RECORD OF MINUTES
CITY OF SAN ANGELO, TX
PLANNING COMMISSION
MONDAY, January 22, 2024, 9:00 A.M.

Board Present: Travis Stribling, Chairman
Luke Uherik, Vice Chairman
Brittany Davis
Joe Self
Kandi Pool
Trinidad Aguirre

Staff Present: Rick Weise, Assistant City Manager
Aaron Vannoy, Asst. Director, Planning and Development Services
Brandon Dyson, Asst. 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 9:05 am, recognized a quorum of 6, and called for the Chair Elections.

Chair – Travis Stribling was nominated by Commissioner Pool and seconded by Commissioner Davis, 6-0 vote.

Vice Chair – Luke Uherik was nominated by Commissioner Davis and seconded by Commissioner Self, 6-0 vote.

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 November 20, 2023 Planning Commission meeting minutes.
B. **FP23-42:** A request to final plat the Roosevelt Lofts Subdivision located in the central business district (CBD) zoning at 50 N Chadbourne Street.
C. **RP23-40:** A request to replat Lakeview Towne Center, Section One, 6th replat in Lot 27 located in the general commercial (GC) zoning district at approximately 615 and 617 West 29th St.

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

*Commissioner Pool moved to **approve** consent agenda items B & C, seconded by Vice Chair Uherik. This motion carried 6-0.*

*Vice Chair Uherik moved to **table** consent agenda item A until February meeting, seconded by Commissioner Pool. 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. FP23-41 The Palms Section Four: A request to Final Plat located in the single-family district (RS-1) with a variance request from Chapter 10, Section III, A.2; a paving width variance for Hillside Dr and a variance request from Chapter 9, Section III, A.1; from direct and abutting to a public right-of-way.

Asst. Dir. Aaron Vannoy presented this request to the Commission. This case will create one residential lot. The applicant is requesting two variances with the plat. Staff recommends approval of the request and its two variances with three conditions.

The Chair opened for public comment.

Russell Gully stepped forward to answer any questions. No questions

The Chair closed public comment.

*Commissioner Davis gave a motion to **approve** as presented including granting both variances, seconded by Vice Chair Uherik. This motion carried 6-0.*

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2. FP23-38 Baker Ranch Section Six: A request to Final Plat Baker Ranch Section Six is located in the low rise multifamily (RM-1) and the single-family (RS-1) in the 4000 blk. of Ruth Ln and 5000 and 6000 blk. of Vista Del Sol Dr.

Asst. Dir. Vannoy presented this request to the Commission, which is creating 21 lots within RM-1 and 12 lots in the RS-1 zoning districts. Staff is recommending approval with six conditions and one note.

Chair Stribling asked how close we are to the 275 houses that would require another access to the area for emergency services. Asst. Dir. Vannoy answers that they are in the lower 200s.

The Chair opened public comment.

Russell Gully steps forward and mentions that this plat will put them at about 200 homes. Mr. Gully goes into more detail about the secondary route requirement. Mr. Gully also requests approval as presented.

The Chair closed public comment.

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

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3. PP23-15 Stonewall Estates at Fairview: A request for a Preliminary Plat in the extraterritorial jurisdiction of the City of San Angelo called Stonewall Estates at Fairview being 39.351 acres and totaling 23 lots.

Planning Tech Reed presented this request and Item #4, the Final Plat. Staff is recommending approval with one note on the Preliminary Plat and five conditions on the Final Plat.

Chair Stribling asks if there's anything in the ordinance addressing flag lots. His concern is if the city did annex this area, we would then have flag lots on the south end of this plat. Asst. Dir. Vannoy answers that there is not anything in the city ordinance that does not allow flag lots. Staff checked with the County on this plat and they are in support of the size of the flags.

Chair Stribling asks for more clarification on what two-course surface is and Asst. Dir. Vannoy responds that it is currently what the County uses and will match what is currently there.

The Chair opened public comment.

Russell Gully stepped forward and clarified the reason for the flag lots. The County allows one lot behind another but not many after that as they don't want very many lots stacking.

The Chair closed public comment.

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

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4. FP23-40 Stonewall Estates at Fairview: A request to Final Plat Stonewall Estates at Fairview in the extraterritorial jurisdiction for 7 lots totaling with frontal on Fairview School Rd, a major collector. A partial variance has been requested for paving width to include 8' of paving with 2 course surface treatment to meet County road standards.

See above as it was presented with the preliminary, item #3.

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

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5. RP23-39 Far West Addition: A request to replat for Far West Addition, 6th replat, in Section Two, Block 2 is located in the general commercial (GC) zoning district located on the 6000 block of Grand Court.

Asst. Dir. Vannoy presented this request to the Commission, which creates 3 commercial lots and a new extension of Drexel Dr. Staff is recommending denial as Staff is concerned about the extension of Drexel is a safety concern.

Commissioner Davis comments that she knows the area is busy and she's never noticed anyone shoot across to Drexel Dr but would think that this extension my help ease some of the traffic.

Commissioner Pool asks Staff if the recommendation for denial is because Staff believes there is not enough room, something like only 500ft from Grand Court to Drexel. Asst. Dir. Vannoy answers that he is not sure of the actual feet but that it is measured on the plat and the applicant would know that answer. He clarifies that while it is a concern, there is not something in our ordinance that addresses that specifically. FM 2288 is a state road and right-of-way which is part of the equation, but that Staff feels it does not meet all the criteria in our subdivision ordinance.

Vice Chair Uherik asks Staff about the elevation change that is a little north of Drexel Dr. Commissioner Davis asks for clarification on where this extension is. Asst. Dir. Vannoy responds with indicating on the street pictures.

Commissioner Aguirre asks if the recommendation for denial is because of the elevation and a drainage issue or if there's an issue seeing the cars because of the elevation. Staff do believe there will be a traffic issue with safety concerns.

Vice Chair Uherik asks Staff if there is any recommendations on how some of the concerns can be eliminated. Asst. Dir. Vannoy responds that maybe signs warning of an upcoming intersection or making it a private road or narrower to reduce the speed on it. Another area Staff thought about is having a traffic light at either Grand Court or the new extension, but that does take a long-term study. Vice Chair Uherik also asks if the road coming out of HEB parking lot is a private road to which Asst. Dir. Vannoy responds with yes, it is an access road.

Commissioner Self asks how the car wash received another access. Asst. Dir. Vannoy responds that it was to help with their circulation. The car wash worked with the County to get approval for that curb cut and access.

Commissioner Davis asks if there is anything the applicant can do to help with the grading or drainage that would ease Staff's concerns. Asst. Dir. Vannoy says that a site plan is not required currently so there isn't a way to know what options are available.

Chair Stribling asks if the plat is approved is there any requirement for a traffic study to be done at another stage of development. Asst. Dir. Vannoy responds that City Engineering did make a comment about a traffic study may be required but as a representative is not available and Planning is not sure of what would trigger that, there is not an answer at this time. Staff's understanding from TXDOT is since there is already access there for the car wash exit, there is not anything required to add an extension to an existing curb cut.

Chair Stribling asks why a private road is not recommended rather than a public right-of-way. Commissioner Davis asks the paving width difference between a dedicated road and a private road. Asst. Dir. Vannoy responds that with a private road, Staff examines their site plan and considers items like if the Fire Marshall has access which will require a road at least 26' wide. If a publicly dedicated road is there, a 50' right-of-way and 40' paving width is required. It could be a difference of 26' and 40' and with a public road the City is responsible for maintaining.

Commissioner Pool asks the width of the private road leading into or out of HEB as it stays consistently congested. Staff is unsure but does not believe it is as wide as Drexel Dr a little north which is the required 40' of paving. Both Commissioner Pool and Davis believe opening this Drexel Dr extension will help alleviate some of the congestion. Asst. Dir. Vannoy responds that Drexel Dr on the east side is already open and contributes to the congestion, opening an extension straight across FM 2288 might not alleviate

the congestion but add to it.

Discussion between all board members continues about speed and the congestion in the area.

The Chair opened public comment.

Russell Gully steps forward. TXDOT has already approved this entrance. Mr. Gully says the elevation does not exceed the 5% that would require a study. Mr. Gully requests approval as presented with the usual conditions: water and wastewater plans, street plans, sidewalks, tax cert.

Steve Eunice, a real estate broker that represents the owners, stepped forward. The owner is willing to make it a private street, however he thought the city would want this street.

James Duncan, a representative of the seller. When they sold the car wash, they kept an easement access agreement, so they have access to FM 2288.

The Chair closed public comment.

Commissioner Self mentions that even if it's a private road, people will use it. It is his opinion that it should be a public road so it will be wider and can handle other people using it.

*Commissioner Davis gave a motion to **approve** with the standard 8 conditions of a drainage study, proof of tax certification, proof of TXDOT approval, extension of water, extension of sewer, tap extensions, sidewalk plans and street improvements. Commissioner Pool seconded this motion, which then passed 5-1.*

B. Rezonings and Comprehensive Plan Amendments

City Council has final authority for approval of rezonings and amendments to the Comprehensive Plan.

1. PD23-08: A request to rezone from the (R & E) Ranch & Estate zoning district to the (PD23-08) Planned Development zoning district with an underlying General Commercial zoning allowing kennels, parking, exercise area, staff area and for the housing of dogs and cats and small animals while awaiting adoption.

Principal Planner Sherry Bailey presented this request to the Commission, which is a temporary site for the City Animal Shelter to be while renovations are being done to their original site. Staff is recommending approval for the rezoning request with three conditions.

Chair Stribling would like to add the condition that the area returns to general commercial once the animal shelter returns to their original area. His concern is that no other animal kennel type business be allowed.

The Chair opened public comment.

Al Torres stepped forward and gives an estimate on the timeline needed for the temporary shelter.

The Chair closed public comment.

*Commissioner Davis moved to **approve** as presented with the added condition that once the city is done with this building as the temporary animal shelter, it would revert to general commercial zoning. Commissioner Pool seconded this motion, which passed 6-0.*

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2. Z23-18 and CP23-06: A request to rezone from the (CO) Office Commercial zoning district to the (RS-1) Single Family zoning district allowing single-family on the 11 acres southwest of the intersection of Smith Blvd. and Gregory Rd.

Principal Planner Sherry Bailey presented this request to the Commission, which will allow single family homes across 11 acres. Staff is recommending approval for the rezoning request.

The Chair opened public comment.

Gary Cortese steps forward and mentions he is in favor of this rezoning. Mr. Cortese is the property owner of the north property.

Austin Aguirro, Sierra Vista Construction representative, steps forward. He is available for any questions and just asks for approval.

The Chair closed public comment.

Chair Stribling comments that this zoning request makes sense for the area it's in.

*Commissioner Davis moved to **approve** as presented. Commissioner Self seconded this motion, which passed 6-0.*

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3. Z23-19 and CP23-05: A request to rezone from (CG/CH) General Commercial/Heavy Commercial to (RM-1) Low Rise Multi-Family Residential for the property at 1621 N. Chadbourne Street and a Comprehensive Plan Amendment from (C) Commercial to (NC) Neighborhood Center for the property at, 1621 & 1705 N, Chadbourne St. and 22, 21, 18, 17, & 15 W. 17th St. and 22, 18, 16, & 6 W 16th St.

Asst. Dir. Vannoy presented this request to the Commission, which will allow apartments at 1621 N Chadbourne and will align the Comprehensive Plan to match what is currently in the area. Staff is recommending approval for the rezoning and comprehensive plan amendment request.

Commissioner Pool asks for clarification on if the applicant is wanting to tear down the building to which Asst. Dir. Vannoy says the lot has the historical overlay so it would require approval from both the Design board and the City Council.

The Chair opened public comment.

Glenda Bailey, a resident of the area, stepped forward. She is opposed to this rezoning saying the owners have already demolished a building on the property without historical approval or a

permit. Ms. Bailey claims the building does not have utilities either.

Commissioner Davis asks if the owner or a representative is available to answer why they demolished a building without approval or a permit.

Chris Bravo stepped forward as a representative. Ms. Bravo says they were trimming a tree and a large piece fell on the building. As they have issues with homeless people, they did not want it to fall on anyone. They wanted to remove just the damaged area but instead the whole building fell in. They will pay whatever fines are needed. They are planning to use the building as apartments for traveling nurses.

The Chair closed public comment.

Chair Stribling believes this request is appropriate for the area.

*Commissioner Pool moved to **approve** as presented. Commissioner Aguirre seconded this motion, which passed 6-0.*

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4. Z23-20: A request to rezone the property at 926 Humble Road from Light Manufacturing (ML) to General Commercial (CG).

Planning Tech Reed presented this request to the Commission, which the owner intends for a banking facility to be built on the lot. Staff is recommending approval for the rezoning request.

The Chair opened public comment.

Seeing no public comment, the Chair closed public comment.

Chair Stribling believes this is a gateway into our community and feels commercial is better than manufacturing.

*Commissioner Self moved to **approve** as presented. Commissioner Davis seconded this motion, which passed 6-0.*

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5. Z23-21: A request to expand the Open Structure Overlay map to include the following area of Angelo Heights neighborhood: The 1000, 3000, and 4000 blocks of Catalina Dr., 2000 and 3000 blocks of Nueces Dr., 1000 blocks of Louise Dr, 1000 blocks of Cordell Dr., 2700 Block of Eunice Dr., and the 2700 Block of Erline Dr.

Asst. Dir. Vannoy presented this request to the Commission, which will extend the open structure overlay to the area listed. Staff is recommending approval for this extension request.

Chair Stribling comments that it looks like this was a pocket area that was not included in the original overlay. Staff believes it was not as built out when the overlay was adopted.

The Chair opened public comment.

The Chair closed public comment.

*Vice Chair Uherik moved to **approve** as presented. Commissioner Self seconded this motion, which passed 6-0.*

C. Conditional Uses

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

1. CU23-55: Request for approval of a Conditional Use to allow a Short-Term Rental located at 3013 Red Bluff Circle in a RS-1 zoning district.

Asst. Dir. Vannoy presented this request to the Commission, which is the first request for a short-term rental at this location. This location received a variance for the distance as there was some misunderstanding between the applicant and Staff.

Discussion about the misunderstanding but that the 500ft distance has been waived.

The Chair opened public comment.

Kelly Nelson, the operator stepped forward to answer any questions. Chair Stribling clarified the misunderstanding with the applicant.

The Chair closed public comment.

Further discussion on the misunderstanding. Commissioner Davis is not happy with the closeness of the two STRs but since ZBA is approving the variance she makes a motion.

*Commissioner Davis gave a motion to **approve** the request as presented. Commissioner Aguirre seconded this motion, which then was carried 5-1.*

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2. CU23-58: Request for approval of a Conditional Use to allow a Short-Term Rental located at 1305 S Jackson 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 is recommending approval.

The Chair opened public comment.

Makayla Gorman stepped forward as the local operator to answer any questions.

The Chair closed public comment.

*Commissioner Davis moved to **approve**, seconded by Commissioner Self. The motion passed 6-0.*

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3. CU23-60: Request for approval of a Conditional Use to allow a Short-Term Rental located at 1219 S. David St in a RS-2 zoning district.

Planner Lineberry presented this request to the Commission, which is the first request for a short-term rental at this location. Zero in favor and one in opposition but is out of the notification area were received. Staff is recommending approval.

Commissioner Pool asks for clarification on how a conditional use works on a duplex. Planner Lineberry responds that the conditional use is for the lot so either side of a duplex can be a short-term rental.

The Chair opened public comment.

Rachel Ramirez, the property owner, stepped forward. Ms. Ramirez clarified that this is not a duplex. The large, enclosed structure you see in the picture was a carport that was enclosed. It is just a large room with a restroom so could be used as an office.

Rose Agurriez, the neighbor, stepped forward and is opposed. There have been parties and trash and damage to her property from this house. Police reports have been filed to which Planner Lineberry says they have not received a response from the police department. Ms. Ramirez stepped forward and agrees that there is a police report and there were multiple calls on her tenant but that was a long-term tenant who is no longer there.

The Chair closed public comment.

Commissioner Aguirre comments that this is the difference between a long-term renter and a short-term.

*Commissioner Self moved to **approve** as presented, seconded by Commissioner Aguirre. This motion carried 6-0.*

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4. CU23-61: Request for approval of a Conditional Use to allow a Short-Term Rental located at 206 N Bishop St in a RS-2 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 or in favor was received. Staff is recommending approval.

The Chair opened public comment.

Rachel Ramirez, property owner, stepped forward to answer any questions.

The Chair closed public comment.

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

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5. CU23-62: Request for approval of a Conditional Use to allow a Short-Term Rental located at 1630 Catalina Dr 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. One in opposition and three in favor were received. Staff is recommending approval.

The Chair opened public comment.

Doug Robinson, property owner, stepped forward to answer any questions.

The Chair closed public comment.

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

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.

The Chair closed public comment seeing no one come forward.

V. Planning Director's Report

A. Discussion - Assistant Director Aaron Vannoy clarifies a couple of Staff interpretation of the new STR ordinance amendment.

Staff's interpretation is the 500ft between STR requirement and from a school is only in RS-1, RS-2, RS-3 and R&E. Staff is concerned that City Council wants the distance from the school no matter the zone. Commissioners discuss commercial zoned areas and believe that there shouldn't be a requirement of 500ft from a school within a commercial zone.

City Council mentioned day cares being included in the school 500ft buffer. Staff is not recommending this as it is difficult to track and Commissioners agree.

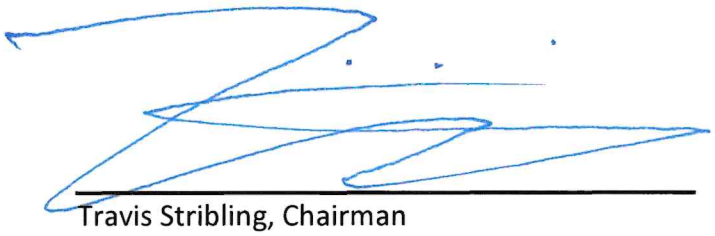
VI. Follow-up and Administrative Issues

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 **February 26, 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 12:10 pm.



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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