

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, AUGUST 20, 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 (CHAIR), JOE SPANO (VICE-CHAIR), RYAN SMITH, TERI JACKSON, LUKE UHERIK, CONOLY O. BROOKS III; JOE SELF

**ABSENT:** n/a

**STAFF:** Jon James, AICP, Director of Planning and Development Services  
Aaron Vannoy, Development Administrator  
Dan Saluri, Deputy City Attorney  
Charlie Kemp, Interim Building Official, Permits and Inspections  
Andy Vecellio, Assistant City Engineer  
Mitchell Gatlin, Project Engineer-EIT  
Jace Hyden, Project Engineer-EIT  
Jeff Fisher, AICP, Senior Planner  
Hillary Bueker, RLA, Senior Planner  
Kristina Heredia, Planner

**I. Call to order.**

Chair Travis Stribling called the meeting to order at 9:06 a.m. and established that a full quorum of seven was present.

**II. Prayer and Pledge.**

The prayer was delivered by Commissioner Jackson. The pledge was led by Commissioner Smith.

**V. Consent Agenda:**

- A. Consideration of approving the July 16, 2018, Planning Commission Regular Meeting minutes.

***Chair Stribling requested that the July 16, 2018 be approved with one revision, that Vice-Chair Joe Spano called the meeting to order.***

**A Motion to APPROVE the Consent Agenda with the revised July 16, 2018 Minutes was made by Commissioner Jackson and seconded by Vice Chair Spano. The motion carried unanimously, 7-0.**

**VI. Regular Agenda:**

**1. Subdivision Plats**

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

**A. Final Plat of Bridgestone Knickerbocker Addition**

Public hearing and consideration of a request for approval of a Final Plat of Bridgestone Knickerbocker Addition, being 0.69 acres located southwest of Knickerbocker Road and Industrial Avenue.

Jeff Fisher, Senior Planner, presented the proposed final plat which would plat an existing lot, the former home of the Cork and Pig restaurant. He explained that the applicant plans to erect a firestone tire facility on the property and erection of a new building requires a subdivision plat. Mr. Fisher then outlined Staff's recommendation for approval an rationale for new sidewalks on both street frontages. He explained that a sidewalk along Knickerbocker Road was appropriate given the presence of existing sidewalks to the west and sidewalk ramp to the east. Mr. Fisher also explained that a sidewalk on Industrial Avenue would connect to the new sidewalk on Knickerbocker Road and improve pedestrian connection to the apartment complex to the south.

Chair Stribling opened the meeting for public comment.

Mr. Bob Gage with GBT Realty representing the applicant indicated that he was available for questions, and that he agreed to install the sidewalks as requested.

There was no further public comment.

**Commissioner Self made a motion to APPROVE the proposed final plat, subject to the five conditions as presented. Commissioner Jackson seconded the motion. The motion passed unanimously, 7-0.**

**B. 3<sup>rd</sup> Replat in Section Two, T.J.A.K. Addition**

Public hearing and consideration of a request for approval of a 3<sup>rd</sup> Replat in Section Two, T.J.A.K. Addition, and a Variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 36 feet with no sidewalk in lieu of the required 36 feet with a 4-foot sidewalk, or 40 feet with no sidewalk, for La Cruz Street, an Urban Local Street, being 6.431 acres located northwest of La Cruz Street and Old Knickerbocker Road.

Hillary Bueker, Senior Planner, presented the proposed replat which would combine two lots and additional surveyed land into one lot, a portion for City drainage purposes, and the remainder for a private owner. She explained that as part of the request, the applicants were seeking one variance to allow La Cruz Street to remain at 36 feet in width without a sidewalk. Ms. Bueker outlined Staff's recommendation of approval of the replat and variance on the grounds the street functions in its current condition; that this is a small infill project; that existing street widths are already sufficient; and that this would not vary any other ordinance provisions.

Chair Stribling asked for clarification on condition #8 if Staff was in support of the variance from street improvements.

Ms. Bueker responded this was correct.

Chair Stribling opened the meeting for public comment

Mr. Andy Vecellio, Assistant Engineer, requested that the condition requiring water and sewer taps be deferred to the permit stage because the current site will be used for the City's drainage project and will not require a permit.

Mickey Favre, representing one of the applicants, indicated that he is favor of the replat request.

Council Member Harry Thomas expressed his support for the request, indicating that the City's portion of the land will be used to assist residents on Avenue P as part of the City drainage project.

There was no further public comment.

**Commissioner Brooks made a motion to APPROVE the proposed replat and one variance, deferring Condition #6 to the permitting stage if necessary. Commissioner Smith seconded the motion. The motion passed unanimously, 7-0.**

**C. Replat of Lots 27, 28, and 29, Block 3, Poulter's Highland Acres**

Public hearing and consideration of a request for approval of a Replat of Lots 27, 28, and 29, Block 3, Poulter's Highland Acres, and a Variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 36 feet with no sidewalk in lieu of the required 36 feet with a 4-foot sidewalk, or 40 feet with no sidewalk, for Townview Lane, an Urban Local Street, being

6.488 acres located southwest of Townview Lane and West Houston Harte Expressway Frontage Road.

Hillary Bueker, Senior Planner, presented the proposed replat of three existing lots into two lots, and one variance to allow Townview Lane to remain 36 feet wide and no sidewalk. She explained that the existing church would remain on the north lot and the south lot will remain vacant. Ms. Bueker outlined Staff's recommendation to approve the plat and variance on the basis that the street functions well in its current condition, that it dead-ends and all other lots are already platted; and that the existing street widths and configuration are already sufficient for the area.

Chair Stribling asked when the drainage study was required to be submitted.

Mr. Andy Vecellio, Assistant Engineer, responded that the drainage study would be required with the plat. He also requested a deferral of the water and sewer taps to the permit stage, and a survey to determine if the eight-inch sewer main needed to be extended.

Chair Stribling opened the meeting for public comment

Mr. Steve Eustis, representing the church, indicated that the church may want to sell the vacant lot in future. He asked to confirm that a drainage study would not be required unless the impervious cover changed by more than 5%.

Mr. Andy Vecellio, Assistant Engineer, responded that the drainage study would be required with the plat if the impervious cover changes by more than 5%.

Mr. Eustis asked how the developer would know how much impervious cover was being changed.

Mr. Vecellio indicated that the City's drainage manual would outline how to determine this calculation.

Mr. Jon James, Director of Planning and Development Services, indicated that the Subdivision Ordinance may be changed in future to allow a deferral of the drainage study until a future phase of development.

Mr. Eustis requested variances to defer the drainage study and water and sewer taps to the permit stage.

Mr. James clarified that under the current ordinance the drainage study cannot be deferred to the permit stage.

Chair Stribling asked for clarification on the proposed text amendment to the Subdivision Ordinance allowing the drainage study to be deferred.

Mr. James explained that the City Engineer would have the authority under the changes to defer the study to a later stage.

Chair Stribling asked if the Commission could grant a variance to allow the drainage study to be deferred.

Mr. James indicated that in order to obtain a variance, a variance would have had to been requested when the application was submitted. He also indicated he would need to determine whether a variance from a drainage study would be allowed.

Mr. Dan Saluri, Deputy City Attorney, believed that a variance could be granted but that in this situation, the Commission did not appear to have enough information.

Chair Stribling asked to confirm if a variance could be given now regardless of the situation.

Mr. Saluri indicated that a variance could be granted but reiterated that there will be some drainage issues that need to be resolved.

Chair Stribling asked if any permit work would trigger a drainage study.

Mr. James indicated this would be any permit work that triggered a site plan.

Mr. Vecellio indicated that a permit may not be required. He recommend that the drainage study be done now with the plat and not later.

Mr. James requested that any deferral of a drainage study be if a site plan is needed and if there is impervious cover of more than 5%.

There was no further public comment.

**Commissioner Jackson made a motion to APPROVE the proposed replat and one variance, requiring Condition #7 at the permitting stage if the impervious area changes from current conditions by 5% and development of the site exceeds 1 acre; and deferring Condition #8 to the permitting stage. Commissioner Smith seconded the motion. The motion passed unanimously, 7-0.**

**2. Related Comprehensive Plan Amendments & Rezonings**

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

**A. Galvan**

**i. CP18-07: Galvan**

Public hearing and consideration for approval of an amendment to the City of San Angelo Comprehensive Plan, changing the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being 0.22 acres located at 1520 Bryan Street.

**ii. Z18-16: Galvan**

Public hearing and consideration of a request for approval of a Rezoning from the Single Family (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street.

***Items i and ii above pertain to the same property and were therefore presented as one item with two separate motions.***

Hillary Bueker, Senior Planner, presented the proposed Comprehensive Plan Amendment and Rezoning request. She explained that the current Comprehensive Plan designation was “Neighborhood” and the current zoning “Single-Family Residential (RS-1)” for the property. Ms. Bueker outlined Staff’s recommendation for approval which included that the proposed amendments to Neighborhood Center and CN would be a good transition from the nearby commercial uses; that the proposed amendments were consistent with the Future Land Use of Neighborhood Commercial; and that the area has not developed residentially.

Chair Stribling opened the meeting for public comment.

Mr. Galvan, the owner of the property, spoke in support of the requests.

Ms. Sanders also spoke in support of the requests. She indicated that she believed the amendments would be beneficial to the City allowing more businesses on Bell Street.

Mr. Galvan explained that he sees potential in the property for future development.

Ms. Becky De Marinis, a nearby resident asked what the hours of operation would be for a future business on the property.

Mr. Galvan indicated that he plans to sell tacos and does not want to create a negative environment.

**Commissioner Smith made a Motion to recommend APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing the “Neighborhood” Future Land Use to the “Neighborhood Center” Future Land Use on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.**

**Commissioner Smith made a Motion to recommend APPROVAL of a Rezoning from the Single Family (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property. Commissioner Jackson 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. CU18-12: M. Favre**

Public hearing and consideration of a request for approval of a Conditional Use to allow Household Living in the General Commercial/Heavy Commercial (CG/CH) Zoning District; being 0.56 acres located at 4122 Forest Trail.

Kristina Heredia, Planner, presented the case for a Conditional Use to allow Household Living in the CG/CH Zoning District. She explained that the current residential use is non-conforming and the proposed two new buildings require a Conditional Use. She outlined Staff’s rationale for approval of the Conditional Use on the grounds that the apartment buildings have existed since the 1970s; that household living is consistent with the Zoning Ordinance; and that there are primarily residential uses on both sides.

Chair Stribling opened the meeting for public comment.

Mickey Favre, the applicant, expressed his support for the request. He explained that the current residential occupancy will not change.

Commissioner Jackson asked if the request will add new buildings.

Mr. Favre responded he was going to add a few new bedrooms and cover the swimming pool.

There was no further public comment.

**Commissioner Brooks made a Motion to APPROVE the Conditional Use to allow Household Living in the General Commercial/Heavy Commercial (CG/CH) Zoning District, subject to one condition as presented. Commissioner Self seconded the Motion. The Motion passed unanimously, 7-0.**

**B. CU18-15: Carter**

Public hearing and consideration of a request for approval of a Conditional Use to allow Household Living (Single-Family Dwelling with accessory uses) in the General Commercial/Heavy Commercial (CG/CH) Zoning District and General Commercial (CG) Zoning District; Being 0.277 acres located at 4007 North Chadbourne Street.

Jeff Fisher, Senior Planner, presented the case for a Conditional Use to allow a single-family dwelling and accessory uses on the property. He explained that the house was built in the 1950s and is legal non-conforming but would not be allowed today under the CG/CH zoning without the Conditional Use. Mr. Fisher further explained that the applicant wants to add a carport and approval of the Conditional Use would legalize the house and allow the new carport. He outlined Staff's rationale for approval of the Conditional Use on the grounds that the residential use will be less intense than surrounding commercial uses; that the structures will comply with all zoning provisions; and that the uses will be compatible with the surrounding area.

Chair Stribling opened the meeting for public comment.

Ms. Chrys Forbes, daughter of the applicant, indicated she was available for questions.

There was no further public comment.

**Commissioner Smith made a Motion to APPROVE the Conditional Use to allow for Household Living (Single-Family Dwelling with accessory uses) in the General Commercial/Heavy Commercial (CG/CH) Zoning District and General Commercial (CG) Zoning**



**District, subject to the two conditions as presented. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.**

**C. CU18-16: Carter**

Public hearing and consideration of a request for approval of a Conditional Use to allow a Short-Term Rental in the General Commercial (CG) Zoning District; being 3.08 acres located at 4003 North Chadbourne Street.

Kristina Heredia, Planner, presented the case for a Conditional Use to allow a Short-Term Rental on the property located directly south of the property in the previous case CU18-15. She outlined Staff's rationale for approval of the Conditional Use on the grounds that the adjacent residential use is under the same ownership; that there are no other Short-Term Rentals within 500 feet; and this is a low density area close to the Foster Coliseum.

Commissioner Jackson asked if the Short-Term Rental would automatically transfer to a new owner.

Ms. Heredia indicated that the Short-Term Rental does not automatically transfer with ownership, and that it must be renewed within one year, and then every two years after that.

Chair Stribling opened the meeting for public comment.

Ms. Chrys Forbes, daughter of the applicant, indicated that the original home was built in the 1950s, was recently renovated, and that they plan to rent it out for the rodeo.

There was no further public comment.

**Vice Chair Spano made a Motion to APPROVE the Conditional Use to allow a Short-Term Rental in the General Commercial (CG) Zoning District, subject to the six conditions as presented. Chair Stribling seconded the Motion. The Motion passed unanimously, 7-0.**

**4. 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 315.H.4.d to remove the

last reference to the Use Category of “Game Hall” from the Zoning Ordinance.

Kristina Heredia, Planner, presented the proposed Text Amendment to remove the last reference in the City’s Zoning Ordinance for “game halls”. She explained that in April 2017, City Council removed the use of game hall as an outdated use category and staff realized later there still one more reference in the Zoning Ordinance to game halls.

Chair 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 to remove the last reference to the Use Category of “Game Hall” from the Zoning Ordinance. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.**

- B. Public hearing and consideration of a Text Amendment to Chapter 12, Exhibit “C” Land Development and Subdivision Ordinance, Chapter 3, “Definitions,” changing the definitions of “lot,” “tract,” and “parcel” for their intended purpose; and Chapter 4 “Classification of Subdivisions,” revising where “lot,” “tract,” and “parcel” are used to be consistent with their new definitions.

Kristina Heredia, Planner, presented the proposed Text Amendment to only apply the 12-month expiry period for Conditional and Special Uses when a permit from the City is required.

Chair Stribling opened the meeting for public comment.

Mickey Favre, a resident, asked if this meant if a required permit is not obtained within 12 months, the conditional use would expire.

Ms. Heredia responded this was correct.

**Vice Chair Spano made a Motion to recommend APPROVAL of the proposed Text Amendment to only apply the 12-month expiry period for Special Uses and Conditional Uses when a permit from the City is required. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0**

**5. Director's Report**

Jon James, Planning & Development Services Director, announced that Planning Manager Rebeca Guerra and Planner Kristina Heredia will be leaving the City and wished them both well in the future.

**6. Future meeting agenda and announcements.**

Chair Stribling indicated that the next regular meeting of the Planning Commission was scheduled to begin at 9:00 a.m. on **Monday, September 17, 2018**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

**7. Adjournment.**

Chair Stribling made a Motion to adjourn at 10:12 a.m., and Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.



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Travis Stribling, Chair,  
Planning Commission