

STAFF REPORT



Meeting: May 18, 2015

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Planner: Santiago Abasolo, AICP
Senior Planner

Request: A request for approval of a Replat and two Variances: (1) a variance from Chapter 10, Section III.A.2 of the Subdivision Ordinance to allow for a pavement width of 33 feet in lieu of 50 feet for Travis Street, classified as a Collector Street, and (2) a variance from Chapter 10, Section III.A.2 to allow for a right-of-way of 50 feet in lieu of 60 feet for Travis Street, classified as a Collector Street

Location: A tract of land generally located 160 feet north of the intersection of Travis Street and 42nd Street.

Legal Description: Being 0.341 acres comprised of Block 1 Lot 8, Block, Jacoby Addition as per Plat of Record in Volume 4, Page 347, Plat Records of Tom Green County, Texas and that tract described in Instrument No. 201414710, Official Public Records, Tom Green Count, Texas

Size: 0.341 acres

General Information

Future Land Use: Neighborhood
Zoning: Single Family Residential (RS-1)
Existing Land Use: Residential
Surrounding Zoning / Land Use:

North:	Single-Family Residential (RS-1)	Single family dwellings
West:	Single-Family Residential (RS-1)	Single family dwellings, vacant land
South:	Single-Family Residential (RS-1)	Single family dwellings
East:	Single-Family Residential (RS-1)	Vacant land

District: CMD#2 – Marty Self

Neighborhood: Lake View

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), Travis Street is identified as a Collector Street. Collector Streets provide access to residential neighborhoods, commercial and industrial areas, distributing trips from the arterials through the area to the ultimate destination. The MTP requires Travis Street to have a minimum paving width of 50 feet and a minimum right-of-way width of 60 feet.

Recommendation:

The Planning Division recommends **APPROVAL** of this Replat request **subject to the two (2) Conditions of Approval** listed below and **APPROVAL** of the two (2) Variance requests.

Background:

An application for a Replat was submitted to the Planning Division April 6, 2015. It is the applicant's intent to Replat two existing tracts. Utility improvements and extensions are proposed to be provided. The applicant is requesting a variance to allow for a pavement width of 33 feet in lieu of 50 feet for Travis Street. The applicant is required to improve his portion (half) of Travis Street to the required 50 feet, or an extra 8.5 feet. The applicant is also requesting a variance to allow for right-of-way of 50 feet in lieu of 60 feet for Travis Street. The applicant is required to dedicate his portion (half) of Travis Street to the required 60 feet, or an extra five feet.

Analysis:

SECTION IV of the Land Development and Subdivision Ordinance requires that the Planning Commission consider, at minimum, four (4) factors in determining the appropriateness of any subdivision request variance.

1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.

The applicant has indicated that existing roadway width is sufficient. Based on the use of the surrounding properties, the required width compared to the existing width, location of the lot on the street, and the proposed use, granting a variance does not appear to be detrimental to the public safety, health or welfare, or be injurious to other property. The current width appears to be sufficient for emergency vehicles and the traffic loads of this single family residential area. The widening along one lot of an entire stretch of roadway would cause confusion of the traffic flow through the area since there are no immediate plans to widen the entire roadway.

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

The applicant has indicated that all other properties are developed and have been constructed in similar fashions. The paving width requirements that would apply to the subject property are unique to the property as it does not seem that other properties in this residential neighborhood have been subject to similar requirements. Furthermore, the Engineering Services and Stormwater Division supports the Variance request due to the location of the lot on the street, the use of the surrounding properties, and the existing width of the right-of-way.

3. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The applicant has stated that he believes the required additional paving width will impede drainage and traffic flow. Based on feedback from the Engineering Services and Stormwater Divisions, hardship on the lot owner may result if a Variance is not granted. If the streets curbing is required to be moved in order for the street to be widened and paved, the subject property will be affected by a street pavement with a different configuration and width than the properties facing Travis Street.

4. **The variance will not, in any significant way, vary the provisions of applicable ordinances.**

The applicant has indicated the constructed roadway width is sufficient for future development. Other than the requested Variances of paving width and required right-of-way, all other ordinances must be applied to the property to comply with all applicable City of San Angelo requirements.

Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there are no delinquent taxes on the subject property of this subdivision.
2. Submit a revised plat, on which is illustrated the adjacent alley to the south, along with any drainage easement(s) which may exist.

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the First Replat in Block 45 Lake View Addition subject to two (2) Conditions of Approval and **APPROVE** two variances: a variance from Chapter 10, Section III.A.2 of the Subdivision Ordinance to allow for a pavement width of 33 feet in lieu of 50 feet for Travis Street and a variance from Chapter 10, Section III.A.2 of the Subdivision Ordinance to allow for a right-of-way of 50 feet in lieu of 60 feet for Travis Street.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Plan
Notification Map
Plat
Application



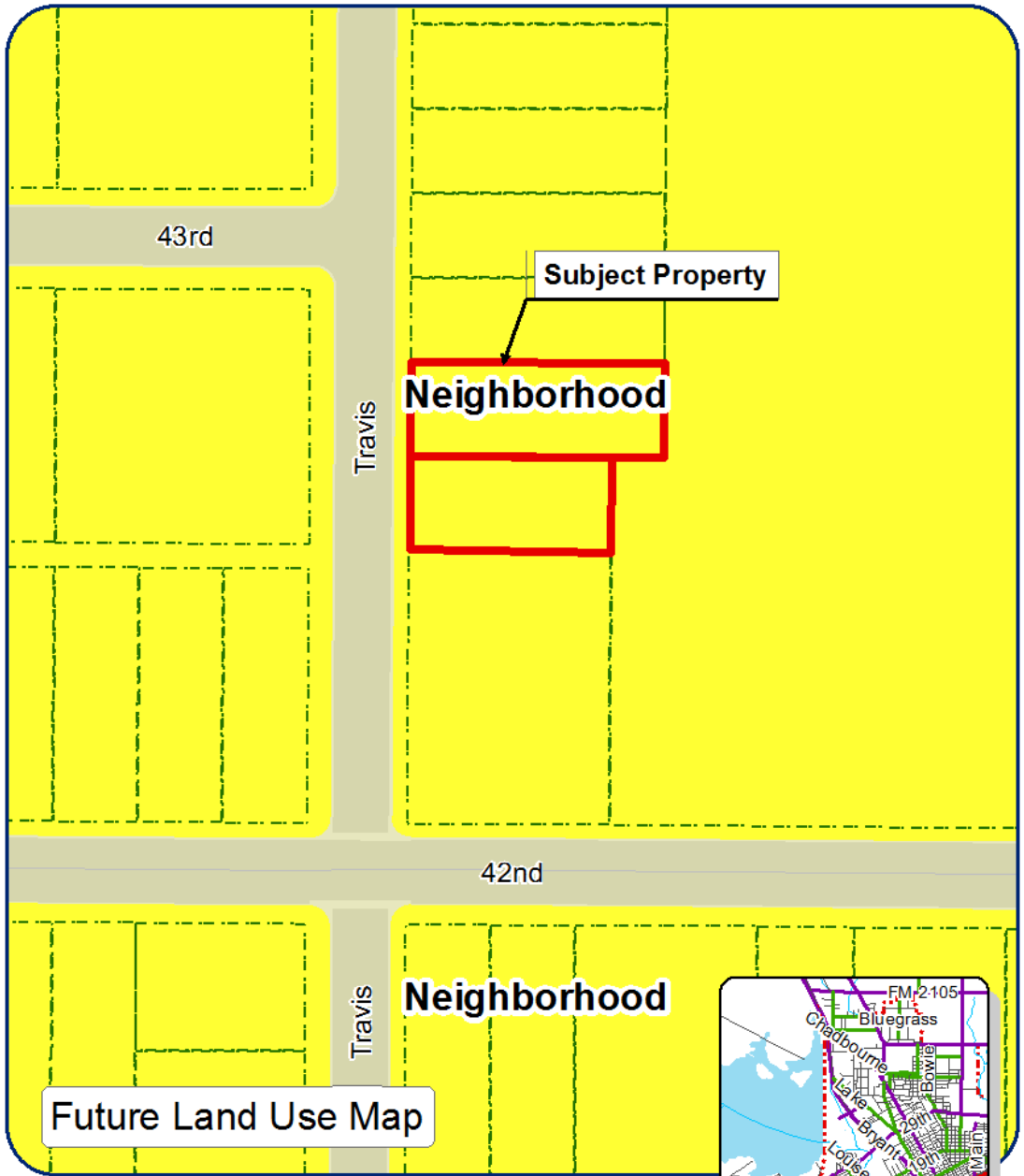
Subdivision Case File

First Replat Lakeview Addition Block 45
 Council District: Marty Self
 Neighborhood: Lake View
 Scale: 1 in approx. = 75 ft
 Subject Property: 0.341 acres located east of Travis Street and North of 42nd Street

Legend

Subject Properties: —
 Current Zoning: RS-1
 Requested Zoning Change:
 Vision: Neighborhood



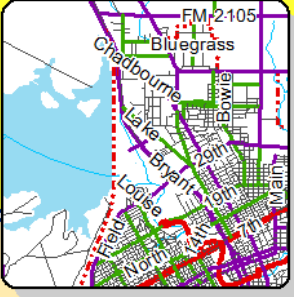


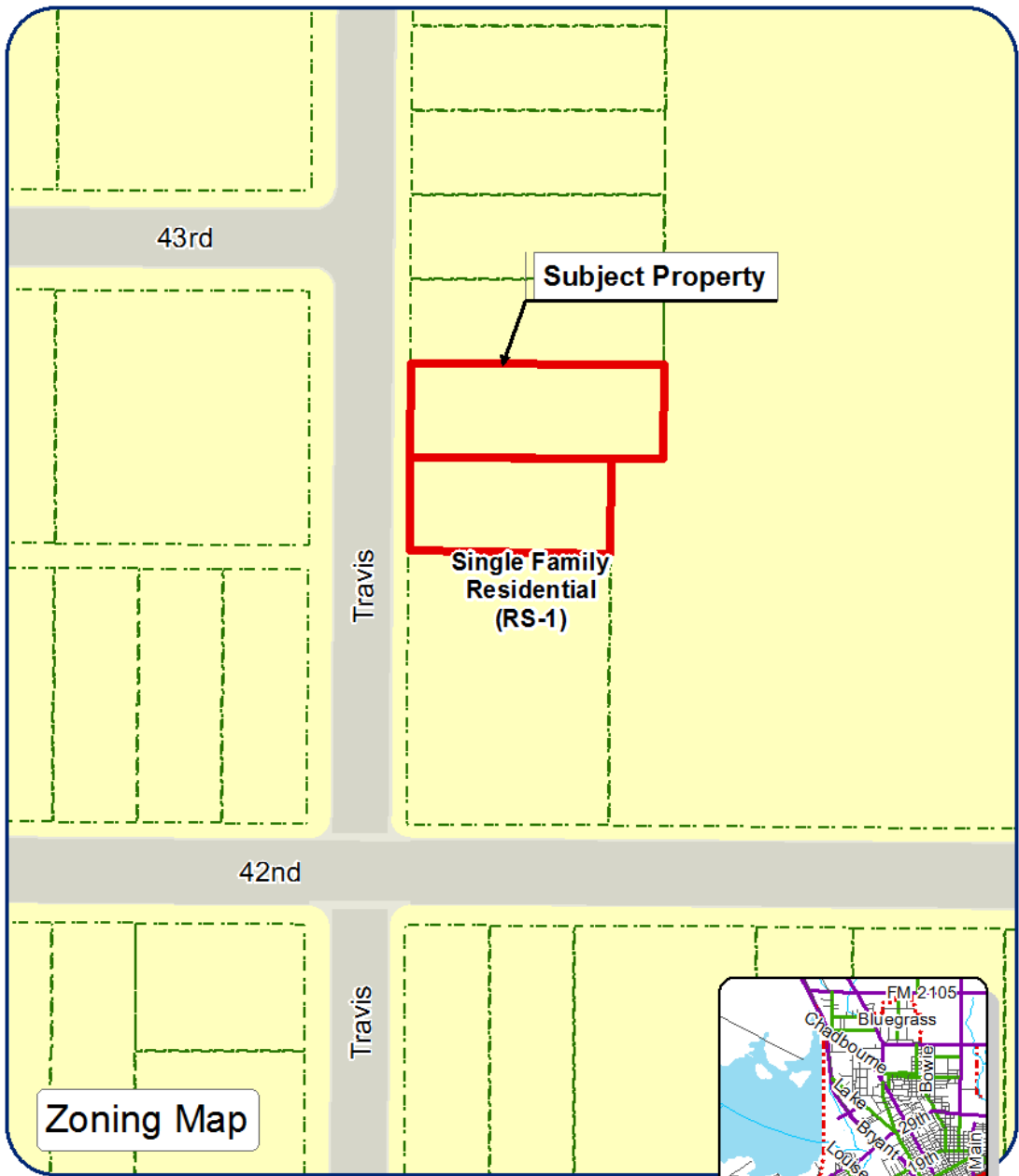
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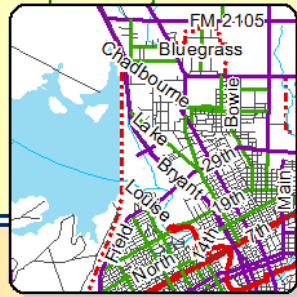


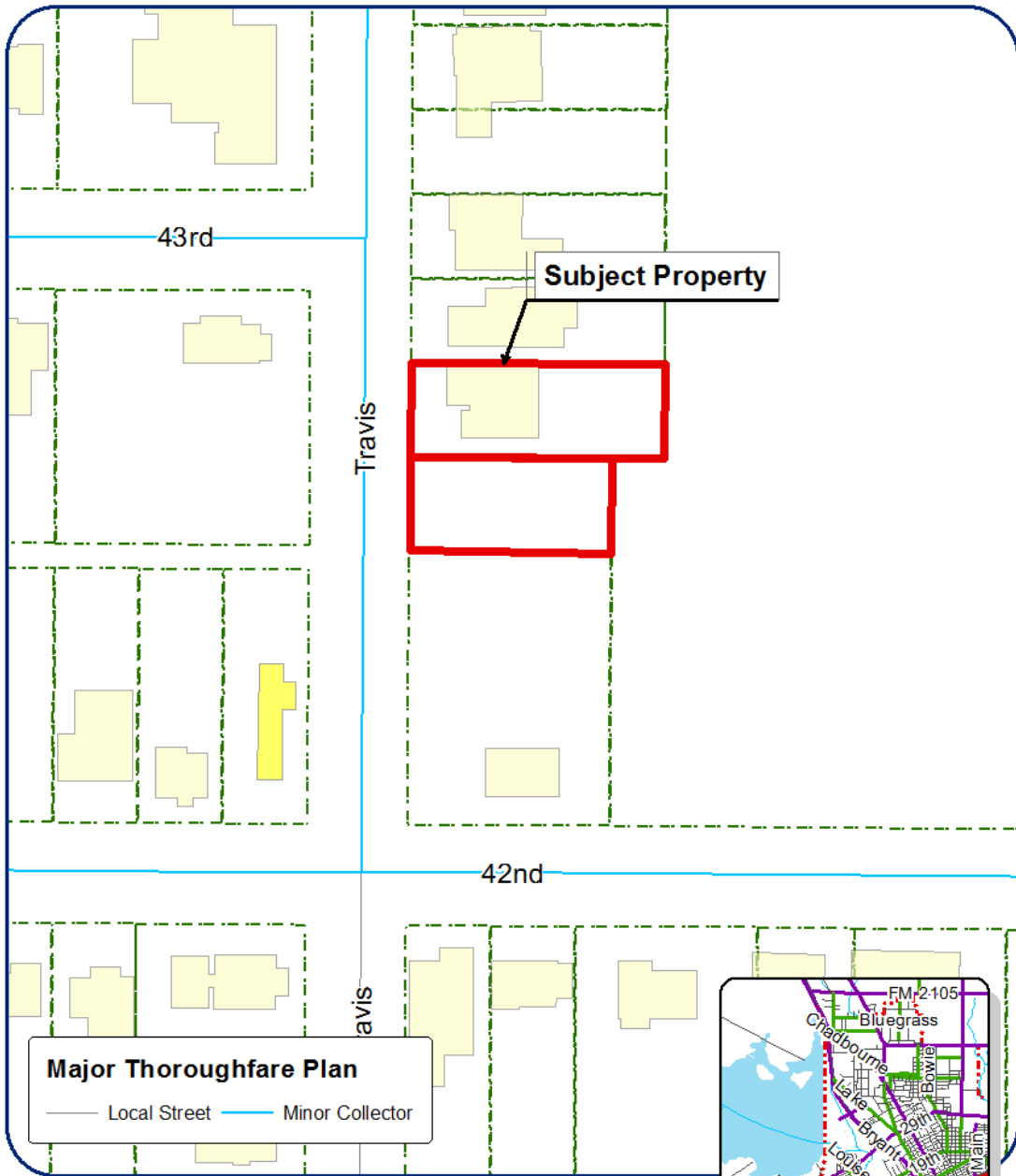
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- Current Zoning: RS-1
- Requested Zoning Change: Neighborhood
- Vision: Neighborhood

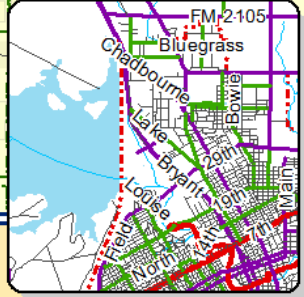
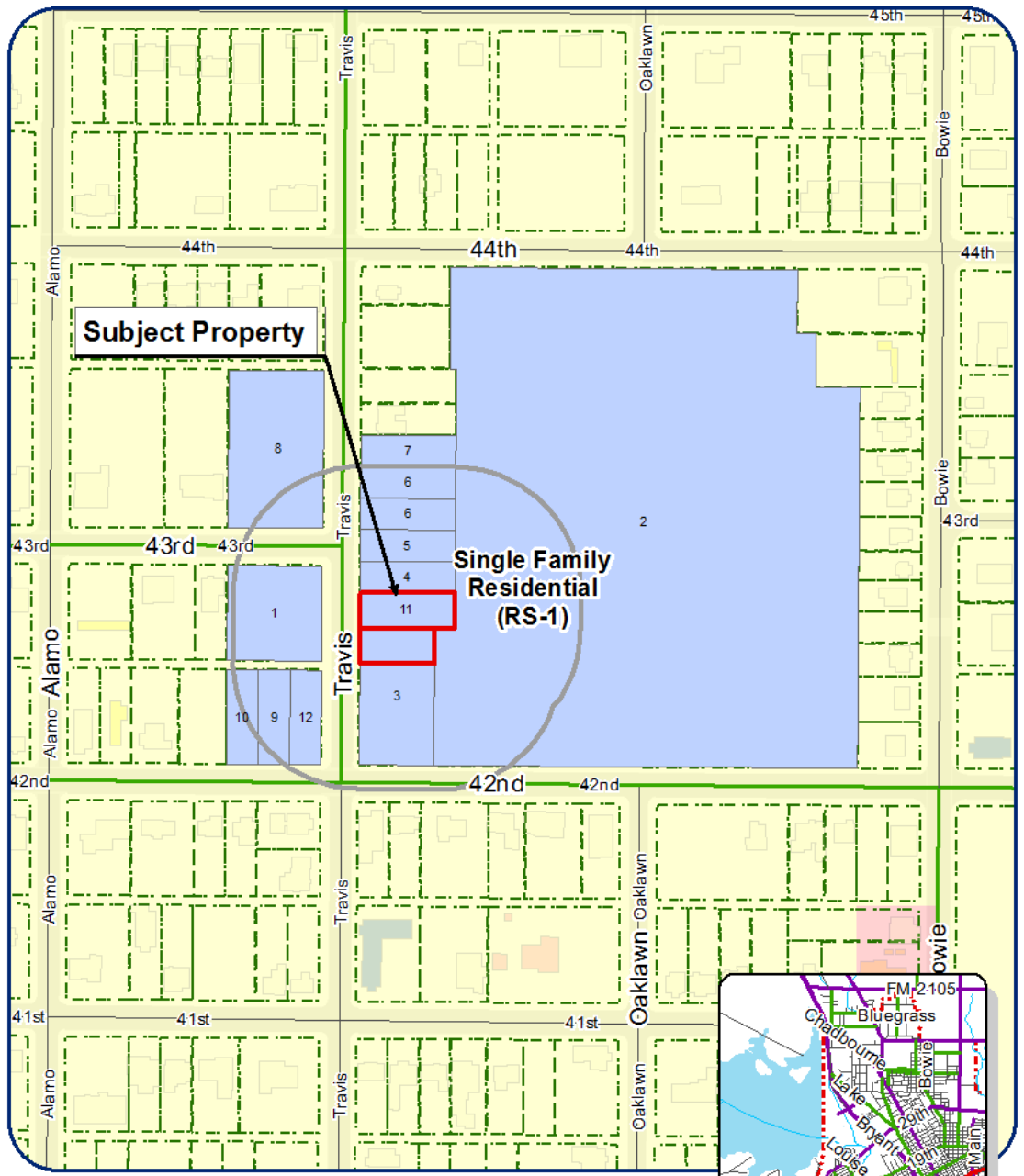




Subdivision Case File
 First Replat Lakeview Addition Block 45
 Council District: Marty Self
 Neighborhood: Lake View
 Scale: 1 in approx. = 75 ft
 Subject Property: 0.341 acres located east of Travis Street and North of 42nd Street

Legend
 Subject Properties:
 Current Zoning: RS-1
 Requested Zoning Change:
 Vision: Neighborhood

N



Subdivision Case File

Lake View Towne Center Section 1
 Council District: Don Vardeman
 Neighborhood: Blackshear
 Scale: 1 in approx = 200 ft
 Subject Property: East of Bryant Boulevard and South of W. 29th Street 17.712 acres

Legend

Subject Properties:
 Current Zoning: CG, CG/CH
 Requested Zoning Change: Neighborhood Center
Commercial





SCALE: 1" = 30'

GRAPHIC SCALE - FEET
NOTE: Bearing shown herein are based on the Texas Coordinate System - Central Zone. Distances shown are surface horizontal.

LEGEND:

- Found 3" Iron Pipe or Flat Iron Reinforcement
- Not Found with Cap

PLANNING COMMISSION

Approved for recording this city of _____ City Planning Commission of San Angelo, Texas.

By: _____
Chairman

By: _____
Secretary

DEPARTMENT OF WATER UTILITIES

Approved for recording this city of _____ day of _____ 20__

By: _____
Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS

Approved for recording this city of _____ day of _____ 20__

By: _____
Director of Public Works

COUNTY CLERK

Filed for record this city of _____ day of _____ 20__

County Clerk of Tom Green Co., TX.

By: _____

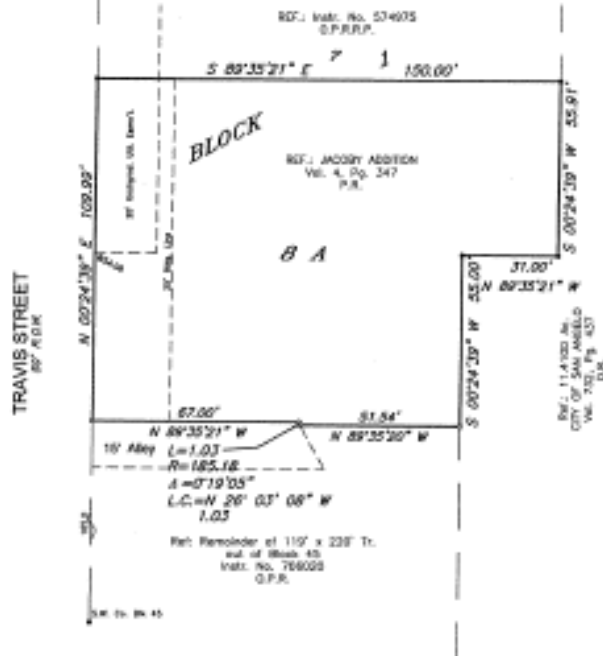
STATE OF TEXAS

COUNTY OF TOM GREEN

This instrument was acknowledged before me on _____ day of _____ 20__

by **ESLIE W. CARLIS**.

Notary Public, State of Texas



Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

FIRST REPLAT IN BLOCK 45 LAKEVIEW ADDITION

City of San Angelo, Tom Green County, Texas.

OWNER: **ESLIE W. CARLIS**

DESCRIPTION: - Being 0.341 acres of land comprised of Lot 5, Block 1, Jacoby Addition as per Plat of Record in Volume 4, Page 347, Plat Records of Tom Green County, Texas and that tract described in Instrument No. 201414710, Official Public Records, Tom Green County, Texas.

ACKNOWLEDGEMENT/EDUCATION

I, **ESLIE W. CARLIS**, do hereby adopt this plat as the subdivision of my property.

Esle W. Carlis
Owner

SURVEYOR'S CERTIFICATE

Know all men by these presents that I, **ESLIE W. CARLIS**, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown herein were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo, and I further certify that the tract of land herein plotted lies within the city limits of the City of San Angelo, Texas.

14-5-1890

This Plat is Filed in Exhibit _____, Book _____ Plat Records of Tom Green County, Texas.

SKG ENGINEERING, L.L.C.
SURVEYING • ENVIRONMENTAL • LANDSCAPE

100 SOUTH LAKE STREET
SAN ANGELO, TEXAS 76901
PHONE: 325.455.1398
FAX: 325.455.4398
www.skg.com

-City of San Angelo, Texas
Planning Division

REVISED Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: FIRST REPLAT IN BLK. 45 LAKEVIEW ADDN.

Location: EAST OF TRAVIS ST., NORTH OF 42ND ST.

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: EDDIE CARLISLE

E-mail Address: _____

Mailing Address: 4218 TRAVIS ST.

Telephone: 227-⁰⁵⁴⁷1890

City/State/Zip: SAN ANGELO, TX 76903

Total Acreage: ³⁴¹0.150

Existing Land Use: VACANT

Proposed Land Use: COMMERCIAL

Existing Structures on Property: NO SEE ATTACHMENT

Number of Residential Lots: 1 Single-Family Two-Family Townhouse
 Zero Lot Line Other

Acres of: Multi-Family 0.150 Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): INST. NO. 201414710 OR

Are any off-site drainage, access or other easements necessary for this subdivision? Yes No

If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If "yes", answer the questions below:

1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.

Explanation: EXISTING ROADWAY IS SUFFICIENT

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

Explanation: ALL OTHERS PROPERTIES DEVELOPED

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

Explanation: IMPEDE DRAINAGE & TRAFFIC FLOW

4. The variance will not, in any significant way, vary the provisions of applicable ordinances.

Explanation: EXISTING ROADWAY

The owner hereby designates: SKG ENGINEERING, LLC as the official representative(s).

Address: 706 S. 43E, SAN ANGELO, TX 76903 Phone: 655-1288

E-mail Address: _____

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

The undersigned hereby applies for subdivision plat approval in accordance with the subdivision policies and regulations of the City of San Angelo and certifies that the information contained on this application is true and accurate to the best of my knowledge.

Eddie W. Carlisle
Owner's Signature

Date
4/06/2015
3/13/2015
Date

Neal Hoar
Representative's Signature

OFFICE USE ONLY	
Date of application: <u>4/6/15</u>	Received by: <u>Jeff Fisher</u>
<input type="checkbox"/> walk-in <input type="checkbox"/> by mail	Nonrefundable application fee: \$ _____
Planning Commission? <input type="checkbox"/> yes <input type="checkbox"/> no	River Corridor Commission? <input type="checkbox"/> yes <input type="checkbox"/> no
Planning Commission hearing date: _____	If yes, RCC meeting date: _____
Notifications Required? <input type="checkbox"/> yes <input type="checkbox"/> no	Notification fee: \$ _____