



## RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS  
**PLANNING COMMISSION**  
MONDAY, MAY 18, 2020, 9:00 A.M.  
**VIA Audio/Video Broadcast**

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

**ABSENT:** Joe Spano

**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  
Charlie Kemp, Building Official

**I. Call to order.**

**A.** Chair Stribling called the meeting to order at 9:02 a.m. and established that a quorum of six was present.

**II. Consent Agenda:**

**A.** Consideration of approving the March 16, 2020, Planning Commission Regular Meeting minutes.

**B. Third Replat in Block 3, Section 3, Arden Acres**

A request for approval of a Third Replat in Block 3, Section 3, Arden Acres, being 61.826 acres generally located west of the intersection of Green Hill Road and Northwest Drive.

**Commissioner Smith made a motion to approve the consent agenda. Commissioner Jackson seconded the motion. The motion carried unanimously, 6-0.**

**III. Regular Agenda**

**1. Subdivision Plats**

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

***Items 1.A and 1.B were presented concurrently in one presentation as they apply to portions of the same property.***

**A. Preliminary Plat of Block 1, Section One, San Angelo Gateway Addition**

A request for approval of a Preliminary Plat of Block One, Section One, San Angelo Gateway Addition, being 31.35 acres located north of FM 380, south of Venture Dr., east of North Loop 306, and west of Gateway Dr.

**B. Third Replat in Block 1, Section One, San Angelo Gateway Addition**

A request for approval of a Third Replat in Block 1, Section One, San Angelo Gateway Addition, being 3.945 acres located southwest of the intersection of Venture Dr. and Gateway Dr.

Hillary Bueker, Planning Manager, presented the cases. She explained that the preliminary plat is 31.35 acres and the final plat is just under 4 acres. Ms. Bueker further explained that the properties are zoned ML, have a Future Land Use of Industrial and comprise of six lots for industrial uses. She indicated that the streets and utility mains were installed as part of the original subdivision, and that the plats will conform to the City's Comprehensive Plan and purpose statements of the Land Development and Subdivision Ordinance (LDSO).

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, requested that Engineering Services defer the conditions for a drainage study and water and wastewater lines, and wanted their confirmation.

Lance Overstreet, City Engineer, responded that he will support these deferments due to the large lot sizes and existing lot configurations to time of development.

Chair Stribling closed Public comment

**Commissioner Smith made a motion to APPROVE a Preliminary Plat of Block 1, Section One, San Angelo Gateway Addition with one note as presented, and APPROVE a Third Replat in Block 1, Section One, San Angelo Gateway Addition, with three conditions, deferring Condition #2 for installation of water and wastewater lines for Lot 3 and deferring Condition #3 for a drainage study, prior to issuance of a**

**building permit. Vice Chair Jackson seconded the motion. The motion passed unanimously 6-0.**

***Items 1.C and 1.D were presented concurrently in one presentation as they apply to portions of the same property.***

**C. Preliminary Plat, Riverwood West**

A request for approval of a Preliminary Plat of Riverwood West, being 74.08 acres of land, generally located north of the intersection of Paint Rock Road and Rocky Point Trail.

**D. Riverwood West, Section Three**

A request for approval of a Final Plat of Riverwood West, Section 3, being 1.512 acres of land, generally located approximately 650 feet north of the intersection of Paint Rock Road and Rocky Point Trail.

Shelly Paschal, Planner, presented both cases. She explained that there was no zoning for these plats as they are in the City’s Extraterritorial Jurisdiction (ETJ). She indicated that the preliminary plat is slightly revised from the original in 2009, and will include 82 proposed residential lots and a collector street extending along Rocky Point Trail to Loop 306. Ms. Paschal also outlined the final plat for the Commission for two residential lots. She indicated that both plats will conform to the City’s Comprehensive Plan and purpose statements of the Land Development and Subdivision Ordinance (LDSO). Ms. Paschal concluded her presentation outlining the two notes for the preliminary plat, and the three conditions of approval for the final plat.

Chair Stribling asked if the preliminary plat is delineated on a larger map. Ms. Paschal responded that she did not, but pointed to the street locations. Chair Stribling asked for the proposed size of the lots. Ms. Paschal responded that they range from between half an acre to one acre. Chair Stribling asked if the developer plans to do septic systems on these lots. Ms. Paschal responded this was correct.

Chair Stribling opened public comment.

Hillary Bueker, Planning Manager, shared a larger aerial map of the area for Chair Stribling.

Mr. Blake Wilde, representing the applicant, asked for a deferral of obligation to dedication of right-of-way for Tyler Court adjacent to Lot 5 in Block 2.

Chair Stribling closed comment.

Chair Stribling expressed concerns about the lot sizes for septic and asked what the minimum lot size is for lots using septic systems. Ms. Bueker explained that TCEQ sets these requirements, and that lots on a well and septic system require a minimum of one acre, otherwise, they can be 0.5 acres and that these lots have a private water supply and can be on 0.5 acres. Ms. Paschal confirmed the lots were using Millersview water service. Chair Stribling indicated that if TCEQ says this is okay, then he is okay with the lot sizes.

Chair Stribling asked how long the deferral would be for. Ms. Bueker responded it would be based on when the rest of Tyler Court was developed. Lance Overstreet, City Engineer, concurred that once connectivity was there, the developer would be responsible for right-of-way connection at that time, and that this would be outlined in a developer agreement. Chair Stribling asked if the agreement will be recorded. Mr. Overstreet responded that developer agreements are being recorded. Brandon Dyson, Assistant City Attorney, explained that the Ordinance requires developer agreements to be recorded.

**Vice Chair Jackson made a motion to APPROVE a Preliminary Plat, Riverwood West with two notes as presented, and APPROVE a final plat of Riverwood West, Section Three, with three conditions, allowing Condition #3 requiring dedication of a 30-foot right-of-way for Tyler Court adjacent to Lot 5 in Block 2 to be deferred with a developer agreement to future final platting of Tyler Court. Commissioner Self seconded the motion. The motion passed unanimously 6-0.**

**E. S. C. Vasquez Addition**

A request for a Final Plat of the S.C. Vasquez Addition, being 2.883 acres generally located at 325 W. 34th. Street; and two variances from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance, to maintain an existing paving width of 36 feet for West 34<sup>th</sup> Street, an urban local street, and to maintain an existing paving width of 40 feet for Grape Creek Road, an urban collector street.

Sherry Bailey, Principal Planner, presented the case. She explained that the property is 2.888 acres, and is zoned RS-1 with a Future Land Use of Neighborhood. She further explained that the applicant planned to create a total of two lots, allowing a family member to build a home on one of the lots. She indicated that the applicant needed variances on the paving widths for both West 34<sup>th</sup> Street, a local street, and Grape Creek Road, a collector street. Ms. Bailey further indicated that the plat will conform to the City's Comprehensive Plan and purpose statements of the Land Development and Subdivision Ordinance (LDSO). She then outlined for the Commission Staff's rationale for supporting both variances, on the grounds that the existing street widths will not be detrimental; that the area was already developed; and that the streets already have curb and gutter. Ms. Bailey concluded her presentation by outlining the four conditions of approval.

Chair Stribling asked if other parts of 34<sup>th</sup> Street and Grape Creek Road close to the property have the same road widths. Ms. Bailey responded that this was correct. Chair Stribling asked what the required right-of-way was on these streets. Ms. Bailey responded that 34<sup>th</sup> Street required 50 feet and Grape Creek required 60 feet.

Chair Stribling opened public comment

Ms. Erica Carter, Carter-Fentress Engineering, representing the applicant, asked that the plat be approved as presented.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to APPROVE a Final Plat of the S.C. Vasquez Addition with four conditions, and APPROVE two variances from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance, to maintain an existing paving width of 36 feet for West 34<sup>th</sup> Street, an urban local street, and to maintain an existing paving width of 40 feet for Grape Creek Road, an urban collector street. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.**

**F. West 23<sup>rd</sup> Street Addition**

A request for approval of a Final Plat of West 23rd Street Addition, being 1.372 acres located at the northeast corner of North Bryant Boulevard and West 23rd Street, and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a minimum paving width of 30 feet for West 23rd Street, an urban local street.

Jeff Fisher, Principal Planner, presented the case. He explained that the original survey tracts did not reflect the current lot configurations triggering the need to plat. Mr. Fisher indicated that the applicant plans to purchase Lot 1 for a new retail use, and has applied for a variance to allow West 23<sup>rd</sup> Street to remain 30 feet wide with no sidewalk. Mr. Fisher further indicated that the plat will conform to the City's Comprehensive Plan and purpose statements of the Land Development and Subdivision Ordinance (LDSO), then outlined for the Commission Staff's rationale to support the street width variance but to require sidewalks adjacent to West 23<sup>rd</sup> Street and North Bryant Boulevard.

Mr. Fisher explained the rationale for supporting the variance to maintain West 23<sup>rd</sup> Street with its current paving on the grounds that the existing street functions adequately; that the properties are already developed; and that existing curbs would have to be removed. He also explained Staff's rationale for sidewalks for public safety. Mr. Fisher concluded his presentation by outlining the proposed six conditions of approval.

Chair Stribling asked if the applicant was also requesting a variance on the sidewalk. Mr. Fisher responded the applicant did not require a sidewalk because the sidewalk was not a numeric requirement based on street width, but rather at the request of Staff under Chapter 9 of the LDSO for public safety. Chair Stribling asked if the applicant had agreed to the sidewalks and if there were sidewalks east of Bryant Boulevard on West 23<sup>rd</sup> Street. Mr. Fisher responded that the applicant had not agreed to sidewalks yet, and indicated that there was not a sidewalk east of the property on West 23<sup>rd</sup> Street. Chair Stribling asked if the existing asphalt on the property could be used for sidewalks. Mr. Fisher deferred this question to Engineering Services. He then showed a map of the area and explained there was a sidewalk on West 23<sup>rd</sup> Street west of Bryant Boulevard, at Walgreens at Bryant and 29<sup>th</sup> Street, and that TXDOT plans to install sidewalks along North Bryant Boulevard at some time in the future. Hillary Bueker, Planning Manager, added that there is also an elementary school in this area and the sidewalks would allow students to use these sidewalks to get to the school. Lance Overstreet, City Engineer, indicated that Martin Luther King Drive has sidewalks and that if the two lots between Bryant and Martin Luther King Drive develop the sidewalks will provide connectivity in this location. He also confirmed that TXDOT is proposing to install sidewalks on this portion of Bryant Boulevard in the next two years, and that developers would be allowed to install sidewalks in these areas to allow TXDOT to reallocate funds to other areas.

Chair Stribling opened public comment.

Ms. Erica Carter, Carter-Fentress Engineering, representing the applicant, requested a deferral of the drainage study until the permit phase. She also asked Mr. Overstreet if TXDOT is leaving asphalt in certain areas to be used as access.

Mr. Overstreet responded that TXDOT is being replaced with concrete, and that the City has allowed asphalt to be used for sidewalks but only if it meets all ADA requirements.

Ms. Carter asked if the sidewalks could be deferred and work with Engineering to ensure to meets City standards.

Mr. Overstreet indicated that he would agree to do this.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to APPROVE a Final Plat of the West 23<sup>rd</sup> Street Addition with six conditions, deferring the condition for a drainage study to prior to issuance of a building permit, and deferring the condition for sidewalks adjacent to North Bryant Boulevard and West 23<sup>rd</sup> Street to prior to issuance of a building permit and after review with Engineering Services; and to APPROVE a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain**

**a minimum paving width of 30 feet for West 23rd Street, an urban local street. Commissioner Uherik seconded the motion. The motion carried unanimously, 6-0.**

**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 were presented concurrently in one presentation as they apply to some of the same properties.***

**A. Steinbach/COSA**

**i. CP20-03 - W. Beauregard Avenue/South Pierce St. area**

A request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being 1.859 acres located west of Pierce Street between Sherwood Way and Colorado Avenue.

**ii. Z20-07 – West Beauregard Avenue, 2300 Blk.**

A request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.413 acres at the southwest corner of West Beauregard Avenue and South Pierce Street.

Jeff Fisher, Principal Planner presented the proposed Comprehensive Plan and rezoning as one presentation as some of the properties relate to one another. He explained that the applicant initially submitted the Comprehensive Plan amendment for only the properties at the corner of South Pierce Street and West Beauregard Avenue also subject to the rezoning, but staff decided to add eight more properties to eliminate inconsistencies between their zoning and Comprehensive Plan designations. Mr. Fisher indicated that the applicant’s proposal would allow them to build a building to accommodate their quilt store, and a dwelling unit with a separate conditional use approval to allow them to live upstairs. He then displayed photos of all of the properties subject to the Comprehensive Plan Amendment which included an existing counseling office, a day care, parking lots, and a bank storage facility.

Mr. Fisher outlined Staff’s rationale to recommend approval of the Comprehensive Plan Amendment and rezoning on the grounds that the Neighborhood Center future land use will recognize the existing commercial uses and provide a transition from single-family homes to the west and south; that the applicant’s lots will comply with the CN zoning standards; that future retail with a residential component provides a transition; and that the applicant’s properties have remained a parking lot for over 50 years and CN zoning will allow the proposed use.

Chair Stribling asked what the current zoning is. Mr. Fisher explained the zoning for each of the properties to have their future land use designations changed. Ms. Jackson asked if Staff had spoken to the surrounding residents. Mr. Fisher indicated that Staff received one letter in support from a counseling office subject to the future land use amendment, and a phone call from Texas State Bank in support of the change. Ms. Bueker clarified that the only zone change was for the applicant's properties.

Chair Stribling opened public comment.

Ms. Debora Steinbach, one of the applicants, indicated that her existing quilt store is located in the Village Shopping Center and they have outgrown this space. She indicated that development on these new properties would allow their proposal of relocating the quilt store here with their living area upstairs.

Chair Stribling closed public comment.

**Commissioner Smith made a motion to recommend APPROVAL of 1) an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Neighborhood Center Future Land Use, being 1.859 acres located west of Pierce Street between Sherwood Way and Colorado Avenue, and 2) a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.413 acres at the southwest corner of West Beauregard Avenue and South Pierce Street, as presented. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.**

### **3. Special Uses**

*City Council has final authority for approval of Special Uses.*

#### **A. SU20-01 – 414 Webb Street**

A request for approval of a Special Use to allow a contractors yard, office and related activities in the Low Rise Multifamily Residential (RM-1) zoning district located at 414 Webb Street.

Sherry Bailey, Principal Planner, presented the proposed Special Use which would recognize an existing contractor's yard, office, and workshop on the property. She explained that the existing use was non-conforming until 2018, and this approval would allow the applicant to build a new workshop storage office on the site.

Ms. Bailey explained the property was zoned Light Manufacturing from 1954 until 2000 when it was changed to RM-1. She explained that the applicant has put a privacy fence around the property.



Ms. Bailey outlined Staff's rationale for approval which include that the visual impact is positive to the neighborhood; that the impact will be less intense for this use than a multi-family residential development; it is compatible with the surrounding area; that there is a community need for additional space for storage and office for a specialty contractor; and that the surrounding area contains a mix of zoning. She indicated that of the 22 notices that were mailed, Staff received two letters in favor, and one opposed citing concerns about noise and additional hours of operation. Ms. Bailey concluded her presentation by outlining the four conditions of approval.

Chair Stribling opened public comment.

Mr. David Mazur, the applicant, indicated that he has spent over \$100,000 on improvements on the property, and that he will add landscaping if the case is approved. He indicated that he is available for questions.

Chair Stribling stated that he appreciates Mr. Mazur's efforts.

Mr. Mazur indicated that there should be no traffic impacts, as the only traffic is when trash is picked up.

Chair Stribling closed public comment.

**Commissioner Smith made a motion to recommend APPROVAL the Special Use to allow a contractors yard, office and related activities in the Low Rise Multifamily Residential (RM-1) zoning district located at 414 Webb Street, subject to the four conditions of approval as presented. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.**

#### **4. Conditional Uses**

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

##### **A. CU20-06 – Ford**

A request for approval of a Conditional Use for a bank/financial service within the Heavy Commercial (CH) Zoning District, located northwest of the intersection of Fusselman Drive and South Bryant Boulevard.

Shelly Paschal, Planner, presented the proposed case for a conditional use for a bank. She explained that this property went through the platting process about two months ago. Ms. Paschal outlined Staff's rationale for approval which included that the proposed bank will not have an impact on adjacent properties which are primarily heavier commercial uses; that the use of a bank is consistent with the Zoning Ordinance and surrounding area; that there are some retail uses in the area already; and that there is a community need given the property's location on S. Bryant

Boulevard, a major arterial street. Ms. Paschal indicated that out of the 10 notices that were mailed, Staff received one letter in favor and none opposed. She concluded her presentation by outlining the two conditions of approval.

Chair Stribling opened public comment.

Mr. Pat Ford, the architect representing the applicant, indicating that the bank office will be 5,000 square feet, that there will be no drive-thru, and that it should not impact the neighborhood.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to APPROVE the Conditional Use for a bank/financial service within the Heavy Commercial (CH) Zoning District, located northwest of the intersection of Fusselman Drive and South Bryant Boulevard, subject to two conditions of approval as presented. Commissioner Self seconded the motion. The motion carried unanimously 6-0.**

**B. CU20-07 - W. Houston Harte Expressway, 3100 Blk.**

A request for approval of a Conditional Use to allow for Warehouse and Freight Movement in the General Commercial (CG) Zoning District, being 0.847 acres, located east of Alexander Street, between West Houston Harte Expressway Frontage Road and Dallas Street.

Jeff Fisher, Principal Planner, presented the proposed case for a conditional use to allow a new bus and storage building to be built on the property. He explained that this area was recently platted which included the abandonment of the alley located within the subject property. Mr. Fisher indicated that the current CG zoning does not allow the new building, and therefore, a conditional use is required for “warehouse and freight movement”, the use category in the Zoning Ordinance that allows a bus barn and storage building. He further indicated that Staff received one letter in support from the property owner which owns most of the property around the subject site.

Mr. Fisher outlined Staff’s rationale for approval which included that the recommended approval conditions by staff including shielded lighting, trash screening, and building color to be consistent with the applicant’s neighboring buildings will minimize impacts; that the proposed building complies with all zoning setbacks and parking requirements; that the use is compatible with the surrounding area which is mainly institutional uses; and that the building will serve the church and allow storage of their buses and equipment. He concluded his presentation by outlining the six conditions of approval including the planting of seven street trees facing Houston Harte Expressway consistent with TLC church and school, also operated by the applicant.

Chair Stribling opened public comment.

Pastor Don Crabtree, representing the applicant, indicated that the replat is done and appreciated Staff assisting with this project.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to APPROVE the Conditional Use to allow for Warehouse and Freight Movement in the General Commercial (CG) Zoning District, being 0.847 acres, located east of Alexander Street, between West Houston Harte Expressway Frontage Road and Dallas Street, subject to six conditions of approval as presented. Commissioner Self seconded the motion. The motion carried unanimously 6-0.**

**C. CU20-08 - 212 North Magdalen Street**

A request for approval of a Conditional Use for a Short-Term Rental within an existing single-family dwelling in the Low-Rise Multi-Family (RM-1) Zoning District, located at 212 North Magdalen Street.

Shelly Paschal, Planner, presented the proposed case for a short-term rental approved in April 2019 which has now expired. Ms. Paschal outlined Staff's rationale for approval which included that the short-term rental is compatible with the surrounding area; consistent with the RM-1 zoning and parking requirements; and that the existing home will maintain its residential character. She indicated that Staff received no responses in favor or against. Ms. Paschal concluded her presentation by outlining the seven conditions of approval.

Commissioner Smith asked if the applicant operated as a short-term rental while they were out of compliance.

Ms. Paschal responded that she believed they did, and that Staff contacted San Angelo Police, Fire, and Code Compliance, and they received no reports or violations.

Chair Stribling opened public comment.

Chair Stribling closed public comment.

**Commissioner Self made a motion to APPROVE the Conditional Use for a Short-Term Rental within an existing single-family dwelling in the Low-Rise Multi-Family (RM-1) Zoning District, located at 212 North Magdalen Street, subject to the seven conditions of approval as presented. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.**

**5. Sign Variance**

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

**A. SV20-01 - N. Bryant Boulevard, 3100 Blk.**

- i. A request for approval of sign variances for a freestanding on-site sign: 1) a sign area of 707 square feet in lieu of the maximum 250 square feet, and 2) a sign height of 88 feet in lieu of the maximum 50 feet, and
- ii. A request for approval of a sign variance to allow a total of nine freestanding on-site signs in lieu of the maximum five signs for a lot with a primary frontage exceeding 700 feet; in the General Commercial/Heavy Commercial (CG/CH) Zoning District, being 8.567 acres located at the southwest corner of North Bryant Boulevard and West 33rd Street.

Jeff Fisher, Principal Planner, presented the proposed case for three sign variances for a new truck stop with convenience store and gas station. He explained that the first two variances will allow one of their freestanding signs to have a larger sign area and height that allowed; and the third variance would allow nine freestanding signs instead of the maximum of five allowed on the property.

Mr. Fisher displayed photos, and video footage travelling northbound and southbound from North Bryant Boulevard 20 seconds before a vehicle reaches the property. Both the photos and videos indicated that topography was relatively flat and did not show a special circumstance to warrant a larger sign. Mr. Fisher explained that in addition, Staff researched other freestanding signs between 23<sup>rd</sup> Street north to the City Limits, and found all signs complied, or were non-conforming, except for a pre-existing Shell sign on north Bryant which was slightly larger than allowed but was authorized to make repairs.

Mr. Fisher outlined Staff's rationale to deny the three variances on the grounds that topography is relatively flat; that there will be a new traffic light at West 33<sup>rd</sup> that will reduce traffic speed and increase visibility; that the main sign is 76% taller and 282% greater in area than allowed under the Sign Ordinance; and that six of the nine signs would be considered "safety and directional signs" if the corporate advertising was removed and the areas were reduced from 12 to 8 square feet, eliminating the need for the third variance. Mr. Fisher further explained that the applicant could rent space on one of the ML zoned properties near the property which allows an off-site (billboard) sign up to 700 square feet roughly the size of the main sign, or split the sign area on the main sign into several smaller signs.

Chair Stribling opened public comment.

Mr. Chris Zemanek, Architect, representing the applicant, indicated that the applicant wants this larger sign for truck traffic for the travel center. He also explained that the directional signs will assist in getting trucks and automobiles to and from the site. Mr. Zemanek further explained that the owner is paying for road improvements on Riverside Golf Club Road, and a traffic light on North Bryant and West 33<sup>rd</sup> Street, and is hoping for some concessions to allow the signs.

Hillary Bueker, Planning Manager, indicated that the road improvements and traffic light were part of a separate approval for the subdivision plat.

Chair Stribling closed public comment.

Chair Stribling indicated this is a good location for a truck stop but does not believe the larger sign is necessary nor is there a hardship.

**Commissioner Smith made a motion to DENY the sign variances for a freestanding on-site sign with an area of 707 square feet in lieu of the maximum 250 square feet, and a height of 88 feet in lieu of the maximum 50 feet, and to DENY a sign variance to allow a total of nine freestanding on-site signs in lieu of the maximum five signs for a lot with a primary frontage exceeding 700 feet; in the General Commercial/Heavy Commercial (CG/CH) Zoning District, being 8.567 acres located at the southwest corner of North Bryant Boulevard and West 33rd Street. Commissioner Uherik seconded the motion. The motion to deny carried 5-1 with Commissioner Brooks voting in opposition of the denial.**

## **6. Right-Of-Way Abandonments**

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

### **A. Alley Right-Of-Way Abandonment – 1600 block of H. Harte Expressway (Oujesky)**

A request to approve the abandonment of approximately 2,200 square feet (17' x 130') of an unpaved north-south alley within Block 2 of the Kenley Addition located north of Ellis Street and south of Houston Harte Expy. Frontage, approximately 200' east of North Bell Street.

Shelly Paschal, Planner, presented the proposed alley abandonment. She explained that the alleys runs underneath an existing building on the property at 704 N. Bell Street. Ms. Paschal indicated that of the two notices mailed, no responses were received. Ms. Paschal outlined Staff's rationale for approval which included that there were no objections received from public or private utility companies circulated; that this portion provides no public benefit; and that approval will allow the applicant to continue to use the existing building on the property. Ms. Paschal concluded her presentation by outlining the two conditions of approval.

Chair Stribling opened public comment.

Mr. Ray Oujesky, representing the applicant, indicated that the alley is unused and that the applicant wants to expand the property and believes the approval conditions are acceptable. Self, Jackson, APPROVE as presented, 6-0.

Chair Stribling closed public comment.

**Commissioner Self made a motion to recommend APPROVAL of the abandonment of approximately 2,200 square feet (17' x 130') of an unpaved north-south alley within Block 2 of the Kenley Addition located north of Ellis Street and south of Houston Harte Expy. Frontage, approximately 200' east of North Bell Street, subject to two conditions of approval as presented. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.**

**B. Alley Right-Of-Way Abandonment – Goodfellow Avenue, 0-20 Block (Fuentes)**

A request to approve the abandonment of approximately 1,900 square feet (15' x 130') of an unpaved east-west alley within Block 4 of the Goodfellow Addition located north of the intersection of Paint Rock Road and Goodfellow Avenue.

Shelly Paschal, Planner, presented the proposed alley abandonment. She explained that this was an unopened alley platted in the 1940s, and that the applicant has built a home adjacent to it. She also indicated that south of the alley was intended to be used a city park but that the City did not build a park here. Ms. Paschal outlined Staff's rationale for approval which included that there are no existing utilities in the alley and there were no objections received from public or private utility companies circulated; that the land to the south was never built as a park; that the applicant is in negotiations with the City to buy this property; and that allowing the alley to be acquired by the adjacent owner would enhance the appearance of this space. Ms. Paschal further indicated that of the two notices that were mailed, Staff received no responses in favor or against. She concluded her presentation by outlining the two conditions of approval.

Hillary Bueker, Planning Manager, indicated that there is a curb cut installed from Paint Rock Road which could provide access from the property even when the alley is closed.

Vice Chair Jackson asked what the current dimensions of the alley are. Ms. Paschal responded they are 15 feet wide by 130 feet long. Vice Chair Jackson responded that she understand that half of the alley would go to the adjacent owner, and the other half to the City. Ms. Paschal explained that while this is correct, the City plans to buy from the City the south half and would then own all of it.

Chair Stribling opened public comment.

Mr. Gustavo Fuentes, one of the applicants, indicated that he is intending to extend the property to include the alley land which was never used. He explained that the City does not want their half of the alley.

Chair Stribling closed public comment.

**Commissioner Self made a motion to recommend APPROVAL of the abandonment of approximately 1,900 square feet (15' x 130') of an unpaved east-west alley within Block 4 of the Goodfellow Addition located north of the intersection of Paint Rock Road and Goodfellow Avenue, subject to two conditions of approval as presented. Commissioner Smith seconded the motion. The motion carried unanimously 6-0.**

**I. Director's Report.**

Jon James, Planning and Development Services Director, indicated that it was unknown at this time if the June Planning Commission Meeting will be in person or not. He explained that the Governor's Order currently requires a zoom meeting due to COVID-19, and that we will advise the Commission once we know whether the meeting will be remote or in-person.

**II. Future meeting agenda and announcements.**

Chair Stribling indicated that the next regular meeting of the Planning Commission is tentatively scheduled to begin at 9:00 a.m. on **Monday, June 15, 2020**, in Council Chambers (South Meeting Room) of McNease Convention Center at 501 Rio Concho Drive.

**III. Adjournment.**

**Commissioner Jackson made a Motion to adjourn at 11:01 a.m., and Commissioner Smith seconded the Motion. The Motion passed unanimously, 6-0.**



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Travis Stribling, Chair,  
Planning Commission