
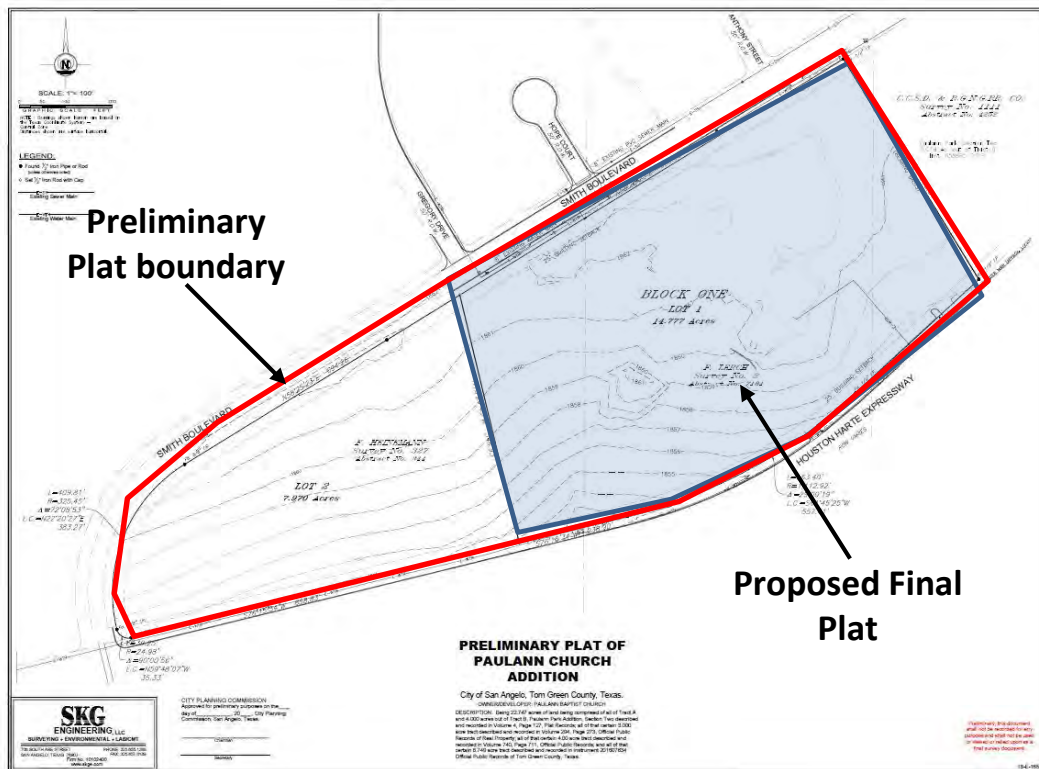


**PLANNING COMMISSION – April 15, 2019
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Preliminary Plat		Preliminary Plat of Paulann Church Addition	
SYNOPSIS:			
<p>The applicant is planning an expansion of their existing church facilities and has submitted the subject preliminary plat and associated final plat for approval the Planning Commission. Chapter 5.III.A.2 of the Land Division and Subdivision Ordinance requires that major subdivisions be accompanied by a preliminary plat, which applies to the subject properties. The preliminary plat will encompass the final plat, as well as all remaining land owned by the applicant to the west where Smith Boulevard ends. The preliminary plat will comprise 22.747 acres of land into two lots, and the associated final plat will be for Lot 1 which is 14.777 acres. Lot 1 encompasses the existing church and expansion area. Lot 2 will remain vacant for future development.</p>			
LOCATION:		LEGAL DESCRIPTION:	
2531 Smith Boulevard & unaddressed tracts immediately west between Smith Boulevard and East Houston Harte Expressway Frontage Road		Being 22.747 acres of land being comprised of all of Tract A and 4.000 acres out of Tract B, Paulann Park Addition, Section Two, and 15.747 acres of unaddressed tracts, City of San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lucy Gonzales (SMD#4) Neighborhood: Paulann	CG – General Commercial	C – Commercial	22.747 acres
THOROUGHFARE PLAN:			
<p>East Houston Harte Expressway Frontage Road (TXDOT) – Urban Major Arterial Street Required: N/A – TXDOT road Provided: 125’ right-of-way, 40’ pavement Smith Boulevard – Urban Collector Street Required: 60’ right-of-way, 50’ pavement Provided: 80’ right-of-way, 50’ pavement east of Gregory Drive; 35’ pavement east of Gregory Drive (7.5’ of incremental paving width will be required at time of final platting of Lot 2 west of Gregory Drive).</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of “Preliminary Plat of Paulann Church Addition”, subject to five Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Property Owner: Paulann Baptist Church Agent: Mr. Russell Gully, SKG Engineering, LLC			
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 subject land is designated “Commercial” in the City’s Comprehensive Plan. Commercial areas “seek visibility and convenient access offered by frontage on the major street network. The uses within this area draw from the larger regional area, thus necessitating the citing.” These areas also call to “where possible, plan for new pedestrian and/or vehicular connections through Commercial areas to integrate them with the city-wide grid of network for streets.” The proposed preliminary plat and associated final plat will achieve all of these objectives. The subject area encompasses the existing Paulann Church which fronts onto the Houston Harte Expressway Frontage Road and services a larger area. The applicant has agreed to install a future sidewalk approximately 500 feet in length prior to final occupancy of any new or expanded building, adjacent to Smith Blvd from the main entrance to the west property limits. The sidewalk will provide greater pedestrian connectivity to the church and the Paulann neighborhood.

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 plat will allow future final plats to continue to provide direct and abutting access onto the existing street network - to both Smith Boulevard, a collector street, and East Houston Harte Expressway Frontage Road, connected to the expressway. The preliminary plat will ensure adequate phasing for long-term growth of the church. Finally, the new sidewalk at the time of permitting will ensure greater pedestrian circulation through the property and surrounding neighborhood.

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

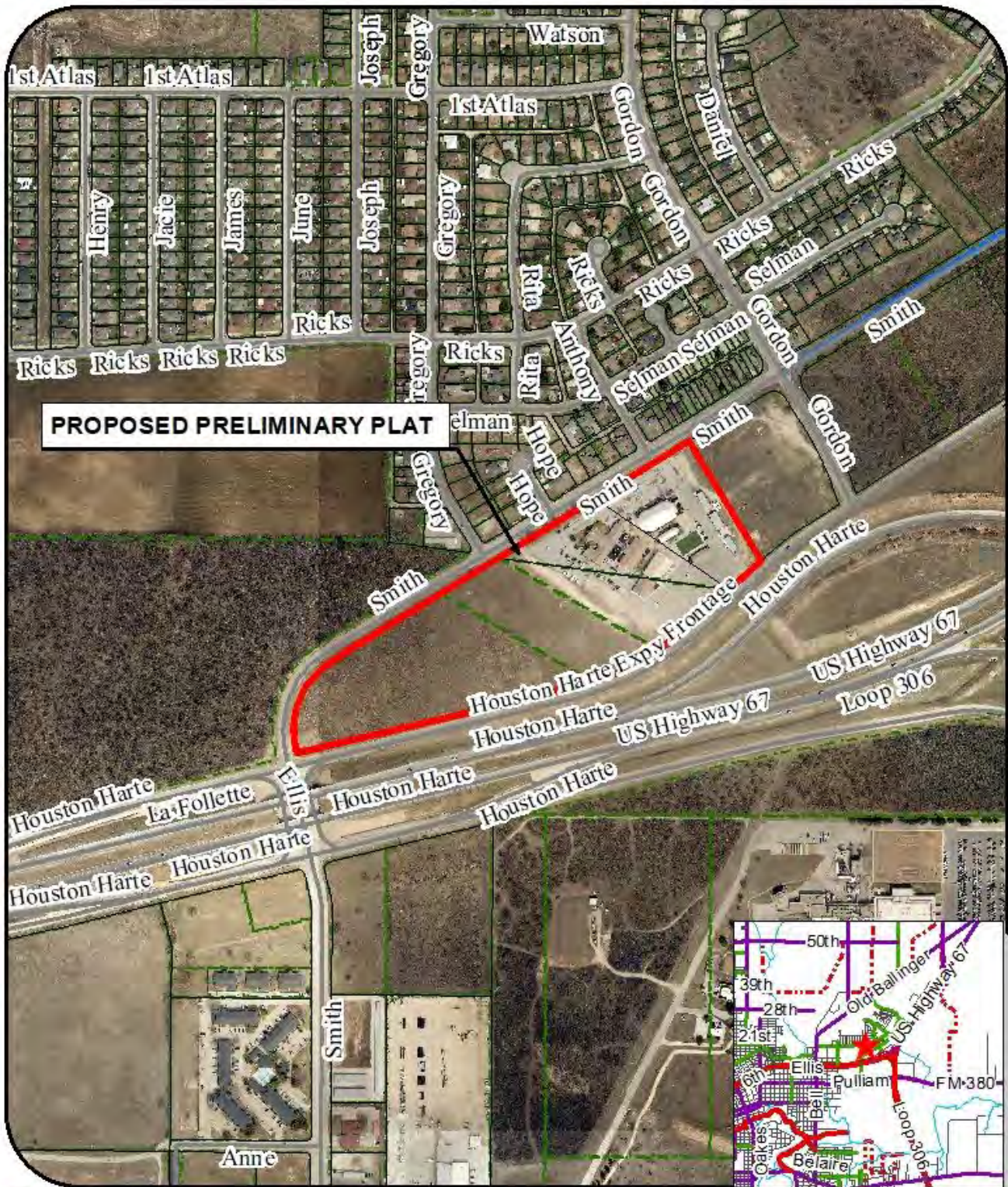
APPROVE the Final Plat of "Preliminary Plat of Paulann Church Addition", subject to the following **five Conditions of Approval:**

1. At time of final platting of Lot 2, per Land Development and Subdivision Ordinance, Chapter 11.I.B, plans for approval, illustrating the proposed installation of a looping water main and required service connections shall be submitted and complete the installation in accordance with the approved version of these plans.
2. At time of final platting of Lot 2, per Land Development and Subdivision Ordinance, Chapter 12.I.A, City of San Angelo Standards & Specifications, plans for approval, illustrating the proposed installation of a sewer main and required service connections shall be submitted for approval, per Chapter 12.1.B, complete the installation in accordance with the approved version of these plans.
3. At time of final platting of Lot 2, per Stormwater Ordinance, Sec 12.05.001 and Stormwater Design Manual, Sec 2.13, a drainage study shall be submitted if the impervious area changes by 5% and development* of a site exceeds 1 acre. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. *note development is defined in ordinance as "Any man-made change to improved or unimproved real estate, including, but not limited to, adding buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, clearing, or removing vegetative cover."
4. At time of final platting of Lot 2, per Land Development and Subdivision Ordinance, Chapter 10, plans for required improvements to Smith Blvd. by half the additional increment necessary to comprise the minimum paving widths shall be submitted. For Smith Blvd., the minimum width is 50 feet (in this case, requiring 7.5 additional feet).

5. Prior to building permit, per Section 507 of the 2015 International Fire Code, the number and location of fire hydrants will be reviewed with the looping water mains required by Engineering and at the time of the building permit application.

Attachments:

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



PROPOSED PRELIMINARY PLAT

Subdivision Case File

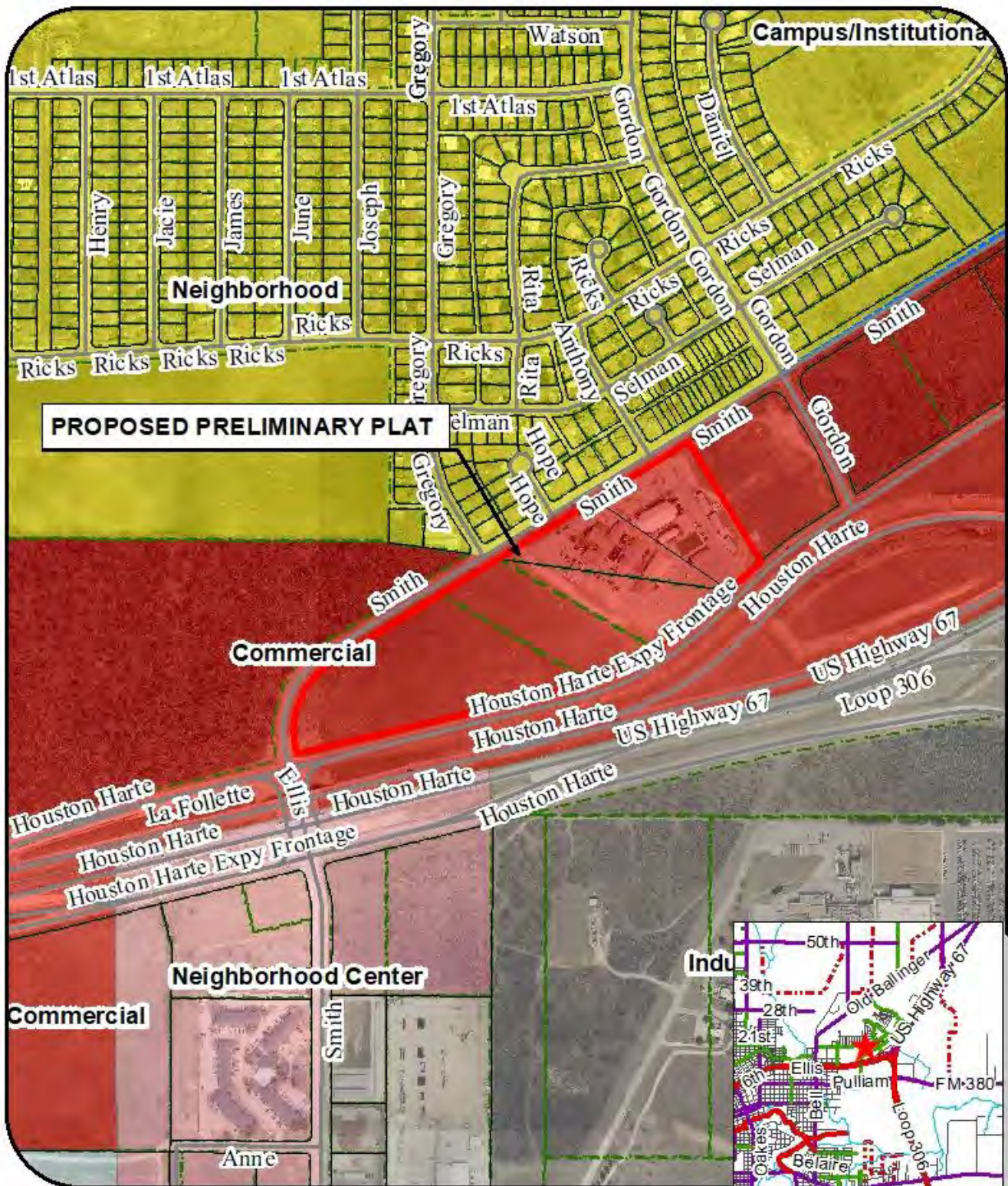
Paulann Church Addition, Prelim. Plat

Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 502 ft
 Subject Property: 2531 Smith Blvd, 22.747 acres

Legend:

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

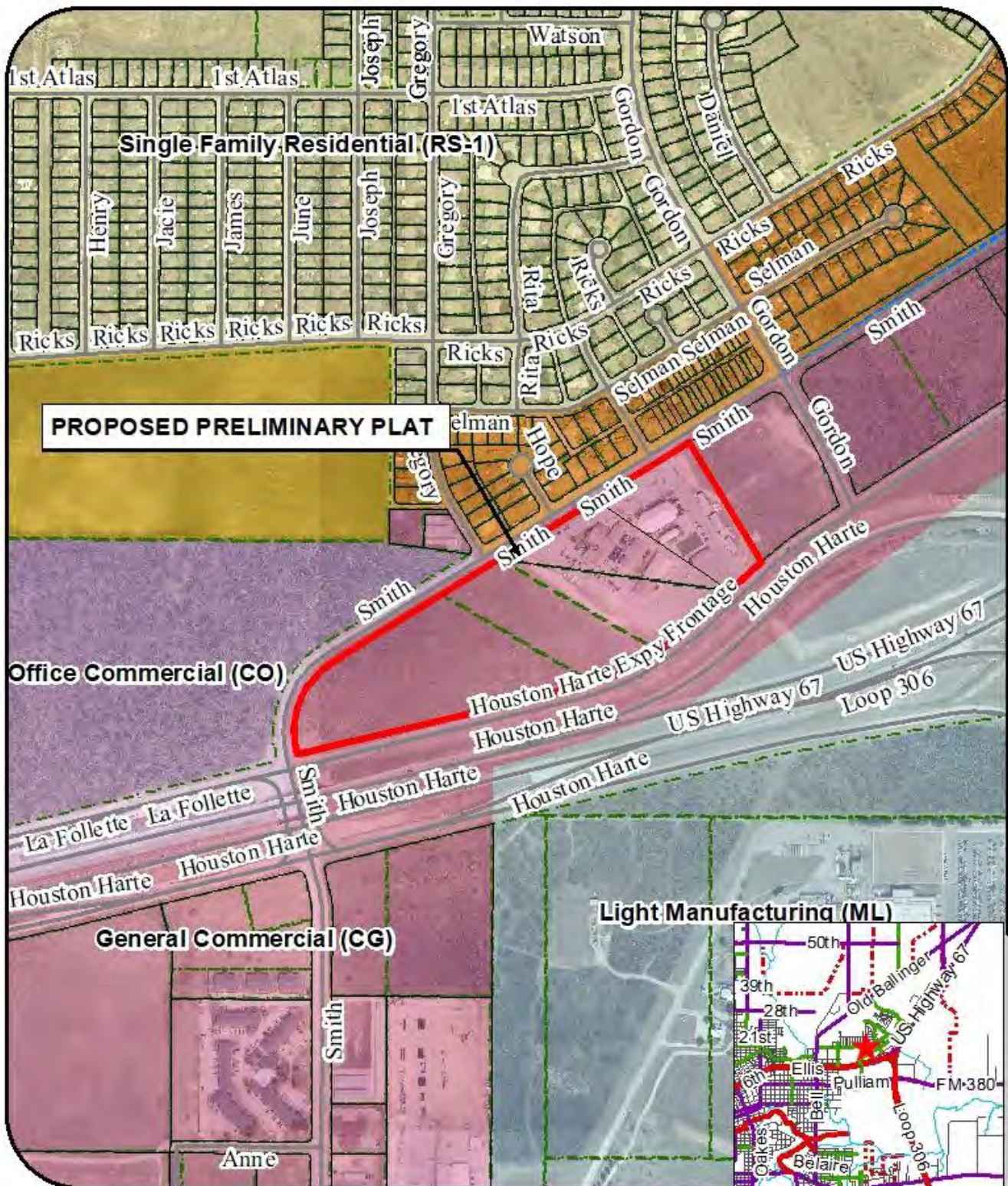




Subdivision Case File
Paulann Church Addition, Prelim. Plat
 Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 502 ft
 Subject Property: 2531 Smith Blvd, 22.747 acres

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

▲ N

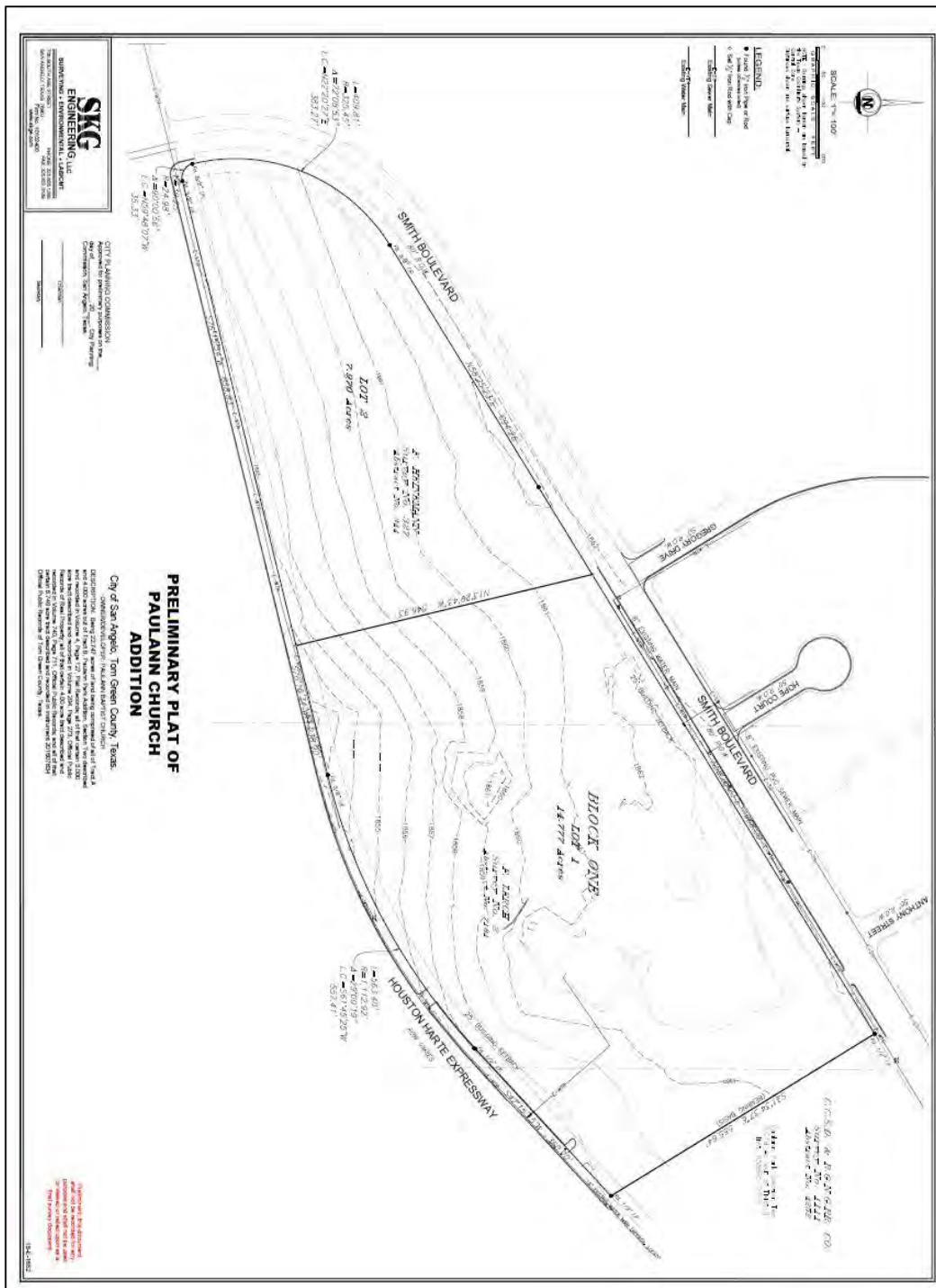
Subdivision Case File
Paulann Church Addition, Prelim. Plat
 Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 502 ft
 Subject Property: 2531 Smith Blvd, 22.747 acres

Legend:

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



Proposed Preliminary Plat





City of San Angelo, Texas - Planning Land Subdivision Application



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

Section 1: Basic Information

Preliminary Plat of Paulann Church Addition

Proposed Subdivision Name

22.747 acres out of Lerch, CCSD&RGNG RR, Heinemann, Tracts A&B, Paulann Park

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

21-38300-0050-001-00; 38-04252-0009-000-00; 38-00344-0004-100-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name	Phone Number	Email Address
Property Owner: Paulann Baptist Church	325-655-7552	kirt@paulann.org
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

Name	Phone Number	Email Address
Property Owner: Paulann Baptist Church	325-655-7552	kirt@paulann.org
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

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

Name	Phone Number	Email Address
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? 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

22.747 2

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

Existing Zoning:

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

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

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

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

Vacant _____ Single-Family Residential _____ Office _____

Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 22.747

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

Vacant _____ Single-Family Residential _____ Office _____

Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 22.747

Are there existing structures on the property? Yes No

If yes, how many structures exist? 9 What type of structures exist currently? _____
Church Sanctuary, offices, educational buildings

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.

[Signature]
 Owner's Signature

[Signature]
 Representative's Signature

3.20.19
 Date

3.20.19
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 3/26/19 Date Deemed preliminary complete: 3/26/19 3:10pm Time df Initials

Received by Development Services Technician for completeness review: 3/26/19 3:10pm Time df Initials

Completeness review passed? Yes 3/26/19 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 4/3/19 Date df 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 – APRIL 15, 2019
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Final Plat		Kent Distributors Subdivision, Section One	
SYNOPSIS:			
This is an application to final plat 8.567 acres of a surveyed land into one commercial lot located in north San Angelo. No unusual physical features are associated with the property, the site is relatively flat with no existing structures, and has frontage along West 33 rd Street, North Bryant Boulevard, and Riverside Golf Club Road. The lots comply with the minimum lot area, lot frontage, and lot depth of the CG /CH Zoning District.			
LOCATION:		LEGAL DESCRIPTION:	
Generally located southwest of the intersection of West 33 rd Street and North Bryant Boulevard		Abst: A-0353 S-0317, Survey: JOSEPH HECKEL, 2.4550 ACRES; Abst: A-0353 S-0317, Survey: JOSEPH HECKEL, 6.1910 ACRES IN TRACT D	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #2 – Tom Thompson Riverside Neighborhood	General Commercial/ Heavy Commercial (CG/CH)	Commercial	8.567 acres
THOROUGHFARE PLAN:			
<p><u>West 33rd Street</u> – Urban Local Street, Required 50’ min. ROW (44’ provided), Required 36’ with a 4’ sidewalk or 40’ min. pavement width (None existing).</p> <p><u>North Bryant Boulevard</u> – State Maintained Road, 148’ ROW existing, Pavement width varies existing.</p> <p><u>Riverside Golf Club Road</u> – Urban Local Street, Required 50’ min. ROW (100’ existing), Required 36’ with a 4’ sidewalk or 40’ min. pavement width (22’ existing).</p>			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Final Plat of Kent Distributors Subdivision, Section One, subject to Seven Conditions of Approval .			
PROPERTY OWNER/PETITIONER:			
Kent Distributors, Incorporated/ Russell Gully, SKG Engineering			
STAFF CONTACT:			
Hillary Bueker 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 “Commercial” in the City’s Comprehensive Plan which intends to promote “single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network. The uses within this area often draw from the larger regional area.” With the proposed plat, the new lot would be created within the existing CG/CH zoning, which would allow the addition of new commercial development. This addition would fit into the adjacent commercial properties along North Bryant Boulevard 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 commercial zoning districts.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the Final Plat of Kent Distributors Subdivision, Section One, subject to **Seven Conditions of Approval**.

1. 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].
2. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections [Land Development and Subdivision Ordinance, Chapter 11.I.A] 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].
3. Prior to plat recordation, prepare and submit plans for approval, illustrating the required construction of West 33rd Street, meeting the requirements for an "urban" Local road with a minimum 20' of pavement, standard curb-and-gutter required [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10]. Alternatively,

submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6]. A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV].

4. Prior to plat recordation, prepare and submit plans for required improvements to Riverside golf Course Road by half the additional increment necessary to comprise the minimum paving widths [Land Development and Subdivision Ordinance, Chapter 10]. For Riverside Golf Course Road, the minimum width is 40 feet (in this case, requiring 9 additional feet). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6].
5. 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]
6. Prior to plat recordation, per Subdivision Ordinance, Chapter 7.II.A., provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision
7. Prior to plat recordation, illustrate the required 25' building line along the frontages of North Bryant Boulevard, West 33rd Street, and Riverside Golf Course Road. [Zoning Ordinance, Sec. 501].

Notes:

1. Sidewalks will be required during the building permits phase of development
2. TxDOT coordination will be necessary if any approaches off of US 87 are planned.
3. A fire hydrant is located at the southwest corner of the subject property. The need for additional fire hydrants will be evaluated when buildings are proposed for the site. [2017 International Fire Code Section 507]

Attachments:

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

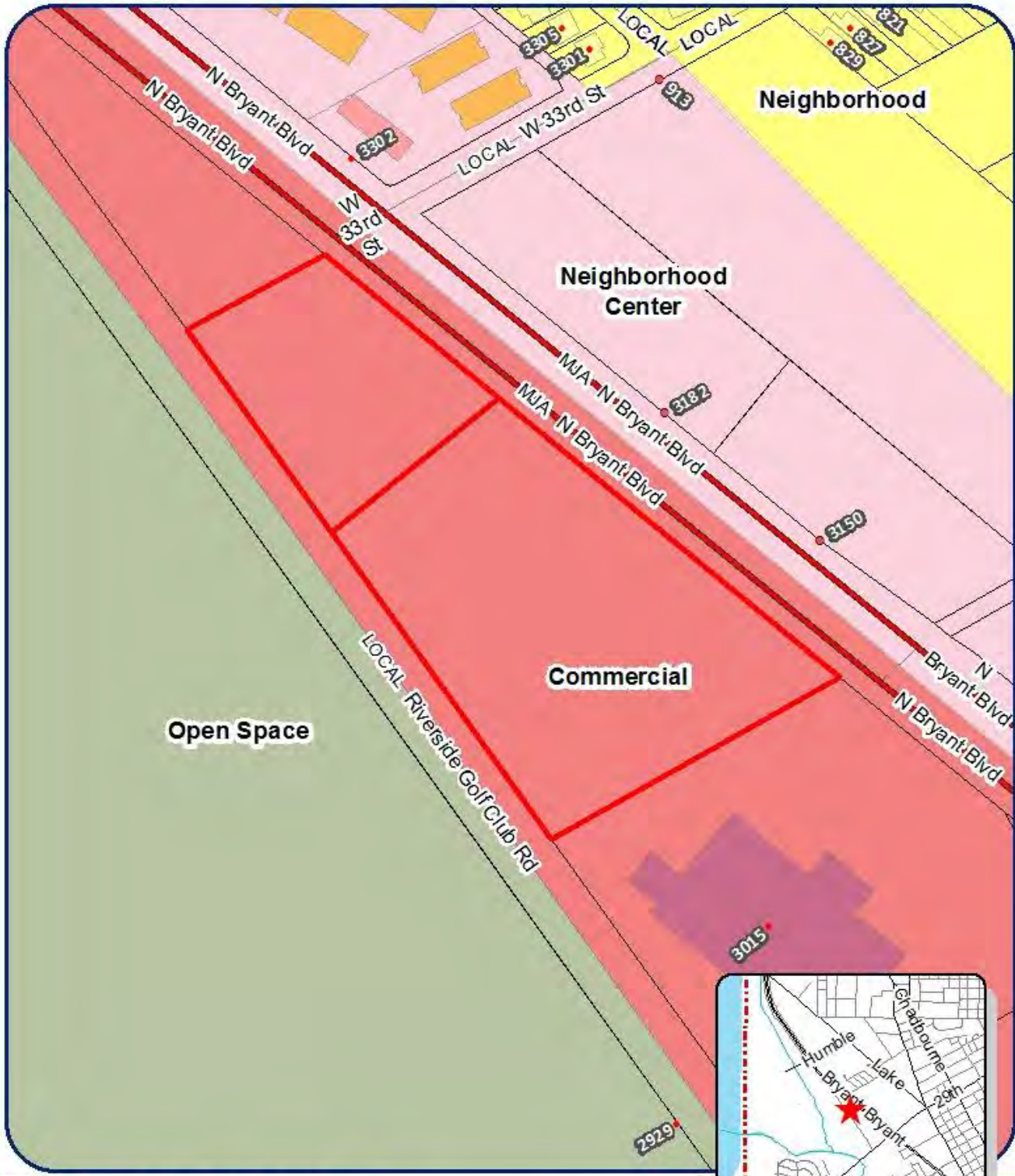


Kent Distributors Subdivision
W 33rd St & N Bryant Blvd

Council District: SMD #2 - Tom Thompson
 Neighborhood: Riverside
 Scale: 1" approx. = 200 ft

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



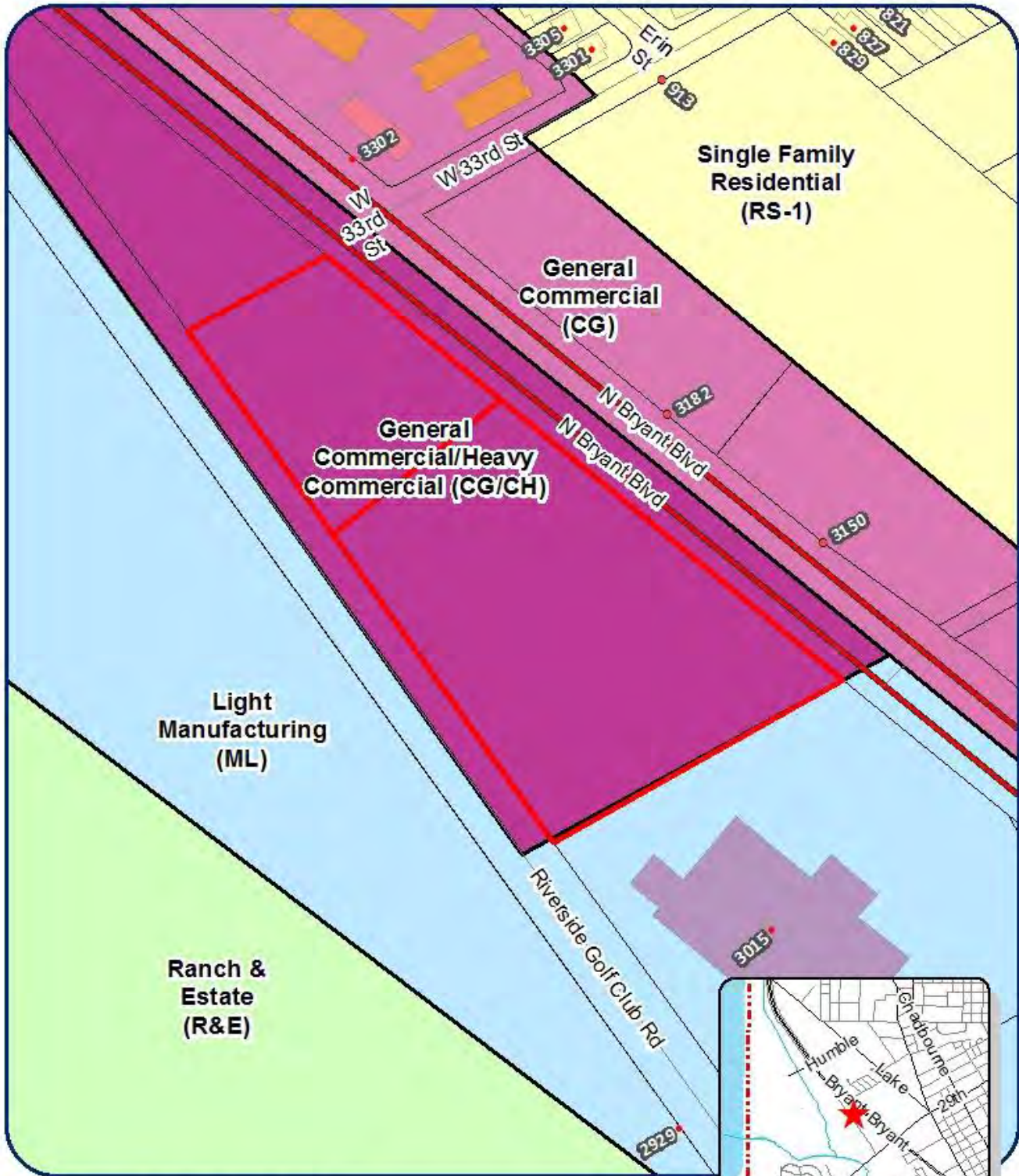


Kent Distributors Subdivision
W 33rd St & N Bryant Blvd

Council District: SMD #2 - Tom Thompson
 Neighborhood: Riverside
 Scale: 1" approx. = 200 ft

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





Kent Distributors Subdivision
W 33rd St & N Bryant Blvd
 Council District: SMD #2 - Tom Thompson
 Neighborhood: Riverside
 Scale: 1" approx. = 200 ft

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





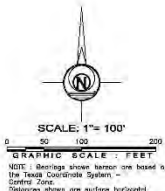
PLANNING COMMISSION
 Approved for recording this ___ day
 of ____, 20__ City Planning
 Commission of San Angelo, Texas.
 By: _____
 Chairman

 Secretary

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

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

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



This Plat is Filed in Cabinet ___ Slide ___
 Plat Records of Tom Green County, Texas.

Field Notes are filed as Instrument No. ___
 Official Public Records, Tom Green County, Texas.

SKG ENGINEERING, L.L.C.
 SURVEYING • ENVIRONMENTAL • LAB/CMT

700 SOUTH ABE STREET
 SAN ANGELO, TEXAS 76903
 PHONE: 325.655.0300
 FAX: 325.657.0100
 FIRM NO. 10102420
 WWW.SKGCORP.COM



City of San Angelo, Texas - Planning Land Subdivision Application



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

Section 1: Basic Information

Kent Distributors Subdivision, Section One

Proposed Subdivision Name

Abst: A-0353 S-0317, Survey: JOSEPH HECKEL, 2.4550 ACRES; Abst: A-0353 S-0317, Survey: JOSEPH HECKEL, 6.1910 ACRES IN TRACT D

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

38-00353-0003-000-01; 38-00353-0003-000-00

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:

Name	Phone Number	Email Address
Kent Distributors, Incorporated	(325) 456-5350	rayhawkins0422@gmail.com

Property Owner:

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

Architect/Engineer/Design Professional:

Name	Phone Number	Email Address
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? 2" - 6"
 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

8.647 1

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

Existing Zoning:

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

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

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

Vacant 8.647 Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

Vacant _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 8.567

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.

Owner's Signature

Date

3/20/19

Representative's Signature

Date

3.20.19

FOR OFFICE USE ONLY:

Submitted to front desk: _____ Date _____ Deemed preliminary complete: _____ Date _____ Time _____ 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: _____

PLANNING COMMISSION – April 15, 2019

STAFF REPORT



APPLICATION TYPE:		CASE:	
Final Plat		Final Plat, Bentwood Country Club Estates, Section 41	
SYNOPSIS:			
<p>This is a Final Plat request for Bentwood Country Club Estates, Section 41 creating 15 residential lots. No variances are being sought with this request. However, Lots 14, and 27 -33, Blk. 66 are zoned Single Family Residential (RS-1) and Office Commercial District (CO); while Lots 7-13, Blk. 71 are zoned Office Commercial District (CO) and General Commercial District (CG).</p>			
LOCATION:		LEGAL DESCRIPTION:	
Generally located east of the intersections of North Bentwood Drive and Pine Valley Street and Castle Pines Drive.		Being 6.595 acres of land out of C. Berberich Survey No. 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
District #1 – Tommy Hiebert Country Club Neighborhood	RS-1; CO; and CG	Neighborhood	6.595 acres
THOROUGHFARE PLAN:			
<p>Castle Pines Drive – Urban Local Street, Required 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ min, without sidewalks. Actual 50’ ROW, 40’ paving width with no sidewalks. Pine Valley Street – Urban Local Street, Required 50’ min. ROW, 36’ min. paving width with sidewalk, or 40’ min, without sidewalks. Actual 60’ ROW, 50’ paving width with no sidewalks. Wolf Creek Drive – Minor Collector, Required 60’ min. ROW paving width required 50’.</p>			
STAFF RECOMMENDATION:			
Staff recommends that the Planning Commission APPROVE the Final Plat of Bentwood Country Club Estates Section 41, subject to nine Conditions of Approval.			
NOTIFICATIONS:			
Final Plats do not require notification			
PROPERTY OWNER/PETITIONER:			
<p><i>Property Owner(s):</i> Stonewall Ranches</p> <p><i>Agent:</i> Russell Gully, SKG Engineering</p>			
STAFF CONTACT:			
<p>Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us</p>			

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

The proposed final plat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for “the orderly, safe, and efficient development of the City” (Statement C); “streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation” (Statement D); and “will assist in guiding the future growth and development of the City in accordance with City plans and requirements” (Statement E). As indicated, the existing streets Pine Valley Street and Castle Pines Street have sufficient right-of-ways of 60 feet and 50 feet, and paving widths of 50 feet and 40 feet respectively.

The construction of a portion of Wolf Creek Drive which is intended to be a Minor Collector in the City of San Angelo’s Throughfare Plan is included with this plat. This collector will carry the residents along the edge of the subdivisions in the area to the commercial area along Loop 306 and then on to Loop 306. With its intended use sidewalks are integral to the safety and security of the local residents. Putting sidewalks along Wolf Creek Drive is the last chance for this area to provide for pedestrian and bicycle movement from the subdivision areas south of Loop 306 north to the commercial area. North Bentwood Dr. on the left side of the subdivisions has already been built without sidewalks. It functions well as a Minor Collector to the Loop 306 service road but it is not a good pedestrian path to that same area. Right now there are no Pedestrian friendly travel paths to the service road commercial area that will develop in the future.

Recommendations:

Staff recommends that the Planning Commission **APPROVE** the Final Plat of Bentwood County Club Estates, Section 41, **subject to the following nine Conditions of Approval:**

1. Per Subdivision Ordinance, Chapter 7.II.A, provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prior to plat recordation, submit evaluation of the downstream sewer lift station to verify that the added flow of this subdivision will not require infrastructure improvements.
3. Prior to plat recordation, Prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections [Land Development and Subdivision Ordinance, Chapter 11.I.A] 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].

4. Prior to plat recordation, Prepare and submit plans for approval, illustrating the required construction of Castle Pines Dr., meeting the requirements for an "urban" Local Street with a minimum 40' of pavement, standard curb-and-gutter required [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10].

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6].

A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]

5. Prior to plat recordation, Prepare and submit plans for approval, illustrating the required construction of Wolf Creek Drive, meeting the requirements for an "Urban" minor collector with a minimum 50' of pavement, standard curb-and-gutter required [Land Development and Subdivision Ordinance, Chapter 10]. Once plans are approved, construct street to City specifications [Land Development and Subdivision Ordinance, Chapter 10].

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6].

A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV]

6. Prior to plat recordation, prepare and submit plans for approval of a sidewalk along the east property lines of Lot 13, Blk. 71 and Lots 33 and 14, Blk. 66, the west side of Wolf Creek Drive an "Urban" minor collector. Wolf Creek Drive is intended to be a high-speed and high-volume minor collector where walking in the street is more dangerous. As such, sidewalks are warranted.
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. Fire hydrants shall be provided so no portion of the residential lots are more than 600 feet from the nearest fire hydrant as measured along an approved route.
2019 International Fire Code Section 507

Attachments:

Aerial Map

Future Land Use Map

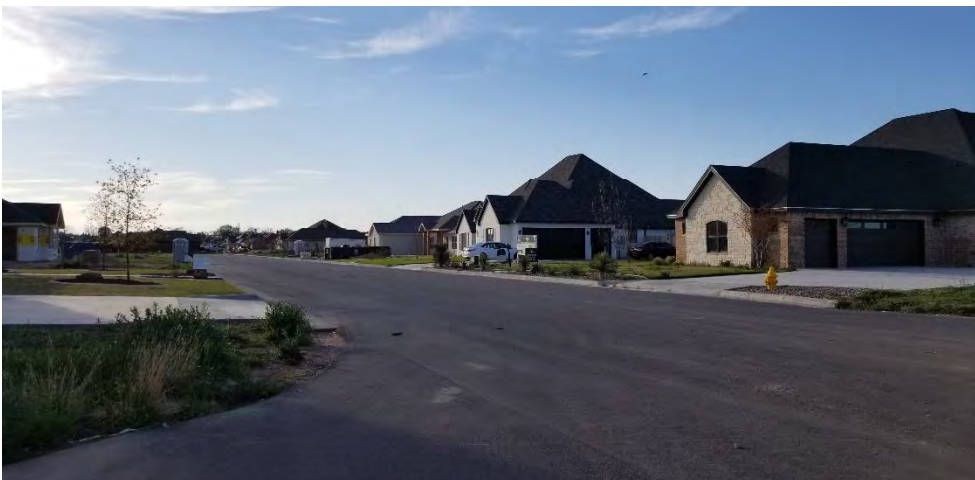
Zoning Map

Proposed Replat of Section 40A

Proposed Replat of Section 40B

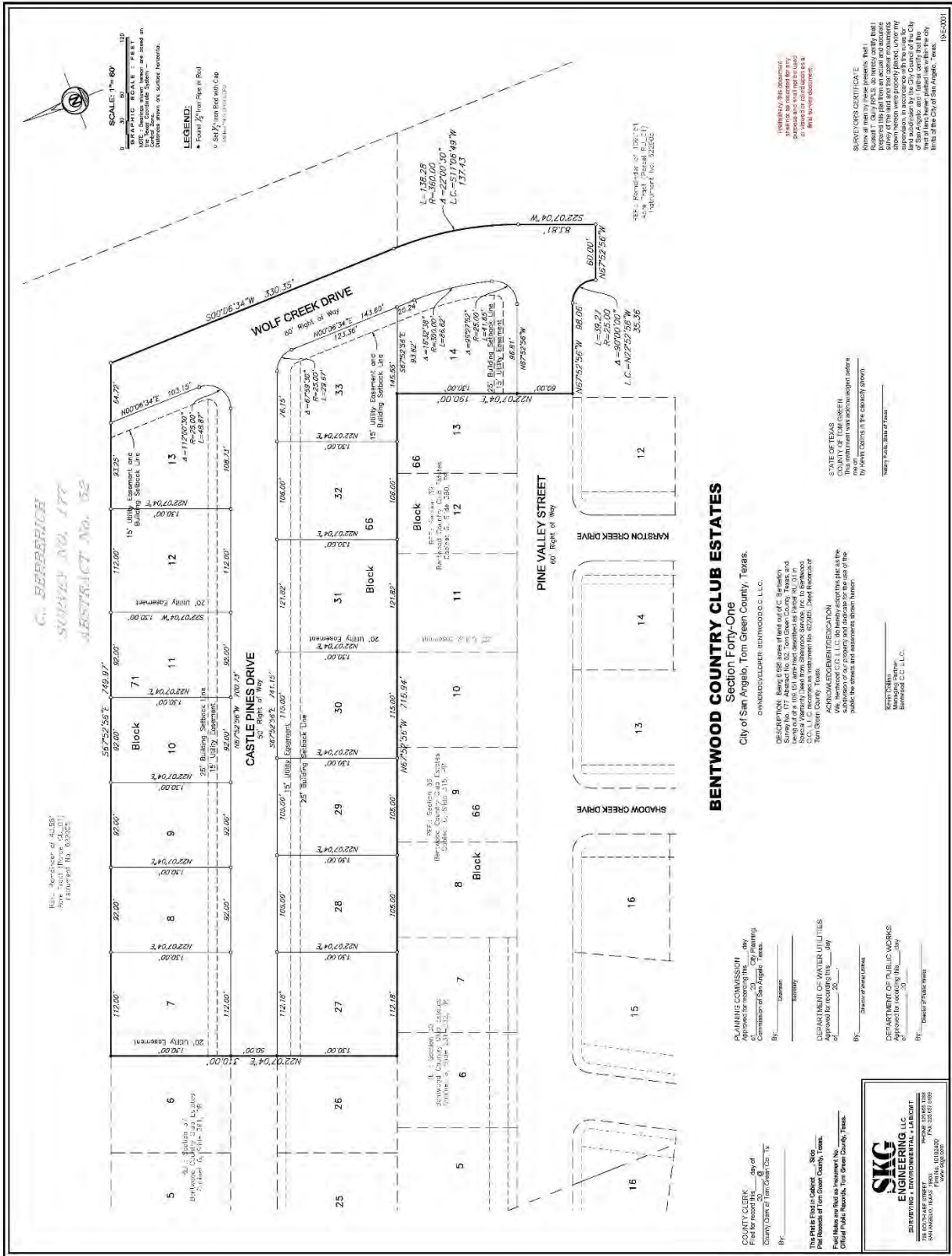


**Site along Castle Pines
showing the extension
area of Blk. 71**





**Commercial zoning just north of Bentwood
Country Club Estates Section 41**





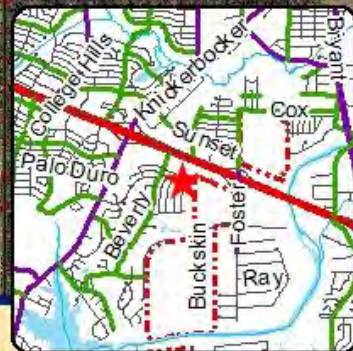
Bentwood Country Club Estates Sec. 41

Owner - Bentwood C.C. LLC

Council District: Tommy Hiebert District 1
 Neighborhood: Country Club
 Scale: 1" approx. = 300 ft

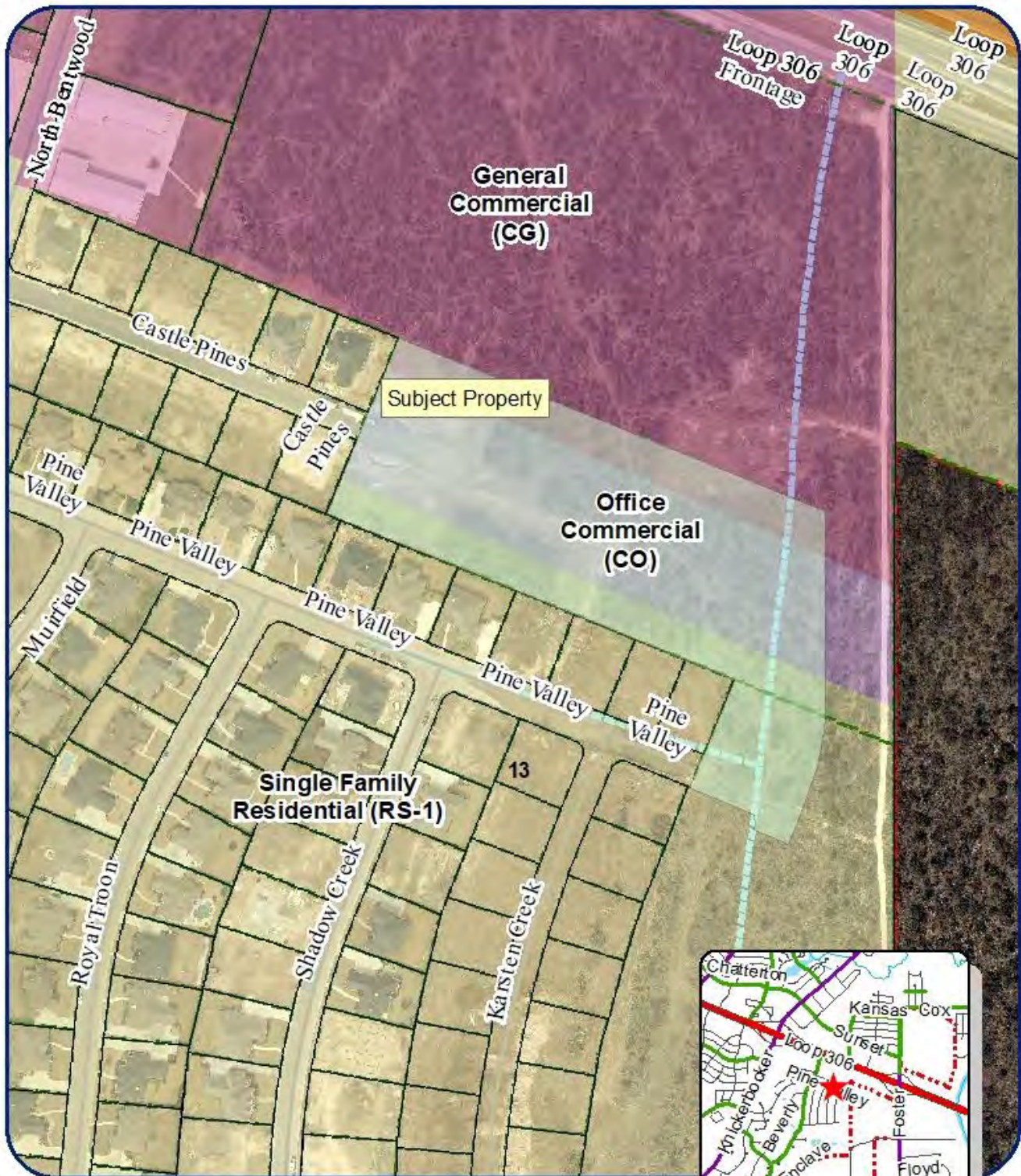
Legend

Subject Properties: 
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**



East of Pine Valley St. & North Bentwood intersection





Bentwood Country Club Estates Sec. 41

Owner - Bentwood C.C. LLC

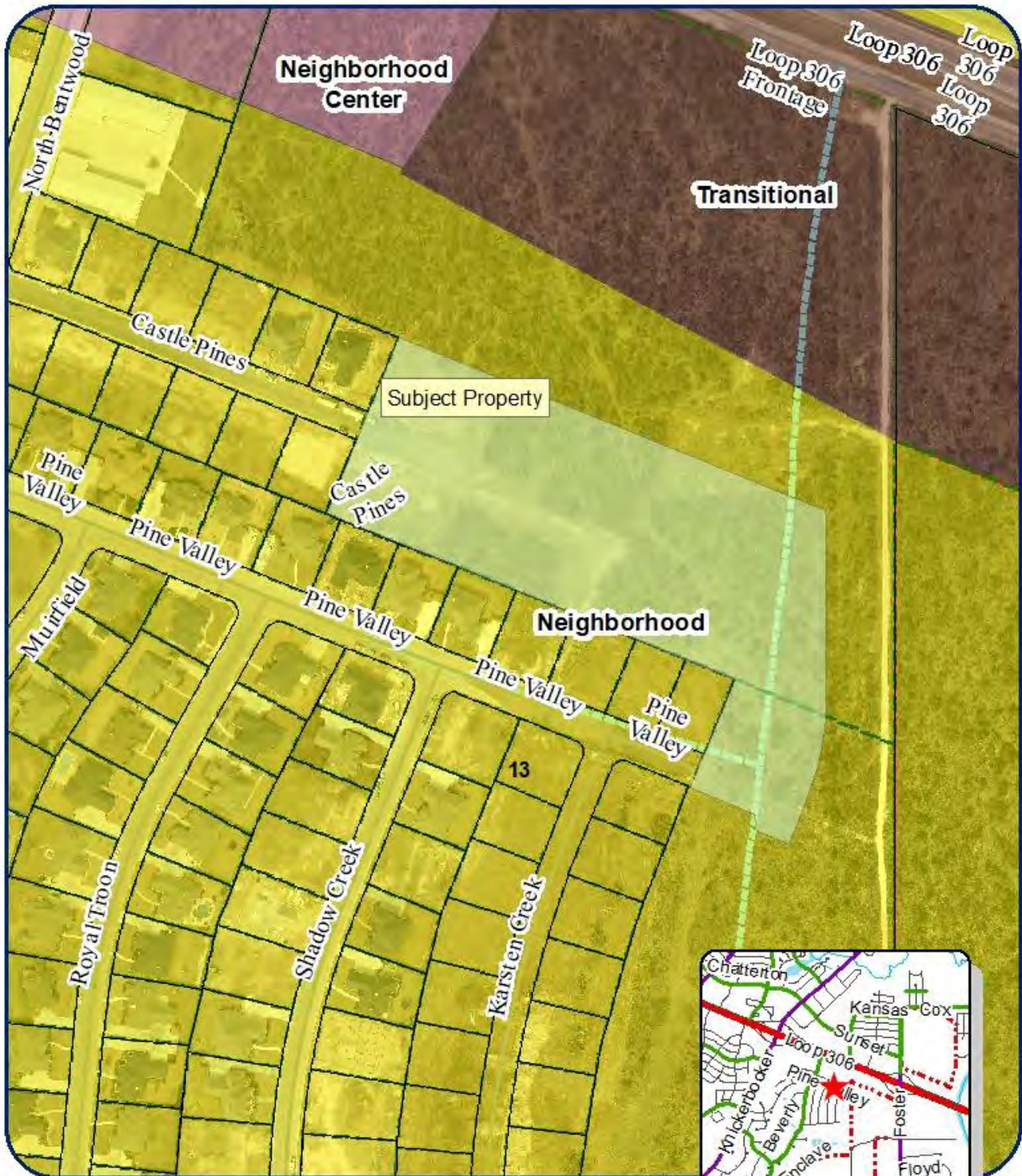
Council District: Tommy Hiebert District 1
 Neighborhood: Country Club
 Scale: 1" approx. = 207 ft

Legend

Subject Properties: —
 Current Zoning: **RS-1, CO & CG**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**

Existing Zoning





Bentwood Country Club Estates Sec. 41

Owner - Bentwood C.C. LLC

Council District: Tommy Hiebert District 1
 Neighborhood: Country Club
 Scale: 1" approx. = 207 ft

Vision Plan-Neighborhood

Legend

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

N



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

BENTWOOD COUNTRY CLUB ESTATES, SECTION 41

Proposed Subdivision Name

Abst: A-0052 S-0177, Survey: C BERBERICH

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

38-04210-0001-000-00; 38-00052-0011-000-00

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:

Name	Phone Number	Email Address
Property Owner: Bentwood C.C. L.L.C.	325-374-7023	bentwoodtennis@cs.com
Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com

Property Owner:

Architect/Engineer/Design Professional:

Name	Phone Number	Email Address
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? _____
 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

6.595 15

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 6.595 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 6.595 Office _____

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

Are there existing structures on the property? Yes No

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

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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

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

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

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

(Section 4 continues on next page)

Section 4, continued

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

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

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

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


 Owner's Signature _____

 Representative's Signature _____

3-20-2019
 Date
3-20-19
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: _____ Deemed preliminary complete: _____
Date Date Time Initials

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

Completeness review passed? Yes _____ No _____
Date Date

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

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

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

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

Approvals required for this application:

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

Date of Approval Expiration: _____

Date Recorded: _____

PLANNING COMMISSION – March 18, 2019
STAFF REPORT



APPLICATION TYPE:		CASE:	
Replat		Mallena Heights Addition	
SYNOPSIS:			
This is an application for the first replat of Lots 37-- 48, Blk. 1, Mallena Heights Addition, City of San Angelo, Tom Green County, Texas. The applicant has also requested two variances; (a) a variance from Section 9.111.A.5(3) allowing East 39 th St. to have no curb or gutter, and (b) a variance from Section 10.III.A.2 to vary from the required paving width. The applicant is wanting to replat the existing lots into smaller single family lots with the minimum frontage required in the Single Family Residential (RS-1) Zoning District. This is the south side of 39 th St. east of Crockett St. and west of Ada St.			
LOCATION:		LEGAL DESCRIPTION:	
South side of 39 th St. east of Crockett St.		First Replat of Lots 37 – 48, Blk. 1, Mallena Heights Addition, City of San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #2 – Tom Thompson Lake View Neighborhood	Single Family Residential (RS-1)	Neighborhood	3.23 acres
THOROUGHFARE PLAN:			
<u>East 39th St.</u> – “Urban” Local Required: 50’ right-of-way; 36’ pavement with sidewalk or 40’ pavement with no sidewalk; curb & gutter Existing: 60’ right-of-way; 26’ pavement; no curb & gutter Requesting: Keep existing 26’ pavement width with no curb and gutter			
NOTIFICATIONS:			
28 notices were sent out. 0 notices returned.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the replat of Lots 37 – 48, Blk. 1 Mallena Heights Addition subject to Five Conditions of Approval , and Denial of a variance from Section 9.111.A.5(3) and Section 10.III.B of the LDSO.			
PROPERTY OWNER/PETITIONER:			
<u>Owner</u> – Chad Decker <u>Representative</u> -Darrin Fentress			
STAFF CONTACT:			

Sherry Bailey
Principal Planner
(325) 657-4210, Ext. 1546
sherry.bailey@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. The future land use as identified in the City of San Angelo Comprehensive Plan for the Lakeview area is residential neighborhood in character. Low Density residential extends from the commercial area along N. Chadbourne to State Highway 208. The land use provides the guidelines for a secure, livable area to nurture families in a neighborhood environment.

The proposed replat complies with the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for the orderly, safe and efficient development (Statement C) and will insure that future growth and development of the city is done in accordance with City plans and requirements.

The existing lots in this area are already platted and could be developed today with no requirement for street improvements. However, by proposing to replat the existing 11 lots into 17 lots to achieve more development, the requirement to bring the street up to the current standard is triggered. The developer has the choice either to develop 11 lots without a requirement to upgrade the street or get the additional lots but with the requirement to upgrade.

Variance: As indicated above, the applicant has submitted a variance from both Section 9.III.A.5 the requirement for curbs and gutters and Section 10.III.B of the Subdivision Ordinance to allow E. 39th Street to maintain its present use of a 26 ft. wide paving surface rather than meeting the City of San Angelo Paving Standards. 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 road is existing and seven individual homes were allowed in the 80’s constructed without having to improve the road. Engineering Services and the Planning Division do not support the variance from the City’s road construction standard for E. 39th St. since the roads in this entire area both to the north and to the west have between 30 and 40 feet of pavement. Both the east/west residential streets and the collector north/south streets have both development pavement area and curb and gutter. Most of this area was constructed at the time of the original development, but small additional areas have met development standards except for this small area along east 39th St. This small section would be the only area that does not meet development standards.

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 none of the subdivided property in this area was required to widen the

pavement at the time of platting/replatting. However, in staff's research all we were able to identify were these seven homes at the end of east 39th St. and two homes on Ada St., a north/south street that ties 39th St. and 40th St.. The homes that developed along the street were individual homes built one at a time and they were not required to meet development standards. The remainder of this development area, the 18 lots of the applicant and then the land available for development on north 39th St. have the potential to correct that situation for this area and would then provide a strong argument for the city to correct the small area where the seven homes have been built and build out the remaining half street and curb and gutter. If we allow this development to be built without meeting development standards the city will have lost its chance for this neighborhood to be built out with street development that meets city standards. It will be the only area in this developed portion of the city that does not meet city standards.

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

The applicant did not address this area of the ordinance. Staff believes there are no physical conditions that would meet this criteria.

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

The applicant believes that in a development meeting with City Staff it was agreed that they could develop without meeting development standards. The meeting took place on June 22, 2018, with both Planning and Engineering staff present. In talking with those that were at the meeting they believed that this was a conceptual review and that nothing was agreed to at the meeting, though variances from the street standards was one of the items discussed. Staff did not believe that they had agreed to a specific proposal or to support a variance. They did indicate that they would review the application and variance requests when an application was submitted.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the replat of Mallena Heights Addition with the following conditions, but Staff recommends **DENIAL** of the requested variance for no street improvements, but recommends **APPROVAL** of a partial variance to allow for a narrower street width in lieu of the required 40' that will be part of a negotiated Development Agreement with the applicant responsible for an additional street width amount and a partial variance to allow a header (flat) curb instead of the standard raised curb.

1. 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]

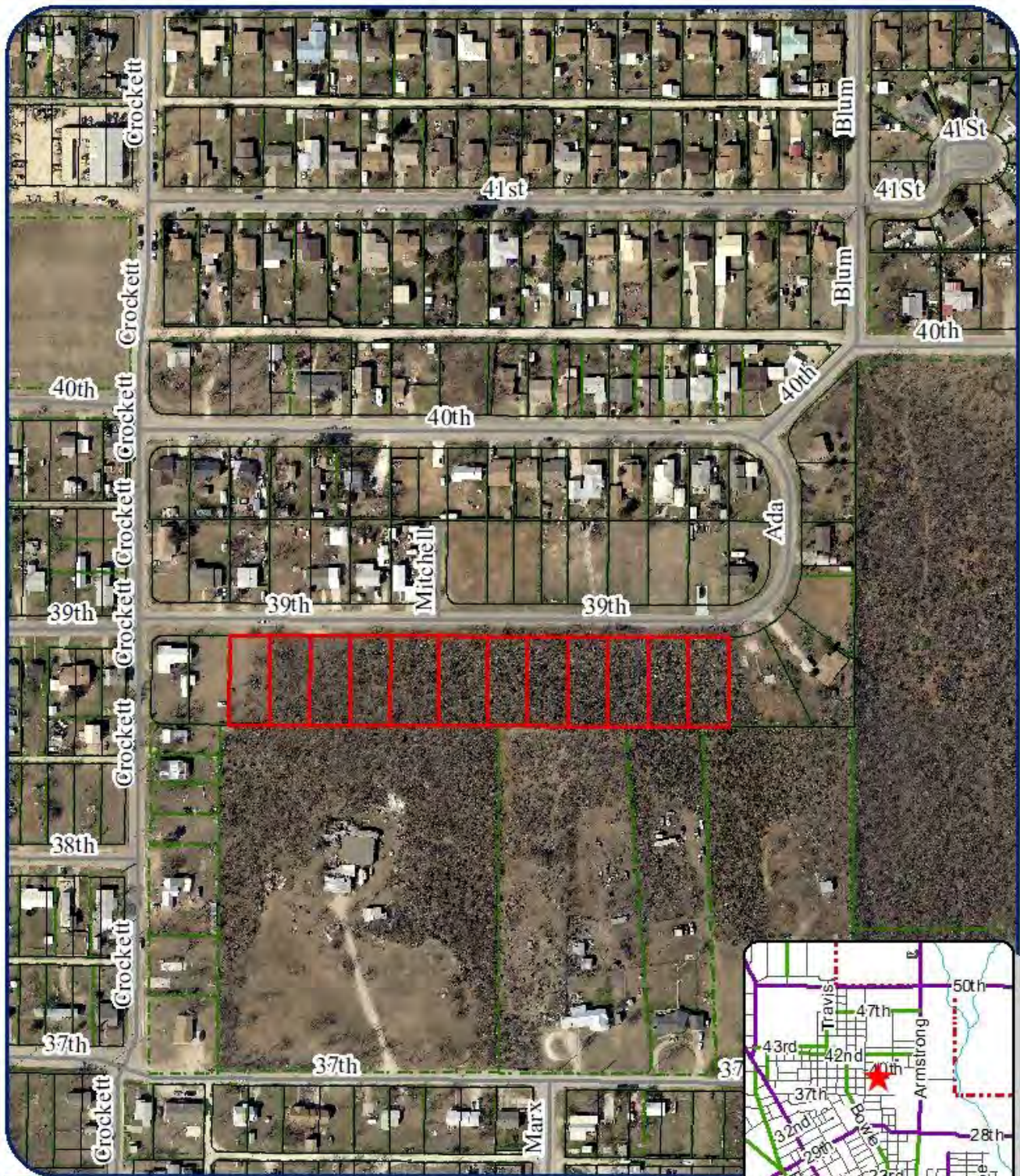
2. Prior to plat recordation, install necessary water and wastewater service lines to each new lot. [Land Development and Subdivision Ordinance, Chapter 11.I.B.2 & Chapter 12.I.A.1]
3. Prior to plat recordation, prepare and submit plans for approval, illustrating the proposed installation of a water 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].

4. Prior to plat recordation, Prepare and submit plans for approval, illustrating the required construction of E. 39th St, meeting the requirements for an "urban" local road as defined by the agreed and executed Developer's Agreement. [*Land Development and Subdivision Ordinance, Chapter 10*]. Once plans are approved, construct street to City specifications [*Land Development and Subdivision Ordinance, Chapter 10*].
 - Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [*Land Development and Subdivision Ordinance, Chapter 6*].
5. Prior to plat recordation, submit a drainage study. [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 as defined by the agreed and executed Developer's Agreement. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13]

Attachments:

Aerial Map
Future Land Use Map
Proposed Replat
Application



AERIAL

Final Plat: Eng. - Fentress

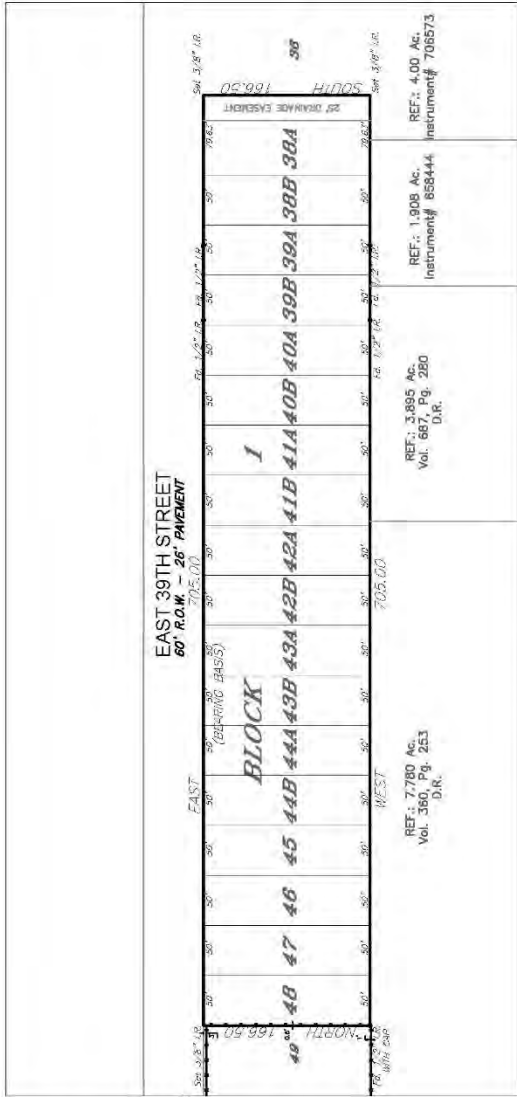
Council District: Tom Thompson #2
 Neighborhood: Lake View
 Scale: 1" approx. = 236 ft

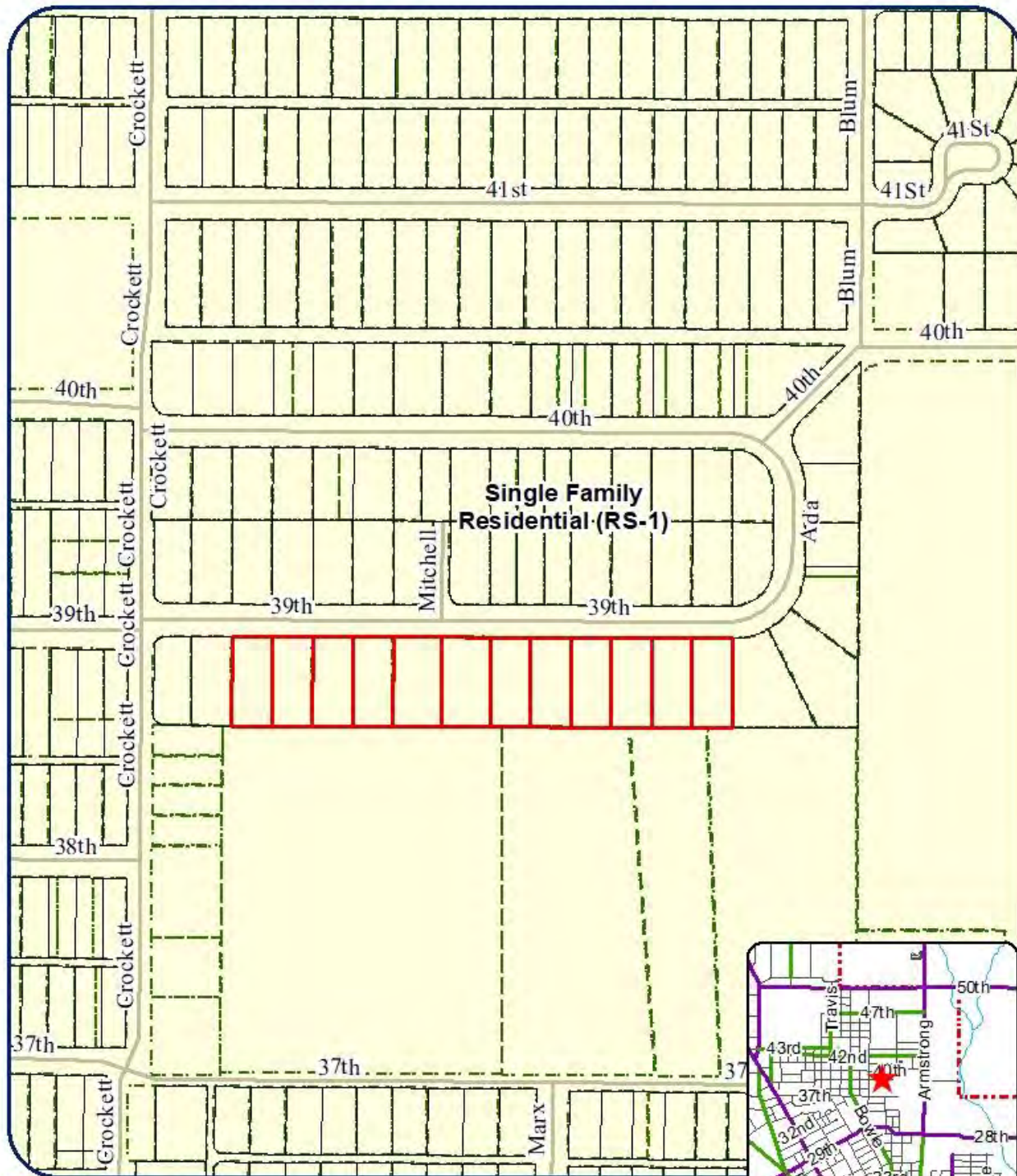
Legend

Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**



<p>PLANNING COMMISSION Approved for recording this _____ day of _____ 20____ (City Planning Commission) of San Angelo, Texas. By: _____ Chairman _____ Secretary</p>	<p>DEPARTMENT OF WATER UTILITIES Approved for recording this _____ day of _____ 20____ By: _____ Director of Water Utilities</p>	<p>DEPARTMENT OF PUBLIC WORKS Approved for recording this _____ day of _____ 20____ By: _____ Director of Public Works</p>	<p>COUNTY CLERK Filed for record this _____ day of _____ 20____ at _____ County Clerk of Tom Green Co., Tx. By: _____</p>
<p>FIRST REPLAT OF LOTS 37-48, MALLENA HEIGHTS ADDITION CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS OWNER / DEVELOPER: NuHome Constructors, LLC. Description: ACKNOWLEDGEMENT / DEDICATION: We, Nu Home Constructors, LLC., do hereby adapt this plat as the subdivision of our property and dedicate for the use of the public the easements show herein.</p>			
<p>Michael Biggestaff _____ Chad Decker _____ Notary Public, State of Texas _____</p>			
<p>PRELIMINARY NOT FOR FILING</p>			
<p>SCALE: 1"=100' BEARINGS ARE BASED UPON THE PLAT OF RECORD</p>			
<p>ROBERT H. BRIDWELL 126 KJS TRAIL TUSCOLA, TEXAS 79562 325.650.2387</p>			





EXISTING ZONING

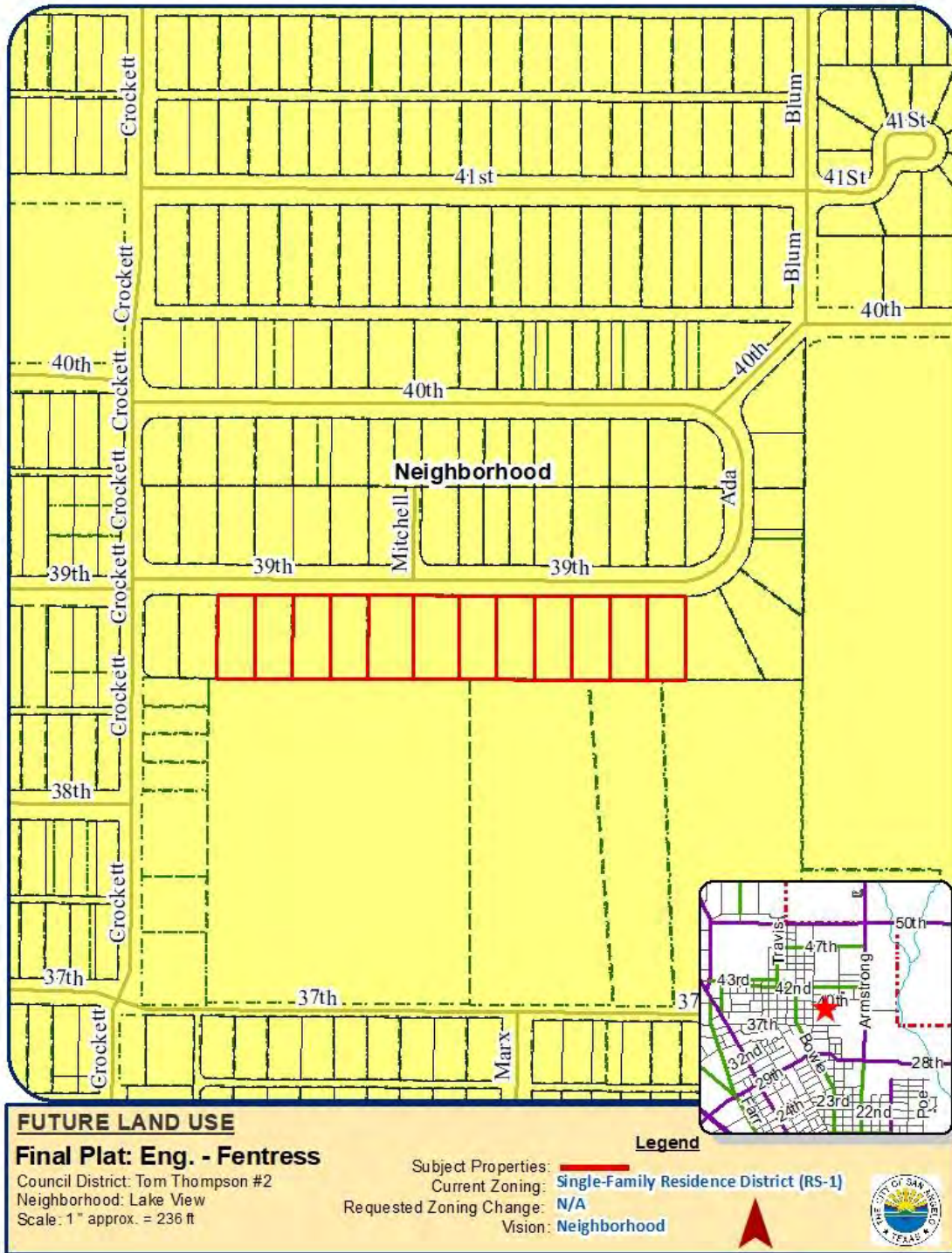
Final Plat: Eng. - Fentress

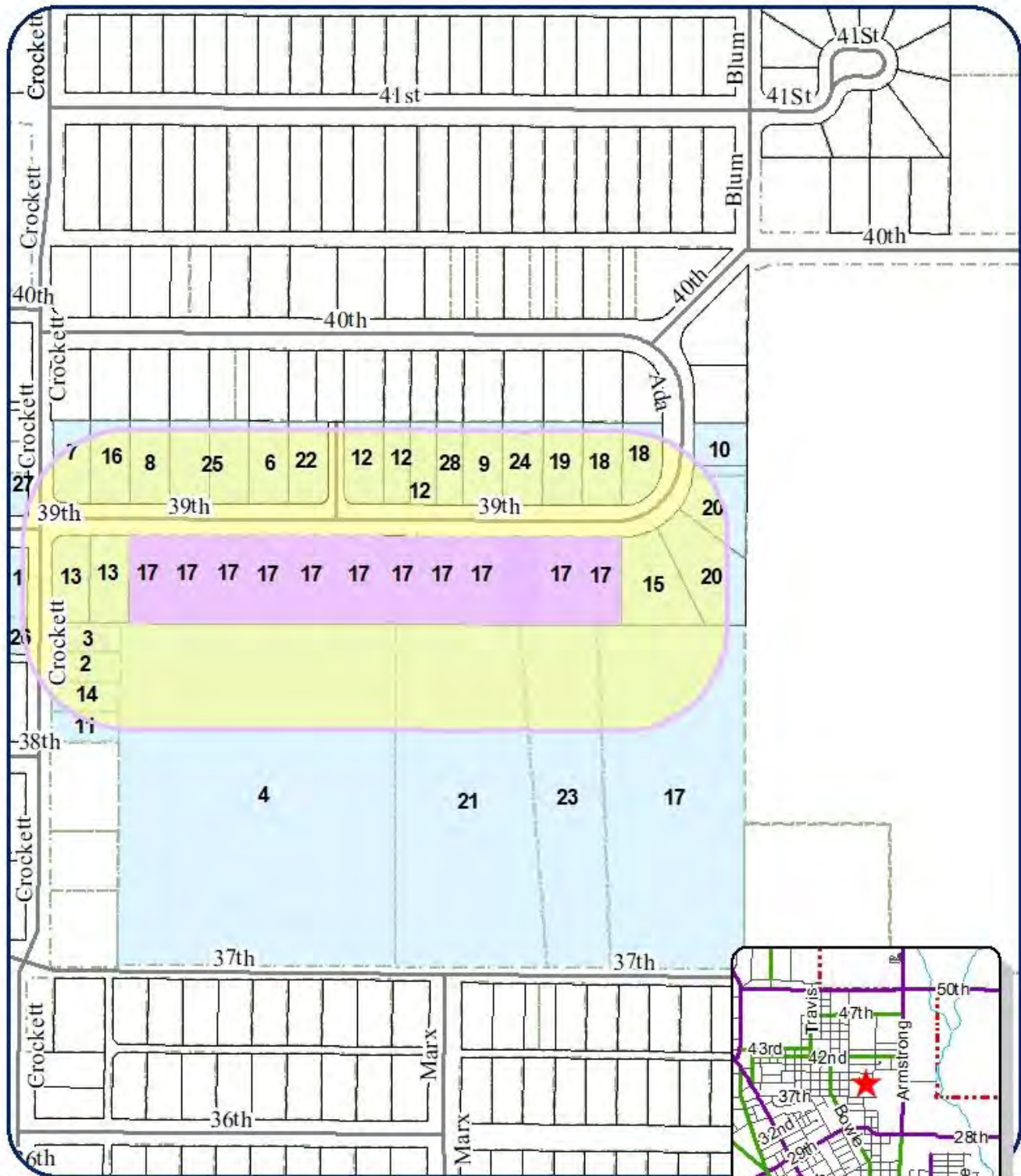
Council District: Tom Thompson #2
 Neighborhood: Lake View
 Scale: 1" approx. = 236 ft

Legend

Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**







First Replat of Lots 37- 48, Blk. 1, Mallena Heights

Replat: Carter-Fentress Eng.

Council District: Tom Thompson SMD#2
 Neighborhood: Lake View
 Scale: 1" approx. = 240 ft

Legend

Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**





The intersection of E. 39th St. and Crockett St. Curb and gutter on all four corners.



E. 39th looking at the houses on the left side of the street and the applicant's property on the right.

39th St. one block down heading west.





E. 38th St. one block down.



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

FIRST REPLAT OF LOTS 37-38 AND LOTS 40-48, MALLENA HEIGHTS ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS

Proposed Subdivision Name

Blk: 1, Subd: MALLENA HEIGHTS ADDITION

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

R14326, R14325, R14324, R14323, R14322, R14321, R14320, R14319, R14318, R14316, R14315

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name	Phone Number	Email Address
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Property Owner:	Mr. Chad Decker	325.223.0300	chad.nuhome@gmail.com
-----------------	-----------------	--------------	-----------------------

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

Architect/Engineer/Design Professional:	Darrin M. Fentress, P.E.	832.797.9910	dfentress@fentresseng.com
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Name	Phone Number	Email Address
------	--------------	---------------

Subdivision Type: Final Plat Replat - requiring Planning Commission approval Plat Vacation

Preliminary Plat Replat - administratively eligible* Amended Plat

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? _____
 City - utilizing existing services Existing size? 8-inch Water Main
 Other Please specify: _____
Public water supplied by Concho Rural Water Corp. These properties are located out of COSA city limits but are in the ETJ.

Sewer: City - requesting new services Proposed size? 8-inch San Sew
 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

3.27 ACRES 17 Lots

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

Existing Zoning:

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

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

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

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

Vacant _____ Single-Family Residential _____ Office _____

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

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

Vacant _____ Single-Family Residential _____ Office _____

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

Are there existing structures on the property? Yes No

If yes, how many structures exist? _____ 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: Mallena Heights Subdivision: COSA Ordinances

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

Request 1: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: _____
 Chapter 10, Section III, A.2 & B; and Chapter 9, Section V

Full variance requested Partial variance requested (proposed variation from standard): _____
 39th Street: Request variance from the Collector Street Pavement width, sidewalks and curbing requirements.

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.
 39th Street currently does not meet existing pavement width requirements, sidewalks or curb & gutters.

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.
 None of the subdivided property in this area was required to widen the pavement at the time of platting/replatting.

(Section 4 continues on next page)

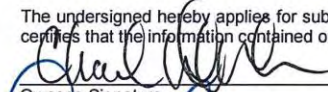
Section 4, continued

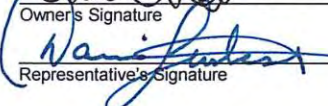
Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

The variance will not, in any significant way, vary the provisions of applicable ordinances.
 City Staff as agreed to not require pavement width modifications or the addition of sidewalks & curb/gutters in preliminary development meetings.

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.


 Owners Signature _____


 Representative's Signature _____

2/25/2019
 Date

2/18/2019
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: _____ Deemed preliminary complete: _____
 Date Date Time Initials

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

Completeness review passed? Yes _____ No _____
 Date Date

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

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

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

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

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

Date of Approval Expiration: _____

Date Recorded: _____

- Sufficient relocation data, in order to reproduce the subdivision on the ground, shall be shown.
- Approved name and right-of-way width of each proposed street within the subdivision.
- The location, dimensions and purposes of any easements or other rights-of-way within or adjoining the proposed subdivision.
- Identification of each lot and block by letter or number.
- Building setback lines from street-side boundaries, where applicable, and shown by dotted or dashed lines.
- Boundary lines and identity of open spaces shall be shown.
- The description of all corners/monuments found or set to mark the lot or block corners or curve points, preferably in legend form.
- A statement as to the origin of the bearings.
- A certificate of ownership and dedication of all streets, alleys, parks and playgrounds to be dedicated for public use forever, signed and acknowledged before a notary public, by the owner of land.
- A complete and accurate description of the land being subdivided, including the name and survey number.
- Existing structures on the property (that are to remain) shall be shown on a separate copy of the plat or on a separate scale drawing, so that compliance with minimum required building setbacks can be assessed.
- Certificate of the Registered Public Surveyor who surveyed the subdivision and created the plat and who monumented the required corners shall be on the face of the plat. The signature and seal of said Registered Public Surveyor must be affixed to all plats and descriptions for which he/she is responsible.
- Location for filing information of plat and all related field notes or instrument numbers.
- Signature blocks shall be provided on said plat as shown on the following page(s).

I certify that all items checked above have been provided. I understand that not providing all of this information may result in an incomplete application and delay the consideration of my project for approval.

Applicant

Date

FINAL PLAT CHECKLIST

General Requirements

- Must be prepared in a clear and readable manner.
- All figures and letters shown must be plain, distinct, and of sufficient size.
- The paper copies submitted must be of sufficient quality so that all features are easily read.
- Shall generally conform to the preliminary plat, as approved by the City Planning Commission.
- A scale of one inch (1") to one hundred feet (100') shall be used, with a maximum sheet size of 18" x 24".
- Completed application & applicable fee.

Recording Requirements

- After approved, the Planning Division shall be furnished at least four positive copies of the approved plat;
 - two made of Mylar film .003" thick and with a matte finish on the front side, with the print on at least one film being a "black line" suitable for permanent recording, and
 - two made of paper.
- A certificate (not a tax receipt) from the Tom Green County Appraisal District will be provided, showing there to be no delinquent taxes upon the property to be subdivided.
- The applicant or a representative shall notify the Planning Division within seven calendar days of the date of recording, providing all appropriate recording data.

Each final plat shall contain the following information:

- The proposed name of the subdivision, which must not replicate or be similar to an existing subdivision.
- The names of the owners of all property being subdivided, all of which must appear beneath the proposed name or title of the subdivision.
- Orientation with north toward the top of the sheet, with a north arrow.
- Numerical or written scale and graphic scale.
- Location of subdivision by city, county and state.
- Location of the subdivision with respect to an original survey corner, together with reference to a corner in a recorded subdivision, if applicable, or satisfactory locatable title data, all by courses and distances.
- The boundaries of each adjoining street, alley, easement, lot or tract, shown by dotted or dashed lines.

DEPARTMENT OF WATER UTILITIES

Approved for recording this ____ day of _____, 20____.

By: _____
Director of Public Works

For All Plat Documents:

COUNTY CLERK

Approved for recording this ____ day of _____, 20____.

County Clerk of Tom Green County, Texas.

By: _____

SURVEYOR'S CERTIFICATE

Know all men by these presents: that I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown thereon will be, or were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo; and I further certify that the tract of land herein platted lies within the City Limits, or within the extraterritorial jurisdictional area of the City of San Angelo, Texas, as established by law.

(Surveyor's Seal)

Sample certificate of ownership and dedication, with acknowledgment by notary:

I (we), _____, do hereby adopt this plat as the subdivision of my (our) property and dedicate for the use of the public the streets, alleys and easements as shown.

STATE OF TEXAS
COUNTY OF TOM GREEN

This instrument was acknowledged before me on the ____ day of _____, 20____.

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

My Commission expires

Effective January 3, 2017



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



AFFIDAVIT
Owner Permission-To-Named-Representative

STATE OF TEXAS
COUNTY OF TOM GREEN

Section 1: Owner, Property, and Representative Information

I, Mr. Chad Decker, make this affidavit and hereby on oath state the following:
Print Property Owner Name

I, being the sole partial owner of the following property:

<u>N/A</u>	<u>San Angelo</u>	<u>Texas</u>	<u>(325) 223-0300; chad.nuhome@gmail.com</u>
<small>Property Address</small>	<small>City</small>	<small>State</small>	<small>Contact Number E-mail Address</small>

Legal Description of Location (can be found on property tax statement or at www.tomgreencad.com) :
Subd: FIRST REPLAT OF LOTS 37-38 AND LOTS 40-48, MALLENA HEIGHTS ADDITION, CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

Carter-Fentress Engineering

(Please print) Representative's Organization or Entity

Signed this the 25 day of FEBRUARY, 20 19.

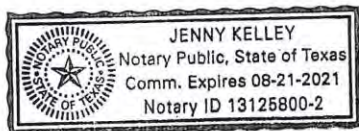
Signature of the Property Owner

Section 2: Notary Public Information

BEFORE ME, the undersigned authority, this day personally appeared Chad Decker and
Name

on oath stated that the facts hereinabove stated are true to the best of his knowledge or belief.
His/Her


SWORN TO AND SUBSCRIBED before me on this the 25th day of February 20 19.



Notary Public, State of Texas

PLANNING COMMISSION – April 15, 2019
 STAFF REPORT



APPLICATION TYPE:		CASE:	
Final Plat		Replat of Lots 16 & 17, Blk. 2, Riverfalls Subdivision	
SYNOPSIS:			
The applicant has submitted a Replat application combining Lots 16 and 17 into one Lot, 16A; Blk. 2, Riverfalls Subdivision. The new lot will have frontage on Riverfalls Road and is located at 709 Riverfalls Rd. This area was recorded in September of 2004 but has been slow to develop. It backs up to the South Concho River and City of San Angelo river frontage property. Riverfalls Estates is off Ben Ficklin Rd. which is zoned commercial and leads into this general area.			
LOCATION:		LEGAL DESCRIPTION:	
709 Riverfalls Rd. is west of the Riverfalls Rd. and Ben Ficklin St. intersection.		Being 1.124 acres of land and being all of Lots 16 & 17, Block 2, Riverfalls Subdivision, City of San Angelo, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
District #1: Tommy Hiebert Neighborhood: Rio Vista		Single Family Residential District (RS-1)	Neighborhood
			SIZE: 1.124 acres
THOROUGHFARE PLAN:			
Riverfalls Road – Urban Local Street Required: 50’ right-of-way, 40’ pavement with no sidewalk			
NOTIFICATIONS:			
5 notifications sent. No approval or oppositions submitted.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the replat of Lots 16 & 17, Blk.2, Riverfalls Subdivision			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner: Doug and Ellen Mosley</i>			
<i>Agent: Herb Hooker</i> SKG Engineering, LLC			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 Sherry.bailey@cosatx.us			

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

The property is designated “Neighborhood” in the City’s Comprehensive Plan. The proposed replat will be generally consistent with these policies. The proposed replat will also conform to the Intent of Purpose Statements of Chapter 2 of the Subdivision Ordinance. The plat will provide for “the orderly, safe, and efficient development of the City” (Statement C); “streets that insure safe, convenient and functional systems for vehicular and pedestrian circulation” (Statement D); and “will assist in guiding the future growth and development of the City in accordance with City plans and requirements” (Statement E). As indicated, the existing Riverfalls Road has sufficient right-of-ways of 50 feet and paving widths of 40 feet.

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

APPROVE the Replat of Lot 16 & 17, Blk.2, Riverfalls Subdivision.

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

1. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 7.II.A., provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. NOTE: A drainage study shall be submitted if the impervious area changes by 5% and development* of a site exceeds 1 acre. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval. [Stormwater Ordinance, Sec 12.05.001; Stormwater Design Manual, Sec 2.13] *note development is defined in ordinance as "Any man-made change to improved or unimproved real estate, including, but not limited to, adding buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, clearing, or removing vegetative cover." Prior to plat recordation, contact the City of San Angelo Department of Water Utilities Customer Service Office at 301 W. Beauregard Ave. or by calling (325) 657-4323 to establish a utility service account.

PLANNING COMMISSION – April 15, 2019
Staff Report –Replat of Lots 16 & 17, Blk. 2, Riverfalls Subdivision

- a. Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period ***[Land Development and Subdivision Ordinance, Chapter 6]***.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Proposed Replat
Application



Replat of Lots 16 & 17, Blk. 2 Riverfalls Subdivision

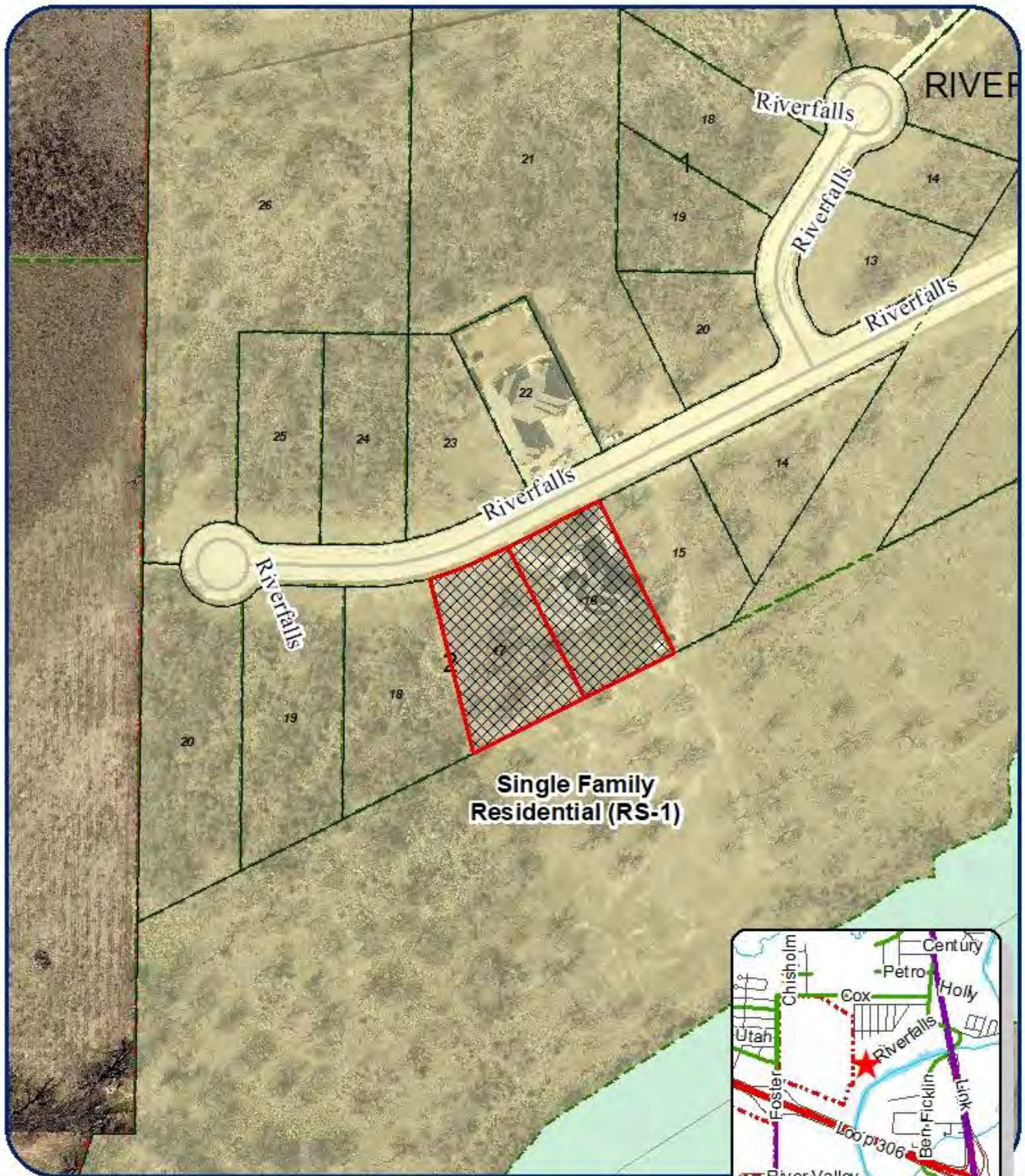
SKG: 1.124 acres

Council District: Tommy Hiebert District 1
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft
709 Riverfalls Road

Subject Properties: —
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**

Legend





Single Family Residential (RS-1)

Replat of Lots 16 & 17, Blk. 2 Riverfalls Subdivision

Existing Zoning Map

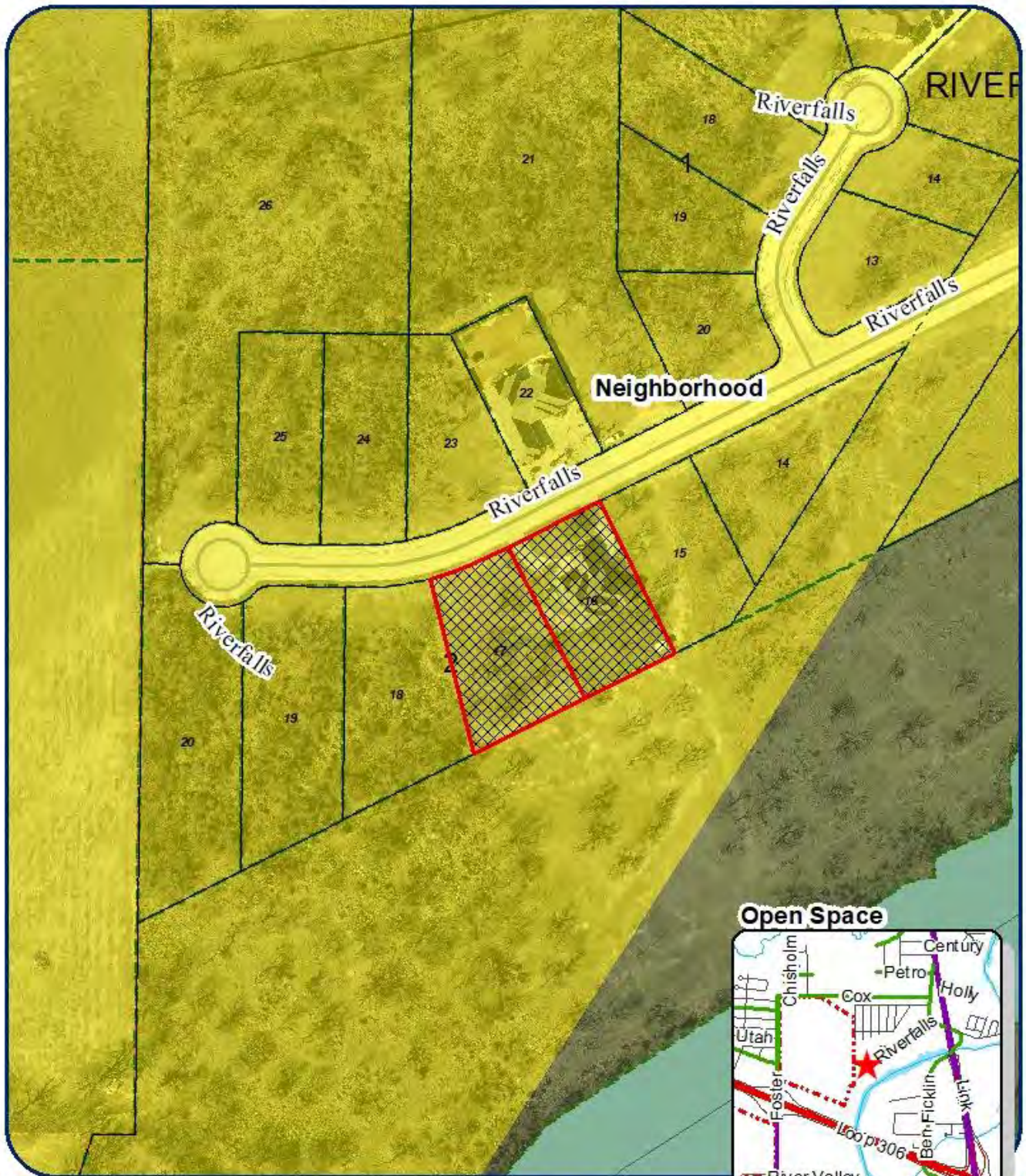
Council District: Tommy Hiebert District 1
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft

709 Riverfalls Road

Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**

Legend





Replat of Lots 16 & 17, Blk. 2 Riverfalls Subdivision

Future Land Use Map

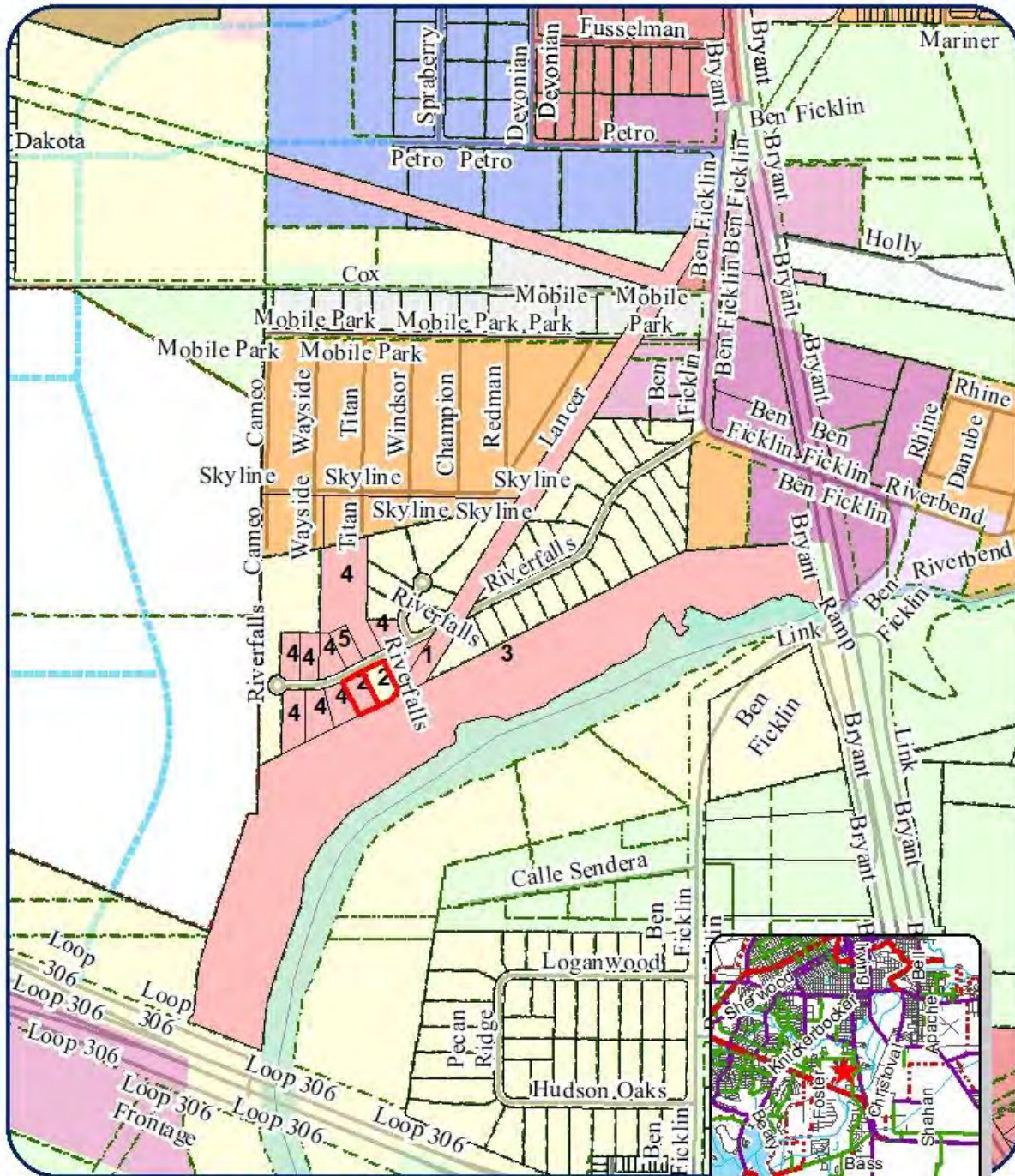
Council District: Tommy Hiebert District 1
 Neighborhood: Rio Vista
 Scale: 1" approx. = 150 ft

709 Riverfalls Road

Legend
 Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**



Notification Map



Replat of Lots 16 & 17, Blk. 2, Riverfalls Subdivision

Mosley

Council District: Tommy Hiebert District 1
 Neighborhood: Rio Vista
 Scale: 1" approx. = 665 ft
 709 Riverfalls Dr.

Legend

Subject Properties:
 Current Zoning: **Single-Family Residence District (RS-1)**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**



Proposed Replat



PLANNING COMMISSION – April 15, 2019
Staff Report –Replat of Lots 16 & 17, Blk. 2, Riverfalls Subdivision



Entrance area into River Falls Estates



709 Riverfalls Dr. and adjacent lot becoming L16A



Remaining Riverfalls Dr. developed property.

PLANNING COMMISSION – April 15, 2019
Staff Report – Replat of Lots 16 & 17, Blk. 2, Riverfalls Subdivision



City of San Angelo, Texas - Planning
Land Subdivision Application



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

Section 1: Basic Information

Replat of Lots 16 and 17, Block 2, Riverfalls Subdivision, City of San Angelo, Tom Green County, Texas

Proposed Subdivision Name

 Lots 16 and 17, Block 2, Riverfalls Subdivision, City of San Angelo, Tom Green County, Texas

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

 R7254 & R7255

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:
 Name _____ Phone Number _____ Email Address _____

Property Owner:
 Name Doug and Ellen Mosley Phone Number 432.296.2973 Email Address ellenmosley@yahoo.com

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

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

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

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

Section 2: Utility & Easement Information

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

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

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

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

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

Section 3: Property Characteristics

1.124 1

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

Existing Zoning:

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

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

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

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

Vacant _____ Single-Family Residential 1.124 Office _____

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

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

Vacant _____ Single-Family Residential 1.124 Office _____

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

Are there existing structures on the property? Yes No

If yes, how many structures exist? 2 What type of structures exist currently? House & Greenhouse

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: 201901986 OPR

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)

Effective January 3, 2017



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

AFFIDAVIT
Owner Permission-To-Named-Representative



STATE OF TEXAS
 COUNTY OF TOM GREEN

Section 1: Owner, Property, and Representative Information

I, Doug Mosley, make this affidavit and hereby on oath state the following:
Print Property Owner Name

I, being the sole partial owner of the following property:

<u>709 Riverfalls Rd</u>	<u>San Angelo TX</u>	<u>76903</u>	<u>432.296.2973</u>
<small>Property Address</small>	<small>City</small>	<small>State Zip Code</small>	<small>Contact Number E-mail Address</small>

Legal Description of Location (can be found on property tax statement or at www.tomgreencad.com):
Lots 16 and 17, Block 2, Riverfalls Subdivision, City of San Angelo, Tom Green County, Texas

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

SKG Engineering, LLC
(Please print) Representative's Organization or Entity

Signed this the 8th day of MARCH, 2019.

Doug Mosley
Signature of the Property Owner

Section 2: Notary Public Information

BEFORE ME, the undersigned authority, this day personally appeared DOUG MOSLEY and
Name

on oath stated that the facts hereinabove stated are true to the best of HIS knowledge or belief.
His/Her

SWORN TO AND SUBSCRIBED before me on this the 15th day of MARCH, 2019.

EDDIE ENRIQUEZ, JR.
 Notary Public, State of Texas
 Commission Expires 05-03-2021
 Notary ID 3995225

Eddie Enriquez, Jr.
 Notary Public, State of Texas

**PLANNING COMMISSION – April 15, 2019
STAFF REPORT**



APPLICATION TYPE:	CASE:
Final Plat	Paulann Church Addition, Section One

SYNOPSIS:
The applicant is planning an expansion of their existing church facilities and requires a new subdivision plat approval from the Planning Commission. The original subdivision, “Paulann Park, Section Two” was filed for record with Tom Green County on January 24, 1979, but does not cover the expansion area which remains unplatted. The new plat would encompass into one block all of Tract A and 4.00 acres of Tract B of the original plat, and 7.77 acres of unplatted land to the west.

LOCATION:	LEGAL DESCRIPTION:
2531 Smith Boulevard & unaddressed tracts immediately west between Smith Boulevard and East Houston Harte Expressway Frontage Road	Being 14.777 acres of land being comprised of all of Tract A and 4.000 acres out of Tract B, Paulann Park Addition, Section Two, City of San Angelo, Tom Green County, Texas.

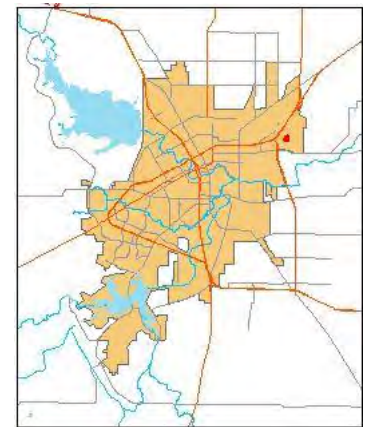
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: Lucy Gonzales (SMD#4) Neighborhood: Paulann	CG – General Commercial	C – Commercial	14.77 acres

THOROUGHFARE PLAN:
East Houston Harte Expressway Frontage Road (TXDOT) – Urban Major Arterial Street
Required: N/A – TXDOT road
Provided: 125’ right-of-way, 40’ pavement
Smith Boulevard – Urban Collector Street
Required: 60’ right-of-way, 50’ pavement
Provided: 80’ right-of-way, 50’ pavement, **future sidewalk approximately 500 feet in length adjacent to Smith Blvd from main entrance to west property limits**

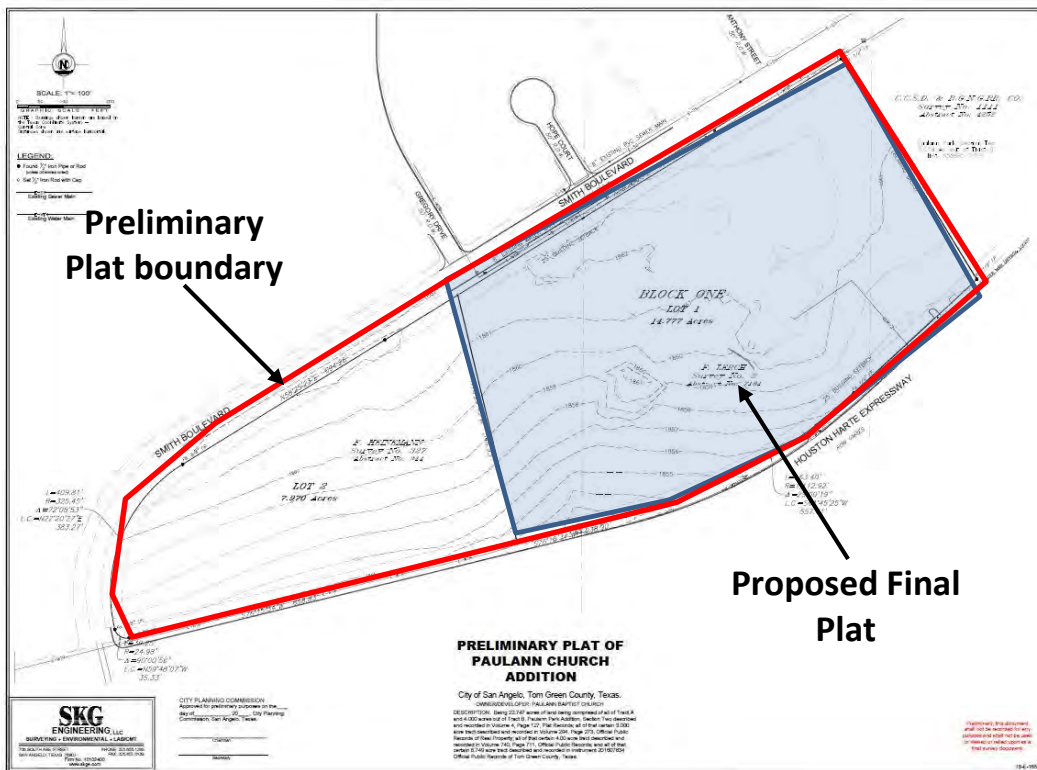
NOTIFICATIONS:
N/A

STAFF RECOMMENDATION:
Staff recommends **APPROVAL** of “Paulann Church, Section One”, subject to **six Conditions of Approval**.

PROPERTY OWNER/PETITIONER:
<i>Property Owner: Paulann Baptist Church Agent: Mr. Russell Gully, SKG Engineering, LLC</i>
STAFF CONTACT:
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us



Conformity with the Governing Preliminary Plat: Chapter 5.III.A.2 requires that major subdivisions which includes the subject plat be accompanied by a preliminary plat, and Chapter 5.III.A.3 of the Land Division and Subdivision Ordinance states that “the final plat shall generally conform to the preliminary subdivision plat as approved by the City Planning Commission”. There was no previous plat of record for the subject area but the applicant has submitted one to run concurrently with the final plat request. The preliminary plat will encompass the final plat, as well as all remaining land owned by the applicant to the west where Smith Boulevard ends. The proposed final plat will conform to the preliminary plat once approved. The lot configurations are identical. The 7.77-acre preliminary plat area to the west that is not part of this final plat “Lot 2” will be required to be final platted at time of future development of this lot.



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

Comprehensive Plan

The subject land is designated “Commercial” in the City’s Comprehensive Plan. Commercial areas “seek visibility and convenient access offered by frontage on the major street network. The uses within this area draw from the larger regional area, thus necessitating the citing.” These areas also call to “where

possible, plan for new pedestrian and/or vehicular connections through Commercial areas to integrate them with the city-wide grid of network for streets.” The proposed plat achieves all of these objectives. The subject area encompasses the existing Paulann Church which fronts onto the Houston Harte Expressway Frontage Road and services a larger area. The applicant has agreed to install a future sidewalk approximately 500 feet in length adjacent to Smith Blvd from main entrance to the west property limits. The sidewalk will provide greater pedestrian connectivity to the church and the Paulann neighborhood.

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 continue to provide direct and abutting access onto the existing street network with a new driveway access within the expansion area to the west that connects to both Smith Boulevard, a collector street, and East Houston Harte Expressway Frontage Road, connected to the expressway. The new plat and associated preliminary plat will ensure an adequate plan for long-term growth of the church. Finally, the new sidewalk will ensure greater pedestrian circulation through the property and surrounding neighborhood.

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

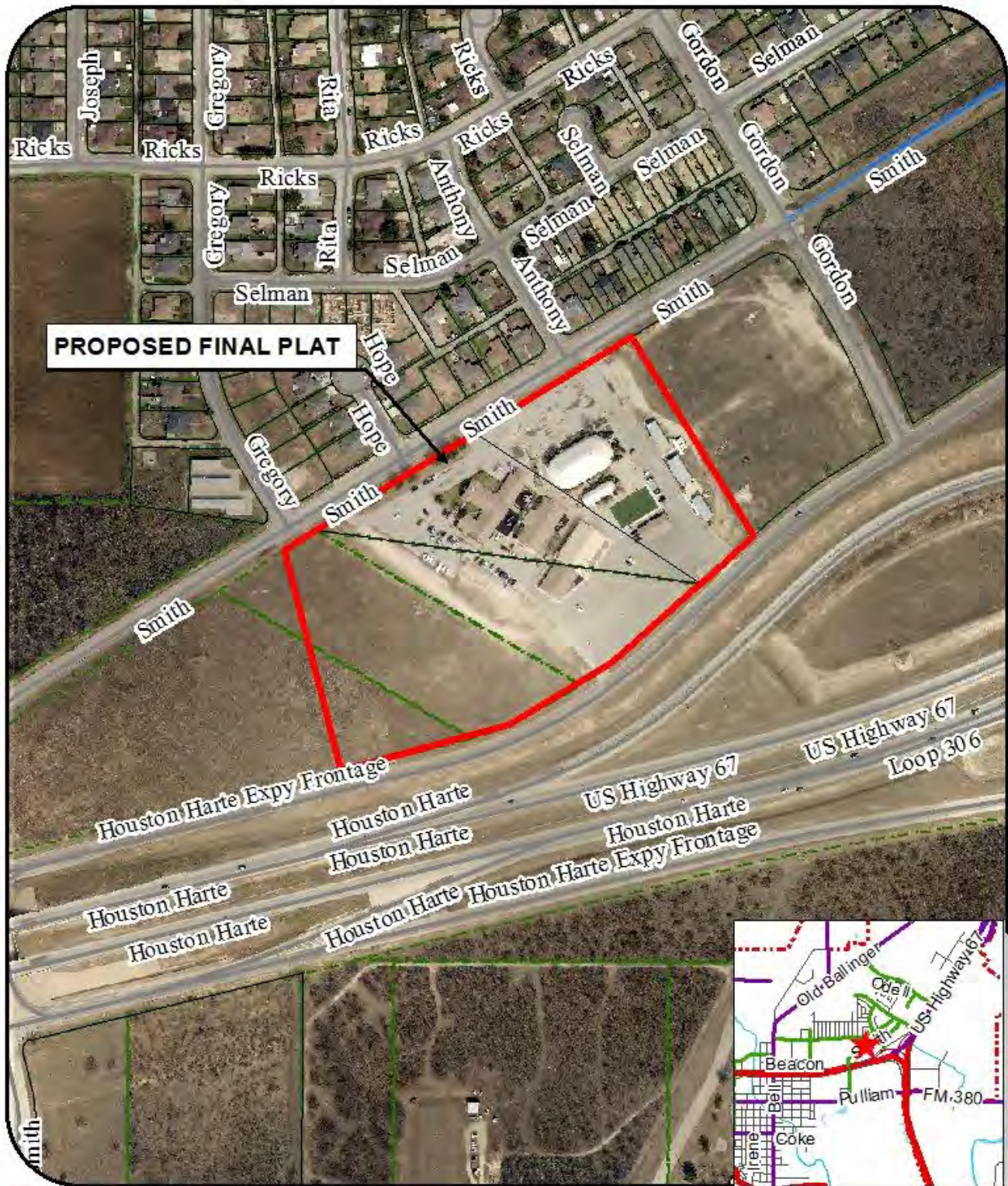
APPROVE the Final Plat of “Paulann Church, Section One”, subject to the following **six Conditions of Approval:**

1. Prior to plat recordation, per Land Division and Subdivision Ordinance, Chapter 7.II.A provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there to be no delinquent taxes on the subject property of this subdivision.
2. Prior to plat approval, per Land Development and Subdivision Ordinance, Chapter 4.II and Chapter 5.III.A.2, submit a required Preliminary Plat that includes the subject plat area and the remaining land owned by the subdivider extending west to the end of Smith Boulevard.
3. Prior to final occupancy of a new or expanded building, per Land Development and Subdivision Ordinance, Chapters 9.V and 11.I.B, City of San Angelo Standards and Specifications, prepare and submit plans for approval, illustrating the proposed installation of a sidewalk adjacent to Smith Boulevard extending from the west end of the property to the driveway entrance in front of the existing chapel, 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 & illustrated on the plat.

4. Prior to plat recordation, per Land Development and Subdivision Ordinance, Chapter 11.I.B, prepare and submit plans for approval, illustrating the proposed installation of a water main and required service connections, and per Chapter 11.I.A, complete the installation in accordance with the approved version of these plans. Alternatively, per Chapter 6, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.
5. Prior to building permit, per Stormwater Ordinance, Sec 12.05.001; and Stormwater Design Manual, Sec 2.13A; a drainage study shall be submitted. If public improvements are deemed necessary by this study, submit construction plan and profile sheets for approval.
6. Prior to building permit, per Section 507 of the 2015 International Fire Code, additional fire hydrants may be required to meet the code requirement of hose lay not to exceed 400' for an unsprinkled building and 600' for a sprinklered protected building.

Attachments:

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

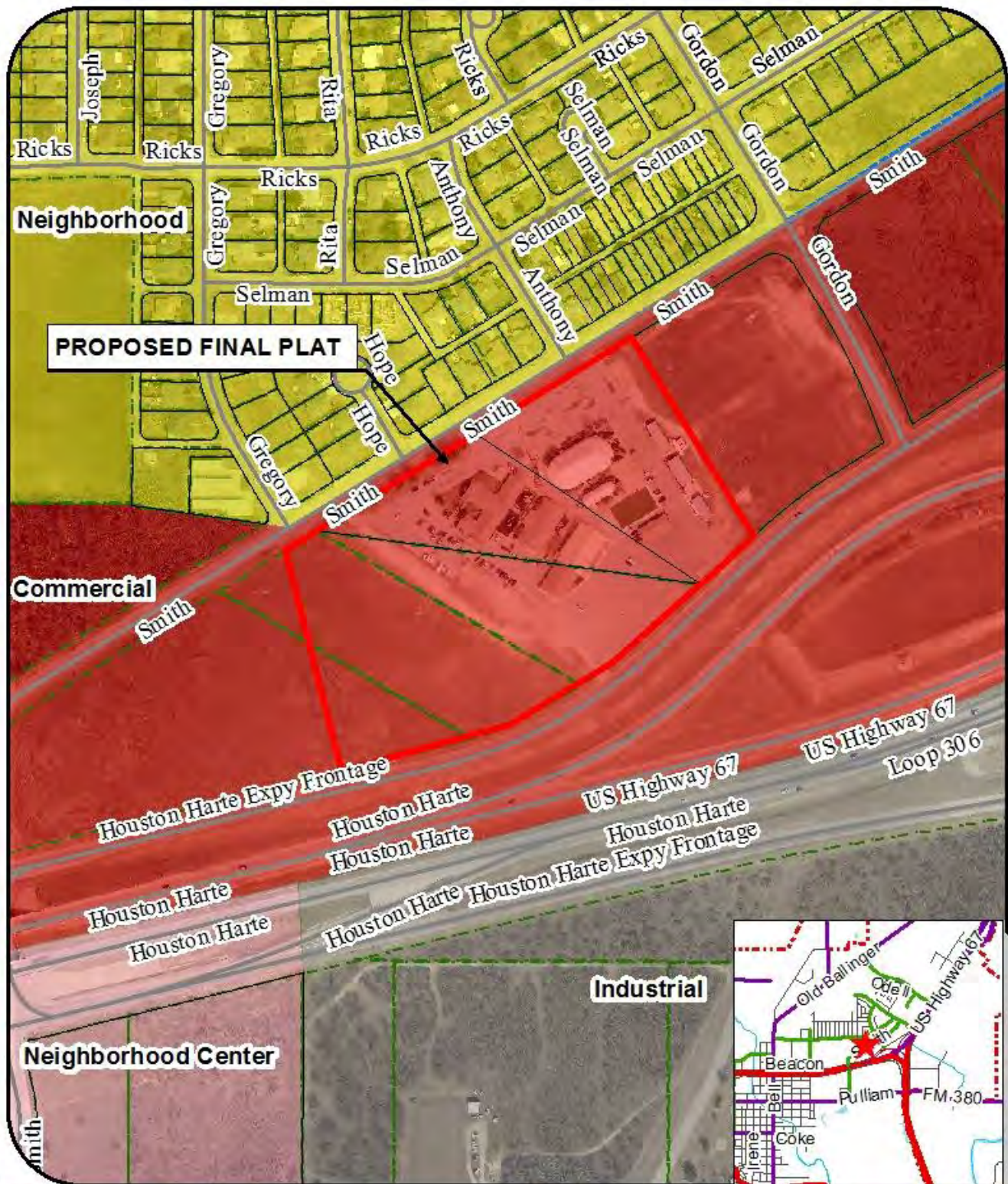







PROPOSED FINAL PLAT

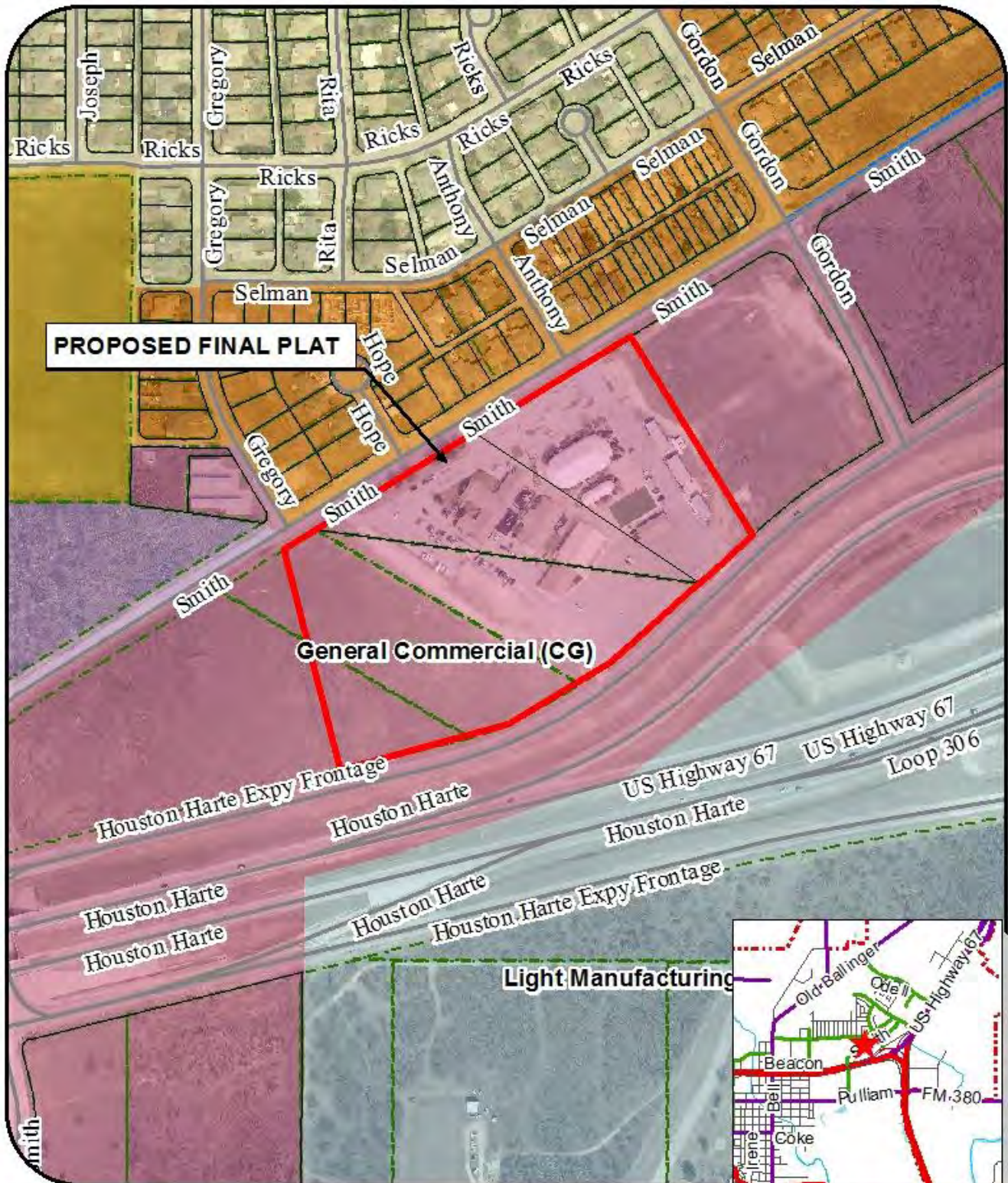
Subdivision Case File
Paulann Church Addition, Section 1
 Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 300 ft
 Subject Property: 2531 Smith Blvd, 14.777 acres

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





Subdivision Case File		Legend:		N 	
Paulann Church Addition, Section 1		Subject Properties: 	CG		
Council District: Lucy Gonzales (SMD#4)		Current Zoning: 	N/A		
Neighborhood: Paulann		Requested Zoning: 	Commercial		
Scale: 1" approx. = 300 ft		Vision:			
Subject Property: 2531 Smith Blvd, 14.777 acres					

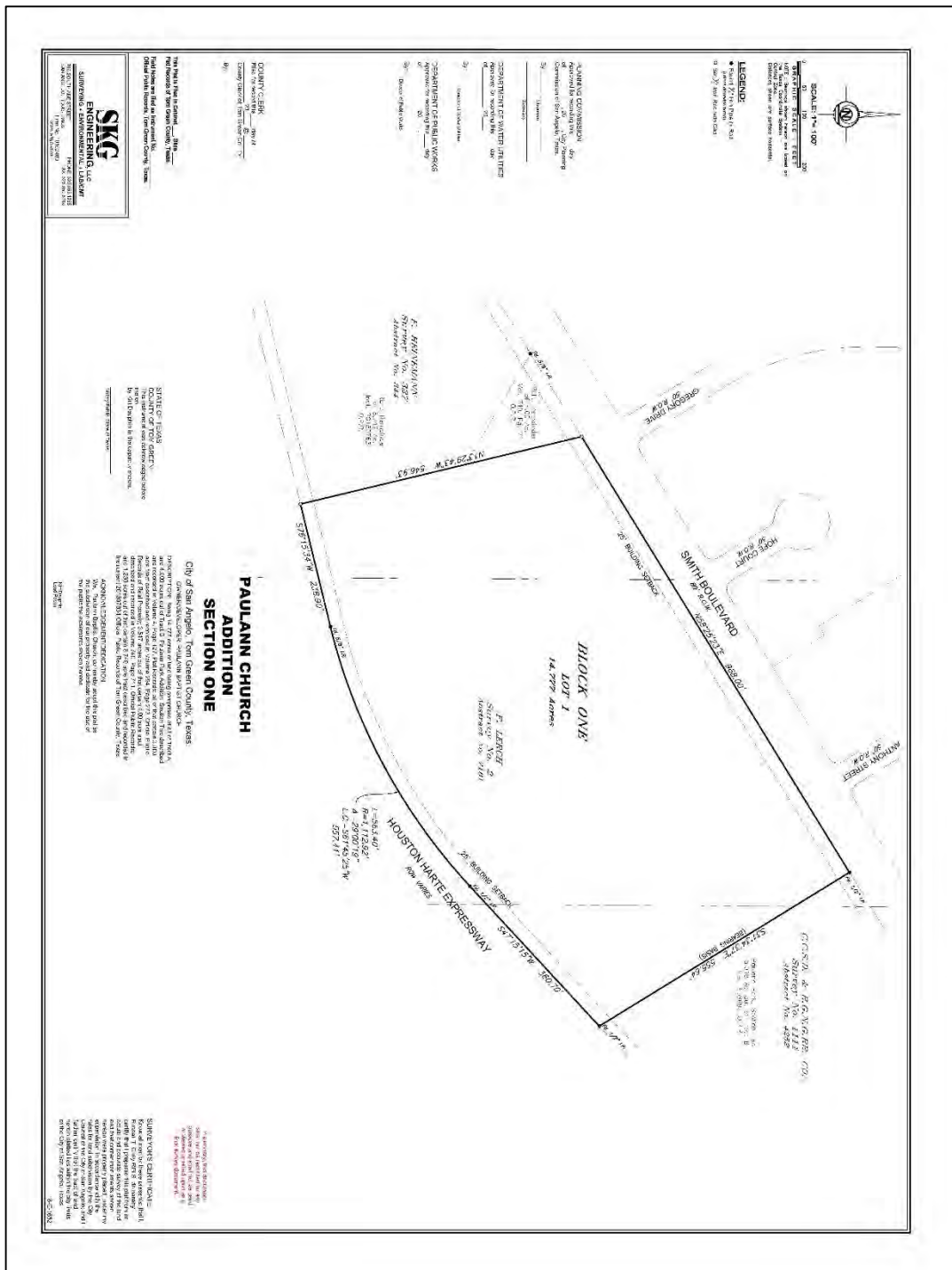


Subdivision Case File
Paulann Church Addition, Section 1
 Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Paulann
 Scale: 1" approx. = 300 ft
 Subject Property: 2531 Smith Blvd., 14.777 acres

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



Proposed Final Plat





City of San Angelo, Texas - Planning Land Subdivision Application



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

Section 1: Basic Information

Paulann Church Addition, Section One

Proposed Subdivision Name

14.777 acres out of Lerch, CCSD&RGNG RR, Heinemann, Tracts A&B, Paulann Park

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

21-38300-0050-001-00; 38-04252-0009-000-00; 38-00344-0004-100-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:

Name	Phone Number	Email Address
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Property Owner: Paulann Baptist Church	325-655-7552	kirt@paulann.org
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Name	Phone Number	Email Address
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Architect/Engineer/Design Professional: SKG Engineering	325-655-1288	rg@skge.com
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Name	Phone Number	Email Address
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Subdivision Type: Final Plat Replat - requiring Planning Commission approval Plat Vacation
 Preliminary Plat Replat - administratively eligible* Amended Plat

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

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

Section 2: Utility & Easement Information

Water: City - requesting new services Proposed size? 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

14.777 1

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

Existing Zoning:

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

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

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

Vacant _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 14.777

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

Vacant _____ Single-Family Residential _____ Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail 14.777

Are there existing structures on the property? Yes No

If yes, how many structures exist? 9 What type of structures exist currently? Church Sanctuary, offices, educational buildings

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

Are there existing deed restrictions? Yes No

If yes, provide deed reference information: _____

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

Section 4: Variance Requests

Are any variances for this application being requested? Yes No

If yes, provide all of the following information:

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

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)

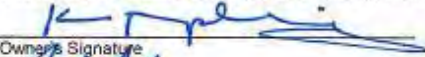
Section 4, continued


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.


 Owner's Signature


 Representative's Signature

3.20.19
 Date

3.20.19
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: 3/20/2019 Date Deemed preliminary complete: 3/20/2019 3:10pm Date Time gf Initials

Received by Development Services Technician for completeness review: 3/20/2019 3:10pm Date Time gf Initials

Completeness review passed? Yes 3/20/19 Date No _____ Date

If yes, when was application scheduled for staff review, if applicable? 3/20/19 Date gf 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	_____	_____	_____
<u>Planning Commission</u>	_____	_____	_____
City Council (cases with appeal)	_____	_____	_____

Date of Approval Expiration: _____

Date Recorded: _____

**PLANNING COMMISSION – APRIL 15, 2019
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Replat		First Replat in Lots 1 and 2, Fred Williams Subdivision No. 2	
SYNOPSIS:			
<p>This is an application to replat a portion of a two previously platted lots into 5 lots located in north San Angelo. The applicant has also applied for a variance from Chapter 10.III.A.2 of the <i>Land Development and Subdivision Ordinance</i> to allow the pavement width of Lake Drive to remain 30 feet in lieu of the required 50'. No unusual physical features are associated with the property, the site is relatively flat with one partially demoed existing structure, and has frontage along West 33rd Street and Lake Drive. The lots comply with the minimum lot area, lot frontage, and lot depth of the RS-1 Zoning District.</p>			
LOCATION:		LEGAL DESCRIPTION:	
3229 Lake Drive		East Part Of Tract 1 & East Part Of North 2 Ft Of Tract 2, Fred Williams Subdivision No 2	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD #2 – Tom Thompson Riverside Neighborhood	Single Family Residential (RS-1)	Neighborhood	1.045 acres
THOROUGHFARE PLAN:			
<p><u>West 33rd Street</u> – Urban Local Street, Required 50' min. ROW (60' provided), Required 36' with a 4' sidewalk or 40' min. pavement width (40' existing).</p> <p><u>Lake Drive</u> – Urban Minor Collector Street, Required 60' min. ROW (70' provided), Required 50' min. pavement width (30' existing).</p>			
NOTIFICATIONS:			
<p>16 notifications were mailed within a 200-foot radius on March 28, 2019. Zero received in support and One in opposition.</p>			
STAFF RECOMMENDATION:			
<p>Staff recommends APPROVAL of the First Replat in Lots 1 and 2, Fred Williams Subdivision No. 2, and APPROVAL of a variance from Chapter 10.III.A.2; subject to Ten Conditions of Approval.</p>			
PROPERTY OWNER/PETITIONER:			
<p>Juvenal Duran & Angelica Flores/ Carter-Fentress Engineering – Erica Carter</p>			
STAFF CONTACT:			
<p>Hillary Bueker Senior Planner (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us</p>			

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, 5 new lot would be created within the existing RS-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 RS-1 zoning district.

Variance: As indicated above, the applicant has submitted a variance from Chapter 10.III.A.2 of the Subdivision Ordinance to allow the pavement width of Lake Drive to remain 30 feet in lieu of the required 50’. 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 frontage along Lake Drive will continue functions in its current condition. Engineering Services and the Planning Division support the variance from any the additional improvements to Lake Drive. All of the adjacent properties are fully developed and this area currently functions with its current construction.

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

The applicant has stated that the conditions upon which this request for variances are based are not generally applicable to other property as this is an existing developed area and this is a small in-fill project. As indicated above, Engineering Services and the Planning Division support the variance from any street improvements along this portion of Lake Drive as these segments lie within an existing developed area.

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

The applicant believes due to the physical surroundings including the presence of the existing street and utilities, a particular hardship to the owners would result. City staff believes the existing street width and configuration along Lake Drive will service the surrounding area satisfactorily. Based on traffic counts in 2008, this street services a similar number of trips to other local roads in the area, as opposed to the adjacent Grape Creek Road, Urban Minor Collector Street, that serves almost 4 times the number of trips.

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

The applicant believes approval of this variance would not, in any significant way, vary the provisions of the applicable ordinances as this road (Lake Drive) was, at one time U.S. Highway 87 (San Angelo - Sterling City Highway) and was fully functional as a highway and is now very adequate and functional in its present state. Planning and Engineering agree that the existing street is currently sufficient and pose no safety risks to the public. This plat will not drastically increase the development or add new street traffic along Lake Drive.

Recommendation: Staff recommends that the Planning Commission **APPROVE** the First Replat in Lots 1 and 2, Fred Williams Subdivision No. 2, and **APPROVE** a variance from Chapter 10.III.A.2 of the *Land Development and Subdivision Ordinance*; subject to **Ten Conditions of Approval**.

1. Prior to plat recordation, revise signature block to reflect a replat requiring Planning Commission Approval.
2. Prior to plat recordation, per Subdivision Ordinance, Chapter 7.II.A., provide a copy of the Tom Green County Appraisal District certification indicating there are no delinquent taxes on the subject property of this subdivision.
3. Prior to plat recordation, correct the existing ROW for Lake Drive.
4. Prior to plat recordation, illustrate the required 25' building line along the frontage of West 33rd Street for Lot 1C. [Zoning Ordinance, Sec. 501].
5. Prior to plat recordation, per the final plat checklist, the boundaries of each adjoining street, alley, easement, lot or tract, shown by dotted or dashed lines. Please show adjacent right-of-ways and lots.
6. Prior to plat recordation, please coordinate with the City's 911 Addressing Coordinator to request address changes for addresses affected by this subdivision.
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, 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]
 9. 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]
 10. Prepare and submit plans for required improvements to streets by half the additional increment necessary to comprise the minimum paving widths [Land Development and Subdivision Ordinance, Chapter 10]. For Lake Drive, the minimum width is 50 feet (in this case, requiring 10 additional feet to be placed by the developer). Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period [Land Development and Subdivision Ordinance, Chapter 6]. A second alternative would be to obtain approval of a variance from the Planning Commission [Land Development and Subdivision Ordinance, Chapter 1.IV].

Attachments:


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



Fred Williams Subdivision No 2
3229 Lake Drive

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

Legend

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





Fred Williams Subdivision No 2
3229 Lake Drive

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

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



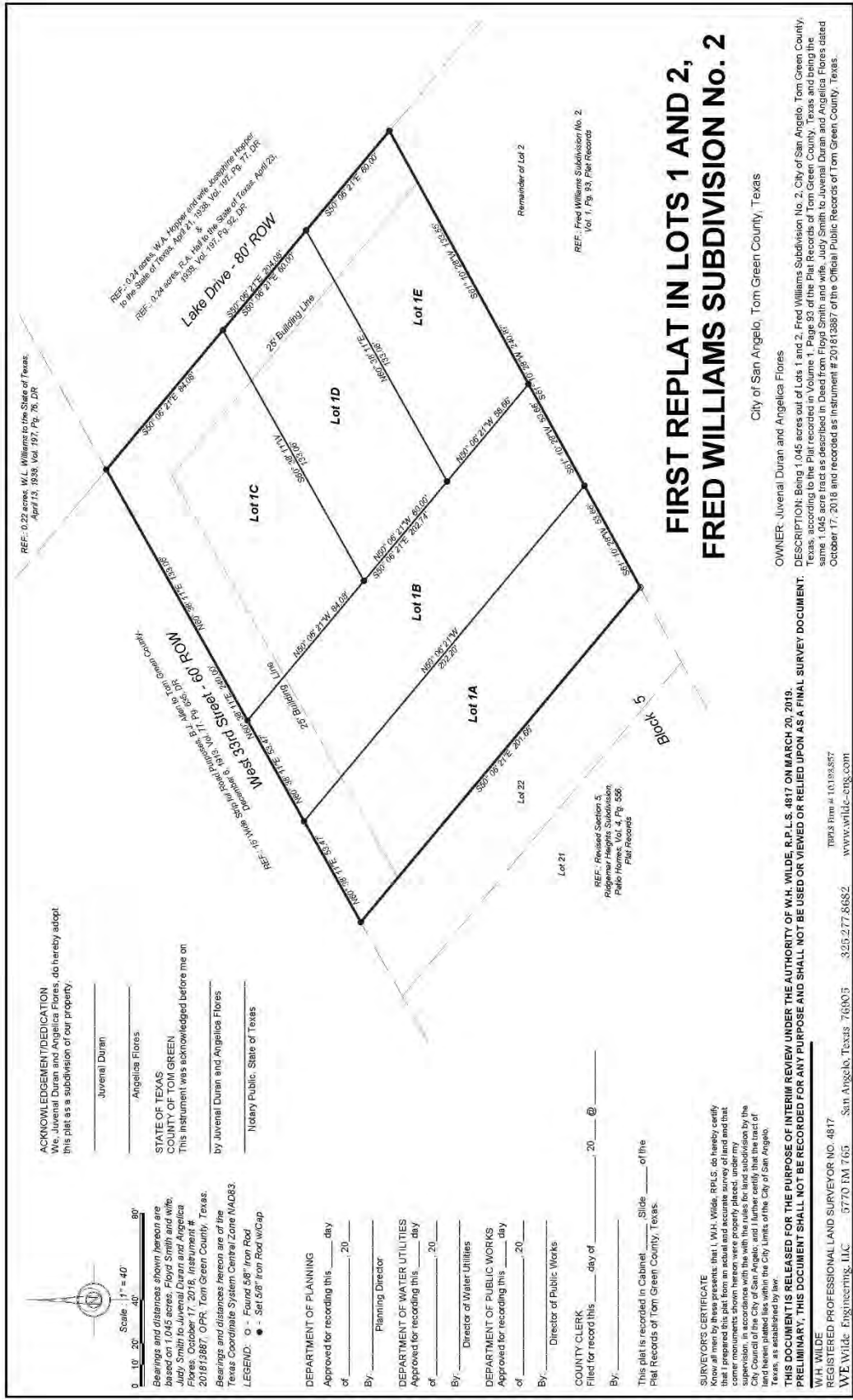


Fred Williams Subdivision No 2
3229 Lake Drive

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

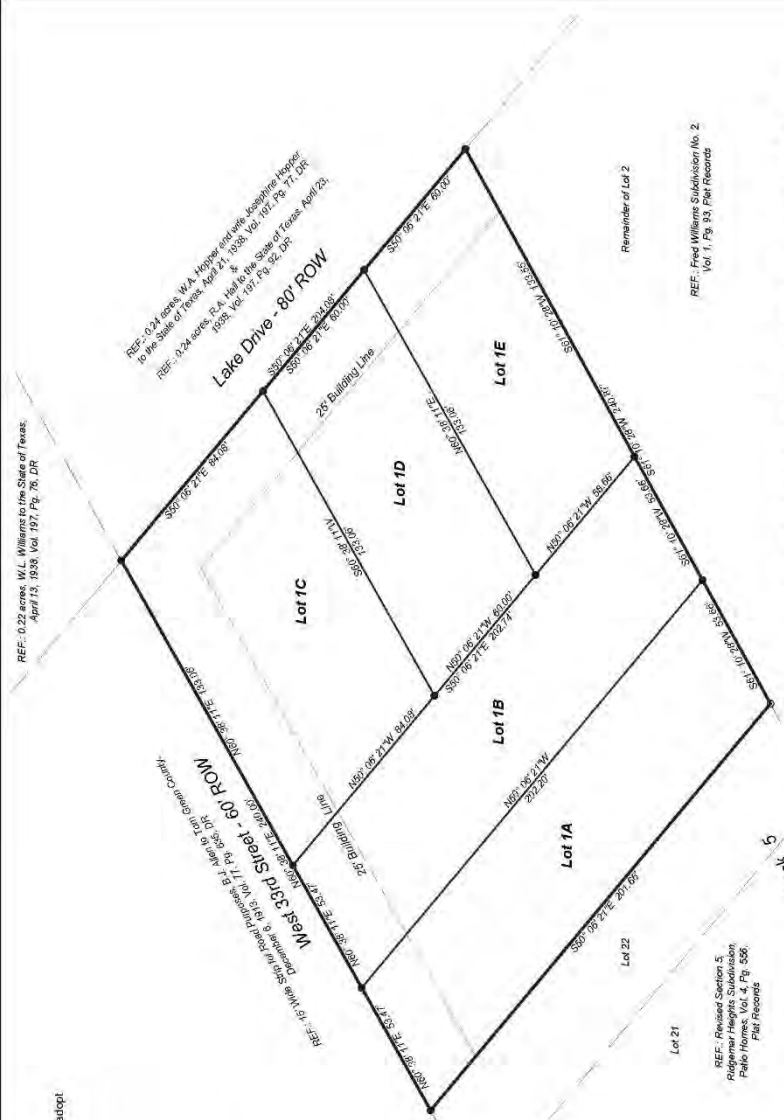
Legend
Subject Properties:
Current Zoning: **RS-1**
Requested Zoning Change: **N/A**
Vision: **Neighborhood**





**FIRST REPLAT IN LOTS 1 AND 2,
 FRED WILLIAMS SUBDIVISION NO. 2**

OWNER: Juvenal Duran and Angelica Flores
 City of San Angelo, Tom Green County, Texas
 REF: Fred Williams Subdivision No. 2 Vol. 1, Pg. 53, Plat Records





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

Williams Fred Addition No. 2

Proposed Subdivision Name
 Tracts 1 & 2, Williams Fred Addition No. 2, East Part of Tract 1 & East part of North 2' of Tract 2

Current Legal Description (can be found on property tax statement or at www.tomgreencad.com)
 27-49600-0000-001-00

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

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

Authorized Representative: Tenant Property Owner Contractor Engineer

Tenant:
 Name _____ Phone Number _____ Email Address _____

Property Owner: DURAN JUVENAL & FLORES ANGELICA 661.478.9964 anfloresdrn@yahoo.com
 Name _____ Phone Number _____ Email Address _____

Architect/Engineer/Design Professional: Carter-Fentress Engineering/ Erica Carter 325.716.3013 ecarter@fentresseng.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" _____
 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

1.04 Acres
 Total Acreage of Proposed Subdivision/Resubdivision _____ Total Number of Lots Proposed _____

Existing Zoning:

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

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

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

Vacant 0.54 Single-Family Residential 0.5 Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

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

Vacant _____ Single-Family Residential 1.04 Office _____
 Multi-Family Residential _____ Industrial/Manufacturing _____ Commercial/Retail _____

Are there existing structures on the property? Yes No
 If yes, how many structures exist? 1 What type of structures exist currently? Single Family Structure

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: Full ordinance citation from Subdivision Ordinance standard from which variance is requested: _____
 Article 12, Exhibit C, Chapter 10, Section III, A-2

Full variance requested Partial variance requested (proposed variation from standard): _____
Lake Drive widening: The area in question is surrounded by fully developed areas except for the property south. To widen just this portion of the road when there is no chance of the widening to expand north or south would be unfeasible.

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 current pavement width is 30'. Lake Drive is 30' wide both North and South of the property for several feet with the exception of the property just south. There has not been any detrimental public safety issues, 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.
 Most of the property north and south of the subject property is fully developed on both sides of the road leaving the road widening to just the subject property and the property just south. This would leave just this small area widened on one side of the road, thus not helping in an safety issues.

(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.

NA

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.

Angela Howe
 Owner's Signature

J. Castro
 Representative's Signature

3/20/19
 Date

3/20/19
 Date

FOR OFFICE USE ONLY:

Submitted to front desk: _____ Deemed preliminary complete: _____
Date Date Time Initials

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

Completeness review passed? Yes _____ No _____
Date Date

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

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

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

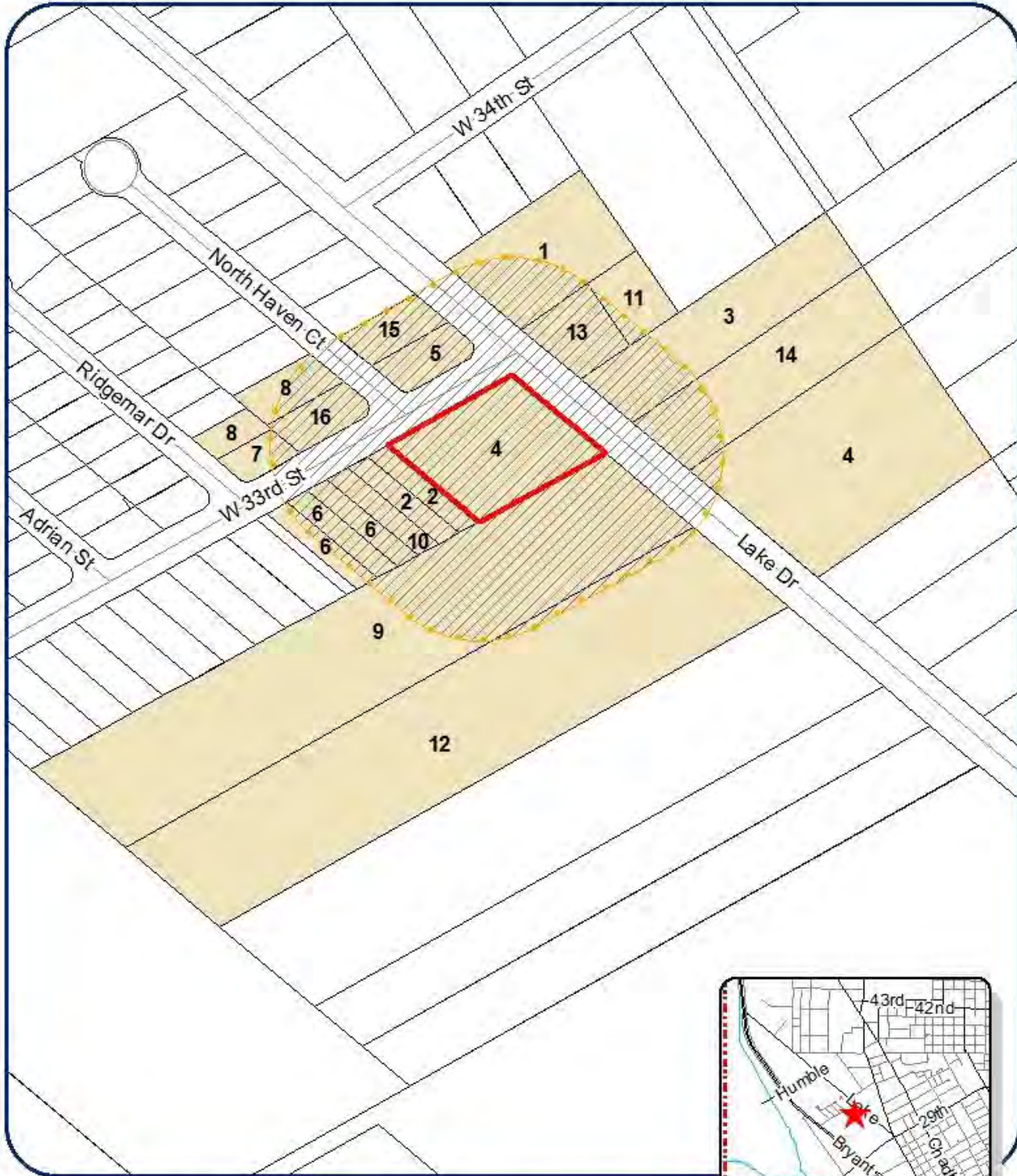
Completeness review passed? (Note: If resubmittal still incomplete after a second review, schedule appointment with Authorized Representative.)
 Yes _____ No _____
Date Date

Approvals required for this application:

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

Date of Approval Expiration: _____


Date Recorded: _____



Fred Williams Subdivision No 2
3229 Lake Drive

Council District: SMD #2 - Tom Thompson
 Neighborhood: Riverside
 Scale: 1" approx. = 215 ft

Legend

Subject Properties: 
 Current Zoning: RS-1
 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

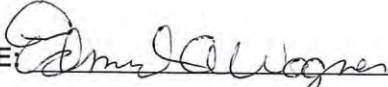
(✓) IN OPPOSITION

REASON(S)

NAME: Edmond A Wagner

ADDRESS: 3312 N. Hawn Ct.

San Angelo Tx 76903

SIGNATURE: 


FIRST REPLAT IN LOTS 1 AND 2, FRED WILLIAMS SUBDIVISION NO 2

Property Owner number: 15

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 at hillary.bueker@cosatx.us.

**PLANNING COMMISSION – April 15, 2019
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning		Z19-05: SKG Engineering	
SYNOPSIS:			
A request for approval of a Rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the General Commercial (CG) Zoning District on the subject property. The current proposed development is an auto dealership. Section 310 of the Zoning Ordinance does not permit such use by right in the existing district.			
LOCATION:		LEGAL DESCRIPTION:	
5100 Block of West Houston Harte Expressway		Being Abst: A-3944 S-0001, Survey: A E WHITE, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #6 – Billie DeWitt Bluffs Neighborhood	RM-1 – Low-Rise Multi-Family Residential	Commercial	2.047 acres
THOROUGHFARE PLAN:			
<u>West Houston Harte Expressway Frontage Road</u> – State Maintained ROW, ROW varies existing, Pavement width varies existing.			
NOTIFICATIONS:			
11 notifications were mailed within a 200-foot radius on March 26, 2019. Zero received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the General Commercial (CG) Zoning District			
PROPERTY OWNER/PETITIONER:			
Bill Davis/SKG Engineering			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

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

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The current future land use is designated as “commercial” which seeks to promote “single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network. The uses within this area often draw from the larger regional area.” Section 303 of the Zoning Ordinance states that the intent of the General Commercial Zoning District is to “provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation.” The rezoning will be in keeping with the approved future land use and allow the continuation of the surrounding commercial development along West Houston Harte Expressway.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** Any new development would comply with the General Commercial development standards. The existing 2.05 acre tract of land exceeds the minimum lot area of 6,000 square feet, the minimum lot frontage of 50 feet, and minimum lot depth of 80 feet in the General Commercial zoning district. Any future buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from West Houston Harte Expressway, as well as a 10-foot side and rear yard setbacks where adjacent to residential.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The property is located within an area that has mixed uses, but is comprised of mostly residential to the north and commercial along West Houston Harte Expressway. The subject tract of land fits in with the already zoned commercial lots along the frontage road, and would be required to provide for screening and setbacks from adjacent residential per the zoning ordinance.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property was annexed into the city in November 1997 and was rezoned in December 1997 to Low-Rise Multi-Family Residential. Since the anticipated multi-family development was never realized, the rezoning would make use of the land in a commercial manner consistent with the adopted future land use and existing adjacent development along West Houston Harte Expressway.
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 rezoning is anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary.

6. **Community Need.** Whether and the extent to which the proposed amendment addresses a demonstrated community need. Allowing this site to rezone to General Commercial would be reflective of the continuing need for commercial properties along West Houston Harte Expressway, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.

7. **Development Patterns.** Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community. The existing development pattern in the along West Houston Harte Expressway is mostly commercial, approving the rezoning will allow the parcels to keep in continuity with the adjoining lots directly along the frontage road.

Recommendation:

Staff's recommendation is for the Planning Commission to Recommend **APPROVAL** of a Rezoning from the Low-Rise Multi-Family (RM-1) Zoning District to the General Commercial (CG) Zoning District.

Attachments:

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



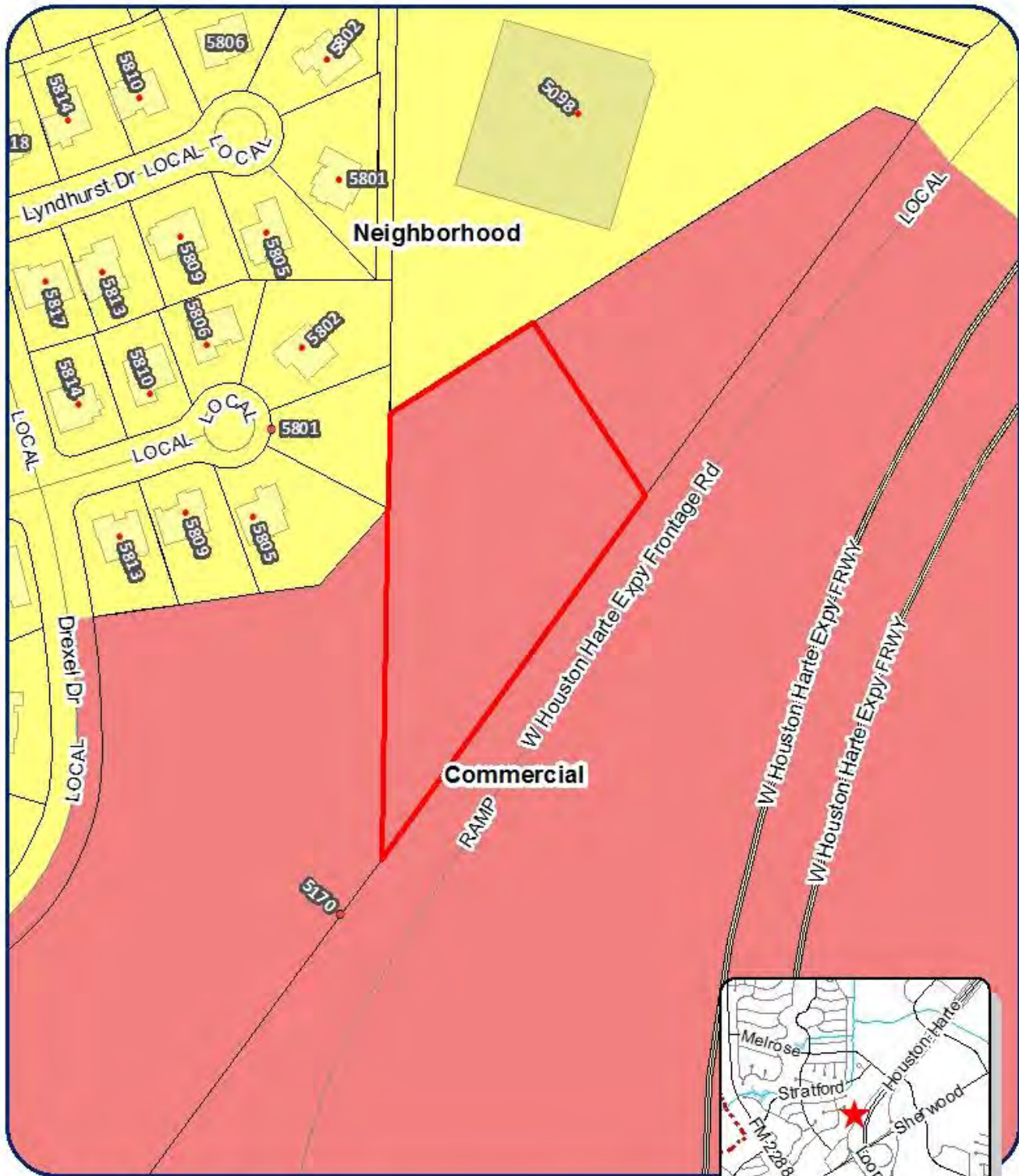
Z19-05: SKG Engineering
West Houston Harte Expy

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

Legend

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



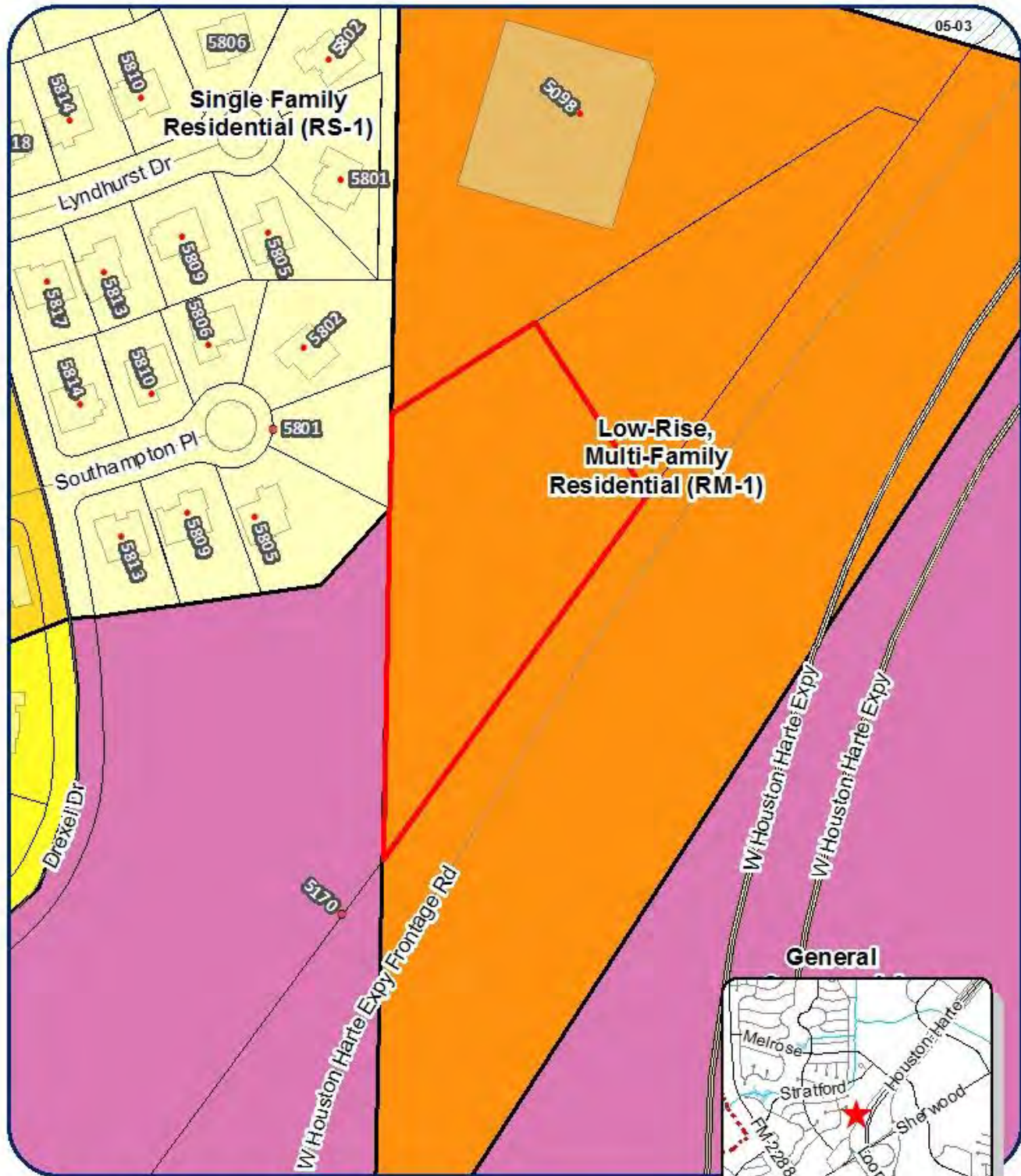


Z19-05: SKG Engineering
West Houston Harte Exwy

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

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





Z19-05: SKG Engineering
West Houston Harte Exwy

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

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



Effective January 3, 2017



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

Section 1: Basic Information

Name of Applicant(s): SKG Engineering

Owner Representative (Notarized Affidavit Required)

706 South Abe Street San Angelo Texas 76903

Mailing Address City State Zip Code

325-655-1288 rg@skge.com

Contact Phone Number Contact E-mail Address

5100 W. Houston Harte San Angelo Texas 76904

Subject Property Address City State Zip Code

Abst: A-3944 S-0001, Survey: A E WHITE, 2.0470 ACRES

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

Existing Zoning: RM-1 Proposed Zoning: CG Lot size: 2.047 acres

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

Section 2: Site Specific Details

Existing Use of Property: Vacant

*Proposed Use of Property: Commercial - current proposal is for an auto dealership.

**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.

Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Russell Gully		SKG Engineering	3-15-19
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

Verified Complete Verified Incomplete Date of Application: ____/____/____

Case No.: Z 19 - 05 Fully-dimensional site plan:

Nonrefundable fee: \$ _____ Receipt #: 180244 Date paid: 3 / 20 / 19

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: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

Site Photos



Looking West toward adjacent neighborhood



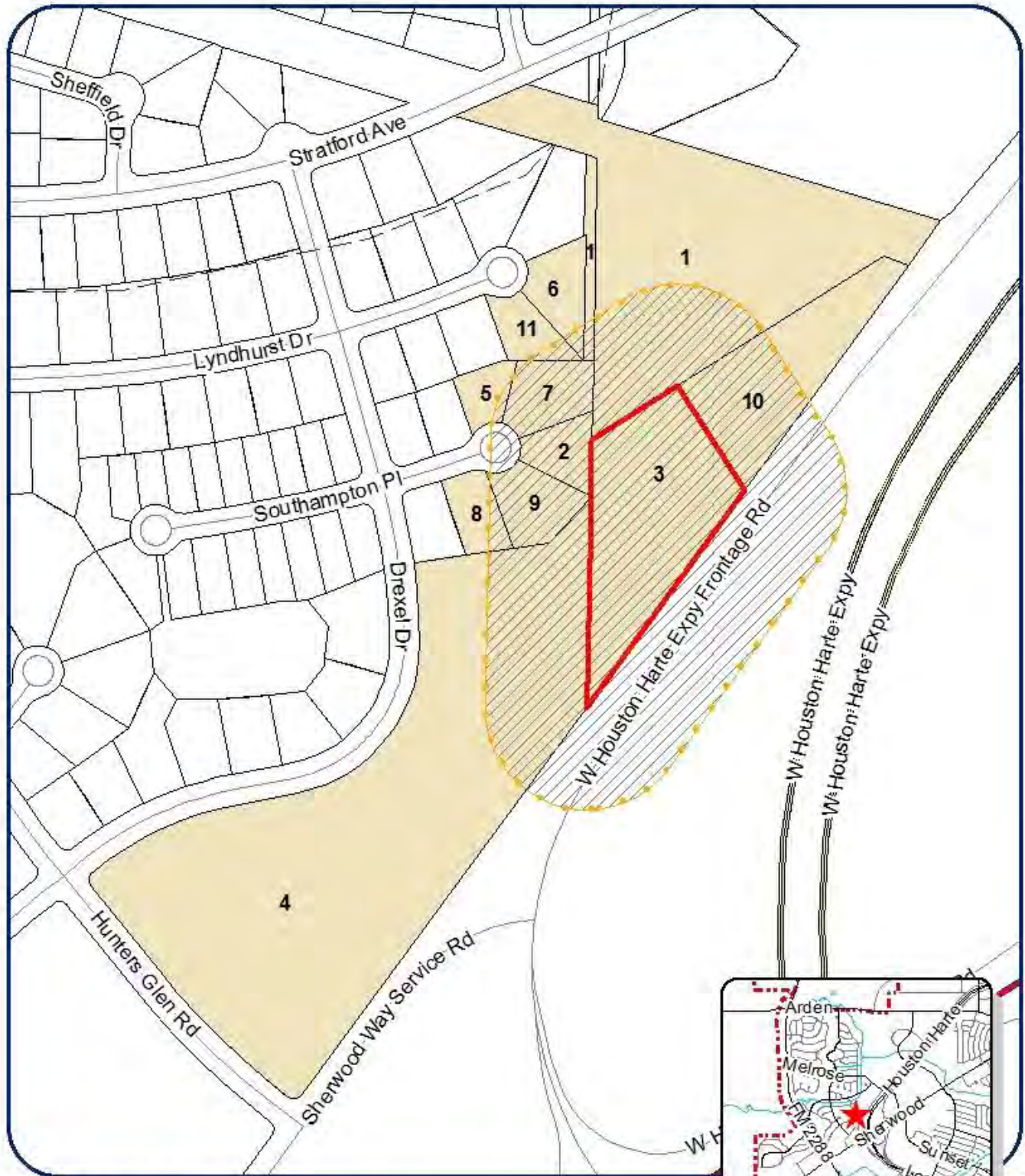
Looking Southwest along West Houston Harte Expressway Frontage Road



Looking North towards residential




Looking Northeast along West Houston Harte Expressway Frontage Road



Z19-05: SKG Engineering
West Houston Harte Exwy

Council District: SMD #6 - Billie DeWitt
 Neighborhood: Bluffs
 Scale: 1" approx. = 250 ft

Legend

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



**PLANNING COMMISSION – April 15, 2019
STAFF REPORT**



APPLICATION TYPE:	CASE:
Conditional Use	CU19-01: Padilla

SYNOPSIS:
The applicant has applied for a Conditional Use for a new Short-Term Rental on the subject property. The property is zoned Low-Rise Multi-Family Residential (RM-1) and contains an existing single-detached dwelling built in 1959 according to the Tom Green County Appraisal District. A Short-Term Rental is allowed in the RM-1 District with an approved Conditional Use, subject to the development standards of Section 406 of the Zoning Ordinance. This area is a transitional area with the Shannon Hospital on the south and Central Freshman Campus on the north. Many of the residential structures in the area are commercial/rental. There are apartment complexes both on the north and south sides of this home.

LOCATION:	LEGAL DESCRIPTION:
212 N. Magdalen St. Generally at the northeast corner of Magdalen and Koberlin St. intersection.	Being the N. 45 ft. of Lot 3, and the S. 20 ft. of Lot 4, Blk.1, Upton’s Subdivision, City of San Angelo, Tom Green County, Texas.

SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
District #3 – Harry Thomas Downtown Neighborhood	Low-Rise Multi-Family (RM-1)	N – Neighborhood	0.194 acres

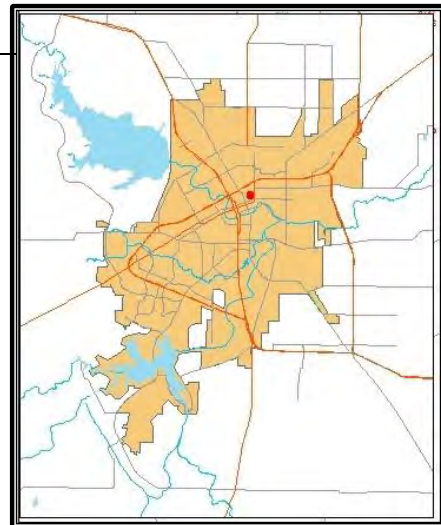
THOROUGHFARE PLAN:
Koberlin St. – Local Street, 50 Ft. ROW, 36 Ft. pavement with 4 ft. sidewalk on south side
Magdalen St. – Local Street, 80 ROW, 40 Ft. pavement with no sidewalk

NOTIFICATIONS:
25 notifications mailed within 200-foot radius on March 28, 2019. Zero received in support or opposition.

STAFF RECOMMENDATION:
Staff recommends **APPROVAL** of the Conditional Use for a Short-Term Rental as defined in Section 406 of the Zoning Ordinance, in the Single Family Residential (RS-1) Zoning District, on the subject property, **subject to six Conditions of Approval.**

PROPERTY OWNER/PETITIONER:
Property Owner:
Jeff Padilla
Operator:
Jeff Padilla

STAFF CONTACT:
Sherry Bailey
Principal Planner
(325) 657-4210, Extension 1546
sherry.bailey@cosatx.us



Additional Information:

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. The Short Term Rental at this location appears to be compatible with the surrounding area. This area is transitional in nature already impacted by the hospital to the south and the high school to the north.
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 zoned RM-1 allows a Short-Term Rental with an approved Conditional Use, subject to the development standards of Section 501 of the Zoning Ordinance for single-detached dwellings, and Section 406 for Short-Term Rentals. The Short-Term Rental is located within the existing single-detached dwelling and complies with all setbacks. There is a long driveway which will function as the parking area located on the north of the property which can accommodate all parking requirements.
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 Short-Term rental property maintains its residential character and has not made any structural changes that would change the original determination that this property is residential and is compatible with the other residential structures in the area.
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 believes there have not been any adverse impacts on the natural environment. The subject use is located within an existing residential structure and maintains the existing building footprint on the property.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for a Short Term Rental in this location given close proximity to Shannon Hospital. It will not change the residential character of the area, and there will be adequate on-site parking.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The existing short-term rental is not anticipated to have any adverse effect on existing development patterns. As indicated, the rental utilizes the existing single-detached dwelling in an area that is transitional in nature.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** the request for a Conditional Use at 212 Magdalen St. that allows a Short Term Rental in the Low-Rise Multi-Family Residential Zoning District (RM-1), **subject to the following six Conditions of Approval:**

1. The applicant registers with the State of Texas and City of San Angelo for the purpose of Hotel Occupancy Tax and forwards copies of the tax registration documents to the Planning Division.
2. No exterior evidence of the Short Term Rental shall be allowed.
3. The owner shall obtain and comply with an annual fire safety inspection by the City Fire Marshal's office.
4. The property owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent permit renewals.
5. The number of bedrooms on the premises shall not exceed three bedrooms and no other rooms or spaces within the residence may be converted to additional bedroom space.
6. The Conditional Use is not transferable, and the Conditional Use shall be considered null and void upon the transfer of, or change in ownership of the property that contains the short-term rental.

Attachments:

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



Conditional Use Permit - Aerial Map

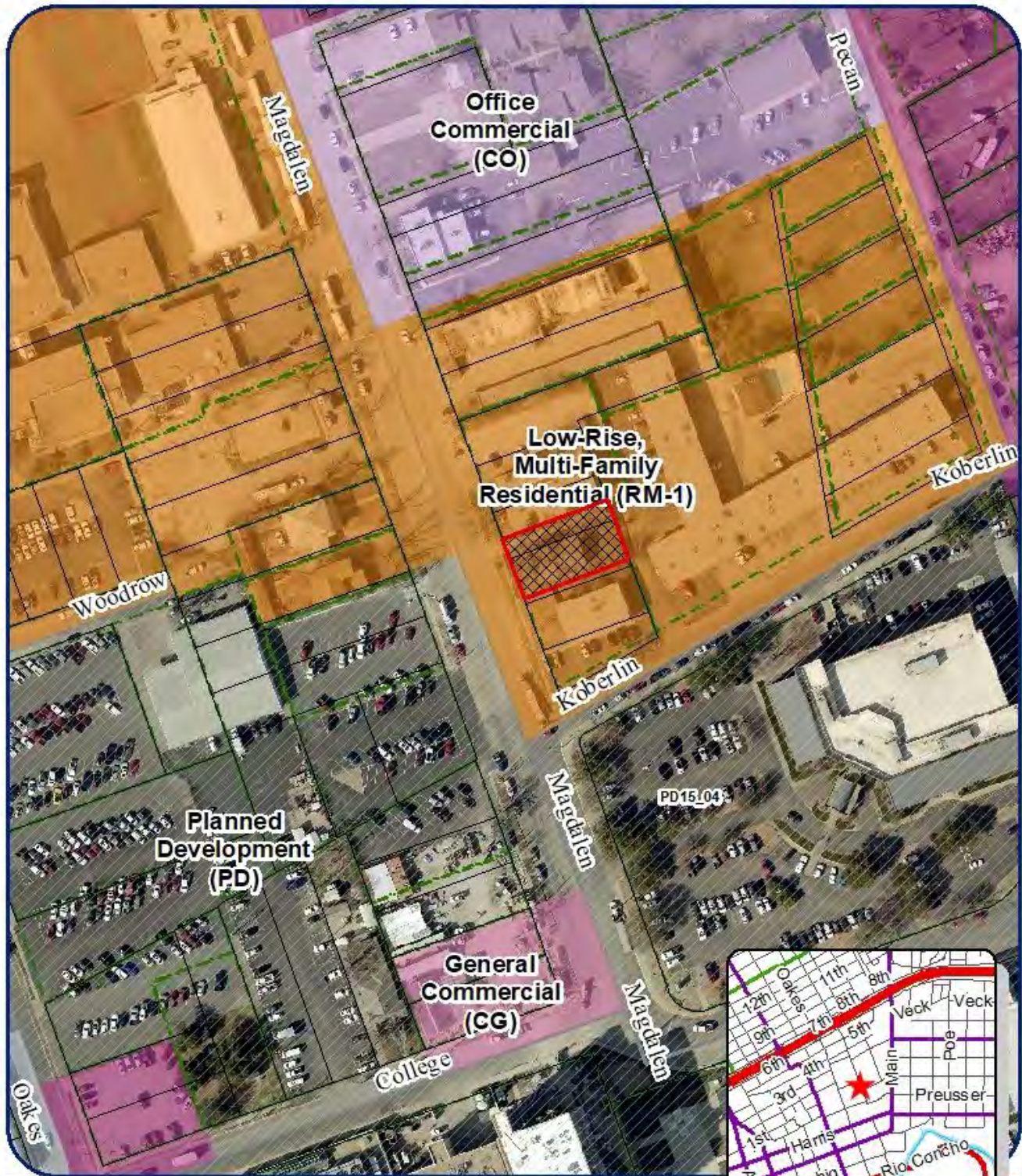
CU 19-01: Padilla

Council District: Harry Thomas District 3
 Neighborhood: Downtown
 Scale: 1" approx. = 130 ft
212 N. Magdalen St.

Legend

Subject Properties: 
 Current Zoning: **Low Rise Multifamily Residential (RM-1)**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**





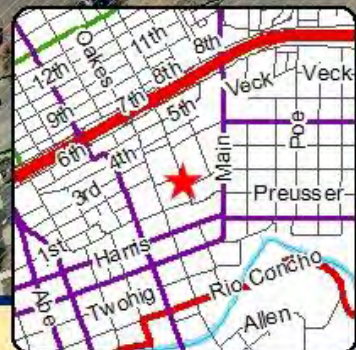
Conditional Use Permit - Existing Zoning

CU 19-01: Padilla

Council District: Harry Thomas District 3
 Neighborhood: Downtown
 Scale: 1" approx. = 130 ft
212 N. Magdalen St.

Legend

Subject Properties: █
 Current Zoning: **Low-Rise Multi-Family Residential (RM-1)**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**





Conditional Use Permit - Future Land Use

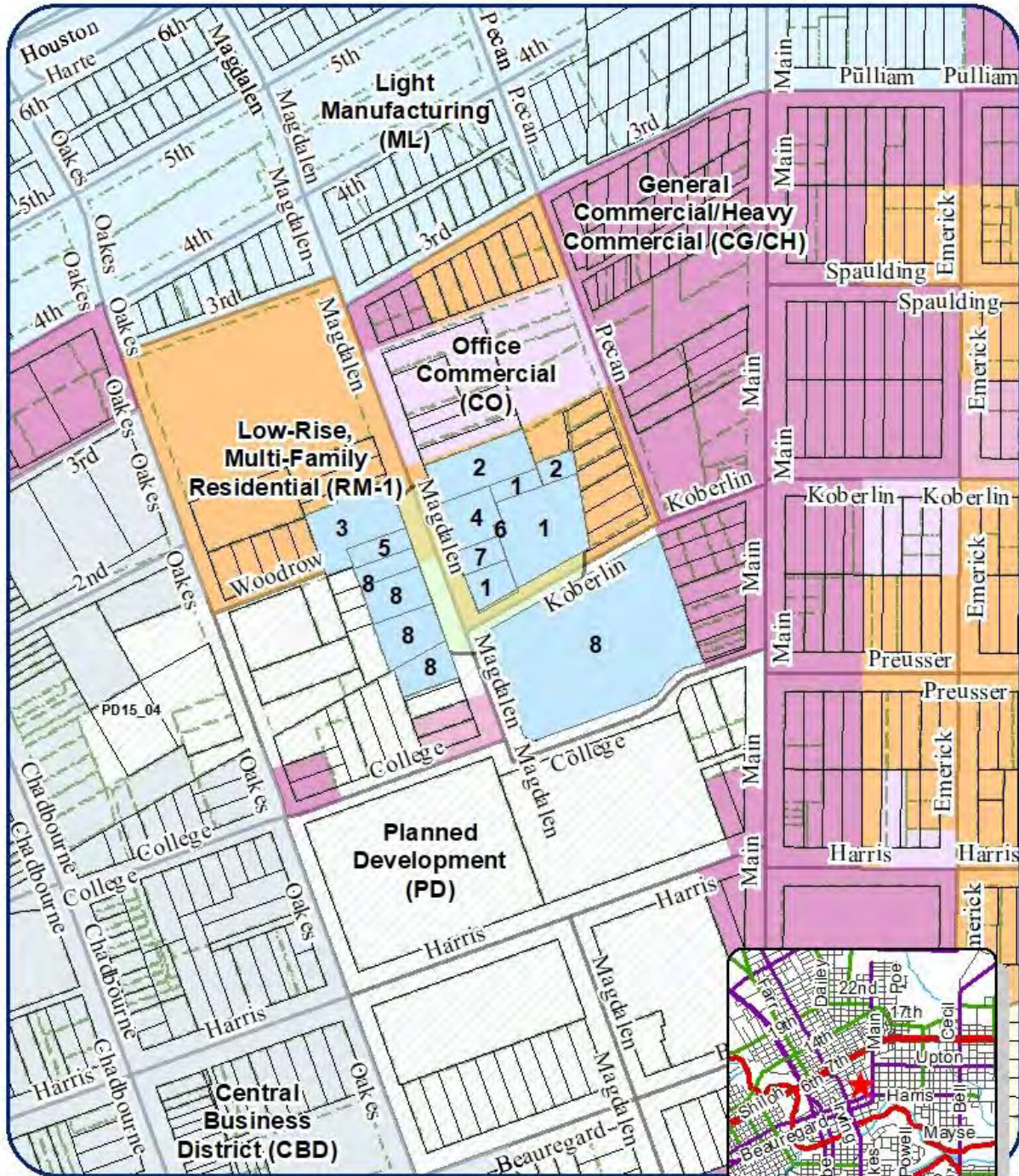
CU 19-01: Padilla

Council District: Harry Thomas District 3
 Neighborhood: Downtown
 Scale: 1" approx. = 130 ft
212 N. Magdalen St.

Legend

Subject Properties:
 Current Zoning: **Low-Rise Multi-Family Residential (RM-1)**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**





Conditional Use Permit - 200 Ft. Notification

CU 19-01: Padilla

Council District: Harry Thomas District 3
 Neighborhood: Downtown
 Scale: 1" approx. = 326 ft
212 N. Magdalen St.

Legend

Subject Properties: █
 Current Zoning: **Low-Rise Multi-Family Residential (RM-1)**
 Requested Zoning Change: **N/A**
 Vision: **Downtown**



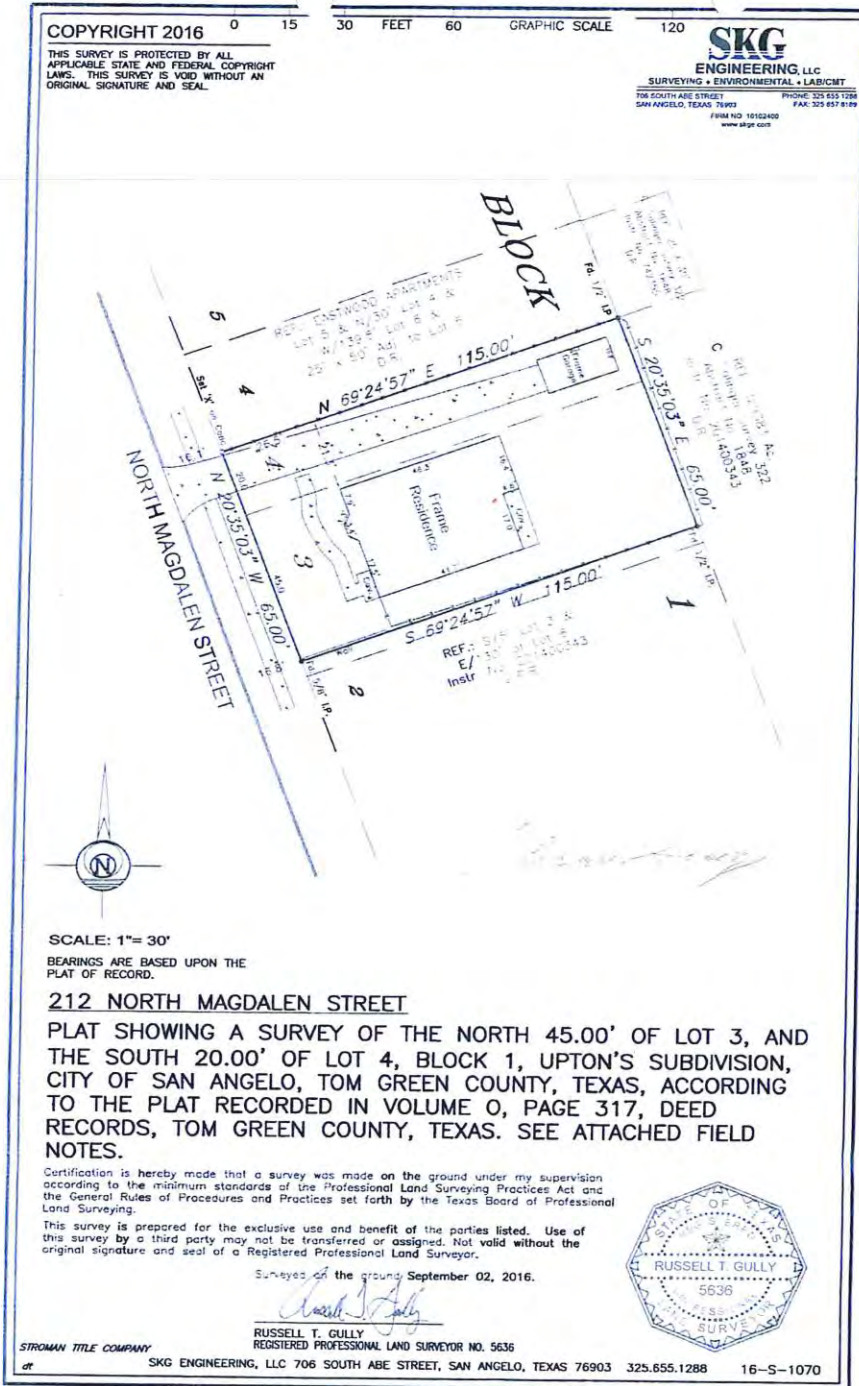
Photos of Site

Short Term Rental Site





Site Plan



Effective February 2, 2017



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



**Application for Conditional Use:
 Short-Term Rental Property**

Office Use Only - Date Accepted:

Section 1: Basic Information

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

JKLS Properties LLC Name of Property Owner (s)
 Jeff Padilla Name of Operator (s)

2206 W. Ave N Property Owner Mailing Address
 San Angelo TX 76904 City State Zip Code

325-374-8439 Property Owner Contact Phone Number
 jklsproperties@gmail.com Property Owner Contact E-mail Address

2206 W. Ave N Designated Operator Mailing Address
 San Angelo TX 76904 City State Zip Code

325-374-8439 Designated Operator Contact Phone Number
 Designated Operator Contact E-mail Address

212 N. Magdalen Short Term Property Address
 San Angelo TX 76903 City State Zip Code

Number of bedrooms: 2 Number of Off-street Parking Spaces: 4 Zoning: RM-1

Section 2: Site Specific Details

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

Please initial and provide explanations for the following:

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

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

Explanation: *Property visually will improve*

Consistent with Surrounding Area. Whether and the extent to which the proposed short-term rental Bed & Breakfast property use is compatible with existing and anticipated uses, surrounding the subject property.

Explanation: *Property will continue use as surrounding area.*

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

Explanation: *Maintenance on property will improve surrounding natural environment*

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

Explanation: *The popular demand for bed & breakfast will accomodate residents families + visitors.*

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: *Residents families visitors will bring in revenue to the city*

Effective February 2, 2017

Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

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

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

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

Jeff Padilla *Jeff R*
Printed name and Signature of Property Owner or Authorized Representative

1/10/19
Date

Jeff Padilla *Jeff R*
Printed name and Signature of Designated Operator

1/10/19
Date

Effective February 2, 2017

FOR OFFICE USE ONLY:

Case No.: CU: 19-01 Planning Commission date: 4/15/2019

Nonrefundable application Fee: \$ 422.50 Receipt #: _____ Date paid: 4/15/2019

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

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

City Council Approve Disapprove Date: ____/____/____

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

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

**PLANNING COMMISSION – April 15, 2019
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Conditional Use		CU19-03: BK Portable Buildings	
SYNOPSIS:			
The applicant has applied for a Conditional Use to allow the retail sales of portable and ready-built buildings with Type 3 (unlimited) outdoor storage on the subject properties. The current General Commercial (CG) zoning on the properties allow the retail sales of these items by right but limits outdoor storage to 10% of the overall site area. The applicant’s business requires the additional storage area to be able to display products for sale to customers (See Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
325 and 329 West 13 th Street and four unaddressed tracts east of Wright Street between West 12 th and West 13 th Street		Being Lots 7-9 and Lots 12-14 in Block 67 of the Miles Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Blackshear Neighborhood	CG – General Commercial	C – Commercial	0.688 acres
THOROUGHFARE PLAN:			
<p>Wright Street– Urban Local Street Required: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4’ sidewalk Provided: 50’ right-of-way, 30’ pavement (complied at time of platting)</p> <p>West 12th and West 13th Streets – Urban Local Streets Required: 50’ right-of-way, 40’ pavement or 36’ pavement with a 4’ sidewalk Provided: 60’ right-of-way, 36’ pavement with no sidewalk (complied at time of platting)</p>			
NOTIFICATIONS:			
25 notifications mailed within 200-foot radius on March 26, 2019. No letters received to date in favor or against.			
STAFF RECOMMENDATION:			
Staff has NO RECOMMENDATION but has provided a thorough analysis of the planning issues involved in this case (see Additional Information and Criteria below).			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner:</i> JHHAPJBC Holdings LLC			
<i>Applicant:</i> Ms. Kristin Lowe, BK Portable Buildings			
STAFF CONTACT:			
Jeff Fisher, AICP Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The applicant has submitted a site concept plan to the Planning Division for review and consideration, and has had multiple discussions with staff regarding the appropriateness of this project. The applicant’s plan shows future sidewalks along the right-of-way of Wright Street facing North Bryant Boulevard, as well as a required 6-foot high privacy fence extending along the full length of the east property line between the alley and West 12th Street. Portions of an existing privacy fence already exist between the alley and West 13th Street. The privacy fences are required as per Section 509 of the Zoning Ordinance for non-residential uses adjacent to residential uses or zoning districts which exist to the east. The applicant’s plan also shows three street trees adjacent to Wright Street and three adjacent to West 12th Street to provide additional screening.

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.** As indicated, the applicant has agreed to install sidewalks, street trees, and privacy fencing, all of which will minimize impacts on the residential homes immediately to the east and south. However, Planning Staff still has concerns with this development given its proximity to a residential area to the east and south. Should the Planning Commission approve this request, Planning Staff will recommend that a new 4-foot high privacy fence be installed along the south property line facing West 12th Street to provide additional screening from residents to the south. In addition, the applicant will be required to close the gap in the existing fence along the east property line of Lot 7 fronting West 13th Street. When the properties were originally zoned to CG in September 2005 by City Council (Z05-09), Planning Staff recommended disapproval in part because these lots faced existing residences. Since that time, the City’s Comprehensive Plan which designated these lots 12-14 as “Medium High Density Residential” now designates them since 2009 as “Commercial” which now supports commercial development but impacts on adjacent residences remain a concern. The Commercial land use policies support transitional uses that screen commercial uses from public view. Since the current zoning does not contain a transition between existing CG and RS-2 zoning, these conditions would ensure that these policy objectives are satisfied.
- 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 existing lots were platted as part of the Miles Addition filed for record in 1885 and as one development site will comply and exceed the minimum lot area of 6,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 80 feet. If the Conditional Use is approved, the applicant will still require a 10-foot setback from the east property line abutting the residential uses as per Section 502.B of the Zoning Ordinance, as well as 15 feet from edge of curb as per Section 504.E. This would require an additional 8’4” setback from the edge of curb facing West 12th Street. The applicant’s site plan delineates that all outdoor storage will be outside of these setbacks as required.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.* The applicant currently runs their facility outside City Limits in an area not near residential uses. Planning Staff is concerned whether the proposed development, even with appropriate screening, is suitable for this location near residential uses. The Commercial future land use policies in the Comprehensive Plan call for commercial developments that “seek visibility and convenient access offered by frontage onto the major street network, and often draw from a larger regional area”. However, this site requires access off of Wright Street, an internal local street instead. Other commercial developments along this block including the Baymont Hotel, Taco Bueno, and a new granite facility immediately north, have direct access to Bryant Boulevard or another higher order road. These uses are also located at prominent intersections without requirements for unlimited Type 3 outdoor storage. The CG intent statement in the Zoning Ordinance in Section 304 states that “limited outdoor storage, screened from adjacent residential areas may be appropriate.” If approved, this would be the only CG property between 14th Street and Houston Harte Expressway that allowed unlimited outdoor storage. The question for the Planning Commission, then, is whether this use given its large amount of outdoor storage is suitable in this location.
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.* The applicant intends to use one of their portable buildings as a sales office facing Wright Street, and will require two parking spaces and a paved driveway as shown on their site plan. However, Staff does not believe this will create any negative environmental affects as the required permit will include a review of grading, drainage and stormwater.
5. **Community Need.** *Whether and the extent to which the proposed conditional use addresses a demonstrated community need.* The applicant believes that the subject location will allow them to better serve their customers, as they currently operate outside City Limits. Staff believes that ready-built building sales provide a community need as there are several in San Angelo, but is concerned with this specific location. Other similar businesses are located in industrial areas or with direct access to arterials and freeways such as SNG Satellite or T4C Cross Texas Homes.
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.* As indicated, Staff is concerned with traffic patterns and access from a local road that does not have direct access to North Bryant Boulevard. At the same time, Staff also understands that in 2005, City Council decided to rezone the properties to CG and later in 2009 to re-designate the Future Land Use along the north properties to Commercial. Staff agrees there should be a commercial presence here today; the question is whether a storage facility with unlimited outdoor storage is appropriate. The CG zoning specifically limits outdoor storage to 10% to ensure compatibility with surrounding commercial and residential uses. Staff recommends that there be no driveway access or commercial vehicle traffic on West 12th Street and that appropriate signage be installed to the satisfaction of Traffic Operations.

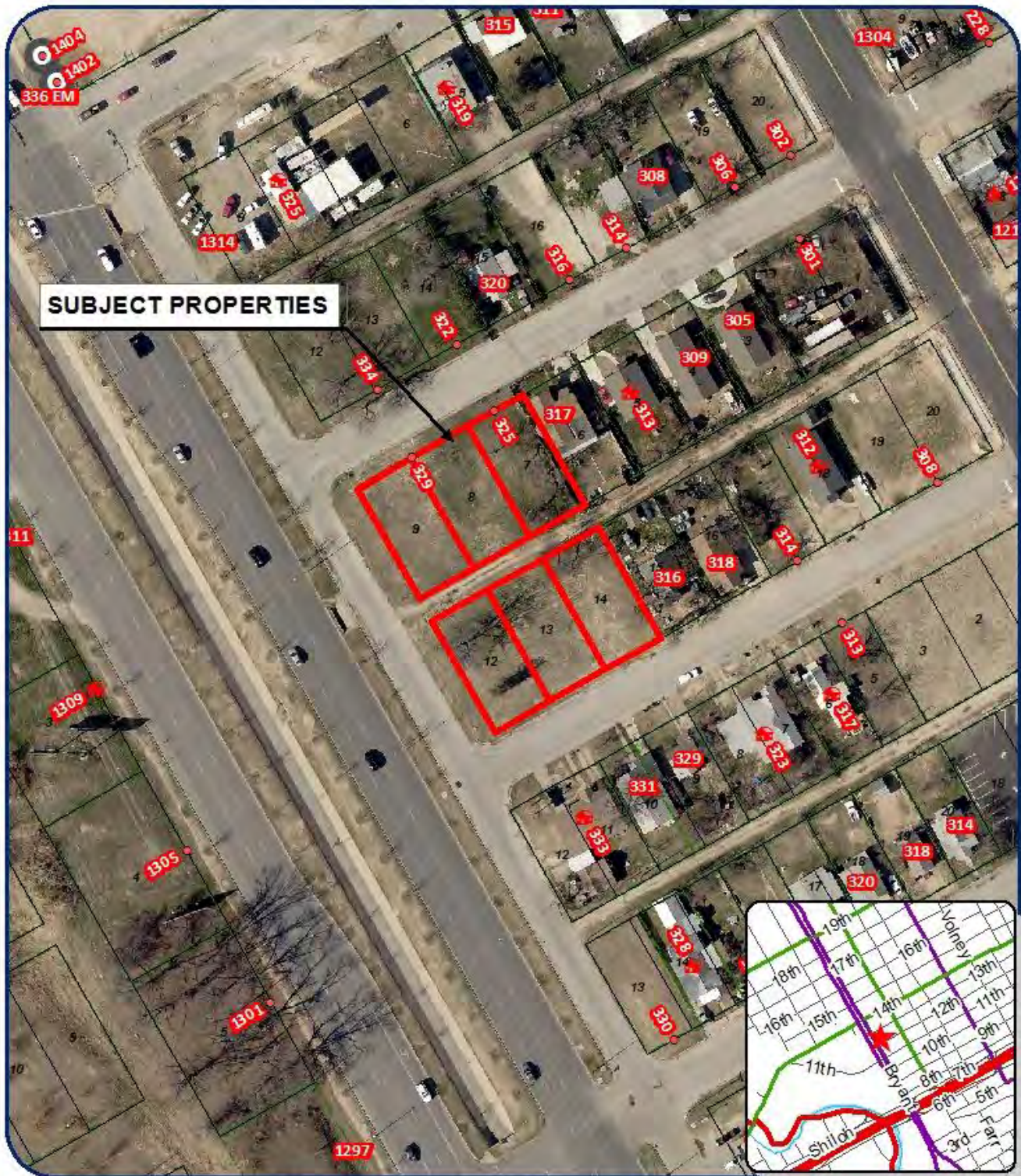
Recommendation:

Staff has **NO RECOMMENDATION** but should the Planning Commission decide to approve the Conditional Use to allow the retail sales of portable and ready-built buildings with Type 3 (unlimited) outdoor storage on the subject properties, the **following five Conditions of Approval** are recommended:

1. The applicant shall obtain a building permit from the Permits and Inspections Division for the new sales office building, and installed all required parking and paved connection to the street.
2. The applicant shall make the following site improvements, submit a revised site plan showing these improvements, and provide the Planning Director with a timeline for approval on when such improvements shall be completed:
 - a. Install a new 4-foot high opaque privacy fence along the south property line of Lots 12-14 facing West 12th Street, reduced to 3 feet in the 30-foot sight triangle;
 - b. Install new 6-foot high privacy fencing to close the gap within the existing fencing adjacent to Lot 7;
 - c. Install additional curb stops or other elevated barrier preventing outdoor storage within the required 15-foot setback line from edge of curb facing West 12th Street and West 13th Street, and within the required sight triangles.
3. No driveway access and no commercial vehicle, as defined in the City Code of Ordinances, shall enter the property from West 12th Street. The applicant shall install appropriate signage to the satisfaction of Traffic Operations that there be no commercial vehicle traffic on West 12th Street between Wright Street and 314 West 12th Street which contains residential uses.
4. All lighting, if provided, shall be fully shielded so as not to create any spillover glare onto adjacent properties or streets.
5. All existing trees on the site shall be preserved by the owner or replaced with an equivalent number of trees.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Product Samples
Site Concept Plan
Application




Conditional Use Case File

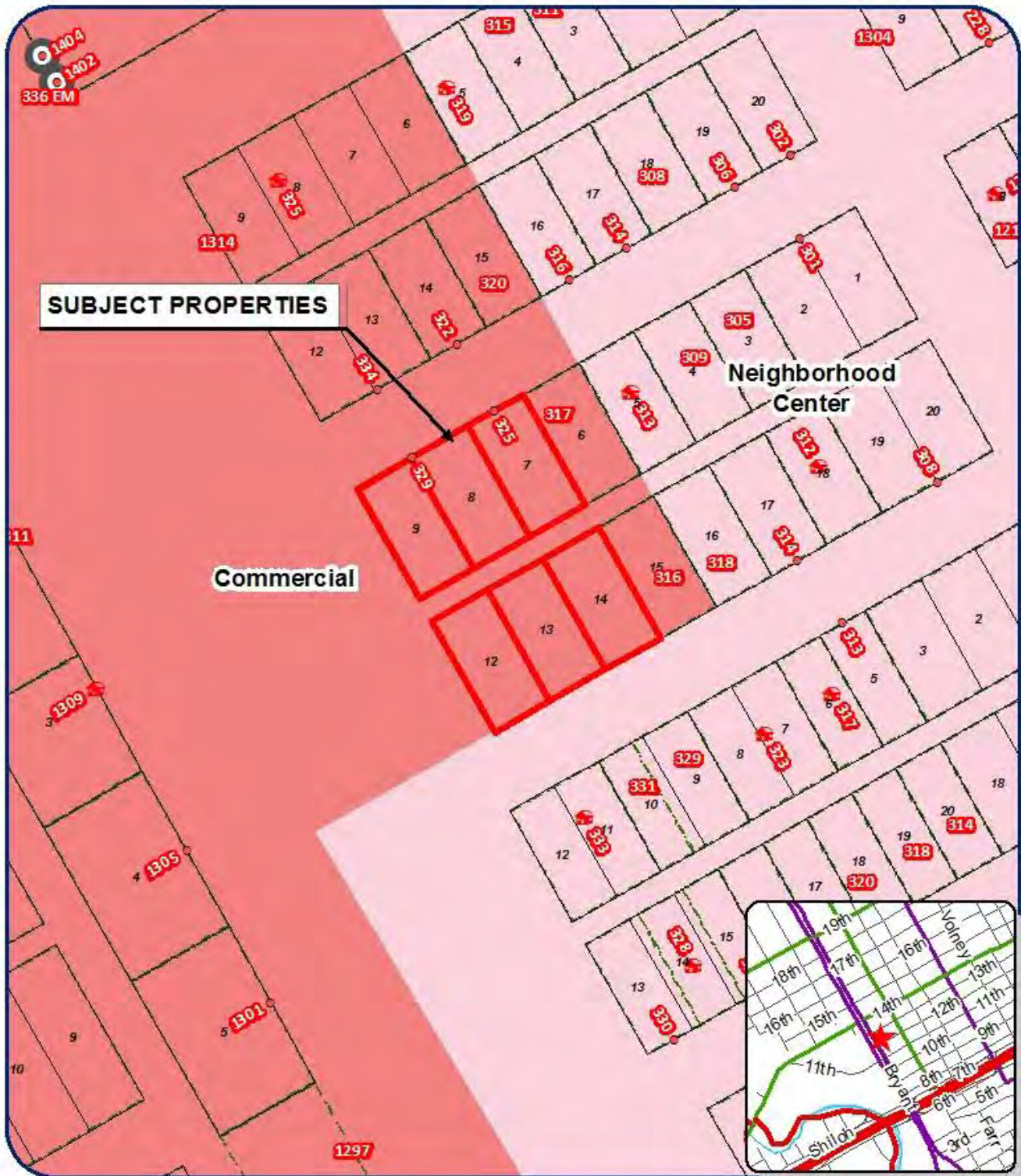
Case CU19-03: BK Portable Buildings

Council District: Lucy Gonzales (SMD#4)
 Neighborhood: Blackshear
 Scale: 1" approx. = 100 ft
 Subject Properties: Lots 7, 8, 9, 12, 13, 14, Block 67, Miles Addition

Legend

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






Conditional Use Case File

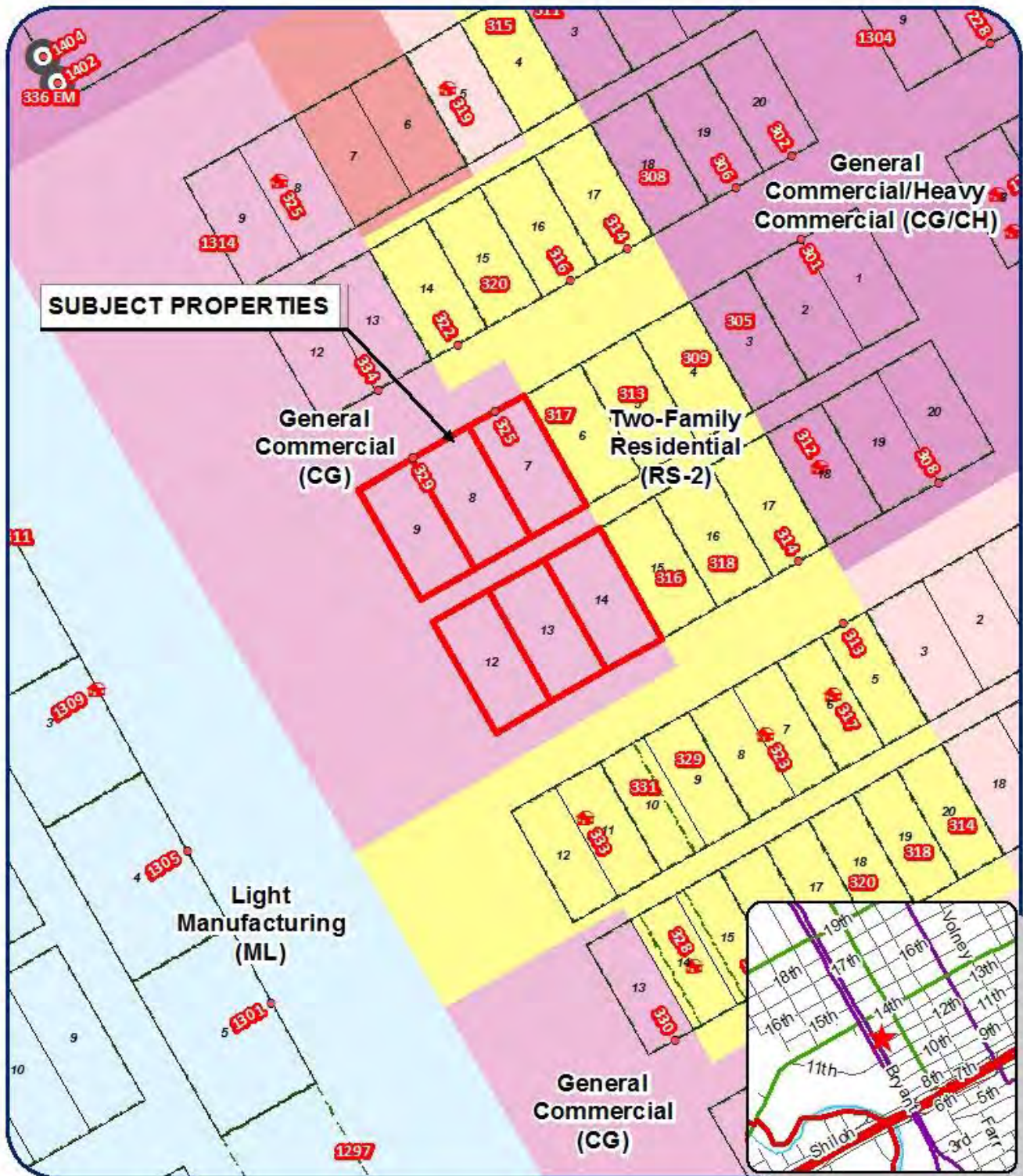
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Legend

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



Photos of Site and Surrounding Area

NORTH ON WRIGHT STREET



SOUTH ON WRIGHT STREET



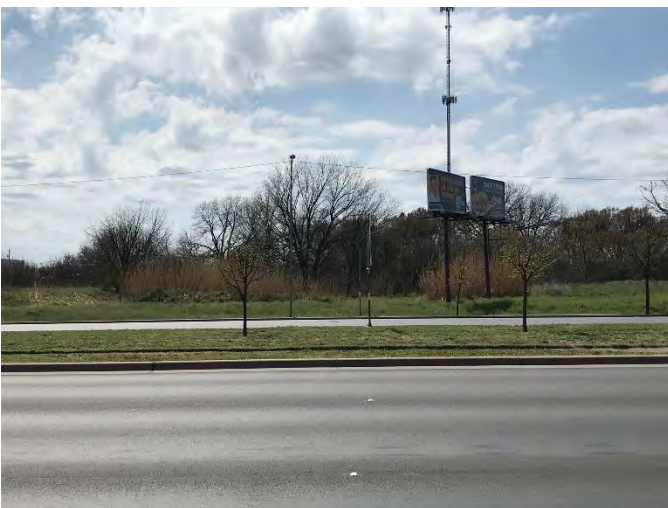
NORTHEAST AT PROPERTIES (LOTS 7-9)



SOUTHEAST AT PROPERTIES (LOTS 12-14)



WEST NEW LOCATION SITE (1925 UNIVERSITY)



NORTH ON WRIGHT STREET



Product Samples

SAMPLE FUTURE SALES OFFICE



SAMPLE PORTABLE BUILDING FOR SALE



SAMPLE PORTABLE BUILDING FOR SALE



SAMPLE PORTABLE BUILDING FOR SALE



SAMPLE PORTABLE BUILDING FOR SALE



SAMPLE PORTABLE BUILDING FOR SALE



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): BK Portable Buildings | Brent Lowe Kristin Lowe
 Owner Representative (Affidavit Required)

Mailing Address: 1500 State Hwy 158 City: Ballinger State: TX Zip Code: 76821

Contact Phone Number: 920 520 3559 Contact E-mail Address: blowe0430@gmail.com

Subject Property Address: 325 & 329 W 13th St [lot 7, 8, 9 Block 67, Miles addition] San Angelo TX City: San Angelo State: TX Zip Code: lot 12, 13, 14

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

Lot Size: 0.458 acres Zoning: CG

Section 2: Site Specific Details

*Use attachment if necessary.

Existing Use of Property: Vacant land

Proposed Use/Size: retail sales & service - portable building sales w/ sales office

Proposed Conditional Use (from Section 309): to allow type 3 unlimited outdoor storage

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: Zoning will require min 6' high privacy 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: Proposed use already allowed in zoning ordinance, only change is outdoor storage

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: existing commercial businesses already in place along N. Bryant Ave.

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: NIA

Section 2 continued: Site Specific Details

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

Explanation: proposed location would better assist providing services to our customers

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

Explanation: No change in current lot configuration

Section 3: Applicant(s) Acknowledgement

Please initial the following:

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

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

[Signature]
Signature of licensee or authorized representative

3/11/19
Date

Kristin Louise
Printed name of licensee or authorized representative

BK Portable Buildings, LLC
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CU: 19 - 03 Planning Commission date: 4 / 15 / 2019
Nonrefundable application Fee: \$ 422.50 Receipt #: 175172 Date paid: 3 / 15 / 2019
Reviewed/Accepted by: J. Fisher Date: 3 / 15 / 2019