



PLANNING & ZONING COMMISSION AGENDA

Tuesday, May 3, 2022

Notice is hereby given that the Planning and Zoning Commission of the City of Big Spring, Texas will meet in Regular Session on Tuesday, May 3, 2022, at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

PLANNING & ZONING COMMISSION MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.” Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

1. Call to Order

Schooler

Public Comment

Public Comment – Speakers are Requested to Stand at the Podium and State Their Name and Address. Speakers Should Fill out the Form at the Podium and Turn it into the City Secretary. Please Do Not Exceed Five (5) Minutes.

2. **Public Comment-** Open to public comments

Public Hearings, Announcements and Presentations

Public Hearings- The Commission will take Input on Items Requiring Public a Hearing Prior to any action.

- | | |
|--|----------|
| 4. PUBLIC HEARING Regarding the Addition of “Medical Clinic” as a Permitted Use in the Retail (R), Light Commercial (LC), Heavy Commercial (HC), Central Area (CA), Light Industrial (LI), and Heavy Industrial (HI) Districts. | Schooler |
| 3. PUBLIC HEARING - Regarding a Zone Change from Agriculture (A) to Heavy Commercial (HC) for the Property at SC 46 BK 32 1N 311.7X417.4 058 BLK/TRACT 32 1N 3 ACRES (3910 S. Service Road) | Schooler |

Consent Items

- | | | |
|--|-----|----------|
| 5. Approval of Planning & Zoning Commission Meeting Minutes of the Regular Meeting March 15, 2022 | 5-8 | Schooler |
|--|-----|----------|

Tabled

- | | | |
|---|------|-----------------------|
| 6. Discussion and Consideration Regarding the Addition of “Medical Clinic” as a Permitted Use in the Retail (R), Light Commercial (LC), Heavy Commercial (HC), Central Area (CA), Light Industrial (LI), and Heavy Industrial (HI) Districts | 9-10 | Bowles
/
Walker |
|---|------|-----------------------|

New Business

6. **Discussion and Consideration** of a Zone 11-15 Bowles
Change from Agriculture (A) to Heavy /
Commercial (HC) for the Property at SC 46 BK Walker
32 1N 311.7X417.4 058 BLK/TRACT 32 1N 3
ACRES (3910 S. Service Road)

Commission Input

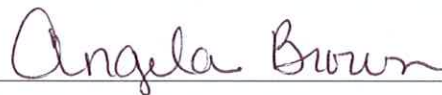
7. Input All

Adjourn

8. **Adjourn** Schoole
r

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building located outside 310 Nolan Street. Given by order of the City Council and Posted on Tuesday April 29, 2022, at 4:30 a.m./p.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.



Angela Brown, Administrative Assistant

PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT CLARISSA RIVERA AT 264-2319 or crivera@mybigspring.com. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.

Agenda Removal Notice - This public notice was removed from the official posting board at the Big Spring City Hall Building, 310 Nolan Street, Big Spring, Texas on

May ____, 2022 at _____ a.m./p.m By: _____



PLANNING & ZONING COMMITTEE MINUTES

Tuesday, March 15, 2022

The Planning & Zoning Committee of the City of Big Spring, Texas met in Regular Session on Tuesday, March 15, 2022, at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

Attendees included:

Kevan Schooler

Depauw

Avant

Harris

Chairperson

Member Tammy

Member Dale

Member Kelley

Attendees included by telecommunications:

Weaver Jr.

Member Aubrey

Open Session

1. Call to Order

Chairperson Schooler called the Planning & Zoning Commission meeting to order at 5:30 pm on Tuesday, March 15, 2022

Public Comment

2. **Public Comment- There were no public comments.**

Public Hearings, Announcements and Presentations

3. **PUBLIC HEARING** - Regarding the Addition of "Indoor Shooting Range" as a Permitted Use in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts and the Addition of "Medical Clinic" as a Permitted Use in the Retail (R), Light Commercial (LC), Heavy Commercial (HC), Central Area (CA), Light Industrial (LI), and Heavy Industrial (HI) Districts.

**Motion to open Public Hearing made by Member Avant
And 2nd by Member Depauw
Motion passed 5-0**

There were no public comments.

**Motion to close Public Hearing made by Member Harris
And 2nd by Member Depauw
Motion passed 5-0**

Consent Items

4. Approval of the Planning & Zoning Meeting Minutes of the Regular meeting of November 2, 2021

**Motion to approve as written made by Member
Depauw
And 2nd by Member Avant
Motion passed 5-0**

Old Business

New Business

5. Discussion and consideration regarding the addition of "Indoor Shooting Range" as a permitted use in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

Members suggested to add “Indoor Shooting Range” as a permitted use in Retail (R) and Central Area (CA) Districts in addition to Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

**Motion to approve was made by Member Harris,
2nd by Member Avant
Motion passed 5-0**

6. Discussion and consideration regarding the Addition of “Medical Clinic” as a Permitted Use in the Retail (R), Light Commercial (LC), Heavy Commercial (HC), Central Area (CA), Light Industrial (LI), and Heavy Industrial (HI) Districts.

**All the members joined in the discussion.
Motion made by Chairperson Schooler
requesting that staff draft a definition of
“Medical Clinic” and bring this item back to the
Commission for reconsideration. Motion
seconded by Member Avant.**

Motion passed 5-0

Commission Input

7. **Input- Member Weaver would like to receive an update regarding the signage for zone changes from Planner Walker as discussed in a previous meeting.**

8. **Adjourn
Member Schooler made a motion to adjourn,
2nd by Member Avant
Motion passed 5-0**

Chairperson Kevan Schooler

Date



Meeting: May 3, 2022

To: Planning and Zoning Commission

From: Clarissa Rivera, Planning Administrative Assistant

Subject: Addition of Medical Clinic with Definition

Contact: Shane Bowles, Public Works Director, 432-264-2501

Analysis:

The city zoning regulations do not list a common use known as “medical clinic.” Staff recommends that the use “medical clinic” be added as a permitted use in the Retail (R), Light Commercial (LC), Heavy Commercial (HC), Central Area (CA), Light Industrial (LI), Heavy Industrial, and (HI) Districts.

Attachments: Definition of Medical Clinic


Attachment

The city zoning regulations do not list a common use known as “medical clinic”. Staff recommends that the use “medical clinic” be added as a permitted use in the R, LC, HC, CA, LI, and HI Districts.

The following definition should be added to the Zoning Code:

Medical clinic means the use of the site for the provision of medical, psychiatric, or surgical services on an outpatient basis. These facilities can be differentiated from a medical office in that such facilities would be primarily open to and operated for the general, walk-in public, and would not normally require an appointment. This use includes ambulatory surgical centers (ASC); end-stage renal disease facility (dialysis); outpatient services; and freestanding emergency medical care facility. *Medical Clinic* shall not include ambulance or emergency services.

RECEIVED JAN 18 2022

 commercial area		Zone Change Application	
General Information			
<ul style="list-style-type: none"> • Prior to the submittal of an application, the applicant is encouraged to schedule a pre-application meeting with City Staff. • This application will not be scheduled for hearing until reviewed by the Director of Public Works or designee. 			
Request Type			
<input checked="" type="checkbox"/> Straight Zoning	<input type="checkbox"/> Planned Development	<input type="checkbox"/> PD Amendment	<input type="checkbox"/> Specific Use Permit-SUP
Applicant Information			
<input type="checkbox"/> Property Owner	<input checked="" type="checkbox"/> Authorized Representative	<input type="checkbox"/> Project Manager	
<i>Authorized Representatives/Project Managers must provide a notarized affidavit required including signature of legal owner(s)</i>			
Name: <u>Wendi Acosta</u>		Phone Number: <u>832-721-0934</u>	
Mailing Address: <u>525 PARK GROVE KATY, TX 77450</u>		Email Address: _____	
Project Information			
Name of Project (if applicable): _____			
Subject Property Address and/or Location (Use attachment, if necessary): <u>3910 S Service Rd</u> <u>Union of Operating Engineers on site</u>			
Legal Description (Use attachment, if necessary): <u>R 000047228</u> <u>ACRES 3.000, SC 46 BK 32 LN 311.7x47.4 058 BLK/TRACT 32 IN 3 ACRES</u>			
Current Zoning: <u>Agriculture</u>	Requested Zoning: <u>Heavy Comm</u>	Comprehensive Plan Designation: <u>Public / Semi-Public</u>	
Existing Use of Property: <u>Commercial office</u>			
Proposed Use of Property: <u>Commercial office</u>			
I hereby certify that I am the owner or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect, the permit or approval may be revoked.			
Signature: <u>Chas A Campbell</u> <u>Business Manager, 7608 Local 351</u>		Date: <u>1-10-2022</u>	
OFFICE USE ONLY			
Case Number: <u>2022000470</u>	Date of Application: <u>4/5/2022</u>	Date Fee Received (\$400.00): Fee \$325.00 - SUP:	
Affidavit attached?: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		P&Z Meeting Date:	
City Council 1st Reading Date:		City Council 2nd Reading Date:	

City of Big Spring • 217 E. 3rd St. • Big Spring, TX 79720 • Phone (432) 264-2319 • Fax (432) 264-7024 • www.mybigspring.com

Received April 5, 2022



Zone Change Application

Important Information Regarding Zone Change Requests

1. An application for a zone change on a property may only be made by the owner of that property and/or an authorized representative of the property owner. An authorized representative shall present a notarized affidavit from the property owner. If the subject property is owned by the City of Big Spring, the Director of Public works or designee may apply for the zone change on behalf of the City.
2. No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity not allowed by present zoning cannot occur before City Council's final approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
3. Approved zone changes are applied to the specified property, not the property owner.
4. The Planning & Zoning Commission makes recommendations to City Council. If the Planning & Zoning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
5. If a zone change request is granted by City Council, and the property meets the requirements of the City's Subdivision Ordinance, permits for building, construction, and/or utility connection may be obtained by the City's Permits Department.
6. Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between residential and non-residential zoning districts. These requirements are outline in the City of Big Spring's Zoning Ordinance. It is the applicant's benefit to ensure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
7. The Planning Department will notify, in writing, owners of property within 200 feet of the subject property of the zone change request.
8. If a proposed zone change has been recommended for disapproval by the Planning & Zoning Commission, or if a protest against such proposed change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty (20) percent or more of the land area contained in the 200 foot notification boundary, then such amendment shall not become effective except by a 3/4ths vote of the City Council.
9. The applicant or an authorized representative should attend public hearings pertaining to the request and be prepared to present the case and answer any relevant questions from the Planning & Zoning Commission or City Council members.



INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 351

109 West Main Street, Suite D • Davis, Oklahoma 73030 • Phone 580.223.8854 • Fax 580.223.0376
Affiliated with the American Federation of Labor and Congress of Industrial Organization
Chartered November 1, 1941

January 4, 2022

City of Big Spring
Planning & Zoning Dept
217 East 3rd Street
Big Spring, TX 79720
432-264-7024

RECEIVED JAN 18 2022

Re: Zoning Request for parcel on E I-20 Service Rd

Dear Planning & Zoning Department:

Local #351 International Union of Operating Engineers is the owner of the property located at 3910 S Service Rd, Big Spring, TX 79720, having the following Howard County Appraisal District info, Parcel ID R000047228 and Legal Description: Acres 3.000, SC 46 BK 32 1N 311.7x417.4 058 BLK/TRACT 32 1N 3 ACRES. This letter names Wendi Acosta as our Authorized Representative to file an amended zoning request on our behalf. The property is currently zoned Agriculture (A), and we are requesting it be amended to a classification of Heavy Commercial to keep in line with neighboring properties to the west which also currently have active commercial activities on site.

Please send all landowner correspondence for Local #351 International Union of Operating Engineers to the following address, 109 West Main Street, Suite D, Davis, OK 73030. If you have any questions, please contact me at 580-223-8854.

Sincerely,

Elva Campbell
Business Manager

STATE OF OKLAHOMA §
COUNTY OF Murray §

On this 10 day of January, 2022, before me, the undersigned notary public, personally appeared Elva Campbell, business manager of Local #351 International Union of Operating Engineers, known to me (or proved

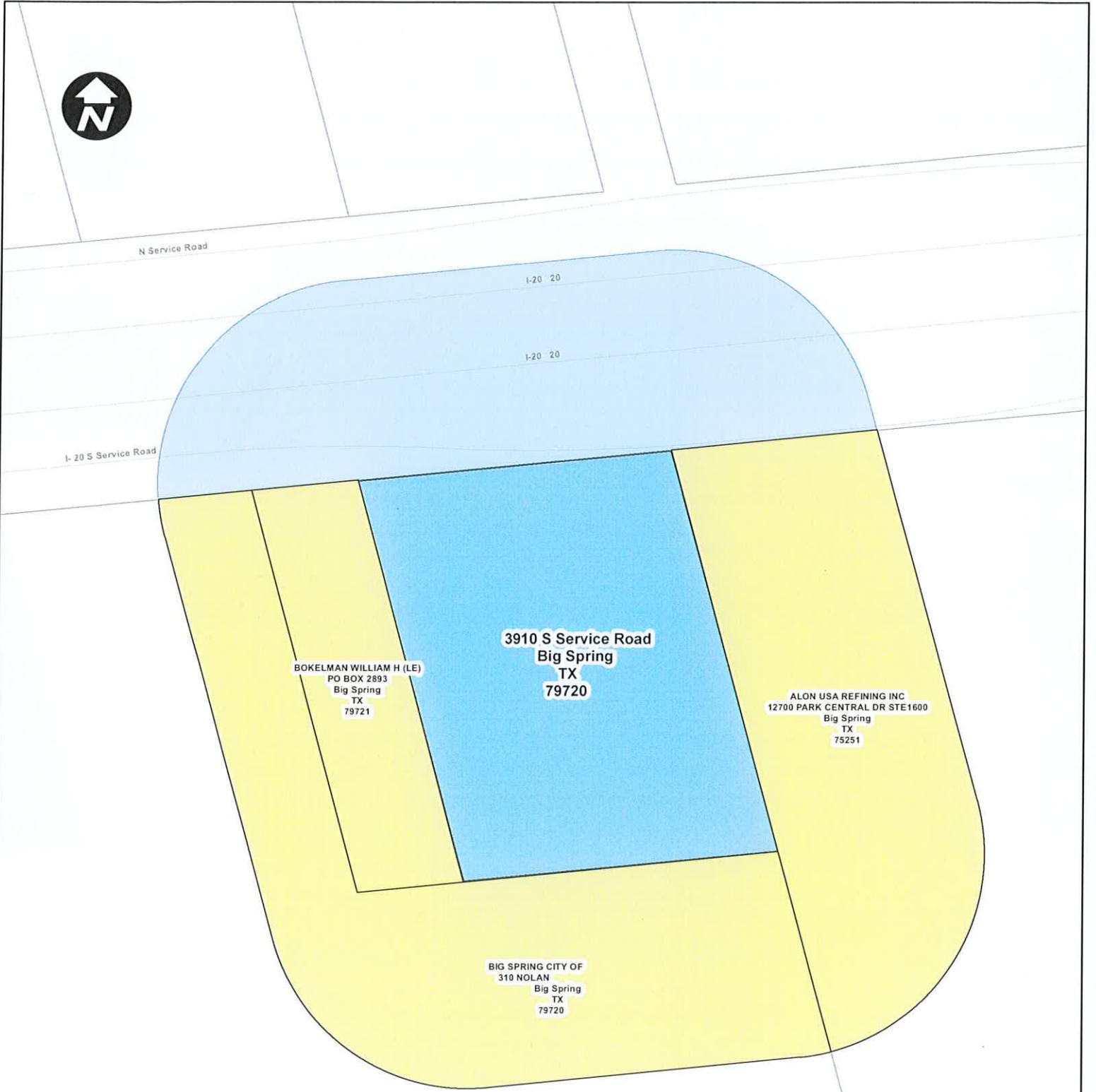


to me) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purpose therein contained.

Shani Campbell
Notary Public, State of Oklahoma

SHANI CAMPBELL
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES APR. 04, 2023
COMMISSION # 19003490

200 FT Buffer of 3910 S Service Road



Legend

- Affected Parcels
 - 3910 S Service Road Buffer
 - 3910 S Service Road
 - Howard County Parcels
- P&Z Agenda 05-03-2022