

# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

From: Jon James, AICP  
Director of Planning and Development Services

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

Planner: David Stallworth, AICP  
Principal Planner

Request: A request for approval of the Second Replat in Tract 213, Red Creek Subdivision, and requests for Variances from the following Sections of the Land Development and Subdivision Ordinance: (a) a Variance from Section 9.III.A.5 requiring the dedication of five feet of right-of-way to meet the requirements of a rural Local Road, Landers Road; (b) a Variance from Section 9.V requiring the installation of sidewalks along Landers Road, a roadway containing pavement that is less than thirty-six feet in width; (c) a Variance to Section 9.III.C.2, which prohibits dead-end roadways (Landers Road) from exceeding 750 linear feet in length; (d) a Variance from Section 9.III.C.2 to allow for more than forty lots or tracts to have exclusive frontage along a dead-end road (Landers Road); and (e) a Variance from Section 10.III.A.2 requiring the improvement of Landers Road by five feet in order to meet minimum pavement widths for a rural Local Road

Location: 2948 – 2964 Landers Road, generally located outside of the San Angelo municipal corporate limits and within the City's Extra-territorial Jurisdiction (ETJ) along the north side of Landers Road, approximately 2,440 feet east of Swain Road

Legal

Description: The east 2.753-acre remaining portion of Tract 213, Red Creek Subdivision (V. 4, P. 106, OPRTGCTX)

Size: 2.753 acres

General Information

Future Land Use: N/A (Outside City Limits [ETJ])

Current Zoning: N/A (Outside City Limits [ETJ])

Existing Land Use: Vacant

**Surrounding Zoning / Land Use:**

North:	N/A (Outside City Limits [ETJ])	Residential
West:	N/A (Outside City Limits [ETJ])	Residential
South:	N/A (Outside City Limits [ETJ])	Residential
East:	N/A (Outside City Limits [ETJ])	Residential

District: N/A (Outside City Limits [ETJ])

Neighborhood: N/A (Outside City Limits [ETJ])

Thoroughfares/Streets:

Landers Road is classified as a “Rural Local or Minor Road” in the City’s Master Thoroughfare Plan (MTP). Local or Minor Roads are designed to collect traffic from a localized area and discharge it into a larger distribution system. This type of roadway is used primarily for access to abutting properties. Local or Minor Roads provide service to both urban and rural subdivisions. Rural-type roadways generally consist of a minimum right-of-way width of 60 feet with a minimum pavement width of 30 feet, curb and gutter not required.

Background:

The 2.753-acre project area is the east remaining portion of Tract 213 of the Red Creek Subdivision, which was originally recorded in 1978. Tract 213 was replatted in 2015. The property is situated outside of the City’s municipal corporate limits and within its 3-mile Extra-Territorial Jurisdiction (ETJ). The remaining portion of Tract 213 presently contains at least three separate residences, but the property is currently under single ownership.

Chapter 12, Exhibit C of the Code of Ordinances, entitled the Land Development and Subdivision Ordinance governs platting in the ETJ. The Petitioner submitted the Replat application on January 3, 2017 to establish four new lots from the remaining portion of a previously platted lot. A request for variances from Sections 9.III.A.5 and 10.III.A.2 of the City’s Land Development and Subdivision Ordinance regarding minimum right-of-way and pavement width requirements was submitted in conjunction with the application. The Development Review Committee conducted its review of the application on January 11, 2017. As there are no covenants, contracts or restrictions (CC&R’s) or any indications on the original 1978 plat that the development is limited to one-family or two-family residential use, separate written notification to area property owners is not required.

The project area is situated within the Red Creek Municipal Utility District (MUD). State law requires potable water service for lots that are less than one-acre in land area, in addition to adequate OSSF (private septic) accommodations. Private groundwater wells are not allowed for these lots, and any existing water wells on the premises will need to be deactivated and dismantled prior to plat recordation. The Petitioner must satisfactorily demonstrate that individual water service for each new lot is in place prior to plat recordation. Lastly, the Petitioner will be required to obtain a will-serve letter from the MUD affirming that water service will be provided to the new lots.

Analysis of Variances:

As Section 10.III.A requires rural local roadways to have a minimum right-of-way width of 60 feet, the developer must dedicate at least five feet along the project area’s frontage; a Variance to this requirement has been submitted. Landers Road was platted in 1978 as a dead-end roadway with over 8,100 feet in total length. In light of this, Section 9.III.C.2 prohibits more than forty tracts or lots from having exclusive frontage along Landers Road; no additional yield along this roadway can be permitted without Variance approval. If allowed, however, the proposed Replat will result in one direct frontage lot and three panhandle (flag) lots, each being roughly ½-acre in size and dependent upon a 30-foot-wide unencumbered access easement. Given that this easement is over 600 feet in length, the Petitioner will be required to either provide suitable turnaround facilities for emergency use purposes in accordance with Section 9.III.C.1 or seek Variance relief.

In conjunction with the plat application, the applicant has submitted a request for a Variance from Sections 9.III.A.5 and 10.III.A.2 (right-of-way dedication requirements; roadway

improvement requirements) of the City's Land Development and Subdivision Ordinance. The Petitioner also submitted a request for Variances to Section 9.III.C.2 (excessive lot frontage on a dead-end roadway) and Section 9.V (sidewalk requirement) on January 17, 2017. Relief from Section 9.III.C.2 is necessary for this application to be approved. The Petitioner has not submitted a Variance to Section 9.III.C.1 (suitable vehicular turnaround provisions). In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a Variance unless the request meets the following findings based upon the evidence that is presented:

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

RE: Sections 9.III.A.5, 9.V and 10.III.A.2 – City road standards have been established to ensure suitable and safe roadways and the Petitioner does not offer any information to support the position that current roadway conditions will safely and adequately serve increased development. It should be noted, however, that the length of roadway dedication and accompanying improvements will be no more than 150 in length and limited to the frontage of the project area. Given the rural residential character of the proposed development, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be necessary for this development.

RE: Section 9.III.C.2 – The Petitioner does not offer any information to support the position that current roadway conditions will continue to be safe and adequate with an increase in lot yield and subsequent increase in both households and corresponding traffic, albeit nominal increases. The issue under consideration, however, does not pertain to the everyday functionality of the dead-end roadway, nor does it pertain to the length of the dead-end roadway, which pre-exists this development application. Rather, the issue pertains to a sporadic and untimely event either requiring one of more emergency respondents at any one time or involving mass evacuation. The Red Creek Subdivision plat (270 original lots, 55,823 linear feet of roadway) was approved by the Tom Green County Commissioners' Court and recorded in 1978; of the total roadway created under this plat, 22,803 feet (41%) of roadway may be classified as dead-end roadway that has no capability for either future projection or reasonable connectivity to an outside roadway. The governing plat established Landers Road as a dead-end roadway with over 8,100 feet in total length and 47 original lots that have exclusive frontage along this roadway. Recent replat activity has led to an increase in the amount of exclusive frontage along Landers Road.

Particular attention must be given to the adoption date of the ETJ, the period in which the original Red Creek Subdivision was approved and recorded, and the current regulatory period. All of these matters, when considered, suggest not only changes in our view of acceptable development criteria and parameters, but they may also suggest significant changes in how we characterize rural development and how changes in development philosophy come into play. It may be safe to presume that the threshold limiting a dead-end roadway to no more than a forty lot frontage and a maximum

roadway length of 750 linear feet is a justifiable and reasonable threshold to ensure the safety, health and welfare of the general public. The closest comparable regulation to this current, local provision may be found in Appendix D, Section D-107 of the International Fire Code, which requires secondary access for one-family and two-family developments exceeding 30 dwelling units. The Petitioner's argument lacks any empirical data showing that this provision is unreasonable and unfounded. Overall, the Petitioner's request for relief from Section 9.III.C.2 as it pertains to excessive dead-end roadway length is unnecessary as conditions on Landers Road pre-date this replat application. The request for relief from Section 9.III.C.2 as it pertains to excessive lot frontage along a dead-end street remains unsatisfactorily justified.

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.**

*RE: Sections 9.III.A.5, 9.V and 10.III.A.2* – The Petitioner is unclear as to what unique conditions drive the Variance request. Again, it should be taken into consideration that the length of roadway dedication and accompanying improvements will be no more than 150 in length and limited only to the frontage of the project area. Given the rural residential character of the proposed development, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be necessary for this development.

*RE: Section 9.III.C.2* – The Petitioner is unclear as to what unique conditions drive the Variance request. It should be noted however, that the approval of this Replat may set the precedent for further deviation from the intent and desired development pattern of the original Red Creek Subdivision plat. Any further replatting into smaller lots may be counter to the intent and desired development pattern of the original plat. Landers Road already exceeds both dead-end roadway length and limits on lot frontage imposed under Section 9.III.C.2. At forty seven original lots, the potential for up to 47 individual households (200 residents, up to 94 individual vehicles) already exists on this roadway; this may have been at one time a reasonable standard for a rural development consisting largely of 5- and 10-acre lots along almost 9,000 linear feet of dead-end roadway. Putting things in perspective, however, if at least twelve of the original 47 platted lots were allowed to replat into four lots each, the resulting yield would result in an additional 48 lots, which is double the original yield within a much smaller footprint, thereby subsequently increasing the demand on a dead-end roadway and running counter to Section 9.III.C.2. This would appear to be significantly divergent from the original development pattern of 5- and 10-acre large rural lots that was established in 1978. It should be largely noted that this premise is largely consistent with recent Planning Commission considerations and decisions over replat applications, and approval of this Variance may not only contradict those decisions, it may be seen as injurious to nearby property owners who have an expectation of maintaining a large lot environment in the area. Again, the Petitioner's request for relief from Section 9.III.C.2 as it pertains to excessive dead-end roadway length is unnecessary as conditions on Landers Road pre-

date this Replat application, while the request for relief from Section 9.III.C.2 as it pertains to excessive lot frontage along a dead-end street remains unjustified.

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.**

*RE: Sections 9.III.A.5, 9.III.C.2, 9.V and 10.III.A.2* – The existing remaining portion of Tract 213 is rectilinear and oriented north-to-south. The proposed Replat into four lots appears to follow the same orientation and layout. No extreme topographical issues or site peculiarities have been identified with the subject property that would warrant the Variance requests. The reference to hardships potentially endured by the property owner appear to be based either on inconvenience or economics, none of which qualifies for Variance relief. Given the rural residential character of the proposed development, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be necessary for this development, however.

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

*RE: Sections 9.III.A.5, 9.V and 10.III.A.2* – The length of roadway dedication and accompanying improvements will be no more than 150 in length and confined to the frontage of the project area. This may appear not to have a far-reaching impact on surrounding properties or the overall development, given the scale of the project area. Given the rural residential character of the proposed development, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be needed.

*RE: Section 9.III.C.2* – The 3½ mile Extra-Territorial Jurisdiction that surrounds the San Angelo municipal corporate limits, as well as the authorization granted to the City to review and approve land divisions and street improvements in this area, was established through inter-local agreement in 2004 and amended in 2014, in accordance with Chapter 242 of the Texas Local Government Code. The purpose of the ETJ is not only to prepare surrounding areas for proper, timely and supportable annexation, but to ensure that local taxpayers are not burdened with additional and unwarranted absorption costs in the aftermath of an annexation, as called for in Chapters 42 and 43, Texas Local Government Code. Prior to this, land divisions outside of the San Angelo city limits were reviewed and approved by Tom Green County. If a justification for the Variance is based on the unlikelihood of any annexation of this area in the foreseeable future, if at all, then this argument must be quickly discounted. Currently, there is no language in either the Code of Ordinances or in the Inter-Local Agreement that allows the City to administer the Land Development and Subdivision Ordinance in a discretionary manner, nor does it currently provide for "Spheres of Influence," which may allow different standards of application and enforcement in relation to growth patterns and direction. In short, there

is only one standard for all of the City's Extra-territorial Jurisdiction, and that standard must be applied equally throughout the overall ETJ unless there is a plausible and compelling argument to the contrary. Once again, the Petitioner's request for relief from Section 9.III.C.2 as it pertains to excessive dead-end roadway length is unnecessary as conditions on Landers Road pre-date this Replat application. The request for relief from Section 9.III.C.2 as it pertains to excessive lot frontage along a dead-end street remains unjustified and should not be approved.

Staff Recommendation:

Staff recommends that the Planning Commission **APPROVE** the Second Replat in Tract 213, Red Creek Subdivision, in addition to the following actions:

- **DENY** the request for a Variance from Section 9.III.A.5 requiring the dedication of five feet of right-of-way to meet the requirements of a rural Local Road, Landers Road;
- **APPROVE** the request for a Variance from Section 9.V requiring the installation of sidewalks along Landers Road, a roadway containing pavement that is less than thirty-six feet in width;
- **SET ASIDE** the request for a Variance to Section 9.III.C.2, which prohibits dead-end roadways (Landers Road) from exceeding 750 linear feet in length as it is moot due to pre-existing conditions;
- **DENY** the request for a Variance from Section 9.III.C.2 to allow for more than forty lots or tracts to have exclusive frontage along a dead-end road (Landers Road); and
- **DENY** the request for a Variance from Section 10.III.A.2 requiring the improvement of Landers Road by five feet in order to meet minimum pavement widths for a rural Local Road

Staff further recommends that the Final Plat be subject to the following seven Conditions of Approval:

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Submit a revised plat, on which is illustrated the dedication of five feet of right-of-way for Landers Road, meeting the requirements for a "rural" Local Road consistent with Land Development and Subdivision Ordinance, Chapter 9.III.B, & Chapter 10.III. An alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
3. Prepare and submit plans for required improvements to streets (adjacent segments of Landers Road) by half the additional increment necessary to comprise the minimum paving widths consistent with Land Development and Subdivision Ordinance, Chapter 10. For Landers Road, the minimum width is 30 feet (in this case, requiring five

additional feet). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18-month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.

4. As a primary access to four residential lots is being created through a 619-foot-long by 30-foot-wide unencumbered access easement, a suitable turnaround easement (either a cul-de-sac or hammerhead) shall be provided within proposed Tract 213-B, consistent with Section 9.III.C.1 of the Land Development and Subdivision Ordinance.
5. Landers Road was platted in 1978 as a dead-end roadway with 8,127 feet in length. Because this is a dead-end road, Section 9.III.C.2 prohibits more than forty lots or tracts from having exclusive frontage along this roadway. There are currently more than forty tracts or lots that already have direct access from this roadway, and any additional lots will well exceed this threshold. An alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
6. In keeping with the intent of Chapter 11 of the Land Development and Subdivision Ordinance, the applicant shall provide to City Staff, prior to plat recordation, a verification letter from the Red Creek Municipal Utility District stating what water sources are provided to the current and proposed tracts within the subdivision and a will-serve letter affirming that sufficient facilities are currently in place to provide an adequate level of service for the proposed increase in yield.
7. A ten foot public utility easement - outside of the area of traffic flow and paving - is needed for placement of utilities to service Tracts 213 B, 213 C, and 213 D. The Frontier Communications contact is Brenda McWilliams who may be reached at [brenda.mcwilliams@ft.com](mailto:brenda.mcwilliams@ft.com).

Attachments:

Aerial Map  
Major Thoroughfare Plan  
Proposed Replat  
Application





Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, Getmapping, User Community



**Subdivisions Case File**

2nd Replat, Tr-213, Red Creek Subd

Council District: N/A (OCL)

Neighborhood: N/A (OCL)

Scale:

Legal Description(s): The E 2.753 ac of Tract 213, Red Creek Subd

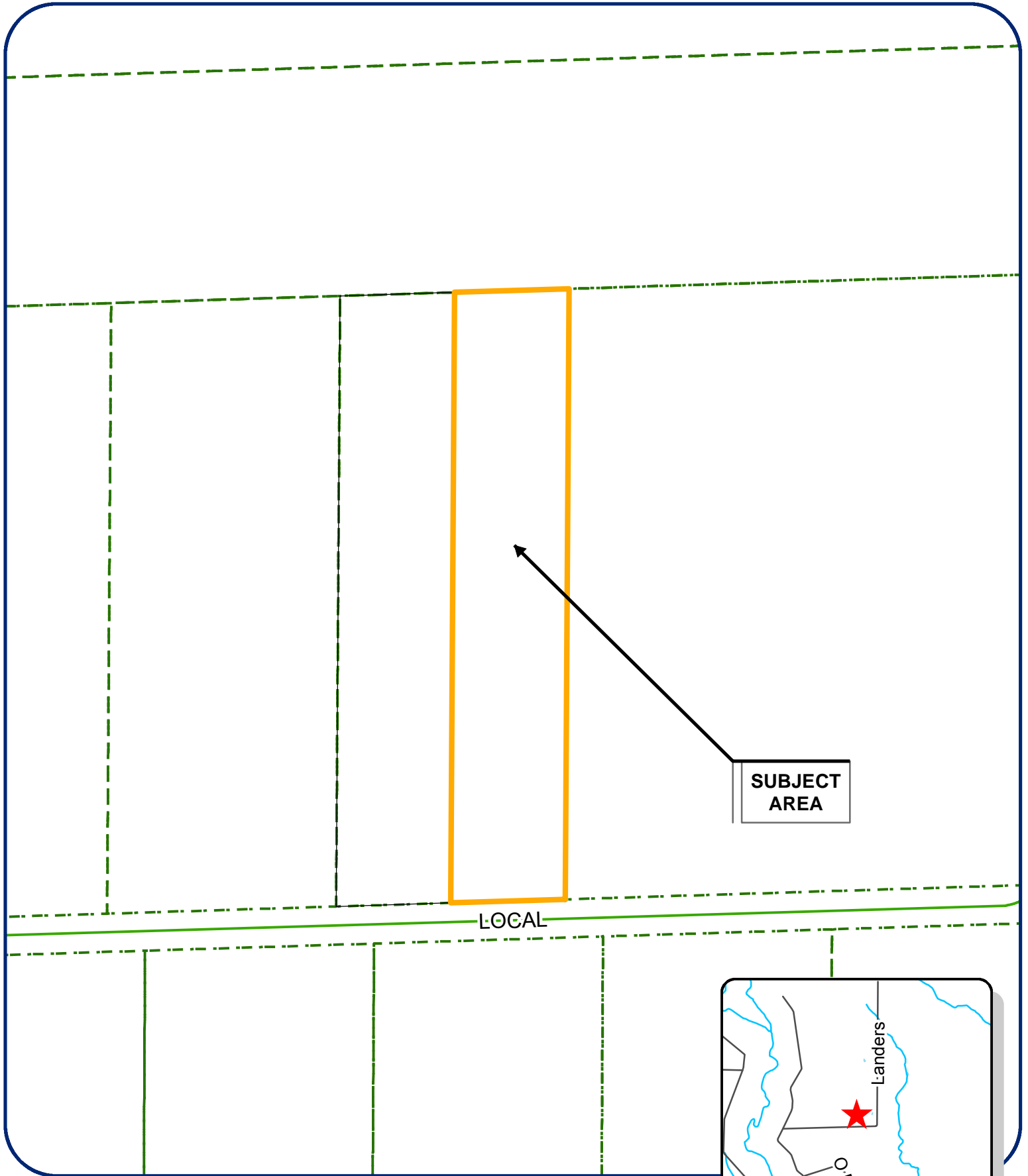
**Legend**

Subject Properties: **OCL**

Current Zoning: **OCL**

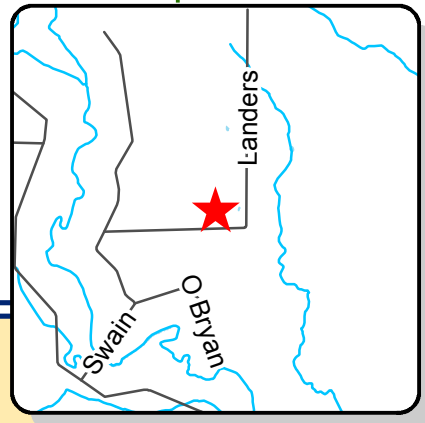
Requested Zoning Change: **N/A**

Vision: **OCL**



**SUBJECT  
AREA**

LOCAL



**Subdivisions Case File**

2nd Replat, Tr-213, Red Creek Subd

Council District: N/A (OCL)

Neighborhood: N/A (OCL)

Scale:

Legal Description(s): The E 2.753 ac of Tract 213, Red Creek Subd

**Legend**

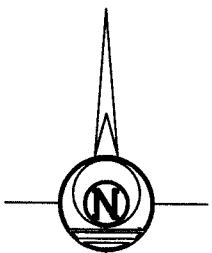
Subject Properties:

Current Zoning: **OCL**

Requested Zoning Change: **N/A**

Vision: **OCL**





SCALE: 1"= 100'

0 50 100 200

GRAPHIC SCALE : FEET

NOTE : Bearings shown hereon are based on the Plat of Record in Vol. 4, Pg. 106, Plat Records of Tom Green County, Texas. Distances are Surface Horizontal.

**LEGEND:**

- Found 1/2" Iron Pipe or Rod (unless otherwise noted)
- Set 1/2" Iron Rod with Cap Mkd."SKG ENGINEERS"

**PLANNING COMMISSION**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_, City Planning Commission of San Angelo, Texas.

By: \_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Secretary

**DEPARTMENT OF WATER UTILITIES**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_.

By: \_\_\_\_\_  
Director of Water Utilities

**DEPARTMENT OF PUBLIC WORKS**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_.

By: \_\_\_\_\_  
Director of Public Works

**COUNTY CLERK**

Filed for record this \_\_\_ 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 \_\_\_\_\_  
by Claudia Meza.

\_\_\_\_\_  
Notary Public, State of Texas

Tract 216

Fd. 1/2" I.R.w/Cap  
Mkd. "SKG ENGINEERS" N88°12'52"E 150.00'

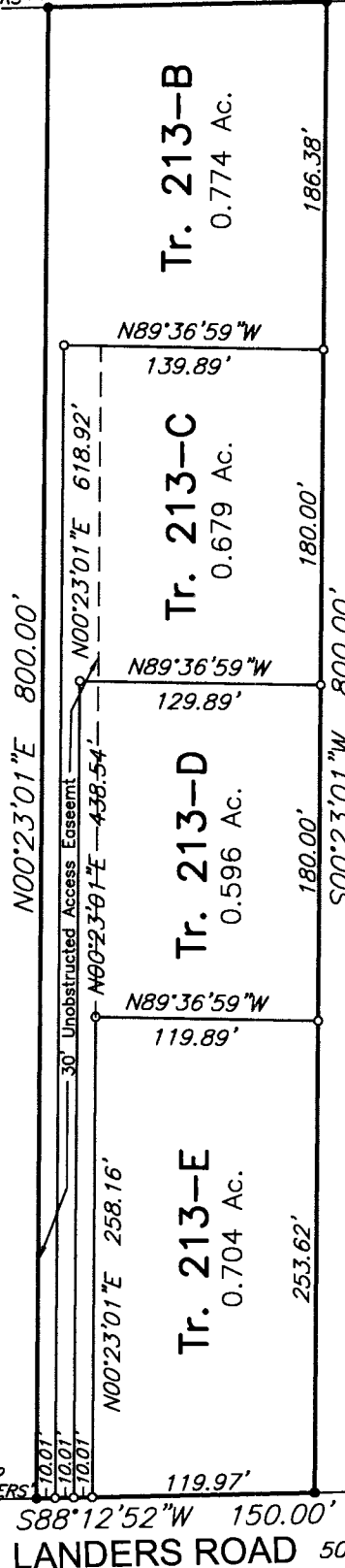
Tract 212

Tract 213-A

Tract 214

REF.: First Replat of Tract 213  
Red Creek Subdivision  
Cabinet G, Slide 286, PR

Fd. 1/2" I.R.w/Cap  
Mkd. "SKG ENGINEERS"



# SECOND REPLAT IN TRACT 213 RED CREEK SUBDIVISION

Tom Green County, Texas.

OWNER: CLAUDIA MEZA

DESCRIPTION : Being the east 2.753 acres of Tract 213, Red Creek Subdivision, as per Plat of Record in Volume 4, Page 106, Plat Records of Tom Green County, Texas.

**ACKNOWLEDGEMENT/DEDICATION**

I, Claudia Meza, do hereby adopt this replat as the subdivision of my property and dedicate, for the use of the owners, the access easement shown hereon.

\_\_\_\_\_  
Claudia Meza  
Owner

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.

**SURVEYOR'S CERTIFICATE**

Know all men by these presents: that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon 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 platted lies within the extraterritorial jurisdictional area of the City of San Angelo, Texas.

**SKG**  
**ENGINEERING, LLC**  
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET  
SAN ANGELO, TEXAS 76903  
Firm No. 10102400  
www.skge.com  
PHONE: 325.655.1288  
FAX: 325.657.8189



# City of San Angelo, Texas - Planning Land Subdivision Application



**NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. The Authorized Representative (as designated in Section 1) will be notified of any changes in status & contacted with any questions. Use "N/A" where an item is not applicable.**

## Section 1: Basic Information

Second Replat in Tract 213, Red Creek Subdivision

Proposed Subdivision Name

E/2 (2.753 Ac.) Tract 213, Red Creek Subdivision

Current Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com))

55-64125-0213-100-00

Tax ID Number(s) (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com) under Geographic ID)

**One Authorized Representative must be selected below. All communications regarding this application will be conducted with this individual.**

Authorized Representative:  Tenant  Property Owner  Contractor  Engineer

Tenant: N/A

Name	Phone Number	Email Address
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Property Owner: Claudia Meza

212-7014

Name	Phone Number	Email Address
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Architect/Engineer/Design Professional: SKG Engineering

325-655-1288

rg@skge.com

Name	Phone Number	Email Address
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Subdivision Type:  Final Plat  Replat - requiring Planning Commission approval  Plat Vacation

Preliminary Plat  Replat - administratively eligible\*  Amended Plat

\*If claiming eligibility for administrative approval, please note that **all of the following criteria** must be met; otherwise, the application will be scheduled for hearing by Planning Commission according to the adopted COSA submittal schedule.

- includes no more than four new lots or tracts;
- no dedication of land (including right-of-way, right-of-way expansion, corner clip dedication, etc) is required;
- all new lots or tracts front onto an existing public street right-of-way which is fully improved to City specifications;
- no extension of water or sewer mains are required to furnish service to the new lots or tracts;
- there is an absence of need for a detailed drainage plan;
- existing easement(s) for utilities are not removed or realigned without the express written permission from each utility service, or without the formalized release of said easement(s); and,
- in the case of replats requiring notification, no written opposition is received before the close of the public hearing.

## Section 2: Utility & Easement Information

Water:  City - requesting new services Proposed size? \_\_\_\_\_

City - utilizing existing services Existing size? \_\_\_\_\_

Other Please specify: Red Creek MUD

Sewer:  City - requesting new services Proposed size? \_\_\_\_\_

City - utilizing existing services Existing size? \_\_\_\_\_

Other Please specify: \_\_\_\_\_

Septic System Lot size? all Tracts <0.5 acre

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-658-1024)

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

If yes, briefly describe each, including the use and size: \_\_\_\_\_

**Section 3: Property Characteristics**

2.753

4

Total Acreage of Proposed Subdivision/Resubdivision

Total Number of Lots Proposed

Existing Zoning:

- RS-1     RS-2     RS-3     RM-1     RM-2     PD (include case number: \_\_\_\_\_)
- R&E     CN     CO     CG     CG/CH     CBD     OW     ML     MH

Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?\*  Yes     No

\*NOTE: if so, notification is required, and an additional notification fee is required.

Existing Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_     Single-Family Residential 2.753     Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_     Industrial/Manufacturing \_\_\_\_\_     Commercial/Retail \_\_\_\_\_

Proposed Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_     Single-Family Residential 2.753     Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_     Industrial/Manufacturing \_\_\_\_\_     Commercial/Retail \_\_\_\_\_

Are there existing structures on the property?     Yes     No

If yes, how many structures exist? 4    What type of structures exist currently? 2 residences, 2 sheds

If yes, are any of the structures planned to remain?     Yes (NOTE: requires one copy of proposed plat showing structures to remain)

No

Are there existing deed restrictions?     Yes     No

If yes, provide deed reference information: v 682, p 464 DR

Is this proposed plat within the ETJ?\*     Yes     No

\*NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it..

**Section 4: Variance Requests**

Are any variances for this application being requested?     Yes     No

If yes, provide all of the following information:

**Request 1:** Section & subsection from Subdivision Ordinance from which variance is requested: Section III, A

Full variance requested     Partial variance requested (proposed variation from standard): Additional paving width

Check which of the following criteria apply, & include a detailed explanation of how each item applies to this request. Attach additional sheets if necessary to provide more explanation, or if additional variances are requested.

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

The granting of this variance request would not be detrimental to the public safety, health or welfare, or be injurious to other property as this area functions and will continue to function in its current condition.

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 conditions upon which this request for variance is based are not generally applicable to other property as this is an existing developed area and this is a small (1/2 tract) replat.

**Section 4, continued**

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.

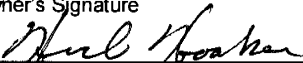
Due to the physical surroundings and shape of the subject property including the presence of the existing street and utilities a particular hardship to the owner would result.

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

Approval of this variance would not, in any significant way, vary the provisions of the applicable ordinances as these are existing conditions created as a result of prior plat approval and development.

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

Owner's Signature \_\_\_\_\_  
  
 Representative's Signature \_\_\_\_\_

Date \_\_\_\_\_  
 01/03/2017  
 Date \_\_\_\_\_

**FOR OFFICE USE ONLY:**

Submitted to front desk: 1/3/2017 Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? \_\_\_\_\_  
Date Initials

Resubmittal received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

Approvals required for this application:

	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

**Section 4, continued**

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

Elandria R. Meza  
Owner's Signature

12-30-16  
Date

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:**

Submitted to front desk: \_\_\_\_\_ Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? \_\_\_\_\_  
Date Initials

Resubmittal received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

**Approvals required for this application:**

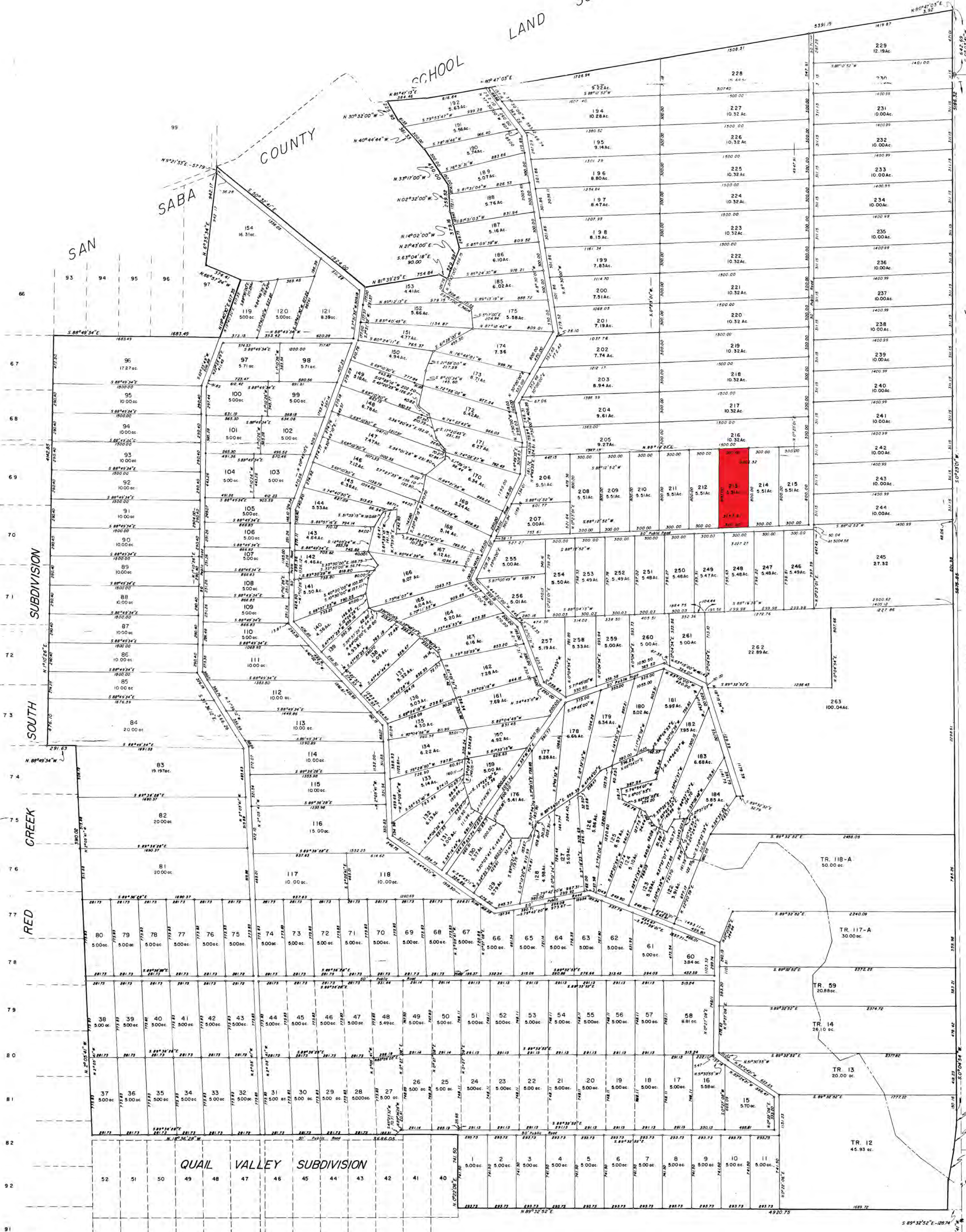
	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

LAND SUR. 965

W.C.R.R.Co.



W.C.R.R.Co.



**RED CREEK SUBDIVISION**  
TOM GREEN COUNTY, TEXAS  
LEWIS R. RUNION - OWNER - DEVELOPER

**SURVEYORS CERTIFICATE**  
KNOW ALL MEN BY THESE PRESENTS  
That I, Donald L. Williams, a Registered Public Surveyor of San Angelo, Texas, do hereby certify that I prepared this plat from an actual survey on the ground made of this land prior to this 18th day of September, 1978, and that all corners and monuments etc. shown are just as they are on the ground.

**COUNTY COMMISSIONERS COURT**  
Approved For Recording This 18th day of Sept 1978, by Commissioners Court of Tom Green County, Texas.  
*E. R. Runion*  
County Judge

**COUNTY CLERK** 129961  
Filed For Recording This 18th day of Sept., 1978  
County Clerk, Tom Green County, Texas, at 9:45 AM  
*Anna Jones*  
County Clerk  
By: *Dolores Hellebraker*, Deputy

**ACKNOWLEDGEMENT OF OWNER**  
I, Lewis R. Runion, owner of the herein plat 2118.73 acres of land, do hereby adopt this plat as my subdivision of said 2118.73 acres of land of San Saba County School Land Survey No. 965, Tom Green County, Texas.  
*Lewis R. Runion*



SCALE: 1"=600'  
OFFICE OF WILSON, WILLIAMS, LANGRISH AND ASSOCIATES  
1214 W. BEAUREGARD AVE.  
P.O. BOX 1000, SAN ANGELO, TEXAS 76901

Being a subdivision of 2118.73 acres of land out of San Saba County School Land Survey No. 965, Tom Green County, Texas, as shown hereon.





# City of San Angelo, Texas - Planning Land Subdivision Application



**NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. The Authorized Representative (as designated in Section 1) will be notified of any changes in status & contacted with any questions. Use "N/A" where an item is not applicable.**

## Section 1: Basic Information

Proposed Subdivision Name \_\_\_\_\_

Current Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com)) \_\_\_\_\_

Tax ID Number(s) (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com) under Geographic ID) \_\_\_\_\_

**One Authorized Representative must be selected below. All communications regarding this application will be conducted with this individual.**

Authorized Representative:  Tenant  Property Owner  Contractor  Engineer

Tenant:

Name \_\_\_\_\_ Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Property Owner:

Name \_\_\_\_\_ Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Architect/Engineer/Design Professional:

Name \_\_\_\_\_ Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Subdivision Type:  Final Plat  Replat - requiring Planning Commission approval  Plat Vacation  
 Preliminary Plat  Replat - administratively eligible\*  Amended Plat

\*If claiming eligibility for administrative approval, please note that **all of the following criteria** must be met; otherwise, the application will be scheduled for hearing by Planning Commission according to the adopted COSA submittal schedule.

- includes no more than four new lots or tracts;
- no dedication of land (including right-of-way, right-of-way expansion, corner clip dedication, etc) is required;
- all new lots or tracts front onto an existing public street right-of-way which is fully improved to City specifications;
- no extension of water or sewer mains are required to furnish service to the new lots or tracts;
- there is an absence of need for a detailed drainage plan;
- existing easement(s) for utilities are not removed or realigned without the express written permission from each utility service, or without the formalized release of said easement(s); and,
- in the case of replats requiring notification, no written opposition is received before the close of the public hearing.

## Section 2: Utility & Easement Information

Water:  City - requesting new services Proposed size? \_\_\_\_\_  
 City - utilizing existing services Existing size? \_\_\_\_\_  
 Other Please specify: \_\_\_\_\_

Sewer:  City - requesting new services Proposed size? \_\_\_\_\_  
 City - utilizing existing services Existing size? \_\_\_\_\_  
 Other Please specify: \_\_\_\_\_  
 Septic System Lot size? \_\_\_\_\_

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-658-1024)

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

If yes, briefly describe each, including the use and size: \_\_\_\_\_

**Section 3: Property Characteristics**

\_\_\_\_\_  
Total Acreage of Proposed Subdivision/Resubdivision

\_\_\_\_\_  
Total Number of Lots Proposed

Existing Zoning:

- RS-1    RS-2    RS-3    RM-1    RM-2    PD (include case number: \_\_\_\_\_)  
 R&E    CN    CO    CG    CG/CH    CBD    OW    ML    MH

Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?\*    Yes    No

\*NOTE: if so, notification is required, and an additional notification fee is required.

Existing Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_    Single-Family Residential \_\_\_\_\_    Office \_\_\_\_\_  
 Multi-Family Residential \_\_\_\_\_    Industrial/Manufacturing \_\_\_\_\_    Commercial/Retail \_\_\_\_\_

Proposed Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_    Single-Family Residential \_\_\_\_\_    Office \_\_\_\_\_  
 Multi-Family Residential \_\_\_\_\_    Industrial/Manufacturing \_\_\_\_\_    Commercial/Retail \_\_\_\_\_

Are there existing structures on the property?    Yes    No

If yes, how many structures exist? \_\_\_\_\_ What type of structures exist currently? \_\_\_\_\_  
\_\_\_\_\_

If yes, are any of the structures planned to remain?    Yes (NOTE: requires one copy of proposed plat showing structures to remain)

No

Are there existing deed restrictions?    Yes    No

If yes, provide deed reference information: \_\_\_\_\_

Is this proposed plat within the ETJ?\*    Yes    No

\*NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it.

**Section 4: Variance Requests**

Are any variances for this application being requested?    Yes    No

If yes, provide all of the following information:

**Request 1:** Section & subsection from Subdivision Ordinance from which variance is requested: \_\_\_\_\_

Full variance requested    Partial variance requested (proposed variation from standard): \_\_\_\_\_

Check which of the following criteria apply, & include a detailed explanation of how each item applies to this request. Attach additional sheets if necessary to provide more explanation, or if additional variances are requested.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Section 4 continues on next page)

**Section 4, continued**

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:**

Submitted to front desk: \_\_\_\_\_ Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

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Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

Approvals required for this application:

	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

From: Jon James, AICP  
Director of Planning and Development Services

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

Planner: David Stallworth, AICP  
Principal Planner

Request: A request for approval of the Final Plat of Bridlewood Estates, Section One and requests for Variances from the following Sections of the Land Development and Subdivision Ordinance: (a) a Variance from Section 9.III.A.5.a.3 requiring a developer to install an appropriate concrete gutter along the abutting length of both Fairview and Fairview School Roads; (b) a Variance from Section 9.V requiring the installation of sidewalks along any roadway containing pavement that is less than thirty-six feet in width; and (c) a Variance from Section 10.III.A requiring a developer to improve both Fairview and Fairview School Roads by half the additional increments necessary to comprise the minimum pavement widths.

Location: An unaddressed tract generally located outside of the San Angelo municipal corporate limits and within the City's Extra-territorial Jurisdiction (ETJ) at the southwest corner of Fairview and Fairview School Roads

Legal

Description: 26.728 acres out of the L.P. Moore Survey 169.5, Abstract 1637, Tom Green County, TX

Size: 26.728 acres

General Information

Future Land Use: Rural  
Current Zoning: N/A (Outside City Limits [ETJ])  
Existing Land Use: Vacant

**Surrounding Zoning / Land Use:**

North:	Ranch & Estate (R&E)	Farmland
West:	N/A (Outside City Limits [ETJ]); Light Manufacturing (ML)	Vacant
South:	N/A (Outside City Limits [ETJ])	Drainway
East:	N/A (Outside City Limits [ETJ])	Residential

District: N/A (Outside City Limits [ETJ])

Neighborhood: N/A (Outside City Limits [ETJ])

Thoroughfares/Streets: Fairview Road is classified as a “Rural Local or Minor Street” in the City’s Master Thoroughfare Plan (MTP). Local or Minor Streets are designed to collect traffic from a localized area and discharge it into a larger distribution system. This type of roadway is used primarily for access to abutting properties and generally consist of a minimum right-of-way width of 60 feet with a minimum pavement width of 30 feet, curb and gutter not required.

Fairview School Road is classified as a “Rural Minor Collector Street,” designed to carry

traffic at moderate speeds to connect arterials to local streets, and requiring a minimum right-of-way width of 60 feet and a minimum paving width of 30 feet, curb and gutter not required.

#### Background:

The vacant 27-acre project area is part of an overall 91.4-acre unplatted parcel situated outside of the City's municipal corporate limits and within its 3-mile Extra-territorial Jurisdiction (ETJ). Chapter 12, Exhibit C of the Code of Ordinances, entitled the Land Development and Subdivision Ordinance governs platting in the ETJ. The Petitioner submitted the Final Plat application on January 3, 2017. A request for variances from Sections 9.III.A.5.a.3 (curb and gutter installation), Section 10.III.A (pavement width requirements) and 9.V (sidewalk installation) of the City's Land Development and Subdivision Ordinance was submitted in conjunction with the application. The Development Review Committee conducted its review of the application on January 11, 2017. The proposed final plat intends a yield of thirteen 2-acre-minimum lots with direct frontage along existing roadways, and approximately  $\frac{3}{4}$ -acres in public street right-of-way dedication to bring both roadways up to standard right-of-way width.

#### Analysis:

As both rural roadways only require a minimum pavement width of 30 feet, Section 9.V will require the installation of sidewalk along the project area's frontage; a Variance has been submitted for relief from this requirement. As Section 10.III.A requires rural local roadways to have a minimum right-of-way width of 60 feet, the developer must dedicate sufficient additional road right-of-way along both frontages; the Petitioner indicates such dedications on the final plat, but the Petitioner will be required to indicate current overall or centerline road widths on the final plat, per the Ordinance. The project area is in the Wall Independent School District; the increase in households could pose an impact on both school facilities and level of service. To the north and west of the project area lies the San Angelo city limits.

In conjunction with the plat application, the applicant has submitted a request for Variances from Section 9.V (sidewalk installation), Section 9.III.A.5.a.3 (curb and gutter requirements) and Section 10.III.A (roadway pavement requirements) of the City's Land Development and Subdivision Ordinance. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a Variance unless the request meets the following findings based upon the evidence that is presented:

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 contends that the Variance will not be detrimental in that it will allow widening of the existing roadway in a manner

that will be consistent with Tom Green County Standards and maintenance procedures. It should be noted, however, that development to the immediate west and north of the project area is inside the City limits and will therefore be subject to construction and design standards outlined in Chapters 9 and 10 of the Land Development and Subdivision Ordinance. Variance approval may impose a disparity on surrounding properties and could be seen as injurious. Given the proposed rural residential development, however, as well as the location of the project area in relation to area pedestrian hubs, sidewalks might not be necessary for this development. It should be further noted that under Section 10.III.A, curb and gutter are not required for rural local or rural collector roadways.

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 Petitioner is unclear as to what unique conditions drive the Variance requests. Again, development to the immediate west and north of the project area is inside the City limits and will therefore be subject to construction and design standards outlined in Chapters 9 and 10 of the Land Development and Subdivision Ordinance. With this in mind, the property's adjacency to a County roadway does not provide a unique situation. Variance approval to roadway improvements may compound matters should this area be annexed with substandard roadways that could have been otherwise adequately and timely addressed at the time of development.
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 Petitioner cites both the physical condition of the existing roadway and difference in construction standards (City vs. County) as the basis for the Variance. No extreme topographical issues or site peculiarities have been identified with the subject property, however, that would warrant a Variance for roadway improvements. Given the proposed rural residential development, though, as well as the location of the project area in relation to area pedestrian hubs, sidewalks might not be necessary for this development.
4. **The Variance will not, in any significant way, vary the provisions of applicable ordinances.** Development to the immediate west and north of the project area is inside the City limits and is therefore subject to construction and design standards outlined in Chapters 9 and 10 of the Land Development and Subdivision Ordinance. Variance approval may impose a disparity with roadway conditions due to an inconsistent application of construction and design standards. Variance approval may also compound matters should this area be annexed with roadways that will eventually need to be brought up to standard at taxpayer expense. As stated previously, given the proposed rural residential development, as well as the location of the project area in relation to area pedestrian hubs, sidewalks appear to be unnecessary. It should be further noted that under Section 10.III.A, curb and gutter are not required for rural local or rural collector roadways.

Staff Recommendation:

Staff recommends that the Planning Commission **APPROVE** the Final Plat of Bridlewood Estates, Section One, **APPROVE** a request for a Variance from Section 9.III.A.5.a.3 of the Land Development and Subdivision Ordinance requiring a developer to install an appropriate concrete gutter along the abutting length of both Fairview and Fairview School Roads, **APPROVE** a request for a Variance from Section 9.V of the Land Development and Subdivision Ordinance requiring the installation of sidewalks along any roadway containing pavement that is less than thirty-six feet in width and **DENY** a request for a Variance from Section 10.III.A of the Land Development and Subdivision Ordinance requiring a developer to improve both Fairview and Fairview School Roads by half the additional increments necessary to comprise the minimum pavement widths for these roadways, subject to the following Conditions of Approval:

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Location of the current city limits boundary shall be indicated on the plat face.
3. Prepare and submit plans for required improvements to streets (adjacent segments of Fairview and Fairview School Roads) by half the additional increment necessary to comprise the minimum paving widths, consistent with Land Development and Subdivision Ordinance, Chapter 10.
  - o For Fairview Road, the minimum width is 30 feet (in this case, requiring four additional feet).
  - o For Fairview School Road, the minimum width is 30 feet (in this case, requiring four additional feet).

Alternatively, the Petitioner may either submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6 or obtain approval of a Variance from the Planning Commission, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV.

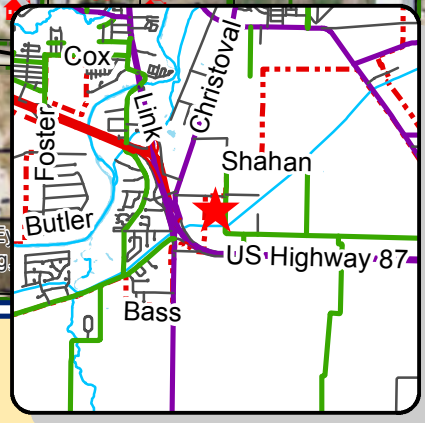
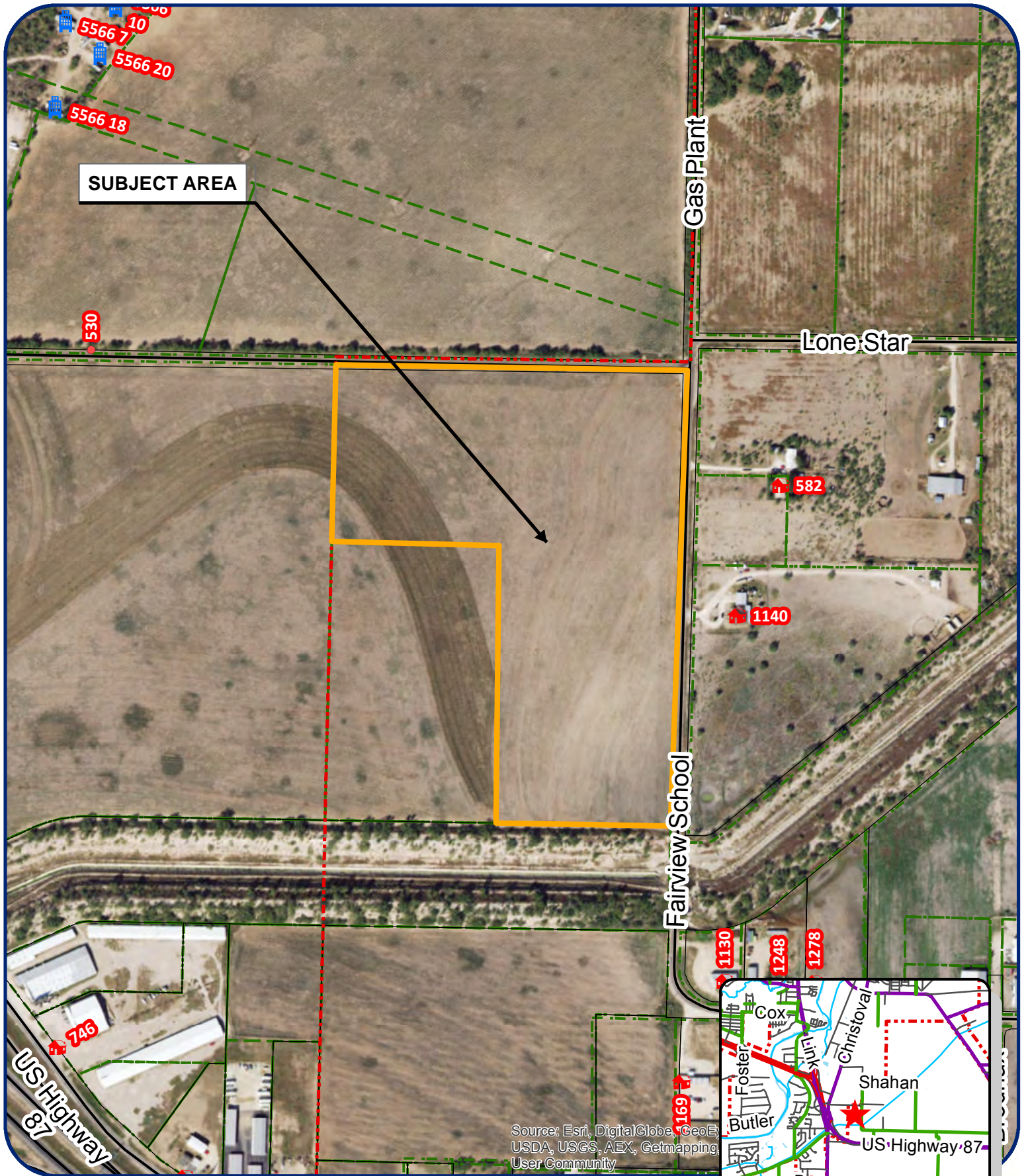
4. Pavement along both abutting roadways appears to be approximately 10-20 feet in width. Per Section 9.V, Land Development and Subdivision Ordinance, sidewalks shall be required when lots are platted adjacent to a road or street containing a pavement width that is less than 36 feet. An alternative would be to obtain approval of a Variance from the Planning Commission, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV.



5. ROW widths (centerline or overall) of all existing, adjoining roadways shall be clearly indicated on the final plat, per Section 7.II.J, Land Development and Subdivision Ordinance.
6. Atmos Energy has a high pressure line in the area close to the proposed plat. Check the location of this line by calling 811 or contacting Earla Ahrens with Atmos Energy at [Earla.Ahrens@atmosenergy.com](mailto:Earla.Ahrens@atmosenergy.com) and provide documentation to the City and Atmos whether or not the high pressure line is in the subject area.

Attachments:

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



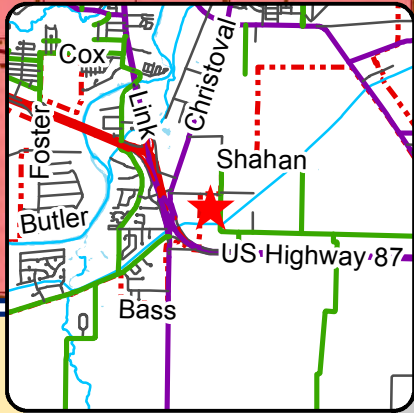
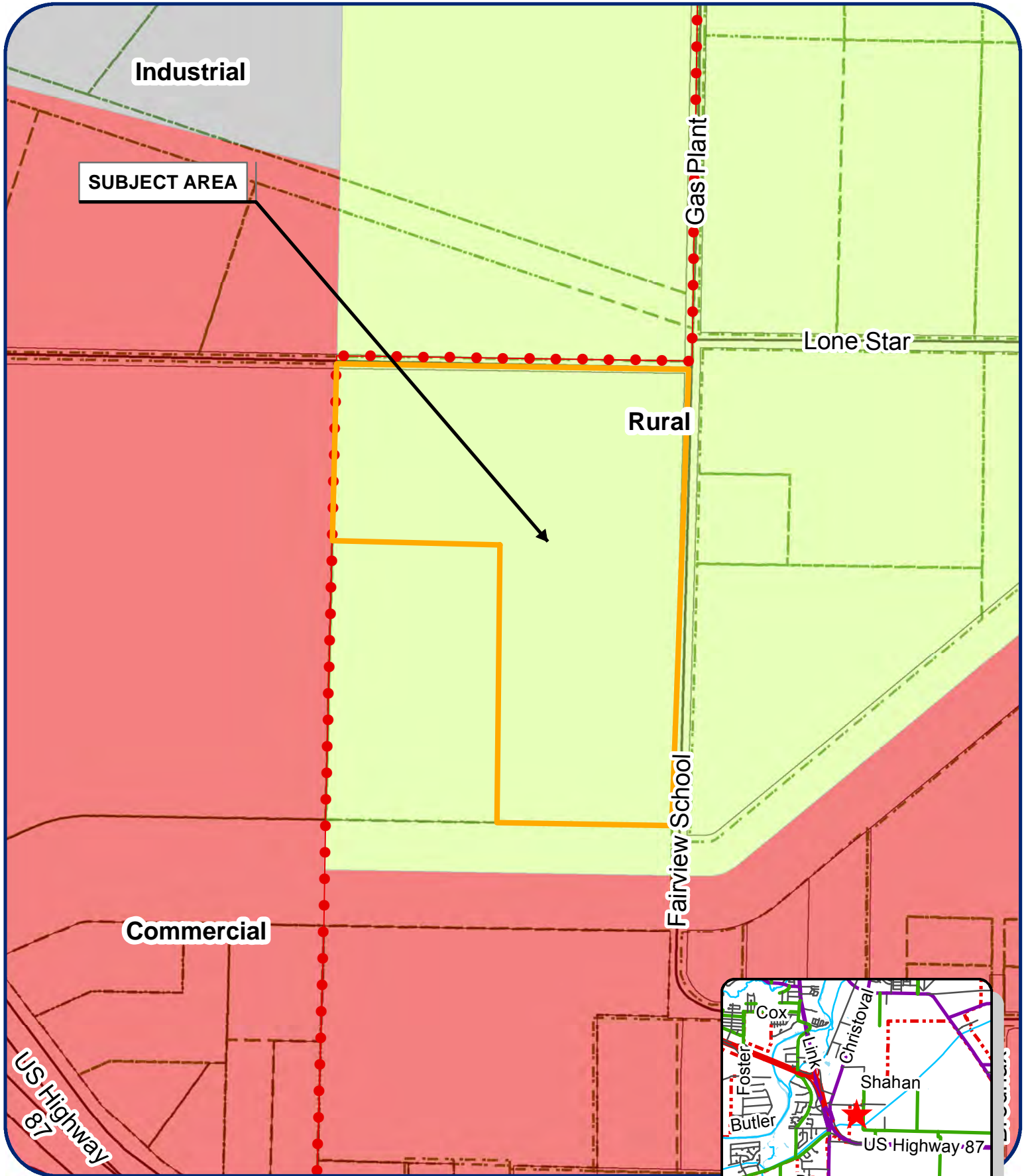
**Subdivisions Case File**  
**Bridlewood Estates, S-1**

Council District: N/A (OCL)  
 Neighborhood: N/A (OCL)  
 Scale: 1 inch :: 500 feet  
 Legal Descr.: 26.728 ac out of LP Moore Survey 169.5, ABS 1637, TGCTX

**Legend**

Subject Properties:   
 Current Zoning: N/A (OCL)  
 Requested Zoning Change: N/A  
 Vision: Rural






**Subdivisions Case File**

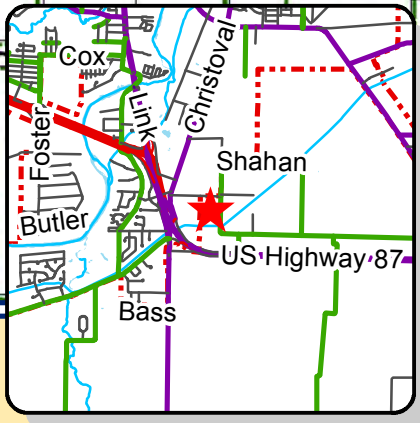
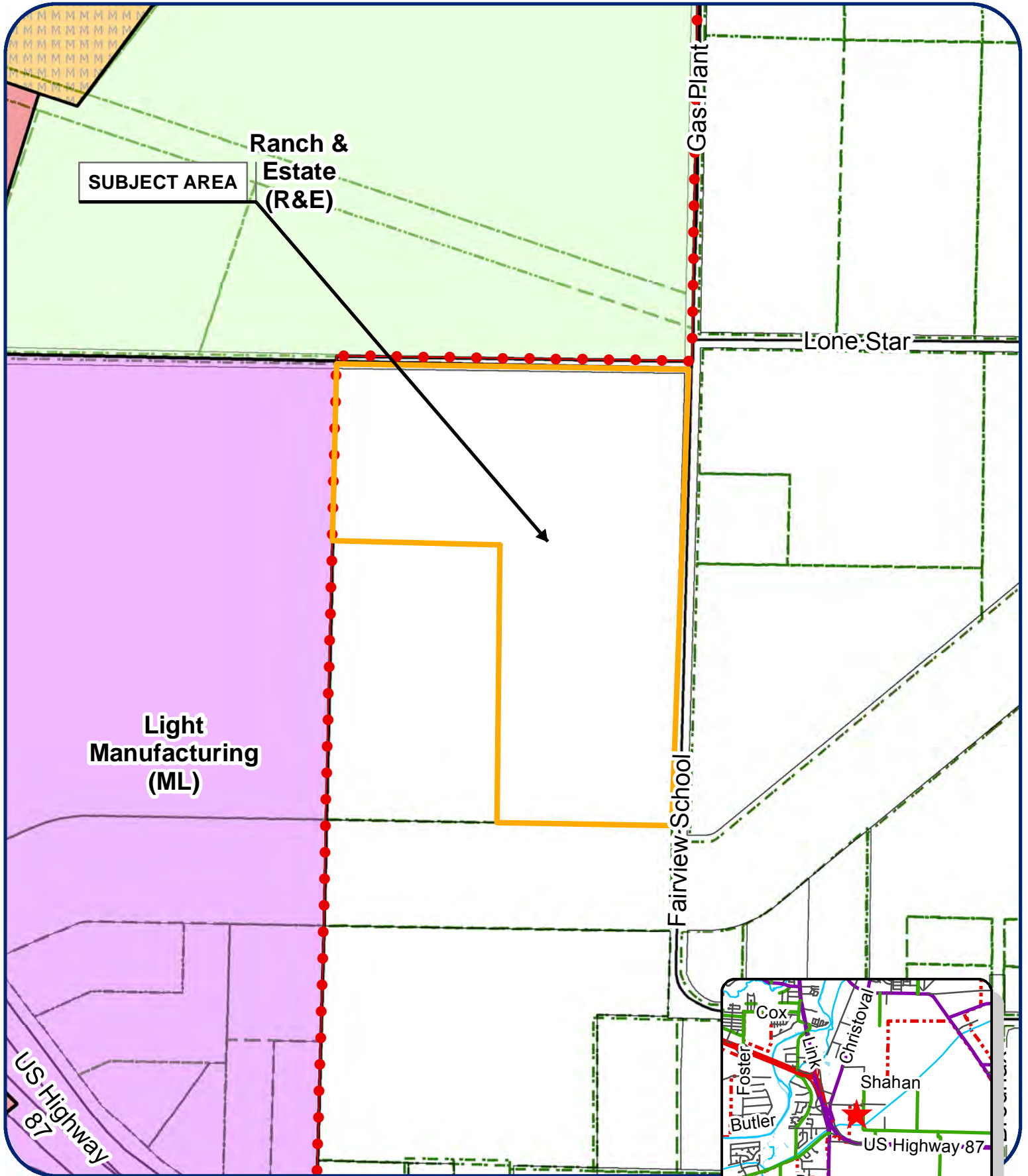
**Bridlewood Estates, S-1**

Council District: N/A (OCL)  
 Neighborhood: N/A (OCL)  
 Scale: 1 inch :: 500 feet  
 Legal Descr.: 26.728 ac out of LP Moore Survey 169.5, ABS 1637, TGCTX

**Legend**

Subject Properties:   
 Current Zoning: **N/A (OCL)**  
 Requested Zoning Change: **N/A**  
 Vision: **Rural**





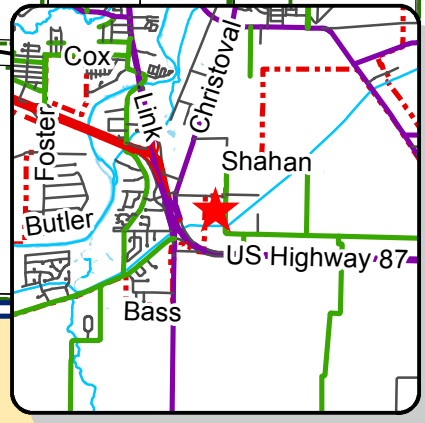
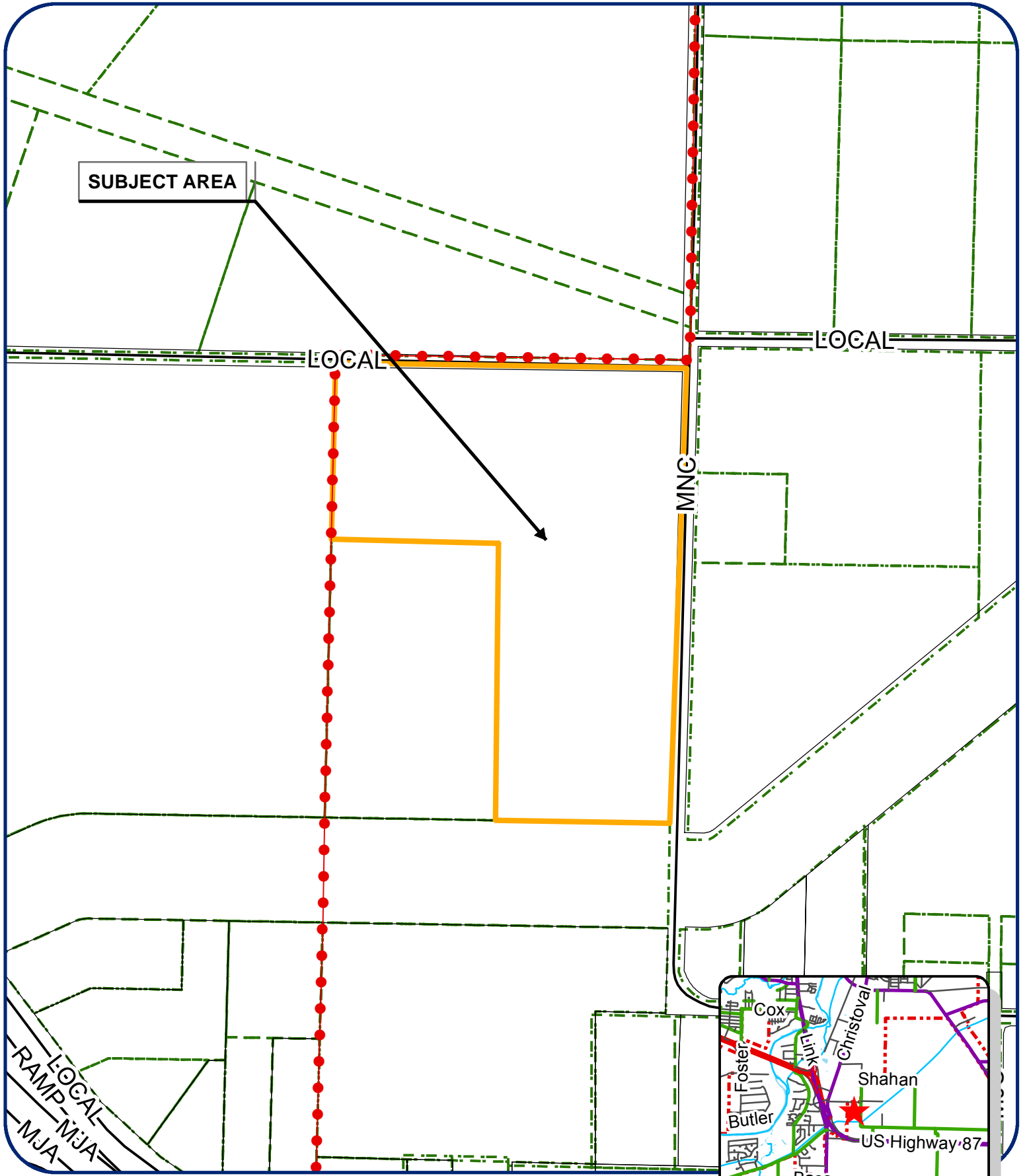
**Subdivisions Case File**  
**Bridlewood Estates, S-1**

Council District: N/A (OCL)  
 Neighborhood: N/A (OCL)  
 Scale: 1 inch :: 500 feet  
 Legal Descr.: 26.728 ac out of LP Moore Survey 169.5, ABS 1637, TGCTX

**Legend**

- Subject Properties:
- Current Zoning: N/A (OCL)
- Requested Zoning Change: N/A
- Vision: Rural





**Subdivisions Case File**  
**Bridlewood Estates, S-1**

Council District: N/A (OCL)  
 Neighborhood: N/A (OCL)  
 Scale: 1 inch :: 500 feet  
 Legal Descr.: 26.728 ac out of LP Moore Survey 169.5, ABS 1637, TGCTX

**Legend**

- Subject Properties:
- Current Zoning: N/A (OCL)
- Requested Zoning Change: N/A
- Vision: Rural



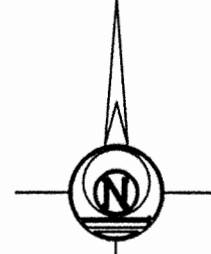
REF.: 24.45 Ac.Tr. (Exhibit "A") - Vol. 954, Pg. 166 OPR

S. GAS PLANT RD.  
LONE STAR LN.

FAIRVIEW ROAD

S89°04'20"E 1089.68'

NE Cor. 91.4 Ac.Tr. called to be approx. 39' S2°08'10"W from adjacent corner of Sur. 169 1/2



SCALE: 1"= 100'

0 50 100 200  
GRAPHIC SCALE : FEET

NOTE: Bearings shown hereon are based on the Texas Coordinate System - Central Zone. Distances shown are surface horizontal.

**LEGEND:**

- Found 1/2" Iron Pipe or Rod (unless otherwise noted)
- Set 1/2" Iron Rod with Cap Mkd. "SKG ENGINEERS"

**PLANNING COMMISSION**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_, City Planning Commission of San Angelo, Texas.

By: \_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Secretary

**DEPARTMENT OF WATER UTILITIES**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_.

By: \_\_\_\_\_  
Director of Water Utilities

**DEPARTMENT OF PUBLIC WORKS**

Approved for recording this \_\_\_ day of \_\_\_, 20\_\_\_.

By: \_\_\_\_\_  
Director of Public Works

**COUNTY CLERK**

Filed for record this \_\_\_ 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 \_\_\_\_\_  
by Arlin Woehl.

Notary Public, State of Texas

REF.: Remainder of 91.4 Ac.Tr. Inst.No. 655071 OPR

N01°31'10"E 581.97'

Tract 13  
2,000 Ac.

Tract 12  
2,000 Ac.

Tract 11  
2,000 Ac.

Tract 10  
2,000 Ac.

Tract 9  
2,000 Ac.

Tract 8  
2,000 Ac.

Tract 7  
2,000 Ac.

L.P. MOORE  
SURVEY NO. 169 1/2  
Abstract No. 1637

REF.: Remainder of 91.4 Ac.Tr. Inst.No. 655071 OPR

150.60'

Tract 6  
2,000 Ac.

N89°03'40"W 577.39'

151.17'

Tract 5  
2,000 Ac.

N89°03'40"W 575.22'

151.75'

Tract 4  
2,000 Ac.

N89°03'40"W 573.04'

152.32'

Tract 3  
2,000 Ac.

N89°03'40"W 570.85'

152.90'

Tract 2  
2,000 Ac.

N89°03'40"W 568.66'

153.50'

Tract 1  
2,000 Ac.

N89°03'35"W 573.49'

N89°03'35"W 580.22'

REF.: 2.2 Ac.Tr. (USA Canal) - Vol. 437, Pg. 342 DR

REF.: Main USA Canal - Vol. 428, Pg. 225-27 DR

Fd. 1 - 1/4 P. NW Cor. Blk. K  
NE Cor. Blk. J, Replat of Blk. H  
Twin Mills S. 20th  
Cob. D, Slide 328 PR

FAIRVIEW SCHOOL ROAD

S02°07'55"W 1494.73'

REF.: 15.00 Ac.Tr. - Inst.No. 674735 OPR

REF.: 12,014 Ac.Tr. - Inst.No. 578070 OPR

SE Cor. 91.4 Ac.Tr.

**BRIDLEWOOD ESTATES  
SECTION ONE**

Tom Green County, Texas.  
OWNER/DEVELOPER: ARLIN WOELH

DESCRIPTION: Being 26.728 acres of land out of L.P. Moore Survey No. 169 1/2, Abstract No. 1637 and being that same tract described in Instrument No. \_\_\_\_\_, Official Public Records of Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION  
I, Arlin Woehl, do hereby adopt this plat as the subdivision of my property and dedicate for the use of the public the streets and easements shown hereon.

Arlin Woehl

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.

**SURVEYOR'S CERTIFICATE**

Know all men by these presents: that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon 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 platted lies within the extraterritorial jurisdictional area of the City of San Angelo, Texas.

This Plat is Filed in Cabinet \_\_\_, Slide \_\_\_  
Plat Records of Tom Green County, Texas.

Field Notes are filed as Instrument No. \_\_\_\_\_  
Official Public Records, Tom Green County, Texas.



SURVEYING + ENVIRONMENTAL + LAB/CMT

706 SOUTH ABE STREET PHONE: 325.655.1288  
SAN ANGELO, TEXAS 76903 FAX: 325.657.8189

FIRM No.: 10102400  
www.skg.com



# City of San Angelo, Texas - Planning Land Subdivision Application



**NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. The Authorized Representative (as designated in Section 1) will be notified of any changes in status & contacted with any questions. Use "N/A" where an item is not applicable.**

## Section 1: Basic Information

### BRIDLEWOOD ESTATES SECTION ONE

Proposed Subdivision Name

26.728 acres out of that 91.4 acre tract described in Inst.No. 655071 OPR Tom Green County, TX

Current Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com))

R000049176 or 66-01637-2773-400-00

Tax ID Number(s) (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com) under Geographic ID)

**One Authorized Representative must be selected below. All communications regarding this application will be conducted with this individual.**

Authorized Representative:     Tenant             Property Owner             Contractor             Engineer

Tenant:

Name	Phone Number	Email Address
Property Owner: Arlin Woehl		
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	herbh@skge.com

Property Owner:

Name	Phone Number	Email Address
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	herbh@skge.com

Architect/Engineer/Design Professional:

Name	Phone Number	Email Address
SKG Engineering	325-655-1288	herbh@skge.com

Subdivision Type:

- Final Plat             Replat - requiring Planning Commission approval             Plat Vacation  
 Preliminary Plat     Replat - administratively eligible\*                                     Amended Plat

\*If claiming eligibility for administrative approval, please note that **all of the following criteria** must be met; otherwise, the application will be scheduled for hearing by Planning Commission according to the adopted COSA submittal schedule.

- includes no more than four new lots or tracts;
- no dedication of land (including right-of-way, right-of-way expansion, corner clip dedication, etc) is required;
- all new lots or tracts front onto an existing public street right-of-way which is fully improved to City specifications;
- no extension of water or sewer mains are required to furnish service to the new lots or tracts;
- there is an absence of need for a detailed drainage plan;
- existing easement(s) for utilities are not removed or realigned without the express written permission from each utility service, or without the formalized release of said easement(s); and,
- in the case of replats requiring notification, no written opposition is received before the close of the public hearing.

## Section 2: Utility & Easement Information

Water:

- City - requesting new services            Proposed size? \_\_\_\_\_  
 City - utilizing existing services            Existing size? \_\_\_\_\_  
 Other    Please specify: Millersview-Doole WSC

Sewer:

- City - requesting new services            Proposed size? \_\_\_\_\_  
 City - utilizing existing services            Existing size? \_\_\_\_\_  
 Other    Please specify: \_\_\_\_\_  
 Septic System                                      Lot size? 2.000 Ac

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-658-1024)

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

If yes, briefly describe each, including the use and size: \_\_\_\_\_

**Section 3: Property Characteristics**

26.728

13

Total Acreage of Proposed Subdivision/Resubdivision

Total Number of Lots Proposed

Existing Zoning:

- RS-1     RS-2     RS-3     RM-1     RM-2     PD (include case number: \_\_\_\_\_)
- R&E     CN     CO     CG     CG/CH     CBD     OW     ML     MH

Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?\*  Yes     No

\*NOTE: if so, notification is required, and an additional notification fee is required.

Existing Land Use (Include the number of acres devoted to this use):

- Vacant 26.728     Single-Family Residential \_\_\_\_\_     Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_     Industrial/Manufacturing \_\_\_\_\_     Commercial/Retail \_\_\_\_\_

Proposed Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_     Single-Family Residential 26.000     Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_     Industrial/Manufacturing \_\_\_\_\_     Commercial/Retail \_\_\_\_\_

Are there existing structures on the property?     Yes     No

If yes, how many structures exist? \_\_\_\_\_ What type of structures exist currently? \_\_\_\_\_

If yes, are any of the structures planned to remain?     Yes (NOTE: requires one copy of proposed plat showing structures to remain)

No

Are there existing deed restrictions?     Yes     No

If yes, provide deed reference information: \_\_\_\_\_

Is this proposed plat within the ETJ?\*     Yes     No

\*NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it..

**Section 4: Variance Requests**

Are any variances for this application being requested?     Yes     No

If yes, provide all of the following information:

**Request 1:** Section & subsection from Subdivision Ordinance from which variance is requested: \_\_\_\_\_

- Full variance requested     Partial variance requested (proposed variation from standard): \_\_\_\_\_

Check which of the following criteria apply, & include a detailed explanation of how each item applies to this request. Attach additional sheets if necessary to provide more explanation, or if additional variances are requested.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 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.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Section 4 continues on next page)



**Section 4, continued**

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

\_\_\_\_\_

\_\_\_\_\_

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

Arvin Woelfel  
Owner's Signature

12-20-16  
Date

Archie Hooker  
Representative's Signature

01/03/2017  
Date

**FOR OFFICE USE ONLY:**

Submitted to front desk: \_\_\_\_\_ Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? \_\_\_\_\_  
Date Initials

Resubmittal received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

**Approvals required for this application:**

	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

**From:** Herb Hooker  
**To:** [Stallworth, David](#); [Fisher, Jeff](#); [Pelofske, Jason](#)  
**Cc:** [rbell1539@yahoo.com](mailto:rbell1539@yahoo.com); [Russell Gully](#)  
**Subject:** Bridlewood Estates, Section One  
**Date:** Thursday, January 5, 2017 11:00:40 AM  
**Attachments:** [Amended Subdivision Application form.pdf](#)

---

David,

I submitted the plat application for this on Tues.(01/03). We are planning on widening the roadways so no variance was requested.

Since these roadways are existing County maintained roadways, we are requesting that we be able to widen the roadways consistent with County roadway specifications.

Attached please find an amended application that requests variances to accomplish this.

Please contact me if you have questions.

Thanks

**HERB HOOKER**  
**SKG ENGINEERING, LLC**  
Firm #F-7608 & #10102400  
706 South Abe Street  
SAN ANGELO, TEXAS 76903  
voice 325.655.1288  
fax 325.657.8189  
[herbh@skge.com](mailto:herbh@skge.com)

# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

From: Jon James, AICP  
Director of Planning and Development Services

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

Planner: David Stallworth, AICP  
Principal Planner

Request: A request for approval of the Final Plat of Stone Key Estates, Section One-D, and requests for Variances from the following Sections of the Land Development and Subdivision Ordinance: (a) a Variance from Section 9.III.A.5 requiring the dedication of five feet of public road right-of-way along Reece Road to meet the minimum right-of-way requirements of a rural Local Road; (b) a Variance from Section 9.V requiring the installation of sidewalks along Reece Road, a roadway containing pavement that is less than thirty-six feet in width; (c) a Variance from Section 9.II.B to allow a residential block length in excess of 2200 linear feet along Reece Road; (d) a Variance from Section 9.III.C.2, which prohibits a dead-end roadway, Reece Road, from exceeding 750 linear feet in length; (e) a Variance from Section 10.III.A.2 which requires the improvement of Reece Road by half the additional increments necessary to comprise a minimum pavement width of 30 feet; and (f) a Variance from Section 9.III.C.1, which requires an appropriate vehicular turnaround along a dead-end roadway, Reece Road

Location: An unaddressed tract generally located outside of the San Angelo municipal corporate limits and within the City's Extra-

territorial Jurisdiction (ETJ) along the south side of Reece Road, approximately 2,127 feet west of Stone Bluff Lane

Legal

Description: 3.099 ac. out of the Heirs of H. Schumacher Survey no, 99, Abstract 1946, Tom Green County, TX

Size: 3.099 acres

General Information

Future Land Use: N/A (Outside City Limits [ETJ])

Current Zoning: N/A (Outside City Limits [ETJ])

Existing Land Use: Vacant

**Surrounding Zoning / Land Use:**

North:	N/A (Outside City Limits [ETJ])	Farmland
West:	N/A (Outside City Limits [ETJ])	Vacant
South:	N/A (Outside City Limits [ETJ])	Vacant
East:	N/A (Outside City Limits [ETJ])	Residential

District: N/A (Outside City Limits [ETJ])

Neighborhood: N/A (Outside City Limits [ETJ])

Thoroughfares/Streets:

Reece Road is classified as a “Rural Local or Minor Street” in the City’s Master Thoroughfare Plan (MTP). Local or Minor Streets are designed to collect traffic from a localized area and discharge it into a larger distribution system. This type of roadway is used primarily for access to abutting properties. Local or Minor Streets provide service to both urban and rural subdivisions. Rural-type roadways generally consist of a minimum right-of-way width of 60 feet with a minimum pavement width of 30 feet, curb and gutter are not required.

## Background:

The vacant 3.099-acre project area is part of an overall 45-acre unplatted parcel situated outside of the City's municipal corporate limits and within its 3-mile Extra-territorial Jurisdiction (ETJ). The parent parcel was part of a larger 183-acre parcel that is subject to the Stone Key Estates preliminary plat that was accepted by the Tom Green County Commissioners' Court on February 28, 2006.

Chapter 12, Exhibit C of the Code of Ordinances, entitled the "Land Development and Subdivision Ordinance," governs platting in the ETJ. The Petitioner submitted the Final Plat application on January 3, 2017. A request for variances from Sections 9.III.A.5.a (roadway improvements), Section 10.III.A (right-of-way dedication requirements; pavement width requirements) and 9.V (sidewalk installation) of the City's Land Development and Subdivision Ordinance was submitted in conjunction with the application. The Development Review Committee conducted its review of the application on January 11, 2017.

## Analysis for Inconsistency With Preliminary Plat:

The Stone Key Estates preliminary plat was accepted by Tom Green County in February of 2006. The preliminary plat called for an ultimate yield of 117 residential lots and approximately 13,200 linear feet of new public roadway to be completed in at least six phases. At least four final plats have been approved, filed and recorded in accordance with the preliminary plat, Section 1-A (nine lots, 2/28/2006), Section 1-C (thirteen lots, 2/28/2006), Section 1-B (thirty-one lots and 3,500 linear feet of roadway [Stone Key, Stone Bluff and Stone Meadow Lanes]) and Section 2-A (two lots and approximately 800 linear feet of roadway [Capstone Road]).

It appears that there were no County regulations governing the lifespan of approved preliminary plats at the time the Stone Key Estates preliminary plat and accompanying two final plats were approved in February of 2006. It is therefore presumed that the Stone Key Estates preliminary plat is still in effect. Further review indicates that the proposed final plat does not conform to the governing preliminary plat for the following reasons:

- The final plat increases residential lot yield along Reece Road;
- The final plat eliminates a proposed north-to-south residential street (Stone Hollow Lane);
- The final plat disregards and strands existing roadway projections of Stone Meadow and Stone Bluff Lanes;
- Any lot and block reconfigurations in light of the roadway elimination may result in excessive block lengths and poor internal street connectivity; and

- The final plat eliminates a potential secondary access for Reece Road and leaves the potential for overloading along Reece Road.

With these observations in mind, the final plat does not conform to Section 5.III.A.3, which requires a final plat to be in general adherence to a governing preliminary plat. The Petitioner must either: (a) submit a final plat in accordance with the approved general lot and road layout of the preliminary plat; (b) revise the preliminary plat; or (c) submit a request to abandon the preliminary plat.

#### Analysis for Variances:

The proposed final plat uses an alpha-numeric number and sequencing convention that is typical for replatted lots. As the application is not a replat, however, the Petitioner will be required to renumber and re-sequence accordingly. Since a rural Local Road only requires a minimum pavement width of 30 feet, Section 9.V will require the installation of sidewalk along the project area's frontage; a Variance has been submitted for relief from this requirement. As Section 10.III.A requires rural Local Roads to have a minimum right-of-way width of 60 feet, the developer must dedicate at least five feet along the project area's frontage. To this end, a Variance to this requirement has been submitted. The appending of additional residential lots westward will create a residential block that exceeds 2,200 feet in length, which is both counter to Section 9.II.B and inconsistent with the governing preliminary plat. A Variance was submitted for relief from this requirement on January 18, 2017. Reese Road was platted in 1973 as part of the Pecan Creek Subdivision, Revised Plat. This public roadway is approximately 5,600 feet in total length, and it dead-ends at Tract 30 to the west, which is more than 700 feet away from the project area. Reece Road has two points of connectivity and secondary access to US Highway 277 (Stone Bluff Drive, Stone Key Lane). West of Stone Bluff Drive, however, Reece Road has approximately 3,300 feet of dead-end roadway. As a result, there are no reasonably close turnaround provisions for emergency vehicles. Although the present dead-end street conditions pre-exist this development application, the Petitioner, nevertheless, will be required to either provide suitable turnaround facilities for this new development in accordance with Section 9.III.C.1 or seek Variance relief.

In conjunction with the plat application, the applicant has submitted a request for a Variance from Sections 9.III.A.5.a (right-of-way dedication requirements), Section 9.III.C.2 (excessive dead-end street length), 10.III.A.2 (pavement width requirements) and 9.V (sidewalk installation) of the City's Land Development and Subdivision Ordinance. The Petitioner also submitted additional requests for Variances to Sections 9.III.C.1 (suitable vehicular turnaround provisions) and Section 9.II.B (excessive residential block length) on January 18, 2017, one day before the publication of this staff report. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a Variance unless the request meets the following findings based upon the evidence that is presented:

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

RE: Sections 9.III.A.5.a, 10.III.A.2 and 9.V – The applicant contends that the Variance will not be detrimental in that it will allow widening of the existing roadway in a manner that will be consistent with Tom Green County Standards and maintenance procedures. The Petitioner does not offer any empirical information to support the position that current roadway conditions are safe and adequate. Reece Road was platted in the early 1970's under different conditions and with different criteria. As the Petitioner is not seeking protection through vesting under the governing preliminary plat, there is no justifiable rationale to perpetuate status quo. It should be noted, however, that the length of roadway dedication and accompanying improvements will be confined to the frontage of the project area and is relatively small in scale. Given the proposed rural residential development, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be necessary for this development.

RE: Section 9.II.B – The applicant fails to provide a reasonable justification to deviate from the governing preliminary plat and extend the current residential block length between Stone Bluff Drive and the project area by three additional lots. Doing so will well exceed the 2200-foot block length threshold outlined in Section 9.II.B and laid out under the preliminary plat. This will result in far-reaching impacts for any future development of the Stone Key Estates, to include, but not limited to: (1) the apparent elimination, or perhaps ill-advised relocation of a proposed north-to-south residential street; (2) successive lot and block reconfigurations that may result in further excessive block lengths and poor internal street connectivity; and (3) an unwarranted increase in lot yield along a dead-end street that appears to be driven out of preference rather than hardship.

RE: Sections 9.III.C.1 and 9.III.C.2 – Reese Road was platted in 1973 as part of the Pecan Creek Subdivision, Revised Plat. This public roadway is approximately 5,600 feet in total length, and it dead-ends at Tract 30 to the west, which is more than 700 feet away from the project area. The Stone Key Estates preliminary plat provided at least three north-to-south conduits that provided secondary access to US Highway 277 through Capstone Road. One of those north-to-south conduits, Stone Hollow Lane, is being compromised to facilitate the final plat. West of Stone Bluff Drive, Reece Road will have approximately 3,300 feet of existing, dead-end roadway as a result of this elimination. Along this dead-end segment of Reese Road, there are 27 lots or tracts that enjoy exclusive frontage along this roadway. Given that present dead-end conditions and lot frontage pre-exist this development application, dead-end roadway length restrictions and lot frontage restrictions should not generally apply. Although the Petitioner asserts that at least two turnarounds already exist, no details have been provided as to their proximity to the project area, their legitimacy of use (public access vs. trespass/prescription), or their serviceability and durability.

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.**

*RE: All Variance Requests* – The Petitioner is unclear as to what unique conditions drive the Variance request. The Petitioner appears to be seeking relief from long-block restrictions due to preference in lot layout over situational uniqueness and in disregard of the adopted preliminary plat. Lastly, the Petitioner does not satisfactorily explain why suitable turnarounds cannot be provided to service the additional lot yield along a dead-end roadway. Conversely, the amount of roadway dedication and accompanying improvements will be confined to the frontage of the project area and is small in scale. Given the proposed rural residential development, however, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be needed.

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.**

*RE: All Variance Requests* – No extreme topographical issues or site peculiarities have been identified with the subject property that would warrant the Variance requests. The reference to hardships potentially endured by the property owner appear to be based either on inconvenience or economics, none of which qualifies for Variance relief.

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

*RE: All Variance Requests* – The length of roadway dedication and accompanying improvements will be limited to the frontage of the project area and are proportionally small. This may appear not to have a far-reaching impact on surrounding properties or the overall development, given the scale of the project area. Given the proposed rural residential development, however, as well as the project area's remoteness from any significant pedestrian hubs, sidewalks should not be necessary for this development.

Conversely, the 3-1/2 mile Extra-territorial Jurisdiction that surrounds the San Angelo municipal corporate limits, as well as the authorization granted to the City to review and approve land divisions and street improvements in this area, was established through inter-local agreement in 2004 and amended in 2014, in accordance with Chapter 242 of the Texas Local Government Code. The purpose of the ETJ is not only to prepare surrounding areas for proper, timely and supportable annexation, but to ensure that local taxpayers are not burdened with additional and unwarranted absorption costs in the aftermath of an annexation, as called for in Chapters 42 and 43, Texas Local Government Code. Prior to this, land divisions outside of the San Angelo city limits were reviewed and approved by Tom Green County. If a justification for the Variance is based on the unlikelihood of any annexation of this area in the foreseeable future, if at all, then



this argument must be quickly discounted. Currently, there is no language in either the Code of Ordinances or in the Inter-local Agreement that allows the City to administer the Land Development and Subdivision Ordinance in a discretionary manner, nor does it currently provide for “Spheres of Influence,” which may allow different standards of application and enforcement in relation to growth patterns and direction. In short, there is only one standard for all of the City’s Extra-territorial Jurisdiction, and that standard must be applied equally throughout the overall ETJ, unless there is a plausible and compelling argument to the contrary.

Staff Recommendation:

Staff recommends that the Planning Commission **DENY** the Final Plat of Stone Key Estates, Section One-D as it does not conform to the governing Stone Key Estates Preliminary Plat, as required by Section 5.III.A.3 of the San Angelo Land Development and Subdivision Ordinance.

Attachments:

Aerial Map  
Major Thoroughfare Plan Map  
Proposed Plat  
Application  
Previous Development History



## City of San Angelo, Texas - Planning Land Subdivision Application



**NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. The Authorized Representative (as designated in Section 1) will be notified of any changes in status & contacted with any questions. Use "N/A" where an item is not applicable.**

### Section 1: Basic Information

#### STONE KEY ESTATES SECTION ONE-D

Proposed Subdivision Name

3.099 acres out of Hrs. of H. Schumacher Survey No. 99, Abstract No. 1946, Tom Green County, Texas

Current Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com))

Tax ID Number(s) (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com) under Geographic ID)

**One Authorized Representative must be selected below. All communications regarding this application will be conducted with this individual.**

Authorized Representative:  Tenant  Property Owner  Contractor  Engineer

Tenant:

Name	Phone Number	Email Address
Kerry A. Bolding Construction, LLC	325.277.9060	

Property Owner:

Name	Phone Number	Email Address
SKG Engineering	325-655-1288	herbh@skge.com

Architect/Engineer/Design Professional:	Name	Phone Number	Email Address
	SKG Engineering	325-655-1288	herbh@skge.com

Subdivision Type:  Final Plat  Replat - requiring Planning Commission approval  Plat Vacation  
 Preliminary Plat  Replat - administratively eligible\*  Amended Plat

\*If claiming eligibility for administrative approval, please note that **all of the following criteria** must be met; otherwise, the application will be scheduled for hearing by Planning Commission according to the adopted COSA submittal schedule.

- includes no more than four new lots or tracts;
- no dedication of land (including right-of-way, right-of-way expansion, corner clip dedication, etc) is required;
- all new lots or tracts front onto an existing public street right-of-way which is fully improved to City specifications;
- no extension of water or sewer mains are required to furnish service to the new lots or tracts;
- there is an absence of need for a detailed drainage plan;
- existing easement(s) for utilities are not removed or realigned without the express written permission from each utility service, or without the formalized release of said easement(s); and,
- in the case of replats requiring notification, no written opposition is received before the close of the public hearing.

### Section 2: Utility & Easement Information

Water:  City - requesting new services Proposed size? \_\_\_\_\_  
 City - utilizing existing services Existing size? \_\_\_\_\_  
 Other Please specify: Concho Rural Water Corp.

Sewer:  City - requesting new services Proposed size? \_\_\_\_\_  
 City - utilizing existing services Existing size? \_\_\_\_\_  
 Other Please specify: \_\_\_\_\_  
 Septic System Lot size? 1.033 Ac.

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-658-1024)

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

If yes, briefly describe each, including the use and size: \_\_\_\_\_

**Section 3: Property Characteristics**

3.099

3

Total Acreage of Proposed Subdivision/Resubdivision

Total Number of Lots Proposed

Existing Zoning:

- RS-1    RS-2    RS-3    RM-1    RM-2    PD (include case number: \_\_\_\_\_)
- R&E    CN    CO    CG    CG/CH    CBD    OW    ML    MH

Has the zoning or deed restrictions for this property limited each lot to no more than two dwelling units?\*  Yes    No  
\*NOTE: if so, notification is required, and an additional notification fee is required.

Existing Land Use (Include the number of acres devoted to this use):

- Vacant 3.099    Single-Family Residential \_\_\_\_\_    Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_    Industrial/Manufacturing \_\_\_\_\_    Commercial/Retail \_\_\_\_\_

Proposed Land Use (Include the number of acres devoted to this use):

- Vacant \_\_\_\_\_    Single-Family Residential 3.099    Office \_\_\_\_\_
- Multi-Family Residential \_\_\_\_\_    Industrial/Manufacturing \_\_\_\_\_    Commercial/Retail \_\_\_\_\_

Are there existing structures on the property?  Yes    No

If yes, how many structures exist? \_\_\_\_\_ What type of structures exist currently? \_\_\_\_\_

If yes, are any of the structures planned to remain?  Yes (NOTE: requires one copy of proposed plat showing structures to remain)

No

Are there existing deed restrictions?  Yes    No

If yes, provide deed reference information: \_\_\_\_\_

Is this proposed plat within the ETJ?\*  Yes    No

\*NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it.

**Section 4: Variance Requests**

Are any variances for this application being requested?  Yes    No

If yes, provide all of the following information:

**Request 1:** Section & subsection from Subdivision Ordinance from which variance is requested: Ch. 9, Sec. III, A, Ch. 10, Sec. III

Full variance requested    Partial variance requested (proposed variation from standard): ROW Width, Pvm't. Width, No SAW

Check which of the following criteria apply, & include a detailed explanation of how each item applies to this request. Attach additional sheets if necessary to provide more explanation, or if additional variances are requested.

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

The granting of this variance request would not be detrimental to the public safety, health or welfare, or be injurious to other property as this area functions and will continue to function in its current condition.

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 conditions upon which this request for variance is based are not generally applicable to other property as this is an existing developed area and this is a small in-fill project.

(Section 4 continues on next page)

**Section 4, continued**

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.

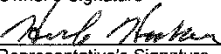
Due to the physical surroundings and topography of the subject property including the presence of the existing street, fences, and drainage pattern a particular hardship to the owner would result.

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

Approval of this variance would not, in any significant way, vary the provisions of the applicable ordinances as these are existing conditions that are very functional and adjoining large areas that have similar, approved conditions.

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

Owner's Signature \_\_\_\_\_  
  
 Representative's Signature \_\_\_\_\_

\_\_\_\_\_  
 Date  
 01/03/2017  
 Date

**FOR OFFICE USE ONLY:**

Submitted to front desk: \_\_\_\_\_ Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? \_\_\_\_\_  
Date Initials

Resubmittal received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Initials

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)

Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

Approvals required for this application:

	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_

**Section 4, continued**

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

\_\_\_\_\_

\_\_\_\_\_

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 is/has been 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. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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.

W. A. Baker Const. LLC  
Owner's Signature

12/30/2016  
Date

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:**

Submitted to front desk: 1/3/2017 Deemed preliminary complete: \_\_\_\_\_  
Date Date Time Initials

Received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Time Initials

Completeness review passed?  Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

If yes, when was application scheduled for staff review, if applicable? \_\_\_\_\_  
Date Initials

If no, when was rejection & list of deficiencies (attach copy) sent to Authorized Representative? \_\_\_\_\_  
Date Initials

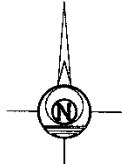
Resubmittal received by Development Services Technician for completeness review: \_\_\_\_\_  
Date Initials

Completeness review passed? (Note: if resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)  
 Yes \_\_\_\_\_  No \_\_\_\_\_  
Date Date

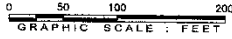
Approvals required for this application:	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: \_\_\_\_\_

Date Recorded: \_\_\_\_\_



SCALE: 1" = 100'



Bearings shown hereon are based on that 105.534 ac. tr. of record in Inst. No. 201511272 OPR. Distances are surface horizontal.

**LEGEND:**

- Found 1/2" Iron Rod w/Cap Mkd. "SKG ENGINEERS" (unless otherwise noted)
- Set 1/2" Iron Rod with Cap Mkd. "SKG ENGINEERS"

PLANNING COMMISSION  
Approved for recording this \_\_\_ day of \_\_\_ 20\_\_\_ City Planning Commission of San Angelo, Texas.

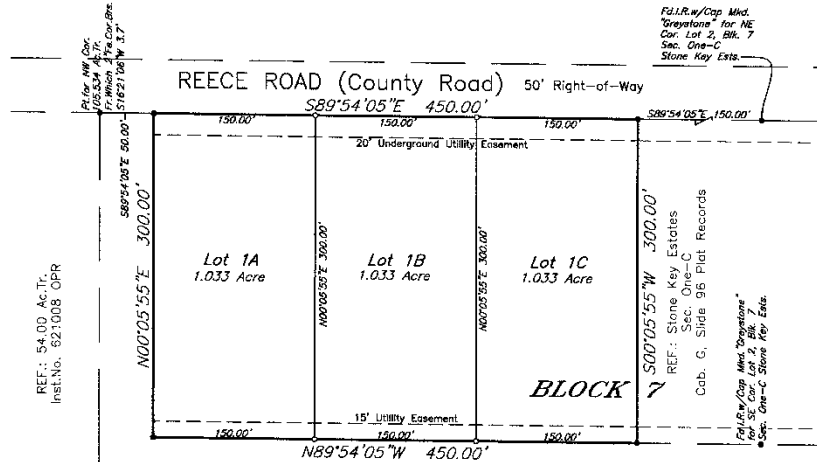
By: \_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Secretary

DEPARTMENT OF WATER UTILITIES  
Approved for recording this \_\_\_ day of \_\_\_ 20\_\_\_

By: \_\_\_\_\_  
Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS  
Approved for recording this \_\_\_ day of \_\_\_ 20\_\_\_

By: \_\_\_\_\_  
Director of Public Works



REF.: Remainder of 105.534 Ac. Tr. Inst. No. 201511272 OPR

Hrs. of H. SCHUMACHER  
SURVEY NO. 99  
Abstract No. 1946

COUNTY CLERK  
Filed for record this \_\_\_ 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  
by Kerry Bolding.

Notary Public, State of Texas

**STONE KEY ESTATES  
SECTION ONE-D**

Tom Green County, Texas.

OWNER/DEVELOPER: KERRY BOLDING

DESCRIPTION: Being 3.099 acres of land out of Hrs. of H. Schumacher Survey No. 99, Abstract No. 1946, Tom Green County, Texas and being that same tract described in Instrument No. \_\_\_\_\_ Official Public Records of Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION  
I, Kerry Bolding, do hereby adopt this plat as the subdivision of my property and dedicate for the use of the public the easements shown hereon.

KERRY BOLDING

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.

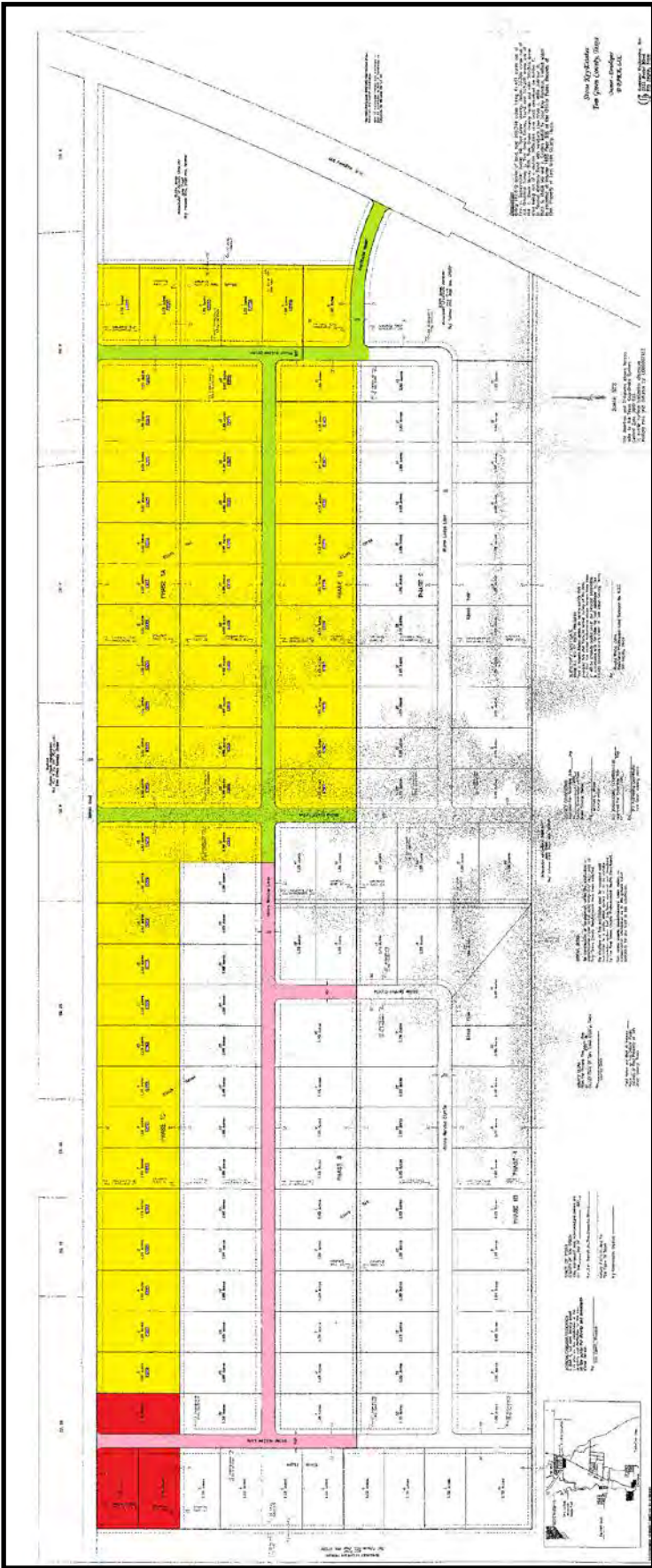
**SURVEYOR'S CERTIFICATE**

Know all men by these presents: that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon 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 platted lies within the extraterritorial jurisdictional area of the City of San Angelo, Texas.

16-S-1290

**SKG ENGINEERING, LLC**  
SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET PHONE: 325.655.1286  
SAN ANGELO, TEXAS 76903 FAX: 325.657.8189  
Firm No. 10102400  
www.skge.com



Platted lots



Completed roadway



Pending roadway



Pending lots to be affected by proposed final plat

**14. Commissioner Bookter moved to approve the plat of Stone Key Estates as a final plat to be developed and recorded in the phases indicated on such plat with the phases involving the construction of roads coming back to the Court for approval of all of the issues dealing with the development of the roads prior to final approval of each such plat phase. With Phase 1-A and 1C being approved as of today. Commissioner Easingwood seconded the motion. The motion passed 5-0. (Plat Application, fees and plat with all projected phases presented to Clerk for future development of phases.)**

**16. Issues discussed relating to the Tom Green County Subdivision and Manufactured Home Rental Community Development Regulations:**

**Commissioner Easingwood moved to hire the Law firm of Allison-Bass for Professional Services to update the Subdivision Rules and Regulations of Tom Green County.**

**Commissioner Easingwood modified his motion to get proposals for Professional Services to update the Subdivision Rules and Regulations of Tom Green County. Judge Brown seconded the motion. Judge Brown, Commissioners Hoelscher, Bookter and Easingwood voted in favor of the motion. Commissioner Floyd voted in opposition of the motion. The motion passed 4-1.**

**14. A. Judge Brown moved to authorize Election Administrator Michael Benton, authority to seek a new polling place for Precinct 241, 249 and to secure pre-clearance authorization for such move, should the need arise due to the proposed loss of the current facility. Commissioner Easingwood seconded the motion. The motion passed 5-0.**

**15. There was no action taken** regarding the Hemphill Wells Building/Library Committee Report.

**16. There were no line item transfers.**

**18. Future Agenda Items Discussed:**

- 1. Issues regarding River Ranch Estates.**
- 2. Issues relating to the Grape Creek School Crossing light.**

**19. Announcements:**

- 1. Next Regular Commissioners' Court Meeting will be March 14, 2006.**
- 2. March 27<sup>th</sup>, 2006 will be a special demo of the TSG Odyssey system.**
- 3. Proposed Personnel Classification Revisions.**
- 4. Pipeline Safety Meeting March 2, 2006 at 6:30 PM.**
- 5. March 4<sup>th</sup>, 2006 there will be a barbecue, silent auction and fundraiser at the Coachman Club to help with medical expenses for County employee Karl Braden and his family.**

**20. Judge Brown adjourned the meeting at 11:32 AM**

As per HB 2931, Section 4:

**I, Elizabeth McGill, County Clerk of Tom Green County, Texas do hereby attest that this is an accurate accounting of the proceedings of the Commissioners' Court Meeting that met in Regular Session on February 28<sup>th</sup>, 2006.**



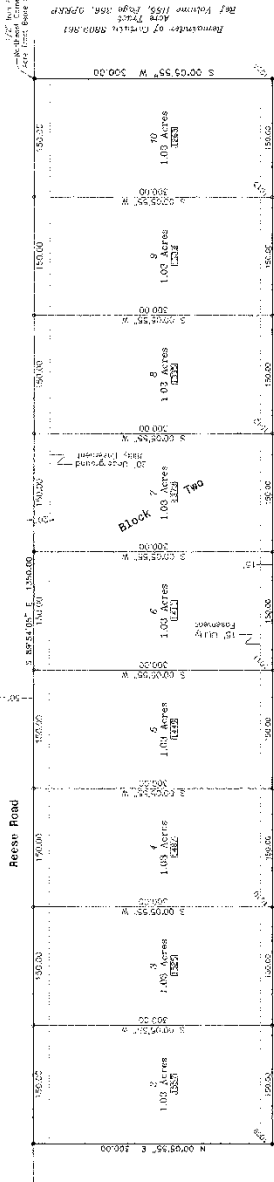
**SECTION NOTES:**

No construction or development within the subdivision or plat shall be undertaken until all applicable requirements have been satisfied. No plat shall be filed with the County until all applicable requirements have been satisfied. No plat shall be filed with the County until all applicable requirements have been satisfied. No plat shall be filed with the County until all applicable requirements have been satisfied.

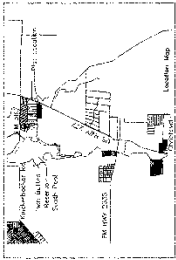
Map of the County of Tom Green, Texas, showing the location of the property described in this plat.

Page 8

Page 9



Page 7



Remainder of County 3809.861  
Ref Volume 1155, Page 106, 107, 108, 109

Remainder of County 3809.861  
Ref Volume 1155, Page 106, 107, 108, 109

The NAD 83 (GDA 2011) Coordinates shown herein are the control coordinates.  
NAD 27 Coordinates derived from conversion of NAD 83 coordinates to NAD 27 coordinates by using the NAD 83 to NAD 27 conversion table published by the National Geodetic Survey.

Remainder of County 3809.861  
Ref Volume 1155, Page 106, 107, 108, 109

SEE SHEETS 101 Address

NAD 83 CONTROL POINTS

Point No.	Point Description	Northing (NAD 83)	Easting (NAD 83)
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...

Description  
Being 9.298 acres of land, said 9.298 acres being out of Block 7, Tom Green Survey 535, Tom Green County, Texas and said 9.298 acres also being out of a certain 3606.881 acre tract described as Exhibit C in Special Warranty Deed with Vendor's Lien from J. Willis Johnson II, Ruth C. Merrill MD and J. Gordon Moble to Dorr Key Ranches, Limited which is recorded at Volume 1155, Page 355 of the Official Public Records of Tom Green County, Texas.

Trails Notes are filed on instrument of Public Records of Tom Green County, Texas.

- Legend
- 1. Contour Lines, Shown as Solid Lines
  - 2. Spot Elevation, Shown as a Number
  - 3. Spot Elevation, Shown as a Number

Stone Key Estates  
Section One-A  
Tom Green County, Texas

Owner - Developer  
D. Bar K, LLC  
Registration Engineer, Inc.  
3321 Santa Fe Blvd  
San Angelo, Texas



SURVEYOR'S CERTIFICATE  
I, RONALD WEEKS JONES, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown herein were seen and are in their proper places, and that the bearings and distances shown herein are true to the best of my knowledge and belief.

By: Ronald Weeks Jones  
Registered Professional Land Surveyor No. 4,992  
San Angelo, Texas

COUNTY COMMISSION  
Approved for Recording this 25th day of May, 2016  
County Commission of Tom Green County, Texas  
By: Michael G. Brown  
County Judge

911 ADDRESSING COORDINATOR  
Approved for Recording this 25th day of May, 2016  
By: Mahe Hamilton  
911 Addressing Coordinator  
Tom Green County, Texas

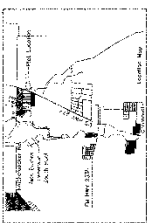
COUNTY CLERK  
I have recorded this plat on this 25th day of May, 2016.  
County Clerk of Tom Green County, Texas  
By: Cheryl Bradley, Deputy  
County Clerk

ACKNOWLEDGMENT  
I, Michael G. Brown, County Judge of Tom Green County, Texas, do hereby certify that I am a duly qualified and acting County Judge of the County of Tom Green, Texas, and that the signatures and seal of the County Judge are true and correct.

STATE OF TEXAS  
COUNTY OF TOM GREEN  
Notary Public in and for the State of Texas  
On this 25th day of May, 2016

By: Belva J. Rogers  
Notary Public in and for the State of Texas  
My Commission Expires: \_\_\_\_\_

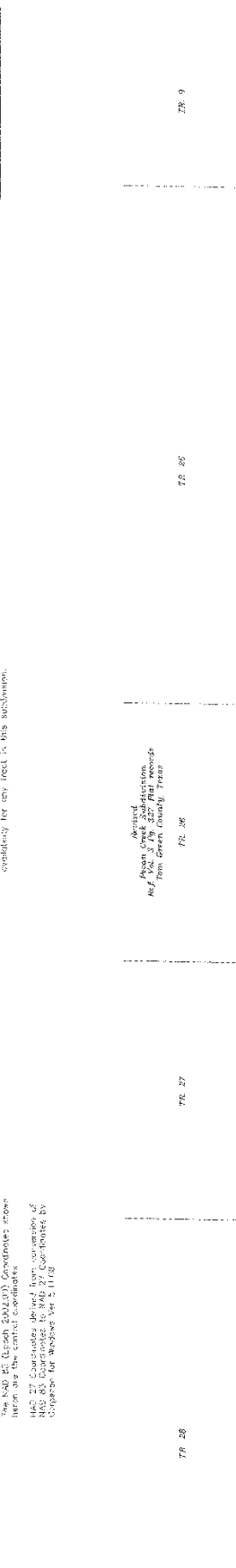




**SPECIAL NOTES:**

No construction or development within the subdivision or subdivision area may commence until the subdivision map is filed with the County Clerk's office and the subdivision map is approved by the Tom Green County Engineering Public Department.

Tom Green County Commissioners' Court allows no representation whatsoever as to the ground water condition for any tract in this subdivision.



Lot No.	Area (Acres)	Area (Sq. Feet)
23	1.00	136,000
24	1.00	136,000
25	1.00	136,000
26	1.00	136,000
27	1.00	136,000
28	1.00	136,000
29	1.00	136,000
30	1.00	136,000
31	1.00	136,000
32	1.00	136,000

The RWD 25, (E) (L) (G) (D) (S) (I) (T) (U) (V) (W) (X) (Y) (Z) (AA) (AB) (AC) (AD) (AE) (AF) (AG) (AH) (AI) (AJ) (AK) (AL) (AM) (AN) (AO) (AP) (AQ) (AR) (AS) (AT) (AU) (AV) (AW) (AX) (AY) (AZ) (BA) (BB) (BC) (BD) (BE) (BF) (BG) (BH) (BI) (BJ) (BK) (BL) (BM) (BN) (BO) (BP) (BQ) (BR) (BS) (BT) (BU) (BV) (BW) (BX) (BY) (BZ) (CA) (CB) (CC) (CD) (CE) (CF) (CG) (CH) (CI) (CJ) (CK) (CL) (CM) (CN) (CO) (CP) (CQ) (CR) (CS) (CT) (CU) (CV) (CW) (CX) (CY) (CZ) (DA) (DB) (DC) (DD) (DE) (DF) (DG) (DH) (DI) (DJ) (DK) (DL) (DM) (DN) (DO) (DP) (DQ) (DR) (DS) (DT) (DU) (DV) (DW) (DX) (DY) (DZ) (EA) (EB) (EC) (ED) (EE) (EF) (EG) (EH) (EI) (EJ) (EK) (EL) (EM) (EN) (EO) (EP) (EQ) (ER) (ES) (ET) (EU) (EV) (EW) (EX) (EY) (EZ) (FA) (FB) (FC) (FD) (FE) (FF) (FG) (FH) (FI) (FJ) (FK) (FL) (FM) (FN) (FO) (FP) (FQ) (FR) (FS) (FT) (FU) (FV) (FW) (FX) (FY) (FZ) (GA) (GB) (GC) (GD) (GE) (GF) (GG) (GH) (GI) (GJ) (GK) (GL) (GM) (GN) (GO) (GP) (GQ) (GR) (GS) (GT) (GU) (GV) (GW) (GX) (GY) (GZ) (HA) (HB) (HC) (HD) (HE) (HF) (HG) (HH) (HI) (HJ) (HK) (HL) (HM) (HN) (HO) (HP) (HQ) (HR) (HS) (HT) (HU) (HV) (HW) (HX) (HY) (HZ) (IA) (IB) (IC) (ID) (IE) (IF) (IG) (IH) (II) (IJ) (IK) (IL) (IM) (IN) (IO) (IP) (IQ) (IR) (IS) (IT) (IU) (IV) (IW) (IX) (IY) (IZ) (JA) (JB) (JC) (JD) (JE) (JF) (JG) (JH) (JI) (JJ) (JK) (JL) (JM) (JN) (JO) (JP) (JQ) (JR) (JS) (JT) (JU) (JV) (JW) (JX) (JY) (JZ) (KA) (KB) (KC) (KD) (KE) (KF) (KG) (KH) (KI) (KJ) (KK) (KL) (KM) (KN) (KO) (KP) (KQ) (KR) (KS) (KT) (KU) (KV) (KW) (KX) (KY) (KZ) (LA) (LB) (LC) (LD) (LE) (LF) (LG) (LH) (LI) (LJ) (LK) (LL) (LM) (LN) (LO) (LP) (LQ) (LR) (LS) (LT) (LU) (LV) (LW) (LX) (LY) (LZ) (MA) (MB) (MC) (MD) (ME) (MF) (MG) (MH) (MI) (MJ) (MK) (ML) (MM) (MN) (MO) (MP) (MQ) (MR) (MS) (MT) (MU) (MV) (MW) (MX) (MY) (MZ) (NA) (NB) (NC) (ND) (NE) (NF) (NG) (NH) (NI) (NJ) (NK) (NL) (NM) (NN) (NO) (NP) (NQ) (NR) (NS) (NT) (NU) (NV) (NW) (NX) (NY) (NZ) (OA) (OB) (OC) (OD) (OE) (OF) (OG) (OH) (OI) (OJ) (OK) (OL) (OM) (ON) (OO) (OP) (OQ) (OR) (OS) (OT) (OU) (OV) (OW) (OX) (OY) (OZ) (PA) (PB) (PC) (PD) (PE) (PF) (PG) (PH) (PI) (PJ) (PK) (PL) (PM) (PN) (PO) (PP) (PQ) (PR) (PS) (PT) (PU) (PV) (PW) (PX) (PY) (PZ) (QA) (QB) (QC) (QD) (QE) (QF) (QG) (QH) (QI) (QJ) (QK) (QL) (QM) (QN) (QO) (QP) (QQ) (QR) (QS) (QT) (QU) (QV) (QW) (QX) (QY) (QZ) (RA) (RB) (RC) (RD) (RE) (RF) (RG) (RH) (RI) (RJ) (RK) (RL) (RM) (RN) (RO) (RP) (RQ) (RR) (RS) (RT) (RU) (RV) (RW) (RX) (RY) (RZ) (SA) (SB) (SC) (SD) (SE) (SF) (SG) (SH) (SI) (SJ) (SK) (SL) (SM) (SN) (SO) (SP) (SQ) (SR) (SS) (ST) (SU) (SV) (SW) (SX) (SY) (SZ) (TA) (TB) (TC) (TD) (TE) (TF) (TG) (TH) (TI) (TJ) (TK) (TL) (TM) (TN) (TO) (TP) (TQ) (TR) (TS) (TT) (TU) (TV) (TW) (TX) (TY) (TZ) (UA) (UB) (UC) (UD) (UE) (UF) (UG) (UH) (UI) (UJ) (UK) (UL) (UM) (UN) (UO) (UP) (UQ) (UR) (US) (UT) (UU) (UV) (UW) (UX) (UY) (UZ) (VA) (VB) (VC) (VD) (VE) (VF) (VG) (VH) (VI) (VJ) (VK) (VL) (VM) (VN) (VO) (VP) (VQ) (VR) (VS) (VT) (VU) (VV) (VW) (VX) (VY) (VZ) (WA) (WB) (WC) (WD) (WE) (WF) (WG) (WH) (WI) (WJ) (WK) (WL) (WM) (WN) (WO) (WP) (WQ) (WR) (WS) (WT) (WU) (WV) (WW) (WX) (WY) (WZ) (XA) (XB) (XC) (XD) (XE) (XF) (XG) (XH) (XI) (XJ) (XK) (XL) (XM) (XN) (XO) (XP) (XQ) (XR) (XS) (XT) (XU) (XV) (XW) (XZ) (YA) (YB) (YC) (YD) (YE) (YF) (YG) (YH) (YI) (YJ) (YK) (YL) (YM) (YN) (YO) (YP) (YQ) (YR) (YS) (YT) (YU) (YV) (YW) (YZ) (ZA) (ZB) (ZC) (ZD) (ZE) (ZF) (ZG) (ZH) (ZI) (ZJ) (ZK) (ZL) (ZM) (ZN) (ZO) (ZP) (ZQ) (ZR) (ZS) (ZT) (ZU) (ZV) (ZW) (ZX) (ZY) (ZZ)

FR 26  
FR 27  
FR 28  
FR 29

Block Seven

RESE ROAD

**RECEIVED**  
COUNTY CLERK  
TOM GREEN COUNTY, TEXAS  
MAY 2 2016

COUNTY COMMISSION  
Approved by Recording this 28th day of May 2016 at Tom Green County, Texas  
By: \_\_\_\_\_  
County Judge

**SURVEYOR'S CERTIFICATE**  
I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original and that the same was prepared under my personal supervision in accordance with the rules for and jurisdiction by the County Commissioner's Court of Tom Green County, Texas.

By: Michael W. Jones  
Surveyor

911 ADDRESSING COORDINATOR  
Approved for Recording this 28th day of May 2016  
By: May Malone  
County Clerk

STATE OF TEXAS  
COUNTY OF TOM GREEN  
This instrument was prepared, signed, and acknowledged by me on this 28th day of May, 2016.  
By: Tom Green  
Notary Public, Notary for the State of Texas

Notary Public  
STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

Remainder of Certain 9889 ACP  
P.L. Volume 155, Page 56, OPRRP

Remainder of Certain 18480 ACP  
P.L. Volume 155, Page 56, OPRRP

**Stone Key Estates**  
**Section One-C**  
**Tom Green County, Texas**

Owner - Developer  
**O Bar K, LLC**  
Green Key Engineering, Inc.  
3221 Foster Street  
Fort Worth, Texas

The Bearings and Distances shown hereon were taken from the original survey of the original subdivision of Tom Green County, Texas, as shown on the attached plat of said original subdivision, and are as the same were shown hereon.

SCALE 1"=100'



By: Ronald Weeks Jones  
Registered Professional Land Surveyor No. 4322  
San Angelo, Texas

SPECIAL NOTES:

No construction or development within the subdivision or manufactured home rental community may begin until all Tom Green County Requirements have been satisfied.

No structure in this subdivision shall be occupied until connection to a public sewer system or to an on-site wastewater system that has been approved and permitted by the Tom Green County Environmental Health Department.

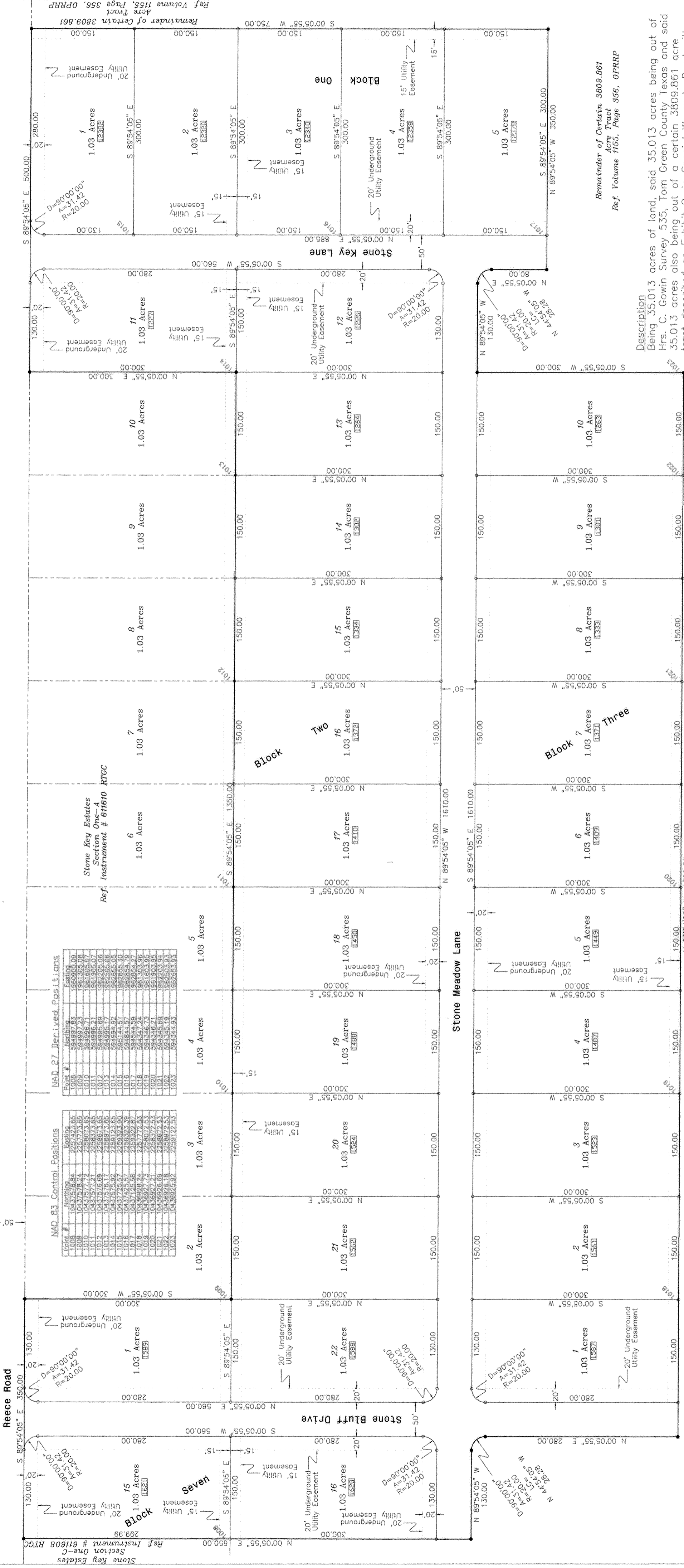
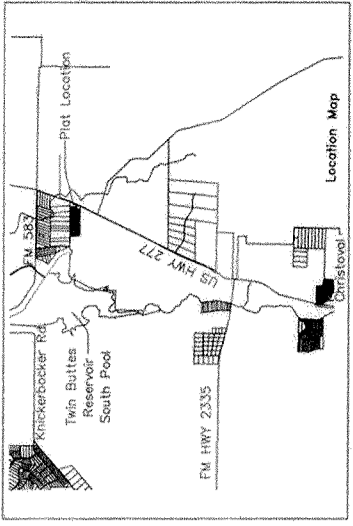
Tom Green County Commissioners' Court makes no representation whatsoever as to the ground water availability for any tract in this subdivision.

TR. 7

TR. 8

TR. 9

Revised Pecan Creek Subdivision Ref. Vol. 3 Pg. 327 Plat records Tom Green County, Texas



Stone Key Estates Section One-B Ref. Instrument # 611608 RTCC

Stone Key Estates Section One-A Ref. Instrument # 611610 RTCC

Stone Key Estates Section One-C Ref. Instrument # 611608 RTCC

NAD 83 Control Positions		
Point #	Month	Easting
1009	04/3/2006	225773.85
1010	04/3/2006	225773.85
1011	04/3/2006	225773.85
1012	04/3/2006	225773.85
1013	04/3/2006	225773.85
1014	04/3/2006	225773.85
1015	04/3/2006	225773.85
1016	04/3/2006	225773.85
1017	04/3/2006	225773.85
1018	04/3/2006	225773.85
1019	04/3/2006	225773.85
1020	04/3/2006	225773.85
1021	04/3/2006	225773.85
1022	04/3/2006	225773.85
1023	04/3/2006	225773.85

NAD 27 Derived Positions		
Point #	Month	Easting
1009	04/3/2006	1961305.08
1010	04/3/2006	1961305.07
1011	04/3/2006	1961305.07
1012	04/3/2006	1961305.07
1013	04/3/2006	1961305.07
1014	04/3/2006	1961305.07
1015	04/3/2006	1961305.07
1016	04/3/2006	1961305.07
1017	04/3/2006	1961305.07
1018	04/3/2006	1961305.07
1019	04/3/2006	1961305.07
1020	04/3/2006	1961305.07
1021	04/3/2006	1961305.07
1022	04/3/2006	1961305.07
1023	04/3/2006	1961305.07

Description Being 35.013 acres of land, said 35.013 acres being out of Hrs. C. Gowin Survey 535, Tom Green County Texas and said 35.013 acres also being out of a certain 3809.861 acre tract described as Exhibit C, in Special Warranty Deed with Vendor's Lien from J. Willis Johnson III, Ruth G. McGill MD and J. Gordon McGill to Door Key Ranches, Limited which is recorded at Volume 1155 Page 356 of the Official Public Records of Real Property of Tom Green County, Texas.

Remainder of Certain 3809.861 Acre Tract Ref. Volume 1155, Page 356, OPRRP

Remainder of Certain 3809.861 Acre Tract Ref. Volume 1155, Page 356, OPRRP

COUNTY COMMISSION Approved For Recording This 25th Day Of April, 2006 County Commission of Tom Green County, Texas

By: Michael D. Brown County Judge

ACKNOWLEDGEMENT/DEDICATION D Bar K, LLC does hereby adopt this plat as the subdivision of its property and dedicates for the use of the public the streets and easements shown hereon.

By: Joe Heartsill, Manager

STATE OF TEXAS COUNTY OF TOM GREEN This Instrument Was Acknowledged Before Me On The 28th Day Of October, 2006

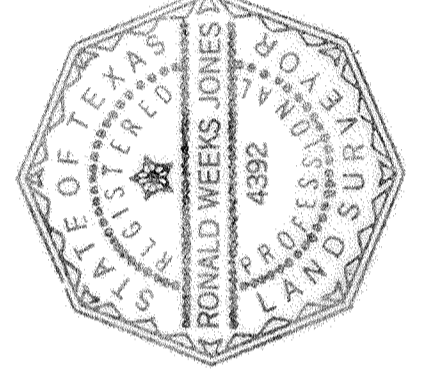
Notary Public In And For The State Of Texas My Commission Expires 03/05/2008 DELILA J. ROBLES Notary Public STATE OF TEXAS My Comm. Exp. 03/05/2008

911 ADDRESSING COORDINATOR Approved For Recording This 2nd Day Of January, 2007

By: Majid Hamblin 911 Addressing Coordinator Tom Green County, Texas

COUNTY CLERK Filed For Record This 8 Day Of January, 2007

By: Chantel Bradley, Deputy County Clerk



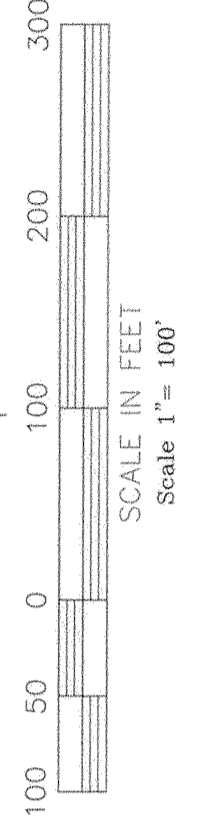
SURVEYOR'S CERTIFICATE KNOW ALL MEN BY THESE PRESENTS: That I, Ronald Weeks Jones, do hereby certify that I prepared this plat from an actual survey of the land, and that the corner monuments shown hereon have been or will be properly placed under my personal supervision in accordance with the rules for land subdivision by the County Commissioner's Court of Tom Green County, Texas.

By: Ronald Weeks Jones Registered Professional Land Surveyor No. 4392 San Angelo, Texas

Stone Key Estates Section One-B Tom Green County, Texas Owner - Developer D Bar K LLC Greenstone Engineering, Inc. 3321 Foster Street San Angelo, Texas (325) 942-6645

Legend Set 1/2" Iron Rod at a Subdivision Corner Unless Otherwise Noted Set 1/2" Iron Rod at a Lot Corner Unless Otherwise Noted 911 Address

The NAD 83 (Epoch 2002.00) Coordinates shown hereon are the control coordinates. NAD 27 Coordinates derived from conversion of NAD 83 Coordinates to NAD 27 Coordinates by Corpn for Windows Ver 5.11.08



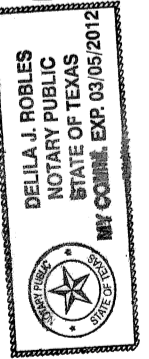
The Bearings and Distances shown hereon refer to the Texas Coordinate System - Central Zone (NAD 83). To obtain surface horizontal distances multiply map grid distance by 1.000207153

ACKNOWLEDGEMENT/DEDICATION  
 D Bar K, LLC does hereby adopt this plat as the subdivision of its property and dedicates for the use of the public the streets and easements shown hereon.

By: Joe Heartsill  
 Joe Heartsill, Manager

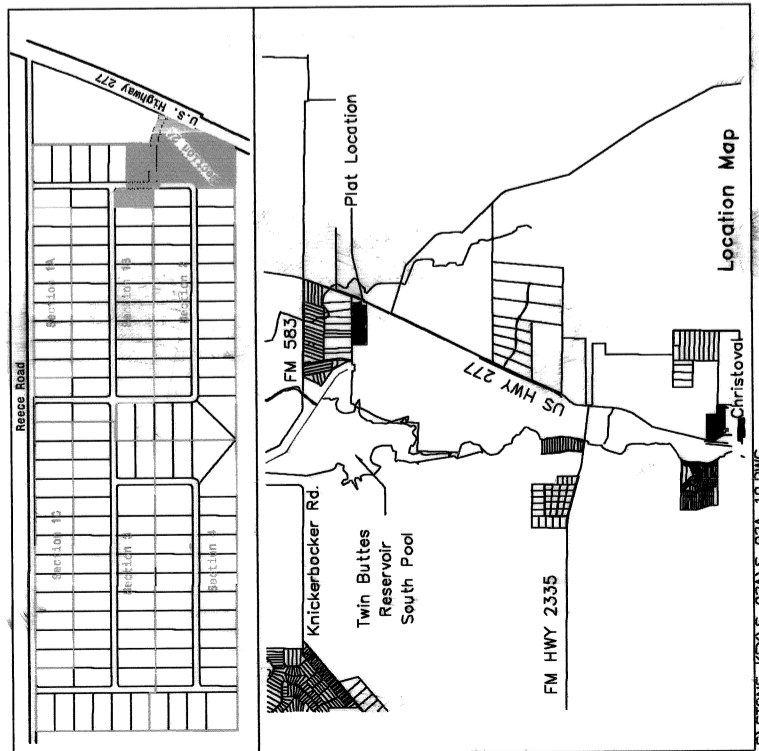
STATE OF TEXAS  
 COUNTY OF TOM GREEN  
 This Instrument Was Acknowledged Before Me  
 On The 17th Day Of November, 2009.

By: David J. Robles  
 Notary Public In And For  
 The State Of Texas

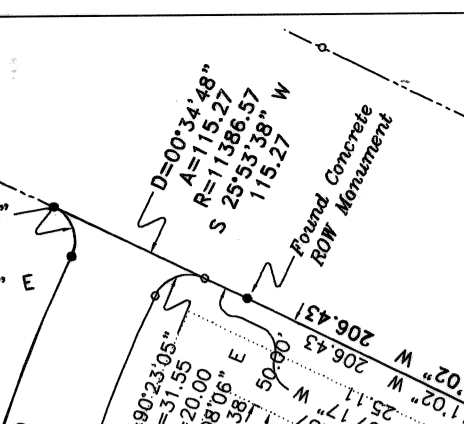
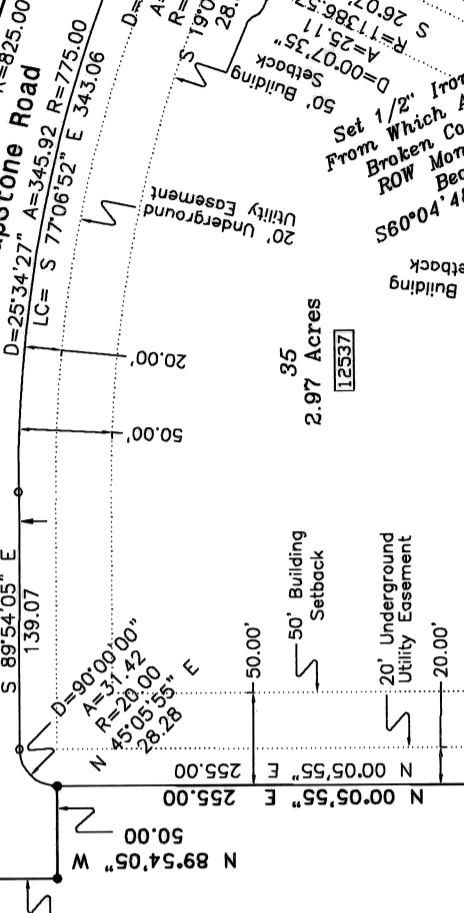
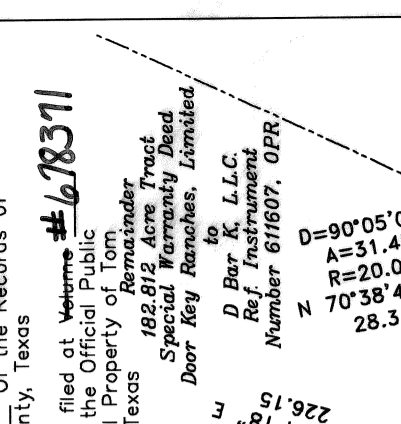
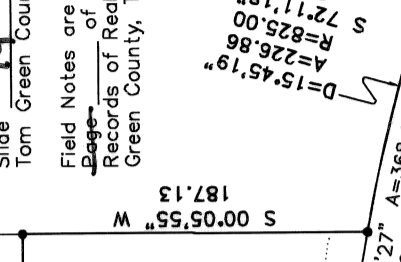
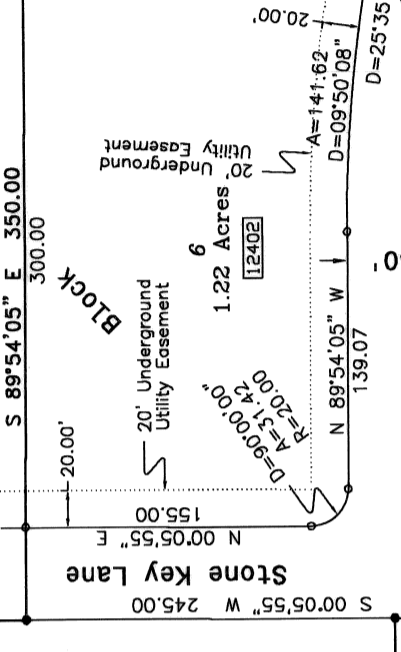
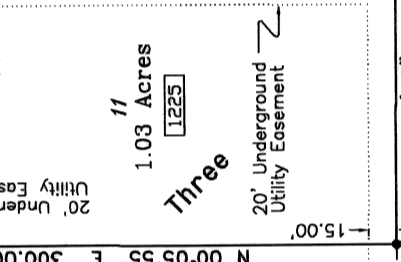
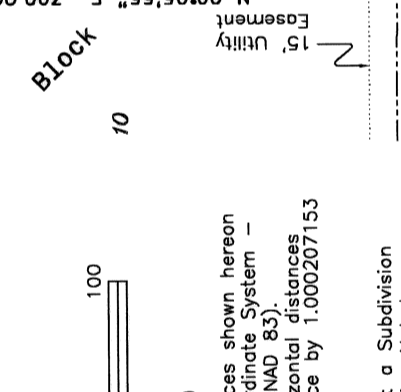


My Commission Expires:

Description  
 Being 9.142 acres of land, said 9.142 acres being out of Hrs. C. Gowin Survey 535, Tom Green County, Texas and said 9.142 acres being out of a 182.812 acre tract described in Special Warranty Deed from Door Key Ranches, Limited to D Bar K, LLC which is recorded as Instrument Number 611607 of the Official Public Records of Tom Green County, Texas.



Stone Meadow Lane  
 S 89°54'05" E 130.00'  
 Stone Key Lane  
 S 00°05'55" E 300.00'

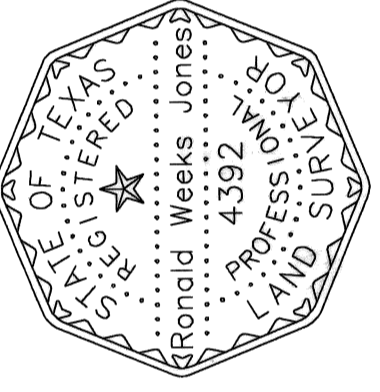


By: Ronald Weeks Jones  
 Ronald Weeks Jones  
 Registered Professional Land Surveyor No. 4392  
 San Angelo, Texas

COUNTY COMMISSION  
 Approved For Recording This 17th Day  
 Of November, 2009.  
 County Commissioners' Court  
 of Tom Green County, Texas

By: Richard D. Brown  
 Michael D. Brown  
 County Judge

911 ADDRESSING COORDINATOR  
 Approved For Recording This 17th Day  
 Of November, 2009  
 By: Charla Putnam  
 911 Addressing Coordinator  
 Tom Green County, Texas



Remainder  
 182.812 Acre Tract  
 Door Key Ranches, Limited  
 to  
 D Bar K, L.L.C.  
 Ref. Instrument Number 611607, OPR

Certain 163.619 Acre Tract  
 Warranty Deed With Vendor's Lien  
 to  
 Russell and Michelle Kearby  
 Ref. Instrument Number 622573, OPR

COUNTY CLERK  
 Filed For Record This 18th Day  
 Of November, 2009 @ 10:20AM  
 County Clerk Of Tom Green County, Texas  
 By: Ronda News, Deputy  
 County Clerk

This Plat is Filed at Plat Cabinet  
 Slide 19 Of the Records of  
 Tom Green County, Texas

Field Notes are filed at Volume # 678371  
 Page 1 of the Official Public  
 Records of Real Property of Tom  
 Green County, Texas  
 Remainder  
 182.812 Acre Tract  
 Special Warranty Deed  
 Door Key Ranches, Limited  
 to  
 D Bar K, L.L.C.  
 Ref. Instrument  
 Number 611607, OPR

Stone Key Estates  
 Section Two-A  
 Tom Green County, Texas  
 Owner - Developer  
 D Bar K, LLC



# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

From: Jon James, AICP  
Director of Planning and Development Services

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

Planner: Jeff Fisher  
Planner I

Case: Amendment to PD15-04

Request: A request for an Amendment to a Planned Development (PD15-04) Zoning District to expand the PD boundary for four additional properties changing their zone category from General Commercial/Heavy Commercial (CG/CH) to Planned Development (PD15-04) and to allow for a Master Sign Plan

Location: Several addressed & unaddressed parcels (see attached location map), generally located North of Twohig Avenue, West of Main Street, South of 2<sup>nd</sup> Street, and East of Chadbourne Street

Legal  
Description: Being a part of Miles Acre lot A7 to A9, A19, all of Miles Acre lots A31, A32; part of lots 18 & 19, lots 20 to 24 J.N. Uptons Subdivision; lots 1 to 4, block 2 Frary Addition; lots 16 to 18, block 5; the west 55' of lot 2, the east 80' of lot 3, all of lot 4, the west 100' of lot 6, all of lots 7 to 13, all of lots 18 to 20 save & except the east 15' of the west 30' of lot 20, block 6; lots A and 1 to 10, block 14A; lot A & B, block 15A; lots 9 to 12, block 21; lot 1, block 21.5; lot A, block 22A; lots 1 to 9, 12, lots 10 & 11 save & except the west 110', block 22.5, San Angelo Main Town Addition; lot A,

block 1, Shannon Medical Center Downtown Campus, Section Two, lot 2, block 21A, Shannon Medical Center Downtown Campus, Section Three; San Angelo Addition, Block 15, Lots 13 and 14, City of San Angelo, Tom Green County, Texas

Size: 48.2 acres

General Information

Future Land Use: Downtown

Current Zoning: *Existing Shannon Downtown Medical Campus:*  
PD15-04

*Four additional lots (1 N Main St. and 227 E. Harris Ave):*  
General Commercial/Heavy Commercial (CG/CH)

Existing Land Use: PD15-04 area: Shannon Downtown Medical Campus and parking  
CG/CH area: New parking

**Surrounding Zoning / Land Use:**

North:	Low Rise Multifamily Residential (RM-1)	Central Freshman Campus, Multi-family apartments
West:	Central Business District (CBD)	Retail commercial buildings
South:	Central Business District (CBD)	Retail commercial and residential uses
East:	General Commercial/Heavy Commercial (CG/CH)	Retail commercial buildings

District: SMD #3 – Harry Thomas

Neighborhood: Downtown

## Thoroughfares/Streets:

Beauregard Avenue is classified as an “Arterial Street” and is designed to carry heavy traffic throughout the downtown area.

Main Street is classified as an “Arterial Street” and is designed to carry heavy traffic throughout the City.

Harris Avenue is classified as an Arterial Street” and is designed to carry heavy traffic throughout the City.

Oakes Street is classified as a “Local Street.” A Local Street carries a fair amount of traffic like a Collector Street, but at the slower speed.

Magdalen Street is classified as a “Local Street” and is designed to carry light traffic and slower speeds.

College Avenue is classified as a “Local Street” and is designed to carry light traffic and slower speeds.

Koberlin Street is classified as a “Local Street” and is designed to carry light traffic and slower speeds.

Woodrow Street is classified as a “Local Street” and is designed to carry light traffic and slower speeds.

## History and Background:

On December 21, 2016, the applicant submitted a request to amend their Planned Development PD15-04 to include an additional four properties recently acquired and to include a Master Sign Plan to facilitate the erection of new monument signs, building and parking identification signs, and wayfinding (directional) signs at the Downtown Shannon Medical Campus. The four new properties will be used as additional parking for the Shannon Medical Campus and an Urban Design Review will be required prior to installation of any new signage, landscaping, or other construction on the properties. In addition, some of the proposed signs will be located in the River Corridor and will also require River Corridor approvals. Unlit signs, 50 square feet or less, may be approved administratively at the discretion of the Planning Director.

The applicant has provided a new draft PD Ordinance, as well as a new PD Boundary Map. The new Boundary Map includes the four new properties, two properties at the northwest corner of North Main Street and East Harris Avenue (1 N. Main Street), and two properties at the southwest corner of that intersection (227 E. Harris Avenue). The applicant has also provided a Master Sign Plan that depicts the locations of the

proposed signs, as well as renderings for each sign type. At this time, the applicant is proposing up to 60 new signs, as well as recognizing two existing signs along the north side of East Harris Avenue, between Oakes Street and Magdalen Street, that encroach into the public right-of-way (see attached). The two existing signs will need an encroachment approval from City Council prior to obtaining a Sign Permit.

### ***Monument Signage***

The three large monument signs will be constructed of aluminum and brick facades with an aluminum base and arch. The signs will have the potential for internal illumination with white LED light behind the signage and logo. They will be used to attract customers to the Shannon Campus buildings and parking areas of prominence. Two of the signs will be located at the southwest and northwest corners, respectively, of North Main Street and East Harris Avenue close to the new Shannon Medical Office Building. The third sign will be located at the northeast corner of South Oakes Street and East Beauregard Avenue near the parking area for the downtown Shannon Medical Clinic. The typical sign shown will have a sign area of 171 square feet, with a maximize sign height of 30 feet and a maximum sign area of 220 square feet for all freestanding signs in the new proposed PD Ordinance. It is noted that “sign area” in this case refers to the total façade area of the sign, including the aluminum and brick area. The “advertising display area” which encompasses only the words and logos that are part of the sign’s message, is much smaller at 53 square feet. Signs in the River Corridor are normally limited to a maximum advertising display area of 75 square feet. The applicant has not proposed any signage exceeding this maximum advertising display area.

### ***Building, Parking Identification and Wayfinding (Directional) Signage***

The remaining signage includes building identification signs with a typical maximum square footage of 60 square feet and parking and wayfinding (directional) signs with a typical maximum square footage of 44 feet, respectively. These signs will be constructed of aluminum facades, with similar colors to other Shannon Medical Campus Signs. As indicated above, they will also have a maximum height of 30 feet and a maximum sign area of 220 square feet.

### ***Ordinance Changes Proposed by Applicant***

The applicant has proposed an increase in the maximum sign area for monument signs from 1.5 square feet per one foot of linear street frontage to 2.0 square feet per one linear foot of street frontage per lot. This will allow the applicant to install new monument signage of sufficient size on smaller lots, including on the newly-acquired lots which are contiguous to the adjacent Shannon properties. The applicant is also proposing that all other signs be exempt from this overall sign area. Staff recognizes the need for flexibility given the large expanse of Shannon Medical buildings in the downtown area and accepts the increase in the overall sign area for monument signs. However, Staff believes this maximum should also apply to all other signs, given the



potential for visual clutter, vehicular accidents, and pedestrian casualties of having too many signs. Staff will recommend the final draft of the Ordinance include language also limiting building, parking and wayfinding signs to 2.0 square feet for every one foot of linear frontage, consistent with this provision for monument signs.

The other significant change proposed is to increase the height of signs at the property line from 3 feet to up to 20 feet and from 3 feet to 20 feet within a 10-foot sight triangle at the intersection of two property lines. The intent of the 30-foot by 30-foot site triangle provision in the original Ordinance was to reduce potential vehicular collisions and enhance pedestrian safety by maintaining appropriate setbacks for taller signs. Staff conducted a site visit on Thursday, January 12, 2017, and noted that many of the downtown Shannon properties have greater setbacks to the street curb than suburban locations, given existing sidewalks and landscaped boulevards separating the properties from the street. Therefore, Staff supports the first revision – that new signs can be a maximum of 20 feet at the property line, but recommends that no sign taller than 3 feet be located within a 15-foot by 15-foot site triangle measured from back of curb. This change allows the applicant to erect signs closer to their property lines and be more visible from the street, but ensures public safety by maintaining an appropriate site triangle from the street curb.

The new draft ordinance maintains the current provision of prohibiting freestanding “pole” signs downtown. This will ensure the prohibition of these often taller signs, which would normally be allowed up to 40-50 feet in height in this location.

It is noted that the City has future plans to realign the intersection at Harris Avenue and Main Street, which will include acquiring right-of-way at the southwest corner of the intersection now occupied by Shannon Medical. As a Condition of Approval, no signage shall be located within any future City right-of-way as shown on “Exhibit D,” at the southwest corner of North Main Street and East Harris Avenue.

#### Analysis:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request.

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*

Staff believe the proposed amendment, with the modifications proposed above, will be compatible with the City’s Comprehensive Plan and the Sign Ordinance. The “Downtown” policies in the Comprehensive Plan call to “eliminate CG/CH zoning inappropriate and incompatible within downtown, encouraging many of the more intensive business-to-business uses allowed therein to relocate into commercial

and industrial areas as designated on the Vision Map.” The four properties which are currently zoned CG/CH were formerly used for a gas station and vehicle repair facility respectively. Shannon now plans to utilize these properties for their existing medical campus and the PD Amendment to expand the medical campus, and this would be consistent with the above policies. The Purpose Statements in Section 12.04.001 of the Sign Ordinance indicate that “City Council finds that visual clutter and confusion of unregulated signs contribute to traffic safety problems, is detrimental to the economic and commercial welfare of the community and detracts from the quality of life in the city” and that “signs located in, or close to, the right-of-way and on corners create visual obstructions which contribute to and cause accidents involving automobiles and pedestrians.” Staff believes that maintaining a 15-foot by 15-foot site triangle from the back of curb will help to ensure that potential accidents will be mitigated. Maintaining a maximum sign area of 2.0 per one foot of linear frontage for all signage will also reduce the potential for visual clutter, consistent with the above Sign Ordinance policies. The applicant will still have the option in future of submitting a new PD amendment with a revised Master Sign Plan, subject to final review by the Planning Director and/or Planning Commission.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The proposed PD Amendment will comply with all of the provisions of the Zoning Ordinance. The Revised Parking Analysis prepared on September 2, 2016, by *O’Connell Robertson* confirms that after expansion, the applicant will have a net surplus of 455 parking spaces, in compliance with the PD Ordinance for a medical facilities campus.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*

Planning Staff believe the proposed development is compatible with the surrounding downtown area, which comprises similar commercial uses. As stated previously, the new properties will be used as parking areas for Shannon’s medical campus, expanding Shannon’s property holdings in the downtown area. The applicant has agreed to install new sidewalks along the public right-of-ways in front of this intersection which will ensure greater pedestrian connectivity and will connect to existing sidewalks on the campus.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.*

Shannon is in process of constructing a new medical office building at 220 East College Avenue, as well as an addition on their main building downtown and new parking areas on the newly required properties. These changes require an

amendment to the existing PD Ordinance to allow greater flexibility for increase signage, reduced sign setbacks, and expansion of the PD boundary to include the new properties.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

While the impervious area on the site will be slightly increased with the construction of the parking areas, Staff does not anticipate any significant impacts on the natural environment. A review of grading, drainage, and stormwater runoff will be conducted as part of the building permit review to ensure there are no negative environmental impacts.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

Planning Staff believes the proposed new signage and expanded PD boundary demonstrates a community need. Shannon Medical employs over 3,000 individuals in their San Angelo facilities and over 52,000 patients visited their hospital emergency room in 2016, according to usnews.com. Expanding the PD boundary to include the new properties and allow additional signage will allow Shannon Medical to better serve the residents of San Angelo and surrounding areas.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

Planning Staff believe that the proposed PD boundary expansion will be consistent with surrounding development patterns. Both properties have dual frontage onto East Harris Avenue and North Main Street, both Arterial Streets which can accommodate large traffic volumes. These properties were already platted and had already been used for commercial uses.

Notification:

On January 12, 2017, 68 notifications were mailed out within a 200-foot radius of the properties. As of January 17, 2017, there was one response in favor and zero in opposition of the request.

**Staff's** Recommendation:

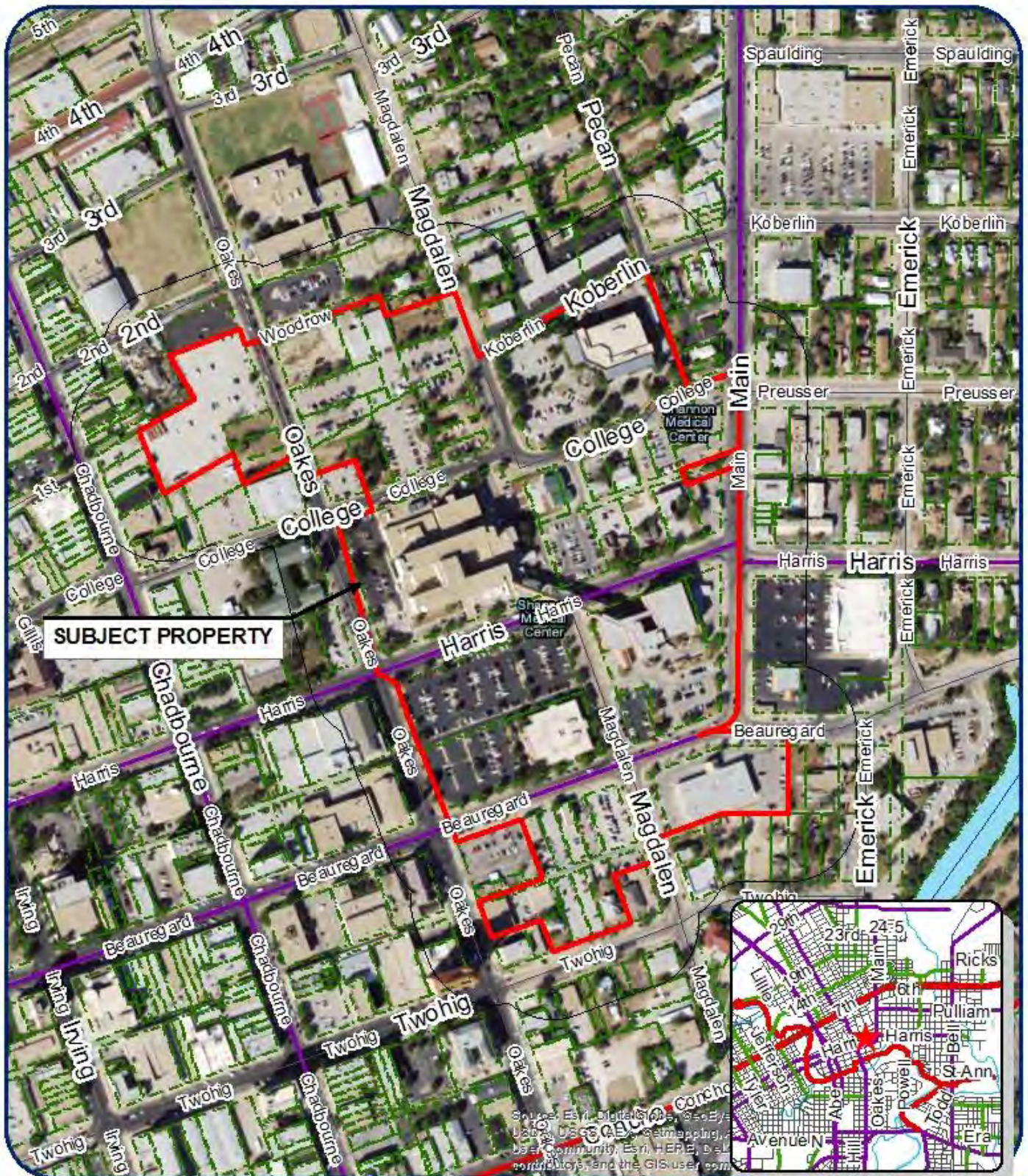
Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed Amendment to a Planned Development (PD15-04) Zoning District to expand the PD boundary for four additional properties changing their zone category from General Commercial/Heavy Commercial (CG/CH) to Planned Development (PD15-04), and to allow for a Master Sign Plan, **subject to the following five Conditions:**

Proposed Conditions:

1. The type, location, and number of signs shall be consistent with the approved Master Sign Plan. Building, parking, and wayfinding signs shall not exceed the maximum sign area provisions for monument signs, including number of signs per linear street frontage and maximum sign area per sign, as delineated in the Master Sign Plan and to be reflected in the final wording of the Ordinance text. Signage exceeding three feet in height shall be prohibited within any 15-foot by 15-foot sight triangle at the intersection of two street lines measured from back of curb. Any changes in the proposed type, location, and/or number of signs shall require a new Planned Development (PD) Amendment application and revised Master Sign Plan.
2. No signage shall be located within the future City right-of-way as depicted on "Exhibit D," at the southwest corner of North Main Street and East Harris Avenue.
3. The applicant will require an Urban Design Review (UDR) for all proposed signage, landscaping, and any new construction on the subject properties. As part of the UDR, the applicant will require a site plan showing the construction of new sidewalks within the public right-of-ways abutting the new properties at East Harris Avenue and North Main Street.
4. An encroachment approval from City Council shall be required to allow for the two existing wayfinding "entrance" and "exit" signs on the north side of Harris Avenue between Oakes Street and Magdalen Street.
5. The applicant will require River Corridor approval for any proposed signage located within the City's River Corridor.

Attachments:

Aerial Map  
Future Land Use Map  
Zoning Map  
Major Thoroughfare Map  
Notification Map  
Site Photos  
Response Letters  
New PD Boundary Map  
Master Signage Plan  
Sign Details  
Future Right-Of-Way Detail  
Draft Ordinance  
Application



**SUBJECT PROPERTY**

Source: Esri, DigitalGlobe, GeoEye, USAF, USDA, Swire, GeoEye, AeroGRID, IGN, Esri, HERE, DeLorme, Swire, and the GIS user community

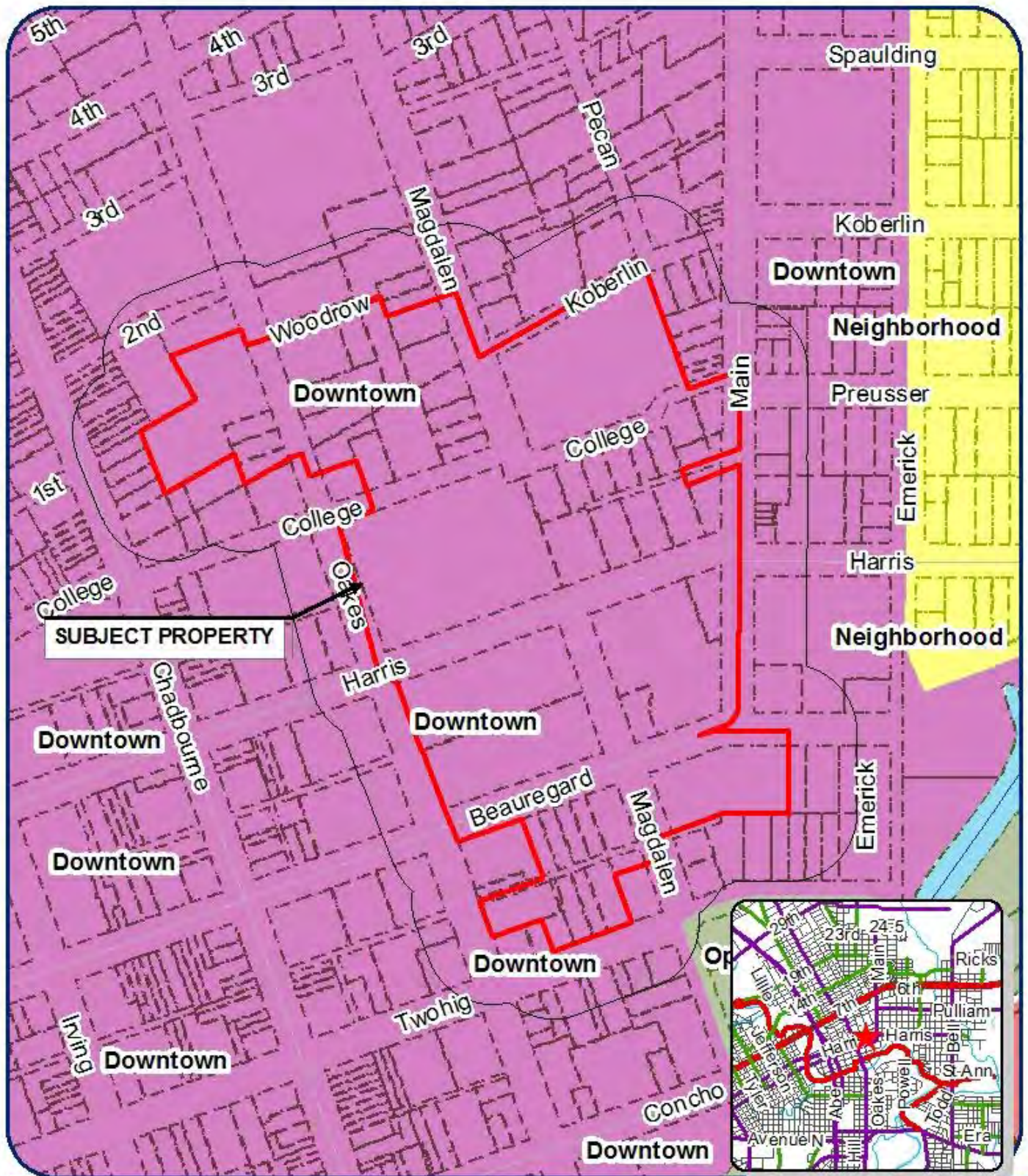
**Planned Development Amend.  
Amendment to PD15-04**

Council District: Harry Thomas (SMD #3)  
Neighborhood: Downtown  
Scale: 1" approx. = 375 ft  
Subject Properties: See attached

**Legend**

Subject Properties:   
Current Zoning: PD15-04 and CG/CH  
Requested Zoning Change: N/A  
Vision: Downtown





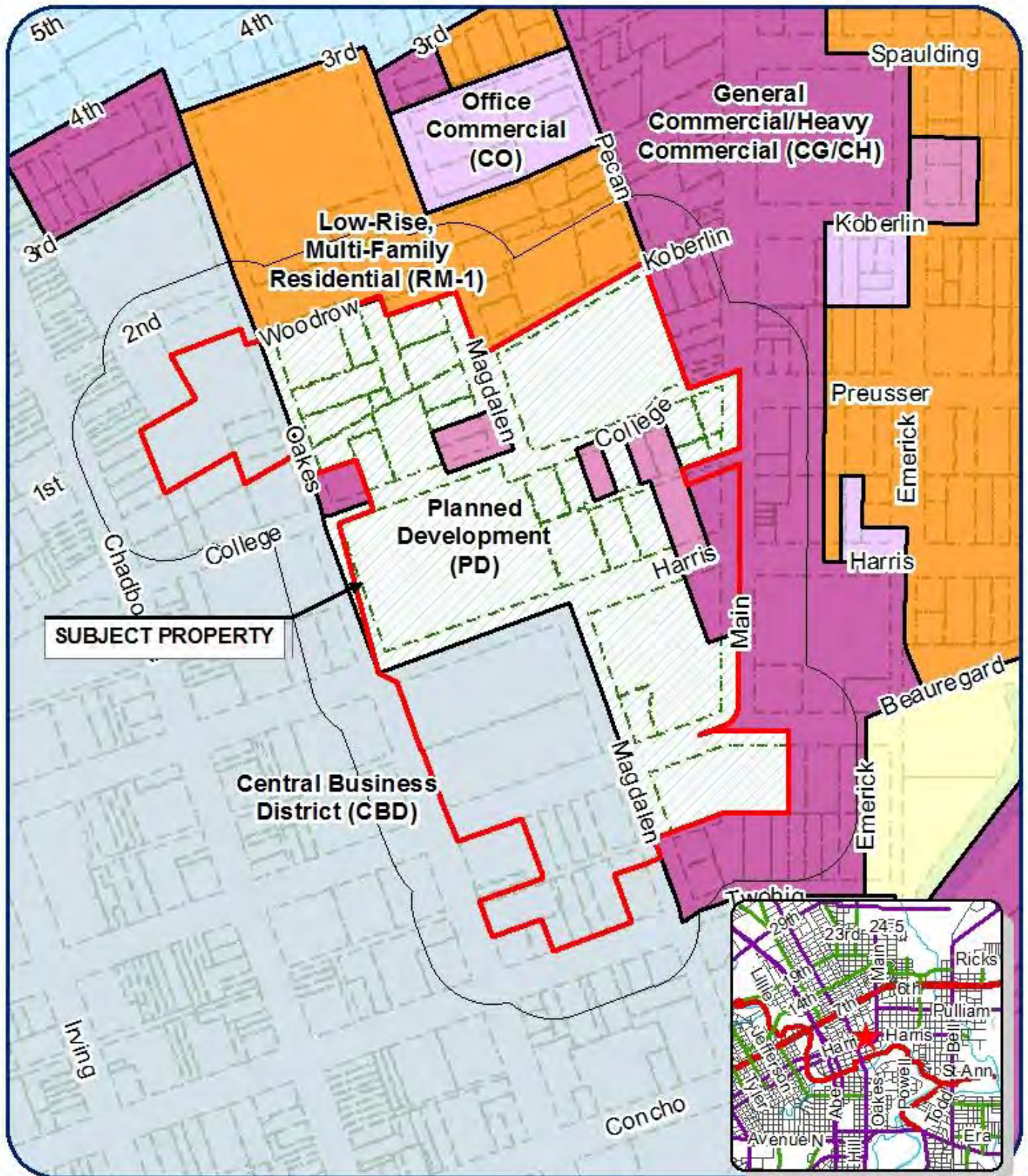
**Planned Development Amend.  
Amendment to PD15-04**

Council District: Harry Thomas (SMD #3)  
Neighborhood: Downtown  
Scale: 1" approx. = 375 ft  
Subject Properties: See attached

**Legend**

- Subject Properties: —
- Current Zoning: PD15-04 and CG/CH
- Requested Zoning Change: N/A
- Vision: Downtown





**SUBJECT PROPERTY**

**Central Business District (CBD)**

**Planned Development Amend.  
Amendment to PD15-04**

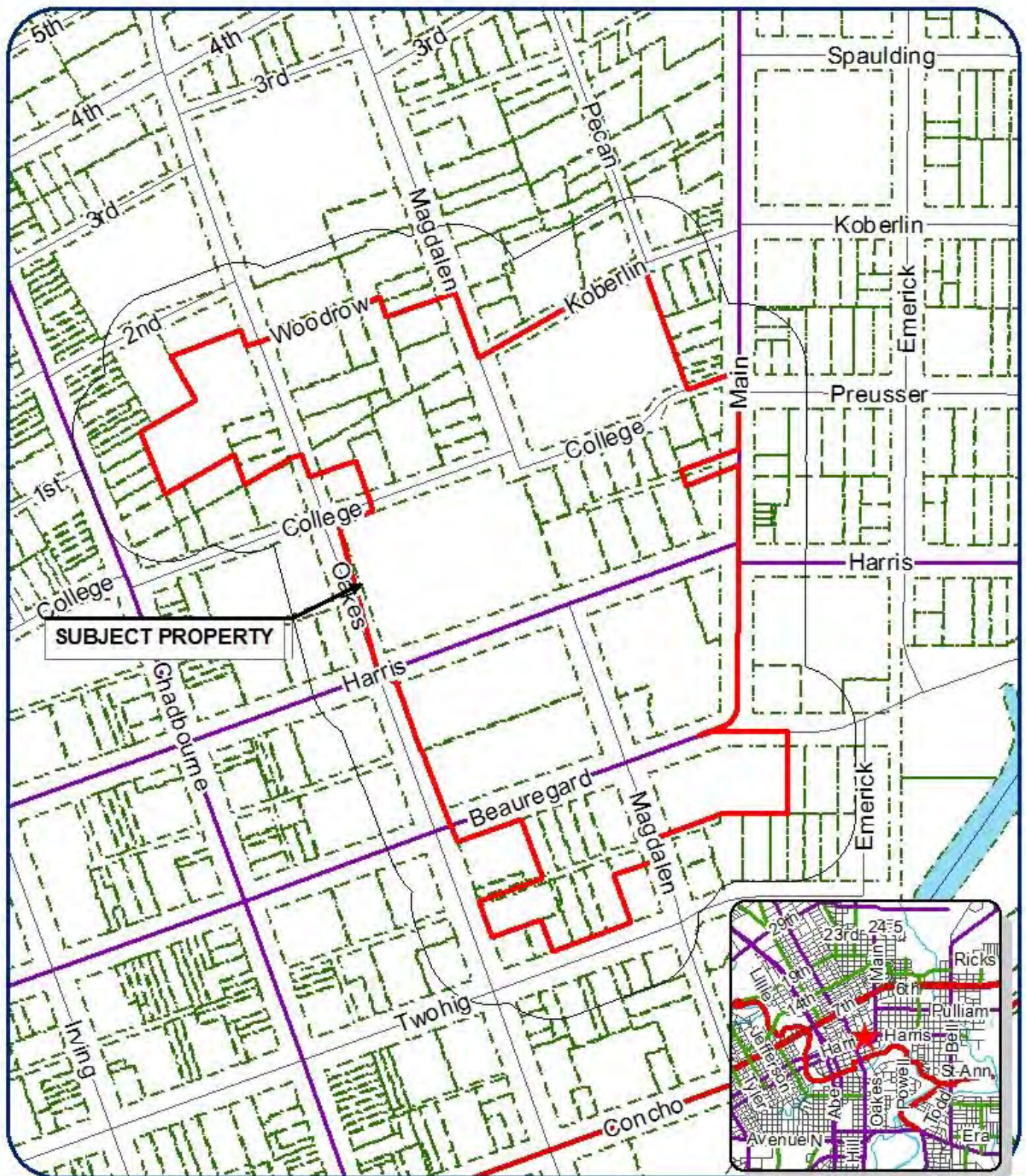
Council District: Harry Thomas (SMD #3)  
 Neighborhood: Downtown  
 Scale: 1" approx. = 375 ft  
 Subject Properties: See attached

**Legend**

- Subject Properties: —
- Current Zoning: PD15-04 and CG/CH
- Requested Zoning Change: N/A
- Vision: Downtown







**SUBJECT PROPERTY**

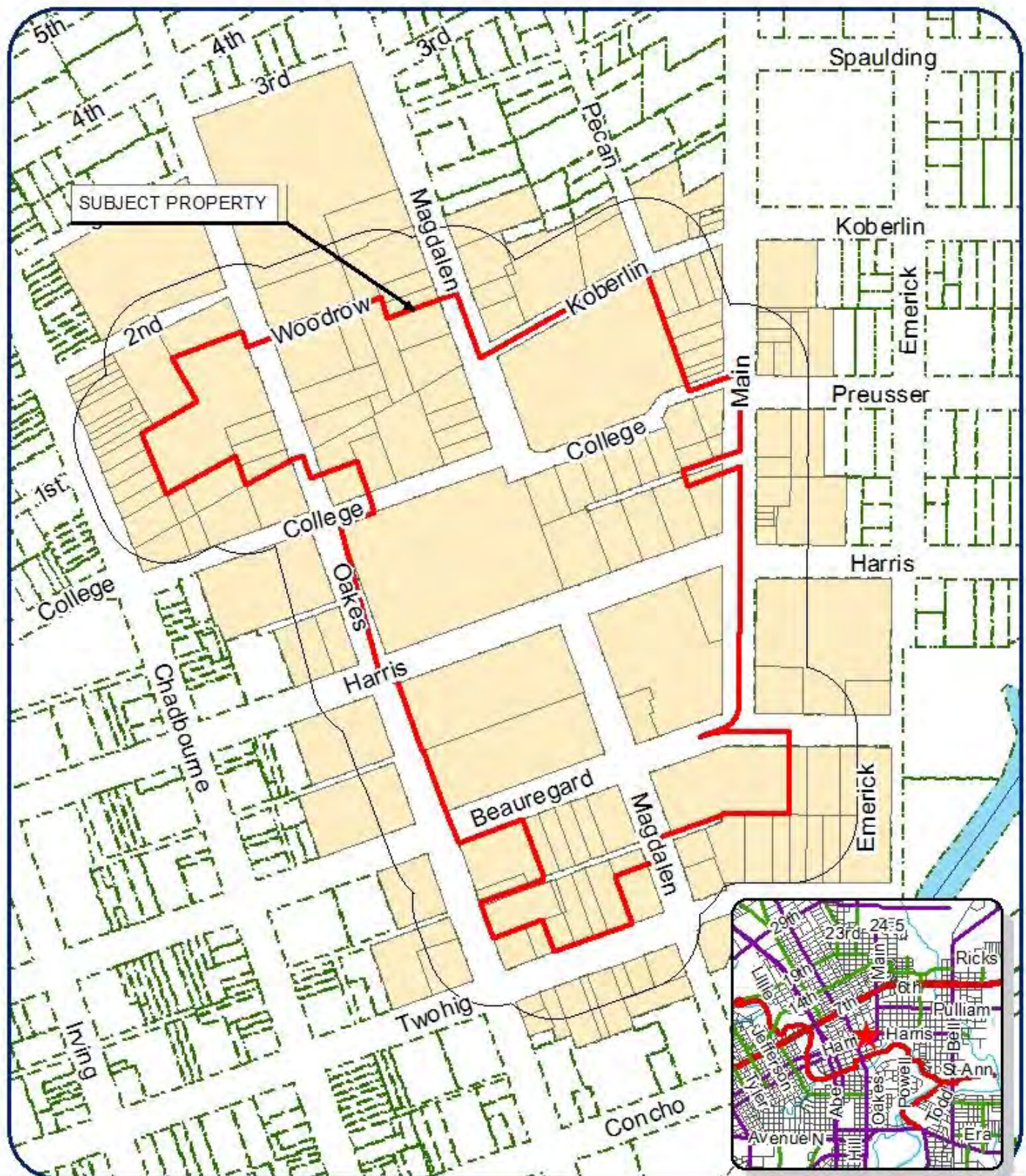
**Planned Development Amend.  
Amendment to PD15-04**

Council District: Harry Thomas (SMD #3)  
 Neighborhood: Downtown  
 Scale: 1" approx. = 375 ft  
 Subject Properties: See attached

**Legend**

- Subject Properties: —
- Current Zoning: — PD15-04 and CG/CH
- Requested Zoning Change: — N/A
- Vision: — Downtown





**Planned Development Amend.**  
**Amendment to PD15-04**

Council District: Harry Thomas (SMD #3)  
 Neighborhood: Downtown  
 Scale: 1" approx. = 375 ft  
 Subject Properties: See attached

**Legend**

- Subject Properties: —
- Current Zoning: PD15-04 and CG/CH
- Requested Zoning Change: N/A
- Vision: Downtown



## Photos of Shannon Downtown Campus

**Main Hospital (120 E. Harris Ave.)**



**Main Entrance Sign (120 E. Harris Ave - Requires Encroachment Approval)**



**Exit Sign (120 E. Harris Ave - Requires Encroachment Approval)**



**New Medical Office Building (220 E. College Ave)**



**Proposed monument sign location (NW corner Main St./Harris Ave.)**



**Proposed monument sign location (SW corner Main St./Harris Ave.)**



**Proposed monument sign location  
(NE corner Oakes St/Beauregard Ave)**



**Shannon Clinic  
(225 E. Beauregard Ave.)**



**Shannon Medical Center  
(201 E. Harris Ave)**



**Shannon Clinic  
(120 E. Harris Ave)**



**Shannon Storage Facility  
(115 Woodrow St.)**



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

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IN FAVOR

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IN OPPOSITION

REASON(S)

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NAME: Legal Oil, Inc.

ADDRESS: 424 N. Main  
San Angelo, TX 76903

SIGNATURE: David W. Baker, 1/17/17

Amendment to PD15-04: Shannon Medical  
property owner number: 45

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at [jeff.fisher@cosatx.us](mailto:jeff.fisher@cosatx.us).

Please  
place  
stamp  
here.

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TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

IN FAVOR                      (   )                      IN OPPOSITION

REASON(S) \_\_\_\_\_  
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NAME: San Angelo ISD

ADDRESS: 1621 University  
San Angelo, Tx 76901

SIGNATURE: *Jeff Fisher* Asst Sp1

Amendment to PD15-04: Shannon Medical  
property owner number: 53

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at [jeff.fisher@cosatx.us](mailto:jeff.fisher@cosatx.us).

Please  
place  
stamp  
here

TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

( ) IN FAVOR

()<sup>MD</sup>  
<sub>MK</sub> IN OPPOSITION

REASON(S)

① THE PROJECT WILL AFFECT NEARBY APARTMENT - HOTEL - MOTEL, SEARLY FLAT, BED/BREAKFAST CLOSE TO SHANNON.

② IT'S ANOTHER "COMPETITION" THAT MIGHT CLOSE SMALLER BUSINESS.

I WOULD APPRECIATE IF SHANNON WOULD DEDICATE + CONCENTRATE AS "HEALTH CARE ENTITY" THEY GOT ENOUGH BUSINESS AS IS - EVERYWHERE.

NAME: MARTHA KETCHUM

ADDRESS: 121 EAST TWO#6  
SAN ANGELO, TEXAS

SIGNATURE:

Martha Ketchum 1/15/10

Amendment to PD15-04: Shannon Medical property owner number: 31

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at [jeff.fisher@cosatx.us](mailto:jeff.fisher@cosatx.us).

Please

# New PD Boundary Map (Exhibit "A" of Ordinance)



## LEGEND

- PROPOSED PD ZONING AREA
- BUILDINGS
- PARKING AREAS
- AREAS ADDED TO EXISTING PD ZONING
- AREA NOT PART OF THIS PD ZONING

## PROPOSED AMENDMENT TO PLANNED DEVELOPMENT (PD) 15-04

PART OF MILES ACRE LOT A7 TO A9, A19, ALL OF MILES ACRE LOTS A31, A32; PART OF LOTS 18 & 19, LOTS 20 TO 24 J.N. UPTONS SUBDIVISION; LOTS 1 TO 4, BLOCK 2 FRARY ADDITION; LOTS 16 TO 18, BLOCK 5; THE WEST 55' OF LOT 2, THE EAST 80' OF LOT 3, ALL OF LOT 4, THE WEST 100' OF LOT 6, ALL OF LOTS 7 TO 13, ALL OF LOTS 18 TO 20 SAVE & EXCEPT THE EAST 15' OF THE WEST 30' OF LOT 20, BLOCK 6; LOTS A AND 1 TO 10, BLOCK 14A; LOTS 13 AND 14, BLOCK 15; LOT A & B, BLOCK 15A; LOTS 9 TO 12, BLOCK 21; LOT 1, BLOCK 21.5; LOT A, BLOCK 22A; LOTS 1 TO 9, 12, LOTS 10 & 11 SAVE & EXCEPT THE WEST 110', BLOCK 22.5, SAN ANGELO MAIN TOWN ADDITION; LOT A, BLOCK 1, SHANNON MEDICAL CENTER DOWNTOWN CAMPUS SECTION TWO; LOT A, BLOCK 21A, SHANNON MEDICAL CENTER DOWNTOWN CAMPUS, SECTION THREE, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS.

GRAPHIC SCALE: 1" = 300'

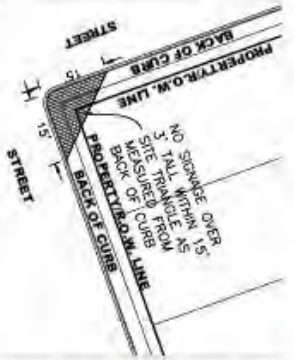
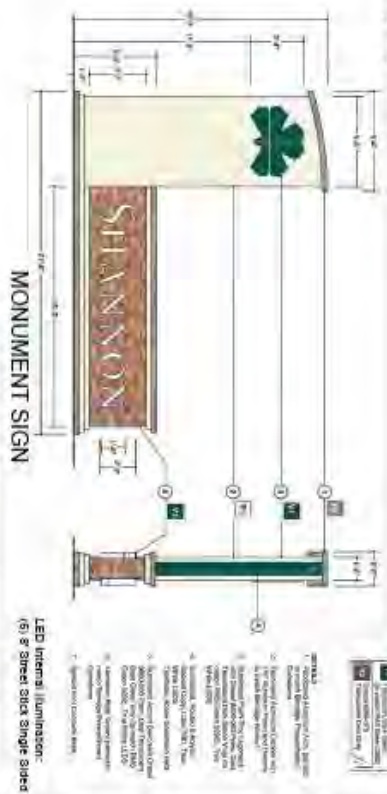
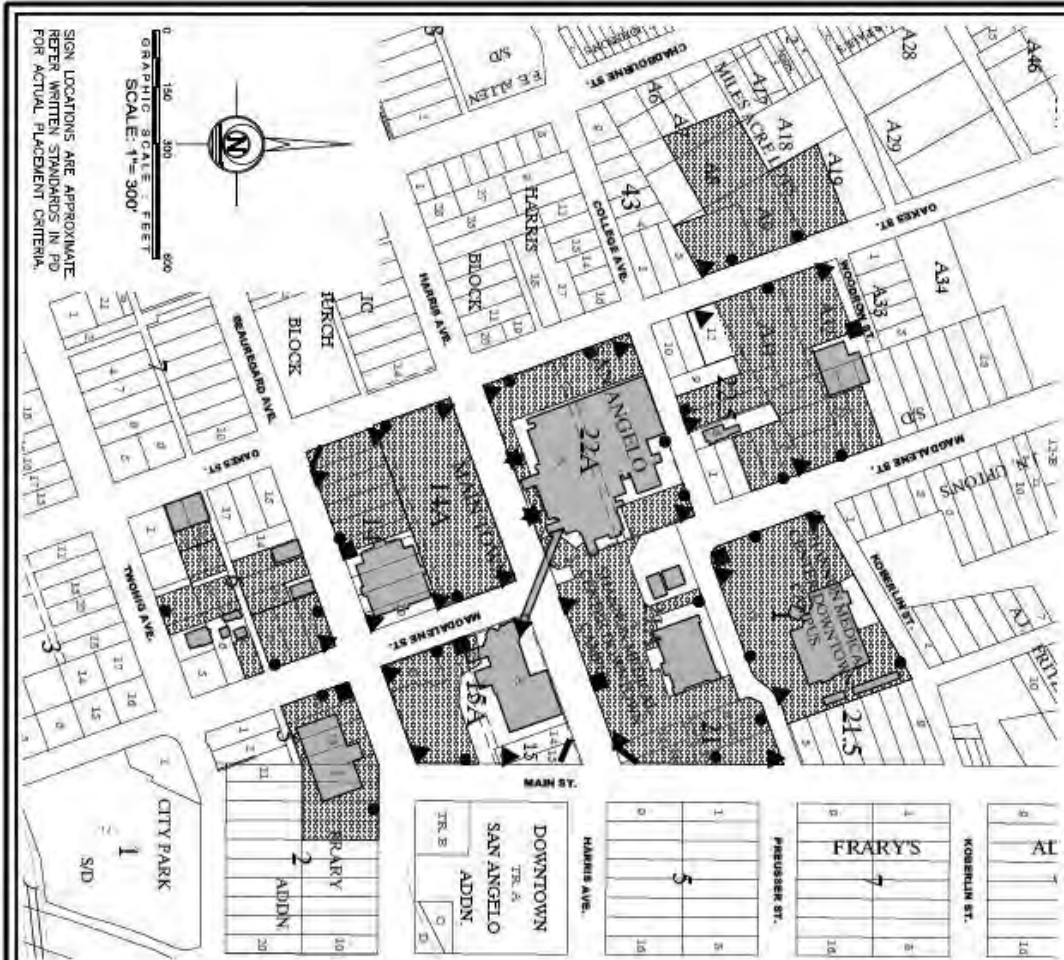


**SKG ENGINEERING, LLC**  
 SURVEYING • ENVIRONMENTAL • LAB/CMT  
 706 SOUTH ABE STREET  
 SAN ANGELO, TEXAS 76903  
 PHONE: 325.655.1288  
 FAX: 325.557.8195  
 FIRM NO.: 101092400  
 www.skg.com  
 1/7-2013

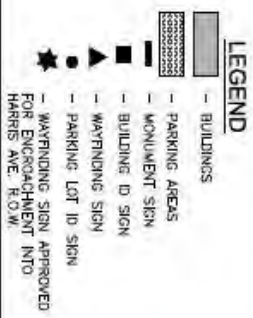


# Master Sign Plan (Exhibit "B" of Ordinance)

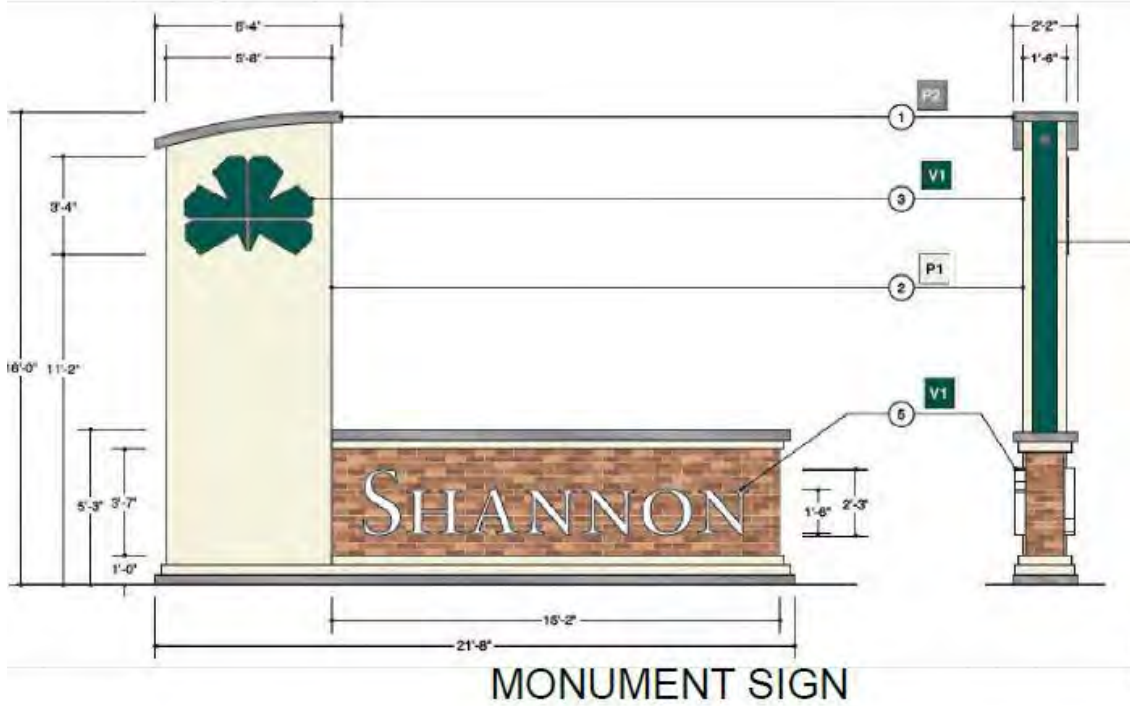
## MASTER SIGNAGE PLAN FOR THE PROPOSED AMENDMENT TO PLANNED DEVELOPMENT (PD) 15-04



### SITE TRIANGLE CLEARANCE



## Sign Details (Exhibit "C" of Ordinance)



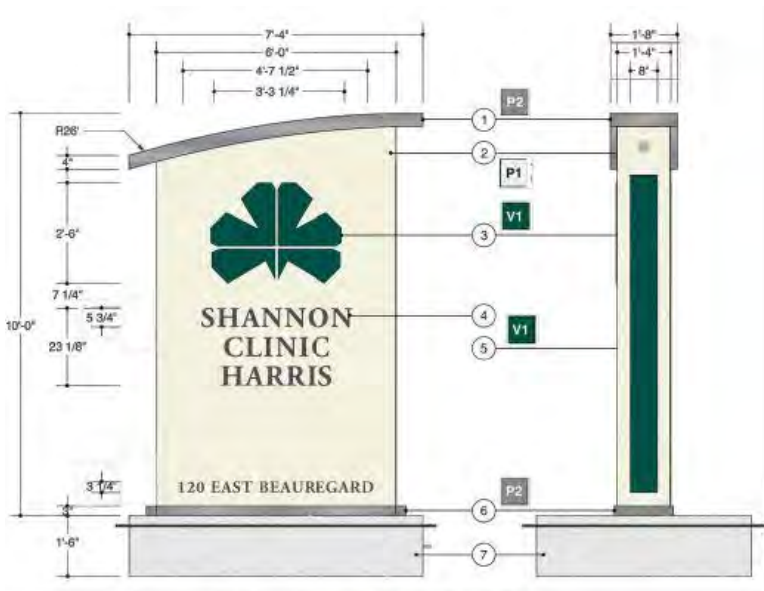
FINISHES AND MATERIALS	
<b>P1</b>	to match Berridge Almond
<b>P2</b>	to match Berridge Preweathered Galvalume
<b>V1</b>	Oracal 8800-060 Prem. Cast Translucent Dark Green (to match PMS Green 3292)
<b>V2</b>	Oracal 8300-073 Transparent Dark Grey

### DETAILS

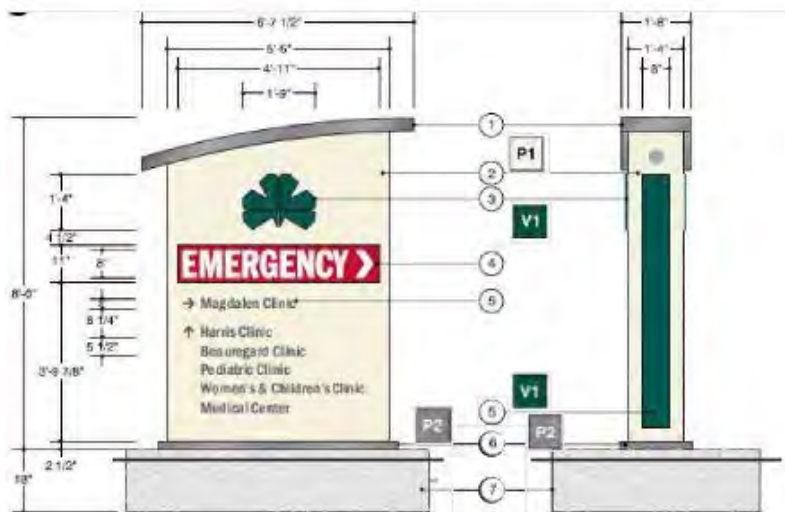
1. Fabricated Aluminum Arch, painted to match Berridge Preweathered Galvalume
2. Fabricated Aluminum Cabinet with 1/8" Aluminum Faces and Returns, to match Berridge Almond
3. Illuminated Push-Thru Logomark with Oracal 8800-060 Prem. Cast Translucent Dark Green Vinyl (to match PMS Green 3292), True White LEDS
4. Illuminated, Routed & Acrylic Backed Copy, Color TBD, True White LEDS  
Typeface: Adobe Garamond Bold
5. Illuminated Accent Band with Oracal 8800-060 Prem. Cast Translucent Dark Green Vinyl (to match PMS Green 3292), True White LEDS
6. Aluminum Base Accent painted to match Berridge Preweathered Galvalume
7. Spread Foot Concrete Base.

LED Internal Illumination:  
(6) 8' Street Stick Single Sided

## Sign Details (Exhibit "C" of Ordinance)



BUILDING ID SIGN



WAYFINDING SIGN

### Illumination Sample

LED Internal Illumination:  
(6) 8' Street Stick Single Sided



#### FINISHES AND MATERIALS

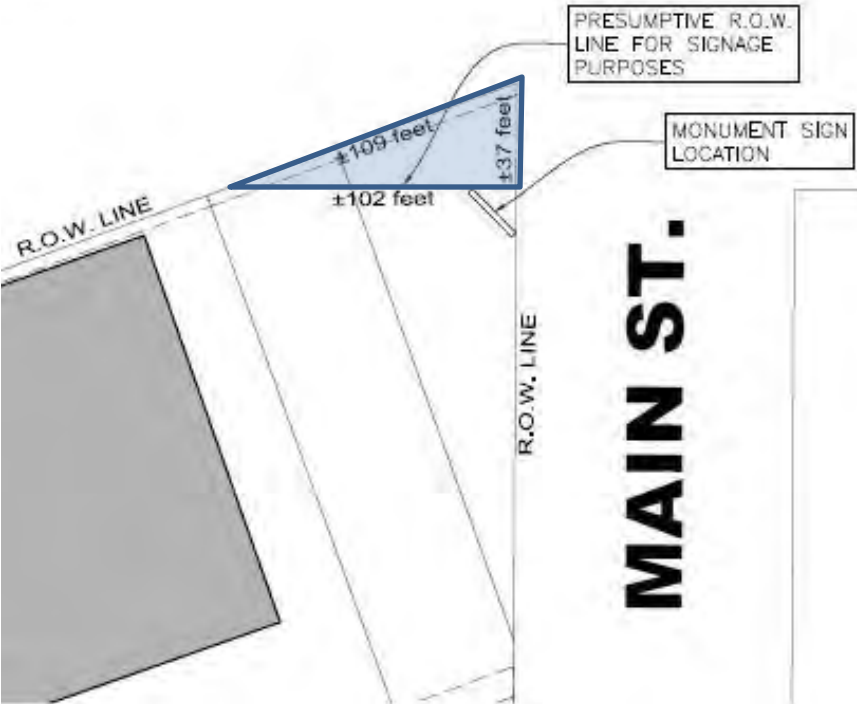
<b>P1</b>	to match Berridge Almond
<b>P2</b>	to match Berridge Preweathered Galvalume
<b>V1</b>	Oracal 8800-060 Prem. Cast Translucent Dark Green (to match PMS Green 3292)
<b>V2</b>	Oracal 8300-073 Transparent Dark Grey

#### DETAILS

1. Fabricated Aluminum Arch, painted to match Berridge Preweathered Galvalume
2. Fabricated Aluminum Cabinet with 1/8" Aluminum Faces and Returns, to match Berridge Almond
3. Illuminated Push-Thru Logomark with Oracal 8800-060 Prem. Cast Translucent Dark Green Vinyl (to match PMS Green 3292), True White LEDS
4. Illuminated, Routed & Acrylic Backed Copy, Color TBD, True White LEDS Typeface; Adobe Garamond Bold
5. Illuminated Accent Band with Oracal 8800-060 Prem. Cast Translucent Dark Green Vinyl (to match PMS Green 3292), True White LEDS
6. Aluminum Base Accent painted to match Berridge Preweathered Galvalume
7. Spread Foot Concrete Base,

Future Right-Of-Way Detail (Exhibit "D" of Ordinance)

**HARRIS AVE**



**Draft Amendment Ordinance**  
**(proposed changes are highlighted)**

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT “A” OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT “A” OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: Several addressed & unaddressed parcels, generally located North of Twohig Avenue, West of Main Street, South of 2<sup>nd</sup> Street, and East of Chadbourne Street; more specifically being a part of Miles Acre lot A7 to A9, A19, all of Miles Acre lots A31, A32; part of lots 18 & 19, lots 20 to 24 J.N. Uptons Subdivision; lots 1 to 4, block 2 Frary Addition; lots 16 to 18, block 5; the west 55' of lot 2, the east 80' of lot 3, all of lot 4, the west 100' of lot 6, all of lots 7 to 13, all of lots 18 to 20 save & except the east 15' of the west 30' of lot 20, block 6; lots A and 1 to 10, block 14A; lot A & B, block 15A; **lots 9 to 12, block 21**; lot 1, block 21.5; lot A, block 22A; lots 1 to 9, 12, lots 10 & 11 save & except the west 110', block 22.5, San Angelo Main Town Addition; lot A, block 1, Shannon Medical Center Downtown Campus, Section Two, lot 2, block 21A, Shannon Medical Center Downtown Campus, Section Three; **San Angelo Addition, Block 15, Lots 13 and 14, City of San Angelo, Tom Green County, Texas**; City of San Angelo, Tom Green County, Texas; a zone change from a combination of General Commercial (CG)/Heavy Commercial (CH), and Planned Development (PD) Districts to a Planned Development (PD) District; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

RE: PD15-04: Shannon Medical Center

WHEREAS, the Planning Commission for the City of San Angelo and the governing body for the City of San Angelo, in compliance with the charter and the state law with reference to zoning regulations and a zoning map, have given requisite notice by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners and persons interested, generally, and to persons situated in the affected area and in the vicinity thereof, is of the opinion that zoning changes should be made as set out herein; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: That the basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000, and included

within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same is hereby amended insofar as the property hereinafter set forth, and said ordinance generally and the zoning map shall be amended insofar as the property hereinafter described: **Several addressed & unaddressed parcels, generally located North of Twohig Avenue, West of Main Street, South of 2<sup>nd</sup> Street, and East of Chadbourne Street; more specifically being a part of Miles Acre lot a7 to a9, a19, all of Miles Acre lots A31, A32; part of lots 18 & 19, lots 20 to 24 J.N. Uptons Subdivision; lots 1 to 4, block 2 Frary Addition; lots 16 to 18, block 5; the west 55' of lot 2, the east 80' of lot 3, all of lot 4, the west 100' of lot 6, all of lots 7 to 13, all of lots 18 to 20 save & except the east 15' of the west 30' of lot 20, block 6; lots A and 1 to 10, block 14A; lot A & B, block 15A; lots 9-12, block 21; lot 1, block 21.5; lot A, block 22A; lots 1 to 9, 12, lots 10 & 11 save & except the west 110', block 22.5, San Angelo Main Town Addition; lot A, block 1, Shannon Medical Center Downtown Campus, Section Two, lot 2, block 21A, Shannon Medical Campus, Section Three; San Angelo Addition, Block 15, Lots 13 and 14, City of San Angelo, Tom Green County, Texas;** shall henceforth be permanently zoned as follows: **Planned Development (PD) District for a medical facilities campus.**

The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to reflect the herein described changes in zoning, **as further depicted on Exhibit A of this Ordinance (PD Boundary Map).**

SECTION 2: That in all other respects, the use of the herein above described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 3: That the following severability clause is adopted with this amendment:

SEVERABILITY:

The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4: That the following penalty clause is adopted with this amendment:

PENALTY:

Any person who violates any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in Section 1.106 of the Code of Ordinances for the City of San Angelo. Each day of such violation shall constitute a separate offense.

SECTION 5: That the following are approved as allowed uses for the property previously described:

- A. Hospitals. Such use provides medical and/or surgical care to patients and offers overnight care for said patients.
- B. Medical office buildings. Such use provides medical and/or surgical care to patients with no overnight care provided for said patients.
- C. Parking garages. Such use provides for a multi-story structure for parking for the exclusive use of staff, trainees, patients, and their visitors.
- D. Housing facilities for staff or trainees. Such use shall provide living quarters for the exclusive use of staff and/or trainees.
- E. Housing facilities for visiting family of patients. Such use provides short-term (less than 30 days) living quarters for the visiting family of patients in care.
- F. Accessory uses. Such uses shall be functionally connected with the operation of a medical facilities campus and therefore are approved for the property previously described, so long as they remain "accessory" as defined in SECTION 8 below:
  - I. parking for emergency vehicles that service the medical facilities;
  - II. offices to serve the allowed uses of the medical campus for the exclusive use of staff and/or trainees;
  - III. laboratories for the exclusive use of staff and/or trainees;
  - IV. teaching facilities for the exclusive use of staff and/or trainees;
  - V. maintenance facilities to service the medical campus for the exclusive use of staff and/or trainees;
  - VI. food and beverage sales to exclusively service staff, trainees, patients, and their visitors;
  - VII. retail goods sales to exclusively service staff, trainees, patients, and their visitors;
  - VIII. religious institutions and services to service staff, trainees, patients, and their visitors;
  - IX. day care to provide care, protection, and supervision for children and/or adults to exclusively service staff, trainees, patients, and their visitors; and;
  - X. meeting areas for medical-related discussion.

SECTION 6: Building façade standards for the Shannon Medical Center-Downtown shall include the following:

- A. Building facades shall be consistent and unified in architectural style, color palette, materials, and detailed ornamental features as detailed in Exhibit A.
- B. Building entrances shall be clearly defined through architectural details, materials, and/or ornamental features, and highly visible.
- C. Exterior materials shall be limited to the following:
  - 1. Brick;
  - 2. Stucco (cementitious finish only);
  - 3. Architectural concrete masonry;
  - 4. Hardiplank or similar cementitious siding;
  - 5. Field stone, ledge stone, or other native veneer;
  - 6. Cast stone (for lintels, trim elements, and ornamentation); and
  - 7. Metal (for beams, lintels, trim elements, siding, and ornamentation).
- D. Additional building façade material types may be approved at the discretion of the Director of the Planning & Development Department, or his/her designee.

SECTION 7: Development standards for the Shannon Medical Center-Downtown shall include the following:

- A. Maximum floor area ratio for each lot shall not exceed 4.0.
- B. Setbacks (front, side, and rear) for all structures shall be 0 feet, or 10' if abutting a residential district or use.
- C. Outdoor storage shall not exceed 5 percent of the total area of each lot.
- D. The following features shall be reasonably screened from street right-of-way:
  - 1. Outdoor storage; and
  - 2. Mechanical equipment greater than 10 square feet in size.
- E. The following features shall be at least partially screened from street view by landscaping (as detailed in SECTION 11), by benches and other street furniture, or by the use of landscaping along with berms, walls, or decorative fences, as approved by the Planning Director:
  - 1. Water quality control facilities;
  - 2. Stormwater drainage facilities;



3. Metal buildings less than 1200 square feet; and
  4. Areas where vehicles are moved, loaded, or stored.
- F. Screening shall be of a natural material coordinating with building facades shown in Exhibit A and listed in Section 6.C. of this ordinance or landscaping as detailed in SECTION 11 of this ordinance.
- G. Metal buildings less than 1200 square feet shall be allowed.
- H. Opaque metal fences shall not be allowed.
- I. **Decorative metal fencing shall be allowed.**

**SECTION 8:** Off-street parking standards for the Shannon Medical Center-Downtown shall be consistent with these standards as outlined in Chapter 9 of the Zoning Ordinance:

- A. Hospitals: 1 parking space per 4 patient beds, and 1 parking space per staff doctor, and 1 parking space per 4 employees.
- B. Medical office buildings: 1 parking space per 300 square feet.
- C. Housing facilities for staff or trainees: 1 parking space per residential unit.
- D. Housing facilities for visiting families of patients: 1 parking space per residential unit.
- E. Accessory uses shall not require off-street parking.

**SECTION 9:** Loading space standards for the Shannon Medical Center Downtown shall be as follows:

- A. Every nonresidential building having at least 20,000 square feet of gross floor area shall have a minimum of one off-street loading space, with one additional off-street loading space for each additional 60,000 square feet of gross floor area or major fraction thereof.
- B. Each required off-street loading space shall be not less than 10' in width, 45' in length, and 14' in height.
- C. Each required off-street loading space shall be located entirely outside of public rights-of-way for streets and alleys and on the same block as the building to which it is accessory.
- D. No open area in a required off-street loading area shall be consistently encroached upon by another use.

- E. In no case shall off-street parking spaces be used to satisfy off-street loading space requirements.
- F. Off-street loading space off of an alley shall not requiring screening as detailed in Section 7.E.

**SECTION 10:** All signage for the Shannon Medical Center Downtown shall conform to the following, as shown on **Exhibit B (Master Sign Plan)** and **Exhibit C (Sign Details)**:

- I. Freestanding pole signs shall not be permitted.
- II. Freestanding signs shall not exceed 30 feet in height or 220 square feet in area.
- III. All signage shall be of materials and colors as shown in **Exhibit C** or of a natural material and color coordinating with building facades and listed in Section 6.C. of this ordinance.
- IV. All signage may be internally illuminated.
- V. No signage shall be located within the future City right-of-way as depicted on **Exhibit D (Future Right-Of-Way)**, at the southwest corner of North Main Street and East Harris Avenue.
- VI. Freestanding signs (including Monument, Wayfinding, Building ID, and Parking Lot ID Signs)
  - I. maximum signage area shall not exceed 2.0 square feet per 1 linear foot of street frontage per lot;
  - II. may be placed at any angle relative to the property line;
  - III. must be set back at least 5 feet from an internal side lot line;
  - IV. may set adjacent to any right-of-way edge;
  - V. shall not exceed 20 feet in height if placed within 10 feet of any right-of-way pavement edge;
  - VI. signage exceeding three feet in height shall be prohibited within any 15-foot by 15-foot sight triangle at the intersection of two street lines measured from back of curb.

- VII. Attached signs (canopy, awning, fascia, projecting, sloping roof signs):
- I. maximum signage area may be up to 25 percent of the area of the wall to which the sign(s) is(are) attached;
  - II. shall not extend more than 5 feet above the roofline of the building to which it is attached;
  - III. shall not extend more than 5 feet above the top of the wall to which it is attached;
  - IV. signs projecting over any public rights-of-way that are larger than 16 square feet must be approved by the City Council after notice and public hearing to consider any potentially detrimental effects;
  - V. signs projecting over the public rights-of-way that are less than 16 square feet shall maintain a distance of at least 18 inches from the curb line or street edge, if no curb exists;
  - VI. signs projecting over the public rights-of-way that are less than 16 square feet shall maintain a minimum height of 9 feet from the grade level to the bottom of the sign.
- VIII. Any changes in the proposed type, location, and/or number of signs shall require a new Planned Development (PD) Amendment application and revised Master Sign Plan.

SECTION 11: Landscaping standards for the Shannon Medical Center Downtown shall be as follows:

- A. Xeriscaping and water use reduction strategies shall be incorporated into overall landscape design through the use of drought tolerant plant species native and well suited to West Texas.
- B. Landscaped areas may include planters, brick, stone, natural forms, or other landscape features that provide a park-like setting.
- C. Landscaped areas, or plants, adjacent to pavement must be protected with a concrete curb or equivalent barrier such as:
  1. Asphalt curbs;
  2. Railroad ties (anchored);
  3. Rock or stone curbs (anchored); or
  4. Wheelstops (anchored).

- D. Landscaping plant material shall be of healthy stock, be native or naturalized, and have low water requirements.
- E. Dying or diseased landscaping plant material shall be replaced with a healthy plant material.
- F. Adequate soil depth and width to encourage healthy growth shall be provided.
- G. Shannon Medical Center Downtown shall be responsible for the irrigation of required landscape areas and plant materials, utilizing one or a combination of the following methods:
  - 1. An automatic or manual underground irrigation system;
  - 2. A drip irrigation system;
  - 3. A rainwater capture system or equivalent; or
  - 4. Any other comparable method.
- H. Landscaped areas planted with native grasses and wildflowers may use a temporary and above ground irrigation system and shall be required to provide irrigation only for the first growing season.
- I. Irrigation methods used shall:
  - 1. Provide a moisture level in an amount and frequency adequate to sustain growth of the plant material on a permanent basis; and
  - 2. Be maintained and kept operational at all times to provide for efficient water distribution.
- J. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
- K. On-ground parking lots shall have no less than 5 percent of the square footage landscaped.
- L. Parking lot landscaping shall be located within the boundaries of the parking lot area as follows:
  - 1. Landscaping boundaries;
  - 2. Landscaping medians;
  - 3. Landscaping islands; or
  - 4. Landscaping peninsulas.
- M. All landscaping plants located in or immediately adjacent to vehicular use areas shall, at maturity, be as follows:
  - 1. Shrubs and other plant material shall be a maximum of 36 inches in height.

2. Trees shall have a minimum 72 inch clearance from grade to the lowest branches.

SECTION 12: Except as otherwise specified or limited elsewhere in this ordinance, the use and development of the Shannon Medical Center Downtown shall generally conform to Central Business (CBD) District zoning standards. All activities shall be limited to those associated with the operation of a medical facilities campus as determined by the Director of the Planning & Development Department, or his/her designee, for the City of San Angelo.

**INTRODUCED on the 21st day of February, 2017 and finally PASSED, APPROVED AND ADOPTED on this the 7th day of March, 2017.**

THE CITY OF SAN ANGELO

by: \_\_\_\_\_  
Dwain Morrison, Mayor

ATTEST:

by: \_\_\_\_\_  
Bryan Kendrick, City Clerk

Approved As To Form:

by: \_\_\_\_\_  
Theresa James, City Attorney

# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

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

Staff Planner: David Stallworth, AICP  
Principal Planner

Case: CU16-10: Torres

Request: A request for approval of a Conditional Use to allow for an Industrial Service use (Lawn and Landscape Care and Maintenance), as outlined in Sections 316 and 415 of the Zoning Ordinance, on a property located in the General Commercial (CG) Zoning District

Location: 122-134 East 19<sup>th</sup> Street, generally located along the northwest side of East 19<sup>th</sup> Street, between North Oakes and Pecan Streets

Legal  
Description: Lots 4 and 5, Block 1 of the Replat of Lot 3, Block 1, Moser Addition

Size: 0.723 acres

## General Information

Future Land Use: Commercial

Zoning: General Commercial (CG) Zoning District

Existing Land Use: Landscaping Business

Surrounding Zoning/Land Use:

North:	Single-family Residential (RS-1)	Residential
West:	General Commercial (CG)	Residential
South:	General Commercial & Heavy Commercial (CG/CH)	Vacant Lot; Commercial
East:	Single-family Residential (RS-1)	Vacant Residence

District: SMD#3 – Harry Thomas

Neighborhood: Reagan  
District:

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), East 19th Street is classified as a “Major Collector.” This type of roadway is designed to collect Local Street traffic to Arterial Streets at a moderate speed. This portion of East 19<sup>th</sup> Street is owned by TX-DOT and has a paving width of 64 feet and a right-of-way of 100 feet. It is not a City-owned and maintained facility (State Road 208).

History and Background:

On December 9, 2016, the Petitioner submitted an application for a Conditional Use to allow for an Industrial Service use (Lawn and Landscape Care and Maintenance), as outlined in Sections 316 and 415 of the Zoning Ordinance on a property located in the General Commercial (CG) Zoning District. The Petitioner maintains that the present landscaping business has been on the premises since 2008. The Petitioner seeks to bring the business into compliance with the Zoning Ordinance in order to facilitate an expansion. The property currently has a 700-square-foot building, an intermodal container used for equipment storage, and visible outdoor storage, as well as gated accesses along both East 19<sup>th</sup> and East 19-1/2 Streets. Although there is single-family residential development along East 19-1/2 Street to the north, the front yards for these lots are oriented along East 20<sup>th</sup> Street/

The property was originally platted with double frontage along its south (East 19<sup>th</sup> Street) and north (East 19-1/2 Street) property lines in 2000 and subsequently replatted in 2001. The property was rezoned from Single-family Residential (RS-1) and General-to-Heavy Commercial (CG/CH) in the early 2000's (RE: Z01-03), and Variances allowing 6-foot-high fencing along the property's north street frontage and non-opaque, chain-link fencing along the east property line abutting a residential zone were approved, also in the early 2000's (RE: ZBA01-12).

Analysis:

Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** *Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.*

Lawn and Landscaping Maintenance Yards are considered in the Zoning Ordinance to be Industrial Service uses due to their visual clutter, propensity for dust and particulate generation, and their level of overall outdoor activity in contrast to other General Commercial land uses. It should be noted that residential uses are in close proximity to the subject area, a fact that merits much consideration. Industrial Service uses are, however, considered acceptable in this zoning district under the auspices of an approved Conditional Use through which potentially adverse impacts between a somewhat intensive land use and nearby residential uses may be mitigated.

2. **Consistent with the Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.*

According to business records, Clientele Lawn and Landscape has occupied the subject property since 2008. This type of business is considered by the Zoning Ordinance as an "Industrial Service." Prior to 2010, this type of business was not allowed in the CG Zoning District under any circumstances. After June of 2010, however, such uses were allowed under the auspices of an approved Conditional Use. Although it unclear how the Petitioner managed to both start and maintain the business on the premises without proper authorization, the Petitioner now seeks to bring the business into compliance with the Zoning Ordinance through Conditional Use approval. These types of operations are generally seen as magnets for visual clutter, dust and particulate generation, and overall outdoor activity in proportion to other General Commercial land uses, and they may also be seen as an underutilization of commercial property, particularly in a transitional, underperforming or disenfranchised area of town where taxable revenue generation would be highly beneficial. Conditions imposed under this petition will



help to ensure that the Lawn and Landscaping Maintenance Yard meets the spirit, if not the intent, of the Zoning Ordinance.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject property.*

This segment of East 19<sup>th</sup> Street from North Oakes Street eastward is categorized as “Commercial” under the Future Land Use Plan Component of the Comprehensive Plan. This segment appears to be in transition to non-residential, with most of the zoning being either CG/CH, CG or CN strip zoning, in conjunction with scattered pockets of RS-1. Behind this strip, however, mostly lies residential (RS-1) zoning. In the absence of a “Transitional” Future Land Use designation, the Conditional Use mechanism now becomes the means through which some form of compatibility between a visible and somewhat intense land use and nearby residential uses may be maintained.

4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

There are no areas of special environmental concern either on the premises or in the immediate area that would be adversely impacted by approval of the Conditional Use. Conditions may be necessary, however, to provide adequate mitigation from dust and noise pollution generated by the business.

5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.*

There is no empirical data to suggest a community need specifically for Lawn and Landscaping Maintenance Businesses. Employment generation or taxable revenue in relation to the extent of the business appear to be less quantifiable. Lastly, contractor yards may seem to be a noted underutilization of a property. Business retention, nevertheless, may be viewed as a qualified community need, and the Petitioner has expressed the need for Conditional Use approval to perpetuate the business at this location. Approval of the Conditional Use may facilitate such retention.

6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.*

The landscape business has been on the premises since 2008 and has already developed a rapport with the neighborhood. Again, this segment of East 19<sup>th</sup> Street from North Oakes Street eastward is categorized as “Commercial” under the Future Land Use Plan Component of the Comprehensive Plan. This segment appears to be in transition to non-residential, with most of the zoning being either CG/CH, CG or CN strip zoning, in conjunction with scattered pockets of RS-1. Even though the abutting property is flanked on both east and west sides by residential uses, it should be noted that only the abutting property to the east has residential zoning; it should be further noted that the residence is dilapidated and unusable. Moreover, the likelihood of a residential use returning to the abutting east property appears doubtful.

Notification:

On January 5, 2017, 19 notices were mailed out within a 200-foot radius of the subject site. As of the publication of this staff report, there were zero (0) responses either in favor of, or in opposition to the request.

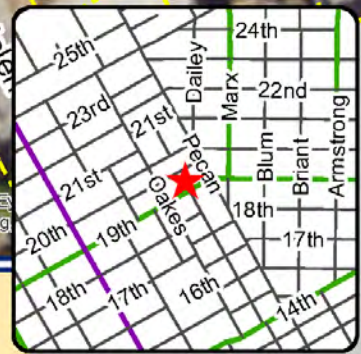
Recommendation:

Staff recommends that the Planning Commission **APPROVE** a Conditional Use to allow for an Industrial Service use (Lawn and Landscape Care and Maintenance), as outlined in Sections 316 and 415 of the Zoning Ordinance, on a property located in the General Commercial (CG) Zoning District, **subject to the following five Conditions of Approval:**


1. No outdoor storage or business activity shall be conducted within ten feet of the east property line until such a time as when the adjacent property becomes non-residential in zoning.
2. Outdoor storage shall not exceed ten percent of the land area of the premises (3,200 square feet), as outlined under Section 504 of the Zoning Ordinance governing “Outdoor Storage and Display in Non-residential Districts.” Outdoor storage shall also not exceed the height profile of any intermodal storage container on the premises.
3. No debris, solid or liquid waste, or junk items may be stored on the premises.
4. The Petitioner shall provide the minimum amount of paved parking on the premises in accordance with Section 511 of the Zoning Ordinance.
5. The Petitioner shall maintain any permanent intermodal container(s) on the premises in accordance with Section 416 of the Zoning Ordinance.

Attachments:

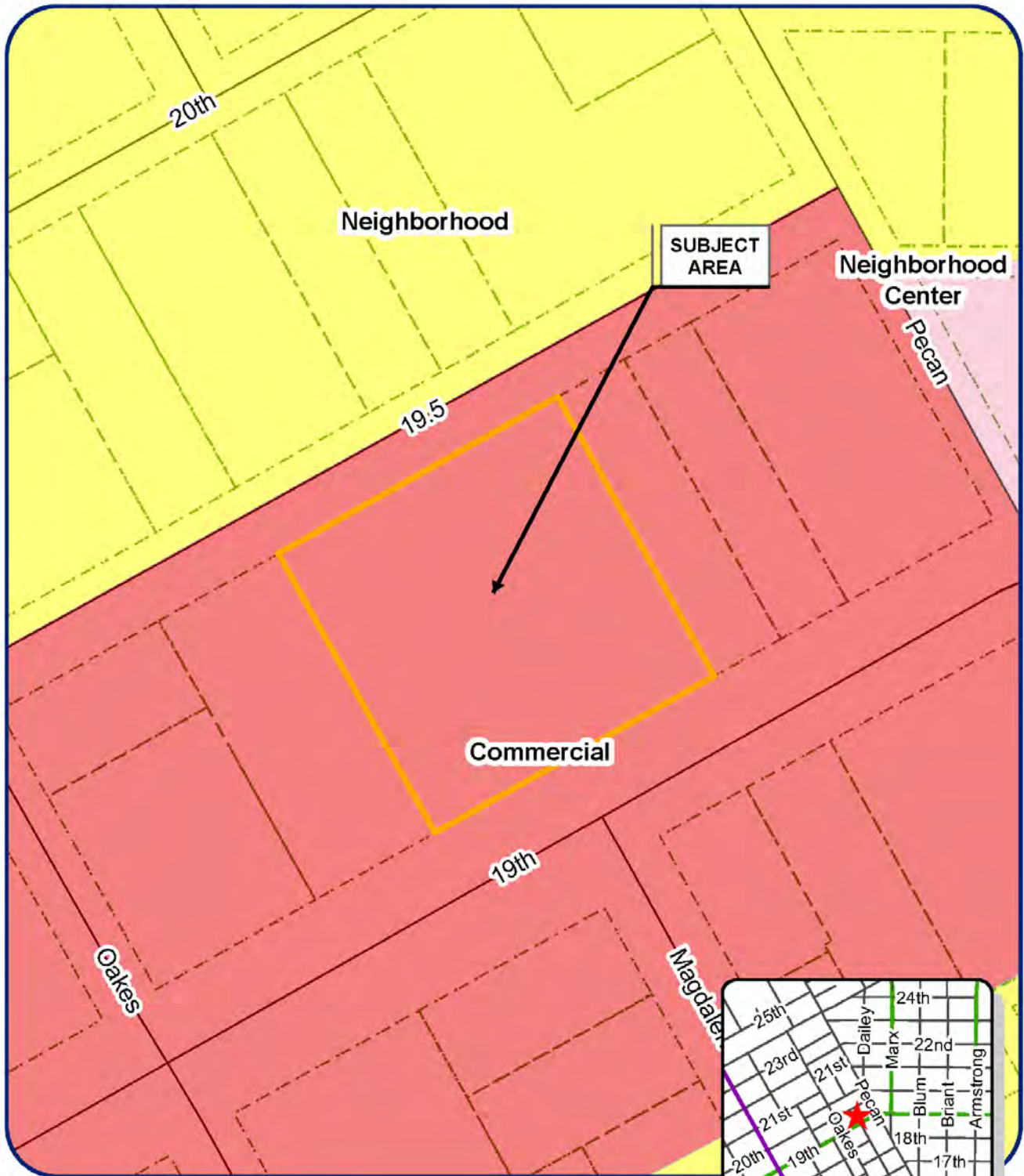
Aerial Map  
Future Land Use Map  
Zoning Map  
Major Thoroughfare Map  
Notification Details  
Site Plan / Building Elevations  
Application  
Site Photos



**Conditional Use Case File**  
**Case CU16\_10; Torres**  
 Council District: District 3 (Thomas)  
 Neighborhood: Reagan  
 Scale: 1 inch :: 100 feet  
 Legal Description: Lots 4 and 5, Blk 1, Replat of Lot 3, Blk 1, Moser Add'n

**Legend**  
 Subject Properties:   
 Current Zoning: **CG**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**





**Conditional Use Case File**

**Case CU16\_10; Torres**

Council District: District 3 (Thomas)

Neighborhood: Reagan

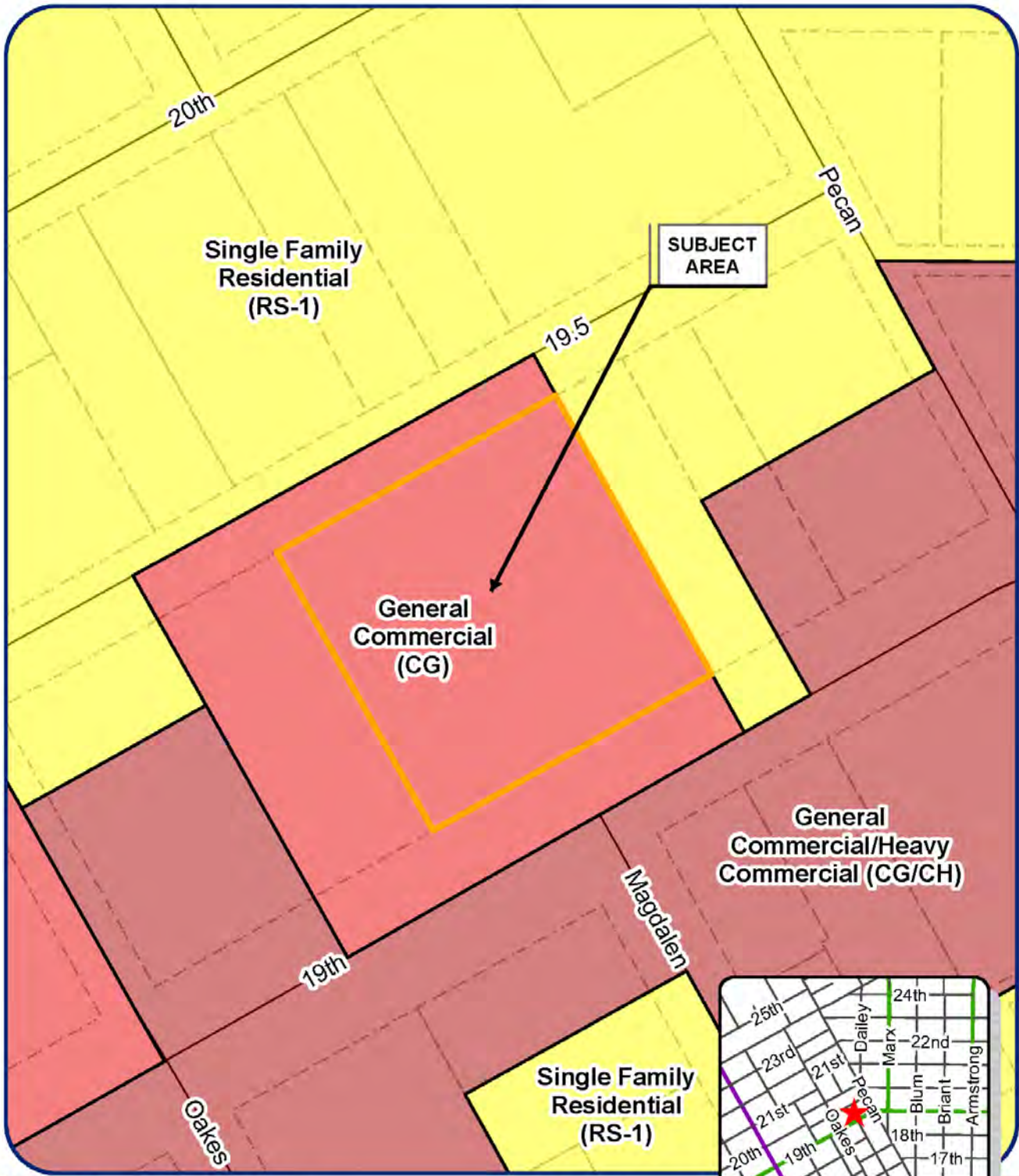
Scale: 1 inch :: 100 feet

Legal Description: Lots 4 and 5, Blk 1, Replat of Lot 3, Blk 1, Moser Add'n

**Legend**

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
- Vision: Commercial





**Conditional Use Case File**

**Case CU16\_10; Torres**

Council District: District 3 (Thomas)

Neighborhood: Reagan

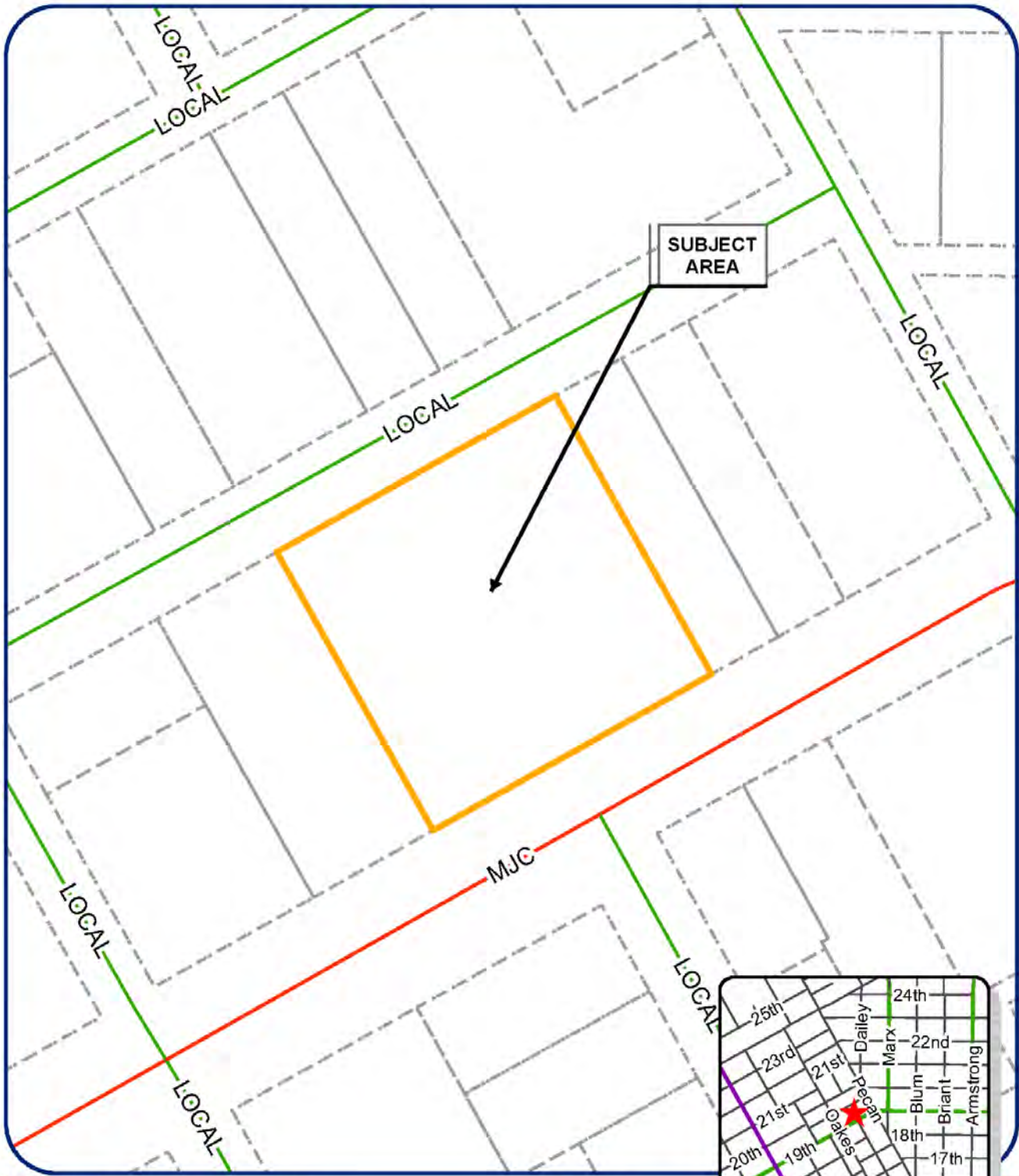
Scale: 1 inch :: 100 feet

Legal Description: Lots 4 and 5, Blk 1, Replat of Lot 3, Blk 1, Moser Add'n

**Legend**

- Subject Properties: —
- Current Zoning: **CG**
- Requested Zoning Change: **N/A**
- Vision: **Commercial**






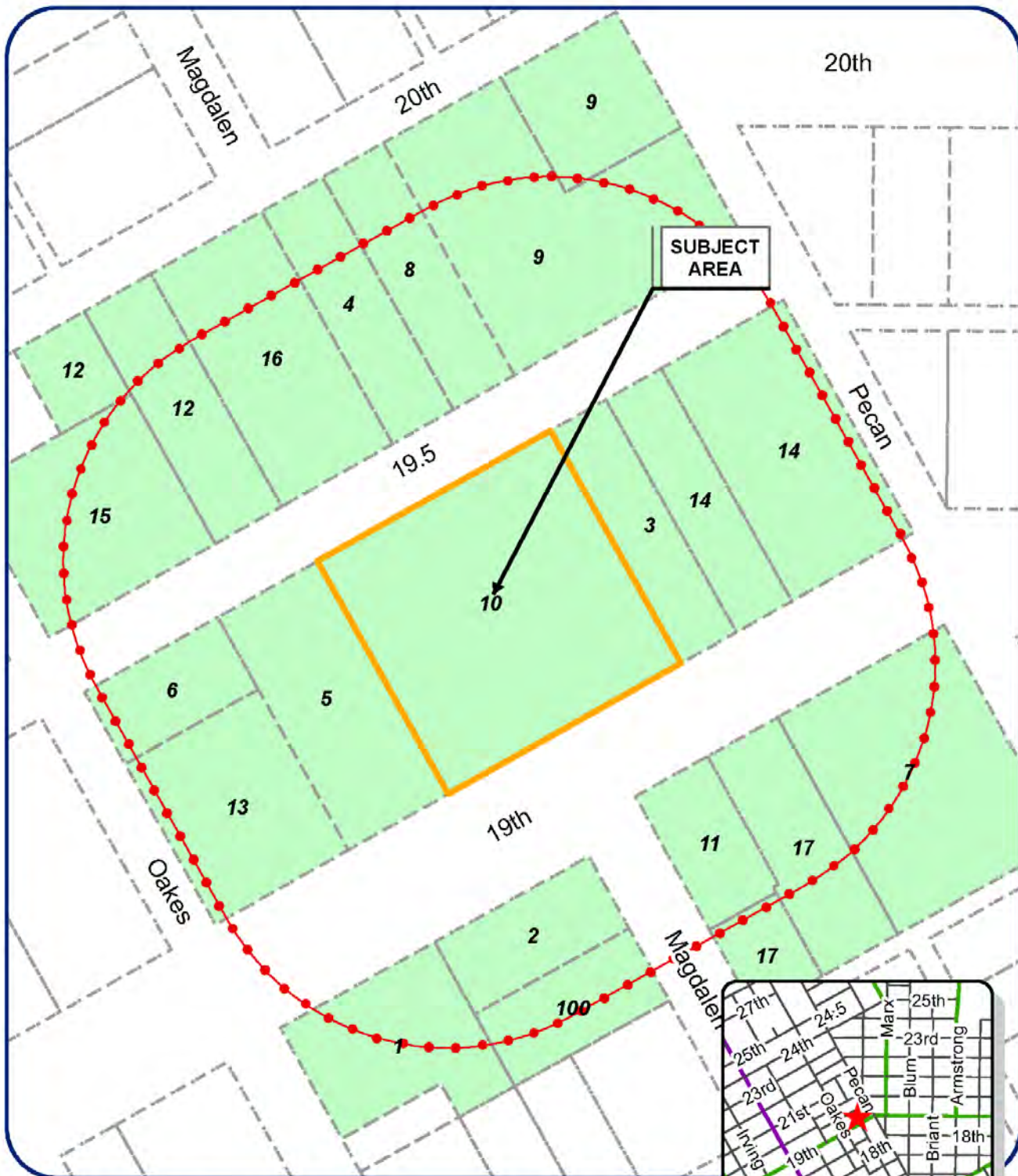
**Conditional Use Case File**  
**Case CU16\_10; Torres**

Council District: District 3 (Thomas)  
 Neighborhood: Reagan  
 Scale: 1 inch :: 100 feet  
 Legal Description: Lots 4 and 5, Blk 1, Replat of Lot 3, Blk 1, Moser Add'n

**Legend**

Subject Properties:   
 Current Zoning: **CG**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**





**Conditional Use Case File**  
**Case CU16\_10; Torres**

Council District: District 3 (Thomas)  
 Neighborhood: Reagan  
 Scale: 1 inch :: 120 feet  
 Legal Description: Lots 4 and 5, Blk 1, Replat of Lot 3, Blk 1, Moser Add'n

**Legend**

- Subject Properties:
- Current Zoning: **CG**
- Requested Zoning Change: **N/A**
- Vision: **Commercial**





CU16-10: TORRES

vm_lin	vm_name	vm_incare	vm_line1	vm_city	vm_vm_zip
1	AUSMUS LESLIE	.	11851 HIGH DALE DR APT 108-B	DALLAS	TX 75234-7958
100	AUSMUS TERRY GENE & DAVID ALAN & CLEM.	.	11851 HIGH DALE DR APT 108-B	DALLAS	TX 75234-7958
2	CARRILLO JESUS	.	2706 BOWIE ST	SAN ANGELO	TX 76903-4406
3	DEATON WILFORD C	.	1254 20 1/4 LN	PUEBLO	CO 81006-1804
4	GUERRA JUSTO V(DEC)& LUPE	.	119 E 20TH ST	SAN ANGELO	TX 76903-3022
5	HOLLAND BILLIE	HICKMAN WILLIAM & SHERYL(COD)	2625 LINDENWOOD DR	SAN ANGELO	TX 76904-6706
6	HUBBARD STEVEN J & SHARON L(DEC)	.	1916 N OAKES	SAN ANGELO	TX 76903-3013
7	IGLESIA APOSTOLICA DE FE EN CRISTO	JESUS IN US	702 PULLIAM	SAN ANGELO	TX 76903-4920
8	MARTINEZ JAIME R - DECEASED	MARIA E MARTINEZ	121 E 20TH ST	SAN ANGELO	TX 76903-3022
9	MOELLER GALEN A	.	2503 DOUGLAS DR	SAN ANGELO	TX 76904-5446
10	MORRISON DWAIN R & VICKI G	TORRES ROBERT J JR (COD)	PO BOX 5514	SAN ANGELO	TX 76902-5514
11	NAVARRO ARMANDO JR & CINDY D	.	721 N ADAMS	SAN ANGELO	TX 76901-1764
12	PADRON EMMA	.	10 E 9TH ST	SAN ANGELO	TX 76903-4726
13	PAK HARRIS ENTERPRISES LTD	.	PO BOX 5616	ABILENE	TX 79608-5616
14	TREJO FAUSTINO & REYNA	.	1522 TEMPE POST	SAN ANGELO	TX 76905-8152
15	VIELMA JESSIE	.	1922 N OAKES	SAN ANGELO	TX 76903-3067
16	VIELMA SANTOS & JUANITA	.	123 E 20TH ST	SAN ANGELO	TX 76903-3022
17	YOUNG KENNETH E	.	3502 SUNSET DR	SAN ANGELO	TX 76904-6049
0	CITY OF SAN ANGELO	PLANNING DIVISION	52 W COLLEGE AVE	SAN ANGELO	TX 76903

City of San Angelo, Texas - Planning Division  
**Application for Approval of a CONDITIONAL USE**

Name of Applicant(s): Robert Torres, Jr.

Owner  Representative (Affidavit required)

Mailing Address: 122 E. 19th 134 E 19th Telephone: 325-658-6365

City/State/Zip: San Angelo, TX 76903 Fax/other: \_\_\_\_\_

Contact Email Address: manager@clientelawn.com

Subject Property Address and/or Location\*:

122 E 19th San Angelo, TX 76903

134 E. 19th St - San Angelo, TX 76903

Legal Description\*:

lot 5, blk 1, Moser Addition - ~~134~~ E. 19th St, San Angelo, TX 76903

lot 4, blk 1, Moser Addition - 122 E 19th St San Angelo, TX 76903

Lot Size: 150 x 200 - 60x210 Zoning: CG

Existing Use of Property: we have been operating this business from this location since we have been here since 1-2008. Lawn & Landscaping

Proposed Use of Property: Would like to just continue the use of the property so we don't have to relocate our business

Proposed Conditional Use (from Art. 309): Industrial Services - Lawn Maintenance & Janitorial Service business -

\* use attachment, if necessary

I/We the undersigned acknowledge that the information provided above is true and correct, and have read the statements below.

X  
Signature \_\_\_\_\_

12/19/2016  
Date \_\_\_\_\_

1. If approved, a Conditional Use is applied to the property, not the property owner.
2. The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council.
3. Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
4. If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

I understand that this Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanation(s) below:

- **Impacts Minimized.** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: No, it will make the lot better because we will clean it up & make it look nice w/ plants & bushes & landscape it to market our business.

- **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Our business is a lot of retail sales that also result in customers hiring us for landscaping, xeriscaping, & lawn care needs. We need this location to house our smaller materials & merchandise on a storage container due to theft. We will plan to put in an office building at a later time.

- **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

Explanation: There are many business on our street & area and we fit in well. We would like to continue to offer our customers business from this location

- **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: No

- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: We have been in business since 2003 & have had many of the same customers for many years. We would like to continue offering San Angelo exceptional lawn care.

- **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

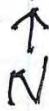
Explanation: No

I wish to **appeal the denial** of the Commission to the City Council.

Signature \_\_\_\_\_

Date \_\_\_\_\_

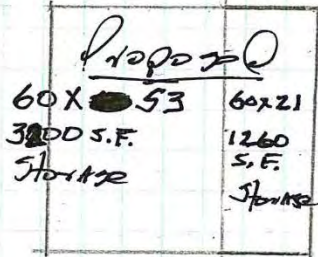
OFFICE USE ONLY	
Case no.: <u>CU 16 - 10</u>	Date of application: <u>12/14/2016</u>
Received by: <u>Jeff Fisher</u>	Date paid: <u>12/14/2016</u>
Nonrefundable application fee (with deposit): <u>\$ 422.50</u>	Receipt No.: <u>269349</u>
River Corridor Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	If yes, RCC meeting date: _____
Planning Commission hearing date: <u>1/23/2017</u>	



# EAST 19 1/2 STREET

Lot 4, BK 1, Moser Addition  
152 x 210  
122 E. 19<sup>1/2</sup>  
31,920 S.F.

Lot 5, BK 1, Moser  
60 x 210  
134 E. 19<sup>1/2</sup>



12 x 15  
Temp  
Bldg

Temp  
Cover  
15 x 30

20 x 35  
Bldg

"C"  
crate  
B x 40

disabled parking →  
Paved Parking  
regular parking ↗

caliche parking

# EAST 19<sup>1/2</sup> Street

1 □ = 10 ft

**Fisher, Jeff**

---

**From:** Fisher, Jeff  
**Sent:** Tuesday, December 13, 2016 4:13 PM  
**To:** 'Clientele Lawn & Landscape'  
**Subject:** RE: permit question

Angie,

I understand you've been speaking to Mr. Downey in our permits division about a carport and sea container on the premise. I wanted to outline again the requirements to move forward on the lawn and landscape care and maintenance facility on the property. I have passed these requirements along to Mayor Morrison also in discussion with him last week. You would require a conditional use application for this use from the planning division which would go to the planning commission for final review and a decision. The maximum outdoor storage and display, (aggregate total) on both properties is 10% of the overall site area by the zoning ordinance.

The retail components (sale of landscape items, Christmas ornaments) are allowed in the CG zoning as of right. If you use the future carport and sea container to store these items or parking related to these items, this would be acceptable.

Also, a new sea container, or one that was not permitted already would be required to meet the new provisions of the text amendment to the zoning ordinance as it relates to sea containers. If this becomes an issue, I can assist you with this.

Please don't hesitate to call if you have any questions. Deadline for the January 23, 2017 Planning Commission for the Conditional Use application is December 22, 2016.

Jeff

---

**From:** Downey, Jack  
**Sent:** Tuesday, December 13, 2016 3:36 PM  
**To:** 'Clientele Lawn & Landscape' <manager@clientelelawns.com>  
**Cc:** Fisher, Jeff <jeff.fisher@cosatx.us>  
**Subject:** RE: permit question

Hi,

The approach is the drive way. I think since you are using the other portion and already have paved parking the carport would be in addition to the required paved parking and would not trigger additional parking requirements.

The plans would show how the posts would be concreted to the ground. What size posts are being used. The framing / roof members sizes. The metal panels used for the roof and any side panels. I believe the side would need to be 7'-6" minimum.

I would suggest you don't purchase the materials until we approve the plan. If there is something that needs to be changed on the plan, changes can be made during the review process. It is cheaper to change on paper.

Jack

**From:** Clientele Lawn & Landscape [<mailto:manager@clientelelawns.com>]  
**Sent:** Tuesday, December 13, 2016 3:07 PM  
**To:** Downey, Jack <[jack.downey@cosatx.us](mailto:jack.downey@cosatx.us)>  
**Subject:** Re: permit question

Hi Jack, yes this will be for 134 E 19th. So what we are wanting to do is get a sea container and put up a car port to park out trucks under. It's not for storage. It will be put behind the locking gate so no customers will have access to it. There are no parking spaces right now. Not sure what an approach is, but to gain access to this lot you have to drive through 122 e 19th driveway. 122 E 19th has parking and 3 spaces.

There will be no foundation. It will be post concreted into the ground. The framing will be made of steel beams. Post will be 14-15 feet apart. I believe all the steel is around \$1500.

---

From: Downey, Jack <[jack.downey@cosatx.us](mailto:jack.downey@cosatx.us)>  
Sent: Tuesday, December 13, 2016 1:34 PM  
Subject: RE: permit question  
To: 'Clientele Lawn & Landscape' <[manager@clientelelawns.com](mailto:manager@clientelelawns.com)>  
Cc: Fisher, Jeff <[jeff.fisher@cosatx.us](mailto:jeff.fisher@cosatx.us)>

Angie,

I am probably the best place to start. Are we talking about the property on 19<sup>th</sup> street? If so it is zoned CG. It is not in the river corridor. It is not in the historic overlay. Since it is not in either zone that should make it a little less restrictive, easier in that there are not any design restrictions other than building code requirements and a few zoning issues.

This would come back to parking questions, such as how many paved parking spaces are required etcetera. Do you have an approach, paved parking, maneuvering space?

If you are planning on using it for some other purpose, like storage, it could have some other zoning restrictions.

The building permit would require:

A site plan, showing the location of the proposed carport on the property. We would check setbacks from property lines.

Construction plans. Foundation, framing, anchorage to the foundation. If it is not made of typical construction we might need an engineered drawing, we do not have span charts for every material. If you are planning on buying a prefabricated car port from a lot, you might want us to look at the building, spec sheets, before you purchase the car port. If the building has a clear span of more than 24 feet between posts or columns. If the 24 foot is exceeded the building and foundation would require an engineered building and foundation.

Permit fees are based upon the value of the project. The base permit fee for a commercial project is \$75.00. if the project value is over \$2000 the fees increase. From \$2000 to \$30,000 it is \$75 plus \$6.50 for each additional thousand or portion thereof. For example \$15,050 would be \$75 plus \$6.50 times [14 (15050-2000=13050)] (\$91) = \$166.00. If you have an estimate I could give you a better estimate of the permit fees.

The issue could be with zoning / planning. I believe a carport would be allowed. If it is going to be used for storage or some other purpose besides a carport it may be an issue. As I understand the ordinance, outdoor storage is not allowed in a CG zone. If the building is completely enclosed, not a true carport, inside storage would be allowed. If you need a conditional use or other variance I believe the cutoff this month is December 22. You might contact Jeff in planning to verify with them.

Sincerely,

Jack

---

**From:** Clientele Lawn & Landscape [<mailto:manager@clientelelawns.com>]  
**Sent:** Tuesday, December 13, 2016 11:14 AM  
**To:** Downey, Jack <[jack.downey@cosatx.us](mailto:jack.downey@cosatx.us)>  
**Subject:** permit question

Hi Jack, not sure if you are the person to ask but we want to put up a carport in a commercial business lot. What are the requirements for that and permit fees? Whatever information you can help me with is much appreciate.

Thank you,  
Angie Conrad

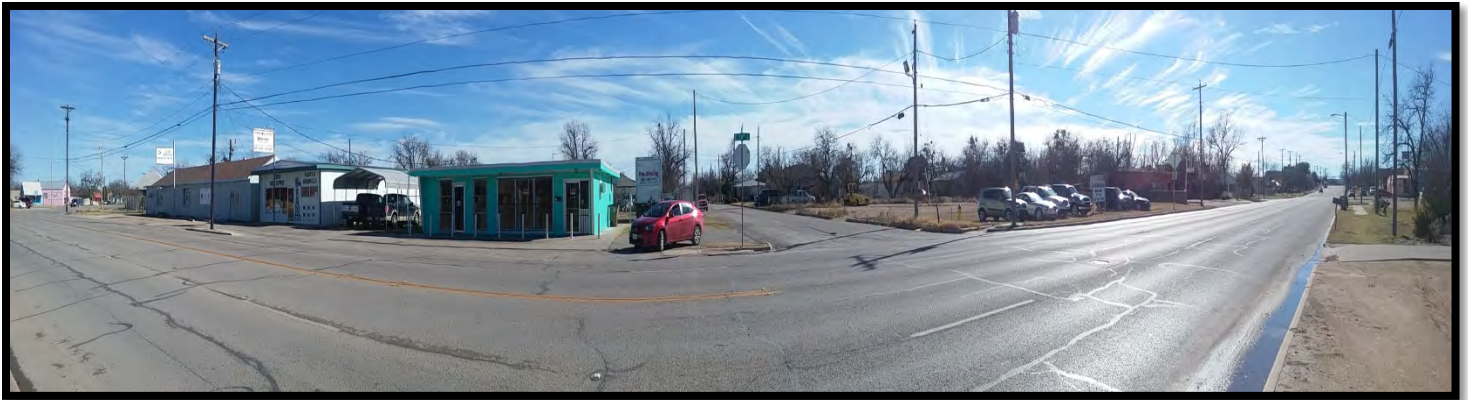
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# Subject Property





## South of Site



## North Property Line (S/S, E. 19-1/2 St.)



## North of Site (N/S, E. 19-1/2 St.)



## West of Site



## East of Site



# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

From: Jon James, AICP  
Director of Planning and Development Services

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

Planner: Jeff Fisher  
Planner I

Case: CU16-11: Concho Valley Turning Point

Request: A request for the renewal of an expired Conditional Use to allow "Community Services," as defined in Section 314.B of the Zoning Ordinance, for property within the Low Rise Multifamily Residence District (RM-1) to expand into an existing 1,200-square foot building

Location: 528 East Highland Boulevard; generally located approximately 100 feet west of the intersection of East Highland Boulevard and Powell Street

Legal Description: Fort Concho Addition, Block 85, being the south 156.72 feet of Lot 12 and the south 156 feet of Lot 13

Size: 0.361 acres

## General Information

Future Land Use: Neighborhood

Zoning: Low Rise Multifamily Residence (RM-1)

Existing Land Use: Community Services Office and Counseling Center (Concho Valley Turning Point) inside existing Single Detached Dwelling

Existing Buildings: Single detached dwelling (1930): 1,128 s.f.  
Large storage building (2008): 1,200 s.f.  
Small storage building (2008): 150 s.f.

### Surrounding Zoning/Land Use:

North:	Two-Family Residence (RS-2)	Single detached dwellings
West:	Low Rise Multifamily Residence (RM-1)	Concho Valley Turning Point Apartments
South:	Light Manufacturing (ML)	AEP Rusthill Substation
East:	Two-Family Residence (RS-2)	Single detached dwellings

District: SMD#3 – Harry Thomas

Neighborhood: Fort Concho Neighborhood

District:

### Thoroughfares/Streets:

East Highland Avenue is classified as a “Local Street” in the Master Thoroughfare Plan (MTP). A Local Street carries light neighborhood traffic at low speeds, and requires a right-of-way width of 50 feet and a paving width of 40 feet. The existing right-of-way width of East Highland Avenue is 100 feet and the existing paving width is 40 feet, in compliance with the MTP.

### History and Background:

On May 19, 2014, the Planning Commission approved a Conditional Use of Community Services on the subject property (CU14-04) with a condition that the

associated Rezoning request (Z14-09) also be approved, rezoning the property from Two-Family Residential (RS-2) to a Low Rise Multifamily Residence (RM-1) District. The purpose of the Conditional Use was to allow Concho Valley Turning Point (CVTP), a non-profit organization, to provide faith-based services, education, and counseling from the existing 1,128-square foot single detached dwelling on the property. On June 17, 2014, the associated Rezoning was approved by City Council.

On November 16, 2015, the Planning Commission approved an Amendment to CVTP's Conditional Use Approval (CU14-04) for an expansion into the existing 1,200-square foot metal storage building at the rear of the property. The approval allowed CVTP to expand into the large metal storage building at the rear of the property for counseling meetings, leaving the dwelling exclusively for office administration.

The applicant had fulfilled all the conditions of approval within the required 12 months of date of approval, except for obtaining a Change of Occupancy permit to convert the storage building into an office for the new counseling area. The applicant had cited financial factors at the time as the reason for not obtaining the required permit.

On December 9, 2016, CVTP submitted this new Conditional Use application to allow additional time to acquire a change of occupancy permit. CVTP explained to Planning Staff that they recently obtained a funding grant from the San Angelo Area Foundation which allowed them to proceed with their change of occupancy. On December 29, 2016, the applicant submitted their Change of Occupancy Permit which is now under review for completeness by the Permits and Inspections Division.

There are no anticipated changes in CVTP's operations since the previous approval. According to CVTP, counseling meetings will continue to be four evenings per week from 7:00 p.m. - 8:00 p.m., with the administrative office open weekly from 8:00 a.m. to 12:00 noon. A typical counseling meeting would range from 10-20 adult male and female attendees. Approximately 90% of them do not drive vehicles and reside in the adjacent apartment complex owned by CVTP to the west. CVTP indicates that in addition to the four parking spaces on the property, an additional ten parking spaces are available for surplus parking at the apartment complex.

Analysis:

Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** *Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.*

Planning Staff have not received any complaints about this property since CVTP opened its operations in May of 2014. A site visit on Wednesday, January 11, 2016, confirms CVTP has completed all required conditions of previous approvals, except for acquiring a change of occupancy permit which is still under review. The 6-foot high wooden privacy fence around the west, north, and east property lines has been installed, providing a buffer from the adjacent residential developments. The existing community service is a low traffic generator because most of the counseling attendees do not drive and because the administrative office and counseling service operate at different times. With the recent extension of on-site paving for the four required parking spaces, Staff does not anticipate any adverse effects on the surrounding residential area. The applicant will be required to stripe the additional five feet of landing area to the west of the existing disabled parking space in accordance with State requirements for *Americans with Disabilities (ADA)*.

**2. Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.*

The proposed addition of a community service (counseling) building would be consistent with the definition of Community Services in the Zoning Ordinance. Community Services “are uses of a public, non-governmental but not-for-profit, social service, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site and may have employees at the site on a regular basis. The service is ongoing and not just for special events. Community centers or facilities that have membership provisions should be open to the general public to join at any time (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.” The buildings on the property comply with the Low Rise Multifamily Residential (RM-1) Zoning District standards for minimum lot area, minimum lot frontage, and all setbacks. As indicated above, the applicant has paved the four required parking spaces. Both the counselling and administrative office buildings each require four parking spaces (1 parking space per 300 square feet), but Section 511.E of the Zoning Ordinance allows shared parking where uses have different operating hours. In this case, the counseling and administrative components operate at different times as described above, and therefore, the current parking layout satisfies the Zoning Ordinance.

**3. Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject property.*

The proposed expansion into the existing storage building at the rear of the property would maintain compatibility with the surrounding area. The administrative office at the front of the property maintains its residential character, formerly being a residential dwelling that was erected in 1930. Both

uses would be conducted entirely within existing buildings. The change of occupancy requirement would not change the physical look of the existing residential storage building from the outside, thereby maintaining compatibility with the surrounding area.

4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

Staff does not foresee any adverse impacts on the natural environment given that both uses will operate fully within existing buildings on the property. The parking area has already been paved as required.

5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.*

There is a community need for this type of use. The CVTP program offers faith-based counseling and education services to at-risk individuals and families in the community, including to the tenants at their apartment complex immediately west. Counseling services include 12-step programs for those recovering from addictions. CVTP has been providing this service to at-risk members of the community since 1994. The additional floor space in the storage building would allow the counseling clients to have an exclusive area separate from the office building.

6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.*

The proposed development will result in a logical and orderly pattern of development, as the property is immediately east of the existing apartment complex also operated by CVTP. As stated earlier, many of the residents of the apartment complex will use the counseling center. In addition, there are other community and institutional uses in the area, including the donations center at 801 Rust Street used by both CVTP and Rust Street Ministries, and Fort Concho Elementary School. As indicated above, most of the attendees of the counseling service do not have vehicles and live in the adjacent apartment building. Staff does not anticipate much if any spillover parking and as mentioned, the applicant has approximately ten vacant spaces at the apartment complex to the west which can be utilized. In addition, the counseling service only operates for one hour, four days per week. There is no residential component to the use, and attendees would not stay for long durations or overnight.

Notification:

On November 12, 2017, sixteen (16) notifications were mailed out within a 200-foot radius of the subject site. As of November 13, 2017, there were zero (0) responses in favor and in opposition of the request.

**Staff's Recommendation:**

Staff's recommendation is for the Planning Commission to **APPROVE** Case CU16-11 to renew an expired Conditional Use to allow "Community Services," as defined in Section 314.B of the Zoning Ordinance, in the Low Rise Multifamily Residence (RM-1) District to expand into an existing 1,200-square foot building, **subject to the following five Conditions of Approval:**

1. Any future development shall be subject to the Low Rise Multifamily Residential (RM-1) development standards for a single-family dwelling, as per Section 501.A. of the Zoning Ordinance.
2. The applicant shall acquire a building permit approval from the Permits and Inspections Division for a Change of Occupancy for the existing storage building in order to allow for a counselling office.
3. All lighting should point internally to prevent unnecessary light pollution on neighboring properties.
4. Outside storage shall be limited as per Section 313.B.2. for Household Living in that only the storage of household goods, storage of supplies, and equipment for maintaining the dwelling and associated yard shall be allowed.
5. The applicant will be required to stripe the additional five feet of landing area to the west of the existing disabled parking space in accordance with Texas Accessibility Standards (TAS).

Attachments:

Aerial Map  
Future Land Use Map  
Zoning Map  
Major Thoroughfare Map  
Notification Map  
New Site Plan  
Site Photos  
Shared Parking Letter  
Applicant's Mission Statement  
Application





**Conditional Use**

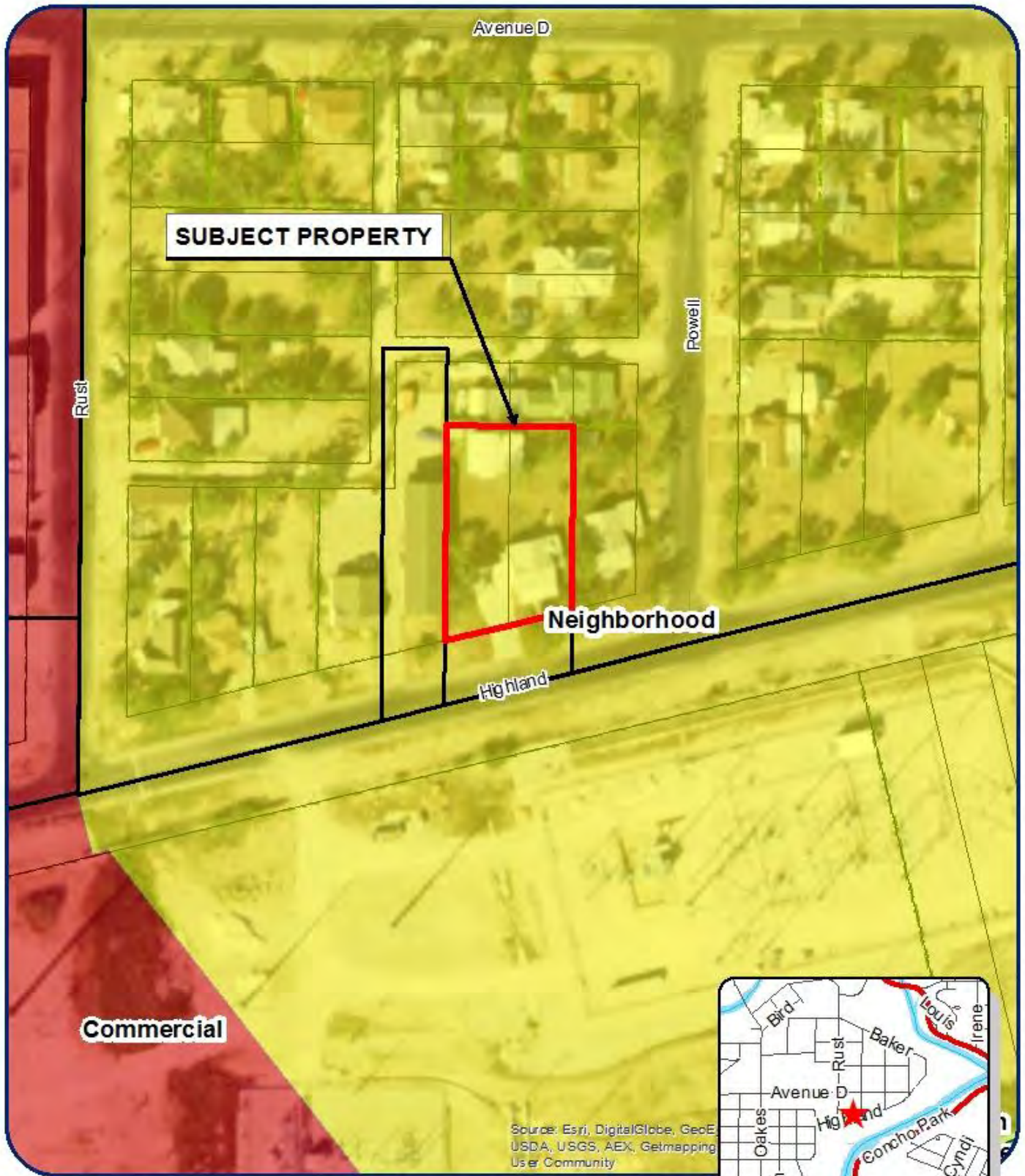
**Case CU16-11: CVTP**

Council District: Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 100 ft  
 Subject Property: 528 E. Highland Blvd.

**Legend**

- Subject Properties: █
- Current Zoning: **RM-1**
- Requested Zoning Change: **N/A**
- Vision: **Neighborhood**





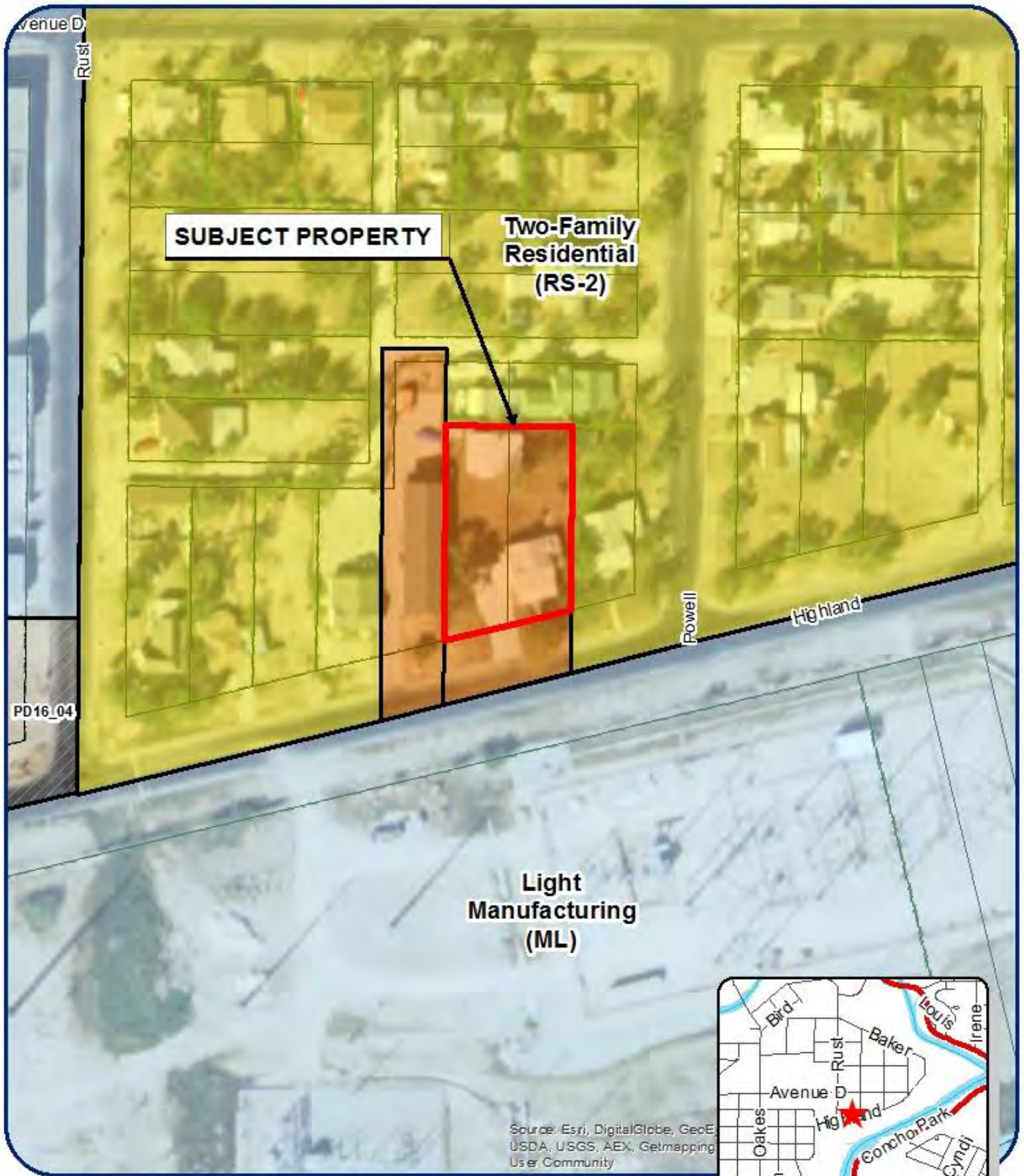
Source: Esri, DigitalGlobe, GeoE, USDA, USGS, AEX, Getmapping, User Community



**Conditional Use**  
**Case CU16-11: CVTP**  
 Council District: Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 100 ft  
 Subject Property: 528 E. Highland Blvd.

**Legend**  
 Subject Properties: —  
 Current Zoning: **RM-1**  
 Requested Zoning Change: **N/A**  
 Vision: **Neighborhood**





**Conditional Use**  
**Case CU16-11: CVTP**  
 Council District: Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 100 ft  
 Subject Property: 528 E. Highland Blvd.

**Legend**  
 Subject Properties: —  
 Current Zoning: **RM-1**  
 Requested Zoning Change: **N/A**  
 Vision: **Neighborhood**

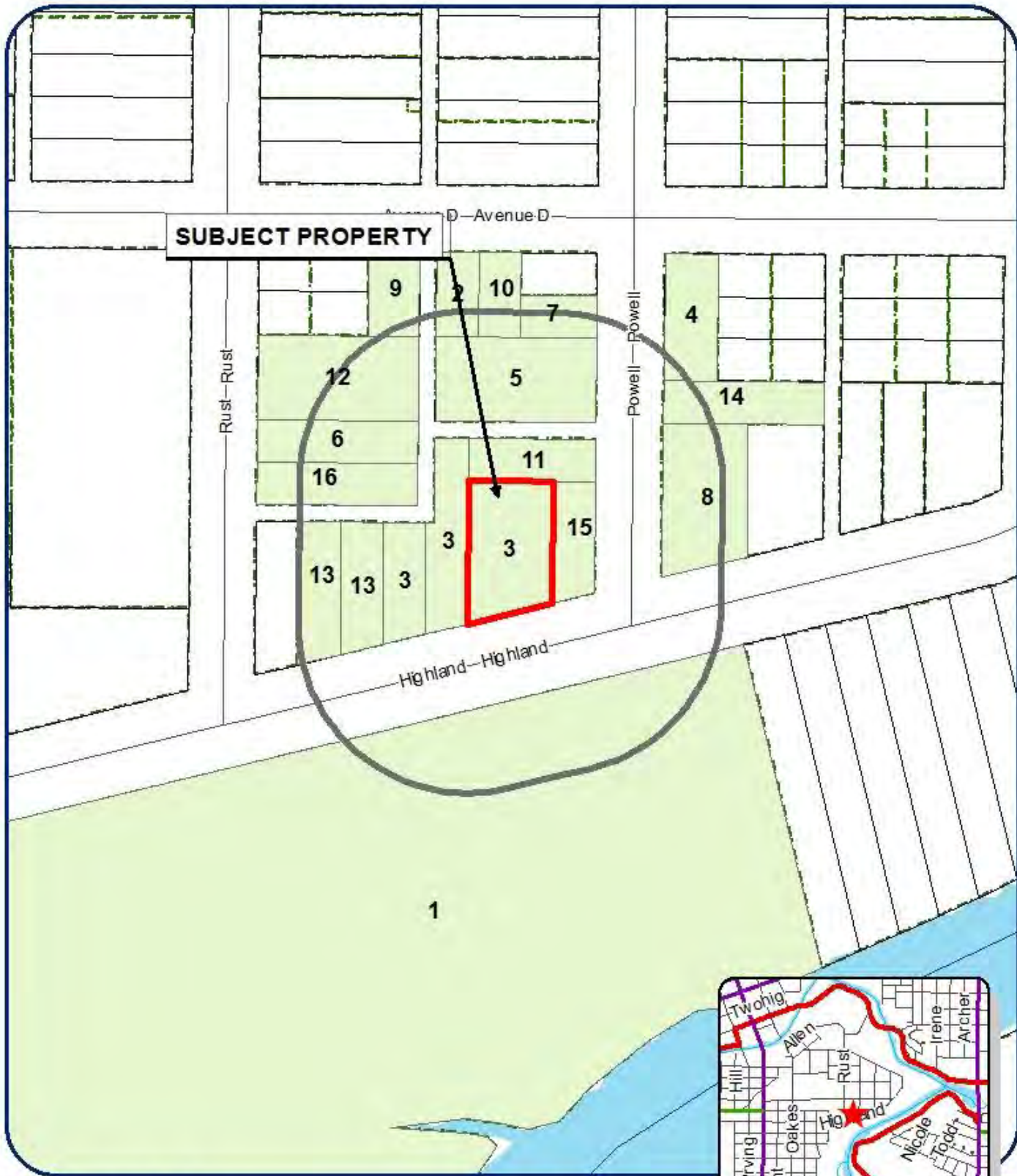




**Conditional Use**  
**Case CU16-11: CVTP**  
 Council District: Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 100 ft  
 Subject Property: 528 E. Highland Blvd.

**Legend**  
 Subject Properties: —  
 Current Zoning: **RM-1**  
 Requested Zoning Change: **N/A**  
 Vision: **Neighborhood**





**SUBJECT PROPERTY**

D-Avenue D

Rust-Rust

Powell-Powell

Highland-Highland

**Conditional Use**  
**Case CU16-11: CVTP**

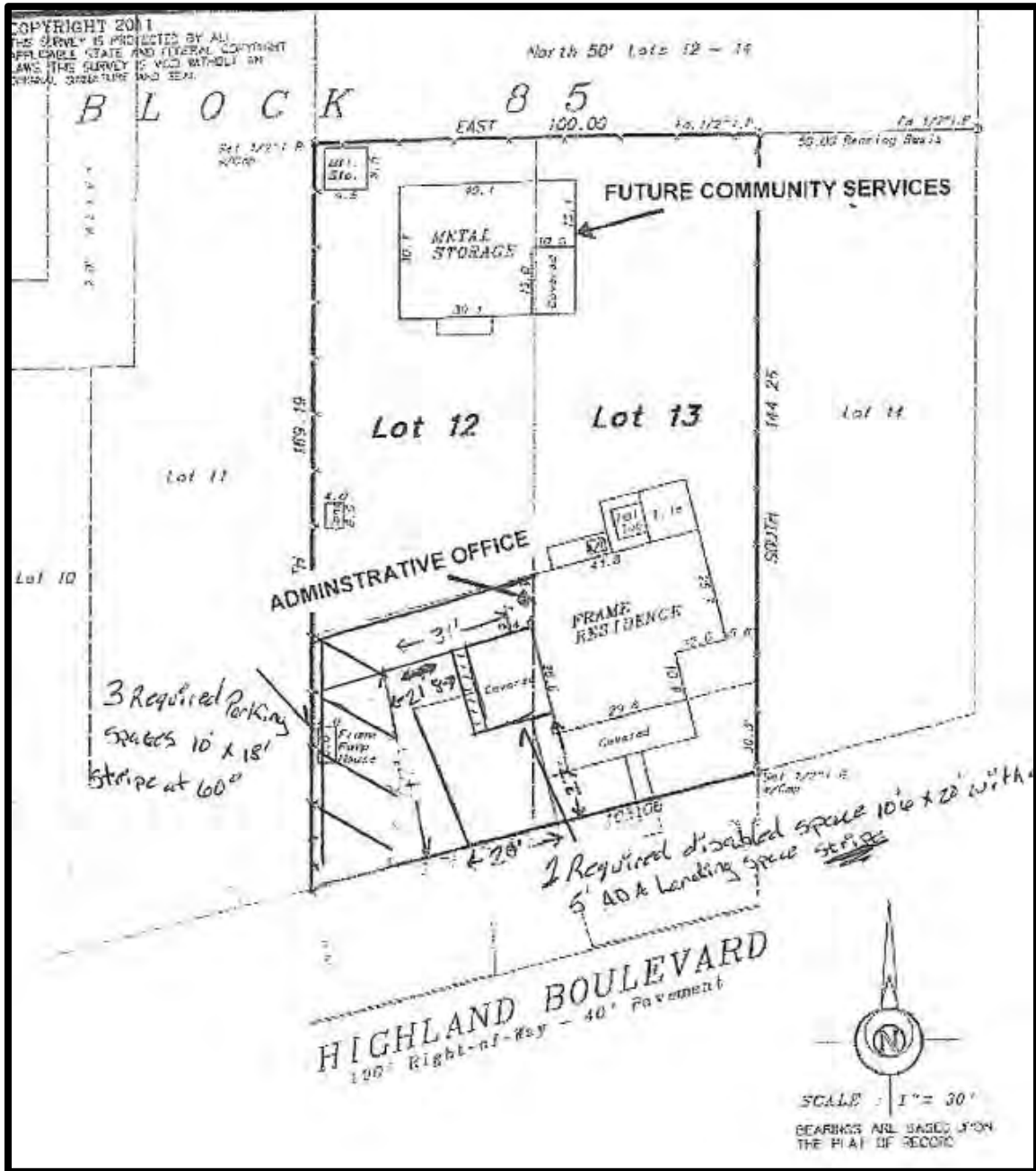
Council District: Harry Thomas  
 Neighborhood: Fort Concho  
 Scale: 1" approx. = 150 ft  
 Subject Property: 528 E. Highland Blvd.

**Legend**

- Subject Properties: —
- Current Zoning: RM-1
- Requested Zoning Change: N/A
- Vision: Neighborhood



# New Site Plan



# Site Photos

**West**



**East**



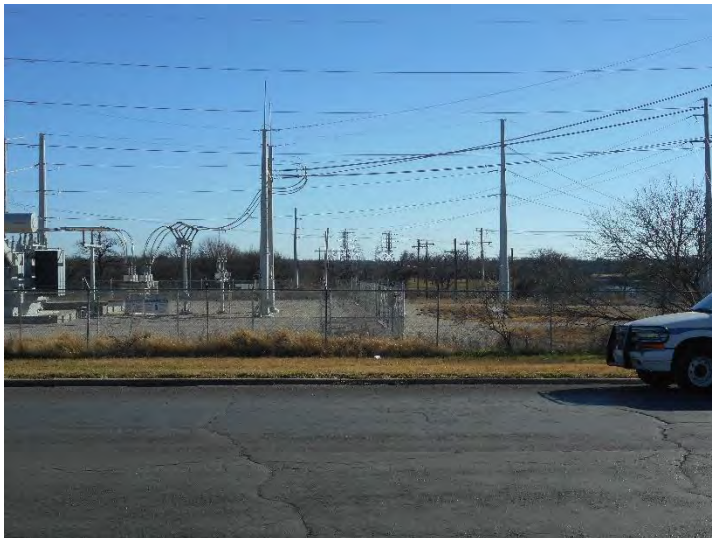
**Northwest at parking area**



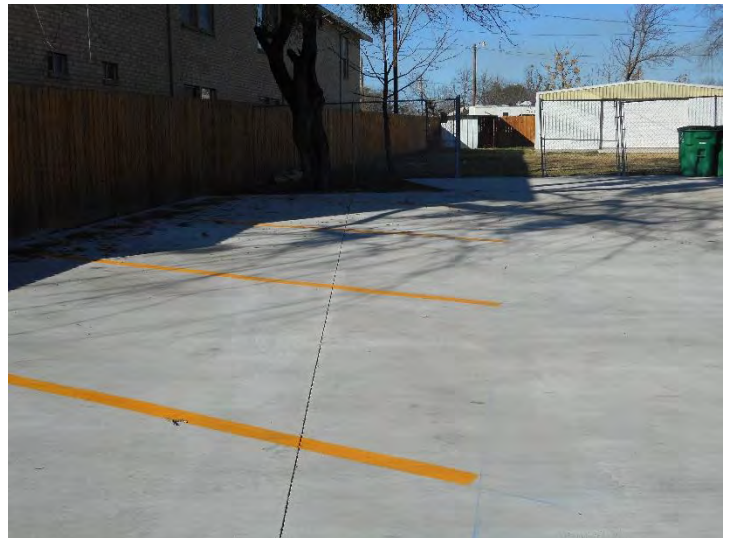
**Northeast at existing admin. office**



**South**



**Paved parking area**



## Site Photos

**Paved disabled parking space**



**Privacy fence installed as required**



**Storage building (future counselling office)**



**Inside existing storage building**







cvtp.org

CONCHO VALLEY

325.658.1389

528 E. Highland Blvd. San Angelo, TX 76903

TURNING POINT

P.O. Box 60072 San Angelo, TX 76906

Concho Valley Turning Point administrative office hours are from 8:00 am – 12:00 pm. Our evening meeting group sessions are from 7:00 pm to 8:00 pm therefore the parking spots at 528 E Highland Blvd. office will be vacant and available for use during our evening meetings.

Maria Mejia  
Office Administrator  
210-887-4671

*Let go. Grab hold. Move on.*

# CONCHO VALLEY TURNING POINT

## OUR MISSION

To help people become productive in life by addressing barriers of dysfunction through the process of rescuing, restoring, and rebuilding lives. *Let Go, Grab Hold, Move On*

## CVTP HISTORY

CVTP was founded in 1994 as an affiliate of Rust Street Ministries. CVTP was incorporated in September 2009 as a Texas Non-Profit Corporation. The organization also received its IRC 501(c)(3), 170(b)(6)(a)(vii) designation. Concho Valley Turning Point's IRS exemption remains in full force and effect. The organization was established for the purpose of providing services to assist people in letting go of destructive lifestyles. It offers intervention services to families who wish to confront an addict, assistance to individuals in recognizing the need for recovery, and making referrals to other agencies. All services are provided without any charge.

CVTP offers Faith Based 12-step groups, anger management groups, support groups, ministerial counseling, professional counseling, referrals and other services to those in need. CVTP's goal is to empower individuals to move on to productive lives. All services are provided free of charge.



## PROGRAMS

12 Step Programs for addictions  
Counseling for parenting, marital and personal issues

Short term housing for men

Group and individual Bible studies

Group for Anger Management

Pastoral/Ministerial Counseling

Professional Counseling



*Let go. Grab hold. Move on.*

## Our Financials

- \$150,000 to retire debt on Apartment Complex
- \$100,000 for repairs and maintenance on building
- \$90,000 for Office/Meeting facilities (for expansion of services)
- \$100,000 for Operations

## Testimonials

"I could not help but think how close to impossible it must be for the thousands of people I have met who had no positive support whatsoever. I thought to myself, surely there must be a bunch of Christian ministries addressing this need in a loving, understanding and a Christ-like manner. In all my searching, I only found one ministry with a focus and desire to help me succeed on all levels: spiritual, emotional, and physical. That ministry was Concho Valley Turning Point. I only are they focused on helping people stay clean, they are about building a relationship with Jesus and each other (Church). They are like a family to me, and for many they may be the only family they've got." - Travis Malinas

"My name is Nikki, and I am a truly grateful recovered Alcoholic/Addict. Concho Valley Turning Point has been a huge part of my recovery. The support groups, and various programs they offer, have helped me let go of my past and move on to my exciting new future. Thank you Concho Valley Turning Point!"

City of San Angelo, Texas - Planning Division  
**Application for Approval of a CONDITIONAL USE**

Name of Applicant(s): Concho Valley Turning Point Inc

Owner  Representative (Affidavit required)

Mailing Address: P.O. Box 60072 Telephone: 325-658-1389

City/State/Zip: San Angelo, TX 76906 Fax/other: 325-658-1389

Contact Email Address: CVTIPmail@gmail.com

Subject Property Address and/or Location\*:  
528 E. Highland Blvd San Angelo, Texas 76903

**Legal Description\*:**

Fort Concho Add. PJK 35 515 6.72 of lot 12 and 5156 of lot 13  
City of San Angelo, TX. Tom Green County, TX

Lot Size: lt. 12: 156.72/lt. 13: 56 Zoning: \_\_\_\_\_

Existing Use of Property: offices for Concho Valley Turning Point Meeting Group <sup>Session</sup>

Proposed Use of Property: Group Meeting Sessions

Proposed Conditional Use (from Art. 309): Community Services

\* use attachment, if necessary

I/We the undersigned acknowledge that the information provided above is true and correct, and have read the statements below.

Signature Dore Mathes

Date 12-09-2016

1. If approved, a Conditional Use is applied to the property, not the property owner.
2. The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council.
3. Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
4. If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

I understand that this Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanation(s) below:

- **Impacts Minimized.** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: Low intense use, just moving meeting from front office to back meeting room due to size.

- **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Explanation: Complies with general development standards.

- **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

Explanation: Similar architecture to existing

- **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: Minimum to none

- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: Yes, need for services has grown and awareness of our services has also grown.

- **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Explanation: Complimentary to existing neighborhood, fits long range plan for the area

I wish to **appeal the denial** of the Commission to the City Council.

Signature \_\_\_\_\_

Date \_\_\_\_\_

<b>OFFICE USE ONLY</b>	
Case no.: <u>CU 16-11</u>	Date of application: <u>12/21/2016</u>
Received by: <u>Jeff Fisher</u>	Date paid: <u>12/21/2016</u>
Nonrefundable application fee (with deposit): <u>\$422.50</u>	Receipt No.: <u>269253</u>
River Corridor Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	If yes, RCC meeting date: _____
Planning Commission hearing date: <u>1/23/2017</u>	

# STAFF REPORT



Meeting: January 23, 2017

To: Planning Commission

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

Staff Planner: David Stallworth, AICP  
Principal Planner

Case: CU16-12: Star Towers, LLC

Request: A request for approval of a Conditional Use to allow for a Telecommunication Facility, as outlined in Section 310 of the Zoning Ordinance, on a property located in the General Commercial & Heavy Commercial (CG/CH) Zoning District

Location: An unaddressed tract, generally located along the south side of Macann Street, between South Bell and Fulton Streets

Legal Description: 0.7439 acres out of the H. Oelkers Survey, no. 165, Abstract 1757, Tom Green County, TX

Size: 0.7439 acres

## General Information

Future Land Use: Neighborhood Center

Zoning: General Commercial / Heavy Commercial (CG/CH) Zoning District

Existing Land Use: Vacant lot

Surrounding Zoning/Land Use:

North:	General Commercial & Heavy Commercial (CG/CH)	Commercial Building
West:	General Commercial & Heavy Commercial (CG/CH)	Commercial Building
South:	General Commercial & Heavy Commercial (CG/CH)	Commercial Building
East:	General Commercial & Heavy Commercial (CG/CH)	Vacant

District: SMD#3 – Harry Thomas

Neighborhood: Belaire  
District:

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), Macann Street is classified as a “Local Street” in the MTP. A Local Street carries light neighborhood traffic at low speeds, and requires 50 feet of right-of-way, 36 feet (minimum) of pavement width with a 4-foot-wide sidewalk installed on one side of the street right of way or 40 feet (minimum) with no such sidewalk installed within the street right of way.

History and Background:

On December 22, 2016, the Petitioner submitted an application for a Conditional Use to allow for an unmanned 100-foot-high telecommunications tower. The lease site is located at the southwest part of a vacant lot along the south side of Macann Street, between South Bell and Fulton Streets in the CG/CH Zoning District. The lease site will be 50 feet by 50 feet and surrounded by a chain link fence to enclose the 100-foot-tall monopole tower. Access to the site will be derived from Macann Street. Section 310 of the Zoning Ordinance allows telecommunication towers in the General Commercial & Heavy Commercial (CG/CH) only with Conditional Use approval. Section 424 sets development standards for this type of facility, mainly a 20-foot tower setback from a property line a 50-foot setback from a public street right-of-

way, and a 100-foot setback form the nearest residential zone. The site must be secured by a minimum 7-foot-high or wall.

Analysis:

Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** *Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.*

According to the submitted site plan, the 100-foot-high telecommunications tower will be situated in accordance with minimum guidelines set forth in Section 424 of the Zoning Ordinance. Although the subject property is dual-zoned both residential and commercial, the likelihood of residential development in the eastern half of this tract appears unlikely, given the amount of existing commercial development to the north, west and south.

2. **Consistent with the Zoning Ordinance.** *Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.*

The nature of the request appears to be consistent with relevant aspects of the Zoning Ordinance. The proposed telecommunications tower is allowed in the CG/CH Zoning District with a Conditional Use, and the Petitioner is not proposing to construct any additional structures on the subject lot. As there are no principal buildings proposed with this development, minimum off-street parking will not be required (RE: 511.C.7, Zoning Ordinance).

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject property.*

The subject property is zoned General Commercial & Heavy Commercial (CG/CH) and is surrounded by CG/CH zoning. Typically, cell towers are commonly placed in commercial and/or industrial zoning districts because of the heavy commercial and industrial uses that are developed as a result. Therefore, the cell tower appears to be compatible with the existing and future commercial uses surrounding the subject property.

4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water*

*management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

The size of impervious surface necessary for this project will be negligible as it will only cover the access approach and internal site area. The cell tower base and equipment shed are built for a vertical structure so the actual paved area is smaller than most homes. At most, a cell tower may be perceived by the general community as “unattractive,” but it appears that there would not be any significant adverse impacts on the natural environment, including water, air quality, noise, wildlife, or wetlands.

5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.*

Cell towers are needed to provide telecommunication services for a growing population and demand, therefore, there may be a demonstrated community need for addition cell towers. This installation will allow for expanded and improved wireless coverage for area customers

6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.*

It appears that the proposed Conditional Use would result in a logical and orderly pattern of urban development. The subject property is zoned General Commercial & Heavy Commercial (CG/CH) and is surrounded by CG/CH zoning. Typically, cell towers are commonly placed in commercial and/or industrial zoning districts because of the heavy commercial and industrial uses that are developed as a result. Therefore, the placement of a cell tower may be appropriate with the pattern of development for this area.

Notification:

On January 5, 2017, 18 notices were mailed out within a 200-foot radius of the subject site. One of the property owners is a decedent, therefore address information could not be ascertained from the County Assessor’s Office. As of the publication of this staff report, there were zero (0) responses either in favor, or in opposition to the request.

Recommendation:

Staff recommends that the Planning Commission **APPROVE** a Conditional Use to allow for a Telecommunication Facility, as outlined in Section 310 of the Zoning

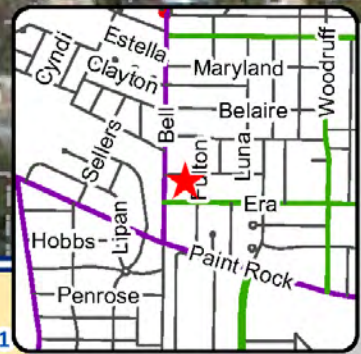


Ordinance, on a property located in the General Commercial / Heavy Commercial (CG/CH) Zoning District, **subject to the following three Conditions of Approval:**

1. No more than one (1) telecommunication transmission tower shall be permitted on this subject property. The tower shall not exceed a height of 100 feet, including any apparatus attached to the tower itself.
2. The proposed telecommunication facility shall comply with all applicable standards set forth in Section 424 of the Zoning Ordinance.
3. The Petitioner shall indicate the final latitudinal and longitudinal coordinates related to the set placement of the telecommunication tower on the Building Permit for GIS tracking purposes.

Attachments:

Aerial Map  
Future Land Use Map  
Zoning Map  
Major Thoroughfare Map  
Notification Map  
Site Plan  
Elevation  
Site Photos  
Application



**Conditional Use Case File**

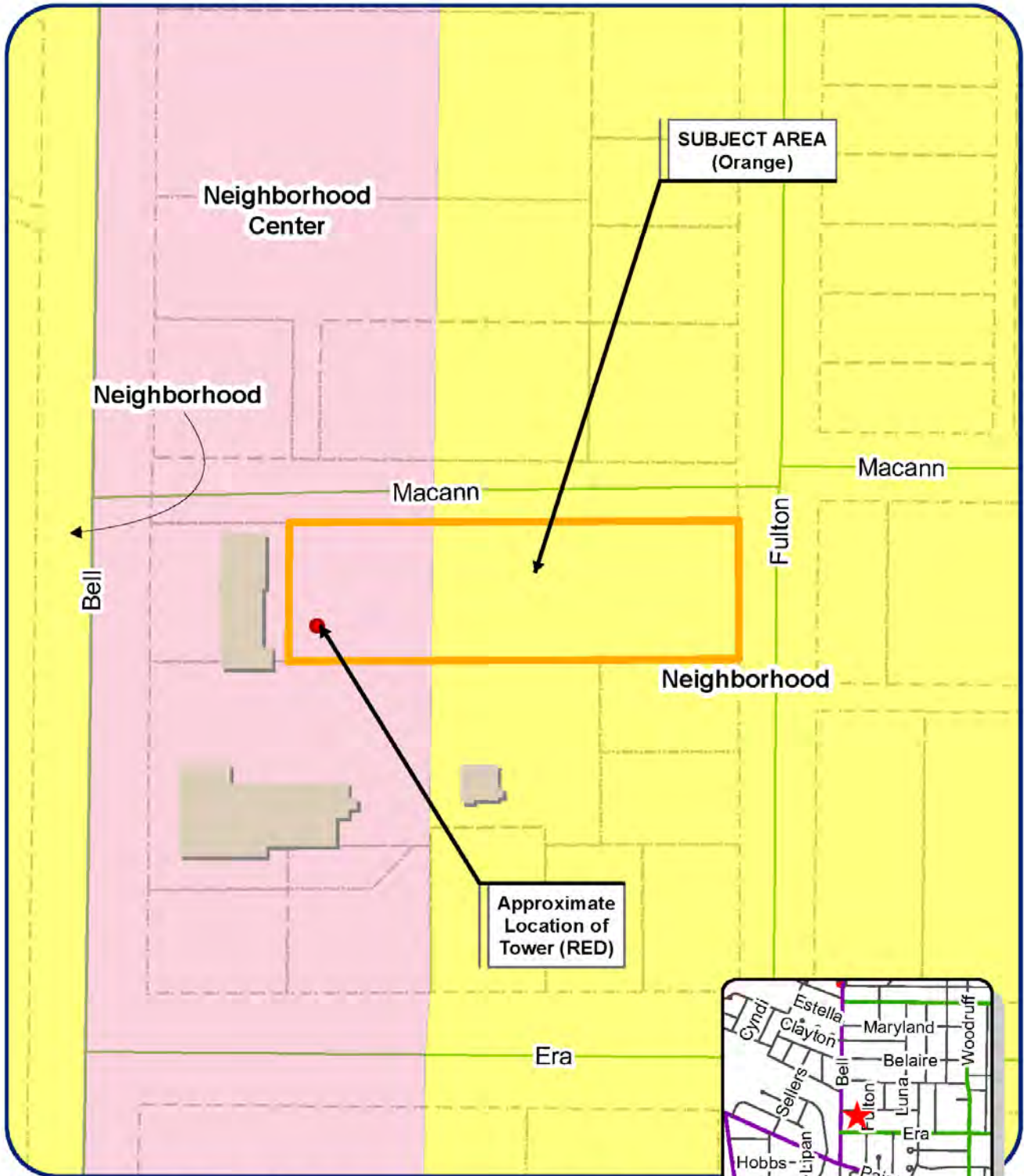
**Case CU16\_12, Star Towers, LLC**

Council District: District 3 (Thomas)  
 Neighborhood: Belaire  
 Scale: 1 inch :: 100 feet  
 Legal Description: 0.7439 ac out of the H. Oelkers Surv. 165, ABS. 1757

**Legend**

Subject Properties:   
 Current Zoning: CG/CH; RS 1  
 Requested Zoning Change: N/A  
 Vision: Neighborhood Ctr.;  
 Neighborhood



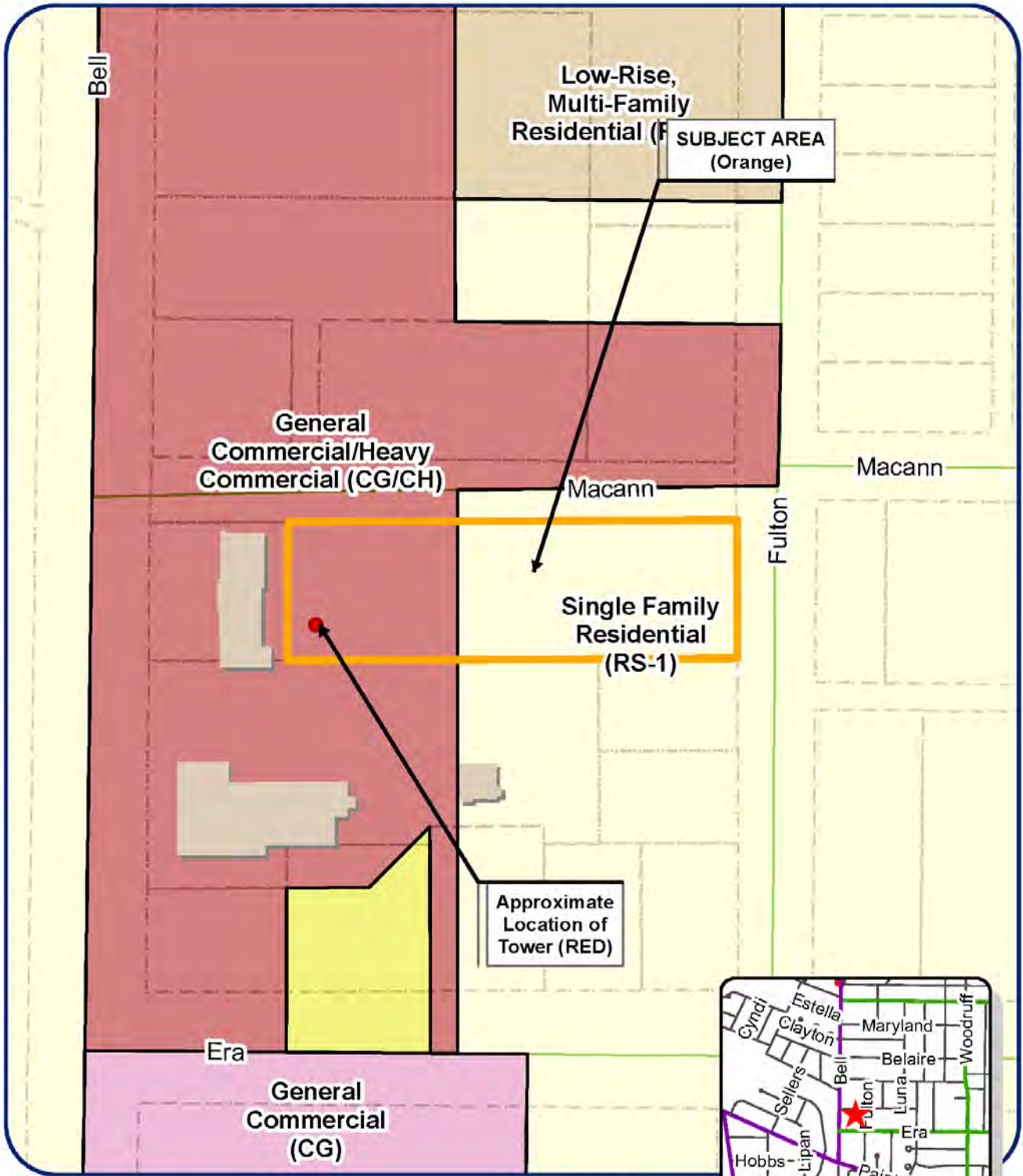


**Conditional Use Case File**  
**Case CU16\_12, Star Towers, LLC**

Council District: District 3 (Thomas)  
 Neighborhood: Bellaire  
 Scale: 1 inch :: 100 feet  
 Legal Description: 0.7439 ac out of the H. Oelkers Surv. 165, ABS. 1757

**Legend**  
 Subject Properties:   
 Current Zoning: CG/CH; RS 1   
 Requested Zoning Change: N/A   
 Vision: Neighborhood Ctr.; Neighborhood





**Conditional Use Case File**

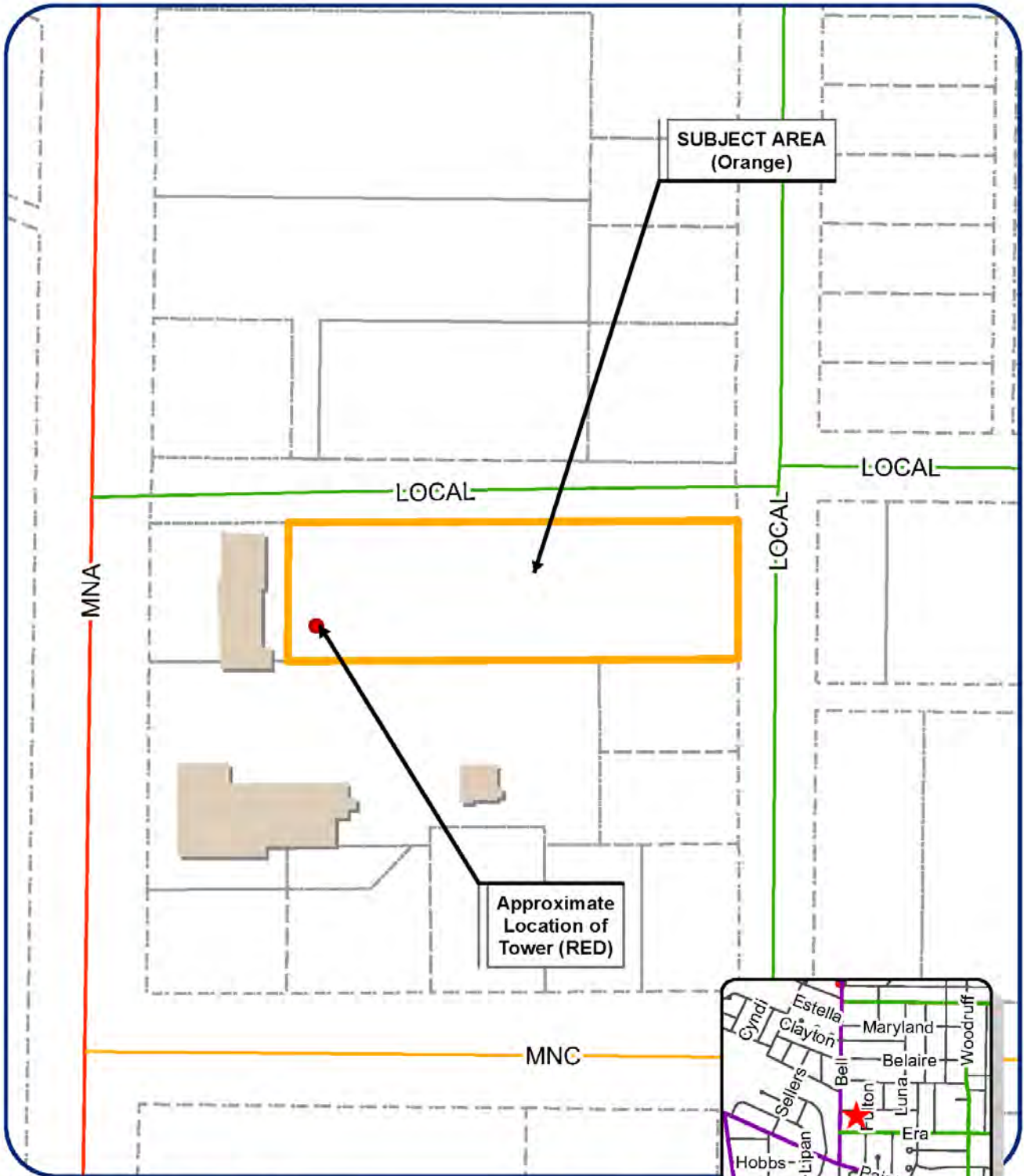
**Case CU16\_12, Star Towers, LLC**

Council District: District 3 (Thomas)  
 Neighborhood: Belaire  
 Scale: 1 inch :: 100 feet  
 Legal Description: 0.7439 ac out of the H. Oelkers Surv. 165, ABS. 1757

**Legend**

Subject Properties:    
 Current Zoning: CG/CH; RS 1  
 Requested Zoning Change: N/A  
 Vision: Neighborhood Ctr.;  
 Neighborhood






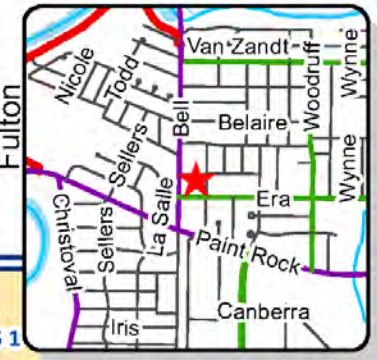
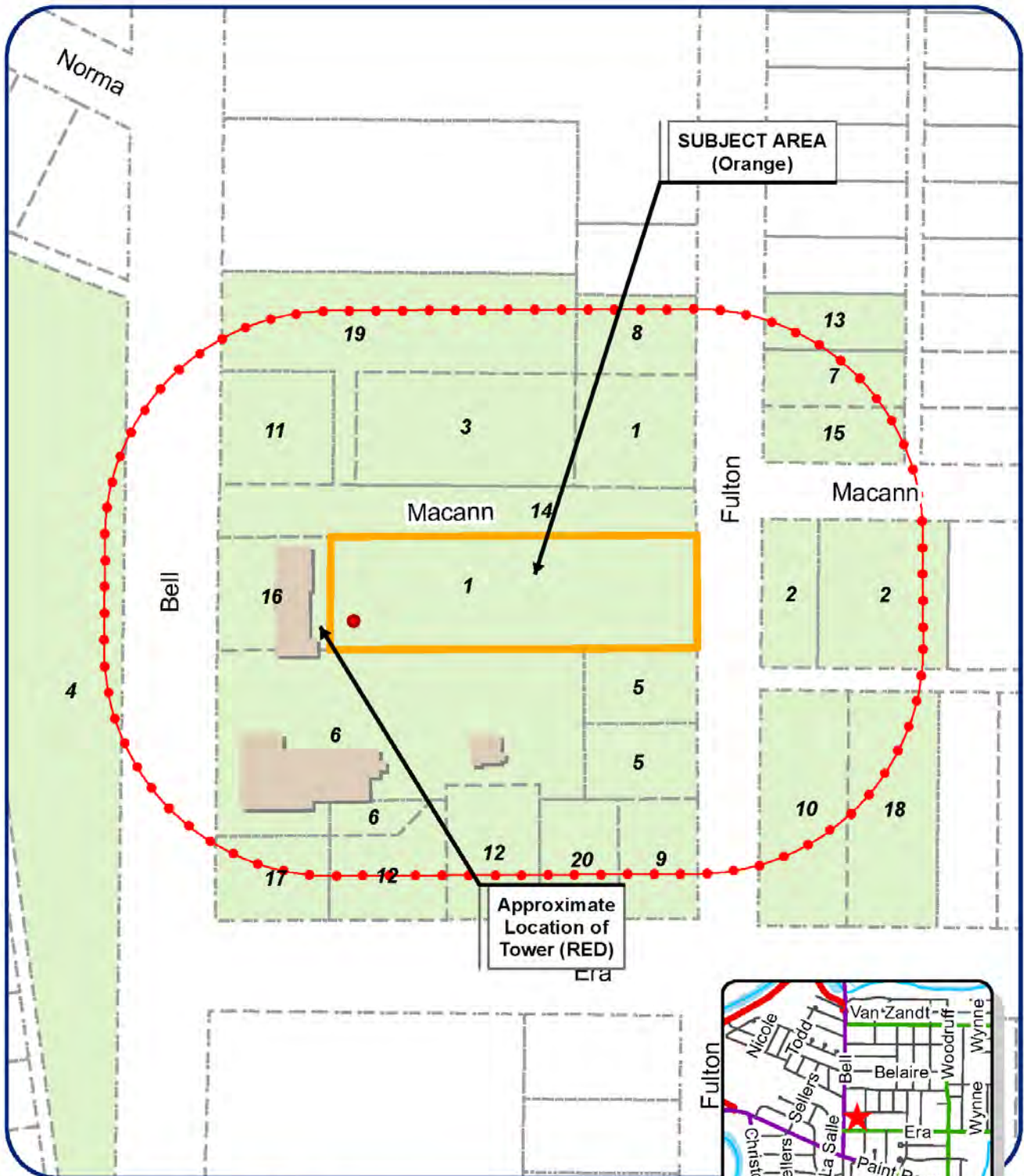
**Conditional Use Case File**  
**Case CU16\_12, Star Towers, LLC**

Council District: District 3 (Thomas)  
 Neighborhood: Belaire  
 Scale: 1 inch = 100 feet  
 Legal Description: 0.7439 ac out of the H. Oelkers Surv. 165, ABS. 1757

**Legend**

Subject Properties:   
 Current Zoning: CG/CH; RS 1  
 Requested Zoning Change: N/A  
 Vision: Neighborhood Ctr.;  
 Neighborhood





**Conditional Use Case File**  
**Case CU16\_12, Star Towers, LLC**  
 Council District: District 3 (Thomas)  
 Neighborhood: Bellaire  
 Scale: 1 inch :: 120 feet  
 Legal Description: 0.7439 ac out of the H. Oelkers Surv. 165, ABS. 1757

**Legend**  
 Subject Properties: **CG/CH; RS 1**  
 Current Zoning: **N/A**  
 Requested Zoning Change: **Neighborhood Ctr.; Neighborhood**



CU16-12: STAR TOWERS, LLC (Macann Street)

vm_line1	vm_name	vm_incare	vm_line1	vm_city	vm_state	vm_zip
1	AGUIRRE FRANKIE D		502 MEDINA	SAN ANGELO	TX	76905-8121
1	AGUIRRE FRANKIE D		502 MEDINA	SAN ANGELO	TX	76905-8121
2	BROWN JOHN L REVOCABLE TRUST		PO BOX 4722	EL PASO	TX	79914-4722
2	BROWN JOHN L REVOCABLE TRUST		PO BOX 4722	EL PASO	TX	79914-4722
3	BROWN WILLIAM J & TAMMY D		2129 MESQUITE LN	SAN ANGELO	TX	76904-7841
4	CITY OF SAN ANGELO	PLANNING DIVISION	72 W COLLEGE AVE	SAN ANGELO	TX	76903-5814
5	ERNST RAY & JEFF		1320 S BELL	SAN ANGELO	TX	76903-7609
5	ERNST RAY & JEFF		1320 S BELL	SAN ANGELO	TX	76903-7609
6	ERNST RAY & JEFF		4953 FM HWY 380	SAN ANGELO	TX	76905-7310
6	ERNST RAY W & JEFF		4953 FM HWY 380	SAN ANGELO	TX	76905-7310
7	ESPARZA BELINDA LARA		1330 FULTON	SAN ANGELO	TX	76905-8023
8	HOUSTON MRS PENNIE ESTATE					
9	JONES ROY A(DEC) & GAIL - OWNERS	ALEXANDER MARTINEZ(UCOS)	534 ERA	SAN ANGELO	TX	76903-8013
10	KEEN LEROY		1418 FULTON	SAN ANGELO	TX	76903-8025
11	KOREAN BAPTIST CHURCH OF SAN ANGELO		1328 S BELL	SAN ANGELO	TX	76903-7609
12	MC CLELLAN JAMES R & MELISSA	ARTEAGA ART (COD)	PO BOX 3102	SAN ANGELO	TX	76902-3102
12	MC CLELLAN JAMES R & MELISSA	ARTEAGA ART (COD)	PO BOX 3102	SAN ANGELO	TX	76902-3102
13	PEREZ LIBERTO G - DECEASED		1326 FULTON ST	SAN ANGELO	TX	76905-8023
14	RAMSEY GROVER C - DECEASED	HECTOR SANCHEZ	8401 NORTH HIGHWAY 87	SAN ANGELO	TX	76901-7404
15	RIOS ELIZABETH B		1334 FULTON ST	SAN ANGELO	TX	76905-8023
16	RIVAS RICHARD P		1402 S BELL	SAN ANGELO	TX	76903-7902
17	RODRIGUEZ PAUL		1319 STATE ST	SAN ANGELO	TX	76905-8035
18	ROEDL MARGARET		602 ERA	SAN ANGELO	TX	76905-8015
19	WARREN T J		PO BOX 485	VERIBEST	TX	76886-0485
20	WOOD KENDALL & JESSICA		532 ERA	SAN ANGELO	TX	76903-8013

City of San Angelo, Texas - Planning Division  
**Application for Approval of a CONDITIONAL USE**

Name of Applicant(s): Star Towers LLC

Owner  Representative (Affidavit required)

Mailing Address: 4 Country Place Circle Telephone: 817-946-6197  
Arlington, Texas 76016 Fax/other: 800-401-4234  
City/State/Zip: \_\_\_\_\_  
Contact Email Address: alec@gobroadus.com

Subject Property Address and/or Location\*:  
A-1757 S0165, Survey: H OELKERS, 0.7439 ACRE

Legal Description\*:  
0.7439 acre out of Survey No. 165, Abst No. 1757, name of Heinrick Oelkers, San Angelo,  
Tom Green County, Texas

Lot Size: 0.7439 Zoning: CG/CH

Existing Use of Property: vacant

Proposed Use of Property: Unmanned 100' telecommunications monopole tower.

Proposed Conditional Use (from Art. 309): \_\_\_\_\_

\* use attachment, if necessary

I/We the undersigned acknowledge that the information provided above is true and correct, and have read the statements below.

Alec Brandes  
Signature

12-21-16  
Date

1. If approved, a **Conditional Use is applied to the property, not the property owner.**
2. The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council.
3. Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
4. If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

I understand that this Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria **based on my explanation(s)** below:

- **Impacts Minimized.** Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.



Explanation: The proposed unmanned tower is allowed in the underlying zoning district.  
The tower does not create adverse effects on adjacent properties.

- **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.

Explanation: The proposed unmanned tower meets all code of ordinance setback requirements.

- **Compatible with Surrounding Area.** Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

Explanation: The proposed unmanned tower is located in commercial zoning.  
The tower meets setback requirements to residential proximity.

- **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: None

- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: The proposed tower will allow for telecommunications carriers the ability to improve cell phone cover for the surrounding area.

- **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Explanation: The proposed tower is located in a commercial zoning district.

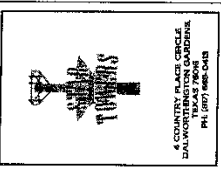
I wish to **appeal the denial** of the Commission to the City Council.

Signature \_\_\_\_\_

Date \_\_\_\_\_

<i>OFFICE USE ONLY</i>	
Case no.: CU _____ - _____	Date of application: _____
Received by: _____	Date paid: _____
Nonrefundable application fee (with deposit): \$ _____	Receipt No.: _____
River Corridor Commission? <input type="checkbox"/> yes <input type="checkbox"/> no	If yes, RCC meeting date: _____
Planning Commission hearing date: _____	

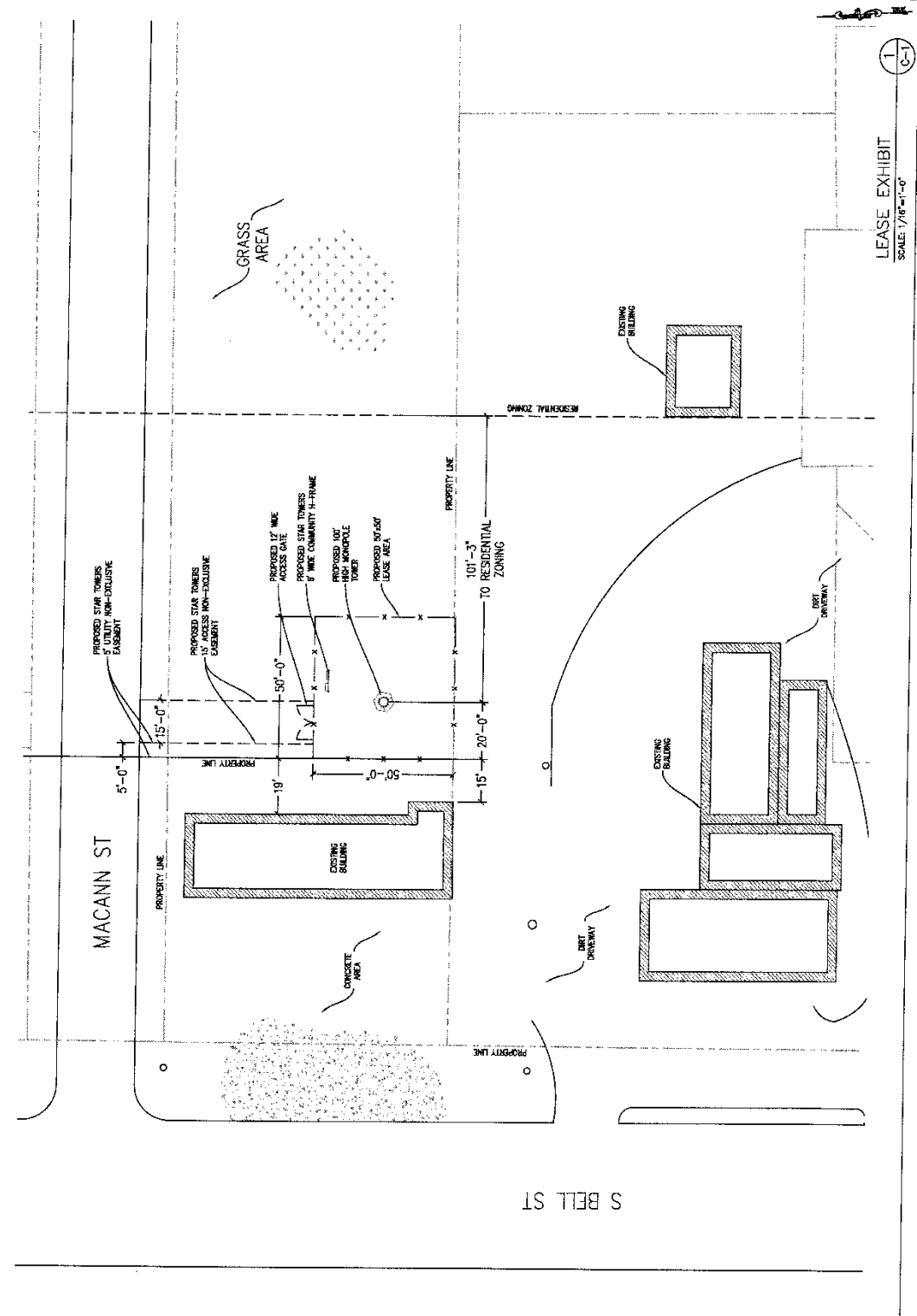
REVIEWED BY: EFB	DATE:	12/06/16
DESIGNED BY: ELC	REVISION:	12/06/16
DATE:	DESCRIPTION:	12/06/16
BY:	DESCRIPTION:	12/06/16
ELC	LEASE EXHIBIT	12/06/16
1	ELC	12/06/16



**EPB ASSOCIATES, INC.**  
 Consulting Engineers  
 410 Macann Rd. #200  
 Dallas, TX 75244  
 (972) 238-1461

SITE NUMBER: TX-413-12  
 SITE NAME: AQUINRE  
 TRD

SHEET #1  
 LEASE EXHIBIT  
**C-1**



# Subject Property and East of Subject Property



## North of Site (Self-Storage; Church)



## West of Site (Body Shop)



## South of Site (Upholstery Business)

