



RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS
PLANNING COMMISSION
MONDAY, JANUARY 25, 2021, 9:00 A.M.
VIA Audio/Video Broadcast

PRESENT: Teri Jackson (Vice Chair), Joe Spano, Joe Self, Luke Uherik, Brittany Davis, Ryan Smith

ABSENT: Travis Stribling (Chair)

STAFF: Jon James, AICP, Director of Planning and Development Services
Aaron Vannoy, Assistant Director of Planning and Development Services
Hillary Bueker, Planning Manager
Sherry Bailey, Principal Planner
Jeff Fisher, AICP, Principal Planner
Shelly Paschal, Planner
Brandon Dyson, Assistant City Attorney
Mitchell Gatlin, Project Engineer-EIT
Charlie Kemp, Building Official
Ross Coleman, Fire Prevention Administrator

I. Call to order.

A. Vice Chair Jackson called the meeting to order at 9:00 a.m. and established that a quorum of five was present.

II. Consent Agenda:

A. Consideration of approving the December 14, 2020, Planning Commission Regular Meeting minutes.

B. Korona Addition, Section One

A request for approval of a final plat of the Korona Addition, Section One, being 2.033 acres located 1819 Knickerbocker Road.

C. First Replat of Lot 1, University Addition, Section One

A request for approval of the First Replat of Lot 1, University Addition, Section One, being 2.687 acres located southwest of Knickerbocker Road and University Avenue.

D. First Replat of Lots 6, 7 and 8, Block 2, Hoelscher Farm Estates, Section One

A request for approval of a First Replat of Lots 6, 7 and 8, Block 2, Hoelscher Farm Estates, Section One, being 3.246 acres located at the northeast corner of Hilton Head Boulevard and Sunrise Lane.

Commissioner Smith made a motion to approve the Consent Agenda. Commissioner Self seconded the motion. The motion carried unanimously, 5-0.

III. Election of Chair and Vice-Chair

Commissioner Uherik made a motion to RE-ELECT Travis Stribling as Chair and RE-ELECT Teri Jackson as Vice Chair. Commissioner Spano seconded the motion. The motion carried unanimously, 5-0.

IV. Regular Agenda

1. Subdivision Plats

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

A. Replat of Lot 24, Block 3, Section 16E, Bentwood Country Club Estates

A request for approval of a Replat of Lot 24, Block 3, Section 16E, Bentwood Country Club Estates, being 0.81 acres located southeast of Beaty Road and Berwick Drive; and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 20 feet without curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for Beaty Road, an urban local street.

Hillary Bueker, Planning Manager, presented the proposed replat. She explained that the replat is 0.812 acres for one lot to be replatted into two. She indicated that these lots are larger than required in the RS-1 zone. Mrs. Bueker indicated that the replat will conform to the City's Comprehensive Plan and Intent of Purpose Statements. She then outlined Staff's recommendation to approve the associated variance on the grounds that the current street meets the needs of the area and adding two homes will not significantly increase traffic; that the street is on City property near a recreational area and maintains the same width as adjacent streets; that two additional homes will not create strain on existing streets; and limited additional traffic will not impose a safety risk. Mrs. Bueker concluded her presentation by outlining the four recommended approval conditions.

Vice Chair Jackson opened public comment.

Erica Carter, Carter-Fentress Engineering, thanked staff and asked to approve as presented.

Vice Chair Jackson closed public comment.

Commissioner Davis joined the meeting at 9:06 a.m.

Commissioner Self made a motion to APPROVE a Replat of Lot 24, Block 3, Section 16E, Bentwood Country Club Estates, being 0.81 acres located southeast of Beaty Road and Berwick Drive, subject to four conditions of approval; and APPROVE a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 20 feet without curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for Beaty Road, an urban local street. Commissioner Spano seconded the motion. The motion carried unanimously, 6-0.

B. Replat of Lots 1-4 of Block 3, Avondale Addition

A request for approval of a Replat of Lots 1-4, Block 3, Avondale Addition, being 0.3134 acres located at 1836 Magnolia Drive, and two variances from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 30 feet with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk for Magnolia Drive, an urban local street, and to maintain 36 feet paving width with no curb and gutter for Lowrie Avenue, an urban local street.

Sherry Bailey, Principal Planner, outlined the proposed replat of 0.3134 acres of four lots into two zoned Single-Family Residential (RS-1). She then outlined the proposed variances to maintain the existing paving width of 30 feet with curb and gutter for Magnolia Street and the existing paving with of 36 feet for Lowrie Street with no curb and gutter. She explained that 10 notices were mailed out and staff did not receive any responses. Mrs. Bailey indicated that the replat will conform to the City's Comprehensive Plan and Intent of Purpose Statements. She then outlined Staff's recommendation to deny the Lowrie Street variance given that it is a two-course surface which will deteriorate over time; that it only serves two lots; and that Staff believes the appropriate action would be to abandon the street and make it an alley connection instead, relieving the City of having to maintain it. She also outlined Staff's support for the Magnolia Street variance given that other nearby streets are also 30 feet wide; that this is a developed area; and that this street width meets the needs of the community adequately. Mrs. Bailey concluded her presentation by outlining the five recommended approval conditions.

Hillary Bueker, Planning Manager, indicated that Lowrie Street does not go anywhere, and that if the Commission denies the variance then the applicant may come back and abandon the street turning into an alley.

Vice Chair Jackson opened public comment.

Erica Carter, Carter-Fentress Engineering, asked what her client would be responsible for a street abandonment.

Mrs. Bueker indicated that the abandoned portion would be absorbed into the lots and would require another plat.

Ms. Carter asked how long the abandonment process would take and associated fees.

Mrs. Bueker indicated that it takes two-three months with a \$450.00 application fee and 125.00 newspaper fee, and if approved, an appraised value fee.

Ms. Carter asked the Commission to approve the variances today, and then she and the applicant could then sit down with Staff to consider the abandonment. She expressed her client's concerns about costs.

Vice Chair Jackson asked to clarify that the applicant is only abandoning their half of the street.

Mrs. Bueker responded that this was correct, that the applicant would only have the right to half of the right-of-way unless the owner on the other half did not want their half.

Vice Chair Jackson closed public comment.

Commissioner Uherik made a motion to APPROVE a Replat of Lots 1-4, Block 3, Avondale Addition, being 0.3134 acres located at 1836 Magnolia Drive, subject to five conditions of approval; and APPROVE both variances from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 30 feet with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk for Magnolia Drive, an urban local street, and to maintain 36 feet paving width with no curb and gutter for Lowrie Avenue, an urban local street. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.

C. First Replat in Lot 8, Block 2, Probst Subdivision

A request for approval of a Replat of Lot 8, Block 2, Section 2, Probst Subdivision, being 0.164 acres located at 218 East 22nd Street.

Sherry Bailey, Principal Planner, outlined the proposed replat which is a remainder of a larger lot that was never developed. She indicated that of the 26 notices mailed, no responses were received. She further indicated that the street was originally built with 30 feet and curb and gutter. Mrs. Bailey indicated that the replat will conform to the City's Comprehensive Plan and Intent of Purpose Statements. She explained that when East 22nd Street was built, the south side was never developed, and when it does, Staff will obtain the increased paving width and right-of-way on this half. Mrs.

Bailey concluded her presentation by outlining the three recommended approval conditions.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to APPROVE a Replat of Lot 8, Block 2, Section 2, Probst Subdivision, being 0.164 acres located at 218 East 22nd Street subject to three conditions of approval. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.

D. Replat of Lot 14, Section 2, McAdams Subdivision

A request for approval of a Replat of Lot 14, Section 2, McAdams Subdivision, being 0.561 acres located at 1815 Shirley Street; and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 30 feet with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for Shirley Street, an urban local street.

Hillary Bueker, Planning Manager, outlined the proposed replat to divide one lot into two for new single-family homes. She also explained the applicant is seeking a variance to maintain a 30-foot paving width in lieu of the required 40' of 36' with a 4' sidewalk. Mrs. Bueker indicated that the replat will conform to the City's Comprehensive Plan and Intent of Purpose Statements. Mrs. Bueker outlined Staff's support for the variance on the grounds that the street is only 140' long; that the area is already developed; that there is existing curb and gutter; and that all other conditions are met. Mrs. Bueker concluded her presentation with five conditions of approval as presented.

Vice Chair Jackson opened public comment.

Erica Carter, Carter-Fentress Engineering, thanked staff and asked to approve as presented.

Vice Chair Jackson closed public comment.

Commissioner Davis made a motion to APPROVE a Replat of Lot 14, Section 2, McAdams Subdivision, being 0.561 acres located at 1815 Shirley Street subject to five conditions of approval; and APPROVE a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 30 feet with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for Shirley Street, an urban local street. Commissioner Uherik seconded the motion. The motion carried unanimously, 6-0.

E. First Replat of Tract C, Paulann Park Addition, Section Two

A request for approval of a First Replat of Tract C, Paulann Park Addition, Section Two, being 5.002 acres located at the northeast corner of Gordon Boulevard and East Houston Harte Expressway Frontage Road; and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance, to maintain a paving width of 0 feet (no paving or curb-and-gutter) in lieu of the required 50 feet with curb-and-gutter for Smith Boulevard, an urban collector street.

Jeff Fisher, Principal Planner, presented the proposed replat from one lot into two lots. He explained that a Dollar General was built on the north side and plans to sell the south portion for future commercial development. He further explained that the applicant is requesting a variance to allow Smith Boulevard to remain unpaved, and that Staff is recommending a sidewalk adjacent to Gordon Boulevard and Tract C2 extending from the existing one. Mr. Fisher indicated that the replat will conform to the City's Comprehensive Plan and Intent of Purpose Statements. He then outlined Staff's recommendation to deny the variance to allow Smith Boulevard to remain unpaved. He displayed a map showing Smith Boulevard as a future collector street that would service new development on either side, east of Gordon Boulevard, and extending to Howard College and the corrections facility. Mr. Fisher explained that previous subdivisions along this future street were approved prior to current Subdivision Ordinance rules, otherwise the street would have been improved. He then outlined Staff's criteria to deny the variance which included that it would set a negative precedent, would require other developers or City taxpayers to pay to close the gap; and that other new subdivisions are required to pave adjacent streets. Mr. Fisher concluded his presentation and mentioned several conditions that would be deferred.

Vice Chair Jackson opened public comment.

Mr. Russell Gully, SKG Engineering, representing the applicant, confirmed he spoke to Mitchell Gatlin in Engineering and that some of the conditions were agreed to be deferred. He then discussed his position against paving Smith Boulevard given that none of the proposed lots will have access to this street. He further indicated that the street right-of-way has remainder unpaved for many years.

Vice Chair Jackson closed public comment.

Hillary Bueker, Planning Manager, indicated that the reason Dollar General did not have to plat was because the original lot was more than five acres, but now that the lot is being platted into smaller lots, the Subdivision Ordinance requires that replat and subsequent street paving.

Mr. Fisher explained that this portion of the Smith Boulevard right-of-way has been designated as a future collector street since the 2003 Master Thoroughfare Plan

(MTP). He also clarified that the Subdivision Ordinance only requires paving of their incremental half which is a minimum of 26 feet of the total 50 feet of pavement.

Commissioner Davis expressed her opinion that despite the financial burden of paving the street, Dollar General would benefit from the additional customers who would use this street in future.

Commissioner Davis made a motion to APPROVE a First Replat of Tract C, Paulann Park Addition, Section Two, being 5.002 acres located at the northeast corner of Gordon Boulevard and East Houston Harte Expressway Frontage Road, subject to four conditions of approval, deferring the two other conditions for a drainage study and water and wastewater lines to prior to building permit issuance, and two notes that a sidewalk be constructed adjacent to Tract C2 facing Gordon Boulevard and a turnaround be provided per the Fire Code prior to building permit issuance; and DENY a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance, to maintain a paving width of 0 feet (no paving or curb-and-gutter) in lieu of the required 50 feet with curb-and-gutter for Smith Boulevard, an urban collector street. Commissioner Spano seconded the motion. The motion carried unanimously, 6-0.

2. Related Comprehensive Plan Amendment & Rezoning

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

A. West Loop 306, 1700 Block

Items 2A.i and 2A.ii were presented concurrently as they apply to portions of the same properties.

i. CP20-08: West Loop 306, 1700 Block

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 Transitional Land Use, being 1.658 acres located south of Loop 306, west of Old Stone Drive and east of North Bentwood Drive.

ii. Z20-21: West Loop 306, 1700 Block

A request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the General Commercial (CG) Zoning District, being 9.182 acres out of Casper Berberich Survey 177, Abstract No. 52, (Lots 1, 2 & Tract A Lucky Lou Addition) located south of Loop 306, west of Old Stone Drive and east of North Bentwood Drive.

Sherry Bailey, Principal Planner, presented the proposed Comprehensive Plan Amendment and Rezoning. Mrs. Bailey explained that the plat was recently

approved by the Commission and the property will be annexed into the City. She then outlined Staff's recommendation of approval of both cases. She explained that the Comprehensive Plan Amendment will change the piece of the property designated Neighborhood to Transitional, and this will provide a buffer from a more intense to a lower intense residential use. She then outlined Staff's recommendation of approval for the rezoning given that the CG is compatible adjacent to areas of residential development; that the property to the east is CG while west is RM-1 and is therefore compatible; that this area is beginning to develop given the City sewer expansion project leading to additional rezoning and annexations and therefore CG is appropriate; that San Angelo is still in need of both commercial development backed by residential; and that the property has frontage onto Loop 306 which can accommodate traffic.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Vice Chair Jackson asked if two separate motions were needed.

Mrs. Bueker responded one motion could be taken.

Commissioner Davis 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, being 9.182 acres out of Casper Berberich Survey 177, Abstract No. 52, (Lots 1, 2 & Tract A Lucky Lou Addition) located south of Loop 306, west of Old Stone Drive and east of North Bentwood Drive. Commissioner Uherik seconded the motion. The motion carried unanimously 6-0.

3. Rezoning

City Council has final authority for approval of rezonings.

A. PD21-01: 630 S. Oakes Street

A request for approval of a rezoning from the Light Manufacturing (ML) Zoning District, General Commercial/Heavy Commercial (CG/CH) Zoning District, Low Rise Multifamily Residential (RM-1) Zoning District, and Two-Family Residential (RS-2) Zoning District to the Planned Development (PD21-01) Zoning District to allow for museums with associated retail sales; offices; convention and meeting halls; special events including those specifically approved by City Council; commercial parking; and accessory uses including parking, maintenance facilities, and storage; located north of East Washington Drive; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street, being approximately 38 acres.

Commissioner Jackson indicated that this item has been rescheduled and the applicant is in agreement. No formal motion was required and Vice Jackson moved on to the next item.

B. Z20-22: 2 N. Koenigheim Street

A request for approval of a rezoning from the Neighborhood Commercial (CN), General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), and Low Rise Multi-Family Residential (RM-1) Zoning Districts to the Central Business District (CBD), being 0.54 acres located at 2 North Koenigheim Street and 2.72 acres west of Martin Luther King Drive, north of West Harris Avenue, and south of West College Avenue.

Hillary Bueker, Planning Manager, indicated that in addition to the applicant, Jacks' Convenience, Tom Green County agreed to be part of the request as they have adjacent land. She explained that this will be a continuation of the Central Business District (CBD) zoning. She shared photos of properties in the area subject to the CBD. 16 notices, no responses. She then outlined Staff recommendation of approval on the grounds that the CBD is compatible with the Comprehensive Plan Future Land Use of Downtown; that the CBD will allow flexibility of development standards including 0-foot setbacks and no parking; and is compatible with the surrounding area.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL a rezoning from the Neighborhood Commercial (CN), General Commercial (CG), General Commercial/Heavy Commercial (CG/CH), and Low Rise Multi-Family Residential (RM-1) Zoning Districts to the Central Business District (CBD), being 0.54 acres located at 2 North Koenigheim Street and 2.72 acres west of Martin Luther King Drive, north of West Harris Avenue, and south of West College Avenue. Commissioner Spano 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. CU20-19 – 3801 Green Meadow Drive

A request for approval of a Conditional Use for a Short Term Rental within an existing residential structure in the Low-Rise Multi-Family (RM-1) Zoning District, for a property located at 3801 Green Meadow Drive.

Sherry Bailey, Principal Planner, indicated that the request is for a Short-Term Rental (STR) which requires a Conditional Use approval. She further indicated that the STR

is located in a fourplex building. Mrs. Bailey then shared photos of the subject unit with the two existing, required parking spaces, and of the surrounding area. She said of the 22 notice letters mailed, that she received two letters in opposition citing concerns about additional parking required and property values. She then outlined Staff recommendation of approval on the grounds that there are minimal impacts in that required parking and fencing has been installed; that the STR is compatible with the underlying RM-1 zoning and the fourplexes in the area; and that there is a community need for STRs in this area. Mrs. Bailey concluded her presentation by outlining the two conditions of approval as presented.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Davis outlined her support for this STR given that the property is already being used as a rental.

Commissioner Davis made a motion to APPROVE a Conditional Use for a Short Term Rental within an existing residential structure in the Low-Rise Multi-Family (RM-1) Zoning District, for a property located at 3801 Green Meadow Drive subject to two conditions of approval as presented. Commissioner Spano seconded the motion. The motion carried unanimously 6-0.

5. Sign Variances

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

A. **SV20-03 – 2239 N. Bryant Boulevard**

A request for approval of a sign variance for a freestanding sign to have a clearance from the ground of 98 inches (8 feet, 2 inches) in lieu of the required 108 inches (9 feet) in the General Commercial/Heavy Commercial (CG/CH) zoning district, located at 2239 North Bryant Boulevard.

Hillary Bueker, Planning Manager, indicated that the request is to allow a sign with a vertical clearance of 8 feet, 2 inches in lieu of the required 9 feet. Mrs. Bueker explained that there is an existing freestanding sign and the applicant intends to place a digital sign underneath this sign attached the existing poles. She further explained that this sign is interior to the property and not immediately next to the right-of-way. She said of the 22 notice letters mailed, that she received two letters in opposition citing concerns about additional parking required and property values. Mrs. Bueker explained that Staff is recommending that the digital sign be pushed up as far as possible to allow the requested vertical clearance. Mrs. Bueker outlined Staff's recommendation for approval on the grounds that it will not impede traffic patterns

or safety given it's an interior sign; that the existing sign has been there for years; and that there are no major impacts.

Vice Chair Jackson asked to clarify that the digital sign would have to be raised up to get to the 8'2".

Mrs. Bueker responded that this was correct.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Davis made a motion to APPROVE a request of a sign variance for a freestanding sign to have a clearance from the ground of 98 inches (8 feet, 2 inches) in lieu of the required 108 inches (9 feet) in the General Commercial/Heavy Commercial (CG/CH) zoning district, located at 2239 North Bryant Boulevard. Commissioner Spano seconded the motion. The motion carried unanimously 6-0.

6. Street Name Changes

City Council has final authority for approval of Street Name Changes.

A. Tractor Trail and Roy Robb Drive Street Naming

A request to name private streets to Tractor Trail and Roy Robb Drive, over the complete length from N US Hwy 67/277 0.25 miles southeast and then 0.45 miles northeast, located in Northeast San Angelo near the Tom Green County Detention Center.

Hillary Bueker, Planning Manager, outlined the proposed street name change. She explained that these are both private streets, and that the Tom Green County will ratify at their Commissioner's Court. She explained that this will change the current name of Detention Facility Access Road. Mrs. Bueker outlined Staff's recommendation for approval on the grounds that the renaming would assist with emergency service calls; and would clarify the street use for emergency personnel, residents, and visitors.

Vice Chair Jackson opened public comment.

Vice Chair Jackson closed public comment.

Commissioner Davis made a motion to RECOMMEND APPROVAL of a request to name private streets to Tractor Trail and Roy Robb Drive, over the complete length from N US Hwy 67/277 0.25 miles southeast and then 0.45 miles northeast, located in Northeast San Angelo near the Tom Green County Detention Center. Commissioner Self seconded the motion. The motion carried unanimously 6-0.

V. Director’s Report.

Jon James, Planning and Development Services Director, indicated that Staff will continue to meet virtually and do not anticipate any changes in the near future, but that we will advise if there are changes. Mr. James also mentioned the possibility of having a second special Planning Commission Meeting to bring some ordinances forward. He asked the Commission if they prefer one long Commission Meeting, or split into a second meeting for the new ordinances.

Commissioner Spano indicated that if it helps citizens having two separate meetings to reduce time, he is all for it.

Vice Chair Jackson explained that if having two meetings stalls some of the cases, then she prefers to have one longer meeting.

Mr. James responded that a second meeting would not delay applicants, and that it would mostly be for ordinance amendments that do not have a standard timeframe.

Mr. James concluded that Staff will check back in to determine, but just wanted to give a heads up for now.

VI. 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, February 15, 2021**, in Council Chambers (South Meeting Room) of McNease Convention Center at 501 Rio Concho Drive or via Zoom.

VII. Adjournment.

Commissioner Self made a Motion to adjourn at 10:21 a.m., and Commissioner Uherik seconded the Motion. The Motion passed unanimously, 6-0.

Teri Jackson, Vice Chair,
Planning Commission