

## **Draft Minutes for the January 9, 2018 Planning Commission Regular Meeting**

**PZ-17-053: Public hearing and recommendation to City Council regarding a request for rezoning to apply a Special Use Permit to allow the bulk storage of up to 36,000 gallons of fuel in aboveground tanks on approximately 3.6 acres out of the J.M. Veramendi Survey 1, Abstract 2, addressed at 1290 River Road.**

(Applicant: RRND Entertainment; Case Manager: M. Simmont)

Mr. Simmont presented the Staff report and recommended approval of the Type 2 Special Use Permit request for bulk storage of up to 36,000 gallons of fuel in aboveground tanks as the tanks will be visually screened within a structure and it is consistent with the Future Land Use Plan designation of Commercial, and several goals and objectives of the Comprehensive Plan.

Commissioner Laskowski inquired how far the wall of the fuel containment area would be from the property line.

Mr. Simmont responded that the applicant was present and could answer that question.

Vice Chair Edwards asked if anyone wished to speak in favor.

Commissioner Sonier left the dais at 7:03 pm.

Mickey Stratton, a representative with RRND Entertainment, wished to speak in favor.

Bob Vesin, a representative with Petroleum Solutions, wished to speak in favor.

David Watson, a representative with Watco Tanks, wished to speak in favor.

Mr. Stratton stated the containment area is for dispensing fuel. He explained the tanks have separate fuel containment.

Mr. Vesin described the fuel tanks, and the safety requirements for the above ground tanks.

Vice Chair Edwards asked if anyone wished to speak in opposition.

Rodney Fischer, 409 Acorn Cove, owner of the convenience store and fueling station across the street, wished to speak.

Commissioner Sonier returned to the dais at 7:09 pm.

Mr. Fischer explained his experiences with the fueling station industry in New Braunfels. He expressed his concerns about the subject property's adjacency to the floodplain. He inquired if the operators for the business had any previous experience with above ground fuel tanks. He expressed concerns regarding the distance the fire hoses would need to be extended to reach the fuel tanks, the number of trees to be removed to develop the property and the precedent that would be set for future above ground fuel tank requests if this request were granted.

Dean Word, 220 Lakeview Boulevard, wished to speak. He described his previous experience with above ground fuel tanks, and explained his concerns about the hazards they can pose to the Edwards Aquifer. He expressed his concerns about the impact to water wells in the surrounding area. He inquired if a Traffic Impact Analysis had been done on the intersection of River Road and Loop 337. He expressed concerns about the potential for the Loop 337 widening to potentially bring traffic closer to the above ground fuel tanks. He expressed concerns about increasing land prices.

Thor Thornhill, 410 N. Seguin, wished to speak in opposition. He stated previous requests for similar Special Use Permits had been denied. He expressed his concerns regarding safety and the precedent that

would be set for future above ground fuel tank requests if this request were granted. He expressed his belief that the surrounding residents would be in opposition.

Motion by Commissioner Hoyt, seconded by Commissioner Laskowski, to close the public hearing. The motion carried (8-0-0).

Motion by Commissioner Laskowski, seconded by Commissioner Nolte, to recommend denial to City Council regarding the request for rezoning to apply a Special Use Permit to allow the bulk storage of up to 36,000 gallons of fuel in aboveground tanks on approximately 3.6 acres out of the J.M. Veramendi Survey 1, Abstract 2, addressed at 1290 River Road. Motion carried (8-0-0).

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