



RECORD OF MINUTES

CITY OF SAN ANGELO, TX PLANNING COMMISSION

MONDAY, JULY 18, 2022, 9:00 A.M.

East Mezzanine of City Hall, 72 West College Avenue.

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

ABSENT: Sam Gomez

STAFF: Jon James, AICP, Director of Planning and Development
Aaron Vannoy, Assistant Director of Planning and Development Services
Jeff Fisher, AICP, Chief Planner
Rae Lineberry, Planner
Brandon Dyson, Deputy City Attorney
Kevin Pate, Interim City Engineer

I. Call to order.

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

II. Consent Agenda:

- A. Consideration of the June 20, 2022, Planning Commission Meeting minutes.
- B. **FP22-19: Theo Alexander Subdivision, Section Two**
A request for approval of a Final Plat of Theo Alexander Subdivision, Section Two, being 1.273 acres, located northeast of S. Bryant Boulevard and S. Jackson Street.
- C. **FP22-22: Hogeda Properties Subdivision**
A request for approval of a Final Plat of Hogeda Properties Subdivision, being 1.997 acres, located northeast of N. Bryant Boulevard and W. 23rd Street.
- D. **RP22-26: First Replat in Block 6, The Palms, Section Two**
A request for approval of a First Replat in Block 6, The Palms, Section Two, being 1.323 acres, located southwest of Knickerbocker Road and Red Bluff Road.
- E. **RP22-28: First Replat in Block 94, Hatcher Addition**
A request for approval of a First Replat in Block 94, Hatcher Addition, being 0.482 acres, located southeast of Howe Street and Freeland Avenue.

Jeff Fisher, Chief Planner, made a brief presentation on all consent items.

Vice Chair Jackson made a motion to approve all items on the Consent Agenda. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.

III. Regular Agenda

Chair Stribling moved Item IV, Arden Acres Annexation discussion, followed by Item 2B, the associated zoning Z22-16 and Items 1C and 1D, the associated subdivision plats, to the beginning of the Regular Agenda.

IV. Discussion Items *(For information only; no action required)*.

A. Arden Acres Annexation

Presentation of a proposed annexation of an unaddressed 6.9-acre tract out of the A.B. & M Survey No. 3, Abstract No. 24, Tom Green County, Texas, located northwest of Arden Road and FM 2288.

Jeff Fisher, Chief Planner, began by discussing the annexation item. He explained that that the associated zoning is expected to be submitted next month. He further indicated that a servicing plan will be a requirement of the annexation to be approved. Mr. Fisher concluded by outlining a timeline for the annexation.

Chair Stribling asked for an overview of how the preliminary plat relates to the annexation.

Mr. Fisher explained that the preliminary plat is much larger than the annexation area but includes the annexation area.

(No formal action was required nor taken).

2. Rezoning

City Council has final authority for approval of rezonings.

B. Z22-16: Northwest of Arden Road and F.M. 2288

A request for approval of a rezoning from the Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CN) zoning districts; being 31.17 acres, located northwest of Arden Rd/F.M. 2288.

Jeff Fisher, Chief Planner, indicated this zoning is for the area east of the annexation discussed earlier. He said most of the property will be rezoned to RS-1 for future single-family homes with a small strip CN to allow a neighborhood commercial area.

Chair Stribling opened public comment.

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Russell Gully, SKG Engineering, LLC, representing the applicant, indicated that the original owner Mr. Jensen was approached by the West Texas Land Guys to buy 100 acres for single-family homes which will be zoned RS-1. He said that Mr. Jensen was concerned with property taxes so will leave his remainder to the east as R&E for now, and the CN strip will provide a buffer for future residential lots.

Chair Stribling closed public comment.

Commissioner Self made a motion to **RECOMMEND APPROVAL** of a rezoning from the Ranch and Estate (R&E) to the Single-Family Residential (RS-1) and Neighborhood Commercial (CN) zoning districts; being 31.17 acres, located northwest of Arden Rd/F.M. 2288. Commissioner Aguirre seconded the motion. The motion carried unanimously, 6-0.

1. Subdivision Plats

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

C. PP22-05: Arden Heights, Preliminary Plat

A request for approval of a Preliminary Plat of Arden Heights, being 100.35 acres, located northwest of Arden Road and FM 2288.

D. FP22-18: Arden Heights, Section One

A request for approval of a final plat of Arden Acres, Section One, being 15.795 acres, located northwest of Arden Road and FM 2288.

Jeff Fisher, Chief Planner explained that the preliminary plat is a much larger area than the final plat, and that the west portion will need to be annexed into the city in order to facilitate construction. He explained that sidewalk ramps will be required on F.M. 22288 Road, an arterial road, per the recent changes to the subdivision ordinance.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, LLC, indicated he was available for questions.

Chair Stribling asked if the preliminary plat is larger than the final plat.

Mr. Gully responded that the final plat is within the preliminary plat and includes the area to be annexed.

Chair Stribling asked if the developer is going to rezone the plat.

Mr. Gully responded that everything south of Bosque Drive will be rezoned.

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Chair Stribling asked if the eastern part has already been annexed into the City.

Mr. Gully responded that this was correct.

Chair Stribling closed public comment.

Chair Stribling expressed concerns about public notification, and mentioned a different case before where residents were not notified about the plat which was approved before the rezoning. He said that Commissioners learned that notification was not required to be given until the rezoning. He indicated that he would like to have a discussion going forward on how to properly notify the public.

Chair Stribling asked about the annexation process.

Jon James, Planning and Development Services Director, explained that the annexation would be initiated by a property owner, then a process for public hearings to City Council. He said this takes about 2-3 months.

Chair Stribling if the property is required to be rezoned at the same time as annexation.

Mr. James responded that this is our current process.

Chair Stribling asked if someone is platting property is the ETJ, are they required to rezone.

Mr. James, indicated that there is no notification for a preliminary plat, but for a final plat and as an example this final plat, a condition has been made that zoning is needed given the lot sizes.

Chair Stribling asked about notice for a different plat in south San Angelo.

Mr. James responded that in that case, the zoning came afterwards, but with this case, the final plat is within a zoned area.

Chair Stribling asked if the applicant can develop the preliminary plat for this area without a final plat.

Mr. James responded that they cannot develop yet as a preliminary plat, they would need a final plat to do this.

Chair Stribling asked if there is notification for plats.

Mr. James indicated in most cases, plats do not require notice.

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Chair Stribling responded that he would like to see the proposed zoning ahead of any final plat when a zoning is required.

Char Stribling re-opened public comment.

Rocky Templin, indicated he has a preliminary plat already approved. He asked if he would need to run the zoning concurrent with the annexation.

Chair Stribling responded he is good with this. Mr. Stribling explained that his concern was that residents in the other plat were upset about not getting notice as the plat was approved before the rezoning.

Mr. James responded that with these current applications, the zoning and annexation are running concurrently and would be approved at the same.

Mr. Gully, explained that the rezoning could be made a condition of approval of the plat, and therefore, these plats should be approved. He explained that some clear direction may be needed in future.

Mr. James responded that as a compromise, as long as the Planning Commission has heard the rezoning, that the plat can be approved because it means that notice was given for the rezoning and the public was made aware.

Vice Chair Jackson made a motion to **APPROVE** a request for approval of a Preliminary Plat of Arden Heights, being 100.35 acres, subject to three conditions of approval, and **APPROVE** a request for approval of a final plat of Arden Acres, Section One, being 15.795 acres, subject to seven conditions of approval, located northwest of Arden Road and FM 2288. Commissioner Davis seconded the motion. The motion carried unanimously 6-0.

Chair Stribling moved Item 2A, rezoning Z22-14 as the next item.

2. Rezoning

City Council has final authority for approval of rezonings.

A. Z22-14: 200 Block of W. Avenue L (tabled from June 20, 2022, Meeting)

A request for approval of a rezoning from the General Commercial/Heavy Commercial (CG/CH) zoning district to the Low Rise Multifamily Residential (RM-1) and General Commercial (CG) zoning districts, being 1.24 acres, located south of West Avenue L between South Randolph Street and Hill Street.

Jeff Fisher, Chief Planner, indicated this item was tabled from last month to address the legality of the sale of the property. He indicated that Staff has researched county records and the appraisal district and did not find any illegality. He also indicated that Staff has decided to maintain RM-1 only on the westerly lots, and then rezone only Mr. Jacobo's lots to CG as he mentioned Mr. Jacobo was comfortable with this.

Chair Stribling opened public comment.

David Jacobo indicated that he now wants to keep these properties CG/CH.

Steve Mejia, 211 W. Avenue L, indicated that he did not want his property to be rezoned. He raised concerns above the property being transferred illegally.

Commissioner Davis indicated that she believes the property is in a trust and that the title company would make sure everything would be legal. She indicated that the title company would have this information.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) zoning district to the Low Rise Multifamily Residential (RM-1) on 213 and 223 W. Avenue L, and 1610 S. Randolph Street, being 0.326 acres, located south of West Avenue L between South Randolph Street and Hill Street. Commissioner Davis seconded the motion. The motion carried unanimously, 6-0.

1. Subdivision Plats

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

A. PP22-20: Preliminary Plat, Andrew D. Smith Subdivision

A request for approval of a First Replat of a Preliminary Plat Portion, Andrew D. Smith Subdivision, being 2.301 acres, located northwest of Luna Street and Medina Street.

B. FP22-07: First Replat in Lot 5, Section 2, Andrew D. Smith Subdivision

A request for approval of a First Replat of Lot 5, Section 2, Andrew D. Smith Subdivision, being 1.367 acres, located northwest of Luna Street and Medina Street.

Vice Chair Jackson has recused herself at 10:21 a.m.

Aaron Vannoy, Assistant Director of Planning and Development Services, presented as one presentation given the plats are both part of the same properties. He indicated that the preliminary plat is 2.30 acres and the final plat is 1.34 acres. Mr. Vannoy explained that the final plat has 6 lots onto Medina Street. He said water and sewer is available, and no improvements required. Mr. Vannoy concluded his presentation recommending approval of both plats.

Chair Stribling opened public comment.

Blake Wilde, Carter-Fentress Engineering, requested approval of both plats.

Commissioner made a motion to APPROVE a request for approval of a First Replat of a Preliminary Plat Portion, Andrew D. Smith Subdivision, subject to one note as presented, being 2.301 acres, and APPROVE a request for approval of a First Replat

of Lot 5, Section 2, Andrew D. Smith Subdivision, being 1.367 acres, subject to three conditions of approval as presented, located northwest of Luna Street and Medina Street. Commissioner Self seconded the motion. The motion carried unanimously 5-0.

Vice Chair Jackson returned at 10:27 a.m.

E. PP22-06: Preliminary Plat of Part of Block 1, J.C.M. Addition, Section Two

A request for approval of a Preliminary Plat of Part of Block 1, J.C.M. Addition, Section Two, being 11.337 acres, located northwest of Y.M.C.A. Drive and Sunset Drive.

F. FP22-21: First Replat of Tract 2, Block 1, J.C.M. Addition, Section Two

A request for approval of a First Replat of Tract 2, Block 1, J.C.M. Addition, Section Two, being 1.107 acres, located northwest of Y.M.C.A. Drive and Sunset Drive.

Aaron Vannoy, Assistant Director of Planning and Development Services, presented as one presentation given the plats are both part of the same properties. He indicated this will be a commercial project on the final plat for a medical office. Mr. Vannoy said that utilities are in place; streets are sufficient; and that a sidewalk is required along Sunset Drive for the final plat. Mr. Vannoy concluded with Staff's recommendation for approval of both plats as presented.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, LLC, indicated that the applicant wants to build a medical office and sell the remainder. He said he will require a deferral of the drainage study.

Mr. Vannoy indicated that extension of a water main will be an additional condition.

Commissioner Self made a motion to **APPROVE** a Preliminary Plat of Part of Block 1, J.C.M. Addition, Section Two, being 11.337 acres, and **APPROVE** a First Replat of Tract 2, Block 1, J.C.M. Addition, Section Two, being 1.107 acres, subject to six conditions of approval, as presented, located northwest of Y.M.C.A. Drive and Sunset Drive. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.

G. RP22-24: Second Replat of Lot 9, Block 2, Poulter's Highland Acres Addition

A request for approval of a Second Replat of Lot 9, Block 2, Poulter's Highland Acres Addition, being 2.919 acres northwest of Arden Road and Townview Lane, and a variance from Chapter 9.II.B of the Subdivision Ordinance to allow a block length greater than 2,200 feet for Townview Lane.

Aaron Vannoy, Assistant Director of Planning and Development Services, presented the replat. He explained that the applicant intends to sell off a piece but that it would still be two lots, and go back to the original configuration. Mr. Vannoy indicated that

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the variance is for a block length more than 2,220 feet. Mr. Vannoy outlined Staff's recommendation for approval given that the housing density is low and that the Fire Department was able to turn their vehicles around adequately.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, LLC, thanked Staff for going out to the site. He requested approval as presented.

Chair Stribling closed public comment.

Commissioner Uherik made a motion to APPROVE a Second Replat of Lot 9, Block 2, Poulter's Highland Acres Addition, being 2.919 acres northwest of Arden Road and Townview Lane, subject to one condition as presented, and APPROVE a variance from Chapter 9.II.B of the Subdivision Ordinance to allow a block length greater than 2,200 feet for Townview Lane. Commissioner Davis seconded the motion. The motion carried unanimously 6-0.

H. RP22-27: First Replat of Lots 16-19, Block 1, Lake Nasworthy Addition, Group 20

A request for approval of a First Replat of Lots 16-19, Block 1, Lake Nasworthy Addition, Group 20, being 1.748 acres, located southwest of Knickerbocker Road and Red Bluff Road, and a variance from Chapter 9.III.A.1 of the Subdivision Ordinance to allow lots to not have direct, abutting access to a publicly dedicated street right-of-way.

Aaron Vannoy, Assistant Director of Planning and Development Services, presented the replat. He explained that the plat will reconfigure some lot lines. He indicated that a variance is required because the lots do not have direct and abutting to Hillside Street, however, the city maintains it and it acts as a de facto public road. Mr. Vannoy concluded his presentation, recommending approval of the plat and variance, subject to two conditions of approval as required.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, LLC, asked for approval with the variance as requested.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to APPROVE a First Replat of Lots 16-19, Block 1, Lake Nasworthy Addition, Group 20, being 1.748 acres, subject to three conditions of approval as presented, located southwest of Knickerbocker Road and Red Bluff Road, and APPROVE a variance from Chapter 9.III.A.1 of the Subdivision Ordinance to allow lots to not have direct, abutting access to a publicly dedicated street right-of-way. Commissioner Davis seconded the motion. The motion carried unanimously 6-0.

I. Conditional Uses

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

A. CU22-13: 3208 Cornell Avenue

A request for approval of a Conditional Use to allow a Short-Term Rental (STR) in the Single-Family Residential (RS-1) zoning district, located at 3208 Cornell Avenue.

Rae Lineberry, Planner, presented the proposed case. She displayed photos of the area showing the two required parking spaces. She indicated that Staff received 1 letter in favor and seven against. Ms. Lineberry outlined Staff's recommendation of approval of the short-term rental (STR) for meeting the criteria in the zoning ordinance, subject to three conditions as presented.

Chair Stribling opened public comment.

Elizabeth Berry, property owner, indicated that she is in favor of the request, and is available for any questions.

Chair Stribling asked how long she has owned the property.

Ms. Berry indicated that she purchased the property in May.

Chair Stribling closed public comment.

Chair Stribling indicated that there was a lot of opposition.

Commissioner Uherik indicated that it complies with all requirements.

Commissioner Uherik made a motion to APPROVE a Conditional Use to allow a Short-Term Rental (STR) in the Single-Family Residential (RS-1) zoning district, located at 3208 Cornell Avenue, subject to three conditions of approval as presented. Commissioner Self seconded the motion. The motion carried unanimously, 6-0.

V. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, and begin by stating their name and address or Single Member District number. Please limit all remarks to less than three minutes.

There was no public comment.

VI. Director's Report.

Jon James, Planning and Development Services Director, introduced Rae Lineberry as one of our new planners. He indicated that his department was still one planner short but looking for a new planner soon.

Mr. James, indicated that regarding notification, Staff is only obligated to notify owners on municipal tax rolls, and that outside city limits they are not required to receive notice. He said that his department is looking into this, as well as requirements for mailing, signs, and newspaper notices.

Chair Stribling stated that notices should be on the city website.

Mr. James said he was also looking at sending out newspaper notices earlier given the newspaper's processing times are now earlier.

VII. Future meeting agenda and announcements.

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on **Monday, September 19, 2022** at City Hall, East Mezzanine Room, 72 W. College Avenue.

VIII. Adjournment.

Vice Chair Jackson made a motion to adjourn at 11:01 a.m., and Commissioner Self seconded the Motion. The Motion passed unanimously, 6-0.



Travis Stribling, Chair,
Planning Commission