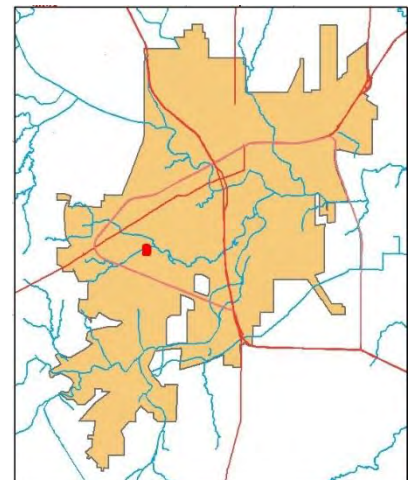


**PLANNING COMMISSION –February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Final Plat		College Hills South Addition, Section 11A	
SYNOPSIS:			
This is an application to plat 5.00 acres into two lots located in the central portion of San Angelo. As part of the plat, the applicant is also requesting a variance from the paving width on South College Hills Boulevard. This property is a part of the Red Arroyo, and has frontage along Vista del Arroyo Drive and South College Hills Boulevard. The lots comply with the minimum lot area, lot frontage, and lot depth of the RS-1/CN Zoning District.			
LOCATION:		LEGAL DESCRIPTION:	
3231 South College Hills Boulevard		5.000 acres out of W. Nevels Survey 2, Abstract No. 1755 and E.B. Cogswell Sur. 3, Abstract No. 129	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Billie DeWitt Sunset Neighborhood	Single Family Residential (RS-1) /Neighborhood Commercial (CN)	Neighborhood Center	5.00 acres
THOROUGHFARE PLAN:			
South College Hills Boulevard – Urban Minor Arterial Street, 80’ min. ROW Required (100’ Existing), 64’ min. Pavement Required (56’ Existing)			
Vista del Arroyo Drive – Urban Local Street, 50’ min. ROW Required (55’ Existing), 36’ with a 4’ sidewalk or 40’ min. Pavement Required (40’ Existing)			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Final Plat of College Hills South Addition, Section 11A subject to Two Conditions of Approval , and;			
APPROVAL the variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow South College Hills Boulevard, Urban Minor Arterial Street, to maintain a 56 foot pavement width in lieu of the required 64’.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Calvary American Lutheran Church <i>Agent:</i> Herb Hooker, SKG Engineering			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us			



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 Center” in the City’s Comprehensive Plan which intends to “establish Neighborhood Centers that take on a more pedestrian-friendly character, are more integrated with and connected to their surroundings.” As indicated above, the purpose of the Replat is to facilitate drainage improvements in the Red Arroyo and allow the City to maintain the northern properties current drainage capacity. The proposed plat would allow the Church to continue to operate in its current capacity while reducing their land area, 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), and will minimize damage due to flooding, stormwater runoff and other environmental constraints (Statement H). The new lot configurations will insure that easements and rights-of-way are provided for drainage, access, and all utilities (Statement L).

Variance: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow South College Hills Boulevard, Urban Minor Arterial Street, to maintain a 56 foot pavement width in lieu of the required 64’. 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 these variance requests would not be detrimental to the public safety, health or welfare, or be injurious to other property as this area functions with 5 lanes and the roadway is proposed to be entirely rebuilt soon. Engineering Services and the Planning Division support the variances from any the additional improvements to South College Hills Boulevard. All of the adjacent properties are fully developed and South College Hills Boulevard will be improved with the Capital Improvement Project.

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 the conditions upon which this request for variances are based are not generally applicable to other property as this property is the only unplatted, private property in the area. As indicated above, Engineering Services and the Planning Division would support a variance from any street improvements along this portion of South College Hills Boulevard as these segments lie 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 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. As stated above, Staff believes the existing street width and configuration along South College Hills Boulevard will service the surrounding area satisfactorily temporarily until the capital improvement project can be completed.

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

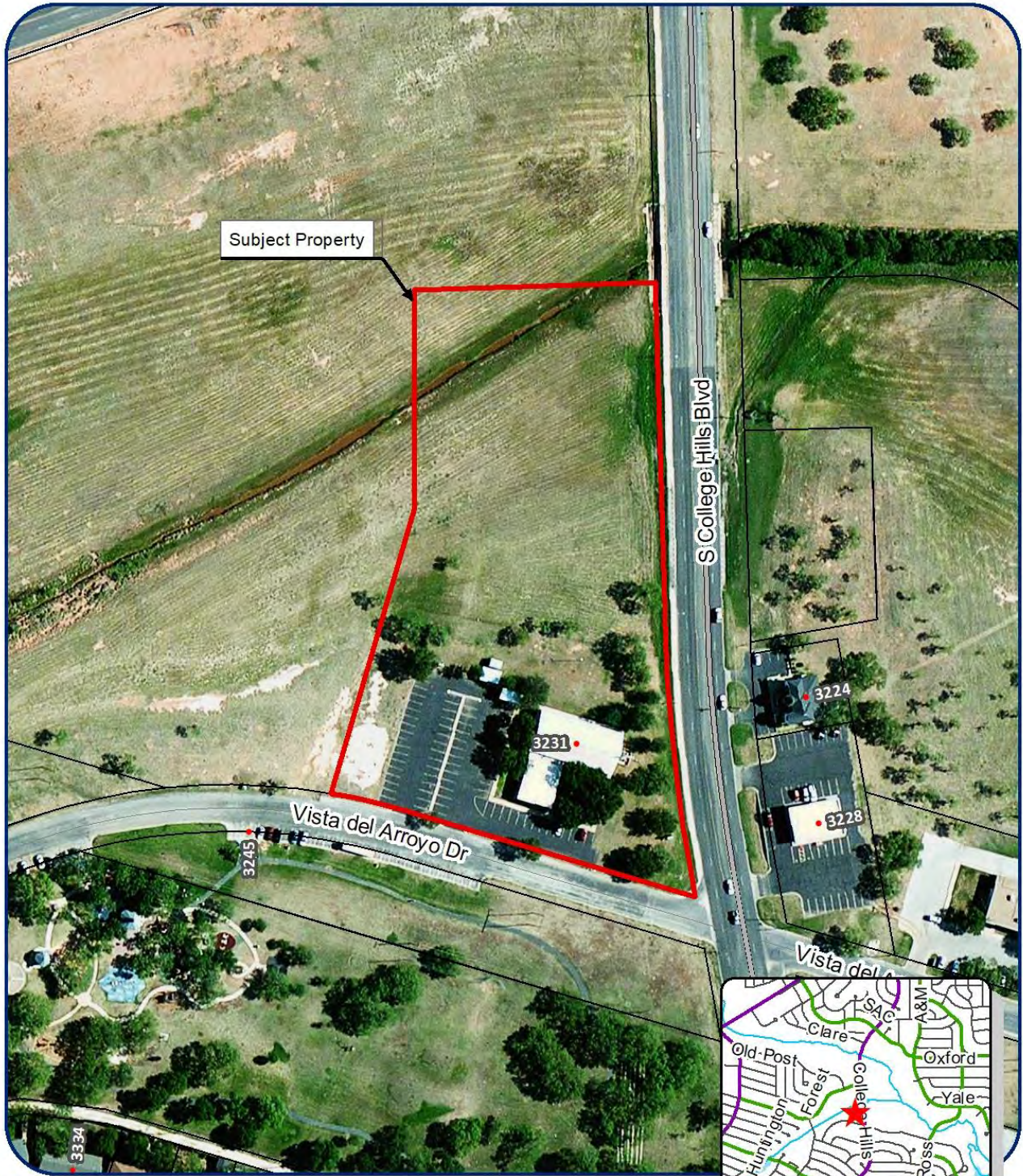
The applicant believes approval of this variance would not, in any significant way, vary the provisions of the applicable ordinances as this street currently functions and will continue to function in its current capacity. Planning and Engineering Services agree that the existing street are currently sufficient and pose no safety risks to the public. This plat will not increase the development of this area or add new street traffic.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the Final Plat of College Hills South Addition, Section 11A, subject to **Two Conditions of Approval** and **APPROVE** the variance from Chapters 10.III.A.2 of the Subdivision Ordinance to allow South College Hills Boulevard, Urban Minor Arterial Street, to maintain a 56-foot pavement width in lieu of 64 feet.

1. Per Land Development and Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Per Land Development and Subdivision Ordinance, Chapter 9 & 10, submit a plan that illustrates the required construction for South College Hills Boulevard, an urban minor arterial street, with a minimum 64' of pavement. Once the plans are approved, construction of the street shall be to City specifications.
 - a. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with Land Development and Subdivision Ordinance, Chapter 6.
 - b. A second alternative would be to obtain approval of a variance from the Planning Commission, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV, to request water and sewer service connections and to establish a utility service account.

Attachments:

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

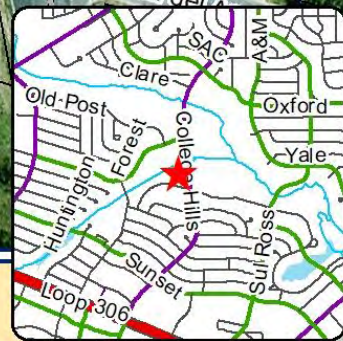


College Hills South Addition, Section 11 A
3231 South College Hills Boulevard

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Sunset
 Scale: 1" approx. = 150 ft

Legend

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





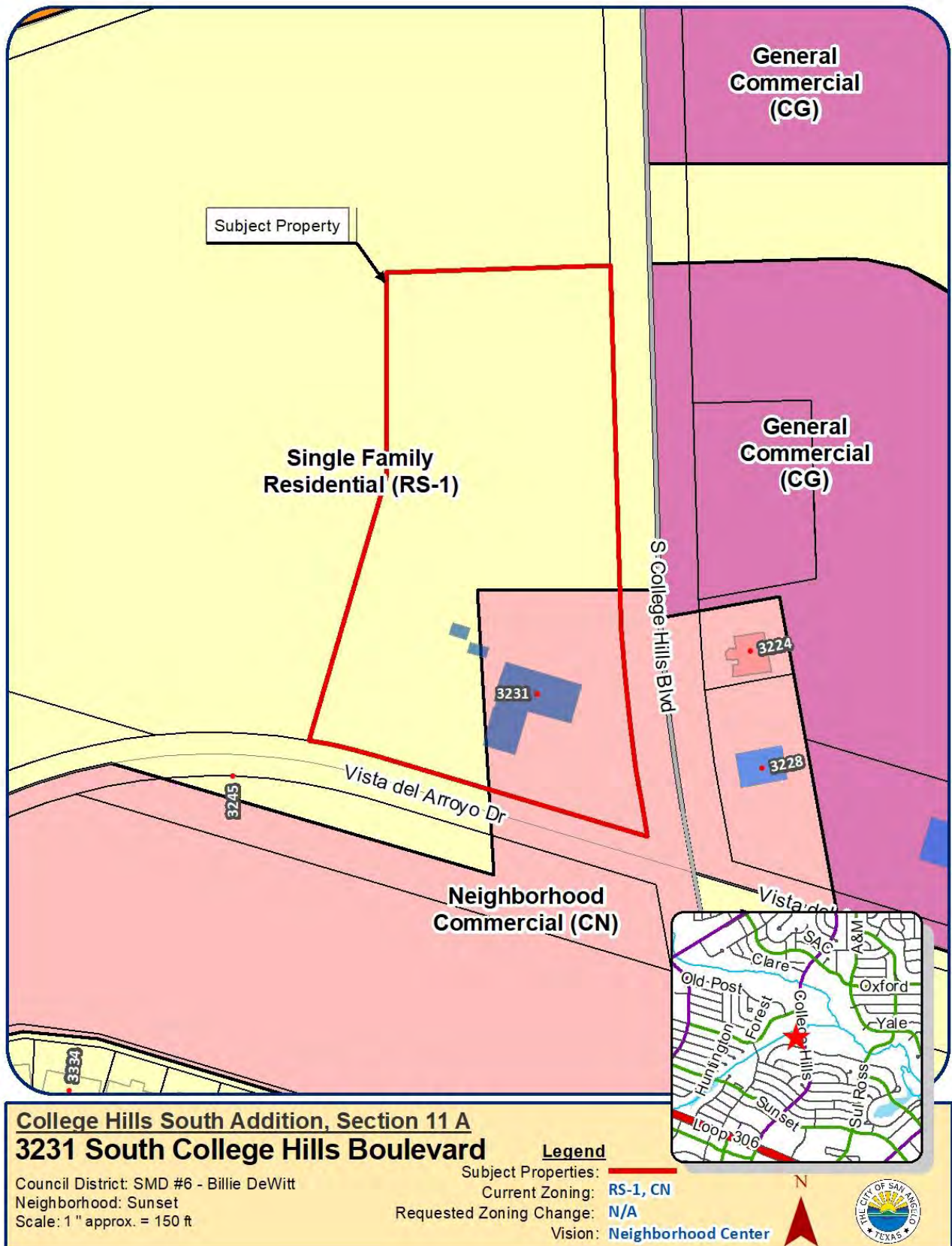


College Hills South Addition, Section 11 A
3231 South College Hills Boulevard

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Sunset
 Scale: 1" approx. = 150 ft

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

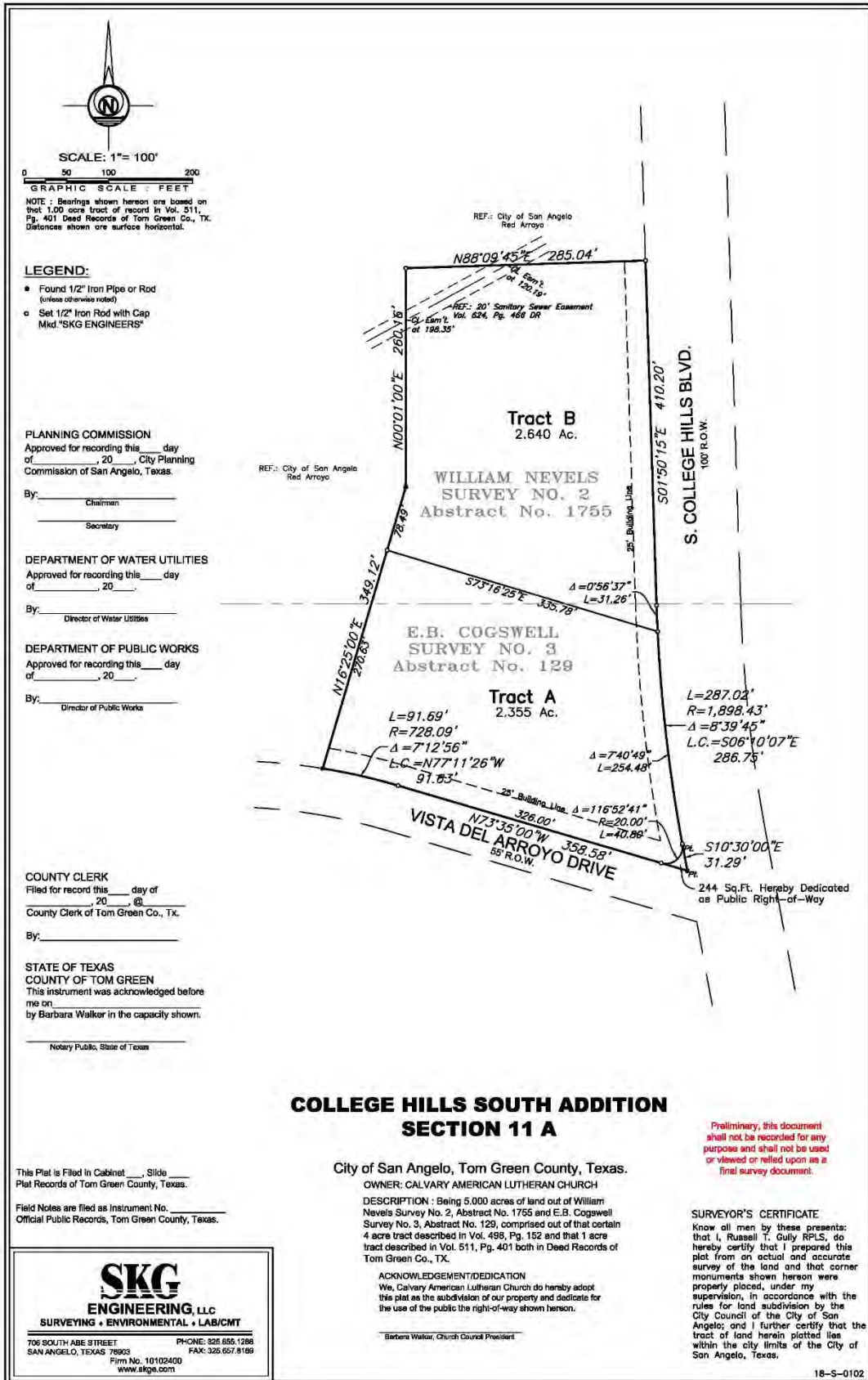


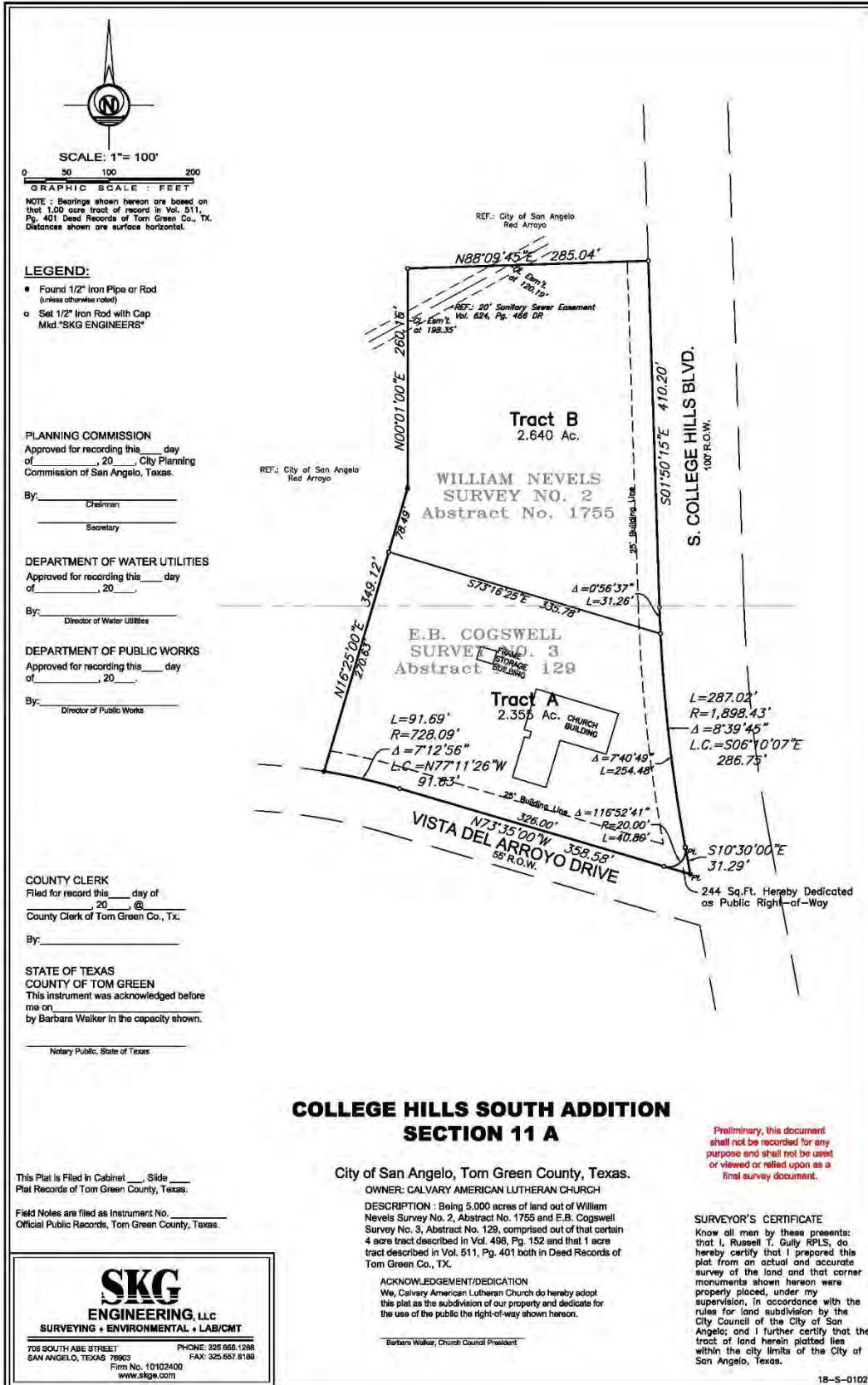
College Hills South Addition, Section 11 A
3231 South College Hills Boulevard

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Sunset
 Scale: 1" approx. = 150 ft

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







SKG ENGINEERING, LLC
 SURVEYING • ENVIRONMENTAL • LAB/CMT

708 SOUTH ABE STREET
 SAN ANGELO, TEXAS 76903
 Firm No. 10102400
 www.skg.com

PHONE: 325.658.1288
 FAX: 325.657.5198



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

College Hills South Addition Section 11 A

Proposed Subdivision Name

5.000 acres out of W. Nevels Sur.2, Abst.No. 1755 and E.B. Cogswell Sur. 3, Abst.No. 129

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

R000072755

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
Calvary American Lutheran Church	234-5515	

Property Owner:

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

Architect/Engineer/Design Professional:

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

Subdivision Type:

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

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

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

Section 2: Utility & Easement Information

Water:

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

Sewer:

- City - requesting new services Proposed size? _____
 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

5.000 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 _____ Single-Family Residential _____ Office _____

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

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

Vacant _____ Single-Family Residential _____ Office _____

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

Are there existing structures on the property? Yes No

If yes, how many structures exist? 2 What type of structures exist currently? Church Bldg. and Storage Bldg.

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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

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

The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.
The roadway is fully functional with 5 lanes. The roadway is proposed to be entirely rebuilt to improve area drainage very soon.

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 is the only unplatted, private property in the 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.
 The existing topography would not lend itself to functional road widening for just this area.

The variance will not, in any significant way, vary the provisions of applicable ordinances.
 The road is, and will continue to be completely functional.

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.

Barbara Walker
 Owner's Signature

1-17-2018
 Date

Mark Hook
 Representative's Signature

1/23/2018
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 1/23/18 Date Deemed preliminary complete: 1/23/18 Date 4:55 Time HB Initials

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

Completeness review passed? Yes _____ Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 1/31/18 Date HP 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 –February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		Mineola Addition, Block 1, Lots 16 & 17	
SYNOPSIS:			
This is an application to replat two lots totaling 0.344 acres into one lot located in the central portion of San Angelo. This property has no unique features and has frontage along West 17 th Street and North Bryant Boulevard. The lot comply with the minimum lot area, lot frontage, and lot depth of the Neighborhood Commercial Zoning District.			
LOCATION:		LEGAL DESCRIPTION:	
508 West 17 th Street		Lots 16 & 17, Block 1, Mineola Addition totaling 0.344 acres	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood		Neighborhood Commercial (CN)	Transitional
			SIZE:
			0.344 acres
THOROUGHFARE PLAN:			
<p>North Bryant Boulevard – Urban Major Arterial Street, 80’ min. ROW required (200’ Existing), 64’ min. pavement required (approx. 100’ Existing)</p> <p>West 17th Street – Urban Local Street, 50’ min. ROW required (80’ Existing), 36’ with a 4’ sidewalk or 40’ min. pavement required (approx. 38’ Existing)</p>			
NOTIFICATIONS:			
11 notifications were mailed within a 200-foot radius on February 5, 2018. Zero responses have been received in support and Zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Replat of Mineola Addition, Block 1, Lots 16 & 17 subject to Three Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> R.W. Hargraves</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 plat, if the Commission finds the 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 Center” in the City’s Comprehensive Plan which intends to “establish Neighborhood Centers that take on a more pedestrian-friendly character, are more integrated with and connected to their surroundings.” As indicated above, the purpose of the Replat is comply with the conditions of approval for the approved Special Use for an auto dealership. The proposed plat would combine the lots to be used for the proposed auto dealership and create cleaner property records while adding sidewalks to connect to the surrounding properties, 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), and will provide for a systematic and accurate record of land development (Statement F). The new lot configurations will insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development. (Statement O).

Recommendation: Staff recommends that the Planning Commission **APPROVE** the Replat of Mineola Addition, Block 1, Lots 16 & 17, subject to **three Conditions of Approval:**

1. Per Land Development and Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prepare and submit plans for approval, illustrating the proposed installation of sidewalks as described below, and complete the installation in accordance with the approved version of these plans, consistent with Land Development and Subdivision Ordinance, Chapter 11.I.B, City of San Angelo Standards and Specifications. Sidewalk(s) may be required to allow more convenient pedestrian access to the site where heavy pedestrian and vehicular traffic is anticipated, per Subdivision Ordinance, Chapter 9.V, City of San Angelo Standards and Specifications. If placement of sidewalks is not feasible within the public right-of-way, easement(s) shall be provided & illustrated on the plat.
 - a. Delineate on the plat: “A sidewalk shall be constructed along the ROW for North Bryant Boulevard, built to City specifications, and may be deferred until the Building Permit phase.”
3. Submit a revised plat showing the corrected signature block for the Planning Commission rather than the Department of Planning.

Attachments:

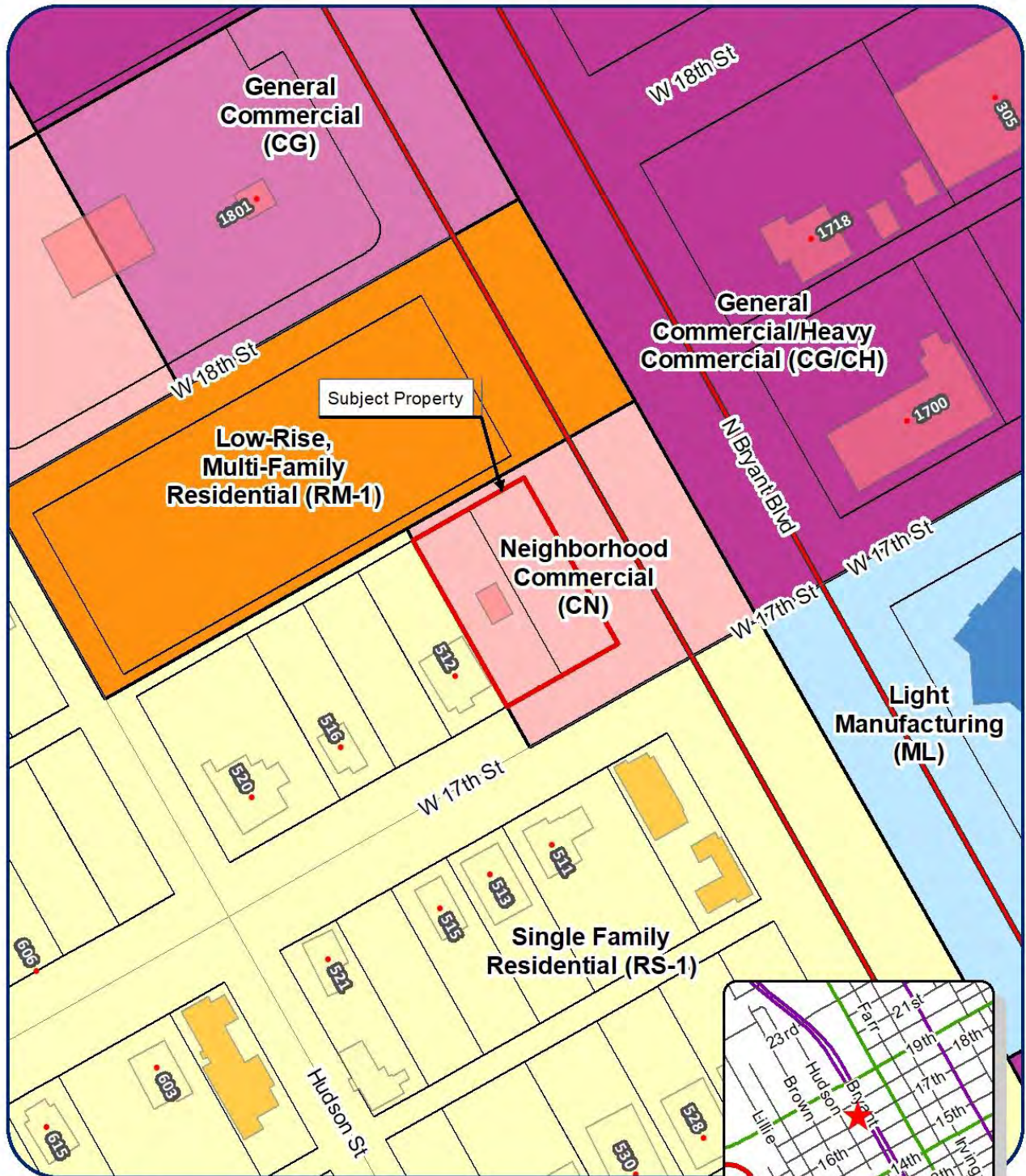
Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Proposed Replat
Application



Mineola Addition, Lots 16 & 17, Block 1
508 West 17th Street

Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 100 ft

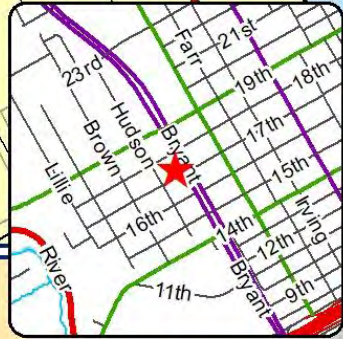
Legend
 Subject Properties:
 Current Zoning: CN
 Requested Zoning Change: N/A
 Vision: Transitional

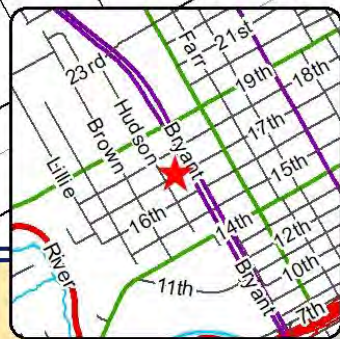


Mineola Addition, Lots 16 & 17, Block 1
508 West 17th Street

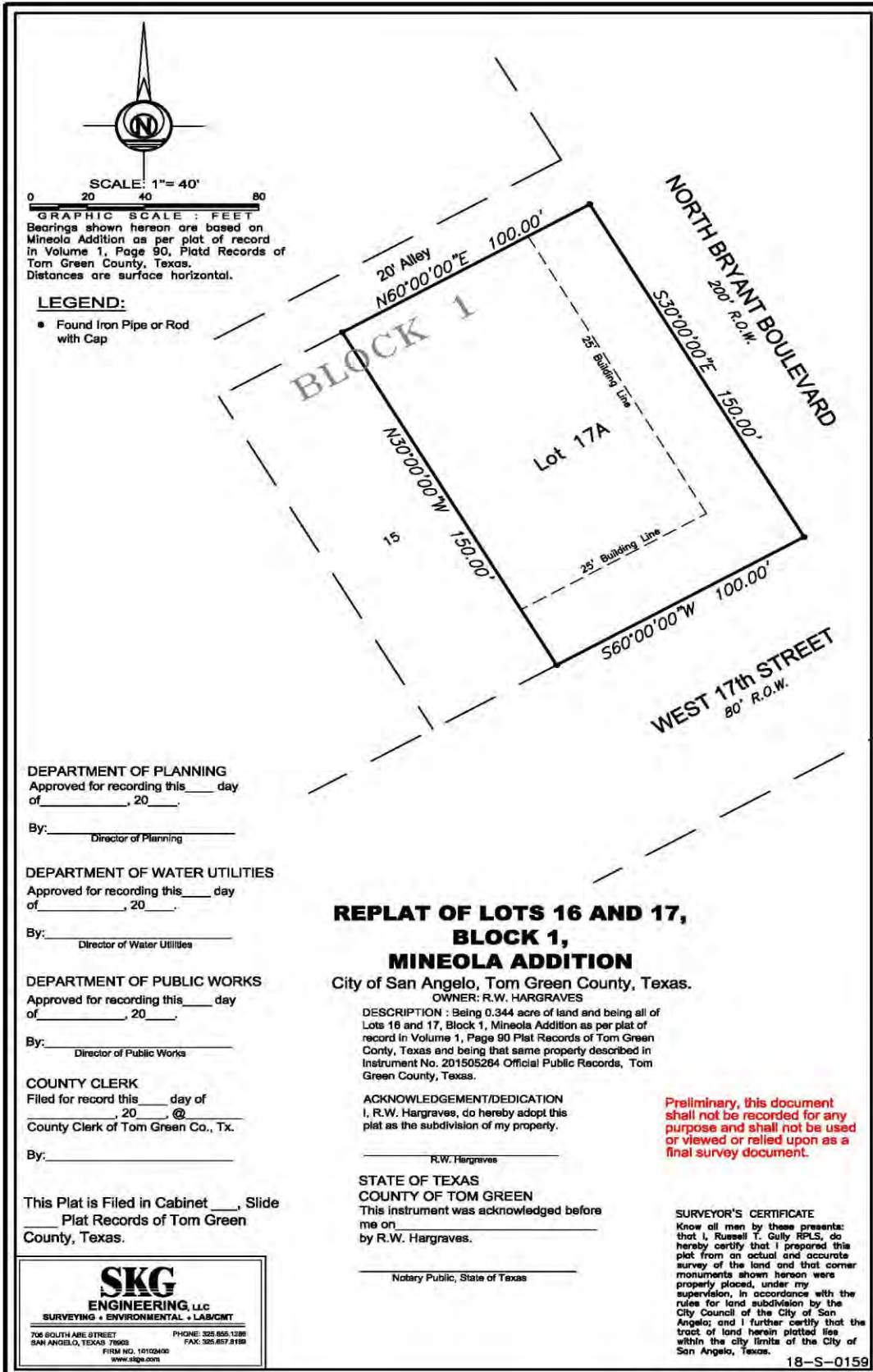
Council District: SMD #4 - Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 100 ft

Legend
 Subject Properties:
 Current Zoning: **CN**
 Requested Zoning Change: **N/A**
 Vision: **Transitional**





Mineola Addition, Lots 16 & 17, Block 1		Legend
508 West 17th Street		
Council District: SMD #4 - Lucy Gonzales		Subject Properties: —
Neighborhood: Blackshear		Current Zoning: CN
Scale: 1" approx. = 100 ft		Requested Zoning Change: N/A
		Vision: Transitional



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 SURVEYING • ENVIRONMENTAL • LAB/CMT

706 SOUTH ABE STREET PHONE: 325.655.1288
 SAN ANGELO, TEXAS 76903 FAX: 325.657.8159
 FIRM NO. 10102400
 www.skg.com



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

Replat of Lots 16 and 17, Block 1, Mineola Addition, City of San Angelo, Tom Green County, Texas

Proposed Subdivision Name
 Lots 16 & 17, Block 1, Mineola Addn.

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 R000011904 & R000011905

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: R.W. Hargraves	277-9636	

Property Owner:

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

Architect/Engineer/Design Professional:

Name	Phone Number	Email Address

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

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

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

Section 2: Utility & Easement Information

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

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

0.344 1

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

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

Vacant _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 0.344

Are there existing structures on the property? Yes No

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

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

Is this proposed plat within the ETJ?* Yes No
 *NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 ½ miles of it..

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Section & subsection from Subdivision Ordinance from which variance is requested: _____

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

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

R. W. Bergman
 Owner's Signature

Neil Thacker
 Representative's Signature

1-23-18
 Date

1/23/2018
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 1-23-18 Deemed preliminary complete: _____
Date Date Time Initials

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

Completeness review passed? Yes _____ No _____
Date Date

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

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

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

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

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____

**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning & Comprehensive Plan Amendment		Z18-04: City of San Angelo & CP18-01: City of San Angelo	
SYNOPSIS:			
<p>This is a City-initiated application to rezone five properties on the northwest and southwest side of the intersection of North Bryant Boulevard and West 29th Street. These properties are currently zoned Light Manufacturing (ML), yet all are commercial businesses classified as “Retail Sales & Services.” Retail Sales & Services is only allowed in the ML Zoning District with a Conditional Use, and the majority of the properties do not have Conditional Uses allowing them to legally operate. There is a Conditional Use application, CU18-01: Savy Tattoos, which is running concurrently with this rezoning request. If approved, the Conditional Use will allow that applicant the ability to open her business sooner than the rezoning will allow, and will be removed once/if this rezoning is approved by City Council. Staff is proposing a rezoning to the General Commercial (CG) Zoning District. The City is also initiating an amendment of the Future Land Use (FLU) designations of those same properties, plus eight additional properties that are to the south and front on North Bryant to more appropriate designations that reflect both current and expected development patterns for this area. Today, this section of North Bryant and West 29th Street have FLU designations of Neighborhood Center and Industrial. Planning Staff believes that a FLU of Commercial is more appropriate than Neighborhood Center and Industrial for all the properties except one, which has a dual FLU of Neighborhood Center and Industrial. This property belongs to Hirschfeld Steel and should be entirely designated with a FLU of Industrial.</p>			
LOCATION:		LEGAL DESCRIPTION:	
717-729 West 29th Street and 2609, 2615, 2619, 2623, 2635, 2825, 2829, 2831, 2901 and 2929 North Bryant Boulevard		Being a total of 12.48 acres out of the Concho Valley Industrial Park Addition, Block 1, Lots 1, 2, & Block 2, Lots 1, 2, 4A, 5, 18 and the Aileen Subdivision, Block 1, and the Ramos Subdivision, Block 1, Lot 3, and the SABP North Subdivision, Block 1, Lot 1, and the FE Cramer Survey, Abstract A-0112, S-0318, and the Joseph Heckel Survey, A-0353,	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood	ML – Light Industrial & CG/CH – General Commercial/Heavy Commercial	Neighborhood Center & Industrial	12.48 acres (Comp) 4.65 acres (RZ)
THOROUGHFARE PLAN:			
<p>North Bryant Boulevard – TxDot Urban Major Arterial, Required 80’ min. ROW, 64’ min. pavement. Actual 150’ ROW, 80’ pavement. West 29th Street – Urban Minor Arterial, Required 80’ min. ROW, 64’ min. pavement. Actual 80’ ROW, 50’ pavement.</p>			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the proposed Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, APPROVAL of the Comprehensive Plan Amendment, changing lands from the “Neighborhood Center” Future Land Use category to the “Commercial” Future Land Use category, APPROVAL of the Comprehensive Plan Amendment, changing lands from the “Neighborhood Center” Future Land Use category to the “Industrial” Future Land Use category, and APPROVAL of the Comprehensive Plan Amendment, changing lands from the “Industrial” Future Land Use category to the “Commercial” Future Land Use category.</p>			
PROPERTY OWNER/PETITIONER:			
<p><i>Petitioner:</i> COSA, Planning</p>			
STAFF CONTACT:			
Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Comprehensive Plan calls for areas of higher-intensity commercial corridors to be located adjacent to industrial areas. Currently the industrial sector is adjacent to areas that have a Future Land Use (FLU) designation of Neighborhood Center, which was created for low-intensity commercial uses. Since the primary use in the Industrial areas is Hirschfeld Steel, and there is no expectation that their operations will move, amending the FLU from “Neighborhood Center” to the more appropriate “Commercial” will allow this area to continue to progress in a manner compatible with existing development
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** Aside from Hirschfeld Steel, the majority of businesses in this corridor are commercial in nature, with most of them falling under the “Retail Sales & Services” land use category. While this land use is allowed in the Light Manufacturing (ML) zoning district with a Conditional Use, it would appear to be logical to rezone the intersection of North Bryant Boulevard and West 29th Street to commercial given that the land is fully developed and there is no reason, with current development patterns, to anticipate this intersection reverting to industrial operations. Rezoning these properties to General Commercial not only brings all of them lacking a CU into compliance, but will enable them the ability to develop and expand without amending or applying for conditional uses.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** As indicated above, the subject properties are located within a commercial corridor along North Bryant and West 29th Street that has an industrial company directly behind them to the southwest. While it makes sense to continue utilizing a Light Manufacturing Zoning District and an Industrial FLU designation for Hirschfeld Steel, it would more appropriate for the commercial businesses to be within a commercial designation. These properties have developed in a commercial capacity, which follows the progression of commercial businesses already in existence in that section of North Bryant Boulevard.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The conditions have changed from what was originally intended by City Council as an area saturated with industrial development to an area that caters to both large sections of industrial and commercial development. Allowing the rezoning and the amendments to the Comprehensive Plan would allow the City to recognize the growth patterns that this particular corridor portrays.

5. **Effect on Natural Environment.** Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. Since this area is fully developed, Staff does not believe there would be any detriment to the environment. As businesses remodel and/or expand there is the potential for temporary construction pollution, however the impacts felt here would be comparable to commercial impacts felt elsewhere.
6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. The community need in the area appears to be for commercial entities, given that both sides of North Bryant contain commercial businesses, and that the eastern side of North Bryant already has commercial zoning in place.
7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. The subject section of North Bryant is fully developed. While Hirschfeld Steel can continue to expand and grow, it is unlikely that the development directly adjacent to North Bryant will evolve from commercial to industrial. Rather, the industrial growth seems to be expanding westward, with access off of the perpendicular streets, such as West 29th. Allowing the rezoning and Comprehensive Plan Amendment to update to commercial will allow the development of this area to commence without being impeded.

Notifications:

27 notifications were sent out to property owners with 200 feet on February 5, 2018. Staff has received three responses in favor and zero responses in opposition. None of the letters received in favor had commentary, and are notated on the Notification Map below.

Recommendation:

Staff's recommendation is for the Planning Commission to

1. Recommend **APPROVAL** of the proposed Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District;
2. Recommend **APPROVAL** of the proposed Comprehensive Plan Amendment, changing lands from the Neighborhood Center Future Land Use category to the Commercial Future Land Use category; and
3. Recommend **APPROVAL** of the proposed Comprehensive Plan Amendment, changing lands from the Neighborhood Center Future Land Use category to the Industrial Future Land Use category.
4. Recommend **APPROVAL** of the proposed Comprehensive Plan Amendment, changing lands from the Industrial Future Land Use category to the Commercial Future Land Use category.

Attachments:

List of Properties

Aerial Map

Zoning Map

Future Land Use Map

Notification Map

Site Plan

Photographs

List of Properties involved in the Rezoning and Comprehensive Plan Amendment

Properties to be rezoned from ML to CG:

1. Stripes
2. Julio's Burritos
3. Los Caballos Vet Clinic
4. Cowhand Saddlery & Savy Tattoos (same property)
5. Chicken Express

Properties to have their FLU Amended from Neighborhood Center to Commercial

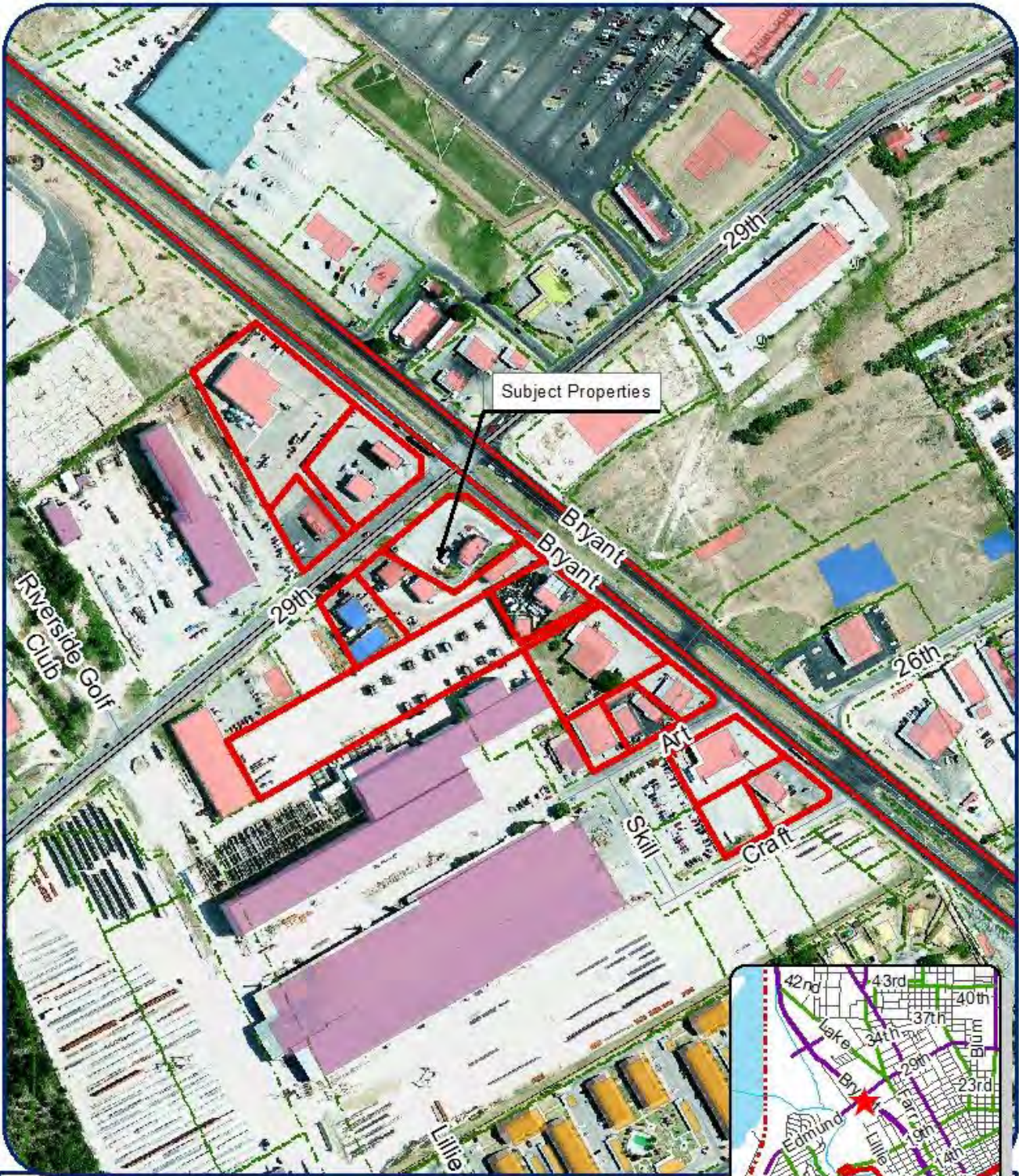
1. Airgas
2. Stripes
3. Julio's Burritos
4. Los Caballos Vet Clinic
5. Cowhand Saddlery & Savy Tattoos (same property)
6. Chicken Express.
7. John's Tire Shop

Property to have its FLU Amended from Neighborhood Center to Industrial

1. Hirschfeld Steel

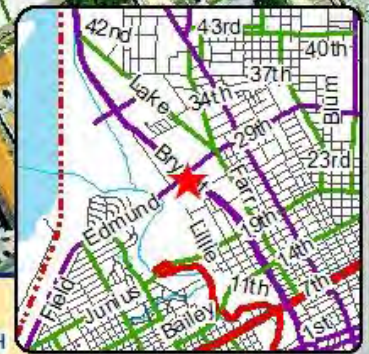
Properties to have their FLU Amended from Industrial to Commercial

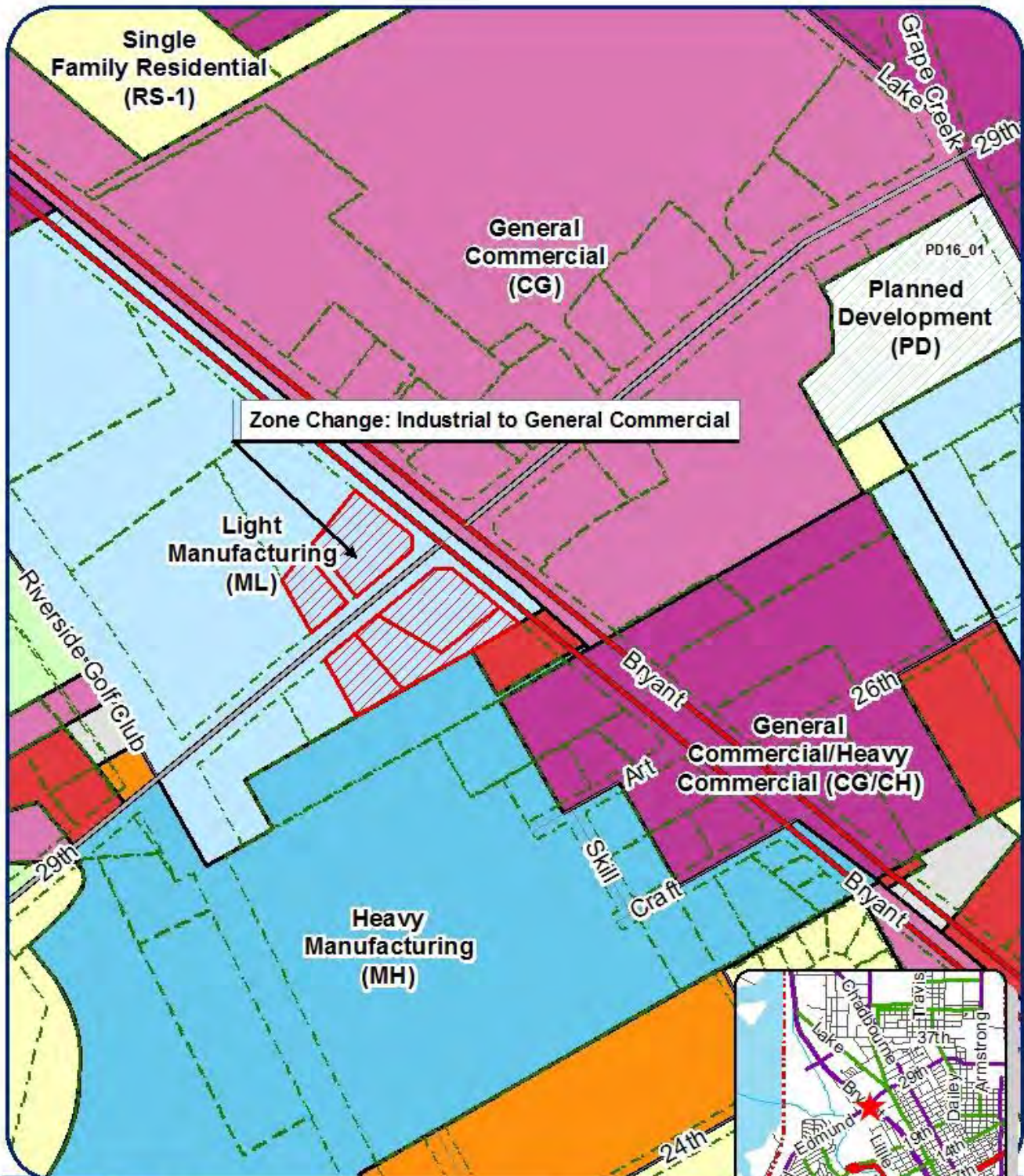
1. Kuntz Appliances (Currently vacant building)
2. Domino's Pizza & Pronto Check Cashing
3. Mrs. Baird's Bakery Outlet
4. West Central Wireless



Aerial Map
Case CP18-01 COSA
 Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 300 ft

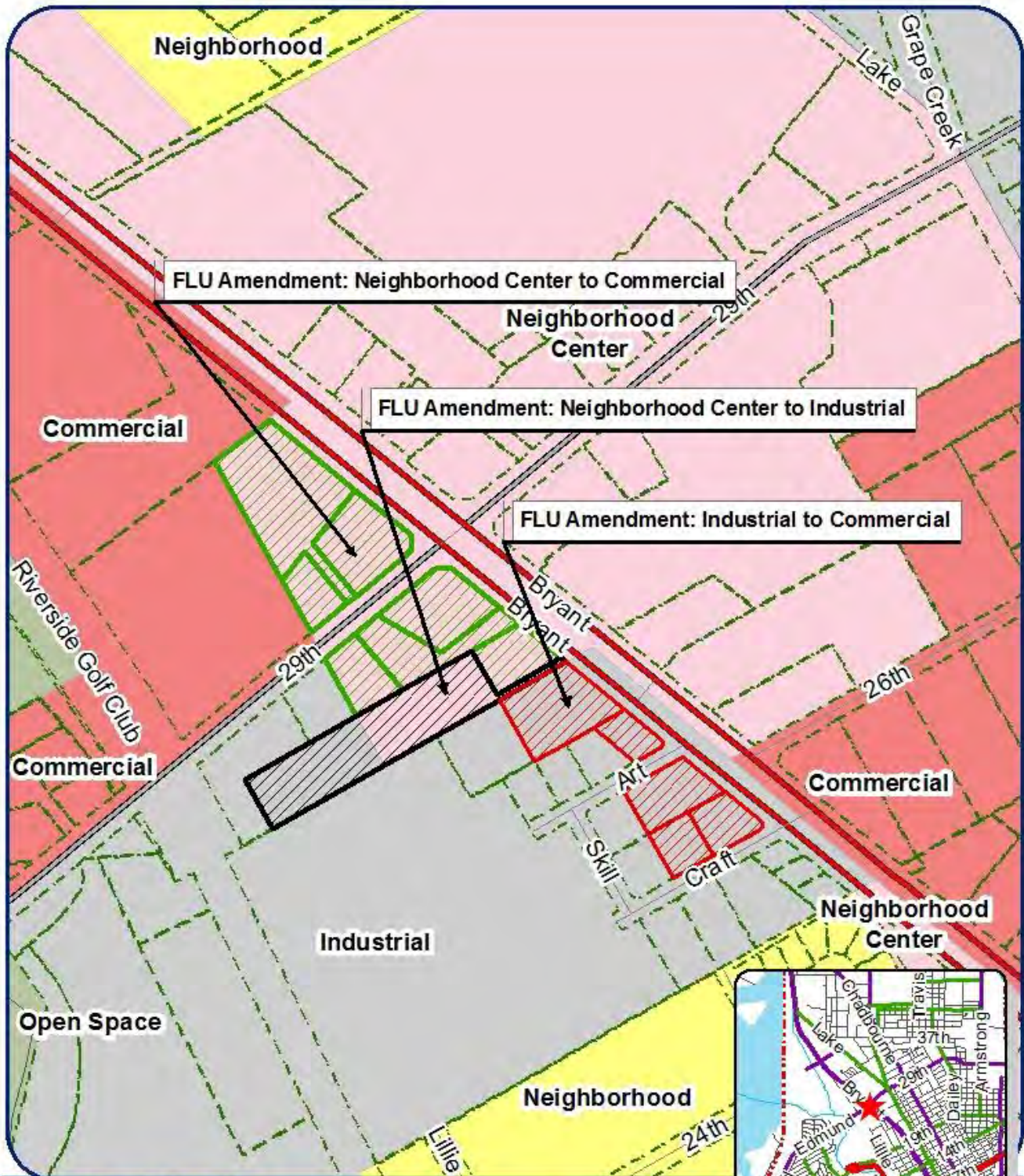
Legend
 Subject Properties:
 Current Zoning: **ML & CG/CH**
 Requested Zoning Change: **N/A**
 Vision: **Commercial/Industrial**





Zoning Map
Case Z18-04 & CP18-01: COSA
 Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 350 ft

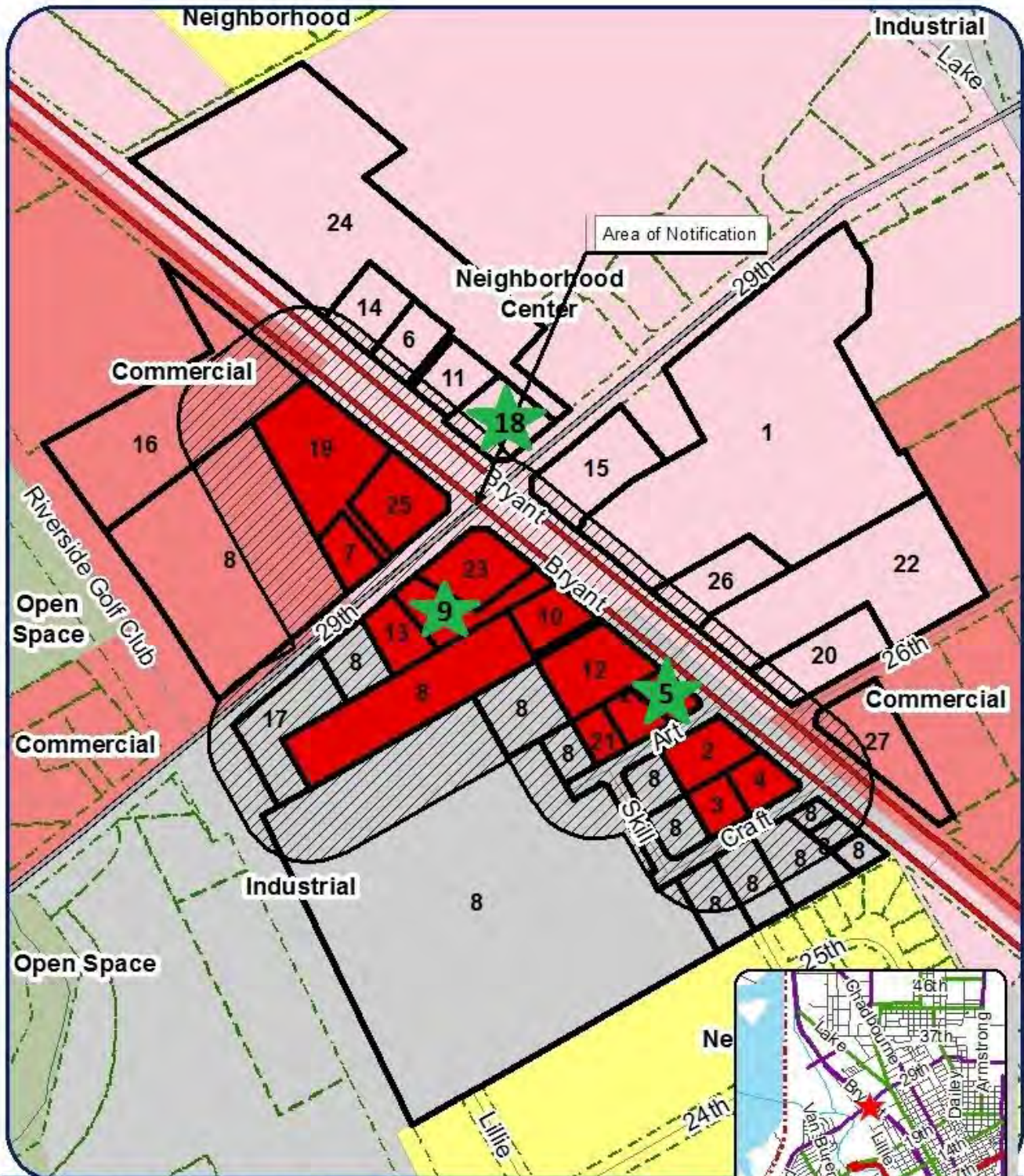
Legend
 Subject Properties:
 Current Zoning: ML & CG/CH
 Requested Zoning Change: N/A
 Vision: Commercial/Industrial



Future Land Use Map
Case CP18-01 COSA
 Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 350 ft

Legend
 Subject Properties:
 Current Zoning: ML & CG/CH
 Requested Zoning Change: N/A
 Vision: Commercial/Industrial





Notification Map - Comp Plan Amendment
Case CP18-01 COSA
 Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 350 ft

Legend
 Subject Properties:
 Current Zoning: ML & CG/CH
 Requested Zoning Change: N/A
 Vision: Commercial/Industrial



Site Photos

Intersection to be Rezoned to CG, Looking West
(North Bryant Boulevard and West 29th Street)



Looking Southwest down North Bryant at Properties to have an Amended FLU
(FLU amendments start with Airgas)



Looking Northwest up North Bryant at Properties to have an Amended FLU
(FLU amendments ends with West Central Wireless)



**PLANNING COMMISSION – February 15, 2018
STAFF REPORT**



APPLICATION TYPE:	CASE:
Conditional Use	CU18-10: Savy Tattoos

SYNOPSIS:

This is an application for a Conditional Use to allow for Retail Sales & Services in the Light Manufacturing (ML) Zoning District. The applicant is leasing a building on a lot that has two principle buildings/businesses. The lot in question is “L” shaped and wraps around the Chicken Express located on the corner of West 29th Street and North Bryant Boulevard. That particular intersection, while zoned Light Manufacturing, has developed in a steadily commercial fashion. A Conditional Use will allow the applicant to open the business, and while the Conditional Use will remedy the situation for the applicant’s proposed use, Planning Staff recognizes that a rezoning to Commercial, along with an amendment to the City’s Comprehensive Plan will prove more advantageous as additional commercial development continues to occur. As such, Planning is undertaking a City-initiated rezoning (Z18-04) and Comprehensive Plan Amendment (CP18-01) for this corridor that is going before the Planning Commission on the same date as this case. Due to the time constraints on the applicant, the Conditional Use will allow the use to be approved now, with the rezoning and Comprehensive Plan amendment allowing the long term development of the area.

LOCATION:	LEGAL DESCRIPTION:
717 & 729 West 29 th Street and 2829 North Bryant Boulevard, generally located at the southwest corner of the intersection of West 29th Street and North Bryant Boulevard	Being 0.83 acres in the F E Cramer Survey, Abstract A-0112, S-0318, City of San Angelo, Texas.

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood	Light Manufacturing (ML)	Neighborhood Center	0.83 acres

THOROUGHFARE PLAN:

North Bryant Boulevard – TxDot Urban Major Arterial, Required 80’ min. ROW, 64’ min. pavement.
Actual 150’ ROW, 80’ pavement.

West 29th Street – Urban Minor Arterial, Required 80’ min. ROW, 64’ min. pavement.
Actual 80’ ROW, 50’ pavement.

NOTIFICATIONS:

Eleven (11) notifications were mailed on February 5, 2018 to property owners with 200 feet. Staff has received one response in favor and zero responses in opposition. Letter received in favor did not have commentary, and is notated on the Notification Map below.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed Conditional Use to allow for Retail Sales & Services in the Light Manufacturing (ML) Zoning District, subject to two Conditions of Approval.

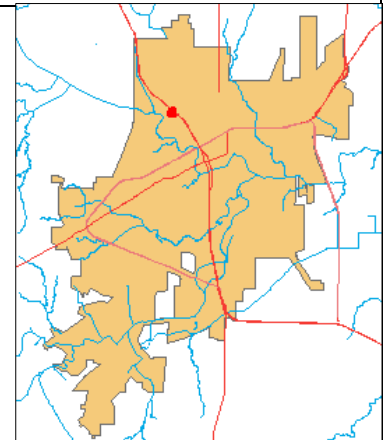
PROPERTY OWNER/PETITIONER:

Property Owner(s):
Wanda Hodges

Agent:
Savannah Wright

STAFF CONTACT:

Kristina Heredia
Staff Planner
(325) 657-4210, Extension 1546
kristina.heredia@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 property has historically been utilized for Retail Sales and Services, and the proposed use is in alignment with what is currently in existence. Approving the Conditional Use will not only allow the applicant the ability to use the property for her retail business, but will bring the other business on the property into compliance.
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 Zoning Ordinance does not currently allow for Retail Sales and Services to be located within the Light Manufacturing (ML) Zoning District without Conditional Use approval. Through the Conditional Use, the City has the opportunity to place conditions that will make the land use compatible with the surrounding area and minimize potentially negative impacts. The Zoning Ordinance states that the ML District “is intended to provide opportunities for business in the processing...industries...which are characterized by a relatively low degree of nuisance and adverse impact on neighboring property.” The use being proposed by the applicant appears to meet this description. The City-initiated rezoning (Z18-04) that is running concurrently with this Conditional Use will change the zoning from ML to the more appropriate zoning district of General Commercial (CG).
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject property.** While the area is not zoned for Retail Sales and Service uses, the Comprehensive Plan calls for the area to grow in a commercial manner, as evidenced by its “Neighborhood Center” Future Land Use (FLU) designation. The City-initiated Comprehensive Plan Amendment (CU18-01) that is running concurrently with this Conditional Use will change the FLU from Neighborhood Center to the more appropriate designation of Commercial.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** There appears to be little or no additional impacts as a result of the proposed use as the site is largely built out with significant impervious coverage. The applicant has agreed to stripe additional parking as required, so there may be noise or air pollution as the painting is commencing. However, these effects would be temporary in nature.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The fact that the building where the proposed new business will locate has been previously occupied in a retail capacity, combined with the other retail businesses on the lot demonstrates a community need in the area for commercial growth.

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.* While parts of the area have developed in a light manufacturing pattern, apparent by the land owned and occupied by Hirschfeld Steel, the properties that are directly adjacent to North Bryant Boulevard have a decidedly commercial presence. Allowing this Conditional Use, and the subsequent rezoning of the property, appears to follow a logical development pattern compatible with the area.

Notifications:

Eleven notifications were sent out to property owners with 200 feet. Staff has received one response in favor and zero responses in opposition. Letter received in favor did not have commentary, and is notated on the Notification Map below.

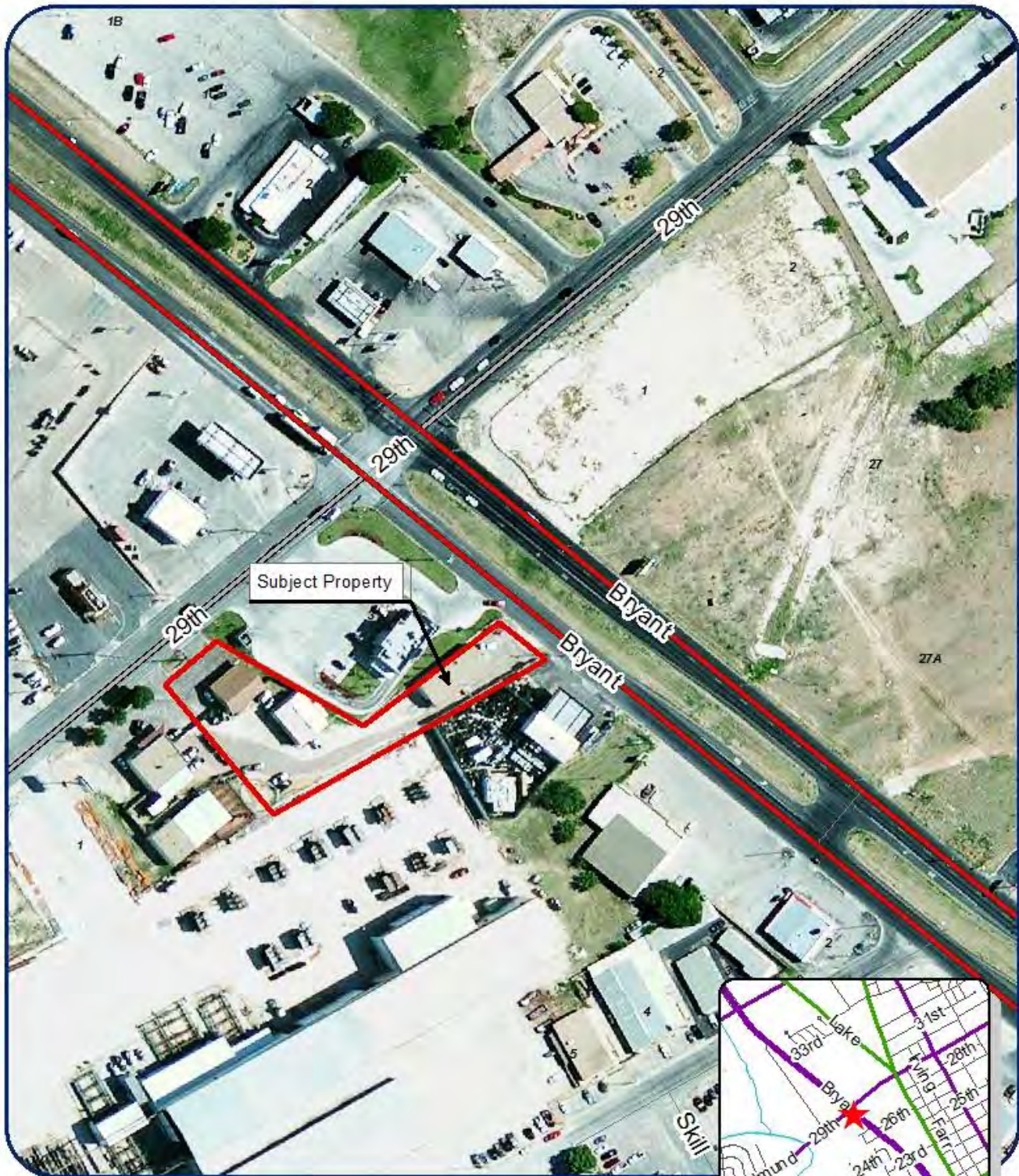
Recommendation:

Staff's recommendation is for the Planning Commission to approve a Conditional Use to allow for Retail Sales & Services in the Light Manufacturing (ML) Zoning District, **subject to the following two Conditions of Approval:**

1. The applicant shall provide nine paved parking spaces, as delineated in the Site Plan.
2. The applicant shall obtain a Change of Occupancy Permit from the Building and Inspections Division prior to occupancy.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Thoroughfare Map
Notification Map
Site Plan
Photographs



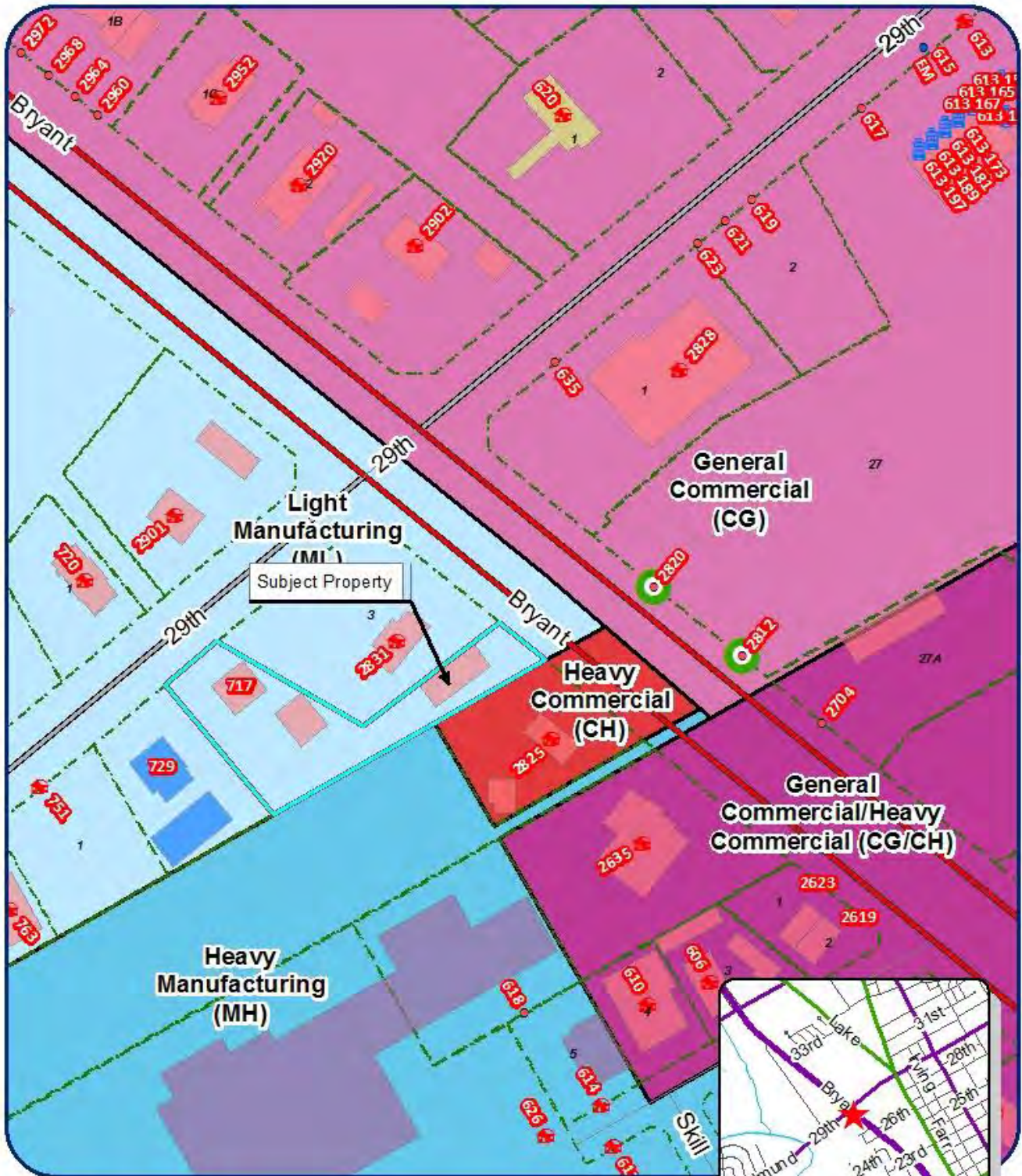
Aerial Map
Case CU18-01

Council District: Lucy Gonzales
Neighborhood: Blackshear
Scale: 1" approx. = 150 ft

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Neighborhood Center





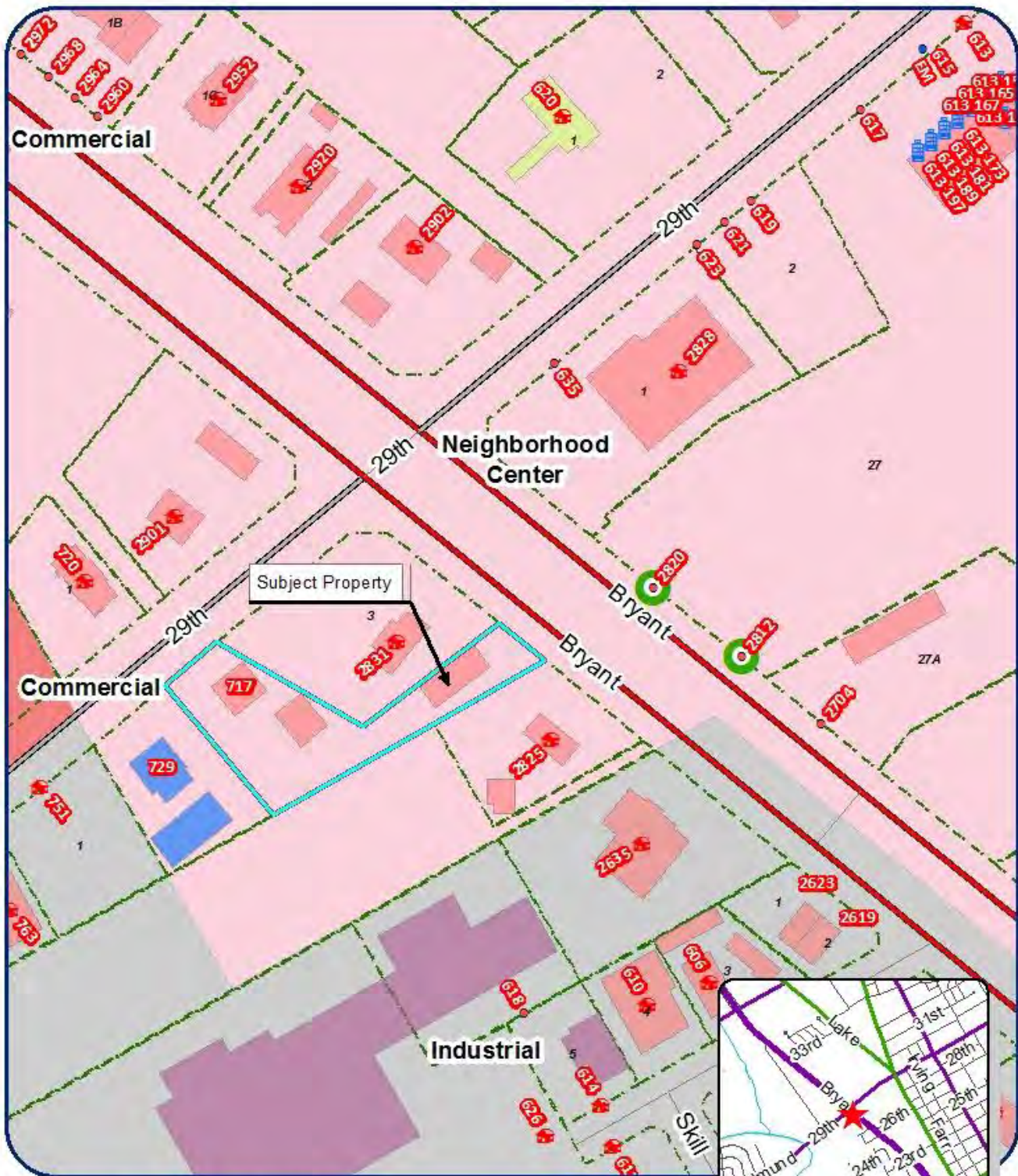
Zoning Map
Case CU18-01

Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft

Legend

- Subject Properties: █
- Current Zoning: █ ML
- Requested Zoning Change: █ N/A
- Vision: █ Neighborhood Center





Future Land Use (FLU) Map

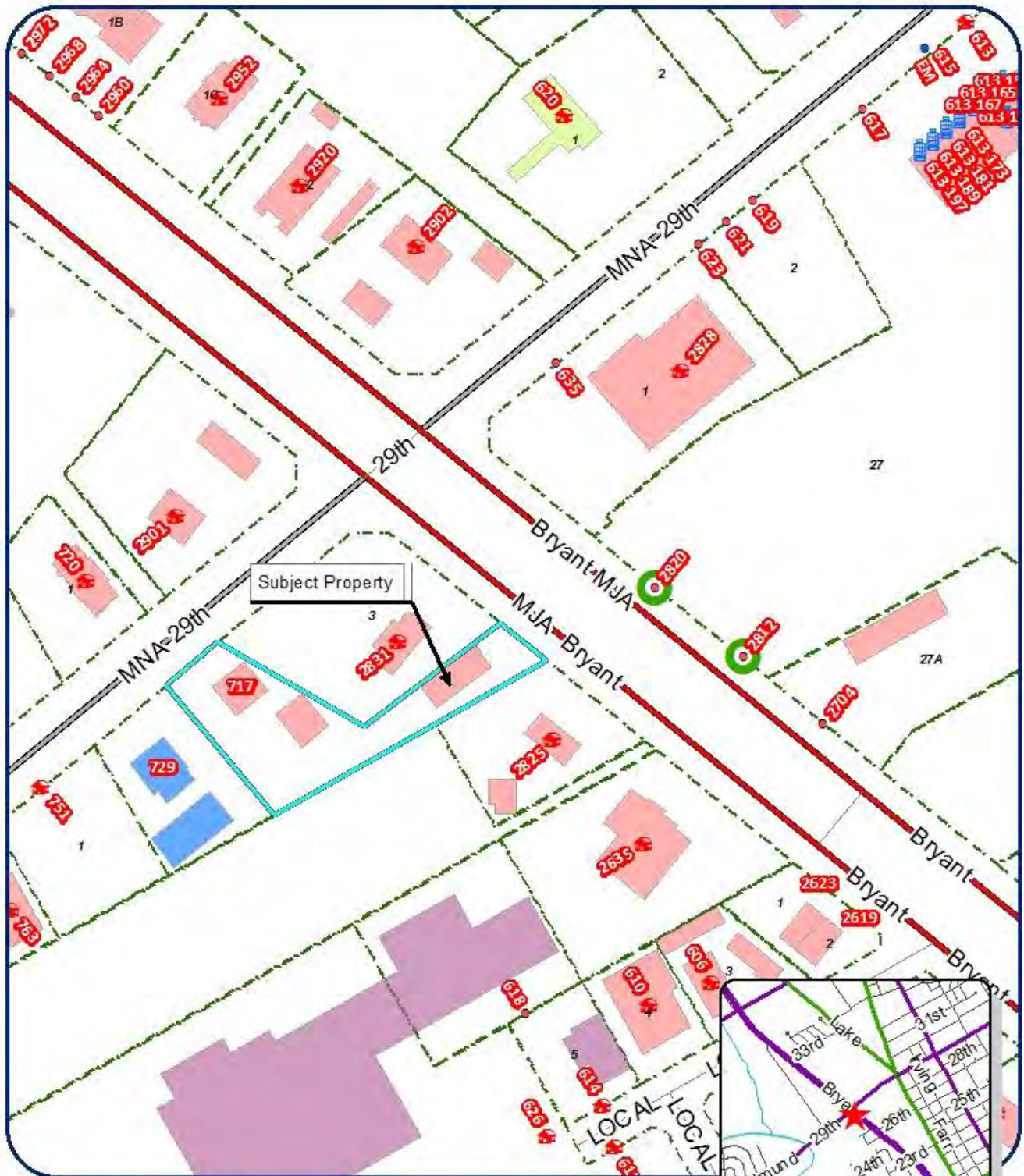
Case CU18-01

Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 150 ft

Legend

- Subject Properties: █
- Current Zoning: █ ML
- Requested Zoning Change: █ N/A
- Vision: █ Neighborhood Center





Thoroughfare Map

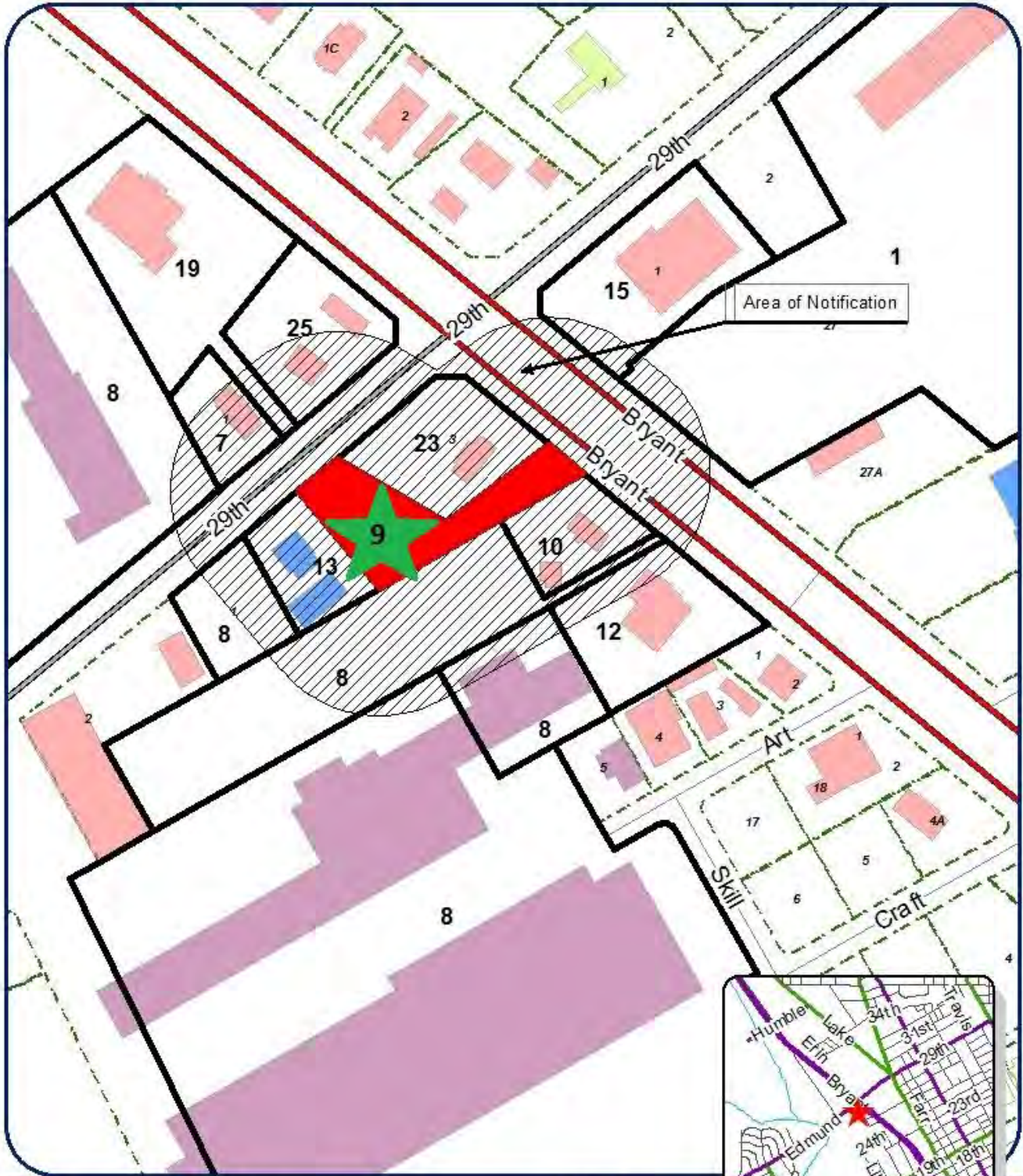
Case CU18-01

Council District: Lucy Gonzales
Neighborhood: Blackshear
Scale: 1" approx. = 150 ft

Legend

- Subject Properties: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Neighborhood Center





Notification Map - Conditional Use

Case CU18-01

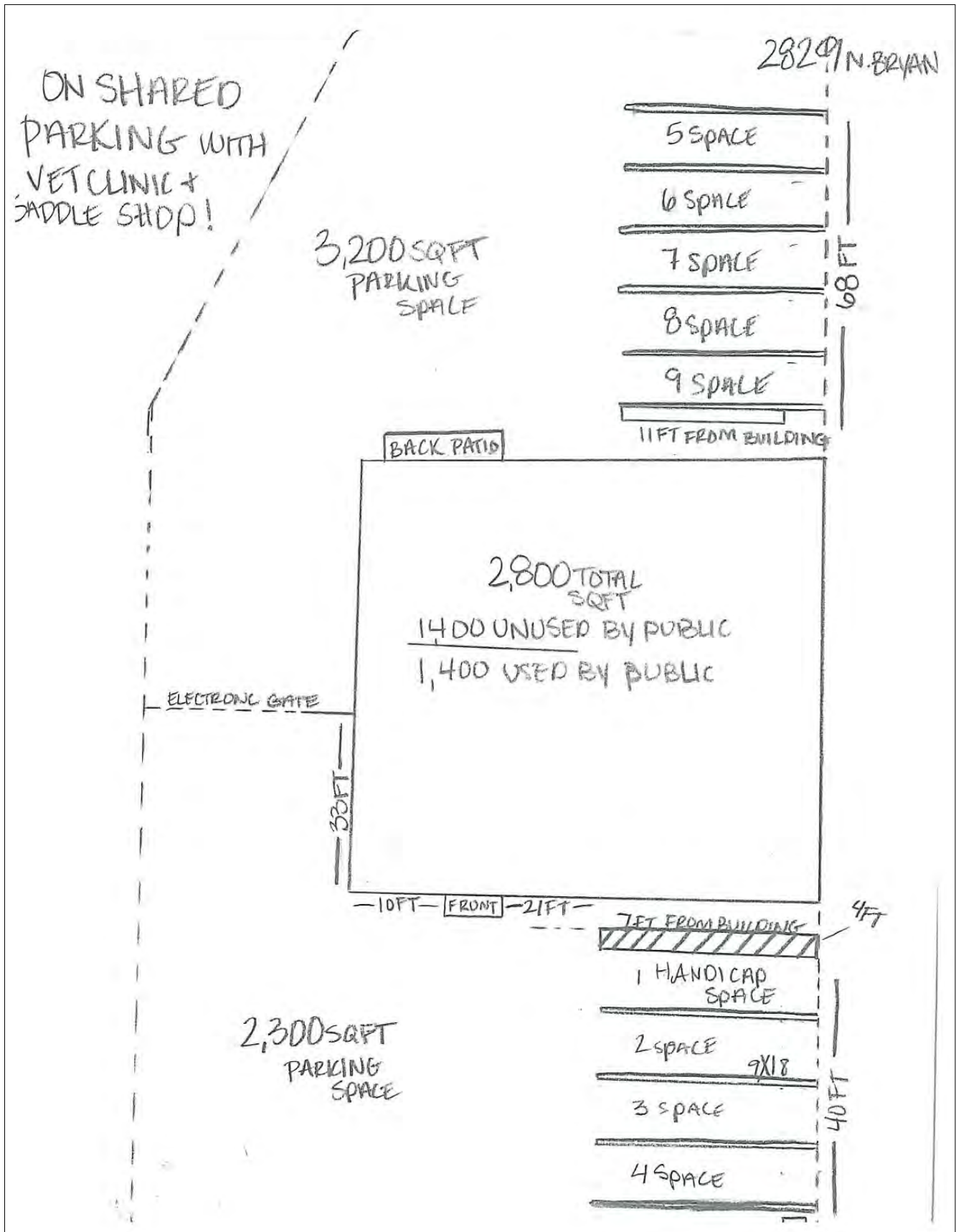
Council District: Lucy Gonzales
 Neighborhood: Blackshear
 Scale: 1" approx. = 200 ft

Legend

- Subject Property: —
- Current Zoning: ML
- Requested Zoning Change: N/A
- Vision: Neighborhood Center



SITE PLAN



SITE PHOTOS

Front of Property (Southwest)



Front with gate



Adjacent Property (North)



Adjacent Property (South)



**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning & Comprehensive Plan Amendment		Z18-03: Segunda Iglesia Bautista & CP18-02: City of San Angelo	
SYNOPSIS:			
<p>Segunda Iglesia Bautista is a church located in the Single Family Residential (RS-1) Zoning District. The church has expanded several times over the last few decades and has multiple Conditional Uses in place. The church owns a vacant lot directly behind their sanctuary that they would like to utilize for overflow parking. Rather than add an additional Conditional Use to their property, Planning Staff believes it would be more beneficial to the church if they had their zoning changed from RS-1 to the more appropriate Neighborhood Commercial (CN). Furthermore, the church has two different Future Land Use (FLU) designations on their property: Neighbored and Neighborhood Center. A Neighborhood Center FLU is more compatible with the church and CN zoning than a Neighborhood FLU, so Planning is seeking a City-initiated Comprehensive Plan Amendment to expand the current boundary of the Neighborhood Center FLU designation to include all of the church’s property on that block.</p>			
LOCATION:		LEGAL DESCRIPTION:	
<p><u>Zone Change:</u> 530 West Avenue T and 535 West Avenue S <u>Comp Plan Amendment:</u> 530 West Avenue T, and 509, 517 and 535 West Avenue S</p>		<p>Being a total of 1.2 acres out the La Villita Heights Addition, Block 4, Lots 1-3 and Lots 9-12, City of San Angelo, Texas.</p>	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Rio Vista Neighborhood	RS-1 – Single Family Residential	Neighborhood Center & Neighborhood	1.2 acres (Comp) 0.85 acres (RZ)
THOROUGHFARE PLAN:			
<p><u>West Avenue T</u> –Urban Local Street, Required 50’ min. ROW, 36’ min. pavement with sidewalk, 40’ without sidewalk. Actual 56’ ROW, 35’ paving width without sidewalk <u>West Avenue S</u> –Urban Local Street, Required 50’ min. ROW, 36’ min. pavement with sidewalk, 40’ without sidewalk. Actual 65’ ROW, 30’ paving width without sidewalk</p>			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the proposed Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, and APPROVAL of the Comprehensive Plan Amendment, changing lands from the “Neighborhood” Future Land Use category to the “Neighborhood Center” Future Land Use category</p>			
PROPERTY OWNER/PETITIONER:			
<p><u>Property Owner:</u> Segunda Iglesia Bautista</p> <p><u>Petitioner:</u> COSA, Planning</p>			
STAFF CONTACT:			
<p>Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us</p>			

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** Half of the occupied property of the church has an FLU of Neighborhood Center. Expanding this to include the whole church and their proposed new parking lot aligns with the expectations of longevity for this land use. This church has been at this location since 1964 and has continued to grow over the decades. Updating the Comprehensive Plan to reflect this will allow for the continued growth of this establishment.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** While a religious institution can take advantage of any zoning district, it requires a Conditional Use to reside within a residentially zoned area. This church has been a part of their neighborhood for over five decades: their first expansion was over 45 years ago, in 1972. As the church grew, it continued to seek variances and Conditional Uses to allow for the legal expansion of their property. Changing their zoning to Neighborhood Commercial will help solidify their standing as a growing and supportive beacon in this community.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** Expanding the boundary of the FLU to incorporate the whole church and parking lot will also mean that two residential properties will also be included in this expansion of FLU designation. However, one of these properties is vacant and dilapidated, and both properties are being pursued by the church for purchase. As the church continues to grow and expand their future expectations are to utilize both of these lots, which would then make these two lots compatible with a FLU of Neighborhood Center.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** Approving the rezoning to Neighborhood Center will allow the church to utilize their vacant property for parking without having to go through the process of another Conditional Use. The church understands that expanding their use to their vacant lot will mean they will have to abide by the regulations in the Zoning Ordinance regardless of their Zoning District. To the end, they have agreed to provide a privacy fence to protect the adjacent property owner.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Since this rezoning and FLU amendment are occurring on property that is already developed, with the exception of the vacant lot mentioned above, there is little adverse impact anticipated. There may be minor air and noise pollution as the church builds a privacy fence or paves parking, but those would be temporary.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The community need in the area appears to be for the continued presence of the church, as the church has been functioning for over 54 years and has active plans to purchase the surrounding properties as they become available so they can expand.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* Since the area has a FLU of Neighborhood Center that extends to half of the church's property, allowing the block to be incorporated into this FLU designation would not only follow the future development patterns anticipated by the City, but also allow for the present development patterns of the church to continue.

Notifications:

30 notifications were sent out to property owners with 200 feet on February 5, 2018. Staff has received zero responses in favor and zero responses in opposition.

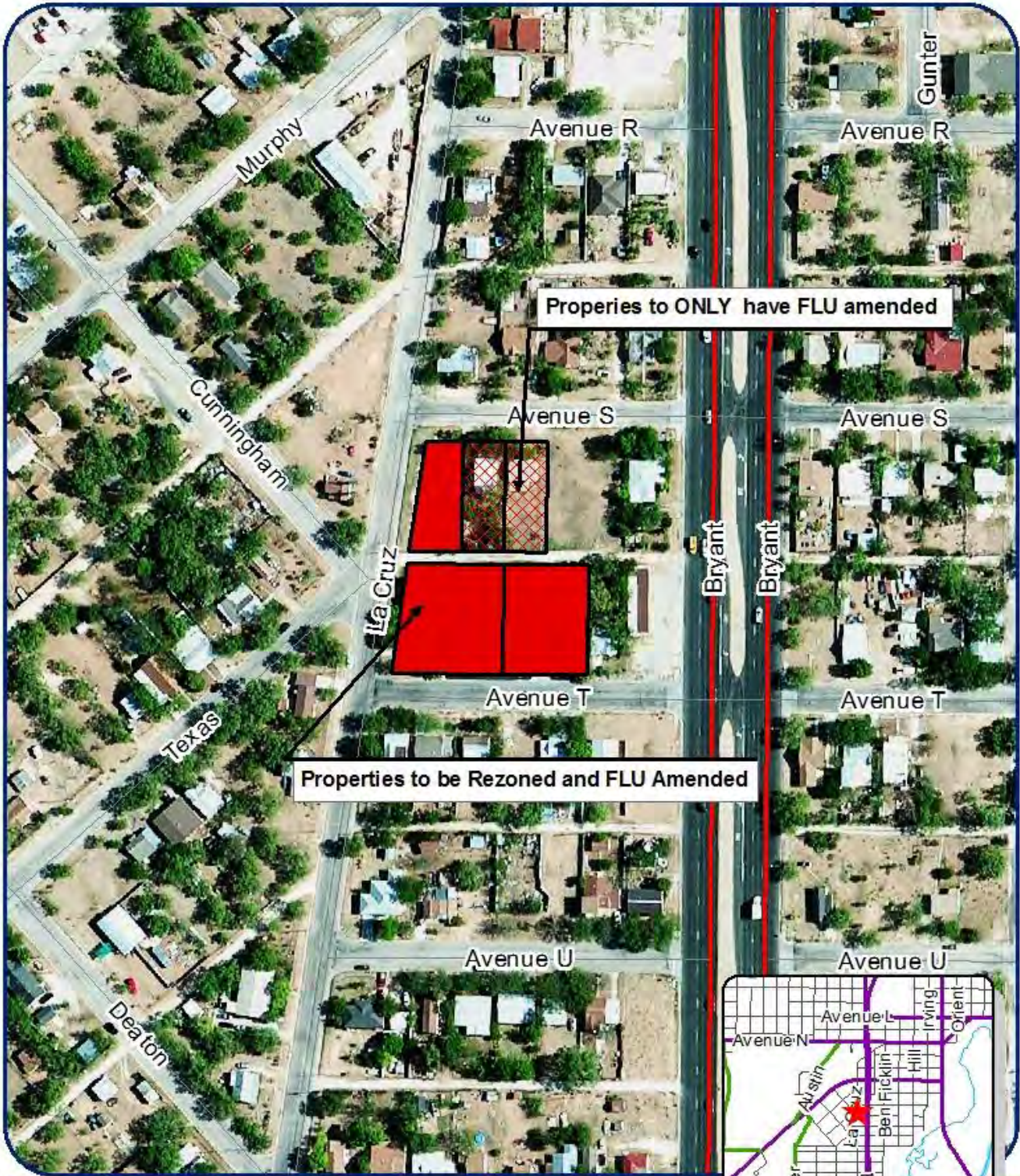
Recommendation:

Staff's recommendation is for the Planning Commission to

1. Recommend **APPROVAL** of the proposed Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District;
2. Recommend **APPROVAL** of the proposed Comprehensive Plan Amendment, changing lands from the Neighborhood Future Land Use category to the Neighborhood Center Future Land Use category

Attachments:

Aerial Map
Zoning Map
Future Land Use Map
Thoroughfare Map
Notification Map
Site Plan
Photographs



Properties to ONLY have FLU amended

Properties to be Rezoned and FLU Amended




Aerial Map

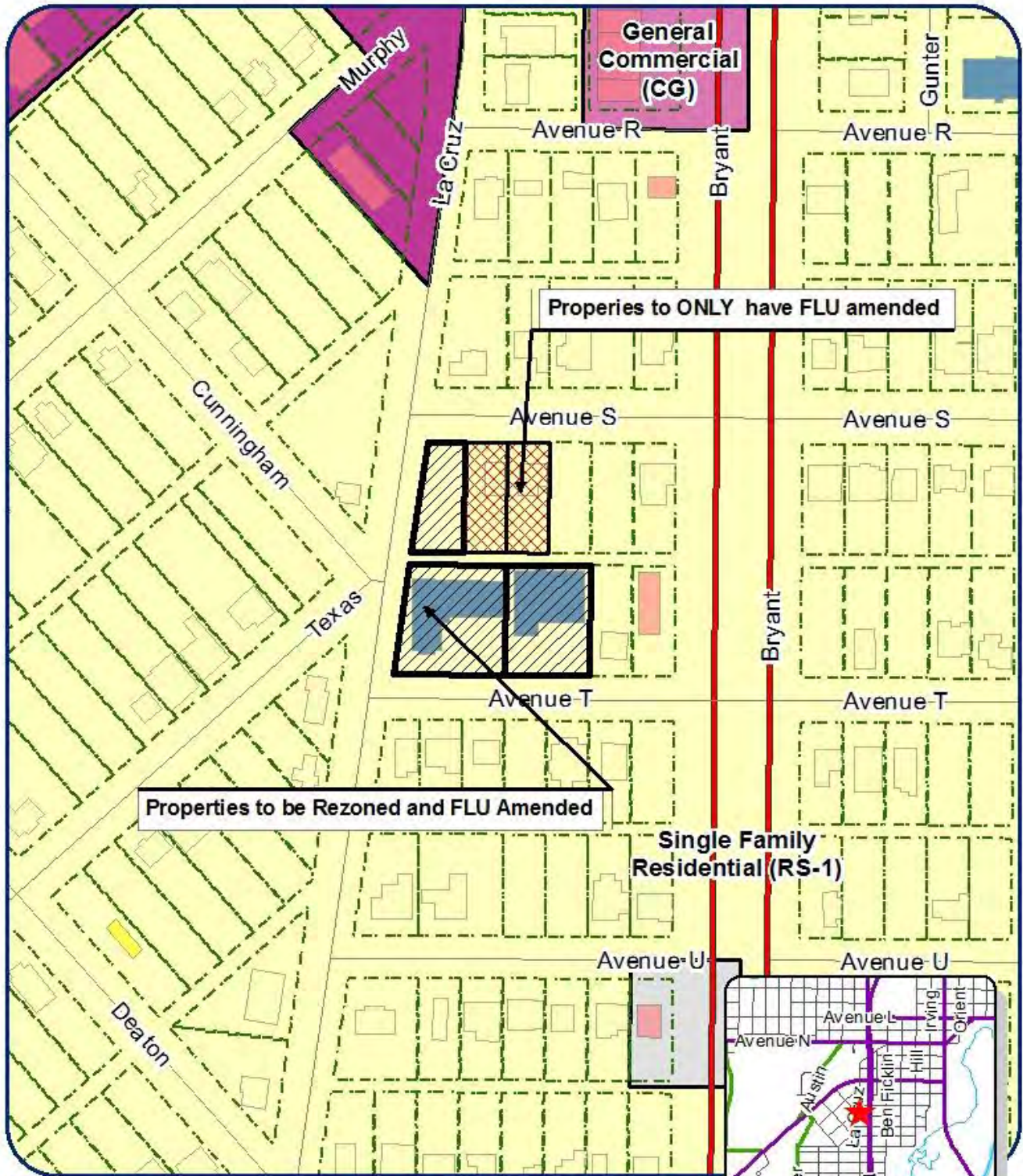
Case Z18-03 & CP18-02: COSA

Council District: Harry Thomas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): La Villita Heights Addn, Block 4

Legend

Subject Properties: 
 Current Zoning: **RS 1**
 Requested Zoning Change: **CN**
 Vision: **Neighborhood/
 Neighborhood Center**






Zoning Map

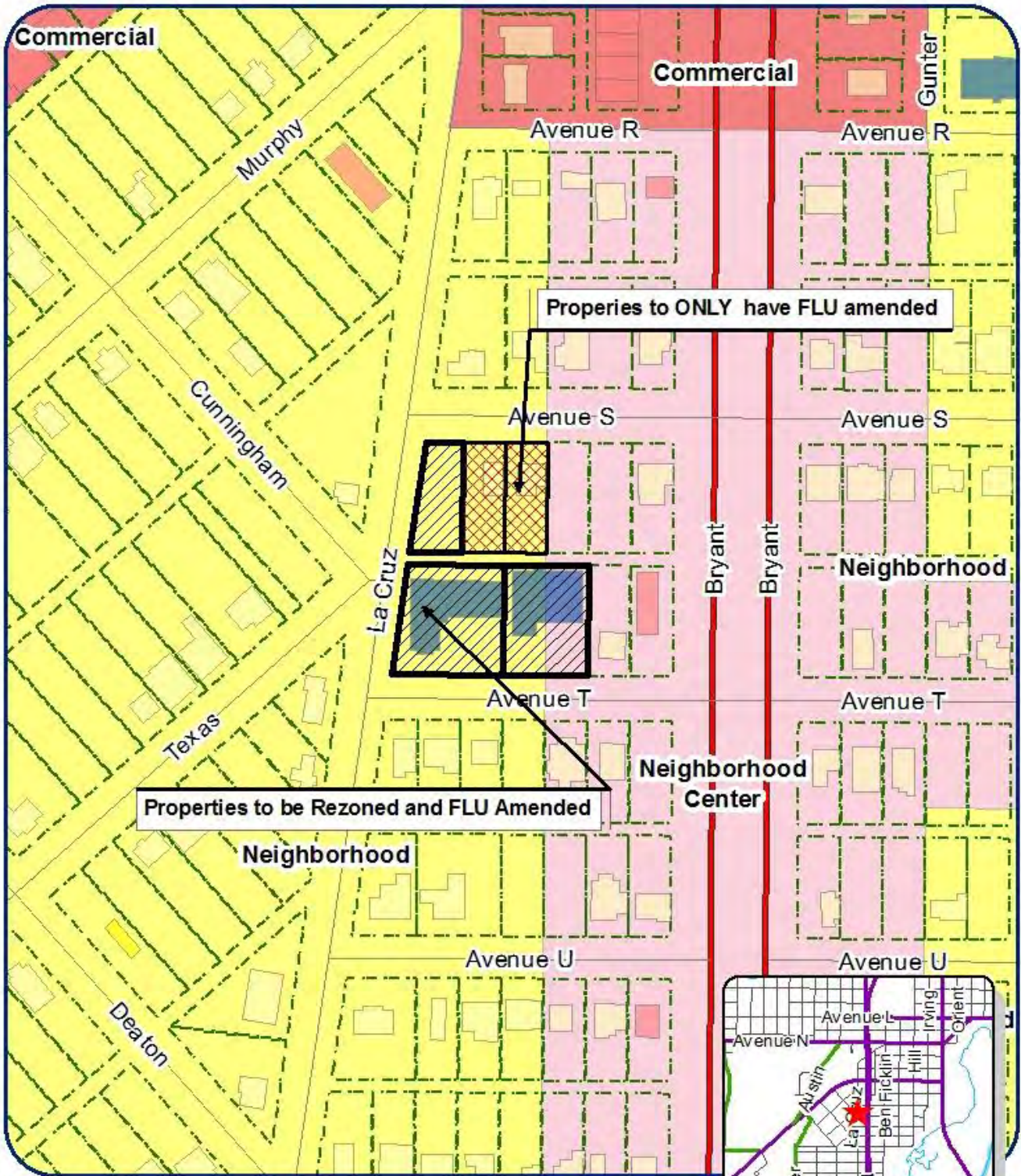
Case Z18-03 & CP18-02: COSA

Council District: Harry Thomas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): La Villita Heights Addn, Block 4

Legend

Subject Properties: 
 Current Zoning: **RS 1**
 Requested Zoning Change: **CN**
 Vision: **Neighborhood/
 Neighborhood Center**





Future Land Use Map

Case Z18-03 & CP18-02: COSA

Council District: Harry Thomas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): La Villita Heights Addn, Block 4

Legend

- Subject Properties: █
- Current Zoning: **RS 1**
- Requested Zoning Change: **CN**
- Vision: **Neighborhood/
Neighborhood Center**





Notification Map
Case Z18-03 & CP18-02: COSA
 Council District: Harry Thomas
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft
 Subject Property Legal Description(s): La Villita Heights Addn, Block 4

Legend
 Subject Properties: ■
 Current Zoning: **RS 1**
 Requested Zoning Change: **CN**
 Vision: **Neighborhood/Neighborhood Center**

Map includes a north arrow and the official seal of the City of San Antonio, Texas.

Site Photos

Front of Church



First Expansion of Church



Side of Church and Vacant Lot



Vacant Lot Behind Church Building



Properties to be Included in FLU Expansion



**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Rezoning		Z18-02: Tuck	
SYNOPSIS:			
The applicant has requested a Rezoning from the Office Commercial (CO) Zoning District to the Two-Family Residential (RS-2) Zoning District on the subject properties which are vacant. The Permits and Inspections Division found no record of any permits on the property, and this is consistent with the San Angelo Polk Directories and Tom Green County Appraisal District, which also indicate the properties have remained vacant since at least the late 1970s. Each of the three lots would comply with the minimum standards for single-family or two-family dwellings, both of which are permitted uses in the RS-2 zone.			
LOCATION:		LEGAL DESCRIPTION:	
7 South Park Street; generally located at the southwest corner of South Park Street and West Harris Avenue		Being Lots 1, 2, and 3, and a portion of an abandoned alley in Block 52 of the San Angelo Addition, comprising a total of 0.52 acres.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
SMD District #5 – Lane Carter Central Neighborhood		Office Commercial (CO)	Neighborhood
			SIZE:
			0.52 ac.
THOROUGHFARE PLAN:			
<p>South Park Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 60' right-of-way, 38' pavement (pre-existing street platted in accordance with standards at that time).</p> <p>West Harris Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 60' right-of-way, 40' pavement</p>			
NOTIFICATIONS:			
16 notifications mailed within 200-foot radius on February 5, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Rezoning from the Office Commercial (CO) Zoning District to the Two-Family Residential (RS-2) Zoning District on the subject properties.			
PROPERTY OWNER/PETITIONER:			
Property Owner(s): Mr. Christopher Tuck			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Planning Division believes that the proposed rezoning is compatible with the City's Comprehensive Plan which designates the subject properties "Neighborhood" which supports "an appropriate balance of use within each neighborhood" and which promotes "neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo's neighborhoods." The properties are already surrounded by Two-Family Residential (RS-2) zoning to the west and north, and a rezoning to RS-2 on these properties would be consistent with the above policies supporting more diversity of housing choices in this area.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The subject properties were platted as part of the San Angelo Addition, filed for record with the Tom Green County Clerk on December 14, 1905. Each lot has a minimum lot area of 7,500 square feet, a minimum lot frontage of 50 feet, and a minimum lot depth of 150 feet, in compliance with the RS-2 development standards requiring a minimum lot area of 6,500 square feet, a minimum lot width of 50 feet, and a minimum lot depth of 100 feet. Each lot has direct and abutting access onto South Park Street, and would be able to accommodate all of the allowable uses in this zoning district on each lot: a single-family dwelling; a two family dwelling; or a single-family dwelling with an accessory apartment.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The Planning Division believes that the proposed uses would be compatible with the surrounding area which includes existing residential zoning and uses to the west and north, and Civic League Park, which encompasses over 13 acres to the east of the subject properties. The properties are also adjacent to commercial and institutional amenities including a Neighborhood Wal-Mart, Central High School, a church, and a spa, salon, and restaurant immediately south of the properties.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** As indicated, the properties have remained vacant for decades and have not developed for office commercial uses in the current CO zoning. While the properties would be suitable for office commercial uses, Staff also believes that RS-2 zoning would be appropriate given that the properties are surrounded by RS-2 zoning west of South Park Street. The RS-2 zoning also allows diversity in housing choices, consistent with the "Neighborhood" policies in the City's Comprehensive Plan, including single-family and two-family dwellings, and accessory apartments. Staff believes RS-2 zoning is also appropriate given future residents will be in close proximity to a large neighborhood park, church, schools and shopping, and an existing Concho Valley Transit bus route along West Beauregard Avenue.

5. **Effect on Natural Environment.** Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. There does not appear to be any anticipated adverse impacts on the natural environment. New residences on the properties will require a building permit and a review of grading, drainage, and stormwater runoff to further ensure there are no negative environmental impacts.
6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. Planning Staff believes that there is a need for more housing in this area, given that there is already an abundance of commercial properties to the south and existing residential properties already to the north. An additional three residential lots would provide a continuous flow or residential housing stock, consistent with the “Neighborhood” designation in the Comprehensive Plan which extends to the southerly limits of the subject properties.
7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. The subject properties are located within walking distance of West Beauregard Avenue, a major arterial road which can accommodate the additional increase in residential housing stock. As indicated, the lots were already platted and follow a logical extension of residential lots fronting onto South Park Street.

Recommendation:

Staff’s recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed Rezoning from the Office Commercial (CO) Zoning District to the **Two-Family Residential (RS-2) Zoning District** on the subject properties.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Applicant’s Response to Zoning Criteria
Application




Source: Esri, DigitalGlobe, GeoEye,
USDA, USGS, AEX, Geomapping, A
User Community

Zoning Case File

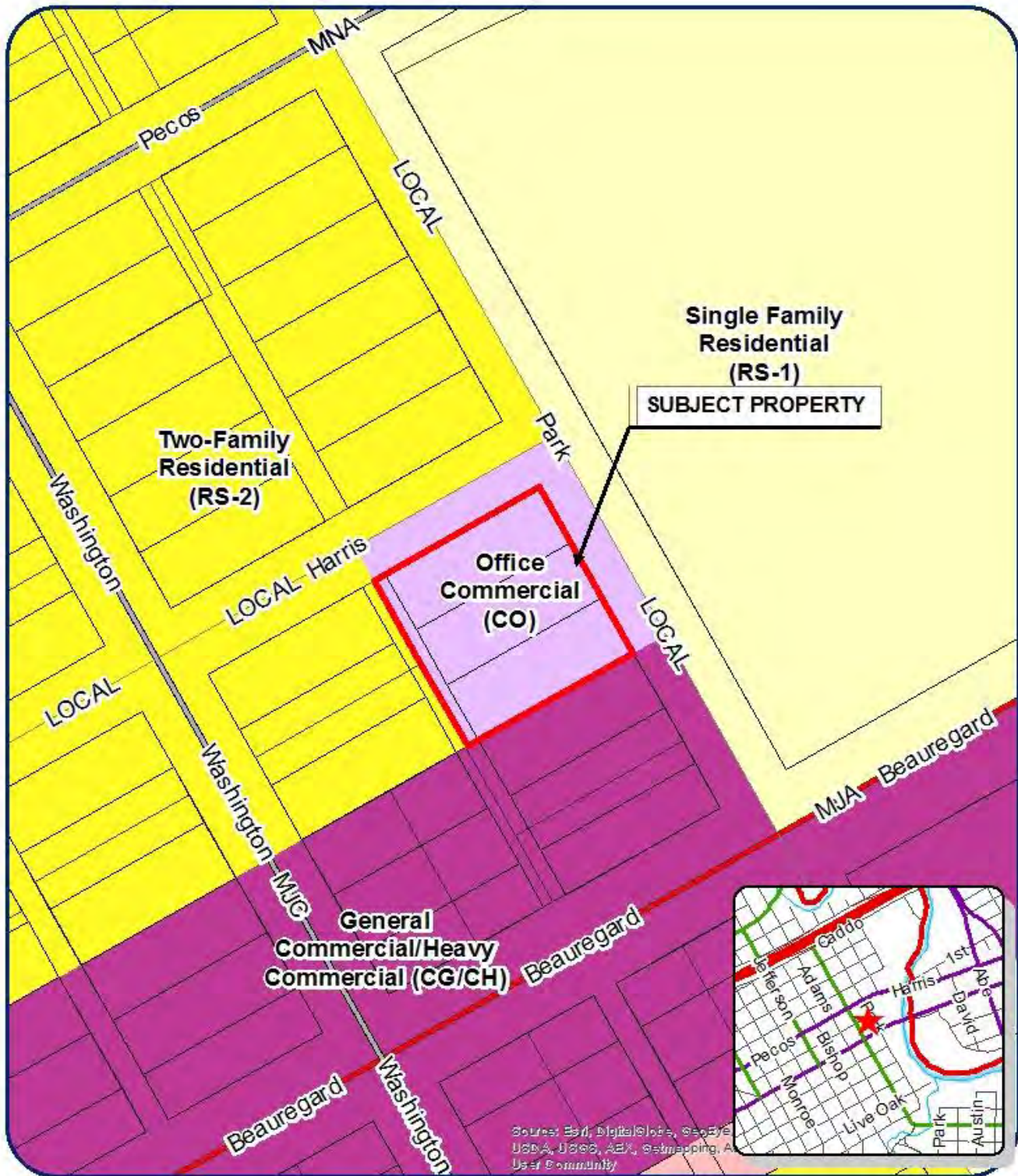
Case Z18-02: Tuck

Council District: Lane Carter (SMD#5)
Neighborhood: Central
Scale: 1" approx. = 100 ft
Subject Properties: Lots 1-3 and Aban. Alley in Block 52, San Angelo Addition

Legend

- Subject Properties: 
- Current Zoning: **CO**
- Requested Zoning Change: **RS-2**
- Vision: **Neighborhood**





Zoning Case File

Case Z18-02: Tuck

Council District: Lane Carter (SMD#5)
 Neighborhood: Central
 Scale: 1" approx. = 100 ft
 Subject Properties: Lots 1-3 and Aban. Alley in Block 52, San Angelo Addition

Legend

Subject Properties: —
 Current Zoning: **CO**
 Requested Zoning Change: **RS-2**
 Vision: **Neighborhood**



Sources: Esri, DigitalGlobe, GeoEye, USA, USDA, USGS, Aero, GeoMapping, Aerial, User Community

Photos of Site and Surrounding Area

SOUTH



NORTH



EAST



WEST AT SUBJECT PROPERTY



**LOOKING EAST AT PROPERTIES FROM VACANT LOTS
(4 AND 6 SOUTH WASHINGTON STREET)**



Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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

The proposed zone change is consistent with the Long Term Plan for neighborhood designation.

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

RS2 meets with the lot dimensions for zoning of the three lots.

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

It is surrounded by residential properties. The fact that the lots are opposite to park land

makes it very suitable for residential use.

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

It is already surrounded by R52 zoning so it would be consistent to extend that same zoning to these lots.

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

There would be no adverse impact from changing to residential.

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

There is a need for more housing to achieve the long term goal of a consistent neighborhood.

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

The lots are already platted and are close to W. Beauregard which is designated an arterial road to accommodate any additional traffic.



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

Section 1: Basic Information

Name of Applicant(s): Christopher J. Tuck

Owner Representative (Notarized Affidavit Required)

Mailing Address: 1111 N. Plymouth Rd. Dallas Texas 75208

Contact Phone Number: 214-770-6774 Contact E-mail Address: tuckspub@yahoo.com

Subject Property Address: 7 South Park Street San Angelo Texas 76903

Legal Description (can be found on property tax statement or at www.tamperserved.com):
0.516, Lot 1 thru 3 & East 10 feet x 150 feet of A BK 52
Subd: Angelo Heights Addition

Existing Zoning: CO Proposed Zoning: RS1 Lot size: 150 x 150

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

Section 2: Site Specific Details

Existing Use of Property: empty lots

*Proposed Use of Property: residential

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Christopher J Tuck *Christopher J Tuck* 1/2/2018
 Owner Name (Print) Signature Company/Organization (if Applicable) Date

 Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete

Date of Application: 01 / 19 / 18

Case No.: Z 18 02 Tuck

Fully-dimensional site plan:

Nonrefundable fee: \$ 500.00

Receipt #: 284612

Date paid: 01 / 19 / 18

Sign Deposit \$37.50

Receipt #: 284612

Date paid: 01 / 19 / 18

Affidavit attached? Yes No

N/A Applicant's signature on Information sheet?

Yes No

Previous Zone Change Inquiry? Yes

No If yes, ZCI case no.: _____

River Corridor Commission? Yes

No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 02 / 19 / 18

Date notifications due: 02 / 06 / 18

City Council hearing date: 03 / 20 / 18 + 04-03-18

Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: KMH

Date: 01 / 19 / 18

**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use Renewal		CU18-02: Powell	
SYNOPSIS:			
<p>The Planning Commission approved a short-term rental on the subject property on March 20, 2017. As required per Code, the applicant fulfilled all conditions of approval including obtaining a Change of Occupancy Permit from the existing single-detached dwelling to a short-term rental on November 13, 2017 (Permit No. 17-00005080). The Planning Director also granted an administrative adjustment (ZBA17-21) on September 29, 2017, to allow a caliche driveway instead of a paved surface on the property in a rustic, recreational area. Section 406.A.2 of the Zoning Ordinance requires that “an approved Conditional Use shall automatically expire unless renewed after one year and thereafter every two years.” The applicants have subsequently applied for this short-term rental renewal, and have submitted State and City hotel occupancy tax receipts confirming they are registered with both entities (see Additional Information).</p>			
LOCATION:		LEGAL DESCRIPTION:	
2181A Gun Club Road; generally located approximately 750 feet west of the intersection of Gun Club Road and Mesquite Lane		Being Lot 14B in Block 1 of the Lake Nasworthy Subdivision, Group 10, comprising a total of 0.242 acres.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Nasworthy Neighborhood	RS-1 – Single-Family Residential	South lot: N – Neighborhood North lot: R - Rural	0.242 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: 40’ right-of-way, 18’ pavement (lots already platted, complied with standards at that time)</p>			
NOTIFICATIONS:			
6 notifications mailed within 200-foot radius on February 8, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the renewal of a Conditional Use for a Short-Term Rental as defined in Section 406 of the Zoning Ordinance, in the Two-Family Residential (RS-2) Zoning District, on the subject property, subject to six Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owners and Applicants:</i> Patrick and Debbie Powell			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: Community residents have raised concerns about potential crime, vandalism, and property maintenance issues once short-term rentals are established. As a result, the Planning Division requested responses from the San Angelo Police Department and the City’s Code Compliance Division to determine if there were any such issues at the subject property. On January 25, 2018, the Planning Division received a written response from the San Angelo Police Department that there were no calls for service and no information related to crime, vandalism, or noise on the subject property within the last 365 days since the short-term rental was approved. On the same day, the Planning Division received a written response from the City’s Code Compliance Division that there were no pending violations on the subject property.

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.** Renewing the existing short term rental would not appear to create any adverse effects on adjacent properties. The southerly lot backs onto Lake Nasworthy with an outdoor amenity area for guests. This lot has a depth of over 130 feet and a variable width of between 70-80 feet, providing ample space between neighboring lots. The existing carport on the northerly lot accommodates two parked vehicles and the caliche area to the west accommodates an additional two parked vehicles.
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 Single-Family Residential (RS-1) and was created as two separate lots on the south and north side of Gun Club Road respectively. The existing single-family dwelling complies with all required setbacks except for the minimum 25-foot front yard setback but would be legal non-conforming in this respect as the house was built in 1959 before the property was annexed into the City. As indicated, that applicant has two paved parking spaces under the existing carport, and space for two additional vehicles to the west. The Zoning Ordinance requires a minimum of two paved parking spaces, and therefore, the applicants comply with the parking requirement. The administrative adjustment (ZBA17-21) indicated earlier allows the driveway portion between the carport and the street to remain caliche and no further action is required.
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.** Renewal of the existing short term rental remains compatible with the surrounding area which comprises of single-family residences in a predominantly recreational area. As indicated, the property backs onto Lake Nasworthy, allowing guests to take advantage of recreational opportunities. The property is also located within the Lake Nasworthy Master Plan in close proximity to a “Special Opportunity Area” and “Harbor Village” which includes walking and jogging trails, as well as a marina.

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 continues to be located within an existing residential structure and maintains the existing building footprint on the property. The two required parking spaces are already paved and there are no plans to change the topography of the property.
5. **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need. Staff believes there continues to be a demonstrated community need given the property's abutting access onto Lake Nasworthy, the San Angelo Marina, and an extensive trail system. As indicated previously, the property remains residential in nature in both appearance and intended clientele, and blends into the existing recreational, rustic character of the neighborhood.
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 short-term rental does not appear to have any adverse effect on existing development patterns. The property has already been platted, has adequate on-site parking, and the existing residential building has already received a change of occupancy for a short-term rental.

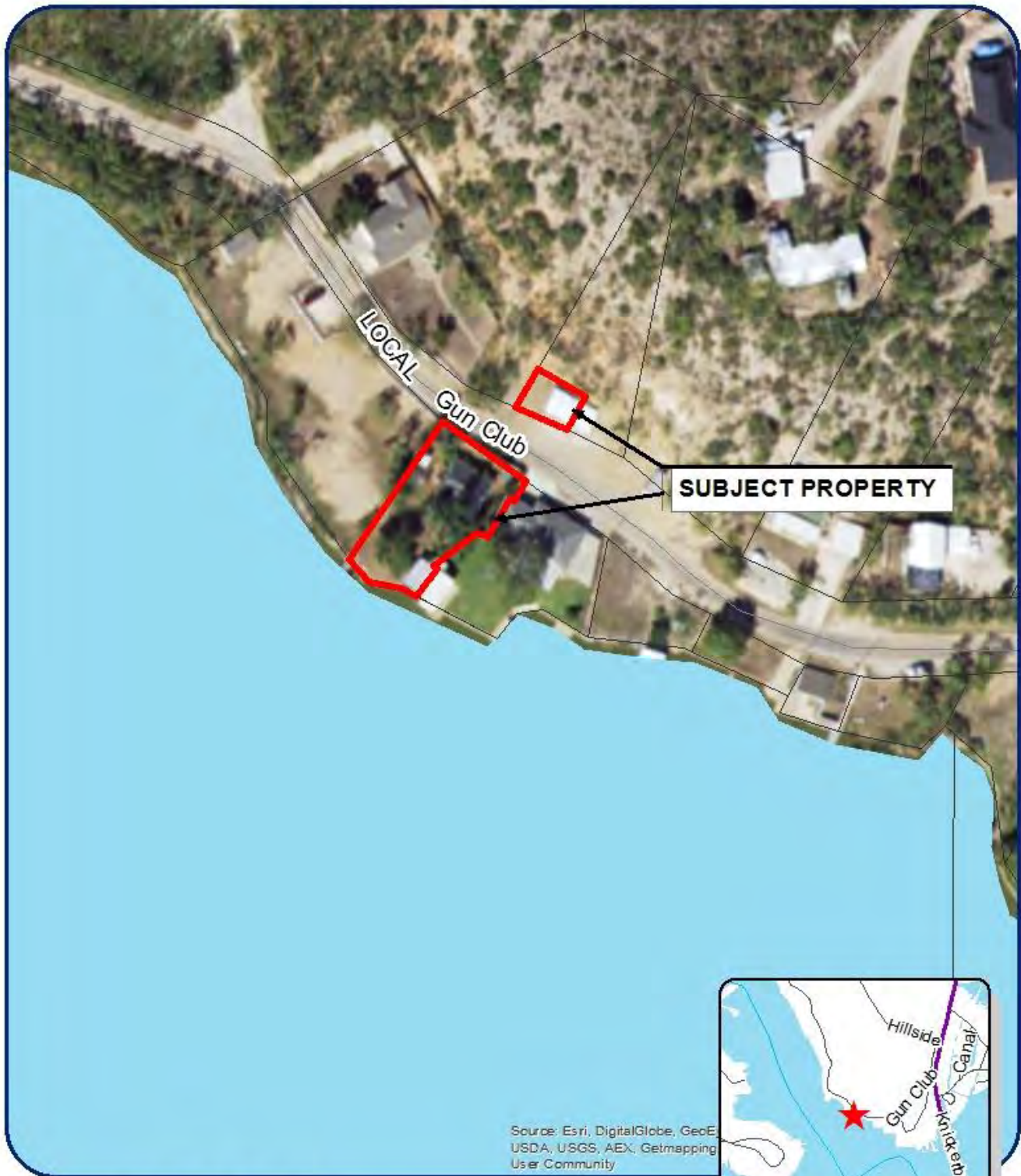
Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental in the Single-Family Residential (RS-1) Zoning District, **subject to the following five Conditions of Approval:**

1. The owner shall obtain and comply with an annual fire safety inspection by the City Fire Marshal's office consistent with Section 406.D of the Zoning Ordinance.
2. The owner shall maintain all off-street parking on the premises in a manner consistent with Section 511 of the Zoning Ordinance.
3. No exterior evidence of the Short Term Rental shall be allowed.
4. 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, and any subsequent permit renewals.
5. No commercial outdoor storage shall be allowed on the premises.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Plan
Letter from San Angelo Police
Letter from Code Compliance Division
Hotel Occupancy Tax Receipts
Application




Conditional Use Case File

CU18-02: Powell

Council District: Tommy Hiebert (SMD #1)
Neighborhood: Nasworthy
Scale: 1" approx. = 100 ft
Subject Property: 2181A Gun Club Rd.

Legend

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






Conditional Use Case File

CU18-02: Powell

Council District: Tommy Hiebert (SMD #1)
Neighborhood: Nasworthy
Scale: 1" approx. = 100 ft
Subject Property: 2181A Gun Club Rd.

Legend

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






Conditional Use Case File

CU18-02: Powell

Council District: Tommy Hiebert (SMD #1)
Neighborhood: Nasworthy
Scale: 1" approx. = 100 ft
Subject Property: 2181A Gun Club Rd.

Legend

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



Photos of Site and Surrounding Area

WEST



EAST



NORTH (NORTH PORTION OF LOT)



SOUTH (SOUTH PORTION OF LOT)



Photos of Site and Surrounding Area

SOUTH AT LAKE NASWORTHY



LOOKING NORTH FROM REAR YARD



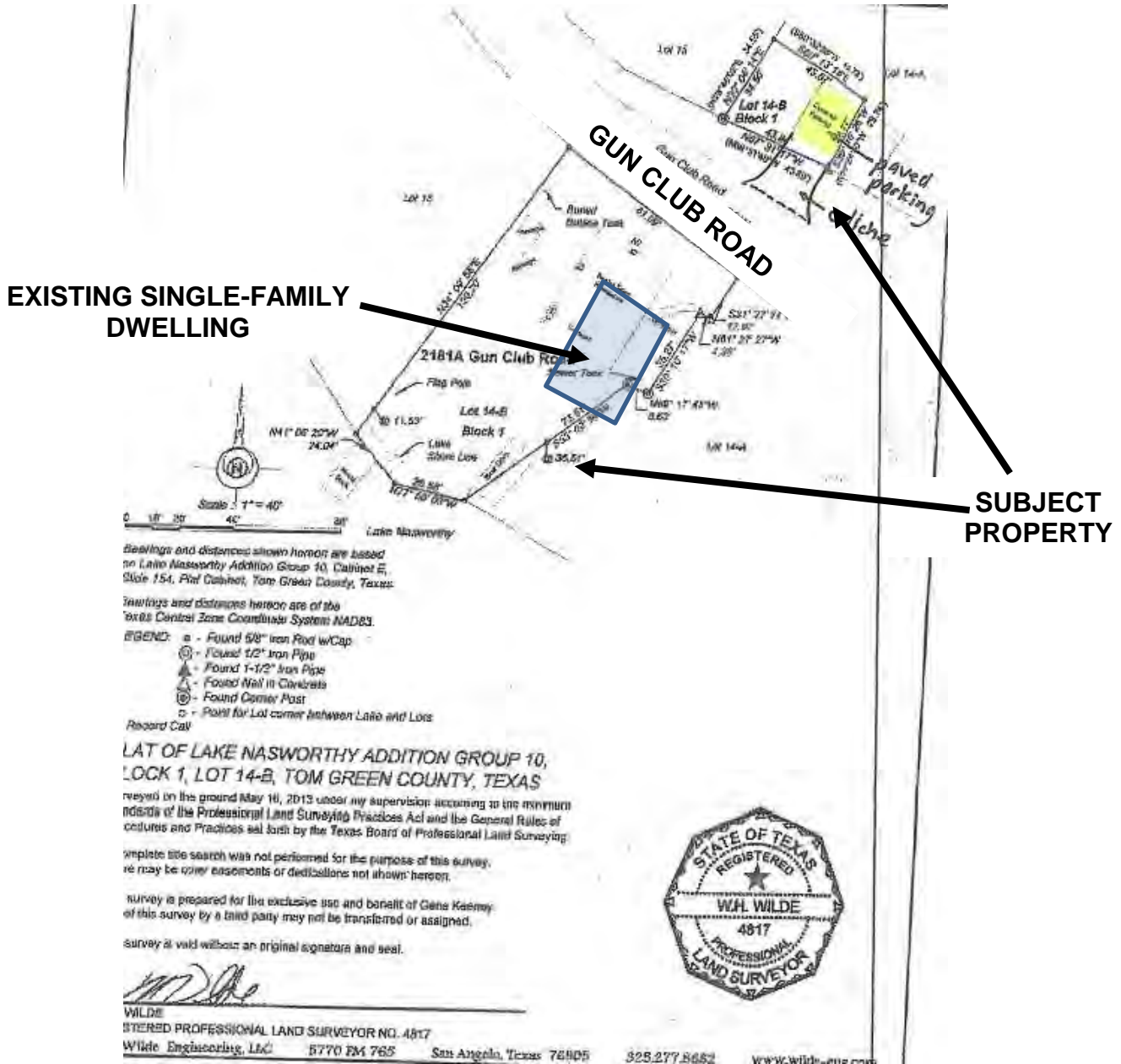
LOOKING EAST FROM REAR YARD



LOOKING WEST FROM REAR YARD



Site Plan



Request for Statistics

Requestor Name: Jeff Fisher

Requestor Contact Info: Jeff.Fisher@cosatx.us

Type of Information Requested: Statistical Request – Calls for Service

Specified Location/Area: 2181A Gun Club Rd

Dates of Occurrence: March 20, 2017 - Present

Additional Information: "Number and type of calls would suffice, including any further details about crime, vandalism, or noise."



Prepared by: N. Sosa
Intelligence Specialist/Crime Analyst

Report

There were no calls for service at the listed address during the time period specified.

Consequently, there is no information of note related to crime, vandalism, or noise to report.

Thank you for your request.

Fisher, Jeff

From: Ibarra, Rudy
Sent: Thursday, January 25, 2018 9:50 AM
To: Fisher, Jeff
Subject: RE: Code Violations - 2181A Gun Club Rd

None recorded with Code.

From: Fisher, Jeff
Sent: Thursday, January 25, 2018 9:37 AM
To: Ibarra, Rudy
Subject: Code Violations - 2181A Gun Club Rd

Rudy,

Can you check and see if there were any code violations on the above property within the last 365 days? I need this information by mid next week.

Thanks so much!

Jeff

Let us know how we are doing; please take a quick [survey](#).



A handwritten signature in cursive script that reads "Jeff Fisher".

Jeff Fisher, AICP
Senior Planner
325-657-4210, Ext. 1550
City of San Angelo
52 West College Avenue
San Angelo, Texas 76903


12-100
(Rev. 4-17-06)

Texas Hotel Occupancy Tax Report


You have certain rights under Chapters 552 and 569, 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.

a. T Code ■ 75100 Page 1 of 1
 c. Taxpayer number ■ ~~0702800~~ 9409-6 d. Filing period ■ QTR ENDING 12/31/2017 e. ■ 174 f. Due date ■ 01/22/2018
 g. Name and mailing address (Make any necessary name changes below.) h. IMPORTANT
2H07
 DEBBIE L POWELL
 4315 HATCHERY RD
 SAN ANGELO TX 76903-1513

 1. Check this box if any preprinted information has changed. Show changes beside the preprinted information.
 2. Check this box if any location shown here 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	LAKE VIEW CASITA 2181 GUN CLUB RD UNIT A SAN ANGELO TX 76904-7802	00003	3,144.00	3,144.00
			.	.
			.	.
			.	.

k. T Code ■ 75180
 5. Total room receipts (dollars) for ALL locations (Item 4 from this and all supplemental pages) 6. ■ 3,144.00
 7. Total taxable receipts (dollars) for ALL locations (Item 5 from this and all supplemental pages) 7. ■ 3,144.00
 8. Total tax due (6.0 % of Item 7) 8. ■ 188.64
 9. Discount (if paid on time, enter 1% of Item 8) 9. 1.87
 10. Tax due after discount (Item 8 minus Item 9) 10. 186.77
 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. ■ 186.77

Taxpayer name DEBBIE L POWELL
 ■ _____ ■ _____

a. T Code ■ 75020 b. Taxpayer number ■ 32025194096 c. Period ■ 174 d. ■ 3

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 Debbie Powell
 Daytime phone (Area code and number) 325-374-1214 Date 1-19-18

Make the amount in item 13 payable to STATE COMPTROLLER
 Mail to Comptroller of Public Accounts
 P.O. Box 149356
 Austin, TX 78714-9356
 For assistance call 1-800-252-1388.
 Information is also available at www.comptroller.texas.gov.

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

Debbie Powell
4315 Hatchery Rd
San Angelo, TX 76903 ^{Qtr} MONTH ENDING DATE Dec. 2017

OUTLET TRADE NAME AND LOCATION ADDRESS:

Lake View Casita
2181 A Gun Club Rd

Taxpayer Identification Number: ~~000000000~~ 2823

1.	TOTAL GROSS ROOM RENTAL RECEIPTS	<u>3,144.00</u>
2.	LESS EXEMPT ROOM RENTALS (govt. employees on official business)	<u> </u>
3.	TAXABLE ROOM RENTAL RECEIPTS (1-2)	<u>3,144.00</u>
4.	TOTAL AMOUNT OF TAX DUE (7% OF 3)	<u>220.08</u>
5.	DISCOUNT (deduct 1% of line 4 if paid before due date)	<u>22.00</u>
6.	LESS PAYMENTS PREVIOUSLY PAID	<u>-</u>
7.	NET TAX DUE (line 4 less line 5 and 6)	<u>217.88</u>
8.	LATE PENALTY	<u> </u>
9.	LATE INTEREST	<u> </u>
10.	TOTAL AMOUNT DUE (line 7 plus 8 and 9)	<u>217.88</u>

MAKE CHECKS PAYABLE TO: CITY OF SAN ANGELO
72 W. COLLEGE AVE.
SAN ANGELO, TX 76903

SIGNATURE OF OWNER OR MANAGER

Debbie Powell

1-15-18
DATE



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)

Patrick & Debrah Powell		Patrick & Debrah Powell	
Name of Property Owner (s)		Name of Operator (s)	
4315 Hatchery Rd		San Angelo TX	76903
Property Owner Mailing Address		City	State Zip Code
325-374-1214		debbie@casitavacations.com	
Property Owner Contact Phone Number		Property Owner Contact E-mail Address	
same			
Designated Operator Mailing Address		City	State Zip Code
same		same	
Designated Operator Contact Phone Number		Designated Operator Contact E-mail Address	
2181A Gun Club Rd		San Angelo TX	76903
Short Term Property Address		City	State Zip Code
Number of bedrooms: 3		Number of Off-street Parking Spaces: 2+ Zoning: RS-1	

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:

debp 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: Property is well maintained.

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: Lake Nasworthy is a recreational area. Short term use allows visitors to come enjoy the lake.

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. Prospective guests are advised before an agreement is reached of the noise restrictions.

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

Explanation: The property has been consistently operating as a short term rental. Inquiries for rentals are frequent and demonstrates a need for this type of use.

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 impact expected.

Effective February 2, 2017

Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

- Each Short-Term Rental Conditional Use must be renewed one year from the initial approval and then every two years thereafter.
- 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.
- 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.
- The operator shall keep a current guest register in compliance with State code.
- If the short-term rental property is residentially zoned, all lighting must be directed toward the establishment and not at surrounding neighbors.
- 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
- Renting for overnight occupancy by more than 2 people 18 or older per bedroom is prohibited.
- Meal service may not be provided.
- Permitting, or hosting of, outdoor gatherings before 7:00 am or after 10:30 pm is prohibited.
- Permitting or hosting any outdoor gathering of more than 20 people attending at one time is prohibited.
- A Short Term Rental may be occupied by no more than 6 individuals unrelated by blood, marriage, or adoption.
- Tents, trailers, cabin, lean-to or similar used for temporary living quarters are prohibited, with the exception of one "pup tent" for no more than two persons and no larger than 40 inches in height or 8 feet in length.
- 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.
- The owner will obtain and comply with an annual fire safety inspection by the City Fire Marshal's office.
- The Planning Commission makes the final decision on all Short-Term Rental Conditional Use requests, appeals may be directed to City Council.
- Approval of this Short-Term Rental 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.
- 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.

Debrah Powell Patrick Powell
Debrah Powell Patrick Powell 1-8-18
Printed name and Signature of Property Owner or Authorized Representative Date

Printed name and Signature of Designated Operator Date

**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use		CU18-03: Bauman	
SYNOPSIS:			
A request for approval of a Conditional Use to allow for construction of telecommunications facilities in the Central Business District (CBD) Zoning District on the subject property.			
LOCATION:		LEGAL DESCRIPTION:	
36 West Beauregard Avenue.		Lots 8-14 & Adjacent Alley Less 152 Sq Ft Being 9' x 9' & 7.9' x 9' Of Lot 8, Block 13, San Angelo Addition, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #3 – Harry Thomas Downtown Neighborhood	CBD – Central Business District	Downtown	1.60 acre
THOROUGHFARE PLAN:			
<u>West Beauregard Avenue</u> – Urban Major Arterial Street, 80' ROW required (97' Existing), 64' pavement required (70' Provided)			
<u>South Irving Street</u> – Urban Local Street, 50' ROW required (100' Existing), 40' pavement required (68' Provided)			
<u>West Harris Avenue</u> – Urban Minor Arterial Street, 80' ROW required (100' Existing), 64' pavement required (70' Provided)			
NOTIFICATIONS:			
18 notifications were mailed within a 200-foot radius on February 5, 2018. One responses have been received in support and Zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Conditional Use to allow for construction of telecommunications facilities in the Central Business District (CBD) Zoning District on the subject property, subject to the following two Conditions of Approval.			
PETITIONERS:			
<u>Property Owner:</u> San Angelo Central Tower Limited			
<u>Agent:</u> Bill Bauman			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Conditional Use: Section 208(F) of the Zoning Ordinance requires that the Planning Commission consider 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 building will continue being used as it exists today with the addition of new telecommunications facilities if approved. This building and surrounding building already house antennas so there will be little impact to the surrounding area.
2. **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.* The nature of the request appears to be consistent with relevant aspects of the Zoning Ordinance. The proposed telecommunications facilities are allowed in the CBD Zoning District with a Conditional Use on the subject property, subject to compliance with conditions of approval.
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 subject property and area surrounding properties are zoned Central Business District (CBD). This area of town is predominately commercially developed and with the business uses comes a large need for telecommunications. Most of the taller building around town, if they don't already have a telecommunications facilities will be looking to add one in the future to strengthen signal for daily activities.
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, adverse impacts on water and air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* There appear to be no anticipated negative effects on the natural environment from these actions. Land use would continue in the same manner, and intensity, as already exist on the adjacent properties.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* This addition would provide additional telecommunications capacity in an area where business has sustained for decades and will continue to evolve. This evolution will continue to create an additional need for telecommunications signal strength in the Central Business District.
6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* It appears that the proposed Conditional Use would result in a logical and orderly pattern of urban development. The subject property is zoned Central Business District (CBD) which allows telecommunications facilities with an approved Conditional Use.

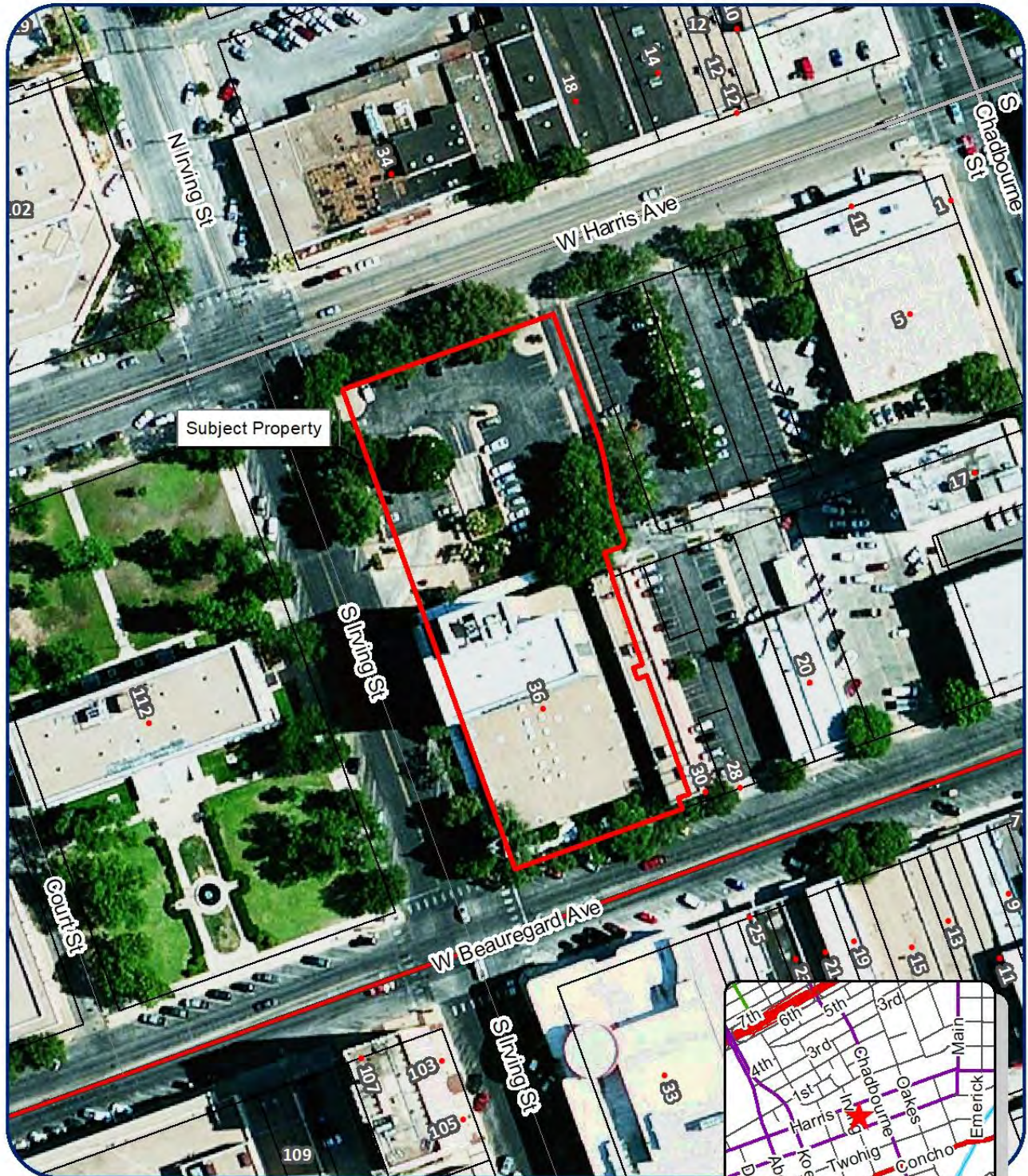
Recommendation:

Staff recommends that the Planning Commission **APPROVE** a Conditional Use to allow for construction of telecommunications facilities in the Central Business District (CBD) Zoning District, **subject to the following two Conditions of Approval:**

1. The applicant shall work with the Permits and Inspections Division to ensure the telecommunications facility meets the requirements for a building permit.
2. The applicant shall ensure the Beta and Gamma Sector components are a minimum 10 foot setback from the parapet wall, and the Alpha Sector is flush mounted to the building and painted to match.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application
Site Plans
Photos of the Site
Notification Map
Resident Letter

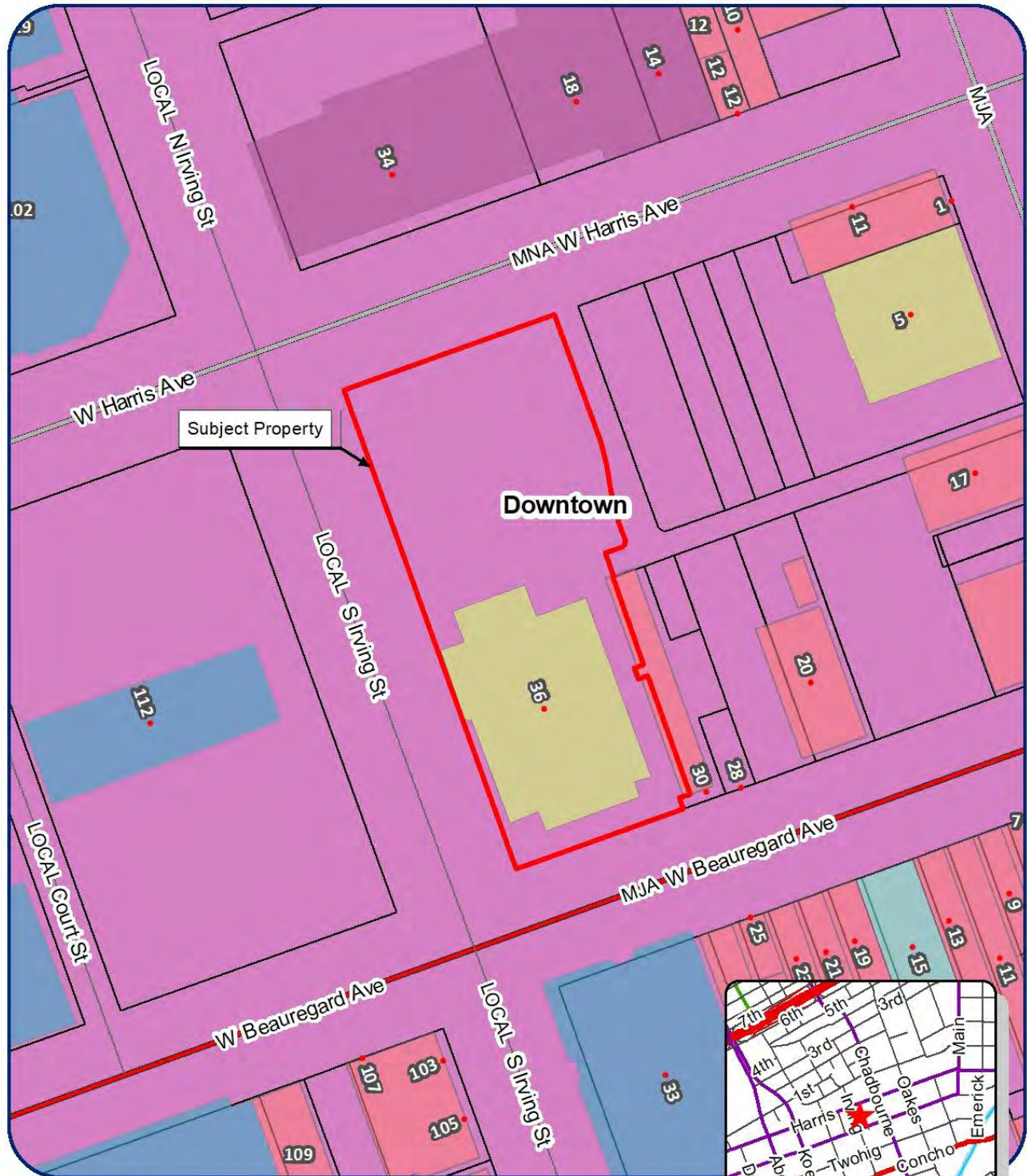


CU18-03: Bauman
36 West Beauregard Avenue

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

Legend
 Subject Properties: —
 Current Zoning: **CBD**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



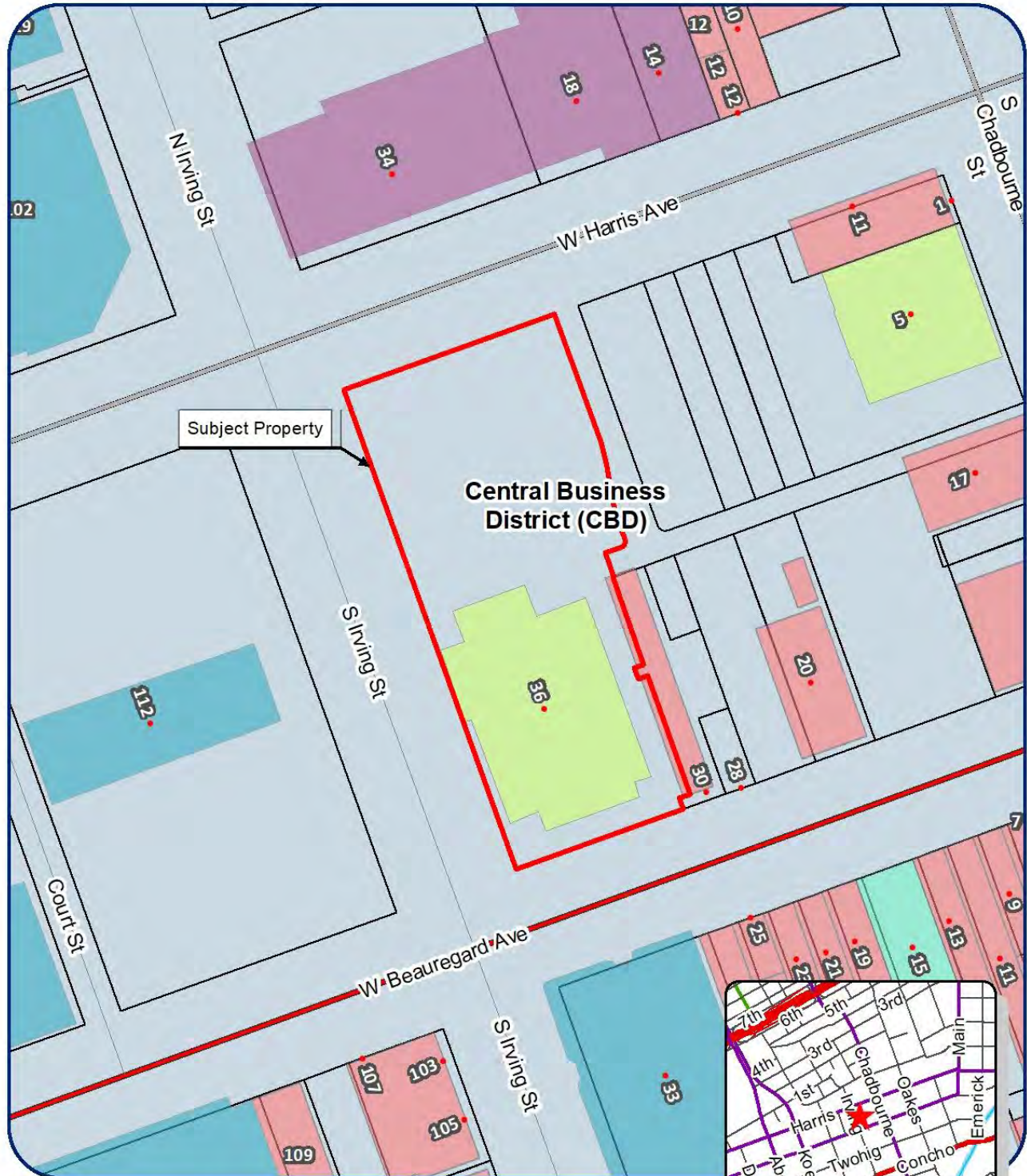


CU18-03: Bauman
36 West Beauregard Avenue

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

Legend
 Subject Properties: —
 Current Zoning: **CBD**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**





CU18-03: Bauman
36 West Beauregard Avenue

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

Legend
 Subject Properties: —
 Current Zoning: **CBD**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



Effective January 3, 2017



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): Bill Bauman agent for Ron Giddiens, building owner
 Owner Representative (Affidavit Required)

2300 Springmere Drive Arlington TX 76012
 Mailing Address City State Zip Code

817-271-0022 billbauman@me.com
 Contact Phone Number Contact E-mail Address

36 W Beauregard Ave. San Angelo TX 76903
 Subject Property Address City State Zip Code

SAN ANGELO ADDITION, LTS 8-14 & ADJ ALLEY LESS 152 SQ FT
 Legal Description (can be found on property tax statement or at www.tomarencad.com)
BEING 9'X 9' & 7.9'X 9' OF LOT 8

Lot Size: 1.604 Zoning: _____

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Office Building

Proposed Use/Size: cell antennas added to rooftop

Proposed Conditional Use (from Section 309): Adding a T-Mobile cell site on rooftop

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: Antenna attachments to existing building

Consistent 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: Necessary to provide services to the downtown area.

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: Per FCC rules and regulations, meets their standards.

Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: Enhances 9-1-1 coverage as any wireless user can use the antennas- not carrier specific when used for 9-1-1 calls.

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: Network is dynamic and changing based on use patterns.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

BB If approved, a Conditional Use is applied to the property, not the property owner.

BB The Planning Commission makes the final decision on Conditional Use requests; appeals may be directed to City Council

BB Approval of this Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.

BB 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 of licensee or authorized representative

1/8/2018

Date

Bill Bauman

Printed name of licensee or authorized representative

Bauman Consultants

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: 18 --03

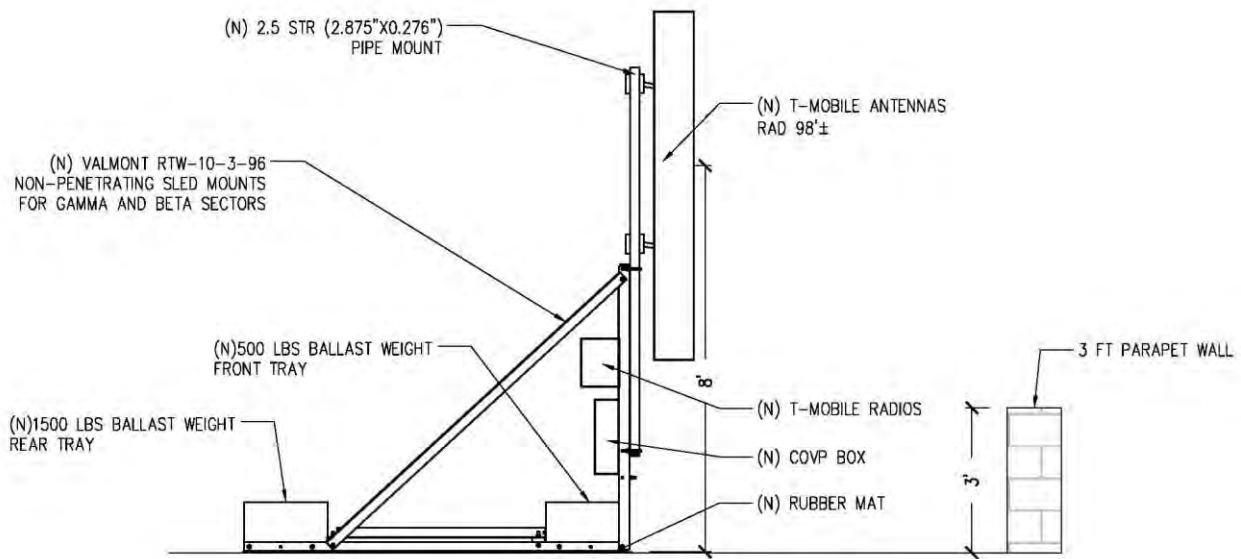
Planning Commission date: 2, 19, 18

Nonrefundable application Fee: \$ 385

Receipt #: 284617 Date paid: 1, 30, 18

Reviewed/Accepted by: H. Buckner

Date: 1, 19, 18



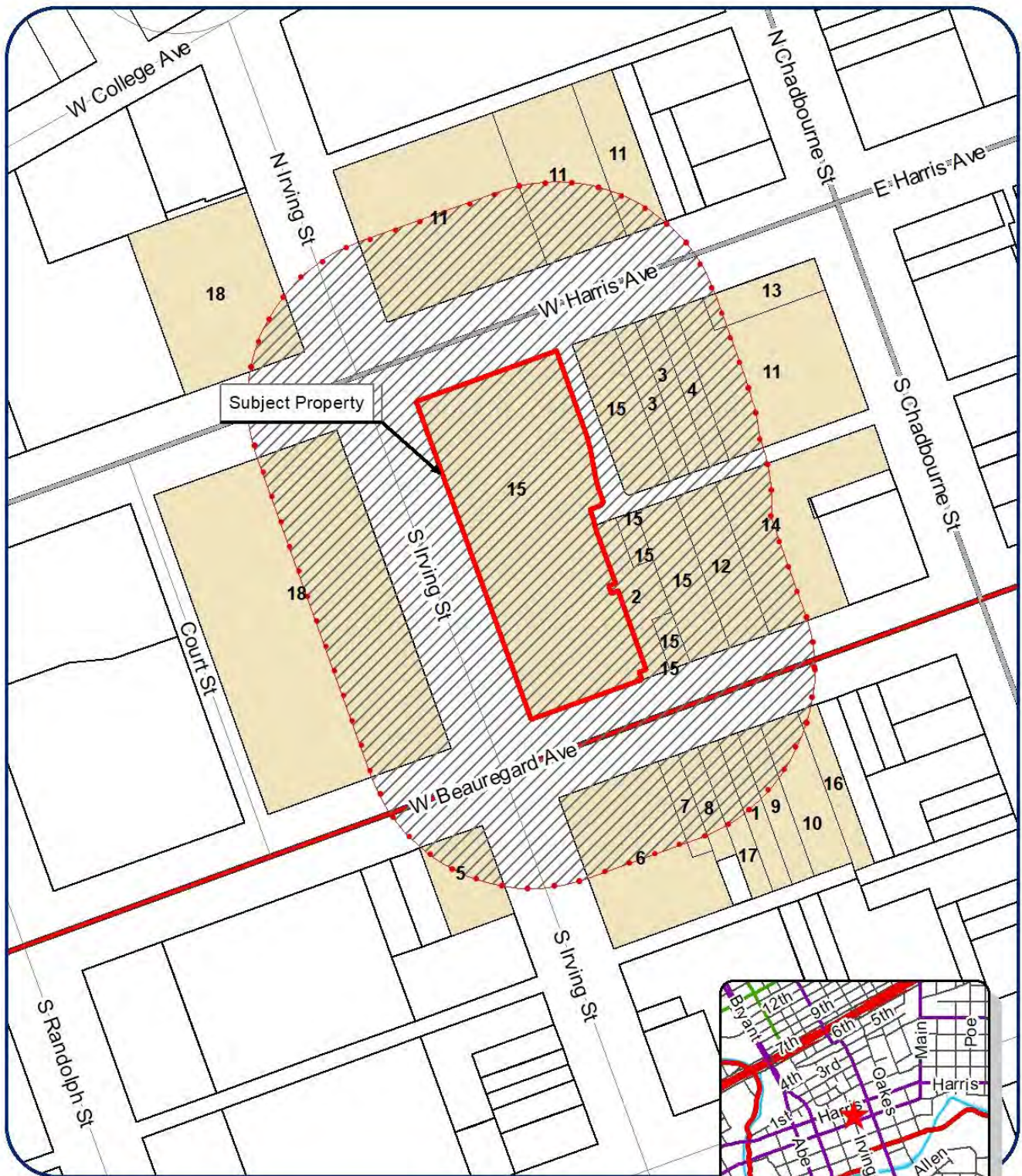
Mounting Detail for Beta and Gamma Sector

Photos of the Site









CU18-03: Bauman
36 West Beauregard Avenue

Council District: SMD #3 - Harry Thomas
 Neighborhood: Downtown
 Scale: 1" approx. = 150 ft

Legend

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



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

() IN FAVOR () IN OPPOSITION

REASON(S) We need it!

NAME: Eric Wilson / Beauregard Lofts

ADDRESS: 30 W. Beauregard, Ste 100
San Angelo, TX 76903

SIGNATURE: 

CU18-03: Bauman

Property owner number: 2

If you have any questions about these proceedings, please call Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at telephone number (325) 657-4210 ext 1547 or by email at hillary.bueker@cosatx.us.

**PLANNING COMMISSION – February 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use		CU18-04: Ferguson Enterprises, Inc.	
SYNOPSIS:			
<p>The applicant has applied for a Conditional Use to allow Wholesale Trade on the subject property, zoned General Commercial (CG) which does not permit the intended use by right (see Additional Information). The applicant operates a wholesale distribution business that distributes plumbing, lighting, and related supplies primarily to the developers, general contractors, and tradespersons in the construction industry. The property is presently occupied by the Angelo Skate and Fun Center, which includes an indoor roller-rink, and outdoor recreational facilities for miniature golf and go-karts, the latter which was approved on the east portion of the site by Special Use (SU04-02) on November 16, 2004. The applicant intends to utilize the existing 18,000-square foot building for their operations, with approximately 10,000 square feet for warehousing, 5,000 square feet for a retail counter, and 3,000 square feet for a retail showroom. The applicant has submitted a site concept plan for the proposed development which add a third driveway within the southeast portion of the property, a new loading dock, and parking and outdoor storage area (see Additional Information).</p>			
LOCATION:		LEGAL DESCRIPTION:	
34 Buick Street; generally located approximately 360 feet southeast of the intersection of Buick Street and Sherwood Way		Being 1.406 acres in the Shahan Subdivision, Section 2, Block 5; and being 0.5620 acres in the Shahan Subdivision, Section 3, Lot A, compromising a total of 1.968 acres.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Billie deWitt ASU – College Hills Neighborhood	CG – General Commercial	C – Commercial	1.968 acres
THOROUGHFARE PLAN:			
<p>Buick Street – Urban Local Street Required: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4-foot sidewalk Provided: 60’ right-of-way, 40’ pavement</p>			
NOTIFICATIONS:			
11 notifications mailed within 200-foot radius on February 8, 2018. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends DENIAL of a Conditional Use for Wholesale Trade as defined in Section 316.E of the Zoning Ordinance, in the General Commercial (CG) Zoning District, on the subject property.			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner:</i> Angelo Skate and Fun Center</p> <p><i>Applicant:</i> Ms. Lauren Cherry, Ferguson Enterprises, Inc.</p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The applicant is anticipating 7-10 trucks per day entering and exiting the facility, 3 times per day each, which would constitute 42 daily trips. The largest truck would be 52 feet in length with 18 wheels. This would not include any additional trips from potential wholesalers, contractors, or the general public. Hours of operation would be from 7am-5pm daily.

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.** City Engineering Services and the Operations Division believe that Buick Street, designed as a local dead-end road between 1995 and 1999 to an older, inferior standard, would not be able to accommodate the weight of additional large vehicles entering and existing on a daily basis. Concerns were raised about the existing subgrade material and poor quality plastic soil underneath the existing surface. Planning and Engineering Services conducted a site visit on February 6, 2018, and verified that the road surface itself was already showing signs of wear and deterioration with the existing traffic load (see attached photographs). The Planning Division concurs with Engineering Services and the Operations Division – approval of a Conditional Use for an additional 42 daily truck trips, as well as additional vehicles, would only exacerbate the problem.
- 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 zoned General Commercial (CG) and complies with the minimum lot area (6,000-square feet), minimum lot frontage (50 feet), and minimum lot depth (80 feet) for CG zoned properties. There are currently 47 parking spaces at the front of the property facing west. The Zoning Ordinance requires one parking space for every 200 square feet of retail floor area accessible to the public; one parking space for every 300 square feet of office floor area; and one parking space for every 4 employees related to warehousing. The proposed 7,000-square foot retail area would require 35 parking spaces, and the total number of employees plus any office areas are unknown at this time. The applicant's site Concept Plan proposes additional parking to the south of the building and the Planning Division believes that adequate parking can be provided once the additional parking lot is constructed.
- 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.** Buick Street stretches over 1,000 feet south and southeast from Sherwood Way and comprises of primarily retail commercial uses including Rosa's Café, PPG Paints, The Floor Store, Cunningham Real Estate, the existing Angelo Skate and Fun Center, KSA Engineering, and Buick Street self-service storage. All of the properties are zoned General Commercial (CG) except for the self-service storage facility zoned Office Commercial (CO). Wholesale trade uses are only allowed by right in industrial zoning districts (ML, MH, CH, OW), the Central Business District (CBD) and areas that allow heavy commercial uses (CG/CH and CH). The subject area has remained intended for commercial uses since adoption of the City's Comprehensive Plan in 2003 which designated the area "General Commercial" and then later "Commercial" in the 2009 Strategic Update. General commercial uses typically comprise of mainly

retail sales and services stores, defined in Section 315.H as “stores selling, leasing, or renting consumer, home and business good generally intended for the actual use by the buyer or renter and not for resale.” In contrast, wholesale trade uses are not permitted by right in CG zones because they typically involve large-scale transport of goods to third party distributors, who then sell to the ultimate customer. Sales to the general public are limited and these uses involve primarily large truck transport to and from the facilities on a regular basis. As indicated earlier, Buick Street, was designed as a local dead-end road with a substandard base that was not designed to accommodate additional heavy truck traffic loads. In addition, as a local road with a 40-foot paving width, there are additional concerns about potential accidents from large trucks entering the site from Sherwood Way, a major arterial road, and subsequently attempting to turn southeast on Buick Street to enter and exit the subject property. The Planning Division believes this development would be more appropriate in an industrial zone (ML, MH) or heavy commercial zone (CH) which typically has larger lots sizes and adjacent to wider roadways built to current City standards.

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. A review of grading, drainage, and stormwater runoff would be conducted as part a future change of occupancy permit which will be required for wholesale trade uses in the building.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* The Planning Division does not believe that a community need has been demonstrated for wholesale trade in this location. The Division does believe, however, that this business would create jobs and increase the tax base in the City – but should be located in a more appropriate location. The Planning Division spoke to the applicant and recommended that they contact the City of San Angelo’s Development Corporation (COSADC) to assist in finding a more suitable property. The Planning Division believes this could be in one of the existing industrial parks in the City, or within an industrial or heavy commercial zoned property. These property typically contain large lot sizes and front onto a higher order street that can accommodate the additional truck 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.* For the reasons stipulated above, the Planning Division does not believe that the intended use would provide a logical and orderly pattern of development. Potential accidents could occur with large trucks waiting to turn left on Sherwood Way to travel south on Buick Street. The large commercial volume along Sherwood Way, particular during morning, noon-1pm and large afternoon “rush hour” periods would create dangerous driving conditions. The existing road, as indicated previously, was not designed to accommodate large truck volumes and this situation would be further exacerbated should the conditional use be approved.

Other Ferguson Properties:

The applicant has provided the Planning Division with two other Ferguson properties in other municipalities for comparison purposes:

Abilene, TX location – 4333 Oil Belt Lane

The subject property is zoned Light Industrial (LI) Zoning District which allows the subject 15,000-square foot Ferguson facility. The property is located within feet of South Danville Drive, the frontage road for Highway 83-84. This provides close proximity to a major freeway unlike the proposed development which will utilize a local dead-end street. The property is slightly smaller than the proposed facility at 1.81 acres.



Bryan, TX location – 2410 Osborn Lane

The subject property is zoned Commercial (C-3) Zoning District which allows the subject use as “Office – Showroom/warehouse” and the property contains the existing 15,137-square foot Ferguson facility. The property is located between two local streets, Prairie Drive and Osborn Lane. This site does not appear ideal given there is no direct access to a larger, higher-order roadway, however, the property is 4.62 acres, over twice the size of the subject property in San Angelo.



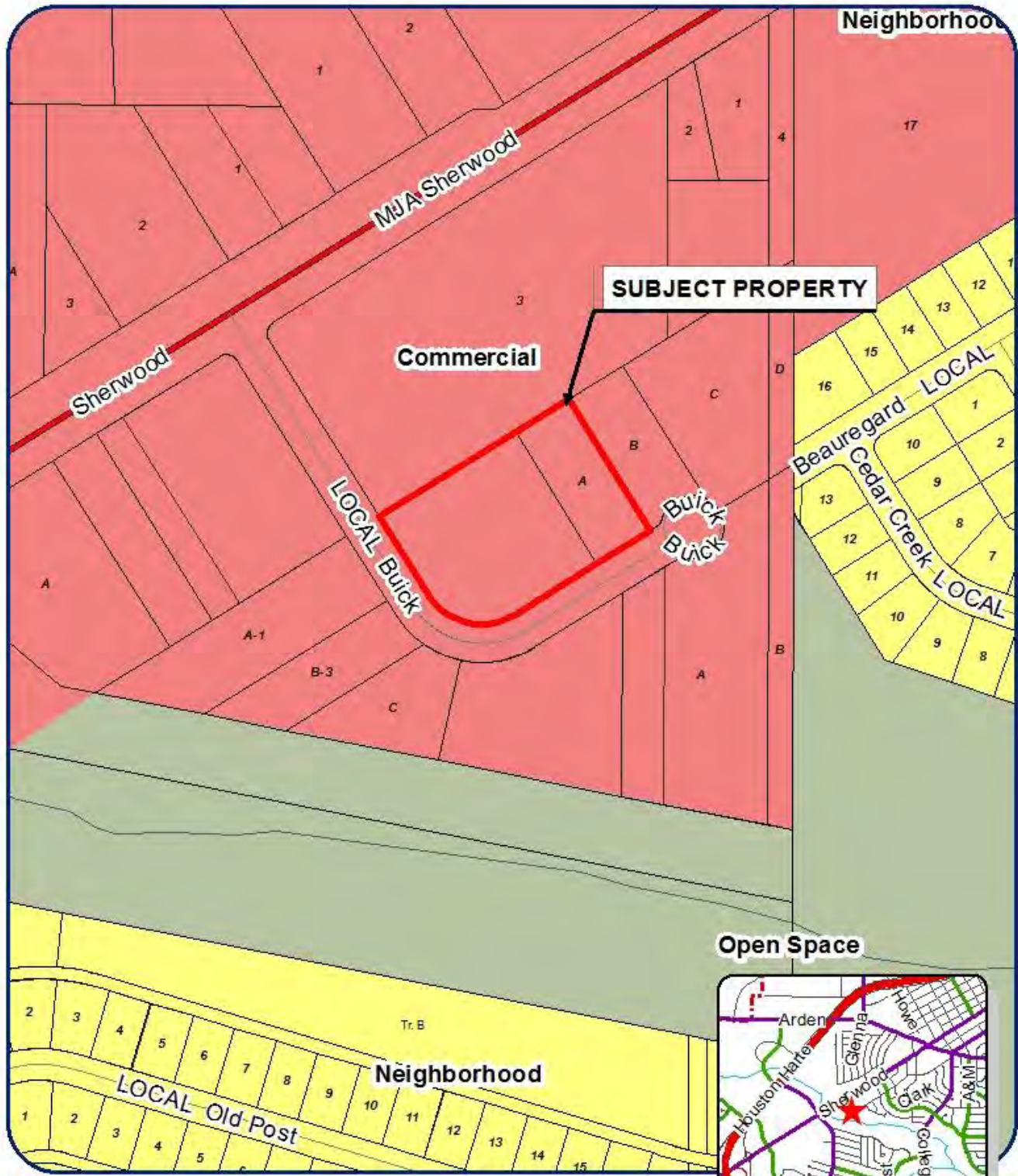
Staff's recommendation is for the Planning Commission to **DENY** a Conditional Use to allow for Wholesale Trade as defined in Section 316.E of the Zoning Ordinance, in the General Commercial (CG) Zoning District, on the subject property on the subject property.

However, should the Planning Commission decide to approve the Conditional Use request, the **following six Conditions of Approval are recommended:**

1. The applicant shall submit a final site plan for approval by the Planning Director and Engineering Services showing all parking, loading and maneuvering area dimensions to ensure adequate truck parking and turning radiuses.
2. The applicant shall provide a separate landscape plan and details sheet for approval by the Planning Director.
3. The owner shall maintain all off-street parking on the premises in a manner consistent with Section 511 of the Zoning Ordinance.
4. No recreational vehicles or mobile homes shall be placed on the premises, nor shall there be any salvage or junk vehicles maintained on the premises.
5. The City reserves the right to periodically inspect the property to verify compliance to terms and conditions of the Conditional Use or to investigate alleged public nuisances resulting from business-related activities. Any adverse findings by City Staff shall constitute sufficient grounds to seek a revocation of the Special Use approval.
6. Any proposed outdoor storage areas shall be included on the final site plan to be approved by the Planning Director. Outdoor storage and display of merchandise, generally allowed to be stored or sold in General Commercial (CG) Zoning Districts shall not exceed 10 percent of the total site area.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Concept Plan
Applicant's Letter
Application



Conditional Use Case File

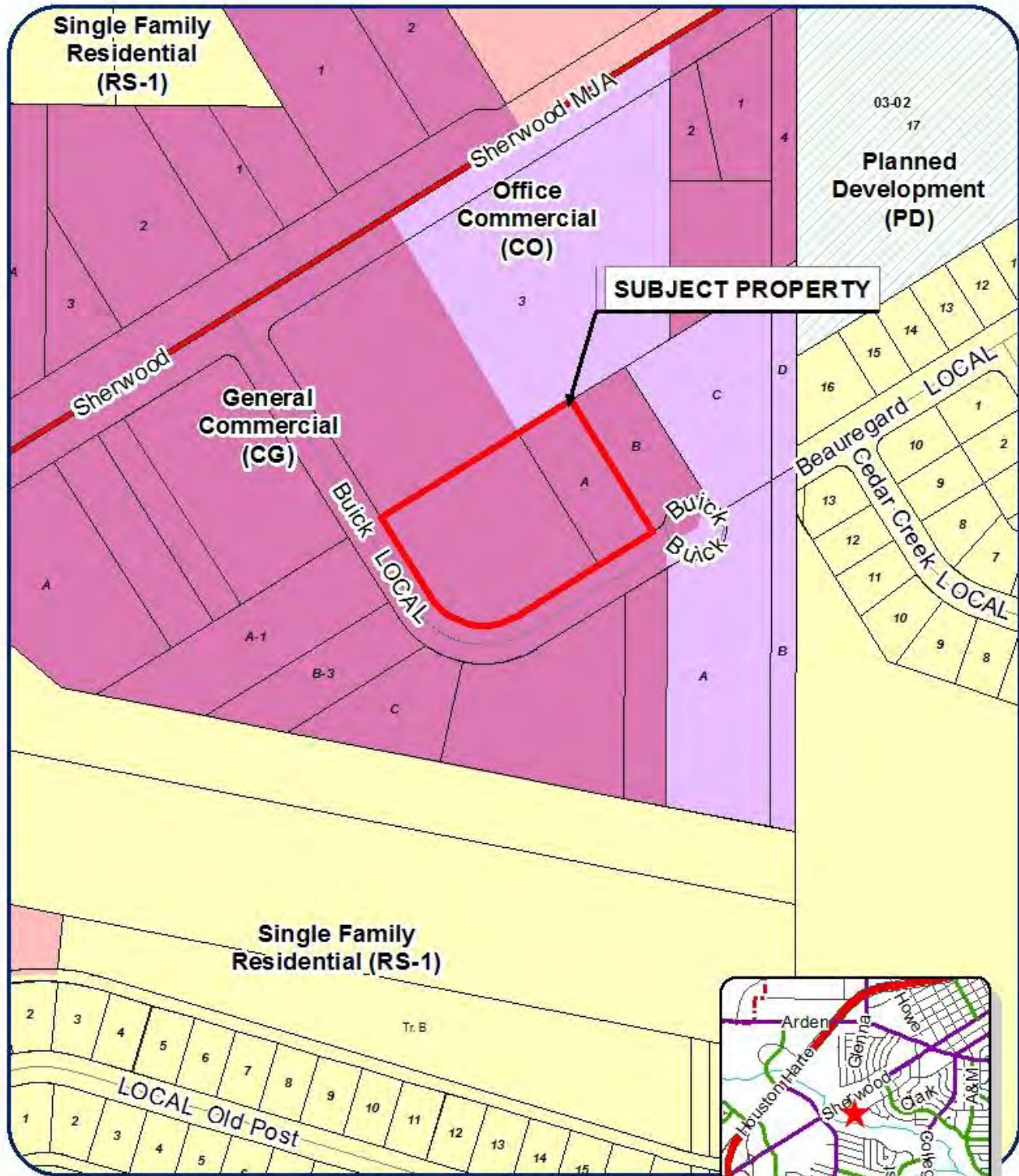
CU18-04: Ferguson

Council District: Billie DeWitt (SMD #6)
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 200 ft
 Subject Property: 34 Buick Street

Legend

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





Conditional Use Case File

CU18-04: Ferguson

Council District: Billie DeWitt (SMD #6)
 Neighborhood: ASU - College Hills
 Scale: 1" approx. = 200 ft
 Subject Property: 34 Buick Street

Legend

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



Photos of Site and Surrounding Area

NORTH TOWARDS SHERWOOD WAY



SOUTH ON BUICK STREET



EAST ON BUICK STREET



WEST



SOUTH OF PROPERTY



SOUTHEAST OF PROPERTY



Photos of Site and Surrounding Area

LOOKING EAST AT PROPERTY



LOOKING SOUTHEAST AT PROPERTY



EXISTING PARKING AREA



LOOKING NORTH AT PROPERTY



Site Concept Plan





Ferguson Enterprises, Inc.
Corporate Offices
12500 Jefferson Avenue
Newport News, VA 23602-4314
Phone: (757) 874-7795

Reply to: P.O. Box 2778
Newport News, VA 23609-0778

www.ferguson.com

September 22, 2017

Ms. Rebeca Guerra
Planning Division
52 W College Ave
San Angelo, TX 76903

RE: REQUEST FOR ZONING CONFIRMATION
34 Buick Street
San Angelo, TX 76901

Dear Ms. Rebeca Guerra:

I am writing on behalf of Ferguson Enterprises, Inc. and its subsidiaries and affiliates (collectively, "Ferguson") to request a letter for our files to confirm that the subject property is zoned for wholesale distribution, internet and ancillary retail sales of plumbing, lighting, appliances, heating, ventilation, air conditioning, waterworks, PVF, fire suppression, janitorial, sanitation, tools and safety products, and related building and MRO materials, equipment, products, fixtures, parts and supplies, together with outdoor storage of materials.

Ferguson is the largest distributor of plumbing products, fixtures and supplies in the United States. In addition, Ferguson distributes HVAC, pipes-valves-fittings (PVF), waterworks, fire suppression, lighting, appliances and other related building products. Ferguson's primary sales focus and facility marketing is directed toward the construction industry – developers, general contractors, professional tradesmen, municipalities and manufacturers (for mill supplies). The Internal Revenue Service classifies Ferguson's principal business activity as "wholesale trade" (421700 1997 NAICS), (423700 2002 NAICS) and (5070 1987 SEC).

Ferguson is considering leasing or purchasing the facility located at 34 Buick Street, San Angelo, TX 76901 for the above purpose.

Please confirm in writing, on official municipality letterhead, that our proposed use is permitted under the zoning designation applicable to the facility as a matter of right, without the requirement of any special or conditional use permit, variance, "grandfathering" or other special exception. If possible, I would appreciate a copy of the relevant zoning ordinance for our files.

If you need any further clarification of our intended use, please do not hesitate to call me at (757) 234-8309.

Sincerely,

Lauren Cherry

Transaction Manager – Blended Central

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

Name of Applicant(s): Ferguson Enterprises, Inc.

Owner Representative (Affidavit required)

Mailing Address: 12500 Jefferson Avenue Telephone: 757-234-8309

City/State/Zip: Newport News, VA 23602 Fax/other: _____

Contact Email Address: lauren.chery@ferguson.com & Andrew.Joseph@ferguson.com

Subject Property Address and/or Location*:

34 Bulck Street, San Angelo, TX 76901

Legal Description*:

Please see attachment.

Lot Size: 1.968 acres Zoning: General Commercial (CG) Zoning District

Existing Use of Property: General Commercial – skating rink and putt-putt facility

Proposed Use of Property: Wholesale trade / retail

Proposed Conditional Use (from Art. 309): Wholesale trade / retail

* use attachment, if necessary

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

Lauren H. Chery _____ Date 2/1/2018
Signature

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

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

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

Explanation: The proposed use does not create or cause adverse effects including visual impacts or on adjacent properties.

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

Explanation: The proposed conditional use would not conflict with any portion of the Zoning Ordinance, including the applicable zoning district intent statement.

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

Explanation: The proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.

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

Explanation: The proposed conditional use will not result in significant adverse impacts on the natural environment including but not limited to, adverse impacts on water and air quality, noise, storm-water management, Wildlife, vegetation, wetlands and the practical functioning of the natural environment.

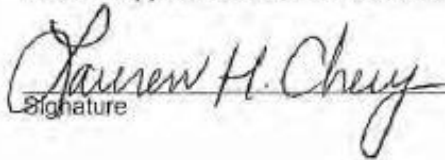
- **Community Need.** Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: The proposed conditional use will address a demonstrated community need.

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

Explanation: The proposed conditional use will result in a logical and orderly pattern of urban development in the community.

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


Signature

1/11/18
Date

OFFICE USE ONLY	
Case no.: CU 18-04	Date of application: 1/22/18
Received by: Jeff Fisher	Date paid: 1/22/18
Nonrefundable application fee (with deposit): \$385.00	Receipt No.: 284625
River Corridor Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	If yes, RCC meeting date: _____
Planning Commission hearing date: 2/19/2018	

MEMO



Meeting

Date: February 19, 2018

To: Planning Commission

From: Jon C. James, AICP
Planning & Development Services Director

Request: Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, Article 4
"Specific Use Standards," Section 402 (Accessory Used and Structure)

Background:

The attached is an amendment to Chapter 12, Exhibit "A" Zoning Ordinance, Article 4, Section 402, which already allows for reduced setbacks for accessory structures with certain conditions within the RS-3 Zoning District. This amendment only seeks to clarify language for the construction of such structures. No additional requirements or restrictions are being proposed.

Attachment: Proposed Zoning Ordinance Amendments

(New Section 402.C; renumbering existing 402.C – 402.F sequentially to become Sections 402.D – 402.G

ARTICLE 4 - SPECIFIC USE STANDARDS

Section 402. Accessory Uses and Structure

C. Accessory Buildings and Structures in the Zero Lot Line, Twinhome and Townhome (RS-3) Residential District

1. Setbacks.

a. Side yards:

1) One Side:

a. 0-1 foot maximum for all buildings and structures.

2) Other Side:

a. 10 foot minimum, unless all of the following criteria are met, in which case the minimum setback shall be reduced to 5 feet.

i. Constructed with materials that are wholly noncombustible or with limited combustibility including fire retardant wood construction, as determined by the Fire Marshal, unless there is a minimum of 2 feet of separation from the principal building.

ii. The structure is unenclosed and is not encumbered by any structure, walls, screening, glasswork, or ornamental components of any kind, with the exception of necessary vertical supports which shall be no greater than 12 inches in width or diameter.

~~iii. The roof is substantially open with a roof ratio of greater than or equal to 1 open portion to 1 solid portion or is a retractable roof or awning constructed entirely of noncombustible material.~~

2. Size. Not more than 30 percent of minimum side or rear yard area otherwise required on the lot shall be covered by the total of all structures allowed by this section.

3. Location. Accessory buildings and structures shall be located to the side or rear of the principal building.

4. Permitting. A permit shall be obtained from the Permits and Inspections Division for the structure.