



## RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS  
**PLANNING COMMISSION**  
MONDAY, AUGUST 16, 2021, 9:00 A.M.  
**VIA Audio/Video Broadcast**

**PRESENT:** Travis Stribling (Chair), Teri Jackson (Vice Chair), Joe Spano, Joe Self, Luke Uherik, Brittany Davis

**ABSENT:** Ryan Smith

**STAFF:** Jon James, AICP, Director of Planning and Development Services  
Aaron Vannoy, Assistant Director of Planning and Development Services  
Zack Rainbow, Planning Manager  
Jeff Fisher, AICP, Chief Planner  
Kyle Warren, Planner  
Brandon Dyson, Assistant City Attorney  
Mitchell Gatlin, Project Engineer-EIT  
Melissa Szyplinski, 9-1-1 Addressing Coordinator

**I. Call to order.**

**A.** Chair Stribling called the meeting to order at 9:01 a.m. and established that a quorum of six was present.

**II. Consent Agenda:**

**A.** Consideration of approving the July 19, 2021, Planning Commission Regular Meeting minutes.

**Vice Chair Jackson made a motion to approve the Consent Agenda. Commissioner Davis 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.*

**A. Replat of Lots 8 and 9, Block 41, Fairview Addition**

A request for approval of Replat of Lots 8 and 9, Block 41, Fairview Addition; being 0.44 acres northeast of N. Archer Street and Upton Street.

Zack Rainbow, Planning Manager, presented the proposed replat. He indicated this was a replat from 2 lots that ran north-south to 3 lots running east-west. He outlined Staff's recommendation to approve subject to four conditions and one note as presented.

Chair Stribling asked what the lot sizes were.

Mr. Rainbow responded they were 63 feet by 100 feet.

Chair Stribling opened public comment.

Erica Carter, Carter-Fentress Engineering representing the applicant, indicated she was available to answer any questions.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to APPROVE a request for approval of Replat of Lots 8 and 9, Block 41, Fairview Addition; being 0.44 acres northeast of N. Archer Street and Upton Street, subject to four conditions and one note as presented. Commissioner Self Seconded the motion. The motion carried unanimously, 6-0.**

**B. Preliminary Plat of Fairway Downs**

A request for approval of a Preliminary Plat of Fairway Downs, being 76.55 acres located southeast of the intersection of Country Club and S. Ratliff Roads; and variances from Chapter 9.II.B of the Land Development and Subdivision Ordinance to allow block lengths to exceed the maximum of 2,200' without providing stub-out streets to adjacent property.

Zack Rainbow, Planning Manager, presented the proposed revised preliminary plat which was originally presented in July 2021. He said that the applicant has addressed AEP concerns, have put in a stub-out to the west, but not to the east as requested by Staff. Mr. Rainbow then outlined Staff's rationale to continue to deny the plat based on no special circumstance; that it was inadequate for emergency services; and that the variance is inconsistent with the zoning ordinance.

Chair Stribling asked if there is a road to the east of the plat.

Mr. Rainbow responded he believed is it Rough Drive.

Chair Stribling asked if it extends all the way to Highway 277.

Jon James, Planning and Development Services Director indicated that it is a private road that goes to 277 but does not extend to this property yet. He further indicated that the intent is that it could be extended to this property in future.

Chair Stribling opened public comment.

Casey Poyner, the applicant, indicated that it was not viable to extend the road because it goes into a 2-acre property. He indicated that he already installed a stub-out to the west and the Subdivision Ordinance did not say he had to meet the stub-out length on all four sides.

Vice Chair Jackson asked Mr. Poyner to show where the eastbound stub-out could go.

Mr. Poyner showed the future thoroughfare but said it is not near his plat so he does not have to build a stub-out.

Chair Stribling asked to clarify if the road along the bottom was part of the property.

Mr. Poyner responded it was not.

Chair Stribling asked where the stub out would be if he has to do it.

Mr. Poyner indicated it is next to Bass Lane.

Chair Stribling asked Staff why they are recommending denial of the plat if the applicant is showing a stub-out.

Mr. James indicated that the east side of the plat exceeds the maximum 2,200-foot block length and therefore, requires another stub-out in this side.

Chair Stribling asked who determines where the stub-out goes.

Mr. James responded that it is up to them.

Chair Stribling asked what happens if it is not feasible to install a public road.

Mr. James responded that is the purpose of a preliminary plat to determine where the roads go. He indicated that there was a significant area to the south to install a stub-out for a future road. He further indicated that a stub-out also helps to extend water and sewer to future development as they run parallel to the road.

Chair Stribling agreed extending services is important and that he would like a stub-out to the east.

Mr. Poyner responded asked if the plat could be approved as is and identify the stub-out location after.

Mr. James clarified for the Commission that they could deny the variance but approve the plat, allowing the developer to add the east stub-out.

Mr. Poyner indicated that City Water Utilities was good with the new plat layout.

Vice Chair Jackson expressed concerns she did not want to approve a plat not knowing where the stub-out was going to be.

**Commissioner Self made a motion to APPROVE a Preliminary Plat of Fairway Downs, being 76.55 acres located southeast of the intersection of Country Club and S. Ratliff Roads, subject to four conditions of approval; and DENY variances from Chapter 9.II.B of the Land Development and Subdivision Ordinance to allow block lengths to exceed the maximum of 2,200' without providing stub-out streets to adjacent property, REQUIRING that Rough Drive be extended to the east boundary of the plat. Commissioner Spano seconded the motion. The motion carried 5-1 with Vice Chair Jackson voting against.**

**C. Replat of Lots 9 and 10, Block 59 of Miles Addition**

A request for approval of Replat of Lots 9 and 10, Block 59, Miles Addition; being 0.24 acres southeast of N. Chadbourne Street and W. 13<sup>th</sup> Street; and a variance from Chapter 10.III.A.2 of the Land Development and Subdivision Ordinance to maintain a paving width of 36' with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for W. 13<sup>th</sup> Street, an urban local street.

Zack Rainbow, Planning Manager, presented the proposed replat. He indicated that the replat will re-orient two commercial lots into one, and the applicant is seeking a variance to maintain 36' of paving on 13<sup>th</sup> Street. Mr. Rainbow outlined Staff's recommendation of approval subject to three conditions, given that the street functions adequately.

Chair Stribling opened public comment.

Erica Carter, Carter representing the applicant, indicated she was available to answer any questions.

Chair Stribling closed public comment.

**Commissioner Davis made a motion to APPROVE a Replat of Lots 9 and 10, Block 59, Miles Addition; being 0.24 acres southeast of N. Chadbourne Street and W. 13<sup>th</sup> Street, subject to three conditions of approval as presented; and APPROVE a variance from Chapter 10.III.A.2 of the Land Development and Subdivision**

**Ordinance to maintain a paving width of 36' with curb-and-gutter in lieu of the required 40' or 36' with a 4' sidewalk with curb-and-gutter for W. 13<sup>th</sup> Street, an urban local street. Vice Chair Jackson seconded the motion. The motion carried unanimously, 6-0.**

**D. Fifth Replat in Block Two, Section Two, Far West Addition**

A request for approval of a Fifth Replat in Block Two, Section Two, Far West Addition, being 5.945 acres northwest of F.M. 2288 and Grand Court Road.

Jeff Fisher, Chief Planner, presented the proposed replat. Mr. Fisher explained that the applicant was going to plat one commercial lot into two. He indicated that Staff was requesting a sidewalk along Grand Court Road to connect to adjacent sidewalks. Mr. Fisher explained that even though is a local road, there is a high volume of commercial development in the area and existing sidewalks nearby. Mr. Fisher concluded his presentation by outlining the four conditions of approval and one note as presented.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, explained that this is a local road and in his opinion there is no justification for a sidewalk based on previous discussions about sidewalks. He indicated if the Commission requires a sidewalk, he would like the sidewalk construction plan and construction of the sidewalk itself deferred to the time of permitting.

Mr. Fisher responded that Staff was good with the deferral request.

Chair Stribling closed public comment.

Commissioner Davis indicated that she attended a recent task force meeting and that the Homebuilder's Association (HBA) and said they were opposed to additional sidewalks due to costs.

Jon James, Planning and Development Services Director indicated that the HBA was opposed primarily with sidewalks in residential neighborhoods on local roads but was okay with sidewalks near churches, schools and on major thoroughfares.

Commissioner Uherik asked for the width of Grand Court Road and if this was in a school route plan.

Mr. Gully responded the street was 40 feet wide.

Mr. Fisher replied this was not in a school route plan.

Mr. Gully suggested that there be no sidewalk requirement now, but that after the larger sidewalk ordinance discussion perhaps one could be required at the site plan stage.

Mr. James responded that the problem is the Commission approves no sidewalk, Staff would be less likely to require one later as it would appear that Staff is contradicting the Commission's decision.

Commissioner Uherik expressed concerns that requiring a sidewalk now will lead to maintenance costs if they have to relocate it later.

Mr. James responded he is okay not requiring a sidewalk now if the Commission is also okay with this option.

**Vice Chair Jackson made a motion to APPROVE a Fifth Replat in Block Two, Section Two, Far West Addition, and NOT REQUIRE a sidewalk along the north side of Grand Court Road, subject to three conditions. Commissioner Uherik seconded the motion. The motion carried unanimously, 6-0.**

**E. Twin Oaks Addition, Section 28**

A request for approval of a final plat, Twin Oaks Addition, Section 28, being 6.490 acres northwest of Grandview Drive and Canyon Rim Drive.

Jeff Fisher, Chief Planner, presented the proposed replat. He explained that the developer had this plat approved recently and decided to return and request exemption from the sidewalk requirement. He indicated that after further review, Staff was comfortable exempting the sidewalk given this is a small area and no sidewalk adjacent to this subdivision.

Chair Stribling opened public comment.

Erica Carter, Carter-Fentress Engineering, representing the applicant, thanked Staff. She then asked if the Commission was aware of the sidewalk ordinance which was presented at the task force recently.

Chair Stribling and Vice Chair Jackson indicated that they were not made aware.

Jon James, Planning and Development Services Director indicated that Staff will bring the ordinance forward to the Commission soon but that the task force is separate and gets presented there before the item comes to the Planning Commission.

Tony Jones, builder, explained that he put in Section 27 for this development and that there was no requirement for a sidewalk, and that there is not a requirement for one in the Subdivision Ordinance.

Rocky Templin, builder, asked how the preliminary plat to this area got approved if the condition could not be enforced.

Chair Stribling closed public comment.

Vice Chair Jackson asked if there was a fee required to bring this plat back for review.

Mr. Fisher responded there was no fee.

**Vice Chair Jackson made a motion to APPROVE a final plat, Twin Oaks Addition, Section 28, being 6.490 acres northwest of Grandview Drive and Canyon Rim Drive, REMOVING the require for sidewalks on both sides of Coral Way. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.**

**F. Bentwood Country Club Estates, Section Forty-Two-A**

A request for approval of a Final Plat for Bentwood Country Club Estates, Sec 42-A, being 9.879 acres located approximately 300 feet east of Karsten Creek Drive near Pine Valley Street and Crystal Point Drive; and a request to remove the requirement for a sidewalk along Wolf Creek Drive, an urban Minor Collector.

Jeff Fisher, Chief Planner, presented the proposed replat. He explained that the Planning Commission initially approved this plat in October 2019 with a sidewalk along the west side of Wolf Creek Drive. He indicated that the developer has returned to request the same plat approval but is requesting removal of the sidewalk requirement.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, indicated that there are no other sidewalks throughout most of Bentwood.

Commissioner Davis asked what the street width is.

Mr. Gully responded it is 50 feet wide.

Wesley Donaldson, Superintendent for Clark Construction, indicated that a variance was originally issued by the Commission in May 2019, and only in late 2019 when it was brought back again was a sidewalk required.

Tony Jones, builder, explained his frustration that the developer did not communicate to the builder that a sidewalk was required.

Mr. Jamaal Hussein, potential owner on Crystal Point Drive, explained he was opposed to a sidewalk and did not want to pay an additional \$6,000 for his lot.

Chair Stribling closed public comment.

**Commissioner Davis made a motion to APPROVE a Final Plat for Bentwood Country Club Estates, Sec 42-A, being 9.879 acres located approximately 300 feet east of Karsten Creek Drive near Pine Valley Street and Crystal Point Drive; and APPROVE a request to remove the requirement for a sidewalk along Wolf Creek Drive, an urban Minor Collector. Vice Chair Jackson 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.*

### **A. 1817 & 1819 Lillie Street**

#### **i. CP21-06: 1817 & 1819 Lillie Street**

A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood to the Neighborhood Center Land Use, being approximately 0.728 acres, located at the southwest corner of Lillie Street and W. 19<sup>th</sup> Street.

#### **ii. Z21-09: 1817 & 1819 Lillie Street**

A request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being approximately 0.728 acres, located at the southwest corner of Lillie Street and W. 19<sup>th</sup> Street.

Jeff Fisher, Chief Planner, presented the proposed Comprehensive Plan and rezoning as one presentation.

He then outlined Staff's recommendation to approve the amendments for meeting the criteria outlined in the Zoning Ordinance.

Chair Stribling opened public comment.

Mr. Raul Reyes, the applicant, explained that there was no retail in this area and if approved, plans to start construction would begin in spring 2022.



Chair Stribling closed public comment.

Vice Chair Jackson made a motion to **RECOMMEND APPROVAL** of an amendment to the Comprehensive Plan, changing certain lands from the Neighborhood to the Neighborhood Center Land Use; and **RECOMMEND APPROVAL** of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being approximately 0.728 acres, located at the southwest corner of Lillie Street and W. 19<sup>th</sup> Street. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

**B. 200 W. 47<sup>th</sup> Street**

**i. CP21-07: 200 W. 47<sup>th</sup> Street**

A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Rural to the Neighborhood Center Land Use, being approximately 4.310 acres, located at the northwest corner of Grape Creek Road and W. 47<sup>th</sup> Street.

**ii. Z21-10: 200 W. 47<sup>th</sup> Street**

A request for approval of a rezoning from the Ranch and Estate (R&E) Zoning District to the Neighborhood Commercial (CN) Zoning District, being approximately 4.310 acres, located at the northwest corner of Grape Creek Road and W. 47<sup>th</sup> Street.

Zack Rainbow, Planning Manager, presented the proposed Comprehensive Plan and rezoning as one presentation. He then outlined Staff's recommendation to approve the amendments for meeting the criteria outlined in the Zoning Ordinance. He stated there was one property owner opposed immediately west of the property.

Chair Stribling opened public comment.

Bob Gage, representing the applicant, spoke in support of the request. He stated his client if approved will install a privacy fence adjacent to residential for a new retail store.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to **RECOMMEND APPROVAL** of an amendment to the Comprehensive Plan, changing certain lands from the Rural to the Neighborhood Center Land Use, and **RECOMMEND APPROVAL** of a rezoning from the Ranch and Estate (R&E) Zoning District to the Neighborhood

**Commercial (CN) Zoning District, being approximately 4.310 acres, located at the northwest corner of Grape Creek Road and W. 47<sup>th</sup> Street. Commissioner Davis seconded the motion. The motion carried 5-1 with Commissioner Spano voting against.**

**C. 1500 Block of Upton and Veck Streets**

**i. CP21-08: 1500 Block of Upton and Veck Streets**

A request for approval of an amendment to the Comprehensive Plan, changing certain lands from the Commercial to the Neighborhood Center Land Use, being approximately 3.053 acres, located northeast of Upton Street and N. Archer Street.

**ii. Z21-11: 1502 Upton Street**

A request for approval of a rezoning from the Light Manufacturing (ML) Zoning District to the Single-Family Residential (RS-1) Zoning District, being approximately 0.44 acres, located at 1502 Upton Street.

Zack Rainbow, Planning Manager, presented the proposed Comprehensive Plan and rezoning as one presentation. He then outlined Staff's recommendation to approve the amendments for meeting the criteria outlined in the Zoning Ordinance.

Chair Stribling opened public comment.

Erica Carter, Carter representing the applicant, indicated that the Commission already approved the replat and asked that these applications be approved as well.

Chair Stribling closed public comment.

**Vice Chair Jackson made a motion to RECOMMEND APPROVAL of an amendment to the Comprehensive Plan, changing 3.053 acres from the Commercial to the Neighborhood Center Land Use, and RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District and Single-Family Residential (RS-1) Zoning District on 0.44 acres to the General Commercial (CG) Zoning District; located northeast of Upton Street and N. Archer Street. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.**

**3. Right-Of-Way Abandonments**

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

**A. Alley Right-Of-Way Abandonment – 400 Block of East 46<sup>th</sup> Street**

A request to approve the abandonment of a 2,250-square foot (15' x 150') alley on the north side of East 46<sup>th</sup> Street between Travis Street and Oaklawn Street.

Zack Rainbow, Planning Manager, presented the proposed right-of-way abandonment. He outlined Staff's recommendation to approve with three conditions given there are no utilities in the alley and no responses.

Chair Stribling opened public comment.

Mark Murphy, the applicant owner of adjacent land, indicated that if approved, he would combine the alley with Lot 11.

Chair Stribling closed public comment.

**Commissioner Davis made a motion to APPROVE the abandonment of a 2,250-square foot (15' x 150') alley on the north side of East 46<sup>th</sup> Street between Travis Street and Oaklawn Street, subject to three conditions as presented. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.**

**V. Director's Report.**

Jon James, Planning and Development Services Director, introduced Kyle Warren as a new planner. He also explained that regarding the sidewalk ordinance, Staff presents this to the Development Task Force before it is presented to the Planning Commission. He explained that it is illegal to have the Commission sit together outside this forum.

Commissioner Davis expressed frustration that she was not invited to the task force meeting.

Brandon Dyson, Deputy City Attorney, indicated that Staff could create a separate meeting to discuss the sidewalk ordinance but would need to notice it as a public meeting.

Vice Chair Jackson agreed with Commissioner Davis that the Planning Commissioners need to know in advance of the sidewalk ordinance before it comes here, and would like a copy of the ordinance.

Commissioner Spano supported Staff and believed is communicating effectively.

**A. Future meeting agenda and announcements.**

Vice Chair Jackson indicated that the next regular meeting of the Planning Commission is tentatively scheduled to begin at 9:00 a.m. on **Monday, September 20, 2021**, in City Hall East Mezzanine Meeting Room, 72 W. College Ave.

**B. Adjournment.**

**Commissioner Uherik made a Motion to adjourn at 11:15 a.m., and Commissioner Self seconded the Motion. The Motion passed unanimously, 6-0.**

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Travis Stribling, Chair,  
Planning Commission