

MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING HELD ON MONDAY, FEBRUARY 18, 2019, 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, CONOLY O. BROOKS III, JOE SELF

ABSENT: LUKE UHERIK

STAFF: Jon James, AICP, Director of Planning and Development Services
Dan Saluri, Deputy City Attorney
Austin Ayers, Deputy Building Official
Andy Vecellio, P.E., Assistant City Engineer
Mitchell Gatlin, Project Engineer-EIT
Jeff Fisher, AICP, Senior Planner
Hillary Bueker, RLA, Senior Planner
Sherry Bailey, Senior Planner

I. Call to order.

Chair Travis Stribling called the meeting to order at 9:00 a.m. and established that a quorum of six was present.

II. Prayer and Pledge.

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

III. Consent Agenda:

A. Consideration of approving the January 28, 2019, Planning Commission Regular Meeting minutes.

A Motion to APPROVE the Consent Agenda was made by Commissioner Smith and seconded by Commissioner Self. 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. Replat of Tract 8, Revised Pecan Creek Subdivision

Public hearing and consideration of a request for approval of a Replat of Tract 8, Pecan Creek Subdivision and two variances, (a) a variance from Section 10.III.A.1 of the Land Development and Subdivision Ordinance to allow a 50 foot right-of-way in lieu of the required 60 feet, and (b) a variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 19.2 feet in lieu of 30 feet for Reece Road, a Rural Local Street; being 76.22 acres located at 1382 Reece Road.

Hillary Bueker, Senior Planner, presented the proposed replat request. She explained that the plat is located in the City's Extra-Territorial Jurisdiction (ETJ) and is for 8 lots with variances from the required right-of-way width and paving widths. Ms. Bueker outlined Staff's rationale to approve the replat on the grounds it conforms with the City's Comprehensive Plan and Intent of Purpose Statements; approve the right-of-way variance on the grounds that the property is surrounded by previously platted lots utilizing the same right-of-way width and will pose no safety risks; and deny the paving width variance on the grounds the larger lots could be subdivided later and need the incremental width. She concluded her presentation that the seven conditions of approval include an easement to the rear of Lot 8A to allow access to this lot in future.

Chair Stribling asked if the right-of-way was 25 feet.

Ms. Bueker responded that Reese Road has a 50-foot right-of-way but that Lot 8A only has 25 feet that extends to Reese Road.

Chair Stribling opened the meeting for public comment.

Mr. Darrin Fentress with Carter-Fentress Engineering, SKG representing the applicant, indicated that he did not believe it was fair that developers on the south did not have to expand their half of the road.

Chair Stribling asked Mr. Fentress objects to the access easement request.

Mr. Fentress responded this would be acceptable.

Chair Stribling closed public comment.

Vice Chair Spano how this plat is different from previous plats.

Ms. Bueker indicated that previous plats were approved by the County and standards and requirements may have been different.

Commissioner Jackson asked how large the ETJ is.

Ms. Bueker responded the ETJ is 3 ½ miles.

Commissioner Brooks made a Motion to APPROVE the Replat of Tract 8, Pecan Creek Subdivision, APPROVE the variance from Section 10.III.A.1 of the Land Development and Subdivision Ordinance to allow a 50 foot right-of-way in lieu of the required 60 feet, and DENY a variance from Section 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 19.2 feet in lieu of 30 feet for Reece Road, a Rural Local Street; subject to seven conditions of approval, as presented. Commissioner Smith seconded the Motion. The Motion passed 5-1 with Commissioner Jackson voting against.

2. Rezoning

City Council has final authority for approval of Rezoning.

A. Z19-01 (PD19-03): Aguero

Public hearing and consideration of a request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD19-03) Zoning District with an underlying Single-Family Residential (RS-1) Zoning with a maximum floor area ratio of 50% to allow larger single-family homes on individual lots, located west of Tarin Street and north of Twin Mountain Drive on a 3.353-acre unaddressed tract described by deed and recorded as Instrument No. 616893, O.P.R., Tom Green County, Texas.

Sherry Bailey, Senior Planner, presented the proposed Rezoning. She explained that this case was reviewed last month as Z19-01 and tabled to allow the request to be brought forward as a Planned Development (PD) rezoning instead of RS-2. Ms. Bailey explained that the PD would allow the increased floor area ratio (FAR) of 50% without having to rezone the properties to RS-2. She explained that 45 notices were mailed and there was only one response received in opposition

expressing concerns about a two-story home. Ms. Bailey explained however, that a two-story home is already allowed in the RS-1 Zoning District. Ms. Bailey reiterated Staff's recommendation of approval has not changed since the previous month, and supports the increased floor area ratio (FAR) through a PD Rezoning.

Chair Stribling opened the meeting for public comment.

One of the owners and applicants, Mr. Austin Aguero, explained he has no intention to build two-story homes on the properties. He indicated that he did not believe there would be any negative impacts on surrounding properties.

Commissioner Brooks asked Mr. Aguero for specifics on what he plans to build on the properties.

Mr. Aguero responded that he plans to build larger single-family homes but have no intent to make these two-story homes.

Commissioner Jackson made a Motion to recommend APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the Planned Development (PD19-03) Zoning District with an underlying Single-Family Residential (RS-1) zoning with a maximum floor area ratio of 50% to allow larger single-family homes on individual lots. Commissioner Smith seconded the motion. The motion PASSED unanimously 6-0.

B. Z19-02: Vasquez

Public hearing and consideration of a request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, located northwest of Lowrie Avenue and La Follette Street, being Lots 37, 38, 39, and 40 in Block 13 of the Avondale Addition.

Sherry Bailey, Senior Planner, presented the proposed Rezoning. She explained that the applicant is requesting General Commercial (CG) zoning to allow him to build a storage unit for personal use, and in future retail uses.

Ms. Bailey outlined Staff's rationale to approve the Rezoning on the grounds that the CG zone would be compatible with the Commercial Future Land Use designation; that the combined square footage will meet the CG zone requirements; that the commercial zoning will act as

a buffer for residences to the north; and that development patterns will be handled by direct access to the frontage road to the expressway.

Chair Stribling opened the meeting for public comment.

Ms. Sherian Urena, a property owner within the notification area, expressed opposition to the request. She cited the possibility of crime and traffic congestion as the properties abut a one-way street, requiring commercial traffic to drive through the residential area to get to the site.

Commissioner Brooks asked where the curb cut would be for the new development.

Ms. Bailey responded that the curb cut would be on the side street, Lowrie Avenue.

Victor Vasquez, the applicant, explained his intent to build a storage unit on the property. He indicated that he does not anticipate crime and as a former police officer, expressed that he would ensure the site would be patrolled.

Chair Stribling closed public comment.

Commissioner Jackson asked if the CG zoning was required for storage.

Ms. Bailey confirmed that storage units are allowed in the CG zone.

Commissioner Brooks asked Ms. Urena if she was comfortable with the rezoning now that she understood what will be built.

Ms. Urena responded she was not.

Commissioner Jackson made a Motion to recommend APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District on the subject properties. Commissioner Smith seconded the motion. The motion PASSED unanimously 6-0.

3. Sign Variance

Planning Commission has final authority for approval of sign variances, appeals may be directed to City Council.

A. SV19-01: Angelo Christian Ministries

Public hearing and consideration of a request to approve a freestanding on-site sign with a) a maximum sign height of 50 feet in lieu of the maximum 25 feet in the CN Zoning District; b) a maximum sign area of 250-square feet in lieu of the maximum 150 feet (1.5 times the linear street frontage); and c) a minimum 75-foot setback to a residential lot in lieu of the required 100 feet, located at 3102 Dallas Street and 3105 West Houston Harte Expressway.

Jeff Fisher, Senior Planner, presented the proposed Sign Variance request. He explained that the applicant is requesting variances from the maximum sign height, maximum sign area, and minimum setbacks from a residential lot on the properties zoned Neighborhood Commercial (CN). He explained that the applicant is proposing a 50-foot tall freestanding, on-site sign to advertise for the TLC Church. Mr. Fisher shared photographs he took of the site and area, as well as photographs provided by the applicant showing visibility of a 25-foot sign, currently allowed, and the proposed 50-foot sign travelling west and east along Houston Harte Expressway.

Mr. Fisher outlined Staff's recommendation to deny the variances on the grounds that there is no special circumstance unique to the property; that other properties along Houston Harte are subject to the same situation; that the CN zoning standards apply to low intensity, small scale uses not larger uses that would require a 50-foot sign; and that rezoning to a PD or CG zone would have achieved the objective without requiring a variance.

Chair Stribling opened the meeting for public comment.

Pastor Don Crabtree representing the applicant handed out document binders with materials in support of the request.

Mr. Russell Gully with SKG Engineering, representing the applicant, indicated that a variance request was chosen given timing issues and the church wanting a sign as soon as possible to advertise for upcoming church events.

Commissioner Brooks asked where the curb cut would be for the new development. He indicated that he believes the sign meets the variance criteria given the steep grade along Houston Harte Expressway that reduces visibility.

Pastor Crabtree indicated that a rezoning has been submitted for CG that would allow the sign but that with an upcoming Easter event is requesting the sign variance in order to proceed sooner.

Mr. Michael Martinez with Fast Signs, representing the applicant, explained that it was not realized until recently there was an issue with the sign. He indicated that the sign's LED lights can have light spill controlled, and at a higher elevation will emit light above households.

Commissioner Jackson made a Motion to APPROVE the Sign Variance for a freestanding on-site sign with a) a maximum sign height of 50 feet in lieu of the maximum 25 feet in the CN Zoning District; b) a maximum sign area of 250-square feet in lieu of the maximum 150 feet (1.5 times the linear street frontage); and c) a minimum 75-foot setback to a residential lot in lieu of the required 100 feet, subject to one condition as presented. Commissioner Self seconded the motion. The motion PASSED 4-2 with Chair Stribling, Commissioners Jackson, Self, and Brooks voting in favor, and Vice Chair Spano and Commissioner Smith voting against.

4. Right-of-Way Abandonment

City Council has final authority for approval of the vacation and abandoning of public right-of-ways.

A. Alley Right-of-Way Abandonment: Johnson

Public hearing and consideration of a request to approve the abandonment and vacation of all public alleys comprising 0.267 acres (12,030 square feet) within Block 15 of the Millspaugh Addition; generally located north of West Washington Drive; west of South Chadbourne Street; south of Santa Fe Depot; and east of South Irving Street.

Hillary Bueker, Senior Planner, presented the proposed alley right-of-way abandonment request. She explained that the three alleys in question were north of Washington Drive between South Irving Street and South Chadbourne Street, and that the current owner of 805 South Chadbourne Street does not have direct abutting access to his property.

She explained that the alleys were part of the original plat recorded in 1888.

Ms. Bueker outlined Staff's rationale to approve the alley abandonment on the grounds that there are negative effects and no access to abutting properties; that the existing utilities will remain with the proposed easement; that no responses have been received opposed from the circulation area to date; and that closing the alley would enhance the long-term upkeep and appearance of this space. Ms. Bueker noted there was one response in favor. She then outlined the five conditions of approval including the providing of a 20-foot unobstructed utility easement.

Commissioner Brooks asked why the City would want to abandon these alleys.

Ms. Bueker responded there is no public benefit for keeping it open, and the easement would allow the City to service the utility lines in the easement area.

Chair Stribling opened the meeting for public comment.

Mr. Bruce Johnson, the applicant, indicated that the purpose of the abandonment would be provide additional land for parking.

Chair Stribling closed public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed abandonment and vacation of all public alleys comprising 0.267 acres (12,030 square feet) within Block 15 of the Millspaugh Addition, and subject to five Conditions of Approval as presented. Commissioner Smith seconded the Motion. The Motion passed unanimously 6-0.

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, Section 511 "Off-Street Parking Standards" and Section 512 "Loading Standards", establishing new standards and revisions to existing standards for parking and loading in the City of San Angelo.

Jeff Fisher, Senior Planner, presented the proposed text amendment to the Zoning Ordinance for new parking and loading standards. He explained that with some minor exceptions such as alternative parking, most of the parking

and loading standards have remained unchanged since 2000. Mr. Fisher outlined the new changes which have been designed to reduce parking requirements when necessary and to ensure adequate standards for new and expanded facilities. He summarized the changes which included new standards that trigger when parking is required, including an exemption for single and two-family dwellings that total 1,200 square feet or less. Mr. Fisher outlined a new procedure for stand-alone parking lots, previously exempt from City review, but would now require a Parking Lot Permit and a review similar to when parking lots are reviewed as part of a building permit site. He also indicated that parking areas are required to be passable and drivable and will require a final site inspection from the Planning Division as part of the parking lot permit. Finally, Mr. Fisher summarized the changes to the parking table based on extensive research. Offices and furniture stores and retail over 25,000 square feet will have reduced parking, while uses such as hotels, restaurants, movie theaters and churches will generally require increased parking but that many are already providing this additional parking for customers.

Mr. Russell Gully, SKG Engineering, indicated he believed that the proposed ordinance change was a good start. He did indicate however some concerns with parking lot permits being approved to the satisfaction of the City Engineer and Building Official if the applicant already satisfies the minimum requirements.

Mr. Jon James, Planning and Development Services Director, indicated that these officials do not have any broader authority than the minimum requirements.

Mr. Gully expressed concerns about the new maintenance standard requiring driving areas to be free of potholes.

Mr. James indicated that the City would only enforce this in the worst circumstances.

Commissioner Smith left the meeting at 10:53 a.m.

Mr. Steve Eustis, real estate agent, asked about the provision of parking lot lighting and when lights had to be turned off.

Mr. James indicated that this provision was to require parking lot lighting, but that he is willing to strike out the requirement that parking lots have to be lit.

Mr. Eustis also expressed concerns about decreasing parking and the impact this would have on new tenants with a different use.

Mr. James responded that the changes set a minimum but that they can choose to install more parking than required.

Mr. Eustis requested this item be tabled to provide more time review all the changes.

Commissioner Jackson made a Motion to TABLE text amendment to Chapter 12, Exhibit “A” Zoning Ordinance, Section 511 “Off-Street Parking Standards” and Section 512 “Loading Standards”, establishing new standards and revisions to existing standards for parking and loading in the City of San Angelo. Commissioner Brooks seconded the motion. The motion FAILED 3-2 with Commissioners Jackson and Brooks voting in favor, and Chair Stribling, Vice Chair Spano, and Commissioner Self voting against.

Commissioner Self made a Motion to recommend APPROVAL AS AMENDED by the Commission with changes to 511.C.2, 511.H.2, 511.H.4, and 512.D.2 and 512.D.3 (a final version which will be filed with the Planning Division and presented to City Council). Vice Chair Spano seconded the Motion. The Motion PASSED 3-2 with Commissioner Self, Vice Chair Spano, and Chair Stribling voting in favor, and Commissioners Jackson and Brooks voting against.

VI. Discussion regarding changes to the By-laws of the Planning Commission of the City of San Angelo.

Jeff Fisher, Senior Planner, presented the discussion item. He explained that back in October 2018, City Council amended Article 2.07 which set revised standards for the Planning Commission and other city boards and commissions. As part of this amended article, Planning Staff had six months to remove any duplicated sections in the Planning Commission Bylaws and bring back the revised ByLaws for approval by Planning Commission and City Council. Mr. Fisher summarized the changes including the additional requirements for Commissioners to comply with the American Planning Commission’s (APA) Code of Ethics, and for application deadlines to follow those on the Planning Commission webpage. Mr. Fisher also discussed the specific changes of Article 2.07 which now allow Planning Commissioners to serve three terms of two years each, and automatic resignations for members who do not attend at least two-thirds of meetings within a 12-month period.

Jon James, Planning Director, indicated that the ByLaws will be brought back for a formal vote at the March 18, 2019 Planning Commission.

VII. Director's Report

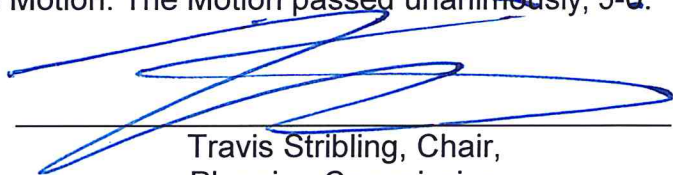
Jon James, Planning Director, indicated the changes to the Subdivision Ordinance will be brought back to the Planning Commission at an upcoming meeting.

VIII. 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, March 18, 2019**, in Council Chambers (South Meeting Room) of the McNease Convention Center at 501 Rio Concho Drive.

IX. Adjournment.

Commissioner Jackson made a Motion to adjourn at 11:30 a.m., and Commissioner Self seconded the Motion. The Motion passed unanimously, 5-0.



Travis Stribling, Chair,
Planning Commission