

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW CITY HALL
333 WEST MCCLEROY BOULEVARD
JULY 9, 2019**

Present at the Meeting:

Chairman	Place No. 3	Matthew Lewis
Vice Chairman	Place No. 1	Kenneth Haney
Member	Place No. 4	Malinda Julien
Member	Place No. 2	William Barngrover
Alternate Member	Alt. No. 2	Randy Villarreal
Director Public Works		Rick Trice
City Attorney		Bryn Meredith
Recording Secretary		Mary Ragle

Absent from the Meeting:

Member	Place No. 5	Jason LaBruyere
Alternate Member	Alt No. 1	John Peet

Visitors at the Meeting:

Jon Julien	Rhonda Jett
Barbara Beerling	Marion Jett
Chuck Stark	Mearl McBee
Rick McNealy	Russell Brown
Ralph Martinez	Mike Penninger
Bea Martinez	

(1) Call to Order

Chairman Lewis called the meeting to order at 6:00 p.m.

(2) Roll Call to Establish Quorum

Chairman Lewis called roll. The quorum will consist of Chairman Lewis, Vice Chairman Haney, Members Julien, Barngrover, and Alternate Member Villarreal

(3) Audience Participation

Chairman Lewis advised the audience of the procedure to follow in order to speak on an item listed on the agenda.

(4) Election of Officers

Chairman: Vice Chairman Haney nominated Mr. Lewis for Chairman with a second to the nomination by Member Barngrover. There were no more nominations.

For: Chairman Lewis, Vice Chairman Haney
Members Julien, Barngrover, Alternate Member Villarreal

Against: None

Absent Member LaBruyere, Alternate Member Peet

Vice Chairman: Member Barngrover nominated Mr. Haney for Vice Chairman with a second to the nomination by Member Julien.

For: Chairman Lewis, Vice Chairman Haney
Members Julien, Barngrover, Alternate Member Villarreal

Against: None

Absent Member LaBruyere, Alternate Member Peet

(5) Approval of Minutes

The minutes of a regular meeting and public hearing on May 14, 2019 were presented for approval. Vice Chairman Haney commented that the minutes show Member Melinda Julien, Place 3 in attendance. He requested a correction to show she is in Place 4. A motion was made by Member Julien with a second by Member Barngrover to approve the minutes as with the correction mentioned. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Julien, Barngrover, Alternate Member Villarreal

Against: None

Absent Member LaBruyere, Alternate Member Peet

DPW Trice introduced City Attorney Bryn Meredith and advised the members that the city manager thought it would be to the members' advantage for Mr. Meredith or a member of his staff to attend the P&Z meetings to answer questions.

(6) PZ 0519-01 PUBLIC HEARING

Consideration And Action Regarding A Request For Approval To Amend The 2016 Comprehensive Master Plan From Office Professional (OP) To Neighborhood Commercial (NC) And To Change The Zoning From Office Professional (OP) To Neighborhood Commercial (NC) On 5.93 Acres Of Land Out Of a Portion of Tract 2A, Abstract 1849, A. F. Albright Survey, On Property Located at the Northeast corner of N. Knowles Drive and W. McLeroy Boulevard

Chairman Lewis opened the Public Hearing at 6:05 p.m.

Director of Public Works Rick Trice reviewed the information included in the members' packets for this item.

Chuck Start, with Barron and Stark Engineers, 6221 Southwest Boulevard, Fort Worth, advised that he represents the owner and the developer. He stated this request to change zoning is the 1st in 3 steps needed for a development for a 128 bed skilled nursing facility. He said the next step will be to request approval of a Specific Use Permit and next to apply for a final plat. He explained the proposed facility will be mainly a rehabilitation facility and not necessary intended for long term care, stressed that this is a needed use in Saginaw.

Chairman Lewis asked why the Commission should deviate from the Ultimate Land Use Plan that designates this location as Office Professional. City Attorney Meredith explained that the Ultimate Land

Use Plan is a planning tool for the city council and P&Z to use in their decisions, but since zoning is discretionary that they can use their judgement to determine if the request will benefit the community. DPW Trice explained that the Ultimate Land Use Plan is included in the comprehensive master plan to use as a guiding document to aid the city council and planning and zoning members in decisions regarding development of the city.

Beatrice Martinez, 812 Willow Wood Drive, expressed concern about how a skilled nursing facility could affect the neighborhood and property values.

Marion Jett, 808 Willow Wood Drive, stated he is opposed to this request and expressed concern regarding lighting and increased traffic.

Mike Penninger, 816 Willow Wood Drive, expressed concern regarding increase in traffic, lighting, and additional noise.

Ralph Martinez, 812 Willow Wood Drive, was concerned about additional property needed for roadway improvements that might affect their property. DPW Trice advised that additional right of way will be dedicated by this property owner in the platting process, but no additional right of way will be necessary on the south side of McLeroy.

Mearl McBee, 5816 Boat Club Road, stated that as a developer and homebuilder he has worked with the City of Saginaw for 30 years. He said this is a compatible use in a neighborhood and something good for the community. He stated this would be a good use for Saginaw as a whole.

Rick McNealy, 21726 Hardy Oak, San Antonio, Texas, advised that he is the developer for this project and would like to address the concerns expressed as follows:

Proposed parking at rear of the building. Traffic impact very low, probably now lower than Office Professional Uses, but lower than most commercial uses. He stated lighting is designed to be directed toward the building and not toward the adjacent neighborhoods. He also advised this will be a single story building and designed similar to single family construction.

Chairman Lewis reminded the members that tonight's meeting is to consider the zoning request only and will not make any recommendation regarding the Specific Use Permit.

Member Julien asked if the Specific Use Permit would allow additional regulations for a skilled nursing facility. Chairman Lewis stated that was correct.

Chairman Lewis asked if there were any more comments. There were none.

Chairman Lewis closed the public hearing at 6:37 p.m.

A motion was made by Member Barngrover with a second by Vice Chairman Haney to recommend that the city council approve the change of zoning from Office Professional (OP) to Neighborhood Commercial (NC) on 5.93 acres of land out of Tract 2A, Abstract 1849, A. F. Albright Survey, on property located at the northeast corner of N. Knowles Drive and West McLeroy Boulevard.

For: Chairman Lewis, Vice Chairman Haney
Members Julien, Barngrover, Alternate Member Villarreal

Against: None

Absent Member LaBruyere, Alternate Member Peet

(7) Staff Report

A. Discussion of Residential, Commercial, Industrial, and City Capital Projects

B. Previous Cases

DPW Trice reviewed projects and developments included in information included in the members' packets. He also gave an update on projects throughout the city such as East Bailey Boswell Road, The Square development north and west of Walmart and BNSF Railroad improvements.

(8) EXECUTIVE SESSION

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

a. Any Posted Item

No executive session was held

(9) Adjournment

Motion was made by Vice Chairman Haney with a second by Member Julien to adjourn the meeting. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Julien, Barngrover, Alternate Member Villarreal

Against: None

Absent Member LaBruyere, Alternate Member Peet

Chairman Lewis declared the meeting of July 9, 2019 closed at 6:43 p.m.

APPROVED:

Matthew Lewis, Chairman

ATTEST:

Mary Ragle, Recording Secretary