selman Drive, a Local Street.

Jeff Fisher, Planner, outlined the revised second Replat request. He explained this is a resubmission of last month's request which was denied for not being in general conformity with the governing Preliminary Plat, and not conforming to the City's Comprehensive Plan or Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. He

explained that the new revised second Replat has increased the land acreage from 1.905 acres to 2.379 acres and has eliminated any remnant, unbuildable acreage.

Mr. Fisher outlined Staff's recommendation to approve the second revised Replat, deny the variance to maintain a 36-foot paving width on Selman Drive, and require sidewalks along Selman Drive and Gregory Drive, subject to 5 conditions of approval contained in the Staff Report.

Mr. Fisher provided staff's rationale for recommending approval of the revised Replat, which included that it generally conforms to the new proposed Preliminary Plat, that it conforms to the City's Comprehensive Plan and Intent of Purpose Statements in Chapter 2 of the Subdivision Ordinance, and that the new lot configurations and lot sizes are consistent with other lots in the Paulann neighborhood. Mr. Fisher then provided an exhibit displaying existing and potential pedestrian connections and footpaths in the immediate area as justification for recommending sidewalks along Selman Drive and Gregory Drive, and increased paving width along Selman Drive. He explained that while Staff did not see many pedestrians walking at this time, if sidewalks were instituted, Staff believes that more pedestrians would take advantage of the sidewalks, increasing walkability in the area. He further explained that the applicant's assertion that there are no other sidewalks in the area is not justification for not installing them in this location. Mr. Fisher explained that for safety reasons, the construction of new sidewalks were justified along Selman Drive and Gregory Drive and would increase connectivity and enhance safety in the immediate area.

Commissioner Farmer asked how connectivity would be enhanced by connecting a sidewalk to a footpath. Mr. Fisher responded that there was an existing footpath along Ricks Road as well as private laneways nearby. Sidewalks along both Selman Drive and Gregory Drive would allow a continuous sidewalk to be in close proximity to the existing footpaths and laneways which were approved as part of other subdivision developments, as well as providing further connectivity to Smith Boulevard.

Ms. Lucy Gonzales, a resident of Paulann, indicated that many school children have to use the existing footpaths because there are no sidewalks in the neighborhood. She believes as part of this application there is an opportunity to finally get sidewalks in the area.

Russell Gully with SKG Engineering spoke on behalf of the applicant. He outlined the relevant statements in Chapter 9.V of the Subdivision Ordinance pertaining to when sidewalk construction is required. He opined that sidewalks were only required on streets less than 36 feet

wide or where public safety is a factor, such as in association with a school route plan, otherwise, they are generally not required. He stated that he believed that this location was not close enough to a local school to meet the public safety criteria for a sidewalk.

Commissioner Crisp asked if there were any more undeveloped lots in this area that may have a need for sidewalks. Mr. Fisher responded that to his knowledge this was the last site in the immediate area that has not been developed. He also responded to Mr. Gully that the Chapter 9 policy on installing sidewalks as it relates to being near a school or recreation site is not exclusive, that the term "such as" in these locations means that sidewalks could also be required in other areas, where public safety was deemed to be a concern. Mr. Fisher concluded by explaining the other reason for sidewalks is that when the original preliminary plat was establishment in the 1990s, the previous Subdivision Ordinance required rear alleys when streets were only 36 feet wide. Without requiring sidewalks as part of this subdivision request, an opportunity would be lost to provide more pedestrian connectivity in this area.

Ms. Lucy Gonzales reiterated the large number of pedestrians such as walkers and joggers in the area that have to currently use the street because there are no sidewalks.

Joe Mangrem, Assistant City Engineer, indicated that installation of sidewalks as part of this subdivision request would be much cheaper than attempting to install them at a later date.

Commissioner Crisp expressed that he did not believe sidewalks adjacent to the development would benefit the neighborhood as no other sidewalks were built in the immediate area.

Commissioner Smith believed that future development to the west would benefit from the additional sidewalks.

**Commissioner Smith made a Motion to APPROVE the Revised Second Replat, DENY the Variance from the required paving width on Selman Drive, and to require sidewalks along Selman Drive and Gregory Drive. Commissioner Spano seconded the motion. The Motion FAILED by a vote of 4-2, with Commissioners Priess, Jackson, Farmer, and Crisp voting against.**

**A second Motion was made by Commissioner Crisp to APPROVE the Revised Second Replat, APPROVE the Variance from the required paving width on Selman Drive, and to exempt the requirement for sidewalks along Selman Drive and Gregory Drive. Commissioner Jackson seconded the motion. The Motion**

**PASSED by a vote of 4-2, with Commissioners Crisp, Jackson, Priess, and Farmer voting in favor, and Commissioners Smith and Spano voting against.**

**2. Rezoning**

*City Council has final authority for approval of Rezoning.*

**A. PD16-02: Tom Green County**

A request for approval of a Rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District for the Tom Green County Detention Facility with limited accessory uses including: firearms range, light manufacturing, recovery facility - alcohol and drug, telecommunications facilities, safety services, office, recovery services, and maintenance facilities, located east of the intersection of U.S. Highways 67 and 277, on 179.174 acres.

David Fee, Senior Planner, outlined the request. The Future Land Use of the site is Campus/Institutional and the zoning is Ranch and Estate (R&E). Mr. Fee showed exhibits of the area which include an existing correctional facility immediately south. He outlined Planning Staff's rationale to recommend approval of the application subject to seven conditions of approval. The rationale included that the request was consistent with the Campus/Institutional Future Lane Use Designation, that other similar public institutions exist in the City, and that the site offers adequate space and security.

Commissioner Jackson asked who would be using the shooting range nearby. Mr. Fee responded that the Sheriff's Office may be using this shooting range facility, but that he did not believe there would be another facility.

Russell Gully, from SKG Engineering and a representative for the applicant, indicated that the current shooting range is a small facility and some of the stations will be moved to avoid conflict with the location of the nearby detention pond.

Mr. Gully indicated that Condition #3 which requires colors and materials is redundant as it is already required by an Urban Design Review. He requested that Condition #3, and Condition #5 which requires an Urban Design Review that is already required by the Zoning Ordinance, be removed.

Mr. Gully also raised a concern about Condition #7 in that the entire area may not be replatted particularly where the firearms range is located and that this condition be removed.

Mr. Jon James, Director of Planning and Development Services, indicated that Condition #3, although already required by the Zoning Ordinance through an Urban Design Review, was reiterated for clarity. He also explained that Condition #5 specifically referencing the Urban Design Review was intended to also cover design for buildings under 25,000 square feet. Mr. James indicated that Condition #7 could be amended to mandate that no building permits be issued until the entire site is platted.

**Commissioner Spano made a Motion to recommend APPROVAL of the request, eliminating Condition #3 and revising Condition #7 as follows: "Prior to a Certificate of Occupancy, the entire 179.174-acre site shall be platted." 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. CU16-06: Lewis Elliott**

A request for approval of a Conditional Use to allow for limited retail sales and service (specifically, the sale of Agricultural Produce) in the Light Manufacturing (ML) Zoning District, located northwest of the intersection of North Bryant Boulevard and Humble Road, on 1.231 acres.

Jeff Fisher, Planner, outlined the request for a Conditional Use to allow hay sales on the subject property, zoned ML. He explained that prior to the application being submitted, a compliant was received by the City's Code Compliance Division for the selling of hay as well as a residential RV, neither of which are permitted uses. Planning Staff recommended the applicant apply for a Conditional Use to allow agricultural produce sales but that the RV would have to be removed as it is incompatible with industrial-type ML zoning. Mr. Fisher outlined Staff's rationale to approve the Conditional Use, subject to the seven conditions in the Staff Report, for several reasons, including that an existing privacy fence would be extended to buffer from the adjacent residence, that there are other retail sales activity already in the area, and that the adjacent Ranch and Estate (R&E) Zoning allows agricultural production with accessory sales of that produce.

Commissioner Jackson asked what other zoning categories would allow agricultural sales.

Mr. Fisher responded that commercial zones such as CN or CG that allow retail sales would also allow agricultural sales, but that Planning Staff preferred to maintain the ML Zoning with a Conditional Use for agricultural sales given the area is predominantly zoned ML.

Jon James, Director of Planning and Development Services, indicated that the Conditional Use could be limited by the Planning Commission to this particular applicant or owner and not carry over with the land.

There was no public comment.

**Commissioner Crisp made a Motion to APPROVE the request subject to the 7 Conditions contained in the Staff Report, and Commissioner Farmer seconded the Motion. The Motion passed 5-1 with Commissioners Crisp, Farmer, Priess, Smith, and Spano voting in favor, and Commissioner Jackson voting in opposition.**

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

##### **Discussion regarding future training for the Planning Commission.**


Jon James, Director of the Planning and Development Services Department, indicated that there is a tentative Regional Elected Officials Training on August 26, 2016, likely in Midland. He asked the Planning Commissioners if they could check their availability and notify Planning Staff if they can attend.

#### **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, August 15, 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 10:09 a.m., and Commissioner Spano seconded the Motion. The Motion passed unanimously, 6-0.

  
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Valerie Preiss, Chairperson,  
Planning Commission