



**PLANNING COMMISSION – November 13, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Preliminary Plat		Preliminary Plat, San Angelo Gateway Addition, Section Two	
SYNOPSIS:			
<p>The applicants have submitted a preliminary plat application for 206.242 acres of land north of Gateway Drive and Venture Drive. The proposed preliminary plat includes 22 new industrially zoned lots over 167.099-acres of land, as well as 18.955 acres for open space and a potential detention basin. All of the lots are zoned Light Manufacturing (ML) and well exceed the minimum required lot area of 6,000 sq. ft., minimum lot frontage of 50 feet, and minimum lot depth of 80 feet. The preliminary plat shows an extension of Gateway Drive in a northerly direction, then extending west to connect to North Loop 306 Frontage Road. The plat also includes new streets, "Monument Drive" extending east from the North Loop 306 Frontage Road, and "Prosperity Drive" extending north of Monument Drive and connecting to the future westerly extension of Gateway Drive. All of the proposed streets will be local urban streets with 80-foot right-of-ways and will require 40-foot paving widths at the time of final platting for each phase of development (see attached).</p>			
LOCATION:		LEGAL DESCRIPTION:	
Unaddressed tracts; north of Venture Drive and Gateway Drive, east of North Loop 306 Frontage Road		Being a 206.242 acre remainder of 406.874 acres located in the C.C.S.D. & R.G.N.G. R.R. Co. Survey No. 1111, Abstract 4252	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lucy Gonzales (SMD#4) Neighborhood: Paulann	ML – Light Manufacturing	I – Industrial and C/I – Campus/Institutional	206.242 acres
THOROUGHFARE PLAN:			
<p>North Loop 306 (TXDOT) – Urban Major Arterial Street Required: 80' right-of-way, 64' pavement Provided: 300' right-of-way, 280' pavement</p> <p>Gateway Drive (proposed extension), Monument Drive, Prosperity Drive – Urban Local Streets Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 80' right-of-way, pavement to be provided at time of final platting</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Preliminary Plat for the San Angelo Gateway Addition, Section Two			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owners: AEP Texas Inc. and the City of San Angelo Development Corporation (COSADC)</i></p> <p><i>Agent: Josh Wallender, Parkhill, Smith & Cooper, Inc.</i></p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The preliminary plat includes a 51.897-acre tract, Lot 2 in Block 3 at the southeast corner of North Loop 306 Frontage Road and Monument Drive for a new AEP service center. The applicants, AEP and COSADC have submitted an associated final plat for this tract, which once recorded, will allow a building permit to be issued for this new service center. This final plat cannot be approved until this preliminary plat is approved. Both plats are scheduled to be reviewed at the November 13, 2017 Planning Commission Meeting.

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.2(c)(4) 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 majority of the subject land is designated “Industrial” with a small westerly portion designated “Commercial” and easterly portions designated “Campus/Institutional” in the City’s Comprehensive Plan. The Industrial designation supports industrial and related uses: “These areas are dedicated to aspects of supporting the local economy while mitigating some of their potentially undesirable secondary effects on nearby residences.” The Campus/Institutional designation supports “multi-purpose, mixed-use facilities that provide a wide variety of businesses, housing and office space.” The proposed AEP truck service and office administration center on Lot 2, Block 3, and future industrial/office related uses would be supported under both designations. The subject land is located immediately north of the existing San Angelo Industrial Park which contains a wide range of industrial and office related businesses. The proposed preliminary plat boundary is at least $\frac{3}{4}$ miles from the nearest residential subdivision to the northwest, opposite North Loop 306, minimizing any effects on residential land uses. Properties in the Commercial designation are often “single-use centers consisting of large retail and office clusters that seek visibility and convenient access by frontage on the major street network.” Three of the proposed lots have frontage onto North Loop 306 Frontage Road, which can accommodate large volumes of commercial traffic.

The proposed preliminary plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe, and efficient development of the City (Statement C); streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation (Statement D); and will assist in guiding the future growth and development of the City in accordance with City plans and requirements (Statement E). The proposed street network will provide connections to the future lots and to North Loop 306, a major arterial street which can accommodate extensive commercial traffic. The proposed streets will have extensive 80-foot right-of-ways to accommodate larger commercial vehicles entering and existing the future industrial lots. The extension of Gateway Drive will provide a smooth transition and connection to the existing industrial park to the south.

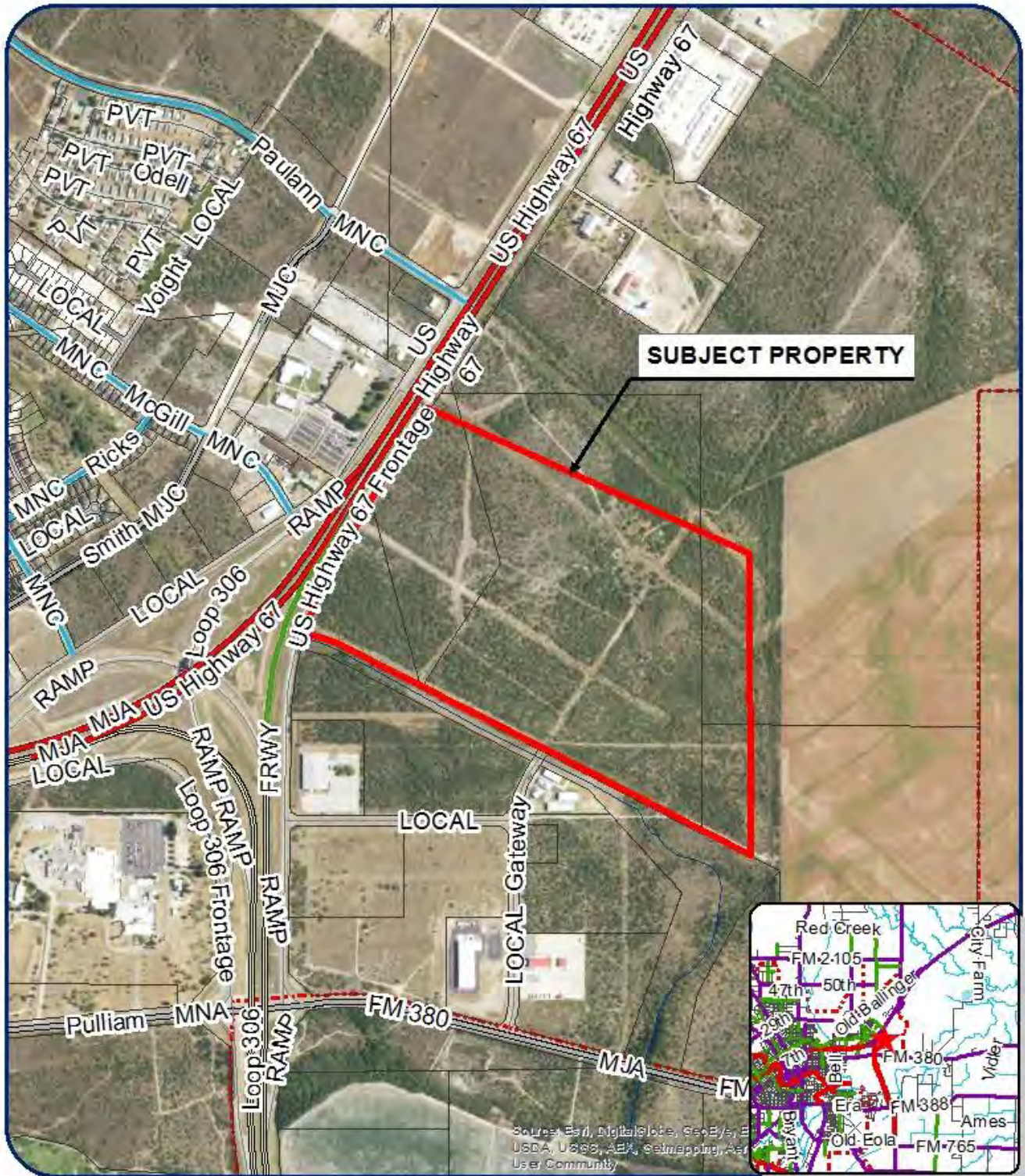
Recommendations: Staff recommends that the Planning Commission **APPROVE** the San Angelo Gateway Addition, Section 2 Preliminary Plat, subject to the following **three Conditions of Approval**:

1. Atmos Energy has no facilities in this location. A main extension will be required if services are requested.

2. As per the International Fire Code, Section 507.5, and Appendix D, fire hydrants and fire department access may need to be provided, depending upon the proposed layout of buildings, and should be addressed as part of the site plan review process.
3. As per the Stormwater Ordinance Section 12.05.001 and the Stormwater Design Manual Section 2.13, if a regional detention option will be moved ahead for this area a preliminary drainage study / master plan will be required. At the time of final Platting additional comments may be required.

Attachments:

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



Preliminary Plat

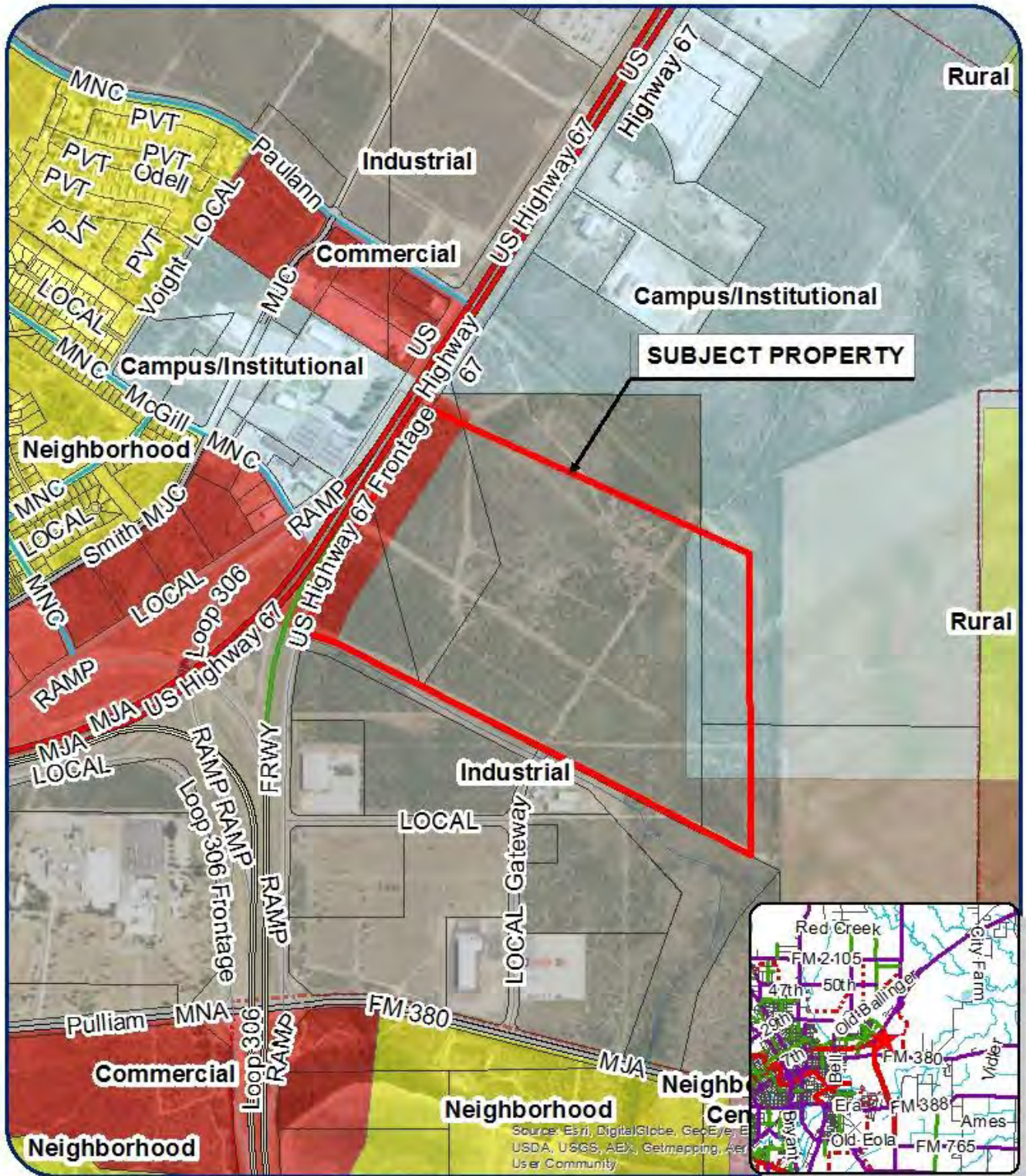
San Angelo Gateway Addition, Section 2


Council District: Lucy Gonzales (SMD #4)
 Neighborhood: Paulann
 Scale: 1" approx. = 1,000 ft
 Subject Property: Unaddressed tracts, 206.242 ac.

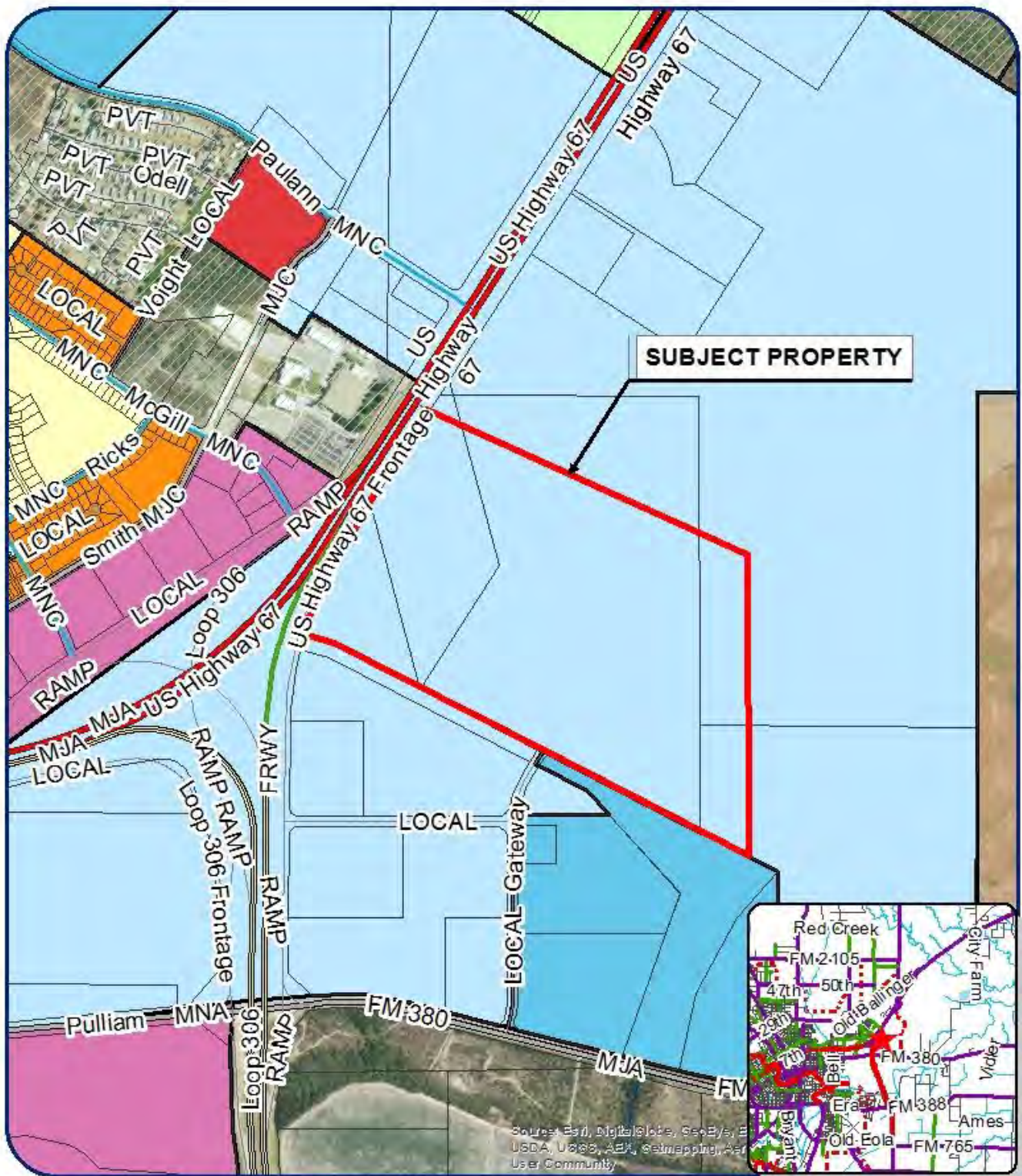
Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Industrial & Campus/Institutional





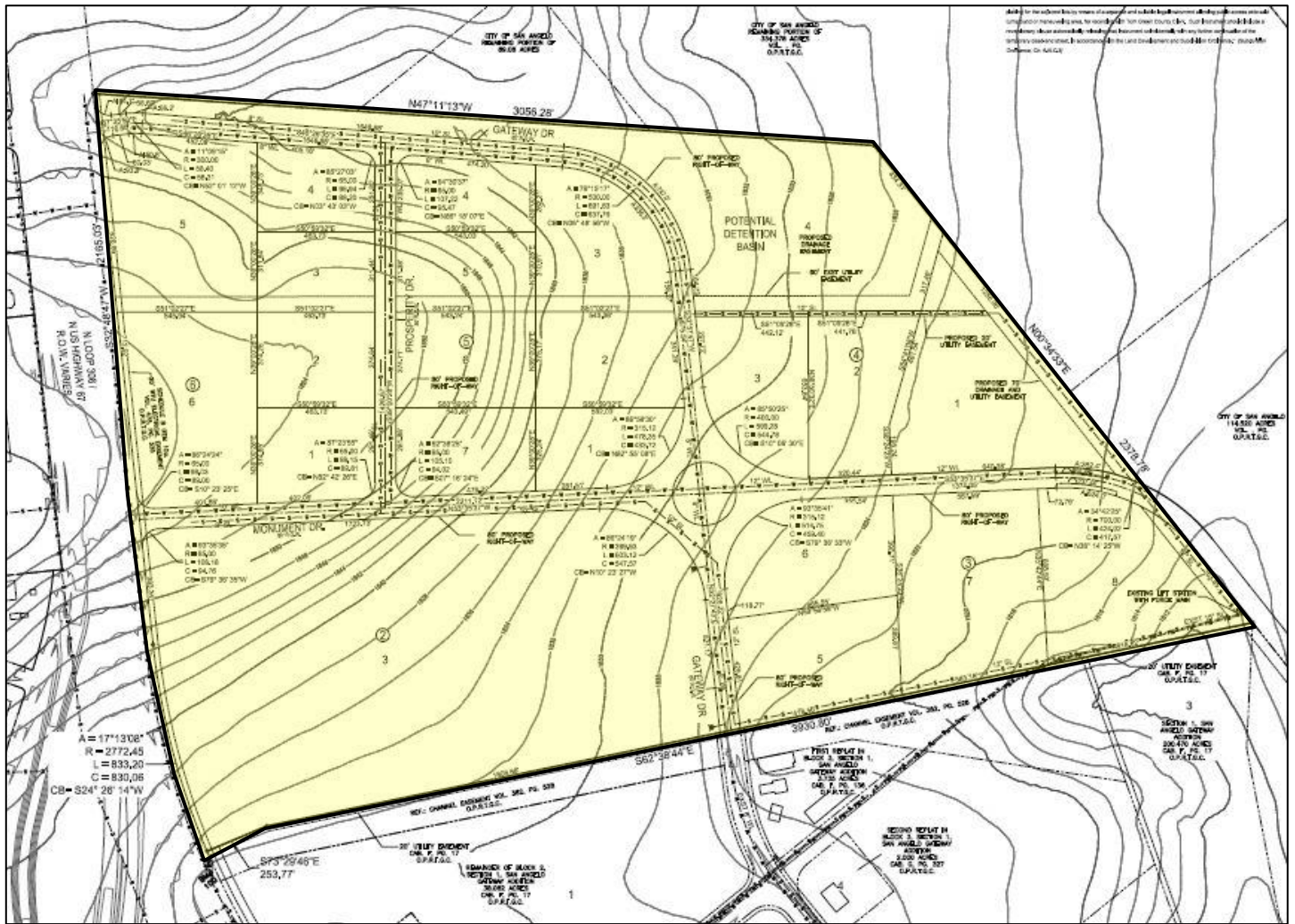
Preliminary Plat		Legend	
San Angelo Gateway Addition, Section 2			
Council District: Lucy Gonzales (SMD #4)	Subject Properties: —	Current Zoning: ML	
Neighborhood: Paulann	Requested Zoning Change: N/A	Vision: Industrial & Campus/Institutional	
Scale: 1" approx. = 1,000 ft			
Subject Property: Unaddressed tracts, 206.242 ac.			



Preliminary Plat		Legend	
San Angelo Gateway Addition, Section 2			
Council District: Lucy Gonzales (SMD #4)	Subject Properties:	— (Red Line)	
Neighborhood: Paulann	Current Zoning:	ML	
Scale: 1" approx. = 1,000 ft	Requested Zoning Change:	N/A	
Subject Property: Unaddressed tracts, 206.242 ac.	Vision:	Industrial & Campus/Institutional	

N

Proposed Preliminary Plat





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

SAN ANGELO GATEWAY ADDITION SECTION 2

Proposed Subdivision Name

ABST: A-4252 S-1111, SURVEY: CCSD & RGNG RR

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

R000072128; R000071654; R000052407

Tax ID Number(s) (can be found on property tax statement or at www.tcomgreenland.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:

Name	Phone Number	Email Address
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Architect/Engineer/Design Professional: PARKHILL SMITH & COOPER (432) 697-1447 JWALLENDER@TEAM-PSC.COM
 Name Phone Number Email Address

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 8" 10" 12"
 City - utilizing existing services Existing size? 8"
 Other Please specify: N/A

Sewer: City - requesting new services Proposed size? 8" 10" 12"
 City - utilizing existing services Existing size? 15"
 Other Please specify: N/A
 Septic System Lot size? N/A

(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: _____

applicable generally to other property.

Section 3: Property Characteristics

206.242 Ac. 22
 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 206.242 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

- Vacant 18.955 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing 167.099 Commercial/Retail _____

Are there existing structures on the property? Yes No

If yes, how many structures exist? N/A What type of structures exist currently? N/A

N/A

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: VOL. 921, PG. 48

Is this proposed plat within the ETJ? Yes No

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: N/A
N/A

Full variance requested Partial variance requested (proposed variation from standard): _____
N/A

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.
N/A

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.
N/A

(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.

N/A

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

ALL OTHER APPLICABLE ORDINANCES WILL BE MET, AND THE VARIANCE FOR LENGTH OF CUL-DE-SAC WILL GO AWAY WITH THE DEDICATION OF THE REMAINDER OF THE STREET RIGHT-OF-WAY IN THE NEAR FUTURE.

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 furnished on this application is true and accurate to the best of my knowledge.

Owner's Signature

Date

Representative's Signature

Date

[Signature]
[Signature]

10-25-17

FOR OFFICE USE ONLY:

Submitted to front desk: 10/25/17 Date Deemed preliminary complete: 10/25/17 Date 4:52pm Time NF Initials

Received by Development Services Technician for completeness review: 10/25/17 Date 4:52pm Time NF Initials

Completeness review passed? Yes 10/25/17 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 11/1/17 Date NF 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 – November 13, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Final Plat		Final Plat of Block 2, Lot 3, San Angelo Gateway Addition, Section Two	
SYNOPSIS:			
<p>The applicants have submitted a final plat for a 51.897-acre property located at the southeast corner of the North Loop 306 Frontage Road and a future street identified on the associated preliminary plat as "Monument Drive". The proposed lot is for a new AEP truck service and office administration center. AEP has applied for an associated building permit for the service station which is on hold pending approval of this final plat, the associated preliminary plat, and all required improvements including construction of new streets, and installation of water and sewer mains. A separate Memorandum of Understanding (MOU) between AEP and the City of San Angelo Development Corporation will outline responsibility for the necessary improvements, as well as the associated proposed conditions of approval below. The subject property is zoned Light Manufacturing (ML) and well exceeds the minimum required lot area of 6,000 sq. ft., minimum lot frontage of 50 feet, and minimum lot depth of 80 feet. The subject will have access from the proposed extension of Gateway Drive. Gateway Drive will be a local urban street with an 80-foot right-of-way and will require a 40-foot paving width (see attached).</p>			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed tract; north of Venture Drive and Gateway Drive, east of North Loop 306 Frontage Road		Being a 53.128-acre tract located in the C.C.S.D. & R.G.N.G. R.R. Co. Survey No. 1111, Abstract 4252	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lucy Gonzales (SMD#4) Neighborhood: Paulann	ML – Light Manufacturing	I – Industrial & C – Commercial	53.128 acres
THOROUGHFARE PLAN:			
<p>North Loop 306 (TXDOT) – Urban Major Arterial Street Required: 80' right-of-way, 64' pavement Provided: 300' right-of-way, 280' pavement</p> <p>Gateway Drive (proposed extension) – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk To be provided: 80' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Final Plat of Block 2, Lot 3, San Angelo Gateway Addition, Section Two			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owners: AEP Texas Inc. and the City of San Angelo Development Corporation (COSADC)</i></p> <p><i>Agent: Josh Wallender, Parkhill, Smith & Cooper, Inc.</i></p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The separate Memorandum of Understanding (MOU) between AEP and the City of San Angelo Development Corporation will require future developer(s) of land to the north of the Gateway Drive extension, and north of the plat, to dedicate the required street right-of-ways and pave the full street widths adjacent to the plat at the time of final platting for those phases of development. This will ensure conformity with the preliminary plan layout. Both this final plat, and the associated preliminary plat, are scheduled to be reviewed at the November 13, 2017 Planning Commission Meeting.

Conformity with Preliminary Plat: Chapter 5.III.A.3 of the Subdivision Ordinance states that “a final plat shall generally conform to the preliminary subdivision plat as approved by the City Planning Commission.” Planning Staff believe that the proposed final plat generally conforms to the preliminary plat submitted by the applicant. The proposed 53.128-acre lot is identical in size and shape to the lot shown as part of the preliminary plat. The lot will have direct and abutting access to the proposed extension of Gateway Drive which will include a temporary turnaround. Although the remainder of Gateway Drive and the northerly street “Monument Drive” shown on the preliminary plat are not shown on this plat, the separate MOU will ensure these streets are built to required standards by adjacent developer(s) in future. Therefore, it appears that the final plat generally conforms to the preliminary plat.

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.3(c)(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 property is predominantly designated “Industrial” with a small strip along the westerly most portion designated “Commercial” in the City’s Comprehensive Plan. The Industrial designation supports industrial and related uses: “These areas are dedicated to aspects of supporting the local economy while mitigating some of their potentially undesirable secondary effects on nearby residences.” Properties in the Commercial designation are often “single-use centers consisting of large retail and office clusters that seek visibility and convenient access by frontage on the major street network.” The proposed AEP truck service and office administration center would be consistent with both designations. The subject land is located immediately north of the existing San Angelo Industrial Park which contains a wide range of industrial and office related businesses. The proposed final plat boundary is at least $\frac{3}{4}$ miles from the nearest residential subdivision to the northwest, opposite North Loop 306, minimizing any effects on residential land uses. The proposed lot also has frontage onto North Loop 306 Frontage Road, which can accommodate large volumes of commercial traffic.

The proposed final plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe, and efficient development of the City (Statement C); streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation (Statement D); and will assist in guiding the future growth and development of the City in accordance with City plans and requirements (Statement E). As mentioned, the proposed lot will match the same lot configuration as shown on the preliminary plat. The proposed extension of Gateway Drive will have an extensive 80-foot right-of-way to accommodate larger commercial vehicles entering and existing the future service center. The extension will also provide a smooth transition and connection to the existing industrial park to the south. Finally, as mentioned, the separate MOU will ensure the remainder of Gateway Drive and the other adjacent street, Monument Drive, are built to required standards by adjacent developer(s) in future.

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

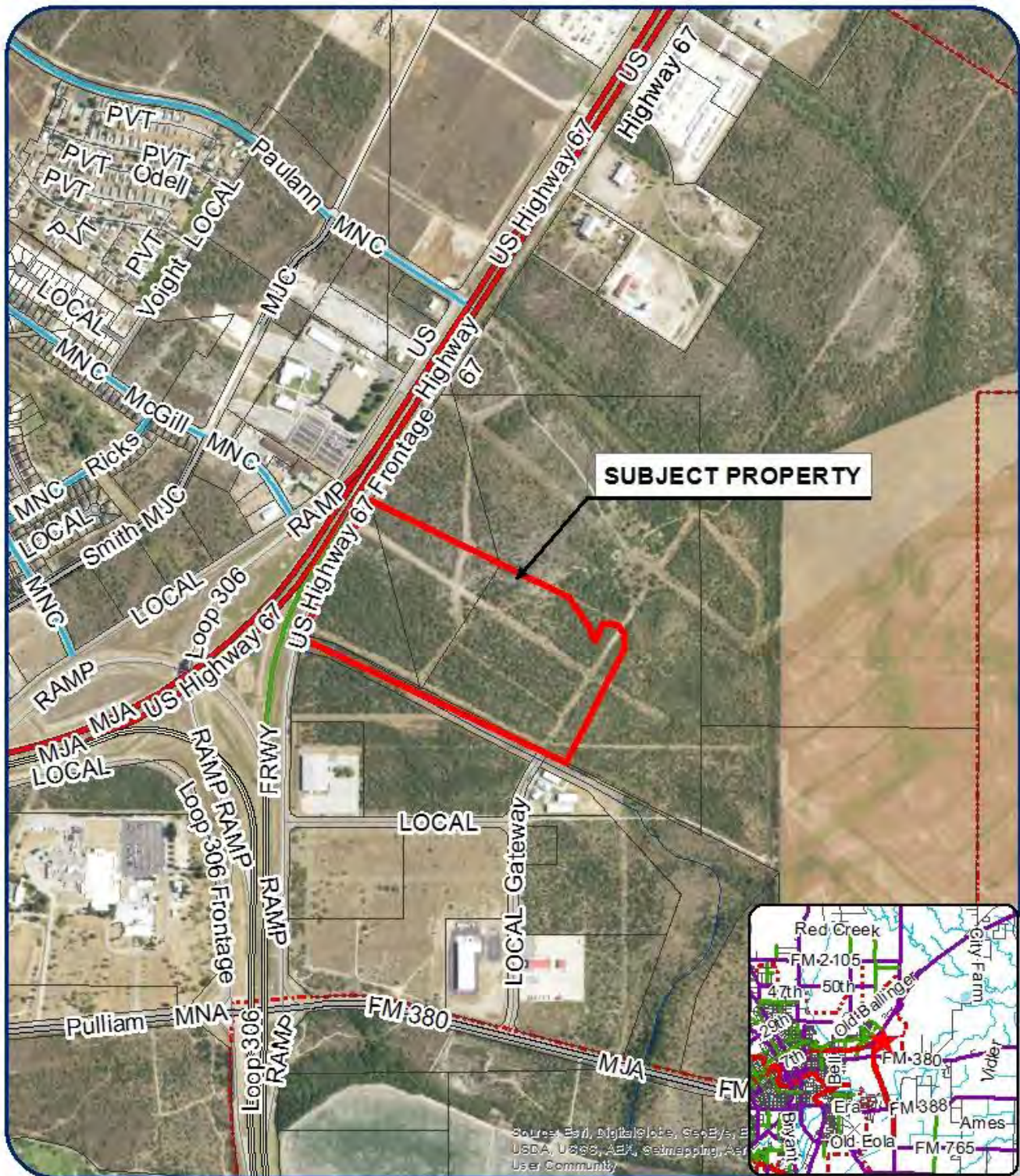
APPROVE the “Final Plat of Block 2, Lot 3, San Angelo Gateway Addition, Section 2”.

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

1. Atmos Energy has no facilities in this location. A main extension will be required if services are requested.
2. As per the 2015 International Fire Code, Section 507.5 and Appendix D, fire hydrants and fire department access may need to be provided, depending upon the proposed layout of buildings, and should be addressed as part of the site plan review process.
3. As per Chapter 7.II.A of the Land Development and Subdivision Ordinance, 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.
4. As per Chapter 10 of the Land Development and Subdivision Ordinance, prepare and submit plans illustrating the required construction/required improvements to the extension of Gateway Drive, meeting the requirements for an urban local street with a minimum 40 feet of pavement with curb-and-gutter. Alternatively, as per Chapter 6, submit a financial guarantee ensuring the completion of these improvements within an 18 month period. A second alternative, as per Chapter 1.IV, would be to obtain approval of a variance from the Planning Commission.
5. As per the Stormwater Ordinance, Section 12.05.001 and the Stormwater Design Manual, Section 2.13, a drainage study shall be submitted if the impervious area changes by 5% and development* of a site exceeds 1 acre. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
6. As per Chapter 11.1.A of the Land Development and Subdivision Ordinance, and the International Fire Code, Section 507.5.1, Exception 1, prepare and submit plans for approval, illustrating the proposed installation of a water and sewer main and required service connections and hydrants and complete the installation in accordance with the approved version of these plans. Alternatively, as per 6 of the Land Development and Subdivision Ordinance, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

Attachments:

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



SUBJECT PROPERTY

Final Plat of Block 2, Lot 3

San Angelo Gateway Addition, Section 2

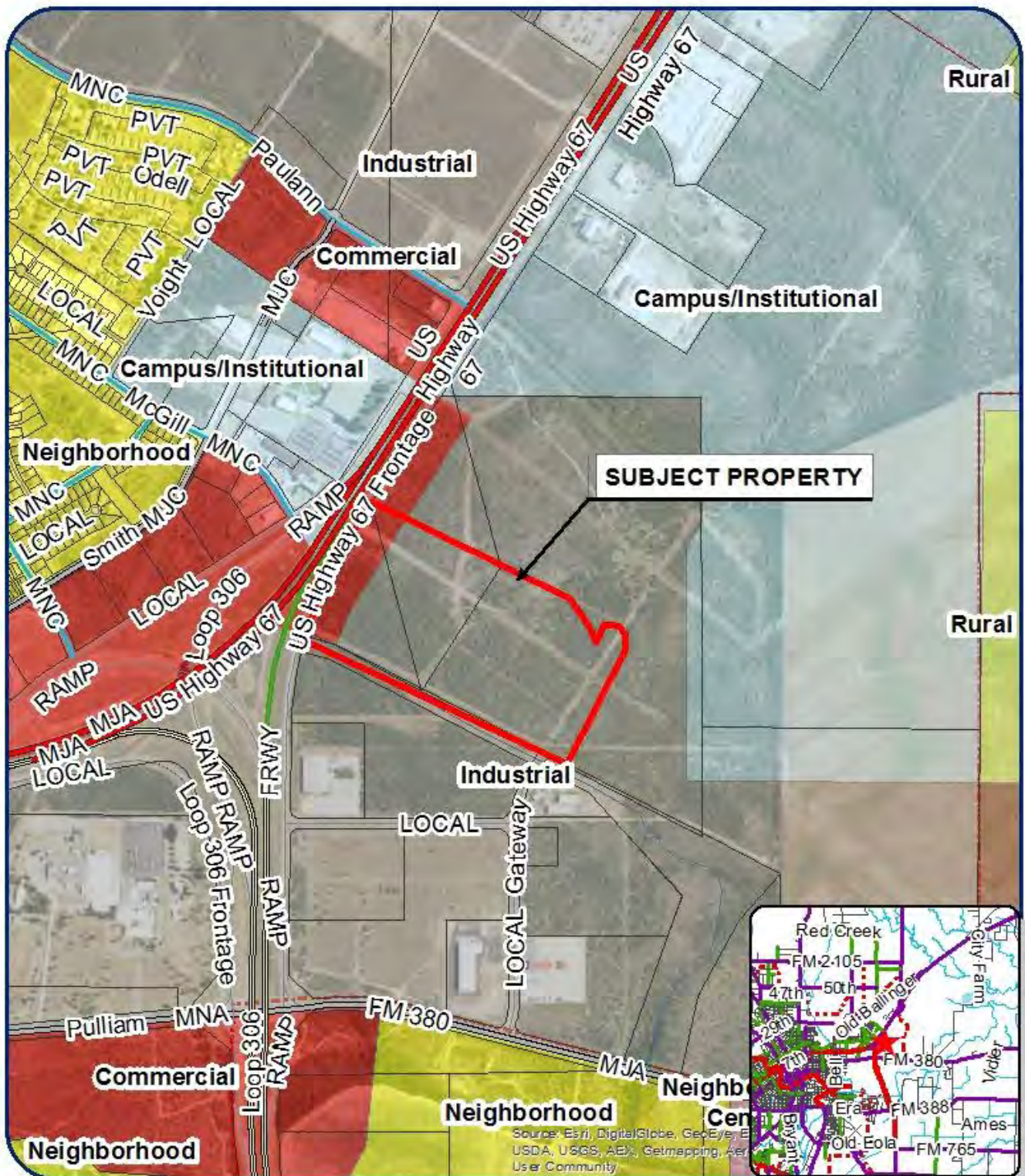
Council District: Lucy Gonzales (SMD #4)
 Neighborhood: Paulann
 Scale: 1" approx. = 1,000 ft
 Subject Property: Unaddressed tract, 53.128 ac.

Legend

Subject Properties: —
 Current Zoning: **ML**
 Requested Zoning Change: **N/A**
 Vision: **Industrial & Commercial**



Sources: Esri, DigitalGlobe, GeoEye, Earthstar (United States), USDA, USGS, AeroGRID, IGN, Sateo (Japan), User Contributed Imagery



Final Plat of Block 2, Lot 3

San Angelo Gateway Addition, Section 2

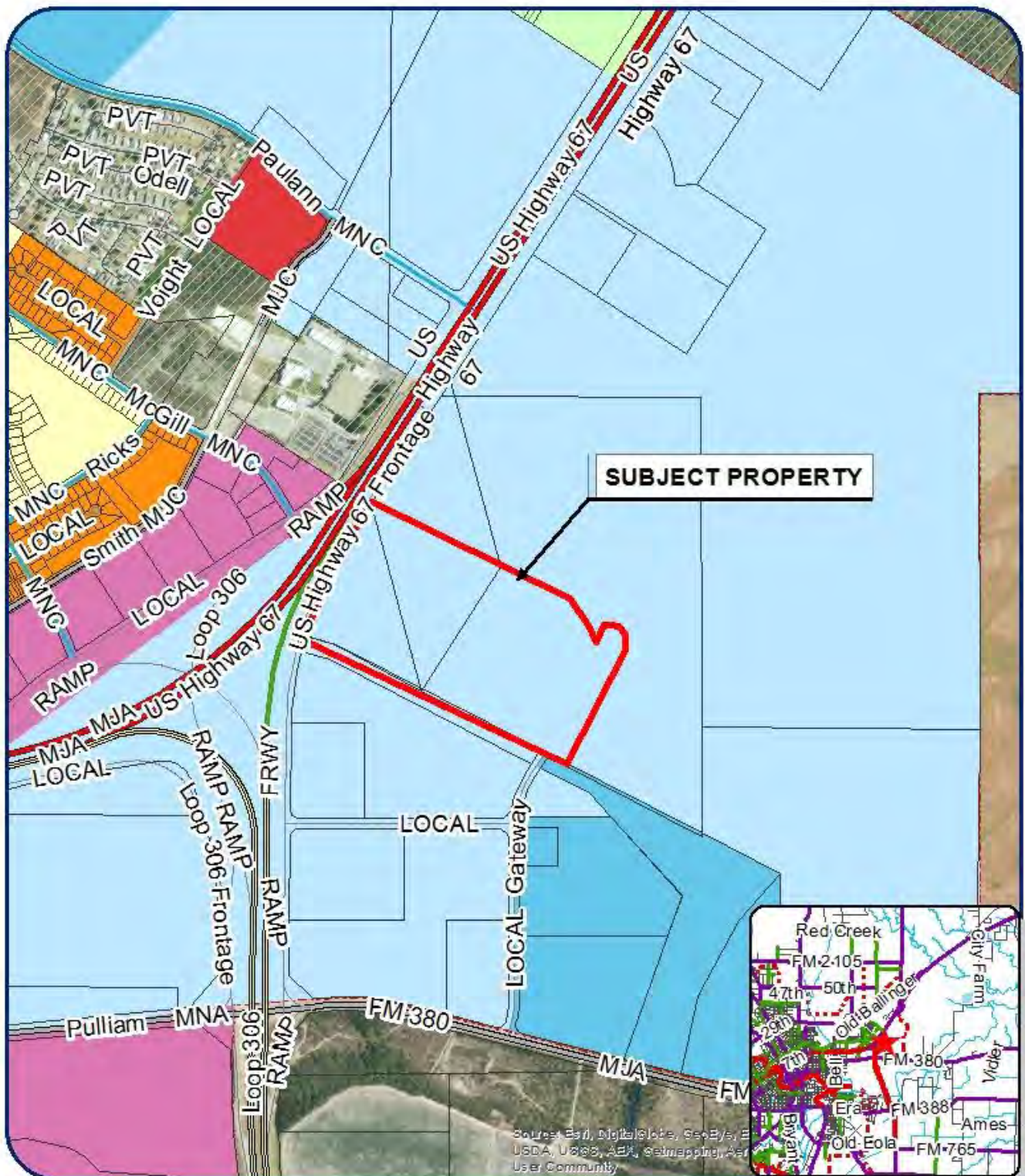
Council District: Lucy Gonzales (SMD #4)
 Neighborhood: Paulann
 Scale: 1" approx. = 1,000 ft
 Subject Property: Unaddressed tract, 53.128 ac.

Legend

Subject Properties: —
 Current Zoning: **ML**
 Requested Zoning Change: **N/A**
 Vision: **Industrial & Commercial**

Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, Getmapping, Aer

City of San Angelo



Final Plat of Block 2, Lot 3

San Angelo Gateway Addition, Section 2

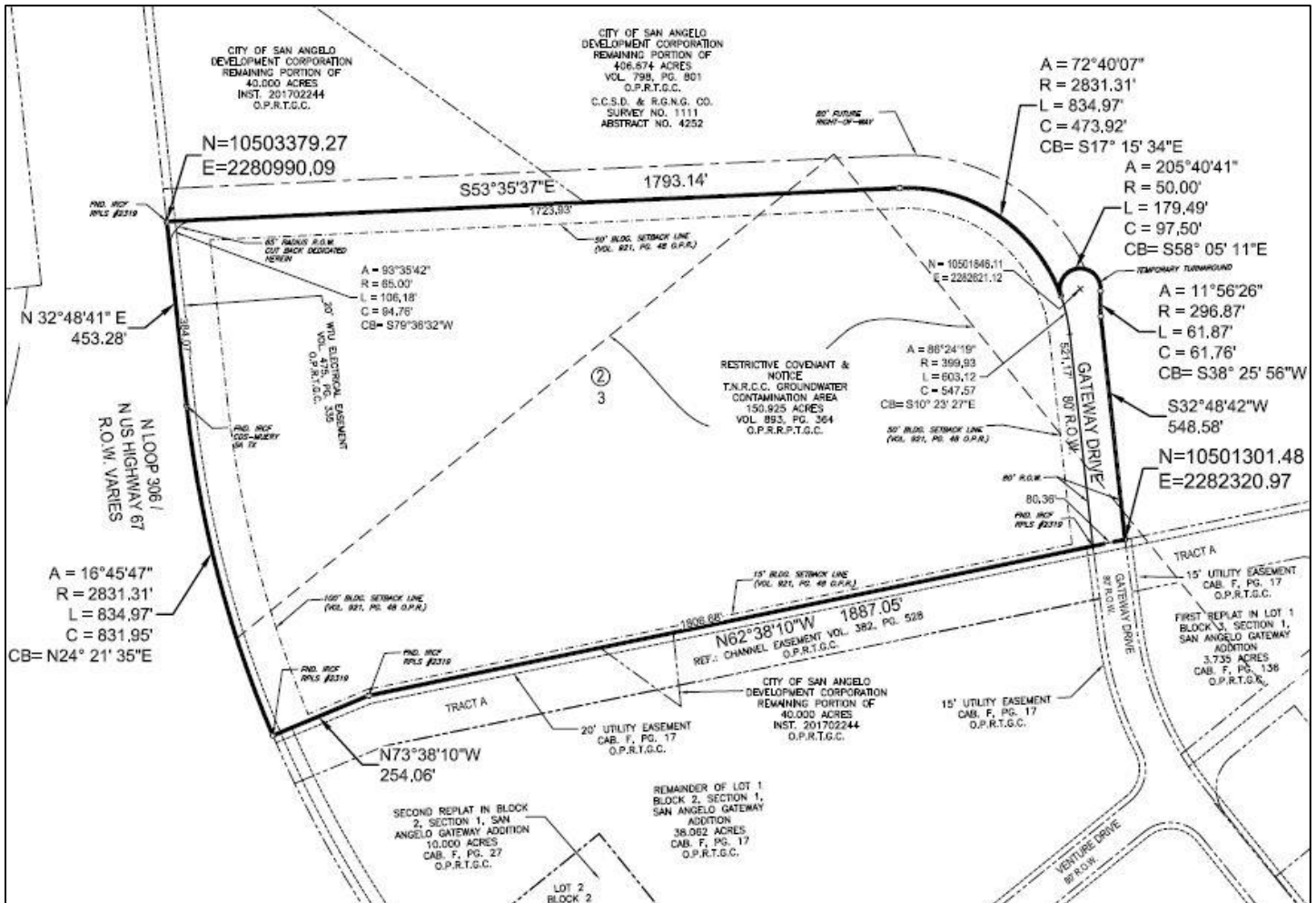
Council District: Lucy Gonzales (SMD #4)
 Neighborhood: Paulann
 Scale: 1" approx. = 1,000 ft
 Subject Property: Unaddressed tract, 53.128 ac.

Legend

Subject Properties: —
 Current Zoning: **ML**
 Requested Zoning Change: **N/A**
 Vision: **Industrial & Commercial**



Proposed Final Plat





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

SAN ANGELO GATEWAY ADDITION SECTION 2

Proposed Subdivision Name

ABST: A-4252 S-1111, SURVEY: CCSD & RGNG RR

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

R000072128; R000071854; R000052407

Tax ID Number(s) (can be found on property tax statement or at www.texasgreenroad.com under Geographic ID)

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name _____ Phone Number _____ Email Address _____

Property Owner:

Name _____ Phone Number _____ Email Address _____

Architect/Engineer/Design Professional: **PARKHILL SMITH & COOPER** **(432) 897-1447** **JWALLENDER@TEAM-PSC.COM**
 Name Phone Number Email Address

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 8", 10", 12"
 City - utilizing existing services Existing size? 8"
 Other Please specify: N/A

Sewer: City - requesting new services Proposed size? 8", 10", 12"
 City - utilizing existing services Existing size? 15"
 Other Please specify: N/A
 Septic System Lot size? N/A

(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: N/A

apportion generally to other property.

Section 3: Property Characteristics

53.128 Ac. _____ Total Acreage of Proposed Subdivision/Resubdivision
1 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 OG OG/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 53.128 _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

- Vacant _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing 53.128 _____ Commercial/Retail _____

Are there existing structures on the property? Yes No

If yes, how many structures exist? N/A What type of structures exist currently? N/A

N/A

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: VOL. 921, PG. 48

Is this proposed plat within the ETJ? Yes No
NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it.

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

if yes, provide all of the following information

Request 1: Full ordinance citation from Subdivision Ordinance standard from which variance is requested _____

N/A

Full variance requested Partial variance requested (proposed variation from standard) _____

N/A

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.

N/A

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.

N/A

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.

N/A

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

N/A

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 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.

P. Todd Island
 Owner's Signature

10-27-17
 Date

[Signature]
 Representative's Signature

10-25-17
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/25/2017 Date 10/25/17 Date 4:45pm Time JK Initials

Received by Development Services Technician for completeness review: 10/25/17 Date 4:45pm Time JK Initials

Completeness review passed? Yes 10/25/17 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 11/1/17 Date JK 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 – November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Final Plat		Final Plat, Bentwood Country Club Estates, Sections 40A and 40B	
SYNOPSIS:			
This is a combined report that contains two applications. The Bentwood Country Club Estates Section 40A Final Plat application seeks to create 13 new residential lots and the Bentwood Country Club Estates Section 40B Final Plat seeks to create 14 new residential lots. NO variances are being sought with either request.			
LOCATION:		LEGAL DESCRIPTION:	
Generally located east of the intersection of Silver Creek Pass and Pine Valley Street		<p>Section 40A: Being 3.972 acres out of the H Zerbach Survey 178, Abstract 4210, City of San Angelo, Texas</p> <p>Section 40B: Being 6.138 acres out of the H Zerbach Survey 178, Abstract 4210, City of San Angelo, Texas</p>	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #1 – Tommy Hiebert Country Club Neighborhood	RM-1 – Low-Rise Multifamily	Neighborhood	3.972 acres & 6.138 acres
THOROUGHFARE PLAN:			
<p>Silver Creek Pass – Urban Local Street, Required 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ min, without. Actual 50’ ROW, 40’ paving width with no sidewalks</p> <p>Pine Valley Street – Urban Local Street, Required 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ min, without. Actual 50’ ROW, 40’ paving width with no sidewalks</p>			
STAFF RECOMMENDATION:			
Staff recommends that the Planning Commission APPROVE the Final Plat of Bentwood Country Club Estates Section 40A, subject to five Conditions of Approval , and APPROVE the Final Plat of Bentwood Country Club Estates Section 40B, subject to five Conditions of Approval .			
NOTIFICATIONS:			
Final Plats do not require notification			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Stonewall Ranches</p> <p><i>Agent:</i> Russell Gully, SKG Engineering</p>			
STAFF CONTACT:			
<p>Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us</p>			

Recommendations:

Staff recommends that the Planning Commission **APPROVE** the Final Plat, Proposed Replat of Section 40A, **subject to the following five Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Atmos Energy has gas in the area, if planned, main extensions will be needed to serve these lots.
3. Prepare and submit plans illustrating the required construction/required improvements to streets consistent with Land Development and Subdivision Ordinance, Chapter 10. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6.
4. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre, per 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 consistent with Stormwater Ordinance, Section 12.05.001 and Stormwater Design Manual, Section 2.13.
5. Prepare and submit plans for approval, illustrating the proposed installation of a water and sewer main and required service connections and hydrants consistent with Land Development and Subdivision Ordinance, Chapter 11.I.A and the 2009 International Fire Code, Section 507.5.1, Exception 1, and complete the installation in accordance with the approved version of these plans, per Land Development and Subdivision Ordinance, Chapter 11.I.B. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6.

Staff recommends that the Planning Commission **APPROVE** the Final Plat, Proposed Replat of Section 40B, **subject to the following five Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Atmos Energy has gas in the area, if planned, main extensions will be needed to serve these lots.
3. Prepare and submit plans illustrating the required construction/required improvements to streets consistent with Land Development and Subdivision Ordinance, Chapter 10. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6.
4. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre, per 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 consistent with Stormwater Ordinance, Section 12.05.001 and Stormwater Design Manual, Section 2.13.

5. Prepare and submit plans for approval, illustrating the proposed installation of a water and sewer main and required service connections and hydrants consistent with Land Development and Subdivision Ordinance, Chapter 11.I.A and the 2009 International Fire Code, Section 507.5.1, Exception 1, and complete the installation in accordance with the approved version of these plans, per Land Development and Subdivision Ordinance, Chapter 11.I.B. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Proposed Replat of Section 40A

Proposed Replat of Section 40B

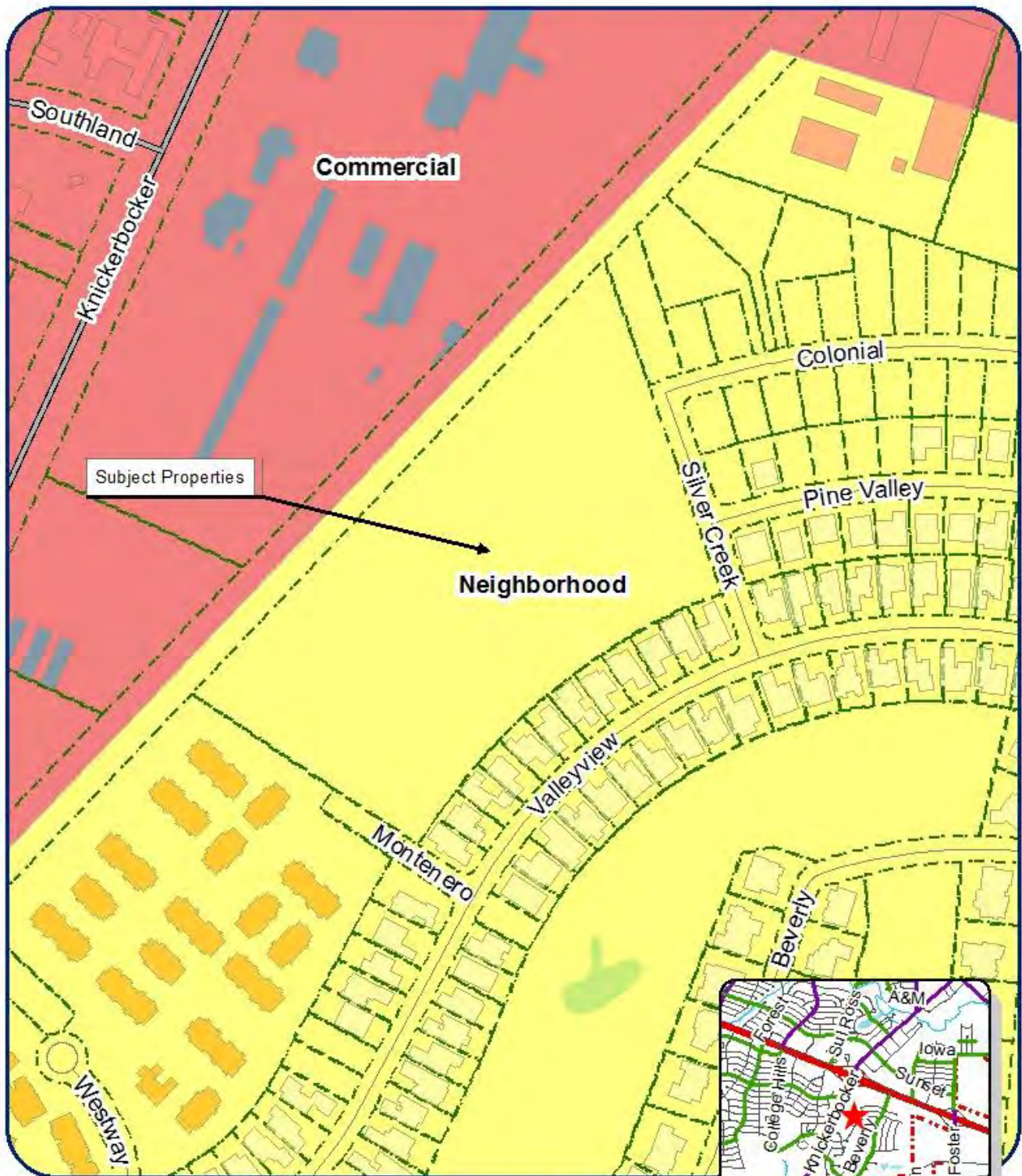


Aerial Map
BCCE Section 40A & 40B

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 250 ft

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



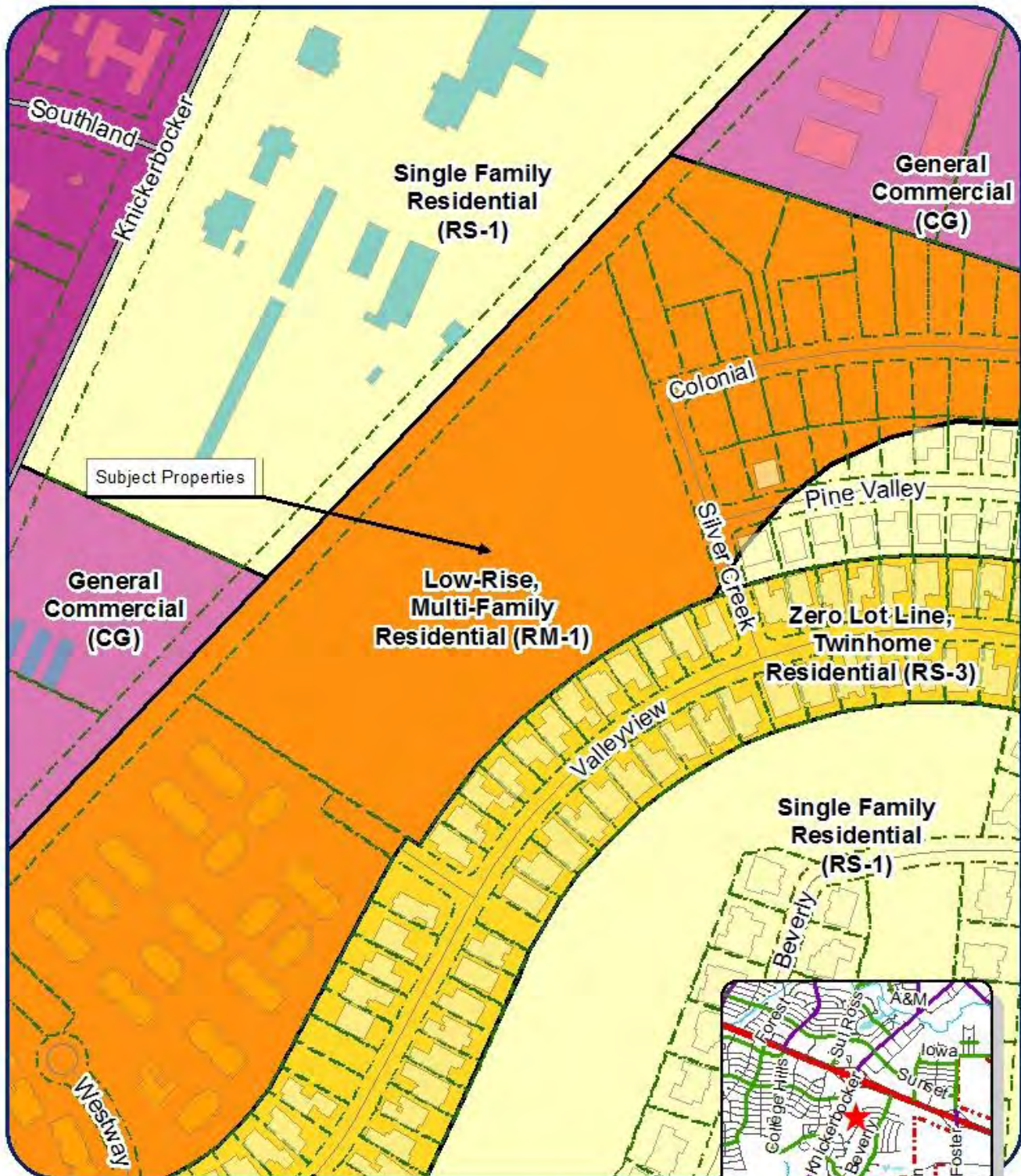


Future Land Use (FLU) Map
BCCE Section 40A & 40B

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 250 ft

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



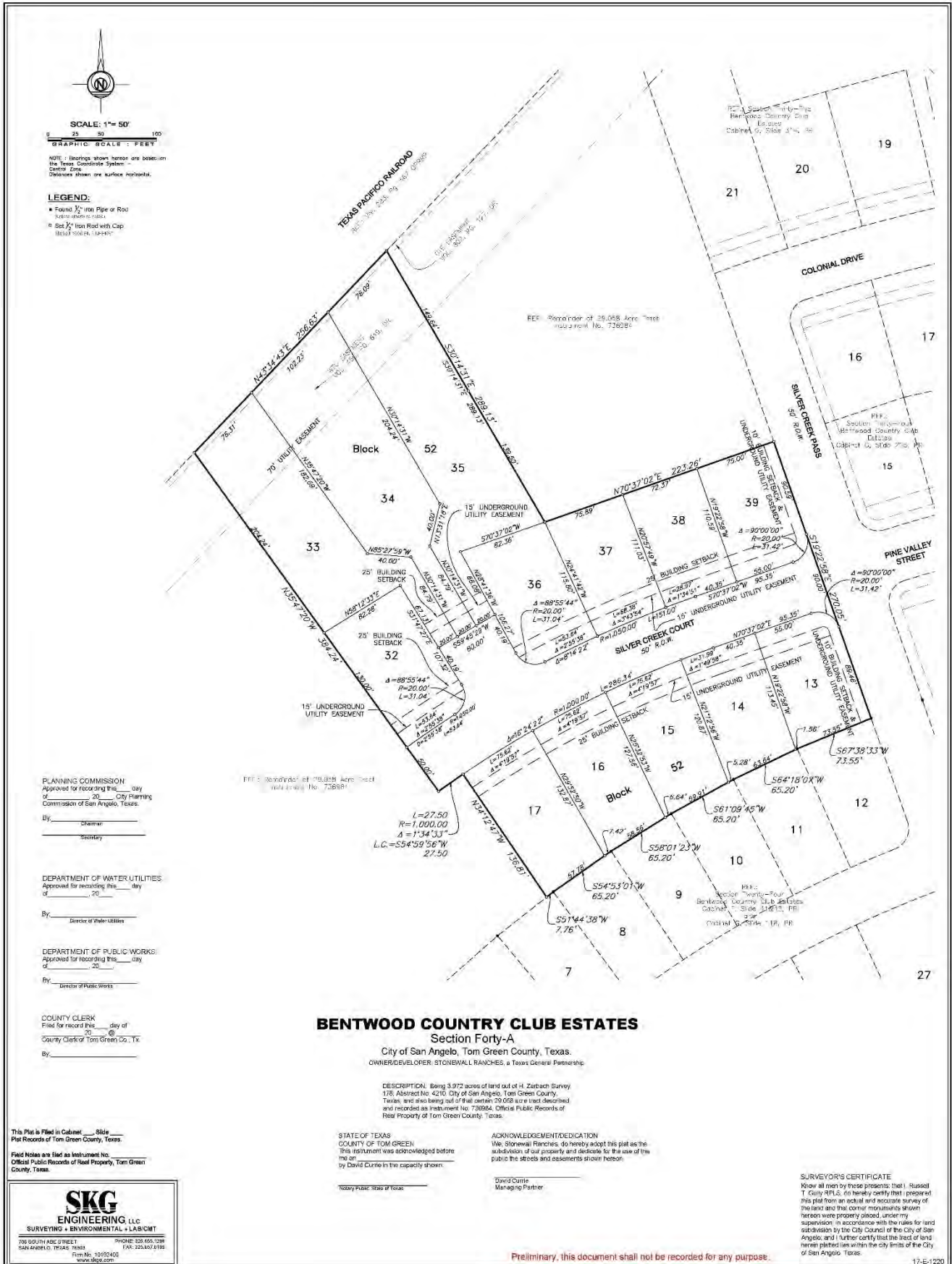


Zoning Map
BCCE Section 40A & 40B

Council District: Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 250 ft

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





SCALE: 1" = 50'
 GRAPHIC SCALE: FEET
 NOTE: Bearings shown herein are based on the Texas Coordinate System - Center Zone. Distances shown are surface horizontal.
LEGEND:
 Found 1/2" Iron Pipe or Rod
 Set X" Iron Rod with Cap

PLANNING COMMISSION
 Approved for recording this _____ day of _____, 20____
 City Planning Commission of San Angelo, Texas.
 By: _____
 Secretary

DEPARTMENT OF WATER UTILITIES
 Approved for recording this _____ day of _____, 20____
 By: _____
 Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this _____ day of _____, 20____
 By: _____
 Director of Public Works

COUNTY CLERK
 Filed for record this _____ day of _____, 20____
 County Clerk of Tom Green Co., Tex.
 By: _____

BENTWOOD COUNTRY CLUB ESTATES
 Section Forty-A
 City of San Angelo, Tom Green County, Texas.
 OWNER/DEVELOPER: STONEWALL RANCHES, a Texas General Partnership

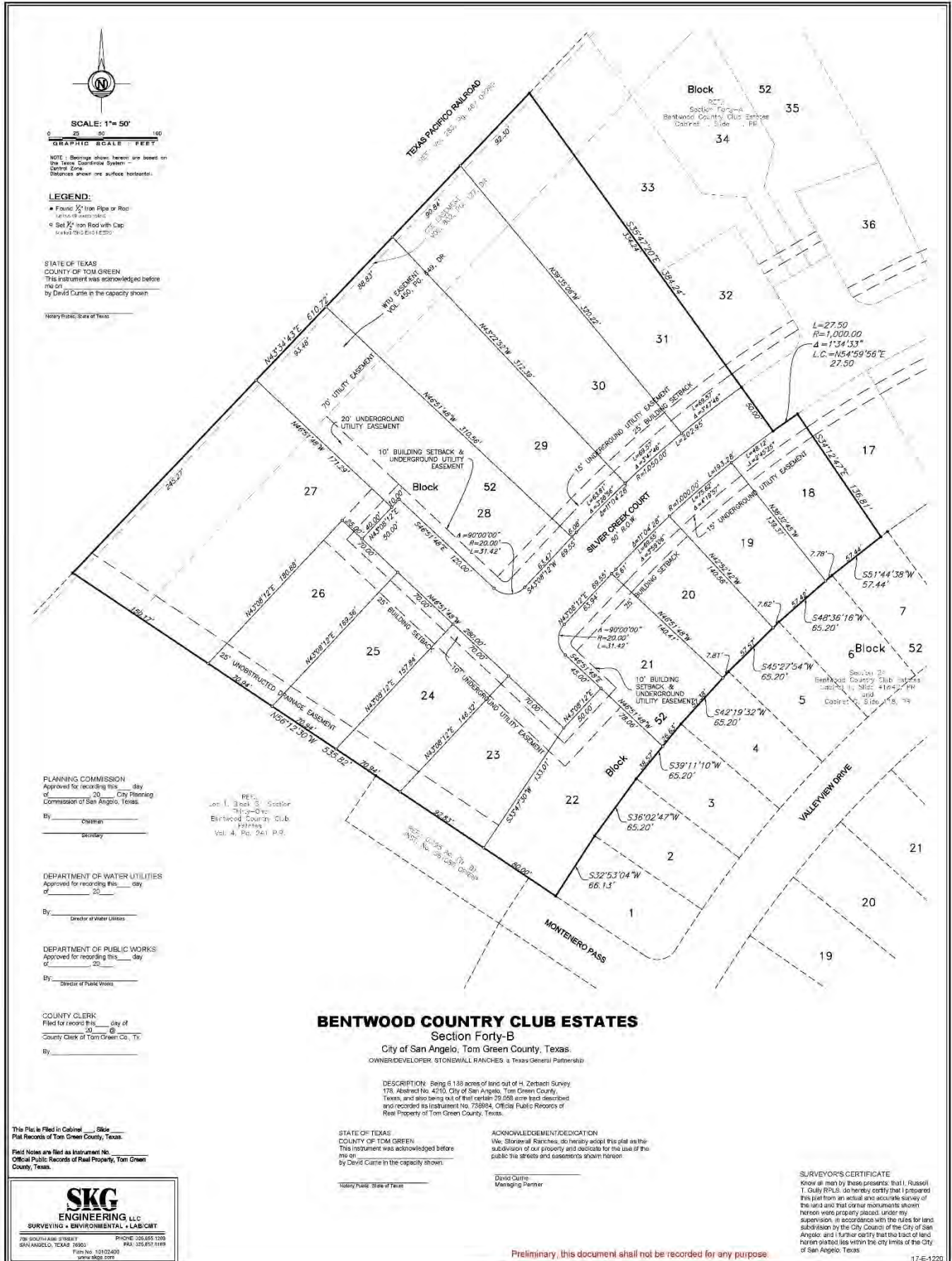
DESCRIPTION: Being 3.972 acres of land out of H. Zarbach Survey 178, Abstract No. 4210, City of San Angelo, Tom Green County, Texas, and also being all of that certain 20.058 acre tract described and recorded as Instrument No. 738054, Official Public Records of Real Property of Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION
 We, Stonewall Ranches, do hereby adopt this plat as the subdivision of our property and dedicate for the use of the public the streets and easements shown hereon.

SURVEYOR'S CERTIFICATE
 Know all men by these presents that I, Russell T. Gully RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo, and I further certify that the tract of land herein platred lies within the city limits of the City of San Angelo, Texas.

SKG ENGINEERING LLC
 SURVEYING • ENVIRONMENTAL • LAB/CMT
 706 SOUTH ABE STREET, PHONE: 324.665.1288
 SAN ANGELO, TEXAS 76901 FAX: 324.637.8185
 From No. 10102400
 www.skg.com

Preliminary, this document shall not be recorded for any purpose.



**PLANNING COMMISSION –November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Final Plat		Final Plat of Western Hills Annex, Section Four	
SYNOPSIS:			
<p>This is an application to plat approximately 0.386 acres into two single-family residential lots located in the west central portion of San Angelo. As part of the plat, the applicant is also requesting a variance from the paving width on Junius Street. No unusual physical features are associated with the property, and the site is relatively flat with one existing residential structure, and has frontage along Junius Street. The lots comply with the minimum lot area, lot frontage, and lot depth of the RS-1 Zoning District.</p>			
LOCATION:		LEGAL DESCRIPTION:	
2640 Junius Street generally located 150 feet east of the intersection of Junius Street and Hatcher Street		Being 0.386 acres of land out of P. Schellentrayer Survey No. 190, Abstract No. 1850, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Angelo Heights Neighborhood	RS-1 – Single Family Residential	Neighborhood	0.386 acres
THOROUGHFARE PLAN:			
<i>Junius Street</i> – Minor Collector, 60’ min. ROW Required (Existing), 50’ min. Pavement Required (36’ Existing)			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the Final Plat of the Western Hills Annex, Section Four subject to Three Conditions of Approval, and;</p> <p>APPROVAL the variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Junius Street, an Urban Minor Collector Street, to maintain a 36 foot width in lieu of the required 50 foot.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Miguel Duran</p> <p><i>Agent:</i> Herb Hooker, SKG Engineering</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 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 frontage Junius Street and the surrounding neighborhoods, providing a unified streetscape.

Variances: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Junius Street, an Urban Minor Collector Street, to maintain a 36-foot street width in lieu of the required 50 feet. 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:

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 that granting of the variances to maintain the existing street widths on Junius Street would not be detrimental to public safety. Engineering Services and the Planning Division agree and support the variance from any additional improvements to Junius Street. All of the adjacent streets are already fully developed around the subject property and function adequately in the current condition.

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

The applicant has stated that this condition for additional paving is not generally applicable to other property as the entire neighborhood is already developed. As indicated above, Engineering Services and the Planning Division would support a variance from any street improvements along this portion of Junius Street as this segment lies within an existing developed area.

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 a hardship would result if the applicant had to make the required stare confident that the existing street widths and configuration along Junius Street service the surrounding area satisfactorily.

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

The applicant believes the proposed variance requests from street improvements would not vary any other applicable ordinance as these are conditions created as a result of prior plat approvals and subsequent development. Planning and Engineering Services agree that the existing street widths are sufficient and pose no safety risks to the public. As indicated above, all of the adjacent lots are fully developed.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the Final Plat of the Western Hills Annex, Section Four, subject to **three Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A., provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for required improvements to Junius Street by half the additional increment necessary to comprise the minimum paving widths, consistent with Land Development and Subdivision Ordinance, Chapter 10. For Junius Street, the minimum width is 50 feet (in this case, requiring 7 additional feet). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
3. Contact the City of San Angelo Department of Water Utilities Customer Service Office at 122 W. 1st Street or by calling (325) 657-4323 to request water and sewer service connections and to establish a utility service account.

APPROVE a Variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Junius Street, an Urban Minor Collector Street, to maintain a 36-foot street width in lieu of 50 feet.

Attachments:

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




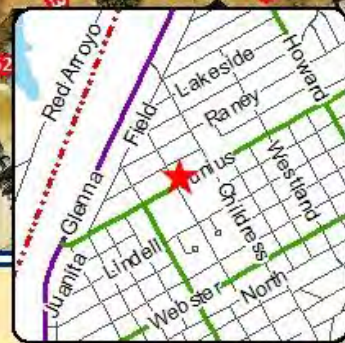
Subdivision Case File

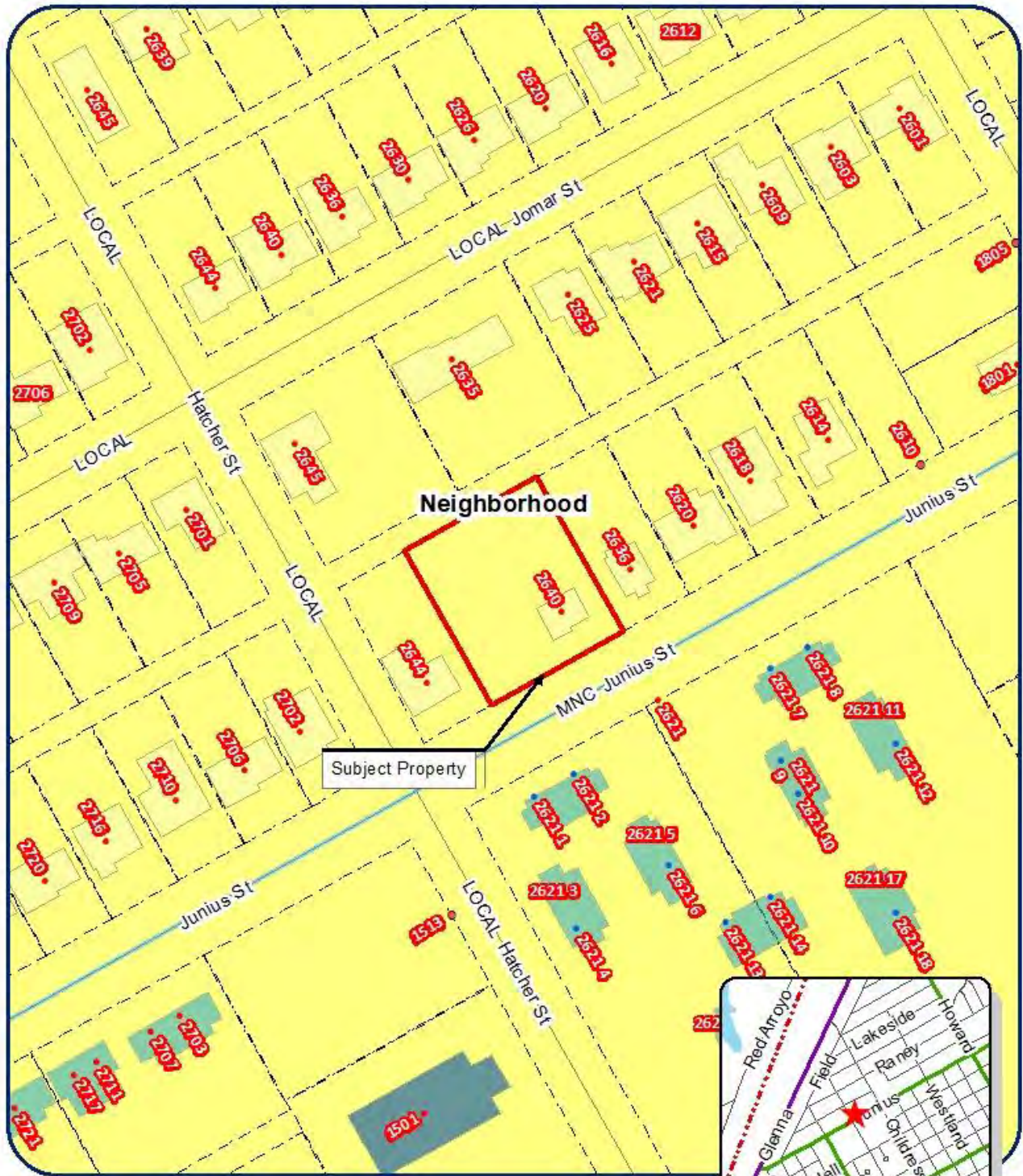
Western Hills Annex, Section 4

Council District: SMD #2 - Tom Thompson
Neighborhood: Angelo Heights
Scale: 1" approx. = 100 ft

Legend

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





Subdivision Case File

Western Hills Annex, Section 4

Council District: SMD #2 - Tom Thompson
 Neighborhood: Angelo Heights
 Scale: 1" approx. = 100 ft

Legend

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





Subdivision Case File

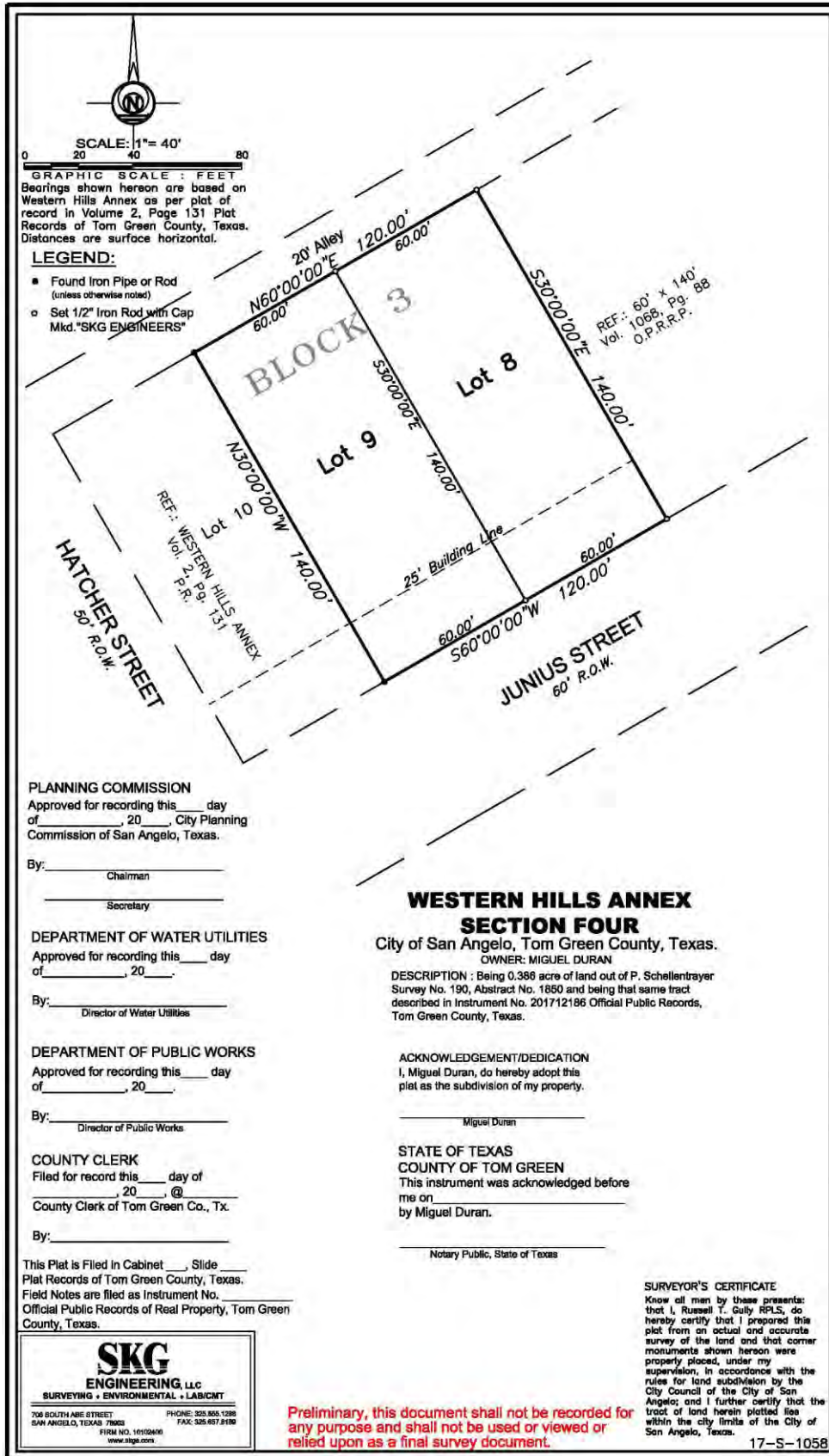
Western Hills Annex, Section 4

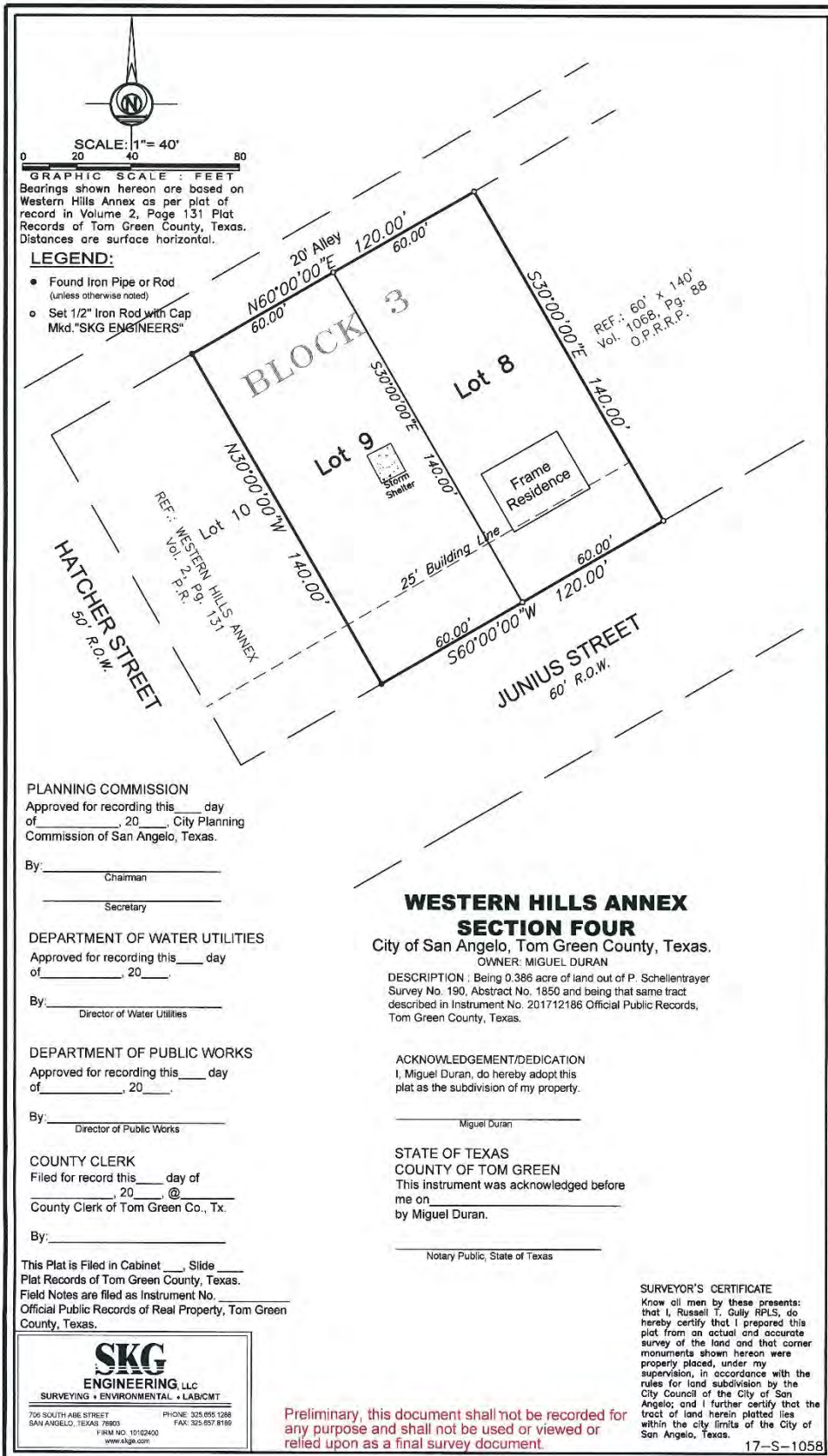
Council District: SMD #2 - Tom Thompson
 Neighborhood: Angelo Heights
 Scale: 1" approx. = 100 ft

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

Western Hills Annex, Section Four

Proposed Subdivision Name

120' x 140' Tract (0.386 Ac.) out of P. Schellentrayer Sur. No. 190, Abst. No. 1850

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

R000072558

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
Miguel Duran	951.741.9983	

Property Owner:

Name	Phone Number	Email Address

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

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 5/8"
 City - utilizing existing services Existing size? 5/8"
 Other Please specify: _____

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

0.386 2

Total Acreage of Proposed Subdivision/Resubdivision Total Number of Lots Proposed

Existing Zoning:

RS-1 RS-2 RS-3 RM-1 RM-2 PD (include case number: _____)

R&E CN CO CG CG/CH CBD OW ML MH

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

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

Vacant _____ Single-Family Residential 0.386 Office _____

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

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

Vacant _____ Single-Family Residential 0.386 Office _____

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 1/2 miles of it.

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Section & subsection from Subdivision Ordinance from which variance is requested: Chapter 10.III.A.2

Full variance requested Partial variance requested (proposed variation from standard): Additional Paving width on Junius St.

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

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

The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
The conditions upon which this request for variance is based are not generally applicable to other property as this entire neighborhood is developed and this is a small lot split for an existing residence on an acreage tract to make 2 lots which will be similar to all the existing, platted lots in this area.

(Section 4 continues on next page)

Section 4, continued

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

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

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

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

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.II 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.

Miguel Duran
 Owner's Signature

10-23-17
 Date

Paul Cook
 Representative's Signature

10/23/2017
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/23/17 Deemed preliminary complete: 10/24/17 10:45am HB
 Date Date Time Initials

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

Completeness review passed? Yes 10/24/17 No _____
 Date Date

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

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

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

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

Yes _____ No _____
 Date Date

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____



**PLANNING COMMISSION – November 13, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Replat		Replat of Lots 1 and 2, Block 11, Fairview Addition	
SYNOPSIS:			
This is an application to replat two north facing lots of equal size into two east facing of lots of unequal size on a property located on the southwest side of the intersection of South Archer Street and Bryan Street. The applicant has requested a partial variance from Section 10.III.A.2, which requires the construction of additional pavement width on South Archer Street, in this case one additional foot.			
LOCATION:		LEGAL DESCRIPTION:	
Generally located on the southwest side of the intersection of South Archer Street and Bryan Street		Being .44 acres out of the Fairview Addition, Block 11, Lots 1 & 2	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #3 – Harry Thomas Fort Concho East Neighborhood	RS-1 – Single Family Residential	N - Neighborhood	0.44 acres
THOROUGHFARE PLAN:			
South Archer Street – Urban Local Street, 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ without sidewalk required. Actual is 80’ ROW and a substandard 38’ paving width with no sidewalk.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the replat, subject to six Conditions of Approval. Staff also recommends that the Planning Commission APPROVE the Variance to Chapter 10.III.A.2. to eliminate the requirement for the construction of one feet of additional pavement width on South Archer Street.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Martha Alvarado <i>Agent:</i> Herb Hooker, SKG Engineering, LLC			
STAFF CONTACT:			
Kristina Heredia Staff 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 Sections 9.III.A.5 and 10.III.A.2 (roadway improvement requirements), Section 9.V (sidewalks along roadways with pavement widths of 36' or less) of the City's Land Development and Subdivision Ordinance. With respect to the request for a Variance to Section 9.III.A.5, Staff finds the Variance Request redundant to the Variance Request from Ch.10.III.A.2. With this mind, Staff will recommend that this request be set aside as extraneous to the final plat application. 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.** South Archer Street, as well as the surrounding streets, are developed to an extent that increased traffic is not anticipated. While South Archer does have a larger than necessary right-of-way, the paving width is not expected to be expanded through the Master Thoroughfare Plan. Engineering and Planning staff foresee no detriment to the public safety by allowing the street to continue in the current paving width.
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 two lots are under single ownership and there is a house built on the lot lines. When the replat is complete, the house will occupy the larger northern lot and the smaller southern lot will remain vacant. So while there is a likely chance the vacant smaller lot will be developed, it will likely be a small, in-fill project and the number of lots will not be increasing.
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 widening of the paving width of South Archer Street by one foot, for a length of 190 feet, could create a hardship or road hazard could be potential if there was a short widening that would not even last one City block.
4. **The Variance will not, in any significant way, vary the provisions of applicable ordinances.** South Archer Street has a large right-of-way and a paving width that is only substandard by two feet. Not paving half of the two feet does not vary other ordinances, and will not adversely affect the right-of-way of South Archer.

Notifications: Staff mailed out nineteen (19) notifications on October 19, 2017. Staff has received zero (0) responses in favor and zero (0) responses in opposition.

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

APPROVE the Replat of Lots 1 and 2, Block 11, Fairview Addition, and

APPROVE a Variance to Section 10.III.A.2, which requires the construction of additional pavement width along a segment of South Archer Street, in this case one foot.

The following six Conditions of Approval are recommended:

1. Consistent with 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. Contact the City of San Angelo Department of Water Utilities Customer Service Office at 122 West 1st Street or by calling (325) 657-4323 to request water and sewer service connections and to establish a utility service account.
3. Both lots will be required to have permitted approaches constructed to City standards and specifications
4. Prepare and submit plans for required improvements to streets (adjacent segments of South Archer Street) by half the additional increment necessary to comprise the minimum paving widths, per Land Development and Subdivision Ordinance, Chapter 10. For South Archer Street, the minimum width is 40 feet (in this case, requiring one additional foot). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
5. The plat reflects South Archer Street of having a ROW of 50 feet. City records measurements reflect an 80-foot ROW width. Amend the plat to reflect an 80-foot ROW width.
6. The plat reflects a 20' private sewer easement. Amend the plat to reflect "20-foot Private Utility Easement."

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Proposed Plat



Replat - Fairview Addition

Lots 1 & 2, Block 11

Council District: Harry Thomas
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 150 ft

Legend

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





Replat - Fairview Addition
Lots 1 & 2, Block 11

Council District: Harry Thomas
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 150 ft

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





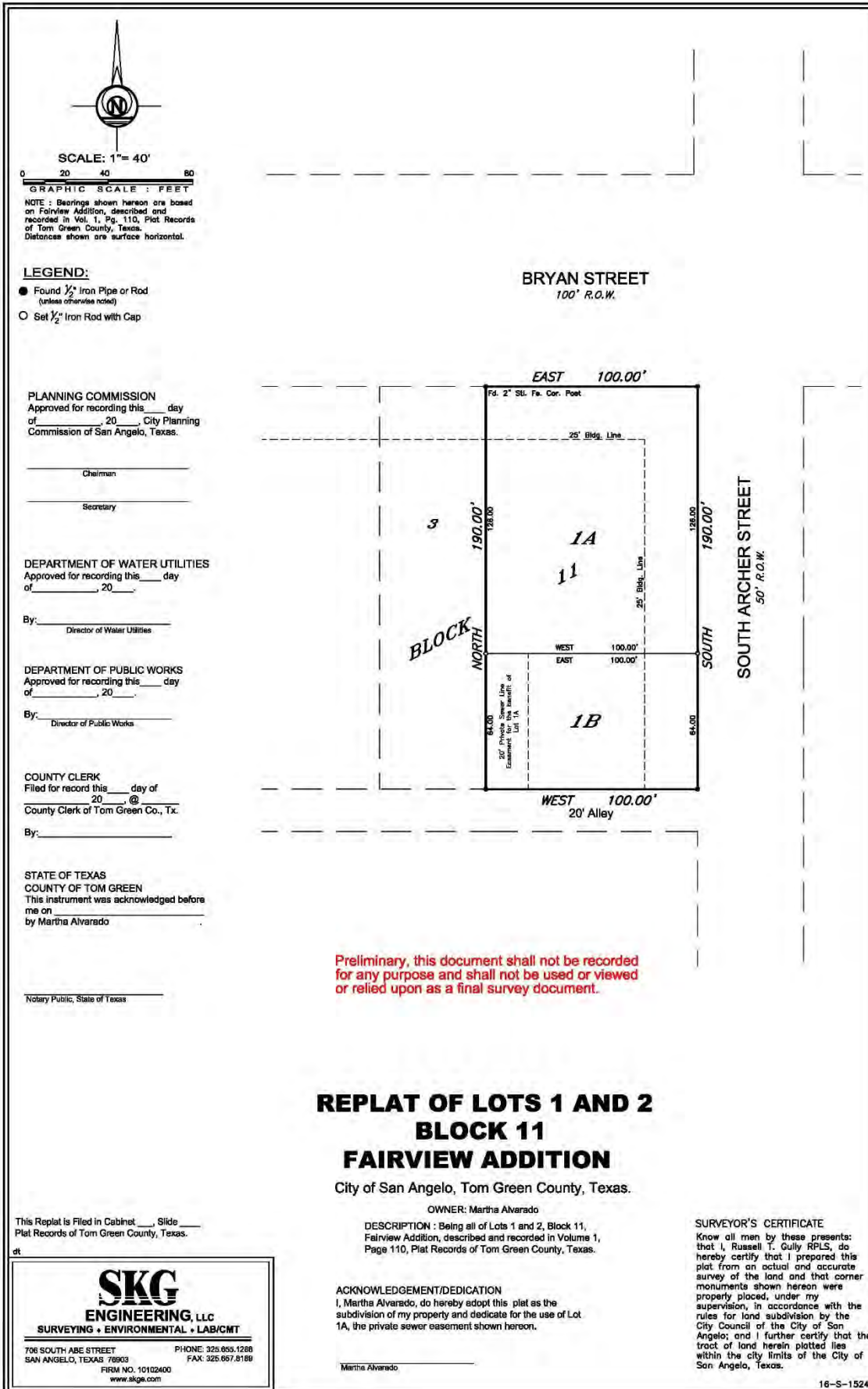


Replat - Fairview Addition
Lots 1 & 2, Block 11

Council District: Harry Thomas
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 150 ft

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





**PLANNING COMMISSION –November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		First Replat of Tracts 41 & 42 Red Creek Subdivision	
SYNOPSIS:			
<p>This is an application to replat approximately 8 acres into two single-family residential lots located in the northern Extraterritorial jurisdiction (ETJ) of San Angelo. As part of the replat, the applicant is also requesting a variance from the paving width, right of way dedication, and sidewalks on Bramlett Lane. No unusual physical features are associated with the property, the site is relatively flat, and has frontage along Bramlett Lane.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Two unaddressed tracts located approximately 575 feet west of the intersection of Bramlett Lane and Rust Road		Being Tract 41 & 42 S&E the N 2.0 Acres out of Tract 41, Red Creek Subdivision, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
N/A		N/A	N/A
THOROUGHFARE PLAN:			
<p>Bramlett Lane – Rural Local Road, 60’ min. Right Of Way Required (50’ Existing) 30’ min. Pavement Required (20’ Existing)</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the First Replat of Tracts 41 & 42, Red Creek Subdivision, subject to three Conditions of Approval, and</p> <p>APPROVAL of a variance from Chapter 9.III.V, Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow Bramlett Lane, a Rural Local Road, to maintain a 50-foot Right of Way in lieu of the 60 feet and a 20-foot pavement width in lieu of a 30-foot pavement width with no sidewalk, CONDITIONAL of the dedication of an unobstructed Emergency Vehicle Turn-Around Easement on Bramlett Lane.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Richard Segura</p> <p><i>Agent:</i> Herb Hooker, SKG Engineering</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 located outside of the City’s Comprehensive Plan so conformity is not factored with this plat.

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, safe and efficient development of the City and surrounding area (Statement C), and insure proper land development in the extraterritorial jurisdiction so the City can expand in an orderly and efficient manner. (Statement N). The new lot configurations will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O).

Variances: As indicated above, the applicant has submitted a variance from Chapter 9.III.V, Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow Bramlett Lane, a Rural Local Road, to maintain a 50’ Right of Way in lieu of the required 60’ and 20’ Pavement Width in lieu of 30’ pavement width with no sidewalk. 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:

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 that granting the variances to maintain the existing street right of way, width, and no sidewalk on Bramlett Lane would not be detrimental to public safety since the area will continue to adequately function as it does today. Engineering Services and the Planning Division support the variances from any additional right-of-way, paving width, and sidewalks to Bramlett Lane with the condition that an emergency vehicle turn-around be dedicated and remain unobstructed. This street currently functions for the existing neighborhood and the County will continue to maintain it with the specifications they believe are acceptable. All of the adjacent streets are already built around the subject property.

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 stated that this condition for additional right of way, paving, and sidewalks is not generally applicable to other property as this is within an existing development. As indicated above, Engineering Services and the Planning Division would support the variances requested by the applicant and the County as the property is located in an existing subdivision with the condition that an emergency services turn around be installed. The County Commissioner for Precinct 3 has also expressed his support of the variance.

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 a hardship would result due to the physical surroundings and shape of the subject property including the presence of the existing street and utilities. Planning and Engineering Services both agree that the existing street widths and configuration along Bramlett Lane services the surrounding area sufficiently. The proposed replat would reconfigure the existing lots which would not significantly increase traffic, and the overall outer boundaries adjacent to the existing right-of-ways will not change.

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

The applicant believes the proposed variance requests would not vary any other applicable ordinance as these are conditions created as result of prior plat approval. Planning and Engineering Services agree that the existing street widths are sufficient and pose no safety risks to the public. As indicated above, all of the adjacent lots are fully developed and the roads function in their current capacity.

Recommendation: Staff recommends that the Planning Commission:

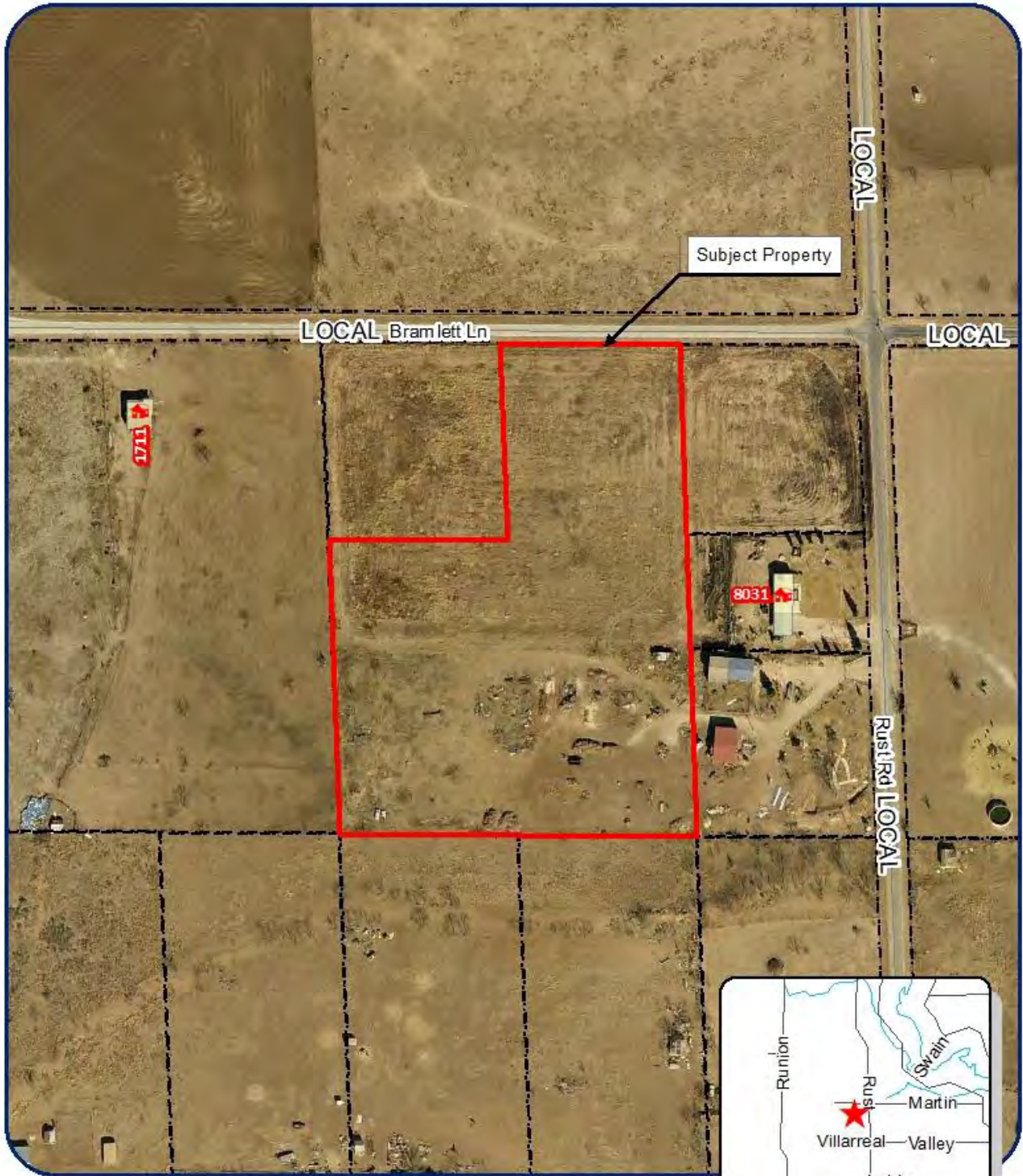
APPROVE the First Replat of Tracts 41 & 42, Red Creek Subdivision subject to **Three Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Submit a revised plat that illustrates the dedication for a 60-foot right-of-way for Bramlett Lane, a rural Local Street, and submit a revised plan that illustrates the required construction for Bramlett Lane, a rural local street, with a minimum 30 feet of pavement. Once the plans are approved, construction of the street shall be to City specifications, consistent with Land Development and Subdivision Ordinance, Chapter 9 & 10. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a conditional variance from the Planning Commission with an approved emergency services turn-around as approved by the City's Engineering & Fire Marshall Departments, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV.
3. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre, 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.

APPROVAL a variance from Chapter 9.III.V, Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow Bramlett Lane, a Rural Local Road, to maintain a 50-foot right of way in lieu of 60 feet and a 20-foot pavement width in lieu of a 30-foot pavement width with no sidewalk, **CONDITIONAL** of the dedication of an unobstructed Emergency Vehicle Turn-Around Easement on Bramlett Lane.

Attachments:

Aerial Map
Proposed Final Plat
Application

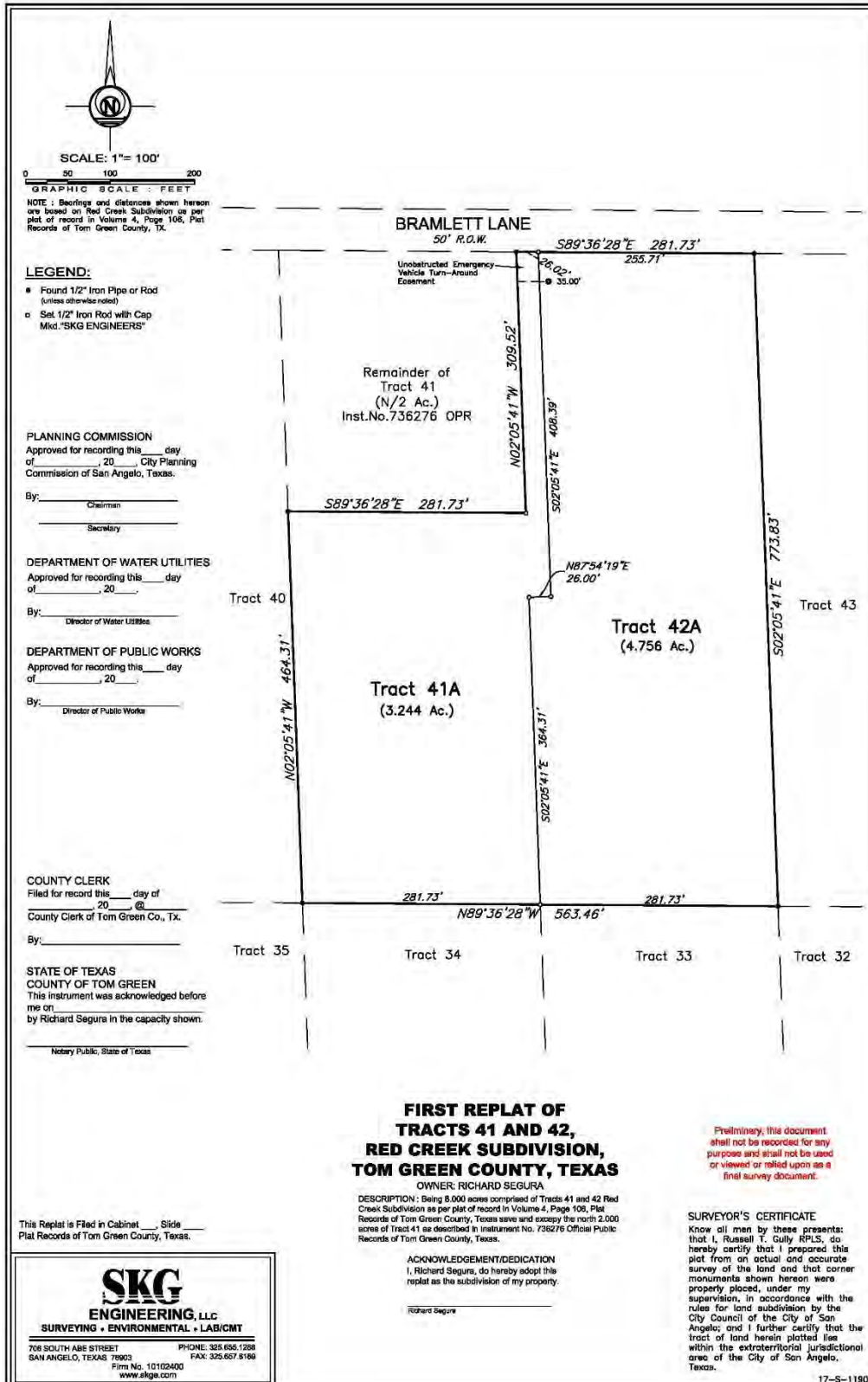


Subdivision Case File
Red Creek Subdivision
1st Replat Tracts 41 & 42

Scale: 1" approx. = 200 ft

Legend
Subject Properties: 







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

First Replat of Tracts 41 and 42, Red Creek Subdivision, Tom Green County, TX

Proposed Subdivision Name

Subd: RED CREEK S/D, TRACTS 41 & 42 S&E THE N 2.000 ACRES OUT OF TRACT 41

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

R000057685

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: N/A

Name Phone Number Email Address

Property Owner: Richard Segura

Name Phone Number Email Address

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

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: Red Creek MUD

Sewer: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? over 1 acre

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

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

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

Section 3: Property Characteristics

8.000 2

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 8.000 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 8.000 Office _____

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

Are there existing structures on the property? Yes No

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

If yes, are any of the structures planned to remain? Yes (NOTE: requires one copy of proposed plat showing structures to remain)
 No

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: Volume 682, Page 464 Deed Records Tom Green County

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: Ch.9.III.V,Ch.10.III.A.1&2

Full variance requested Partial variance requested (proposed variation from standard): ROW Dedication, Paving Width, Sidewalks

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

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

(Section 4 continues on next page)

Section 4, continued

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.
 Due to the physical surroundings and shape of the subject property including the presence of the existing street and utilities a particular hardship to the owner would result.

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

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee is/has been accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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

Richard Segura
 Owner's Signature
Paul Hank
 Representative's Signature

10-23-2017
 Date

10/23/2017
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/23/17 Date Deemed preliminary complete: 10/23/17 Date 5:06 pm Time HB Initials

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

Completeness review passed? Yes 10/23/17 Date No _____ Date _____

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

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

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

Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)
 Yes _____ 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 –November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		First Replat of Tract 114 Red Creek Subdivision	
SYNOPSIS:			
<p>This is an application to replat approximately 10 acres into two residential lots located in the northern Extraterritorial jurisdiction (ETJ) of San Angelo. As part of the replat, the applicant is also requesting a variance from the paving width on Rust Road and North Valley Road. No unusual physical features are associated with the property, currently there are three homes located on site, and the property has frontage along Rust Road and North Valley Road.</p>			
LOCATION:		LEGAL DESCRIPTION:	
8466 & 8468 Rust Road & 8469 North Valley Road located approximately 0.44 miles north of the intersections of Bramlett Lane and Rust Road		Being Tract 114, Red Creek Subdivision, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
N/A	N/A	N/A	10 acres
THOROUGHFARE PLAN:			
<p>Rust Road – Rural Local Road, 60’ min. Right Of Way Required (50’ Existing) 30’ min. Pavement Required (20’ Existing)</p> <p>North Valley Road – Rural Local Road, 60’ min. Right Of Way Required (50’ Existing) 30’ min. Pavement Required (20’ Existing)</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the First Replat of Tracts 114, Red Creek Subdivision subject to two Conditions of Approval, and</p> <p>APPROVAL the variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Rust Road and North Valley Road, Rural Local Roads, to maintain a 20’ Pavement Width in lieu of 30’ pavement width.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Lewis & Susanne Crimm</p> <p><i>Agent:</i> Richard Gooch, McMillan and Quinn, Inc.</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 located outside of the City’s Comprehensive Plan so conformity is not factored with this plat.

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, safe and efficient development of the City and surrounding area (Statement C), and insure proper land development in the extraterritorial jurisdiction so the City can expand in an orderly and efficient manner. (Statement N). The new lot configurations will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O).

Variations: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Rust Road and North Valley Road, Rural Local Roads, to maintain a 20’ Pavement Width in lieu of 30’ pavement width. 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:

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 that granting of the variances to maintain the existing street width Rust Road and North Valley Road would not be detrimental to public safety since the replat would not increase traffic to the roads. Engineering Services believes the current street surfaces and widths should pose no public health or safety risks. The Planning Division also agrees and supports the variances from any additional improvements to Rust Road and North Valley Road. All of the adjacent streets are already fully developed around the subject property.

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 stated that this condition for additional paving are not generally applicable to other property as this is within an existing development. As indicated above, Engineering Services would support a variance from any street improvements along this portion of Rust Road and North Valley Road since the roads function at their current capacity. Planning Staff concurs that a variance should be granted on the grounds that Rust Road and North Valley Road function as they are today and Tom Green County supports the variance.

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 a hardship would result due to the existing road curving at the project sign causing confusion and traffic problems with wider pavement just for frontage of the subject property. Planning and Engineering Services both agree that the existing street widths and configuration along Rust Road and North Valley Road service the surrounding area sufficiently. The proposed replat would divide the property into two parcels which would not drastically increase traffic on either road.

4. **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 the proposed variance requests would not vary any other applicable ordinance as these are conditions created as result of prior plat approval. Planning and Engineering Services agree that the existing street widths are sufficient and pose no safety risks to the public. As indicated, all of the adjacent lots are fully developed.

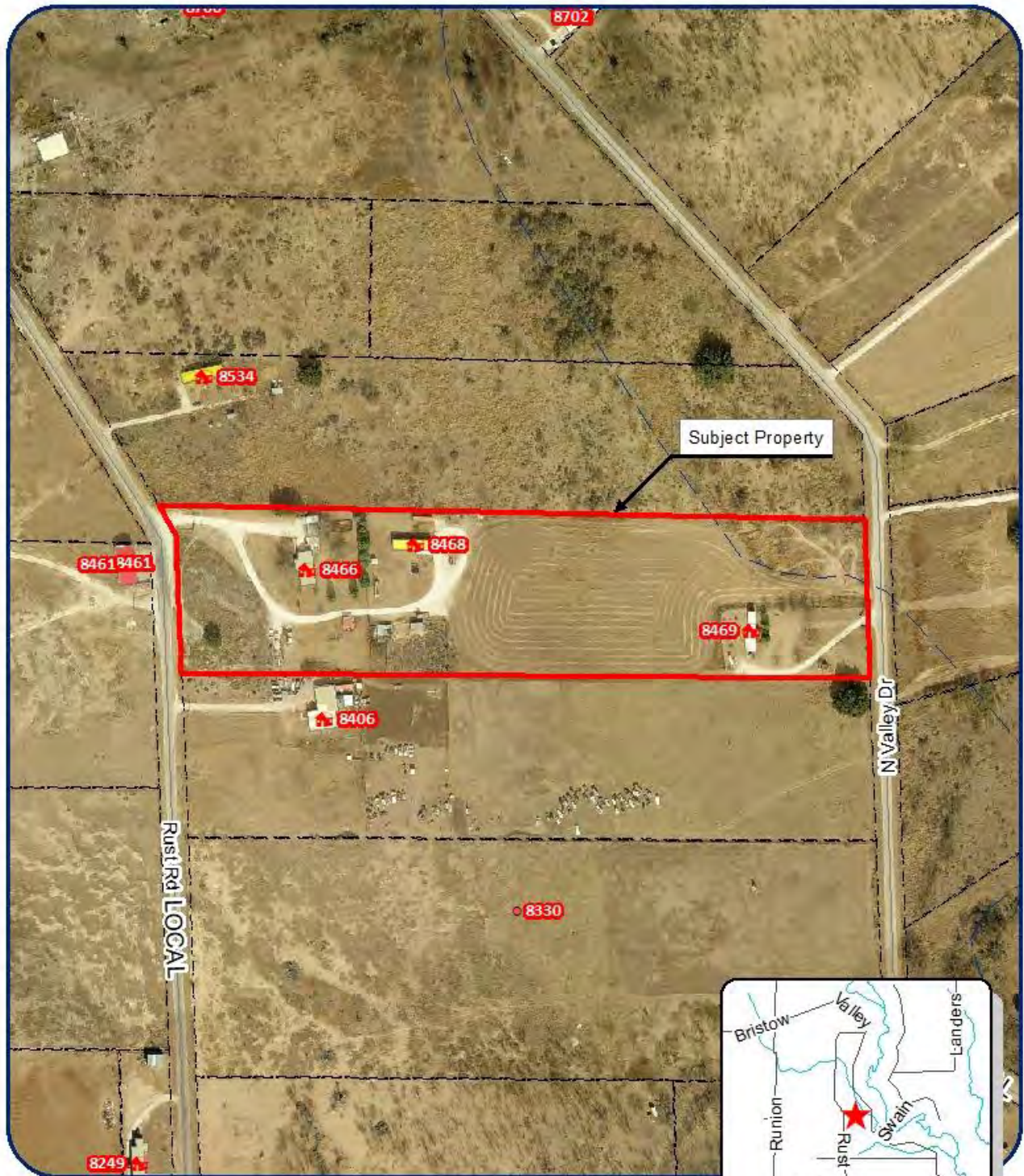
Recommendation: Staff recommends that the Planning Commission **APPROVE** the First Replat of Tract 114 Red Creek Subdivision subject to **three Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for required improvements to streets (adjacent segments of Rust and North Valley Roads) by half the additional increment necessary to comprise the minimum paving widths, consistent with Land Development and Subdivision Ordinance, Chapter 10. For Rust and North Valley Roads, the minimum width is 30 feet (in this case, requiring 10 additional feet). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
3. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre, per 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, consistent with Stormwater Ordinance, Section 12.05.001 and Stormwater Design Section 2.13.

APPROVE the variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow Rust Road and North Valley Road, Rural Local Roads, to maintain a 20-foot pavement width in lieu of a 30-foot pavement width.

Attachments:

Aerial Map
Proposed Final Plat
Proposed Final Plat with Structures
Application

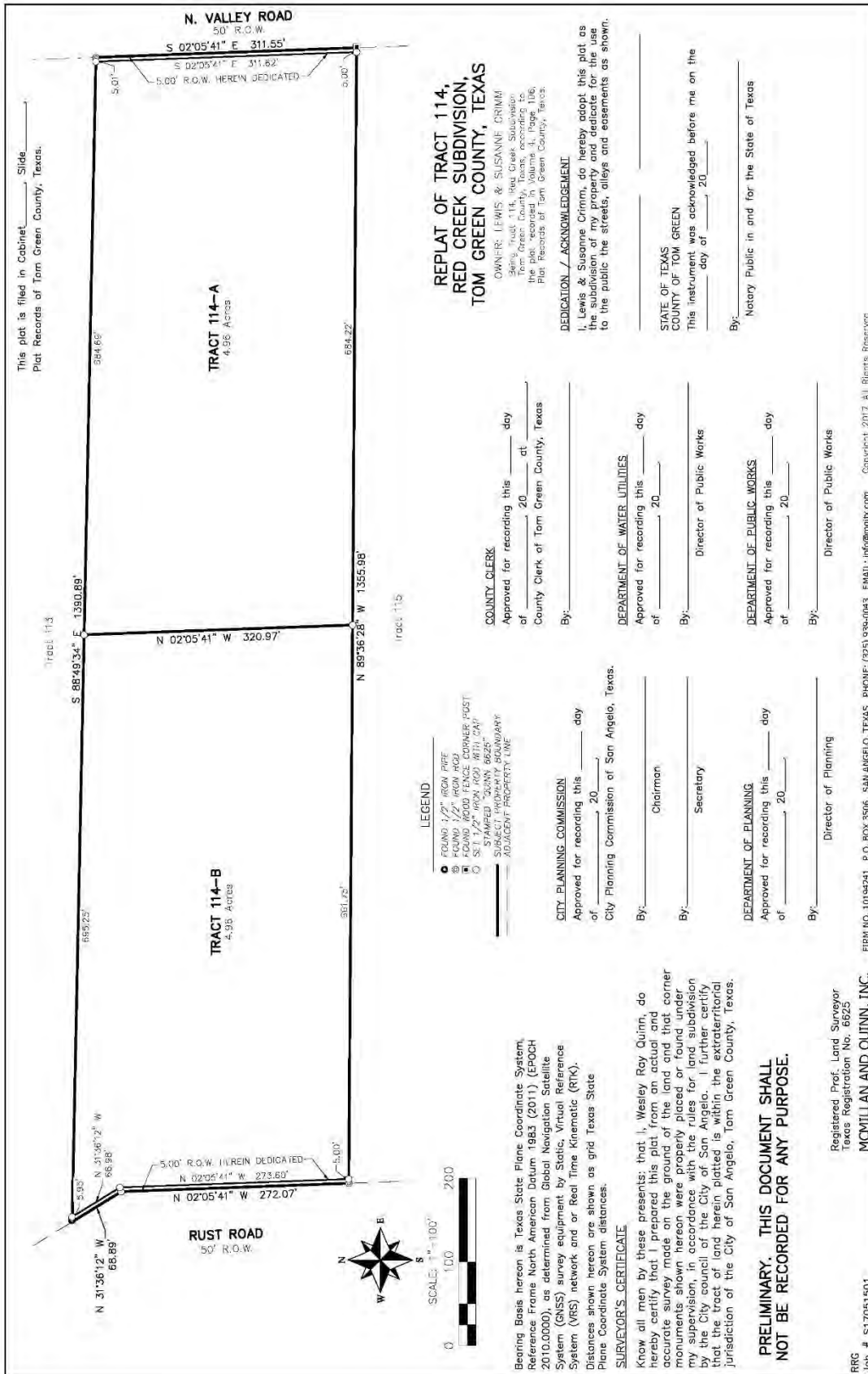


Subdivision Case File
Red Creek Subdivision
1st Replat Tract 114

Scale: 1" approx. = 250 ft

Legend
Subject Properties:





This plat is filed in Cabinet _____ Slide _____
 Plat Records of Tom Green County, Texas.

**REPLAT OF TRACT 114,
 RED CREEK SUBDIVISION,
 TOM GREEN COUNTY, TEXAS**

OWNER: LEWIS & SUSANNE CRIMM
 Being Tract 114, Red Creek Subdivision
 Tom Green County, Texas, according to
 the plat recorded in Tom Green County, Texas
 Plat Records of Tom Green County, Texas

DEDICATION / ACKNOWLEDGEMENT

I, Lewis & Susanne Crimm, do hereby adopt this plat as
 the subdivision of my property and dedicate for the use
 to the public the streets, alleys and easements as shown.

STATE OF TEXAS
 COUNTY OF TOM GREEN
 This instrument was acknowledged before me on the
 _____ day of _____, 20____

By: _____
 Notary Public in and for the State of Texas

COUNTY CLERK
 Approved for recording this _____ day
 of _____, 20____ at _____
 County Clerk of Tom Green County, Texas

By: _____

DEPARTMENT OF WATER UTILITIES

Approved for recording this _____ day
 of _____, 20____

By: _____
 Director of Public Works

DEPARTMENT OF PUBLIC WORKS

Approved for recording this _____ day
 of _____, 20____

By: _____
 Director of Public Works

CITY PLANNING COMMISSION

Approved for recording this _____ day
 of _____, 20____

City Planning Commission of San Angelo, Texas.

By: _____
 Chairman

By: _____
 Secretary

DEPARTMENT OF PLANNING

Approved for recording this _____ day
 of _____, 20____

By: _____
 Director of Planning



EXISTING IMPROVEMENTS EXHIBIT FOR
 REPLAT OF TRACT 114,
 RED CREEK SUBDIVISION,
 TOM GREEN COUNTY, TEXAS

PRELIMINARY. THIS DOCUMENT SHALL
 NOT BE RECORDED FOR ANY PURPOSE.



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

REPLAT OF TRACT 114, RED CREEK SUBDIVISION

Proposed Subdivision Name
 TRACT 114, RED CREEK SUBDIVISION

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 R57769

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
Property Owner: LEWIS & SUSANNE CRIMM	325-277-8222	

Architect/Engineer/Design Professional: RICHARD GOOCH

Name	Phone Number	Email Address
RICHARD GOOCH	325-839-0043	info@mqjtx.com

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: Red Creek Municipal Utility District

Sewer: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? 10.00 Acres

(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

10.00 Acres _____ 2 _____
 Total Acreage of Proposed Subdivision/Resubdivision Total Number of Lots Proposed

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

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

Existing Land Use (Include the number of acres devoted to this use):
 Vacant _____ Single-Family Residential 10.00 Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

Proposed Land Use (Include the number of acres devoted to this use):
 Vacant _____ Single-Family Residential 10.00 Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

Are there existing structures on the property? Yes No
 If yes, how many structures exist? 3 What type of structures exist currently? Houses

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: Volume 682, Pages 464-465, Deed Records of Tom Green County, Texas

Is this proposed plat within the ETJ?* Yes No
 *NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/2 miles of it.

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: _____
 Chapter 10, Section 3(a)(2). Minimum street paving width for Rust Road and N Valley Road

Full variance requested Partial variance requested (proposed variation from standard): _____
 Existing roads are located in the ETJ and are in a rural subdivision. The roads are Rust Road & N Valley Road

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.
 This replat will not increase traffic upon the existing roads within the subdivision. The ordinance states the paving widths shall be at least 26' wide, and the existing widths are 22'-28' depending upon where the measurements are taken.

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.
 This property has frontage upon both Rust Road and N Valley Road. It is required that the owner replat in order to get a water connection for the property fronting N Valley Road.

(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.
 It could cause confusion and be a traffic problem to have a wider paving width at only this site especially going in to _____
 and coming out of curves along the road.

The variance will not, in any significant way, vary the provisions of applicable ordinances.
 Approval of this variance will in no way vary the provisions of the applicable ordinance.

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.

Jerry M. ...
 Owner's Signature

...
 Representative's Signature

10/24/17
 Date

10/23/17
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/24/17 Deemed preliminary complete: 10/25/17 4:45pm HB
Date Date Time Initials

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

Completeness review passed? Yes 10/25/17 No _____
Date Date

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

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

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

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

Approvals required for this application:

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

Date of Approval Expiration: _____
 Date Recorded: _____

**PLANNING COMMISSION –November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		First Replat of Tract 181 Red Creek Subdivision	
SYNOPSIS:			
<p>This is an application to replat approximately 5.99 acres into two single-family residential lots located in the northern Extraterritorial jurisdiction (ETJ) of San Angelo. As part of the replat, the applicant is also requesting a variance from the paving width, right of way dedication, and sidewalks on O'Bryan Lane. No unusual physical features are associated with the property, the site is relatively flat, and has frontage along O'Bryan Lane.</p>			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed tract located approximately 1,300 feet east of the intersections of O'Bryan Lane and Swain Road		Being Tract 181, Red Creek Subdivision, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
N/A	N/A	N/A	5.99 acres
THOROUGHFARE PLAN:			
<p>O'Bryan Lane – Rural Local Road, 60' min. Right Of Way Required (50' Existing) 30' min. Pavement Required (20' Existing)</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the First Replat of Tracts 181, Red Creek Subdivision subject to Three Conditions of Approval, and;</p> <p>APPROVAL the variance from Chapter 9.III.V, Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow O'Bryan Lane, a Rural Local Road, to maintain a 50-foot right of way in lieu of 60 feet and a 20-foot pavement width in lieu of a 30-foot pavement width with no sidewalk CONDITIONAL of the dedication of an unobstructed Emergency Vehicle Turn-Around Easement on O'Bryan Lane.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Vicente & Elisa Romero Jose & Juana Lopez</p> <p><i>Agent:</i> Herb Hooker, SKG Engineering</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 located outside of the boundaries of the City’s Comprehensive Plan so conformity is not factored with this plat.

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, safe and efficient development of the City and surrounding area (Statement C), and insure proper land development in the extraterritorial jurisdiction so the City can expand in an orderly and efficient manner. (Statement N). The new lot configurations will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O).

VariANCES: As indicated above, the applicant has submitted a variance from Chapter 9.III.V and Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow O’Bryan Lane, a Rural Local Road, to maintain a 50-foot right of way in lieu of the required 60-foot and 20-foot pavement width in lieu of a 30-foot pavement width with no sidewalk. The County Commissioner Prescient 3 is in support of these variances. 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:

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 that granting the variances to maintain the existing street right of way, width, and no sidewalk on O’Bryan Lane would not be detrimental to public safety since the area will continue to function as it does today. Engineering Services indicated that they believe the current street conditions are acceptable, conditional on the installation of an emergency vehicle turn-around. The Planning Division also supports the variances from any additional improvements to O’Bryan Lane as all of the adjacent streets are developed around the subject property and appear to be functioning adequately at their current capacity.

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 stated that this condition for additional right of way, paving, and sidewalks is not generally applicable to other property as this is within an existing development. As indicated above, Engineering Services would support a variance from any street improvements along this portion of O’Bryan Lane. The Planning Division concurs that a variance could be granted on the grounds that O’Bryan Lane functions as a county local road in its current configuration from a previously approved plat.

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 a hardship would result due to the physical surroundings and shape of the subject property including the presence of the existing street and utilities. Planning and Engineering Services both agree that the existing street widths and configuration along O'Bryan Lane service the surrounding area sufficiently and will add additional functionality with the dedication of a dedicated unobstructed emergency vehicle turn-around. The proposed replat would divide one lot into two while its outer boundaries adjacent to the existing right-of-ways will not change.

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

The applicant believes the proposed variance requests would not vary any other applicable ordinance as these are conditions created as result of prior plat approval. Planning and Engineering Services agree that the existing street widths are sufficient and the additions of an emergency services turn-around will help increase the safety of the public. As indicated, all of the adjacent lots are fully developed.

Recommendation: Staff recommends that the Planning Commission:

APPROVE the First Replat of Tracts 181, Red Creek Subdivision subject to **Three Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Submit a revised plat that illustrates the dedication for a 60' Right-Of-Way for O'Bryan Lane, a rural local street, and submit a revised plan that illustrates the required construction for O'Bryan Lane, a rural local street, with a minimum 30 feet of pavement. Once the plans are approved, construction of the street shall be to City specifications, consistent with Land Development and Subdivision Ordinance, Chapter 9 & 10. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, per Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a conditional variance from the Planning Commission with an approved emergency services turn-around as approved by the City's Engineering & Fire Marshall Departments, per Land Development and Subdivision Ordinance, Chapter 1.IV.
3. A drainage study shall be submitted if the impervious area changes by 5% and development of a site exceeds 1 acre, 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.

APPROVAL the variance from Chapter 9.III.V, Chapter 10.III.A.1 & 2 of the Subdivision Ordinance to allow O'Bryan Lane, a Rural Local Road, to maintain a 50-foot right of way in lieu of 60 feet and a 20-foot pavement width in lieu of a 30-foot pavement width with no sidewalk, **CONDITIONAL** on the dedication of an unobstructed Emergency Vehicle Turn-Around Easement on O'Bryan Lane.

Attachments:

Aerial Map
Proposed Final Plat
Application



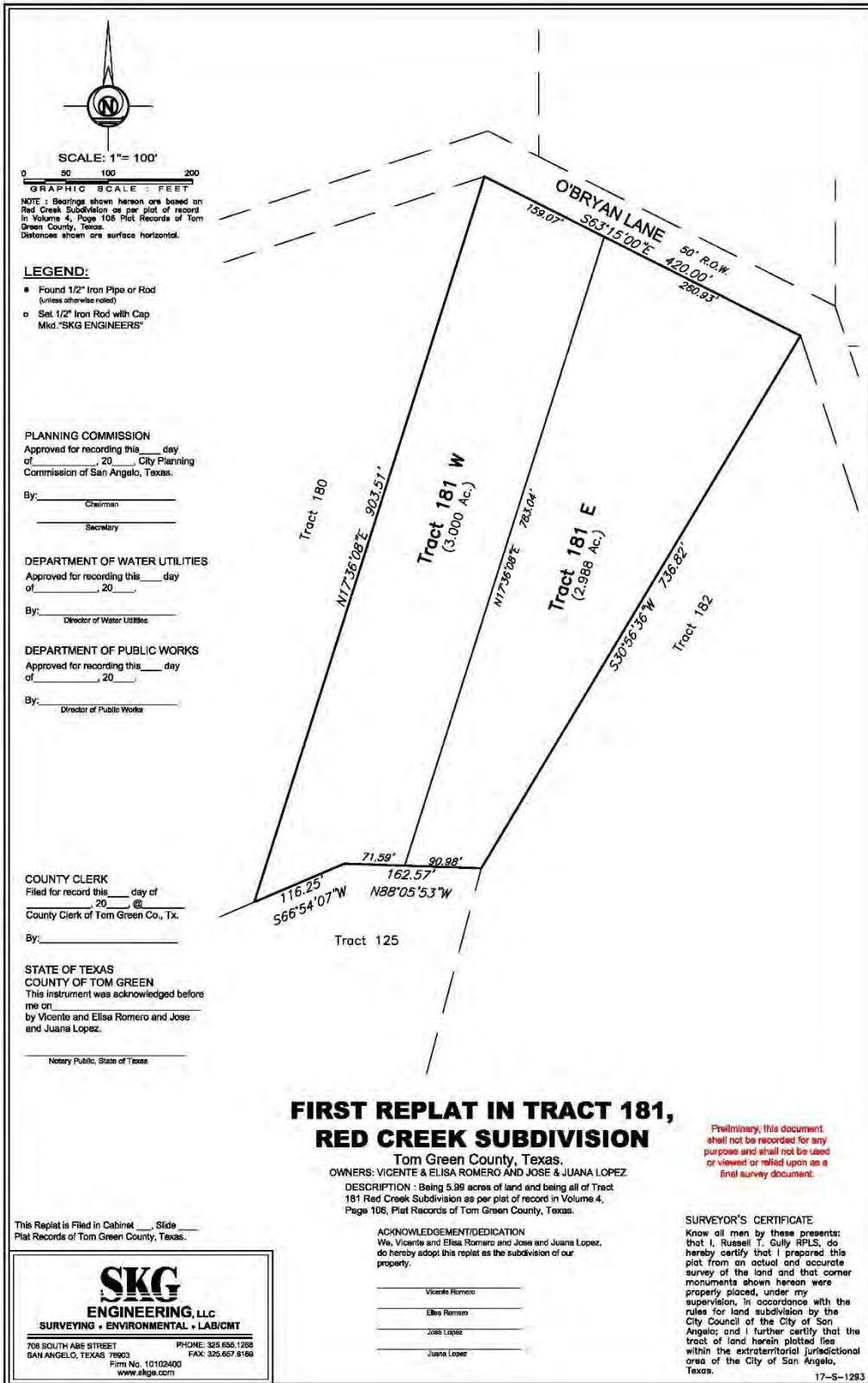
Subdivision Case File
Red Creek Subdivision
1st Replat Tract 181

Legend
Subject Properties: 

Scale: 1" approx. = 150 ft

N 







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

First Replat in Tract 181, Red Creek Subdivision, Tom Green County, Texas

Proposed Subdivision Name

Tract 181, Red Creek Subdivision, Tom Green County, Texas

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

R000057384

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: N/A

Name	Phone Number	Email Address
------	--------------	---------------

Property Owner: Vicente & Elisa Romero and Jose & Juana Lopez

Name	Phone Number	Email Address
------	--------------	---------------

Architect/Engineer/Design Professional: SKG Engineering

325-655-1288

herbh@skge.com

Name	Phone Number	Email Address
------	--------------	---------------

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? _____

City - utilizing existing services Existing size? _____

Other Please specify: Red Creek MUD

Sewer: City - requesting new services Proposed size? _____

City - utilizing existing services Existing size? _____

Other Please specify: _____

Septic System Lot size? larger than 1 acre

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

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

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

Section 3: Property Characteristics

5.99

2

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 5.99 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 5.99 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: Volume 682, Page 464 Deed Records Tom Green County

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: Ch.9.III.V, Ch.10.III.A.1&2

Full variance requested Partial variance requested (proposed variation from standard): ROW Dedication, Paving Width, Sidewalks

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

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

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

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee is/has been accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request. Lastly, the owner/representative agree to provide recording information of the plat in writing within seven calendar days, as required by Chapter 7.11 of the Subdivision Ordinance.

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


 Owner's Signature


 Representative's Signature

10-23-17  
 Date

10/24/2017
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/24/17 Date Deemed preliminary complete: 10/24/17 Date 4:30pm Time HB Initials

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

Completeness review passed? Yes 10/24/17 Date No _____ Date

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

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

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

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

Yes _____ Date No _____ Date

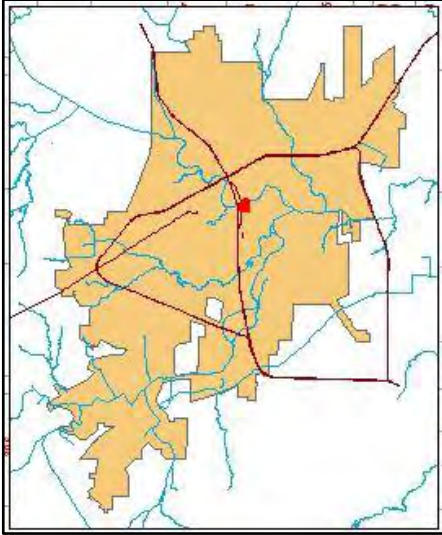
Approvals required for this application:	Approval Date	Case Number	Notes
Administrative Approval	_____	_____	_____
Planning Commission	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____



**PLANNING COMMISSION – November 13, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Conditional Use		CU17-14: Concho Quarters	
SYNOPSIS:			
<p>The applicants have requested a Conditional Use to legalize an existing short term rental on the subject property. The short term rental has been operating since Fall 2014 and the applicants have been paying hotel occupancy tax since this time (see attached). The subject property currently contains three, one-story buildings on two-and-a-half platted lots. The applicants intend to continue operating the short term rental from the largest building on the property, a 1,476-square foot, 3-bedroom, single-detached dwelling addressed as 305 West Avenue A. They also intend to rent out the 935-square-foot second dwelling, addressed as 309 West Avenue A for more than 30 days, which would not be considered a short term rental nor require a Conditional Use. The third building which the applicant indicates does not contain a stove or oven is being used as accessory storage space and is 548 square feet according to the Appraisal District.</p>			
LOCATION:		LEGAL DESCRIPTION:	
305 and 309 West Avenue A; generally located approximately 60 feet southwest of the intersection West Avenue A and South Randolph Street		Being the east 25 feet of Lot 6, and all of Lots 7 and 8 in Block 6 of the Park Heights Addition, comprising a total of 0.34 acres.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #3 – Harry Thomas Concho Neighborhood	RS-2 – Two-Family Residential	D – Downtown	0.34 acres
THOROUGHFARE PLAN:			
<p>West Avenue A – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 80' right-of-way, 56' pavement (lots already platted, complied with standards at that time)</p>			
NOTIFICATIONS:			
10 notifications mailed within 200-foot radius on November 2, 2017. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Conditional Use for a Short Term Rental in the Two-Family Residential (RS-2) Zoning District, subject to six Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owners and Applicants:</i> Frank and Rebecca Francis</p>			
STAFF CONTACT:			
<p>Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us</p>			

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

1. **Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** The proposed short term rental does not appear to create any adverse impacts on adjacent properties. The existing single-detached dwelling at 305 West Avenue A is suitable for a short term rental as it blends visually with other single-detached residences in the surrounding area. All of the structures on the property are residential in nature and would therefore, have no adverse visual impact to the residences to the east and south. In addition, there is an existing 6-foot high privacy fence along the south and west property lines and the rear portion of the east property line, further minimizing any visual impacts on surrounding properties. The proposed use would provide a suitable transition between the commercial/office uses to the west and north, Crockett National Bank and Girl Scouts, and the residential area to the east and south.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The property is zoned Two-Family Residential (RS-2) and for the purposes of lot area, lot frontage, and lot depth calculations, the entire two-and-a-half lots can be considered as one contiguous lot. As one lot, the property exceeds the minimum required lot area of 6,500 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 100 feet. The two existing dwellings are allowed by right in the RS-2 zone but it is noted that the third building cannot be used as a house (no stove addition) without a rezoning. The short term rental dwelling at 305 West Avenue Y complies with all required setbacks, and there are two paved parking spaces, also as required, under the rear carport on the property. As conditions of approval, the applicants will be required to obtain a change of occupancy for the dwelling unit at 305 West Avenue A to be used for the short term rental, as well as provide two additional paved parking spaces for the second dwelling unit as required. In addition, a maximum of one short term rental would be allowed to be rented at one time on the property, avoiding any potential overcrowding. The proposed short term rental also complies with the provisions of Section 406 of the Ordinance which apply to this use. As indicated above, the applicants have continued to pay hotel occupancy tax since the autumn of 2014.
3. **Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The proposed short term rental use appears to be compatible with the surrounding area. To the west is Crockett National Bank and to the north is the Girl Scouts building and Concho River. As mentioned, the short term rental serves as an effective transition between these office-commercial type uses and the residential dwellings to the south and east. The property is also located within the south end of “Downtown” in the City’s Comprehensive Plan, south of Concho River. The “Downtown” policies call to “increase connectivity between downtown and surrounding neighborhoods” and “encourage growth and infill along and across the North Concho Riverfront and Houston Harte Expressway.” Planning Staff believe these policy objectives are achieved with the inclusion of a short term rental at this location. The property is approximately ¼ mile from the heart of Downtown San Angelo close to shopping, restaurants and amenities along Chadbourne Street. It is also within walking distance to the City’s Riverwalk along the Concho Riverfront which includes Sante Fe Park, Spanish Park, and Kids Kingdom. A short term rental at this location would be able to take advantage of these nearby amenities and connect tourists and guests to Downtown San Angelo.

4. **Effect on Natural Environment.** *Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Planning Staff does not anticipate any adverse impacts on the natural environment. The subject use would be located within existing residential structures and maintain the existing building footprint on the property. The required two additional paved parking spaces would be reviewed as part of the change of occupancy permit(s), but Staff does not anticipate any grading or drainage issues given the small increase in paved surface.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* There appears to be a demonstrated community need given this property's close proximity to the River Walk and nearby amenities. It is also adjacent to non-residential uses on two sides and close to South Koenigheim Street, an arterial street that connects to larger commercial areas. The close proximity to shopping, retail, and recreational areas make this location suitable for a short term rental.
6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* Planning Staff believe that the existing traffic network would be able to accommodate a short term rental in this location. As mentioned, the property is located in close proximity to South Koenigheim Street, a major arterial road that can accommodate large volumes of traffic. There is an existing curb cut along the west side of the property that connects to the carport through an 80-foot long grassed area. Article 8.10.003(5) of the City Code of Ordinances allows vehicles to be parked on unimproved surfaces providing they are perpendicular to the street and are located between the curb and a garage or carport structure. This area may be used to park up to four additional vehicles if necessary. In addition, Avenue A is 56 feet wide, 16-20 feet wider than required for a local street. Vehicles currently may parallel park along the sides of the street, including the angled on-street parking area in front of the Girl Scouts building. Staff believes that limiting occupancy to one short term rental at a time, and requiring the additional two parking spaces on the property should be sufficient to satisfy parking needs.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental in the Two-Family Residential (RS-2) Zoning District, **subject to the following six Conditions of Approval:**

1. The owner shall acquire permit(s) from the Permits and Inspections Division for a Change of Occupancy for a short term rental at the dwelling unit addressed as 305 West Avenue A by January 16, 2018, as required by Section 406 of the Zoning Ordinance.
2. A maximum of one short term rental for the entire property is allowed at any given time. Occupants may only utilize the dwelling unit addressed as 305 West Avenue A for their short term rental stay.
3. The owner shall pave an additional two parking spaces as required and shall maintain all off-street parking on the premises in a manner consistent with Section 511 of the Zoning Ordinance.

4. No exterior evidence of the Short Term Rental shall be allowed, except for one unilluminated sign, no larger than six square feet.
5. The property owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, initial permit acquisition, and subsequent permit renewals.
6. No commercial outdoor storage shall be allowed on the premises.

Attachments:


Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Plan
Copies of Hotel Tax Reports
Application

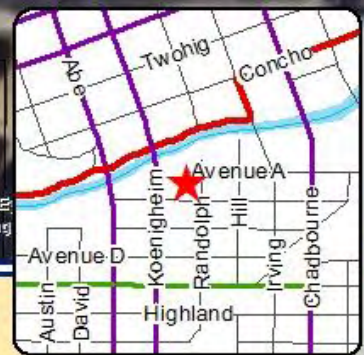


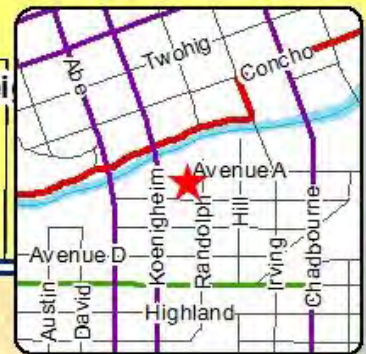
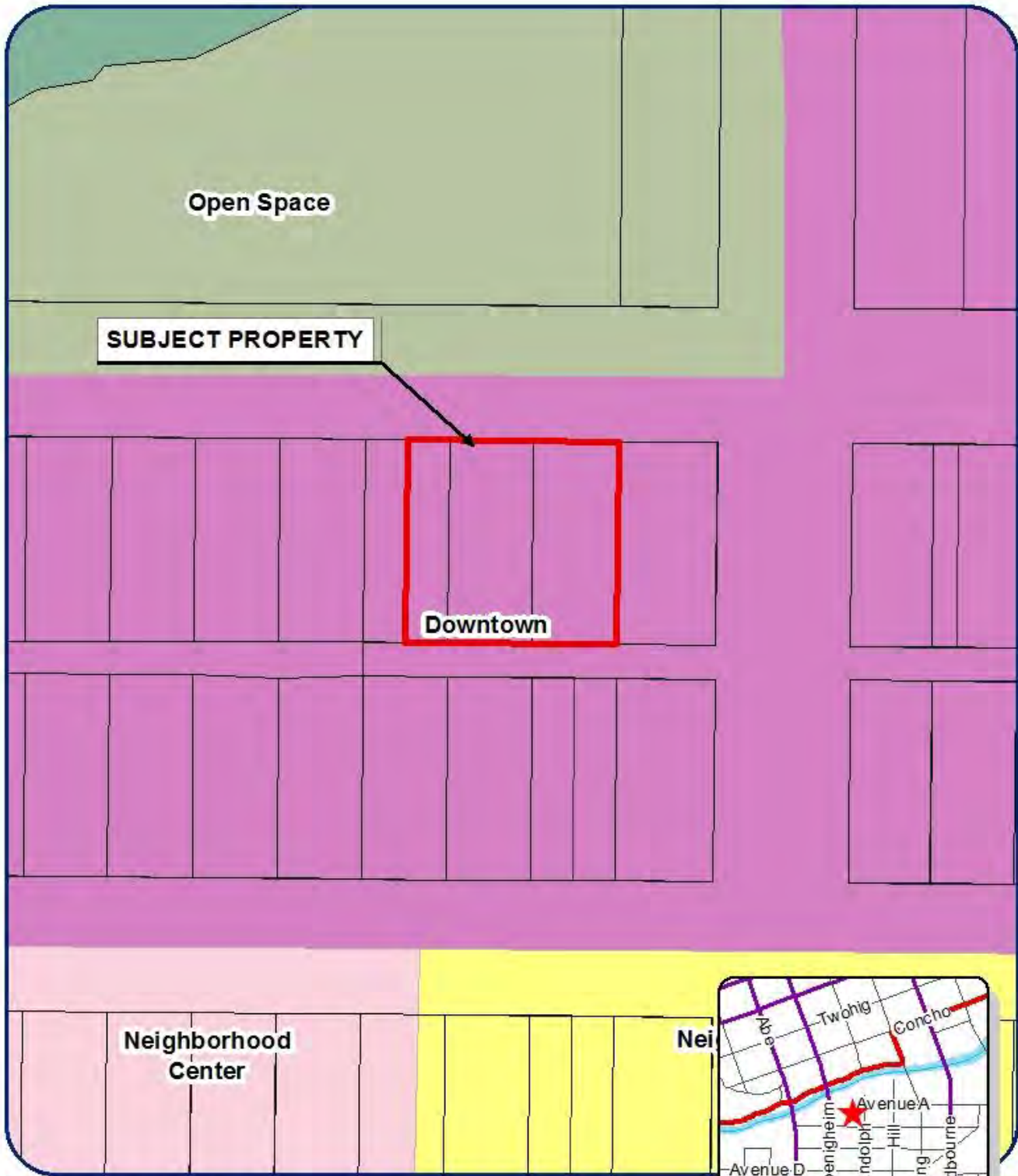
Conditional Use Case File
CU17-14: Concho Quarters

Council District: Harry Thomas (SMD#3)
Neighborhood: Fort Concho
Scale: 1" approx. = 75 ft
Subject Property: 305 and 309 West Avenue A

Legend

Subject Properties: 
Current Zoning: **RS-2**
Requested Zoning Change: **N/A**
Vision: **Downtown**





Conditional Use Case File

CU17-14: Concho Quarters


Council District: Harry Thomas (SMD#3)

Neighborhood: Fort Concho

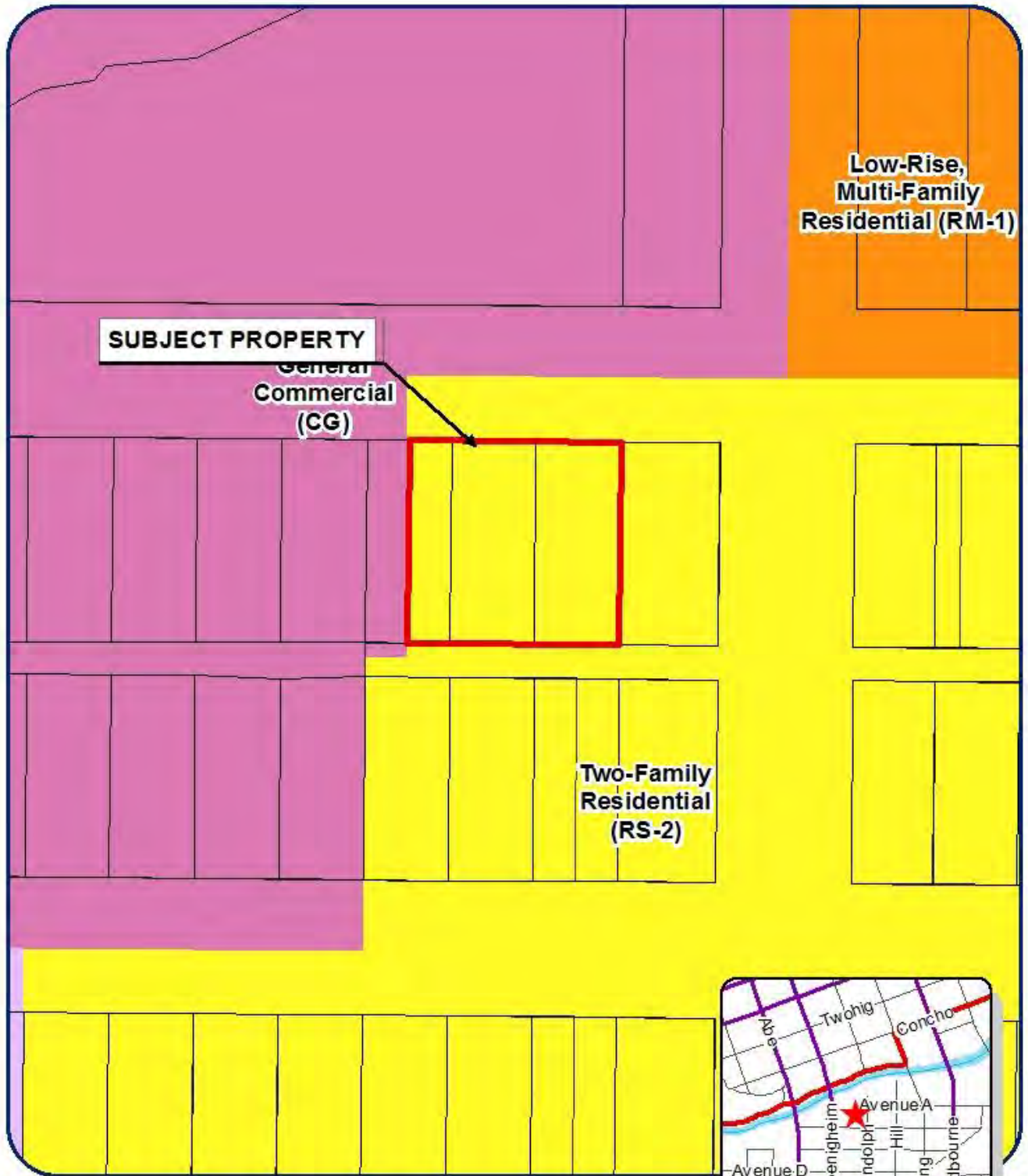
Scale: 1" approx. = 75 ft

Subject Property: 305 and 309 West Avenue A

Legend

- Subject Properties: 
- Current Zoning: **RS-2**
- Requested Zoning Change: **N/A**
- Vision: **Downtown**



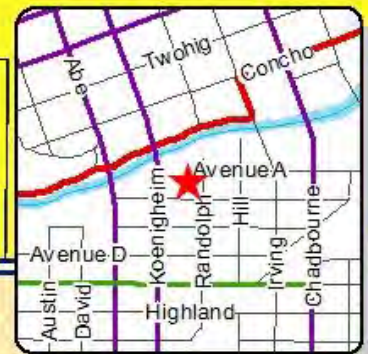


Conditional Use Case File
CU17-14: Concho Quarters

Council District: Harry Thomas (SMD#3)
 Neighborhood: Fort Concho
 Scale: 1" approx. = 75 ft
 Subject Property: 305 and 309 West Avenue A

Legend

Subject Properties: —
 Current Zoning: **RS-2**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



Photos of Site and Surrounding Area

WEST



EAST



NORTH



SOUTH AT PROPERTY



**305 WEST AVENUE A
(SHORT TERM RENTAL)**



**309 WEST AVENUE A
(DWELLING UNIT)**



Photos of Site and Surrounding Area

ACCESSORY STRUCTURE



CARPORT (2 PARKING SPACES)



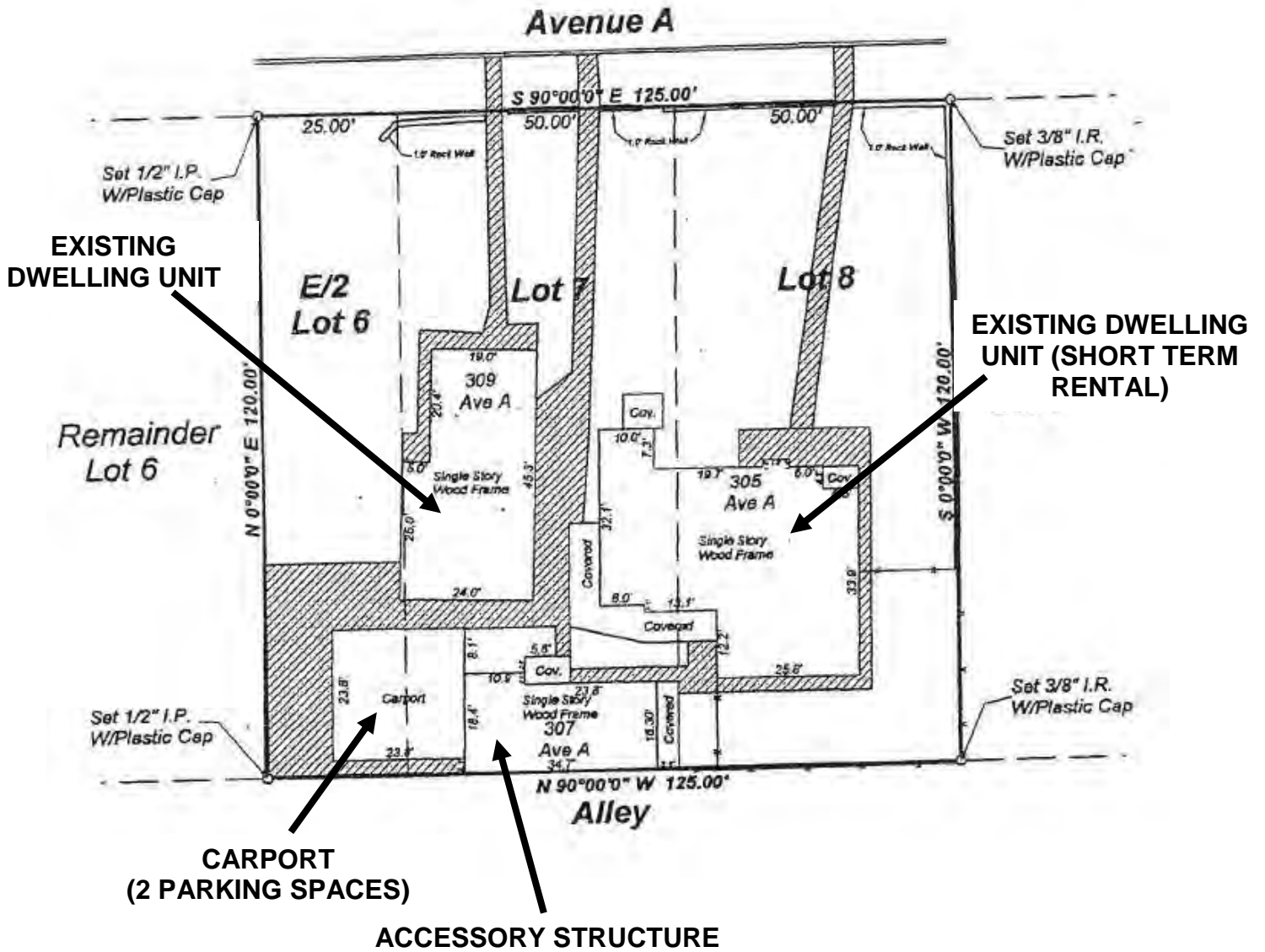
EXISTING ENTRY TO REAR CARPORT



SOUTH YARD AREA



Site Plan



KT666877



**Texas Hotel Occupancy
 Tax Report**

You have certain rights under Chapters 552 and 556, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this report.

Page 1 of 1

a. T Code **75100**

c. Taxpayer number
3-20496-7413-1

d. Filing period
QTR ENDING 09/30/2017

f. Due date
10/20/2017

g. Name and mailing address (Make any necessary name changes below.)

CONCHO QUARTERS LLC
 PO BOX 989
 SAN ANGELO TX 76902-0989

h. IMPORTANT

1. Check this box if any preprinted information has changed. Show changes beside the preprinted information.

2. Check this box if any location shown is no longer in business. Write the location number and the date you went out of business below.

LOCATION NUMBER: _____ DATE: _____

- A report must be filed even if no tax is due.

- Do not write in shaded areas.

1. NUMBER OF ROOMS	2. LOCATION TRADE NAME AND ADDRESS	3. LOCATION NUMBER	4. TOTAL DOLLAR AMOUNT OF RECEIPTS	5. TOTAL TAXABLE RECEIPTS
1	CONCHO QUARTERS LLC 305 W AVENUE A SAN ANGELO TX 76903-6805	00001	5250.00	5250.00
2	CONCHO QUARTERS 104 W AVENUE B SAN ANGELO TX 76903-6808	00002	0.	0.

CONCHO QUARTERS LLC
 PO BOX 989
 SAN ANGELO, TX 76902-0989

1536
 37-0511 12 708
 9043617738

10-12-17

Pay to the Order of State Comptroller \$ 311.85
three hundred eleven & 85/100 dollars

WELLS FARGO
 Wells Fargo Bank, N.A.
 www.wellsfargo.com

3-20496-7413-1

For Qtr ending 9-30-17 Rebecca Starob

⑆ 111900659⑆ 9043617738⑆ 01536

5250.00
5250.00
315.00
3.15
311.85

11. Penalty (See instructions) 7, 8, 9

12. Interest (See instructions)

13. TOTAL AMOUNT DUE AND PAYABLE (Item 10 plus item 11 and item 12) **311.85**

Taxpayer name
CONCHO QUARTERS LLC

T Code **75020** Taxpayer number **32049674131** Period **173**

Make the amount in item 13 payable to STATE COMPTROLLER
 Mail to: Comptroller of Public Accounts
 P.O. Box 149356
 Austin, TX 78714-9356

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.

sign here Rebecca Starob
 Daytime phone (Area code and number) 325-656-2248 Date 10-12-17

RT666899



**Texas Hotel Occupancy
 Tax Report**

You have certain rights under Chapters 552 and 562, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this report.

T Code ■ 75100

Taxpayer number
 ■ 3-20496-7413-1

Filing period
 QTR ENDING 12/31/2014

■ E44

Filing date
 01/20/2015

Name and mailing address (Make any necessary name changes below.)

CONCHO QUARTERS LLC
 PO BOX 989
 SAN ANGELO TX 76902-0989

2H07

IMPORTANT

Blacken this box if any pertinent information has changed. Show changes beside the preprinted information. 1.

Blacken this box if any location shown is no longer in business. Write the location number and the date you went out of business below. 2.

LOCATION: _____ COB: _____
 NUMBER: _____ DATE: _____

- A report must be filed even if no tax is due.

- Do not write in shaded areas.

1. NUMBER OF ROOMS	2. LOCATION TRADE NAME AND ADDRESS	3. LOCATION NUMBER	4. TOTAL ROOM RECEIPTS	5. TOTAL TAXABLE RECEIPTS
1	CONCHO QUARTERS LLC 305 W AVENUE A SAN ANGELO TX 76903-6805	00001	.	0.
			.	.
			.	.
			.	.

T Code ■ 75180

6. Total room receipts for ALL locations (Item 4 from this and all supplemental pages) 6. ■ 0.

7. Total taxable receipts for ALL locations (Item 5 from this and all supplemental pages) 7. ■ 0.

8. Total tax due / 6.0 % of item 7) 8. ■ 0.

9. Discount (if paid on time, enter 1% of item 8) 9. ■ 0.

10. Tax due after discount (item 8 minus item 9) 10. ■ 0.

11. Penalty (See instructions) 11. ■ .

12. Interest (See instructions) 12. ■ .

13. TOTAL AMOUNT DUE AND PAYABLE (item 10 plus item 11 and item 12) 13. ■ 0.

copy posted 1/17/15

Taxpayer name
 CONCHO QUARTERS LLC

T Code ■ 75020 Taxpayer number ■ 32049674131 Period ■ 144 4

Make the amount in item 13 payable to: STATE COMPTROLLER

Mail to: Comptroller of Public Accounts
 P.O. Box 149356
 Austin, TX 78714-9356

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.

sign here *Duty authorized agent*
Frank Kano
 Daytime phone: _____ Date: _____
 (Area code and number)

CITY OF SAN ANGELO
HOTEL AND MOTEL TAX REPORT
TAXPAYER NAME AND MAILING ADDRESS:

Concho Quarters

PO box 989

San Angelo Tx 76902

MONTH ENDING DATE 9-30-17

OUTLET TRADE NAME AND LOCATION ADDRESS:

Concho Quarters

305 W Ave A San Angelo TX 76903

Taxpayer Identification Number, 3-20496-7413-1

1.	TOTAL GROSS ROOM RENTAL RECEIPTS	<u>0</u>
2.	LESS EXEMPT ROOM RENTALS (govt. employees on official business)	
3.	TAXABLE ROOM RENTAL RECEIPTS (1-2)	<u>0</u>
4.	TOTAL AMOUNT OF TAX DUE (7% OF 3)	
5.	DISCOUNT (deduct 1% of line 4 if paid before due date)	
6.	LESS PAYMENTS PREVIOUSLY PAID	
7.	NET TAX DUE (line 4 less line 5 and 6)	
8.	LATE PENALTY	
9.	LATE INTEREST	
10.	TOTAL AMOUNT DUE (line 7 plus 8 and 9)	<u>0</u>

MAKE CHECKS PAYABLE TO: CITY OF SAN ANGELO
P.O. BOX 1751
SAN ANGELO, TX 76902

SIGNATURE OF OWNER OR MANAGER

Rebecca Francis

10-12-17

DATE

TAXPAYER NAME AND MAILING ADDRESS:

Frank Francis

PO 989

San Angelo, TX 76902

MONTH ENDING DATE 1/31/14

OUTLET TRADE NAME AND LOCATION ADDRESS:

Concho Quarters LLC

305 W Ave A 76903

Taxpayer Identification Number: 3-20496-7413-1

1.	TOTAL GROSS ROOM RENTAL RECEIPTS	<u>3000.00</u>
2.	LESS EXEMPT ROOM RENTALS (govt. employees on official business)	<u>—</u>
3.	TAXABLE ROOM RENTAL RECEIPTS (1-2)	<u>3000.00</u>
4.	TOTAL AMOUNT OF TAX DUE (7% OF 3)	<u>210.00</u>
5.	DISCOUNT (deduct 1% of line 4 if paid before due date)	<u>2.10</u>
6.	LESS PAYMENTS PREVIOUSLY PAID	<u>—</u>
7.	NET TAX DUE (line 4 less line 5 and 6)	<u>207.90</u>
8.	LATE PENALTY	<u>—</u>
9.	LATE INTEREST	<u>—</u>
10.	TOTAL AMOUNT DUE (line 7 plus 8 and 9)	<u>\$ 207.90</u>


MAKE CHECKS PAYABLE TO: CITY OF SAN ANGELO
P.O. BOX 1751
SAN ANGELO, TX 76902

SIGNATURE OF OWNER OR MANAGER


John Francis

DATE 1/25/14

Copy
Rental Relocation
\$300.00



City of San Angelo, Texas – Planning Division
 52 West College Avenue
**Application for Conditional Use:
 Short-Term Rental Property**



Office Use Only - Date Accepted:

Section 1: Basic Information

SELECT ONE: Property Owner Designated Operator (Affidavit Required) Representative (Affidavit Required)

Concho Quarters Frank + Rebecca Francis
 Name of Property Owner (s) Name of Operator (s)

1930 Spring Creek dr San Angelo Tx
 Property Owner Mailing Address City State Zip Code

325-656-2248 (Frank) info@conchoquarters.com
 Property Owner Contact Phone Number Property Owner Contact E-mail Address

1930 Spring Creek dr San Angelo Tx 76901
 Designated Operator Mailing Address City State Zip Code

325-656-2248 info@conchoquarters.com
 Designated Operator Contact Phone Number Designated Operator Contact E-mail Address

305 West Avenue A San Angelo Tx 76903
 Short Term Property Address City State Zip Code

Number of bedrooms: 3 Number of Off-street Parking Spaces: 2 Zoning: RS2

Section 2: Site Specific Details

Provided Site Plan to include a Parking Table and any/all proposed lighting Yes No

Please initial and provide explanations for the following:

RF I understand that the Planning Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanations below:

Impacts Minimized. Whether and the extent to which the short-term rental or Bed & Breakfast property use creates adverse effects, including adverse visual impacts, on adjacent properties.
 Explanation: The appearance is consistent with adjacent properties

Consistent with Surrounding Area. Whether and the extent to which the proposed short-term rental Bed & Breakfast property use is compatible with existing and anticipated uses, surrounding the subject property.
 Explanation: Concho Quarters is across the street from the Girl Scout Council which frequently hosts large gatherings.

Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment.
 Explanation: NONE

Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.
 Explanation: Concho Quarters provides lodging for tourists and citizens of San Angelo interested in downtown San Angelo

Development Patterns. Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.
 Explanation: Concho Quarters is located in the TIRZ eligibility area.

Effective February 2, 2017

Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

- R.F. Each Short-Term Rental Conditional Use must be renewed one year from the initial approval and then every two years thereafter.
- R.F. Unless exempt, a permit cannot be granted for a STR on a street less than 30 feet in width nor within 500 feet of another STR.
- R.F. The applicant has designated an "Operator" who resides in Tom Green County, Texas and has furnish a telephone number for the named operator. This information must be furnished in the notice to owners of real property as required by Section 201 of this Zoning Ordinance. If this information subsequently changes, the operator must mail notice of the new contact information to owners of real property within 200 feet of the property.
- R.F. The operator shall keep a current guest register in compliance with State code
- R.F. If the short-term rental property is residentially zoned, all lighting must be directed toward the establishment and not at surrounding neighbors.
- R.F. The operator of a Short Term Rental must post conspicuously in the common area of each unit:
1) The name and contact information of the operator, and
2) The occupancy limits and restrictions on noise as set out in the City Code of Ordinances.
- R.F. Renting for overnight occupancy by more than 2 people 18 or older per bedroom is prohibited.
- R.F. Meal service may not be provided.
- R.F. Permitting, or hosting of, outdoor gatherings before 7:00 am or after 10:30 pm is prohibited.
- R.F. Permitting or hosting any outdoor gathering of more than 20 people attending at one time is prohibited.
- R.F. A Short Term Rental may be occupied by no more than 6 individuals unrelated by blood, marriage, or adoption.
- R.F. Tents, trailers, cabin, lean-to or similar used for temporary living quarters are prohibited, with the exception of one "gup tent" for no more than two persons and no larger than 40 inches in height or 8 feet in length.
- R.F. All Bed and Breakfast and Short Term Rental establishments must be registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax.
- R.F. The owner will obtain and comply with an annual fire safety inspection by the City Fire Marshal's office.
- R.F. The Planning Commission makes the final decision on all Short-Term Rental Conditional Use requests, appeals may be directed to City Council.
- R.F. Approval of this Short-Term Rental Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
- R.F. If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.
- R.F. A certificate of occupancy through the City's Permits and Inspections division will be required.

I/We, the undersigned, acknowledge and understand that the above information is not an exhaustive list of standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"]

I/We, the undersigned, acknowledge and understand that failure to comply with all applicable standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"] for such an establishment may result in revocation of the Certificate of Occupancy.

Frank Francis
Printed name and Signature of Property Owner or Authorized Representative

10-16-17
Date

Rebecca Francis
Printed name and Signature of Designated Operator

10-16-17
Date

Effective February 2, 2017

FOR OFFICE USE ONLY:

Case No.: CU: 17-14 Planning Commission date: 11, 13, 17

Nonrefundable application Fee: \$ 385.00 Receipt #: 269547 Date paid: 10, 17, 17

Planning Commission: Approve Disapprove Date: ____/____/____

Appeal to City Council: YES NO Date and time of Appeal: ____/____/____ am/pm

City Council Approve Disapprove Date: ____/____/____

State Hotel Occupancy Tax Number: _____ City Hotel Occupancy Tax Number: _____

Date Forwarded to Building Permits & Inspections: ____/____/____

Texas Hotel
occupancy tax

3-20496-7413-1



PLANNING COMMISSION – November 13, 2017 STAFF REPORT

APPLICATION TYPE:	CASE:
Conditional Use	CU17-15: Castellanos

SYNOPSIS:

The applicants have requested a Conditional Use to allow the sale of agricultural produce, a component of retail sales and service, and household living, in the Light Manufacturing (ML) Zoning District on the subject property. The ML Zoning District does not currently allow these uses. The applicant was previously utilizing a nearby property in 2016, 3702 North Bryant Boulevard, for the same uses, agricultural produce (hay) sales and a recreational vehicle (RV) for household living. However, it was discovered at that time that both these uses were operating illegally and a notice of violation was issued to remove both, or apply for a Conditional Use. On July 18, 2016, the owner of that property was granted a Conditional Use by the Planning Commission for the sale of agricultural produce. However, as a condition of approval, the owner had to remove the RV unit which was not part of the request as it was not considered “household living” under Section 311 of the Zoning Ordinance. The applicant is now seeking approval to allow hay sales and a manufactured home to allow their family members who operate the business to live on the property. A manufactured is considered a component of household living under Section 311 of the Zoning Ordinance, but would still require a Conditional Use approval because household living is not allowed in the ML District on the property.

LOCATION:	LEGAL DESCRIPTION:		
3940 North Bryant Boulevard; generally located approximately 610 feet south of the intersection of North Bryant Boulevard and Lake Drive	Being Lot 4 in the Lake Drive Subdivision, comprising a total of 3.00 acres.		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #2 – Tom Thompson Riverside Neighborhood	ML – Light Manufacturing	C – Commercial	3.00 acres

THOROUGHFARE PLAN:

North Bryant Boulevard (TXDOT) – Urban Arterial Street
 Required: 80’ right-of-way, 64’ pavement
 Provided: 300’ right-of-way, 260’ pavement

NOTIFICATIONS:

6 notifications mailed within 200-foot radius on November 2, 2017. Zero were received in support or opposition.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the Conditional Use to allow retail sales and service (the sale of Agricultural Produce) and Household Living, in the Light Manufacturing (ML) Zoning District, **subject to eight Conditions of Approval.**

PROPERTY OWNER/PETITIONER:

Property Owners and Applicants:
 Frank and Rebecca Francis

STAFF CONTACT:

Jeff Fisher, AICP
 Senior Planner
 (325) 657-4210, Extension 1550
jeff.fisher@cosatx.us



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

1. **Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** The proposed uses do not appear to create any negative impacts on adjacent properties. The property consists of four lots north of the previous Conditional Use approval (CU16-06) which also allowed for the sale of agricultural produce. The surrounding area although zoned ML, contains several nearby commercial uses including the retail sale of mobile home units to the north, a vehicle repair facility to the south, and a car dealership to the southwest. There are also residential dwellings to the east on the Ranch and Estate (R&E) zoned land which would make a manufactured home compatible in this respect. As a condition of approval, the applicant will be required to install a 6-foot high opaque privacy fence along the easterly lot line adjacent to the R&E zoning, consistent with Section 509 of the Zoning Ordinance. The applicant will also have to obtain a building permit for the existing intermodal storage container used, as per Section 416 of the Zoning Ordinance. In addition, the applicant will be required to provide verification that the goats located to the rear of the property are for his personal use and enjoyment in accordance with Section 317.B.4 of the Zoning Ordinance.

2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The subject property is a platted lot that well exceeds the minimum required lot area of 6,000 square feet, lot frontage of 50 feet, and lot depth of 80 feet. All of the existing and proposed uses are set back greater than the required 25 feet required for the ML District. As a condition of approval, the applicant will be required to submit a revised site plan that shows the entire property with a minimum two paved parking spaces and paved connection to the street, as well as the required 6-foot opaque privacy fence indicated above.

3. **Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The proposed agricultural hay sales business appears to be appropriate in this location given the wide range of commercial uses that already exist nearby. Under normal circumstances however, household living would not be compatible in an ML District. However, in this case, the use is appropriate provided it is related to the hay sales business only. As stated earlier, the applicant's family, whom runs the business, plans to stay in the manufactured home. At least one commercial use in Section 315.I of the Zoning Ordinance, "Self-Service Storage," allows living quarters for a resident manager or security and leasing office. This definition appears to take into account those instances where businesses need to provide security or management with residential accommodation on the property. Planning Staff believe that this situation may be consistent with the above stipulation. Allowing a manufactured home on the property for members of the business will increase safety and security, as many of the hay storage is outdoors. The dwelling would also be compatible with residential living that also takes place to the east of the property.

4. **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Planning Staff does not anticipate any adverse impacts on the natural environment. The hay sales would not require any additional parking other than the two required parking spaces and any driveway improvements.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need. The applicant indicates that their hay business provides hay to local farmers, ranchers and the local community. Staff believes that this business is appropriate in this location given close proximity to other commercial businesses and direct and abutting access to North Bryant Boulevard, a major Arterial Road that can accommodate large volumes of commercial traffic.
6. **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community. The existing lot has already been platted and Staff does not anticipate any adverse impacts on development patterns. As indicated above, the property fronts onto North Bryant Boulevard, a major Arterial Road that can accommodate large commercial traffic volumes.

Recommendation:

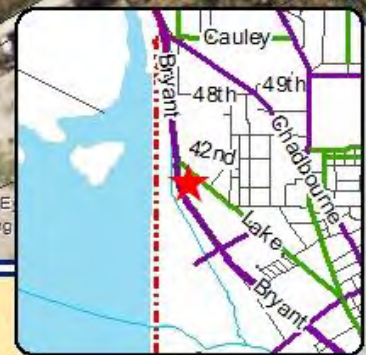
Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow retail sales and service (the sale of Agricultural Produce) and Household Living, in the Light Manufacturing (ML) Zoning District, **subject to the following eight Conditions of Approval:**

1. "Household Living" shall be limited to one manufactured home for a maximum of four persons employed in the business on the property.
2. The applicant shall obtain Building Permits from the Permits and Inspections Division for the manufactured home, intermodal container, and any other permanent structures.
3. The applicant is required to install a 6-foot high opaque solid screen privacy fence along the full length of the east property line, adjacent to the residential zoning district boundary or residential uses, in accordance with the fencing requirements of Section 509 of the Zoning Ordinance. The applicant may use wood or metal slats as screening over the existing chain link fence.
4. The owner shall pave two parking spaces, including driveway(s) connecting to the paved apron to the street as required, and shall maintain all off-street parking on the premises in a manner consistent with Section 511 of the Zoning Ordinance.
5. The applicant shall submit a revised site plan drawing that delineates all required improvements, and includes the entire property boundary.
6. Any future development shall be subject to the Light Manufacturing (ML) development standards, as per Section 501.B. of the Zoning Ordinance.
7. All new exterior lighting shall be shielded and positioned in such a manner so as to not spill over onto any adjacent property.

8. The goats on the property shall be removed, unless they are being used for personal use and enjoyment in accordance with Section 317.B.4 of the Zoning Ordinance and in accordance with Chapter 3 of the Animal Control Ordinance. Verification of such shall be presented to the Planning Director, or his designee, for determination.

Attachments:


Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Plan
Application



Conditional Use Case File
CU17-15: Castellanos

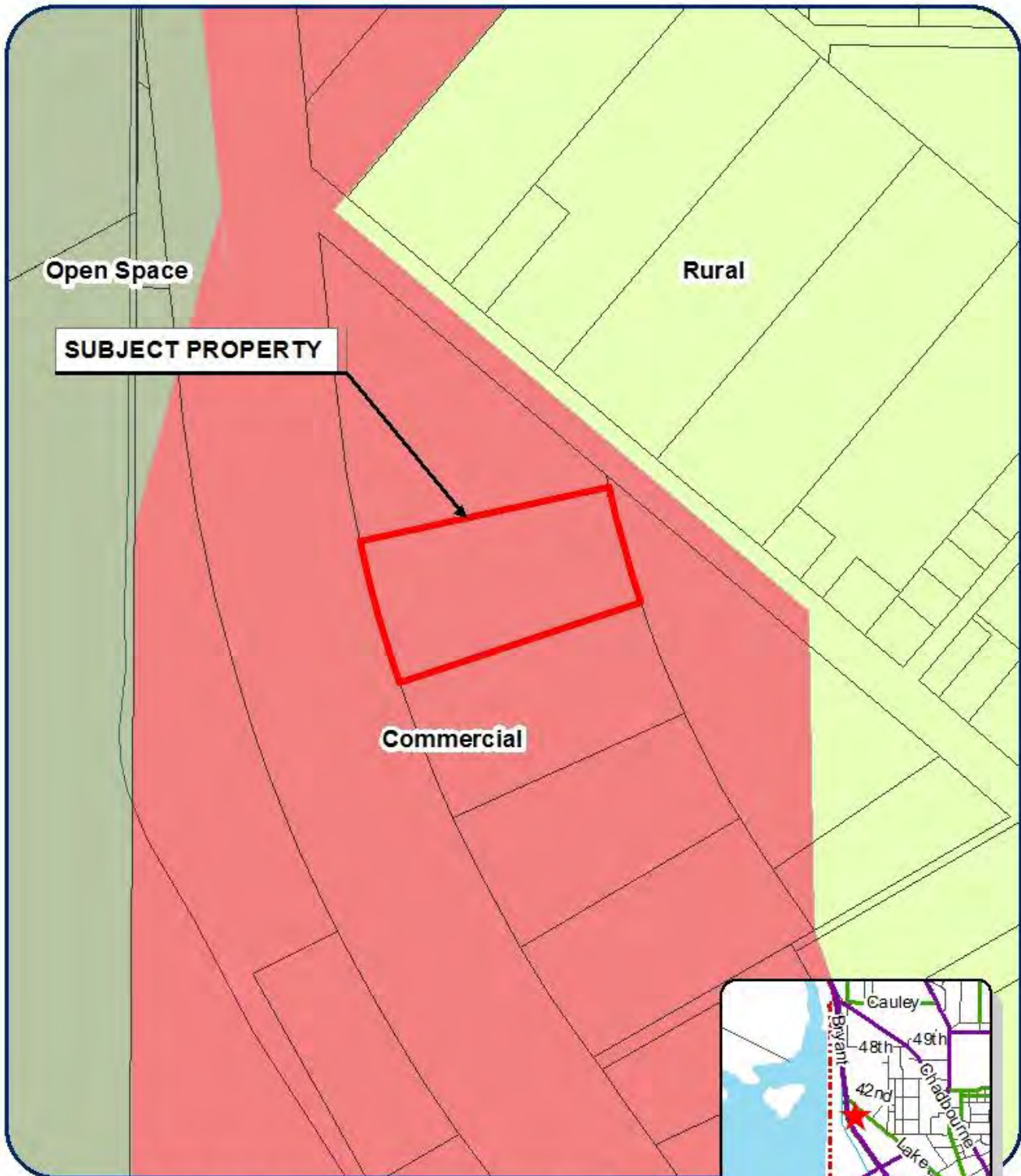
Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 250 ft
Subject Property: 3940 N. Bryant Blvd.

Legend

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

N






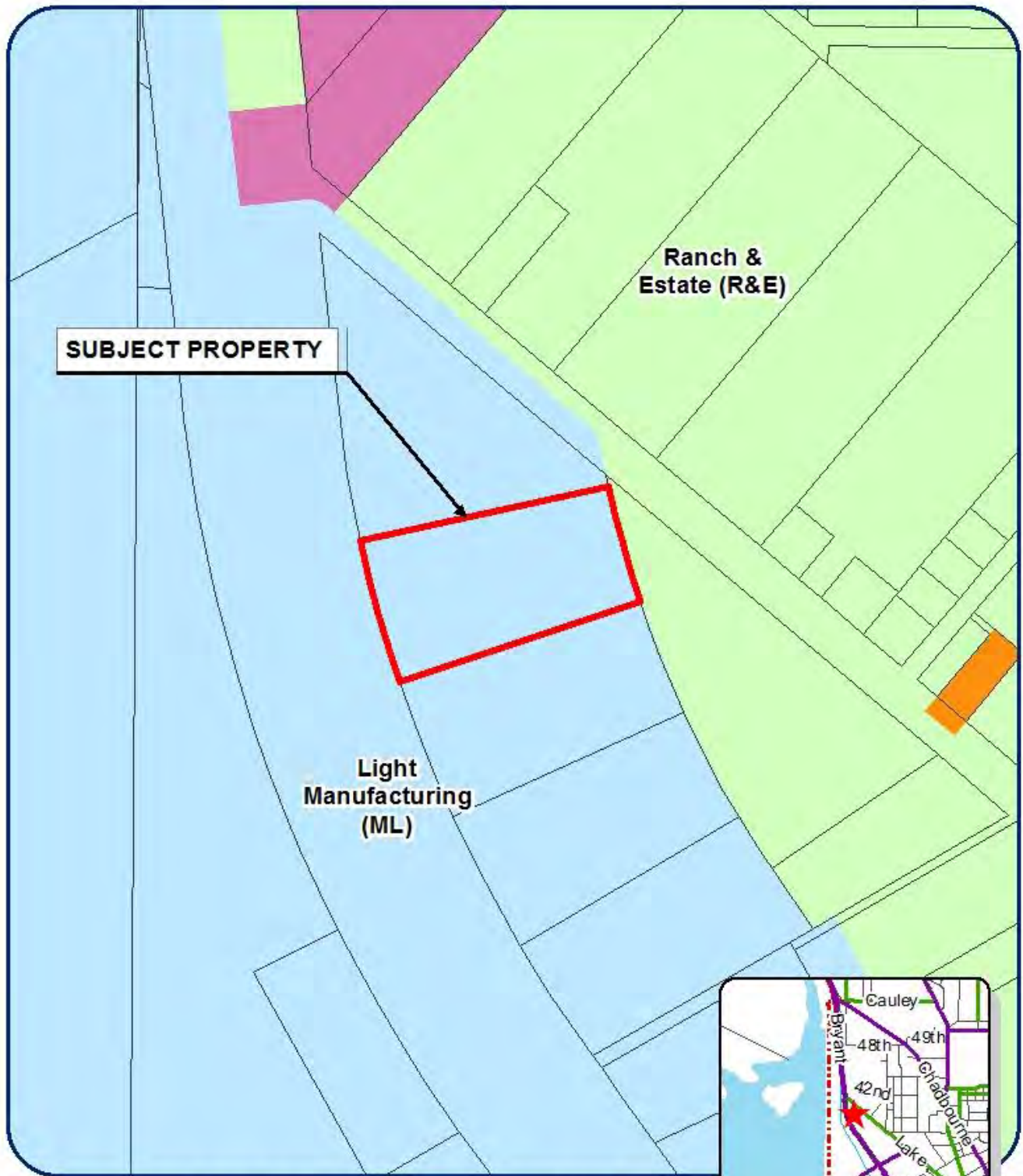
Conditional Use Case File
CU17-15: Castellanos

Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 250 ft
Subject Property: 3940 N. Bryant Blvd.

Legend

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






Conditional Use Case File
CU17-15: Castellanos

Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 250 ft
Subject Property: 3940 N. Bryant Blvd.

Legend

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



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST



EAST AT PROPERTY



Photos of Site and Surrounding Area

EXISTING OFFICE (240 SQUARE FEET)



HAY SALES AREA



EAST FENCE TO BE SCREENED



GOAT PEN AREA



Site Plan



Effective August 2014



City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Conditional Use



Section 1: Basic Information

Name of Applicant(s): Jose H. Castellanos
 Owner Representative (Affidavit Required)

Mailing Address: P.O. Box 3921 San Angelo Tx. 76901
City State Zip Code

Contact Phone Number: 602-483-8382 Contact E-mail Address: _____

Subject Property Address: 3940 N Bryant San Angelo Tx. 76901
City State Zip Code

Legal Description (can be found on property tax statement or at www.texasmapinfo.com):
Lake Dr. Sub Division Lot 4 Chaparral Stg

Lot Size: 3 Acres 285 x 500 Zoning: M-L

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Hay Sales

Proposed Use/Size: Hay Sales & Household Living

Proposed Conditional Use (from Section 309): _____

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

Impacts Minimized. Whether and the extent to which the proposed expansion of a nonconforming use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: Commercial Use Compatible with other use on Bryant Blvd, New Close to other Homes

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

Explanation: No New Bldg Proposed Existing Bldg only Comply with Zoning

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

Explanation: Hay Sales Consistent with Business along Bryant Manufactured Hm will Occupied by Business/Owner & Family Property

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

Effective January 1, 2017

Explanation: N/A

Section 2 continued: Site Specific Details

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

Explanation: It Purchased By Teachers, Farmers, Local Community, Family Business, Gas or For Family to reside on property. Commercial Right Security

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

Explanation: Access From N. Bryant can easily handle Commercial/Traffic

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

Jose H Castellanos
Signature of licensee or authorized representative

9/15/2017
Date

JOSE H CASTELLANOS
Printed name of licensee or authorized representative

Castellanos Alfala For Sale
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: 17-15 Planning Commission date: 11, 13, 2017
Nonrefundable application Fee: \$422.50 Receipt #: _____ Date paid: 10, 20, 2017
Reviewed/Accepted by: J. Fisher Date: 10, 20, 2017



**PLANNING COMMISSION – November 13, 2017
STAFF REPORT**

APPLICATION TYPE:		CASE:	
Conditional Use		CU17-16: Thompson	
SYNOPSIS:			
<p>The applicant has applied for a Conditional Use to legalize an existing residential unit within a commercial building on the subject property. The applicant recently approached the City to obtain an electrical permit and it was discovered by City Staff that there were no previous permits obtained for residential occupancy. The property is zoned General Commercial/Heavy Commercial (CG/CH) which does not allow household (residential) living without a Conditional Use approval. The applicant indicated he began converting portions of the interior of the building in 1999 without permits. The previous “Business Commercial (C-2)” zoning allowed household living within commercial districts but because the applicant did not obtain permits to convert the building into residential occupancy, it remains a non-conforming use and requires a Conditional Use approval. The residential portion on the north side of the building is approximately 1,760 sq. ft. (42% of the building) and includes a finished living room, kitchen, bedroom and bathroom. Behind the residence is an existing attached carport and narrow rear yard. An internal fence behind the carport restricts the full length required to accommodate two residential parking spaces and will be required to be removed or relocated as a condition of approval. The commercial area in the front is currently unoccupied and has direct access to West Beauregard Avenue and faces this street.</p>			
LOCATION:		LEGAL DESCRIPTION:	
1314 West Beauregard Avenue; generally located approximately 90 feet east of the intersection of West Beauregard Avenue and South Jefferson Street.		Being the east 50 feet of Lots 7 and 8 in Block 107 of the Angelo Heights Addition, comprising a total of 0.81 acres.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #5 – Lane Carter Central Neighborhood	CG/CH – General Commercial/Heavy Commercial	NC – Neighborhood Center	0.115 acres
THOROUGHFARE PLAN:			
<p>West Beauregard Avenue – Urban Arterial Street (TXDOT) Required: 80’ right-of-way, 64’ pavement Provided: 80’ right-of-way, 60’ pavement (lots already platted, complied with standards at that time)</p>			
NOTIFICATIONS:			
18 notifications mailed within 200-foot radius on October 30, 2017. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Conditional Use to allow for Household Living in the General Commercial/Heavy Commercial (CG/CH) Zoning District, subject to three Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner and Applicant: Mr. Maynard Thompson			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

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

1. **Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** The existing residential unit is located entirely within the building, and therefore, there are no adverse visual impacts on surrounding properties. The front commercial portion of the building is part of a continuous network of retail commercial businesses that front onto West Beauregard Avenue and that are also zoned CG/CH. These businesses include the adjacent Sunshades window tinting business to the west and the retail stores to the east. Meanwhile, the residential unit within the rear of the building is consistent with the other residential uses facing west, northeast and east. Immediately west at 18 South Jefferson Street is an apartment building, and to the north and east is an existing residential area with single-family residences and RS-2 residential zoning. Therefore, Planning Staff does not anticipate any adverse impacts on surrounding properties.

2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The proposed Conditional Use to allow the residential unit at the rear of the building is consistent with the Zoning Ordinance. The rear yard is 11 feet wide by 50 feet long which can accommodate the required two parking spaces for a residential dwelling unit (9 feet by 18 feet each) provided there are no obstructions. As a condition of approval, the internal fence behind the carport which divides the rear yard will have to be removed or shifted west. This will allow the required parking area of 40 feet on the property – a length of 18 feet per parking space, 36 feet, plus an additional 4 feet of maneuvering to the alley. Since the commercial space in the building is presently unoccupied, no additional parking is required at this time. Should a new commercial use, however, be located in this portion of the building which requires a change of occupancy from any previous use, additional parking would have to be provided. This would require the owner to either obtain parking from a neighboring owner located within 400 feet of the property as per Section 511.D of the Zoning Ordinance; apply for reduced parking from the Planning Director as per Section 511.E of the Zoning Ordinance; or apply for a variance to the Zoning Board of Adjustment. Since this portion of the building remains unoccupied and the current residence has sufficient parking, the Planning Division supports the request. Any future parking shortage would have to be addressed at that time, prior to any commercial occupancy. Meanwhile, the proposed use would not circumvent any current requirements of the Zoning Ordinance. The original building was erected in 1925, according to the Tom Green Appraisal District, prior to the original 1940 Zoning Ordinance, and is therefore legal non-conforming with respect to setbacks and floor area ratio. As a condition of approval, the applicant will require a change of occupancy to legalize the existing residential unit.

3. **Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** Planning Staff believe that the existing residential use at the rear of the building is compatible with the surrounding area. As mentioned, the surrounding area to the north and northeast is residential and there is an existing apartment building immediately west. The building serves as a mixed use – commercial to the front facing West Beauregard Avenue with other commercial businesses, and residential at the rear located adjacent to the residential neighborhood to the north. Staff believes that the current occupancies function appropriately in the surrounding context.

4. **Effect on Natural Environment.** Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Planning Staff does not anticipate any adverse impacts on the natural environment. As previously stated, the applicant will be required to pave an additional eight feet in the rear yard for the second parking space but Staff does not believe this minor addition would affect current drainage patterns. The additional paved area would be reviewed through the associated change of occupancy permit.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need. Planning Staff believe that there is a demonstrated community need given surrounding residential uses and the City's Comprehensive Plan designation of "Neighborhood Center" which calls for a mix of uses in this area. The applicable policy states that these properties should "allow for a mix of uses allowing for increased activity, interest, and long-term viability." Staff believes that the proposed Conditional Use meets the intent of this policy, allowing for a mix of commercial and residential uses on this property. In addition, the Neighborhood Center designation states that "Residents of neighborhoods should be able to meet their daily shopping needs within a mile of their home." The residential unit is located within steps of West Beauregard Avenue with a wide range of retail and office uses. This major arterial street is also located on a major bus route for Concho Valley Transit, allowing residents convenient access to public transit connecting them to various locations throughout the City.
6. **Development Patterns.** Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community. Staff does not anticipate any changes to current development patterns as the residential unit is located within an existing building with adequate parking. In addition, the existing property is fully built-out and therefore, development patterns should not be altered in future. The building is located along West Beauregard Avenue, a major Arterial Road which can easily accommodate the additional residential occupancy.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for Household Living as defined in Section 313.B of the Zoning Ordinance, in the General Commercial/Heavy Commercial (CG/CH) Zoning District, **subject to the following three Conditions of Approval:**

1. The applicant shall acquire permit(s) from the Permits and Inspections Division for a Change of Occupancy to allow the existing residential unit within the building.
2. This approval for Household Living shall only apply to the existing residential unit as its respective square footage. Any future residential additions or structures shall require an amendment to this Conditional Use, or a Rezoning.
3. The applicant shall extend the existing paved parking area by an additional eight feet to provide the minimum required two (2) parking spaces for a residential unit. This will require removing or relocating the existing internal fence to the west of the carport. Any future commercial development requiring a Change of Occupancy shall also provide adequate parking in accordance with Section 511 of the Zoning Ordinance, or seek a variance.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site and Floor Plan
Application



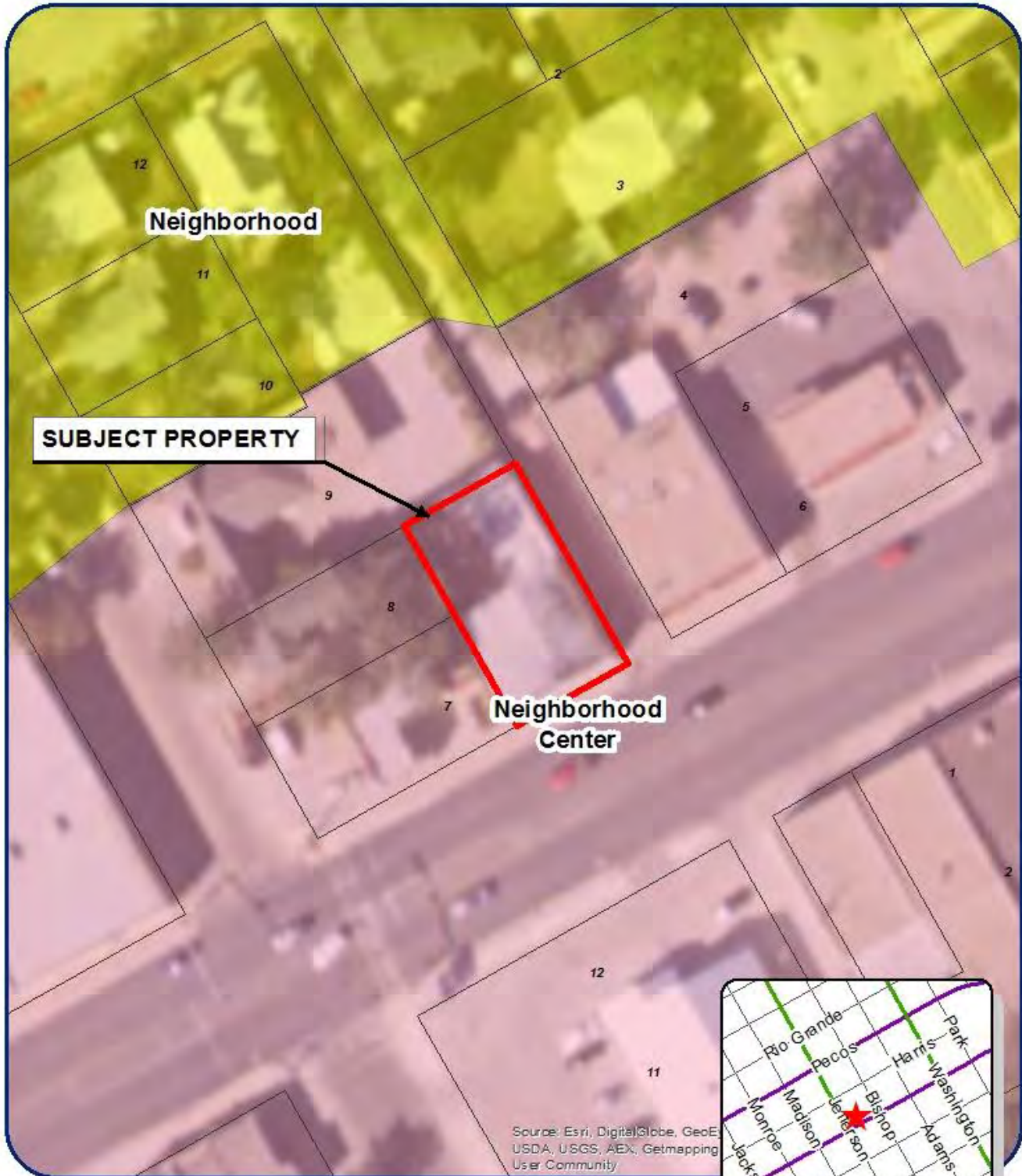
Conditional Use Case File
CU17-16: Thompson

Council District: Lane Carter (SMD #5)
Neighborhood: Central
Scale: 1" approx. = 50 ft
Subject Property: 1314 W. Beaugard Avenue

Legend

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





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

Conditional Use Case File

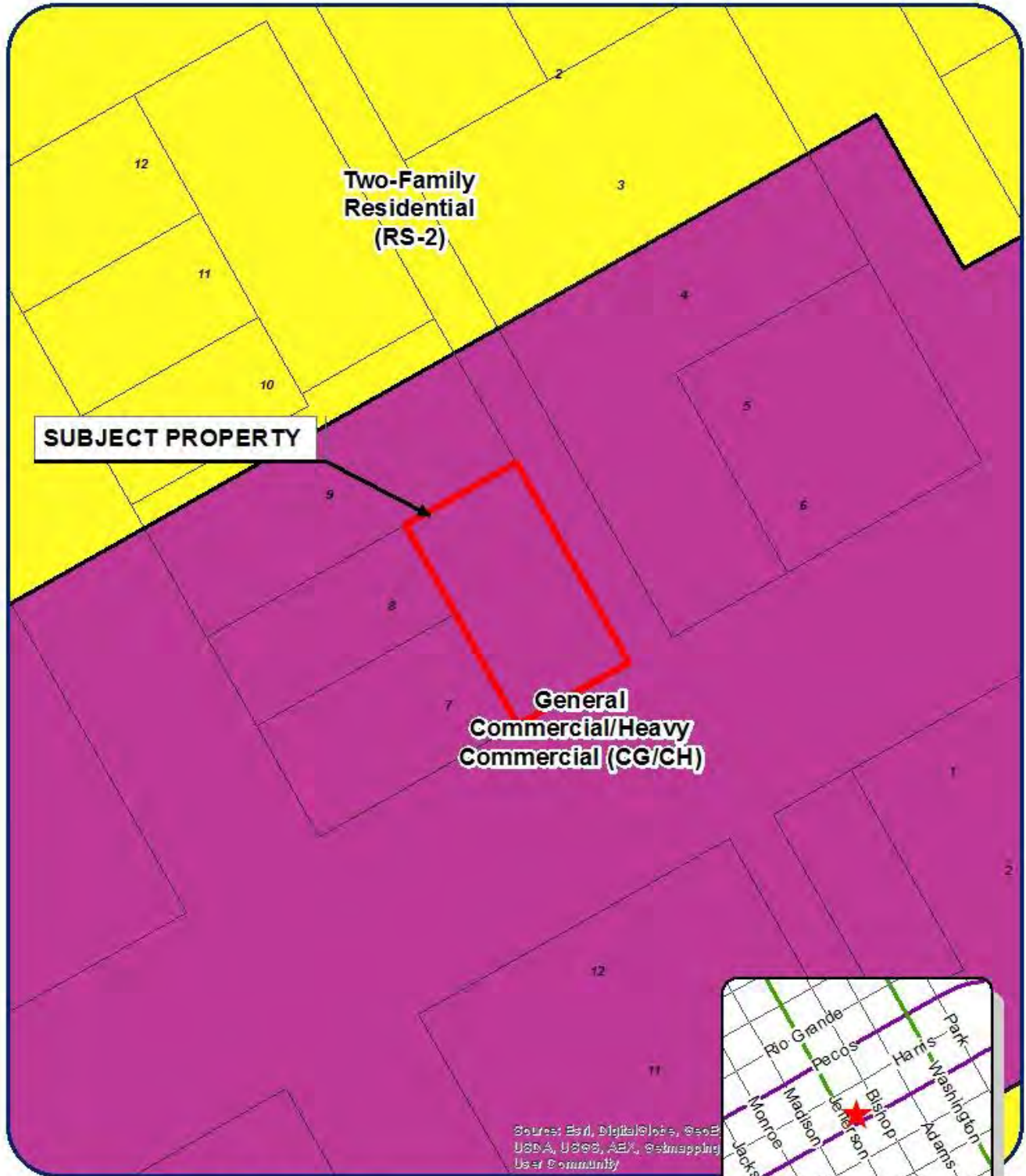
CU17-16: Thompson

Council District: Lane Carter (SMD #5)
Neighborhood: Central
Scale: 1" approx. = 50 ft
Subject Property: 1314 W. Beauregard Avenue

Legend

- Subject Properties: 
- Current Zoning: **CG/CH**
- Requested Zoning Change: **N/A**
- Vision: **Neighborhood Center**





Conditional Use Case File
CU17-16: Thompson

Council District: Lane Carter (SMD #5)
Neighborhood: Central
Scale: 1" approx. = 50 ft
Subject Property: 1314 W. Beauregard Avenue

Legend

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



Photos of Site and Surrounding Area

WEST



EAST



SOUTH



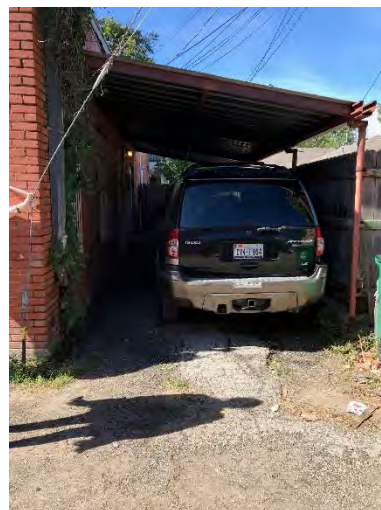
NORTH AT PROPERTY



RESIDENTIAL UNIT INSIDE BUILDING



EXISTING REAR CARPORT



Photos of Site and Surrounding Area

**COMMERCIAL SPACE
(FRONT – EAST UNIT)**



**COMMERCIAL SPACE
(FRONT – WEST UNIT)**



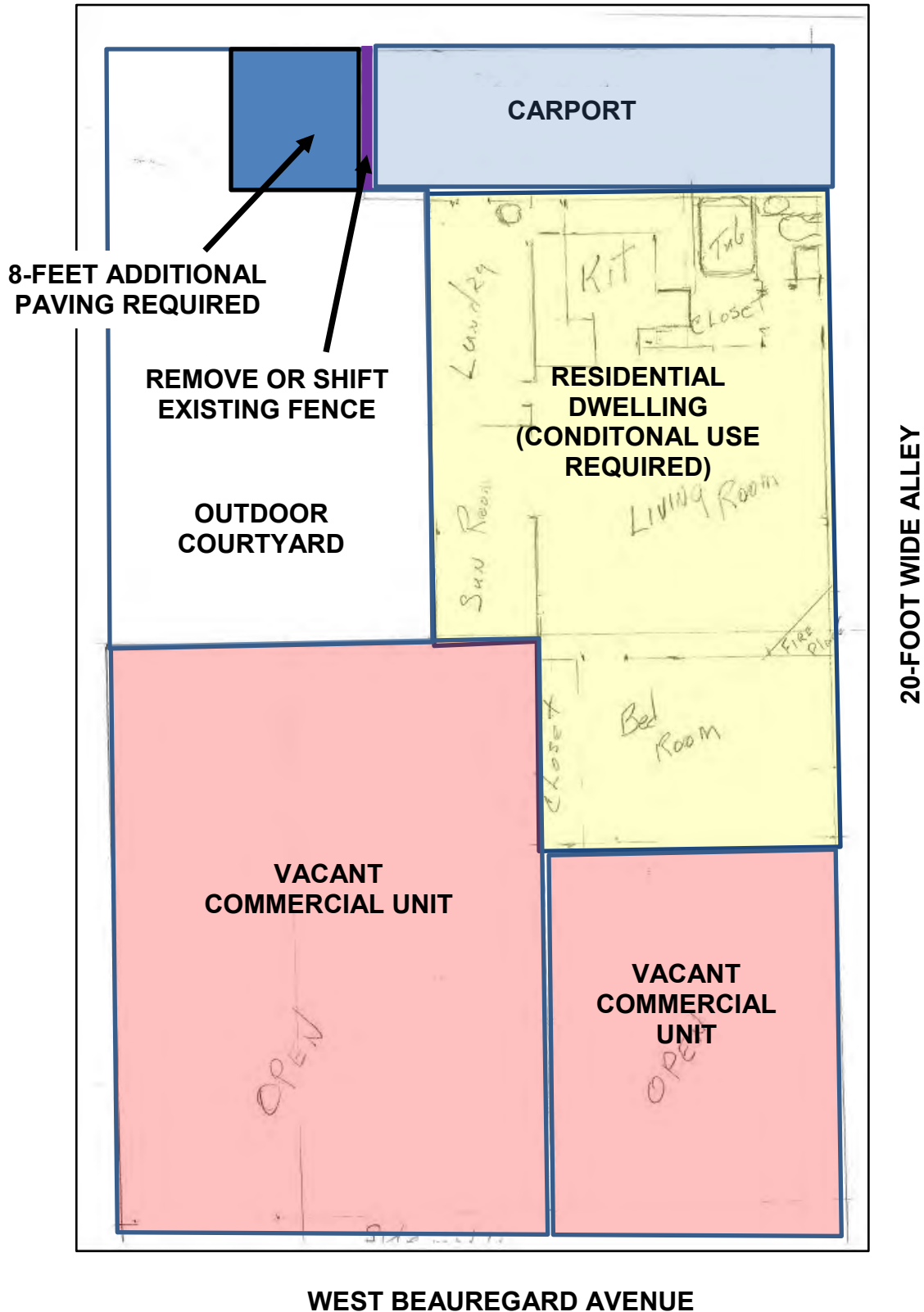
**EXISTING APARTMENT BUILDING
(18 S. JEFFERSON STREET)**



**EXISTING RESIDENTIAL DWELLINGS
(EAST)**



Site and Floor Plan





City of San Angelo, Texas – Planning Division
52 West College Avenue
Application for Approval of a Conditional Use



Section 1: Basic Information

Name of Applicant(s): Maynard Thompson
 Owner Representative (Affidavit Required)

Mailing Address: 1314 W. Beauregard Ave City: San Angelo State: Texas Zip Code: 76901

Contact Phone Number: 325-653-6500 Contact E-mail Address: Dishda@Email.com

Subject Property Address: 1314 W. Beauregard Ave City: San Angelo State: Texas Zip Code: 76901

Legal Description (can be found on property tax statement or at www.texasreference.com):
Angelo Heights Addition Block 107 E 50' of Lot 7 & 8

Lot Size: 30' x 80' Zoning: CCCH

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Front Commercial back Residential

Proposed Use/Size: Same as above

Proposed Conditional Use (from Section 309): Household Living

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

Impacts Minimized. Whether and the extent to which the proposed expansion of a nonconforming use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: No impact on outside streets, can not see Resident unless inside -

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

Explanation: No changes to inside dimensions, room for 2 parking spaces in rear yard

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

Explanation: No change to outside construction
Houses next door

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

Effective January 3, 2017

Explanation: No effect

Section 2 continued: Site Specific Details

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

Explanation: Surrounded by houses in area need for additional housing in AREA

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

Explanation: No TRAFFIC ^{IMPACT} in AREA – only one additional living space used.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

[Signature]
Signature of licensee or authorized representative

Maximo Thompson
Printed name of licensee or authorized representative

Name of business/Entity of representative

10-20-17
Date

FOR OFFICE USE ONLY:

Case No.: CU: 17-16 Planning Commission date: 11, 13, 17
Nonrefundable application Fee: \$ 422.50 Receipt #: _____ Date paid: 10, 20, 17
Reviewed/Accepted by: Jeff Fisher Date: 10, 20, 17

**PLANNING COMMISSION – November 13, 2017
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Street Right-of-way Abandonment		North Sellers Street Abandonment: Givens	
SYNOPSIS:			
<p>The applicant has requested the abandonment of a 60.26 feet wide by 125.55 feet long portion of North Sellers Street, comprising a total of 7,534 square feet (0.17 acres) immediately west of their property. The applicant's intent is to use this space for a home addition. This portion of North Sellers Street extends in a north/south direction between Belaire Avenue to the south and an alley to the north. The street is identified as a "Local Street" in the City's Master Thoroughfare Plan (MTP) and has no improved surface.</p>			
LOCATION:		LEGAL DESCRIPTION:	
125.55 linear feet north/south right-of-way between Belaire Avenue and the alley North of and parallel to Belaire Avenue in East San Angelo.		Being a 7,534-square foot (0.17 acre) portion of an urban local street located immediately west of Lot 1, Block 1, Scott-Scherz Subdivision to San Angelo, comprising a width of 60.26 feet and a length of 125.55 feet	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Glenmore Neighborhood	RS-1 - Single-Family Residential	Neighborhood	0.17 acres
THOROUGHFARE PLAN:			
<p>Belaire Avenue – Urban Local Road, 50' min. Right Of Way Required (60' Existing) 36' min. Pavement Width with a Sidewalk or 40' Without a Sidewalk Required (36' Pavement without Sidewalk Existing)</p>			
NOTIFICATIONS:			
28 notifications mailed within 200-foot radius on November 1, 2017. Zero received in support or opposition			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment request, subject to two Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
<p><i>Petitioner(s):</i> Dewayne & Beverly Givens</p>			
STAFF CONTACT:			
<p>Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us</p>			

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. Atmos Energy asked that it be noted that there is a gas main running east and west in the City Right-of-way of Bellaire with no conflict on private property.

Staff comments include submit, obtain approval, and officially record a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance and remit payment of the City's assessment formula for the abandoned area. The applicant has expressed interest in obtaining the entire 0.17-acre abandonment area, but the neighbor which owns the property immediately to the west, will be asked of their interest in acquiring the other half of the abandoned area. The applicant, and possibly the adjacent property owner, 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 history, ordinances, policies, and conducted a site visit to the property on October 10, 2017 to determine the appropriateness of abandoning the said public street right-of-way.

Planning Staff believes existing or anticipated traffic patterns would not be negatively affected if the subject portion of North Sellers Street between Bellaire Avenue and the northern adjacent alley is closed. At present, this portion of North Sellers Street acts as a side yard for the adjacent homes. Street paving and other improvements were never constructed for this portion of the street which was originally platted in 1948. The adjacent plat, developed in 1949 to the west, continued showing this piece of North Sellers Street continuing on to attach to the future development to the north, but when the land to the north platted in 1983, the road was not used for connection and therefore, left a dead end. For these reasons, Staff believe closing this portion of North Sellers 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 and build upon it. Staff believes this portion currently provides no public benefit, and closing it would also remove any additional expense of the City having to upgrade it in future.

The proposed abandonment would not contradict any applicable City Ordinance. As conditions of approval, the applicant would be required to replat the abandonment area into the adjacent property.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed abandonment of a 0.17-acre (7,534-square feet) segment of the North Sellers Street public right-of-way, **subject to Two Conditions of Approval:**

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject property into adjacent lot(s) meeting all requirements of the Land Subdivision Ordinance.
2. Remit payment for assessment formula outlined in fee schedule, if abandonment is approved consistent with the Code of Ordinances, Section A9.008.

Attachments:

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

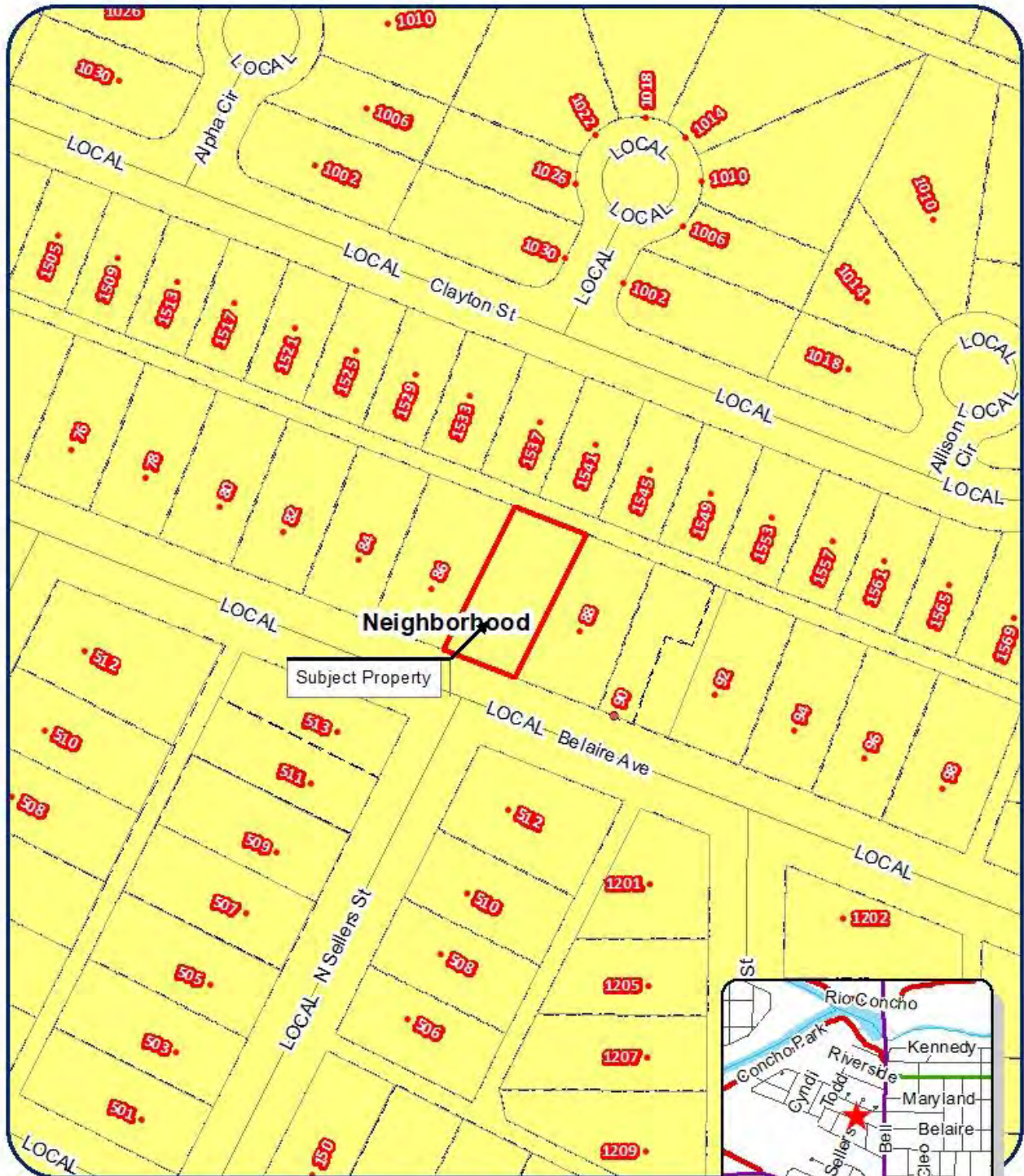


Street Right Of Way Abandonment
North Sellers Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Glenmore
 Scale: 1" approx. = 100 ft

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





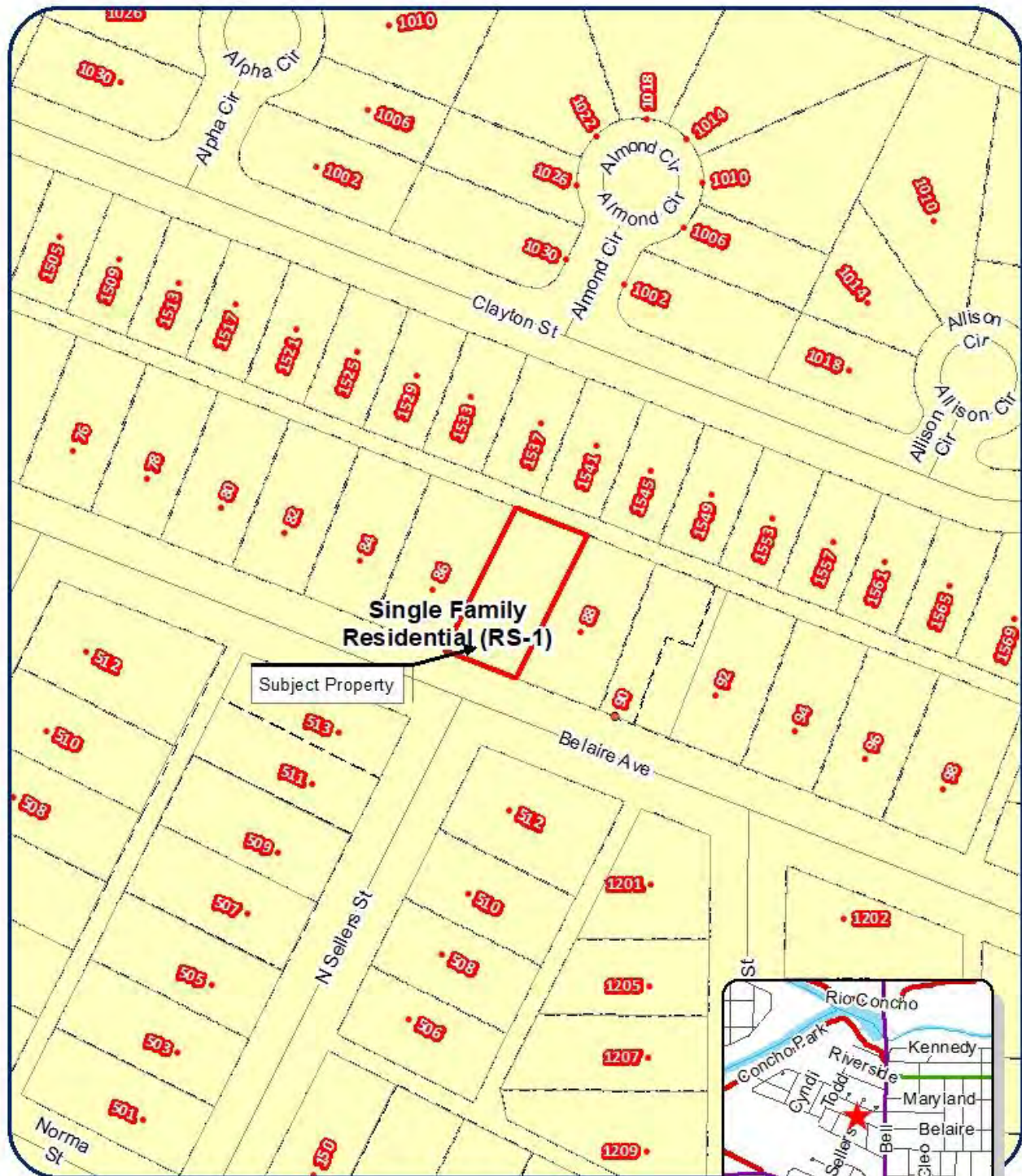
Street Right Of Way Abandonment
North Sellers Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Glenmore
 Scale: 1" approx. = 100 ft

Legend

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



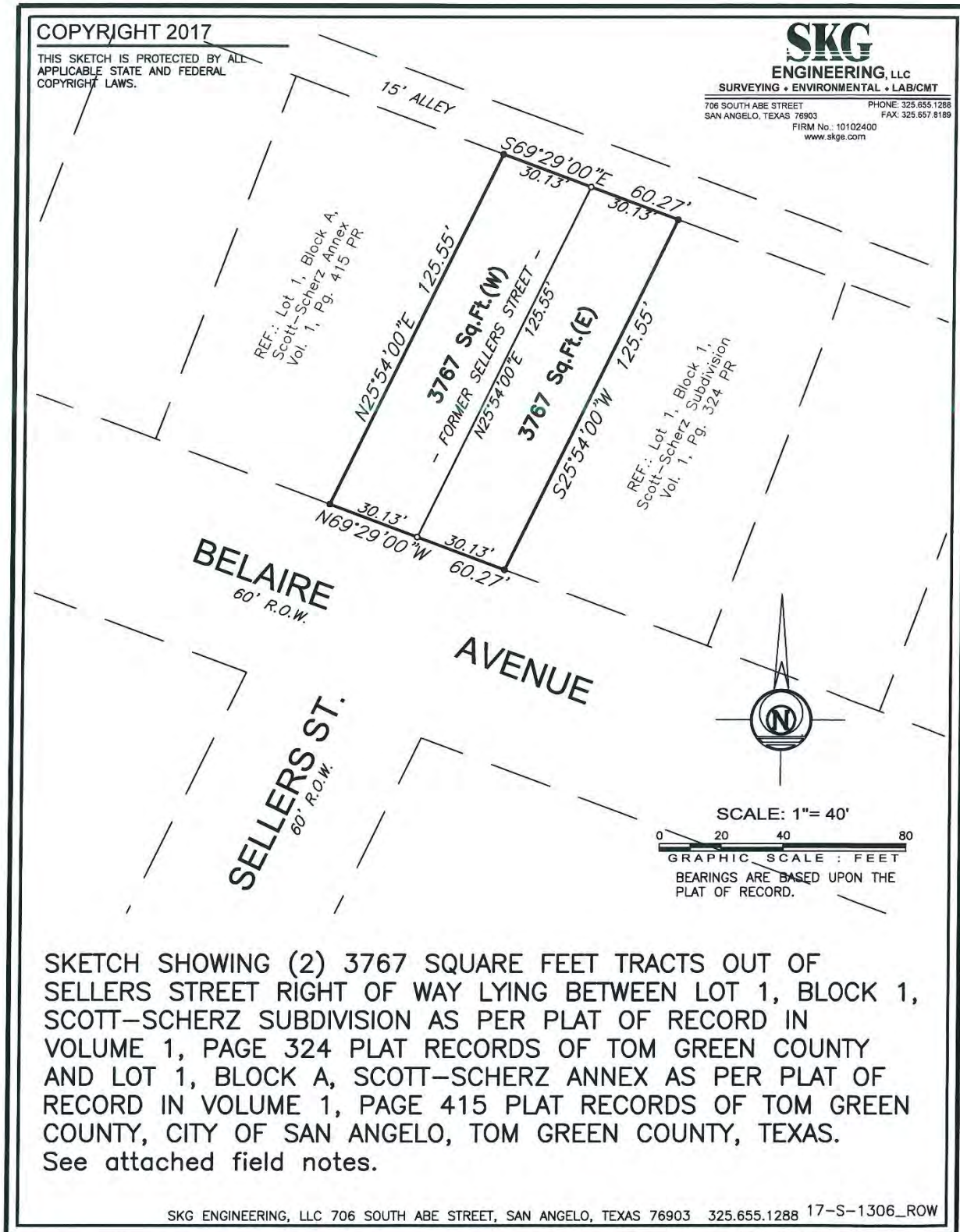


Street Right Of Way Abandonment
North Sellers Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Glenmore
 Scale: 1" approx. = 100 ft

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





FIELD NOTES

3767 Square Feet (W)

November 1, 2017
17-S-1306w

Being an area of 3767 Square Feet out of Sellers Street right-of-way lying adjacent to Lot 1, Block A Scott-Scherz Annex, City of San Angelo, Tom Green County, Texas as per plat of record in Volume 1, Page 415, Plat Records of Tom Green County, Texas and said 3767 Square Feet tract also being the west part of said Sellers Street right-of-way and being more particularly described by metes and bounds as follows:

Beginning at the northwest corner of this tract and said Sellers Street right-of-way and the northeast corner of said Lot 1 and being in the south line of a 15' Alley;

Thence with the north line of this tract and the south line of said 15' Alley, S. 69° 29' 00" E. 30.13 feet to the northeast corner of this tract;

Thence with the east line of this tract and the center of said Sellers Street right-of-way, S. 25° 54' 00" W. 125.55 feet to the southeast corner of this tract in the north line of Belaire Avenue;

Thence with the south line of this tract and the north line of said Belaire Avenue, N. 69° 29' 00" W. 30.13 feet to the southwest corner of this tract and the southeast corner of said Lot 1;

Thence with the west line of this tract and said Sellers Street right-of-way, N. 24° 54' 00" E. 125.55 feet to the place of beginning and containing an area of 3767 Square Feet of land.

FIELD NOTES

3767 Square Feet (E)

November 1, 2017
17-S-1306e

Being an area of 3767 Square Feet out of Sellers Street right-of-way lying adjacent to Lot 1, Block 1 Scott-Scherz Subdivision, City of San Angelo, Tom Green County, Texas as per plat of record in Volume 1, Page 324, Plat Records of Tom Green County, Texas and said 3767 Square Feet tract also being the east part of said Sellers Street right-of-way and being more particularly described by metes and bounds as follows:

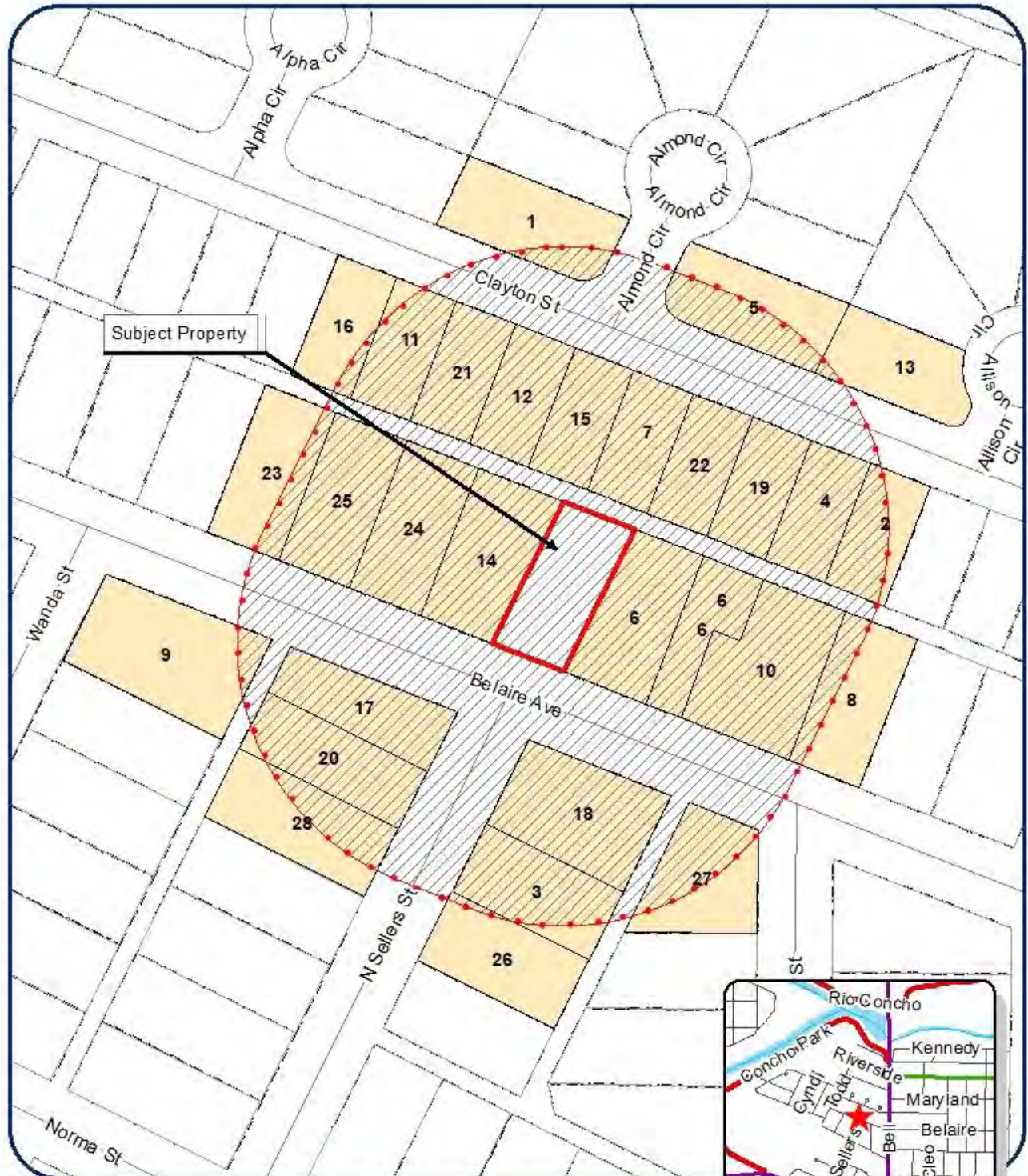
Beginning at the northeast corner of this tract and said Sellers Street right-of-way and the northwest corner of said Lot 1 and being in the south line of a 15' Alley;

Thence with the east line of this tract and said Sellers Street right-of-way and the west line of said Lot 1, S. 25° 54' 00" W. 125.55 feet to the southeast corner of this tract and the southwest corner of said Lot 1 and being in the north line of Belaire Avenue;

Thence with the south line of this tract and the north line of said Belaire Avenue, N. 69° 29' 00" W. 30.13 feet to the southwest corner of this tract;

Thence with the west line of this tract and along the center of said Sellers Street, N. 24° 54' 00" E. 125.55 feet to the northwest corner of this tract in the south line of said 15' Alley;

Thence with the north line of this tract and the south line of said 15' Alley, S. 69° 29' 00" E. 30.13 feet to the place of beginning and containing an area of 3767 Square Feet of land.




Street Right Of Way Abandonment

North Sellers Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Glenmore
 Scale: 1" approx. = 100 ft

Legend

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



Effective January 3, 2017



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): Douayne & Beverly Givens
 Owner Representative (Affidavit Required)

88 Belaire San Angelo, TEXAS 76903
 Mailing Address City State Zip Code

325-651-8844 bbear1948@yahoo.com
 Contact Phone Number Contact E-mail Address

? N Sellers St North of Belaire San Angelo, TEXAS 76903
 Subject Property Address Ave City State Zip Code

West of 88 Belaire 60x125
 Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Lot Size: Approx 7500 sq ft Zoning: RS-1

Section 2: Site Specific Details

Subdivision Name: Scott-Scherz Subdivision

Lots and/or Blocks Affected*: West of 88 Belaire

General Description of Location*: 60'x125' (Abandoned Sellers Street)

Reason for Abandonment*: Street was never developed after new housing development was built behind lot

*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.

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

10/20/2017
Date

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: 10, 20, 2017

Non-Refundable Fee: \$ 450.00 Receipt #: _____ Date paid: 10, 20, 2017

Date of hearing by Planning Commission: 11, 13, 2017 Date of hearing by City Council: 10, 20, 2017

Reviewed/Accepted by: E. Fisher