

**MINUTE RECORD OF THE CITY OF SAN ANGELO PLANNING COMMISSION MEETING
HELD ON MONDAY, MAY 19, 2014 AT 9:00 AM IN THE SOUTH MEETING ROOM OF THE
SAN ANGELO CONVENTION CENTER, 500 RIO CONCHO DRIVE, SAN ANGELO, TEXAS**

PRESENT: Darlene Jones, Teri Jackson, Mark Crisp, Sammy Farmer, John Young

ABSENT: Valerie Priess (AE)

STAFF: Kevin Boyd, Planner
Jeff Fisher, Planner
Roxanne Johnston, Planner
Patrick Howard, Director of Development Services
Charlie Kemp, Assistant Building Official

I. Call to order and establish that a quorum is present.

Meeting was called to order at 9:01 am, a quorum of 5 was present.

II. Open Session:

A. Call to order and establish that a quorum is present.

B. Prayer and Pledge.

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

III. Consent Agenda:

The Commission may request for a Consent Agenda item to be moved to the Regular Agenda for presentation and public comment. Otherwise the consent agenda will be considered in one vote.

A. Consideration of approving the April 28, 2014 Planning Commission meeting minutes.

B. Requests to approve with conditions, the subdivisions of land inside the City of San Angelo. **[Planning Commission has authority for final approval; appeals may be directed to City Council.]**

a. First Replat, Paulann Park, Section Two, Tract E

Proponents: Scott Measurement Service, Inc.

Representative: SKG Engineering

Size and location: 3331, 3363 and 3395 McGill Boulevard, located at the northwest corner of the intersection of McGill Boulevard and East Houston Harte Expressway Frontage; more specifically being 3 acres of the Paulann Park Addition, Section 2, and the east 1/2 of Tract E, in northeast San Angelo.

b. Final Plat, The Trails, Section Four

<u>Proponents:</u>	Desperado Development Group
<u>Representative:</u>	SKG Engineering
<u>Size and location:</u>	Unaddressed tract of land located approximately 100 feet north of the intersection of Chisholm Trail and an AEP Right-of-Way; more specifically occupying 7.469 acres out of a 46.354 acre tract located in the J McNeese Survey 0176.25, Abstract 1641 in south central San Angelo.

Chairperson Darlene Jones clarified that condition items 2 & 3 for The Trails, Section Four request were removed, Teri motioned to approve, Ryan seconded. The motion passed by a unanimous 5-0 vote.

IV. Requests for Zone Change. [Planning Commission makes recommendation; City Council has final authority for approval.]

A. Z14-08: Todd Neff

A request for approval of a zone change from Ranch & Estate (R&E) to Heavy Manufacturing (MH) to allow for industrial uses as allowed in Section 310 of the Zoning Ordinance, on the following property:

4349 North US Highway 277, located approximately 440 feet north of the intersection of North US Highway 277 and North US Highway 67; more specifically occupying 8.0004 acres of the Paul Gregory Addition, Tract I and 0.384 acres in Smith Boulevard, in northeast San Angelo.

Planner Kevin Boyd presented this case consistent with staff recommendation of modification. Five notifications were sent out, none received. The intent of the applicant is to house livestock on the property. Heavy Manufacturing (MH) is the only means to allow for the proponent's use. Mr. Boyd listed inconsistency with development patterns as a rationale for modification. He further explained that the property was annexed into the city in 2011. Using maps and illustrations, Mr. Boyd pointed out features and uses surrounding the property and explained that the property didn't currently have any access to a public street. Smith Boulevard, he explained, was abandoned in 2005 and remains unimproved. Mr. Boyd explained that zoning would change from R&E to MH, and recommended ML instead. ML zoning would minimize unattended nuisances. The property, he explained, has a substantial amount of frontage to the highway, which is a gateway to the city. He maintained that freight movement would be difficult to the property due to limited access. He further explained that TxDOT access would have to grant access along N US Highway 277 since the organization maintains the highway.

Mr. Smith asked what the use would be. Mr. Boyd explained that the applicant wanted to place livestock on the property, and build a barn.

Todd Neff, owner and applicant, came forward to explain his request. He wanted to place a holding and breeding facility at the location. Mr. Neff explained that he was currently in discussion with TxDOT in order to gain access. He explained that his

vision for the property was to remain in the livestock business, particularly, club lambs.

Mr. Boyd explained that there was no other zoning district that would support the proposed use. He further explained that the concrete plant was located in R&E, and was legally non-conforming.

Mrs. Jackson inquired about the area zoning, particularly owned by CSA Materials, was zoned MH, but had remote access to the highway.

Mr. Smith asked if conditions could be placed on the property. Planning staff confirmed that there were none that could be placed on it. He also asked how many head of livestock there would be on the property. Mr. Neff explained that there were approximately 100 head every 6 months or so.

Chairperson Jones raised safety concerns with regard to livestock being unattended. Mr. Neff explained that he had constructed a new fence, that there had been no problems in the several years he owned the property. Mr. Neff explained that he would be upgrading the property.

Chairperson Jones asked how air could be controlled since Mr. Boyd explained the nuisance of methane gases, associated with manufacturing.

Mr. Smith asked how many times has the property been used for grazing, the applicant replied around 10 years. Mr. Smith explained that he felt fine with the proposed use.

Mr. Patrick Howard, Development Services Director, came forward to explain responsibilities of staff, and how they are responsible for following the Vision Plan Map and additional planning tools available to them. He explained that the potential, not necessary the proposed use, is the reason staff recommended modification. He invited the Commission members to direct staff to look into uses that may not make sense. Ms. Teri Jackson wanted to know if ML could be adjusted to include the proposed use. Mr. Howard explained that this could take several months, since Mr. Smith asked how long the process could take.

Mr. Boyd read the use table in Section 310 of the Zoning Ordinance, which outlined "other uses", allowed under Special Use. Mr. Boyd explained that time frame. Mr. Crisp explained that he had no problems with MH there, explaining that the cement plant was out there already. Permitting was explained, so Mr. Howard explained that the Commission's purview was to make a recommendation to City Council, and urged the Commission to make a decision based on what was provided in the report and with consideration to area development. Mr. Crisp moved to accept the application as the applicant requested, with no modification; Mr. Smith seconded. The motion was approved by a 4-1 vote. Staff was also directed to re-examine livestock for zoning in more industrial zoning districts, with a preference of ML zoning.

B. Z14-04: Terry Shaner - Galilee CDC

A request for approval of a zone change from Single-Family Residential (RS-1) to a Low Rise Multi-Family Residence (RM-1) on the following property:

208 & 214 South Buchanan Street & 207, 211 & 215 S. Florence Street, more specifically being 2.13 acres of land out of the Robert Gerhardt Survey 325, Abstract 237, in central San Angelo.

Roxanne Johnston, Planner, came forward to present the case consistent with city plans and policies. Ms. Johnston provided a brief background of the request. She noted that the request was a continuation in zoning from a previous case heard the previous month, the request was for a change of a section from RS-1 to RM-1. She reviewed area maps, pictures and

Ms. Terri Jackson motioned to approve, seconded by Mr. John Young, the motion was approved by a 5-0 vote.

C. Z14-10: Plateau Development, LLC

A request for approval of a zone change from Zero Lot Line, Twinhome and Townhouse Residence (RS-3) to Low Rise Multi-Family Residence (RM-1) to allow for activities allowed within RM-1 Zoning Districts outlined in Section 310 of the Zoning Ordinance on the following property:

An unaddressed 1 acre tract located at the northwest corner of the intersection of West Beauregard Avenue and Moritz Circle: more specifically occupying the Clar-Mor Heights Addition, Block 1, Lots 4-6, in southwest San Angelo.

Roxanne Johnston, Planner, came forward to present the case. Ms. Johnston stated that the board approved RS-3 zoning for the property last year. The applicant is now seeking RM-1 zoning for the property. The site is consistent with city plans and policies which warranted staff's approval. Ms. Johnston went over area maps and pictures of the subject property.

P.V. McMinn, proponent, came forward to speak on the matter. He stated that the FAR was limited by the current zoning, which was 60 percent of the lot - he indicated that it was much less than he needs. Mr. McMinn intended to construct larger, more desirable townhomes there on the site, and iterates that these properties will be owner-occupied.

Ryan Smith motioned to approved, Mark Crisp seconded the motion. The motion was approved by a unanimous 5-0 vote.

D. Z14-09: Concho Valley Turning Point Inc.

A request for approval of a zone change from Two-Family Residence (RS-2) to Low Rise Multifamily Residence District (RM-1) to allow for activities allowed within RM-1 Zoning Districts outlined in Section 310 of the Zoning Ordinance, on the following property:

528 East Highland Boulevard, located approximately 100 feet west of the intersection of East Highland Boulevard and Powell Street; more specifically occupying approximately 0.35 acres of the Fort Concho Addition, the south 156.72 feet of Lot 12 and the south 156 feet of Lot 13, in central San Angelo.

Jeff Fisher, Planner, presented the case in which staff recommended approval consistent with the city's plans and policies. Mr. Fisher stated that the applicants were also seeking a conditional use for 'Community Services' which was processed

in conjunction with the zone change request. Area maps and pictures were shown. The vision plan calls for future neighborhood development in the area. A similar conditional use request was approved last year for use category within a block of the property.

Mr. Mark motioned to approve, Mr. John Young seconded the request with a 5-0 vote.

Mr. Sammy Farmer entered the room at 10:02 pm.

V. Requests for approval of Conditional Uses. [Planning Commission makes final decisions; appeals may be directed to City Council.]

A. CU14-04: Concho Valley Turning Point, Inc.

A request for approval of a Conditional Use to allow for "Community Services" as defined in Section 314.B.1 of the Zoning Ordinance, in a proposed Low Rise Multifamily Residential (RM-1) District, on the following property:

528 East Highland Boulevard, located approximately 100 feet west of the intersection of East Highland Boulevard and Powell Street; more specifically occupying approximately 0.35 acres of the Fort Concho Addition, the south 156.72 feet of Lot 12 and the south 156 feet of Lot 13, in central San Angelo.

Jeff Fisher, Planner, presented the case. Staff also recommended approval of this request and goes over the proposed conditions for the request.

Penny Sunlove, lives with 807 Powell Street. She stated that there were some concerns in the long-range plan for the site. The type of clients, there may be an increase in crime and associated nuisances during the evening hours.

Tony Tharp, proponent, came forward to describe some background on the request. He stated that the nature of the operation will not change, only the location to the subject property. He stated that criminals will not be able to live or use the facility. He mentioned that he has reached out to the community about their request. Of the nine years, the young men have not committed any crimes.

Chairperson Jones asked about night events. Mr. Tharp stated that there is only one night event.

Mr. Smith stated whether men currently live at the other property. Tharp mentioned yes. Ms. Jones asked if he was ok with the conditions associated with the request. Tharp stated, yes.

Mr. Crisp asked if the proposal is to include men on the subject property. Mr. Tharp stated no.

Mr. Smith motioned to approve with conditions, Ms. Jackson seconded, with a unanimous 6-0 vote.

B. CU 14-05: Steve Gallegos

A request for approval of a Conditional Use to allow for "Alcoholic Beverages Sales for On Premises Consumption" as defined in Section 315.A. of the Zoning Ordinance, in a General Commercial/Heavy Commercial (CG/CH) Zoning District, on the following property:

1101 North Chadbourne Street, located at the northwest corner of the intersection at North Chadbourne Street and West 11th Street; more specifically occupying the Miles Addition, Block 53, Lots 19 & 20, in north central San Angelo.

Roxanne Johnston, Planner, came forward to present the case. Ms. Johnston gave a background on aspects of the request. Ms. Johnston highlights that the area exists as an extensive commercial corridor. She goes over area maps and pictures relating to the case. Ms. Johnston goes over conditions for the case and explained each item.

Ms. Teri mentioned whether approval can be contingent with approval of liquor license. Ms. Johnston stated related city policies.

Mr. Crisp asked for the applicant to describe the hours of operation for the site.

Steve Gallego, proponent of the request, stated his current hours of operation. Mr. Gallego added that the hours will be extended to allow for the new business – he sought until 12 pm.

Mr. Crisp asked about the nature of the request. Mr. Gallego stated that it will be more like a lounge atmosphere.

Mr. Smith asked for asked further questions on the nature of the use.

Mr. Gallego mentioned that the music will be light, low intensive, and does not expect that the request will affect the surrounding neighborhood. Traffic is loud. They already have music playing at the.

Mr. Crisp, had no issues with evening music, just at night.

Mr. Smith had no issues with the request and operations until 12. The site is located along an established commercial corridor.

Mr. Gallego expresses concerns over the condition on the privacy fence. Mr. Smith believed that the fence is reasonable for the site and will provide a suitable buffer to any noise and visual aspects of the request.

Mr. Farmer, asked for the vitality of a privacy fence.

Kevin Boyd, Planner, mentioned the rationale for the fencing requirement. The fence would be required since it is a new commercial use that will abut a residential use.

Teri likes the hours of operation, Mark agreed. Mr. Gallego mention can it be adjusted an hour to 11 pm.

Motion to approve conditions exception of hours of operation from 10 am -11 pm instead of 10 am-10 pm as originally proposed. Mr. Crisp motioned to approved, Mr. Farmer seconded with a unanimous 6 - 0 vote.

VI. Discussion and possible direction to direct staff to re-examine the Vision Plan Component of the 2009 update to the San Angelo Comprehensive Plan; more specifically along a portion of North Bryant Boulevard, north of the intersection of North Bryant Boulevard and West 9th Street and south of North Bryant Boulevard and West 14th Street, in central San Angelo.

Mr. Boyd reviewed maps associated with this proposal to look into a possible amendment to the Vision Plan Map. He explained this area had been examined, and City Council opted to re-envision Block 33, that former location of the Carver School property and changing trends in development such as a conditional use and also placement of the Baymont Inn, and also applicants seeking the amendment to the Vision Plan Map wanted to develop their property into hotel use. Mr. Smith and Mr. Crisp motioned to approve, which passed by a unanimous vote.

VII. Discussion and update on pending Vision Map amendment studies.

Mr. Boyd updated the board on the progress of the request amendment for the area west of the city limits along US Highway 67.

VIII. Future meeting agenda and announcements.

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on Monday, June 23 of 2014, in Council Chambers (South Meeting Room) of McNease Convention Center at 501 Rio Concho Drive.

IX. Adjournment.

Ms. Jackson motioned to adjourn the meeting, Mr. Smith seconded. The meeting was adjourn 10:39.

Darlene Jones, Chairperson
Planning Commission