

MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, SEPTEMBER 18, 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), SAMMY FARMER, RYAN SMITH, 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
Tyler Martin, Plans Examiner
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 Ms. Ami Mizell-Flint, Peace Ambassador. The pledge was led by Commissioner Jackson.

III. Consent Agenda:

A. Consideration of approving the August 21, 2017, Planning Commission Regular Meeting minutes.

A Motion to APPROVE the Consent Agenda was made by Commissioner Crisp and seconded by Commissioner Spano. 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. OCM Subdivision, Section One (Replat)

Public hearing and consideration of a request for approval of a Replat of portions of the Baze Addition, J.P. Holmes Resubdivision of Block A and B, Baze Addition, and the Malone Subdivision of the South ½ of Block C, Baze Addition, and four Variances: a Variance from Chapter 9.III.V of the Subdivision Ordinance to allow a 110-foot long portion of Veck Street to remain a caliche surface; a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow North Baze Street, an Urban Collector Street, to maintain a 33-foot street width in lieu of the required 50 feet; a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Veck Street, an Urban Local Street, to maintain a 27-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk; and a Variance from Chapter 12.I of the Subdivision Ordinance exempting the requirement to install a waste water main within and/or adjacent to such subdivision; generally located at the northeast corner of North Baze Street and Upton Street.

Jeff Fisher, Senior Planner, presented the replat case. He outlined the purpose of the proposed replat which was to combine all of the applicant's landholdings and abandoned alleys into one comprehensive plat. Mr. Fisher explained that this was a condition of approval of the associated alley abandonment case which was approved by City Council last year. Mr. Fisher then outlined Staff's approval recommendation based on the replat conforming to the City's Comprehensive Plan and Intent of Purpose Statements of the Subdivision Ordinance. He concluded his presentation by outlining Staff's rationale to approve all of the variances requested which included variances from the required paving widths on North Baze Street and Veck Street, and to exempt the existing recycling facility from connecting to a City wastewater main. Staff's rationale for supporting the paving variances included low traffic counts for the area, and that this is an established area with existing platted lots fully developed. Staff's rationale for supporting the variance from having to connect to a City wastewater main included that the existing metal salvage and recycling facility did not require domestic water.

Chairperson Priess opened the meeting for public comment.

Herb Hooker, with SKG Engineering, representing the applicant, indicated that he was available to answer any questions the Commission may have.

There was no further public comment.

Commissioner Smith made a Motion to APPROVE the Replat as presented subject to the four conditions of approval as presented, APPROVE the Variance from Chapter 9.III.V of the Subdivision Ordinance to allow a 110-foot long portion of Veck Street to remain a

caliche surface; APPROVE a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow North Baze Street, an Urban Collector Street, to maintain a 33-foot street width in lieu of the required 50 feet; APPROVE a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Veck Street, an Urban Local Street, to maintain a 27-foot street width in lieu of the required 40 feet or 36 feet with a 4-foot sidewalk; and, APPROVE a Variance from Chapter 12.I of the Subdivision Ordinance requiring the installation of a wastewater main within and/or adjacent to such subdivision. Commissioner Crisp seconded the Motion. The Motion passed, 7-0.

2. Rezoning.

City Council has final authority for approval of Rezoning.

A. PD17-01: 87 & 29, LLC

Public hearing and consideration of a request for approval of a Zone Change from the General Commercial (CG) Zoning District and General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for multifamily apartments, for an unaddressed 5.244-acre tract; located approximately 700 feet southwest of the intersection of Martin Luther King Drive and West 29th Street.

Jeff Fisher, Senior Planner, presented the case. He displayed a location map and indicated that the proposed apartment complex would be located immediately west of a seniors housing complex which came before Planning Commission in 2016 as PD16-01, and which was later approved by City Council. He indicated that the proposed development, "Kirby Commons," would be under a separate ownership structure, and therefore, required a new Planned Development (PD). Mr. Fisher explained that the new development intended to have a future connection to West 29th Street as well as a sidewalk connecting to West 29th Street and another sidewalk connecting to the PD16-01 development. Mr. Fisher concluded his presentation by outlining Staff's rationale for recommending approval, which included that the new development is consistent with the adjacent seniors apartments; that the development will comply with all RM-2 zoning standards; that the development is close to commercial amenities including Wal-Mart, Walgreens and retail shopping centers; and that the City has identified this area as a Community Development Target Area and providing a construction loan for the project.

Chairperson Priess opened the meeting for public comment.

Paul Holden of Zimmerman Properties, and the applicant for the project, spoke in support of the development. He indicated that he expected to receive funding for the project this October and intended to have the zoning

approved by then in order to move forward. He believed that the development would be a good transition between land use types and that the stop light and crosswalk on West 29th Street would allow safe crossing for residents of the development to the Wal-Mart north of West 29th Street.

Chairperson Priess asked if this development would be for seniors only. Mr. Holden responded this development would be a mix of affordable and market housing without age restrictions.

Commissioner Farmer made a Motion to recommend APPROVAL of the proposed Rezoning from the General Commercial (CG) Zoning District and General Commercial/Heavy Commercial (CG/CH) Zoning District to a Planned Development (PD) Zoning District to allow for multifamily apartments, with the eight conditions of approval as presented on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

B. PD17-04: Hughes/Red Arroyo Inn

On September 18, 2017, the Planning Commission recommended APPROVAL of a rezoning from the General Commercial (CG) Zoning District to the Planned Development (PD) Zoning District, subject to two Conditions of Approval.

The following is the complete excerpt of the minutes from the September 18, 2017, meeting for this case:

Public hearing and consideration of a request for approval of a Rezoning from the General Commercial (CG) Zoning District to the Planned Development (PD) Zoning District to allow for Group Living, Household Living, and Retail Sales and Services, for property located at 4268 Sherwood Way.

Kristina Heredia, Planner, presented the case. She indicated that this case was originally brought forward and approved as a Conditional Use for household living but that the applicant decided to bring the item back as a Planned Development (PD) to meet Building Code requirements for a boarding house. Ms. Heredia outlined Staff's recommendation for approval which included that the Conditional Use did not allow for group living which included boarding houses, but a PD did; that there were other apartments in this commercial district nearby; that the applicant is unable to meet the Conditional Use requirements; and that this was an existing use with no additional effects anticipated.

Chairperson Priess opened the meeting for public comment.

Tyler Martin, Plans Examiner with the Permits and Inspections Division, explained to the Commissioners the difference between apartments for household living and clarified that these units did not satisfy the requirements for household living under the International Building Code. He further indicated that household apartments required both a lavatory sink and kitchen sink, whereas these units only had a lavatory sink, among other differences.

Chairperson Priess asked if the property was used for a hotel previously. Mr. Martin responded this was correct and the applicant now intended to use them as boarding house apartments and not a hotel.

Commissioner Stribling asked if there were any landscaping requirements for this approval. Ms. Heredia answered that additional landscaping was not required given that the area was fully paved.

Commissioner Farmer made a Motion to recommend APPROVAL of a Rezoning from the General Commercial (CG) Zoning District to the Planned Development (PD) Zoning District to allow for Group Living, Household Living, and Retail Sales and Services with the two conditions of approval as presented, on the subject property. Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0.

C. Z17-12: City of San Angelo

Public hearing and consideration of a request for approval of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the General Commercial (CG) Zoning District, on 92.36 acres located at 4240 Southwest Boulevard, 4241 Southwest Boulevard, 3903 Sunset Drive, 3930 Sunset Drive, 3950 Sunset Drive, 4001 Sunset Drive, 4002 Sunset Drive, 4102 Sunset Drive, 4112 Sunset Drive, 4132 Sunset Drive, 4141 Sunset Drive, 4151 Sunset Drive, 4160 Sunset Drive, 4235 Sunset Drive, 4238 Sunset Drive, 4251 Sunset Drive, 5000 Sunset Drive, 6000 Sunset Drive, 4002 Wellington Street, 4052 Wellington Street, and 3950 West Loop 306.

Kristina Heredia, Planner, presented the case. She outlined the request that intended to rezone approximately 92 acres in the Sunset Mall area from General Commercial/Heavy Commercial (CG/CH) to General Commercial (CG). She explained that the purpose of the City-initiated rezoning was to remove the CG/CH zoning which the City no longer utilizes. Ms. Heredia outlined Staff's rationale for recommending approval which included that all existing uses were already allowed by right in the CG zoning district; that heavy commercial CH uses were not compatible with the surrounding retail and residential uses; that Council, through the 2000 amendment of the Zoning Ordinance and the 2003 amendment of the Comprehensive Plan, had directed that CG/CH zoning should be replaced with more appropriate zoning; and that the area had developed with a strong retail presence, devoid of heavy commercial land uses. Ms. Heredia concluded her presentation by indicating that Sunset Mall expressed opposition to the rezoning for several reasons. These included that certain uses such as major car repair, retail distribution centers, game halls, and plant sales, would no longer be allowed, thereby limiting potential to attract retailers.

Commissioner Spano asked why the mall would be affected. Ms. Heredia responded it would only affect the mall if they leased or sold property for uses that would no longer be allowed when the CG/CH zoning was removed.

Commissioner Stribling asked if all current uses would be compliant under CG. Ms. Heredia responded that this was correct.

Commissioner Smith asked if it was the intent to change the ordinance to allow some uses in CG which currently are not allowed by right. Ms. Heredia indicated that Staff was looking at changing the ordinance to allow a game hall in the CG Zoning District by right, and stated that a "Dave and Busters" would be considered an indoor entertainment facility which was already allowed by right in the CG zone under retail sales and service.

Chairperson Priess opened the meeting for public comment.

Mr. Steven Niles, General Manager of Sunset Mall, expressed his opposition for the request for the reasons outlined in a letter previously submitted to staff, and as explained by Ms. Heredia. He indicated that the future of the mall was uncertain and that he wanted the "highest and best use" of the land. He also stated that some uses which could still be allowed by Conditional Use would turn away potential retailers knowing that this would be conditional and no longer uses allowed by right.

Mr. Russell Gully, SKG Engineering, also spoke in opposition to the request. He expressed concerns that the rezoning would be taking away property rights and would thus force someone to change the zoning on their property.

Commissioner Stribling responded that Council had already recognized that CG/CH zoning was no longer appropriate and that everything currently in operation on the mall property was allowed by right in the proposed CG Zoning District.

Commissioner Smith further clarified that the CH uses could still be allowed with a Special Use.

Rebeca Guerra, Planning Manager, clarified that CH uses would require a Conditional Use, not a Special Use, and this would only require Planning Commission approval, as opposed to City Council approval which was lengthier.

Commissioner Farmer indicated that malls were presently struggling and that he believed the proposed rezoning would take away development potential.

Commissioner Smith made a Motion to recommend APPROVAL of the proposed Rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District to the General Commercial (CG) Zoning. Commissioner Stribling seconded the Motion. The Motion passed unanimously, 7-0.

D. Z17-13: Pierce

Public hearing and consideration of a request for approval of a Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single-Family Residential (RS-1) Zoning District, on property located at 2802-2822 Houston Street.

Hillary Bueker, Senior Planner, presented the case. She indicated that the applicant had previously received a Conditional Use approval (CU16-03) to allow for the construction of six new homes on the properties, but only one was built due to a water line issue which delayed construction of the other homes. As a result, the Conditional Use expired without the applicant requesting a 1-year extension. She indicated that the proposed rezoning to RS-1 would allow residential construction of the remaining homes. Ms. Bueker outlined Staff's rationale for recommending approval which included that the rezoning would be consistent with the City's Comprehensive Plan's future land use of "Neighborhood," that the proposed RS-1 was consistent with the RS-1 zoning in the surrounding area, and that the properties under commercial zoning have remained vacant for over 10 years.

Chairperson Priess opened the hearing for public comment. Hearing none, she asked for a Motion from the Commission.

Commissioner Crisp made a Motion to recommend APPROVAL of the proposed Rezoning from the Neighborhood Commercial (CN) Zoning District to the Single-Family Residential (RS-1) Zoning District, on the subject properties. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

3. Street Name Changes

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

A. Lighthouse Lane

Public hearing and consideration of a request to change "Lighthouse Lane" to "Chesney Lane," over a 120 foot length of this street's right-of-way extending southeast from Aspen Avenue.

Hillary Bueker, Senior Planner, presented the case. She outlined the purpose of the request which was to rename a portion of Lighthouse Lane from Aspen Avenue extending southeast to "Chesney Lane," consistent with a new subdivision plat that continues this street with the same name. Ms. Bueker presented photographs of the subject area. She concluded her presentation with a recommendation for approval.

There was no public comment.

Commissioner Smith made a Motion to recommend APPROVAL of the proposed Street Name Change to change Lighthouse Lane to "Chesney Lane" for over a 120-foot length of this street's right-of-way extending southeast from Aspen Avenue. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

4. Major Thoroughfare Plan Amendments

City Council has final authority for approval of Major Thoroughfare Plan Amendments.

A. Master Thoroughfare Plan Amendment (City of San Angelo)

Public hearing and consideration of an ordinance amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road.

Jeff Fisher and Hillary Bueker, Senior Planners, presented the case.

Ms. Bueker displayed photos of the surrounding area and explained that the area is designated predominantly "Neighborhood" in the City's

Comprehensive Plan and a combination of RS-1, R&E and commercial zoning, with a section without zoning as it not yet within the City Limits. Ms. Bueker displayed for the Commissioners the current street network and the proposed changes to various collector and arterial streets in the Bentwood Area.

Mr. Fisher explained the rationale for the proposed changes to the Master Thoroughfare Plan (MTP). He explained the purpose of shifting eastward the existing north-south collector street "1A" for consistency with the governing preliminary plat for this area, and to allow a final plat for Bentwood Country Club Estates, Section 39, to proceed, as this street was shown as a local road on the plat. He then explained Staff's justification for proposing the removal of two collector roads "2A" and "4A" as they were close to Loop 306, and extending eastward an existing collector street, "3A," to allow a direct connection to an arterial street that connects to Loop 306. Mr. Fisher then explained Staff's rationale for realigning the existing arterial street into a straighter curve for enhanced public safety. He concluded Staff's presentation outlining the only public comment received from Atmos Energy, which will require that a developer ensures that no gas line is effected prior to any future development.

Chairperson Priess opened the meeting for public comment.

Commissioner Crisp made a Motion to recommend APPROVAL of the proposed Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in the subject area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road as displayed on Exhibit "A" as presented. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

VI. Director's Report.

Jon James, Director of Planning and Development Services, indicated that the text amendment requiring the separation between the sale of alcohol and churches was going to City Council the next day for their consideration. Mr. James also explained that the above item for an Amendment to the Master Thoroughfare Plan for the Bentwood Area was also going to City Council the next day. Mr. James concluded his presentation by outlining future items to be considered which included text amendments to the River Corridor and other Overlay areas, new setbacks for accessory structures in side yards for zero lot line homes, and changes to the Subdivision Ordinance.

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, October 16, 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 10:00 a.m., and Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.



Valerie Preiss, Chair,
Planning Commission