

CITY OF SANTA FE
PLANNING & ZONING COMMISSION
WORKSHOP AND REGULAR MEETING
OCTOBER 4, 2011
CITY OF SANTA FE COUNCIL CHAMBERS HIGHWAY 6, SANTA FE, TEXAS

WORKSHOP MINUTES

1. Call to Order:

The Planning & Zoning Commission workshop was called to order at 6:05 p.m., by Winnie Corsaro.

2. Roll Call:

Present: Winnie Corsaro, Dorothy Bello, Gary Smith, Charlie Coleman, Ronnie Willoughby, Judith Koleng, Community Services Director Diana Steelquist, Community Services Administrative Assistant Stacey Baker, Absent: Daniel Kitchener

3. Invocation and Pledge of Allegiance:

The invocation and Pledge of Allegiance was led by Mrs. Winnie Corsaro.

4. Presentation and Discussion by the City Attorney regarding roles, rules and responsibilities of the Planning and Zoning Commission.

Ms. Steelquist and Mr. Ellis Ortego, City Attorney, presented a PowerPoint presentation on the roles, rules, and responsibilities of the Planning and Zoning Commission. There was a brief discussion with the Commission along with a short question and answer session.

5. Adjournment:

The workshop ended at 6:45p.m.

REGULAR MEETING MINUTES

A. Regular Business

1. Call to Order:

The Planning & Zoning Commission meeting was called to order at 7:07 p.m., by Winnie Corsaro.

2. Roll Call:

Present: Winnie Corsaro, Dorothy Bello, Gary Smith, Daniel Kitchener, Charlie Coleman, Ronnie Willoughby, 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 September 6, 2011.

A motion to approve the minutes was made by Mrs. Bello and seconded by Mrs. Koleng. The motion was approved unanimously.

5. Public Hearing, Consideration and Possible Action regarding SD-110701 Shyam's Subdivision, a request for subdivision of 0.513 acres, into 2 lots, 1 block being a replat of Lot 3 Reeder's Special located on the North side of 6th St. across from Ave O, City of Santa Fe, Galveston County, Texas.

Ms. Steelquist advised the Commission that Mr. Mishra purchased Lot 3 of Reeder Subdivision. This ½ acre lot is located adjacent to the 4 lots he recently subdivided along 6th St. The proposed replat into two lots meets the City's requirements as to lot size and width. The area is also zoned as R-1. The replat documents meet City requirements and water and sanitary sewer are available to the subdivision. She also advised that the staff recommend approval of the replat and that all requirements have been met and there is no reason why this matter should not pass. The item was on the agenda at the last meeting and is again on the agenda at the request of the property owner so that he can be present and speak on his behalf. She also stated that she advised Mr. Mishra that she did not think it was necessary to attend the last meeting because the property properly qualified, but the Commission denied it and the owner wanted to have the chance to present himself to the public and the Commission.

Public hearing opened at 7:18pm.

Vijay Mishra, owner of Shyam Subdivision on 6th St. was present. He stated that he understood the concerns of the families. He stated that the division of the property and the placement of 6 new homes on 6th St. would not depreciate the value of the other property owners surrounding his property. He felt that the traffic congestion would not increase and stated that the new houses would create more revenue in taxes for the city and the school and be a benefit for all. Mr. Mishra stated that he is a licensed broker and stated that he meets all requirements set out by the City of Santa Fe and should be approved.

Mrs. Nancy Click at 12654 6th St. was present and spoke on behalf of her family. Her property is directly beside the property of discussion. She protested the replat of the lot and stated that when she bought her property she was under the impression that all the lots in the subdivision were going to remain ½ acre tracts and larger homes would be placed in the area. She stated that she does not want to see the lots divided smaller than ½ acres and that she did not want small homes developed there to depreciate the value of her property and the surrounding properties. Mrs. Click also provided the members with

letters from other property owners disputing the replat. Mrs. Click submitted a valuation chart of the surrounding homes in the neighborhood and protest letters from her and the neighbors to the Commission, City Council, the Mayor, and City Manager.

Kathy Blankenship of 12701 6th St. also spoke and opposed to the replat of the property due to all the reasons referenced above by Mrs. Click. She also made several comments concerning the City of Santa Fe's website stating the website insinuates that Santa Fe focuses on having an old fashioned community with large homes and lots. She disagreed on how the website appears to the public. She is worried about the congestion of the street, safety of the children, and how the Commission makes decisions concerning properties. She also requested the definition of a variance and discussed issues concerning replats and variances. She also stated she felt the whole area should have been notified.

Tom Phillips of 12810 6th St. stated his family moved from Dickinson to retire in Santa Fe. This is his retirement home and does not want to see extra traffic congestion on the street, worried about accidents, noise, and agrees with the previous protesters concerning the Shyam Subdivision.

Mr. John Barber of 12705 6th St. was present at the hearing and spoke on behalf of Mary Henderson. He agreed with the above protest for the same reasons and also stated that he would hate to see the value of the homes go down due to smaller structures being placed there and that rental property in the neighborhood has proved to be unsightly, messy, and often a pain to deal with. He stated he did not agree with the approval process and the standards of approval set out by the state and the city concerning properties. Mr. Barber stated his frustration with the public notification process and the decision making of the Commission.

Wanda Fife of 12715 6th St. stated she agreed with the above protesters and stated she has lived here, her kids grew up here, and her grandkids are here. She and her husband attempted to live in a small subdivision and it did not work out. She had no privacy at all and they did not like the layout of the area and does not want to live like that again. Mrs. Fife also inquired about who the staff was that recommended this to move forward and was told that Ms. Steelquist was in charge of this matter.

Larry Urdiales of 12812 6th St. was present and stated he agrees with everyone above and stressed his concern of child safety and also stated there were no sidewalks currently along the street. He was concerned of what was to come of the traffic and safety of the street if more houses went in.

Karen Phillips of 12810 6th St also agrees with the above protesters. She also stated that the lots were all 200 feet away from each other to show that large properties were preferred in the area. She was also concerned about the street improvement. She was wanting to know if the street was widened if it would cut off more footage of the properties. She stated that the smaller lots would then be even smaller and can cause an issue with traffic, safety, parking, drainage and accidents. A protest letter was presented to the Commission and was addressed to the Mayor and City Council.

Benny Davis, Building Official and Code Enforcement Officer for the City of Santa Fe, explained to everyone that if Mr. Mishra or anyone else who wanted to apply for a permit for a large or small house, he would not be able to deny it as long as it met the minimum requirements and standards set out to build a structure.

Public hearing closed at 8:04pm.

Mrs. Corsaro stated that there were laws that needed to be followed when reviewing the replat, subdivision, or platting of property. She read the Local Government Code Section 212.010 on standards of approval of the item. She also stated she and the other members were aware of all the concerns of the people who live in the area. Mrs. Corsaro expressed that the public is properly notified of all hearings and advised everyone to contact the City of Santa Fe and the street department to discuss widening and improving streets within the city. She also stated that the item was back on the agenda because the property owner has a right to speak on his behalf as previously stated by Ms. Steelquist.

Ms. Steelquist advised the committee that the staff recommended approval and that Mr. Mishra followed all rules and regulations concerning the replat and fully qualified for approval.

A motion was made by Daniel Kitchener to approve the replat of the subdivision into two lots. The motion was seconded by Judith Koleng and passed unanimously.

6. **Public Hearing, Consideration and Possible Action regarding ZC 11-03, Request for Conditional Use Permit- Centerpoint Energy Smart Grid Tower, requesting installation of a 150 foot tall tower on 9.535 acres located at 3525 FM 646 N described as ABST 1 PAGE 11 LOT 20 THAMANS 1ST SUB, City of Santa Fe, Galveston County, Texas.**

Ms. Steelquist advised this item had to go through a conditional use process. The tower will be placed inside an enclosed area located on the corner of FM 646 and 1764. The tower will electronically read the electric meters. She also advised there were surrounding areas that already went through the process of placing the towers in the cities. The item was placed on last month's agenda as a 100 foot tower and replaced on this agenda as a 150 foot tower as requested.

Ms. Steelquist stated that she had received a call from Mr. Grassmut who owns property across the street on FM 1764. Mr. Grassmut opposed the tower out of concern for a loss of property values.

Public hearing opened at 8:13pm.

Mr. Roy Luma, a representative of Center Point was present and explained the use of the tower along with the construction plans of the steel tower. The tower needs to be 150 feet tall, not 100 feet tall. This tower will serve as one of the main towers in the area and will cover a larger area being 150 feet tall. He also stated that there will not be any objects hanging off of the structure, it meets the wind speed requirements, and was not tall enough to place a light on the top for airplanes, etc.

Mrs. Koleng expressed her concerns regarding the wind speed resistance and Mrs. Bello expressed her concerns of the structure collapsing. Several Commissioners were concerned about the height of the structure and the representative stated that the other towers in the area were about 120 – 130 feet tall.

The Commission reviewed diagram of the structure showing all requirements were met and the rep said he will work with the city to meet all additional requests.

Public hearing closed at 8:18pm.

Mrs. Bello made a motion to approve the conditional use permit for the tower. The motion was seconded by Ronnie Willoughby and passed unanimously.

7. **Consideration and Possible Action regarding ZC 11-04 Zone Change on Ave. M from Agricultural Residential (AR) to Single Family Residential (R-1) for 18.072 acres located along the west side of Ave. M containing 17 parcels, City of Santa Fe, Galveston County, Texas.**

Ms. Steelquist advised the staff is requesting the rezoning on Ave M from AR to R-1 due to the current utilities available from WCID #8. Two property owners have also expressed interest in developing residential projects in the area. She explained the item was on the agenda last month and discussed at the joint public hearing on September 8 where Mr. and Mrs. Warrington spoke on behalf of their entire family and are concerned about loss in property values and further subdividing of tracts around them. Vijay Mishra, property owner, also spoke in favor stating rezoning would allow new growth which would expand the tax base and he wants to subdivide his lot.

Mr. and Mrs. Warrington addressed the Commission on behalf of the entire family that owns several properties on Ave M. and other neighbors. They had previously presented a petition containing 12 other property owners names protesting the rezoning of Ave M to agricultural residential. They asked to only rezone those who are not on the petition that are located on Ave. M. They are concerned with loss of property values and people trying to subdivide the area. They are also concerned that activities with animals, children, and family will change.

Mr. Benny Davis explained to everyone that even if the area was rezoned, activities with animals would not change. He explained that animals can still exist in the R-1 zone.

Ms. Steelquist advised the Commission and the public that property owners do have legal means to prevent future subdividing of tracts. Filing deed restrictions or conservation easements can prevent certain developments from taking place and keep the family's properties intact.

A motion was made by Charlie Coleman to approve the zone change from AR to R-1 for the entire area. The motion was seconded by Dorothy Bello and was passed by majority vote. Charlie Coleman, Dorothy Bello, Judith Koleng, Gary Smith and Ronnie Willoughby voting yes, Winnie Corsaro and Daniel Kitchener voting no.

8. **Consideration and possible action regarding ZC 11-05 Amending Zoning Use Matrix by amending the text of Ordinance No. 02-03, commonly known as the City of Santa Fe Unified Development Code, or the Santa Fe Zoning Ordinance, 2002 Eddition, Amending Appendix 4-F Zoning Matrix by allowing NAICD use #4541940 Veternarian and animal clinic use in a Neighborhood Commercial (NC) zoning district with a Conditional Use Permit, City of Santa Fe, Galveston County, Texas.**

Ms. Steelquist advised that under the use matrix, the veterinary clinic is not allowed at all in NC zone. The clinic on FM 646 is legal nonconforming and cannot expand. The owner would like to sell it to someone who would like to add to the existing building. It would seem appropriate to allow the vet clinic to get a conditional use permit within the NC zoning district to move forward with his plans. The item was briefly discussed at the previous meeting and a joint public hearing was held on September 8, 2011. No one from the public attended and spoke against amending the matrix.

A motion was made by Judith Koleng to approve amending the matrix. The motion was seconded by Daniel Kitchener and was approved unanimously.

9. **Consideration and Possible Action regarding placement of directional signs in the City's Right-of-Way showing access/directions to the Rain River Estates Subdivision located off of 4th St.**

Ms. Steelquist advised that the developer of Rain River Estates located off of 4th St. would like to place directional signs along FM 646 and FM 1764 to assist homebuyers in finding his development. The City has regulations in place to allow a subdivision developer to place directional signs in the right-of-ways with the Planning and Zoning Commission's approval. The signs are typically brown with white letter and the city will be responsible for the placement of the signs.

A motion was made by Ronnie Willoughby to approve the sign placement in the City of Santa Fe's right-of-ways. The motion was seconded by Judith Koleng and passed unanimously.

10. **Discussion and Possible Action regarding revisions to the sign ordinance to allow LED/digital billboards.**

Ms. Steelquist advised that a request had been made by Clear Channel Outdoor, Inc. to allow the conversion of an existing 576 sq. ft. billboard to a digital (LED) billboard. She advised that the City Council and staff are interested in this use because of the donation of time to display public service messages on the LED board to the city and that it would not cost the city anything for this benefit. She advised that the City of League City recently revised its sign ordinance to allow digital billboards as long as other billboards are removed. One of the biggest concerns with the LED billboard is that it may be a distraction to drivers. Ms. Steelquist advised she would like to decrease the height of the proposed billboard. She stated that the sign ordinance will need to be revised to allow the sign to be conforming and research other signs that are conforming or nonconforming and she will research other changes that will be needed.

Representatives from Clear Channel Outdoor, Inc presented the Commission with a brief presentation and booklet explaining how the LED billboard works and it can benefit not only Santa Fe but all over the County. The information displayed can be normal advertisements, amber alerts, weather messages, city information or other types of info. The billboards also have an automatic adjustment method that will dim and brighten with the weather and will black out or only display the Clear Channel logo if it malfunctions. If the billboard is within 500 feet of a church or school, alcohol advertisements will not be placed on the board. The billboard will be placed on Hwy. 6 in the middle of Santa Fe near the 17000 block. Clear Channel advised the committee that there have been studies stating LED signs are not a major distraction. The message sign will change every 8 seconds. The sign will withstand 120 mph. winds. They are open to negotiations with the city and will try to comply with Ms. Steelquist and the City's requests as to the size and the time the message changes and any other issue that is needed to be addressed.

There was a brief discussion among the committee concerning the mitigation ratio of the sign to from 4 feet to 2 feet, messages changing every 8 seconds, location, communication, or problems that may occur. The committee all agreed they would like to see the sign be placed in the city. Ms. Steelquist advised she will move it forward to the City Manager and Council and the issue may be on the October 27th City Council meeting.

11. Discussion and Possible Action regarding RV trailer use at Church Sites.

Ms. Steelquist advised that staff received requests to allow recreational vehicles to be set up at various church locations to house visiting pastors, guards, missionaries, clergy, disaster relief, etc. She would like to amend the text in the Zoning Ordinance to attempt to address the use of RVs on church sites. She recommended it should state that RV usage shall be allowed on church properties for temporary housing during emergency situations to house disaster workers, visiting clergy, and missionary workers on a temporary basis. RVs can be used for onsite security and also the RVs must be screened or not visible from major corridors including Hwy 6, FM 646, and FM 1764.

After a brief discussion the Commission decided they did not want onsite security to live in the RVs because security may be there permanently and want temporary clarified. They also did not agree with the screening of the RV. Ms. Steelquist advised she will make the changes and move forward with the process to present the amendment to Council.

12. Adjournment

A motion was made at 10:00PM by Charlie Coleman to adjourn. The motion was seconded by Dorothy Bello and passed unanimously.

Winnie Corsaro, Chairperson

Diana Steelquist
Community Services Director