RECORD OF MINUTES
CITY OF SAN ANGELO, TX
PLANNING COMMISSION
MONDAY, February 26, 2024, 9:00 A.M.

Board Present: Travis Stribling, Chairman
Michelle Miller
Brittany Davis
Joe Self
Kandi Pool
Trinidad Aguirre

Staff Present: Rick Weise, Assistant City Manager
Aaron Vannoy, Director of Planning and Development Services
Brandon Dyson, Assistant City Attorney
Sherry Bailey, Principal Planner
Rae Lineberry, Planner
Austin Reed, Planning Technician
Olga Trueman, Planning Technician

I. Call to Order
Chair Stribling called the meeting to order at 9:07 am and recognized a quorum of 6.

II. 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. All items on the consent agenda have been recommended for approval by staff with no opposition received to date. Since some items on the Consent Agenda may require a public hearing, the Commission will accept public comment on any item on the Consent Agenda in one public hearing.

A. Meeting minutes - Consideration of approval for the December 18, 2023 Planning Commission meeting minutes.

B. Meeting minutes - Consideration of approval for the January 22, 2024 Planning Commission meeting minutes.

The Chair opened and closed public comment after none was raised.

*Commissioner Davis moved to **approve** consent agenda items A & B, seconded by Commissioner Self. This motion carried 6-0.*

III. Regular Agenda

A. Subdivision Plats

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

1. FP24-01 CFA Addition Block A, Lots 1 & 2: A request to Final Plat CFA Addition Block A, Lots 1 & 2 being a total of 3.298 acres located approximately at the corner of N 23rd and N Bryant in the General Commercial and Heavy Commercial Zoning District.

Director Aaron Vannoy presented this request to the Commission. This case will create two commercial lots with an access agreement from Lot 2 out to Bryant Blvd. Staff recommends approval of the request.

The Chair opened for public comment.

Seeing no public comment, the Chair closed public comment.

*Commissioner Self gave a motion to **approve** as presented, seconded by Commissioner Davis. This motion carried 6-0.*

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2. PP24-01 Hagelstein Addition Section Two: A request to Preliminary Plat Hagelstein Section Two, located northwest of the intersection at Grape Creek Rd and W 34th St, being 4.025 acres in the single-family (RS-1) zoning district.

Planning Tech Reed presented this request and Item #3, the Final Plat. Staff is recommending approval with one note on and two conditions on the Final Plat.

Chair Stribling asks if note is just for Lot 1. Planning Tech Reed confirmed it is just to show Lot 1 is double frontage.

The Chair opened public comment.

Seeing no public comment, the Chair closed public comment.

*Commissioner Davis gave a motion to **approve** as presented for both the preliminary and final plats. Commissioner Pool seconded this motion, which then passed 6-0.*

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3. FP24-02 Hagelstein Addition Section Two: A request to Final Plat Hagelstein Section Two for four new residential lots, located northwest of the intersection at Grape Creek Rd and W 34th St, being 4.025 acres in the single-family (RS-1) zoning district.

See above as it was presented with the preliminary, item #2.

*Commissioner Davis gave a motion to **approve** as presented for both the preliminary and final plats. Commissioner Pool seconded this motion, which then passed 6-0.*

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4. FP24-03 The Palms Section Five: A request to Final Plat The Palms Section Five located at North Hillside Dr in the RS-1 zoning district. A variance request from section 9.III.A.1 for direct and abutting access to a public right-of-way.

Planner Rae Lineberry presented this request to the Commission, which is creating four residential lots. The variance request is for Lot 12 and half of 13 as they will not abut a street but an access road. Staff is recommending approval of the Final Plat and the variance.

Commissioner Pool clarifies that the North Hillside Dr name is what the applicant is working on with 9-1-1 Coordinator to rename. Planner Lineberry confirmed that is correct.

Chair Stribling asked what the road is going to the west. Planner Lineberry responded that it is a private road. Chair Stribling then asked if the soon to be renamed North Hillside is going to be private. Planner Lineberry responded that it will be public starting at Lot 13. Chair Stribling asked how Lot 12 would be addressed. Planner Lineberry says it most likely would be addressed off the soon to be changed North Hillside as it will become a public street in the future.

The Chair opened public comment.

Russell Gully stepped forward. Mr. Gully updates the Commission with the name change information. He also clarifies that years ago when this was preliminary platted, this new soon to be renamed North Hillside Dr will go all the way down to Knickerbocker and the old, original Hillside Dr would become a walking path.

Chair Stribling asked about the turning access between all three streets. Mr. Gully responded that it might be a little tight, but they are planning on using a wider intersection to help alleviate any issues.

The Chair closed public comment.

*Commissioner Davis gave a motion to **approve** as presented including the variance, Commissioner Miller seconded this motion, which then passed 6-0.*

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5. FP24-04 The Palms Section Six: A request to Final Plat The Palms Section Six located at North Hillside Dr in the RS-1 zoning district.

Planner Rae Lineberry presented this request to the Commission, which is creating four residential lots and one unbuildable lot.

The Chair opened public comment.

Russell Gully stepped forward and explains Lot 20 a little more. The land is too steep to really use it and the applicant will most likely deed it to the city but this is a phase deal so they will work with the city as they get further into building out the lots.

The Chair closed public comment.

*Commissioner Self gave a motion to **approve** as presented except for changing Condition #4 to list Lot 20 as unbuildable, Commissioner Pool seconded this motion, which then passed 6-0.*

B. Conditional Uses

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

1. CU24-01: Request for approval of a Conditional Use to allow a Short-Term Rental located at 239 Robin Hood Trail in a RS-1 zoning district.

Planner Lineberry presented this request to the Commission, which is the first request for a short-term rental at this location. Three in favor and one in opposition were received. Staff recommended approval of the three standard conditions.

The Chair opened public comment.

Paul Calusio, the owner and operator stepped forward and told the Commissioners why they decided to go to short-term rental rather than long-term and to answer any questions.

The Chair closed public comment.

*Commissioner Davis gave a motion to **approve** the request as presented. Commissioner Pool seconded this motion, which then was carried 6-0.*

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2. CU24-02: Request for approval of a Conditional Use to allow a Short-Term Rental located at 224 Bird St in a RS-1 zoning district.

Planner Lineberry presented the request to the Commission, which is the first request for a short-term rental at this location. Zero in opposition, three in favor was received. Staff recommended approval with the three standard conditions.

The Chair opened public comment.

Jesse McMillan stepped forward as the local operator to answer any questions.

The Chair closed public comment.

*Commissioner Pool moved to **approve**, seconded by Commissioner Miller. The motion passed 6-0.*

C. Discussion Items for Direction and Possible Action

1. CBD Expansion discussion and direction

Principal Planner Sherry Bailey opened the discussion about expanding the CBD zoning district to the east and possibly the southern end.

Discussion was had on the difference between CBD zoning expansion and the overlay districts.

Chair Stribling summarized his thoughts that the current zoning for these lots is kind of narrowing and CBD would broaden the uses allowed to which Principal Planner Bailey said that is correct. He verified

that this would not need a DHRC review to which Principal Planner Bailey said that is correct. He asked if there was anything the property owners would be required to do under CBD that they are not required to do under their current zoning. Director Vannoy asked if any of the heavy commercial properties had outdoor storage as he seemed to recall that CBD does not allow as much outdoor storage as heavy commercial. Principal Planner Bailey does not think there is any heavy commercial properties that would be affected in this first phase. Director Vannoy said that the outdoor storage would be evaluated during this expansion research.

Director Vannoy said Staff is really looking for direction on where to expand the CBD as in over to Main or Emerick. The board discussed and would like it to include both sides of Main St to Emerick and not to include the North side. The Southern end will be evaluated later.

The board agrees that expanding the CBD zoning is worth evaluating.

Commissioner Aguirre asked about ADA compliance in the downtown area to also be evaluated. Asst. City Manager Weise answered that the City Council is already looking it that and the City Attorney Theresa James is heading that group.

Principal Planner Bailey said that she will take all this discussion and return with more information later.

2. **Short-term Rental Ordinance Amendment:** Points of concern from the City Council discussion concerning amendment to Short-term Rental Zoning Ordinance.

Director Vannoy clarified that the amendment Staff has been working on will require a conditional use in the RS and R&E zonings but not the commercial. There are other procedures in place that commercial properties would fall under. A short-term rental cannot just pop up in a commercial zoned property as there are other procedures they would have to follow. Maps and visual aids to clarify the commercial process were shown.

Commissioner Miller said she understood the purpose of the 500ft between short-term rentals was, so you don't have a whole neighborhood full of short-term rentals but is this something other cities are doing or is there any cases in court with a similar requirement. Asst. City Attorney Dyson responded that he is pretty sure we are the only city with a distance requirement between them. There is not a specific court case regarding distance but it is suggested to have some type of restriction which is why we've started requiring the 500ft. Commissioner Miller said the 500ft has her a little hesitant because there really isn't any recourse for someone that has one within 500ft. Director Vannoy agreed and clarified that having the 500ft requirement does make it dependent on enforcement and adds to Staff time but per feedback, it is what the community wants. Commissioner Miller said that maybe it should be up to our neighborhoods to come to the meetings and speak out against them.

Chair Stribling and Commissioner Miller voice their concerns on the 500ft restriction between short-term rentals. Neighborhood percentages rather than a 500ft restriction is discussed.

Director Vannoy moves on to discuss the 500ft buffer around schools. The schools in the commercial areas will not have the 500ft buffer as hotel and other commercial businesses are allowed to operate. The board discussed and agreed with Staff that the buffer is not needed.

Chair Stribling opens it for public comment.
Jesse McMillan stepped forward. He is the operator of the short-term rental on Bird St. He would love the

opportunity to fix up the other houses on the street and is for removing the 500ft requirement between short-term rentals.

Doug Robinson stepped forward. He is also against the 500ft requirement between short-term rentals. He has been affected by it twice. He is concerned that we are also taking away the ability to get a variance on the requirement.

Chair Stribling closes public comment.

IV. 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, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

The Chair opened public comment.

Commissioner Davis asked about cases PP23-15 & FP23-40 as the approval letter was sent to the applicant with an incorrect condition. Director Vannoy responded that it is being corrected and an updated letter will be sent to the applicant.

The Chair closed public comment.

V. Planning Director's Report

Director Vannoy announced he was selected and is now officially the Director.

VI. Follow-up and Administrative Issues

A. Announcements and Consideration of Future Agenda Items

The next regular meeting of the Planning Commission is scheduled to begin at 9:00 a.m. on **March 18, 2024** at the East Mezzanine of City Hall, 72 W College Avenue, San Angelo, Texas.

VII. Adjournment

Commissioner Davis moved to adjourn, seconded by Commissioner Self. The meeting adjourned at 10:41 am.

Travis Stribling, Chairman

All agenda items are subject to action. The Planning Commission reserves the right to consider business out of posted order.

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accommodations for persons attending board or commission meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the ADA Coordinator at 325-657-4407 for request, or by completing a request form online at cosatx.us/ada.