

PLANNING COMMISSION – November 19, 2018
STAFF REPORT



APPLICATION TYPE:	CASE:
Final Plat (Resubmittal)	Trinity West, Section Three

SYNOPSIS:
 On August 19, 2013, the Planning Commission approved a final plat for the same 18-lot subdivision but the approval expired because the plat was not recorded within the required three (3) year period. The applicant has resubmitted this final plat containing the same acreage and lot configurations as previously approved. All of the lots exceed the minimum lot area of 5,000 square feet, minimum lot width of 50 feet, and minimum lot depth of 100 feet in the Single-Family Residential (RS-1) Zoning District. The 16 interior lots contain 62-foot frontages and 102-foot lot depths, and the two corner lots contain 78.73-foot frontages and 102-foot lot depths in compliance.

LOCATION:	LEGAL DESCRIPTION:		
An unaddressed tract located south of the intersection of Merrick Street and Canadian Street	Being 3.353 acres out of and part of that certain 10.872-acre tract described and recorded by deed and recorded as Instrument No. 616893.		
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Tommy Hiebert (SMD#1) Neighborhood: Country Club	RS-1 – Single-Family Residential	N - Neighborhood	3.353 acres

THOROUGHFARE PLAN:
Twin Mountain Drive – Urban Arterial Street
 Required: 80’ right-of-way, 64’ pavement
 Provided: 100’ right-of-way, 64’ pavement
Merrick Street (Proposed Extension)– Urban Local Street
 Required: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4-foot sidewalk
 Provided: 50’ right-of-way, **40’ pavement or 36’ pavement with a 4-foot required prior to plat recordation**

NOTIFICATIONS:
 N/A

STAFF RECOMMENDATION:
 Staff recommends **APPROVAL** of a resubmittal of Trinity West, Section Three, subject to **eight conditions of approval**

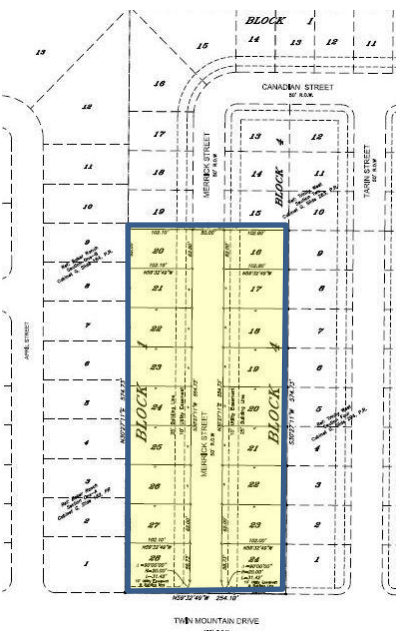
PROPERTY OWNER/PETITIONER:
*Property Owner: Sierra Vista Construction,
 Mr. Danny Agüero*
*Agent: SKG Engineering, LLC,
 Mr. Herb Hooker*

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

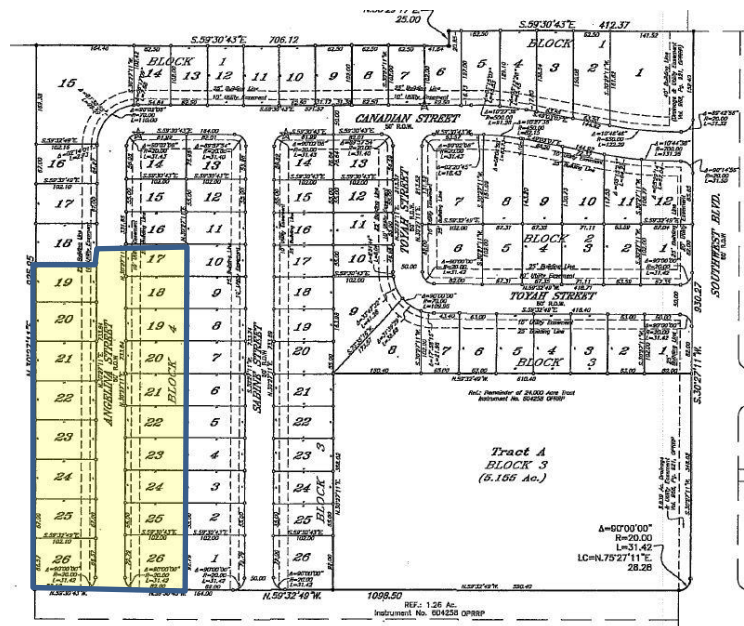


Conformity with Preliminary Plat: Chapter 5.III.A.3 of the Subdivision Ordinance states that “a final plat shall generally conform to the preliminary subdivision plat as approved by the City Planning Commission.” On July 17, 2006, the Planning Commission approved a “Preliminary Plat for Trinity West” which includes the subject area. The proposed final plat is the last section within the Trinity West preliminary plat to be platted as all previous phases have been platted. The proposed plat contains 18 lots consistent with the remaining area in the preliminary plat along Merrick Street which also has 18 lots. There is a slight variation in lot width by 5 feet due to lots in the previous phase (Section 4) being either slightly larger (on the west side of Merrick St) or slightly smaller (on the east side of Merrick St). However, the proposed configuration is better because it evens out the offsets – lots now directly face each other with equal frontages. The Planning Division is satisfied that the final plat generally conforms to the governing preliminary plat.

**PROPOSED FINAL PLAT
(18 LOTS)**



**GOVERNING PRELIMINARY PLAT
(18 LOTS)**



Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.2(c)(4) of the Subdivision Ordinance states that the Planning Commission may “deny approval of the preliminary plat, if the Commission finds the preliminary 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.”

Comprehensive Plan

The subject property is designated “Neighborhood” in the City’s Comprehensive Plan. The “Neighborhood” polices call to “promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo’s neighborhoods. The proposed plat will be the final phase of the Trinity West area, and the proposed single-family lots are consistent with previous phases in terms of size and configuration. The Planning Division is satisfied the new lots conform to the Neighborhood policies.

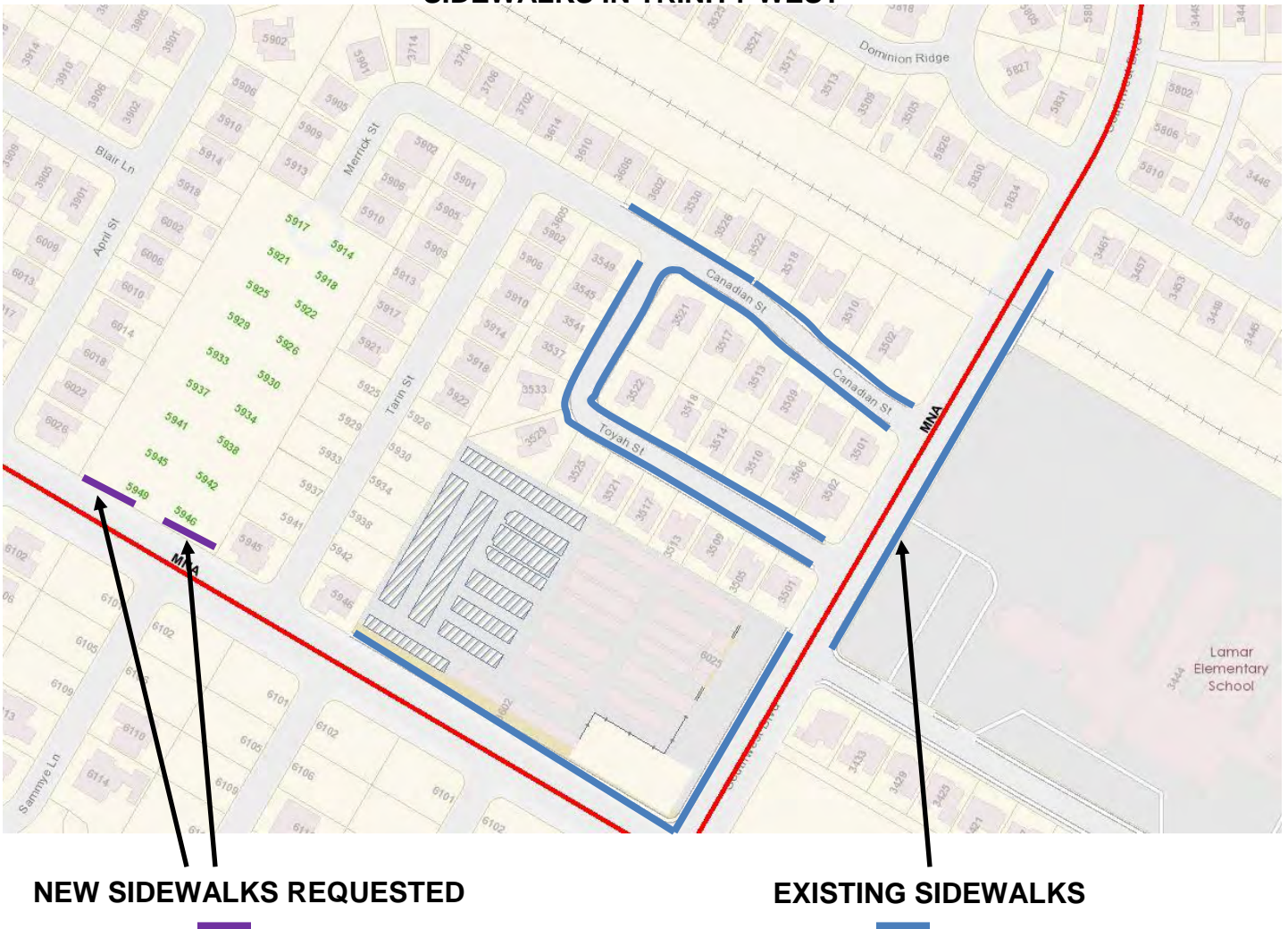
Intent of Purpose Statements

The proposed final plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe, and efficient development of the City (Statement C); streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation (Statement D); and will assist in guiding the future growth and development of the City in accordance with City plans and requirements (Statement E). The proposed plat will allow the continuation of Merrick Street to Twin Mountain Drive, providing through access to this minor arterial street. As indicated, the proposed lot configurations are consistent with past approvals and will provide safe and convenient access through the subdivision.

Request and Rationale for Sidewalks

The Planning Division is requesting a sidewalk along the north side of Lots 24 and 28 adjacent to Twin Mountain Drive consistent with Chapter 9.V of the Subdivision Ordinance for public safety and pedestrian connectivity. The sidewalk will provide an additional pedestrian access route along Twin Mountain Drive, closing the gap between to the existing sidewalk located approximately 250 feet to the east. The sidewalk to the east extends to Southwest Boulevard and northward to Lamar Elementary School. Sidewalks would be preferable within the entire subdivision, especially given that sidewalks were installed as part of Trinity West, Section 1 on both sides of Canadian Street and Toyah Street (see below). However, they were not extended as part of the Section 2 and 4 plats and the proposed street width meets the current ordinance minimum for a street without sidewalks. Therefore, staff does not believe a sidewalk along Merrick Street should be required at this time.

SIDEWALKS IN TRINITY WEST



NEW SIDEWALKS REQUESTED

EXISTING SIDEWALKS

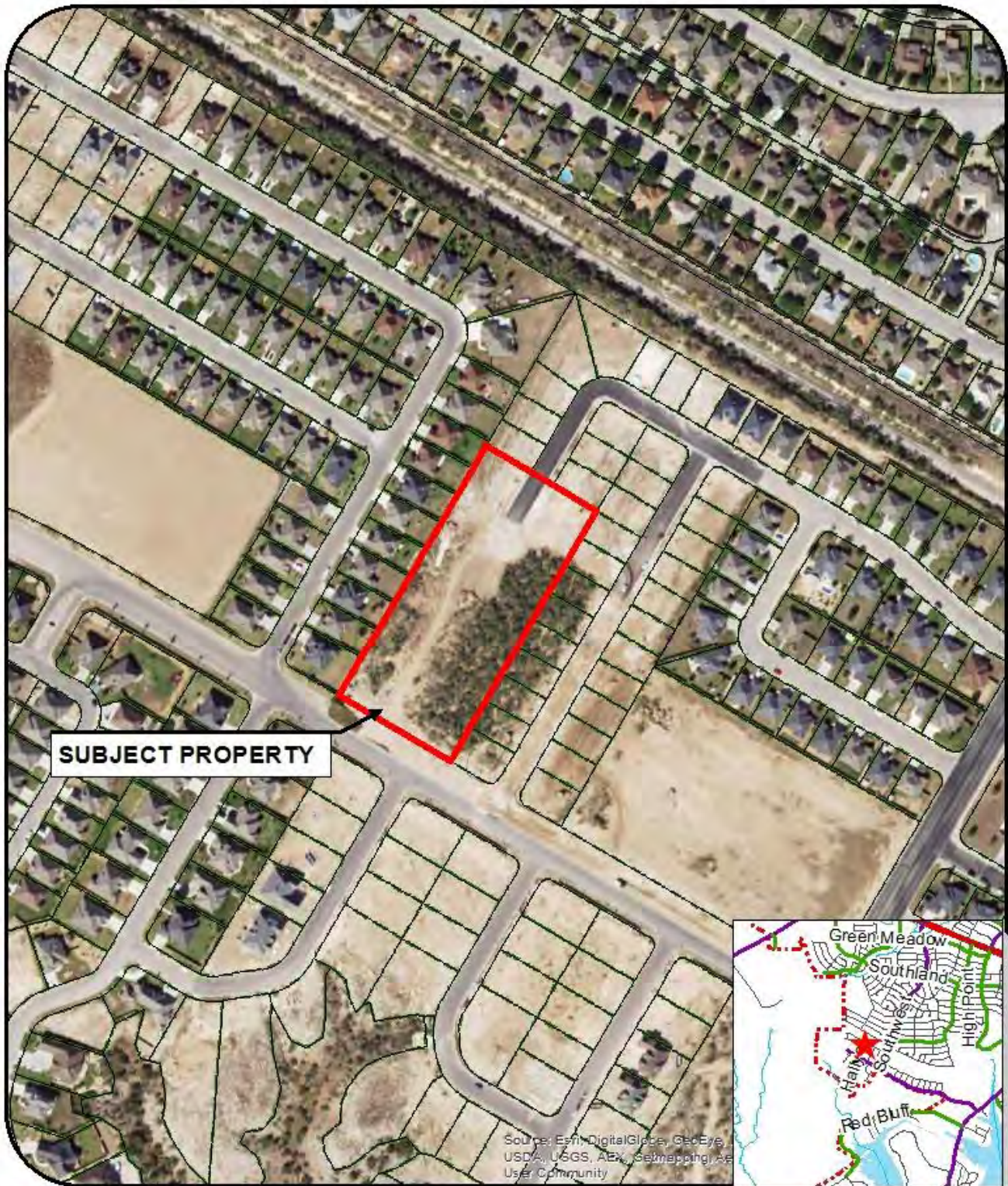
Recommendation: Staff recommends that the Planning Commission **APPROVE** a resubmittal of Trinity West, Section Three, subject to **eight Conditions of Approval**.

1. Prior to plat recordation, per Subdivision Ordinance, Chapter 7.II.A provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, per Subdivision Ordinance, Chapter 9.V, City of San Angelo Standards and Specifications, prepare and submit plans for approval, illustrating the proposed installation of a sidewalk along the right-of-way of Twin Mountain Drive adjacent to the new lots 28 and 24, and complete the installation in accordance with the approved version of these plans. If placement of sidewalks is not feasible within the public right-of-way, easement(s) shall be provided and illustrated on the plat.
 - Alternatively, as per Land Development and Subdivision Ordinance, Chapter 6, prior to recordation of the plat, submit a financial guarantee ensuring the completion of these improvements within an 18 month period;
 - A second alternative would be to allow submission of these plans and installation of these sidewalks to be deferred and constructed prior to a final Certificate of Occupancy;
 - A third alternative as per Land Development and Subdivision Ordinance, Chapter 1.IV would be to obtain approval of a variance from the Planning Commission.
3. Prior to plat recordation, per Section 507 of the International Fire Code, a fire hydrant needs to be added near the south end of Merrick Street so no point on any of the lots is more than 600' of hose lay from the nearest fire hydrant. The fire hydrant across Twin Mountain Drive cannot be used because it would obstruct the main access.
4. Prior to plat recordation, a drainage study shall be submitted per Stormwater Ordinance, Section 12.05.001 and Stormwater Design Manual, Sec 2.13. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
5. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants per Land Development and Subdivision Ordinance, Chapter 11.I.A, 2009 International Fire Code, Sec. 507.5.1, Exception 1, and complete the installation in accordance with the approved version of these plans per Land Development and Subdivision Ordinance, Chapter 11.I.B.
 - Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period per Land Development and Subdivision Ordinance, Chapter 6.
6. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections per Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications and complete the installation in accordance with the approved version of these plans per Land Development and Subdivision Ordinance, Chapter 12.I.B.

- Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18-month period per Land Development and Subdivision Ordinance, Chapter 6.
7. Prior to plat recordation, install necessary water and wastewater service lines to each new lot per Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1.
 8. Prepare and submit plans for approval, illustrating the required construction of Merrick Street, meeting the requirements for an Urban Local Road with a minimum 40' of pavement, curb-and-gutter required [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications per Land Development and Subdivision Ordinance, Chapter 10.
 - Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period per Land Development and Subdivision Ordinance, Chapter 6.

Attachments:

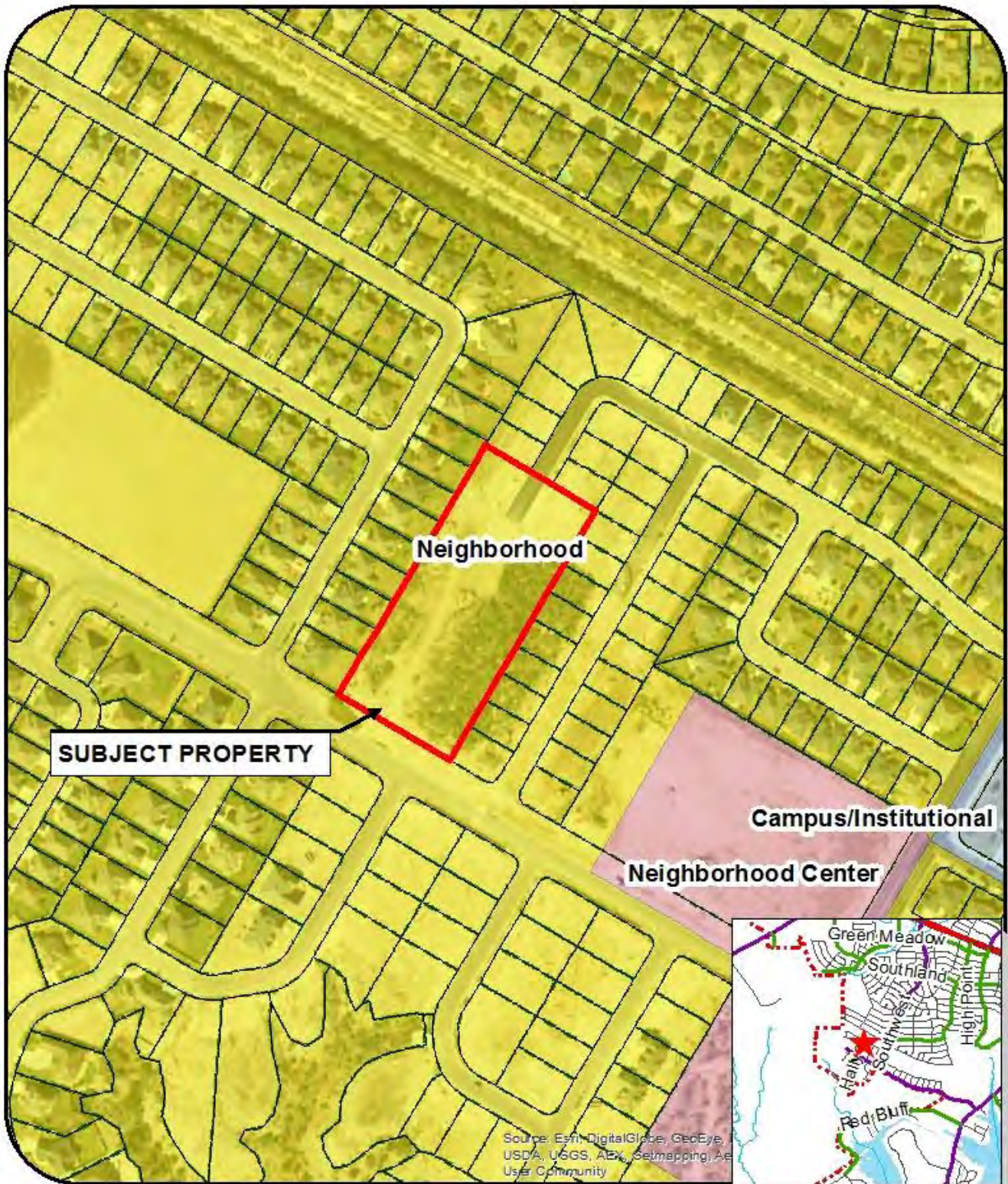
Aerial Map
Future Land Use Map
Zoning Map
Proposed Final Plat
Application



Final Plat
Trinity West, Section Three
Council District: Tommy Hiebert (SMD#1)
Neighborhood: Country Club
Scale: 1" approx. = 250 ft
Subject Property: Unaddressed Tract, south of Merrick/Canadian 3.353 acres

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

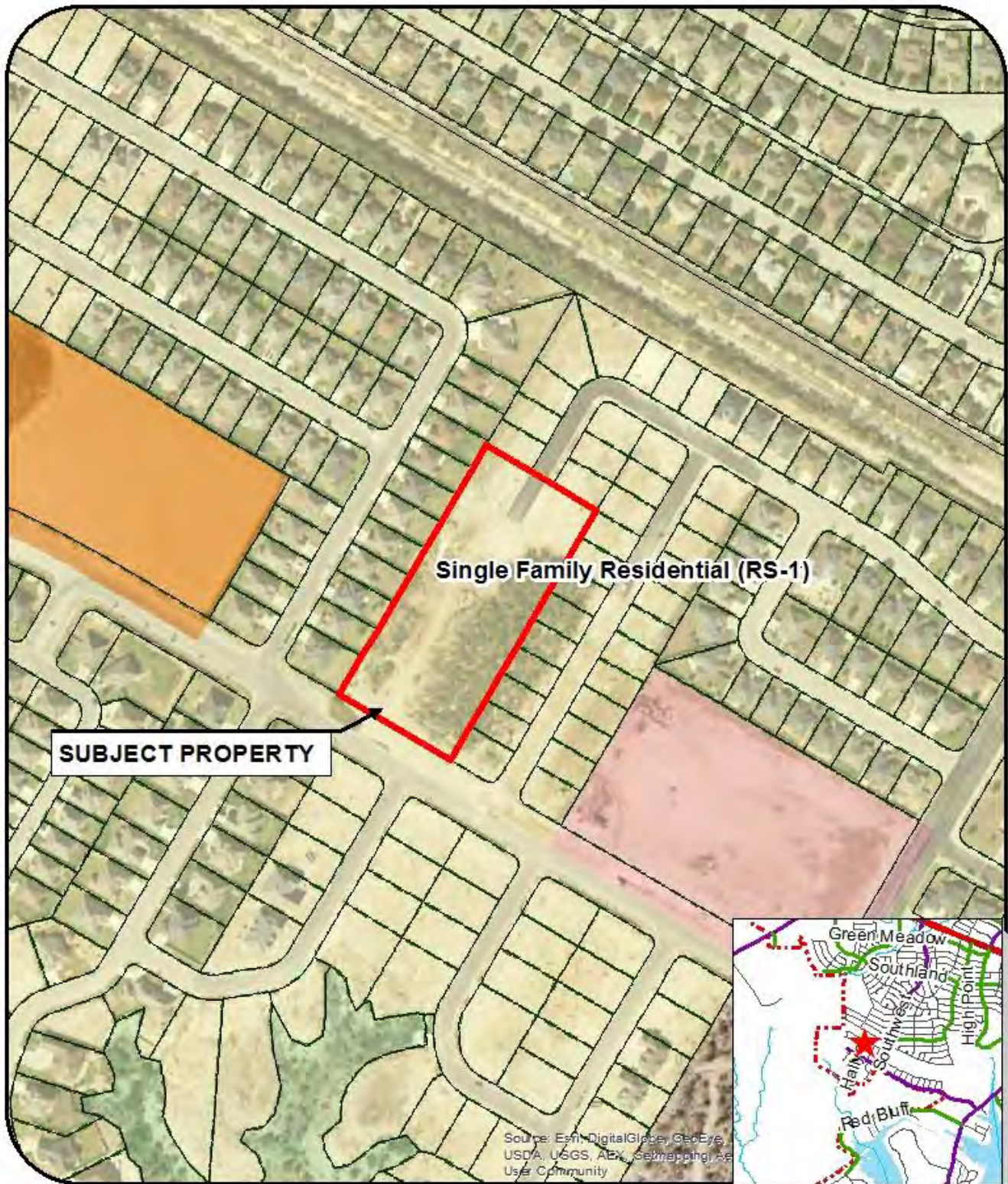




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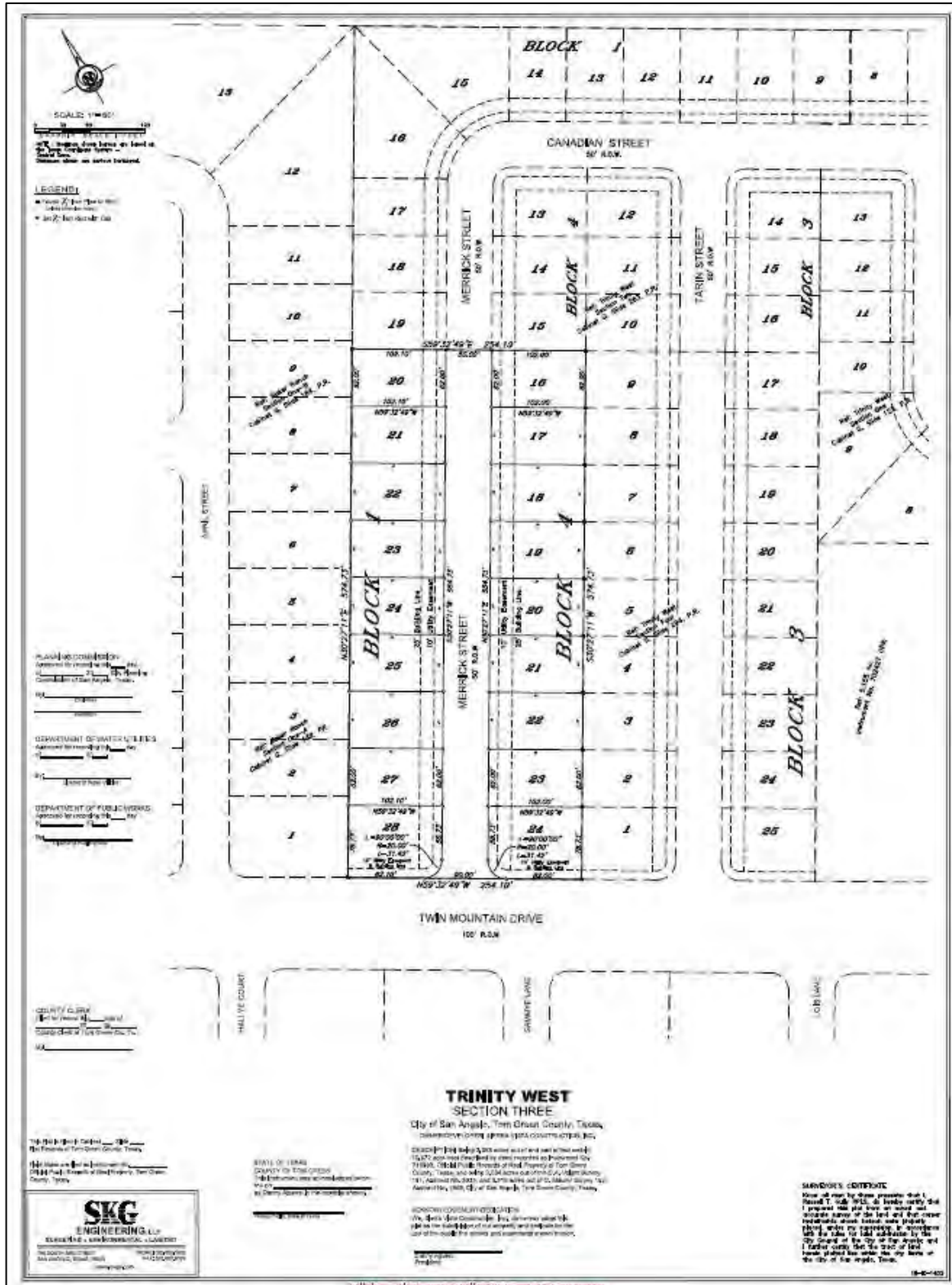


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Council District: Tommy Hiebert (SMD#1)
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Legend:
Subject Properties: 
Current Zoning: **RS-1**
Requested Zoning: **N/A**
Vision: **Neighborhood**



Proposed Final Plat





City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

Trinity West, Section Three

Proposed Subdivision Name

Abst: A-1649 S-0182, Survey: G MAURER, 3.368 ACRES

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

38-01649-0100-000-00

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: Randy Jones 325-374-2199 Sierravistaconstruction@live.com
 Name Phone Number Email Address

Property Owner: Sierra Vista Construction, Inc. 325-374-2199 sierravista1916@live.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? 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:

Section 3: Property Characteristics

3.353 18

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

Existing Zoning:

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

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

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

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

Vacant 3.353 Single-Family Residential _____ Office _____

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

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

Vacant _____ Single-Family Residential 3.353 Office _____

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

Are there existing structures on the property? Yes No

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

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

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

Kenny Brewer
 Owner's Signature

John Kelly
 Representative's Signature

10-17-18
 Date

10.22.18
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/24/18 Date Deemed preliminary complete. 10/24/18 3:00pm Date Time JK Initials

Received by Development Services Technician for completeness review: 10/24/18 3:05pm Date Time JK Initials

Completeness review passed? Yes 10/24/18 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 10/1/19 Date JK Initials

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

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

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

Yes _____ Date No _____ Date

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____

PLANNING COMMISSION – November 19, 2018

STAFF REPORT



APPLICATION TYPE:		CASE:	
Revised Preliminary Plat		Revised Preliminary Plat for San Angelo Gateway Addition, Section 2	
SYNOPSIS:			
<p>On November 13, 2017, the Planning Commission approved a Preliminary Plat for 206.242 acres of land north of Gateway Drive and Venture Drive for Section 2 of the San Angelo Gateway Addition. This area is north of the existing San Angelo Industrial Park. The new preliminary plat will remove the 53.1280-acre AEP property to the southwest which has already been developed; reduce the number of remaining lots from 20 to 5; reduce the number of blocks from 4 to 3; and remove the proposed “Prosperity Drive”, a north-south street planned to connect the northerly extension of Gateway Drive to Monument Drive. The purpose of the revised preliminary plat is to provide greater flexibility in the sale of lots and consistency with future improvement plans for roads and utilities. The City will enter into a Memorandum of Understanding (MOU) with the current property owner, City of San Angelo Development Corporation (COSADC), for extension of utilities and paving the full width of streets. Future extension of streets and utilities can be achieved at time of final platting, and are not required for approval of this preliminary plat.</p>			
LOCATION:		LEGAL DESCRIPTION:	
Unaddressed tracts located north of Gateway Drive and Venture Drive		Being a remainder of 153.114 acres of 406.674 acres in the C.C.S.D. & R.G.N.G.R.R Co. Survey No. 1111.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lucy Gonzales (SMD#4) Neighborhood: Paulann	ML – Light Manufacturing	I – Industrial, C – Commercial & Campus/Institutional C/I	0.69 acres
THOROUGHFARE PLAN:			
<p>North Loop 306 (TXDOT) – Urban Major Arterial Street Required: 80’ right-of-way, 64’ pavement Provided: 300’ right-of-way, 280’ pavement</p> <p>Gateway Drive (proposed extension), Monument Drive – Urban Local Streets Required: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4-foot sidewalk Provided: 80’ right-of-way, pavement to be provided at time of final platting</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Revised Preliminary Plat for San Angelo Gateway Addition, Section 2			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner: City of San Angelo Development Corporation (COSADC)</i> <i>Agent: Mr. Robert A. Schneeman, COSADC</i> <i>Engineer: Mr. Josh Wallander - Parkhill, Smith & Cooper Inc.</i></p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Conformity with Comprehensive Plan and Intent of Purpose Statements: Chapter 5.III.A.2(c)(4) of the Subdivision Ordinance states that the Planning Commission may “deny approval of the preliminary plat, if the Commission finds the preliminary 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.”

Comprehensive Plan

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

Intent of Purpose Statements

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

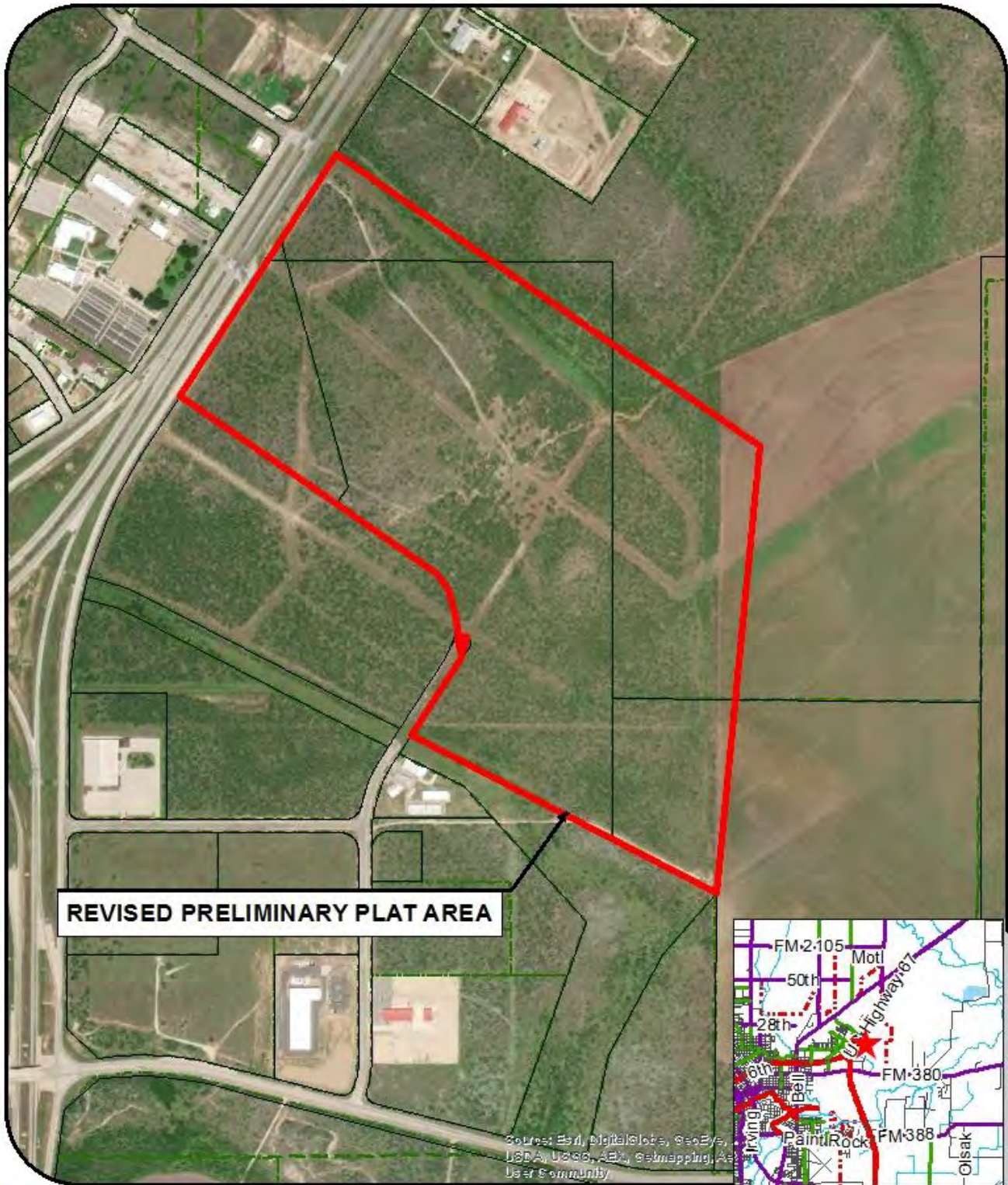
The Planning Division is satisfied that removal of additional lots and Prosperity Drive in this revised preliminary plat will still insure a safe and functional transportation network. The AEP site immediately to the southwest which was part of the original preliminary plat is also of larger acreage. The new MOU between the City and COSAC will provide assurance that all future roads and utility extensions will be constructed as required.

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

APPROVE the “Revised Preliminary Plat for San Angelo Gateway Addition, Section 2”

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Proposed Revised Preliminary Plat
Rationale Letter from COSADC
Application



REVISED PRELIMINARY PLAT AREA

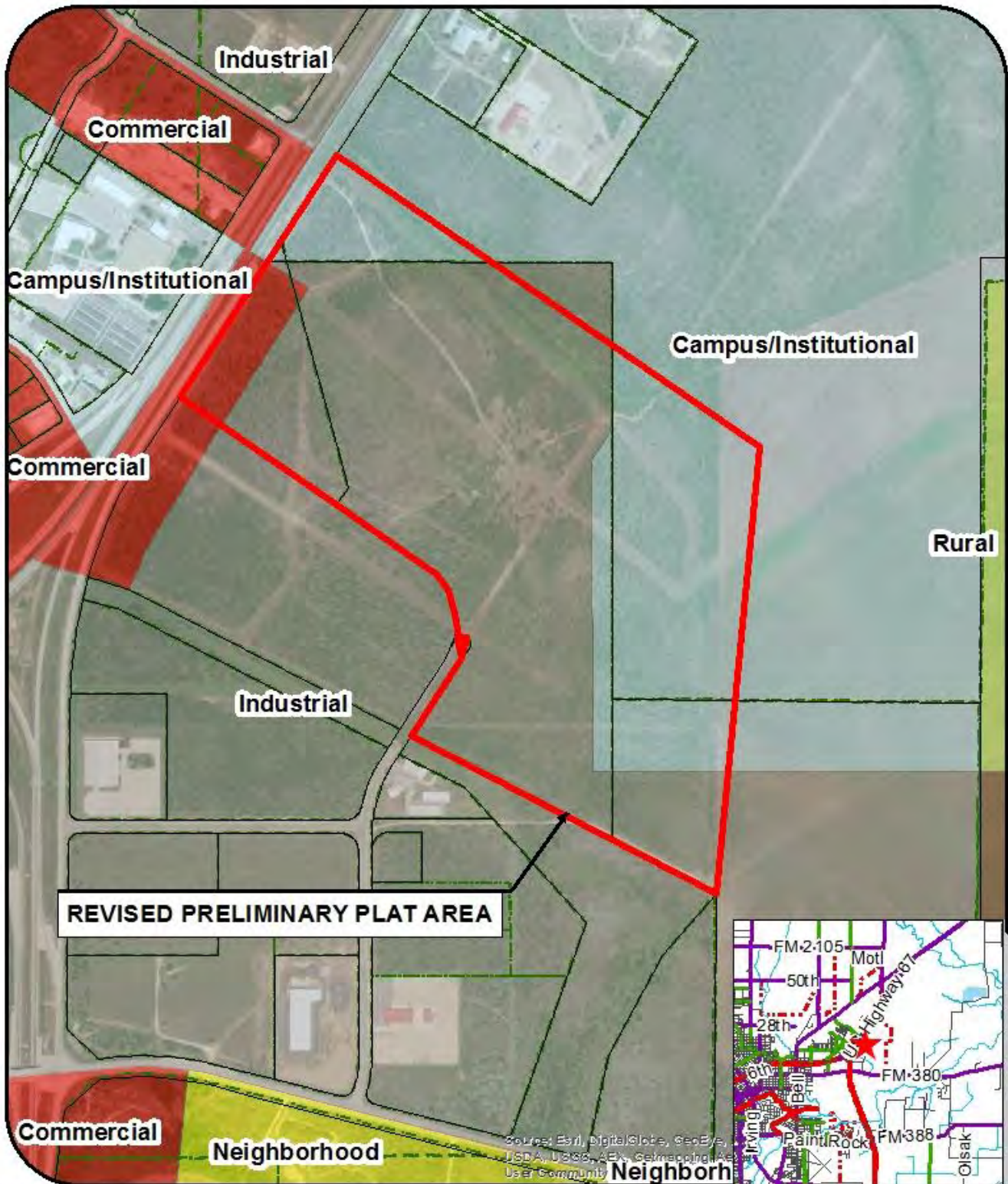
Source: Esri, DigitalGlobe, GeoEye, USA, USDA, USGS, Aero, GeoMapping, Aero, User Community

Revised Preliminary Plat
San Angelo Gateway Addition, S. 2
 Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 750 ft
 Subject Property: Unaddressed Tracts, Gateway/Venture Drive, 153.114 acres

Legend:
 Subject Properties:
 Current Zoning:
 Requested Zoning:
 Vision:

—
 ML
 N/A
 Industrial,
 Commercial, Campus / Institutional

N



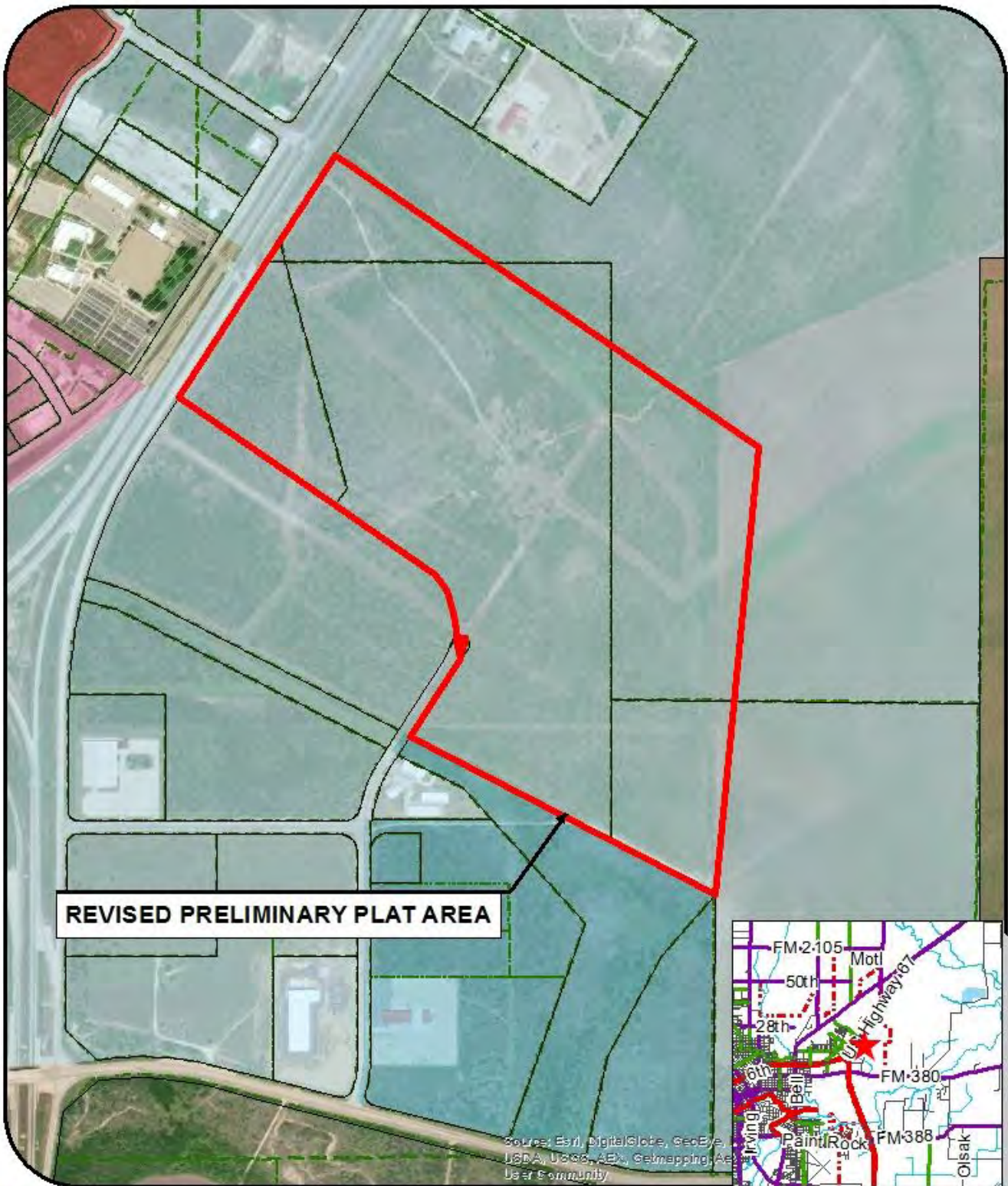
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Subject Properties:
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 N/A
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Revised Preliminary Plat
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Legend:

Subject Properties:
 Current Zoning:
 Requested Zoning:
 Vision:

 ML
 N/A
 Industrial,
 Commercial, Campus / Institutional





Tue 11/6/2018 2:17 PM

Schneeman, Robert

RE: Narrative for Preliminary Plat revision

To: Fisher, Jeff

You replied to this message on 11/6/2018 2:18 PM.

Jeff,

The intent of the revised Preliminary Plat is to allow for more flexibility in the sale of lots. We would like to get the streets platted for dedication to the City but don't believe it is prudent to plat specific lot configurations at this time. We've had sales of lots anywhere from 2 acres to 52 acres and it does not make sense to go to the expense of platting individual lots en-mass which also requires surveying and pinning each lot to then have to re-plate and re-pin potentially for each buyer. It make more sense to us to plat the streets, which then creates the blocks, then plat individual lots or perhaps even a block at a time as required.

It is our intent to construct all public improvements or to require their construction as part of any sales agreement. We are in the process of bidding what is called Phase 2.2 which includes the extension of Gateway Drive, the traffic circle and extending Monument Drive to the Hwy 67 Frontage Road. Both Gateway and Monument will be extended to the north and east respectively to temporary cul de sacs pending construction of the next phase of the development. In addition we will be constructing all drainage improvements required. The plans have been approved by City Engineers and we have received a grant from the U. S. Economic Development Administration in the amount of \$1.25M to assist in funding these improvements.

We have elected not to plat the proposed Prosperity Way street right of way at this time to allow for the possibility of accommodating another buyer of similar need to that of the AEP transmission center. Once platted, that right of way would need to be vacated by the City to accommodate a larger single user. Not platting that right of way at this time also allows more flexibility in configuring that area.



Robert A. Schneeman

Business Retention & Expansion
Program Coordinator

(325) 653-7197

69 N. Chadbourne
San Angelo, TX 76903



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
REVISED PRELIMINARY PLAT SAN ANGELO GATEWAY ADDITION SECTION 2

Proposed Subdivision Name _____
ABST: A-4252 S-1111, SURVEY: CCSD & RGNG RR
 Current Legal Description (can be found on property tax statement or at www.tamptax.com) _____
R000072128; R000071654; R000052407
 Tax ID Number(s) (can be found on property tax statement or at www.tamptax.com under Geographic ID) _____

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:
 Name _____ Phone Number _____ Email Address _____

Property Owner:
 Name _____ Phone Number _____ Email Address _____

Architect/Engineer/Design Professional: PARKHILL SMITH & COOPER (432) 697-1447 JWALLENDER@TEAM-P5C.COM
 Name Phone Number Email Address

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

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

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

Section 2: Utility & Easement Information

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

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

(NOTE: Please see Tom Green County Health Department for Septic System Permit 325-856-1024)

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

153.114 Ac. 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 I/L I/M

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

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

Vacant 20.103 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing 133.011 Commercial/Retail _____

Are there existing structures on the property? Yes No
 If yes, how many structures exist? N/A What type of structures exist currently? N/A
N/A
 If yes, are any of the structures planned to remain? Yes (NOTE: requires one copy of proposed plat showing structures to remain) No

Are there existing deed restrictions? Yes No
 If yes, provide deed reference information: VOL. 921, PG. 48

Is this proposed plat within the ETJ? Yes No
*NOTE: The ETJ (Extra-Territorial Jurisdiction) is an area outside the City limits but encompassing all land within 3 1/4 miles of it.

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

Heidy D. Andrews
 Owner's Signature

10-22-2018
 Date

[Signature]
 Representative's Signature

10-22-18
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10/24/18 Date Deemed preliminary complete: 10/24/18 3:16pm Date Time Initials NR

Received by Development Services Technician for completeness review: 10/24/18 3:16pm Date Time Initials NR

Completeness review passed? Yes 10/24/18 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 11/1/18 Date Initials NR

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

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

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

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____

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



APPLICATION TYPE:		CASE:	
Final Plat		Final Plat Bentwood Country Club Estates, Section Sixteen F	
SYNOPSIS:			
This is an application to final plat a portion of a surveyed land and previously platted lots into 35 platted lots located in the south San Angelo. The applicant has also applied for two variances: (a) a variance from Chapter 9.III.A.1 of the Land Development and Subdivision Ordinance (LDSO) to all King Mill Drive, Wedgewood Court, and the connecting street to function as a private street, and (b) a partial variance from Chapter 10.III.A.2 of the LDSO to allow an Beaty Road to be widen by a portion of the full required incremental half width.			
LOCATION:		LEGAL DESCRIPTION:	
King Mill Drive & Wedgewood Court		Abstract: A-4210 S-0178, Survey: H Zerbach, 9.031 Acres In Ab 231 & Ab 4210****Ru_03; Block: 101, Subd: Bentwood Country Club Est, Lot 1 Sec 16-B; Block: 101, Subd: Bentwood Country Club Est, Lot 3 Sec 16-B; Block: 101, Subd: Bentwood Country Club Est, Lot 4 Sec 16-B; Lot 8 Thru Lot 12 And Lot 18 Thru Lot 24, Block: 101, Subd: Bentwood Country Club Est, Sec 16-C	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #1 – Tommy Hiebert Country Club Neighborhood	Low Rise Multifamily Residential (RM-1)	Neighborhood	8.782 acres
THOROUGHFARE PLAN:			
<u>King Mill Drive</u> –Urban Local Street, Required 50’ min. ROW (50’ Provided), 36’ with a 4’ sidewalk or 40’ min. pavement width (40’ Provided).			
<u>Wedgewood Court</u> –Urban Local Street, Required 50’ min. ROW (50’ Provided), 36’ with a 4’ sidewalk or 40’ min. pavement width (40’ Provided).			
<u>Overhill Drive</u> –Urban Minor Collector Street, Required 60’ min. ROW (60’ Provided), 50’ min. pavement width (50’ Provided).			
<u>Beaty Road</u> –Urban Local Street, Required 50’ min. ROW (80’ Provided), 36’ with a 4’ sidewalk or 40’ min. pavement width (20’ Provided).			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Final Plat Bentwood Country Club Estates, Section Sixteen F, and DENIAL of a variance from Chapter 9.III.A.1, and APPROVAL of a partial variance from Chapter 10.III.A.2 of the LDSO; subject to Ten Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner Bentwood Development, LLC			
Representative Russell Gully, 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 of the Subdivision Ordinance states that the Planning Commission may “deny approval of the final plat, if the Commission finds the final plat does not comply with requirements of this or other applicable municipal ordinances, or if in the Commission’s opinion, the proposal would not be in conformance with the City’s Comprehensive Plan and/or with the intent of purpose statements set forth in Chapter 2 of this Ordinance.”

The subject property is designated “Neighborhood” in the City’s Comprehensive Plan which intends to “promote vibrant and viable neighborhoods and improve relationship between adjacent commercial and residential land use adjacencies.” With the proposed plat, 35 new lot would be created within the existing RM-1 zoning, which would allow the addition of new single family homes. This addition would fit into the adjacent residential neighborhood and allow for a continuation of the existing development pattern. The proposed plat, if approved, would allow the property owners to make improvements to their land 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 insure the proper and efficient layout of lots and blocks to insure orderly and harmonious development (Statement O). The new lot configurations will be consistent with the lots in the surrounding RM-1 zoning district.

Variance: As indicated above, the applicant has submitted a variance from Chapter 9.III.A.1 of the Land Development and Subdivision Ordinance (LDSO) to all King Mill Drive, Wedgewood Court, and the connecting street to function as a private street, and a partial variance from Chapter 10.III.A.2 of the LDSO to allow an Beaty Road to be widen by a portion of the full required incremental half width. In accordance with Chapter 1, Section IV.A, the Planning Commission shall not approve a variance unless the request meets the four criteria below based upon the evidence that is presented:

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

The applicant believes that granting these variance requests would not be detrimental to the public safety, health or welfare, or be injurious to other property as the connector street will be built to City standards and emergency vehicles/personnel will have access through the gated entries, and the variance on Beaty Road is an extension of a previously granted variance. Engineering Services and the Planning Division do not support the variance to allow the private street as it is in conflict with currently approved ordinances. Conversely, City Staff does support the variance to allow Beaty Road to be widened by a portion of the full half width. Most of the adjacent properties are fully developed and this area will function with the proposed configuration of Beaty Road.

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. The applicant stated that the developers seek to create a unique environment with a gated community and the existing alignment of Beaty Road within the right-of-way is unique as it sits to one side of the right-of-way. As indicated above, Engineering Services and the Planning Division do not support the variance from Chapter 9 as this condition is not unique to the property but City staff does support the Chapter 10 variance as Beaty Road is currently situated closer to one side than they other.

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 physical surroundings and shape of the subject property including the alignment of the Beaty Road, a particular hardship to the owners would result. There is no hardship related to the application for a private street. On the contrary, for the Chapter 10 variance, City staff believes since the existing street sits closer to one side of the right-of-way, a hardship would result as there would not be enough room to construct the developer's incremental half.

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 Beaty Road is adequate and functional in its present state and having a gated entry/private street doesn't drastically change the ordinance. Planning and Engineering agree that the Beaty Road is currently sufficient and pose no safety risks to the public. However, City Staff believes a private street does not meet the provisions of the currently adopted ordinances.

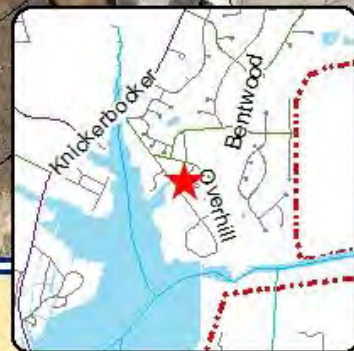
Recommendation: Staff recommends that the Planning Commission **APPROVE** the Final Plat Bentwood Country Club Estates, Section Sixteen F, **DENY** a variance from Chapter 9.III.A.1 and **APPROVE** a partial variance from Chapter 10.III.A.2 of the LDSO; subject to **Ten Conditions of Approval**.

1. Prior to plat recordation, per Subdivision Ordinance, Chapter 7.II.A provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, the connection between King Mill Drive and Wedgewood Court shall be constructed, per City of San Angelo standards, as an approved, accepted, and publicly dedicated street right-of-way. Alternatively, obtain approval of a Variance from the Planning Commission, allowing King Mill Drive and Wedgewood Court to function as a private street.
3. Prior to plat recordation, correct the street names to King Mill Drive and Wedgewood Court or alternatively seek a street name change to King Mill Circle.
4. Prior to plat recordation, if a variance is approved to allow a private street, seek abandonment of previously dedicated right-of-way for King Mill Drive and Wedgewood Court.

5. Prior to plat recordation, revise plat to show previously recorded drainage easements or alternatively seek easement releases from City Council.
6. Prior to plat recordation Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections and hydrants [Land Development and Subdivision Ordinance, Chapter 11.I.A, 2009 International Fire Code, Sec. 507.5.1, Exception 1] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 11.I.B]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6]
7. Prior to plat recordation Prepare and submit plans for approval, illustrating the proposed installation of a sewer main and required service connections [Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications] and complete the installation in accordance with the approved version of these plans [Land Development and Subdivision Ordinance, Chapter 12.I.B]. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18-month period [Land Development and Subdivision Ordinance, Chapter 6]
8. Prior to plat recordation Install necessary water and wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1]
9. Prior to plat recordation A drainage study shall be submitted. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]
10. All gates limiting access to this area shall be controlled by an OptiCom compatible control system. [IFC Section 503.6]

Attachments:

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

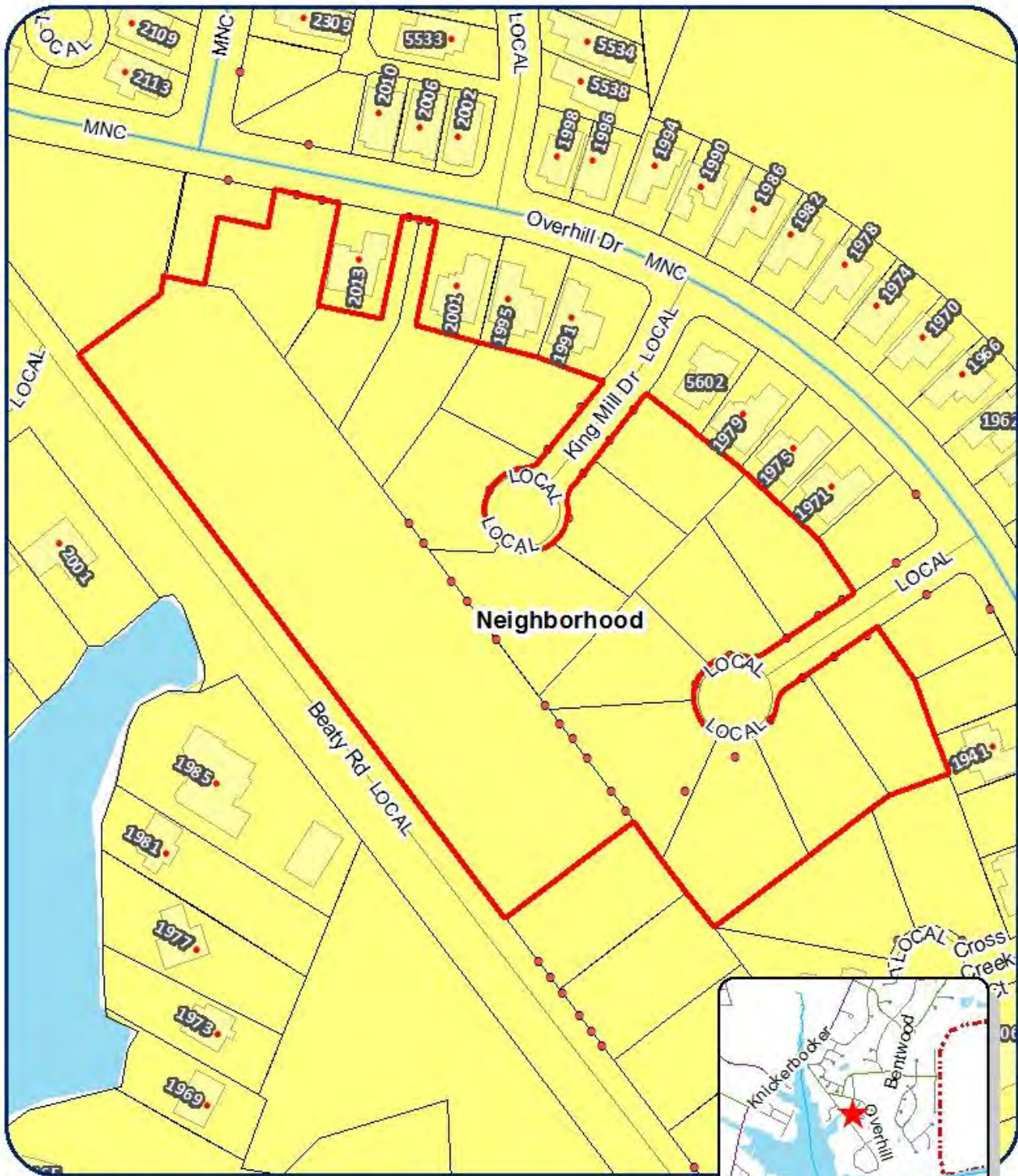


Bentwood Country Club Estates
Section 16F

Council District: SMD #1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft

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



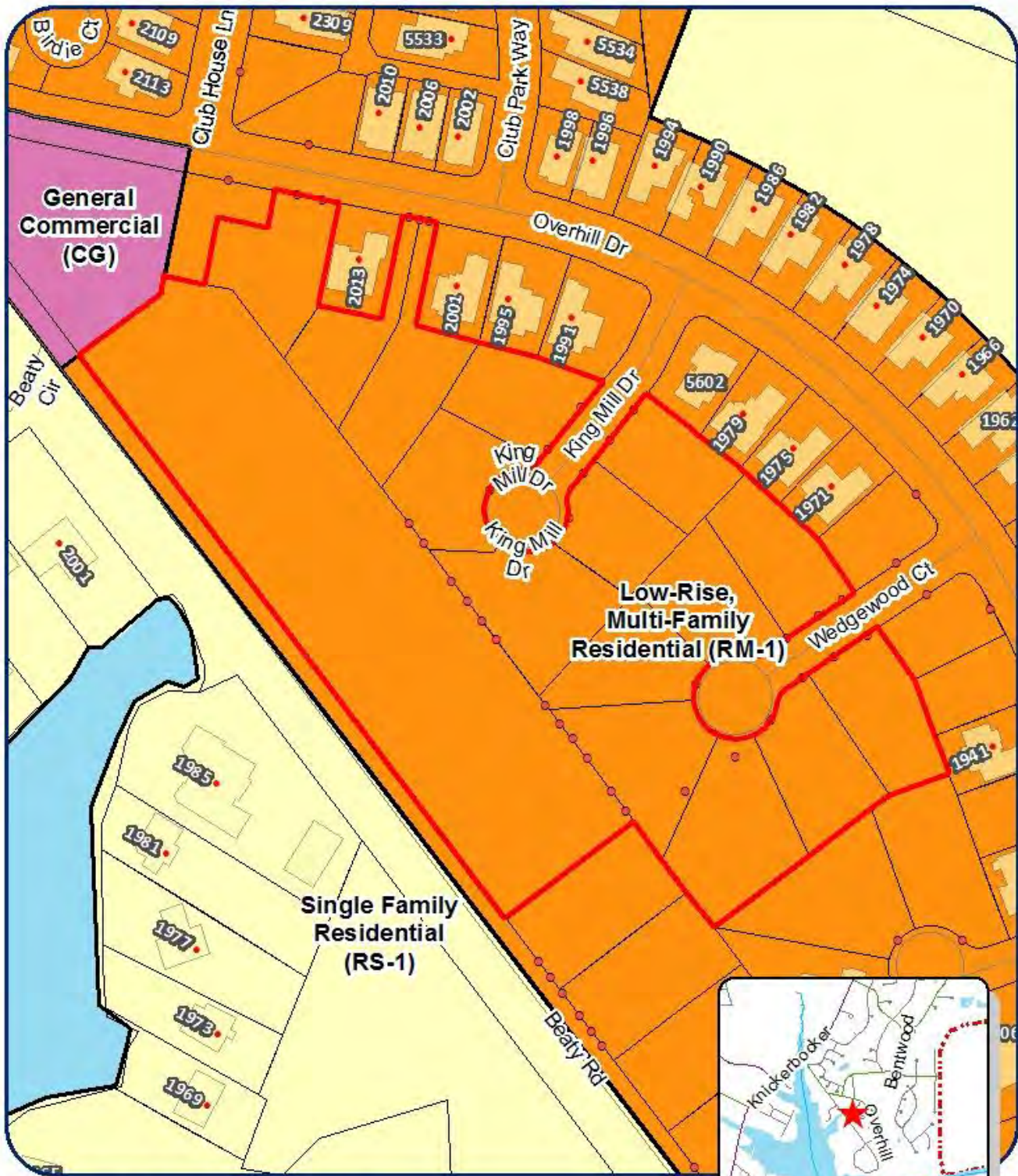


Bentwood Country Club Estates
Section 16F

Council District: SMD #1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft

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





Bentwood Country Club Estates
Section 16F

Council District: SMD #1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 150 ft

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





City of San Angelo, Texas - Plann.
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

Bentwood Country Club Estates, Section Sixteen-F

Proposed Subdivision Name

See Attached

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

See Attached

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: Bentwood Development, LLC	325-315-7112	ken@klsenterprises.com
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

Name	Phone Number	Email Address
Property Owner: Bentwood Development, LLC	325-315-7112	ken@klsenterprises.com
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

Name	Phone Number	Email Address
Property Owner: Bentwood Development, LLC	325-315-7112	ken@klsenterprises.com
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Property Owner: Bentwood Development, LLC	325-315-7112	ken@klsenterprises.com
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

Name	Phone Number	Email Address
Property Owner: Bentwood Development, LLC	325-315-7112	ken@klsenterprises.com
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

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

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

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

Section 2: Utility & Easement Information

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

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

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

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

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

Section 3: Property Characteristics

8.782 35
 Total Acreage of Proposed Subdivision/Resubdivision Total Number of Lots Proposed

Existing Zoning:

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

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

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

- Vacant 8.782 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

- Vacant _____ Single-Family Residential 8.782 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 See attached sheets

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

10.24.18
 Date

[Signature]
 Representative's Signature

10.24.18
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 10-24-18 Date Deemed preliminary complete: 10-25-18 Date 9:24 Time H.B 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? _____
 Date Initials

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

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

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

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____

SHEET FOR ADDITIONAL VARIANCE REQUEST(S)

Section 4: Variance Requests

Request ____: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: _____
For King Mill Circle to function as a private drive

Full variance requested Partial variance requested (*proposed variation from standard*): 9. III. A. 1.

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.
Allowing King Mill Circle to function as a private drive will not be detrimental as it will be built
to City standards and emergency vehicles and personnel will have access through the gated entries.

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.
Developers seek to create a unique environment with a gated community.

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.
Does not pertain.

The variance will not, in any significant way, vary the provisions of applicable ordinances.
The provisions of applicable ordinances will not vary in a significant way because other than having a gated
entry and private street nothing else changes.

SHEET FOR ADDITIONAL VARIANCE REQUEST(S)

Section 4: Variance Requests

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

To widen Beaty Road by a portion of the full required incremental half width

Full variance requested Partial variance requested (*proposed variation from standard*): 10. III. A. 2.

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

The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.
This variance is a continuation of previous approved variance request for a partial width improvement
and is not detrimental to the public safety or 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.

The existing alignment of Beaty Road within the right-of-way is unique.

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 alignment of the Beaty Road
a particular hardship to the owner would result.

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

As other conditions are met, the provisions of applicable ordinances would not vary in a significant way.

Current Legal Description:


Abst: A-4210 S-0178, Survey: H ZERBACH, 9.031 ACRES IN AB 231 & AB 4210****RU_03; Blk: 101, Subd: BENTWOOD COUNTRY CLUB EST, LOT 1 SEC 16-B; Blk: 101, Subd: BENTWOOD COUNTRY CLUB EST, LOT 3 SEC 16-B; Blk: 101, Subd: BENTWOOD COUNTRY CLUB EST, LOT 4 SEC 16-B; Lot 8 THRU Lot 12 and Lot 18 thru Lot 24, Blk: 101, Subd: BENTWOOD COUNTRY CLUB EST, SEC 16-C

Current Tax ID Numbers:

38-04210-0001-000-60; 03-14050-0101-001-00; 03-14050-0101-003-00; 03-14050-0101-004-00; 03-14050-0101-008-00; 03-14050-0101-009-00; 03-14050-0101-010-00; 03-14050-0101-011-00; 03-14050-0101-012-00; 03-14050-0101-018-00; 03-14050-0101-019-00; 03-14050-0101-020-00; 03-14050-0101-021-00; 03-14050-0101-022-00; 03-14050-0101-023-00; 03-14050-0101-024-00;

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



APPLICATION TYPE:		CASE:	
Rezoning		Z18-21: First Financial Trust	
SYNOPSIS:			
The applicant has applied for a rezoning from the General Commercial/Heavy Commercial (CG/CH) Zoning District and Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on their property for future commercial development. The southerly 50 feet zoned RS-1 prohibits commercial development without a Rezoning. The existing property contains a vacant 2,412-square foot building that used to be an auto dealership (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
909 West Beauregard Avenue; located at the southeast corner of West Beauregard Avenue and South Park Street		Being the north 175 feet of Block 39 in the Angelo Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD District #5 – Lane Carter Santa Rita Neighborhood	General Commercial / Heavy Commercial (CG/CH) and Single-Family Residential (RS-1)	NC – Neighborhood Center	1.47 ac.
THOROUGHFARE PLAN:			
<p>West Beauregard Avenue – Urban Arterial Street Required: 80’ right-of-way, 64’ pavement Provided: 100’ right-of-way, 80’ pavement with 5-foot sidewalks on both sides</p> <p>South Park Street – Urban Local Street Required: 50’ right-of-way, 40’ pavement or 36’ with a 4-foot sidewalk Provided: 60’ right-of-way, 40’ pavement and no sidewalk</p>			
NOTIFICATIONS:			
10 notifications mailed within 200-foot radius on November 7, 2018. One received in support; none in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property.			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner:</i> First Financial Trust and Asset Management Company			
<i>Applicant:</i> Erica Carter, Carter-Fentress Engineering			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The current CG/CH and RS-1 zoning is inconsistent with the property's Future Land Use of "Neighborhood Center" in the City's Comprehensive Plan. A Rezoning to Neighborhood Commercial (CN) would be consistent with the Neighborhood Center designation for the reasons outlined below. The property is located within the River Corridor and any new construction or exterior reconstruction will require a River Corridor Review to be approved by the Design and Historic Review Commission (DHRC). An Urban Design Review (UDR) will also be required for any new construction that is at least 25,000 square feet, or an addition that is greater than 10,000 square feet. A subdivision replat is not required as deed research confirms that the lot was surveyed and platted in its original configuration before July 5, 1950. Subsequent street right-of-way dedications are also exempted from platting as per Chapter 1.VI.2 of the Land Division and Subdivision Ordinance.

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 subject property has a Future Land Use designation of "Neighborhood Center" since the City's 2009 update to the Comprehensive Plan. The "Neighborhood Center" designation promotes "a mix of various uses at key intersections to encourage the necessary infill, densification, and walkability necessary for Neighborhood Centers." This designation also calls to "establish transition areas to better "scale-down" intensity of use from commercial centers to neighborhoods." The Planning Division believes that a Rezoning to CN is appropriate given that it is consistent with the Neighborhood Center designation and acts as a transition between commercial development to the north and west, and the residential neighborhood to the south. The existing CG/CH zone could allow industrial storage of heavy equipment which is not appropriate in this area adjacent to the Concho River, parks, and nearby homes. A River Corridor Review for any new exterior construction will provide further assurance that any development maintains the aesthetic integrity of this property adjacent to the River.
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 sees no conflict with the Zoning Ordinance if the Rezoning to CN is approved. The lot is 460 feet wide, 170 feet in depth, and 1.47 acres in area, well exceeding the minimum lot area of 6,000 square feet, lot width of 50 feet, and lot depth of 80 feet for the CN Zoning District.

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 proposed CN will be compatible with the surrounding area. The property is located immediately east of a retail office building, west of the River, and south of Peasant Village Restaurant, Civic League Park, and a variety of retail commercial uses along the West Beauregard Avenue corridor.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The former auto dealership is no longer in operation and the existing building remains vacant. Redevelopment of this site for CN-related uses will ensure that heavy commercial development currently allowed on the majority of the property zoned CG/CH will not occur in future.
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 negative effects on the natural environment. A review of grading, drainage, and stormwater would take place at the permit stage for any redevelopment of this lot.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes there is a need for neighborhood commercial related development on this property. The CN zoning allows a wide range of uses including restaurants, retail sales and services, offices, day cares, limited vehicle service, and self-service storage, short-term rentals, and car washes with a conditional use.
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.* There are no anticipated changes to existing development patterns. As indicated, the property has existed in its current configuration prior to 1950, and the property has frontage onto West Beauregard Avenue, an arterial road which can accommodate large traffic volumes. The Planning Division believes the majority of traffic will access the site from West Beauregard Avenue, avoiding the need to use local streets south of the property. Regardless, neighborhood commercial uses are typically local in nature and will be able to serve the surrounding residential neighborhood.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Response Letter

Applicant's Response to Zoning Criteria

Application



Source: Esri, DigitalGlobe, GeoEye, USA, USGS, AEA, Getmapping, Aer

Zoning Case

Z18-21: First Financial Trust


Council District: Lane Carter (SMD#5)

Neighborhood: Santa Rita

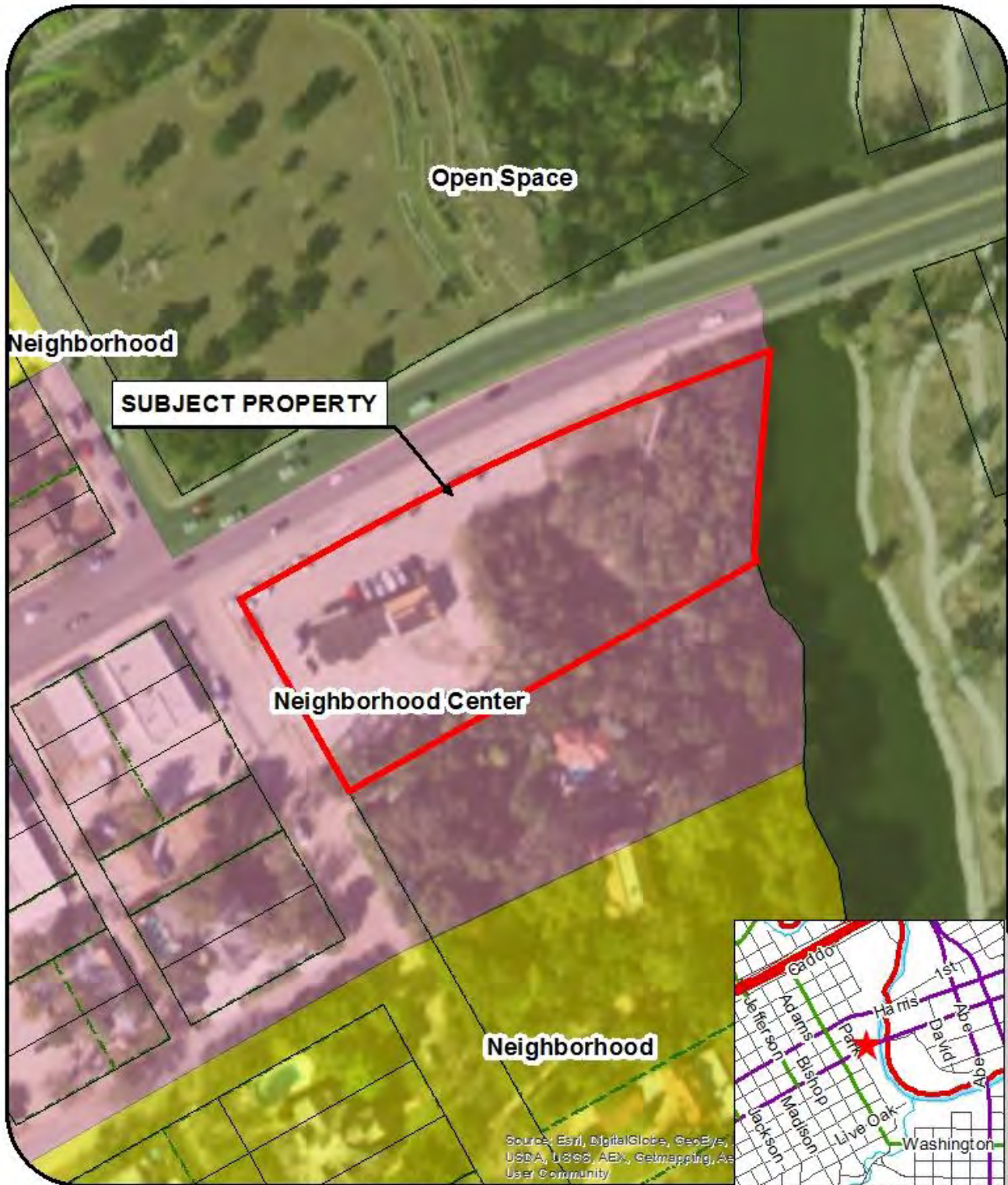
Scale: 1" approx. = 100 ft

Subject Property: 909 West Beauregard Avenue

Legend:


Subject Properties: 
Current Zoning: **CG/CH and RS-1**
Requested Zoning: **CN**
Vision: **Neighborhood Center**



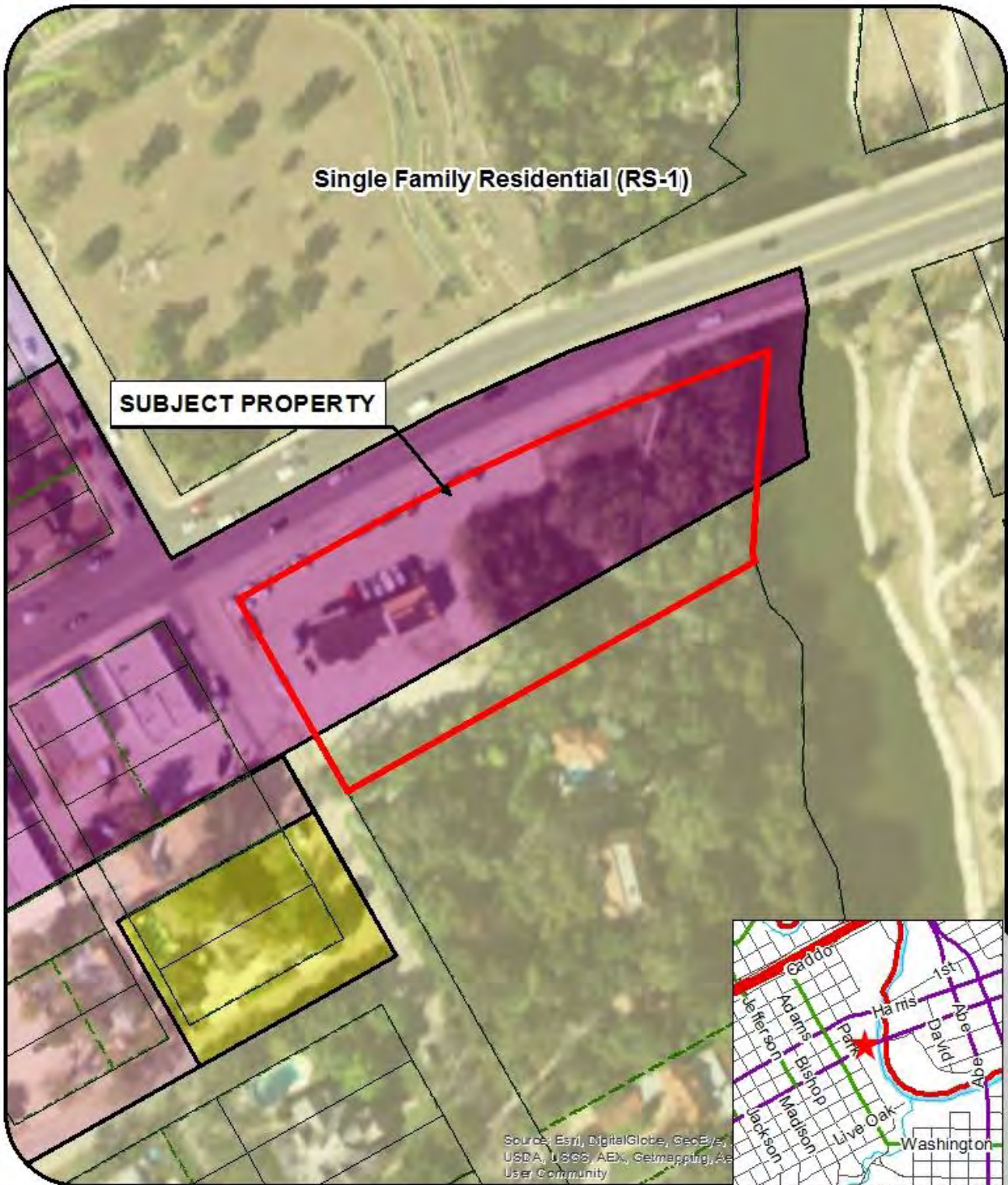


Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, Getmapping, Aer


Zoning Case
Z18-21: First Financial Trust
Council District: Lane Carter (SMD#5)
Neighborhood: Santa Rita
Scale: 1" approx. = 100 ft
Subject Property: 909 West Beauregard Avenue

Legend:
Subject Properties: 
Current Zoning: **CG/CH and RS-1**
Requested Zoning: **CN**
Vision: **Neighborhood Center**





Zoning Case
Z18-21: First Financial Trust
Council District: Lane Carter (SMD#5)
Neighborhood: Santa Rita
Scale: 1" approx. = 100 ft
Subject Property: 909 West Beauregard Avenue

Legend:
Subject Properties: 
Current Zoning: **CG/CH and RS-1**
Requested Zoning: **CN**
Vision: **Neighborhood Center**



Photos of Site and Surrounding Area

WEST



EAST



NORTH



SOUTHEAST AT PROPERTY



EAST AT PROPERTY



REAR OF PROPERTY



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.

(X) IN FAVOR () IN OPPOSITION

REASON(S) I believe the property in it's current state and situation is not only an eyesore, but also creates a blind spot hiding illicit activities.

Having an investor with strong ties to the neighborhood and the wherewithal to make positive changes to the property is a great opportunity to have this iconic location become attractive and productive again.

Further, it is my opinion that the current zoning is a mistake and not in keeping with the restrictions and guidelines of the various overlays that incorporate this property.

NAME: Stephen McLaughlin

ADDRESS: 115 S. Park

SIGNATURE: 

Z18-21: First Financial Trust
property owner number: 7

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.

The zone change is from CG/CH and RS-1 to CN. The vision plan calls for neighborhood center so the zone change cleans up the property with 2 zoning designations and is in line with the Vision Plan.

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

The CN designation allows for a variety of commercial oppurtunities and the property will not conflict with any portion of the Zoning Ordinance.

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 surrounded with office buildings and residences. The proposed use of the property will act as a nice transission for the 2 zones.

4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.
We will require a conditional use for a portion of the business and will submit for that when the re-zone is complete.

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
The proposed amendment will have a minimal impact on the surrounding area. Currently, the property consists of a dilapidated building and is an eye-sore for the surrounding properties.

6. Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
Being that this property consists of 2 different zoning districts, it is in the best interest of the City to have it zoned as 1 district and zoned as the vision plan call. It will also allow for the owner to clean up the site and decide the best plan of action for the property moving forward.

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 property will be CN and this will allow for a transision between commercial property and residential property. It will be consistent with the surrounding properties.

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): First Financial Trust and Asset Management Company, Trustee David Byrd, Executive Vice President

Owner Representative (Notarized Affidavit Required)

P.O. Box 5291 San Angelo Texas 76902
 Mailing Address City State Zip Code

325-659-5968 ecarter@fentresseng.com
 Contact Phone Number Contact E-mail Address

909 West Beauregard San Angelo Texas 76901
 Subject Property Address City State Zip Code

Blk: 39, Subd: ANGELO HEIGHTS ADDITION, NORTH 175 FEET OF BLOCK 39
 Legal Description (can be found on property tax statement or at www.tcmorencad.com)

Existing Zoning: RS-1 & CG/CH Proposed Zoning: CN Lot size: 1.47 Acres

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

Section 2: Site Specific Details

Existing Use of Property: Currently Vacant- Was a car lot

*Proposed Use of Property: Commercial Building with indoor storage rooms for (self service storage units) within the building.

*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.

David Byrd		First Financial Trust and Asset Management Company, R. A.	10/10/2018
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Erica Carter		Carter-Fentress Engineering	10/10/2018
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete Date of Application: 10 / 11 / 18

Case No.: Z 18 - 21 Fully-dimensioned site plan: N/A

Nonrefundable fee: \$ 625.00 Receipt #: 28368 Date paid: 10 / 11 / 18

Sign Deposit \$37.50 N/A Receipt #: _____ Date paid: 10 / 11 / 18

Affidavit attached? Yes No N/A Applicant's signature on information sheet? Yes No

Previous Zone Change Inquiry? Yes No If yes, ZCI case no.: _____

River Corridor Commission? Yes No If yes, RCC meeting date: to be submitted

Planning Commission hearing date: 11 / 19 / 2018 Date notifications due: 11 / 8 / 18

City Council hearing date: 12 / 18 / 18 Packets due date: _____

Publication date: _____

Reviewed/Accepted by: J. Fisher Date: 10 / 11 / 18

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



APPLICATION TYPE:		CASE:	
Rezoning		Z18-22: Sepulveda / City of San Angelo	
SYNOPSIS:			
<p>The applicant has applied for a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District on his vacant property, 711 West 15th Street. The RS-2 zone allows either a single-family dwelling, a two-family dwelling, or a single-family dwelling with an accessory apartment. Given there is a presence of other nearby lots with two residential units and non-residential zoning to the south, the City is initiating a rezoning from RS-1 to RS-2 on the remainder of this block, south of West 15th Street, between Shelton Street and Brown Street. This would allow a transition between the non-residential area to the south and RS-1 zoning to the north, as well as allow some flexibility to build one or two-family housing on the majority of this block which has been vacant for over 35 years (see Additional Information).</p>			
LOCATION:		LEGAL DESCRIPTION:	
701-721 West 15 th Street; located south of West 15 th Street between Shelton Street and Brown Street		Being Lots 1-10 in Block 4 of the Mineola Annex	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood	Single-Family Residential (RS-1)	N - Neighborhood	1.61 ac.
THOROUGHFARE PLAN:			
<p>West 15th Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 60' right-of-way, 36' pavement with a 4-foot sidewalk</p> <p>Brown Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' with a 4-foot sidewalk Provided: 50' right-of-way, 36' pavement with a 4-foot sidewalk</p>			
NOTIFICATIONS:			
22 notifications mailed within 200-foot radius on November 7, 2018. None received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District on the subject properties.			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner and Applicant:</i> Mr. Richard J. Sepulveda, Jr.</p>			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: In addition to site visits on October 8 and November 12, 2018, the Planning conducted research on all properties on West 15th Street and the south side of West 16th Street between Shelton Street and North Bryant Boulevard, a total of 76 residential lots. Most of these homes were built in the 1950s and some in the 1960s. Staff found an existing RS-2 zoned property at 611 West 15th Street which is identified as a duplex in the 2016 Polk Directory. In addition, 622 West 15th Street, 623 West 16th Street, and 713 West 16th Street each contain two residential structures - single-family dwellings and accessory apartments. In addition, two-thirds (16 of the 24 lots) along the subject block to be rezoned are vacant, and have been vacant since at least 1983 when a renovation was done on 718 West 15th Street, over 35 years ago. Of the remaining lots, 11 are vacant, for a total of 27 vacant lots (36%). From this research, the Planning Division provides its findings and recommendations below.

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 subject property has a Future Land Use designation of “Neighborhood” since the City’s original 2003 Comprehensive Plan. The “Neighborhood” designation promotes “an appropriate balance of use within each neighborhood” and “neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo’s neighborhoods. The Planning Division believes that a rezoning to RS-2 is appropriate for achieving these objectives. As indicated, two-thirds of the residential lots along the south side of West 15th Street remain vacant for at least 35 years, and over one-third of the lots in the surrounding area have remained vacant for at least the same amount of time. Staff does not anticipate this situation changing. An RS-2 zoning on the subject lots would allow more diversity in housing options, opening up opportunities for future development while maintaining the residential character of the neighborhood. RS-2 will allow single-family, two-family, or single-family with an accessory apartment, consistent with the above policies.
- 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 sees no conflict with the Zoning Ordinance if the Rezoning to RS-2 is approved. All of the lots are 50 feet wide, 140.4 feet in depth, and are 7,020 square feet in area, in compliance with the minimum lot area of 6,500 square feet, lot width of 50 feet, and lot depth of 100 feet for the RS-2 Zoning District.
- 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 proposed RS-2 zoning will be compatible with the surrounding area. As indicated, 611 West 15th Street located in the same neighborhood is

already zoned RS-2 with an existing two-family structure. In addition, there are several lots with two residential structures in the neighborhood. This in and of itself would be insufficient to justify a Rezoning to RS-2. However, given that the properties immediately to the south are zoned General Commercial/Heavy Commercial (CG/CH), Staff believes an RS-2 along this block would provide an appropriate transition between this commercial development and RS-1 zoning to the north.



4. **Changed Conditions.** Whether and the extent to which there are changed conditions that require an amendment. As mentioned, two-thirds of the lots within this block have remained vacant for several decades. The Planning Division has not seen or found any other housing requests in this area. Therefore, the Division supports the request to RS-2. The Division believes that the RS-2 zone will preserve the low density residential character of the neighborhood while more flexibility in housing options.
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 negative effects on the natural environment. A review of grading, drainage, and stormwater would take place at the permit stage for any development on these lots.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The Planning Division believes there is a community need for the proposed rezoning to RS-2. As indicated, the applicant for 606 Rust Street plans to erect a single-detached dwelling on this property in future, with a possible affordable housing tax credit. Given that the 0.35-mile surrounding area is fully occupied with residential housing and zoned accordingly, the Planning Division believes there is a community need for more housing in this location.

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.* There are no anticipated changes to existing development patterns. The existing lots were previously platted and meet the minimum lot dimensions for RS-2 zoning. West 15th Street is a local urban street which connects to North Bryant Boulevard and commercial amenities.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed rezoning from the Single-Family (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District on the subject properties.

Attachments:

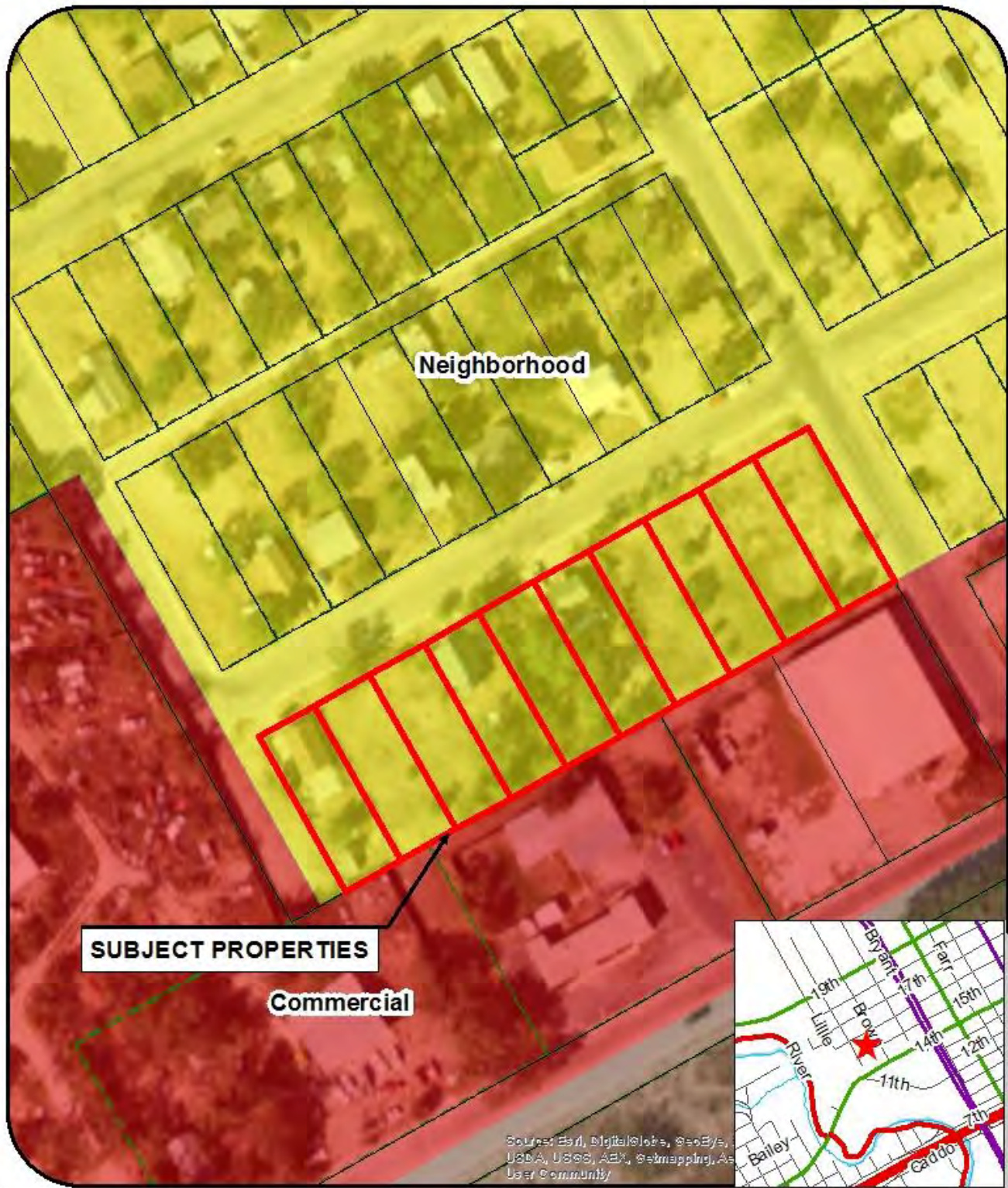
Aerial Map
Future Land Use Map
Zoning Map
Photographs
Applicant's Response to Zoning Criteria
Application



Zoning Case
Z18-22: Sepulveda
Council District: Lucy Gonzales (SMD#4)
Neighborhood: Blackshear
Scale: 1" approx. = 100 ft
Subject Property: 701-721 W. 15th St.

Legend:
Subject Properties: 
Current Zoning: **RS-1**
Requested Zoning: **RS-2**
Vision: **Neighborhood**



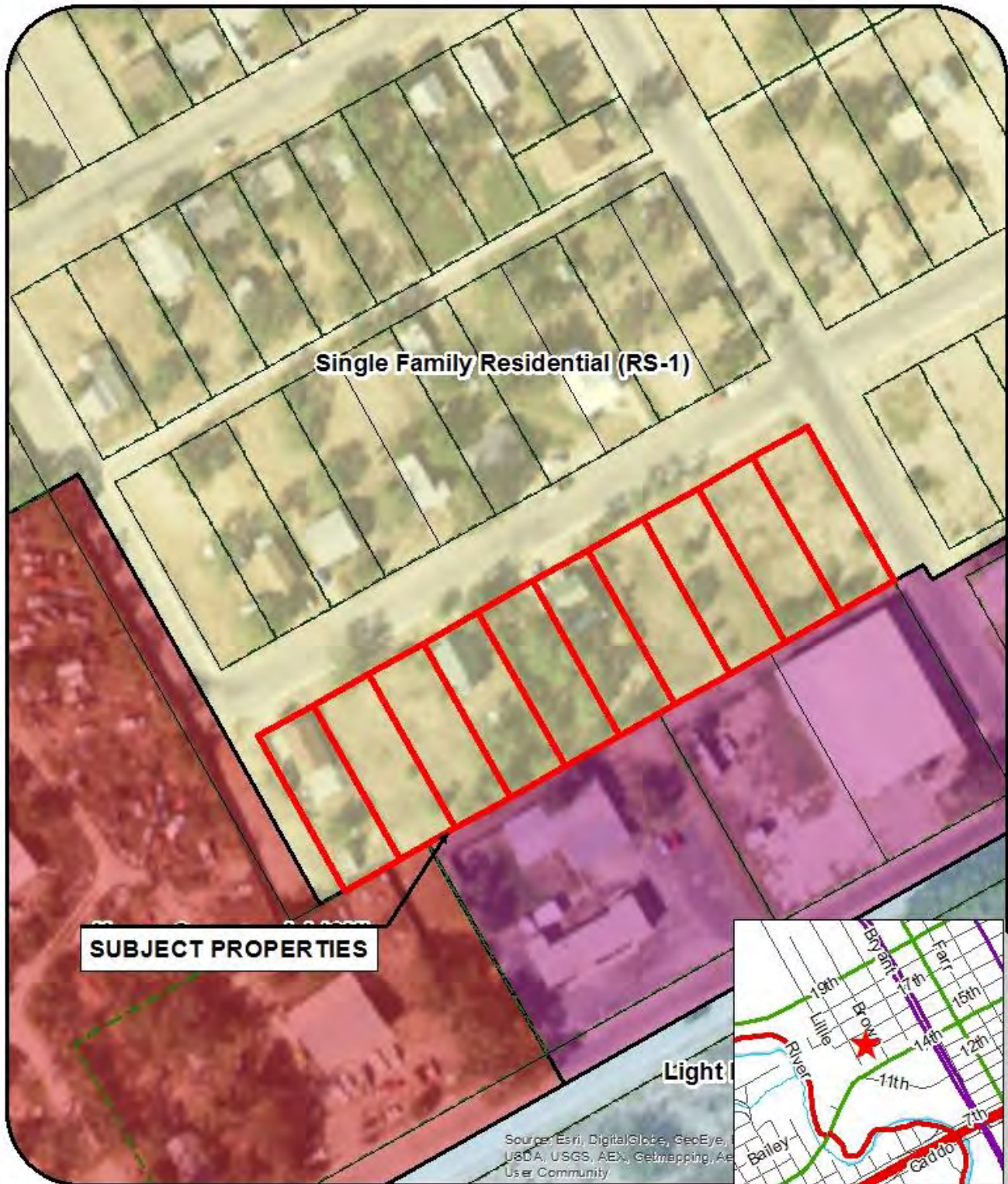


Source: Esri, DigitalGlobe, GeoEye,
USDA, USGS, Aero, GeoMapping, Aero
User Community

Zoning Case
Z18-22: Sepulveda
Council District: Lucy Gonzales (SMD#4)
Neighborhood: Blackshear
Scale: 1" approx. = 100 ft
Subject Property: 701-721 W. 15th St.

Legend:
Subject Properties: 
Current Zoning: **RS-1**
Requested Zoning: **RS-2**
Vision: **Neighborhood**





Zoning Case
Z18-22: Sepulveda
Council District: Lucy Gonzales (SMD#4)
Neighborhood: Blackshear
Scale: 1" approx. = 100 ft
Subject Property: 701-721 W. 15th St.

Legend:
Subject Properties: 
Current Zoning: **RS-1**
Requested Zoning: **RS-2**
Vision: **Neighborhood**



Photos of Site and Surrounding Area

WEST



**711 WEST 15TH STREET
(SEPULVEDA REZONING)**

EAST



**LOOKING EAST AT LAND SUBJECT TO
COSA-INITIATED REZONING**



**LOOKING WEST AT LAND SUBJECT TO
COSA-INITIATED REZONING**



COMMERCIAL LAND BEHIND PROPERTIES



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.

Proposed amendment is compatible with COSA neighborhood plans and policies. The amendment will promote a viable neighborhood that promotes diversity at an affordable level, and provide a better transition from nearby commercial buildings. It will also provide growth of the neighborhood which has several vacant lots.

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

Amendment will not conflict with any portion of this zoning ordinance, if anything, the amendment will encourage and provide more options for future development.

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.

Many RS1 lots in this area are vacant (16 just on the West 15th block) and have not been developed for decades. Majority of the homes are smaller than average dwellings, I believe the current demographics and zoning stunt the development of this area to some extent.

The amendment will encourage growth for the future by residents and investors.

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

There are no changed conditions that require an amendment.

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

There will be no adverse impacts on natural environments.


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

There are 16 vacant lots on this block, a rezone to RS2 could provide this area with possible growth for the future.

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 of right now there are no development patterns for this area. Due to demographics and surrounding homes, it makes it difficult to justify building any new SFR on vacant lots unless they are HUD homes or low income development houses. At some point within the past 10 years there was a city initiative to help provide low income families with an option to buy homes but I am not aware of any current initiatives. This amendment could provide the option for income producing units for residents and well as options for investor development making the area more desirable.

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): <u>RICHARD J SEPULVEDA JR</u>		
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Representative (Notarized Affidavit Required)		
<u>2113 ELDER PLACE</u>		
Mailing Address	ROUND ROCK	TX 78664
325-227-2308	City	State
Contact Phone Number	Contact E-mail Address	
711 WEST 15TH	SAN ANGELO	
Subject Property Address	City	State
		TX 76903
Legal: Acres: 0.161, Lot: 6, Blk: 4, Subd: MINEOLA ANNEX		
Legal Description (can be found on property tax statement or at www.tcomarcouncil.com)		
Existing Zoning: <u>RS1</u> Proposed Zoning: <u>RS2</u> Lot size: <u>50X150</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>PROPERTY IS CURRENTLY A VACANT LOT AND APPEARS TO HAVE ALWAYS BEEN VACANT</u>		
*Proposed Use of Property: <u>DUPLEX OR SINGLE FAMILY HOME</u>		
*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.)		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> If approved, a zone change is applied to the property, not the property owner.		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> 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.		
<input checked="" type="checkbox"/> If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a non-refundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.		

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

RICHARD J SEPULVEDA JR Richard J Sepulveda Jr N/A 10-14-18
 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: 10 / 14 / 2018

Case No.: Z 18 - 22 Fully-dimensional site plan:

Nonrefundable fee: \$ 663.00 Receipt #: 26020 Date paid: 10 / 16 / 18

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: 11 / 19 / 2018 Date notifications due: ____ / ____ / ____


City Council hearing date: 12 / 18 / 2018 Packets due date: ____ / ____ / ____

Publication date: ____ / ____ / ____

Reviewed/Accepted by: J. Fisher Date: 10 / 14 / 2018

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



APPLICATION TYPE:		CASE:	
Conditional Use		CU18-19: Foley	
SYNOPSIS:			
A request for approval of a conditional use to allow for construction of telecommunications facilities atop the building on the subject property. There are currently telecommunications facilities on the roof of the building and this application would be to add additional antennas. Telecommunication facilities are allowed in CBD with an approved conditional use.			
LOCATION:		LEGAL DESCRIPTION:	
107 South Irving Street		Being North 110' of Lot 20 & East 25' OF North 110' of Lot 19 & 3.7' OF Street Adjacent on East , Block 9, San Angelo Addition, Tom Green County, Texas.	
SM DISTRICT/NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Downtown Neighborhood	CBD – Central Business District	Downtown	0.20 acre
THOROUGHFARE PLAN:			
<u>West Beauregard Avenue</u> – Urban Major Arterial Street, 80’ ROW required (97’ Existing), 64’ pavement required (70’ Provided)			
<u>South Irving Street</u> – Urban Local Street, 50’ ROW required (85’ Existing), 40’ pavement required (68’ Provided)			
NOTIFICATIONS:			
19 notifications mailed within 200-foot radius on September 5, 2018. Zero received in support or opposition			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of case CU18-19 to allow for construction of telecommunications facilities in the Central Business District (CBD) Zoning District on the subject property, subject to Two Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
<u>Owner:</u> Chiu James & Debbie			
<u>Petitioner:</u> Leo Foley, SAC Wireless			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us			

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

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** There does not appear to be any adverse impacts on surrounding properties if the proposed telecommunication facilities are approved. The new proposed antennas will be located on an existing facility on the roof which is located 10 floors above street level. The Planning Division believes telecommunication facilities in this location would be compatible with the surrounding area.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The subject property is zoned CBD which allows telecommunication facilities with an approved Conditional Use, subject to the development standards of Section 426 of the Zoning Ordinance for telecommunication facilities. The nature of the request appears to be consistent with relevant aspects of the Zoning Ordinance.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The subject property and surrounding area are zoned CBD and mostly developed commercially which comes with a larger need for telecommunication facilities. The proposed telecommunication facilities are usually compatible with commercial development with an approved conditional use.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment. Land use would continue in the same manner, and intensity, as already exist on the adjacent properties.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Telecommunication towers are needed to provide services for a growing population and demand, as a result, there may be a demonstrated community need for addition telecommunication towers. This installation will allow for expanded and improved wireless coverage in an area where business has sustained for decades and will continue to evolve.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** It appears that the proposed Conditional Use would result in a logical and orderly pattern of development. The subject property and surround area are zoned CBD. Since the area is mostly commercial, the placement of a cell tower may be appropriate for this area.

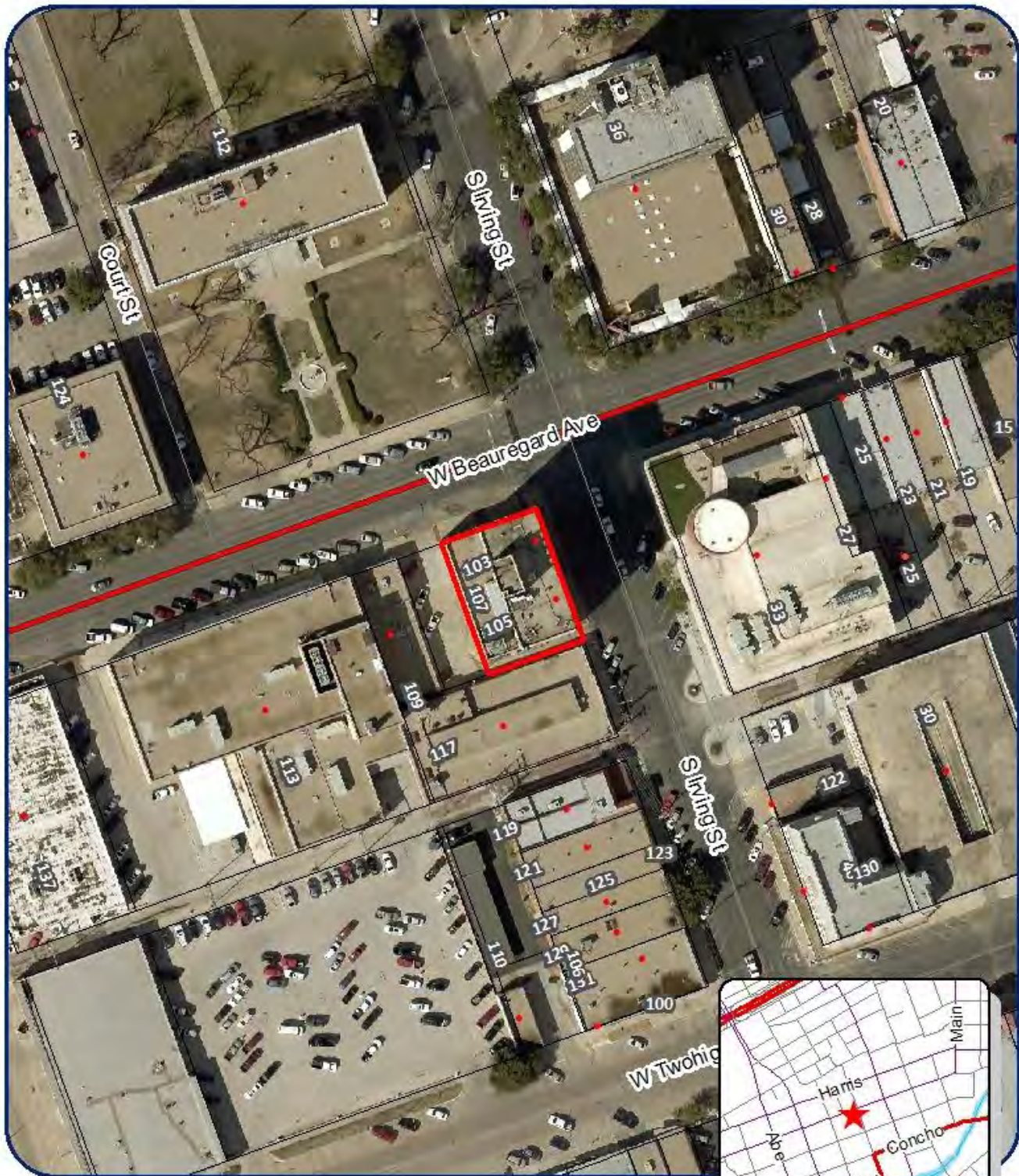
Recommendation:

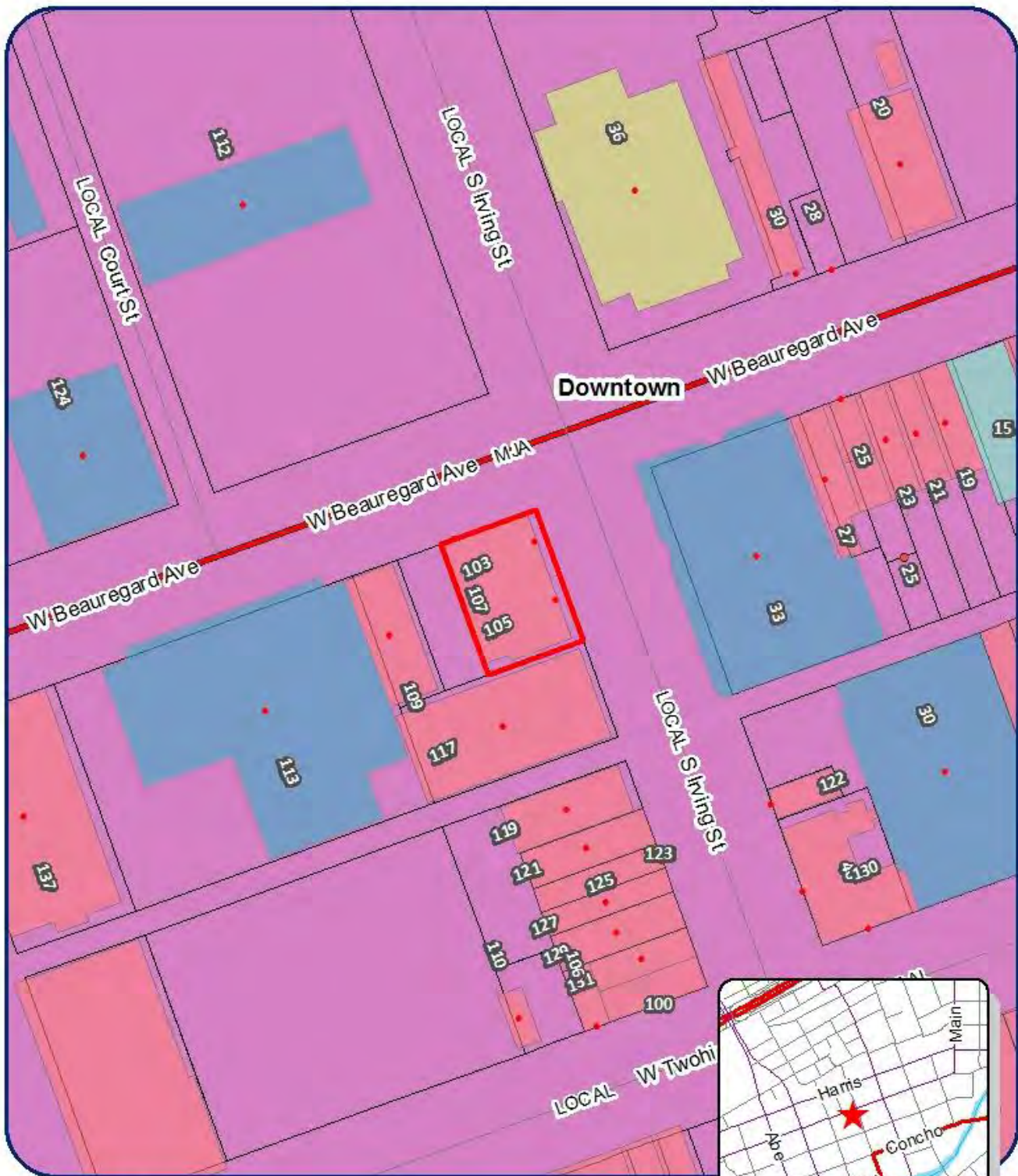
Staff's recommendation is for the Planning Commission to **APPROVE CU18-19** for construction of telecommunications facilities atop the building, subject to **Two Conditions of Approval:**

1. The applicant shall work with the Permits and Inspections Division to ensure the telecommunications facility meets the requirements for a building permit.
2. The current configuration of existing equipment may remain but any modifications to existing configurations or new telecommunication equipment must adhere to a minimum setback of 10 feet from the parapet wall.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Site Photos
Proposed Improvements
Applications
Notification Map






CU18-19: Foley
107 South Irving Street

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

Legend

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





CU18-19: Foley
107 South Irving Street

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

Legend

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

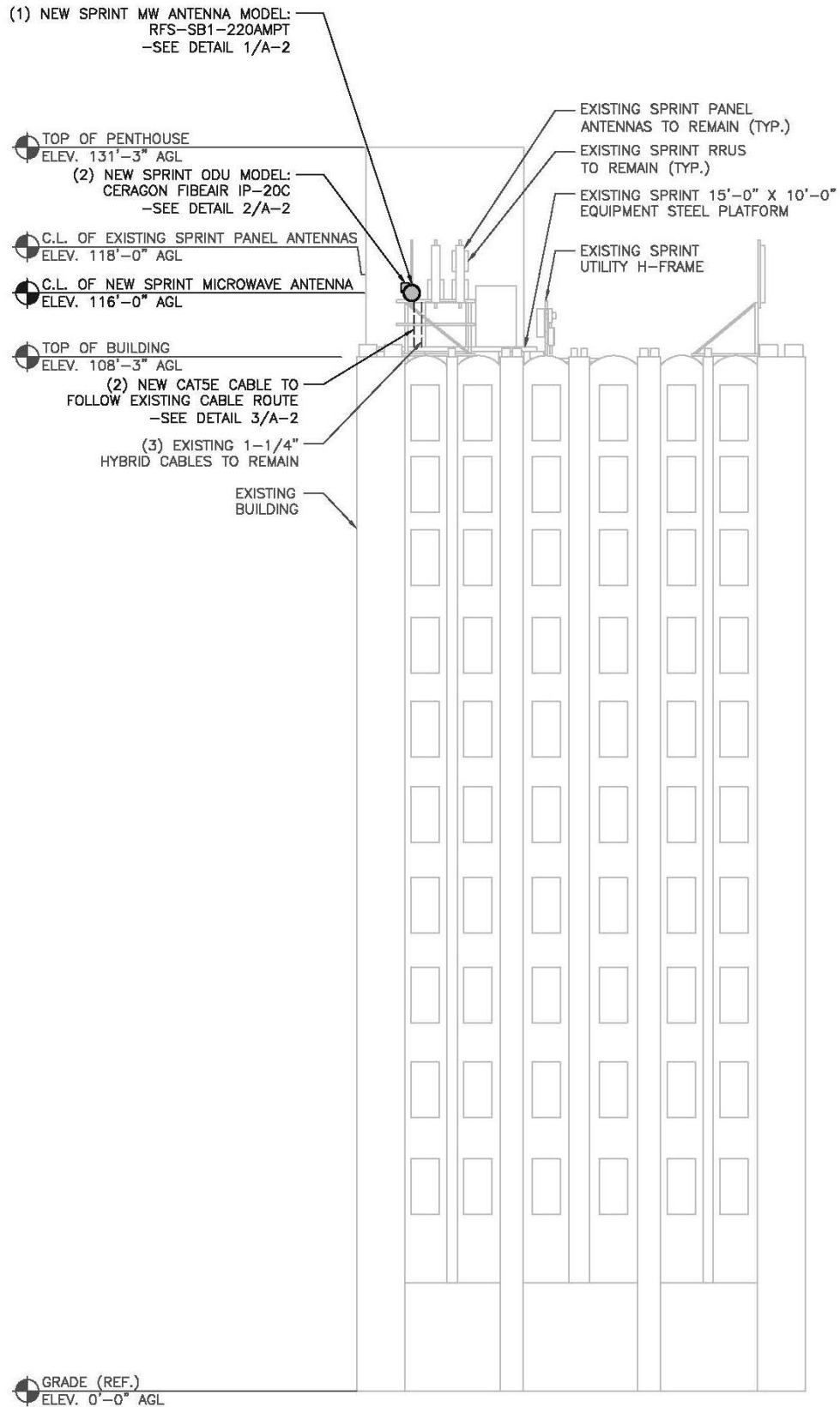


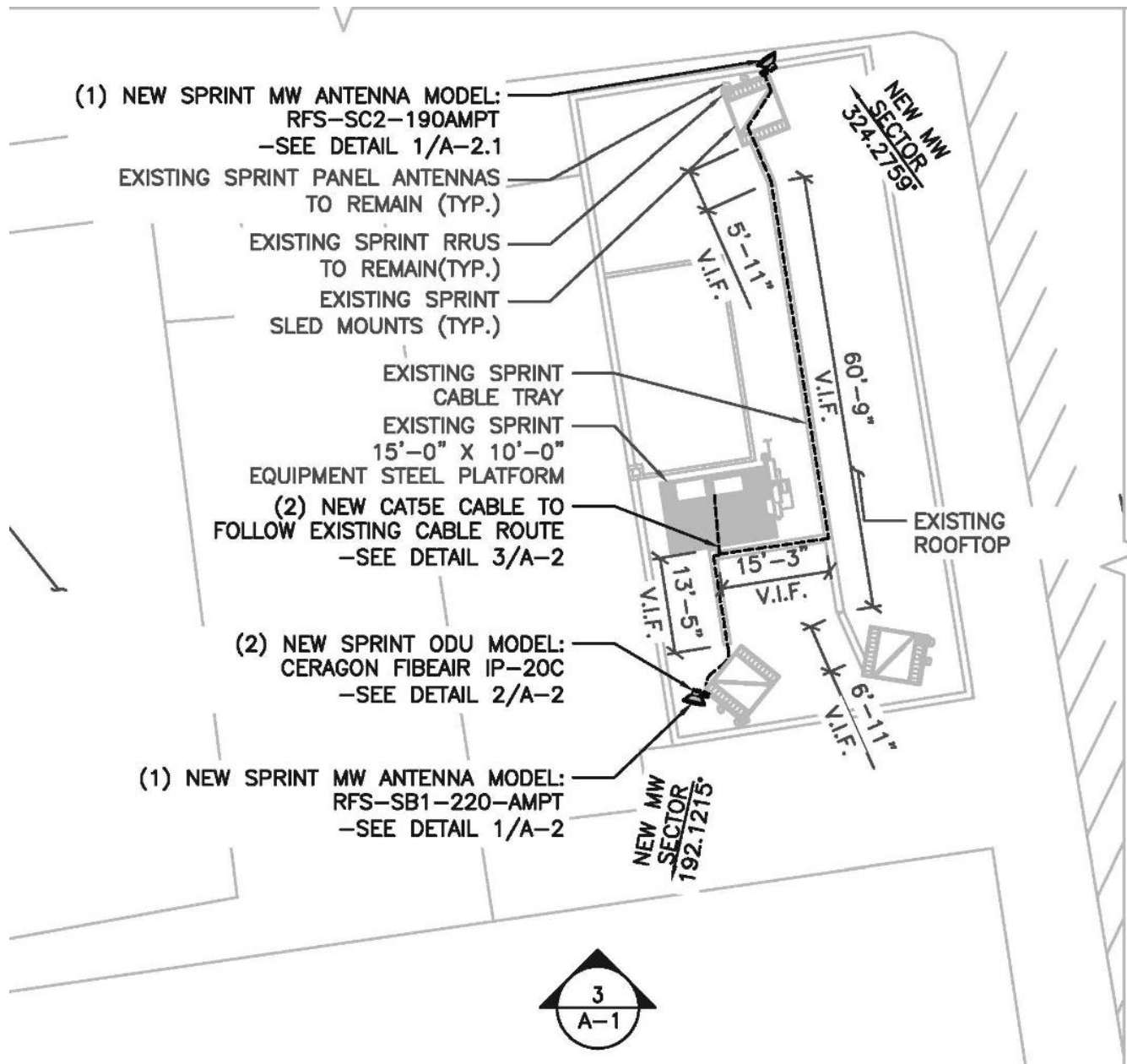
Site Photos

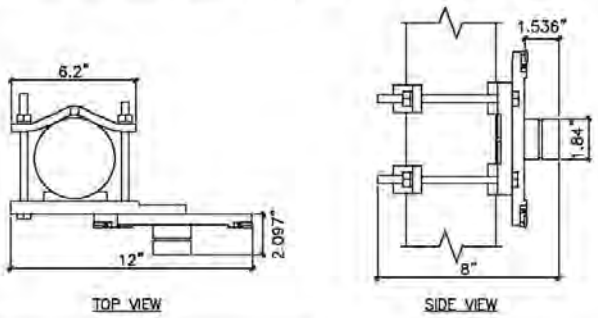
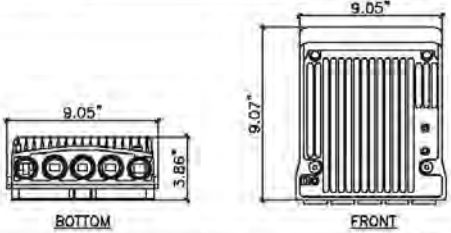
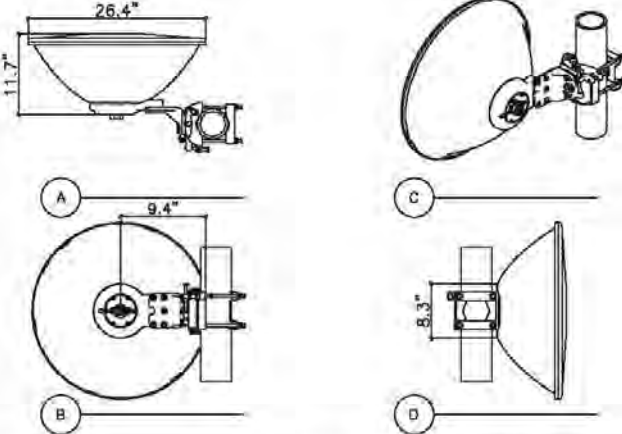
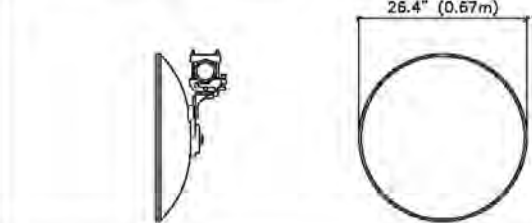




Proposed Improvements





<p>MANUFACTURER: TRANGO SYSTEMS: HP-MNT-XX</p>  <p>TOP VIEW</p> <p>SIDE VIEW</p> <p>NOTE: MODEL TO BE APPROVED BY SPRINT.</p>	<p>MANUFACTURER: CERAGON: FIBEAIR IP-20C COMPACT ALL-OUTDOOR MULTI-CORE NODE</p> <p>FEATURES: -MULTI-CARRIER ADAPTIVE BANDWIDTH CONTROL (UP TO 2+0) -PROTECTION: 1+1/2+2 HSB - HIGH SPECTRAL UTILIZATION QPSK TO 2048 QAM W/ACM -XPIC -2X2 / 4X4 LoS MIMO</p> <p>DIMENSIONS (ODU): -9.05"x9.07"x3.86" -14.33 lbs (6.5kg)</p> <p>CONNECTIONS: -IF CABLE: N-TYPE FEMALE CONNECTOR -ALIGNMENT PORT: BNC FEMALE CONNECTOR</p> <p>OPERATING FREQUENCIES: -ODU: 6 - 38 GHz -STD POWER + SOLAR SHIELD: -9.4°C TO +60°C (-49°F TO +140°F)</p> <p>POWER SUPPLY: -STANDARD: -48 VDC -OPTIONAL: -40 VDC - -60 VDC</p> <p>REFER TO DATA SHEET FOR FULL SPECS.</p>  <p>BOTTOM</p> <p>FRONT</p>
<p>ODU MOUNTING DETAIL</p> <p>SCALE N.T.S. 5</p>	<p>CERAGON FIBEAIR IP-20C</p> <p>SCALE N.T.S. 2</p>
 <p>A</p> <p>B</p> <p>C</p> <p>D</p>	<p>MANUFACTURER: RADIO FREQUENCY SYSTEMS MODEL: RFS-SB1-220AMPT HIGH PERFORMANCE MICROWAVE ANTENNA</p> <p>GENERAL SPECIFICATIONS: ANTENNA INPUT: PDRB4 PACKING: - RADOME COLOR: WHITE RADOME MATERIAL: RIGID REFLECTOR CONST.: 1-PART ANTENNA COLOR: WHITE RAL9010 NOMINAL DIAMETER: 2'ø (60cm) NET WEIGHT: 20 lbs (9kg) FLASH INCLUDED: - POLARIZATION: SINGLE</p> <p>ELECTRICAL SPECIFICATIONS: GAIN, LOW BAND: 33.8 dBi GAIN, MID BAND: 34.5 dBi GAIN, HIGH BAND: 35.2 dBi OPERATING FREQ. BAND: 10-11.7 GHz BEAM WIDTH: 3.2° DISCRIMINATION (XPDP): 30dB</p> <p>REFER TO MW DATA SHEET FOR FULL SPECS.</p>  <p>26.4" (0.67m)</p>
<p>MICROWAVE ANTENNA MOUNTING BRACKET DETAIL</p> <p>SCALE N.T.S. 4</p>	<p>RFS-SB1-220AMPT</p> <p>SCALE N.T.S. 1</p>



Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: The installation will improve wireless communication service in the area, meeting demands for improved wireless connectivity.

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

Explanation: The installation is consistent with other telecom equipment installations.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

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

LF If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

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

Leo Foley

9/18/2018

Signature of licensee or authorized representative

Date

Leo Foley

Printed name of licensee or authorized representative

SAC Wireless on behalf of Sprint

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: 18 -- 19

Planning Commission date: 11 / 19 / 18

Nonrefundable application Fee: \$ 385 Receipt #: _____ Date paid: 10 / 15 / 18

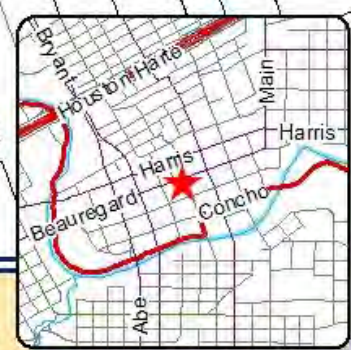
Reviewed/Accepted by: H. Buecker Date: 10 / 15 / 18

Notification Map



CU18-19: Foley
107 South Irving Street
Council District: SMD #3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 150 ft

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



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



APPLICATION TYPE:		CASE:	
Conditional Use		CU18-20: Zipper	
SYNOPSIS:			
A request for approval of a conditional use to allow a skating rink with accessory retail sales and service on the subject property. The current building has been used as a skating rink since the late 1950s or early 1960s. Retail sales and services are allowed in ML zoning district with an approved conditional use.			
LOCATION:		LEGAL DESCRIPTION:	
316 North Baze Street		Being North 74 feet of Lots 9-12, Block 6, Baze Subdivision, Tom Green County, Texas.	
SM DISTRICT/NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Ft. Concho East Neighborhood	ML – Light Manufacturing	Neighborhood	0.34 acre
THOROUGHFARE PLAN:			
<u>North Baze Street</u> – Urban Minor Collector Street, 60’ ROW required (80’ Existing), 50’ pavement required (55’ Provided)			
NOTIFICATIONS:			
5 notifications mailed within 200-foot radius on September 5, 2018. One received in support and zero in opposition			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of case CU18-20 to allow a skating rink with accessory retail sales and service in the Light Manufacturing (ML) Zoning District on the subject property, subject to Two Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Rexy and Judy Zipper			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us			

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

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** There does not appear to be any adverse impacts on surrounding properties if the proposed skating rink with accessory retail sales and service is approved. The existing building was built and used as a skating rink on and off since the late 1950s or early 1960s. The Planning Division believes a skating rink in this location would be compatible with the surrounding commercial and educational uses.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The subject property is zoned ML which allows retail sales and service facilities with an approved Conditional Use, subject to the development standards of the Zoning Ordinance. All relevant aspects of the Zoning Ordinance such as parking and screening will be considered as part of the site plan process associated with future building permits.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The subject property and surrounding area are zoned ML and RS-2. This area is developed with educational and commercial uses. The proposed skating rink is usually compatible with commercial and educational development with an approved conditional use.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment. Land use would continue in the same manner, and intensity, as already exist on the adjacent properties.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** This building was built as a skating rink around the late 1950s or early 1960s. The building has been used on and off in this time period and since 2000 has operated as a nonconforming use. With increasing usage, the applicant would like to add accessible restrooms to allow for ease of use to all visitors. This increased need and usage demonstrates a community need for indoor recreational activities.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** It appears that the proposed Conditional Use would result in a logical and orderly pattern of development. The subject property and surround area are zoned ML and RS-2. Since the area is mostly commercial and educational, the placement of a skating rink may be appropriate for this area.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE CU18-20** to allow a skating rink with accessory retail sales and service in the Light Manufacturing (ML) Zoning District on the subject property, subject to **Two Conditions of Approval:**

1. The applicant shall work with the Permits and Inspections Division to ensure the skating rink facility meets the requirements for a building permit.
2. Applicant must improve the adjacent alley approach to allow of handicap accessibility from North Baze Street.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Site Photos
Proposed Improvements
Applications
Notification Map



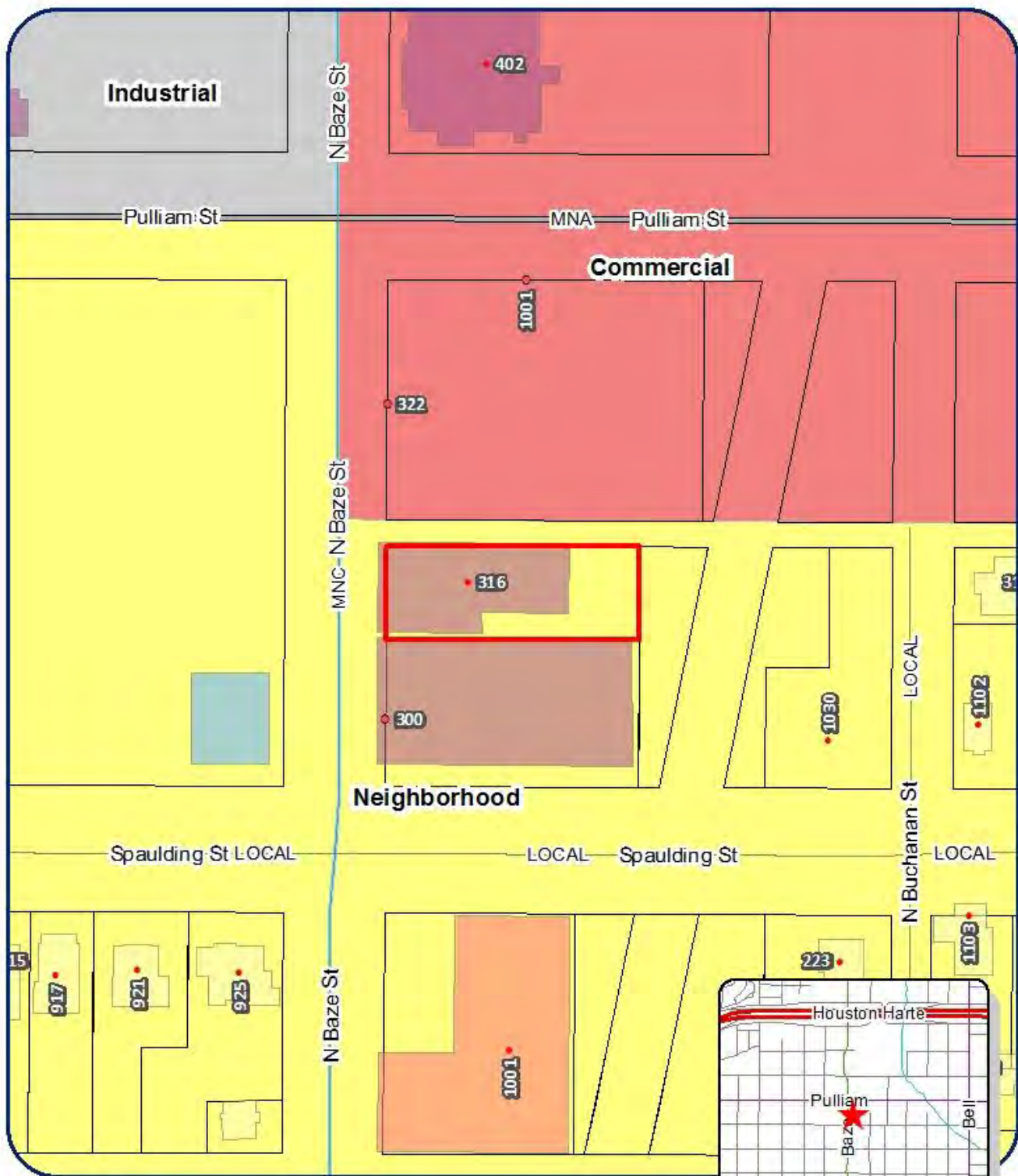
CU18-20: Zipper
316 North Baze Street

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

Legend

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



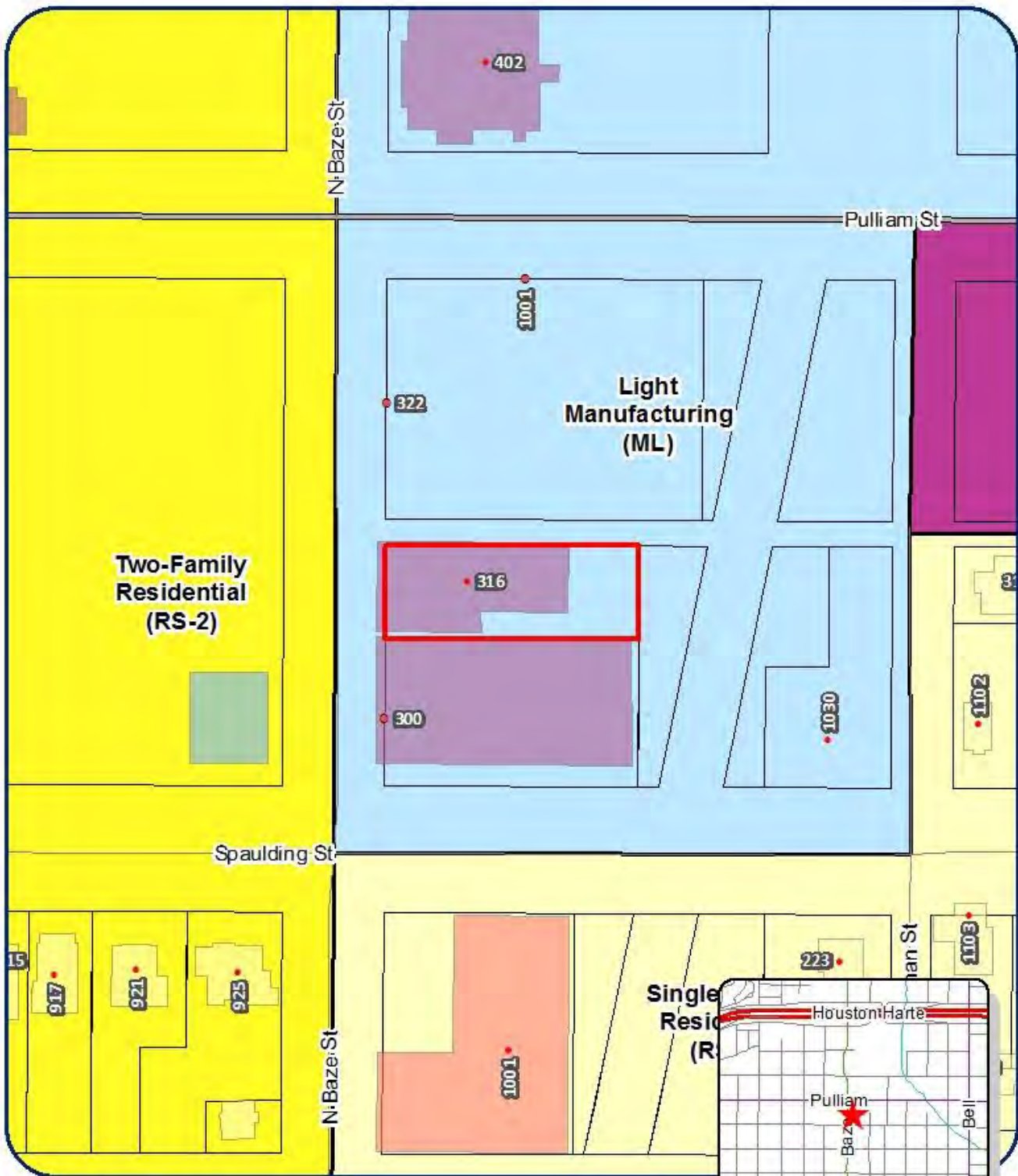


CU18-20: Zipper
316 North Baze Street

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

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



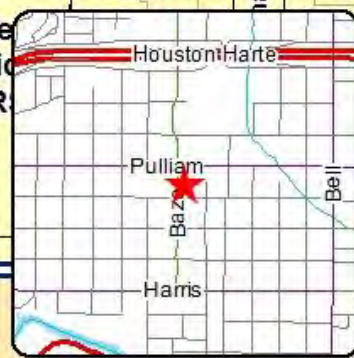


CU18-20: Zipper
316 North Baze Street

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

Legend

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



Site Photos





Proposed Improvements



Effective January 3, 2017



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



Application for Approval of a Conditional Use

Section 1: Basic Information

Name of Applicant(s): Rexy and Judy Zipper
 Owner Representative (Affidavit Required)

Mailing Address: 10225 FM 2166 San Angelo Tx 76904
City State Zip Code

Contact Phone Number: 325-277-9195 Contact E-mail Address: zipperRJ@aol.com

Subject Property Address: 316 N. Baze St. San Angelo Tx 76903
City State Zip Code

Legal Description (can be found on property tax statement or at www.tomgreencad.com):
0.340 Acres, Blk: 6, Subd: Baze S/D, N 74 Ft of lots 9 thru 12

Lot Size: 14,300 sq. ft. Zoning: ML

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Roller Skating Rink

Proposed Use/Size: Roller Skating Rink with 73x16 Ft Addition

Proposed Conditional Use (from Section 309): Restroom Addition 1168 sq. ft.

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

Impacts Minimized. Whether and the extent to which the proposed expansion of a nonconforming use creates adverse effects, including adverse visual impacts, on adjacent properties.
 Explanation: NO Adverse effects: Addition will be added to the back of the existing building, adjacent property has a 8 Ft. metal fence.

Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance, including the applicable zoning district intent statement.
 Explanation: Surrounding Area consist of: SAISA property (San Jacinto Elementary) across the street, also vacant lot to our North side with chain link fence which is also SAISA Property. Lot on our south side has 8 Ft tall metal fence, Residential 300 Ft away.

Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses, surrounding the subject land.
 Explanation: Proposed Addition will be built on the side/back of the existing building. It will not be visible from the street. Along the side is the 8 Ft metal fence of the next door lot and the back of our property has a metal fence - beyond that are trees and the railroad track.

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

Effective January 3, 2017

Explanation: No adverse effects on natural environment - All rain water drains or seeps into the soil.

Section 2 continued: Site Specific Details

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

Explanation: majority of our regular customers are 14 yrs and younger - provides activity for kids.

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

Explanation: With the Skating Rink being in business for 70 yrs it can continue to provide safe activity and enrich the community. With the new updated restrooms added it will better serve our customers.

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

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

RZ SJ If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

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

Rexy Zipper/Judy Zipper
Signature of licensee or authorized representative

10-08-18
Date

Rexy Zipper/Judy Zipper
Printed name of licensee or authorized representative

Roller Rink USA
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: 18 - 20

Planning Commission date: 11 / 19 / 2018

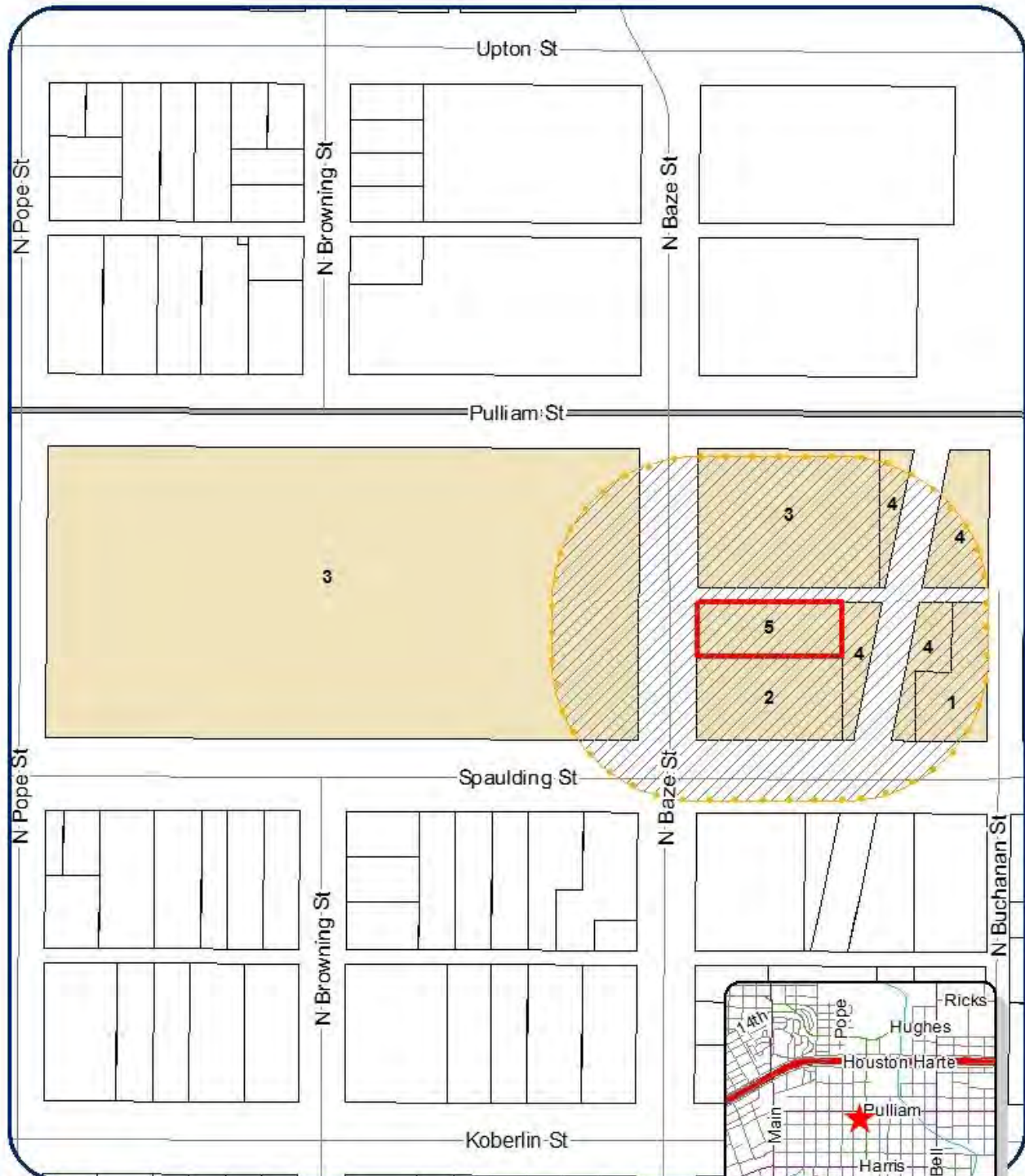
Nonrefundable application Fee: \$ 385.00

Receipt #: 28375 Date paid: 10 / 12 / 18

Reviewed/Accepted by: J. Fisher

Date: 10 / 12 / 18

Notification Map



CU18-20: Zipper
316 North Baze Street
 Council District: SMD #3 - Harry Thomas
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 175 ft

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



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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

() IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

SIGNATURE: Addison Lu Bueker

CU18-20: Zipper

Property owner number: 4

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

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



APPLICATION TYPE:	CASE:
Partial Reconstruction of a Non-Conforming Use	NCU18-01: Weeks (Brite Mara LLC)

SYNOPSIS:

In late August 2018, the applicant requested a Development Review Committee (DRC) Meeting with City staff to discuss repair and reconstruction requirements for an existing, vacant apartment complex on the subject property. The buildings had tornado damage to the roof, doors and windows. The current zoning of General Commercial/Heavy Commercial (CG/CH) on the west half and Single-Family Residential (RS-1) on the east half does not allow an apartment complex and the buildings are therefore a non-conforming use. Section 605 of the Zoning Ordinance allows a partial reconstruction without a rezoning subject to Planning Commission approval, where the current replacement value is greater than 50% of the existing structure. The applicant’s repairs will greatly exceed 50% of the current value – the appraised value on the most recent Tom Green County Appraisal Approval and therefore require Planning Commission Approval (see Additional Information).

LOCATION:	LEGAL DESCRIPTION:
3608 North Chadbourne Street; generally located southeast of the intersection of North Chadbourne Street and East 37 th Street	Being 1.18 acres in the James Williams Survey 121-1/2. Abstract A-5670 in the City of San Angelo

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #2 – Tom Thompson Lake View Neighborhood	CG/CH and RS-1	C – Commercial	1.18 acres

THOROUGHFARE PLAN:

North Chadbourne Street – Urban Arterial Street
 Required: 80’ right-of-way, 64’ pavement
 Provided: 60’ right-of-way, 52’ pavement (complied at time of platting)

East 37th Street – Urban Local Street
 Required: 50’ right-of-way, 40’ pavement and no sidewalk or 36’ pavement with a 4-foot wide sidewalk
 Provided: 50’ right-of-way, 40’ pavement

NOTIFICATIONS:

19 notifications mailed within 200-foot radius on November 5, 2018. Zero received in support or opposition.

STAFF RECOMMENDATION:

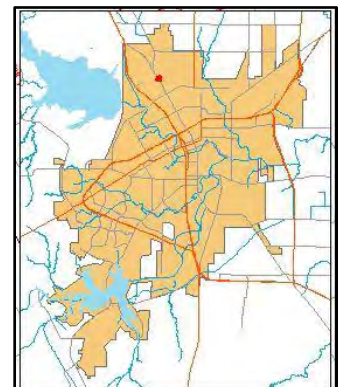
Staff recommends **APPROVAL** of a Partial Reconstruction of a Non-Conforming Use (Multifamily Apartment Complex) under Section 605.B.2 of the Zoning Ordinance on the subject property zoned General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning District on the subject property, **subject to three conditions of approval.**

PROPERTY OWNER/PETITIONER:

Mr. Michael Weeks, Brite Mara LLC

STAFF CONTACT:

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



Additional Information: The applicant's total cost of repairs from tornado damage (\$760,692) will exceed 50% of the current replacement value. When determining replacement value, the Permits and Inspections Division uses the total assessed value of the land and improvements as per the Tom Green County Appraisal District (\$47,130). The applicant has already received a permit for the re-roofing on October 18, 2018 (Permit No. 18-5028). Additional work will include replacement of the existing windows with dual-pane windows, new exterior doors, new cement board siding, new PEX plumbing, a new fire detection sprinkler system, new vinyl flooring in all units, new appliances, new facets and new air-condition units. Planning Commission approval will allow the remaining repairs to take place, improving the buildings' energy efficiency and visual appeal. Any further expansion beyond the current land or floor area would require a rezoning.

Partial Destruction: Section 605.B.2 of the Zoning Ordinance requires that the Planning Commission shall consider, at minimum, the following criteria in determining the appropriateness of any Partial Reconstruction request.

1. Rebuilding or restoration shall comply with the provisions of this Zoning Ordinance to the extent deemed reasonably practical. The applicant's improvements will not expand the footprint of the building or make it more non-conforming. The applicant is also following due process by obtaining the necessary permits for the improvements. If the apartment complex had proper zoning which would be the Low Rise Multifamily (RM-1) Zoning District, it would comply with all the development standards including lot area, lot width, lot depth, setbacks, maximum number of units/acre and parking. The existing apartment complex contains 22 units and the RM-1 standards allow 25 units/acre or $1.18 \times 25 = 30$ units. There are currently 43 striped parking spaces on the property and the complex requires 38 parking spaces in compliance. The Tom Green County Appraisal District indicates the complex was built in 1976, but there is no record of any permits for the complex. Regardless, the current location of the apartment complex on the property is non-conforming and the improvements will not increase the footprint of the structures.

2. The applicant shall make every effort to eliminate the nonconformities and bring the structure and site into substantial conformance with the Zoning Ordinance. There are two deficiencies that were noted during Planning Staff's recent site visit – the applicant requires two of the required parking spaces to be accessible for persons with disabilities, striped and signed, and the sign insert that was added to the existing freestanding sign will require City Council approval, or the sign shall be brought into compliance with the Sign Ordinance. The existing sign is approximately 50 feet high and the sign bracket encroaches over the property line. To comply with the Sign Ordinance, the sign would require a 20-foot setback from the front property line, or may 20 feet tall at the property line. A sign permit will also be required. Planning Staff recommends these conditions of approval – install two accessible parking spaces and bring the freestanding sign into compliance. Planning Staff believes that completing these two conditions will satisfy the Section 605 requirements.

Recommendation:

Staff recommends **APPROVAL** of a Partial Reconstruction of a Non-Conforming Use (Multifamily Apartment Complex) under Section 605.B.2 of the Zoning Ordinance on the subject property zoned General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning District on the subject property, **subject to three conditions of approval.**

1. The applicant shall obtain building permit(s) from the Permits and Inspections Division for all remaining improvements to the existing buildings. Any expansion of land or floor area will require a rezoning approval.
2. The applicant shall provide two accessible parking spaces on the property in accordance with ADA standards.
3. The applicant shall obtain an encroachment approval from City Council for the existing sign in the public right-of-way, or bring the sign in compliance with the Sign Ordinance. A sign permit shall be required in either case from the Permits and Inspections Division.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Aerial Photo of Property
Letter of Intent
Site Plan Summary
Application

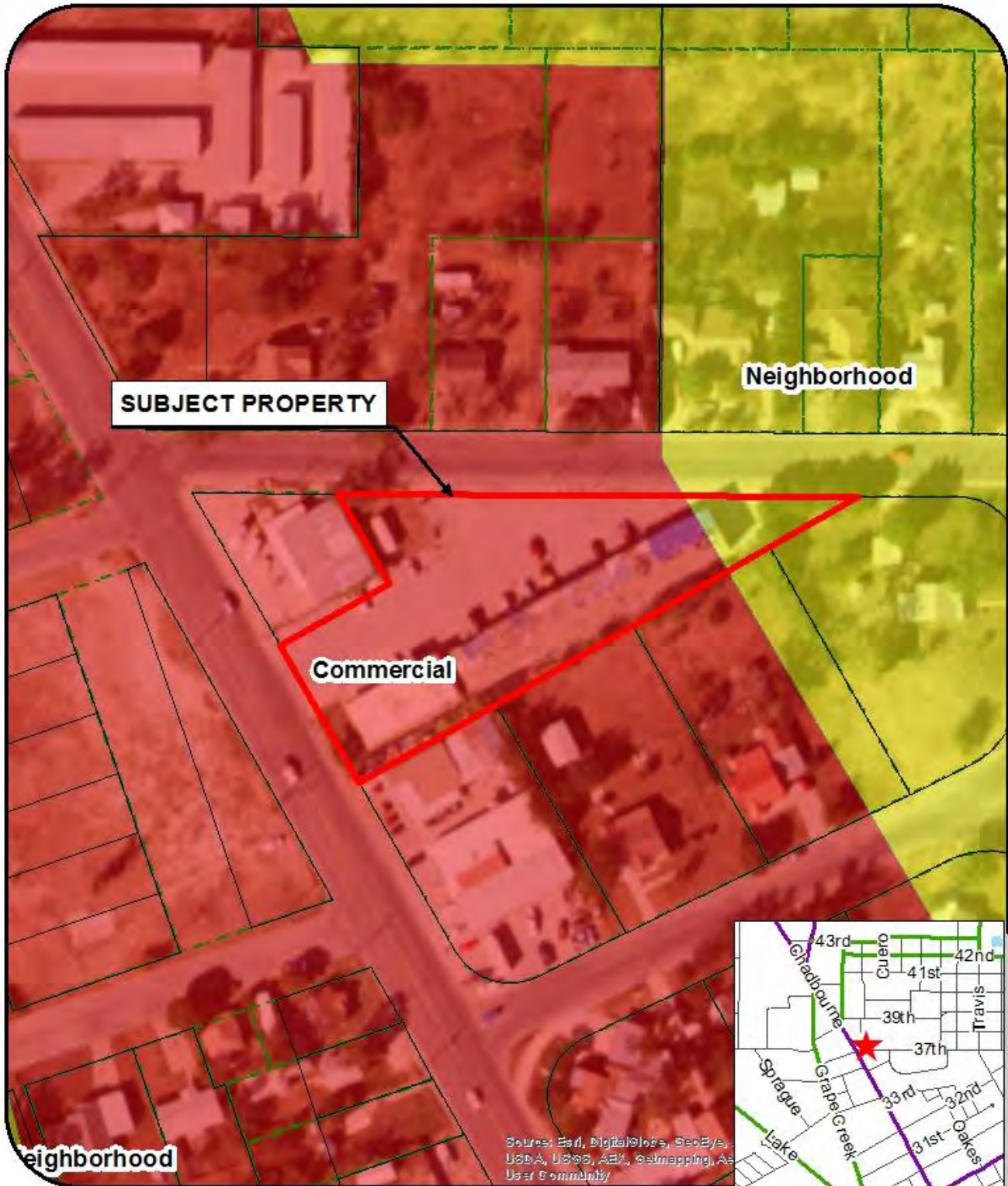


Source: Esri, DigitalGlobe, GeoEye, USA, USGS, Aero, Getmapping, Aer, User Community

Partial Reconstruction S. 605
NCU18-01: Weeks (Brite-Mara)
 Council District: Tom Thompson (SMD#2)
 Neighborhood: Lake View
 Scale: 1" approx. = 100 ft
 Subject Property: 3608 N. Chadbourne St.

Legend:
 Subject Properties: —
 Current Zoning: CG/CH and RS-1
 Requested Zoning: N/A
 Vision: Commercial



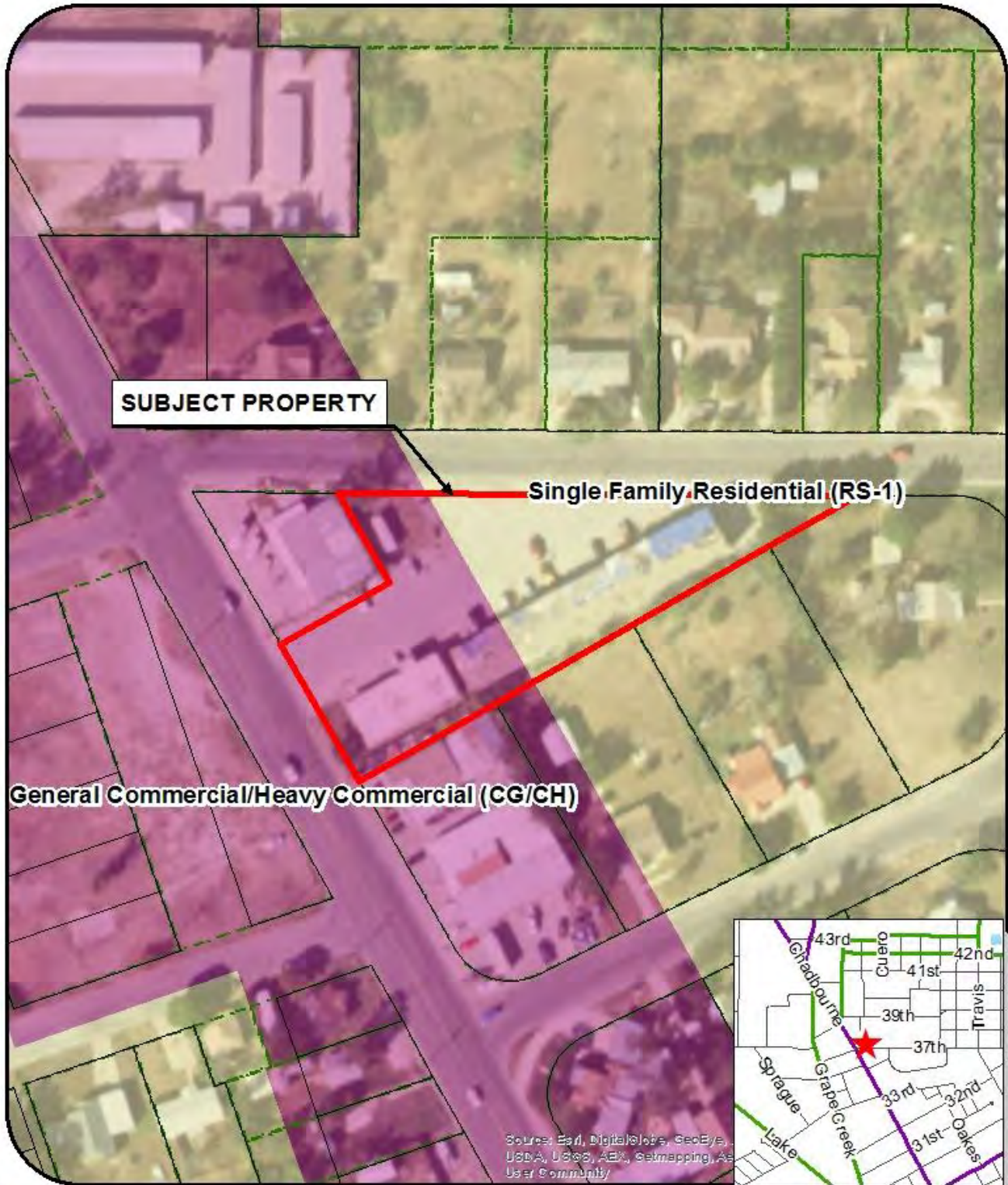


Source: Esri, DigitalGlobe, GeoEye, USA, USGS, Aero, GeoMapping, Aero, User Community

Partial Reconstruction S. 605
NCU18-01: Weeks (Brite-Mara)
 Council District: Tom Thompson (SMD#2)
 Neighborhood: Lake View
 Scale: 1" approx. = 100 ft
 Subject Property: 3608 N. Chadbourne St.

Legend:
 Subject Properties: —
 Current Zoning: CG/CH and RS-1
 Requested Zoning: N/A
 Vision: Commercial





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

Partial Reconstruction S. 605
NCU18-01: Weeks (Brite-Mara)
Council District: Tom Thompson (SMD#2)
Neighborhood: Lake View
Scale: 1" approx. = 100 ft
Subject Property: 3608 N. Chadbourne St.

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



Photos of Site and Surrounding Area

NORTH



SOUTH



WEST



EAST LOOKING AT PROPERTY



FRONT BUILDING



REAR BUILDING



Photos of Site and Surrounding Area

LOOKING NORTH AT EAST 37TH STREET



EXISTING PARKING AREA



EXISTING PLAYGROUND AREA FACING E. 37TH ST.



EXISTING FREESTANDING SIGN



FREESTANDING SIGN BEFORE ALTERATIONS (2016)



Letter of Intent for the Repair of 3608 N. Chadbourne

The subject property at 3608 N. Chadbourne, although vacant now, was a 22 Unit multi-family apartment complex. Our plan is to merely make the necessary repairs and required code upgrades to make this a safe, energy efficient, and desirable apartment complex, while keeping the layout the same. There are no plans to modify the size, footprint, layout, or any structural modifications to the building at all.

A new energy efficient TPO roof has already been installed. Other updates will consist of replacing the windows with dual-pane windows, new exterior doors, new cement board siding, new PEX plumbing, a new fire detection/sprinkler system, new vinyl plank flooring in all units, and new appliances. Additionally we will install all new water saving fixtures and faucets, and new AC units as well.

The first task we undertook has been accomplished. That was to simply secure the property and replace the roof so that no more damage could occur to the property. All the exterior doors and windows have been boarded up already and secured. A temporary power pole has been installed at the property so that security lights can be installed on the building. As mentioned, the entire roof has been replaced as well which was a large expense.

The next step of the process is to have a state licensed Asbestos contractor to abate the asbestos present.

If requested, I would be happy to provide examples of other complexes we have repaired before. My strategy is to spend the capital upfront to make the repairs right the first time and create an aesthetically pleasing and energy efficient complex. Our intent is to keep the property as an investment for years to come.

Thank you,

Michael W. Weeks, Member
Brite Mara LLC

\$47,130	Current 2018 Tom Green County Appraised Value
\$760,692	Estimated Budget for Repairs & Code Upgrades to Property

Site Plan Summary

Total Number of Current Striped Parking Spaces = 43

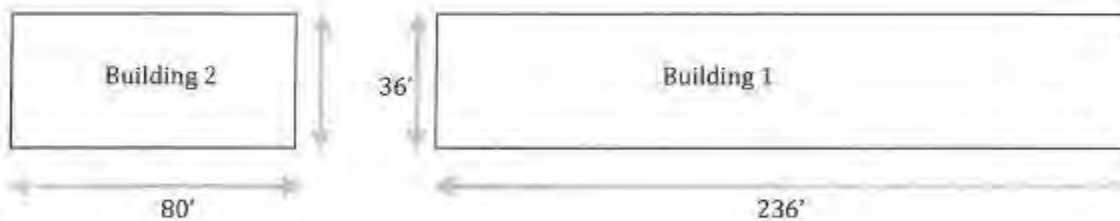
Additional space available for more parking = 5 more spaces.

Required number of parking spaces for current configuration = 37.75

Building 1	Quantity	Prkg per bed	Parking Spaces Required
1- Bedrooms	8	1.5	12
2- Bedrooms	8	1.75	14
3- Bedrooms	4	2	8

Building 2	Quantity	Prkg per bed	Parking Spaces Required
2- Bedrooms	1	1.75	1.75
3- Bedrooms	1	2	2

Total	22		37.75
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Effective January 3, 2017

Section 2 continued: Site Specific Details

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

Explanation: In our demographic analysis there is a need in this area for affordable housing.

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

Explanation: N/A

Section 3: Applicant(s) Acknowledgement

Please initial the following:

MW The Planning Commission makes the final decision on these requests; appeals may be directed to City Council.

MW I understand that the Planning Commission may impose conditions including, but not limited to: Limitations on size, bulk and location; requirements for landscaping, buffering and screening, lighting, & adequate ingress and egress; cash deposits, bonds or other guarantees of performance; other on-site improvements and limitations on the duration or hours of operation of an expanded use.

MW Approval of this request does not constitute approval of permits, site plans, or other processes that require a separate approval.

MW If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

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

[Signature] member
Signature of licensee or authorized representative

10/12/18
Date

Michael W. Weeks, Member
Printed name of licensee or authorized representative

Brite Mara LLC
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: NCU: 18-01 Associated Case(s): _____

Planning Commission Meeting Date: 11/19/2018

Non-Refundable Fee: \$ 353.00 Receipt #: 26018 Date paid: 10/12/18

Reviewed/Accepted by: J. Fisher Date: 10/12/2018

MEMO



Meeting

Date: November 19, 2018

To: Planning Commission

From: Hillary Bueker
Senior Planner

Agenda Item: Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, establishing a new Section regulating mobile food trucks in the City of San Angelo.

Background:

On January 30, 2018, the City of San Angelo held its first public Food Truck Forum, allowing mobile food unit owners the opportunity to come together and provide suggestions for improvement of the City's permitting process. As a result staff became aware there were a few issues that the permit holder wanted to see addressed from the City's Planning & Development Services Department. In response to this forum, the City quickly eliminated the need for Itinerant Merchant's permits, and the need for applicants to visit five different divisions.

To continue with the improvements, on September 5, 2018, Planning Staff hosted a public forum to discuss proposed changes to the Zoning Ordinance regulations. Most of the citizen in attendance were currently associated with a food truck business and raised some of their questions and concerns. The attached proposed regulations include comments from food truck owners as well as staff's proposed regulations based on comparison city research.

Planning Commission Requested Action:

Recommend Approval of the Text Amendment to Chapter 12, Exhibit "A" Zoning Ordinance, establishing a new Section regulating mobile food trucks.

Attachment: Draft Food Truck Regulations

FOOD TRUCKS

Purpose

To establish the requirements for Mobile Food Units in order to:

- Maintain and improve property values by ensuring a minimum level of development quality for mobile food units
- Provide direction to business owners that have the opportunity to increase jobs and business.
- Offer opportunities for new and existing food establishments to provide food choices where full restaurants may not be possible.
- Adapt to an evolving economy and support local entrepreneurship.

Applicability

- The provisions of this article shall apply to any mobile food unit within the jurisdiction of the city.
- No new food permits may be approved unless the applicable provisions of this section are met.
- If required, No Certificate of Occupancy shall be issued for any property unless the applicable provisions of this section are met.
- Reoccupying a structure that has been vacant for more than two years may require compliance to the provisions contained herein.

General Requirements - Mobile Food Units

1. Mobile food unit shall be permitted to conduct business in all commercial, manufacturing and industrial zoning districts.
2. Mobile food units shall be allowed to park on residentially zoned properties that have approved conditional/special uses for non-residential uses.
3. Mobile food units shall be allowed to park up to 4 hours in a 24 hour period in residentially zoned areas on non-residential use properties that are least 100 feet from a residential use structure.
4. Mobile food units may be allowed to park up to 4 hours in a 24 hour period within a multi-family housing property with the property manager's written permission. A copy of the written and notarized permission to operate in a specific location shall be kept within the mobile unit at all times.
5. A mobile food unit shall not locate on any property without written permission to do so. A copy of the owner's written and notarized permission to operate in a specific location signed by the owner shall be kept within the mobile unit at all times.

6. A mobile food unit can operate from one location for up to 3 consecutive days but must then vacate that location for at least 3 days.
7. Mobile food units located at one location for more than 4 hours shall require an improved all-weather parking surface.
8. Mobile Food units shall not occupy one location within the public right-of-way for more than 4 hours except with an approved special event permit.
9. A mobile food unit shall not conduct business within fifty (50) feet of the entrance of an open and operating food service establishment. This buffer may be reduced upon receiving written, notarized permission from the owner of said establishment.
10. Mobile food units shall not park within 200 feet of a public or private school without written permission to do so from the school. A copy of the school's written and notarized permission to operate in a specific location shall be kept within the mobile unit at all times.
11. Mobile food units shall not park in the right-of-way within 200 feet of residential use structure except in the Central Business District (CBD) zoning district.
12. The mobile food unit shall not locate a mobile unit in such a manner or location that obstructs or causes to be obstructed any sidewalk, street, alley or any other public place by causing people to congregate at or near the mobile unit.
13. A mobile unit shall not block any fire lane, drive aisle, or block access to any parcel or alley, unless a proper street use license is approved
14. No mobile unit shall locate in such a manner as to cause any obstruction within a visibility triangle
15. Each mobile unit shall be equipped with a portable trash receptacle and the mobile food Unit shall be responsible for proper disposal of solid waste and wastewater associated with the business.
16. Mobile foot units shall be allowed to park in parks only in designated areas.
17. Mobile food units shall not operate in residentially zoned areas or parks between the hours of 10:30 p.m. And 7:00 a.m.

Mobile Food Unit –Commissary

1. Mobile food unit wanting to operate from a location for more than 3 days must be at their commissary, except for a special event.

2. Commissaries are allowed in zoning districts that currently allow retail sales and service by right or;
 - a. Alternatively obtain a conditional use for retail sales and service where applicable in the use table.
3. Mobile food units shall be parked on a paved surface
4. Mobile food units must comply with all setback lines established by the subject property's zoning district.
5. Mobile food unit commissaries shall comply with screening regulations contained in the zoning ordinance.
6. Mobile food units shall submit a site plan for commissary location when:
 - a. A new certificate of occupancy or change of occupancy for a new commissary.
 - b. Expansion or other improvements to a commissary that would normally trigger site plan review for any building/site expansion.
 - c. Intent to operate a food truck from the commissary on a semi-permanent basis (i.e., more than 3 days in a week).
7. Mobile food unit commissaries located within districts with approved guideline must comply with all district guideline and seek commission approval when needed.

MEMO



Meeting

Date: November 19, 2018

To: Planning Commission

From: Jon James, AICP
Director

Agenda Item: Update to the City's Annexation Plan and adoption of an Annexation Program

Background:

The City last adopted an update to the City of San Angelo "Annexation Plan" as part of the 2009 revision to the City's Comprehensive Plan. Since that time, the State of Texas has established rules and standards for what qualifies as an official annexation plan, including specific dates by which such annexations in the plan must be adopted. Therefore, City staff is proposing to adopt a new "Annexation Plan" which simply states that no annexations are planned that require inclusion in an official City annexation plan. The current long-range plan for annexation of land into the City will be updated and modified. This new "Annexation Program" will identify these areas for future annexation.

Under state law, cities in Texas not only have authority to regulate development within the city limits, certain authority is granted to review development within the City's extraterritorial jurisdiction (ETJ). The size of the ETJ is established by state law and varies by the population of the city. For San Angelo, our designated ETJ is 3½ miles from the city limits, which automatically expands each time new land is annexed into the City. However, once the population of the City officially reaches 100,000, expected in the 2020 Census, the City's ETJ will expand to 5 miles from the existing city limits.

The City and Tom Green County currently have a state-required agreement that authorizes the City to review all land subdivision activity within the entire ETJ. Based on discussions with both County officials and the development community, City staff is proposing to amend the ETJ Agreement with the County to authorize the City to exercise review within the areas shown on the City's adopted Annexation Program Map, as may be amended, and the County would be responsible for reviewing developments throughout the remainder of the ETJ. This will allow the City to continue to review development in those areas most likely to be annexed in the next 20-30 years, but will defer to the County those areas either already mostly developed and unlikely

to be annexed or outside the areas the City anticipates annexing per the Annexation Program map.

Presently, staff is proposing to adopt the attached Annexation Program map that does not differentiate between short-term, medium-term, and long-term annexations areas. However, at some point in the future, after discussions with City Council, staff may bring this map back for revisions to create these sub-areas.

Planning Commission Requested Action:

Prior to taking this Annexation Program to the City Council for formal adoption, staff is presenting to the Planning Commission for review and recommendation.

Attachment:

Draft Annexation Program Map

