

The Planning and Zoning Commission of the City of Columbus, Texas met in regular session Tuesday, July 17, 2018 at 6:30 p.m.. in the Council Chambers of City Hall located at 605 Spring Street, Columbus, Texas. with the following present:

Chairperson	-	Tracy Lilie
Vice Chairperson	-	Henry Potter
Member	-	Judy Barrett
Member	-	Brenda Wilson
Member	-	Josh Werland
Member	-	Robin Garcia
Member	-	John Brown
City Manager	-	Donald Warschak
City Secretary	-	Bana Schneider

1. **Call to order.**

Tracy Lilie called the meeting to order at 6:31 p.m.

2. **Approval of Minutes from the March 20, 2018 Regular Meeting.**

Henry Potter made a motion to approve the minutes as presented. Josh Werland seconded the motion.

The vote was as follows:

Ayes: Barrett, Brown, Garcia, Lilie, Potter, Werland, and Wilson

The motion passed.

3. **Approval of Minutes from the May 1, 2018 Regular Meeting.**

Brenda Wilson made a motion to approve the minutes as presented. Josh Werland seconded the motion.

The vote was as follows:

Ayes: Barrett, Brown, Garcia, Lilie, Potter, Werland, and Wilson

The motion passed.

4. **Public Hearing to review as required in Sec. 14.02.732 (17)(F) of the City of Columbus Code of Ordinances, a request to allow a business to use a building or premises in District I (Crossroads Industrial Park) as an asphalt manufacturing plant.**

Lilie opened the public hearing at 6:34 p.m.

Curt Campbell, PE of Westward Environmental gave a presentation of the proposed Colorado Materials asphalt plant. A copy of the presentation is attached to these minutes. Campbell stated environmental, especially air quality, would not be an issue with this type of plant. He also said sound would not be a concern. Campbell gave an overview of the operation of this type of plant.

He gave a comparison of the proposed plant to the current tenant operations at the park. He also spoke about TCEQ guidelines, and the recycling of used products.

Citizen, Elizabeth Flint, asked if the product manufactured at this type of plant was the oil sometimes seen dripping from trucks during paving.

There was a discussion regarding the TCEQ violations Colorado Materials had received in the past. Flint asked Colorado Materials President, Johnny Weisman, how these violations were remedied. There has been a valid complaint regarding dust at Colorado Materials' Uvalde River Quarry. It was stressed how this violation was at a different type of facility than the one being proposed in Columbus. CCIDC Board Member, Larry Solansky, stated he had visited the asphalt plant in Nursery, Texas. He stated there were no visible emissions or dust. Campbell stated most of the TCEQ violations he deals with are related to record keeping.

The following citizens spoke in opposition of the variance to allow Colorado Materials to build and operate an asphalt manufacturing plant at the Crossroads Industrial Park:

Vince Leibowitz	Peggy Marion
Rob Parrish	Craig Schilling
Toni M. Burns	E.B. Flint
Robert Henneke	Chris Christensen
Paul Weido	

The concerns ranged from environmental spills, and noise and odors that may come from the plant. Vince Leibowitz spoke about the intent of the ordinance, and the variance that was being requested. Ms. Flint stated she did not believe the citizens who voted to approve the 4-B tax increase were expecting this type of business in the park. Mr. Schilling voiced his concerns about the environmental threats. He stated the approval of this variance would set the wrong precedence, and may inhibit the recruitment of other tenants to the park in the future.

Bruce Tesch, President of the CCIDC Board, and board member, Lori An Gobert spoke to the commission in support of the variance for Colorado Materials. They stated the board had unanimously voted to allow the business into the industrial park. Tesch also stated Colorado Materials had been approved for a TCEQ permit at the site. He also pointed out the company has an alternate site adjacent to the City if the variance was not approved. Gobert stressed the economic advantages of having the plant located within the City limits.

Former CCIDC board member, Curtiss Schonenberg, spoke in favor of approving the variance. He stated there will be a definite demand for this product with the Interstate 10 expansion. He stated Colorado Materials is a quality company, and they were willing to help solve some of the drainage issues the industrial park is currently experiencing.

City Manager, Donald Warschak, showed the commission the acreage in the Industrial Park where Colorado Materials would like to locate. Tesch commented the location for them was ideal because of the rail access.

Mr. Solansky stated right now we are breathing South African effluents, and everything we do causes pollution. Solansky also stated this company is being monitored. If there would happen to be any spills, they could be remediated before they reached the river a half mile away. He asked the commission to vote in favor of the variance.

The public hearing was closed at 7:35 p.m.

5. **Consideration and Action to prepare a recommendation and report for City Council regarding a request to allow a building or premises in District I (Crossroads Industrial Park) to be used as an asphalt manufacturing plant, as required in Sec. 14.02.732(17)(F) of the City of Columbus Code of Ordinances.**

Henry Potter stated there are many unanswered questions. He would like to know the projected tax revenue the City might expect, and the opinions of the other park tenants. Potter would like to hear from citizens near existing Colorado Materials plants. He stated he would rather have the plant within the City instead of it being adjacent. He believes this item should be tabled for further information.

Brenda Wilson asked if this would be a 24 hour a day operation. Weisman stated only if required for customer needs. Additionally, he stated night time paving is dangerous work. Wilson asked how often the air quality would be checked. Campbell stated the stacks are tested annually.

Wilson asked if they have any other plants located near major highways. Weisman stated they have a plant along Interstate 35 outside of San Marcos. Wilson asked how long that plant had been in operation. Weisman stated that particular plant has been in operation a little over a year, but the company has been in operation for 35 years.

Josh Werland asked if TCEQ did the testing. Campbell stated there are visual emissions testing every 6 months, typically after there has been a complaint. Werland asked if TCEQ's main concern was air quality. Campbell stated yes, and he highlighted the TCEQ procedures for testing. Werland asked Tesch if there was a concern about enticing future tenants if this business came to the park. Tesch stated the board had discussed this, and they felt it would not hamper drawing other companies. Gobert explained the process a company goes through in order to come to the park.

Lilie asked how TCEQ monitors water quality. Campbell explained the procedure for water testing concentrating on storm water run-off.

Robin Garcia asked about night time lighting at the facility, and about the safety of the operations. Weisman stated it is very rare to have overnight operations. Weisman did not give the exact number of lights that would be located at the plant.

Judy Barrett asked how strong the asphalt odor might be or if would be contained. Campbell stated the newer plants have different operations and are not comparable to older asphalt plants. Campbell also stated the odors from a new plant typically are not overbearing, and you have to be right at the equipment to smell the odors.

John Brown stated this plant does affect the quality of life in the area, but the growth of the City and potential revenue would be good. He said this would be a tough decision.

Potter asked if the variance was approved, when the plant would be operational. Weisman answered in early 2019.

Christensen asked if the variance was approved, could the commission restrict the plant operations to daytime only. City Secretary, Bana Schneider, stated the commission only makes a recommendation to Council, and that would be a restriction Council would have to decide upon.

Wilson asked Tesch if any other business were interested in land at the park at this time. Tesch stated they had been working with another company for over seven years, but that company never fulfilled their contract. Additionally, Tesch stated they were prepared to give this company the land and tax abatement, and Colorado Materials was not seeking any of those incentives.

Warschak stated, from an engineering stand point, if the plant is engineered properly and operated properly there is no reason why they would not be a good neighbor in Columbus.

There was discussion regarding the sound and noise that might be emitted from the plant.

Lilie asked the commission members if they were prepared to make a recommendation to Council tonight, or if they would prefer to gather more information before making their recommendation.

Henry Potter made a motion to table the report and recommendation until further information could be gathered. John Brown seconded the motion.

The vote was as follows:

Ayes: Barrett, Brown, Garcia, Lilie, Potter, and Wilson

Nay: Werland

The motion passed.

6. **Zoning Change, E Tumlinson Survey, Abstract No. 44**

- a. **Public Hearing to request zoning change for 3.700 acres of newly annexed land in the E Tumlinson Survey, Abstract No. 44, from Temporary District R, Single Family or Two-Family Residential to Permanent District R, Single Family or Two-Family Residential.**

Lilie opened the public hearing at 8:13 p.m.

There were no public comments.

The public hearing was closed at 8:13 p.m.

- b. **Consideration, Deliberation, and Action Necessary to prepare a recommendation and report for City Council Regarding a Zoning Change for 3.700 acres of newly annexed land in the E Tumlinson Survey, Abstract No. 44, from Temporary District R, Single Family or Two-Family Residential to Permanent District R, Single Family or Two-Family Residential.**

Warschak gave a brief history of the property. He stated it had been recently annexed into the City, and all of the adjacent properties are zoned District R. A permanent designation is required by City Code.

Robin Garcia made a motion to recommend to City Council a designation of Permanent District R for the subject property. Henry Potter seconded the motion.

The vote was as follows:

Ayes: Barrett, Brown, Garcia, Lilie, Potter, Werland, and Wilson

The motion passed.

7. **Consideration and Action regarding changes to the Manufactured Home Ordinance.**

Warschak stated the question of newly annexed property should allow manufactured homes. He pointed out the suggestions from the City Attorney to address this situation. Warschak indicated the attorney's suggestion number 4, would not be eligible since the City could not mandate in the ETJ.

Christensen addressed the commission regarding the manufactured home ordinance as a whole. He stated there are too many holes in the ordinance, and those should be addressed as well.

Code Enforcement officer, Richard LaCourse, addressed the issues Christensen questioned, and explained how properties are grandfathered.

Brenda Wilson made a motion to table this item until a later date. Judy Barrett seconded the motion

The vote was as follows:

Ayes: Barrett, Brown, Garcia, Lilie, Potter, Werland, and Wilson

The motion passed.

8. **Adjournment.**

There was discussion regarding dates for the next meeting.

Lilie adjourned the meeting at 8:20 p.m.

  
Tracy Lilie, Chairperson

**ATTEST:**

  
Bana Schneider, City Secretary