

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, JANUARY 22, 2018, 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, SAMMY FARMER, MARK CRISP, JOE SPANO, TRAVIS STRIBLING, LUKE UHERIK

**ABSENT:** N/A

**STAFF:** Jon James, AICP, Director of Planning and Development Services  
Rebeca Guerra, AICP, LEED-AP, CPD, Planning Manager  
Aaron Vannoy, Development Administrator  
Dan T. Saluri, Deputy City Attorney  
Al Torres, Building Official  
Lance Overstreet, Assistant City Engineer  
Ross Coleman, City of San Angelo Fire Marshall  
Rodney G. Born, Wall Volunteer Fire Chief  
Jeff Fisher, AICP, Senior Planner  
Hillary Bueker, RLA, Senior Planner  
Kristina Heredia, Planner

**I. Call to order.**

Chairperson Valerie Preiss called the meeting to order at 9:10 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, West Texas Peace Ambassador. The pledge was led by Commissioner Stribling.

***Chairperson Priess introduced Mr. Luke Uherik, a new Planning Commissioner.***

**III. Consent Agenda:**

- A. Consideration of approving the December 11, 2017, Planning Commission Regular Meeting minutes.

**A Motion to APPROVE the Consent Agenda was made by Commissioner Jackson and seconded by Commissioner Farmer. 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. Final Plat, Bridlewood Estates, Section Two**

Jeff Fisher, Senior Planner, presented the proposed final plat request. He explained that the proposed plat for 20 residential lots was an extension of Bridlewood Estates, Section One approved last year by the Planning Commission and located immediately to the east. Mr. Fisher outlined Staff's recommendation to deny the plat for not being in conformity with the City's Comprehensive Plan, Subdivision Ordinance, and International Fire Code (IFC) as per comments from the City Fire Marshall's Office and Wall Volunteer Fire Department. He explained that the applicant essentially "landlocked" the proposed plat from being able to construct a through street, based on the configuration of Section One which had all lots facing existing streets, creating the proposed dead-end street situation for Section Two. Mr. Fisher continued with Staff's reasons for denial of the plat and associated variances on the grounds that the applicant had not provided water mains, fire hydrants, or a water tank on a substandard street greater than 750 feet long, that the proposed road, Bridlewood Court, was to be constructed of a lower standard than City specifications, and that the two-course surface would eventually cost taxpayers \$540,000 to upgrade to the City required asphalt surface in future once annexed.

Chairperson Priess opened the meeting for public comment.

Herb Hooker, SKG Engineering, representing the applicant, indicated that a meeting had taken place with the applicant and the City and Wall Fire Departments last week and that the Fire Chiefs would support allowing a dead-end street greater than 750 feet in length with the assurance that the applicant provide one of the alternatives discussed in regards to providing water for firefighting purposes. He also indicated that the County in previous discussions indicated that they were

comfortable with a 24-foot wide, two-course road surface, which would comply with their standards. He further indicated that he believed the County did not have equipment to maintain the City's hot mix surface standard. He concluded by stating that an annexation could be very costly and that not all relevant facts were known at this point respecting the timing of any future annexation.

Chairperson Priess asked if there was sufficient water from Millersview-Doole Water Supply Corporation. Mr. Hooker responded that the applicant would be responsible for obtaining a letter from the Millersview-Doole Water Supply Corporation as a condition of approval.

Commissioner Farmer reiterated Mr. Hooker's comment that the County did not have equipment to maintain a hot mix asphalt road.

Chairperson Priess indicated that she supported development and opened the meeting to public comment.

Mr. Hooker stated that the developer, through the Section One plat, had agreed to mitigate road flooding by obtaining federal approval to install a drainage structure.

Lance Overstreet, Assistant City Engineer, indicated that Engineering Services wanted to ensure that any roads the City inherited were not substandard, and stated that his department was not in support of the substandard road construction. He further indicated that the subject property could be annexed soon and that the Interlocal Agreement between the City and County allowed the City to determine road construction standards in its Extraterritorial Jurisdiction (ETJ). Mr. Overstreet also specified that the \$540,000 estimated for road upgrade included new header curbs as well as any widening and reconstruction of existing roads.

Commissioner Farmer asked what triggered annexation and stated that the developer did not want to be annexed. Mr. Overstreet responded that annexation could be initiated by the City or voluntarily by the developer. He indicated that the City may annex in order to bring landlocked parcels into the City or to extend water service.

Mr. Ross Coleman, City Fire Marshall, stated that the City would only support the request for a dead-end street greater than 750 feet in length if the applicant installed either a 5,000-gallon water tank, sprinkler

system, or fire hydrants, and provide gates at either end of the emergency access easement to allow fire access. He indicated that the current layout would generate a fire response time of more than 15 minutes, which was a concern for City and Wall Fire Departments.

Commissioner Spano asked if the current water supply was sufficient or if it would run out. Mr. Rodney Born, Wall Fire Chief, explained that current fire trucks included water tankers that supplied an additional 10,000 gallons of water, and when combined with a future 5,000-gallon tank on Bridlewood Court, would be sufficient for firefighting purposes.

Mr. Jon James, Director of Planning and Development Services, indicated that even if the water issue was addressed, the City still required the higher road standard as per the Subdivision Ordinance.

Commissioner Spano stated that he was opposed to the variances being requested.

Commissioner Stribling indicated that allowing the proposed variances would shift the burden to City taxpayers once the land was annexed.

Chairperson Priess stated that the County Commissioner for the district supported the proposed plat. Mr. James responded that the Memorandum of Understanding (MOU) between the City and County for the ETJ delineated the roadway standards that would apply in that area, specifically City standards. Ms. Rebeca Guerra, Planning Manager, reaffirmed Mr. James' comments, that the City had authority over roadway standards for new subdivisions in its ETJ, regardless of any support for a project from a County Commissioner, as per the MOU signed by the County Commission.

Mr. Hooker stated his position that notwithstanding the Fire Code, he did not believe there were any issues with Bridlewood Court being longer than 750 feet in length. Mr. Overstreet responded that his department supported the road variances for the Section 1 plat because they were pre-existing County roads, whereas this plat was for new road construction.

Commissioner Stribling expressed concerns that the plat was poorly completed and recommended to the applicant that he reduce the number of lots on the proposed dead-end street.

Commissioner Stribling asked for the definition of a header curb. Mr. Overstreet responded that a header curb was an 18 inch to 2 foot strip along the side of a curb to stop street edges from deteriorating.

Commissioner Jackson asked if the proposed road, other than the top of the surface, would have the same base as other roads in the area. Mr. Hooker responded this was correct.

Mr. James indicated that there may have been different options if the property was more than three and half miles out from the City limits, but because the property was immediately adjacent to the City's boundaries, staff was requiring the City standard for any new roadway construction.

There was no further public comment.

**Commissioner Smith made a Motion to APPROVE the Final Plat, DENY the four Variances; a Variance from Section 10.II.C.4 to allow a two-course surface in lieu of the required hot mix asphalt surface; a Variance from Section 10.III.A.2 to allow a minimum pavement width of 26 feet in lieu of the required 30 feet for Bridlewood Court, a proposed rural local street; a Variance from Section 9.III.A.5.a(3) to allow no curbing in lieu of the required header curbs; and a Variance from Section 9.III.C.2 to allow a dead-end street greater than 750 feet in length; and SET ASIDE a Variance from Section 9.V that would require a sidewalk for public safety. Commissioner Spano seconded the Motion. The Motion FAILED 4-3 with Commissioners Stribling, Spano and Uherik voting in favor, and Commissioners Priess, Jackson, Farmer and Crisp voting against.**

*After the first motion failed, a second motion was brought forward as follows:*

**Commissioner Jackson made a Motion to APPROVE the Final Plat subject to nine conditions of approval, APPROVE the four Variances; a Variance from Section 10.II.C.4 to allow a two-course surface in lieu of the required hot mix asphalt surface; a Variance from Section 10.III.A.2 to allow a minimum pavement width of 26 feet in lieu of the required 30 feet for Bridlewood Court, a proposed rural local street; a Variance from Section 9.III.A.5.a(3) to allow no curbing in lieu of the required header curbs; and a Variance from Section 9.III.C.2 to allow a dead-end street greater than 750 feet in**

**length; and SET ASIDE a Variance from Section 9.V that would require a sidewalk for public safety, subject to the nine conditions of approval as presented. Commissioner Farmer seconded the Motion. The Motion PASSED 4-3 with Commissioners Jackson, Farmer, Priess and Crisp voting in favor and Commissioners Spano, Stribling and Uherik voting against.**

**2. Rezoning.**

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

**A. Z18-01: Patel**

Hillary Bueker, Senior Planner, presented the rezoning request. She explained that the applicant intended to rezone the property from CG/CH and RS-1 to CN in order to obtain Tax Increment Reinvestment Zone (TIRZ) funding. Ms. Bueker indicated that the applicant was not in attendance and provided a copy of their letter outlining their request to the Commissioners. She then provided Staff's recommendation to approve the rezoning based on the "Neighborhood Center" Future Land Use designation being consistent with the existing hotel and surrounding area; the existing hotel use complying with the CN zoning, that North Chadbourne Street already contains mostly commercial uses, and that there is no demonstrated need for heavy commercial on the property.

Commissioner Crisp asked if the current zoning already allowed a hotel.

Ms. Bueker responded that this was correct, but that a new hotel would have to meet the CN setbacks. Ms. Bueker concluded her presentation by reading the applicant's letter into the record.

Chairperson Priess opened the meeting for public comment.

There was no public comment.

**Commissioner Stribling made a motion to recommend APPROVAL of the proposed rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single Family Residential (RS-1) Zoning Districts to the Neighborhood Commercial (CN) Zoning District. Commissioner Spano 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. Amendment to CU17-21: 777 Plaza LLC**

Public hearing and consideration of a request to eliminate Condition of Approval #3 which restricted the hours of operation for Alcoholic Beverage Sales for On-Premise Consumption, in the General Commercial/Heavy Commercial (CG/CH) Zoning District, being 1.46 acres located at 2402-2428 Vanderventer Avenue.

Kristina Heredia, Planner, presented the proposed Conditional Use Amendment. She explained that the proposed request would amend last month's approval for bars on the property, waiving Condition #3 that imposed a midnight curfew from Monday-Thursday. She indicated that if the amendment was approved, any bar in the shopping center would now be able to remain open past midnight, with the same operating hours as other bars in the City. She outlined Staff's rationale for approval which included that the Texas Alcoholic Beverage Commission (TABC) already allows bars to remain open to 2am and that at the time of original approval, there was no opposition to allowing bars on the property. Ms. Heredia provided a copy of one opposition letter from Tuscany Apartments to the Commission.

Chairperson Priess opened the meeting for public comment.

There was no further public comment.

**Commissioner Spano made a Motion to APPROVE the Conditional Use Amendment to eliminate Condition of Approval #3 which restricted the hours of operation for Alcoholic Beverage Sales for On-Premise Consumption, in the General Commercial/Heavy Commercial (CG/CH) Zoning District, on the subject property, subject to the five conditions of approval, as presented. Commissioner Uherik seconded the Motion. The Motion passed unanimously, 7-0.**

**VI. Director's Report**

Jon James, Planning & Development Services Director, informed the Planning Commission that two text amendments to the Zoning Ordinance were approved by City Council earlier this month: one to allow recreational vehicles as temporary housing, and one to allow reduced setbacks for accessory structures in the RS-3 Zoning District. He also introduced Mr. Uherik, the new Planning Commissioner.

**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, February 19, 2018**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

**VIII. Adjournment.**

Commissioner Uherik made a Motion to adjourn at 10:36 a.m., and Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

*Jeri Jackson*  
VICE, Chair

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Valerie Preiss, Chair,  
Planning Commission