

PLANNING COMMISSION – March 19, 2018

STAFF REPORT



APPLICATION TYPE:	CASE:
Final Plat	Final Plat of the Sturtz Addition, Section One

SYNOPSIS:

This is an application to create two lots out of one previously unplatted tract on a property located on the north side of Abernathy Road in the ETJ. The property is somewhat unusual in dimensions, as it is almost 25 acres in size, yet only 121 feet in width. The property stretches over 3380 feet from Abernathy Road to the Concho River.

The applicant has requested one partial variance from Section 10.III.A.2, which requires the construction of additional pavement width of 5 feet for Abernathy Road.

LOCATION:	LEGAL DESCRIPTION:
An unplatted tract generally located 400 feet east of the intersection of Abernathy Road and Mesquitewood Drive.	Being 24.793 acres out of the A. Bauman Survey No. 156, Abstract No. 63, Tom Green County Texas.

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
Property is located in the ETJ	No Zoning	Rural	24.793 acres

THOROUGHFARE PLAN:

Abernathy Road – Rural Local, 60’ min. ROW, 30’ min. paving width.
 Abernathy Road is a substandard road with a current ROW of 55’ and a paving width of 20’.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the final plat, **subject to four Conditions of Approval**. Staff also recommends that the Planning Commission **APPROVE** the Variance to Section 10.III.A.2 of the Land Development and Subdivision Ordinance to allow for a pavement width of 20 feet in lieu of 30 feet for Abernathy Road, a Rural Local Road.

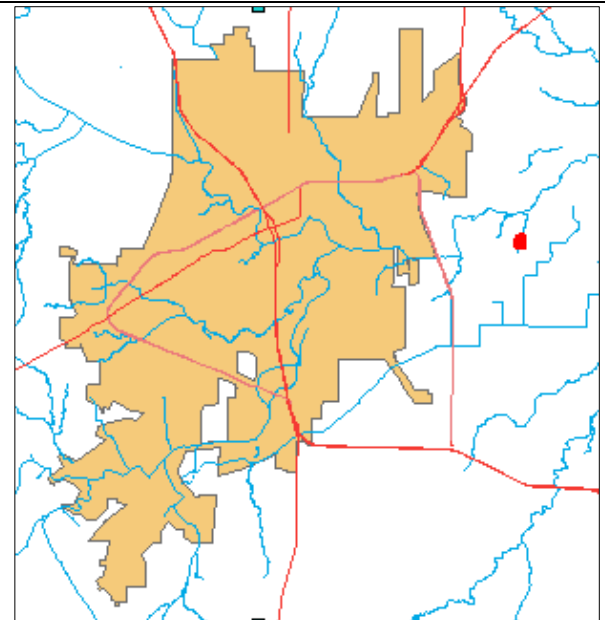
PROPERTY OWNER/PETITIONER:

Property Owner(s):
 Steven and Bridgett Sturtz

Agent:
 Herb Hooker, SKG Engineering, LLC

STAFF CONTACT:

Kristina Heredia
 Staff Planner
 (325) 657-4210, Extension 1546
kristina.heredia@cosatx.us



VariANCES: In conjunction with the plat application, the applicant has submitted a request for a variance from 10.III.A.2 (roadway improvement requirements) of the City’s Land Development and Subdivision Ordinance. In accordance with Chapter 1, Section IV.A, the Planning Commission **shall not approve** a Variance unless the request meets the following findings based upon the evidence that is presented:

1. **The granting of the Variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.** The subject property is located approximately 3 miles east of the City on a rural local road. There are no plans for expansion of roads or development in that general area at this time, nor is annexation imminently proposed. Moreover, allowing Abernathy Road to maintain its current paving width would not appear to be detrimental to public safety as the amount of traffic anticipated is low.
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.** This is a rural, low-populated area surrounded by long stretches of roadways that were built to County standards (i.e. requiring less width than City standards). This condition, in addition to the area’s designation of “Long Range” on the City’s Annexation Plan, make for circumstances unique to the property.
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 property is located on a dead-end road with only 121 feet of lot frontage. Abernathy Road has a paving width of 20 feet, and if the variance is denied, the applicant will have to build an additional 5 feet of width. To increase the paving width to 25 feet for 121 feet of frontage width will not provide a benefit to any of the surrounding properties and could cause a distraction to drivers since the road would quickly decrease again to 20 feet of width.
4. **The Variance will not, in any significant way, vary the provisions of applicable ordinances.** The property owner is dedicating the necessary land needed to increase the right-of-way to the required width. If the situation arises where the City needs additional paving width, then the land will be available.

Recommendations: Staff recommends that the Planning Commission **APPROVE** the Final Plat of the Sturtz Subdivision, Section One and **APPROVE** the Variance to Section 10.III.A.2, to allow for a pavement width of 20 feet in lieu of 30 feet for Abernathy Road, a Rural Local Road, subject to the following **four 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.

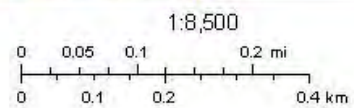
2. Submit a revised plan that illustrates the required construction for Abernathy Road, a Rural Local Street, with a minimum 30 feet of pavement width. Once the plans are approved, construction of the street shall be to City specifications, per Land Development and Subdivision Ordinance, Chapter 9 & 10. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, per Land Development and Subdivision Ordinance, Chapter 1.IV.
3. Portions of these proposed lots are located in the floodplain and will have additional requirements for development. Contact the Floodplain Administrator, Pam Weishun, at (325) 658-1038.
4. For septic system requirements, contact Pam Weishuhn with Environmental Health at (325) 658-1038.

785 Abernathy Rd

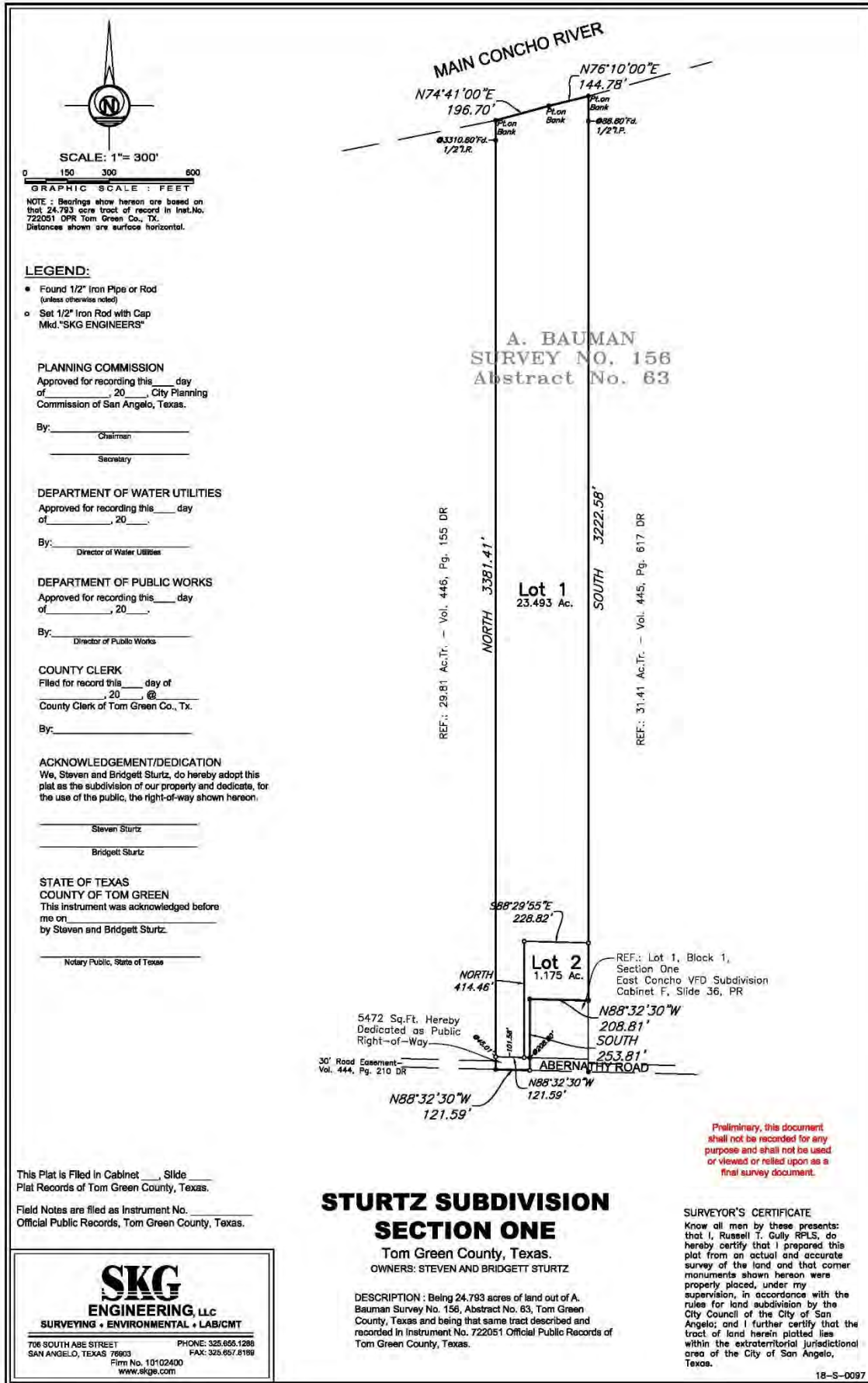


February 21, 2018

-  Parcel Popups
-  Road Centerlines
-  cosa.GIS.Parcels



CO SA GIS Data



**PLANNING COMMISSION –March 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. This item was tabled at the February 19, 2018, Planning Commission meeting.			
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 feet. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a variance unless the request meets the four criteria below based upon the evidence that is presented:

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

The applicant believes that granting 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. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period, consistent with Land Development and Subdivision Ordinance, Chapter 6. A second alternative would be to obtain approval of a variance from the Planning Commission, consistent with Land Development and Subdivision Ordinance, Chapter 1.IV.

Attachments:

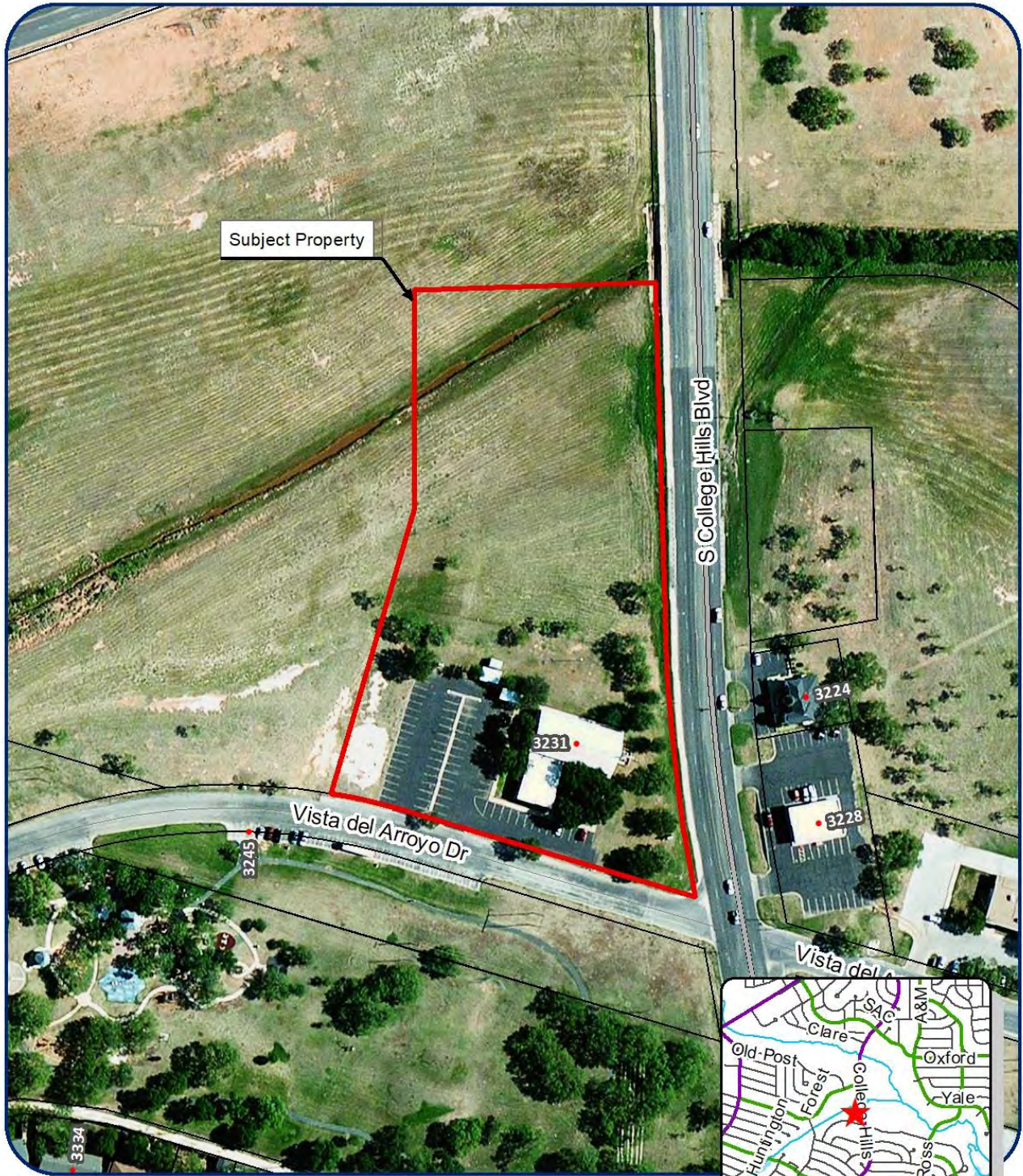
Aerial Map

Future Land Use Map

Zoning Map

Proposed Final Plat

Application

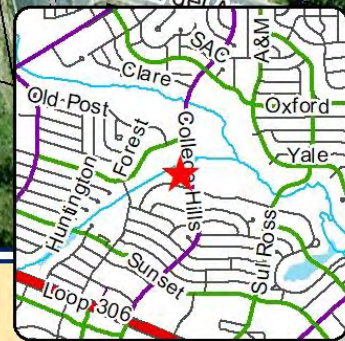


College Hills South Addition, Section 11 A
3231 South College Hills Boulevard

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**





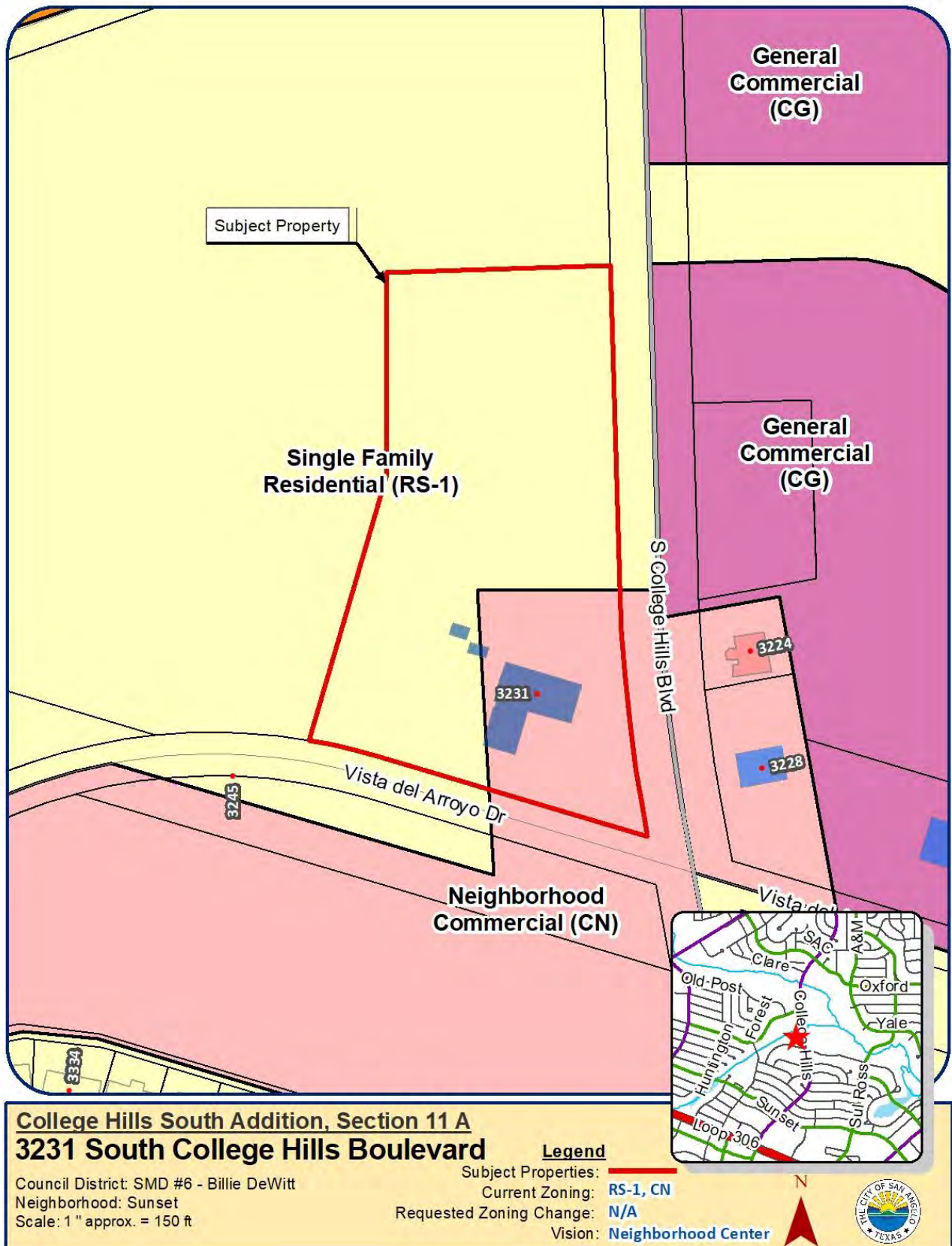


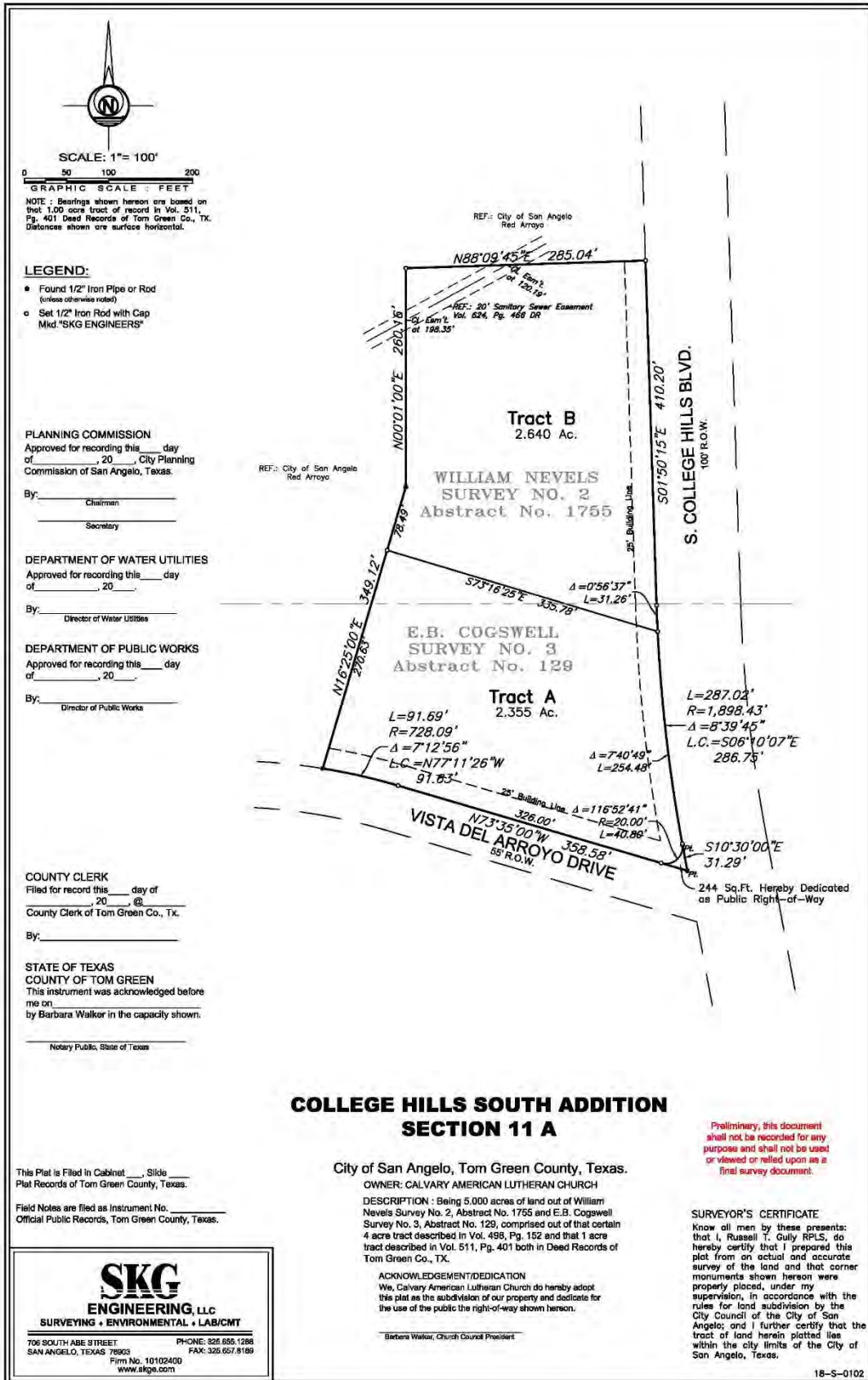
College Hills South Addition, Section 11 A
3231 South College Hills Boulevard

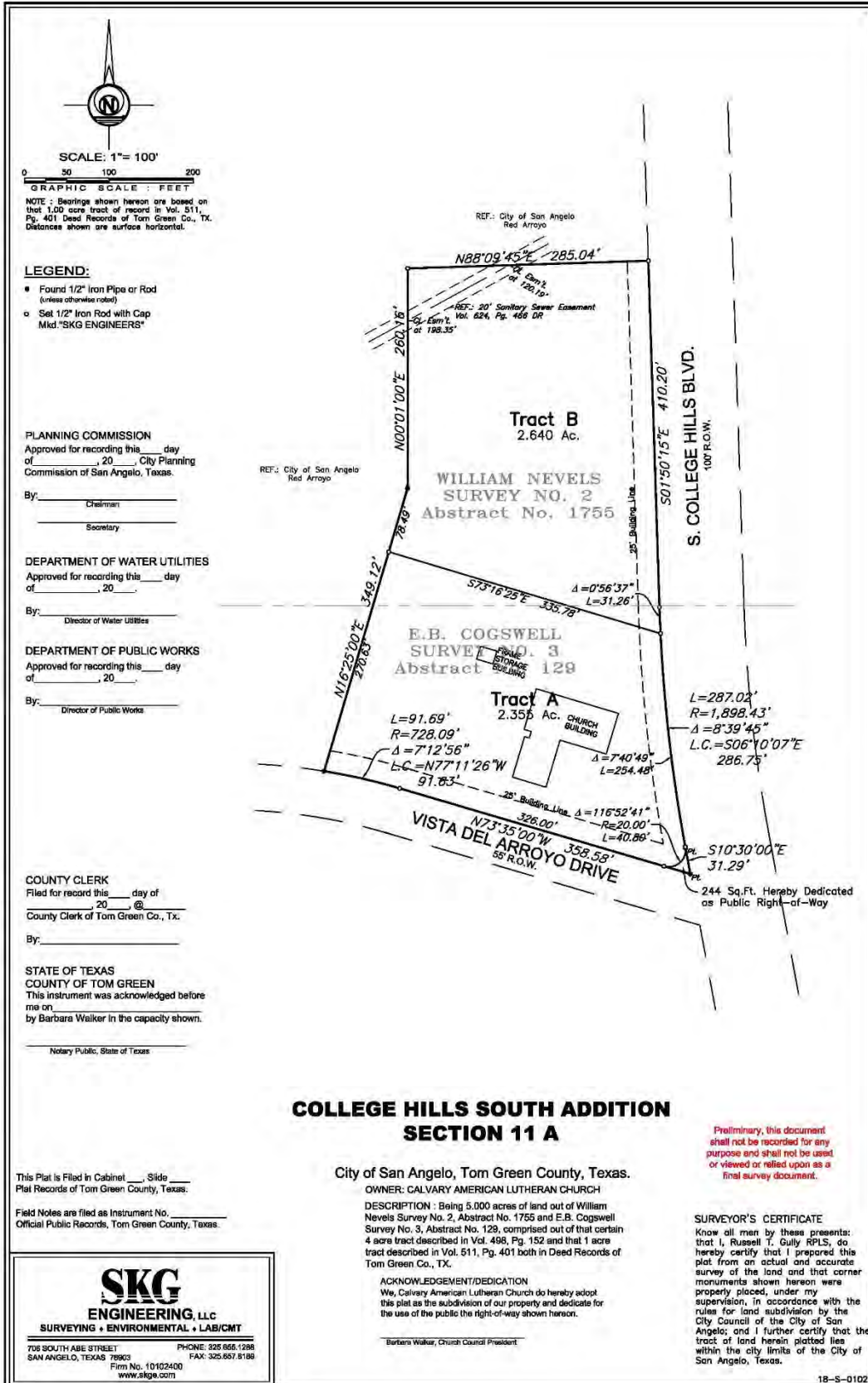
Council District: SMD #6 - Billie DeWitt
 Neighborhood: Sunset
 Scale: 1" approx. = 150 ft

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









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
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Property Owner:

Calvary American Lutheran Church	234-5515	
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Name	Phone Number	Email Address
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Architect/Engineer/Design Professional:	SKG Engineering	325-655-1288	herbh@skge.com
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Subdivision Type: Final Plat Replat - requiring Planning Commission approval Plat Vacation
 Preliminary Plat Replat - administratively eligible* Amended Plat

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

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

Section 2: Utility & Easement Information

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

Sewer: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? 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
Mark Hook
 Representative's Signature

1-17-2018
 Date
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 –March 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		Ellison Estates Section 2, First Replat of Block 2	
SYNOPSIS:			
This is an application to plat 22.772 acres into five lots located in the southeast portion of San Angelo. This property is adjacent to the Red Arroyo, and has frontage along West Loop 306 Frontage Road. The lots comply with the minimum lot area, lot frontage, and lot depth of the CG Zoning District.			
LOCATION:		LEGAL DESCRIPTION:	
Approximately .25 miles southeast of the intersection of West Loop 306 and Sherwood Way		Lot 1, Section 2, Block 2, Ellison Estates totaling 20.772 acres	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Billie DeWitt Bonham Neighborhood	General Commercial (CG)	Commercial	22.772
THOROUGHFARE PLAN:			
West Loop 306 Frontage Road – Urban Local Street, TXDOT Road, 50’ min. ROW Required (Varies Existing), 36’ with a sidewalk or 40’ min. Pavement Required (Varies Existing)			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Replat of Ellison Estates Section 2, First Replat of Block 2 subject to Five Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Bill Elliott Sunil S. Patel Lukarh Investments, LLC <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 “Commercial” in the City’s Comprehensive Plan which intends to “establish single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network.” The purpose of the Replat is to facilitate future commercial development along the West Loop 306 Frontage Road. This allows future businesses visibility and convenient access in an area of town that already has significant commercial development.

The proposed plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe and efficient development of the City (Statement C), and will provide for the efficient use and extension of municipal utilities (Statement G). The new lot configurations will insure that easements and rights-of-way are provided for drainage, access, and all utilities (Statement L).

Recommendation: Staff recommends **APPROVAL** of the Replat of Ellison Estates Section 2, First Replat of Block 2 subject to the following **five 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 installation of sidewalks along the right-of-way for the West Loop 306 Frontage Road, and complete the installation in accordance with the City of San Angelo specifications, per Land Development and Subdivision Ordinance, Chapter 11.I.B, City of San Angelo Standards and Specifications. Sidewalk(s) may be required to allow more convenient pedestrian access to the site where heavy pedestrian and vehicular traffic is anticipated, consistent with 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. Alternatively, this condition may be deferred to the building permit stage.
3. Submit site utility plan indicating the size and location of the proposed water service, and the size and location of proposed sewer disposal system. Contact City of San Angelo Engineering

Services Department before beginning on utility plan. Alternatively, this condition may be deferred to the building permit stage.

4. A drainage study shall be submitted, per Stormwater Ordinance, Section 12.05.001, and Stormwater Design Manual Section 2.13. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval, consistent with Stormwater Ordinance Section 12.05.001, and Stormwater Design Manual Section 2.13. Alternatively, this condition may be deferred to the building permit stage.
5. An additional easement along the southwestern and southeastern portions of the lots to accommodate the water main extension that will provide service connections to this lot will be required. Only a single tap of the 36-inch pipe will be allowed and water main extensions will have to loop into the existing 12-inch main adjacent to the northwestern portion of the property.

Attachments:

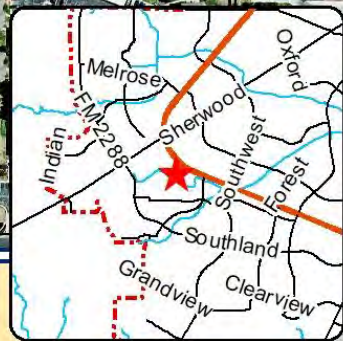
Aerial Map
Future Land Use Map
Zoning Map
Proposed Final Plat
Applications

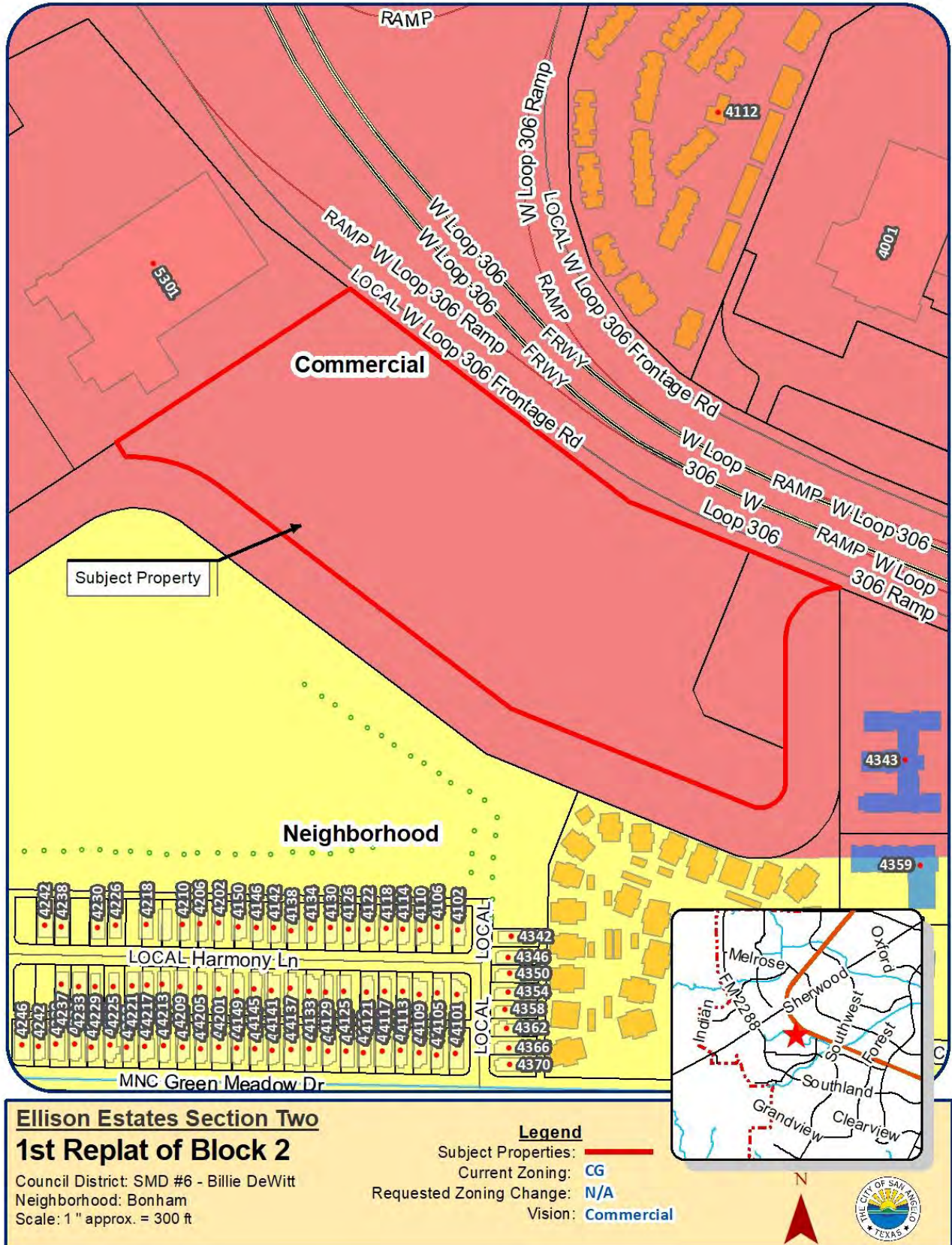


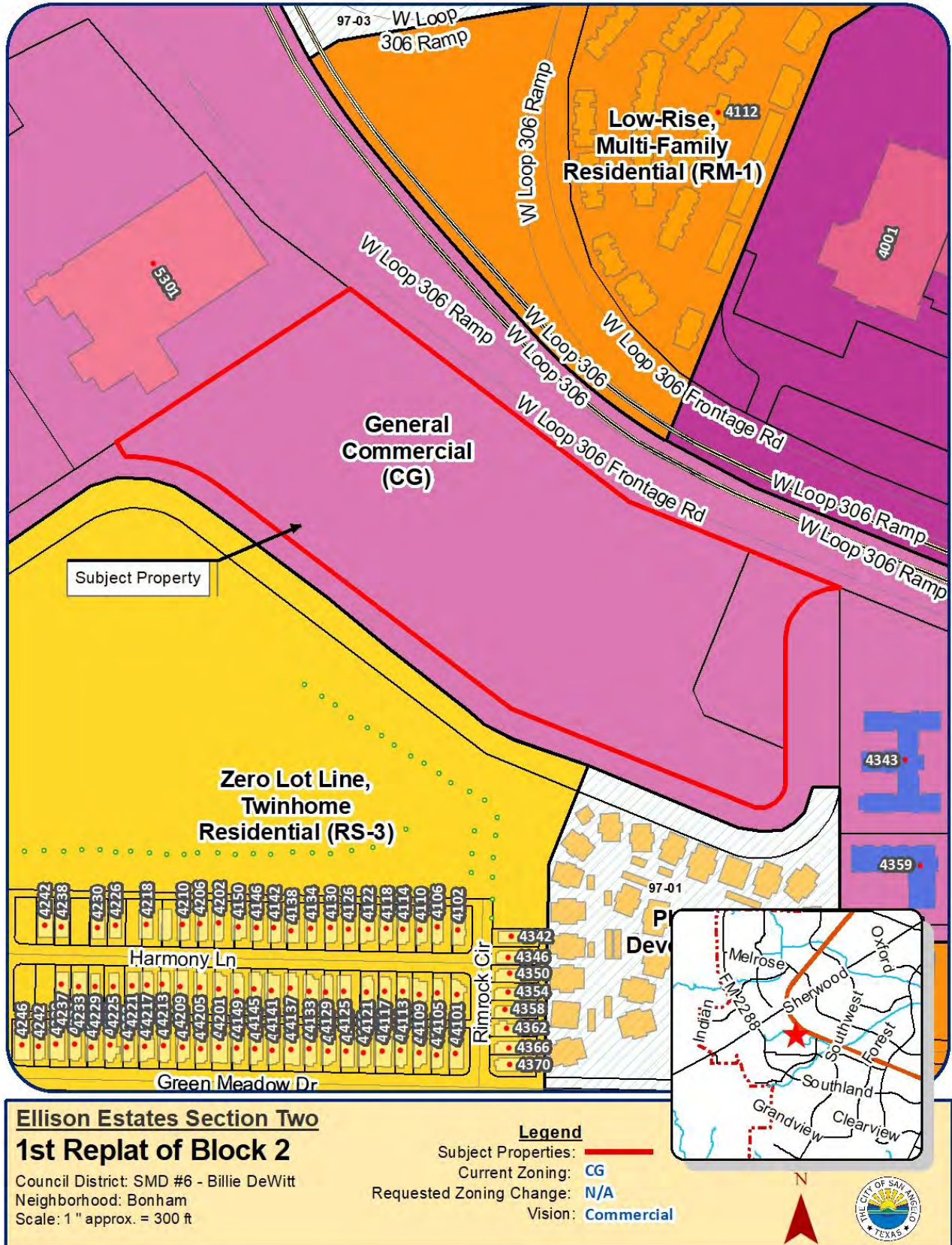
Ellison Estates Section Two
1st Replat of Block 2

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Bonham
 Scale: 1" approx. = 300 ft

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





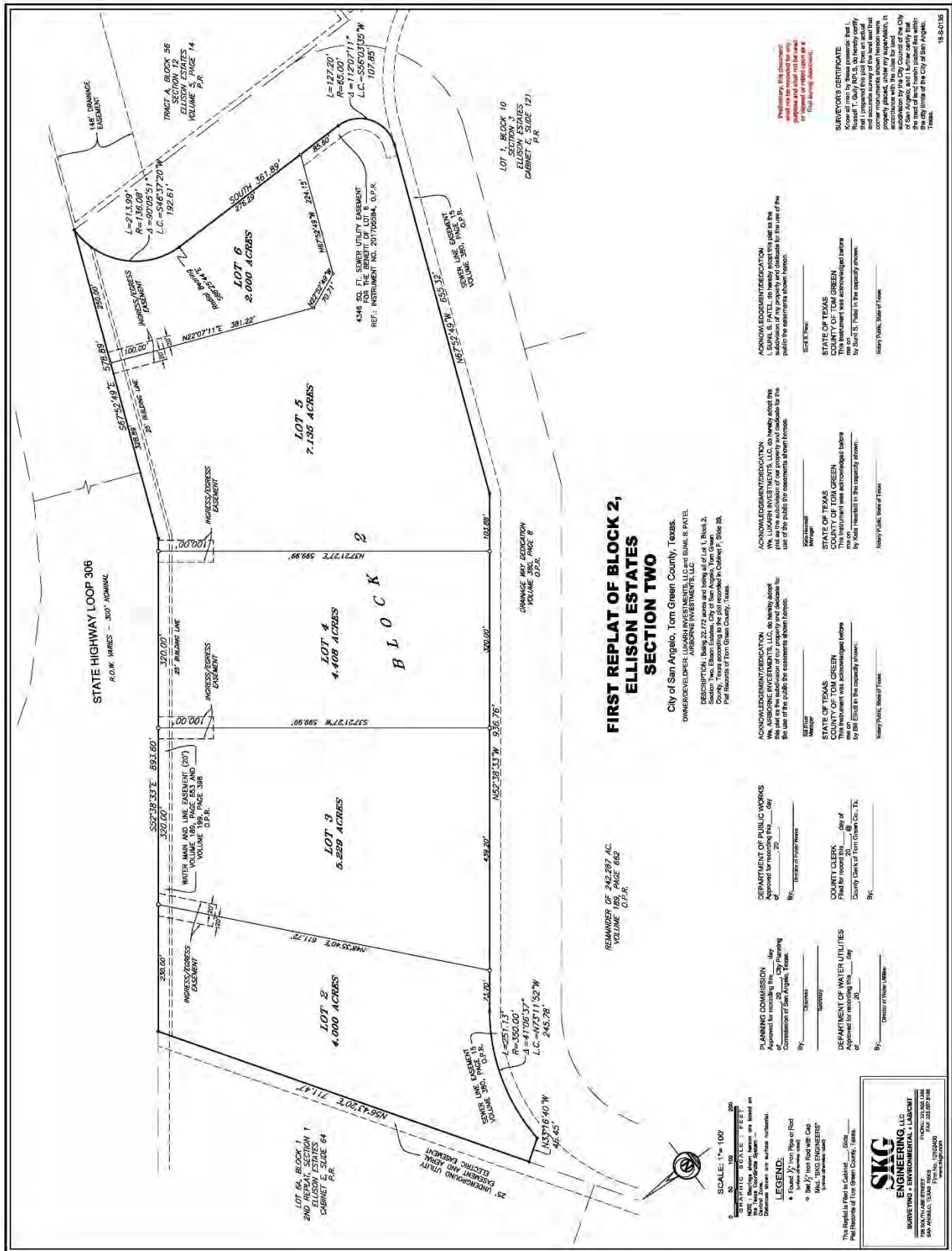


Ellison Estates Section Two
1st Replat of Block 2

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Bonham
 Scale: 1" approx. = 300 ft

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





**FIRST REPLAT OF BLOCK 2,
 ELLISON ESTATES
 SECTION TWO**

City of San Antonio, Tom Green County, Texas.
 OWNER/DESIGNER: LISA RASH INVESTMENTS, LLC and SHAM & PATEL
 ARCHITECTURE/DESIGN: ARBORNE INVESTMENTS, LLC
 DESCRIPTION: Being 22.772 acres and being all of Lot 1, Block 2,
 Ellison Estates, Section 2, Tom Green County, Texas according to the plat reported in County F, Block 20,
 Plat Records of Tom Green County, Texas.

PLANNING COMMISSION
 Approved for recording this _____ day
 of _____, 20____, City of _____
 Commission of San Antonio, Texas.
 By: _____
 Director of Public Works

DEPARTMENT OF PUBLIC WORKS
 Approved for recording this _____ day
 of _____, 20____, City of _____
 County Clerk of Tom Green County, Tx.
 By: _____

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

REMAINER OF 242,297 AC.
 VOLUME 189, PAGE 682
 O.P.R.

DRAINAGE WAY DEEDITION
 VOLUME 8
 O.P.R.

SEWER LINE EASEMENT 13
 VOLUME 350, P.O.P.R.
 L=271.37'
 P=50.00'
 Δ=41°08'37"
 L.C.=473711.52'
 245.78'

SEWER LINE EASEMENT 15
 VOLUME 350, P.O.P.R.
 L=127.20'
 P=65.00'
 Δ=112°07'11"
 L.C.=596203.02'
 107.85'

OWNER/DESIGNER: LISA RASH INVESTMENTS, LLC and SHAM & PATEL
 ARCHITECTURE/DESIGN: ARBORNE INVESTMENTS, LLC
 DESCRIPTION: Being 22.772 acres and being all of Lot 1, Block 2,
 Ellison Estates, Section 2, Tom Green County, Texas according to the plat reported in County F, Block 20,
 Plat Records of Tom Green County, Texas.

OWNER/DESIGNER: LISA RASH INVESTMENTS, LLC and SHAM & PATEL
 ARCHITECTURE/DESIGN: ARBORNE INVESTMENTS, LLC
 DESCRIPTION: Being 22.772 acres and being all of Lot 1, Block 2,
 Ellison Estates, Section 2, Tom Green County, Texas according to the plat reported in County F, Block 20,
 Plat Records of Tom Green County, Texas.

OWNER/DESIGNER: LISA RASH INVESTMENTS, LLC and SHAM & PATEL
 ARCHITECTURE/DESIGN: ARBORNE INVESTMENTS, LLC
 DESCRIPTION: Being 22.772 acres and being all of Lot 1, Block 2,
 Ellison Estates, Section 2, Tom Green County, Texas according to the plat reported in County F, Block 20,
 Plat Records of Tom Green County, Texas.

PRELIMINARY. THIS DOCUMENT
 IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY PURPOSES.
 ANY CHANGES OR REVISIONS TO THIS PLAN SHALL BE MADE BY THE SURVEYOR.
 THE SURVEYOR'S CERTIFICATE IS SUBJECT TO THE TERMS AND CONDITIONS OF THE SURVEYOR'S CONTRACT.

SURVEYOR'S CERTIFICATE
 I, the undersigned, a duly licensed Professional Engineer, State of Texas, do hereby certify that I prepared this plat from an actual survey of the land hereon shown and that the same is true and correct according to the best of my knowledge and belief. I am a duly licensed Professional Engineer, State of Texas, and I am duly qualified to practice my profession in the State of Texas.
 My Commission Expires on _____
 My License No. is _____
 My Office Address is _____
 My Telephone Number is _____
 My E-mail Address is _____
 My Signature is _____
 My Title is _____

SKG
 ENGINEERING, LLC
 SURVEYING • ENVIRONMENTAL • LABORATORY
 2200 W. 100TH STREET, SUITE 200
 HOUSTON, TEXAS 77050
 PHONE: 281.282.1338
 FAX: 281.282.1339
 WWW.SKG-ENGINEERING.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

First Replat of Block 2, Ellison Estates Section Two

Proposed Subdivision Name
 2.000 acres out of Lot 1, Block 2, SECTION TWO, ELLISON ESTATES

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 08-21925-0002-001-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name	Phone Number	Email Address
Property Owner: Bill Elliott	325-277-6223	

Property Owner:

Name	Phone Number	Email Address
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@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? 1" - 2" & 6" Fire Line
 City - utilizing existing services Existing size? _____
 Other Please specify: _____

Sewer: City - requesting new services Proposed size? 4"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? _____

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

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

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



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

First Replat of Block 2, Ellison Estates Section Two

Proposed Subdivision Name _____

Lot: 1 SECTION 2, Blk: 2, Subd: ELLISON ESTATES

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 08-21925-0002-001-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:
 Name _____ Phone Number _____ Email Address _____

Property Owner:
 Name: LUKARH INVESTMENTS, LLC Phone Number: 817-988-9353 Email Address: kate.heartsill@gmail.com
 Name _____ Phone Number _____ Email Address _____

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

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 1" - 2"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____

Sewer: City - requesting new services Proposed size? 4"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? _____

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

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

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



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

First Replat of Block 2, Ellison Estates Section Two

Proposed Subdivision Name
 2.000 acres out of Lot 1, Block 2, SECTION TWO, ELLISON ESTATES

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 08-21925-0002-001-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name	Phone Number	Email Address
Property Owner: Sunil S. Patel		
Name	Phone Number	Email Address
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com
Name	Phone Number	Email Address

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

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 1" - 2" & 6" Fire Line
 City - utilizing existing services Existing size? _____
 Other Please specify: _____

Sewer: City - requesting new services Proposed size? 4"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? _____

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

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

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

Section 3: Property Characteristics

22.772 5

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 22.772 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 22.772

Are there existing structures on the property? Yes No

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

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

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

[Signature]
 Owner's Signature

2-19-18
 Date

 Representative's Signature

 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 2/21/19 Date Deemed preliminary complete: 2/21/19 Date 11:50 Time HB Initials

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

Completeness review passed? Yes 2/21/19 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 2/28/19 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	<u>3/19/19</u>	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____

Section 4, continued

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

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

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

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

Wally Klatschil, Manager 2-16-18
 Owner's Signature Date

 Representative's Signature Date

FOR OFFICE USE ONLY:

Submitted to front desk: 2/21/18 Deemed preliminary complete: 2/21/18 11:30 HP
 Date Date Time Initials

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

Completeness review passed? Yes 2/21/18 No _____
 Date Date

If yes, when was application scheduled for staff review, if applicable? 2/28/18 HB
 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	<u>3/19/18</u>	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____

Section 4, continued

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

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

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

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

Owner's Signature _____ Date 2-18-18

Representative's Signature _____ Date _____

FOR OFFICE USE ONLY:

Submitted to front desk: 2-21-18 Deemed preliminary complete: 2/21/18 11:50 HB
Date Date Time Initials

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

Completeness review passed? Yes 2/21/18 No _____
Date Date

If yes, when was application scheduled for staff review, if applicable? 2/28/18 HB
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	<u>3/19/18</u>	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____

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



APPLICATION TYPE:		CASE:	
Replat		First Replat in Block 7, Mather Addition	
SYNOPSIS:			
<p>The proposed replat if approved would divide the existing 0.76-acre property into three, 0.253-acre lots in the Single-Family Residential (RS-1) Zoning District. Each lot will comply with the minimum lot area of 5,000-square feet, minimum lot frontage of 50 feet, and minimum lot depth of 100 feet in RS-1 Zoning District which will allow a single-family residence to be built on each of the three lots. The subject property is an existing lot portion within the original Block 7 of the Mather Addition filed for record on May 8, 1905. The property has existed in its current configuration since at least 2002 according to the Tom Green County Clerk’s Office.</p>			
LOCATION:		LEGAL DESCRIPTION:	
25 West 32 nd Street; generally located approximately 150 feet southwest of the intersection of West 32 nd Street and North Chadbourne Street.		Being 0.760 acres of land out of Block 7, Mather Addition as per plat of record in Volume 26, Pg. 222 Deed Records of Tom Green County, Texas and being that same tract described in Instrument No. 201713535, Official Public Records of Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
SMD District: Tom Thompson (SMD#2) Neighborhood: Riverside		RS-1	N- Neighborhood
			SIZE:
			0.760 acres
THOROUGHFARE PLAN:			
<p>West 32nd Street – Urban Local Street – variance submitted for reduced paving width and no sidewalk Required: 50’ right-of-way, 40’ pavement or 36’ with a 4-foot sidewalk Provided: 50’ right-of-way, 36’ pavement and no sidewalk</p>			
NOTIFICATIONS:			
<p>As required by Section 212.015 of the <i>Texas Local Government Code</i>, 19 notifications were mailed within a 200-foot radius on March 1, 2018 and notice of the public hearing was also published in the San Angelo Standard Times on March 2, 2018. To date, there have been zero responses received in support or opposition.</p>			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the replat subject to four conditions of approval (see below).			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s): Jerry Searcy and Miguel Duran</i></p> <p><i>Agent: Herb Hooker, SKG Engineering, LLC</i></p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Variations: As indicated above, the applicant has submitted a request for a variance from Section 10.III.A.2 to allow a minimum paving width of 36 feet and no sidewalk in lieu of the required 40 feet and no sidewalk, or 36 feet with a 4-foot wide sidewalk, for West 32nd Street, an urban local street. 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 applicants believe that the proposed variance will not be detrimental or injurious to other properties and the area will function in its current condition. Both the Planning Division and Engineering Services agree as the subject property is surrounded by developed land, and requiring an additional two feet of pavement would create an inconsistency which could be dangerous and confusing to motorists, bicyclists and pedestrians. The entirety of West 32nd Street between Grape Creek Road and North Chadbourne Street is 36 feet wide and comprises of mainly single-detached dwellings on existing properties. In addition, Staff believes that a sidewalk would not be warranted in this case given that all of the properties along West 32nd Street between Grape Creek Road and North Chadbourne Street have already been built out and are unlikely to be platted or replatted in the near future that would trigger any sidewalk construction.
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 applicants believe that the requested variance would not be generally applicable to other properties as this is an existing, developed area and a small infill project. Both the Planning Division and Engineering Services agree that the existing property and surrounding properties between Grape Creek Road and North Chadbourne Street have the same pavement width and no sidewalk, creating a unique situation. Further, all of the lots already have single-family dwellings and it is unlikely that this portion of West 32nd Street will be widened in the near future. Therefore, an additional two feet of pavement or a sidewalk should not be required in this case and would not be beneficial to the City.
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 applicants believe that due to the physical surroundings and shape of the property including location of the existing street and utilities, a particular hardship would result if additional paving width was required. Both the Planning Division and Engineering Services agree that any additional road widening would create a hardship as the existing curb would have to be removed and reinstalled.
4. **The Variance will not, in any significant way, vary the provisions of applicable ordinances.** The applicants believe that the requested variance would not vary the provisions of any applicable ordinance. Both the Planning Division and Engineering Services agree that the proposed replat would not vary the provisions of the Subdivision Ordinance or Zoning Ordinance. As indicated, the three new lots would comply with the minimum development standards of the RS-1 Zoning District, and this infill development will have access onto an existing, public street which is adequately maintained by the City. The Planning Division and Engineering Services sees no reason not to grant the variance request.

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

APPROVE the “First Replat in Block 7, Mather Addition”.

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

1. Per the Land Division 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 the Land Division and Subdivision Ordinance, Chapter 7.II.B, remove “NO. 1” from the title of the plat and on all other places on the document, consistent with nomenclature from previous plat approvals.
3. As per Chapter 10 of the Land Development and Subdivision Ordinance, prepare and submit plans for approval, illustrating the required construction of an additional two feet of pavement for West 32nd Street, meeting the requirements for an urban local street with a minimum 40 feet of pavement. Once plans are approved, construct street to City specifications. Alternatively, as per Chapter 6, submit a financial guarantee ensuring the completion of these improvements within an 18 month period. A second alternative, as per Chapter 1.IV, would be to obtain approval of a variance from the Planning Commission as per Land Development and Subdivision Ordinance.
4. Contact the City of San Angelo Department of Water Utilities Customer Service Office at 301 W. Beauregard Ave or by calling (325) 657-4323 to request water and sewer service connections and to establish a utility service account.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Proposed Replat
Application with Variance Requests





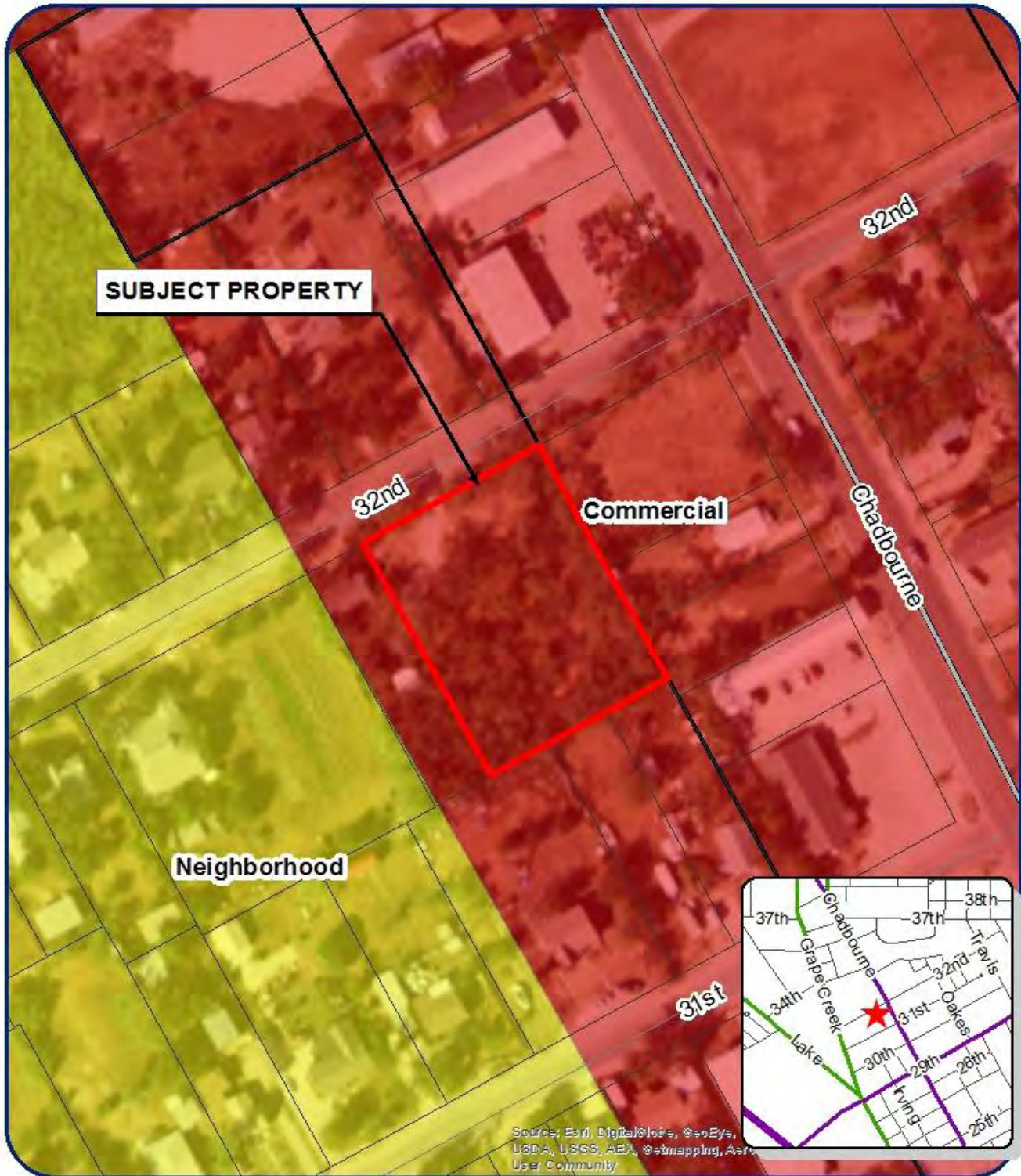
Subdivision Case File
1st Replat, Blk 7, Mather Addition No. 1

Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 100 ft
Subject Property: 25 W. 32nd St.

Legend

Subject Properties: █
Current Zoning: **RS-1**
Requested Zoning Change: **N/A**
Vision: **Commercial**

N  




Subdivision Case File

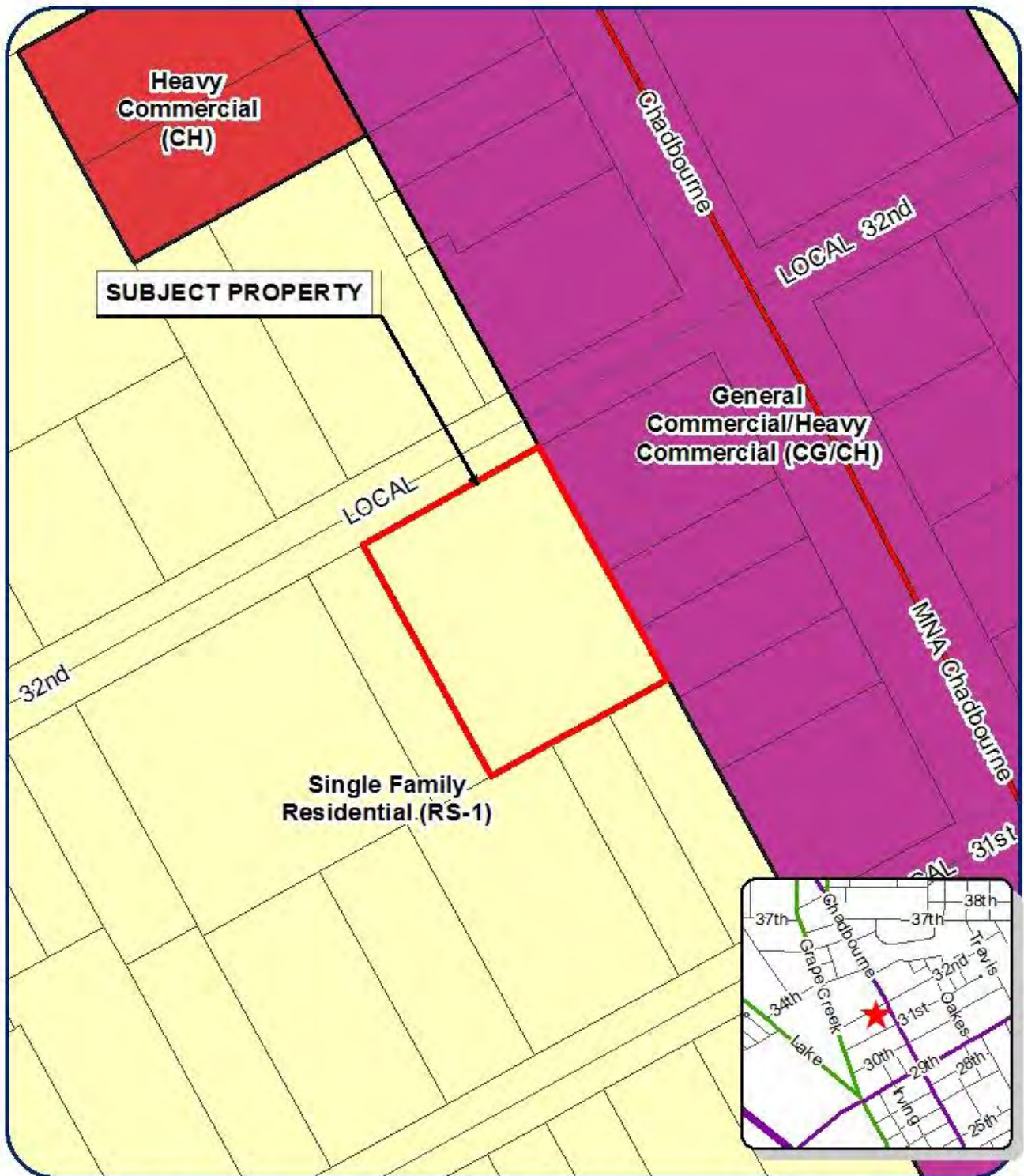
1st Replat, Blk 7, Mather Addition No. 1

Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 100 ft
Subject Property: 25 W. 32nd St.

Legend

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





Subdivision Case File
1st Replat, Blk 7, Mather Addition No. 1
Council District: Tom Thompson (SMD#2)
Neighborhood: Riverside
Scale: 1" approx. = 100 ft
Subject Property: 25 W. 32nd St.

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

N





City of San Angelo, Texas - Planning
Land Subdivision Application



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Section 1: Basic Information

First Replat in Block 7, Mather Addition No. 1

Proposed Subdivision Name

Acres: 0.760, Blk: 7, Subd: MATHER ADDITION NO 1, E158.7' OF THE N208.7' OF TRACT B

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

R000014404

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant: N/A

Name Phone Number Email Address

Property Owner: Jerry Searcy and Uriel Duran 325.374.9827 searcyautosales@hotmail.com

Name Phone Number Email Address

Architect/Engineer/Design Professional: SKG Engineering 325-655-1288 herbh@skge.com

Name Phone Number Email Address

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

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

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

Section 2: Utility & Easement Information

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

Sewer: City - requesting new services Proposed size? 4"
 City - utilizing existing services Existing size? _____
 Other Please specify: _____
 Septic System Lot size? _____

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

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

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

Section 3: Property Characteristics

0.760 3

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

Existing Zoning:

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

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

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

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

Vacant 0.760 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 0.760 Office _____

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

Are there existing structures on the property? Yes No

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

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

Full variance requested Partial variance requested (proposed variation from standard): Additional paving width/ no sidewalk

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

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

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

(Section 4 continues on next page)

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

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

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

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

[Signature]
 Owner's Signature
[Signature]
 Representative's Signature

2/21/18
 Date
02/21/2018
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 2/21/2018 Date Desmed preliminary complete: 2/21/18 Date 4:02pm Time af Initials

Received by Development Services Technician for completeness review: 2/21/18 Date 4:02pm Time af Initials

Completeness review passed? Yes 2/21/18 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 2/28/18 Date af 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 – March 19, 2018
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Planned Development (Rezoning)		PD18-01: Palmer	
SYNOPSIS:			
<p>The applicant has requested a Planned Development (PD) Rezoning to facilitate the reconstruction of a storage building destroyed by fire in May 2016, and to legalize all of the existing uses on the property which include a manufacturing facility for livestock feed and a restaurant. The applicant owns the property and manufacturing facility and leases the restaurant. The Tom Green County Appraisal District indicates that the buildings were built in 1945 prior to being annexed into the City. The current Ranch and Estate (R&E) zoning does not allow any expansion or new construction without a Rezoning. On March 19, 1991, a previous restaurant was granted an Expansion of a Non-Conforming Use (NCU91031) by City Council for a new 128-square foot addition which has now been built. No other planning applications were found on record. The applicant has submitted a Site Plan delineating all existing and proposed buildings, as well as current parking layout.</p>			
LOCATION:		LEGAL DESCRIPTION:	
3409-3415 South Chadbourne Street; generally located approximately 100 feet west of the intersection of South Chadbourne Street and Jackrabbit Trail		Being 3.29 acres in the W.M. Etzel Survey No. 167, Abstract 157, City of San Angelo, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #1 – Tommy Hiebert Glenmore Neighborhood	Ranch and Estate (R&E)	Commercial	3.29 ac.
THOROUGHFARE PLAN:			
<p>South Chadbourne Street – Urban Arterial Street (TXDOT) Required: 80' right-of-way, 64' pavement Provided: 150' right-of-way, 64' pavement Cottontail Lane – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 50' right-of-way, 16' pavement (pre-existing street complied with standards at the time).</p>			
NOTIFICATIONS:			
8 notifications mailed within 200-foot radius on March 7, 2018. One received in support, none in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to allow for Light Manufacturing and Production and Retail Sales and Service on the subject properties, subject to seven conditions of approval.			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Blaine and Vance Palmer</p> <p><i>Applicant(s):</i> Winn Palmer</p>			
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 "Commercial." Commercial properties include "single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network." The property has direct and abutting access onto South Chadbourne Street, a major arterial street owned and maintained by the Texas Department of Transportation (TxDOT) which can accommodate large traffic volumes and transport vehicles. The property is surrounded by a half-mile expanse of commercially-designated properties in the City's Comprehensive Plan and a combination of light industrial, commercial, and office uses along this stretch of South Chadbourne Street. These uses include Texas State Wildlife offices to the north, West Texas Fuels Inc. to the east, and Dreamscapes landscaping and retail store to the south. The property is also surrounded by Light Manufacturing (ML) zoning on three sides. Therefore, the Planning Division believes that a rezoning to allow the existing feed supply facility and restaurant use on the property is not only compatible with the commercial designation – it is also appropriate given that similar uses already exist in the surrounding area. Further, the manufacturing use has existed since the 1940s according to the Tom Green Appraisal District, and the Staff Report for the associated expansion of a non-conforming use NCU91031, indicates that the current livestock feed facility (Palmer Feed) and restaurant (Mendez Café) have existed since at least the mid-1960s.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*** The Planning Division believes that the Light Manufacturing (ML) development standards should be applied to the proposed PD Zoning given that this use has existed since the 1940s and that all of these standards would also recognize any retail uses on the property. The ML standards also allow Type C, unlimited outdoor storage requirements to apply to the property given it includes a light manufacturing use. The property is 3.29 acres and well exceeds the minimum lot area of 6,000 square feet, minimum lot width of 50 feet and minimum lot depth of 80 feet. As per the Site Plan provided, all of the current buildings are setback more than 25 feet from the front property line facing South Chadbourne Street as required, and more than 10 feet abutting the west property line abutting a residential district as required. The storage building destroyed by fire was approximately 15 feet from the southwest property line which the Zoning Ordinance considers a front yard because it abuts a street, Cottontail Lane. The Planning Division recommends a 10-foot setback from this setback given that this portion of the property acts as a rear yard and does not have any driveway access. This reduced setback will allow the original storage building destroyed by fire to be rebuilt in the same location without having to seek a variance.

Parking: Any new buildings, or change of occupancy of existing buildings, shall require parking in accordance with Section 511.B of the Zoning Ordinance for each use. The current buildings have adequate parking on the paved portion of the property facing South Chadbourne Street for their current occupancies. The feed supply business portion of the property has adequate paved

parking for at least 15 vehicles and the restaurant portion adequate paved parking for at least 20 vehicles. Section 511.B of the Zoning Ordinance requires one parking space for every 300 square feet for office uses; one space for every 4 employees for warehousing; and one space for every 4 seats for restaurants. The office area within the main feed supply building is approximately 1,600 square feet and would require 5 parking spaces, and there are currently 5 employees which would require 1 additional parking space for a total of 6 spaces for the feed supply business in compliance. There are 58 seats in the restaurant which would require 15 parking spaces, which would also be in compliance. One new van accessible, disabled parking spaces shall be installed as required by the International Building Code (IBC) for the existing uses. This space shall be fully paved with striping and signage, and connect or be located on the existing paved connection.

Screening: The Planned Development Zoning District allows the creation of site-specific standards, including screening from adjacent land uses. The Planning Division conducted a site visit on February 26, 2018, and determined that the existing trees along the southwest property line facing Cottontail Lane provide screening from the residential property to the south of this street. However, there are two minor gaps along this “green fence”, one at the southeast corner of the site, and the second in front of where the previous storage building had been destroyed by fire (see attached photos). Therefore, as a Condition of Approval, the Planning Division shall require that the applicant install trees within these gaps to provide a continuous and complete buffer from the residential property to the south. Alternatively, the applicant may install a minimum 6-foot high solid screen privacy fence along this south property line. As an additional condition of approval, the Planning Division shall require additional landscaping on the property, given its prominence along South Chadbourne Street, along the northwest portion of the property and flanking the main metal feed office building and restaurant building.

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 existing feed supply and restaurant uses are compatible with the surrounding commercial and light industrial uses in the area along South Chadbourne Street. No proposed changes are intended at this time, and allowing a Planned Development zoning for light manufacturing and retail sales and service will legalize the existing uses which have existed since at least the 1960s.
4. **Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.** As indicated, the current land uses have existed since the 1960s and the Ranch and Estate (R&E) zoning is not reflective of these uses. Given that there are similar non-residential uses on all three sides of the intersection of Jackrabbit Trail and South Chadbourne Street, and similar commercial and industrial along the South Chadbourne Street corridor in this area, the Planning Division believes a Rezoning for the existing feed facility and restaurant is most appropriate. The new zoning will also allow both uses to expand in future without having to continue to apply for Expansion of Non-Conforming Use requests, which only pertain to the proposed floor areas at that time, and not for unknown expansions beyond the initial application.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Planning Division does not anticipate any adverse effects on the natural environment. All current uses operate from within existing buildings and the subject property and parking areas are already constructed. Given that the site exceeds three acres, any additional parking areas for disabled parking should not increase stormwater runoff to a degree that would have any detrimental environmental effects. Regardless, any new construction 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.* The Planning Division believes that there is a demonstrated community need for the existing uses which have existed since at least the 1960s. Palmer Feed grain commodities to local farmers and livestock feeds are sold and distributed to local retailers in San Angelo. Mendez restaurant serves the local community as well, including nearby businesses and is open for breakfast, lunch, and dinner.
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.* As indicated, the subject property has direct and abutting access onto South Chadbourne Street, a major arterial street that can accommodate large traffic volumes. The property is intended to remain in its current configuration and will not be required to be platted unless new buildings exceed 50% of the current total floor area as per Chapter 1 of the Subdivision Ordinance.

Recommendation:

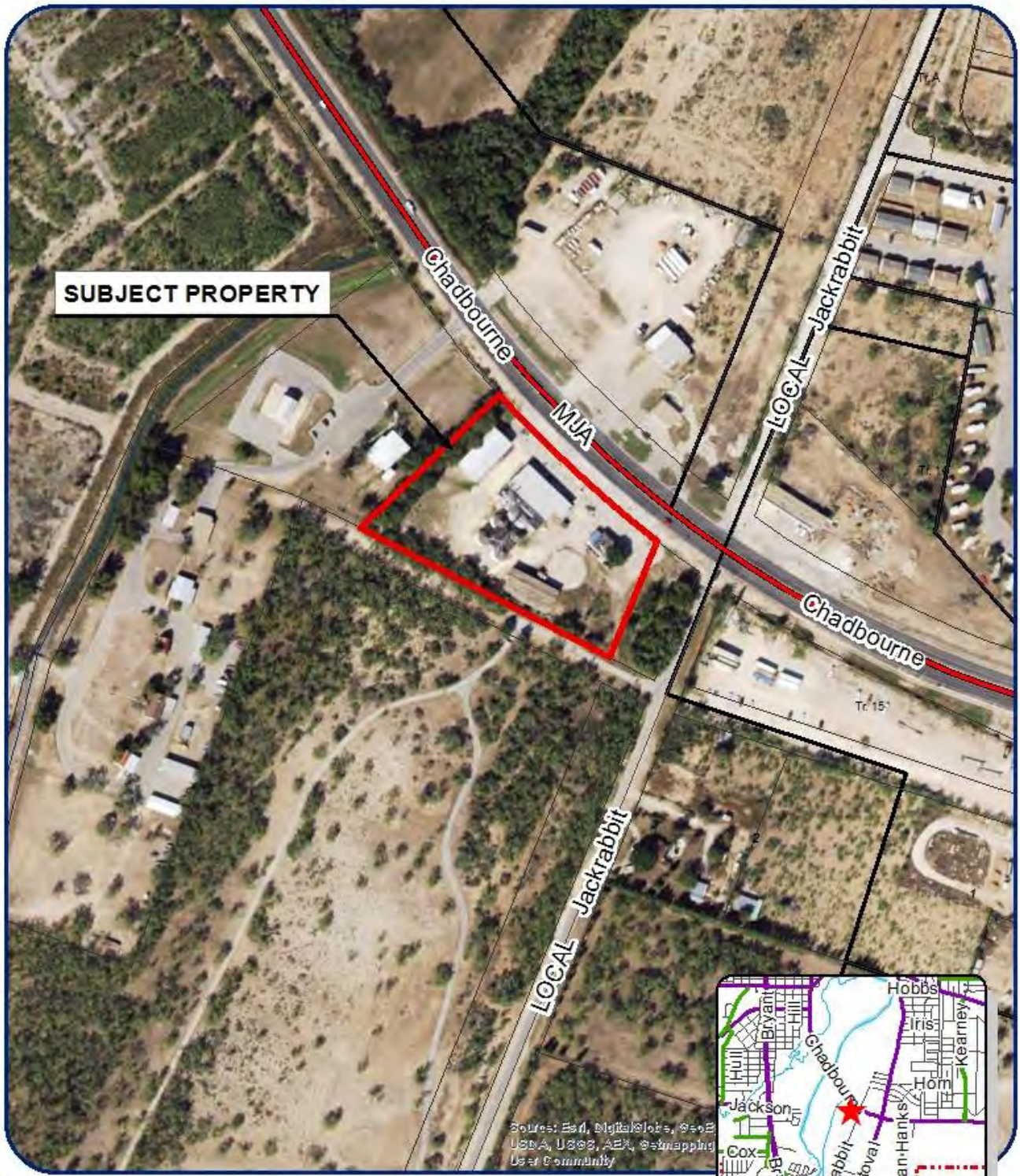
Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed Rezoning from the Ranch and Estate (R&E) Zoning District to the Planned Development (PD) Zoning District to allow for Light Manufacturing and Production and Retail Sales and Service on the subject properties, **subject to the following seven conditions of approval:**

1. Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the Light Manufacturing (ML) Zoning District, unless specified as otherwise.
2. All buildings and structures shall maintain a minimum 10-foot setback from the south property line adjacent to Cottontail Lane.
3. The applicant shall submit a Revised Site Plan to the Director of Planning for approval, delineating one new van accessible, disabled parking space to be installed as required by the International Building Code (IBC) for the existing uses. This space shall be fully paved with striping and signage, and connect or be located on the existing paved connection. Overall site use shall be in accordance with this Site Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, provided no changes to the Zoning Ordinance are required.

4. The applicant shall submit a Landscape Plan for review and approval by the Planning Director that completes gaps in existing landscape screening adjacent to the southwest property line facing Cottontail Lane and a residential zoning district, with drought-resistant shade trees, landscape berm, or other natural vegetation, a minimum of 6-feet in height at time of planting. As part of the Landscape Plan, the applicant shall also install a combination of trees and/or landscaping along the northwest portion of the property facing South Chadbourne Street, and flanking the main metal feed office building and restaurant building. All trees and landscaping screening shall be planted within six months of approval of this rezoning and shall be maintained in perpetuity. As an alternative to landscape screening along the southwest property line, the applicant may install a minimum 6-foot high solid screen wood, masonry or metal privacy fence along the full length of this property.
5. Hours of operation shall be limited between 7:00 a.m. and 10:00 p.m.
6. Any new site lighting on the south portion of the property facing a residential zoning district shall be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto these lands. Any illuminated signage facing the south property line shall be turned off between the hours of 10:00pm and 7:00am the following day.
7. Prior to any future development and/or building permits being issued on the property, the applicant shall submit a final site plan to the Planning Director for review and approval.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Site Plan
Response Letter
Applicant's Response to Zoning Criteria
Application



Source: Esri, DigitalGlobe, GeoEye, USA, USDA, Aero, Schmapping, USDA Community

Planned Development Case File

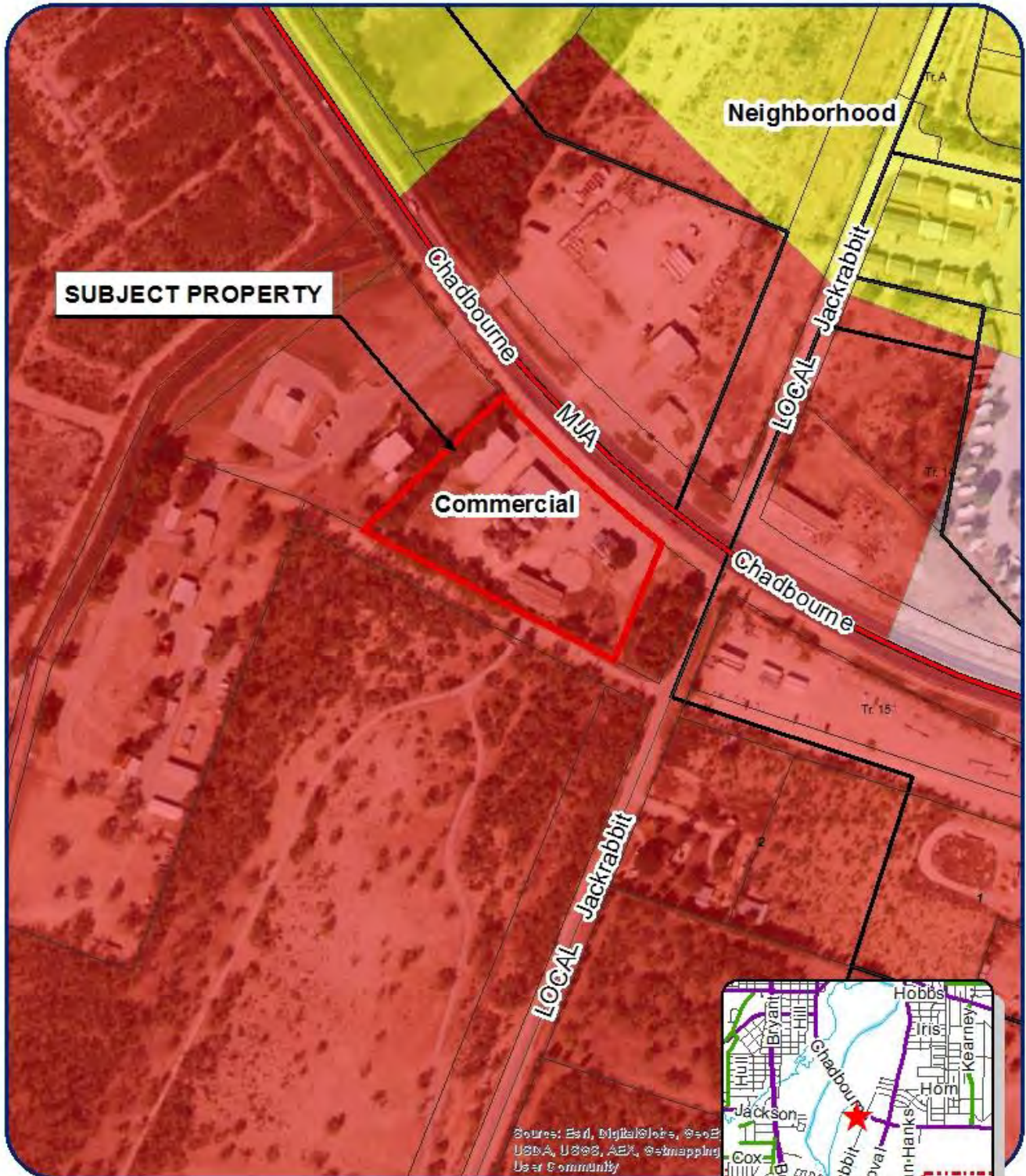
PD18-01: Palmer

Council District: Tommy Hiebert (SMD#1)
Neighborhood: Glenmore
Scale: 1" approx. = 250 ft
Subject Property: 3409 S. Chadbourne St.

Legend

- Subject Properties: —
- Current Zoning: **R&E**
- Requested Zoning Change: **PD**
- Vision: **Commercial**





Planned Development Case File

PD18-01: Palmer

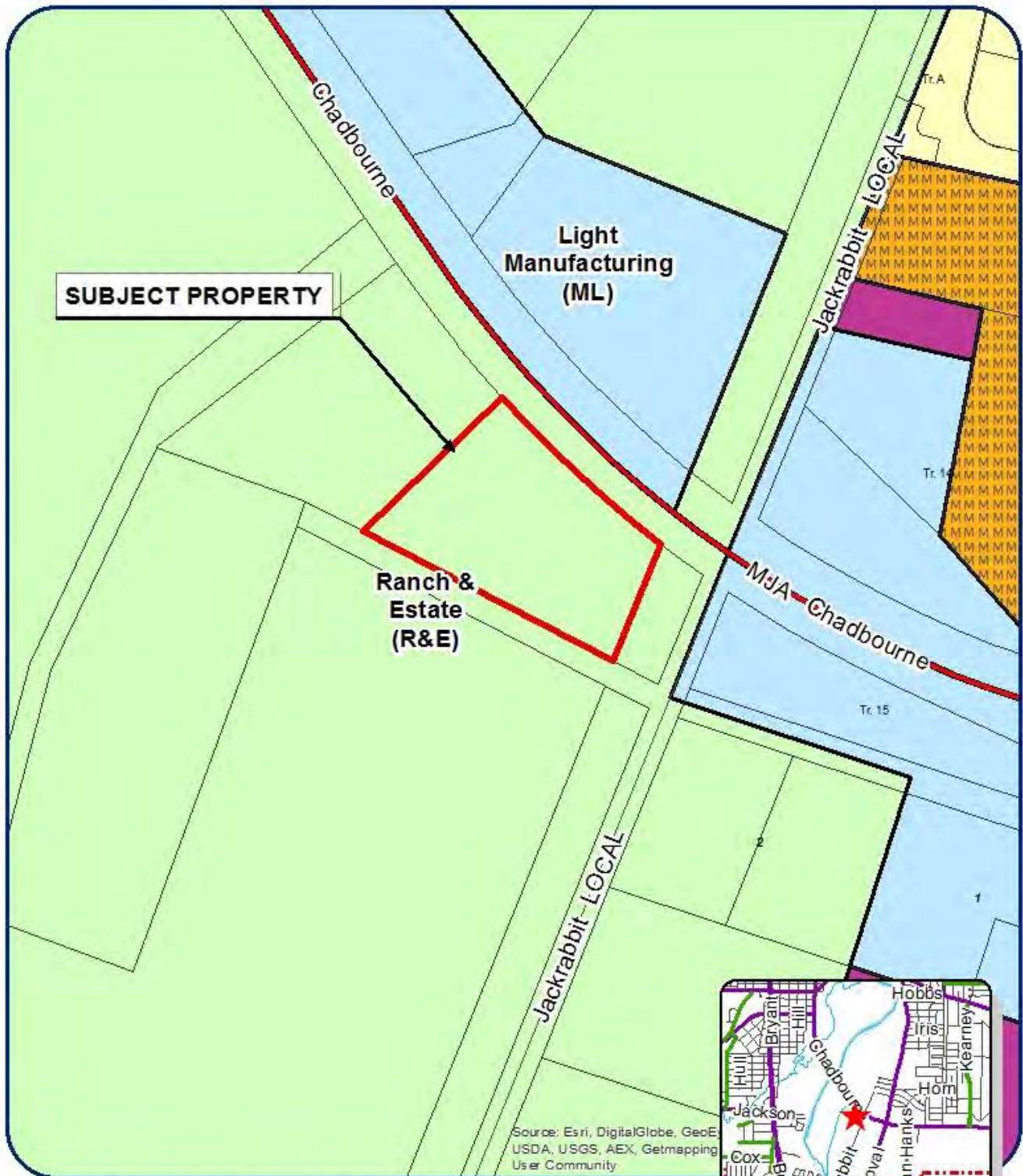
Council District: Tommy Hiebert (SMD#1)
 Neighborhood: Glenmore
 Scale: 1" approx. = 250 ft
 Subject Property: 3409 S. Chadbourne St.

Legend

- Subject Properties: —
- Current Zoning: R&E
- Requested Zoning Change: PD
- Vision: Commercial



Sources: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, GeoMapping, User Community



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

Planned Development Case File

PD18-01: Palmer

Council District: Tommy Hiebert (SMD#1)
 Neighborhood: Glenmore
 Scale: 1" approx. = 250 ft
 Subject Property: 3409 S. Chadbourne St.

Legend

- Subject Properties: —
- Current Zoning: **R&E**
- Requested Zoning Change: **PD**
- Vision: **Commercial**



Photos of Site and Surrounding Area

NORTH



SOUTH



EAST



**NORTHWEST AT SUBJECT PROPERTY
(PALMER FEED)**



**SOUTHWEST AT SUBJECT PROPERTY
(MENDEZ CAFE)**



EXISTING SCALE STATION (PALMER)



Photos of Site and Surrounding Area

MAIN BUILDING (PALMER)



OTHER BUILDINGS (PALMER)



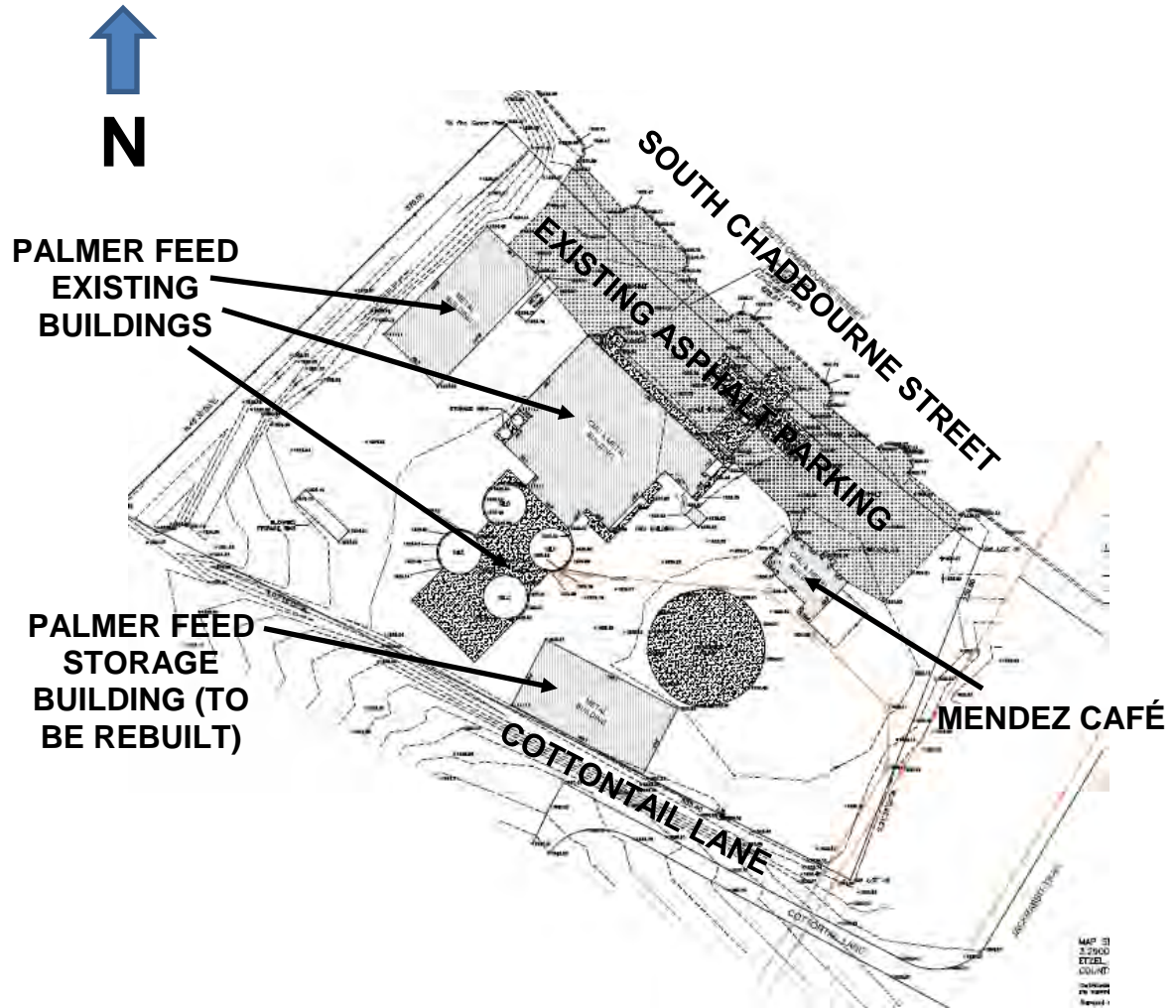
SOUTHWEST CORNER (ADD TREES ALONG PROPERTY LINE)



SOUTH (ADD TREES ALONG PROPERTY LINE)



Site Plan



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) _____

no opposition

NAME: Western Properties

ADDRESS: _____

SIGNATURE:  _____

PD18-01: Palmer
property owner number: 2

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

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.

*existing business since 50's
encompasses an existing restaurant
commercial sales related to mfg.*

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

*all uses pre existing
previous bldg destroyed by fire
to be limited in same location
parking space is adequate*

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.

*existing industrial ^{having} ~~uses~~ on all
sides of the property i.e. West Texas
Gas etc.*

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

Historic zone change necessary to best reflect current usage and to allow replacement of Bldg.

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


our businesses are environmentally friendly - no changes to what exists already

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


*- jobs - community
- improvement of the site*

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.

*existing tract of record and
existing business w/ frontage
on St. Madeline to allow access
to the site.*



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): Winn Palmer for Palmer, Palmer, Palmer

Owner Representative (Notarized Affidavit Required)

Mailing Address: 316 Martin Luther King Blvd San Angelo TX 76903
City State Zip Code

Contact Phone Number: 325/227-2928 Contact E-mail Address: winn@palmerfeed.com

Subject Property Address: 3409 (S411-3415) S. Chadbourne Street San Angelo TX 76904
City State Zip Code

Legal Description (can be found on property tax statement or at www.tcomprospect.com):
Acres: 3.290, Abet: A-D157 S-0167, Survey: WM ETZEL, 3.2900 Acres (3409-3411-3415)

Existing Zoning: R-E Ranch Estate Proposed Zoning: PP Light Manufacturing, retail sales & service 3.29 Acres

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

Section 2: Site Specific Details

Existing Use of Property: light manufacturing since the 1950's

*Proposed Use of Property: PP light manufacturing & retail sales & service

*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 nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

<u>Vance W. Palmer</u> Owner Name (Print)	<u>[Signature]</u> Signature	<u>Palmer, Palmer, Palmer</u> Company/Organization (If Applicable)	<u>2/15/18</u> Date
<u>WINN PALMER</u> Representative Name (Print)	<u>[Signature]</u> Signature	<u>PALMER, PALMER, PALMER</u> Company/Organization	<u>2-15-18</u> Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete Date of Application: 2, 15, 2018

Case No.: PD 18-01 Fully-dimensional site plan:

Nonrefundable fee: \$ 637.50 Receipt #: 284623 Date paid: 2, 15, 2018

Sign Deposit \$37.50 Receipt #: _____ Date paid: _____

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: _____

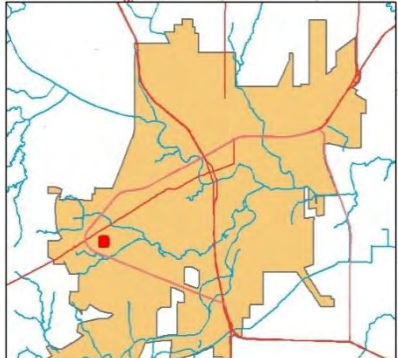
Planning Commission hearing date: 3, 19, 2018 Date notifications due: _____

City Council hearing date: 4/19/2018 and 5/1/2018 Packets due date: _____

Publication date: _____
 Reviewed/Accepted by: J. Fisher Date: 2, 15, 2018

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



APPLICATION TYPE:		CASES:	
Rezoning		Z18-05: Langdon	
SYNOPSIS:			
A request for approval of a Rezoning from the General Commercial/Heavy Commercial (CG/CH) and General Commercial (CG) Zoning Districts to the General Commercial (CG) Zoning District on the subject property. The subject site is currently developed as Hero’s Fitness and vacant retail space and operating as such.			
LOCATION:		LEGAL DESCRIPTION:	
4102, 4106, 4110 Sunset Drive		Being Tract DD, Section Forty-A Replat, Block: 120, College Hills South Addition, City Of San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #6 – Billie DeWitt Sunset Neighborhood	CG/CH - General Commercial/ Heavy Commercial CG - General Commercial	Commercial	6.89 acres
THOROUGHFARE PLAN:			
<p><u>Sunset Drive</u> – Urban Major Collector Street – ROW 60’ Required (80’ Existing) – Pavement Width 50’ Required (64’ Existing)</p> <p><u>Wellington Street</u> – Urban Local Street – ROW 50’ Required (50’ Existing) – Pavement Width 36’ with a sidewalk or 40’ Required (40’ Existing)</p>			
NOTIFICATIONS:			
8 notifications were mailed within a 200-foot radius on February 28, 2018. Zero responses have been received in support or in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed rezoning to the General Commercial (CG) Zoning District .			
PETITIONERS:			
Fitness Ventures Ltd. Stephen J. Langdon, President			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: Section 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 designates this currently CG/CH and CG zoned property as “Commercial.” This is consistent with the existing health/fitness club and the surrounding commercial properties. Rezoning this property would allow for uniformity over the entire property.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The existing land use, health/fitness club, would comply with the CG Zoning District. The current building seems to comply with all current zoning requirements except for screening which may not have been required at the time of construction. The proposed future tenant would not be allowed in the current CG/CH Zoning District. By approving the zone change, the proposed future use would be allowed by right.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The property is located within an area that has mixed uses, but is comprised of mostly commercial along Sunset Drive. The subject parcels will be adjacent to residential lots on the north and east sides. This type of commercial use is similar to other uses along this section of Sunset Drive and along Sherwood Way to the North.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property, currently zoned CG/CH and CG, seems to have been rezoned with the last update for the Zoning Ordinance which applied the CG/CH Zoning District to most of the area along Sunset Drive. Where the Zoning Ordinance may have initially anticipated a more intense commercial development, the area has not developed that way.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** There are no anticipated negative effects on the natural environment from these actions.

Land use would continue in the same manner, and intensity, as already exist on the adjacent properties.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been any demonstrated community need for a use on the site to be heavy commercial. The site has been vacant for some time and the potential tenant would not be allow in the CG/CH Zoning District. Allowing the site to rezone to CG would be reflective of the continuing need for general commercial in the area, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area along Sunset Drive is primarily General Commercial. This parcel will keep in continuity with the adjoining lots immediately adjacent to along this corridor.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a rezoning from the General Commercial/Heavy Commercial (CG/CH) and General Commercial (CG) Zoning Districts to the **General Commercial (CG) Zoning District** on the subject property.

Attachments:

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



Z18-05: Langdon

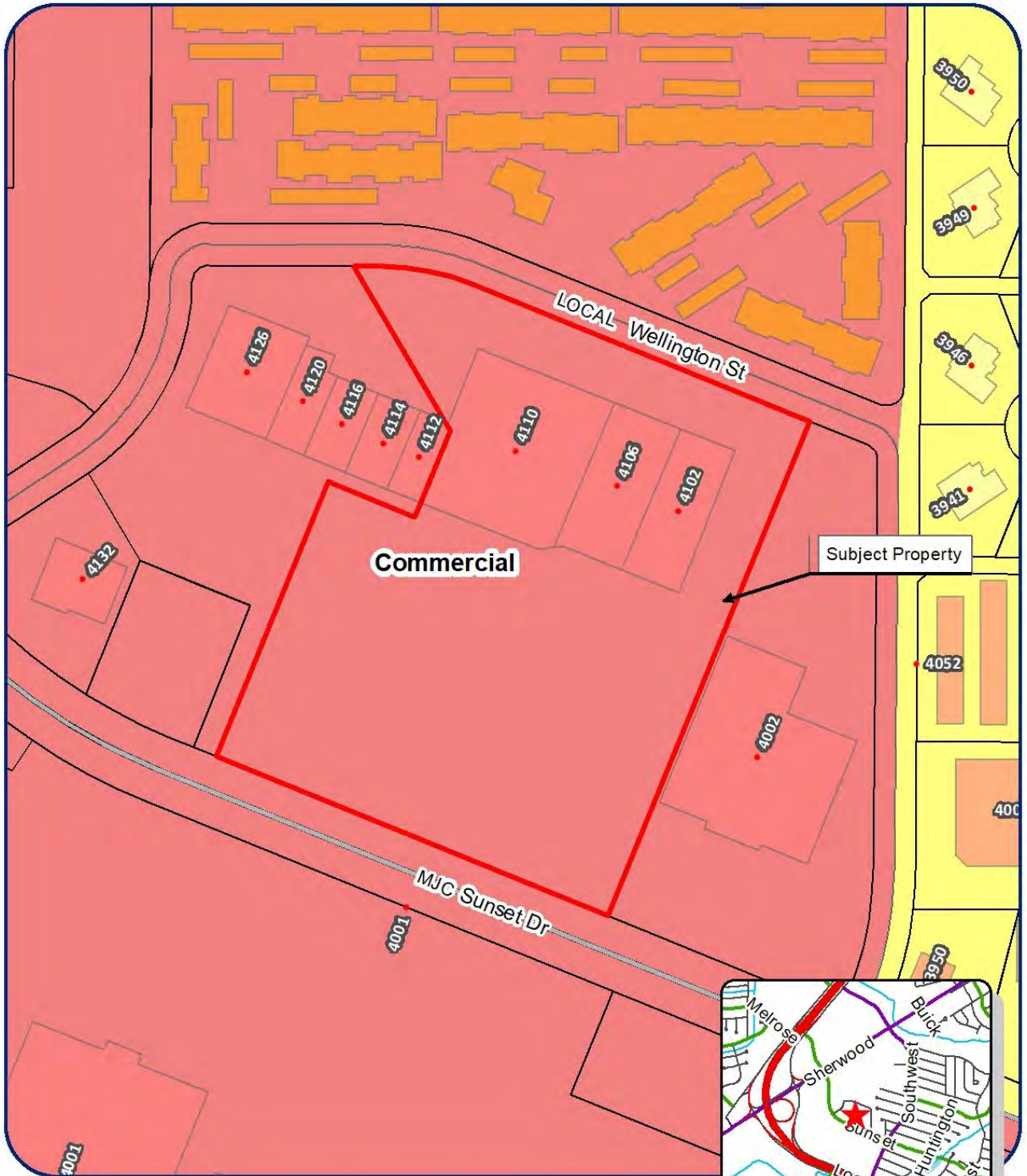
4102, 4106, 4110 Sunset Drive

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

Legend

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






Z18-05: Langdon

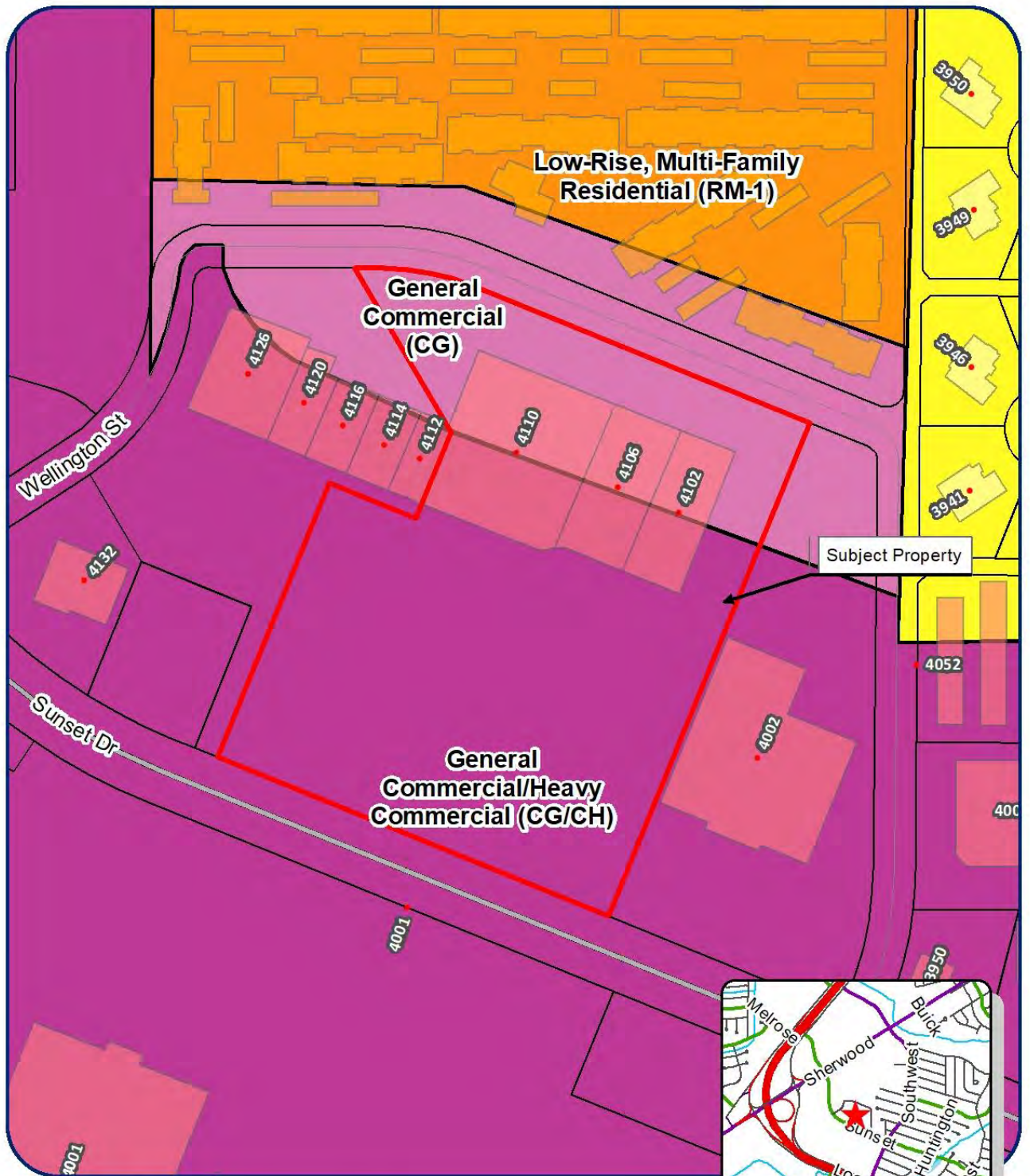
4102, 4106, 4110 Sunset Drive

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

Legend

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





Z18-05: Langdon
4102, 4106, 4110 Sunset Drive

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

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



Effective January 3, 2017



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



Section 1: Basic Information

Name of Applicant(s): Stephen J. Langdon

Owner Representative (Notarized Affidavit Required)

4123 Mercedes St San Angelo TX 76901

Mailing Address 806-790-9500 San Angelo Texas 76901

Contact Phone Number 806-790-9500 Contact E-mail Address StephenLangdon55@gmail.com

4102, 4106, 4110 Sunset Drive San Angelo Texas 76904

Subject Property Address 4102, 4106, 4110 Sunset Drive San Angelo Texas 76904

BLK: 120, Subd: COLLEGE HILLS SOUTH ADDN, 6.8900 ACRES BEING TRACT DD SECTION FORTY-A REPLAT

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

Existing Zoning: CG/CH Proposed Zoning: CG Lot size: 6.89 Acres

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

Section 2: Site Specific Details

Existing Use of Property: Health Club/Vacant

*Proposed Use of Property: Health Club/School

*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 nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Stephen J Langdon Stephen J. Langdon Fitness Ventures LTD 2-20-2018
 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: 2 / 20 / 18

Case No.: Z 18 -- 05

Fully-dimensioned site plan:

Nonrefundable fee: \$ 500

Receipt #: 284625 Date paid: 2 / 20 / 18

Sign Deposit \$37.50

Receipt #: _____ Date paid: 2 / 20 / 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.: 17 -- 12

River Corridor Commission? Yes No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

City Council hearing date: ____/____/____ Packets due date: ____/____/____

Publication date: ____/____/____

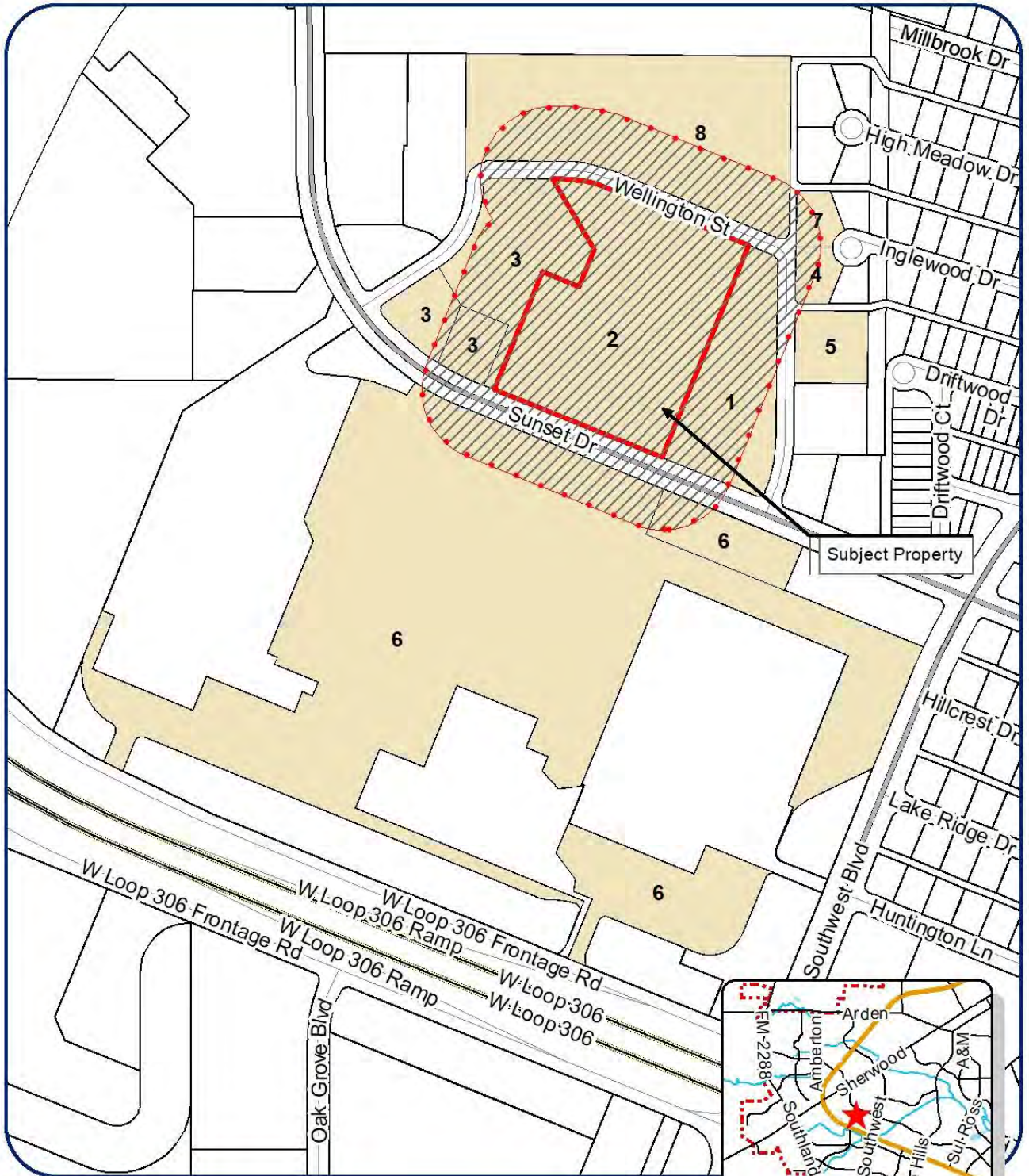
Reviewed/Accepted by: H. Bueker Date: 2 / 20 / 18

Photo of Site









Z18-05: Langdon

4102, 4106, 4110 Sunset Drive

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Sunset
 Scale: 1" approx. = 350 ft

Legend

- Subject Properties: —
- Current Zoning: **CG, CG/CH**
- Requested Zoning Change: **CG**
- Vision: **Commercial**



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



APPLICATION TYPE:		CASES:	
Amendment to a Special Use		SU17-01 (Amendment): Hargraves	
SYNOPSIS:			
<p>SU17-01 was heard at Planning Commission on March 20, 2017, and approved at City Council on May 02, 2017. This was a Special Use to allow an Auto and Light Truck Dealership in a CN Zoning District. The subject property was currently zoned RS-1, and also went through a rezoning from RS-1 to CN as part of this Special Use Process. The approval was granted, provided that 14 Conditions of Approval be met. The applicant is proposing to amend two of those 14 conditions; Condition # 4 and Condition # 5. Condition # 4 deals with landscaping requirements and the applicant is requesting to remove the tree requirement and replace it with shrubbery. Condition # 5 limits access to the property, requiring that access be off of North Bryant Boulevard. TxDOT has denied the applicant a driveway approach off of North Bryant, so Condition #5 will be eliminated in its entirety.</p>			
LOCATION:		LEGAL DESCRIPTION:	
508 W. 17th Street; generally located at the N/NW corner of West 17th Street and North Bryant Boulevard (U.S. 87)		Being a total of 0.345 acres out the Mineola Addition, Lots 16 and 17, Block 1.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #4 – Lucy Gonzales Blackshear Neighborhood	CN – Neighborhood Center	Transitional	0.345 acres
THOROUGHFARE PLAN:			
<p><u>West 17th Street</u>–Urban Local Street, Required 50’ min. ROW, 36’ min. pavement with sidewalk, 40’ without sidewalk. Actual 80’ ROW, 40’ paving width with sidewalk <u>North Bryant Boulevard</u> –Major Arterial, Required 80’ min. ROW, 64’ min. pavement. Actual 200’ ROW, 100’ paving width without sidewalk</p>			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Amendment to SU17-01 to amend Condition #4 and eliminate Condition #5.			
PROPERTY OWNER/PETITIONER:			
<u>Property Owner:</u> Robby Hargraves			
<u>Petitioner:</u> Robby Hargraves			
STAFF CONTACT:			
Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

Rational for Recommendation:

The first Condition of Approval in question, Condition # 4, reads as follows:

A minimum of 2 non-allergenic trees, with a minimum of 3 inches in caliper and 6 feet in height at time of planting, shall be placed along each street frontage. Examples of suitable tree species may include, but are not limited to, Mexican or Texas Redbud, Desert Willow, Shumard Oak, Chinese Pistache or Pinyon Pine. A landscape strip with a minimum width of 10 feet, in conjunction with required street trees, shall also be provided along both street frontages. This landscape strip may include landscaped portions of the street right-of-way. All site landscaping shall be subject to the approval of the Planning and Development Services Director, or designee.

The applicant has requested that the requirement to plant trees be removed from the approval, and replaced with shrubbery. This request is to eliminate concerns over potential tree or bird debris falling on the vehicular inventory. Staff is in support of this amendment as the increase in the amount of shrubbery will offset the removal of the tree requirement and will provide for ample screening of the property from the adjacent residential homes. The new Condition of Approval will read as follows:

A minimum of 9 drought-tolerant shrubs shall be placed along each street frontage. Examples of suitable shrubs species may include, but are not limited to, Texas Sage, Red Yucca, Sotol, or Salvia. A landscape strip with a minimum width of 10 feet, in conjunction with required shrubs, shall also be provided along both street frontages. This landscape strip may include landscaped portions of the street right-of-way. All site landscaping shall be subject to the approval of the Planning and Development Services Director, or designee.

The second Condition of Approval in question, Condition #5, reads as follows:

Off- and on-loading activities are prohibited within the public right-of-way of West 17th Street, North Bryant Boulevard and the abutting service alley to the north of the subject property. Site access from West 17th Street shall be prohibited.

The applicant requested a driveway approach off of North Bryant Boulevard. Due to the short distance between West 17th and West 18th Streets, combined with an alley separating the two streets, TxDOT has denied the driveway approach application. Their rational is that the necessary stopping distance needed for North Bryant is too great for another curb cut in that location. Staff is in support of the applicant's request, and so Condition #5 will be eliminated in its entirety.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** an Amendment to SU17-01, which amends Condition #4 and eliminates Condition #5 from an approved Special Use to allow Automotive and Light Truck Sales, on the subject property zoned Neighborhood Commercial (CN) Zoning District, subject to the following thirteen Conditions of Approval:

1. All business activities shall be limited to the sale of passenger automobiles, light and medium trucks and motorcycles only. Both lots that comprise the subject property shall be replatted into a single lot, and an approved and recorded plat shall be provided prior to the application for a building permit.
2. All site lighting on the premises, both existing and new, shall be shielded, downward emitting and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands and is suitably engineered for night-sky purposes. No new site lighting or building lighting shall be upward emitting. New site lighting shall utilize light emitting diode (LED) illumination.
3. The property owner shall be responsible for the construction of new sidewalk and replacement of any existing, substandard sidewalk abutting the subject property.
4. A minimum of 9 drought-tolerant shrubs shall be placed along each street frontage. Examples of suitable shrubs species may include, but are not limited to, Texas Sage, Red Yucca, Sotol or Salvia. A landscape strip with a minimum width of 10 feet, in conjunction with required street trees, shall also be provided along both street frontages. This landscape strip may include landscaped portions of the street right-of-way. All site landscaping shall be subject to the approval of the Planning and Development Services Director, or designee.
5. No vehicular inventory shall utilize a required parking space. All parking, circulation and vehicle display areas on the premises shall be paved in accordance with minimum City standards. The property owner shall ensure that any business-related parking does not intrude upon, or inconvenience nearby residents.
6. No vehicle repair, maintenance or vehicle body repair shall be permitted on the premises. No salvage or junk vehicles shall be maintained on the premises, nor shall any debris, vehicle parts, tires, lubricants or other toxic and caustic materials be stored on the premises.
7. All incidental outdoor storage shall be allowed adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. Incidental outdoor storage shall not be permitted to block windows, entrances or exits, and shall not impair the ability of pedestrians to use the building.
8. No portable signage shall be allowed on the premises. All illuminated signage on the premises shall be turned off between the hours of 10:00 PM and 7:00 AM the following day.
9. No loud speakers, paging systems or other auditory devices, with the exception of security alarms, shall be permitted on the premises.
10. No intermodal storage containers, boxcars, recreational vehicles or mobile homes shall be placed on the premises.
11. Solid screening or a suitable vegetative alternative shall be utilized along the west and north property lines for matters of residential adjacency. Chain-link fencing with vinyl slats may not be used for screening purposes.

12. All fencing along West 17th Street and North Bryant Boulevard shall consist of any of the following: (a) low-post, split-rail metal fencing, painted in either earth-tone or black; (b) green or black vinyl-clad, chain-link fencing (4-ft maximum height); (c) decorative wrought-iron fencing (4-ft maximum height); or (d) reinforced bollards, painted in either earth-tone or black, concrete or decorative metal. No barbed or concertina (razor) wire fencing shall be permitted.

13. If the approved Special Use is inactive or discontinued for a period exceeding 360 consecutive days, or if the approved Special Use does not become active within a period of six months following the date of City Council approval, then the Special Use shall be declared null and void.

Notifications:

Fourteen notifications were sent out to property owners with 200 feet on March 02, 2018. Staff has received zero responses in favor and zero responses in opposition.

Attachments:

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



SUBJECT PROPERTY



Aerial Map

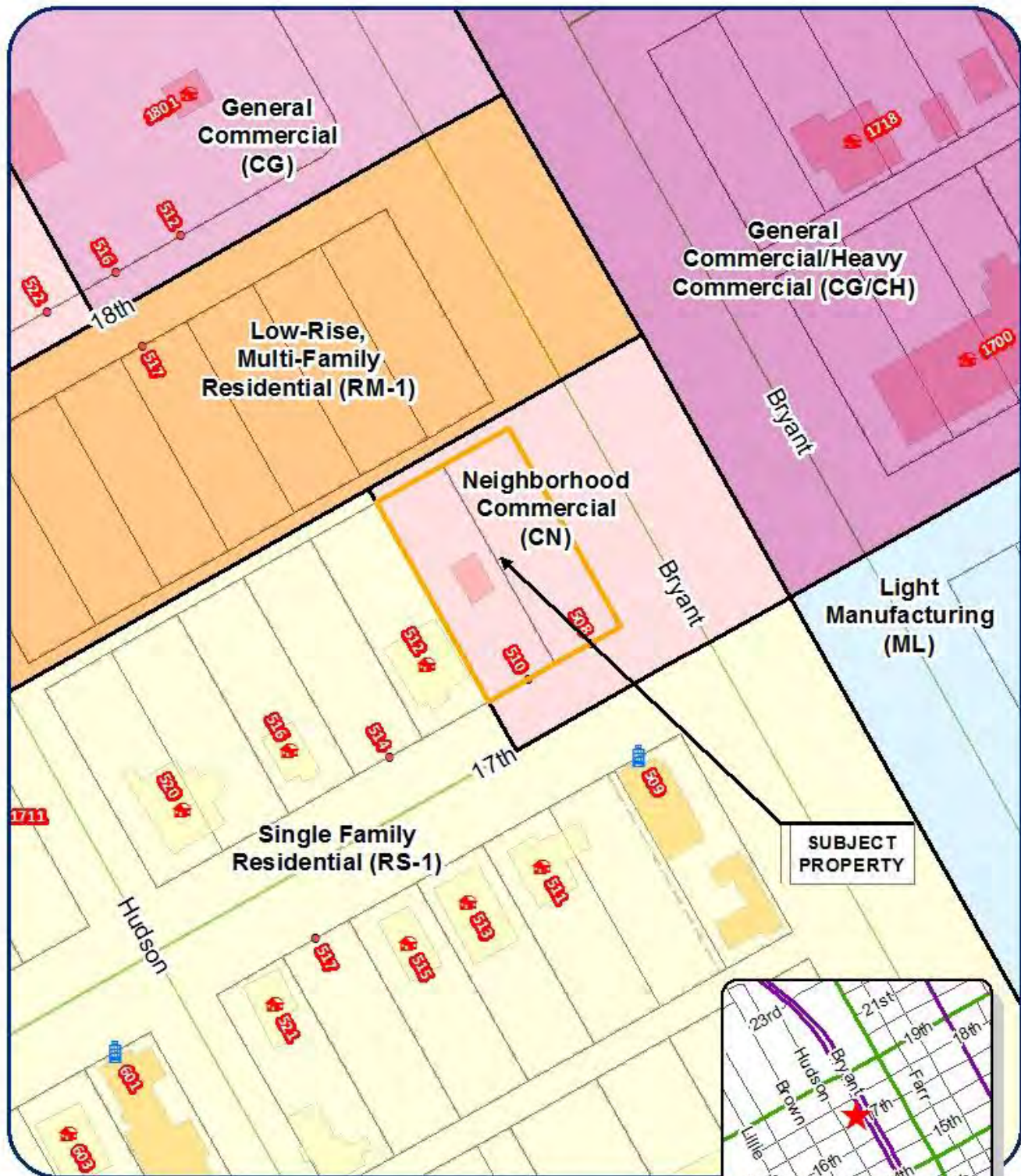
SU17-01: Hargraves (Amendment)

Council District: District 4 (Gonzales)
 Neighborhood: Blackshear
 Scale: 1 Inch :: 100 Feet
 Legal Description: Lots 16 and 17, Blk 1, Minneola Add'n

Legend

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






Zoning Map

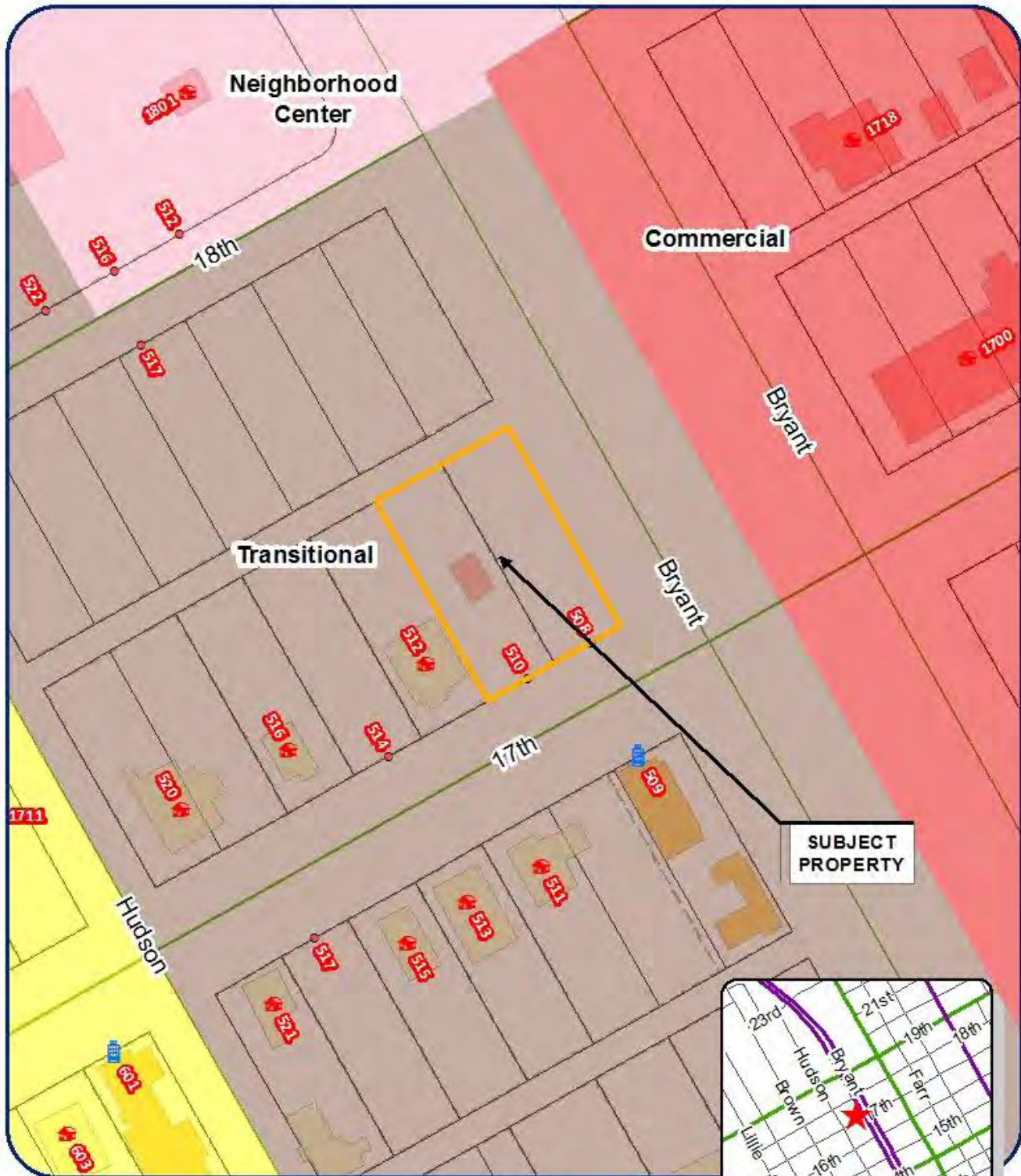
SU17-01: Hargraves (Amendment)

Council District: District 4 (Gonzales)
 Neighborhood: Blackshear
 Scale: 1 Inch :: 100 Feet
 Legal Description: Lots 16 and 17, Blk 1, Minneola Add'n

Legend

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






Future Land Use Map

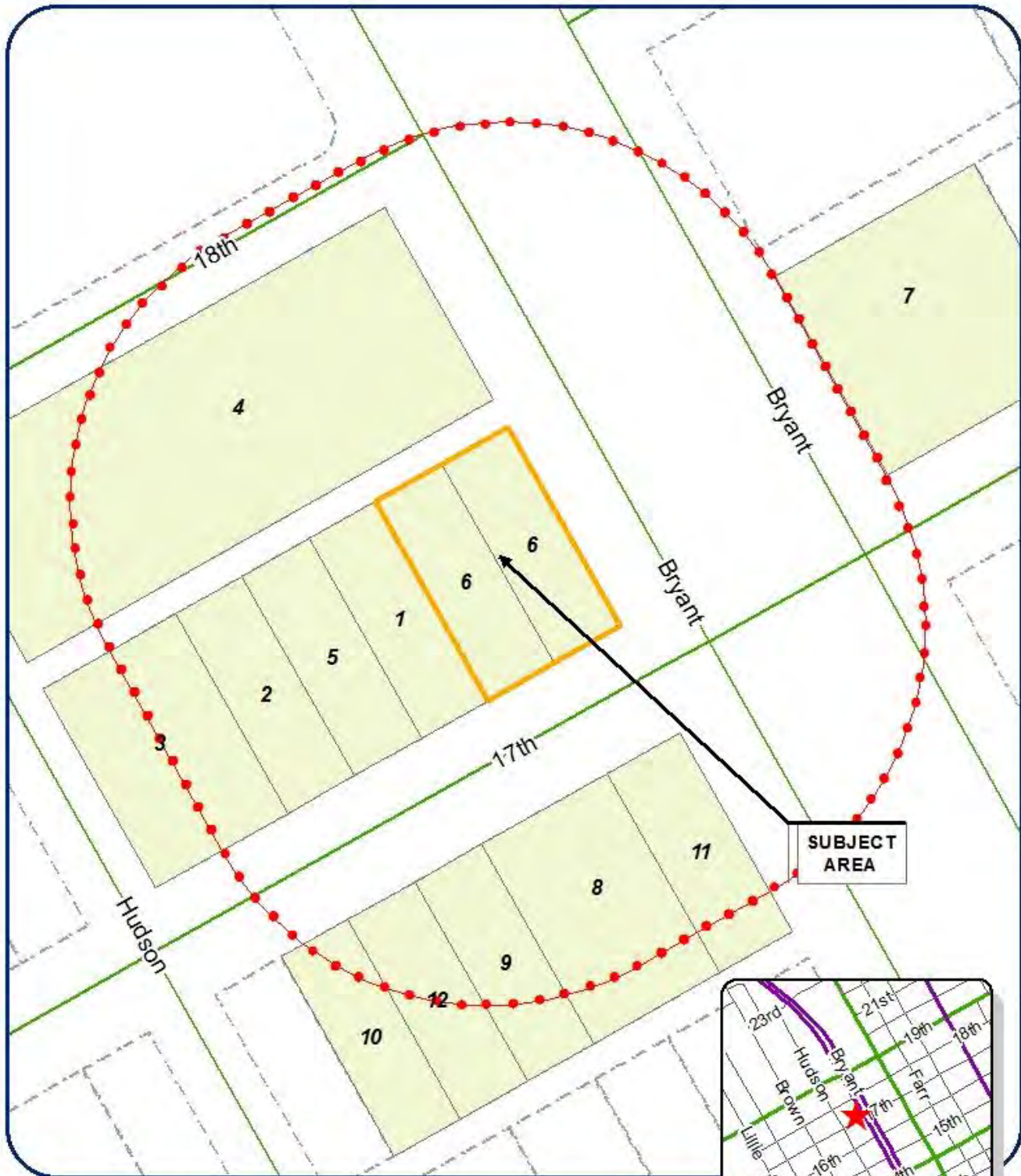
SU17-01: Hargraves (Amendment)

Council District: District 4 (Gonzales)
 Neighborhood: Blackshear
 Scale: 1 Inch :: 100 Feet
 Legal Description: Lots 16 and 17, Blk 1, Minneola Add'n

Legend

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





Notification Map

SU17-01: Hargraves (Amendment)


Council District: District 4 (Gonzales)

Neighborhood: Blackshear

Scale: 1 Inch :: 100 Feet

Legal Description: Lots 16 and 17, Blk 1, Minneola Add'n

Legend

Subject Properties: 

Current Zoning: **CN**

Requested Zoning Change: **N/A**

Vision: **Transitional**



Site Photos
Front of Property



Current Building on Property



Adjacent Residential Home



MEMO

**Meeting**

Dates: March 19, 2018

To: Planning Commission

From: Jon James, AICP
Director

Request: Text Amendment to Article 3, Section 310.E and Section 315.H.3.c of the Zoning Ordinance, and Article 4, Section 411 of the Zoning Ordinance

Background:

The attached is an amendment to Article 3, Section 310.E and Section 315.H.3.c of the Zoning Ordinance, and Article 4, Section 411 of the Zoning Ordinance, to remove the Use Category of "Game Hall" from the Zoning Ordinance.

At the Planning Commission meeting on September 18, 2017, a rezoning of Sunset Mall was recommended. During this meeting the mall raised some concerns dealing with the use categories of potential businesses. The use category of "Game Hall" was discussed, and how any business under this category would not be allowed at the mall without a Conditional Use.

After researching what type of businesses are allowed under Retail Sales & Services versus Game Hall categories, Staff has concluded that the Use Category of Game Hall is an outdated term that is no longer applicable. Therefore staff is requesting to remove it from the Zoning Ordinance, and instead allow those businesses that fall under the Game Hall Use Category to be reclassified under "Indoor Entertainment, Retail Sales & Services."

The following is a list of businesses in the City that were or could be classified as Game Halls:

Name of Business	Type of Business	How Effected
Strike It Rich	Bingo	<ul style="list-style-type: none"> • Zoned PD • PD (PD06-03) allows Retail Sales/Services and Game Hall. • PD would still be applicable
The Bloo Kangaroo	Arcade	<ul style="list-style-type: none"> • Zoned CG/CH • Located inside the Mall • Would now fall under Retail Sales/Services
Fast Eddie's	Billiards/Pool Hall	<ul style="list-style-type: none"> • Zoned CG • Has a CU (CU07-01) in place to allow Billiards • Would now fall under Retail Sales/Services and CU would no longer be applicable
Giz-N-Humms	Billiards/Pool Hall	<ul style="list-style-type: none"> • Zoned CG/CH • No CU in place, so currently not in compliance • Would now fall under Retail Sales/Services

Attachment: Proposed Text Amendment

ARTICLE 3 USE REGULATION

Section 310.E Use Table

Game Hall	a game arcade, bingo, billiard or pool hall	*	-	-	-	-	-	-	-	-	-	-	-	€	-	€	-	€	€	A
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ARTICLE 3 USE REGULATION

Section 315.H.3.c Retail Sales and Services – Entertainment Oriented

Entertainment Oriented: Restaurants, cafes, delicatessens; indoor continuous entertainment activities such as arcades, bingo, billiards/pool halls, dance halls; theaters, health clubs, gyms, membership clubs and lodges; hotels and motels. (Subsection c. amended by sec. 3, Ordinance adopted 4/15/14)

ARTICLE 4 SPECIFIC USE STANDARDS

~~Sec. 411. Game Hall (Video Arcade, Bingo, Billiard/Pool Hall)~~

~~No Game Hall shall be allowed within 500 feet of a lot or tract of land occupied by any building used for a public or private school offering a curriculum equivalent to an elementary or secondary school.~~

MEMO



Meeting

Date: March 19, 2018

To: Planning Commission

From: Jon C. James, AICP
Director

Request: Text Amendment to the Land Development and Subdivision Ordinance, Chapter 1, General Provisions, Section IV, Variances, Subsection C, Appeal to City Council, Chapter 5, Procedural Requirements For Processing Subdivisions, Section III Stages of Preliminary Review, Subsection A, Major Subdivisions & Subsection C, Administrative Subdivisions, and Chapter 7, Specifications for Preliminary Plats, Final Plats, and Replats, Section I, Preliminary Plat & Section II, Final Plat

Background:

This Text Amendment to Chapters 1, 5, and 7 of the Land Development and Subdivision Ordinance is for the following:

1. Allowing interpretations of the Subdivision Ordinance to be made by the Planning Director, with appeals to City Council.
2. Permitting the Planning Director or Director of Public Works to appeal subdivisions (i.e. plats), approved or denied by the Planning Commission, to City Council.
3. Eliminating the requirement to submit thirteen copies of a Preliminary Plat, Final Plat, Replat, or Administrative Subdivision to the Planning Department. Instead, only one paper copy need be submitted or a copy may be submitted electronically.
4. Amending the deadline for plat applications to reflect current Planning Department requirements for submittals and posted on the Department's website.

5. Deleting an outdated meeting time for the Plat Review Committee.
6. Removing the specifications for Preliminary Plats, Final Plats, and Replats and providing for their submittal consistent with checklists posted on the Planning Department's website.

The Development Task Force will be reviewing the proposed Text Amendment on March 21, 2018. The Planning & Development Services Department anticipates bringing it before City Council on April 3rd and April 17th of 2018.

EXHIBIT C
LAND DEVELOPMENT AND SUBDIVISION ORDINANCE

CHAPTER 1
GENERAL PROVISIONS

SECTION II: AUTHORITY

This Ordinance is intended for the use of subdividers and developers as a guide to City requirements. These requirements must be abided by, unless exceptions or variances are explicitly granted by the Planning Commission and/or City Council. Any items requiring interpretation or not covered in these requirements will be resolved by the City Council Planning Director ~~after any necessary review and recommendation of appointed boards and commissions and the City staff.~~ Any unfavorable decision may be appealed to the City Council. These requirements may be amended from time to time based on changing conditions in the City.

SECTION IV: VARIANCES AND APPEALS

C. Appeal to City Council. Action taken by the Planning Commission on a requested variance from the terms of this Ordinance shall be considered the final decision on said request, unless that decision is appealed to City Council by the developer or city, in which case the City Council is authorized to reverse, modify or affirm any such decision of the Planning Commission. Notwithstanding procedural requirements of the City Charter, a majority vote of City Council members present shall be necessary to reverse or modify such decision of the Planning Commission.

1. An appeal of action taken by the Planning Commission on a subdivision or requested variance must be made in writing, signed by the developer, or by the Director of Planning or Director of Public Works if the appeal is by the City, and received in the office of the Director of Planning within thirty (30) days following the Planning Commission's action.

2. The City Council shall consider an appeal within thirty (30) days following the timely receipt of the written appeal by the office of the Director of Planning.

CHAPTER 5
PROCEDURAL REQUIREMENTS FOR PROCESSING SUBDIVISIONS

SECTION III: STAGES OF DEVELOPMENT REVIEW

A. Major Subdivisions.

2. Preliminary Plat.

a. Deadline for submission. ~~Thirteen paper~~ Copies of the preliminary plat must be submitted to the Planning Department ~~no later than 5:00 p.m. on the third Monday before the City Planning Commission meeting at which the applicant desires to have the Plat reviewed~~ in accordance with submittal deadlines posted on the Planning Department's website.

b. Plat Review Committee. ~~The Plat Review Committee meets approximately one week before the City Planning Commission.~~ Members of this committee include representatives from both the Department of Planning and the Department of Public Works, as well as other affected municipal departments or public agencies. The purpose of the committee's meeting is to develop a unified recommendation from the City staff, and to resolve technical considerations prior to the City Planning Commission's meeting, in response to particular proposals for subdivision. The applicant or his representative is strongly encouraged to attend this meeting.

c. Planning Commission action.

5) The Planning Commission's action shall be considered final, not requiring subsequent consideration by the City Council, unless that decision is appealed to City Council which is hereby authorized to reverse, modify or affirm any decision made by the Planning Commission, on a preliminary plat. Notwithstanding procedural requirements of the City Charter, a majority vote of the City Council members present shall be necessary to reverse or modify such decision made by the Planning Commission.

(i) An appeal of the Planning Commission's decision on a preliminary plat must be made in writing, ~~signed by the developer,~~ and provided to the Director of Planning within thirty (30) days following the Planning Commission's decision.

(ii) This appeal must be presented to the City Council within thirty (30) days following the Planning Director's receipt of such appeal.

3. Final Plat.

a. Deadline for submission. ~~Thirteen paper~~ Copies of the preliminary plat must be submitted to the Planning Department ~~no later than 5:00~~

~~p.m. on the third Monday before the City Planning Commission meeting at which the applicant desires to have the Plat reviewed~~ in accordance with submittal deadlines posted on the Planning Department's website.

(4) The Planning Commission's action shall be considered final, not requiring subsequent consideration by the City Council, unless that decision is appealed to City Council which is hereby authorized to reverse, modify or affirm any decision made by the Planning Commission, on a final plat. Notwithstanding procedural requirements of the City Charter, a simple majority vote of the City Council members present shall be necessary to reverse or modify such decision made by the Planning Commission:

(i) An appeal of the Planning Commission's denial of a final plat must be made in writing, ~~signed by the developer,~~ and provided to the Director of Planning within thirty (30) days following the Planning Commission's denial.

(ii) This appeal must be presented to the City Council within thirty (30) days following the Planning Director's receipt of such appeal.

C. Administrative Subdivisions.

2. Review Process. ~~Seven (7) paper~~ Copies of the proposed plat shall be submitted to the Planning Director, ~~with a maximum sheet size of 18" x 24" unless an alternative size is specifically authorized by the Planning Director~~ in accordance with submittal deadlines posted on the Planning Department's website, along with the completed application form and appropriate application fee. Within a period of not more than ten (10) working days from the filing date of an application for subdivision, the Planning Director shall have approved it as an administrative subdivision, or the application shall be referred for consideration by the City Planning Commission. An application referred to the City Planning Commission shall be scheduled for consideration at the next regular meeting of the Commission, if said application was originally submitted by the deadline date for that next regular meeting. ~~Also, if an application is referred for consideration by the City Planning Commission, the applicant shall provide an additional six (6) copies for distribution to locally franchised utility services.~~ A decision by the Planning Director to approve an application for administrative approval, or to forward that application for consideration by the City Planning Commission, shall be communicated in writing to the applicant.

CHAPTER 7 SPECIFICATIONS FOR PRELIMINARY PLATS, FINAL PLATS AND REPLATS

SECTION I: PRELIMINARY PLAT

All plats shall be prepared in a clear, readable manner and shall be prepared in accordance with requirements established by the Planning Director, approved by the Planning Commission, as posted on the Planning Department's website. All figures and letters shown must be plain, distinct, and of sufficient size to be easily read. The paper copies submitted with the application shall be of sufficient quality so that all features are easy to read. A scale of one inch (1") to two hundred feet (200') is generally recommended for preliminary plats. Each preliminary plat shall contain the following information:

-the remainder of Section I shall be eliminated-

SECTION II: FINAL PLAT

All plats shall be prepared in a clear, readable manner and shall be prepared in accordance with requirements established by the Planning Director, approved by the Planning Commission, as posted on the Planning Department's website. All figures and letters shown must be plain, distinct and of sufficient size to be easily read. The paper copies submitted with the application shall be of sufficient quality so that all features are easy to read. The final plat shall generally conform to the preliminary plat, as approved by the City Planning Commission. A scale not smaller than one hundred feet (100') to one inch (1") shall be used with a maximum sheet size of 18" x 24", unless an alternative size is specifically authorized by the Planning Director. Where more than one sheet is required, an index sheet shall be submitted showing the entire subdivision on one sheet. After the final plat is approved by the appropriate municipal authority, and all public improvements have been installed and accepted, or appropriate performance guarantees accepted, the subdivider shall furnish the Planning Department with at least four positive copies of the approved plat. Two of these positive copies shall be made of Mylar film (or a comparable substitute) .003 inch thick and with a matte finish on the front side, with the print on at least one such film being a "black line" suitable for permanent recording with the County Clerk. The print on the other required film copy may be either a black line or sepia tone. The remaining two positive copies required shall be made of paper. All four required copies shall include a signed certificate (with one "black line" film bearing an original signature) of ownership and dedication. All four such copies shall be no larger than 18" x 24" in size, to ensure their suitability for filing in the Tom Green County Clerk's Plat Records; however, an alternative size

~~may be authorized by the Planning Director working in conjunction with the Tom Green County Clerk. A film copy printed in black line and bearing an original signature of the subdivision's owner(s) shall be returned to the subdivider or a representative, with all necessary signatures of City officials required for recording of that instrument with the Tom Green County Clerk. The subdivider or a representative shall thence notify the Planning Department, in writing, within seven calendar days of the date of the plat's recording with the County Clerk, identifying all appropriate recording data for that plat.~~

~~-the remainder of Section II shall be eliminated-~~