



RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS
PLANNING COMMISSION
MONDAY, FEBRUARY 22, 2021, 9:00 A.M.
VIA Audio/Video Broadcast

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

ABSENT: N/A

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

I. Call to order.

- A.** Chair Stribling called the meeting to order at 9:00 a.m. and established that a quorum of seven was present.

II. Regular Agenda

1. Related Comprehensive Plan Amendment & Rezoning

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

A. 2218 Martin Luther King Drive and 200 Blocks of West 22nd and 23rd Streets

i. CP21-01: 200 Block Of West 23rd Street

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 Commercial Future Land Use, being 0.16 acres located in the 200 block of West 23rd Street.

ii. 221-01: 2218 Martin Luther King Drive and 200 Blocks of West 22nd and 23rd Streets

Items 1.A.i. and 1.A.ii. were presented concurrently as they apply to portions of the same properties.

A request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District, located at 2218 Martin Luther King Drive, three lots in the 200 block of West 22nd Street, and one lot in the 200 block of West 23rd Street, being 1.125 acres.

Jeff Fisher, Principal Planner, presented the proposed comprehensive plan amendment and rezoning. Mr. Fisher explained that these cases were tabled from February 15, 2021 due to inclement weather. He explained that the comprehensive plan amendment to Commercial on the one lot will facilitate the associated rezoning of this lot from RS-1 to CG. He also indicated that as part this request, the applicant at the request of Staff decided to rezone the remaining six lots from CG/CH to CG, removing the heavy commercial (CH) component given close proximity to nearby residences. Mr. Fisher further explained that the applicant, Franco's restaurant, was planning to expand their building to the north and improve their parking which triggered the applications. Mr. Fisher displayed photos for the area and that the rezoning of the RS-1 lot would allow overflow parking. He indicated that Staff received one response in favor for both requests. He then outlined Staff's recommendation to approve the requests on the grounds that the Commercial designation will facilitate the associated rezoning to CG; that the lots will comply with all CG requirements once the associated abandonment on the north side is approved; that the restaurant is compatible with the surrounding retail and institutional uses; and that there is a community need as the rezoning will facilitate future expansion and remove the heavy commercial (CH) component from these properties.

Chair Stribling, asked Mr. Fisher if he could present the right-of-way abandonment case immediately after these ones since it is related.

Mr. Fisher responded that he will.

Chair Stribling opened public comment.

Mr. Fisher, asked the applicant, Lee Pfluger, if he had any questions regarding the changes.

Mr. Pfluger responded that the expansion on the north side will be for take-out services for the restaurant.

Chair Stribling closed public comment.

Commissioner Smith made a motion to **RECOMMEND APPROVAL** of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being 0.16 acres located in the 200 block of West 23rd Street; and, to **RECOMMEND APPROVAL** of a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District, located at 2218 Martin Luther King Drive, three lots in the 200 block of West 22nd Street, and one lot in the 200 block of West 23rd Street, being 1.125 acres. Commissioner Davis seconded the motion. The motion carried unanimously, 7-0.

Item 4.A was moved up on the agenda to be presented immediately after 1.A.i and 1.A.ii. as it applies to portions of the same properties.

4. Right-Of-Way Abandonments

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

A. Street Right-Of-Way Abandonment – 200 Block of West 23rd Street

A request to approve the abandonment of 6,582 square feet of the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street.

Jeff Fisher, Principal Planner, presented the proposed street right-of-way abandonment. He explained that the original request was for 25 feet or 7,455 square feet, but due to a city water line and for future maintenance, Staff agreed to only support abandoning 22 feet or 6,582 square feet on the south side of West 23rd Street. Mr. Fisher mentioned that as a condition of approval, the City will retain an easement for the water line, maintenance, and other utilities now in the right-of-way while allowing the applicant to place a drive-through in the abandoned area. He also explained that the abandonment will allow the two residential homes to the east which are part of the request to have complying front setbacks. Mr. Fisher then outlined Staff's recommendation to approve provided an easement is placed in the front facing W. 23rd Street; and that the lots and abandoned area are replatted. He concluded his presentation by outlining the three conditions of approval as presented.

Chair Stribling asked if the two adjacent single-family homeowners are also acquiring their portion of the frontage.

Mr. Fisher, replied that this is the intent but asked the applicant, Lee Pfluger to verify.

Hillary Bueker, Planning Manager, indicated that the two adjacent homeowners were part of the associated replat which was recently submitted.

The applicant, Lee Pfluger explained that all of the building improvements will be on the property already owned. He explained that the two adjacent homeowners are in support of the request given their current front setbacks and parking are non-compliant.

Chair Stribling opened public comment.

Ms. Bueker stated that there is not any additional public comment.

Chair Stribling asked if the only owners who can acquire the abandoned portion of West 23rd Street in front of their properties, besides Franco's, are the two adjacent homeowners.

Ms. Bueker replied that this was correct.

Chair Stribling then asked that if the two adjacent property owners do not elect to acquire the abandoned portions, if an irregular jog would be created.

Ms. Bueker responded that this was correct.

Mr. Pfluger, replied that both homeowners want to acquire their adjacent portions of abandoned right-of-way, and if there are any financial concerns, that he will get this resolved.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL a request for abandonment of 6,582 square feet of the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street subject to three conditions of approval. Vice Chair Jackson seconded the motion. The motion carried unanimously, 7-0.

2. Rezoning

City Council has final authority for approval of rezonings.

A. PD20-01: 630 S. Oakes Street

A request for approval of a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to allow for museums, offices, and associated uses; located north of East Washington Street; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street, being approximately 38 acres.

Jeff Fisher, Principal Planner, presented the proposed PD rezoning which was initiated by Historic Fort Concho. He explained that the PD was triggered when Fort Concho submitted permits for construction of two new historic buildings which did not meet required setbacks. Mr. Fisher explained that the PD will combine the four separate zoning districts in this area into a single PD and allow 0-foot setbacks. Mr. Fisher then displayed photos of the Fort and surrounding buildings which included the Texas State and Workforce buildings. He indicated that Staff received 3 letters in support and 1 in opposition of the request. Mr. Fisher then outlined Staff's recommendation to approve the PD on the grounds that the PD is consistent with the Future Land Uses of Campus/Institutional and Commercial in the Comprehensive Plan; that it is consistent with the underlying CBD development standards including 0-foot front setbacks and no parking requirement; and that the PD will allow all of the Fort uses, as well the offices, parking lots, and accessory uses within the PD boundary. Mr. Fisher concluded his presentation by outlining the three conditions of approval as presented.

Chair Stribling asked if anyone had any questions for the planning staff.

Ms. Bueker expressed Staff's support for the PD, creating one comprehensive PD zoning district, replacing the current four separate zoning districts.

Mr. Fisher explained that the new building designs will closely match the original construction.

Chair Stribling opened public comment.

Mr. Robert Bluthardt, Fort Concho, the applicant, thanked staff and expressed support for the PD rezoning.

Mr. Killis Almond, architect for the applicant, stated that the proposed changes will allow Fort Concho to construct new buildings.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to allow for museums, offices, and associated uses, subject to three conditions of approval as presented; located north of East Washington Street; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street, being approximately 38 acres. Vice Chair Jackson seconded the motion. The motion carried unanimously, 7-0.

B. Amendment to PD07-03: 2909 South A&M Avenue

A request for approval of a Planned Development Amendment, PD07-03, to allow an additional use of a water processing and delivery business and related accessory uses for a property located at 2909 S A&M Avenue.

Shelly Paschal, Planner, presented the proposed PD Amendment to allow a water processing and delivery business at the site of the former Travis School. She indicated that of the 35 mailed notices, Staff received no responses in favor and 26 in opposition. She then provided some background information that the last use was a gymnastics academy and the new water facility will process water through an RO system and bottle the water on site. Ms. Paschal then outlined Staff's recommendation to **deny** the amendment on the grounds that the PD is not in keeping with the Future Land Use of Neighborhood which contains single-family homes and a church; that the PD is not consistent with the underlying zoning of RS-1; and that the proposed use would bring traffic and noise not intended for a neighborhood.

Ms. Paschal asked Chair Stribling if he would open up public comment to present a video from a neighbor opposed to the PD.

Chair Stribling opened up public comment.

Ms. Paschal then presented the video from Larry Loiku who lives on Harvard Avenue. Mr. Loiku voiced his concerns that the proposed business would cause unwanted noise; that there is asbestos in the building; and that the applicant told Mr. Loiku's wife that he would implement a more intense use than the proposed use if his wife objected.

Mr. Jack Gabriel, the owner of the subject property, stated that he understood that only two notice letters were returned in opposition, and the remaining 26 came from a petition started by Ms. Loiku. Mr. Gabriel also explained that he did not tell Mr. Loiku's wife he would bring in a more intense use if she disapproved. He further indicated that there would be no 18-wheelers, and to start would only be one one-ton pickup with a maximum of 3-4 vehicles parked on site. He compared this to the previous gymnastics facility which had over 450 kids a week. Mr. Gabriel concluded by indicating that the overall noise will be a lot less than the gymnastics facility, and that out of the 40 people he explained the business to, only two did not sign his petition of approval.

Chair Stribling asked if anyone else wished to speak about the case.

Commissioner Jackson asked Ms. Paschal if planning staff could collect the list of signatures collected by Mr. Gambrel so that the Commission could compare it to the list collected by the Loikus.

Hillary Bueker, Planning Manager, replied that Staff can do this. She also explained that the proposed use is a small operation with minimal noise, but that it is not the right location in the middle of a residential neighborhood.

Mr. Gabriel explained that the noise is the same decibels as a diesel pickup idling, and that all the walls are sound-deafening and that noise would not be heard at all with the doors closed.

Chair Stribling closed public comment.

Chair Stribling mentioned that during his time as a Planning Commissioner, he does not recall any other case with this much opposition. He suggested that the applicant present evidence of support for the proposed business and that it would be a good option to table this case until further evidence was produced. Chair Stribling concluded that he is in support of the Staff's denial recommendation.

Commissioner Ionita stated that she was in agreement to table the discussion until the signatures that Mr. Gabriel collected were produced.

Commissioner Jackson agreed to table the discussion to provide a fair chance to Mr. Gabriel to produce his signatures of approval for the proposed amendment.

Commissioner Ionita also indicated that it would be beneficial for Mr. Gabriel to present the video of the noise of the plant so that the Commission could make a more educated decision.

Chair Stribling agreed with Commissioner Ionita and Commissioner Jackson.

Commissioner Jackson made a motion to TABLE the request for approval of a Planned Development Amendment, PD07-03, to allow an additional use of a water processing and delivery business and related accessory uses for a property located at 2909 S A&M Avenue, until the March 15th Planning Commission Meeting. Commissioner Ionita seconded the motion. The motion to table carried unanimously, 7-0.

C. Amendment to PD15-04: 120 E. Harris Avenue

A request for approval of an amendment to the Planned Development (PD15-04) Zoning District of a medical facilities campus to expand the district boundaries, to modify the development standards, and to allow all uses in the Central Business District (CBD), as well as hospitals and drug processing, and related accessory uses; being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street.

Jeff Fisher, Principal Planner, presented the proposed PD amendment. He explained that this is the latest in a series of amendments for the Shannon Medical Campus. Mr. Fisher indicated that the proposed PD will allow some additional uses that were not allowed by right including drug and alcohol facilities and drug processing, as well as add two new properties which are being used as parking at this time. He then went over the proposed PD development standards which included 0-foot front setbacks; no parking requirement; allowing up to 10 stories in height; allowing an administrative approval option by the Planning Director for materials not listed in the PD; and removal of the sign plan, thereby allowing new signs without requiring PD amendments each time.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, asked if Staff could add glass as an approved façade material, as well as an option to allow a synthetic version of concrete masonry similar to an EIFS.

Hillary Bueker, Planning Manager, clarified that the developer has the discretion to use certain building materials. She then explained that the city prefers that developers use higher quality materials within the proposed PD district.

Jon James, Planning and Development Services Director, replied that it would be beneficial to include modified language to specify situations when presenting to City Council.

Ms. Bueker indicated that the motion could include the additional building materials as recommended by the applicant.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of an amendment to the Planned Development (PD15-04) Zoning District of a medical facilities campus to expand the district boundaries, to modify the development standards, and to allow all uses in the Central Business District (CBD), as well as hospitals and drug processing, and related accessory uses, MODIFYING the list of approved building materials, adding new materials proposed by the applicant as negotiated with the Planning Division; being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street. Commissioner Ionita seconded the motion. The motion carried unanimously, 7-0.

D. Z21-02: 124-128 West 4th Street

A request for approval of a rezoning from the Light Manufacturing (ML) zoning district to the Central Business District (CBD) zoning district, being 0.396 acres located at 124-128 West 4th Street.

Shelly Paschal, Planner, presented the proposed rezoning request. She mentioned that the Commission approved a Conditional Use for household living in January 2020. Ms. Paschal stated that she mailed out 12 notices, with one returned in favor and none returned in opposition.

Ms. Paschal then outlined Staff's recommendation for approval on the grounds that the proposed rezoning to CBD was consistent with the Future Land Use of Downtown in the Comprehensive Plan; that it was consistent with the Zoning Ordinance; and that Staff believed that there is a community need for more housing and the rezoning to Central Business District (CBD) will support this growth.

Chair Stribling opened public comment.

The property owner and applicant, Lori Lara, spoke in support of the request. She stated that this rezoning would implement a mixed-use development, and enhance the economic value of the subject property.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the Central Business District (CBD) Zoning District, being 0.396 acres located at 124-128 West 4th Street. Commissioner Ionita seconded the motion. The motion carried unanimously, 7-0.

3. Conditional Uses

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

A. CU21-01 – 112 N. Milton Street

A request for approval of a Conditional Use for Household Living in the Neighborhood Commercial (CN) Zoning District for a property located at 112 North Milton Street.

Sherry Bailey, Principal Planner, presented a proposed Conditional Use to allow household living in the CN zoning district on the property. She explained that the structure on the property was previously used for a veterinary office for the adjacent clinic but will be converted back to a residence. She further indicated that this residence may still be used to house interns of veterinarians doing their residency. Ms. Bailey indicated that Staff mailed out a total of 21 notices to the surrounding

property owners, and three were returned in favor and zero in opposition. Ms. Bailey then outlined Staff’s rationale to support the variance on the grounds that there are no anticipated impacts; that the request is consistent with the zoning ordinance; and that the residence is compatible with the surrounding area which is residential. She concluded her presentation by outlining two conditions of approval as presented.

Chair Stribling opened public comment.

Mr. McCool, the contractor for the subject property, stated that they have applied for all the proper permits and are just waiting on approval.

Chair Stribling closed public comment.

Commissioner Ionita made a motion to APPROVE a Conditional Use for Household Living in the Neighborhood Commercial (CN) Zoning District for a property located at 112 North Milton Street, subject to two conditions of approval, as presented. Vice Chair Jackson seconded the motion. The motion carried unanimously, 7-0.

IV. Director’s Report.

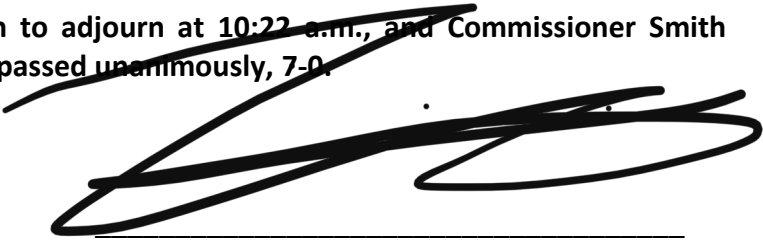
Jon James, Planning and Development Services Director, indicated that meetings will remain virtual for now. He also indicated that this will be Hillary Bueker, Planning Manager’s last meeting, and thanked her for her service.

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

VI. Adjournment.

Vice Chair Jackson made a Motion to adjourn at 10:22 a.m., and Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.



Travis Stribling, Chair,
Planning Commission