

MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, FEBRUARY 20, 2017, AT 9:00 AM IN THE SOUTH MEETING ROOM OF THE MCNEASE CONVENTION CENTER, 501 RIO CONCHO DRIVE, SAN ANGELO, TEXAS

PRESENT: VALERIE PRIESS (CHAIR), TERI JACKSON (VICE CHAIR), RYAN SMITH, SAMMY FARMER, MARK CRISP, JOE SPANO, TRAVIS STRIBLING

ABSENT: N/A

STAFF: Jon James, AICP, Director of Planning and Development Services
Rebeca Guerra, AICP, LEED-AP, CPD, Planning Manager
Dan Saluri, Deputy City Attorney
Brandon Dyson, Assistant City Attorney
Al Torres, Building Official
David Stallworth, AICP, Principal Planner
Jeff Fisher, Planner
Kristina Heredia, Planner

I. Call to order.

Chairperson Valerie Preiss called the meeting to order at 9:00 a.m. and established that a quorum of seven (7) was present.

II. Prayer and Pledge.

The prayer was delivered by Commissioner Farmer. The pledge was led by Chairperson Valerie Preiss.

III. Consent Agenda:

A. Consideration of approving the January 23, 2017 Planning Commission Regular Meeting minutes.

A Motion to APPROVE the January 23, 2017 Planning Commission Minutes was made by Commissioner Jackson. Commissioner Crisp 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. Fifth Replat in Tract 1, Section 29, Bluffs Addition

Public hearing and consideration of a request for approval of the Fifth Replat in Tract 1, Section 29, Bluffs Addition; on property generally located east of FM 2288 and north of both the former West Houston Harte Expressway Frontage Road and Sherwood Way (US 67); on 5.61 acres.

David Stallworth, Principal Planner, provided a brief synopsis of this case. Mr. Stallworth indicated the location of the subject area and showed existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth concluded his presentation with a recommendation of approval subject to Conditions, along with his basis for the recommendation.

Chairperson Preiss opened the meeting for public comment. No public comments were offered. Chairperson Preiss closed the public hearing and entertained further discussion and Motions.

Commissioner Joe Spano made a Motion to APPROVE the proposed Replat, subject to one Condition of Approval. Commissioner Ryan Smith seconded the Motion. The Motion passed unanimously, 7-0.

B. Final Plat, D.C. Meier Subdivision, Section One

Public hearing and consideration of a request for approval of the Final Plat of the D.C. Meier Subdivision, Section One, and requests for Variances to the following sections of the City's Land Development and Subdivision Ordinance: (a) Sections 9.III.A.5.a.(1) and 10.III.A.1, which requires the dedication of additional public right-of-way along a segment of Shahan Road to bring it into compliance with minimum Arterial roadway standards; (b) Sections 9.III.A.5.a.(2) and 10.III.A.2, which requires the construction of additional pavement width along a segment of Shahan Road to bring it into compliance with minimum Arterial roadway standards; and (c) Section 9.V, which requires the construction of sidewalk on a platted lot that abuts a road or street containing a pavement width that is less than 36 feet (Shahan Road); on a 2.5-acre property generally located outside of the San Angelo municipal corporate limits and within the City's Extra-territorial Jurisdiction (ETJ), along the south side of Shahan Road, approximately 1,995 feet east of South Gas Plant Road.

This item was pulled from review and consideration at the Petitioner's request due to unforeseen circumstances and was rescheduled for the March 20, 2017, Planning Commission hearing.

C. Repeal of Preliminary Plat, Bentwood Country Club Estates, South and Southeast Portions

Public hearing and consideration of a request by the Director of Planning and Development Services to repeal a Preliminary Plat of the South and Southeast Portions of Bentwood Country Club Estates, consistent with Chapter 5.III.A.3.d of the Subdivision Ordinance; on property generally located east of Beaty Road, south of North Bentwood Drive, west of the City Limits, and north of the South Concho River; on approximately 103 acres.

Planner Jeff Fisher presented the case for repeal of the preliminary plat. He indicated this plat comprises 110 lots over 103 acres and was approved by the Planning Commission in 1998. He explained that Overhill Drive ended up being constructed further east, and that most of the lots in the preliminary plat area were already built. Mr. Fisher outlined Staff's rationale for repeal which included the inability of the replat to conform to the preliminary plat; the irrelevancy of the preliminary plat due to the fact that previous phases were completed and were inconsistent with the preliminary plat; and an inability for the remaining land to conform to the preliminary plat.

Chairperson Preiss opened the meeting for public comment. There was no public comment.

Commissioner Smith made a Motion to APPROVE the proposed Repeal. Commissioner Spano seconded the Motion. The Motion passed unanimously, 7-0.

D. Revised Plat in Block 101, Bentwood Country Club Estates, Section 16-D

Public hearing and consideration of a request for approval of a Revised Replat in Block 101, Bentwood Country Club Estates, Section 16-D, and a Variance from the Land Development and Subdivision Ordinance, Chapter 10, Section III.A.2. to allow for a 24-foot paving width with no sidewalk in lieu of 40 feet of paving width and no sidewalk, or 36 feet of paving width with a 4-foot sidewalk; on property generally located northeast of Beaty Road and Berwick Drive; on 2.831 acres.

Planner Jeff Fisher presented this case. He explained that the original final plat was approved by the Planning Commission in 2014, and that the new request increased the lot yield from 6 lots to 15 lots with 12 of the lots having flagged access onto Beaty Road with shared access easements. Mr. Fisher explained that there was also one Variance requested along with the proposed plat to maintain a deficient paving width of 24 feet with no sidewalk.

Mr. Fisher explained that of the 24 notices mailed out, one was returned in favor, which was from the property owner, and five were returned in opposition. Mr. Fisher handed copies to the Planning Commissioners for their review.

Mr. Fisher outlined Staff recommendation to approve the replat, but to deny the Variance for Beaty Road to maintain a 24-foot paving width with no sidewalk.

Mr. Fisher outlined Staff's rationale for approval of the replat which included that the lots will meet the minimum required lot sizes in the Zoning Ordinance, that the plat was in conformity with the City's Comprehensive Plan, and that the plat conformed with the Intent of Purpose Statements, as outlined in Chapter 2 of the Subdivision Ordinance. Mr. Fisher then outlined Staff's rationale for denial of the Variance which included that the increase in lot yield on a deficient street would lead to safety concerns, that there was ample right-of-way width to make the improvements, that granting the variance would shift costs to the public for future improvements, and that the owner agreed in 1980 to pay for one-half of the road width on Beaty Road to be paved.

Chairperson Preiss opened the meeting for public comment.

Mark Woods came forth to state his opposition to the replat saying that when he bought his property it was with the understanding that the area would be developed with a lower density than the replat would allow.

Kevin Collins, Director of Development for Bentwood Country Club, stated that many of the lots around the area are already built as patio homes, including the land Bentwood owns on Valleyview Boulevard. Mr. Collins indicated that Bentwood Country Club is the only master planned community in San Angelo and has specific deed restrictions for rock, stucco, or brick housing. He believes that this will be a good development and mentioned that there are smaller lot sizes already in the area.

Russell Gully with SKG Engineering came forward to address the street issues. He stated that the wider portion of the Beaty Road was already on the Bentwood side of Beaty Road.

No public comments were offered. Chairperson Preiss closed the public hearing and entertained further discussion and Motions.

Commissioner Farmer stated that he believed that the replat would help the traffic problems because there would be common access drives rather than each lot having driveways fronting onto Beaty Road.

Mark Woods returned to the podium to question how the proposed gated driveways would work with the three proposed lots on the south end of the plat, as they do not have flag configurations. Russel Gully with SKG answered that those three lots would not be gated. He proposed that those three lots could stay as one lot as is shown on the previous final plat.

Rebeca Guerra, Planning Manager, came to the podium to clarify Staff's recommendations. She reiterated that staff was recommending approval of the plat because the lots comply with the minimum lot sizes, but that staff recommended denial of the road variance because of increased lot yield on a substandard road.

Kevin Collins returned to the podium and stated that 1980 was a long time ago and that Bentwood had already made a lot of concessions to develop in this area.

Commissioner Farmer made a Motion to APPROVE the proposed Replat and to APPROVE the proposed Variance to allow an existing 24-foot paving width on Beaty Road and no sidewalk. Commissioner Joe Spano seconded the Motion, with Commissioners Crisp and Jackson also voting in favor, and Commissioners Priess, Stribling, and Smith voting in opposition. The Motion passed, 4-3.

V. Discussion Items

A. Discussion regarding the current requirements within the Zoning Ordinance for the development of modular homes (also known as industrial housing) within the City.

Rebeca Guerra, Planning Manager discussed Modular Homes. She stated that modular homes were not mobile homes or manufactured homes, and that San Angelo currently treated modular homes the same as single family homes for the purpose of zoning. She indicated that modular homes were allowed in the R&E, RS-1, RS-2, RM-1, MHS zoning districts. She further indicated that modular homes could vary in size and design, and that they were classified as real property and were faster to build than site-built homes.

Chairperson Priess indicated that for loan purposes, modular homes are not considered the same as a single family house.

Building Official Al Torres indicated that a modular home had to be on a permanent foundation but also had to meet other standards of the International Residential Code.

Commissioner Crisp expressed concerns of how these homes would be treated in a neighborhood. Building Official Torres answered that they could not be prohibited as long as they could be defined as modular homes.

Jon James, Director of Planning and Development Services, asked the Commissioners what additional requirements or suggestions they had to amend the Zoning Ordinance for modular housing.

Commissioner Spano stated that he believed that the City could not prohibit housing because of the way it looked, no differently than other types of housing.

Commissioner Crisp asked if staff could do something to protect the integrity of the neighborhood a modular would be placed in. Building Official Torres indicated that there was a restriction that cities could impose that could keep modular homes in areas where the median values of the homes are consistent. He

Planning Manager Rebeca Guerra referenced the above section outlined by Mr. Torres from the TDCR Standards for Industrial Housing.

B. Discussion regarding the current requirements within the Zoning Ordinance for the development and/or expansion of schools within the City.

Jon James, Director of Planning and Development, discussed rezoning requests from school districts. He indicated that prior to 2000, schools were allowed by right in residential zoning districts and that after 2000 this is no longer the case. He explained that under the current Zoning Ordinance, every expansion to an existing school requires a Conditional Use approval. Mr. James indicated that the school district requested that this item be brought forward for review.

Mr. James then outlined the options available to the Planning Commission: Maintain the Zoning Ordinance without changes; rezone all existing and proposed schools to a Planned Development (PD) zoning district; or create development standards based on the type of school. Under the third option, all types of schools would be allowed in non-residential districts; elementary and middle schools would be allowed in residential districts as-of-right; and 9th grade and high schools would be allowed in residential districts with a Special Use or Conditional Use approval. Mr. James also indicated that as part of an ordinance change, new development standards may include changes in parking standards and sidewalk requirements.

Vice Chairperson Jackson asked if a Planned Development would eliminate schools having to come back each time for an approval.

Mr. James responded that a Planned Development request would still require schools coming to the Planning Commission for review.

Commissioners Farmer and Priess indicated that they believed that changes to the ordinance for schools was a good idea.

Vice Chairperson Jackson indicated that she believed that the current ordinance should remain as is.

Mr. James indicated that this item would be brought back with a draft ordinance in future.

VI. Director's Report.

Rebeca Guerra introduced Kristina Heredia as the new Planner I. Kristina greeted the Commission and gave a brief background of herself.

VII. 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, March 20, 2017**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

VIII. Adjournment.

Commissioner Crisp made a Motion to adjourn at 10:26 a.m., and Vice Chairperson Jackson seconded the Motion. The Motion passed unanimously, 7-0.



Valerie Preiss, Chair,
Planning Commission