

CITY OF SANTA FE
PLANNING & ZONING COMMISSION
DECEMBER 7, 2010
CITY OF SANTA FE COUNCIL CHAMBERS HIGHWAY 6, SANTA FE, TEXAS

MINUTES

A. Regular Business

1. Call to Order:

The Planning & Zoning Commission meeting was called to order at 7:09 p.m., by Winnie Corsaro.

2. Roll Call:

Present: Winnie Corsaro, Gary Smith, Daniel Kitchener, Charlie Coleman, Ronnie Willoughby, Dorothy Bello, and Judith Koleng. Community Services Director Diana Steelquist, Community Services/Administrative Assistant Stacey Baker. Absent: None

3. Invocation and Pledge of Allegiance:

The Invocation and Pledge of Allegiance was led by Mr. Coleman.

4. Approval of the minutes of the Planning & Zoning Meeting of August 3, 2010.

Motion to approve the minutes was made by Mr. Coleman and seconded by Mr. Smith. Motion was approved unanimously.

5. Public Hearing, Consideration and Possible Action regarding ZC 10-08 requesting a Zone change from R-1 Single Family Residential to R-2 Medium Density Residential for 0.26 acres located on the NW corner of FM 646 N and Langford St. described as ABST 47 PAGE 5 LOT 21 LANGFORD SUB, City of Santa Fe, Galveston County, Texas.

Ms. Steelquist explained that the zoning for the property located on the NW corner of FM 646 N and Langford St. was currently zoned R-1 Single Family Residential. It is a single family lot with frontage on Langford and 646 North, over 10,000 sq. ft. in size and meets the requirement for Zone R-2. The property owner would like to build a duplex. However, he may need to request a variance on a rear set back line if the building fronts on Langford as the lot will not be deep enough to meet the 25 ft. rear set back requirement.. Ms. Steelquist stated water and sewer were also available. Ms. Steelquist stated she had a few phone calls regarding the rezoning with concerns of the value of the properties decreasing and the additional problems that may occur.

Jimmy Devona, the property owner, was present and stated the duplex will be approximately 2000 to 2500 square feet together. Each unit will be approximately 1200 sq ft., brick, concrete drive, three bedroom and possibly 1 ½ to 2 bathrooms. The driveways will be located on Langford St. and will not have garages.

Public hearing opened at 7:25 p.m.

Ed Young ,12619 Langford, presented a letter from the neighbors, Howard and Virginia Blevins of 4017 Ave N1/2. They disagree with the rezoning, stated there has been previous problems with the other rental property in the area, theft, and traffic increase on the small street.

Mr. Young and wife were also opposed. He stated concerns with the traffic increase, the property value decreasing, the increase of violence/theft, possibly more duplexes being built in the area, and had questions about it becoming Section 8. He stated he knows and trusts his neighbors now and will not know all the renters that will come and go.

Jimmy Devona expressed that he does screen his renters properly and has not had problems with other rental property in the area. He also stated he owns the property directly behind the area the duplex will be placed, his mother's home is on the same street and will eventually be rental property, and that he was raised in this neighborhood. He also has had a lot of phone calls for rental property and it is in demand in Santa Fe.

Public hearing closed at 7:32 p.m.

A motion was made by Mr. Coleman to recommend approval of the R-2 zone change and was seconded by Mrs. Koleng and was passed unanimously.

Ms. Steelquist and Mrs. Corsaro stated that all matters will be on the agenda for the city council hearing scheduled on Thursday, December 9th.

6. **Public Hearing, Consideration and Possible Action regarding ZC 10-09 requesting a Zone change from AR Agricultural Residential to HC- Highway Commercial with a conditional use permit for a warehouse for 2.5 acres located at 6717 FM 646 S described as ABST 48 L CRAWFORD SUR PART OF OUTLOT 196 (196-12) ALTA LOMA OUTLOTS, of Santa Fe, Galveston County, Texas.**

Ms. Steelquist explained that this tract was annexed in March 2008 and hearings were held in 2009 for zoning classification changes to be Highway Commercial on FM 646 South. However, during the zoning process, it was determined that only existing commercial uses would be zoned Highway Commercial. Further rezoning requests needed to be done in the usual manner for this area. The owner purchased the property prior to the rezoning in 2009 and intended it to be used to build the warehouse in order to store, clean, and maintain pipes and/or piping materials for oil companies. The owner is

ready to build and is now making a request to change the zone to Highway Commercial and to get a conditional use permit for the warehouse. He will be required to meet landscaping and building requirements and will provide it to the commission along with the site plans before building. Screening, well and septic approval, and possibly a detention/retention plan will also be needed. He will also need to apply for a culvert through TXDOT.

Carl Brown, owner of the property stated the building will be a steel building, approximately 50 x 90, and designed for 130mph wind load. He stated when he bought the property for this business it was in the county then was rezoned after the purchase of the property. This business will be limited use and there will not be any 18 wheelers on the property, there will be pickup trucks.

Public hearing opened at 7:49p.m.

Carl Brown spoke stating he has manufacturing facilities elsewhere and would like to have a storage area in Santa Fe. They will bring in tools and pipes used on drilling rigs and will be in and out of the warehouse for cleaning and maintaining the equipment. There will not be a full time person on duty. The facility will be used when called to perform duties. It will not be used on an everyday basis. There will be a privacy fence placed around the building also. The equipment will be pressure washed and cleaned with water and a sand/concrete collection pit will collect the dirty water. An aerobic sewer system will also be placed on the property and a vacuum truck will periodically come out to clean the pits out. The pressure washers will be used to clean the equipment within a ten minute time period and is not noisy. They do not use chemicals to clean the equipment, only hot water and pressure.

Kimberly Devald, 6719 Hwy 646, stated that most of FM 646 is residential. She has horses and she intends on building a house there but is now not sure what to do because of the nature of the business going in next door. She wanted to know how this cleaning facility will affect her property and the surrounding property. She was concerned about the disposal of the dirty water and how it will affect the land, her water well, and the welfare of the animals kept in the area. She stated that other business in the area were loud and disrupted the area and feels this business should not be allowed to go in. She also is worried about her taxes being increased due to the rezoning of the property and the business being placed there. She stated there is a low area located on the back of the property that holds water and is concerned about the damp and dirty area.

Carl Brown stated that he could not get a permit through the county to put oil out in the sewer system and is required to get a separation process system. The warehouse will extend past Mrs. Devald's residence and he plans on maintaining and cleaning the property up correctly to get the maximum use out of the property. He stated there is 2.69 acres.

Public hearing closed at 8:03p.m.

Mrs. Carsaro asked Ms. Steelquist if she verified with Mr. Brown that when the property was purchased, before it was annexed, if he was under the impression the property would be Highway Commercial. She also verified that the understanding of the commissioners was that this area would be appropriate to be zoned Highway Commercial for the annexed areas. It was also verified with the appraisal district that if adjacent property changed to commercial the taxes would not go up if you have a house in that area.

A motion was made by Mr. Kitchner to recommend approval of the zone change to highway commercial with the conditional use permit for the warehouse. The motion was seconded by Mrs. Koleng and was passed unanimously.

7. **Public Hearing, Consideration and Possible Action regarding ZC 10-10 Requesting a Zone Change from NC- Neighborhood Commercial to HC- Highway Commercial for 0.5 acres located at 3508 Ave. J ½ described as ABST 1 PAGE 11 PART OF LOT 40 (40-4) MCGREGORS SUBDIVISION, City of Santa Fe, Galveston County, Texas.**

Ms. Steelquist explained that the city became aware that Mr. Pyle was operating an automotive business after receiving phone calls about cars parking along Ave. J 1/2 . Mr. Pyle did not know that he could not operate an auto repair shop at this location. The City of Santa Fe then asked the business owner to cease operating the business. The area is zoned Neighborhood Commercial. Mr. Pyle is asking for a zone change to operate his business there. The property has a house and a large metallic garage on the property which faces Ave. J ½ The side of the metal building faces FM 1764 and is currently accessible from J ½ only. The garage is not attached to the house.

Mr. Pyle stated that the automotive shop was his livelihood, wants to put an entrance on the FM 1764 side of the property to access the garage. He will then park all cars there. He has been there for 10 years and wants to also pay for a water and sewer tap to the lines available. He wants this area rezoned to Highway Commercial to conduct his business and will comply with placing a door for access to the garage off of FM 1764 and any other corrections necessary to continue his business.

The commission discussed that there was curb and gutter along FM 1764 and there should not be any TxDot issues regarding drainage nor a permit for a driveway . There is an opening for a driveway now located on the FM 1764 side of the property. TXDOT will need to be contacted for the information concerning the driveway.

Ms. Steelquist stated that asphalt or concrete needed to be used for the driveway area.

Public hearing was opened at 8:26

Mr. Pyle spoke again stating he used to work for Mcree Ford and has had the shop at his residence for 10 years. He left Mcree Ford to work at home in February 2010. He does

not advertise and gets his business through word of mouth. He works on diesel trucks and knows that the roadway on J ½ does get blocked. He wants to create a driveway on FM 1764 for access to the business, park vehicles, and will comply with all regulations required for the area to be rezoned. He does not have junk cars and runs a clean shop and residence. He is asking for it to be rezoned to continue his work.

Mr. Pyle was advised by the commission that these issues would have to be addressed by the City Council also if passed. The commission also discussed that he needed to put the door to the garage on FM 1764 and that all cars need to be parked in the grass on the side of FM 1764. The cars should not be parked on the side that faces Ave. J 1/2. Mr. Pyle stated he understood the process.

Gilbert Villarreal, who lives at 12002 FM 1764 next door to Mr. Pyle, expressed that he has no problem with Mr. Pyle putting a driveway next to his, that he keeps his yard in good shape, and has no reservations against him operating the business there, and he is a good neighbor.

Lane Harding addressed the Commission. He is the previous owner of the property. He said that there is a septic system and has helped Mr. Pyle contact WCID#8 to get information to connect to the water and sewer. He stated that he thinks all issues will resolve once the entrance to the garage faces FM1764.

Robert De La Rosa lives in Pasadena and is a business associate of Mr. Pyle. He stated that Mr. Pyle is an honorable man and thinks that he will do a good job at maintaining an automotive shop and does not cause problems. He feels that Mr. Pyle is financially able to comply with what the City of Santa Fe asks of him to do and that he will be an asset to Santa Fe.

Mike Hebert lives at the end of Ave. J ½ and has the last house/drive and is frequently used by people turning around. He does not have personal issues with Mr. Pyle. He feels that the traffic issues and parking issues on Ave. J ½ will not stop when a new driveway has been completed facing FM 1764.

Corkey Theis grew up in the neighborhood and lived here since he was 5. He now lives across the street and will build a house on Ave. J ½. Mr. Theis stated that Mr. Pyle is a clean person and thinks he will do what is asked of him and does not have a problem with the automotive shop. Mr. Theis also stated that his parents live there also and do not have a problem with the business being there and can get a letter from them stating this information.

Public hearing closed at 8:46 p.m.

Mr. Coleman made a motion to make the change to Highway Commercial and was seconded by Mrs. Koleng. The motion passed with a majority vote, Commissioner Corsaro voting against the recommendation

Mr. Pyle was advised the issue would be heard at the City Council meeting on Thursday.

8. Adjournment

Mrs. Koleng made a motion to adjourn at 8:48 p.m., the motion was seconded by Mr. Willoughby. The motion passed unanimously by the Commission.

Winnie Corsaro, Chairperson

Diana Steelquist
Community Services Director