

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

PRESENT: TRAVIS STRIBLING (NEW CHAIR), JOE SPANO (NEW VICE-CHAIR), TERI JACKSON, RYAN SMITH, CONOLY O. BROOKS III

ABSENT: MARK CRISP, LUKE UHERIK

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
Andy Vecillio, Assistant City Engineer
Mitchell Gatlin, Project Engineer-EIT
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 9:00 a.m. and established that a quorum of five was present.

II. Prayer and Pledge.

The prayer was delivered by Mr. Cameron Strange of Paulann Baptist Church. The pledge was led by Commissioner Smith.

III. Election of Chair and Vice-Chair.

A Motion to ELECT Commissioner Spano as the New Chair of the Planning Commission was made by Commissioner Jackson. There was no second and the motion died.

A Motion to ELECT Commissioner Stribling as the New Chair of the Planning Commission was made by Commissioner Brooks and seconded by Commissioner Spano. The motion carried unanimously, 5-0.

A Motion to ELECT Commissioner Spano as the New Vice-Chair of the Planning Commission was made by Commissioner Smith and seconded by Commissioner Brooks III. The motion carried unanimously, 5-0.

III. Consent Agenda:

- A. Consideration of approving the February 19, 2018, Planning Commission Regular Meeting minutes.

A Motion to APPROVE the Consent Agenda was made by Commissioner Smith and seconded by Vice-Chair Spano. The motion carried unanimously, 5-0.

IV. Regular Agenda:

1. Subdivision Plats

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

A. Sturtz Addition, Section One

Public hearing and consideration of a request for approval of a Final Plat, Sturtz Addition, Section One, and a variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 20 feet in lieu of 30 feet for Abernathy Road, a Rural Local Road; being 24.793 acres east of Abernathy Road and Mesquitewood Drive in the City of San Angelo's Extraterritorial Jurisdiction (ETJ); more specifically being out of the A. Bauman Survey No. 156, Abstract No. 63.

Kristina Heredia, Planner, presented the proposed final plat located within the City's Extraterritorial Jurisdiction (ETJ) which proposes to divide one unplatted lot into two lots. Ms. Heredia indicated that as part of the request, the applicant was also requesting a partial variance to allow Abernathy Road, a rural local street, to maintain a 20-foot paving width in lieu of 30 feet. She outlined Staff's rationale to recommend approval of the variance, which included that the current street widths were sufficient and did not pose a safety risk, that most of the surrounding lots were already platted, and that additional road width in front of the properties could create a distraction to drivers.

Chair Stribling opened the meeting for public comment.

Herb Hooker, with SKG Engineering, indicated that he was available for public comment.

Commissioner Jackson made a motion to APPROVE the proposed final plat and requested variance, subject to the four conditions as presented. Commissioner Smith seconded the motion. The motion passed unanimously, 5-0.

B. College Hills South Addition, Section 11A

Public hearing and consideration of a request for approval of a Final Plat, College Hills South Addition, Section 11A, and a variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 56 feet in lieu of 64 feet for South College Hills Boulevard, an Urban Minor Arterial Road; being 5.000 acres located at 3231 College Hills Boulevard.

At 9:08 a.m., Commissioner Brooks recused himself from voting on this item due to a conflict of interest.

Hillary Bueker, Senior Planner, presented the proposed final plat which would divide one unplatted lot into two platted lots. She also outlined the applicant's request for a variance to allow South College Hills Boulevard, an urban minor arterial street, to maintain a 56-foot paving width in lieu of the required 64 feet. Ms. Bueker outlined Staff's rationale to recommend approval of the variance which included that the current street width was sufficient and did not pose a safety risk and that the properties were located within an established area of platted lots.

Chair Stribling opened the meeting for public comment.

Herb Hooker, with SKG Engineering, indicated that he was available for public comment, and that this item was tabled from last month due to lack of quorum.

Commissioner Jackson made a motion to APPROVE the proposed final plat and requested variance, subject to the two conditions as presented. Commissioner Smith seconded the motion. The motion passed unanimously, 4-0.

At 9:11 a.m., Commissioner Brooks returned to the Meeting.

C. First Replat of Block 2, Ellison Estates, Section Two

Public hearing and consideration of a request for approval of a First Replat of Block 2, Ellison Estates, Section Two; being 20.772 acres southeast of West Loop 306 and Sherwood Way; more specifically being all of Lot 1, Block 2, Section Two, Ellison Estates Subdivision.

Hillary Bueker, Senior Planner, presented the proposed replat which would divide one existing platted lot into five platted lots. No variances were requested as part of the submission. Ms. Bueker indicated that Conditions #2 and #3 pertaining to sidewalks and utility plans could be deferred to the building permit stage.

Chair Stribling opened the meeting for public comment.

Russell Gully, with SKG Engineering, requested that all conditions be deferred to the building permit stage. He indicated that due to multiple owners being part of the request, that it would be easier to address these issues at the permitted stage. Mr. Gully further explained that the applicant was already involved in conversations with TxDOT concerning the installation of curb cuts.

Chair Stribling asked that if the drainage study was deferred, at what point would drainage be addressed. Mr. Gully answered that drainage issues could be addressed at the permitting stage and that it would be difficult at this point to address drainage until construction plans were known.

Any Vecillio, Assistant City Engineer, indicated that Engineering Services recently spoke to TxDOT and they agreed to obtain the preliminary drainage study as part of the platting process.

Dan Saluri, Deputy City Attorney, indicated that if a drainage plan was deferred, the applicant would need to provide a security to the City to ensure that the drainage utilities were constructed to service the development.

Mr. Vecillio further added that the City needed to know, in advance, the proposed drainage plan.

Jon James, Director of Planning and Development Services, asked Mr. Vecillio to confirm that the drainage plan at this point is conceptual. Mr. Vecillio responded that this was correct.

Chair Stribling indicated that he believed that, at minimum, a general idea of drainage was needed now, otherwise it would be difficult to be determined later.

Commissioner Jackson made a motion to APPROVE the proposed replat, and defer Conditions #2, #3, and #4 to the building permit stage. Commissioner Brooks III seconded the motion. Commissioners Smith, Stribling, and Spano voted against the motion. The motion passed 3-2.

Commissioner Smith made a motion to APPROVE the proposed replat, and defer only Conditions #2 and #3 to the building permit stage. Commissioner Spano seconded the motion. Commissioners Smith, Spano, and Stribling voted in favor of the motion and Commissioners Jackson and Brooks III voted against. The motion passed 3-2.

D. First Replat in Block 7, Mather Addition

Public hearing and consideration of a request for approval of a First Replat in Block 7, Mather Addition, and a variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum pavement width of 36 feet in lieu of 40 feet and no sidewalk for West 32nd Street, an Urban Local Road; being 0.760 acres southwest of North Chadbourne Street and West 32nd Street; more specifically being Block 7, Mather Addition.

Jeff Fisher, Senior Planner, presented the proposed replat which would divide an existing platted lot into three smaller lots. All of the proposed lots will comply with the RS-1 zoning standards. Mr. Fisher also outlined the applicant's request for a variance to allow West 32nd Street, an urban local road, to maintain a 36-foot paving width and no sidewalk in lieu of a 40-foot paving width and no sidewalk or a 36-foot paving width with a 4-foot sidewalk. He outlined Staff's rationale for approval which included that the subject property is located within an area of existing platted lots and that additional paving would create an irregular street jog with the existing curb needing to be removed.

Chair Stribling opened the meeting for public comment.

Herb Hooker, with SKG Engineering, requested a deferral of Condition #4 pertaining to opening a water and sewer service account to the building permit stage.

Commissioner Smith made a motion to APPROVE the proposed replat and requested variance, subject to the four conditions presented, but deferring condition #4 to the building permit stage. Chair Stribling seconded the motion. The motion passed unanimously, 5-0.

2. Rezoning

City Council has final authority for approval of Rezoning.

A. PD18-01: Palmer

Public hearing and consideration of a request for approval of a Rezoning from the Ranch and Estate (R&E) Zoning District to a Planned Development (PD) Zoning District to allow for Light Manufacturing and Production and Retail Sales and Service; being 3.29 acres located at 3409 and 3415 South Chadbourne Street.

Jeff Fisher, Senior Planner, presented the case. He explained that the applicant required the rezoning in order to reconstruct a manufacturing storage building destroyed by fire and to legalize the existing feed manufacturing facility and restaurant on the property. Mr. Fisher indicated that from his research, the buildings appeared to have been built in the 1940s, prior to the current Ranch and Estate (R&E) zoning which did not allow the uses by right. He indicated that the PD Zoning District, if approved, would allow the manufacturing facility and restaurant to continue, as well as the inclusion of other retail uses on the property in future. Mr. Fisher outlined Staff's rationale for approval which included that the uses were compatible with the Future Land Use designation of "Commercial," that the development would comply with all zoning standards and that the uses were compatible with the surrounding area which already contained commercial and light industrial uses along South Chadbourne Street. He displayed the applicant's site concept plan and explained that to mitigate any impact on the residentially zoned properties to the south, conditions of approval would include additional landscape screening and a 10-foot setback from the south property line.

Chairperson Stribling opened the meeting for public comment.

There was no public comment.

Vice Chair Spano made a Motion to recommend APPROVAL of a Rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to allow for Light Manufacturing and Production and Retail Sales and Service on the subject property, with the seven conditions of approval as presented by staff. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 5-0.

B. Z18-05: Langdon

Public hearing and consideration of a request for approval of a Rezoning from the Ranch and Estate (R&E) Zoning District to a Planned Development (PD) Zoning District to allow for Light Manufacturing and Production and Retail Sales and Service; being 3.29 acres located at 3409 and 3415 South Chadbourne Street.

Hillary Bueker, Senior Planner, presented the proposed Rezoning from the CG and CG/CH zoning districts to an exclusive CG Zoning District on the property. She explained that the proposed use was permitted in the CG Zoning District, but not the CG/CH Zoning District. Ms. Bueker outlined Staff's recommendation for approval which included that the CG zoning was compatible with the Future Land Use designation of "Commercial," that the existing and proposed land uses were consistent with CG zoning, and that most of the properties along Sunset Drive were already zoned General Commercial.

Chairperson Stribling opened the meeting for public comment.

Jerry, a contractor representing the applicant, asked when he could pull building permits to start construction. Ms. Bueker responded that permits could be issued if the request was approved by City Council. She further stated that there were two upcoming Council meetings, with the second and final meeting on May 1, 2018. Ms. Guerra added that while permits could not yet be issued, the applicant could make their applications and have the Permits Division review plans while the case moved through City Council.

Commissioner Smith made a Motion to recommend APPROVAL of the request for a Rezoning from the General Commercial (CG) and General Commercial/Heavy Commercial (CG/CH) Zoning Districts to the General Commercial (CG) Zoning District on the subject

property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 5-0.

3. Special Uses

City Council has final authority for approval of Special Uses.

A. Amendment to SU17-01: Hargraves

Public hearing and consideration of a request to amend Condition of Approval #4 and eliminate Condition of Approval #5 for an approved Special Use which allows an Automotive and Light Truck Dealership in the Neighborhood Commercial (CN) Zoning District; being 0.345 acres located at 508 West 17th Street.

Kristina Heredia, Planner, presented the proposed Special Use Amendment, to amend condition #4 to require planting of shrubs instead of trees; and to remove condition #5 that prohibited on or off street loading on West 17th Street, North Bryant Boulevard, or the alley. Ms. Heredia outlined Staff's recommendation for approval which included that trees may cause debris damage, and that the Texas Department of Transportation (TxDOT) denied access off of North Bryant Boulevard, requiring the need to have access off of West 17th Street.

Jon James, Director of Planning and Development Services explained to the Planning Commissioners that the purpose of the amendment was to impose conditions that would protect surrounding residential uses from the car lot.

Chairperson Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the request to amend Condition of Approval #4 and eliminate Condition of Approval #5 for an approved Special Use which allows an Automotive and Light Truck Dealership in the Neighborhood Commercial (CN) Zoning District on the property. Commissioner Brooks III seconded the Motion. The Motion passed unanimously, 5-0.

V. Text Amendments.

City Council has final authority for approval of Text Amendments.

- A. Public hearing and consideration of a Text Amendment to Chapter 12, Exhibit “A” Zoning Ordinance, Article 3, Section 310.E and Section 315.H.3.c, and Article 4, Section 411, reclassifying the use of “Game Hall” under “Indoor Entertainment, Retail Sales and Services,” and removing it as an individual Use Category.**

Kristina Heredia, Planner, presented the proposed text amendment pertaining to “game halls”, currently one of the uses stipulated in the Zoning Ordinance. Ms. Heredia explained that a rezoning was brought forward last year for Sunset Mall and a concern was raised whether this definition would require certain uses to obtain a conditional use and not be allowed by right. She indicated that the proposed text amendment would eliminate “game hall” from the zoning use table, and instead consider it as an entertainment use, which would now include “arcades,” “bingos,” and “billiard/pool halls.” Ms. Heredia concluded her presentation by explaining that the specific use provision requiring a separation distance from a school would be removed as the game hall category itself had now been removed.

Chairperson Stribling asked about the provision to add bingo parlors to the list of permitted entertainment-oriented uses.

Ms. Heredia explained that there is currently only one bingo parlor, one arcade, and two billiard halls currently operating in the City. She explaining that by allowing these uses without a Conditional Use, one of the existing billiard halls would be brought into compliance without the need for its Conditional Use.

Chairperson Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a motion to recommend APPROVAL of the proposed Text Amendment as presented, to Chapter 12, Exhibit “A” Zoning Ordinance, Article 3, Section 310.E and Section 315.H.3.c, and Article 4, Section 411, reclassifying the use of “Game Hall” under “Indoor Entertainment, Retail Sales and Services,” and removing it as an individual Use Category. Commissioner Smith seconded the motion. The motion passed unanimously, 5-0.

- B. Public hearing and consideration of a Text Amendment to the Land Development and Subdivision Ordinance, Chapter 1, General Provisions, Section II, Authority, regarding interpretations and Section IV, Variances, Subsection C, Appeal to City Council, regarding appeals; Chapter 5, Procedural Requirements For Processing Subdivisions, Section III Stages of Preliminary Review, Subsection A, Major Subdivisions & Subsection C, Administrative Subdivisions, amending submittal requirements and meeting time for the Plat Review Committee; and Chapter 7, Specifications for Preliminary Plats, Final Plats, and Replats, Section I, Preliminary Plat & Section II, Final Plat, amending submittal requirements.**

Rebeca Guerra, Planning Manager, presented the proposed Subdivision Ordinance text amendment to the Planning Commission. She outlined the proposed changes, which included allowing the Planning Director to make interpretations to the ordinance and appeal subdivision plat decisions, eliminating requirements for additional paper copies of plat submissions, amending the submission deadline and meeting time for the plat review committee, and replacing current plat specifications consistent with checklists posted on the Planning Department website.

Commissioner Jackson asked if the Planning Commission currently had the authority to approve all plats. Ms. Guerra answered that this was correct.

Commissioner Jackson asked for clarification if the new process would now allow the Planning Director to appeal a decision by the Planning Commission. Ms. Guerra explained that that was true and that this change was to be consistent with the current provision that already allowed the Planning and Public Works Directors to appeal plat variances.

Commissioner Jackson responded that she did not like this change, and raised concerns that if Planning Commission decisions could be appealed to City Council then there would no need for her Commission.

Ms. Guerra responded that currently there was no recourse to appeal a plat decision. She reiterated to the Commissioners that only a variance could be appealed which could end up requiring an applicant to have to resubmit their plat regardless.

Jon James, Planning and Development Services Director, indicated that he could not think of a plat in the last several years that the Planning Division would have appealed to Council. He explained that this change was essentially a “clean-up” to allow the Planning Director to appeal

plats to City Council, as the Director already has the right to appeal plat variances. Mr. James concluded by explaining that currently the ordinance only allows the developer to appeal a plat, and therefore, the change would allow fairness for both the City and the developer to appeal.

Ms. Guerra explained that plats were currently the only case type that was not appealable.

Vice Chairperson Spano indicated that he supported the proposed changes and believed they would be more efficient for customers.

Commissioner Stribling concurred with Vice Chairperson Spano.

Chairperson Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Brooks III made a motion to recommend APPROVAL of the proposed Text Amendment as presented, to the Land Development and Subdivision Ordinance, Chapter 1, General Provisions, Section II, Authority, regarding interpretations and Section IV, Variances, Subsection C, Appeal to City Council, regarding appeals; Chapter 5, Procedural Requirements For Processing Subdivisions, Section III Stages of Preliminary Review, Subsection A, Major Subdivisions & Subsection C, Administrative Subdivisions, amending submittal requirements and meeting time for the Plat Review Committee; and Chapter 7, Specifications for Preliminary Plats, Final Plats, and Replats, Section I, Preliminary Plat & Section II, Final Plat, amending submittal requirements. Commissioner Smith seconded the motion. The motion passed 3-2, with Commissioners Brooks, Smith, Stribling voting in favor, and Commissioners Jackson and Spano voting against.

VI. Director's Report

Jon James, Planning & Development Services Director, informed the Planning Commission that the zoning and special use cases presented at the meeting would be reviewed by City Council at their April 17, 2018, meeting, and the text amendments would be presented to City Council at their April 3, 2018, meeting. He also indicated that the Development Task Force was meeting on Wednesday to discuss subdivision ordinance changes and new fees.

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, April 16, 2018**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

VIII. Adjournment.

Commissioner Brooks III made a Motion to adjourn at 10:15 a.m., and Vice-Chair Spano seconded the Motion. The Motion passed unanimously, 5-0.



Travis Stribling, Chair,
Planning Commission