

**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
AUGUST 13, 2019**

Present at the Meeting:

Chairman	Place No. 3	Matthew Lewis
Member	Place No. 4	Malinda Julien
Member	Place No. 2	William Barngrover
Member	Place No. 5	Jason LaBruyere
Alternate Member	Alt. No. 2	Randy Villarreal
Director Public Works		Rick Trice
City Attorney		Alicia Kreh
Recording Secretary		Mary Ragle

Absent from the Meeting:

Vice Chairman	Place No. 1	Kenneth Haney
Alternate Member	Alt No. 1	John Peet

Visitors at the Meeting:

Jon Julien	Dale Reed
Barbara Beerling	Beverly Lehman
Chuck Stark	Kelley McDowell
Rick McNealy	Lori Kay

(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, Members Julien, Barngrover, LaBruyere, 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) Approval of Minutes

The minutes of a regular meeting and public hearing on July 9, 2019 were presented for approval. Member Barngrover commented that the agenda lists the minutes as being for the May 14, 2014 meeting and wanted it noted that the minutes considered were for the July 9, 2019 meeting. A motion was made by Member Barngrover with a second by Member LaBruyere to approve the minutes for July 9, 2019 as presented. Motion carried unanimously.

For: Chairman Lewis,
Members Julien, Barngrover, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

(5) PZ 0819-01 PUBLIC HEARING

Consideration And Action Regarding A Request For Approval of a Specific Use Permit to Be Allowed to Operate A Skilled Nursing Facility (Nursing Home) On Property Located at the Northeast corner of N. Knowles Drive and W. McLeroy Boulevard

Chairman Lewis opened the Public Hearing at 6:03 p.m.

Director of Public Works Rick Trice reviewed the information included in the members' packets for this item and also advised the Commission that the zoning case for this property to change the zoning from Office Professional to Neighborhood Commercial that the P&Z heard on July 9th was heard by the City Council on July 23rd and tabled. The City Council will consider both the Zoning request and the Specific Use Permit on September 3, 2019.

Chuck Stark, with Barron and Stark Engineers, 6221 Southwest Boulevard, Fort Worth, advised that he represents the owner and the developer and would be glad to answer any questions that the Commission had. He answered questions and addressed concerns the members have regarding building height, lighting, ingress and egress into and out of the site, screening, and other items

Dale Reed, 800 Palomino Dr, addressed the Commission stating that she is in favor of a nursing home at this location and she encouraged the Commission to recommend that the City Council Approve the Specific Use Permit.

Barbara Beerling, 8640 Boat Club Road, said she is one of the owners for this property and introduced Mr. Rick McNealy.

Rick McNealy, 21726 Hardy Oak, San Antonio, Texas, stated that he would be glad to answer any questions that the members might have. He advised he would like to clear up any confusion regarding the use requested. He said this facility would be for short term and long term care.

Kelley McDowell, 329 Vista Way Drive, asked for clarification on how these cases are published. DPW Trice explained the process required for notification of Public Hearings.

Dale Reed asked if this facility would be licensed for respite care. Mr. McNealy stated that would be something the operator of the facility would have to address.

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

Chairman Lewis closed the public hearing at 6:21 p.m.

A motion was made by Member Barngrover with a second by Member LaBruyere to recommend that the city council approve the Specific Use Permit to allow the operation of a Skilled Nursing Facility (Nursing Home) on property located at the northeast corner of N. Knowles Drive and West McLeroy Boulevard. Motion carried.

For: Chairman Lewis,
Members Julien, Barngrover, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

(6) PZ 0819-02 PUBLIC HEARING

Consideration And Action Regarding The Adoption Of An Ordinance Amending Appendix A (Zoning Ordinance No. 2002-04) Of The Code Of Ordinances Regarding Governing Public Schools, Private Schools, And Open Enrollment Charter Schools; Providing For Regulations Governing Use By Right, Conditional Use And Prohibited Use In Each Zoning District; Providing For Definitions For Each Use; And Providing For Land Use Development Criteria or Each Use

Chairman Lewis opened the Public Hearing at 6:24 p.m.

DPW Trice advised the purpose of this amendment is to give the city a tool to require that any school would have to go through the Specific Use Permit process. He mentioned the study furnished by the city attorney that was done in partnership with the U. S. Department of Justice stating that the study specifically evaluates traffic congestion concerns that are unique to schools. He also added that in recent years the City has experienced increased traffic congestion resulting from the development of new school sites that have had an impact on safety and quality of life for the public.

Chairman Lewis closed the Public Hearing at 6:26 p.m.

A motion was made by Member Barngrover with a second by Member LaBruyere to recommend that the City Council approve the Amendment to the Zoning Ordinance (No. 2002-04) regarding governing public schools, private schools, and open enrollment charter schools, providing regulations for each use and definitions for each use and providing for land use development criteria for each use. Motion carried,

For: Chairman Lewis,
Members Julien, Barngrover, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, 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 and Project Dream Play in Willow Creek Park

(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 Member LaBruyere with a second by Member Julien to adjourn the meeting. Motion carried unanimously.

For: Chairman Lewis,
Members Julien, Barngrover, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

APPROVED:

Matthew Lewis, Chairman

ATTEST:

Mary Ragle, Recording Secretary