

**PLANNING COMMISSION –August 21, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Final Plat		Final Plat of the Twin Oaks Addition, Section Twenty-Seven	
SYNOPSIS:			
<p>This is an application to plat approximately 17.669 acres into 64 residential home lots located in the southwest portion of San Angelo. The vacant project area is part of an overall 197-acre preliminary plat for the Twin Oaks Addition approved by the Planning Commission in November 1996. No unusual physical features are associated with the property, and the site is relatively flat, oriented east-to-west, and has frontage along Canyon Rim Drive. All the lots comply with the minimum lot area, lot frontage, and lot depth of the RS-1 Zoning District.</p>			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed tract generally located at the west side of the intersections of Canyon Ridge Drive and Scarlet Oak Lane/Red Oak Lane		Being 17.669 acres of land out of that certain 94.368 acre tract described and recorded as Instrument No 619408, Official Public Records, Tom Green County, Texas and being 4.335 acres out of Anton Willeke South ½ Survey 2, 4.318 acres out of A.E. White Survey 1 and 9.016 acre out of J.S. Stooksberry Survey 8, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #6 – Billie DeWitt Bonham Neighborhood	RS-1 – Single Family Residential	Neighborhood	17.669 acres
THOROUGHFARE PLAN:			
<p>Coral Way – Minor Collector, 60’ min. ROW Required (Proposed), 50’ min. pavement Required Scarlet Oak Lane – Local Street, 50’ min. ROW Required (Proposed), 40’ min. pavement Required Red Oak Lane – Local Street, 50’ min. ROW Required (Proposed), 40’ min. pavement Required</p>			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Final Plat of the Twin Oaks Addition, Section Twenty-Seven , subject to two Conditions of Approval			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Rimrock Development, Tony Jones - Manager</p> <p><i>Agent:</i> Russell Gully, SKG Engineering, LLC</p>			
STAFF CONTACT:			
<p>Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us</p>			

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.3(3) of the Subdivision Ordinance states that the Planning Commission may “deny approval of the final plat, if the Commission finds the final plat does not comply with requirements of this or other applicable municipal ordinances, or if in the Commission’s opinion, the proposal would not be in conformance with the City’s Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance.”

The subject property is designated “Neighborhood” in the City’s Comprehensive Plan which intends to “promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices.” As indicated above, the purpose of the Replat is to facilitate future construction of single-family dwellings. The proposed plat would provide additional housing in this area which contains exclusively residential dwellings, consistent with the above policy.

The proposed plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly development of the land (Statement C); will assist in guiding future growth and development, extending logically from the existing streets in Section One (Statement E); and will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O). The new lot configurations will be consistent with the lots direct east along the frontages of Red Oak Lane and Scarlet Oak Lane, providing a unified streetscape.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the Final Plat of the Twin Oak Addition, Section Twenty-Seven, subject to two **Conditions of Approval**:

1. 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, per *Subdivision Ordinance, Chapter 7.II.A.*
2. A drainage study shall be submitted, consistent with *Stormwater Ordinance, Section 12.05.001 and Stormwater Design Manual, Section 2.13.* If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval, per *Stormwater Ordinance, Section 12.05.001 and Stormwater Design Manual, Section 2.13.*

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Proposed Final Plat
Application




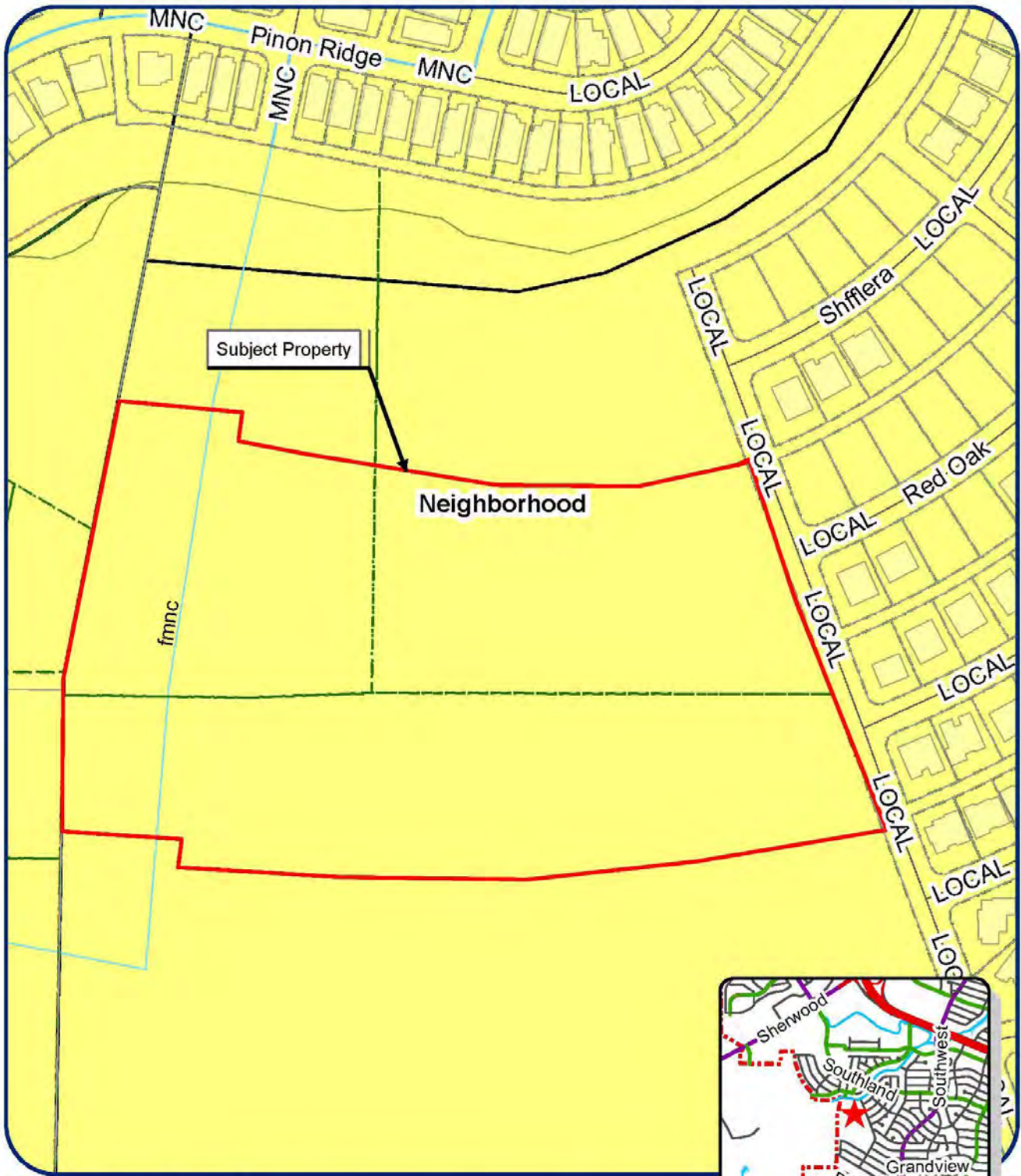
Subdivision Case File
Twin Oaks Addition, Section 27

Council District: SMD #6 - Billie DeWitt
Neighborhood: Bonham
Scale: 1" approx. = 200 ft

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

N







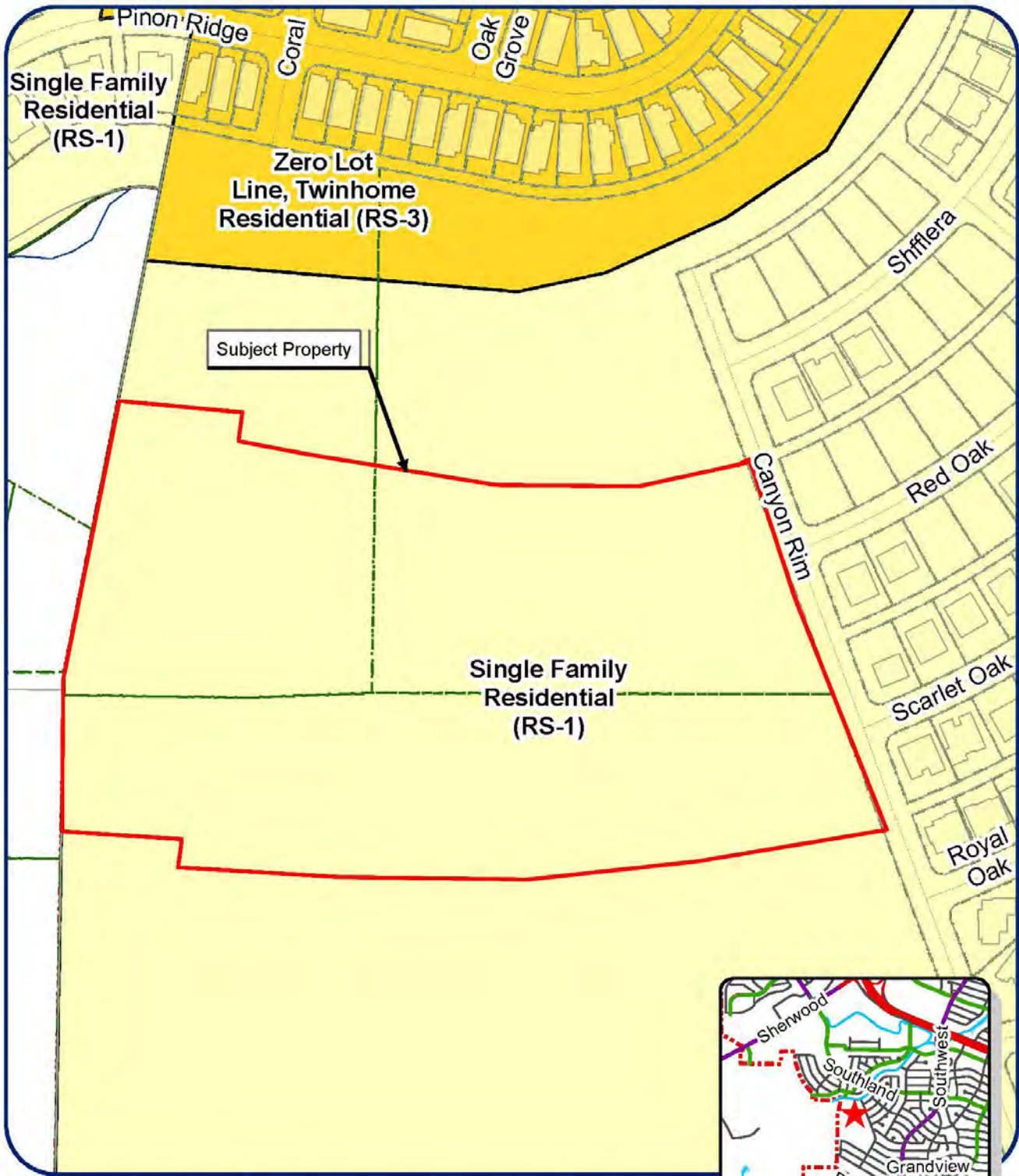
Subdivision Case File
Twin Oaks Addition, Section 27

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Bonham
 Scale: 1" approx. = 200 ft

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

N






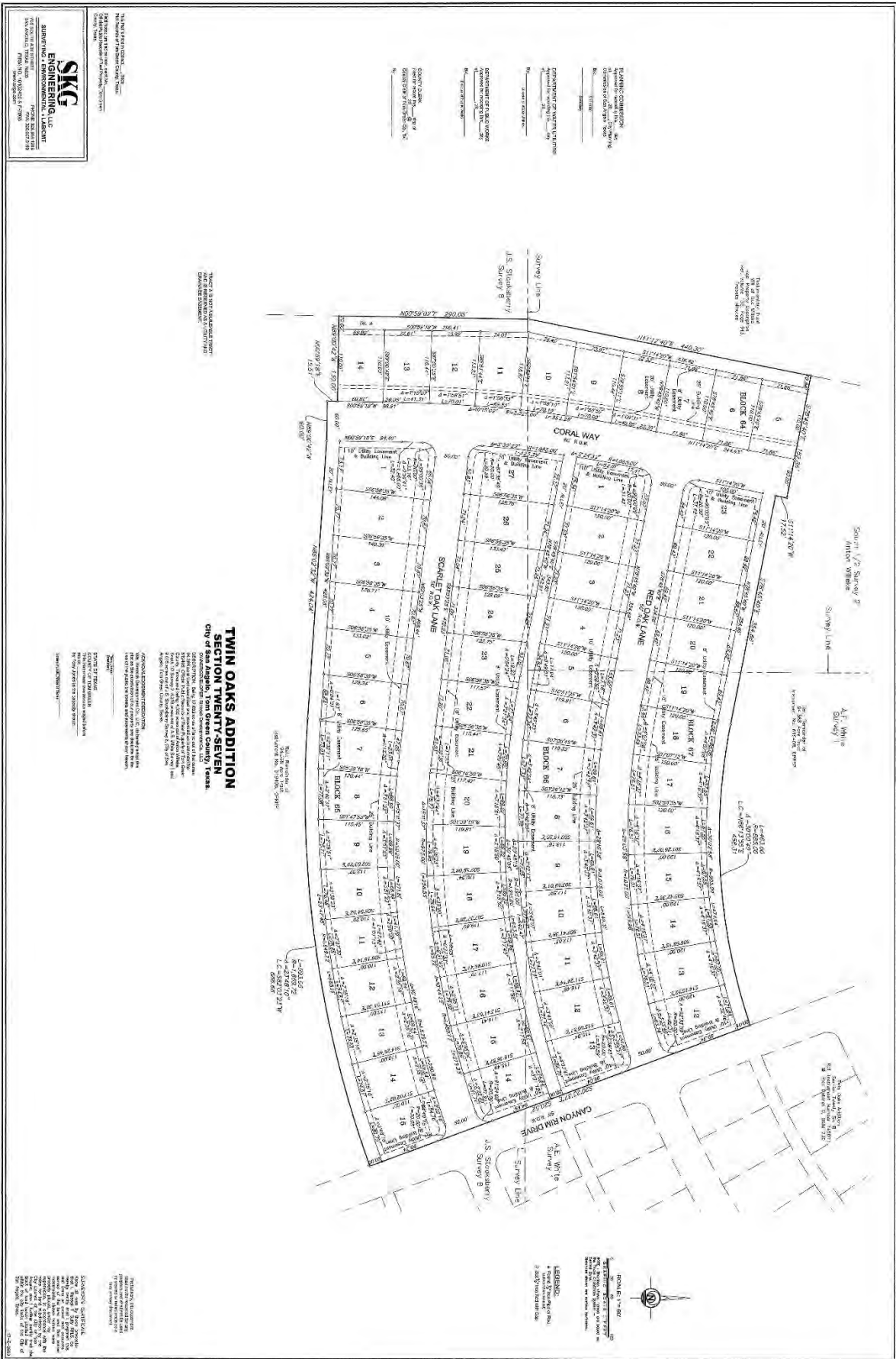


Subdivision Case File
Twin Oaks Addition, Section 27

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Bonham
 Scale: 1" approx. = 200 ft

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





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

Twin Oaks Addition, Section Twenty-Seven

Proposed Subdivision Name

A-8211 S-0002, ANTON WILLEKE, 8.6480 ACRES; A-3944 S-0001, A E WHITE, 11.492 ACRES IN AE WHITE SUR 1 & DW CHRISTIAN SUR B; A-8238 S-0008, DW CHRISTIAN, 39.630 ACRES IN ABS 8238 & ABS 8108

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)

38-038211-0001-000-00; 38-03944-0023-400-00; 38-08238-0023-300-00

Tax ID Number(s) (can be found on property tax statement or at 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
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Property Owner:	Tony Jones - Rimrock Development	325-942-9977	tjhomes@wcc.net
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	Name	Phone Number	Email Address
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Architect/Engineer/Design Professional:	SKG Engineering	325-655-1288	rg@skge.com
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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? 1" and 2"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____

Sewer: City - requesting new services Proposed size? 4"
 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

17.669

64

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 17.669 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 17.669 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 ½ 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.

_____ *Manager* Date 7.25.17
 Owner's Signature
_____ Date 7.25.17
 Representative's Signature

FOR OFFICE USE ONLY:

Submitted to front desk: 7/25/17 Date Deemed preliminary complete: 7/25/17 4:50 pm Date Time JF Initials

Received by Development Services Technician for completeness review: 7/26/17 2:01 pm Date Time JF Initials

Completeness review passed? Yes 7/26/17 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 8/2/17 Date JF 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 _____ Date No _____ 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: _____



**PLANNING COMMISSION – August 21, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Replat		Fifth Replat of the Sunset Mall Addition, Section 1, Block 9A	
SYNOPSIS:			
This is an application to divide Block 9A into three lots under the same property ownership. If the replat is approved, the applicant will have three lots that front onto the State Highway Loop 306 Frontage Road, with all three lots meeting the minimum requirement for lot dimensions for the CG/CH Zoning District. The three lots will be Lots 1, 2, and 3, Block 9A. The applicant has not requested any variances with this replat.			
LOCATION:		LEGAL DESCRIPTION:	
West Loop 306 Frontage Road; generally located along the north side of State Highway Loop 306, between Houston Harte Expressway and Southwest Boulevard		Being 3.75 acres in the Sunset Mall Addition, Section 1, Block 9A, City of San Angelo, Tom Green County	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #6 – Billie DeWitt Sunset Neighborhood	CG/CH – General Commercial/Heavy Commercial	Commercial	3.75 acres
THOROUGHFARE PLAN:			
W Loop 306 Frontage Road – Freeway (No established standards for ROW or pavement width) Actual 80' ROW, 34' paving width			
Southwest Boulevard – Minor Arterial, Required 80' min. ROW, 64' min. paving width Actual 100' ROW, 65' paving width <u>without</u> sidewalk			
STAFF RECOMMENDATION:			
Staff recommends that the Planning Commission APPROVE the Fifth Replat of the Sunset Mall Addition, Section 1, Block 9A, subject to six Conditions of Approval			
NOTIFICATIONS:			
Notifications were not required for this replat			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> David Schonberger <i>Agent:</i> Herb Hooker, SKG Engineering			
STAFF CONTACT:			
Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

Recommendations: Staff recommends that the Planning Commission do the following:

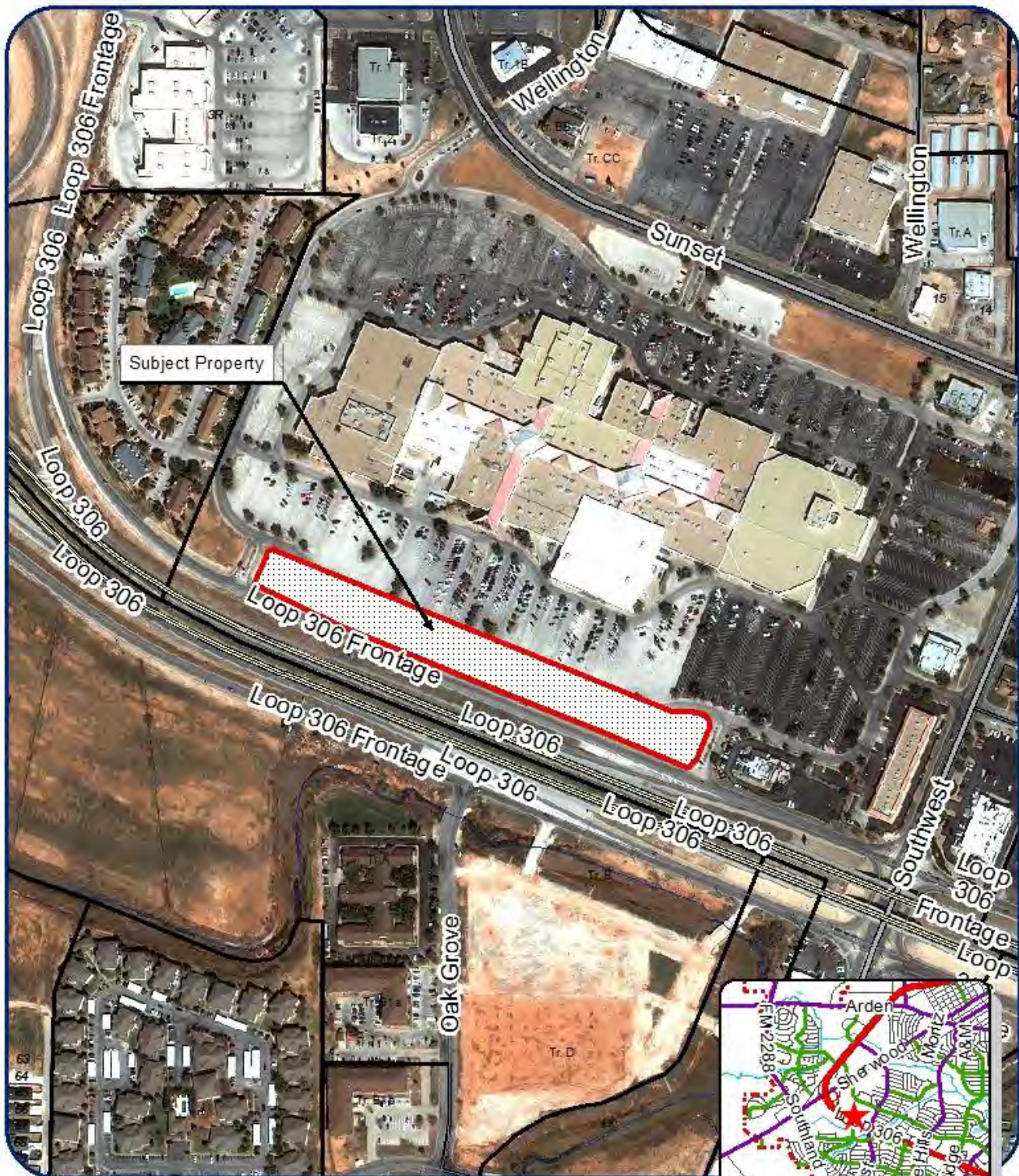
APPROVE the Fifth Replat of the Sunset Mall Addition, Section 1, Block 9A, **subject to six Conditions of Approval;**

The following six Condition of Approvals are recommended:

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 illustrating the frontage road to the Loop 306, as well as the respective right-of-way width.
3. Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
4. Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants and complete the installation in accordance with the approved version of these plans. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
5. A drainage study shall be submitted. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
6. The applicant will have to obtain a shared access vehicular agreement for Lot 2 and Lot 3 and provide a copy of such agreement to the Planning Staff.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Proposed Replat




Aerial Map

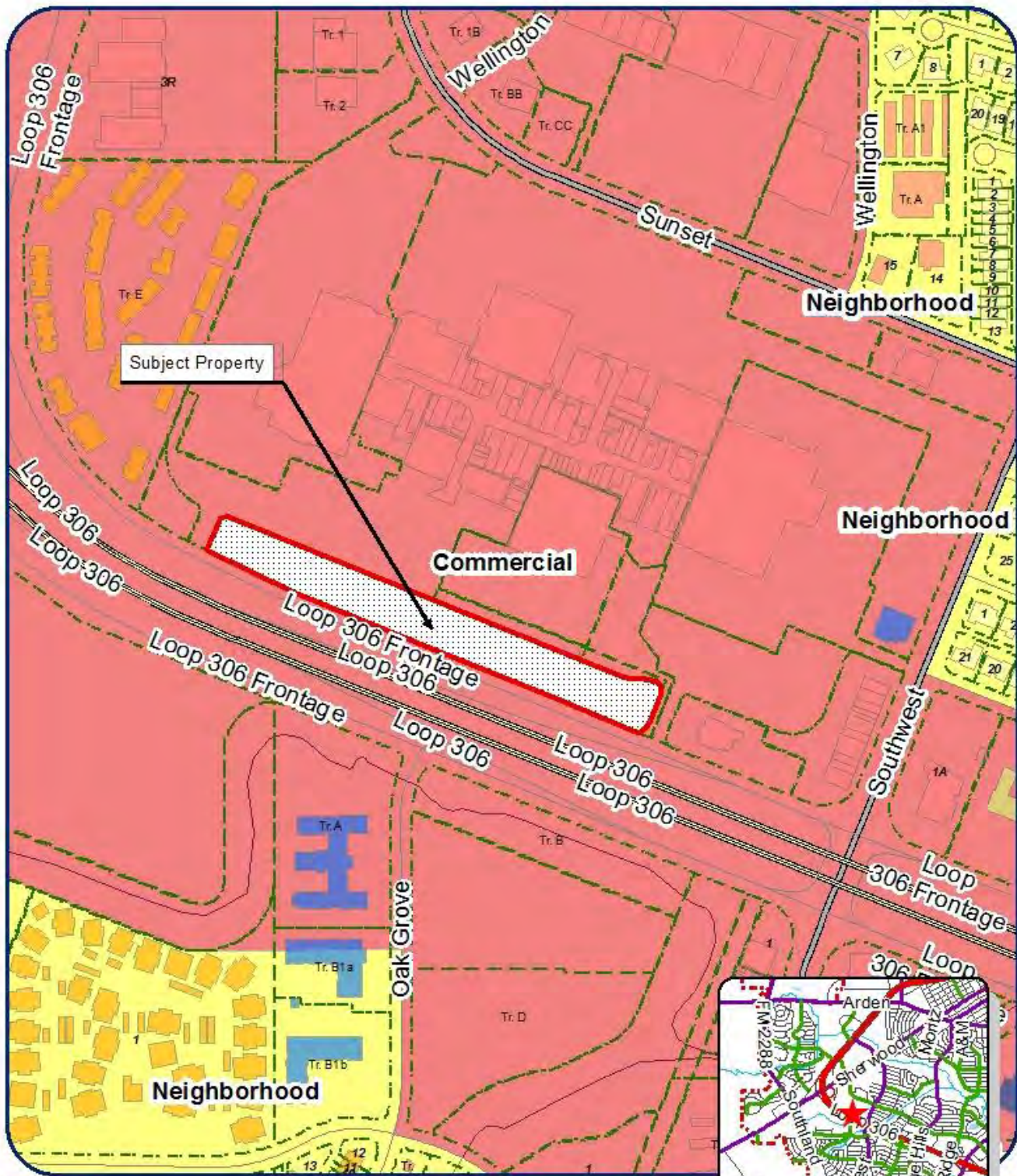
Sunset Mall, Sec 1, Blk 9A

Council District: Billie Dewitt
 Neighborhood: Sunset
 Scale: 1" approx. = 350 ft

Legend

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






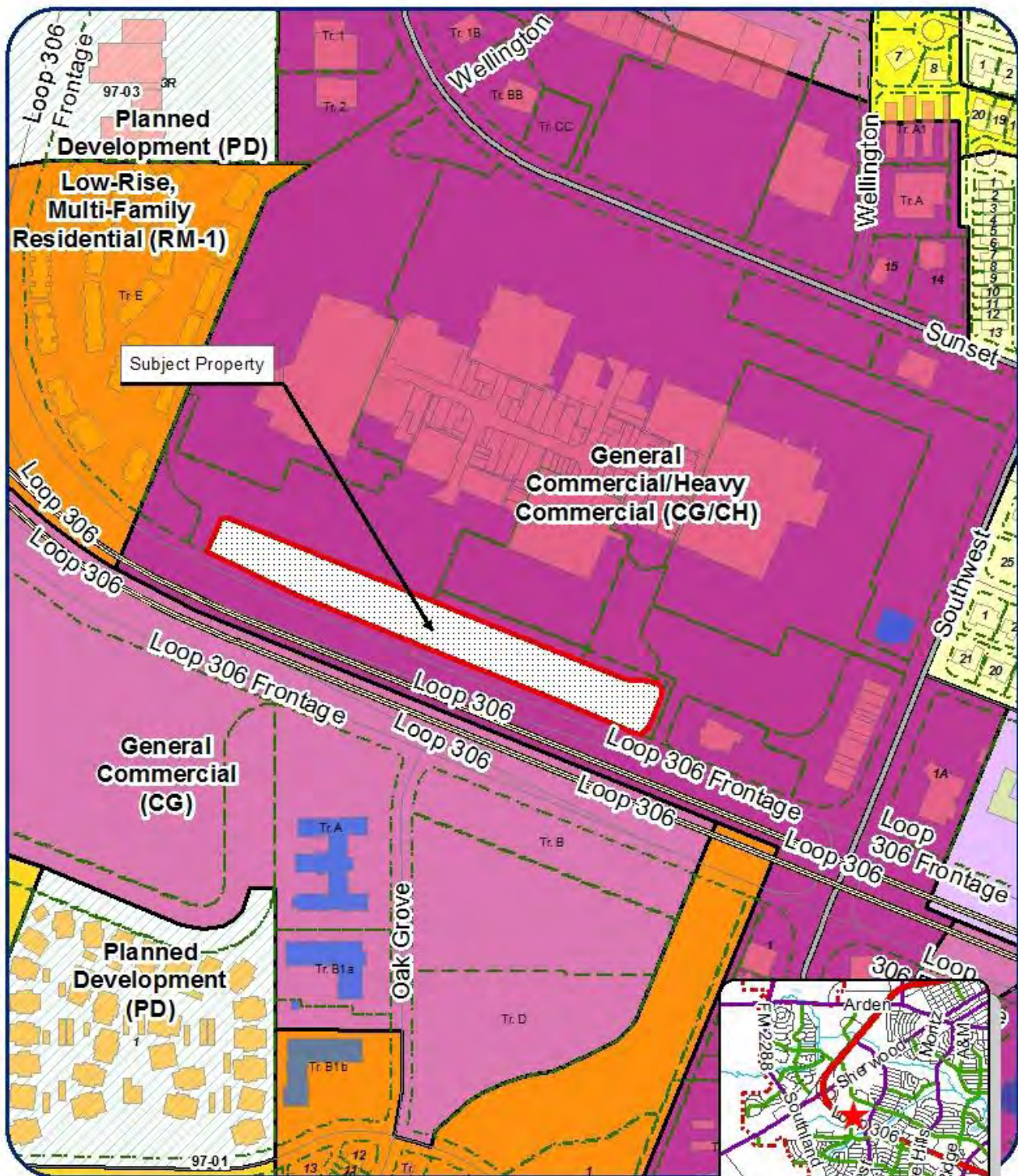
FLU Map
Sunset Mall, Sec 1, Blk 9A

Council District: Billie Dewitt
 Neighborhood: Sunset
 Scale: 1" approx. = 350 ft

Legend

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



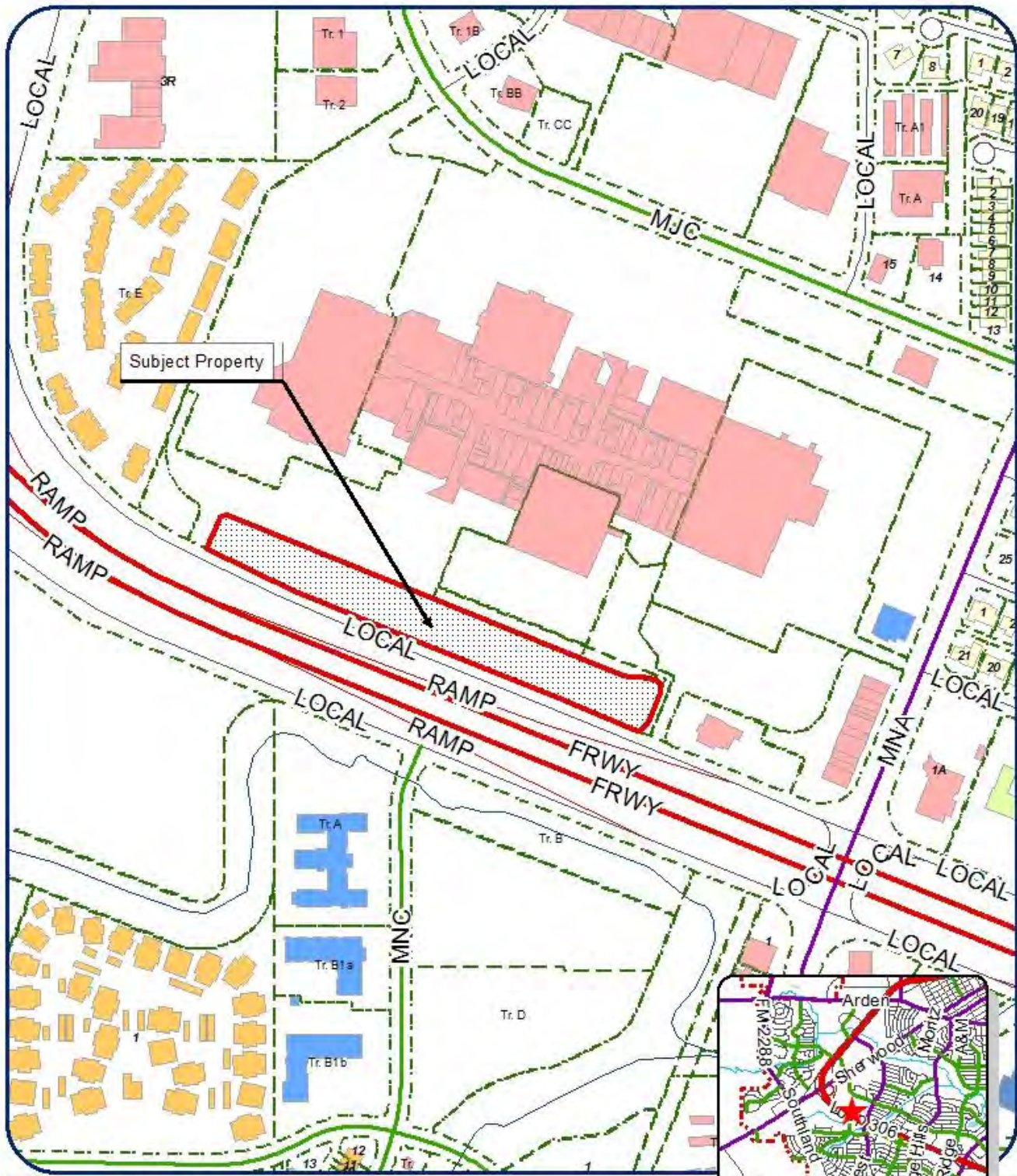


Zoning Map
Sunset Mall, Sec 1, Blk 9A

Council District: Billie Dewitt
 Neighborhood: Sunset
 Scale: 1" approx. = 350 ft

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





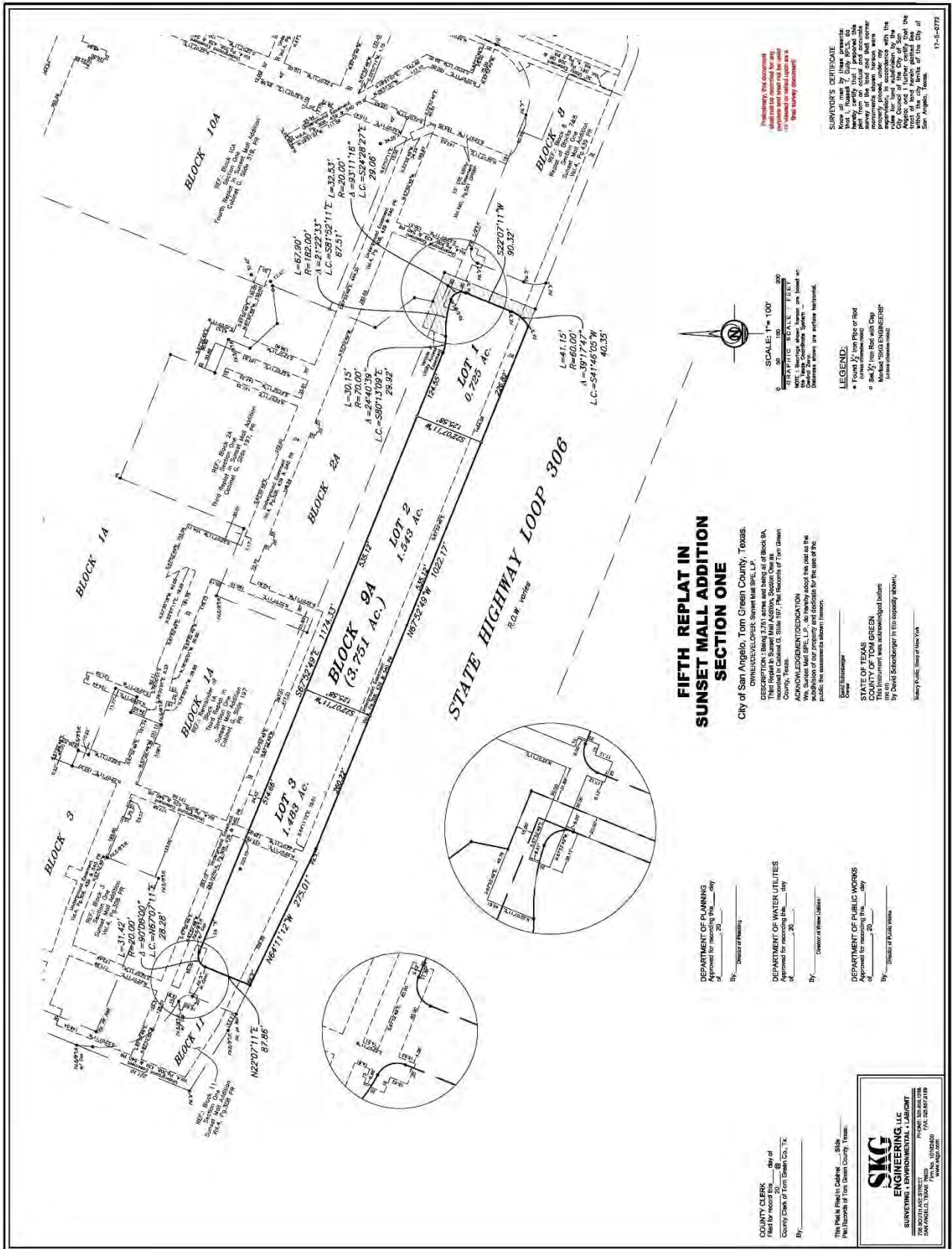
Thoroughfare Map
Sunset Mall, Sec 1, Blk 9A

Council District: Billie Dewitt
 Neighborhood: Sunset
 Scale: 1" approx. = 350 ft

Legend

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







**PLANNING COMMISSION – August 21, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Replat		Third Replat of Block 1, Wade & Turner Addition	
SYNOPSIS:			
<p>This is an application to divide one block into three lots, under the same property ownership, for commercial development. Currently on the site is the Baymont Inn & Suites constructed in 2014. The applicant has requested three variances:</p> <ol style="list-style-type: none"> Chapter 9.V, which requires the construction of sidewalks for public safety where pedestrian traffic is anticipated along US Highway 87 (North Bryant Boulevard) Chapter 10.III.A.2, which requires the construction of 2 feet of additional paving width along West 14th Chapter 10.III.A.2, which requires the construction of 1.5 feet of additional paving width along West 15th or sidewalks along West 15th Street 			
LOCATION:		LEGAL DESCRIPTION:	
1418 North Bryant Boulevard, generally located along the east side of North Bryant Boulevard, between West 14th Street and West 15th Street		Being acres 3.73 acres out of the Wade & Turner Addition, Block 1, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #4 – Lucy Gonzales Blackshear Neighborhood	CG/CH – General Commercial/Heavy Commercial	Commercial	3.73 acres
THOROUGHFARE PLAN:			
<ul style="list-style-type: none"> US Highway 87 – Urban Major Arterial, Required 80’ min. ROW, 64’ min. paving width Actual 200’ ROW, 94’ paving width West 14th Street – Minor Collector, Required 60’ min. ROW, 50’ min. paving width Actual 100’ ROW, 46’ paving width without sidewalk West 15th Street – Urban Local Street, Required 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ min without Actual 74’ ROW, 36’ paving width without sidewalk 			
STAFF RECOMMENDATION:			
<p>Staff recommends that the Planning Commission APPROVE the Third Replat of Block 1, Wade & Turner Addition, subject to three Conditions of Approval, DENY a Variance from Chapter 9.V of the Subdivision Ordinance and require the construction of a sidewalk along US Highway 87. APPROVE a Variance from Chapter 10.III.A.2. of the Subdivision Ordinance, to allow West 14th Street, an Urban Minor Collector Street, to maintain a 46-foot street width in lieu of the required 50 feet, and DENY a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow West 15th Street, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet, or maintain a 36-foot street width with a 4’ sidewalk, requiring the construction of a sidewalk.</p>			
NOTIFICATIONS:			
Notifications were not required for this replat.			
PROPERTY OWNER/PETITIONER:			
Property Owner/Agent: Tom Delaughter			
STAFF CONTACT:			
Kristina Heredia, Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

Variations: In conjunction with the plat application, the applicant has submitted a request for variances from Section 10.III.A.2 (roadway improvement requirements) of the City's Land Development and Subdivision Ordinance, and a variance from Section 9.V (sidewalk construction) 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.**

Granting the variance to widen the paving width of West 14th street is not determined to be necessary for public safety. The properties that utilize West 14th street to provide passage to US Highway 87 are fully developed and while there is an anticipated increase in both vehicular and pedestrian traffic to the area as Lots 3B and 3C are developed, the current street width of West 14th Street is sufficient to handle the increased capacity. However, it is this anticipation of increased traffic that runs concurrent with the development of the lots that requires that the variances to sidewalk construction along U.S Highway 87 and West 15th Street be denied. U.S. Highway 87 operates at full capacity and it is counterintuitive to the public safety to have people walking along a street of this magnitude without the security of a sidewalk.

Staff is supportive of deferring the construction of the sidewalk along U.S. Highway 87 and the northern boundary of Lot 3C, adjacent to West 15th Street, until Lots 3B and 3C are in the development process, which is when pedestrian traffic is expected to increase.

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.**

West 14th Street appears to be developed to a capacity that is not anticipated to increase and an increase in paving width of two feet would not be advantageous to the city or the surrounding property owners. When the replat is finalized the proposed Lots 3B and 3C can be developed as pad sites which will trigger the need to construct sidewalks leading from the hotel and surrounding properties to the new development at that time.

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 intent of the replat is to subdivide the property in a manner consistent with pad site development. US Highway 87 contains a high volume of vehicular and pedestrian traffic and therefore, there is a need for a sidewalk along this street in the future. However, it is reasonable to defer the actual construction of these sidewalks until development occurs on these properties.

Also, since West 14th Street is fully developed and the street pavement is skewed to this side of the right-of-way, widening the street by two additional feet would result in encroachment into or very near the parking lot for the Baymont Hotel. This offset of the pavement within the right-of-way creates a hardship to widening the road in that direction.

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

Staff has determined that the granting of the variance to widen the paving width of West 14th Street will not vary the provisions of the applicable ordinance. While West 14th Street is a collector, it functions as a local street and therefore it is not vital that the road be widened to meet the standards

Staff Report – Fifth Replat Wade & Turner Addition, Block 1,

August 21, 2017

of a collector. Staff does recommend denial of both sidewalk variances (adjacent to U.S Highway 87 and West 15th Street) because the Land Development and Subdivision Ordinance calls for sidewalks to be built on standard streets when the likelihood of pedestrian traffic is anticipated. When Lots 3B and 3C are developed they will draw pedestrian traffic from the surrounding properties and the adjacent hotel. Sidewalks are necessary along U.S. Highway 87 and West 15th Street to provide for the public safety of individuals accessing the new businesses that will develop on these lots.

While Staff is content with the sidewalks adjacent to Lots 3B and 3C being deferred to the development and permitting phase, the sidewalk along the northern boundary of Lot 3A, adjacent to West 15th Street, as well as the sidewalks and ramps for the driveway approach to Lot 3A on U.S. Highway 87, should be built at the time of plat recordation. While it is reasonable to defer the construction of sidewalks on the undeveloped properties, now is the only opportunity to require construction on the already developed property.

Recommendations: Staff recommends that the Planning Commission do the following:

APPROVE the Third Replat of, Block 1, Wade and Turner Addition, **subject to three Conditions of Approval,**

DENY a Variance from Chapter 9.V of the Subdivision Ordinance to construct a sidewalk along US Highway 87,

APPROVE a Variance from Chapter 10.III.A.2. of the Subdivision Ordinance, to allow West 14th Street, an Urban Minor Collector Street, to maintain a 46-foot street width in lieu of the required 50 feet, and

DENY a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow West 15th Street, an Urban Local Street, to maintain a 36-foot street width in lieu of the required 40 feet, or maintain a 36-foot street width with a 4' sidewalk.

The following three Conditions of Approval are recommended:

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. Prepare and submit plans for approval, illustrating the proposed installation of sidewalks as described below, and complete the installation in accordance with the approved version of these plans, per Land Development and Subdivision Ordinance, Chapter 11.I.B, City of San Angelo Standards and Specifications. Sidewalk(s) may be required to allow more convenient pedestrian access to the site where heavy pedestrian and vehicular traffic is anticipated, per Subdivision Ordinance, Chapter 9.V, City of San Angelo Standards and Specifications.

For U.S. Highway 87:

- a. TDLR compliant accessible sidewalks and ramps will be required before plat recordation for the driveway approach for Lot 3A. The sidewalks will extend from the driveway to the lot boundaries for both Lots 3B and 3C.
- b. TDLR compliant accessible sidewalks and ramps will be constructed at time of permitting for Lot 3B. The sidewalk will extend from the sidewalk constructed on Lot 3A to the intersection of Lot 3B and West 14th Street. A note delineating this requirement will be added to the plat before recordation.

- c. TDLR compliant accessible sidewalks and ramps will be constructed at time of permitting for Lot 3C. The sidewalk will extend from the sidewalk constructed on Lot 3A to the intersection of Lot 3C and West 15th Street. A note delineating this requirement will be added to the plat before recordation.

For West 15th Street:

- d. TDLR compliant accessible sidewalks and ramps will be required before plat recordation for the northern lot boundary for Lot 3A. The sidewalk will extend from the connection of Lot 3C to the intersection of West 15th Street and Martin Luther King Drive.
- e. TDLR compliant accessible sidewalks and ramps will be constructed at time of permitting for Lot 3C. The sidewalk shall be constructed along the entire northern length of Lot 3C. A note delineating this requirement will be added to the plat before recordation.

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with 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.

These sidewalks shall be located and built to City specifications along the right-of-ways for U.S. Highway 87 and West 15th Street.

3. Prepare and submit plans for required improvements to West 14th Street by half the additional increment necessary to comprise the minimum paving widths, per Land Development and Subdivision Ordinance, Chapter 10. For West 14th St., the minimum width is 50 feet, in this case, requiring 2 additional feet. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with 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.

NOTES:

1. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13].
2. Since site is over 1 acre, additional requirements for reporting are required by TCEQ.
3. Providing the Engineering Services Division Staff with written confirmation from TxDOT stating their approval; and, any conditions thereof, if drainage is planned to be directed to the right-of-way for US 87.
4. The request for variance from required street improvements may only be approved by the Planning Commission. As such, this plat application will be scheduled for the next Planning Commission agenda on August 21, 2017.

Attachments:

1. Aerial Map
2. Future Land Use Map
3. Zoning Map
4. Thoroughfare Map
5. Proposed Replat




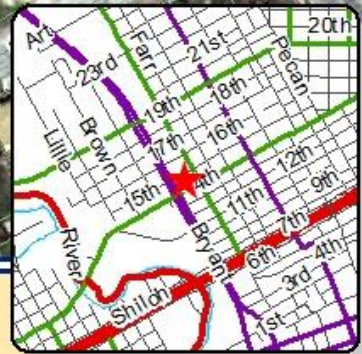
Aerial Map

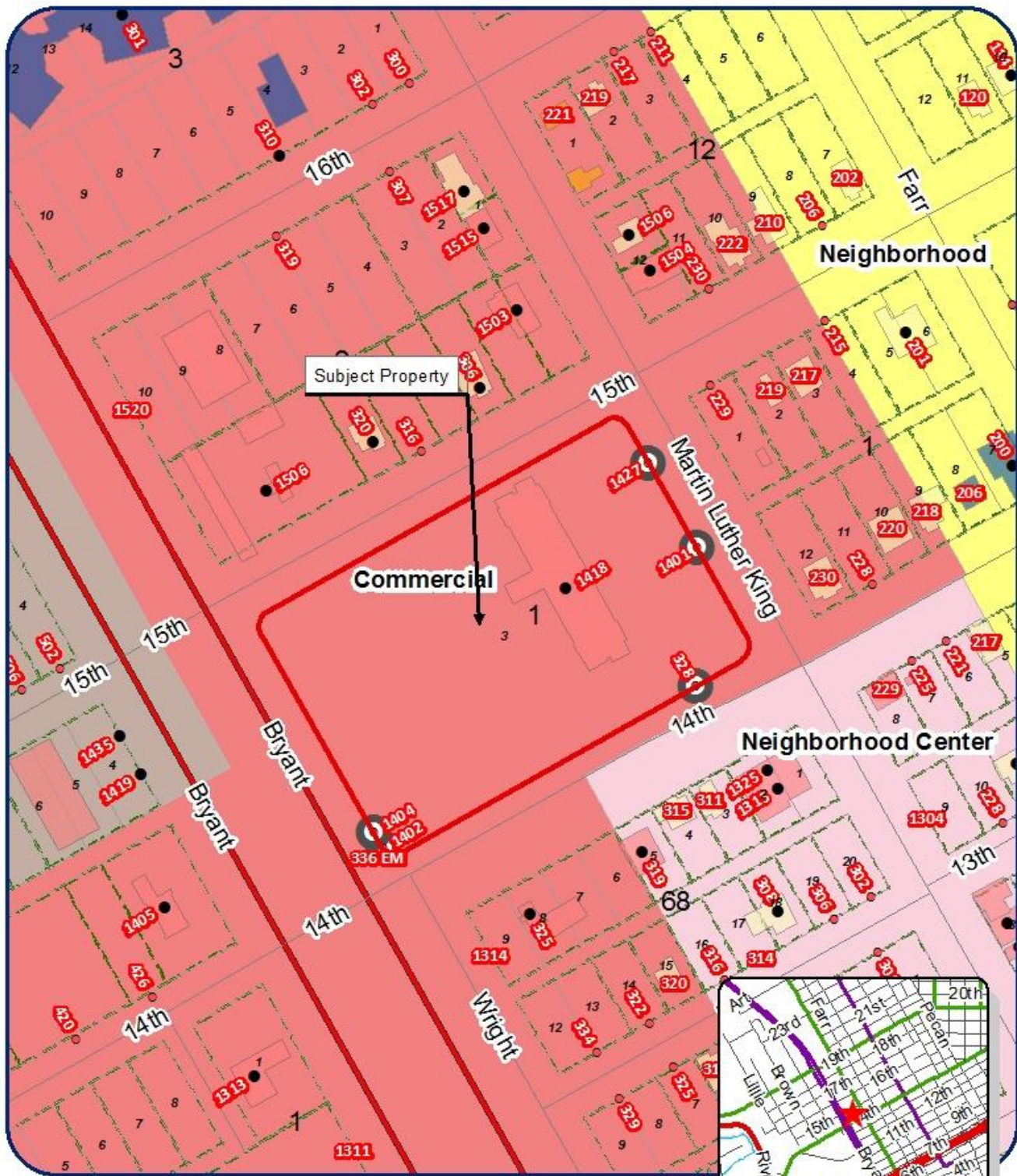
Wade & Turner Addition, Blk 1

Council District: SMD #4 - Lucy Gonzales
Neighborhood: Blackshear
Scale: 1" approx. = 150 ft

Legend

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



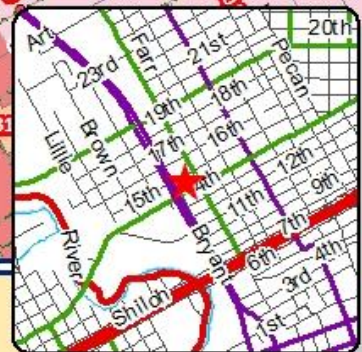


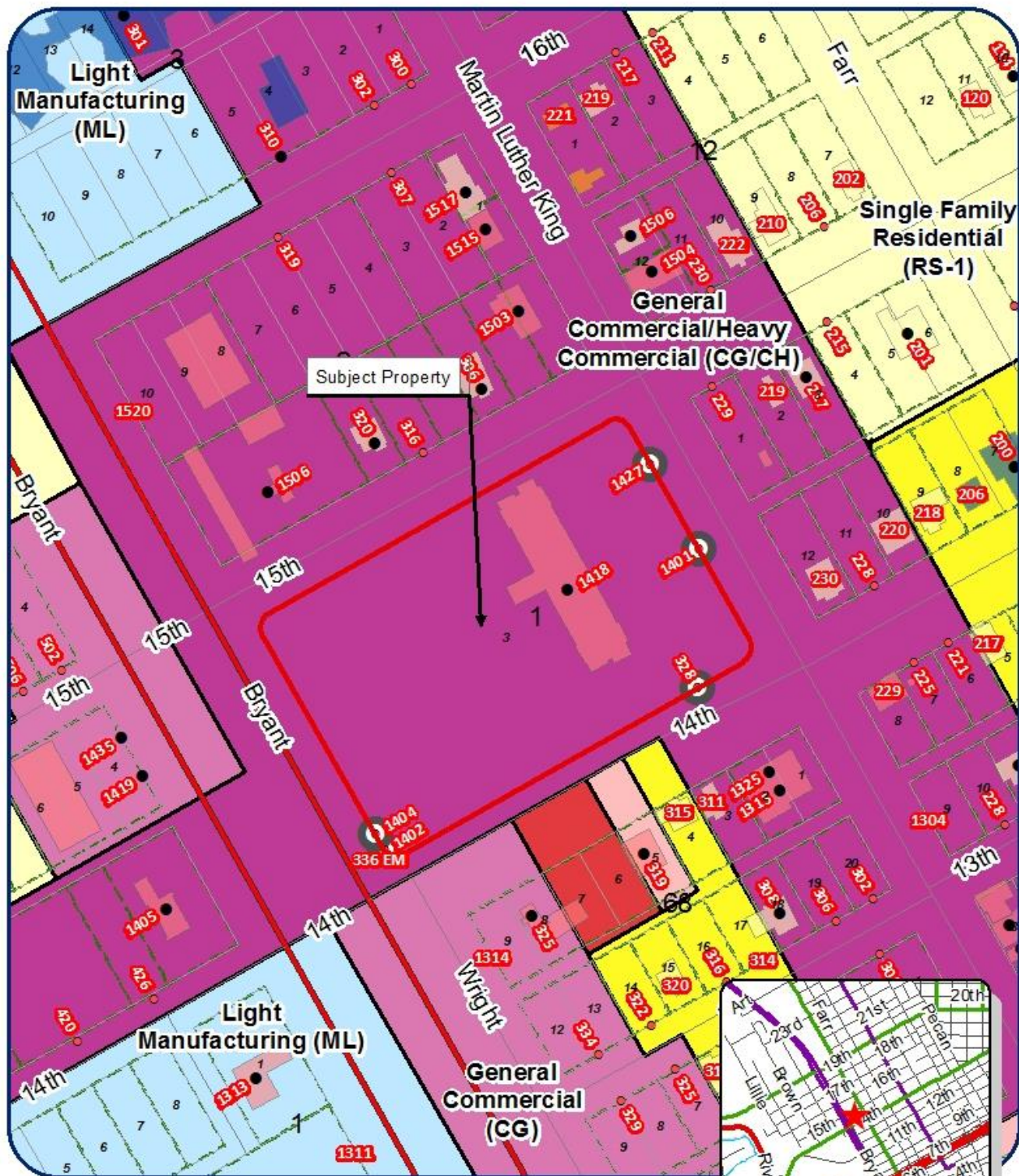
Future Land Use (FLU) Map
Wade & Turner Addition, Blk 1

Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft

Legend

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





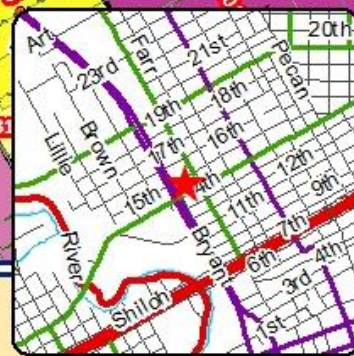
Zoning Map

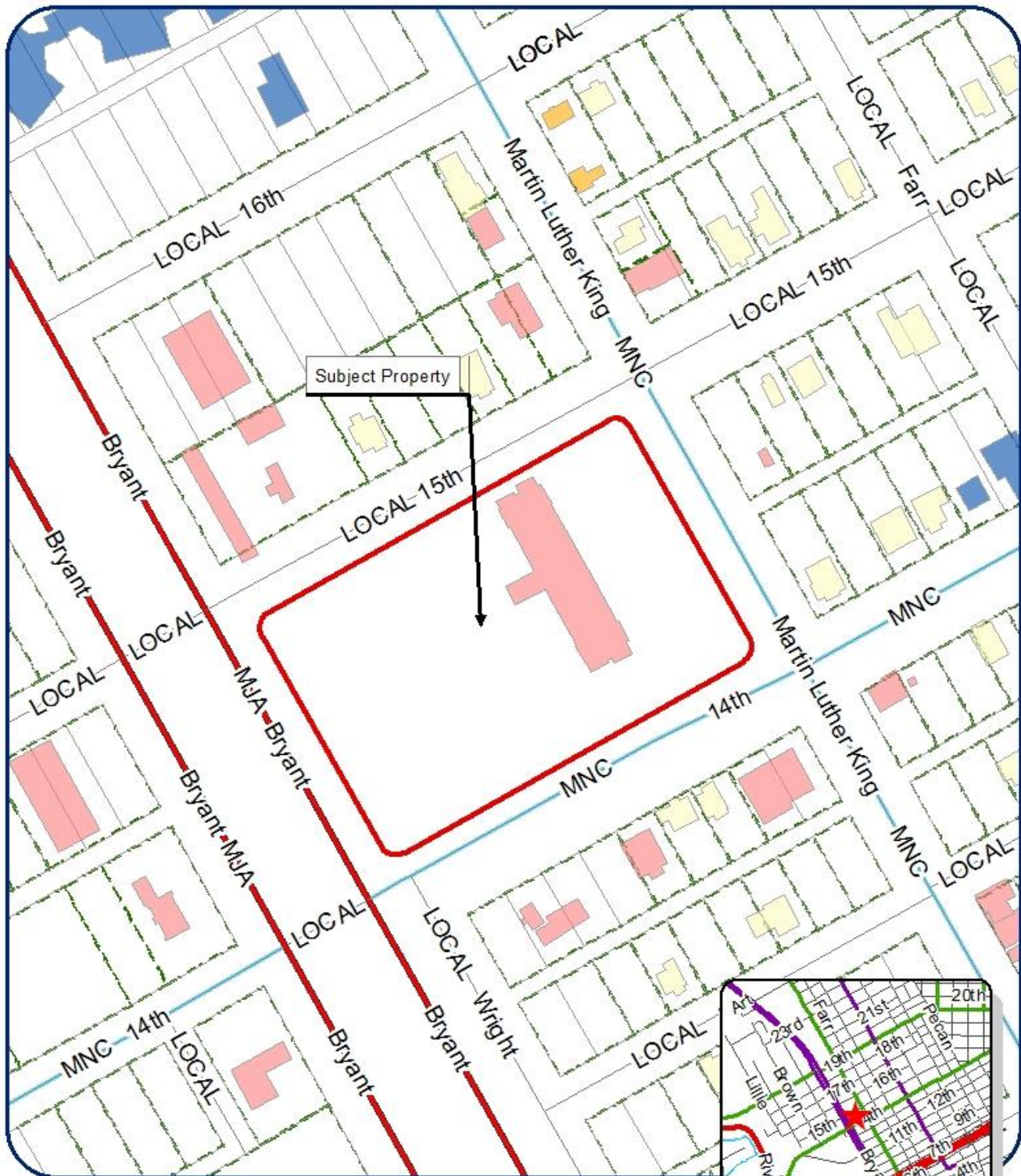
Wade & Turner Addition, Blk 1

Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft

Legend

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





Thoroughfare Map

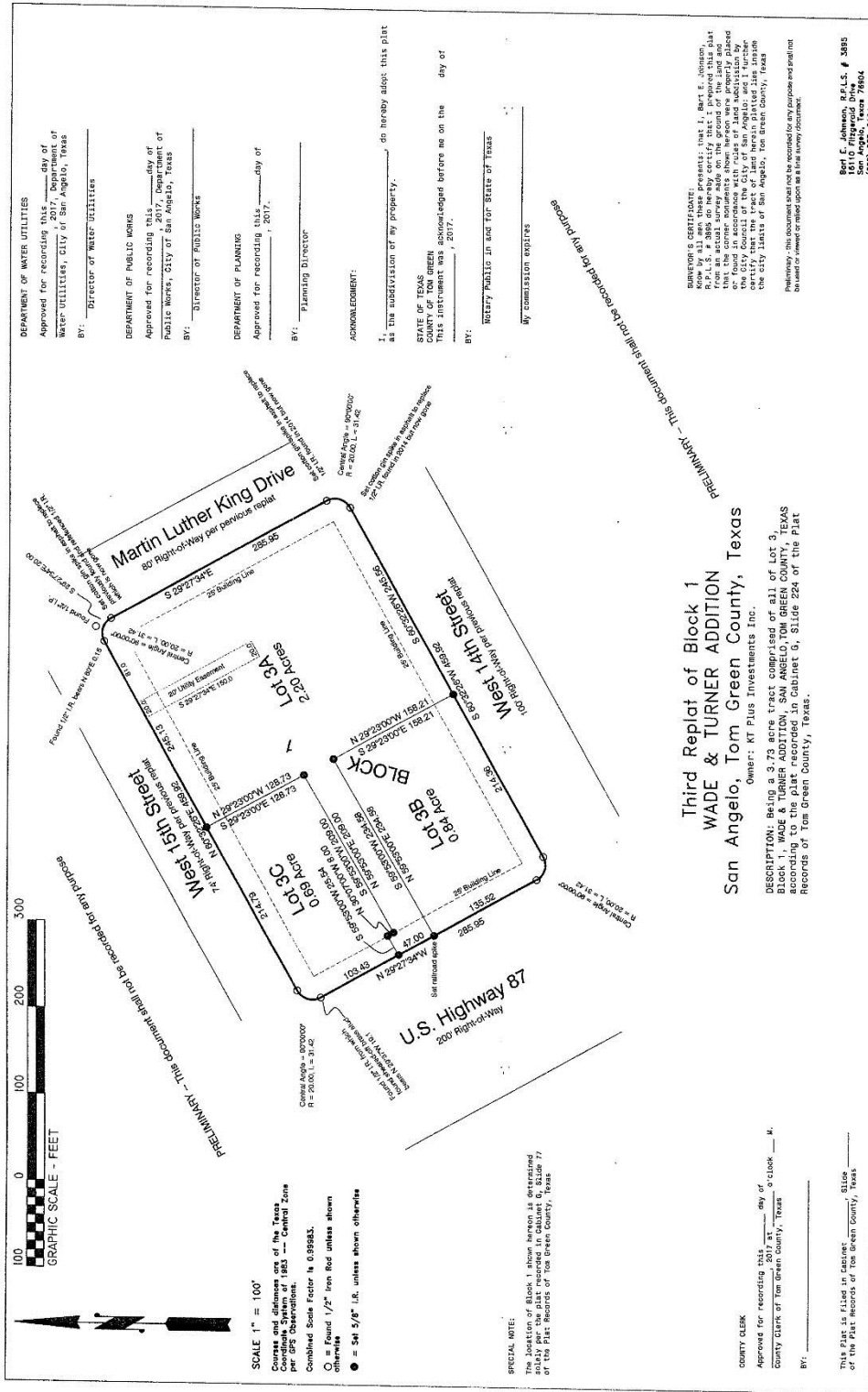
Wade & Turner Addition, Blk 1

Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft

Legend

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







**PLANNING COMMISSION – August 21, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Replat		Third Replat in Block Two, Sunset Ranch Estates, Section Two	
SYNOPSIS:			
The proposed replat would divide 2.595 acres of Lot 17A of the Second Replat into two separate tracts fronting Grand Canal Road, and combine the remaining 0.5 acres of Lot 17A into Lot 16K of the First Replat fronting Clarice Court. The two new lots facing Grand Canal Road are zoned Office-Warehouse (OW). The owners of the 0.5-acre property to be replatted into Lot 16K have applied for a Zone Change on the 0.5-acre property (Z17-10). If approved, the 0.5-acre property would be rezoned from OW to Single-Family Residential (RS-1) allowing an expanded residential lot. (see additional information).			
LOCATION:		LEGAL DESCRIPTION:	
1245 Grand Canal Road and 6622 Clarice Road; generally located approximately 1,230 feet southwest from the intersection of South U.S. Highway 277 and Grand Canal Road		Being 3.795 acres of land comprised of Lot 17A, Second Replat in Block 2, Sunset Ranch Estates, Section Two, and Lot 16K, First Replat in Block 2, Sunset Ranch Estates.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
SMD District: Tommy Hiebert (SMD#1) Neighborhood: Country Club		Lot 17C and 17D: OW North 0.5 ac Lot 16K1: OW South 0.7 ac Lot 16K1: RS-1	N - Neighborhood
SIZE: 3.795 acres			
THOROUGHFARE PLAN:			
<p>Grand Canal Road– Urban Collector Street Required: 60’ right-of-way, 50’ pavement Provided: 50’ right-of-way, 28’ pavement (variances from right-of-way and paving width requested)</p> <p>Clarice Court– Urban Local Street Required: 100’ cul-de-sac diameter, 50’ right-of-way, 40’ pavement or 36’ pavement with a 4-foot sidewalk Provided: 100’ cul-de-sac diameter, 50’ right-of-way, 40’ pavement and no sidewalk</p>			
NOTIFICATIONS:			
On August 4, 2017, notification was published in the <i>San Angelo Standard-Times</i> , and 18 notifications were mailed to owners within a 200-foot radius as required for this replat. Staff received one response in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Third Replat in Block Two, Sunset Ranch Estates, Section Two, subject to six Conditions of Approval, SET ASIDE of the Variance from Chapter 9.III.A.5 of the Subdivision Ordinance from dedication of street right-of-way and paving width improvements for Grand Canal Road, a Collector Street; DENY a variance from Chapter 10.III.A.1 to allow Grand Canal Road, a Collector Street, to maintain 50 feet of right-of-width in lieu of the required 60 feet; DENY a variance from Chapter 10.III.A.2 to allow Grand Canal Road, a Collector Street, to maintain 28 feet of paving width in lieu of the required 50 feet; and SET ASIDE a variance from Chapter 9.V for a sidewalk on Grand Canal Road.			
PROPERTY OWNER/PETITIONER:			
Property Owner(s): Luke Burnett, William and Debra Taylor Agent: Herb Hooker, SKG Engineering, LLC			
STAFF CONTACT:			
Jeff Fisher, Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information:

On May 24, 2017, the applicant originally submitted this replat for only the 2.595-acre portion of Lot 17A. This replat was rejected by the Planning Director as it would have left the remnant 0.5-acre tract landlocked with no direct and abutting street access, in contravention of Chapter 9.III.1 of the Subdivision Ordinance. The newly configured lots will comply with the minimum lot area, frontage and depth requirements of the Zoning Ordinance. The applicant has requested however, variances from the minimum right-of-way, paving width, and sidewalk requirements of the Subdivision Ordinance.

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.3(3) of the Subdivision Ordinance states that the Planning Commission may “deny approval of the final plat, if the Commission finds the final plat does not comply with requirements of this or other applicable municipal ordinances, or if in the Commission’s opinion, the proposal would not be in conformance with the City’s Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance.”

The proposed Lots 17C and 17D, and the 0.5-acre tract, are designated “Transitional” in the City’s Comprehensive Plan which provides for “a scaling back of activity from more intense areas to neighborhoods which should be more passive in character.” These properties are consistent with this policy as they will provide a transition between the heavier commercial and industrial uses to the north and east, and the single-family residential area to the south. Lot 16K is designated “Neighborhood” consistent with the underlying Single-Family Residential (RS-1) zoning and single-family home on the property.

The proposed plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly development of the land (Statement C) with direct and abutting access to existing streets; will assist in guiding future growth and development, extending logically from the existing streets (Statement E); and will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O) complying with the minimum zoning regulations.

Variances: As indicated above, the applicant has submitted four variances from the Land Development and Subdivision Ordinance: a variance from Chapter 9.III.A.5 from dedication of street right-of-way and paving width improvements for Grand Canal Road, a Collector Street; a variance from Chapter 10.III.A.1 to allow Grand Canal Road, a Collector Street, to maintain 50 feet of right-of-width in lieu of the required 60 feet; a variance from Chapter 10.III.A.2 to allow Grand Canal Road, a Collector Street, to maintain 28 feet of paving width in lieu of the required 50 feet; and a variance from Chapter 9.V exempting the requirement for a sidewalk for public safety. In accordance with Chapter 1, Section IV.A, the Planning Commission **shall not approve** a Variance unless the request meets the four criteria below based upon the evidence that is presented:

Note: Planning Staff do not believe a sidewalk is required along Grand Canal Road for public safety given the immediate area is predominantly heavy commercial and industrial. Staff also believes a sidewalk is not required in front of the property fronting Clarice Court given there are no sidewalks along this already built-out street and subdivision. Therefore, no variance is required and this variance request is recommended to be set aside and not part of the analysis below.

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 believes the existing right-of-way and street paving widths are sufficient and there would be no detriment to the public if they remain the same. Engineering Services and the Planning Division disagree for several reasons. First, Staff believes that previous Planning Commissions and City Councils had granted variances from right-of-way and paving improvements along this stretch of Grand Canal Road based on less intense development patterns at that time. The original Section 2 of Sunset Ranch Estates, approved by City Council on November 4, 1997, stretched 1,861 feet from Templin Road north to 1221 Grand Canal Road and was designated for future development into just two lots. By May 3, 2005, when City Council approved the First Replat, now Clarice Court, the 10.999-acre lot was divided into 14 additional lots, increasing the need for street improvements to service the new residential lots. In their 2005 decision, City Council concurred with Planning Staff's recommendations that the applicant had to pave one-half of the required paving width on the south side of Grand Canal Road adjacent to the plat. A full variance was granted, however, from the additional right-of-way on the grounds that this could be obtained at a later date from the U.S. Government, which owns the irrigation canal property to the north. This, however, has not occurred, and the current right-of-way is deficient by 10 feet. Engineering Services has indicated that the City has had to purchase portions of right-of-way along Country Club Road, the southerly extension of Grand Canal Road, in order to adequately service the growing area. Several plats were recently approved on the south side of Country Club Road and many of the rural, unplatted lots to the north could also be replatted in the future, putting a further strain on the existing road network. Staff believes that past decisions are no longer applicable given the changing development patterns in the area. Increased lot yield with no street or right-of-way improvements will further reduce traffic safety, as well as increasing the burden on the taxpayers of San Angelo to have to pay for additional right-of-way and paving improvements that will likely be required in future.

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

The applicant believes that the property is unique because it is in a developed area that has already been platted. Staff does not believe that being in an area surrounded by development creates uniqueness on its own. As stated above, previous Councils and Commissions had granted variances for street improvements where development patterns were less intense with lower lot yields. Granting further variances for this property would leave additional portions of Grand Canal deficient, requiring the City and its taxpayers to cover any future improvements, in addition to already having to pay for patches of additional portions that were never fully built due to variances being granted. As further indicated, the City has had to acquire portions of Country Club Road to make additional improvements, and could very well be required to do the same on Grand Canal Road. Requiring the developer to pay their fair share of the required improvements is not only financially equitable, but is already required by the Subdivision Ordinance through the platting process and in the City's Master Thoroughfare Plan (MTP). Providing the City with the additional 5 feet, or one-half of the required 60 feet of right-of-way, and the additional 11 feet or one-half of the required 50 feet of paving width on Grand Canal Road, will ensure that the road is built to adopted City Standards.

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

The applicant believes that existing topographical conditions, including drainage, would create an additional hardship to the owner. Engineering Services did not identify any constraints or drainage patterns that would create any additional hardship. Planning Staff does not see any other hardship in this case. The City typically requires developers to provide additional right-of-way and paving width where there are deficiencies to ensure that improvements are made and additional costs are not borne by the city or its residents.

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

The applicant believes that the existing right-of-way and paving width already functions as a unified component of the surrounding neighborhood and commercial developments. Staff disagrees for the reasons stated above. As the area continues to expand and additional lots are platted or replatted, existing deficiencies would only be increased with another exception and another lost opportunity to make the necessary improvements on city streets. The Subdivision Ordinance was created to ensure the orderly, efficient development of land in the City and ETJ. Approving the requested variances would appear to subvert the intent and purpose of this Ordinance.

Recommendations: Staff recommends that the Planning Commission do the following:

APPROVE the Third Replat in Block Two, Sunset Ranch Estates, Section Two;

SET ASIDE the variance from Chapter 9.III.A.5 of the Subdivision Ordinance from dedication of street right-of-way and paving width improvements for Grand Canal Road, a Collector Street;

DENY the variance from Chapter 10.III.A.1 to allow Grand Canal Road, a Collector Street, to maintain 50 feet of right-of-width in lieu of the required 60 feet;

DENY the variance from Chapter 10.III.A.2 to allow Grand Canal Road, a Collector Street, to maintain 28 feet of paving width in lieu of the required 50 feet; and

SET ASIDE a variance from Chapter 9.V for a sidewalk on Grand Canal Road.

The following **six Conditions of Approval** are recommended:

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. Per the City of San Angelo Water Utilities Department Design Standards for Water and Sewer, submit a site utility plan for the proposed self-contained sewer system. This condition may be deferred to the permitting stage.
3. Per the City of San Angelo Standards & Specifications, submit a revised site plan, illustrating service lines on the site. This condition may be deferred to permitting stage.

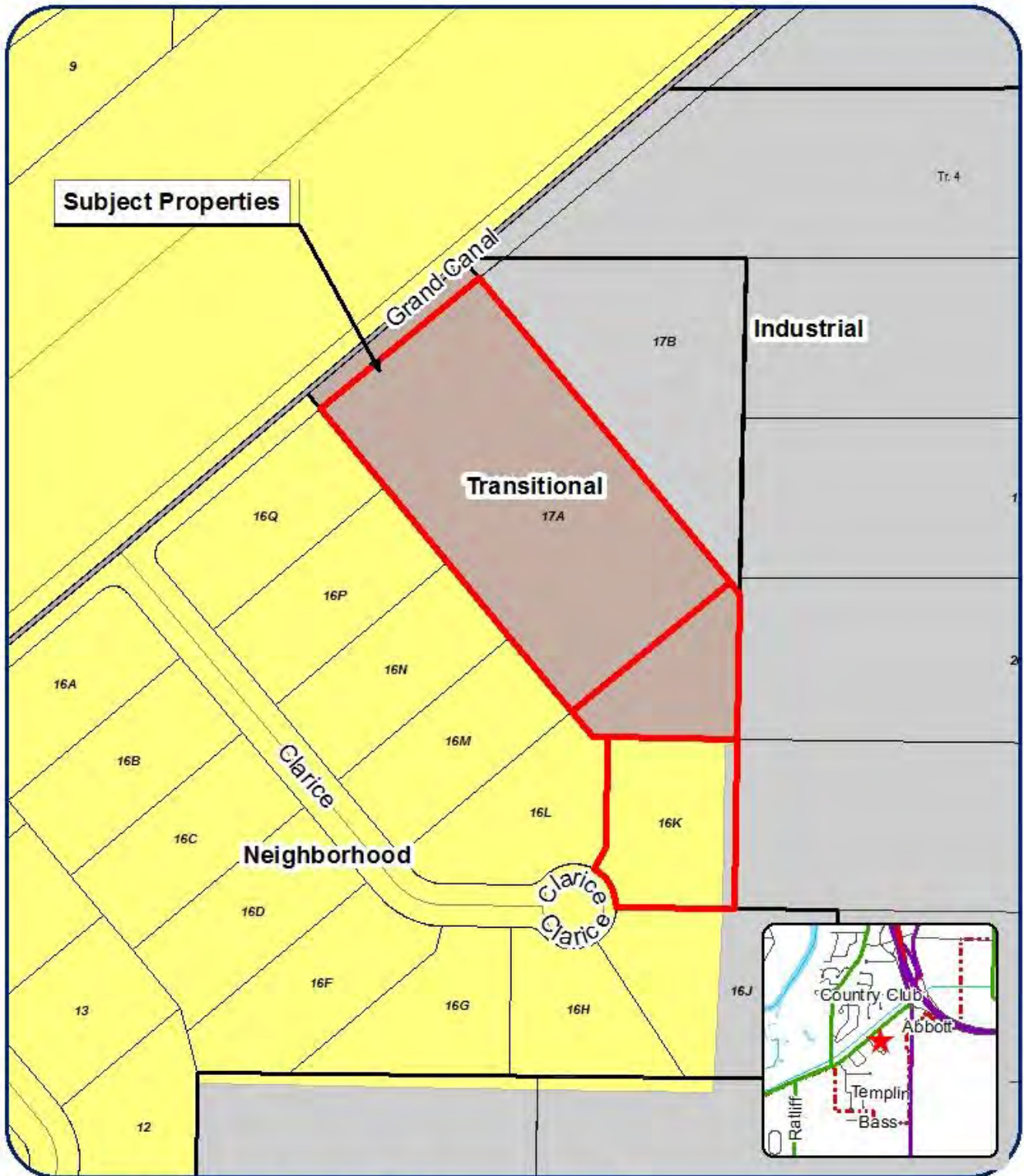
4. Per Land Development and Subdivision Ordinance, Chapter 10, prepare and submit plans for required improvements to the adjacent segment of Grand Canal Road by half the additional increment necessary to comprise the minimum right-of-way and paving widths. For Grand Canal Road, an Urban Collector Street, the minimum right-of-width is 60 feet (in this case, requiring 5 additional feet) and the minimum paving width is 50 feet (in this case, requiring 11 additional feet with curb-and-gutter). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV.
5. Per the Stormwater Ordinance, Sec 12.05.001 and Stormwater Design Manual, Sec 2.13, a drainage study shall be submitted, and if public improvements are deemed necessary by this study, submit a construction plan and profile sheets for approval.
6. The note on lot 17D states, "Unobstructed private road easement for the benefit of lot 17C." This note appears to be made in error and intended for Lot 17D. The applicant will need to clarify what lot is be served by the "Unobstructed private road easement" and if it is in error the applicant will need to provide a revised plat delineating this information.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Proposed Replat
Application



Sunset Ranch Estates, Section Two		Legend	
3rd Replat in Blk 2		Subject Properties:	
Council District: Tommy Hiebert (SMD #1)	Neighborhood: Country Club	Current Zoning: Lot 17A: OW / Lot 16K: RS-1	
Scale: 1" approx. = 150 ft	Subject Property: Lot 17A, 2nd Replat & Lot 16K, 1st Replat	Requested Zoning Change: N/A	
		Vision: Transitional	



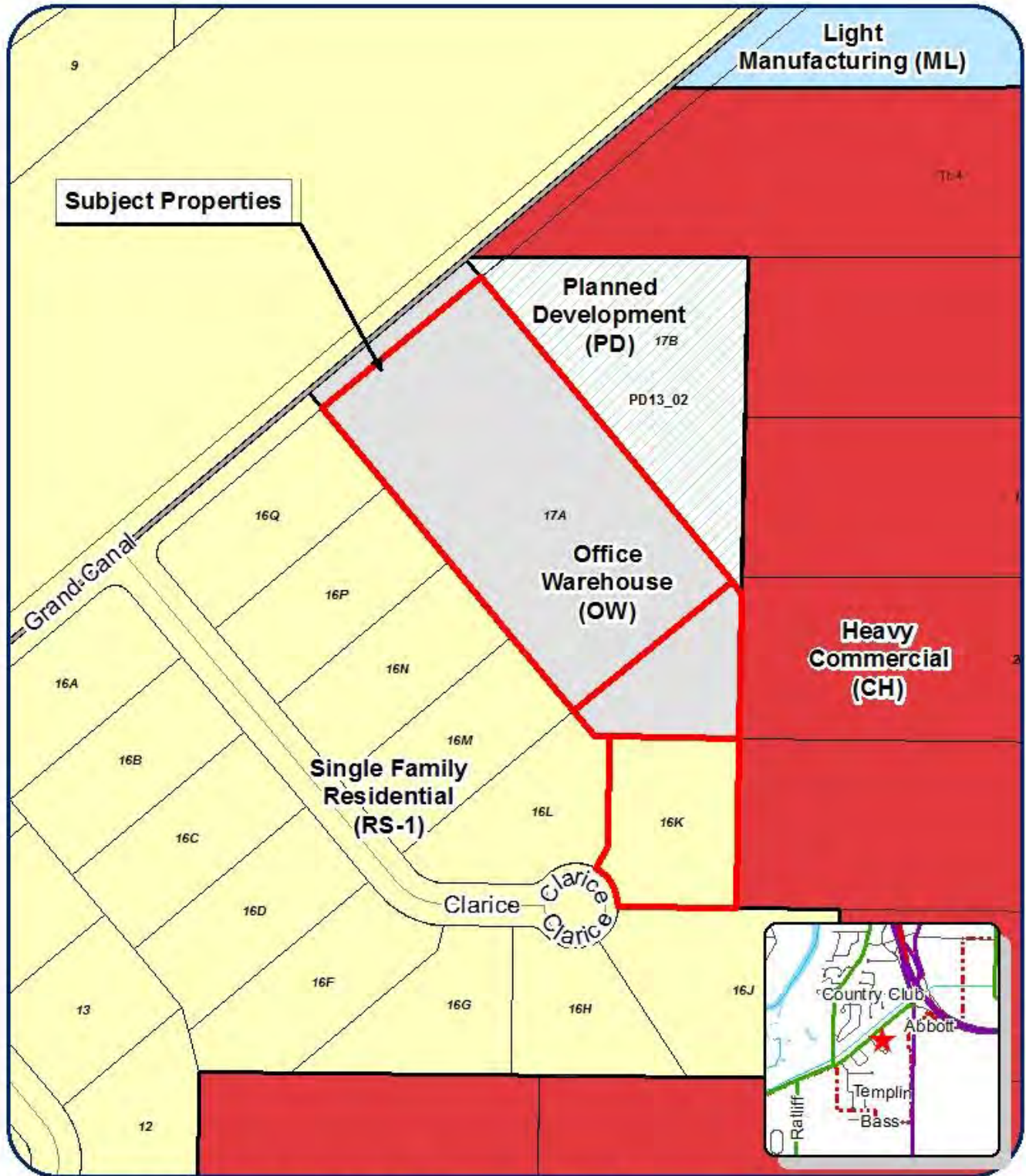
Sunset Ranch Estates, Section Two
3rd Replat in Blk 2

Council District: Tommy Hiebert (SMD #1)
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property: Lot 17A, 2nd Replat & Lot 16K, 1st Replat

Legend

Subject Properties:
 Current Zoning: Lot 17A: OW / Lot 16K: RS-1
 Requested Zoning Change: N/A
 Vision: Transitional





Sunset Ranch Estates, Section Two
3rd Replat in Blk 2

Council District: Tommy Hiebert (SMD #1)
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property: Lot 17A, 2nd Replat & Lot 16K, 1st Replat

Legend

Subject Properties:
 Current Zoning: Lot 17A: OW / Lot 16K: RS-1
 Requested Zoning Change: N/A
 Vision: Transitional







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

Third Replat in Block Two, Sunset Ranch Estates, Section Two

Proposed Subdivision Name

Lot 17 A, Second Replat in Blk. Two, Sec. Two and Lot 16K, First Replat in Blk. Two, Sec. Two, Sunset Ranch Estates

Current Legal Description (can be found on property tax statement or at www.tamgreencad.com)

65-73600-0002-017-00, 65-73600-0002-017-50, 65-73600-0002-016-40

Tax ID Number(s) (can be found on property tax statement or at www.tamgreencad.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
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Property Owner:	Luke Burnett & William & Debra Taylor	234-2698(Luke) 212-8061(William)	lukeburnett@wcc.net
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Name	Phone Number	Email Address
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Architect/Engineer/Design Professional:	SKG Engineering	325-655-1288	herbh@skge.com
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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? 5/8"
 Other Please specify: _____

Sewer: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? < 0.5 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

3.795 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 2.595 Single-Family Residential 1.200 Office _____

Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

Vacant _____ Single-Family Residential 1.200 Office 2.595

Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

Are there existing structures on the property? Yes No

If yes, how many structures exist? 1 What type of structures exist currently? Residence

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 1/4 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.5 & Sec.V & Ch.10,Sec.III.A.1&2

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 granting of this variance would not be detrimental to the public safety, health or welfare, or be injurious to other property as this is an existing, functional, roadway and ROW (in use). A sidewalk in this area would not be used and the short lot frontage would effect no benefit of the sidewalk.

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 on which this request for variance are based are unique to this property in that it exists in a developed area with commercial/industrial uses to the north and residential uses to the south. All the land in this area has been platted and further replats would not be anticipated.

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 topographical conditions including existing drainage, a particular hardship to the owner would result, along with incompatible development conditions.

The variance will not, in any significant way, vary the provisions of applicable ordinances.
 Approval of these variances will not, in any significant way, vary the provisions of the applicable ordinances because the existing, developed, conditions embrace the ROW, pavement, and no sidewalks that presently function as a unified component of the existing neighborhood/commercial uses as viable examples of their function with respect to the 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.

Bill Taylor
 Owner's Signature

7-25-17
 Date

Paul Hooker
 Representative's Signature

7/26/2017
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 7/25/17 Date Deemed preliminary complete: 3:28pm 7/25/17 Date Time Initials gf

Received by Development Services Technician for completeness review: 3:28pm 7/25/17 Date Time Initials gf

Completeness review passed? Yes 7/25/17 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 8/2/17 Date Initials gf

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 _____ Date No _____ Date

Approvals required for this application:

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

**PLANNING COMMISSION – June 19, 2017
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning		Z17-10: Taylor	
SYNOPSIS:			
A request for approval of a rezoning from Office/Warehouse (OW) zoning district to Single-Family Residence (RS-1) Zoning District. The applicant is seeking to add a parcel of land being re-platted to their existing home lot. This would allow the entire new lot to be zoned consistently RS-1.			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed tract north of 6622 Clarice Court		Being 0.5 acre of land out of Lot 17A, Block Two, Section Two, Second Replat in Block Two, Sunset Ranch Estates, Section Two City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
Country Club Neighborhood SMD #1 – Tommy Hiebert	OW – Office/Warehouse	Transitional	0.5 acre
THOROUGHFARE PLAN:			
With the approval of the re-plat for Sunset Ranch this parcel will become part of the adjacent home lot 16k located on Clarice Court. Local Road – 50’ ROW required and met, 40’ Pavement require and met.			
NOTIFICATIONS:			
10 notifications were mailed within a 200-foot radius on August 10, 2017. Zero responses have been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed rezoning to the Single-Family Residential (RS-1) Zoning District .			
PETITIONERS:			
William & Debra Taylor			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: 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.** The Comprehensive Plan's original intent was to provide transition areas for a scaling back of activity from more intense areas to neighborhoods which should be more passive in character. Since this property's Future Land Use (FLU) designation is Transitional, this would allow for a less intense use of single-family residential to buffer the higher intensity heavy commercial (CH) and office/warehouse (OW) from the adjacent neighborhood. The RS-1 Zoning District appears to be consistent with the FLU in this regard.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The Single-Family Residential District is intended to provide opportunities for development of detached single-family residences at medium densities. Since a replat will attach this parcel to the adjacent single-family residential lot, the zoning would be consistent over the entire platted lot and allow for continued residential uses consistent with the proposed RS-1 zoning.
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.** The property is located within an area that has mixed uses. This parcel will be adjoined to the adjacent single family residential lot that already has a home built. The 2009 Comprehensive Plan update designated this property as Transitional presumably to accommodate this buffering from the higher intensity CH zoning along US Highway 277 and allow for additional residential, if needed.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** When the Transitional FLU was placed on the property, this reflected a belief that this land would develop as a transitional area between the more intense uses along US Highway 277 and the RS-1 properties to the west. Additionally, the property was originally part of a larger tract that developed in a commercial manner. Over time, it has remained vacant. Now, the property is seeking to be combined with an adjacent residential lot for continued residential use.
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.** There are no anticipated negative effects on the natural environment from these actions. Land use would continue in the same residential manner, and intensity, as already exist on the adjacent site it will be replatted with.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been any demonstrated community need for a use on the site other than residential. The site has remained undeveloped for many years. As a result, it has become landlocked through the years. Allowing the site to rezone to RS-1 would be reflective of the continuing need for residential in the area, rather than allowing a continuance of a zoning designation that has been little used in the past.

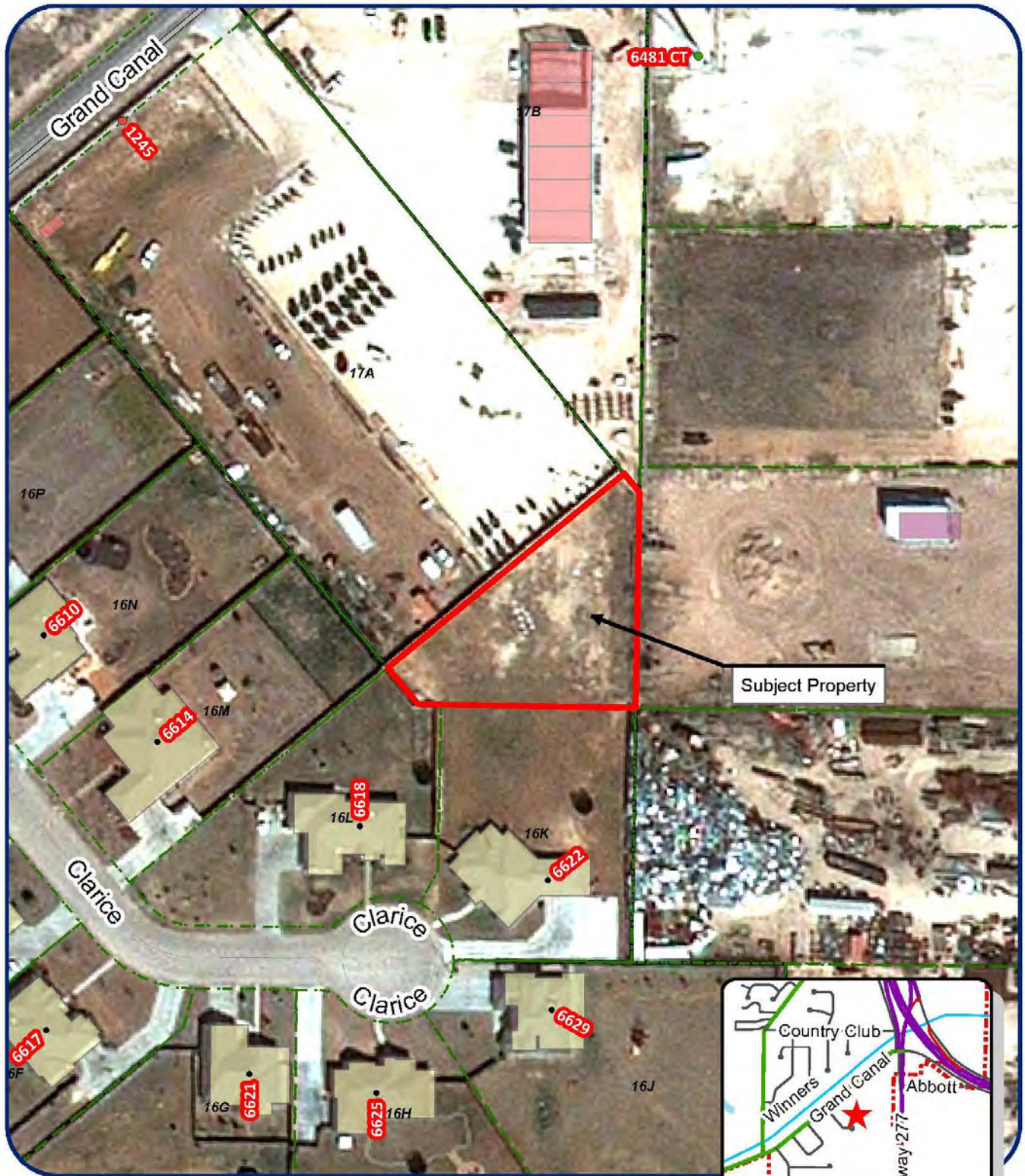
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area to the west is primarily detached, single-family residential. This parcel will be added to an existing RS-1 lot and keep in continuity with the adjoining residential lots immediately to the west.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a rezoning from the Office/Warehouse (OW) Zoning District to the **Single Family Residential (RS-1) Zoning District**.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photos of Site
Application



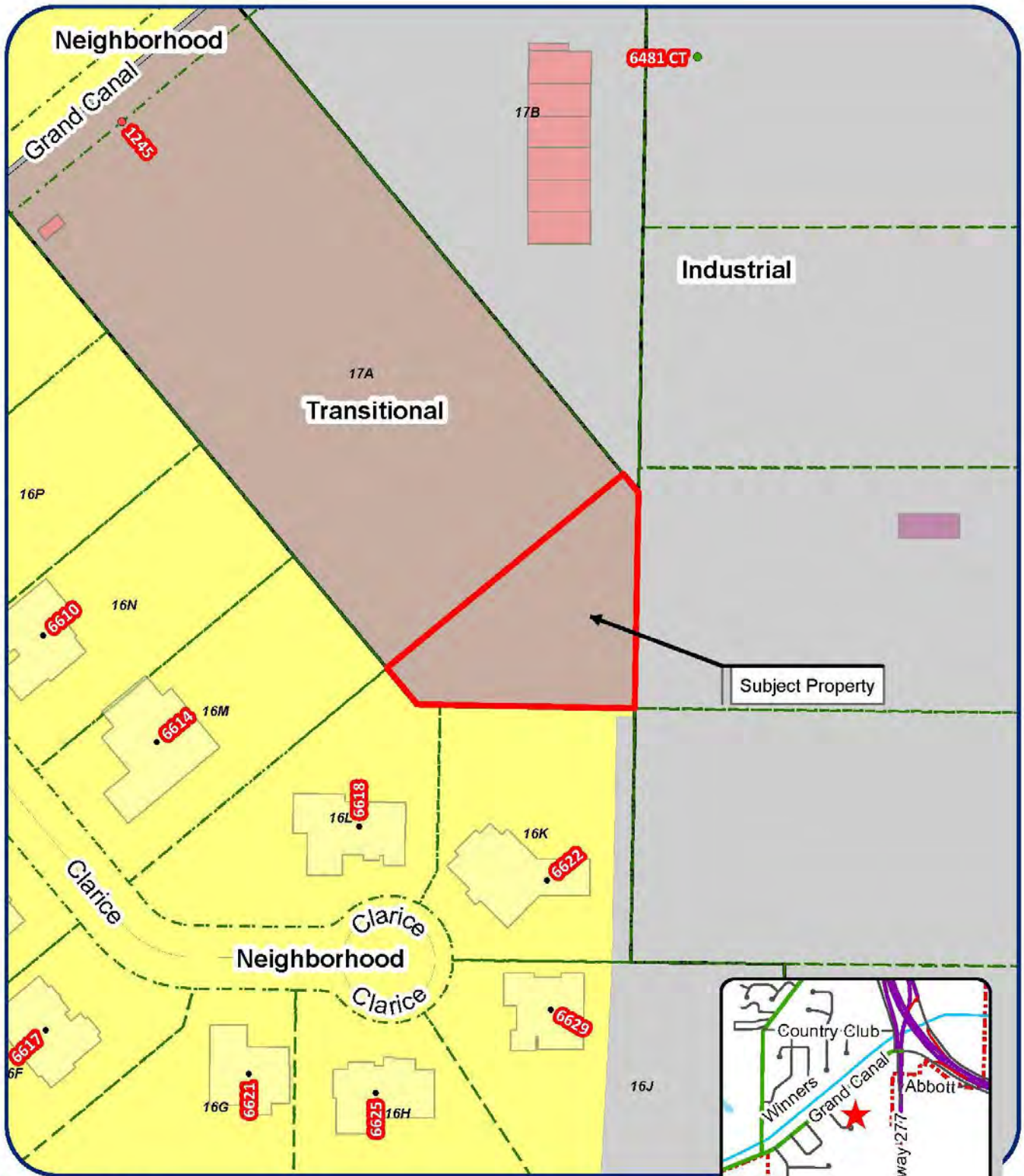
Z17-10: Taylor
.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 100 ft

Legend

- Subject Properties: ▬
- Current Zoning: **OW**
- Requested Zoning Change: **RS-1**
- Vision: **Transitional**



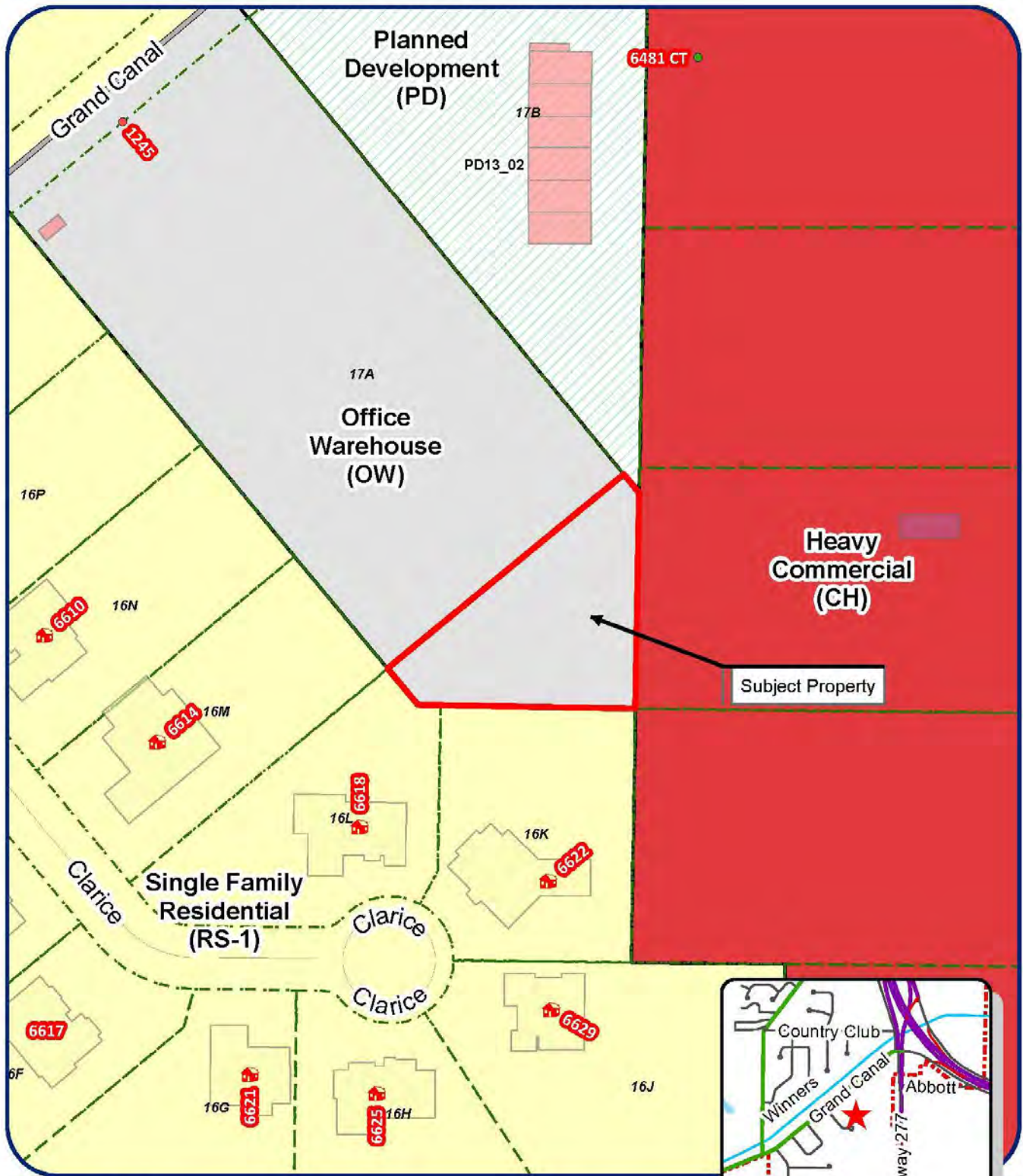


Z17-10: Taylor
.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 100 ft

Legend
 Subject Properties:
 Current Zoning: **OW**
 Requested Zoning Change: **RS-1**
 Vision: **Transitional**





Z17-10: Taylor
.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 100 ft

Legend
 Subject Properties: —
 Current Zoning: **OW**
 Requested Zoning Change: **RS-1**
 Vision: **Transitional**



Photo of Site



Looking at the property from the adjacent Office-Warehouse (OW) Property to the Northwest



The Home the Subject Property will Adjoin.



Effective January 3, 2017



City of San Angelo, Texas – Planning Division
 52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s): Bill Taylor William + Debra Taylor

Owner Representative (Notarized Affidavit Required)
 Mailing Address: 622 Clarice Ct San Angelo TX 76904

Contact Phone Number: 325-212-8061 Contact E-mail Address: bill@orwcpa.com (firegrass@hotmail.com)

Subject Property Address: San Angelo TX 76904

Legal Description (can be found on property tax statement or at www.tomgreencad.com): Blk 2 Section 2 Sunset Ranch Estates 17A.5 Acres

Existing Zoning: OW Proposed Zoning: RS1 Lot size: .5 Acre

(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Property is already purchased by Meek + Bonds
Description as a buffer zone to the cow zone behind would
like to join it to the residential property.
 *Proposed Use of Property: RS1 yard space / buffer zone.
Current lot is part of two other ow zones that can't be
 *Use separate attachment if necessary sold because it creates a remnant lot.

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.
- No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- If approved, a zone change is applied to the property, not the property owner.
- The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

William Taylor Bill Taylor _____ 7-19-17
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

 Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete Date of Application: 7 / 20 / 17
 Case No.: Z 17 - 10 Fully-dimensional site plan:
 Nonrefundable fee: \$ 500 Receipt #: 269499 Date paid: 7 / 20 / 17
 Sign Deposit \$37.50 Receipt #: 269499 Date paid: 7 / 20 / 17
 Affidavit attached? Yes No N/A Applicant's signature on information sheet? Yes No
 Previous Zone Change Inquiry? Yes No If yes, ZCI case no.: 07 - 03
 River Corridor Commission? Yes No If yes, RCC meeting date: _____/_____/_____
 Planning Commission hearing date: 8 / 21 / 17 Date notifications due: _____/_____/_____
 City Council hearing date: _____/_____/_____ Packets due date: _____/_____/_____
 Publication date: _____/_____/_____
 Reviewed/Accepted by: Hillary Beecher Date: 8 / 1 / 17

**PLANNING COMMISSION – August 21, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Rezoning		Z17-11: Burnett	
SYNOPSIS:			
This is an application to rezone a 1.50-acre tract from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District. The lot was originally zoned OW, in 2013 the applicant requested a zone change PD (PD13-02) to facilitate the development of a welding business. The property owner is requesting to return to the original OW Zoning District to pursue a different business venue.			
LOCATION:		LEGAL DESCRIPTION:	
1221 Grand Canal Road; generally located 1,240 feet southwest from the intersection of Grand Canal Road and U.S. Highway 277		Sunset Ranch Estates, Section 2, Block 2, Lot 17B, City of San Angelo, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #1 – Tommy Hiebert Country Club Neighborhood	PD – Planned Development with underlying OW – Office Warehouse	Industrial	1.50 acres
THOROUGHFARE PLAN:			
Grand Canal Road – Major Collector, Required 60' min. ROW, 50' min. pavement Actual 52' ROW, 34' pavement with no sidewalk			
NOTIFICATIONS:			
8 notifications were mailed within a 200-foot radius on August 7, 2017. Zero responses have been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Rezoning from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Luke Burnett <i>Agent:</i> Luke Burnett, Owner			
STAFF CONTACT:			
Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

Rezoning: 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.** Changing the zoning from PD to OW is consistent with the Future Land Use designation of Industrial. The Comprehensive Plan shows this area as being designated to grow in an industrial manner and current development patterns reflect this.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** When the property owner changed the Zoning District from OW to a Planned Development in 2013, the underlying zone of OW remained in place. The applicant is proposing to remove the PD designation to allow a new business venue that is not explicitly called out in the PD Ordinance (PD13-02), but is still consistent with the OW Zoning District. The Office-Warehouse District is intended to provide opportunities for development of self-storage warehouses, small wholesale trade activities with limited truck traffic and integrated office/warehouse uses.
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.** As indicated above, the property is located within an area that has clearly developed as industrial. While there is a residential zone to the southwest of the applicant's property, there is an additional tract that is zoned OW that abuts the subject property and provides a buffer between the two zoning districts. Furthermore, the property that separates the subject property from the residential zoning district has a Future Land Use designation of Transitional.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The applicant is no longer seeking the business that required the change from OW to a Planned Development. The new business the applicant would like to pursue on his property does not align with the stringent requirements of the PD, thus a reversion to the original zoning of OW is the necessary change needed for the applicant to pursue his changed development plan.
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.** The lot already has a building located on it, therefore any new construction might have an impact on the environment temporarily. There is potential for construction noises to affect the residential houses to the southwest, however those properties are over 200 feet away, so any impacts would be lessened. The use the applicant is proposing is less intensive than the current allowed use, which could result in a smaller impact as well.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The City has designated that the appropriate development for this site be Industrial in nature. The reasoning for such a designation was presumably based on a community need for the associated uses in this particular area. An Office Warehouse zoning is compatible with an Industrial Future Land Use and would appear to meet the anticipated community need.

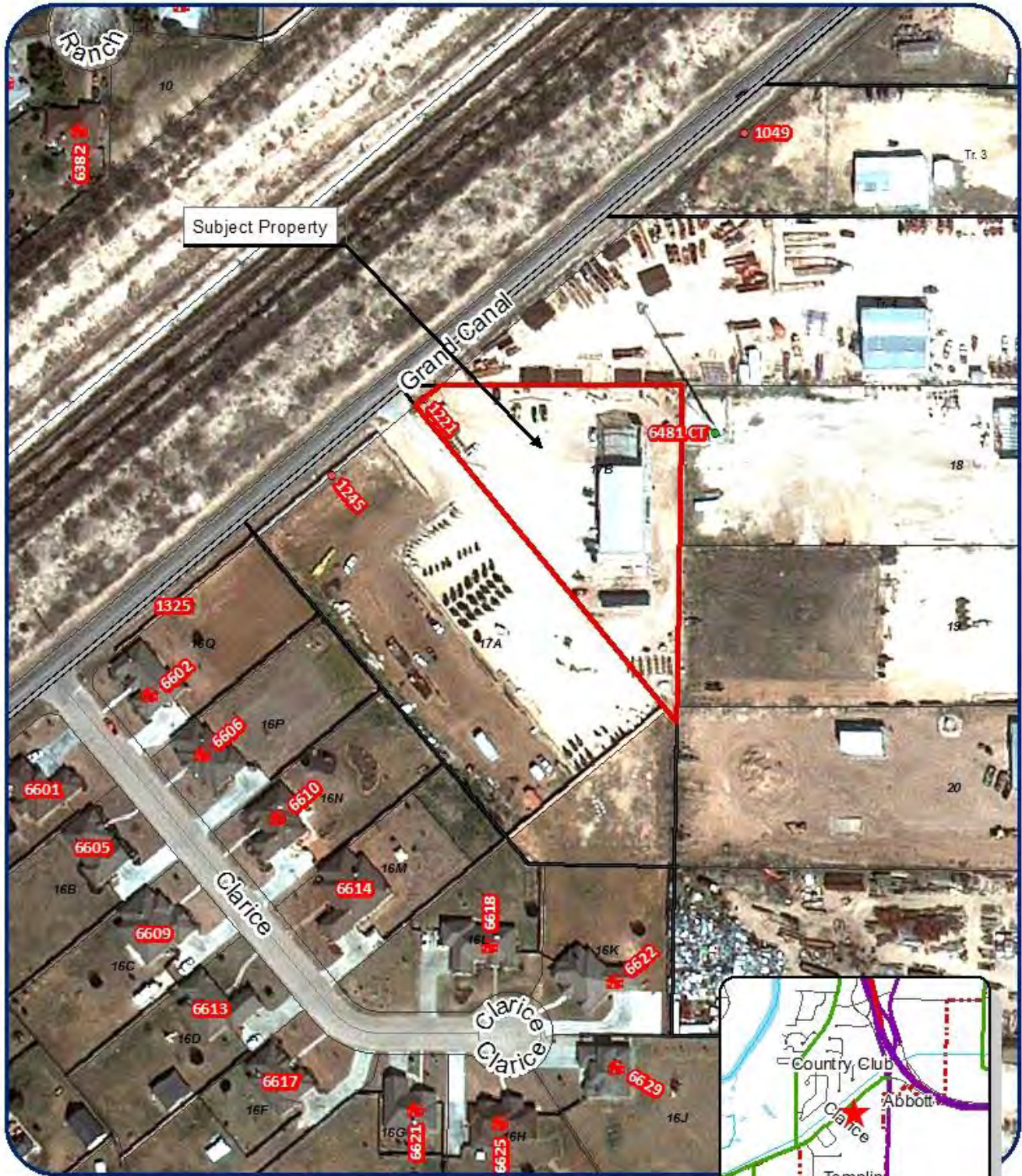
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* This lot is situated within an Industrial Future Land Use and is adjacent to a Transitional Future Land Use. Keeping the lot utilized in an industrial capacity results in an orderly pattern of development and does not hinder the development of the transitional lot. As the proposed use is less intense than the current allowed use, this will create a logical flow to the community that transitions to neighborhood and residential uses cohesively and without disruption.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a Rezoning from the Planned Development (PD) Zoning District to the **Office Warehouse (OW) Zoning District**.

Attachments:

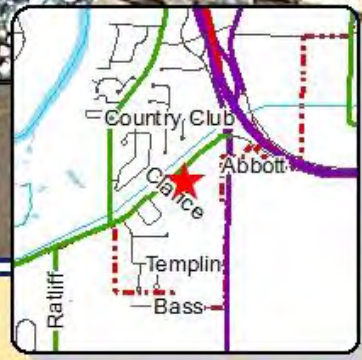
1. Aerial Map
2. Zoning Map
3. Future Land Use (FLU) Map
4. Thoroughfare Map
5. Notification Map
6. Site Photos

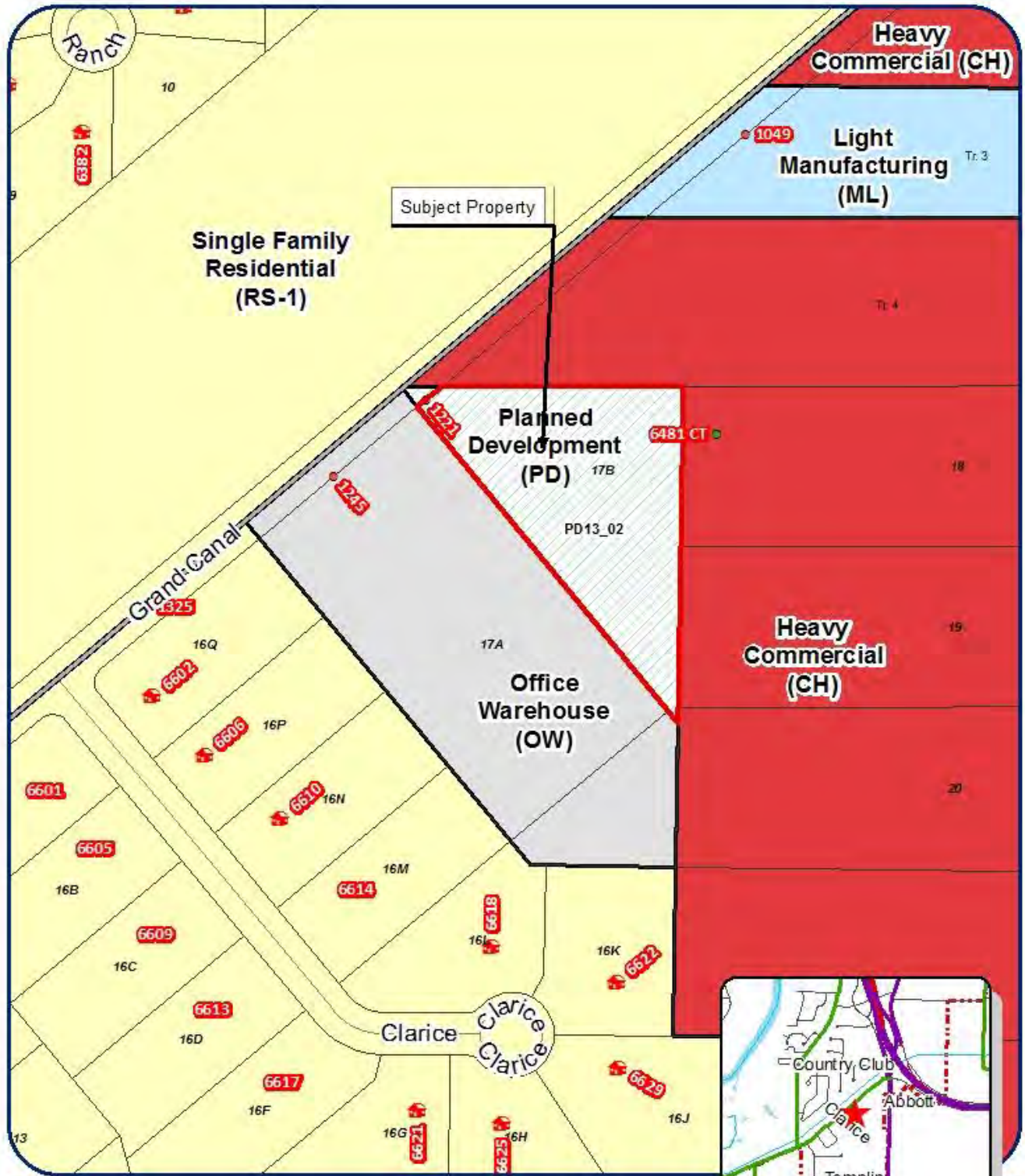


Aerial Map
Case ZC17-11 Burnett

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): Lot 17B, Blk 2, Sec 2, Sunset Ranch Estates

Legend
 Subject Properties:
 Current Zoning: **PD**
 Requested Zoning Change: **OW**
 Vision: **Industrial**





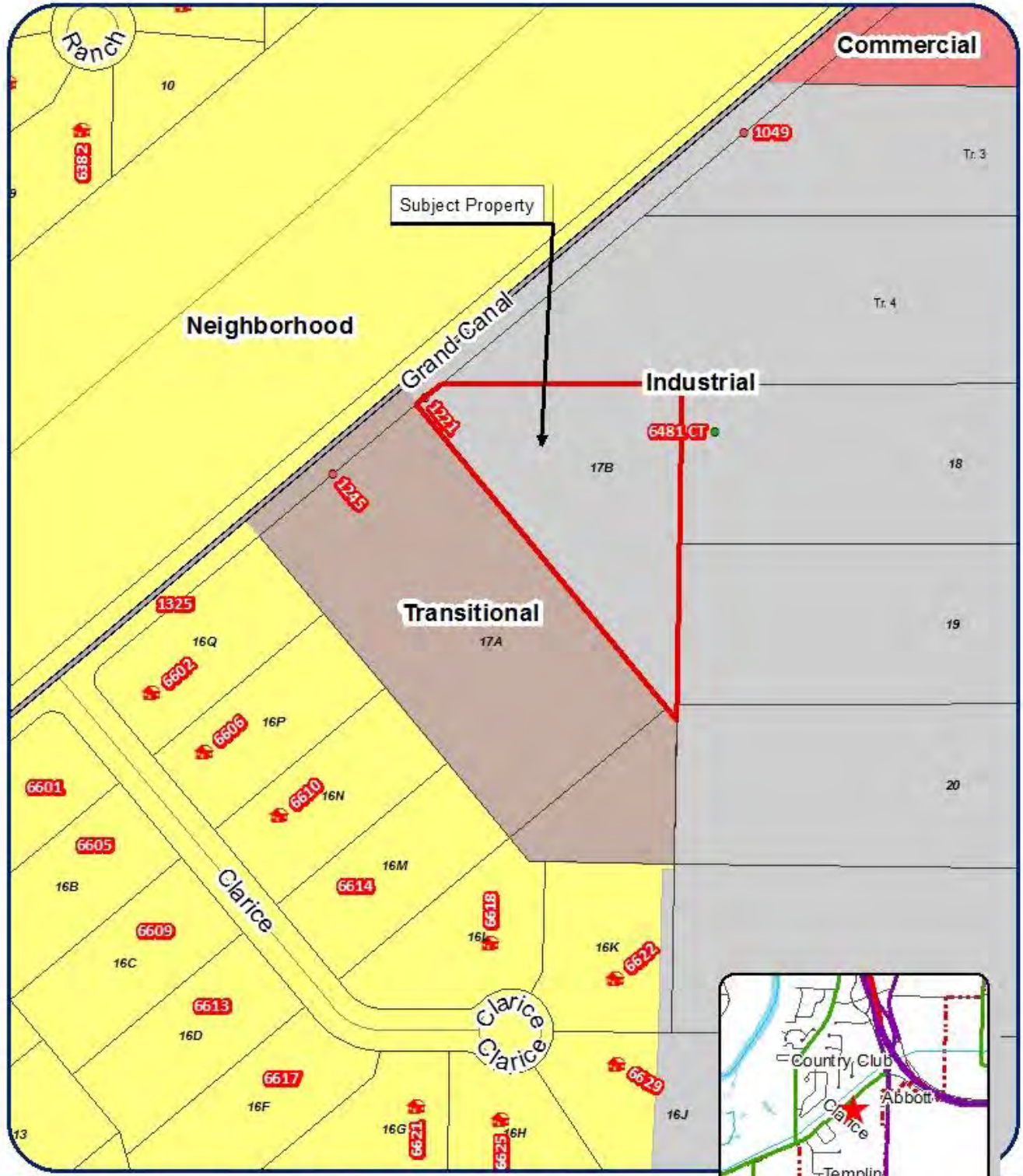
Zoning Map
Case ZC17-11 Burnett

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): Lot 17B, Blk 2, Sec 2, Sunset Ranch Estates

Legend

- Subject Properties:
- Current Zoning: PD
- Requested Zoning Change: OW
- Vision: Industrial





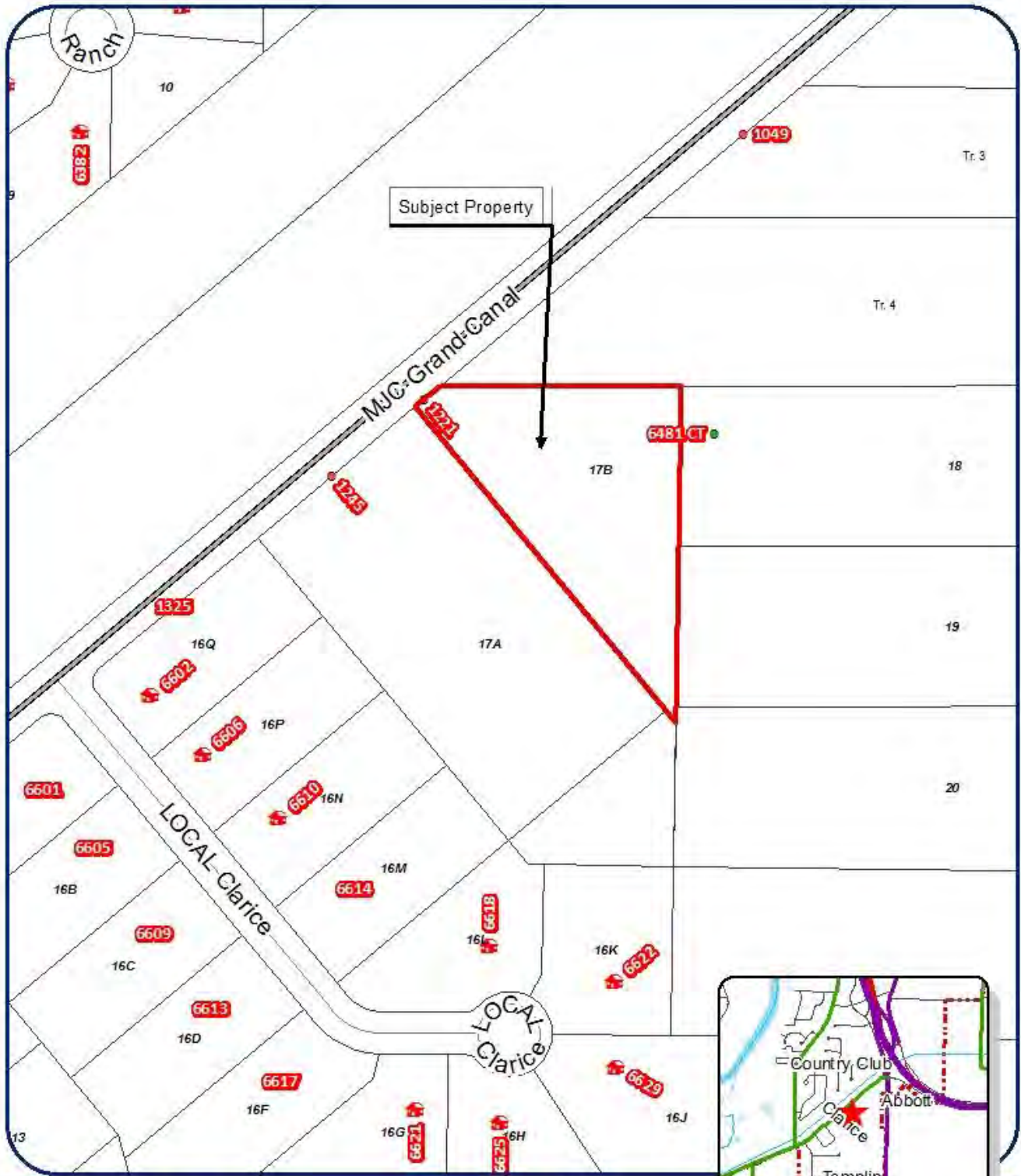
Future Land Use (FLU) Map
Case ZC17-11 Burnett

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): Lot 17B, Blk 2, Sec 2, Sunset Ranch Estates

Legend

- Subject Properties: —
- Current Zoning: PD
- Requested Zoning Change: OW
- Vision: Industrial

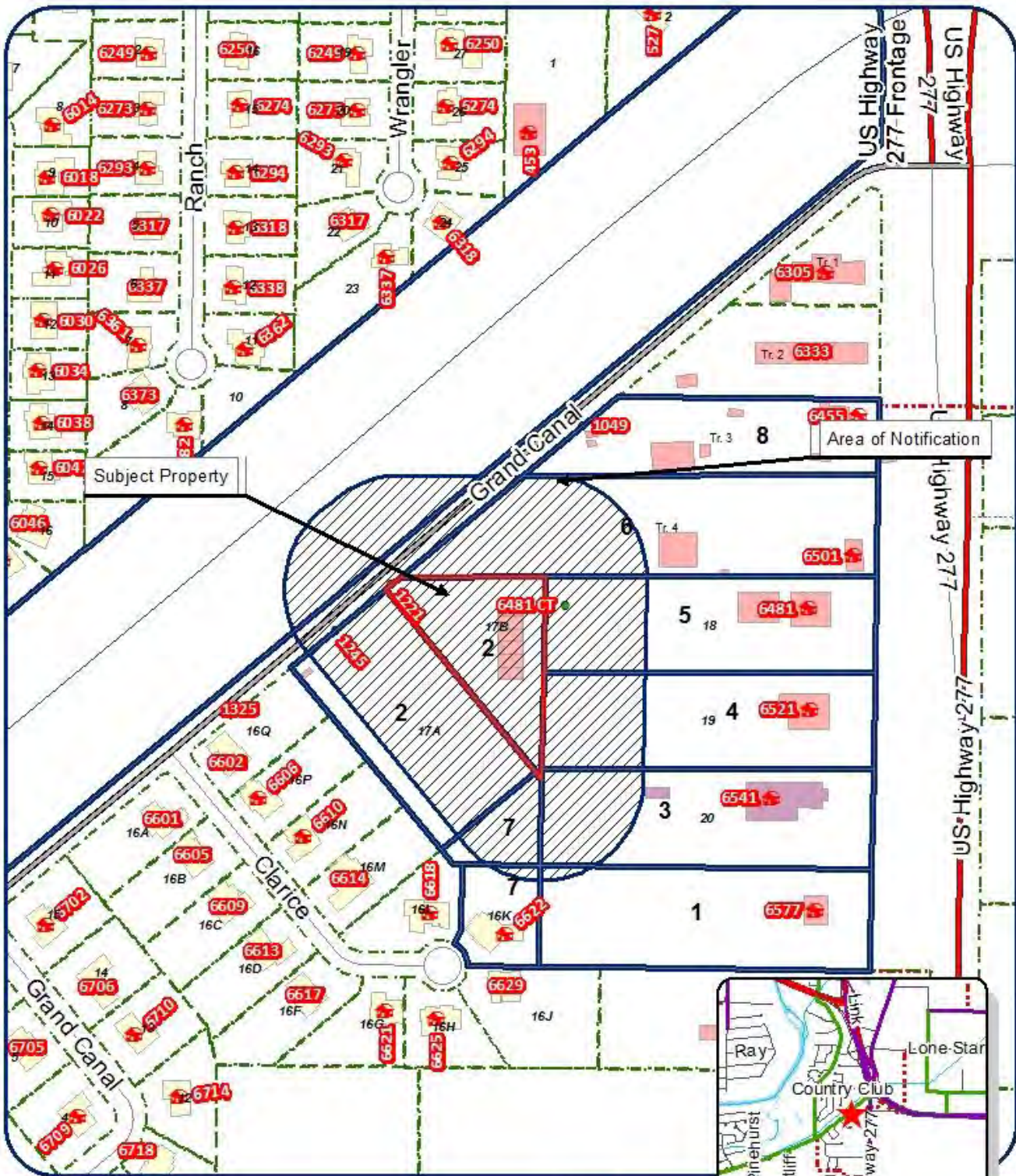




Thoroughfare Map
Case ZC17-11 Burnett
 Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): Lot 17B, Blk 2, Sec 2, Sunset Ranch Estates

Legend
 Subject Properties:
 Current Zoning: PD
 Requested Zoning Change: OW
 Vision: Industrial

N



Notification Map
Case Z17-11 Burnett

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 250 ft
 Subject Property Legal Description(s): Lot 17B, Blk 2, Sec 2, Sunset Ranch Estates

Legend
 Subject Properties: —
 Current Zoning: **PD**
 Requested Zoning Change: **OW**
 Vision: **Industrial**



Site Photos

1221 Grand Canal Road



Existing Building



Looking SW on Grand Canal




Looking NE on Grand Canal





**PLANNING COMMISSION – August 21, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Street Right-of-Way Abandonment		Street Right-of-Way Abandonment: Talk O' Texas Brands, Inc.	
SYNOPSIS:			
The applicant has requested the vacation and abandonment of a 70-foot wide by 400-foot long portion of South Marie Street, comprising a total of 28,000 square feet (0.642 acres) immediately east of their property. The applicant's intent is to use this space for an additional driveway, parking and deliveries to the site. This portion of South Marie Street extends in a north-south direction 400 feet between Bryan Street to the north and Roosevelt Street to the south. The street is identified as a local street in the City's Master Thoroughfare Plan (MTP) and has a caliche surface. At present, this portion of South Marie Street extends an additional 400 feet north as a dirt road to Culberson Street (See additional information below).			
LOCATION:		LEGAL DESCRIPTION:	
South portion of South Marie Street between Bryan Street and Roosevelt Street		Being a 28,000-square foot (0.642-acre) portion of an urban local street located immediately east of Block 13 in the Carruthers Addition to San Angelo, comprising a width of 70 feet and a length of 400 feet.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
West Half: SMD District #3 – Harry Thomas East Half: SMD #4 – Lucy Gonzales Fort Concho Neighborhood		West half: CG/CH – General Commercial/ Heavy Commercial East half: RS-1 - Single-Family Residential	West half: C – Commercial East half: I – Industrial
SIZE:			
28,000 square feet (0.642 acres)			
THOROUGHFARE PLAN:			
South Marie Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 70' right-of-way, 24' unpaved (caliche) and no sidewalk (pre-existing street exempt from these standards, public dedication in accordance with standards at that time).			
NOTIFICATIONS:			
4 notifications mailed within 200-foot radius on August 10, 2017 as required. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment request, subject to the five Conditions of Approval described below.			
PROPERTY OWNER/PETITIONER:			
<i>Adjacent Property Owners: Albert Ricci and Mary Brown</i> <i>Applicant: Erica Carter, SKG Engineering, LLC on behalf of Ricci/Brown (Talk O' Texas Brands, Inc)</i>			
STAFF CONTACT:			
Jeff Fisher, Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information:

Planning Staff circulated all relevant municipal departments, as well as public and private utility companies and there were no responses in opposition to the request. The Fire Prevention Division will require, as a condition of approval, that a minimum 20-foot fire lane be installed along the east side of the building within the South Marie Street proposed abandonment area for fire safety. This portion of South Marie Street has a 70-foot right-of-way and a minimum paving width (caliche surface) of 24 feet at its narrowest point. This would allow sufficient space for future parking and maneuvering area, with the latter acting as the future fire lane which would require a minimum of 24-feet for two-way traffic as per Section 511.G. of the Zoning Ordinance.

The City of San Angelo intends to acquire a perpetual public sidewalk and utility easement along the west portion of the applicant’s property adjacent to South Bell Street for a future sidewalk and water main within this area. The city will require this easement prior to recordation of any future right-of-way abandonment, ensuring that a future water main and sidewalk can be constructed for the benefit of the city and its residents. Additional conditions will include a replat of the abandoned portion of the street into the adjacent lot, a zone change of the remaining 35-foot wide strip of the future abandoned area zoned RS-1 to CG/CH to avoid dual zoning and an unbuildable portion, and payment of the City’s assessment formula for the abandoned area. The applicant has expressed interest in obtaining the entire 0.642-acre abandonment area, and the City, which owns the property immediately to the east, has waived their interest in acquiring their half of the abandoned area. Therefore, the applicant will be required to pay the full assessed value of the abandoned area, to be determined by the City’s Real Estate Division.

Analysis:

Planning Staff reviewed all relevant case history, relevant ordinances and policies, and conducted a site visit to the property on August 15, 2017 to determine the appropriateness of abandoning the said public street right-of-way.

Site Analysis and Traffic Circulation Patterns

Planning Staff does not believe existing or anticipated traffic patterns would be negatively affected if the subject portion of South Marie Street between Bryan Street and Roosevelt Street is closed. At present, this portion of South Marie Street acts as a rear yard for the existing Talk O’ Texas okra pickle bottling facility. Surrounding properties use alternate streets for access and do not appear to utilize this portion of South Marie Street. The storage facility to the north has access from North Bell Street and the two residential properties to the north are accessed from Culberson Street as the portion of South Marie Street north of the proposed abandonment is a dirt road in poor condition. As discussed, the City owns the vacant property to the east. At this time, the City has not expressed any plans to develop this property. The Planned Development (PD09-01) boundary for the future expansion of the City Maintenance Facility is located further southeast, and does not include the City’s property east of the abandonment. Should the City decide to develop this lot or sell in future, access could be provided from Roosevelt Street, which is designated as a future Arterial Road in the Master Thoroughfare Plan (MTP). For these reasons, Staff believe closing this portion of South Marie Street would not create any detrimental effects as this portion does not appear to be used by any surrounding property owner, except for the applicant who intends to acquire, pave, and maintain it. Staff does not believe this portion provides any public benefit. Closing this portion would also remove any additional expense of the City having to upgrade it in future.

Case History

Planning Staff reviewed past case history pertaining to the subject street portion. On July 14, 1975, the Planning Commission denied a request to abandon the full length of South Marie Street from Culberson Street to Roosevelt Street as well as the portion of Bryan Street between South Bell Street and South Marie Street. The City Engineer at that time cited water and sewer lines and circulation as grounds for denial. It was also referenced that this street was to provide access to an approved subdivision, Ricci Addition, which was approved but never recorded. Today, there are no water or sewer lines in this portion of South Marie Street, and the Ricci Addition was never approved. A future replat would still have abutting access from three streets – South Bell Street, Roosevelt Street, and Bryan Street, providing ample access alternatives. As mentioned, it appears that the development of this area has used other streets as main access points, and this portion of South Marie Street only provides access to Talk O' Texas.

Relevant Ordinances and Policies

The proposed abandonment would not contravene any applicable City Ordinance. As conditions of approval, the applicant would be required to replat the abandonment area into the Talk O' Texas property as well as rezone the east half from RS-1 to CG/CH to avoid dual zoning and an unbuildable lot portion as the RS-1 zone requires a 50 foot frontage and the east half of the abandonment would only be 35 feet. The associated replat would allow the city to obtain the necessary street improvements of one-half the incremental paving width for Roosevelt Street and Bell Street, Arterial Streets, and Bryan Street, a Local Street. The required minimum 20-foot fire lane will ensure the City will have access for fire emergencies.

Recommendation:

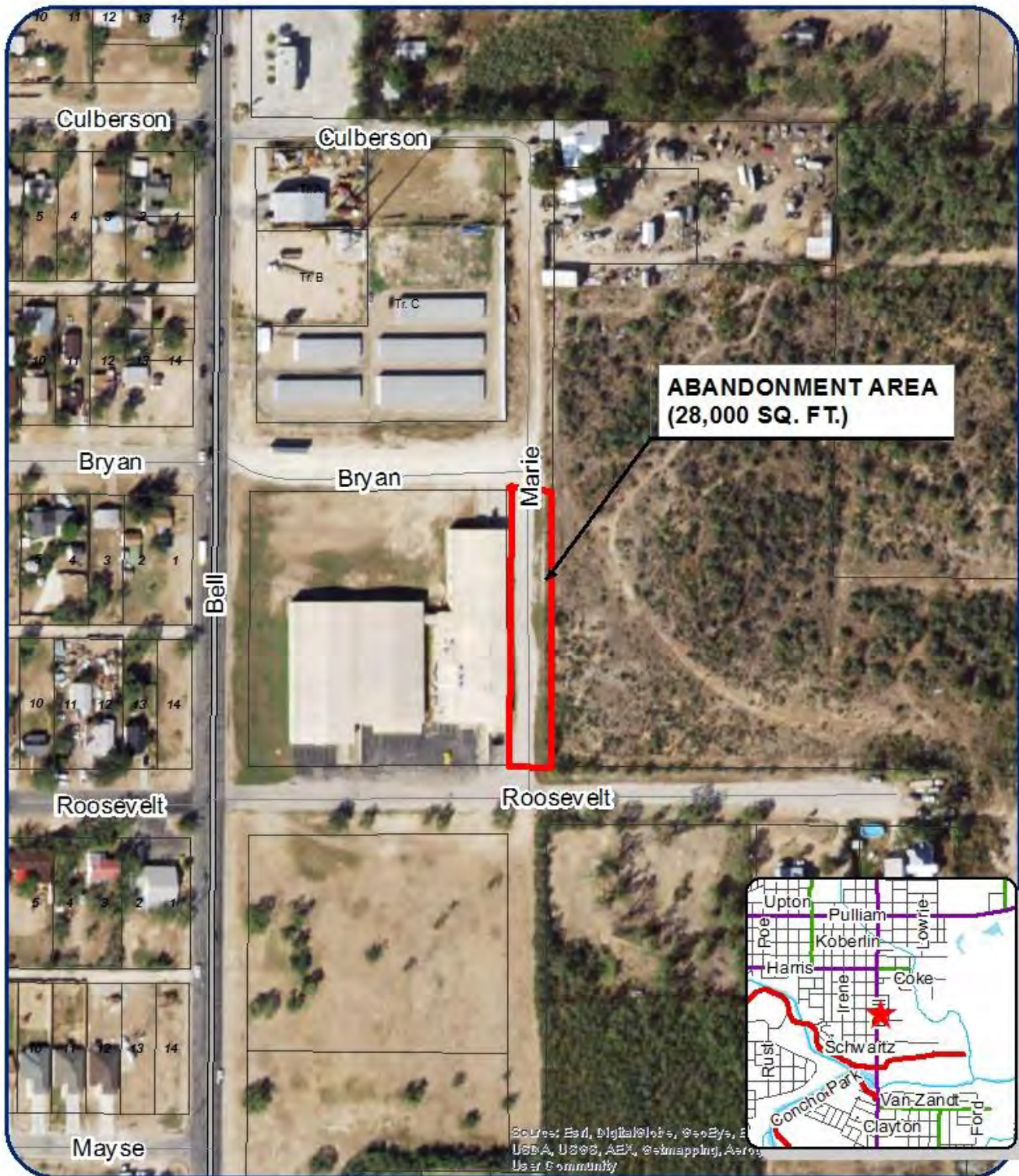
Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed vacation and abandonment of a 0.642-acre (28,000-square feet) segment of the South Marie Street public right-of-way, **subject to following five Conditions of Approval:**

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject abandonment area into the abutting property, 1608 & 1610 Roosevelt Street, meeting all requirements of the Land Subdivision Ordinance.
2. Remit payment for the assessment formula outlined in the fee schedule, if the abandonment is approved, for the entire abandoned area, totaling \$2,625.00. The City, as an abutting property owner, is entitled to ½ of the abandoned right-of-way, but the City has determined its portion of the abandoned right-of-way is surplus property and authorizes the City Manager to sign documents necessary to convey its portion of the abandoned right-of-way to the applicant, per the Code of Ordinances, Section A9.008.
3. Provide the City of San Angelo with a perpetual public sidewalk and utility easement along the west portion of the abutting property, 1608 & 1610 Roosevelt Street, for a future public sidewalk and utilities. The City will pay the applicant \$660.00 for use and benefit of the said easement.
4. An approved Rezoning for the proposed abandonment area shall be required prior to platting.

5. A 20-foot wide Fire Lane paved with two-course asphalt or concrete shall be provided to service the neighboring businesses. The lane shall be marked with a red line and white lettering. If the fire lane extends more than 150 feet in length, a proper turnaround will need to be installed, consistent with the 2015 International Fire Code.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Roadway Abandonment Exhibit
Field Notes
Application



Source: Esri, DigitalGlobe, GeoEye, Earthstar (United States), USDA, USGS, AeroGRID, IGN, Sina, Swire, etc.

ROW (Street) Abandonment Case File

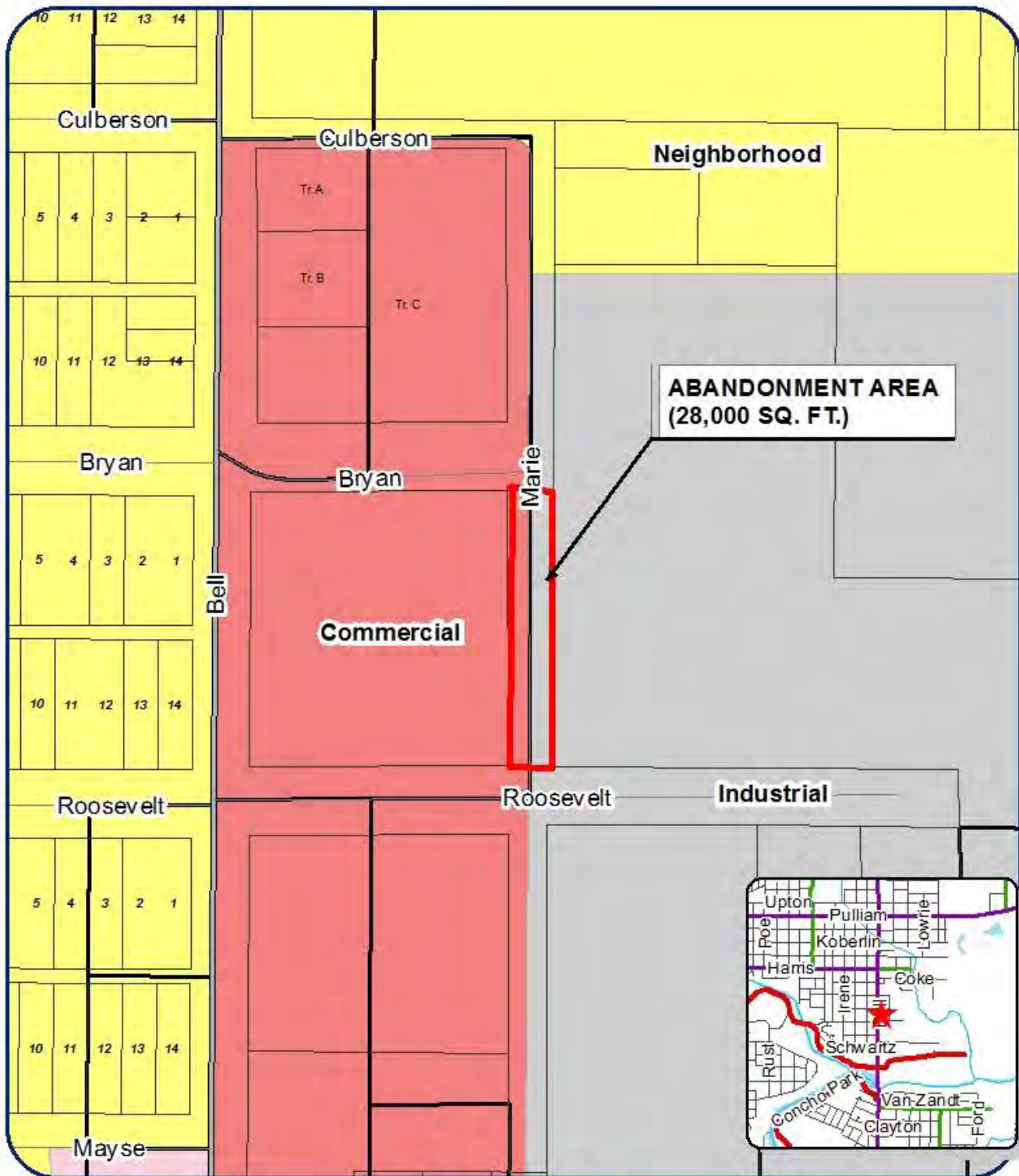
Talk O' Texas Brands Inc.

Council District: Thomas (SMD3)/Gonzales (SMD4)
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 4,870 ft
 Subject Property: East of 1610 Roosevelt St.

Legend

- Subject Properties: █
- Current Zoning: **CG/CH AND RS-1**
- Requested Zoning Change: **N/A**
- Vision: **Commercial and Industrial**





ROW (Street) Abandonment Case File

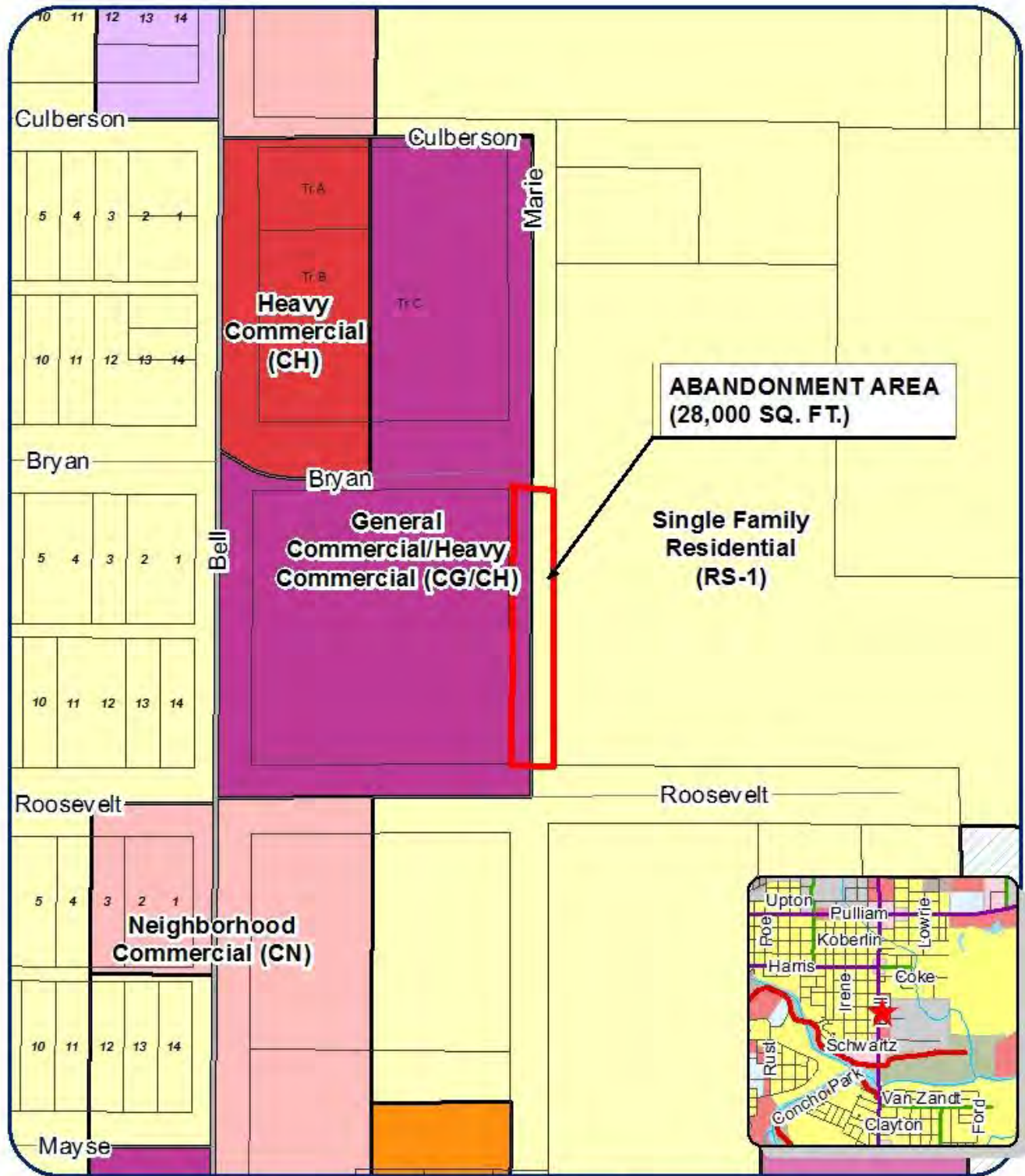
Talk O' Texas Brands Inc.

Council District: Thomas (SMD3)/Gonzales (SMD4)
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 4,870 ft
 Subject Property: East of 1610 Roosevelt St.

Legend

Subject Properties: —
 Current Zoning: **CG/CH AND RS-1**
 Requested Zoning Change: **N/A**
 Vision: **Commercial and Industrial**





ROW (Street) Abandonment Case File

Talk O' Texas Brands Inc.

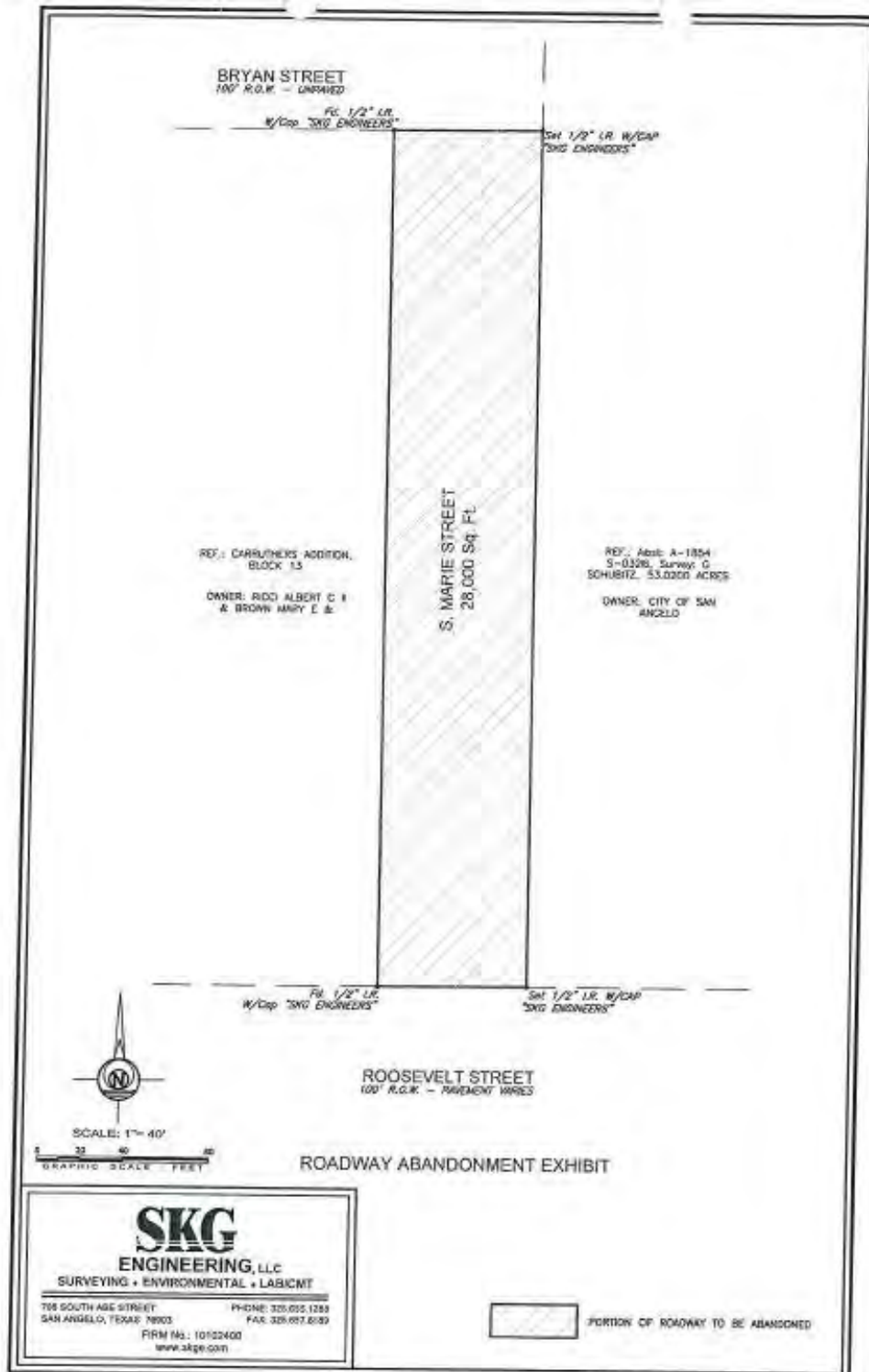
Council District: Thomas (SMD3)/Gonzales (SMD4)
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 4,870 ft
 Subject Property: East of 1610 Roosevelt St.

Legend

Subject Properties: █
 Current Zoning: CG/CH AND RS-1
 Requested Zoning Change: N/A
 Vision: Commercial and Industrial



Roadway Abandonment Exhibit



Field Notes

FIELD NOTES

Roadway Abandonment (28,000 Square Feet)

June 22, 2017
17-S-0074

Being an area of 28,000 Square Feet of land and being a part of South Marie Street adjacent to Block 13, Carruthers Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Volume 108, Page 80-81, Deed Records of Tom Green County, Texas and said 28,000 Square Feet Tract being more particularly described by metes and bounds as follows:

Beginning at a ½” iron rod with cap marked “SKG ENGINEERS” found for the northwest corner of this tract and northeast corner of said Block 13, and being the intersection of the south line of Bryan Street and the west line of said South Marie Street,

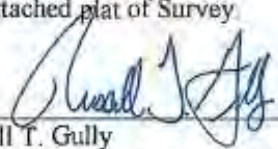
Thence with the north line of this tract and the extension of the south line of said Bryan Street, N. 89° 47’ 28” E. 70.00 feet to a ½” iron rod with cap marked “SKG ENGINEERS” set for the northeast corner of this tract;

Thence with the east line of this tract and said South Marie Street, S. 00° 12’ 32” E. 400.00 feet to a ½” iron rod with cap marked “SKG ENGINEERS” set for the southeast corner of this tract and being the intersection of the east line of said South Marie Street and the north line of Roosevelt Street,

Thence with the south line of this tract and the north line of said Roosevelt Street, S. 89° 47’ 28” W. 70.00 feet to a ½” iron rod with cap marked “SKG ENGINEERS” found for the southwest corner of this tract and the southeast corner of said Block 13 and being the intersection of the north line of said Roosevelt Street and the west line of said South Marie Street,

Thence with the west line of this tract and said South Marie Street and the east line of said Block 13, N. 00° 12’ 32” W. 400.00 feet to the place of beginning and containing an area of 28,000 square feet of land.

See attached plat of Survey.


Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400





City of San Angelo, Texas – Planning Division
 52 West College Avenue
**Application to Abandon Right-of-way for
 Street(s) and/or Alley(s)**



Section 1: Basic Information

Name of Applicant(s): SKG Engineering, LLC.
 Owner Representative (Affidavit Required)

706 South Abe Street San Angelo Texas 76901
 Mailing Address City State Zip Code

325.655.1288 erica@skge.com
 Contact Phone Number Contact E-mail Address

1610 Roosevelt San Angelo Texas 76905
 Subject Property Address City State Zip Code

Tract A, Ricci Addition
 Legal Description (can be found on property tax statement or at www.texasrevenue.com)

Lot Size: 3.6800 Zoning: CG/CH

Section 2: Site Specific Details

Subdivision Name: Ricci Addition

Lots and/or Blocks Affected*: Tract A and a portion of South Marie Street

General Description of Location*: 400' by 70' portion of South Marie Street adjacent to 3.6800 acres, Tract A, Ricci Addition. The right of way has not been maintained and is unsafe.


Reason for Abandonment* The only people who use this portion of the road daily are the employees and delivery trucks for Talk of Texas. It would be safer to abandon and make a part of Talk of Texas land so they can pave that area in the future and keep it maintained.

*Use attachment if necessary.

Effective January 3, 2017

Section 3: Applicant's acknowledgement

I/We the undersigned acknowledge that the information provided above is true and correct.


Signature of licensee or authorized representative
affirming the truth of the above statement.

7/10/17
Date

ERICA CARTER
Printed name of licensee or authorized representative

SKG ENGINEERING LLC
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 8, 4, 17

Non-Refundable Fee: \$ 450.00 Receipt #: 269514 Date paid: 8, 4, 17

Date of hearing by Planning Commission: 8, 21, 17 Date of hearing by City Council: 9, 19, 17
and 10/3/17

Reviewed/Accepted by: J. Fisher