



RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS
PLANNING COMMISSION
MONDAY, JANUARY 27, 2020, AT 9:00 A.M.,
SOUTH MEETING ROOM, MCNEASE CONVENTION CENTER
501 RIO CONCHO DRIVE

PRESENT: Joe Spano (Vice-Chair), Teri Jackson, Ryan Smith, Conoly O. Brooks III, Joe Self, Luke Uherik

ABSENT: Travis Stribling (Chair)

STAFF: Jon James, AICP, Director of Planning and Development Services
Hillary Bueker, RLA, Planning Manager
Sherry Bailey, Principal Planner
Jeff Fisher, AICP, Principal Planner
Shelly Paschal, Planner
Brandon Dyson, Assistant City Attorney
Aaron Vannoy, Assistant Director of Planning and Development Services
Lance Overstreet, City Engineer
Mitchell Gatlin, Project Engineer-EIT
Tyler Martin, Plans Examiner

I. Call to order.

A. Vice-Chair Spano called the meeting to order at 9:06 a.m. and established that a full quorum of six was present.

B. Prayer and Pledge.

The prayer and pledge was delivered by Commissioner Jackson.

II. Consent Agenda:

A. Consideration of approving the December 16, 2019, Planning Commission Regular Meeting minutes.

Commissioner Jackson made a motion to approve the Consent Agenda. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

III. Election of Chair and Vice-Chair

Commissioner Smith made a motion to re-elect Commissioner Stribling as Chair and Commissioner Spano as Vice-Chair. Commissioner Smith WITHDREW the motion.

Commissioner Smith made a motion to re-elect Commissioner Stribling as Chair. Commissioner Uherik seconded the motion. The motion CARRIED unanimously, 6-0.

Commissioner Spano made a motion to elect Commissioner Jackson as Vice-Chair. Commissioner Smith seconded the motion. 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. Bentwood Country Club Estates, Section 41, Revised

A request for approval of a revised final plat of Bentwood Country Club, Section 41, being 23.521 acres of land generally located southeast of North Bentwood Drive and East Loop 306 Frontage Road.

Sherry Bailey, Principal Planner, presented the proposed revised plat. She indicated that the Commission approved version 2 back in June 2019, and that this latest version 3 has a few new items, including a 9-foot lot line adjustment to allow a 10' landscape/fence buffer, and the relocation of an existing easement in an L shape which will require moving the sewer main on the plat. Ms. Bailey outlined Staff's recommendation to approve the plat with 10 conditions, 9 the same as last time, with a 10th condition to reroute the sewer main.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Spano made a motion to APPROVE Bentwood Country Club Estates, Section 41, Revised, subject to 10 conditions of approval as presented. Commissioner Smith seconded the motion. The motion carried unanimously, 6-0.

B. First Replat of Tract 3, Block 1 and part of Block 2, J.C.M. Addition, Section Two

A request for approval of a First Replat of Tract 3, Block 1 and part of Block 2, J.C.M. Addition, Section Two, being 8.013 acres located near the northwest of the intersection of Sunset Drive and YMCA Drive.

Shelly Paschal, Planner, presented the proposed replat. She explained that the preliminary plat was approved December 2019 and this replat is for one section within the preliminary plat. Ms. Paschal also indicated that related to this plat, the applicant received an administrative variance to allow a 48-foot paving width in lieu of the required 50 feet.

Ms. Paschal outlined Staff's recommendation to approve the replat for a skilled nursing facility with 2 conditions of approval and 5 notes, for being in conformity with the City's Comprehensive Plan and Intent of Purpose Statements.

Vice Chair Jackson opened public comment.

Mr. Russell Gully, SKG Engineering, representing the applicant, indicated that he was available for questions, and asked for the plat to be approved as presented by Staff.

Vice Chair Jackson closed public comment.

Commissioner Spano made a motion to APPROVE a First Replat of Tract 3, Block 1 and part of Block 2, J.C.M. Addition, Section Two, subject to the two conditions and five notes as presented. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

Items 2.C and 2.D which apply to the same property were presented concurrently.

C. Repeal of a Preliminary Plat, Lake Park

A request to repeal a Preliminary Plat of Lake Park, being 32.318 acres located east of North Bryant Boulevard between West 48th Street and Lake Drive.

D. Lake Park, Final Plat

A request for approval of a Final Plat of Lake Park, being 32.318 acres located east of North Bryant Boulevard between West 48th Street and Lake Drive, which includes land previously in the George Short Addition (6.09 acres) and the W. Michaelopoulos Subdivision (0.278 acres).

Jeff Fisher, Principal Planner, presented the proposed repeal of a preliminary plat and a final plat for Lake Park. He explained that in October 2019 the applicant submitted the final plat with only one access point from West 42nd Street that would have created a dead-end street greater than 750 feet in length in contravention of the International Fire Code (IFC) and Land Development and Subdivision Ordinance (LDSO). He explained that the new plat shows two access points from West 42nd Street leaving a dead-end of only 650 feet in length in compliance. The new plat, Mr. Fisher also explained, has 8 lots instead of 7. He concluded that since the preliminary plat had a slightly different configuration, only one access point, that it would be prudent to repeal this plat and allow the new final plat to move forward.

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Mr. Fisher outlined Staff's recommendation to approve the proposed final plat subject to the 10 conditions of approval as presented, for conforming to the City's Comprehensive Plan and Purpose Statements in the Land Development and Subdivision Ordinance (LDSO). He indicated that Staff received one letter in support and none opposed.

Vice-Chair Jackson opened public comment.

Ms. Kristen Buchanan, Dunaway and Associates, representing the applicant, explained that she was available if the Commissioners had any questions and requested approval as presented by staff.

Ms. Becky Dixon, property owner #5, asked if the developer will build a wall or fence to separate the development from her property.

Hillary Bueker, Planning Manager, stated that the Zoning Ordinance requires a 6-foot tall opaque fence between commercial properties and adjoining single-family uses.

Ms. Dixon also asked if she would have to clean her property because of this development.

Mrs. Bueker stated that Code Enforcement would have the authority to have the developer to clean up their own property if necessary. However, she explained that this development would not prompt a change in the adjoining properties.

Vice-Chair Jackson closed public comment.

Commissioner Brooks made a motion to APPROVE the Repeal of a Preliminary Plat, Lake Park, and APPROVE Lake Park, Final Plat subject to ten conditions of approval as presented. Commissioner Spano seconded the motion. The motion carried unanimously, 6-0.

Items 2.E and 2.F which apply to portions of the same property were presented concurrently.

E. Preliminary Plat of a First Replat in Block 9, JNO. Abe March Subdivision

A request for approval of a Preliminary Plat of a First Replat in Block 9, JNO. Abe March Subdivision, being 0.391 acres, located east of Blum Street and north of East 44th Street.

F. First Replat in Block 9, JNO. Abe March Subdivision

A request for approval of a First Replat in Block 9, JNO. Abe March Subdivision, being 0.235 acres, located east of Blum Street and north of East 44th Street.

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Jeff Fisher, Principal Planner, presented the proposed plats. He explained that the applicant originally submitted the replat a few months ago for one large lot but because this lot connected to an unimproved road, the applicant would have been responsible for paving improvements on their incremental half and chose not to proceed. Mr. Fisher explained that the resubmission now includes a preliminary plat which splits the large lot into two smaller lots, and a replat for just the east lot which does not touch the unimproved street right-of-way. Mr. Fisher indicated that this configuration will allow the replat to move forward for one new home, and the second lot adjoining the unimproved street could be final platted at a later date.

Mr. Fisher outlined Staff's recommendation to approve the proposed preliminary plat and replat for conforming to the City's Comprehensive Plan and Purpose Statements in the Land Development and Subdivision Ordinance (LDSO), subject to one condition for the preliminary plat, and two conditions of approval for the replat.

Vice-Chair Jackson opened public comment.

Erica Carter, Carter-Fentress Engineering, representing the applicant, requested that the condition requiring sewer and service lines for both lots be only for one lot since they only want to extend for one lot.

Ms. Hillary Bueker, Planning Manager, clarified it would be just for the one lot being final platted.

Vice-Chair Jackson closed public comment.

Commissioner Self made a motion to APPROVE a Preliminary Plat of a First Replat in Block 9, JNO. Abe March Subdivision subject to one condition of approval as presented, and APPROVE a First Replat in Block 9, JNO. Abe March Subdivision subject to two conditions of approval as presented, amending Condition #2 to install necessary water and wastewater service lines to "the new lot". Commissioner Smith seconded the motion. The motion carried unanimously, 6-0.

Items 2.G and 2.H which apply to portions of the same property were presented concurrently.

G. Partial Repeal of a Preliminary Plat, The Trails (West Part)

A request to repeal a portion of a Preliminary Plat, The Trails (West Part) being 2.146 acres north of the intersection of Cox Lane and Kansas Avenue.

H. The Trails, Section Five

A request for approval of a final plat of The Trails, Section Five, being 2.146 acres north of the intersection of Cox Lane and Kansas Avenue, and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain

a paving width of 24 feet in lieu of the required 40 feet for Cox Lane, an urban collector street.

Jeff Fisher, Principal Planner, presented the proposed plats. He explained that the proposed final plat is for one new single-family lot fronting onto Cox Lane. Mr. Fisher further explained that during Staff review, it was determined that this area was part of a 2007 preliminary plat for 8 lots and since this would not conform, Staff is initiating repeal of the subject portion of the preliminary plat.

Mr. Fisher outlined Staff's recommendation to approve the repeal of the relevant portion of the preliminary plat and approval of the final plat, for conforming to the City's Comprehensive Plan and Purpose Statements in the Land Development and Subdivision Ordinance (LDSO). Mr. Fisher explained however, that while the final plat met the technical criteria for plat approval, that creating only one new lot instead of eight lots on the original preliminary plat reduces the amount of housing opportunities, and also shifts the burden of the remaining lot to pay for road improvements for Dakota Lane, instead of being split evenly amongst all of the lots.

Mr. Fisher then outlined Staff's recommendation to deny the variance on Cox Lane on the grounds that the additional paving width is needed for public safety and was already dedicated as part of previous sections of The Trails to the east; and that the grade differential was not unique to only this property.

Vice-Chair Jackson opened public comment.

Mr. Russell Gully, SKG Engineering, asked to approve the plat as presented and approve the variance request. He explained that this was a dangerous turn but that widening Cox Lane could make it look wider allowing people to go faster. He also explained that this was an infill and won't change the traffic patterns for one home and that the applicant is already dedicating right-of-way.

Vice-Chair asked if there would be an entrance to the property from Cox Lane.

Mr. Gully responded stated yes and that the driveway would be to the east past the guard rail. He explained that the mesquite tree acts as an indicator to slow down because a turn is coming.

Mr. Lance Overstreet, City Engineer, stated that the guard rail was repaired 5 years ago. He indicated that where the tree is, there will have to be an approach, and that the tree will likely have to go away in the future. Mr. Overstreet explained that there will need to be a paved approach, but that the City was willing to work with them to pave only a portion of the required width. He explained that a full variance however, would not be supported given that plats to the east had full paving and if we leave a gap, the City would have to cover it later.

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Mr. Gully asked if there could be verbiage in the variance language to allow the applicant to work with engineering.

Mrs. Hillary Bueker, Planning Manager, indicated that the wording could be for a partial variance subject to an approved design per Engineering.

Commissioner Self asked how wide Cox Lane is going south.

Ms. Bueker responded it is likely the same as the east-west portion of approximately 24 feet although we have not measured this portion.

Commissioner Self asked if there were plans to put Cox Lane and Foster Road together.

Mr. Overstreet responded that this is part of a future CIP project as one larger roadway.

Mrs. Bueker explained that it will be a problem however if we leave it as is right now.

Commissioner Smith indicated that other sections of Cox Lane have been widened, and that something needs to be done with this portion.

Commissioner Self asked if the option is to either approve, partially approve, or deny the variance.

Mrs. Bueker responded that this was correct.

Commissioner Uherik made a motion to APPROVE a Partial Repeal of a Preliminary Plat, The Trails (West Part); APPROVE a final plat of The Trails, Section Five subject to four conditions of approval as presented; and a PARTIAL VARIANCE from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance from the required paving width of 13 additional feet, subject to a final design approved by Engineering Services and Operations. Commissioner Smith seconded the motion. The motion carried 5-1 with Commissioner Brooks voting against.

2. Related Comprehensive Plan Amendments & Rezonings

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

Items 2.A.i and 2.A.ii which apply to portions of the same property were presented concurrently.

A. Trinity Lutheran/COSA

i. CP20-01: COSA

Public hearing and consideration of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Transitional and Neighborhood Future Land Uses to the Neighborhood Center Future Land Use, being 19.52 acres located between Lutheran Way, Sunset Drive, West Loop 306 Frontage Road and near Foster Road.

ii. Z20-01: Trinity Lutheran

Public hearing and consideration of a request for approval of a rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, located at 3536 Lutheran Way.

Shelly Paschal, Planner, presented the proposed Comprehensive Plan Amendment and Rezoning. She indicated that she sent out 67 notices for the Comprehensive Plan Amendment and 17 notices for the Rezoning. Ms. Paschal explained that while she did not receive any responses in support or opposition, she did receive several phone calls asking for clarification and there were no major concerns.

Ms. Paschal outlined Staff's rationale to approve the Comprehensive Plan Amendment and Rezoning on the grounds that the requested zone change will be consistent with the new Comprehensive Plan designation of Neighborhood Center; that the uses are allowed in new CN zoning; that the uses are compatible with the surrounding area which already has a mix of commercial and residential uses; that the current RM-1 zoning never developed in this way; and that the rezoning to CN would be reflective of the continuing need for commercial in this area.

Vice Chair Jackson opened public comment.

Commissioner Brooks asked what was allowed in Neighborhood Center.

Hillary Bueker, Planning Manager, explained that this is the future land use which allows light commercial zoning connected to a neighborhood. She explained that the church wanted to rezone to CN, a small scale designation to allow a new sign, as well recognize the existing church and school, and expand their high school program.

Mr. Rob Fritsche, the applicant with Trinity Lutheran School, explained that the two purposes of the request was to allow a new, taller digital sign, and to allow a high school program and the CN zoning would allow both.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to recommend APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, on 19.52 acres from the Transitional and Neighborhood Future Land Uses to the Neighborhood Center Future Land Use, AND to recommend APPROVAL of a rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, located at 3536 Lutheran Way on 10.3 acres, as presented. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

3. Conditional Uses

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

A. CU20-01: Lara

Public hearing and consideration of a request for approval of a Conditional Use to allow for household living in the Light Manufacturing (ML) zoning district, located at 124 West 4th Street.

Shelly Paschal, Planner, presented the proposed Conditional Use to allow household living in the ML Zoning District and displayed photos of the property.

Ms. Paschal outlined Staff's rationale to approve the Conditional Use on the grounds that the upstairs will be remodeled to allow a living quarters; that conversion of part of the structure to living quarters is in keeping with the intent of the Zoning Ordinance; and that the main warehouse will remain compatible with the surrounding area. Ms. Paschal indicated that 12 notices were mailed with 1 letter received in favor. She then outlined one condition of approval, that the applicant obtain a building permit and a note that the applicant shall meet the required standard of parking prior to a change of occupancy.

Vice Chair Jackson opened public comment.

Mr. Chris Cain, owner of the property directly across the street, asked to make sure that this change will not affect his property.

Ms. Hillary Bueker, Planning Manager, indicated that this request would not affect his property.

Mr. Cain also expressed concerns with parking.

Ms. Lori Lara, owner and applicant, hoped that the Commission will approve her case. She mentioned to Mr. Cain that she may wish to place parking on his property in future. Ms. Lara indicated that a total of 8 parking spaces will be needed.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to APPROVE a Conditional Use to allow for household living in the Light Manufacturing (ML) zoning district, located at 124 West 4th Street, subject to one condition of approval as presented. Commissioner Spano seconded the motion. The motion carried unanimously, 6-0.

B. CU20-02: Jefferies

Public hearing and consideration of a request for approval of a Conditional Use Renewal for a Short-Term Rental within an existing single-family dwelling in the Single-Family Residence (RS-1) Zoning District, located at 2181A Gun Club Road.

Shelly Paschal, Planner, presented the proposed Conditional Use Renewal for a Short-Term Rental within an existing single-family dwelling on the property. She showed a map of the property which is split into two pieces with the parking area to the north of Gun Club Road.

Ms. Paschal outlined Staff's rationale to approve subject to five conditions of approval on the grounds that the renewal does not create any adverse effects; that the short-term rental is compatible with the surrounding residential area; and that there is a community need for the location near the Marina and Lake Nasworthy.

Vice Chair Jackson opened public comment.

Mr. James Jefferies, the applicant, indicated that he along with his wife were available for questions.

Vice Chair Jackson closed public comment.

Commissioner Uherik made a motion to APPROVE a Conditional Use Renewal for a Short-Term Rental within an existing single-family dwelling in the Single-Family Residence (RS-1) Zoning District, located at 2181A Gun Club Road, subject to five conditions of approval as presented. Commissioner Spano seconded the motion. The motion carried unanimously, 6-0.

C. CU20-03: Jacobs

Public hearing and consideration of a request for approval of a Conditional Use for the construction of a single-family home in the Neighborhood Commercial (CN) zoning district, located at 418 West Avenue Y.

Sherry Bailey, Principal Planner, presented the proposed Conditional Use for the construction of a single-family home in the Neighborhood Commercial (CN) Zoning District. She explained that there is residential across the street and behind the property, and south of the commercial area. Ms. Bailey indicated that there were a few calls voicing support but no letters received.

Ms. Bailey outlined Staff's rationale to approve subject to two conditions of approval on the grounds that the existing use is more in keeping with residential in the area; that the lot size is compatible with residential lots in the area; that there is a school, parks and public uses nearby; and that the Community 2019 ResIntel study indicates demand for more affordable housing.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to APPROVE a Conditional Use for the construction of a single-family home in the Neighborhood Commercial (CN) zoning district, located at 418 West Avenue Y. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

4. Right-Of-Way Abandonments

City Council has final authority for approval of right-of-way abandonments.

A. Street Right-Of-Way Abandonment: Hawkins

A request to approve the abandonment and vacation of approximately 675 feet in length, 79,366.32 square feet, for a total 1.822 acres of the Riverside Golf Club Road public right-of-way; located north of the intersection of Riverside Golf Club Road and the Mesquite Ranch Golf Club access road terminating at North Bryant Boulevard.

Sherry Bailey, Principal Planner, presented the proposed street right-of-way abandonment request.

Ms. Bailey indicated that the applicant, Kent Distributors, has purchased land to the south of the subject right-of-way portion to be abandoned for a new truck stop. She explained that the applicant plans to improve West 33rd Street and construct a traffic light at West 33rd Street and Highway 87 for this truck stop, and was concerned with heavy truck traffic and safety issues with trucks using this portion of Riverside Golf Club Road which has a residence. Ms. Bailey further explained that based on this, the abandonment would be for the portion of Riverside Golf Club Road north of the existing driveway. Ms. Bailey also displayed photos of the area.

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Ms. Bailey outlined Staff's rationale to approve the street right-of-way abandonment subject to five conditions of approval including a replat. Her rationale to approve included that closing the section of road helps control large truck access and mitigate safety concerns.

Commissioner Uherik asked how closing this portion of Riverside would affect access to the golf course.

Ms. Bailey responded that traffic would now have to come across the extension of West 33rd Street and would still have access to the golf course.

Vice Chair Jackson opened public comment.

Mr. Ray Hawkins, representing the applicant, explained that Riverside Golf Club Road will continue to go from West 29th Street up to the future extension of West 33rd Street. He explained that the Kent Distributors project will be for a new travel center that includes a truck stop, gasoline and diesel station, and 24-hour restaurant which is lacking in the city. Mr. Hawkins also explained that as part of this development, a traffic study was conducted that verified a signal light was warranted at West 33rd and Highway 87. He explained that this new traffic light will redirect traffic off of Riverside Golf Club Road to West 33rd to access Highway 87, which is safer than having to use Riverside Golf Club Road.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to recommend APPROVAL of the abandonment and vacation of approximately 675 feet in length, 79,366.32 square feet, for a total 1.822 acres of the Riverside Golf Club Road public right-of-way. Commissioner Uherik seconded the motion. The motion carried unanimously, 6-0.

V. Director's Report.


Mr. Jon James, Planning and Development Services Director had no items to present.

VI. Future meeting agenda and announcements.

The next regular meeting of the Planning Commission is tentatively scheduled to begin at 9:00 a.m. on **Monday, February 17, 2020**, in Council Chambers (South Meeting Room) of McNease Convention Center at 501 Rio Concho Drive.

VII. Adjournment.

Commissioner Smith made a motion to adjourn at 10:29a.m. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.



Teri Jackson, Vice-Chair,
Planning Commission