

MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, JUNE 20, 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, TRAVIS STRIBLING, JOE SPANO

ABSENT: N/A

STAFF: Jon James, AICP – Planning and Development Services Director
Rebeca Guerra, AICP, LEED-AP, CPD – Planning Manager
Dan Saluri, Esq. – City Attorney’s Office
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 9:03 a.m. and established that a quorum of seven (7) was present.

II. Prayer and Pledge.

The prayer was delivered by Ms. Betty Dunavant of Wesley Trinity United Methodist Church. The pledge was led by Commissioner Valerie Priess.

III. Consent Agenda:

A. Consideration of approving the April 18, 2016 and May 16, 2016 Planning Commission meeting minutes.

B. First Replat of E&B Bryant Properties North, Section One

A Motion to APPROVE the Consent Agenda was made by Commissioner Smith; Commissioner Jackson seconded the Motion. The motion carried unanimously, 7-0.

IV. Regular Agenda:

1. Subdivision Plats

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

A. Second Replat in Block 23, Paulann Park, Section 13

A request for approval of a 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, provided a brief synopsis of the case. Mr. Fisher indicated the location of the area to be replatted, a 1.905-acre site at the southeast corner of Gregory Drive and Selman Drive. Mr. Fisher outlined the proposed replat for 12 single-family residential lots, and stated reasons why the Planning Division believes this replat is inconsistent with the governing preliminary plat and should be denied. These reasons included that the replat depicts smaller lots than the preliminary plat; different lot configurations; the lack of rear alleys and a "Smith Court", and a deficient space between Lot 7 and the north-west alley to the east for a new lot. Mr. Fisher also explained why the Planning Division believed this replat was not in conformity with the City's Comprehensive Plan or the Intent of Purpose Statements in the Subdivision Ordinance, mainly, that there is a lack of connectivity through streets, alleys and pedestrian connections. Mr. Fisher further outlined existing footpaths and a crosswalk in the area, and the need for a future sidewalk along Selman Drive. Mr. Fisher concluded his presentation with a recommendation of DENIAL of the plat and DENIAL of the variance to maintain a 36-foot paving width on Selman Drive and no sidewalk.

Commissioner Farmer asked if it was appropriate to require this portion of Selman Drive adjacent to the plat to be widened when the rest of Selman Drive would not be widened.

Rebeca Guerra, Planning Manager, explained that Staff is not necessarily requiring the road to be widened, but that should the applicant wish to maintain a 36-foot wide paving width, that they must install a rear alley consistent with the governing preliminary plat or agree to install a 4-foot sidewalk.

Russell Gully with SKG Engineering, representative for the applicant, indicated that the proposed replatted lots are further north than where the east-west alley on the preliminary plat is located.

Ms. Guerra explained that she believed the intent of the preliminary plat was to allow the majority of the lots to have access to rear alleys.

Mr. Gully explained that the City has never mandated the order in which a property must develop. He explained that the lots that would front onto

Selman Drive do not have direct access backing onto the east-west alley on the preliminary plat, and therefore, the City cannot mandate that the developer build that alley at this time. Mr. Gully further indicated that the entirety of Selman Drive is 36 feet wide and he did not see any footpaths or sidewalks in this area, and therefore, believes a variance from paving or sidewalk improvements is appropriate.

Jon James, Director of Planning and Development, explained that the developer either has to have their replat conform to the preliminary plat currently in effect, or, submit a new preliminary plat with a replat consistent with this new preliminary plat. Mr. James indicated that because the new lots are smaller with different configurations than the preliminary plat and do not show alleys, that the Planning Division does not believe this replat is consistent enough with the preliminary plat.

Commissioner Priess asked why the applicant did not start over with a new preliminary plat.

Mr. Gully responded that he believed the replat does generally conform with the preliminary plat, and therefore, there would not be a need to start over. He believes that the term "generally conform" is a broad term.

Commissioner Smith stated that he believed the replat did not generally conform given that the new lots are substantially smaller than the governing preliminary plat.

Council Member Lucy Gonzales expressed a concern as a resident of Paulann about her property values if smaller lots are approved.

Commissioner Farmer asked if there were deed restrictions on minimum square footage in this subdivision.

Mr. Gully mentioned deed restrictions have not been developed at this time.

Ms. Guerra explained that in order for this replat to be approved, it must generally conform to the governing preliminary plat, as well as to the City's Comprehensive Plan and the Intent of Purpose Statements in Chapter 2 of the Subdivision Ordinance. She then outlined the options available to the Planning Commission: 1) to deny the replat and the variance; 2) to approve the replat and approve the variance to allow Selman Drive to remain at 36-feet wide with no sidewalk; 3) to approve the replat and deny the variance, requiring 4 additional feet of paving width or a 4-foot wide sidewalk on Selman Drive; or, 4) to table the replat to be generally consistent with the preliminary plat; to revise the

preliminary plat to be generally consistent with the replat; or to repeal the preliminary plat at a separate hearing.

Commissioner Spano believed that sidewalks in this location would not lead anywhere and therefore would not be appropriate, even though he generally supports sidewalks.

Commissioner Stribling stated that the issue at hand was whether this replat was consistent with the preliminary plat or not.

Commissioner Smith made a Motion to DENY the Replat and DENY the 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, for not being in general conformity with the governing preliminary plat, and not conforming with the City's Comprehensive Plan nor with the intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. Commissioner Crisp seconded the motion to deny the Replat and Variance. Commissioners Smith, Crisp, Farmer, and Stribling all voted in favor of the denial, and Commissioners Priess, Jackson and Spano voted against the denial. The Motion to DENY the Replat and DENY the Variance passed by a vote of 4-3.

2. Rezoning

A. Z16-04: George Draper

A request for approval of a Rezoning from the Single-Family Residence (RS-1) Zoning District to the Office Commercial (CO) Zoning District, located at the intersection of Freeland Avenue and North Campus Boulevard, on 0.642 acres.

Jeff Fisher, Planner, outlined the request for a Rezoning from an RS-1 Zoning District to a CO Zoning District on the four properties to allow office and related uses to be developed in future. He explained that the two properties west of Campus Boulevard have been used as church offices since the 1990s for Hillcrest Baptist Church located immediately to the south, and the two properties east of Campus Boulevard have been used for church parking. He further explained the church's plans to sell these four lots in order to raise funds for the existing church.

Mr. Fisher outlined the Planning Division's reasons for recommendation approval, which included that the Comprehensive Plan allows an appropriate mix of uses in the Neighborhood designation, including offices; that the existing uses comply with the development standards in the Zoning Ordinance; that offices would be compatible given the close

proximity to Houston Harte Expressway; and that offices would be more suitable than residential given several vacant residential lots already along Freeland Avenue. Mr. Fisher explained there appears to be a community need given there are no office or institutional uses in almost a mile in either direction.

Commissioner Smith asked if the existing church would have enough parking if these lots were sold.

Mr. Fisher responded that based on his site observations, there appeared to be sufficient parking for the church on their remaining properties based on the square footage provided by the appraisal district.

Jon James, Director of Planning and Development Services, indicated that staff's review focuses on whether the proposal would meet the minimum parking standards, and in this case, these minimum standards, indeed, appear to have been met.

There was no public comment.

Commissioner Crisp made a Motion to recommend APPROVAL of the request, and Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

Commissioner Jackson left the Meeting at 10:44am and did not vote on the remaining items below.

B. PD16-03: Lake Nasworthy RV Park

A request for approval of a Rezoning from the Single-Family Residence (RS-1) Zoning District to the Planned Development (PD) Zoning District for an RV Park and Campground with limited accessory commercial and recreational uses, located at the northernmost terminus of Camper Road, to the north and northeast of the terminus of Sleepy Hollow Road, on 24 acres.

David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth indicated that the Planned Development was being sought to facilitate the eastward expansion of the existing Spring Creek RV Park to the immediate west of the project area. Mr. Stallworth then showed the location of the subject area and existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth then provided details on both the attached Concept Plan and the proposed

Development Standards Manual (hereafter referred to as the "Manual"). Mr. Stallworth also provided supplemental details on the project's implementation, including its proposed construction phasing, proposed development buffers, proposed internal review processes and special due process procedures that were specific to the Planned Development. Mr. Stallworth concluded his presentation with a recommendation of APPROVAL, along with his basis for the recommendation. Due to the receipt of additional correspondence regarding the case following the publication of the staff report, Mr. Stallworth provided the Commission with photocopies of all correspondence received and elaborated on the expanded notification process specific to this case, which included a 1000-ft notification buffer as well as mailed notice to the Lake Nasworthy Homeowners' Association.

Commissioner Jackson opened up deliberation by inquiring on the project's anticipated timeframe for implementation. Mr. Stallworth indicated that the project would take ten (10) years to complete, which will require the execution of both a separate lease agreement and a developer's agreement between the operator of the current Spring Creek RV Park and the City. Mr. Stallworth explained that the Ordinance is designed to assign land uses, designate review and approval authorities and direct Staff to refer to the Manual with respect to the project's development standards, with the goal being that the development of new campsites and amenities within the project area be directly tied to the amount and quality of infrastructure already in place. Commissioner Jackson then took exception to the special notification that was taken for this project, opining that the standard 200-foot notification radius for zone changes was adequate and should not be deviated from. Mr. Jon James, Planning and Development Services Director, interjected by noting that the special notification for this project took into account the Zoning Code's current requirement for a 1000-foot minimum separation between RV parks and the nearest residential use, which the proposed development did not meet, therefore the 1000-foot notification buffer used for this project seemed appropriate and reasonable.

Commissioner Spano asked about residency timeframes for the existing RV Park. Mr. Stallworth responded by noting that the proposed Ordinance would ban any stays past 180 consecutive days in one space, which is consistent with the Zoning Code. Barring further questions for Staff, Chairperson Preiss opened the public hearing for comments. The following individuals approached the Commission and spoke in opposition to the request:

Randall Schkade
City Councilor Charlotte Farmer – SMD # 6

Jim Hughes
Michael Cunningham
June Bell
Tad Logan – Lake Nasworthy HOA
City Councilor Harry Thomas – SMD # 3
Gary Pierce
Mike Mitchell
City Councilor Bill Richardson – SMD # 1
Cecil Sankey
Trinidad Aguirre – Lake Nasworthy HOA
Colleen Covey

During the public hearing, concerns over potential conflicts with the annual boat races were raised, as well as safety concerns for campers during the boat races. Mr. Stallworth responded by noting that the operator will be bound under the executed lease agreement with the City to have the RV Park free of all campers for a specified period of time to accommodate boat race participants.

Mr. Steven Klontz, operator of the existing Spring Creek RV Park and Marina, then approached the podium, identified himself and proceeded to address any campground and traffic concerns raised during the meeting. The Commission Chair was reminded by Staff that the three-minute limitation for public speaking does not apply to Mr. Klontz, as he is the proponent for the project. Following Mr. Klontz's presentation, Colleen Covey again approached the podium and inquired about the likely installation of amenities and commercial uses on the premises, as well as the handling of sensitive environmental areas on the premises. Mr. James intervened between Ms. Covey and Mr. Klontz, however, to keep the public hearing moving forward. Mr. Stallworth responded by noting that provisions for wetlands and shoreline development are included in the Manual. Jim Hughes again approached the podium and expressed his concerns over the installation of piers, marinas and utility hookups on the premises, maintaining that such installations would interfere with the annual boat races. Chairperson Preiss then closed the public hearing and opened the floor for a Motion.

Commissioner Smith made a Motion to recommend APPROVAL of the request based on Staff's findings. The Motion, however, dies for lack of a second.

Following a request from Mr. James regarding clarification on concurrent and conflicting Motions, Commissioner Stribling made a second Motion to table the request in order to obtain additional information. The Motion, however, dies for lack of a second.

Commissioner Spano made a third Motion to recommend DENIAL of the request. Commissioner Crisp seconded the Motion. The Motion passes by a vote of 4-2 (with Commissioners Stribling and Smith opposed). Mr. James proceeded to advise the Commission that the request is scheduled for the July 12, 2016 City Council meeting and that a super-majority will be required for approval in light of the Commission's recommendation for denial.

3. Street Name Changes

City Council has final authority for approval for Street Name Changes.

A. Creswell Drive to Lighthouse Way

A request to change "Creswell Drive" to "Lighthouse Way," over the complete length of this street's right-of-way between Vaughn Street and Austin Street, in south central San Angelo.

David Fee, Senior Planner, outlined the request for the Street Name Change from Creswell Street to Lighthouse Way. He explained that the West Texas Lighthouse for the Blind requested the street name change because visitors and delivery vehicles were having difficulty finding the facility on Creswell Street which is a short street. The address for the main building of the West Texas Lighthouse for the Blind is on 2001 Austin Street which is not visible from Austin Street itself. In addition, the West Texas Lighthouse for the Blind wishes to honor its employees and raise the profile of the company in the community. The company receives no Federal or State funding so it depends on company sales to remain in operation. Mr. Fee noted that none of the businesses along Creswell Street uses Creswell as an address nor does anyone use the similarly sounding street stub, Lighthouse Lane, which is more than 5 miles away and located south of Lake Nasworthy. The E-911 Address Coordinator expressed no objections to the proposed street name change.

Chairperson Priess opened the public hearing for comment. There was no public comment.

A Motion to recommend APPROVAL of the proposed Street Name Change from Creswell Street to Lighthouse Way, subject to the two (2) Conditions of Approval stated in the Staff Report, was made by Commissioner Farmer and seconded by Commissioner Spano. The motion carried unanimously, 6-0.

B. Unnamed Private Drive (Time Clock Drive)

A request for the following: (1) to repeal, in its entirety, the Ordinance approved and adopted on September 18, 2012, to designate an unnamed private drive located on a 3.757-acre portion of Block CC,

College Hills South Addition, Section 30, as "Time Clock Drive," thereby abandoning and removing all geographical and addressing references thereto; and instead (2) ordain a portion of Tract A, College Hills West Addition, Section 8, as "Time Clock Drive."

David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth provided details on the former location of Time Clock Drive. Mr. Stallworth then indicated the new location of the general area to be designated, showed existing site conditions as well as various perspectives of the surrounding area, and elaborated on details of the proposed street name designation. Mr. Stallworth concluded his presentation with a recommendation to APPROVE the rescinding of the September, 2012 Ordinance, and DENY adoption of the proposed superseding Ordinance, along with his bases for both recommendations.

Commissioner Smith opened up deliberation by asking Staff on the extent and scope of the request, to which Mr. Stallworth responded. Barring further questions for Staff, Chairperson Preiss opened the public hearing for comments. Mr. Ernie Nabors, Chief Operating Officer for Data Management, Inc. (Time Clock Plus) approached the podium, identified himself and explained the rationale behind the request. Commissioner Smith expressed concerns over perceived liabilities by the City as a result of the designation. Roland Pena, City Economic Development Director, then approached the podium and expressed support for the proposed street name designation.

Commissioner Farmer made a Motion to recommend APPROVAL of the request. Commissioner Crisp seconded the Motion.

Mr. Stallworth outlined three (3) Conditions of Approval, as indicated in the staff report, for consideration in the event the Commission opted to recommend approval. Commissioner Farmer acknowledged that his Motion would be contingent upon the Conditions as read into the record by Mr. Stallworth. Commissioner Smith expressed reservations regarding approval of the request, which was followed by extensive discussions from Chairperson Preiss and Commissioners Farmer and Crisp. Mr. Nabors again approached the podium and asked for clarification on proposed Condition number two. Rebeca Guerra, Planning Manager, explained the need to legally memorialize the area to be designated in order to meet the spirit of the Land Development Code. Mr. Nabors agreed to the Conditions recommended by Staff.

The Motion passed, 4-2 (with Commissioners Stribling and Smith 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 Planning Commissioner training in the Metroplex on July 15, 2016. He indicated that City Council had allocated funds for the training of all Board members. He also indicated that the Planning Division was looking at another training session in the immediate area, possibly in Midland, Texas in August. Finally, Mr. James mentioned during the State of Texas' American Planning Association Conference this November, a 2-day event for Planning Commissioners would be offered.

VI. Future meeting agenda and announcements.

Chairwoman Priess indicated that the next regular meeting of the Planning Commission was scheduled to begin at 9:00 a.m. on **Monday, July 18, 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 11:38 a.m., and Commissioner Stribling seconded the Motion. The Motion passed unanimously, 6-0.



Valerie Prejss, Chairperson,
Planning Commission