

Minutes for the Planning & Zoning Commission

333 West McLeroy Boulevard, Saginaw, Texas 76179

June 10, 2025, 6:16 PM - June 10, 2025, 7:39 PM

Present at the Meeting:

- Vice-Chairman, No. 2, Benjamin Guttery
- Member, Place No. 3, Philip Allen
- Member, Place No. 4, Malinda Julien
- Planning Tech, Maria Hernandez
- Assist. Director of Economic Development/Recording Secretary, Susana Victor
- PW Admin. Coordinator/Luisa Pina
- Deputy Building Official, Chris Dyer
- City Attorney, Bessie Bronstein

Absent at the Meeting:

- Member, Place No. 1, David Kraus
- Chairman, Place No. 5, Jason LaBruyere
- Member, First Alternate, Vivian Anderson
- Member, Second Alternate, Val Visas

Visitors at the Meeting:

- Aaron Tapper
- Nancy Young
- January Tsai

1. Call to Order

1.A. Roll Call to Establish Quorum

Vice-Chairman Guttery called the meeting to order at 6:16 P.M. The quorum will consist of Vice-Chairman Guttery, and Members Allen and Julien.

1.B. Audience Participation

Vice-Chairman Guttery explained the protocol for audience participation.

1.C. Consideration and Action Regarding Approval of Minutes

The minutes of the Regular Called Meeting on April 8, 2025, were presented for approval. A motion was made by Member Julien to approve the minutes as presented with a second by Member Allen. Motion carried unanimously.

2. Public Hearings

2.A. Consideration and Action Regarding a Request for a Specific Use Permit to Allow a Massage Therapy Establishment at 730 S. Saginaw Blvd

Luisa Pina, Public Works Administrative Coordinator, briefed the Commission on a request for a Specific Use Permit to allow a massage therapy establishment at 730 S. Saginaw Boulevard. She provided an overview of the packet, which included the redacted application, published notices, site plans, and reference photos of the proposed business.

Vice-Chairman Guttery opened the Public Hearing at 6:18 P.M.

The applicant, Yuxia Zhang, along with her interpreter, January Tsai, addressed the Commission. Through her interpreter, Ms. Zhang stated that the proposed establishment would focus on therapeutic massage treatments, specifically targeting the back and neck areas, and noted that she has 16 years of experience in the industry. Vice-Chairman Guttery asked whether the business would receive clients through medical referrals or operate on a walk-in and appointment basis. The applicant stated that the focus would be on therapeutic and maintenance services. Initially, she would be the sole provider, with plans to hire additional therapists in the future as the floor plan includes a couple's massage room. Ms. Zhang clarified that there were no plans to expand services beyond massage therapy. Member Allen asked whether Ms. Zhang had owned a massage therapy establishment before and about the intended hours of operation. She explained that she had previously owned a massage therapy business in Korea and has continued working in the industry in the United States. The proposed hours of operation are 10:00 a.m. to 8:30 p.m., Monday through Saturday, and 11:00 a.m. to 7:00 p.m. on Sundays. City Attorney Bessie Bronstein requested clarification on one of the responses in the application regarding whether the benefits of the proposed use would outweigh any potential loss or damage to the city. The applicant had initially answered "No," but after further explanation and interpretation, corrected the response to "Yes," confirming that she believes the establishment would benefit the city by providing valuable therapeutic services.

Vice-Chairman Guttery also inquired about signage regulations. Attorney Bronstein clarified that the City's restrictions on signage are limited to prohibiting obscene content.

The following reply form was presented to be on the record:

- Charlotte Hill, in opposition to the item stated, "Right behind my back fence!".

Audience participation consisted of the following individuals:

- Aaron Tapper
- Nancy Young
- January Tsai

Aaron Tapper addressed the Commission first, stating that he was in favor of the request. He explained that he is the leasing agent for the property and assured the Commission that the property management company would not allow any business that could be detrimental to their property. He further noted that the applicant is a licensed massage therapist. Nancy Young expressed concern regarding the nature of the services to be provided, noting that the term "massage" often raises questions about the type of clientele an establishment might attract. City Attorney Bronstein addressed the concern, explaining that the City has authority under Chapter 54 of

the Texas Local Government Code to work with the District Attorney's Office to prosecute any illicit activity should it occur. She also noted that the massage therapy industry is now subject to stricter regulations through the Texas Department of Licensing and Regulation, which has comprehensive guidelines for obtaining and maintaining licensure.

The applicant addressed the Commission one final time, reaffirming her qualifications. She emphasized her 16 years of professional experience in massage therapy, noting that she has received positive feedback from past customers who credit her with helping relieve chronic neck and back pain, among other issues. She also confirmed that she is currently licensed to practice massage therapy in the State of Texas.

Vice-Chairman Guttery closed the Public Hearing at 6:47 P.M.

A motion was made by Member Julien with a second by Member Allen to recommend approval to the City Council for a request of a specific use permit to allow a massage therapy establishment on the property located at 730 S. Saginaw Boulevard. Motion carried unanimously.

2.B. Consideration and Action Regarding an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding the Regulation of Carports

Asst. Director Victor introduced the item and provided background information to the Commission. She stated that in 2022, carport permits were transitioned to a new process which required a specific use permit to be obtained in addition to a carport permit. She explained that the purpose of this new process was to help regulate carport aesthetics while expanding eligibility to residents beyond the original carport overlay district to apply if desired, which previously was the only area permitted to apply for a carport. Since implementation, a variety of implications have been observed and challenged by residents and staff which have led staff to propose an amendment to the carport permitting process.

Mrs. Victor explained that the proposal before the Commission recommends the withdraw of requiring a specific use permit for residentially zoned properties and returning the carport permitting process to the jurisdiction of the Building Division. Additionally, the proposed amendment outlines clearer construction standards for carport permits, as previous language was more ambiguous.

She stated that the reason the item was being presented for modification was that they have received many ill sentiments from residents about the extraneous process as well as having their team also experience some challenges implementing the process. Specifically, since 2022 the Planning and Zoning Division and Building Division have received several inquiries regarding carports but have only received a hand-full of applications. Staff has found that the reasoning behind this was due to the fact that many of the inquiries were appalled at the extraneous process to obtain a carport permit that many times residents implied that they would build their structures without going through the city or they did not think it was worth it. Additionally, several residents have shared their concern with have two separate fees associated with each application. On top of the city fees, residents have to hire their contractor to attend their corresponding public hearings and apply for the carport permit through two separate entities which leads to additional fees on their end. From

the City's perspective, the carport fee for the specific use permit is not enough to cover notices, staff time, and other elements of the specific use permit process. The \$375 SUP fee, for example, does not fully cover the cost of the required newspaper notice, which averages \$415 depending on length and publication date. Furthermore, it does not account for engineering services for obtaining a 200 ft. radius, mail outs for property owners, nor staff time for producing the various required items for an SUP. Staff believes that modifying requirements may alleviate some of the frustration from residents and the financial losses of the process. Mrs. Victor opened the floor for any questions the Commission had. City Attorney Bronstein further explained the proposal of the item.

Vice-Chairman Guttery opened the public hearing at 6:54 P.M. There was no audience participation. Vice-Chairman Guttery closed the public hearing at 6:54 P.M.

The Commission had several questions regarding the proposed changes and City Attorney Bronstein, Asst. Director Victor, and Deputy Building Official Dyer answered their questions. Some the questions the members had were regarding applications specifics, previous carport overlay district, and consistency with aesthetics, the procedural voting process.

Vice-Chairman Guttery inquired about why the carport overlay district was only in a set geographical area and the history behind it. Mr. Dyer explained that although he was not present at the time of its adoption, he believed it was related to the transition from country roads to city streets in combination with the increasing prevalence of newer homes having attached garages.

Vice-Chairman Guttery and Member Allen inquired about the procedural voting process regarding their recommendation. Mrs. Bronstein stated that if the Commission were to recommend approval of the item, then City Council will only need a majority to approve it. Conversely, if the Commission recommended denial, the City Council would need a supermajority vote to override the denial.

Overall the Commission was divided on their stance on this item. Member Julien shared that she was confident that the Building Division would be able to ensure that all carports would maintain the integrity of an adequate build out having experienced their inspection process herself. She stated that staff was very capable of ensuring that all requirements are met to the city's standards. Vice-Chairman Guttery acknowledged that while the permitting process was not the most efficient and he understood why applicants believed it to be extraneous, he also believed that language of the carport requirements needed to be stronger and more defined to prevent a carport from not blending in within its enclave. Member Allen was also concerned that removing the SUP requirement would allow some permits from not having the additional element of review from the Planning and Zoning Commission and City Council opening up the possibility of non-aesthetically compatible carports. Both Vice-Chairman Guttery and Member Allen believed that the language needed stronger and more defined language.

Member Julien made a motion to recommend approval of amending the Zoning Ordinance regarding the regulation of carports as presented, receiving no second. Motion failed. After further discussion regarding motion requirements and options, Vice-Chairman Guttery made a motion to make a recommendation to the City Council to deny amending the Zoning Ordinance regarding the

regulation of carports as presented with a second from Member Allen. Motion passed 2-1 with Member Julien opposed.

3. Business

4. Staff Report

4.A. Project Updates for May 2025

Planning Manager, Susy Victor-Trevino presented updates on city improvement projects for the month of May.

5. Executive Session

Item bypassed.

6. Adjournment

A motion was made by Vice-Chairman Guttery with a second by Member Julien to adjourn the meeting. Motion carried unanimously.

Vice-Chairman Guttery declared the meeting of June 10, 2025, closed at 7:39 P.M.

APPROVED:

Chairman

ATTEST:

Susy Victor-Trevino,
Assist. Director of Economic Development/Recording Secretary