

**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 11, 2020**

Present at the Meeting:

Chairman	Place No. 3	Matthew Lewis
Vice Chairman	Place No. 1	Kenneth Haney
Member	Place No. 2	William Barngrover
Member	Place No. 4	Malinda Julien
Member	Place No. 5	Jason LaBruyere
Alternate Member	Alt. No. 2	Randy Villarreal
Director Public Works		Rick Trice
City Attorney		Ben Gibbs
Recording Secretary		Mary Ragle

Absent from the Meeting:

Alternate Member	Alt No. 1	John Peet
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Visitors at the Meeting:

Kelly Agnor
Kevin Patel
Jon Julien

(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 Barngrover, Julien, LaBruyere.

(3) Audience participation

Chairman Lewis explained the procedure to follow to address the Commission.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on July 14, 2020 were presented for approval. A motion was made by Member Barngrover with a second by Vice Chairman Haney to approve the minutes for July 14, 2020 as presented. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien, LaBruyere

Against: None

Absent Alternate Member Peet

(5) PZ 0820-01

Consideration And Action Regarding A Variance Request To Section 7.09, C.3.i Of The Subdivision Ordinance, for a Proposed Planet Fitness Located at the SW Corner of S Saginaw Boulevard and Palomino Drive

DPW Trice stated that the developer of Planet Fitness has requested a variance to Section 7.09, C.3.i of the Subdivision Ordinance regarding detention in parking lots.

DPW Trice informed the members that the variance requested is for an exception to the 6-inch depth maximum and be allowed to count the 63 parking spaces in their proposed detention area in the required number of parking spaces.

There was a discussion regarding members' concerns regarding depth of water during a heavy rain, affect to residences to the west of this project and signage required by the Sub Division Ordinance.

Kevin Patel, P. E., with Triangle Engineers, answered questions and addressed concerns.

DPW Trice stated that the area drains to the east and that a drainage flume will intercept toe parking lot runoff and direct it to the north. Surrounding properties will not be adversely affected. He also advised that there should be no impact downstream.

Mr. Patel stated the detention is designed to drain water slowly and should improve some of the existing drainage problems with the site.

There was also a discussion regarding the following items the city council has to consider in granting a variance:

E.

In granting a variance, the council shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings herein below required, the council shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the council finds that all of the following conditions exist:

1.

That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land;

2.

That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

3.

That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and

4.

That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.

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

A motion was made by Member Julien with a second by Member Barngrover to recommend that the City Council approve the variance to the Sub Division Ordinance requested but require that the 15 parking spaces in the area that will have more than 6” of water at 100-year rainfall event be designated as truck parking only. Motion carried.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien, LaBruyere

Against: None

Absent Alternate Member Peet

(6) PZ 0820-02 PUBLIC HEARING

Consideration And Action Regarding An Ordinance Amending Ordinance No. 2002-04, The Zoning Regulations Of The City Of Saginaw, Texas; Amending The Permitted Use Table, Section 5-1, To Provide That Bingo Halls Are Permitted In Community Commercial And Light Industrial Zoning Districts And Private Card Clubs Are Permitted By Specific Use Permit In Community Commercial, Light Industrial And Heavy Industrial Zoning Districts; Amending Article 7, Section 7-4, D 1. A. “Prohibited Uses” To Provide That Private Card Clubs And Bingo Halls Are Prohibited Uses In The Saginaw Boulevard Overlay District; Amending Part B, “Land Use Definitions And Explanations”, Of Section 12-2 Of Article 12 Providing A Definition For Private Card Club.

Chairman Lewis opened the Public Hearing at 6:22

DPW Trice reminded the members that at the July 14th meeting staff had presented a discussion item regarding a new use, Private Card Club. He said based on that discussion staff prepared an amendment to the Zoning Ordinance that addresses “Private Card Club” and Changes to the “Bingo Hall” permitted use. He reviewed the conditions and requirements in the amendment.

Chairman Lewis asked if there were any questions or comments. There were none.

Chairman Lewis closed the public hearing at 6:26 p.m.

A motion was made by Member Julien with a second by Member Barngrover to recommend that the city council approve the amendment to the Zoning Ordinance (2002-04) for an added use, Private Card Club and requirements and changes to the Bingo Hall Use.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien, LaBruyere

Against: None

Absent Alternate Member Peet

(7) Staff Report

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

B. Previous Cases

DPW Trice reviewed information included in the members' packets. He also gave an update on projects throughout the city.

(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 LaBruyere to adjourn the meeting. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien, LaBruyere

Against: None

Absent Alternate Member Peet

Chairman Lewis declared the meeting of August 11, 2020 closed at 6:30 p.m.

APPROVED:

Matthew Lewis, Chairman

ATTEST:

Mary Ragle, Recording Secretary