

MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, JULY 17, 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, TRAVIS STRIBLING, JOE SPANO

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
Al Torres, Building Official
Lance Overstreet, Assistant City Engineer
Jeff Fisher, Senior Planner
Hillary Bueker, Senior 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 full quorum of seven was present.

II. Prayer and Pledge.

The prayer was delivered by Rev. Joe Johnson of the San Angelo Cowboy Church. The pledge was led by Commissioner Stribling.

III. Consent Agenda:

A. Consideration of approving the June 19, 2017 Planning Commission Regular Meeting minutes.

A Motion to APPROVE the Consent Agenda was made by Commissioner Smith and seconded by Commissioner Spano. 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. Replat of Lots 15 and 16, Block 138, Fort Concho Addition

Public hearing and consideration of a request for approval of a Replat of Lots 15 and 16, Block 138, Fort Concho Addition, and two variances: a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow South Irving Street, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk and a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow West Avenue R, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk.

Jeff Fisher, Senior Planner, provided a brief synopsis of the proposed replat. He explained that the replat was associated with a rezoning that the Planning Commission had recommended approval for to allow a new single-family residence on the south portion of the site. The replat would reconfigure the properties to face South Irving Street instead of West Avenue R, with each lot having a frontage of 75 feet and a depth of 100 feet. Mr. Fisher outlined Staff's recommendation for approval of the replat, as well as the two variances requested to maintain 36-foot street widths on South Irving Street and West Avenue R and no sidewalks. He outlined Staff's rationale supporting the variance requests, which included that the neighborhood was already built out and that improvements would not provide a logical connection to any existing streets or sidewalks.

Chairperson Priess opened the meeting for public comment.

Mr. Herb Hooker, with SKG Engineering, representing the applicant, indicated that he was available for public comment.

There was no public comment.

Commissioner Crisp made a Motion to APPROVE the Replat with the two variances requested, and subject to the three conditions outlined in the Staff Report. Commissioner Spano seconded the Motion. The Motion passed unanimously, 7-0.

B. Replat of Lots 9-14, Block 5, Exall Addition

Public hearing and consideration of a request for approval of a Replat of Lots 9-14 in Block 5, Exall Addition, and two variances: A variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow East 8th Street, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk and a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow North Main

Street, an Urban Arterial Street, to maintain a 42-foot street width in lieu of the required 64 feet.

Kristina Heredia, Planner, provided a brief synopsis of the proposed replat. She indicated that all of the lots would be combined into one lot, and outlined Staff's recommendation of approval of the replat and the two variance requests, exempting a sidewalk on East 8th Street and any additional paving width on North Main Street. She outlined Staff's rationale for approving the variances which included that the existing streets adequately functioned without the need for improvements and that the properties were mostly built out.

Chairperson Priess opened the meeting for public comment.

Mr. Herb Hooker, with SKG Engineering, representing the applicant, indicated that he was available for public comment.

There was no public comment.

Commissioner Smith made a Motion to APPROVE the Replat with the two variances requested, and subject to the three conditions outlined in the Staff Report. Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0.

C. First Replat of Lots 1, 2, & 3, Block 21, Lakeview Addition

Public hearing and consideration of a request for approval of a First Replat of Lots 1, 2, & 3, Block 21, Lakeview Addition, and two variances: A variance from Chapter 9.III.V of the Subdivision Ordinance, exempting any right-of-way dedications or paving improvements and a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow East 47th Street, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk.

Kristina Heredia, Planner, provided a brief synopsis of the proposed replat. She indicated that the replat would create two lots with frontage onto East 47th Street, and outlined Staff's recommendation of approval of the replat and the two variance requests, exempting any additional paving width on East 47th Street.

She outlined Staff's rationale for approving the variances which included that the existing streets adequately functioned without the need for improvements, and that the properties are mostly built out.

Chairperson Priess opened the meeting for public comment.

Mr. Herb Hooker, with SKG Engineering, representing the applicant, indicated that he was available for public comment.

There was no public comment.

Commissioner Crisp made a Motion to APPROVE the replat with the two variances requested, and subject to the three conditions outlined in the Staff Report. Commissioner Smith seconded the Motion. The Motion passed unanimously 7-0.

2. Rezoning.

City Council has final authority for approval of Rezoning.

A. Amendment to PD12-03: Howard College / COSA

Public hearing and consideration of a request for approval of an Amendment to a Planned Development (PD12-03) Zoning District to modify Section 6A to allow for building façade consistency amongst similar building types and eliminate Section 7G thereby allowing metal buildings anywhere within the site for property located at 3501 U.S. Highway 67 Frontage Road.

Jeff Fisher, Senior Planner, outlined the proposed request, which if approved, would amend the original PD12-03 to allow metal buildings anywhere on the property, and to allow consistency within similar building types. He explained that the original PD for Howard College limited metal buildings to only a 3.15-acre area behind the main building fronting U.S. Highway 67 Frontage Road. Mr. Fisher further explained that Howard College was planning an expansion of their trades' school, and required additional metal buildings for these facilities. He then showed the approved Master Concept Plan for the college and the proposed text amendments. Mr. Fisher concluded his presentation by outlining Staff's rationale for recommending approval, which included that the new metal buildings are consistent with the Campus/Institutional designation in the City's Comprehensive Plan; that the amendments will ensure design consistency among similar buildings; and that the college campus expansion would be compatible with other institutional uses in the area including the corrections facility immediately to the west.

Chairperson Priess opened the meeting for public comment.

Commissioner Stribling asked why the metal buildings were originally limited to only one area. Mr. Fisher responded that there was no mention in the 2012 staff report as to why metal buildings were limited.

Ms. Jamie Rainey, Workforce and Community Development Officer for Howard College, indicated that the trades program was expanding and required additional lab space. She explained that the location of existing utility lines limited expansion of the existing building and required additional space for new buildings. Ms. Rainey stated that allowing additional metal buildings outside of the original restricted area would allow Howard College to achieve its long term vision of an expanded welding and trades program. The proposed metal building, she explained, would allow roll-up doors to allow adult trades classes at night. Ms. Rainey concluded by explaining that the new building would match the material and color of the existing metal buildings on the property.

Chairperson Priess praised Ms. Rainey and Howard College for their hard work.

Dr. Cheryl Sparks, President of Howard College, indicated that the college required this amendment to accommodate their growing needs and to adjust their Master Plan accordingly.

Stephen McLaughlin, member of the San Angelo Chamber of Commerce, spoke in support of the request. He indicated that there was a growing need for trades programs in the U.S. and allowing the college to expand their trade program would fulfill a need in the job market. He explained that the Bureau of Labor Statistics estimates a 25% increase in need for skilled workers in Texas by 2022.

Ms. Brenda Gunter came to the podium and stated her support for the request. She indicated a need for the backing of trades in San Angelo.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed Amendment to the existing Planned Development PD12-03, amending Section 6A to allow for building facade consistency amongst similar building types and eliminating Section 7G to allow metal buildings anywhere within the site, as presented. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

3. Conditional Uses.

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

A. CU17-06: Hughes

Public hearing and consideration of a request for approval of a Conditional Use to allow for Household Living in the General Commercial (CG) Zoning District, as outlined in Section 310 of the Zoning Ordinance.

Kristina Heredia, Planner, outlined the proposed request for a Conditional Use to allow Household Living in the General Commercial (CG) Zoning District. She explained that this was the Red Arroyo Inn site and that the apartment units required a Conditional Use. Ms. Heredia outlined Staff's rationale for approval which included that there were other apartments nearby and there already was a strong residential presence in the area.

Chairperson Priess opened the meeting for public comment.

There was no public comment.

Commissioner Farmer made a Motion to APPROVE the Conditional Use request as presented, subject to the two conditions of approval outlined in the Staff Report. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

V. Text Amendments.

- A. Public hearing and consideration of a Text Amendment to the Land Development and Subdivision Ordinance, Chapter 1, General Provisions, Section IV, Variances, Subsection C, Appeal to City Council which would allow the Planning Director or Director of Public Works to appeal variances, granted or denied by the Planning Commission, to City Council.

Mr. Jon James, Planning and Development Services Director, presented the proposed text amendment. He compared the City of San Angelo's Subdivision Ordinance with 22 other cities and indicated that most have City Council as the approval authority for subdivision (i.e. plat) variances. He also indicated that in only 25% of the cases, the Planning Division and Planning Commission differ in their variance recommendations. Mr. James stated that allowing the Planning and Public Works Directors the right to appeal plat variances to Council, instead of only the developer, was a positive step to make the process more efficient. It would also allow City Council the opportunity to weigh in on variance requests which could result in significant infrastructure improvements whose costs would be borne solely by the taxpayers and not the developer. Mr. James clarified the amendment would only apply to appeals of variances, not the plats themselves, and that the appeal period would only be extended from 30 days to 45 days. He concluded his presentation by indicating that the City's Development Task Force had been presented the amendment and had expressed no objections.

Commissioner Crisp asked how this related to the zone change process. Mr. James responded that rezonings already go to City Council for final approval. He reminded the Commissioner that the amendment would only apply to plat variances.

Commissioner Farmer expressed concerns that the Planning Commission's authority may be reduced if subdivision variance decisions could now be appealed by staff. Mr. James reiterated that most of the other 22 cities researched already have plats or plat variances go to City Council for approval, and that Planning Commission at present is only a recommendation body for most of the decisions before them. He explained the importance of an appeal process for variances given that these decisions often relate to expenditures using taxpayer money from the General Fund.

Mr. Rick Weise, Assistant City Manager, expressed concerns about liability for the City with plat variances, and why most cities allow appeals to Council, the elected body responsible for financial decision-making.

Chairperson Priess asked why the Planning Commission was going to vote on this item if Council will be the body making the final decision on the amendment. Mr. James responded that the Commission had the option to make no recommendation to Council on the matter.

Council Member Harry Thomas indicated that sometimes variances granted by the Planning Commission can put the City at financial risk, but thanked the Commission for their hard work.

Commissioner Strilbing made a Motion to forward the proposed Text Amendment to City Council with NO RECOMMENDATION. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

- B. Public hearing and consideration of a Text Amendment to Chapter 12, Planning & Development, Article 12.03 Manufactured Homes and Mobile Homes, Division 2, Code of Ordinances and Chapter 12, Planning & Development, Article 3, of Exhibit "A," Zoning Ordinance which would allow manufactured homes to be placed on residentially-zoned properties with additional development standards.

Mr. Jon James, Planning and Development Services Director, presented the proposed text amendment. He indicated that City Council had directed Planning Staff to bring an Ordinance Amendment to allow manufactured homes to be considered on a case by case basis in districts for single family homes. He further indicated that before 2000, a Special Use was an option for manufactured homes, but after then, this option was taken away and these homes had to be located in specific zoning districts that allowed the use. Mr. James then explained the details of the new text amendment, which included an option to allow manufactured homes on a case by case basis in the R&E, RS-1, and RS-2 zoning districts, that they must be skirted and secured to the property, and must maintain the median taxable value of nearby single-family dwellings in the area.

Commissioner Crisp expressed his support for the new Ordinance.

Commissioner Stribling stated that he believed the Ordinance was a bad idea. He cited his reasons for opposing the Ordinance which included concerns about depreciating property values in single-family residential areas.

Commissioner Farmer expressed his support for consideration of manufactured homes on a case-by-case basis.

Commissioner Stribling replied by indicating that he believed approving this amendment could set a negative precedent.

Chairperson Priess added that even if the amendment was approved, there would be no guarantee that all proposed manufactured homes would be approved, because decisions would be made on a case-by-case basis.

Planning Manager, Rebeca Guerra, indicated that Planning Staff currently received approximately 3-5 inquiries per week to place a manufacturing home on a residential lot. She stated that the advantage of requiring a Special Use would allow conditions to be placed on these approvals and determine if there were appropriate for the area.

Mr. James added that the Commission had the option to make other recommendations if it choose, including limiting a manufactured housing option only where it was replacing an existing manufactured or mobile home.

Commissioner Stribling indicated that he could support an amendment that only allowed a manufactured home replacing an existing one, but not in any other case.

Commissioner Crisp made a Motion to recommend APPROVAL of the Text Amendment to allow manufactured housing with a Special Use, only on properties that already have manufactured or mobile homes and where these homes are being replaced. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

- C. Public hearing and consideration of a Text Amendment to Chapter 5, Business and Commerce, Article 5.02 Alcohol and Beverage Regulations of the San Angelo Code of Ordinances which would introduce a minimum 300-foot separation for the sale of any alcoholic beverage, liquor, beer, wine, or vinous liquor from a religious institution.

Ms. Rebeca Guerra, Planning Manager, presented the proposed text amendment. She indicated that State Statute allows counties and municipalities to establish minimum distance requirements to religious

institutions and schools from establishments that sell alcohol. Ms. Guerra further indicated that at least 10 other nearby cities in Texas also have a 300-foot distance requirement from religious institutions. She outlined the proposed text amendment which would now require establishments selling alcohol to be at least 300 feet from religious institutions, unless these religious institutions are located in the City's Central Business District (CBD) zone.

Commissioner Spano asked why this was an issue and expressed his opposition to the change. Commissioner Smith agreed with Commissioner Spano and also expressed his opposition. Commissioner Crisp asked why this item was brought forward for discussion.

Ms. Guerra responded that a local pastor and several neighbors had experienced problems related to an existing bar in their neighborhood. As a result, staff had been directed by a Council member to review the issue and propose changes to the Ordinance. She reminded the Planning Commission that they had the option to recommend approval or denial of the proposed amendment.

Commissioner Spano reiterated his opposition to the amendment and that he did not believe that the Planning Commission and the City were responsible for regulating individual behavior. He indicated that if there was an incident in future, that this would be a private issue to be resolved between the church, bar, and the police.

Commissioner Crisp asked Ms. Guerra what would happen to existing businesses selling alcohol and if they could be required to shut down.

Ms. Guerra responded that any existing business selling alcohol within 300 feet of a religious institution would become legally non-conforming and would be allowed to continue. She indicated, however, that if a legal non-conforming business ceased to operate for more than 12 months, they would lose this status and would then have to comply with the setback requirements.

Commissioner Spano made a Motion to recommend DENIAL of the Text Amendment. Commissioner Smith seconded the Motion. The Motion to recommend DENIAL passed 4-3, with Commissioners Spano, Smith, Stribling, and Priess voting for the denial, and Commissioners Jackson, Farmer, and Crisp voting for approval of the amendment.

VI. Director's Report.

Jon James, Director of Planning and Development Services introduced Hillary Bueker, a new Senior Planner with the City of San Angelo. He also introduced a visiting geometry teacher, Mr. Jaime Jimenez, who was also in attendance. Mr.

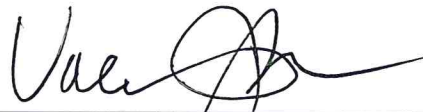
James also reminded the Planning Commission to advise Staff if they had any recommendations for the new Planning Staff Report format.

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, August 21, 2017**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

VIII. Adjournment.

Commissioner Jackson made a Motion to adjourn at 11:15 a.m., and Commissioner Stribling seconded the Motion. The Motion passed unanimously, 7-0.



Valerie Preiss, Chair,
Planning Commission