

CITY OF SANTA FE
PLANNING AND ZONING COMMISSION
REGULAR MINUTES
OCTOBER 4, 2022, 7:00 P.M.
COUNCIL CHAMBER, SANTA FE CITY HALL
12002 HWY 6, SANTA FE, TEXAS 77510

MINUTES

I. CALL TO ORDER

The meeting was called to order at 7:00 by Glennie Hefner.

II. ROLL CALL:

Present:

- a. Janet Davis
- b. Glennie Hefner
- c. Andrew Mills
- d. Gary Smith
- e. Wyndee Wagner-McGee

Absent: Ronnie Willoughby & Shannon Wofford

III. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation and Pledge of Allegiance to the U.S Flag and to the Texas Flag was given by Gary Smith.

IV. CITIZENS' COMMENTS

Tim Clark, 3620 Avenue F, thanked the Commission for its efforts. Reminded board that it can postpone items for the future of indefinitely. Clark asked the Commission to take the time to understand what they are doing.

V. APPROVAL OF MINUTES

The minutes of the 09/06/2022 meeting was approved as presented.

Public hearing opened at 7:08 by Glennie Hefner

VI. ZONING

- a. PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING ZC 220801 A ZONING DISTRICT CHANGE REQUEST FROM AR – AGRICULTURAL RESIDENTIAL TO NC – NEIGHBORHOOD COMMERCIAL FOR 1202 POSTON ROAD, DICKINSON, TEXAS, DESCRIBED AS ABSTRACT 1 PAGE 5 PART OF LOT 122 (122-8) THAMANS 1ST SUBDIVISION AND ABSTRACT 1 PAGE 5 PART OF LOT 122 (122-9) THAMANS 1ST SUBDIVISION.

- b. City Engineer Matthew Johnson introduced item; property was annexed in 2011 when city was cleaning up zoning. Staff recommends approval of zoning from AR to NC. Commissioner Andrew Mills explained the difference between Residential and Highway commercial. Laura

Weston, of 12335 2nd Street, expressed concerns over people living in mobile homes and campers, growing traffic, inflated taxes and all the properties surrounding her having their zoning changed to NC. Laura stated she will be the only property still zoned for AR. Laura is also upset about the land use and loud cars that rev their engines. Landowner stated he will give his phone number to the neighbors to have them call directly if there are any issues with his tenant. He has no intentions of putting in a funeral home, florist or anything else. He purchased the land from his tenant and has been renting to his tenant for the last seven years. Public Hearing Closes at 7:20.

Vice Chairman Wyndee Wagner-McGee stated the property taxes that have been paid for more than ten years to substantiate it is a business. Commissioner Janet Davis expressed concerns over spot zoning and how the whole area should be re-zoned. City Engineer Matthew Johnson explains he is a zoning officer and if the land use is a concern or an issue, he will investigate and shut it down if not used accordingly. Motion to approve by Andrew Mills, seconded by Wyndee Wagner-McGee. Motion Passes, unanimously.

- c. PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING ZC 220802 A ZONING DISTRICT CHANGE REQUEST FROM NC – NEIGHBORHOOD COMMERCIAL TO MH – MANUFACTURED HOUSING FOR 3617-4 AVENUE F, SANTA FE, TEXAS, DESCRIBED AS HIDDEN PALMS SUBDIVISION (2011) ABSTRACT 149, LOT 1.

City Engineer Matthew Johnson explained that when the property was annexed to the city it was operating as a mobile home park, it was brought in as default AR, staff initiated rezoning rezoned to NC. Owner wanted to make modifications and would like it changed to MH zoning. Mr. Johnson explained difference of RV stand VS. mobile home stand. RV parks are only allowed in Mobile home zones.

Public hearing opened at 7:28 by Chairman Glennie Hefner.

Bryan Whittington, of 3617 Ave F, asked the city to fix the mistake they made. The RV Park has been there for the last 25 years, and the city chose to change the zoning. City Engineer Matthew Johnson quoted ordinance 5.8 article 5 08.01. Legal non-conforming use is only allowed to maintain itself until something changes. Change in use requires re-zoning. Originally there were 3 mobile homes. Ryan came to the city hall in 2017 and “Diana” said it was ok, he came in plenty of times to pay but the paperwork was never processed. Mr. Johnson advised the commission the mobile home park fees were listed and paid. Vice Chairman Wyndee Wagner-McGee asked about septic. Mr. Whittington - stated “Jennifer” checked septic system through the health district, and it passed. Ordinance does not dictate the length someone can stay in an RV. Mr. Whittington pleaded that the county sees his property as a RV park and his taxes went from \$300,000 to over \$1,000,000. Public hearing closed at 7:37 P.M. Motion to approve, passed unanimously.

- d. PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING ZC 220901 A ZONING DISTRICT CHANGE REQUEST FROM NC – NEIGHBORHOOD COMMERCIAL TO HC – HIGHWAY COMMERCIAL FOR THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 646 AT 6TH STREET, SANTA FE, TEXAS, DESCRIBED AS ABSTRACT 47 J BRENNAN SURVEY PART OF OUTLOT 266 & 278 (266-2) ALTA LOMA OUTLOTS.

- e. City Engineer Matthew Johnson explained owner of property was requesting to change zoning from NC to HC to put in full-service restaurant. Staff recommends approval.

Public hearing opens at 7:41 P.M by Chairman Glennie Hefner

Gregg Vicknair, 3802 Avenue L, owner of property, wanted considered that properties around are HC. Public hearing closes at 7:43. Unanimously approved.

Tim Clark- States he did not receive package to be able to review line by line. Discusses land use. Stresses postponement. Notes changes that were made on site plan.

VII. PLANS

- a. See Item VIII.a.i.

VIII. BUSINESS ITEMS

a. OLD BUSINESS

Consideration and possible action regarding a zoning permit: Santa Fe Senior Housing Community site and landscaping plan review, located on the southwest corner of the intersection of FM 1764 and Avenue F. City Engineer Matthew Johnson explained the item is being presented under the corridor public standards, that is the only thing PNZ must discuss or consider, and the land use is not, according to the city attorney, germane to the conversation or to this item. Mr. Johnson explained PNZ has little to no authority over actual land use. Building is within the HC zoning district, there is a portion of the land in NC zone which houses the detention pond and that is an acceptable use of the NC zone. PNZ is supposed to look at the requirements of the corridor public standards for approval and if submission meets it requirement PNZ is supposed to approve them, if it does not meet the requirements PNZ is supposed to deny them. Commissioner Janet Davis clarified PNZ is not reviewing for a zoning change. Staff has made determination that it fits the land use. Mr. Johnson stated the property does not have rear yard, side yard must be 25 ft they provided 30 setbacks, there are no easements or pipelines on the property. Buffer yards are within setbacks, smallest buffer provided is 12.5 feet and they are required 6 ft. Building is less than 50% max and well within the building coverage requirements. Parking spaces meet requirements for parking spaces. Driveway on Ave f for emergency use only. Mrs. Davis asked if there was anything that the site did not meet and Mr. Johnson responded "No, ma'am. It meets all the requirements of the ordinances"

Corey Boyer- Explained how he is trying to abide by all the ordinances set by the city.

Paul Boswell- asked to see the site plan.

Frank Trochesset- HC and NC runs at the perimeter of my property and puts the building in NC. Mr. Johnson explained he went through all the appropriate steps to overlay the site plan on the GCAD website to show the property is 540 feet.

Frank- Part of the facility is partially in NC, why are we putting a 3 story when only a 2 story is allowed.

Christine- accused board of getting financial kick back

Mr. Johnson- explained the building is in the appropriate zoning area, and right now it is just a pretty picture. The site plan meets the corridor public standards, and because of that until there is a site plan there is nothing for them to adjudicate. He also explains if we keep postponing, we are setting the city up for a lawsuit.

Commissioner Andrew Mills makes motion- "If you want me to make the motion I will, but you know what my standards are. Alright, I make a motion to decline the permit request for the corridor public standards based on the my responsibility as council for PNZ, I do not believe this is accurate at the time" later changes to "I decline the motion for corridor public standards" Gary Mills seconds it. Janet Davis- no, Chairman Glennie Hefner- no, Andrew Mills- yes, Gary Smith- yes, Vice Chairman Wendy Wagner-McGee- Yes. Motion to deny is passed.

b. NEW BUSINESS

No new business to discuss.

IX. REPORTS

a. Minor Plats approved


- i. SD 220507: TC Farms Minor Plat, being 4.168 acres, containing two lots on one block.
- ii. SD 220903: DeGroot Acres Minor Plat, being 8.232 acres, containing three lots on one block.

X. DISCUSSIONS

a. No items for additional discussion.

XI. ADJOURN

Public hearing adjourns at 8:42 P.M.



Chair of the Commission



Secretary of the Commission