



Department of Planning and Development

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PLAN COMMISSION MEETING

Via Video Conference

6:30 pm; Wednesday January 26, 2022

The Plan Commission held its regular session via video conference on Wednesday, January 26, 2022. The meeting commenced at 6:31 pm and concluded at approximately 9:01 pm.

1. Roll Call

Present

Margaret Holly
Mark Harvey
Al Fleischer Jr.
Ellen Hartz
Victoria Gonzalez
Charles Gascon
Patricia McQueen (*joined the meeting at 6:37*)

Absent

None

Staff Present

John Wagner, Senior Planner
John Mulligan, City Attorney

Councilmembers Present

Steve McMahon, Ward I – Council Liaison

Call to Order – (6:31 pm.) Chairwoman Holly called the meeting to order.

2. **Approval of Minutes** – December 15, 2021 – The minutes were approved as presented.
3. **Public Comments**
There were no public comments for non-agenda items from the public
4. **Old Business**
 - a. None

5. New Business

- a. Major Subdivision – SUB 22-01.
Applicant: Gwen Keen, QuickTrip Corporation
Request: Approval of a Major Subdivision from six (6) lots to one (1).
Address: 7579 Olive Boulevard – NE Corner of Olive Boulevard and North and South Road. Future location of QuickTrip store.
(VOTE REQUIRED)

Dr. Wagner presented the Staff's position on the application.

- Six (6) lots on the corner of Olive and North and South are included in the plat.
- This is the location of the Quick Trip store.
- A Conditional Use Permit was approved for this use on September 13, 2021.
- Building permits have been submitted to the City and are being reviewed.
- This plat approval is one of the last parts of the process.
- City Attorney Mulligan indicated that Quick Trip has closed on the property.
- Greg Rogers from Quick Trip spoke about how excited they were to open at this location.

There were no questions from the Commission on the application.

A motion was made to approve the Major Subdivision Plat.
The plat was approved unanimously: 7 to 0.

- b. Conditional Use Permit – CUP 22-01
PUBLIC HEARING
Applicant: Nick Stinebrook of Killeen Studio Architects, on behalf of Bay Window Properties, LLC
Request: Approval of a 20% reduction in the number of off-street parking spaces required for the development.
Address: 7204 Forsyth Boulevard
(VOTE REQUIRED)

The Applicant asked to postpone this item at this meeting.

- c. Conditional Use Permit – CUP 22-02
PUBLIC HEARING
Applicant: Andrew Waddell
Request: Approval of warehouse that would exceed 50% of the total gross floor area of the premises.
Address: 8351 Olive Boulevard
(VOTE REQUIRED)

Chairwoman Holly outlined the conditions for approval of a conditional use permit.

Dr. Wagner gave a brief overview of the Applicant's request and presented the Staff's position on the application.

There were no members of the public that wished to comment on the application.

Discussion ensued on the application.

Mr. Waddell fielded questions from the Commission.

Commissioner Gascon asked about timing – how long will the building unoccupied.

Mr. Waddell indicated that he envisions the building staying empty for 2 to 3 years. He will maintain the inside and outside of the building and comply with city code.

He also indicated that he will likely not put a dry cleaner back in this location. He will also not store hazardous chemicals, just equipment needed for his other business. Nothing will be visible from outside the building.

General discussion continued.

Commissioner Fleischer asked if this was open-ended? Staff replied that there was no sunset provision with the C.U.P. City Attorney noted that the C.U.P. would go with the building unless the building was unoccupied for a year.

A motion was made to approve the Conditional Use Permit.

Commissioner Harvey made a motion to approve the application for Conditional Use Permit subject to conditions outlined in the Staff Report.

The C.U.P. was approved unanimously: 7 to 0.

- d. Text Amendment – TXT 22-01.
Applicant: Bamboo Acquisitions, LLC
Request: Add “Automobile and light truck rental/rent-a-car services” to list of Conditional Uses in the “LC” Limited Commercial District, §400.450 of the City’s Zoning Ordinance.
(VOTE REQUIRED)

In light of concerns from the Code Review Subcommittee, the Applicant has asked to have this item tabled at tonight’s meeting so they can address the Subcommittee’s concerns more thoroughly.

General discussion regarding the Applicant’s request ensued.

- e. Map Amendment – REZ 22-01.
PUBLIC HEARING
Applicant: Neighborhood Properties
Request: A Zoning Map Amendment to rezone approximately 11.0 acres from “PA” Public Activity to “PD-R” Planned Development Residential District, and to further consider approval of Preliminary Site Development Plan for the proposed residential development.
Address: 7701 Canton Avenue
(VOTE REQUIRED)

Dr. Wagner gave a brief overview of the Applicant's request and presented the Staff's position on the application.

Ms. Lauren Talley indicated that Fernando Cepeda was also present on behalf of the application.

Mr. Cepeda gave an overview on the timeline and history of the project.

General discussion regarding the Applicant's request ensued. Mr. Cepeda fielded questions from the Commission regarding density and other issues.

City Attorney indicated that the rezoning and preliminary plan go hand in hand – they go together. They both need to be voted on.

Commissioner Harvey expressed concerns about comprehensive planning and the zoning of surrounding parcels. Should they also be rezoned? Commissioner Holly indicated that this is a question for a later time in the Comprehensive Planning process. Dr. Wagner concurred and further explained Staff's position.

Ms. Talley further explained the Applicant's position, and that they would be willing to modify the plan to meet city codes.

Commissioner Harvey asked the Applicant if they had considered single-family use. Ms. Talley noted that they had not considered that use.

Commissioner Holly asked why they chose PD-R zoning instead of MR. Applicants indicated that they chose this category based on discussions with city staff last Fall.

General discussion ensued regarding the Applicant's request, mostly about the choice of zoning category and density.

Residents from the area offered comments regarding the Application. Commissioner Holly noted the written comments that were submitted. Commissioner Hartz noted that the comments were generally about the development itself, and not necessarily about the rezoning itself. Commissioner Holly agreed.

Commissioner Holly asked for a motion to approve the Application.

Commissioner Harvey made a motion to postpone this until the Comprehensive Planning process is complete...until the City adopts a new Comprehensive Plan.

Commissioner Gascon made a motion to approve the rezoning.

Commissioner Harvey reiterated his motion to postpone until the Comprehensive Planning is adopted.

Yes votes: 1

No Votes 6

The motion to postpone to date certain did not pass.

Discussion regarding the application continued.

Commissioner Harvey made a substitute motion to table the application until the February meeting.

Yes votes: 6

No Votes 1

The motion to table until February 23, 2022 passed.

There was no action on the preliminary plan.

- f. Map Amendment – REZ 22-02.
PUBLIC HEARING
Applicant: Crossroads Realty, LLC
Request: A Zoning Map Amendment to rezone 1.34 acres of property from “GC” General Commercial District to “HR” High Density Residential District.
Address: 1004 Pennsylvania Avenue
(VOTE REQUIRED)

Dr. Wagner gave a brief overview of the Applicant’s request and presented the Staff’s position on the application.

The Applicant, Lou Vlasaty provided an overview of the project.

Discussion regarding the application continued.

Commissioner Fleischer asked about where the additional parking spaces would come from.

Commissioner Holly mentioned that additional spaces could be permeable, addressing stormwater run-off concerns.

Commissioner Holly asked about ownership of the site. Mr. Vlasaty indicated he has the property under contract, contingent on rezoning.

Commissioner Harvey made a motion to change “38” to “required spaces.

A motion was made to amend the original motion to make additional parking spaces permeable and to replace “38” to “required spaces.

Motion to amend passed 7 to 0.

A motion was made to approve the Map Amendment, with the following provision:

1. The redevelopment of the site shall meet the parking requirements for the number of units proposed.
2. Additional parking spaces shall be constructed using permeable materials.

3. A Landscape Plan shall be submitted for review and approval with the Site Plan.

The map amendment was approved unanimously: 7 to 0.

6. Other Business

- a. None

7. Reports

- a. Committee reports – Code Review Committee: Zoning Ordinance Text Amendments – this was discussed earlier. Text Amendments from December have not been on a Council agenda yet. They should be on the February 14th agenda.
- b. Comprehensive Plan Subcommittee – Staff is verifying proposal with PlanningNext.
- c. Council Liaison Report – Councilmember McMahon lauded the work of the Commission.

8. Adjournment

Chairwoman Holly adjourned the meeting at approximately 9:01 pm.