

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, FEBRUARY 19, 2018, AT 9:00 AM IN THE SOUTH MEETING ROOM OF THE MCNEASE CONVENTION CENTER, 501 RIO CONCHO DRIVE, SAN ANGELO, TEXAS**

**PRESENT:** TERI JACKSON (VICE CHAIR), TRAVIS STRIBLING, LUKE UHERIK, CONOLY O. BROOKS III

**ABSENT:** RYAN SMITH, MARK CRISP, JOE SPANO

**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  
Russell Pehl, City Engineer  
Jeff Fisher, AICP, Senior Planner  
Hillary Bueker, RLA, Senior Planner  
Kristina Heredia, Planner

**I. Call to order.**

Vice Chairperson Teri Jackson called the meeting to order at 9:05 a.m. and established that a quorum of four was present.

**II. Prayer and Pledge.**

The prayer was delivered by Ms. Teri Jackson, Vice Chairperson. The pledge was led by Commissioner Uherik.

***Vice Chairperson Jackson introduced Mr. Conoly Brooks, III, a new Planning Commissioner.***

**III. Consent Agenda:**

A. Consideration of approving the January 22, 2018, Planning Commission Regular Meeting minutes.

**A Motion to APPROVE the Consent Agenda was made by Commissioner Stribling and seconded by Commissioner Uherik. The motion carried unanimously, 4-0.**

**IV. Regular Agenda:**

**1. Subdivision Plats**

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

**A. College Hills South Addition, Section 11A**

Public hearing and consideration of a request for approval of a Final Plat of College Hills South Addition, Section 11A, and a Variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to allow South College Hills Boulevard, an urban minor arterial street, to maintain a 56-foot pavement width in lieu of the required 64-foot pavement width, being 5.000 acres out of W. Nevels Survey 2, Abstract No. 1755 and E.B. Cogswell Survey 3, Abstract No. 129.

Hillary Bueker, Senior Planner, presented the proposed final plat which if approved would divide one unplatted parcel into two platted lots. As part of the request, she indicated that the applicant was also seeking a variance to allow South College Hills Boulevard, an urban minor arterial street to maintain a 56-foot paving width instead of the required 64 feet. Ms. Bueker outlined staff's recommendation to approve the plat and the variance on the grounds that the current street width did not pose a safety risk, that most of the surrounding lots had already been platted, and that there were already street improvements planned as part of the City's Capital Improvements Plan.

***Commissioner Brooks recused himself from voting on this item due to a conflict of interest and asked for clarification on how to proceed.***

Dan Saluri, City Attorney explained that Mr. Brooks could not participate and should leave the room to not influence the vote, which would not provide sufficient votes for quorum on the item.

Commissioner Jackson indicated that the item would need to be tabled due to lack of quorum until the next Planning Commission Meeting.

**Commissioner Stribling made a Motion to TABLE the proposed Final Plat request until the next Planning Commission Meeting due to lack of quorum. Commissioner Uherik seconded the Motion. The Motion unanimously passed, 3-0.**

***Commissioner Brooks returned to the Meeting.***

**B. Replat of Lots 16 and 17, Block 1, Mineola Addition**

Public hearing and consideration of a request for approval of a Replat of Lots 16 and 17, Block 1, Mineola Addition, being 0.344 acres and that property described in Instrument No. 201505264 Official Public Records, Tom Green County, Texas.

Hillary Bueker, Senior Planner, presented the proposed replat which, if approved, would combine two previously platted lots into one lot. Ms. Bueker outlined staff's recommendation to approve the replat on the grounds it was consistent with the Future Land Use of "Neighborhood Center" in the City's Comprehensive Plan, consistent with the intent of purpose statements in the Subdivision Ordinance, and would be completing a condition of approval for a previous approved Special Use for auto sales.

Vice Chairperson Jackson opened the meeting for public comment.

There was no public comment.

**Commissioner Uherik made a motion to APPROVE the proposed replat, subject to the three conditions as presented. Commissioner Stribling seconded the motion. The motion passed unanimously, 4-0.**

- 2. Related Comprehensive Plan Amendment, Rezoning, & Conditional Use**  
*City Council has final authority for approval of Comprehensive Plan Amendments and Rezonings. The Planning Commission has final authority for approval of Conditional Uses; appeals may be directed to City Council.*

**A. City of San Angelo / Savy Tattoos**

***Items i, ii, and iii below pertain to several related properties and were therefore presented as one item with three separate motions.***

**i. CP18-01: City of San Angelo**

Public hearing and consideration of a request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Neighborhood Center” Future Land Use Category to the “Commercial” Future Land Use Category, being 7.2 acres located at 717-729 West 29<sup>th</sup> Street and 2825-2929 North Bryant Boulevard;

Public hearing and consideration of a request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Industrial” Future Land Use Category to the “Commercial” Future Land Use Category, being 3.56 acres located at 2609-2635 North Bryant Boulevard and 606-610 Art Street; and,

Public hearing and consideration of a request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Neighborhood Center” Future Land Use Category to the “Industrial” Future Land Use Category, being an unaddressed 2.64-acre tract in the F.E. Cramer Survey #318, Abstract 112, located southwest of West 29<sup>th</sup> Street and North Bryant Boulevard.

**ii. Z18-04: City of San Angelo**

Public hearing and consideration of a request for approval of a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, being 4.65 acres located at 717-729 West 29<sup>th</sup> Street and 2829-2901 North Bryant Boulevard.

**iii. CU18-01: Savy Tattoos**

Public hearing and consideration of a request for approval of a Conditional Use to allow Retail Sales and Services in the Light Manufacturing (ML) Zoning District, being 2.35 acres located at 717 & 729 West 29<sup>th</sup> Street and 2829 North Bryant Boulevard.

Kristina Heredia, Planner, presented the proposed Comprehensive Plan Amendments, Rezoning, and Conditional Use request. She outlined for the Commission the subject areas for each of the three cases. Ms. Heredia explained that the Conditional Use request was to allow retail

sales and service in the Light Manufacturing (ML) Zoning District, the Rezoning from ML to General Commercial (CG) to recognize retail commercial uses at the subject intersection, and the Comprehensive Plan Amendments to reflect the current land uses as well. Ms. Heredia outlined Staff's rationale for approval of the requests on the grounds that approving the Conditional Use would allow the applicant to open her business sooner; that the Rezoning from ML to CG would allow the retail stores in the area by right; and that North Bryant Boulevard is developing as a strong commercial corridor. Ms. Heredia concluded her presentation by indicating that staff received one letter in favor of the conditional use, three in favor of the rezoning and comprehensive plan amendments, and none in opposition to any of the proposed requests.

Vice Chairperson Jackson opened the meeting for public comment.

There was no public comment.

**Commissioner Stribling made a motion to recommend APPROVAL of the three proposed Comprehensive Plan Amendments as presented, being 7.25 acres located at 717-729 West 29<sup>th</sup> Street and 2825-2929 North Bryant Boulevard from "Neighborhood Center" to "Commercial," 2.79-acres located at 2609-2635 North Bryant Boulevard and 606-610 Art Street from "Industrial" to "Commercial," and an unaddressed 1.48-acre tract located southwest of West 29<sup>th</sup> Street and North Bryant Boulevard from "Neighborhood Center" to "Industrial." Commissioner Uherik seconded the motion. The motion passed unanimously, 4-0.**

**Commissioner Stribling made a motion to recommend APPROVAL of the proposed Rezoning on 4.65 acres located at 717-729 West 29<sup>th</sup> Street and 2829-2901 North Bryant Boulevard from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District. Commissioner Uherik seconded the motion. The motion passed unanimously, 4-0.**

**Commissioner Uherik made a motion to APPROVE the proposed Conditional Use on 2.35 acres located at 717 and 729 West 29<sup>th</sup> Street and 2829 North Bryant Boulevard to allow Retail Sales and Services in the Light Manufacturing (ML) Zoning District, subject to the two conditions of approval, as presented. Commissioner Stribling seconded the motion. The motion passed unanimously, 4-0.**

**3. Related Comprehensive Plan Amendment & Rezoning**

*Council has final authority for approval of Comprehensive Plan Amendments and Rezoning.*

**A. City of San Angelo / Segunda Iglesia Bautista**

*Items i and ii below pertain to related properties and were therefore presented as one item with two separate motions.*

**i. CP18-02: City of San Angelo**

Public hearing and consideration of a request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the “Neighborhood” Future Land Use Category to the “Neighborhood Center” Future Land Use Category, being 1.2 acres located at 530 West Avenue T, and 509, 517, and 535 West Avenue S.

**ii. Z18-03: Segunda Iglesia Bautista**

Public hearing and consideration of a request for approval of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.85 acres located at 530 West Avenue T and 535 West Avenue S.

Kristina Heredia, Planner, presented the proposed Comprehensive Plan Amendment and Rezoning requests. She outlined for the Commission the subject areas for each of the two cases. Ms. Heredia explained that the applicant’s Rezoning from Single-Family Residential (RS-1) to Neighborhood Commercial (CN) would legalize an existing church on the properties, and the proposed Comprehensive Amendment from the Future Land Use of Neighborhood to “Neighborhood Center” would reflect the new zoning. Ms. Heredia then outlined Staff’s rationale for approval of the requests on the grounds that a Neighborhood Center Future Land Use would be the best fit for a church; that the RS-1 zoning does not allow churches by-right; and the church already has a conditional use and a CN zoning would allow all church operations and expansion without additional conditional use approvals.

Commissioner Stribling asked if the existing church was legal non-conforming. Ms. Heredia responded this was correct but that the church had planned to acquire adjacent properties, and therefore a rezoning would recognize both the existing church and any future expansions.

Vice Chairperson Jackson opened the meeting for public comment.

There was no public comment.

**Commissioner Brooks made a motion to recommend APPROVAL of the proposed Comprehensive Plan Amendment as presented, being 1.20 acres located at 530 West Avenue T, and 509, 517, and 535 West Avenue S from “Neighborhood” to “Neighborhood Center.” Commissioner Uherik seconded the motion. The motion passed unanimously, 4-0.**

**Commissioner Uherik made a motion to recommend APPROVAL of the proposed Rezoning as presented, being 0.87 acres located at 530 West Avenue T and 535 West Avenue S from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District. Commissioner Stribling seconded the motion. The motion passed unanimously, 4-0.**

**4. Rezoning.**

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

**A. Z18-02: Tuck**

Public hearing and consideration of a request for a Rezoning from the Office Commercial (CO) Zoning District to the Two-Family Residential (RS-2) Zoning District, being 0.52 acres located at 7 South Park Street.

Jeff Fisher, Senior Planner, presented the proposed Rezoning from the Office Commercial (CO) Zoning District to the Two-Family Residential (RS-2) Zoning District. He explained that the applicant was seeking the best use for the properties and believed that the RS-2 zoning was appropriate given that the properties currently zoned CO remains vacant. Mr. Fisher outlined Staff’s recommendation of approval which included that the City’s Future Land Use designation of “Neighborhood” supported a diversity of housing type in this area; that all three lots would comply with the RS-2 development standards; and that there is already RS-2 zoning and residential uses to the north and west, and a park immediately east.

Commissioner Brooks asked if safety concerns regarding school children using South Park Street had been addressed.

Mr. Fisher responded that he believed that less traffic would be generated from three residential lots than if the properties remained commercial would could have ongoing traffic to and from the site.

Vice Chairperson Jackson opened the meeting for public comment.

Mr. Char Hughes, owner of 4 and 6 South Washington Street immediately to the west, and 1104 West Beauregard Avenue further west, indicated that he had lived at the latter address for the past 45 years. He expressed his opposition to the request, citing traffic, parking, and pedestrians. He indicated that if residences were placed on these properties, there would be more traffic and trash. He also expressed concerns for pedestrians along Harris Avenue with increased vehicles, as well as after-school traffic. Mr. Hughes concluded that most homes in the area were large homes, not duplexes, and that he believed that the existing CO Zoning would yield the highest and best use for the properties.

Mr. Christopher Tuck, the applicant and owner of the subject properties, indicated that he was not aware until this past weekend that there were any objections to his request. He further indicated he did not want to create any problems for the surrounding neighbors. He explained that based on the feedback from surrounding neighbors, he had decided to withdraw his request for rezoning.

Mr. Jon James, Director of Planning and Development Services, indicated that the request could be officially withdrawn with a vote by the Planning Commission to accept the withdrawal request.

**Commissioner Stribling made a Motion to ACCEPT the applicant's WITHDRAWAL request of the proposed Rezoning from the Office Commercial (CO) Zoning District to the Two-Family Residential (RS-2) Zoning District, leaving the properties to remain zoned Office Commercial (CO). Commissioner Uherik seconded the Motion. The Motion passed unanimously, 4-0.**

**5. Conditional Uses.**

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



**A. CU18-02: Powell**

Public hearing and consideration of a request for approval of a renewal of a Conditional Use for a Short-Term Rental, as defined in Section 406 and 804 of the Zoning Ordinance, within an existing single-family dwelling in the Single-Family Residence (RS-1) Zoning District, being 0.242 acres located at 2181A Gun Club Road.

Jeff Fisher, Senior Planner, presented the proposed Conditional Use request for a renewal of a short term rental that was approved by the Planning Commission in March 2017. The applicants had reapplied to continue their short term rental as required by the Zoning Ordinance. Mr. Fisher outlined Staff's recommendation of approval which included that there had been no violations, crime, or vandalism reported on the property since the original short term rental was approved, that the applicant had paved two parking spaces as required, and that the property fronted onto Lake Nasworthy in close proximity to the Marina, jogging, and walking trails.

Vice Chairperson Jackson opened the meeting for public comment.

Mr. Pat Powell, one of the owners of the subject property and applicant, spoke in support of the request to renew the short term rental on the subject property.

**Commissioner Stribling made a Motion to APPROVE the renewal of a Conditional Use for a Short-Term Rental, as defined in Section 406 and 804 of the Zoning Ordinance, within an existing single-family dwelling in the Single-Family Residence (RS-1) Zoning District, subject to the five conditions of approval, as presented. Commissioner Brooks seconded the Motion. The Motion passed unanimously, 4-0.**

**B. CU18-03: Bauman**

Public hearing and consideration of a request for approval to allow a wireless telecommunications tower and related facilities in the Central Business District (CBD) Zoning District, being 1.60 acres located at 36 West Beauregard Avenue.

Hillary Bueker, Senior Planner, presented the proposed Conditional Use request for approval to allow a wireless telecommunications tower and

related facilities on the subject property. She explained that the facilities would be located on top of the existing Wells Fargo building in downtown San Angelo. Ms. Bueker outlined Staff's recommendation of approval which included that existing businesses already had antennas, that telecommunication facilities were already allowed in the CBD Zoning District, and that there were other commercial uses already in the area along West Beauregard Avenue. She concluded her presentation outlining the two proposed conditions of approval including that the facility met all requirements for a building permit, that the beta and gamma sector components be setback at least 10 feet from the parapet wall, and the alpha sector be flush mounted and painted to match the building.

Vice Chairperson Jackson asked if this property required approval from the Design and Historic Review Commission (DHRC). Ms. Bueker responded that this was correct and that the applicant had obtained approval on February 16<sup>th</sup> by the DHRC for the facilities which were located in the City's River Corridor.

Vice Chairperson Jackson opened the meeting for public comment.

Mr. Bill Bauman, applicant and representative of the wireless telecommunications company, explained that he moved the devices to camouflage their appearance.

**Commissioner Brooks III made a Motion to APPROVE the request for approval to allow a wireless telecommunications tower and related facilities in the Central Business District (CBD) Zoning District, subject to the two conditions of approval, as presented. Commissioner Uherik seconded the Motion. The Motion passed unanimously, 4-0.**

**C. CU18-04: Ferguson**

Public hearing and consideration of a request for approval of a Conditional Use for Wholesale Trade in the General Commercial (CG) Zoning District, being 1.968 acres located at 34 Buick Street.

Jeff Fisher, Senior Planner, presented the proposed Conditional Use request to allow the use of "Wholesale Trade" as defined in the Zoning Ordinance to allow a distribution center for plumbing and related supplies on the subject property. He explained that the property was

currently occupied by Angelo Skate and Fun Center, which included indoor roller-skating and outdoor mini-golf. He displayed for the Commissioners a copy of the site concept plan provided by the applicant which showed an expanded parking area along the southerly portion of the property, and a new curb cut along the southeast portion of the property. Mr. Fisher outlined Staff's recommendation to deny the request based on the existing street, Buick Street, being only an Urban Local Road, 40-foot wide road built to a lower standard subgrade, and safety issues of large truck volumes of up to 42 trips entering and existing the site per day.

Vice Chairperson Jackson asked if the Zoning District allowed the use by right, what zoning district would allow wholesale trade by right? Mr. Fisher responded that CH, ML or MH Districts would allow wholesale trade.

Vice Chairperson Jackson asked how the traffic information on 42 truck trips per day was obtained. Mr. Fisher responded that he obtained this information from the applicant.

Vice Chairperson Jackson opened the meeting for public comment

Nick Turner, Operations Manager for the applicant, spoke in support of the request. He explained that based on customer interviews, this site was selected as the preferred location based on its proximity to the City's business core. He explained that most the trucks entering and exiting the site were not 18-wheelers, but rather smaller vehicles. He indicated that there would be only 2-3, 18-wheeler trips per week. Mr. Turner also explained that there was a traffic light at Sherwood Way and Buick Street, and that other businesses along Buick Street, including Mitchell Toyota and the paint store, already made 18-wheeler truck trips along this street.

Commissioner Stribling asked how many employees would be at this property. Mr. Turner indicated there would be 4-5 associates, most based in San Angelo.

Brandon Sanders, the real estate agent on behalf of the applicant, spoke on behalf of the request. He explained that this site was an appropriate fit given that the business included a large retail component, and that they wanted to be close to their customers. Mr. Sanders further

explained that the current skate center generated up to 100 vehicle trips per day entering and existing the property, more than the proposed use.

Vice Chairperson Jackson asked how much retail would be located in the facility. Mr. Sanders indicated almost half of the facility would be retail.

Mr. Reed Shahan, owner of the paint store and storage facility along Buick Street, approached the podium and spoke next. He indicated that the proposed location of the facility would be suitable given its close proximity to other commercial businesses. He expressed concerns, however, about 18-wheelers using the lower standard street for less intense uses.

Commissioner Stribling asked Mr. Turner if he had spoken to the City's Economic Development Corporation, COSADC, about the project. Mr. Turner answered yes, and indicated the possibility of locating at another property in downtown San Angelo, but that the footprint and location was not large enough to accommodate this business.

Mr. Stribling stated that he believed this was a suitable location for the proposed business, and that additional retail would be beneficial to the City, especially given that Sears was closing soon.

Mr. Sanders explained that the applicant had made all possible attempts to find another location but that this was the best site based on what the applicant needed.

Russell Pehl, City Engineer, indicated concerns about turning radiuses and traffic entering from Sherwood Way.

Vice Chairperson Jackson asked if Engineering would be willing to work with Ferguson on the existing condition of Buick Street. Mr. Pehl responded that this was possible, but that the applicant would have to pay for any needed improvements to Buick Street.

Mr. Fisher presented the six conditions of approval as outlined the staff report if the Planning Commission decided to approve the Conditional Use request.

Mr. Stribling asked if proposed Condition #5 with respect to allowing the City to investigate any nuisances on the property was necessary. He

explained that he understood the City already had this power. Mr. Jon James, Director of Planning and Development Services, indicated that the City often restated conditions already required as clarification for the applicant.

Vice Chairperson Jackson asked for clarification on proposed Condition #6 on outside storage. Mr. Fisher explained that this condition limited the applicant to up to 10% of the lot may be used as outdoor storage.

Commissioner Brooks asked if he could make a motion to approve the request without conditions since he believed that they were already required by the City. Mr. Fisher indicated that proposed Condition #2 with respect to a landscape plan should be required as the City at present did not have a landscape ordinance.

Commissioner Brooks indicated that any of the proposed conditions, in his opinion, would be overreaching.

**Commissioner Brooks III made a Motion to APPROVE the Conditional Use for Wholesale Trade in the General Commercial (CG) Zoning District with no conditions. Commissioner Uherik seconded the Motion. The Motion passed 3-1 with Commissioners Brooks III, Stribling and Uherik voting in favor, and Commissioner Jackson voting against.**

## **VI. Text Amendments.**

*City Council has final authority for approval of Text Amendments.*

**Public hearing and consideration of a Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, Article 4, Section 402 (Accessory Uses and Structures) to eliminate Subsection C.1.a.2)iii. for the purpose of clarifying the language of constructing such structures with specified materials in a manner that is unenclosed and unencumbered.**

Rebeca Guerra, Planning Manager, presented the proposed Text Amendment related to accessory buildings and structures in the Zero Lot Line, Twinhome and Townhome (RS-3) Zoning District. She explained that the original amendment was brought to the Planning Commission late last year and has now been approved by City Council. Ms. Guerra explained that the new amendment would maintain the language of the original amendment pertaining to required construction materials of these accessory structures and that they be unenclosed and unencumbered.

However, she explained that in order to eliminate confusion and redundancy, that the third subsection pertaining to a roof that was substantially open and constructed entirely of noncombustible material be eliminated as the previous subsections already required these provisions.

Vice Chairperson Jackson opened the meeting for public comment.

There was no public comment.

**Commissioner Brooks made a motion to recommend APPROVAL of the proposed Text Amendment as presented, to Chapter 12, Exhibit “A” Zoning Ordinance, Article 4, Section 402 (Accessory Uses and Structures) to eliminate Subsection C.1.a.2)iii. for the purpose of clarifying the language of constructing such structures with specified materials in a manner that is unenclosed and unencumbered. Commissioner Stribling seconded the motion. The motion passed unanimously, 4-0.**

#### **VII. Director’s Report**

Jon James, Planning & Development Services Director, informed the Planning Commission that the variances for the Bridlewood Estates, Section One subdivision had been appealed to City Council and would be presented at February 20<sup>th</sup> City Council Meeting. Mr. James also indicated that the Planning Division is presenting to the DHRC proposed changes to the River Corridor boundary, as well as adding new districts and standards as part of an ordinance amendment. Mr. James also explained that proposed changes to the Subdivision Ordinance were also being discussed and would be brought forward to the Planning Commission in the near future.

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

#### **IX. Adjournment.**

Commissioner Brooks made a Motion to adjourn at 10:35 a.m., and Commissioner Uherik seconded the Motion. The Motion passed unanimously, 4-0.

---

Travis Stribling, Chair,  
Planning Commission